



SECOND GENERATION DISTRICT PLAN

Variation 2 Additional Housing Capacity (Part 2a Intensification Zoning)

Section 42A Report

12 October 2021

Primary Author

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Experience: I have approximately 20 years of planning experience in a variety of roles with the Dunedin City Council. Prior to this I worked for the Ministry of Works, Valuations Department, and Department of Survey and Land Information in a variety of administrative and property management roles.

My former colleague, Liz Lightbourne, prepared nearly all of this Section 42A Report but has recently transferred to Council's Resource Consent Team. I am extremely grateful for the hard work and detailed information and analysis that she has put into this report.

Code of Conduct

I confirm that I have read, and agree to comply with, the Environment Court Code of Conduct for Expert Witnesses (Consolidated Practice Note 2014).

Role in Variation 2 Preparation

I have been part of the team involved in the development of Variation 2 and was recently the Senior Planner for the first Variation 2 (Provisions) Hearing.

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LIST OF ABBREVIATIONS

2GP	Second Generation Dunedin City District Plan
Act	Resource Management Act 1991
AT	Active Transport
DCC	Dunedin City Council
GR1	General Residential 1 Zone
GR2	General Residential 2 Zone
GR2	General Residential 2 Zone
MD	Medium Density
NDMA	New Development Mapped Area
NPS-UD	National Policy Statement on Urban Development 2020
ORC	Otago Regional Council
Plan	Second Generation Dunedin City District Plan
pRPS	Proposed Otago Regional Policy Statement
PT	Public Transport
RMA	Resource Management Act 1991
SFDT	Shaping Future Dunedin Transport programme
UBMA	Urban Biodiversity Mapped Area
UFD	Urban form and development

1 Introduction

1.1 Purpose of the Officer's Report

1. This report is prepared under the provisions of section 42A of the Resource Management Act 1991 (RMA) to:
 - assist the Hearing Panel in making their decisions on the submissions and further submissions on Variation 2; and
 - provide submitters with information about how their submissions have been evaluated and the recommendations being made by the officer, prior to the hearing.
2. The evaluations and recommendations presented in this report are based on the information available prior to the hearing, including information contained in submissions.
3. In evaluating the submissions and further submissions, the matters considered include:
 - whether a decision requested is something that should properly be included in a District Plan, considering the functions of Dunedin City Council (DCC) under section 31 of the RMA, and the contents of district plans outlined in section 75 of the RMA;
 - whether the decision requested falls within the purpose of the changes proposed in Variation 2 (i.e. whether it is within scope);
 - the matters to be considered when changing a district plan as outlined in section 74 and 75, including:
 - the matters outlined in section 32 of the RMA, including the objectives of the Plan
 - the provisions of Part 2 of the RMA
 - the need to give effect to any national policy statement or any (operative) regional policy statement;
 - the need to have regard to the proposed Regional Policy Statement
 - the need to have regard to the Dunedin Long Term Plan and Infrastructure Strategy and Dunedin Spatial Plan;
 - any restrictions on rules as outlined in section 76; and
 - relevant case law.
4. In preparing this report I have relied on advice from:
 - Mr Logan Copland, DCC Transport, regarding transportation effects;
 - Mr Jared Oliver and Ms Jacinda Baker, DCC 3 Waters, regarding effects on 3 waters infrastructure;
 - Mr Peter Christos, DCC Urban Design, regarding effects on residential character, amenity and urban design;
 - Ms Andrea Farminer, DCC Heritage Advisor, regarding effects on residential character and heritage;
 - Mr Nathan Stocker, DCC City Development, regarding housing capacity modelling and other data;
 - Mr John Brenkley, DCC Parks and Recreation Services, regarding provision of parks, public amenities and planting as part of the subdivision process;
 - Mr Richard Ewans, DCC Biodiversity Advisor, regarding effects on biodiversity; and

- City Development Leadership Team for peer review of my report and recommendations.
5. The recommendations made have also been assessed in terms of the requirements for a further evaluation report set out in section 32AA of the RMA.

1.2 Scope of report

6. This s42a report is the second of four reports that will be presented to assist the Hearing Panel respond to submissions on Variation 2 changes. The focus of this report is on submissions made on the Variation 2 changes outlined in Table 1 below.
7. These changes deal with submissions regarding changes related to medium density rezoning, which is the focus of the second Variation 2 hearing.
8. The first report dealt with the changes to plan provisions and the third report will deal with 3 Waters Provisions, and the fourth report will deal with submissions regarding changes that involve new greenfield rezoning.

Table 1: Variation 2 changes addressed in this Section 42A Report

CHANGE GROUP	CHANGE IDs INCLUDED IN THIS CHANGE GROUP
Assessment of sites for rezoning	<ul style="list-style-type: none"> • General intensification – GR2 rezoning – IN01-IN13 and RTZ1-2 • IN01 Mosgiel Medium Density • IN02 Burgess Street and surrounds • IN03 Green Island • IN04 Concord • IN05 Mornington (south) • IN06 Roslyn (south) • IN07133-137 Kaikorai Valley Road • IN08 Roslyn (north) and IN08a to include 16 Wright Street and 37 Tyne Street • IN09 Maori Hill • IN10 26-32 Lynn Street, Maori Hill • IN11 Wakari • IN12 98 Blacks Road, Opoho • IN13 and IN13a Andersons Bay and request to include 125, 127, 129, 133 and 135 Tomahawk Road

2 Background

2.1 Planning Background

9. Planning background for Variation 2 was provided in Chapters 5 and 6 of the Section 32 Report and covered relevant aspects of the:
- National Policy Statement on Urban Development 2020 (NPS-UD);
 - Partially Operative Otago Regional Policy Statement (RPS);
 - Dunedin's Long Term Plan and Infrastructure Strategy;
 - Dunedin City Spatial Plan;
 - Dunedin City Second Generation District Plan (the Plan);

- Section 32 statutory considerations.

10. The following sections set out additional and updated information relevant to the statutory context.

2.1.1 Resource Management Act 1991 (RMA)

11. Under the RMA, district plans must be prepared in accordance with the provisions of Part 2 (ss5-8). The purpose of the RMA, as stated in section 5, is the sustainable management of natural and physical resources to meet the reasonably foreseeable needs of future generations which enables people and communities to provide for their social, economic, and cultural well-being while safeguarding the environment.
12. Of particular relevance is section 7 of the RMA, which lists other matters to which local authorities should have particular regard, including:

“...

(b) the efficient use and development of natural and physical resources:

(c) the maintenance and enhancement of amenity values:

...

f) maintenance and enhancement of the quality of the environment...”

2.1.2 Further evaluation under Section 32AA of the RMA

13. Section 32AA of the RMA requires that a further evaluation is undertaken for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal (Section 32 Report) was completed. A further evaluation must be undertaken in accordance with section 32(1) to (4) and be undertaken at a level of detail that corresponds to the scale and significance of the changes.
14. In assessing the changes sought through submissions, I have considered the matters set out in section 32 of the RMA. Where I have not recommended changes it is because I did not believe that the change would be a more appropriate way of achieving the objectives of the Plan, or, if a change to an objective was sought, that it would be the most appropriate way to achieve the purpose of the RMA. Where I have recommended a change to the proposal, I have included why I am promoting the change based on the relevant criteria set out in section 32 of the RMA, to the appropriate extent.

2.1.3 Proposed Otago Regional Policy Statement 2021 (pRPS)

15. The Otago Regional Council notified its Proposed Otago Regional Policy Statement 2021 (pRPS) on 26 June 2021 after the further submission process for Variation 2 had closed.
16. Section 74(2)(a)(i) of the RMA requires that a territorial authority has regard to any proposed regional policy statement when changing a district plan. The table below sets out the relevant provisions of the pRPS.

Table 2: Relevant provisions of the Proposed Otago Regional Policy Statement 2021

UFD – Urban form and development	
Objective UFD-01 Form and function of urban areas	The form and functioning of Otago’s urban areas: <ol style="list-style-type: none"> 1. Reflects the diverse and changing needs and preferences of Otago’s people and communities, now and in the future, and 2. Maintains or enhances the significant values and features identified in this RPS, and the character and resources of each urban area.
Objective UFD-02 Development of urban areas	The development and change of Otago’s urban areas: <ol style="list-style-type: none"> (1) Improves housing choice, quality, and affordability, (2) allows business and other non-residential activities to meet the needs of communities in appropriate locations,

	<ul style="list-style-type: none"> (3) respects and wherever possible enhances the area's history, setting, and natural and built environment, (4) delivers good urban design outcomes, and improves liveability, (5) improves connectivity within urban areas, particularly by active transport and public transport, (6) minimises conflict between incompatible activities, (7) manages the exposure of risk from natural hazards in accordance with the HAZ–NH – Natural hazards section of this RPS, (8) results in sustainable and efficient use of water, energy, land, and infrastructure, (9) achieves integration of land use with existing and planned development infrastructure and additional infrastructure and facilitates the safe and efficient ongoing use of regionally significant infrastructure, (10) achieves consolidated, well designed and located, and sustainable development in and around existing urban areas as the primary focus for accommodating the region's urban growth and change, and (11) is guided by the input and involvement of mana whenua.
Objective UFD-03 Strategic planning	<p>Strategic planning is undertaken in advance of significant development, expansion or redevelopment of urban areas to ensure that</p> <ul style="list-style-type: none"> (1) there is sufficient development capacity supported by integrated infrastructure provision for Otago's housing and business needs in the short, medium and long term, (2) development is located, designed and delivered in a way and at a rate that recognises and provides for locationally relevant regionally significant features and values identified by this RPS, and (3) the involvement of mana whenua is facilitated, and their values and aspirations are provided for.
Objective UFD-05 Urban development and climate change	<p>The impacts of climate change are responded to in the development and change of Otago's urban areas so that:</p> <ul style="list-style-type: none"> (1) the contributions of current communities and future generations to climate change impacts are reduced, (2) community resilience increases, (3) adaptation to the effects of climate change is facilitated, (4) energy use is minimised, and energy efficiency improves, and (5) establishment and use of small and community-scale distributed electricity generation is enabled.
Policy UFD-P2 Sufficiency of development capacity	<p>Sufficient urban area housing and business development capacity in urban areas, including any required competitiveness margin, is provided in the short, medium and long term by:</p> <p>...</p> <ul style="list-style-type: none"> (5) responding to any demonstrated insufficiency in housing or business development capacity by increasing development capacity or providing more development infrastructure as required, as soon as practicable, and (6) requiring Tier 2 urban environments to meet, at least, the relevant housing bottom lines in APP10.
Policy UFD-P3 Urban intensification	<p>Within urban areas intensification is enabled where it:</p> <ul style="list-style-type: none"> (1) contributes to establishing or maintaining the qualities of a well-functioning urban environment, (2) is well-served by existing or planned development infrastructure and additional infrastructure, (3) meets the greater of demonstrated demand for housing and/or business use or the level of accessibility provided for by existing or planned active transport or public transport, (4) addresses an identified shortfall for housing or business space, in accordance with UFD–P2, (5) addresses issues of concern to iwi and hapū, including those identified in any relevant iwi planning documents, and (6) manages adverse effects on values or resources identified by this RPS that require specific management or protection.
Policy UFD-P4 Urban expansion	<p>Expansion of existing urban areas is facilitated where the expansion:</p> <ul style="list-style-type: none"> (1) contributes to establishing or maintaining the qualities of a well-functioning urban environment,

	(2) will not result in inefficient or sporadic patterns of settlement and residential growth, ...
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17. I consider that the proposed provisions, including any amendments recommended in this report, are consistent with the pRPS, especially when considered in the context of the other changes being proposed as part of Variation 2, and the upcoming development of Dunedin's Future Development Strategy in accordance with the NPS-UD.

2.2 Update on Other Background

18. Background on the need for additional housing capacity in Dunedin and current 3 waters issues, and an overview of consultation undertaken in developing Variation 2 was provided in Chapters 3, 4 and 7 of the Section 32 Report. In addition, the section below provides updated information on the Housing Capacity Assessment 2021.

2.2.1 Housing Capacity Assessment 2021

19. In July 2021, being after the close of the further submission period for Variation 2, Dunedin City Council released a Housing Capacity Assessment to comply with NPS-UD requirements. Earlier interim results from the underlying modelling were used in the Section 32 report for Variation 2 to assist with the evaluation of options in terms of how much additional housing capacity could be anticipated from certain changes.
20. Since the inclusion of interim results in the Section 32 report, the model methodology was updated following a technical review. The final results from the Housing Capacity Assessment 2021 are provided in **Table 3** below (figures may not add up due to rounding). Note that the assessment of additional housing capacity anticipated to be added to the 2GP through Variation 2 is from all proposed changes, not just those that are the subject of the present report.

Table 3: Housing Capacity Assessment 2021 results

Timeframe	2020-23	2020-30	2020-50
Capacity required	1,810	5,820	11,330
2GP capacity based on decisions version of plan (surplus/deficit)	1,330 (-480)	3,660 (-2,160)	8,290 (-3,040)
2GP capacity based on Variation 2 proposals (surplus/deficit)	2,000 (+180)	6,290 (+460)	11,230 (-100)
Capacity from Variation 2 proposals (2021 HCA results)	660	2620	2940
<i>Capacity from Variation 2 proposals (Section 32 Report)</i>	<i>1360</i>	<i>2950</i>	<i>4100</i>

21. The Housing Capacity Assessment report (available on the DCC website) outlines the methodology behind the results. Key differences from the earlier modelling used for the Variation 2 Section 32 report include:
- Improvements to the reconciliation of growth projections by area, age, and household type. This resulted in increased demand figures;
 - Improvements to property data where properties are split into multiple components but owned by a single owner. This resulted in increased capacity figures;
 - Changes to how the model considers the impact of slope on development yields and feasibility. This resulted in a reduction in the short-term capacity but an increase in long-term capacity; and

- Changes to how model constraints around city-wide development composition (brownfield/greenfield) and location are incorporated into results. This resulted in reduced capacity figures.
22. Overall, the Housing Capacity Assessment 2021 shows that the Variation 2 changes together are now projected to add about 50% less housing capacity in the short term and about 10% less housing capacity in the medium term than was projected for the Section 32 Report. However, the changes are still projected to ensure an overall surplus of housing capacity is provided over the next ten years.

3 Structure of the report

3.1 How Proposals and Submissions are Ordered

23. The rest of the report is structured to enable consideration of matters raised in submissions from those that are broad and cut across multiple proposed changes, to those that seek specific amendments to each change proposal.
24. Submissions in support of Variation 2 broadly are addressed first.
25. This is followed by consideration of submissions that opposed or sought amendments to groups of changes or individual changes in this report due to broad concerns regarding particular types of effects (e.g. on parking, residential character, or greenspace). Those submissions in opposition that gave a general discussion of the matters of concern only appear in this broad section, whereas those that also specifically discuss a particular intensification area also appear in the section for that change ID later in the report, with reference back to the broad section of relevance.
26. After consideration of broad matters, the report moves onto sections containing groups of specific change IDs. These sections contain most of the submissions in support of the proposed changes, and those seeking specific amendments to each proposal.
27. Some specific change proposals did not receive any submissions in opposition. These are included in this report for completeness but do not require a decision to be made as they are deemed operative, and this is noted accordingly.

3.2 Tables of Original & Further Submissions

28. Tables showing the original submission points being considered for each topic or change ID are provided at the start of each section in the following parts of the report. These tables do not show the further submission points, but these are noted in the discussions on submissions.
29. Tables showing all submission points that are addressed in this report, including further submissions, are provided in two appendices:
- Appendix G: lists the original submissions relevant to this report in numerical order, with relevant further submissions listed under each original submission; and
 - Appendix H: lists the original and further submissions relevant to this report in alphabetical order by the submitter's first name to enable submitters to see the full list of their submission points that are considered in this report.
30. References to submissions in the body of the report can be found by using the Ctrl>F search function and searching for a submission number or name (searching by last name is best).

3.3 Drafting Mark-up Protocol

31. Recommended changes to the drafting of provisions are shown as set out in **Table 4** below.

Table 4: Drafting mark-up protocol for this report

Type of content	How the content is displayed
Operative 2GP content for which: <ul style="list-style-type: none"> changes were not notified; and no changes are recommended in this report. 	Plain or bold text with no underline or strikethrough.
Operative 2GP content for which: <ul style="list-style-type: none"> deletion was notified; and no further changes are recommended in this report. 	Plain or bold text with single strikethrough.
Proposed new 2GP content: <ul style="list-style-type: none"> which was notified; and for which no further changes are recommended in this report. 	<u>Plain or bold text with single underline.</u>
Operative 2GP content for which: <ul style="list-style-type: none"> changes were not notified; but deletion is recommended in this report. 	Plain or bold text with double strikethrough.
Operative 2GP content for which: <ul style="list-style-type: none"> changes were not notified; but proposed new content is recommended in this report. 	<u>Plain or bold text with double underline.</u>
Operative 2GP content for which: <ul style="list-style-type: none"> deletion was notified; and it is recommended to retain the operative 2GP content in this report. 	<u>Plain or bold text with single strikethrough and double underline.</u>
Proposed new 2GP content which: <ul style="list-style-type: none"> was notified; and is recommended for deletion in this report. 	<u>Plain or bold text with single underline and double strikethrough.</u>

4 Summary Of Submissions and Officer's recommendations (by topic or change number)

4.1 Broad or topic-specific matters raised in submissions

32. This section of the report addresses broad matters raised in submissions that cut across multiple Variation 2 proposals and a few topic specific matters that are better addressed by topic than by Change ID...

4.1.1 Broad support for Variation 2

33. Several submitters gave broad statements of support for Variation 2 changes (including those not addressed in this report).

Submission point	Submitter Name	Support oppose	Decision requested
S123.006	Fletcher Glass	Accept the change	General statement of support for Variation 2.
S207.001	Graham William Potter	Accept the change	General statement of support for Variation 2.
S235.002	Waka Kotahi (NZ Transport Agency)	Accept the change	General statement of support for Variation 2.
S13.001	Bill Morrison	Accept the change	Retain all changes made in Variation 2.
S73.001	Melissa Bulger	Accept the change	Retain all changes made in Variation 2.
S244.001	The Southern District Health Board	Accept the change	Retain all changes made in Variation 2.
S189.003 S205.003	Ryman Healthcare Limited Retirement Villages Association of New Zealand	Accept the change	Retain changes in Variation 2 that: <ul style="list-style-type: none"> • Address residential development capacity constraints and contribute towards achieving the targets for housing development capacity in the 2019 Housing Capacity Assessment for Dunedin and other relevant strategies; • Recognise the need to enable and provide a range of housing types across the district; • Reduce pressure on urban expansion by enabling more intensification to deliver a more compact city; and • Provide mechanisms to enable the well-planned and intensive development of a variety of accommodation opportunities for the elderly within the district.

Submissions received

8 original submissions were received generally supporting all changes proposed in Variation 2 and this support is noted. Further submissions were received from Otago Regional Council opposing each of these original submissions in part to enable amendments sought in the Otago Regional Council's submission to be made (FS184.18, FS184.547, FS184.39, FS184.112, FS184.37, FS184.27, FS184.60, FS184.53).

Recommendation

I recommend retaining the changes proposed in Variation 2 with amendments as set out in the following report, which respond to issues raised in other submissions.

Recommended amendments:

See the recommendations set out in the following sections of this report.

4.1.2 General Submissions on intensification – rezoning areas from General Residential 1 to General Residential 2

Submission point	Submitter Name	Support oppose	Decision requested
OS309.002	Hilary Hutton	Reject the change	Remove changes IN01-IN13 (intensification rezoning).
OS177.009	Generation Zero (Dunedin)	Accept the change	Retain changes IN01-IN13 (rezoning from General Residential 1 zone to General Residential 2 zone).
OS245.002	Moreclake Developments Limited	Accept the change	Retain changes IN01-IN13 (rezoning from General Residential 1 zone to General Residential 2 zone).
OS301.002	Blue Sky Property Group Ltd	Accept the change	Retain changes IN01-IN13 (rezoning from General Residential 1 zone to General Residential 2 zone).
OS128.010	Mark Geddes	Accept the change	Retain rezoning of areas to General Residential 2, as outlined on the maps (inferred not stated).
OS28.004	Transpower New Zealand Limited	Accept the change	Retain the location of areas for more intensive residential development as notified or so that they are located no closer to the National Grid.
OS59.002	Rebecca Post	Accept the change with amendments	Amend changes which increase housing density and availability of sites to build on to ensure that: a. there is adequate infrastructure (3-Waters) provided, and b. communal, outdoor children's play areas are provided within each larger (4 or more dwelling units) development, in addition to private, individual outdoor amenity spaces.
OS122.005	Peter Dowden	Accept the change with amendments	Amend rules so that all new dwellings built in General Residential 2 zone must have "good" or better access to public transport accessibility by DCC criteria. <i>Note that this point has been dealt with in the first hearing report on provisions.</i>
OS125.007	Bus Users Support Group Otepoti/Te Roopu Tautoko Kaieke Pahi ki Otepoti	Accept the change with amendments	Remove rezoning of land to General Residential 2 zone unless all new dwellings in the new zones are able to meet the following standard for walking distance to bus stops, through optimal walking route layout or bus route extensions: any new dwelling to be within 400m walking distance of a bus stop with a regular service, or 800m walking distance of a bus stop with a rapid service.
OS60.004	Cameron Grindlay	Accept the change with amendments	Retain all changes in Variation 2 subject to the required infrastructure (3-Waters) being adequately funded, so it is capable of handling the existing and new development.
OS184.001	Public Health Association of NZ, Otago-Southland Branch (Louise Mainvil)	Accept the change with amendments	Retain proposal for general intensification provided that: <ul style="list-style-type: none">• Medium Density (MD) development doesn't inadvertently cause negative outcomes for renters.• Public Transport/Active Transport (PT/AT) has been accounted for in the choice of proposed development locations, especially Greenfield development. While criteria in the risk assessment model includes proximity to a bus stop, it is difficult to gauge the extent to which AT has been considered. Otago University's Active Living Lab "Turning the Tide - from Cars to Active

			<p>Transport" provides illustration of health co-benefits from PT/AT.</p> <ul style="list-style-type: none"> Housing design and quality that incorporates climate change mitigation and adaptation can be encouraged or even mandated in future developments. This is an opportunity for DCC to lead and provide exemplars on the health co-benefits that can be achieved through housing design and quality.
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Submissions received

There were 12 submissions received, 1 opposing the changes, 5 in support and 6 seeking amendments.

Reasons for support of general intensification included:

- intensification encourages more housing in the city and to provide housing that reflects the need for more than one reasonably available transport option (S177.009 Generation Zero);
- provides additional housing capacity in the city (S245.002 Moreclarke Developments, S301.002 Blue Sky Property Group Limited S301.002, Mark Geddes S128.010);
- location of intensification areas are located away from the National Grid (Transpower New Zealand Limited S28.004).

Reasons for opposition of general intensification included:

- concern around infrastructure capacity and traffic congestion (Hillary Hutton S309.002).

General submissions and amendments sought to the general intensification areas included:

- ensuring that the intensification locations have good access to public transport and that new housing is within appropriate walking distances to bus stops (Peter Dowden S122.005, Bus Users Support Group Otepoti S125.007 and Public Health Association of New Zealand S184.001);
- adequate funding for 3 Waters infrastructure so that it is capable of providing infrastructure to meet the housing growth (Cameron Grindlay S60.004); and
- ensuring that housing design and quality that incorporates climate change mitigation and adaptation and that new housing doesn't inadvertently cause negative outcomes for renters (Public Health Association of New Zealand S184.001).

Further submissions were received as follows:

- Otago Regional Council (FS184.25, FS184.477, FS184.476 and FS184.99) supported in part or in whole submissions from Public Health Association of NZ (OS184.001), Bus Users Support Group (OS125.007), Peter Dowden (OS122.005), and Rebecca Post (OS59.002).
- Southern Heritage Trust (FS226.4) support the submission from Andrew Rutherford (OS71.006).

Recommendation

I have considered all submissions received, and reasons for those submissions, and overall I am of the view that no changes to the intensification areas are required other than what is proposed in the recommendations for each area in the report below.

The reasons for not recommending changes in response to the submissions are as follows:

- Regarding 3 Waters infrastructure effects, evidence was sought previously from Mr Jared Oliver, DCC Engineering Services Team Leader, to inform the Section 32 evaluation of the intensification areas. In summary, his assessment was that the additional housing capacity being added through these changes was acceptable from a 3 Waters perspective provided that in some areas identified a wastewater constraint mapped area and stormwater constraint mapped area is applied (refer to details in the intensification section below Section 4.2). The conservative approach to 3 waters modelling to inform Variation 2 ensures that anticipated levels of development can be accommodated within existing and planned infrastructure networks. Any upgrades required have been included in the budgets for the 2021-2024 LTP. As such, I consider that no amendments are required to manage the 3 waters effects of the proposed intensification.
- Regarding the concern raised about effects on traffic due to intensification (Hillary Hutton, S309.002), all of the proposed intensification areas have been reviewed by Mr Logan Copland, DCC Planner, Transport Strategy to inform the Section 32 assessment (Appendix 6 Site Assessments) and in further evidence in response to submissions received (see Appendix A). In summary, Mr Logan has highlighted where specific

<p>upgrades are required and planned to accommodate growth due to intensification. These are addressed in more detail for each intensification areas in Section 4.2 of the report.</p> <ul style="list-style-type: none"> Regarding the submissions which raised accessibility to public transport and distance of new housing from bus stops (Peter Dowden S122.005, Bus Users Support Group Otepoti S125.007 and Public Health Association of New Zealand S184.001), for all of the intensification areas, part of the assessment criteria included a review of accessibility to public transportation¹. All of the intensification areas were assessed as having 'very good' accessibility to public transport. It is also important to note that DCC has no direct control over the design and location of the public transport network however retaining the intensification areas may result in new or upgraded public transport networks over time. Overall, I consider no amendments to the location of the intensification areas (being within existing residential areas) are required. The submission from the Public Health Association of New Zealand (S184) regarding housing design and quality to incorporate climate change mitigation and adaptation are considerations that sit outside of the scope of Variation 2. It is important to note that none of the intensification areas are located within a flood hazard overlay as identified on the 2GP planning maps. It is difficult to assess whether there would be any inadvertent effects on rental accommodation and any mitigation required would be outside of the control of the 2GP. The changes proposed aim to provide sufficient housing capacity under the NPS-UD and Objective 2.6.1 Housing choices and Objective 2.6.2 Adequate urban land supply. In response to DCC (187.007) several new plan provisions are proposed for the intensification areas which are discussed in more detail in the relevant sections below.
<p><u>Recommended amendments:</u></p> <p><i>None – see the recommendations in response to other submissions in the sections below.</i></p>

4.1.3 Submissions on character, amenity and loss of green space due to intensification

Submission point	Submitter Name	Support/oppose	Decision requested
<i>General Intensification (IN01-IN13 and RTZ1-RTZ2) Effects on character and amenity</i>			
OS306.003	Megan Goodwin	Reject the change	Remove all medium density rezoning (inferred not stated).
OS9.005	Marita Ansin-Johnson	Reject the change	Remove changes IN01- IN13 (Intensification rezoning).
OS309.002	Hilary Hutton	Reject the change	Remove changes IN01-IN13 (intensification rezoning).
OS176.005	Liz Angelo	Accept the change with amendments	Amend changes providing for infill housing so that homes are soundproof and so there are no units that will end up as student accommodation (inferred not stated).
<i>General Intensification (IN01-IN13 and RTZ1-RTZ2) Effects on greenspace</i>			
S8.001	John and Christine Burton	Accept the change with amendments	Retain changes which increase the density of housing within the boundaries of the City of Dunedin, provided that green spaces are maintained. This point applies to all intensification rezoning.
OS59.002	Rebecca Post	Accept the change with amendments	<p>Amend changes which increase housing density and availability of sites to build on to ensure that:</p> <ol style="list-style-type: none"> there is adequate infrastructure (3-Waters) provided, and communal, outdoor children's play areas are provided within each larger (4 or more dwelling units) development, in addition to private, individual outdoor amenity spaces.

¹ Section 32 Appendix 6 Site Assessments

OS82.004, OS82.006, OS82.007, OS82.009, OS82.012, OS82.013	Yolanda van Heezik	Accept the change with amendments	Amend Change IN01 Mosgiel, IN02 Burgess Street, IN03 Green Island, IN04 Concord, IN05 Mornington, IN13 Andersons Bay (rezoning from General Residential 1 zone to General Residential 2 zone) as follows: <ul style="list-style-type: none"> Consider ways of reducing housing footprints while increasing density, particularly regarding access/drives. This could include the use of housing styles that have the same footprint (e.g. low rise, common walls, shared drives/access). Protect vegetation cover, at sites adjacent to major biodiverse areas. Implement compensatory plantings/greenspace creation to ensure there is no overall reduction in vegetated area. Put conditions on infill and new development regarding biodiversity protection and enhancement measures, including planting and creation of corridors. No new development should further fragment existing corridors. Consider ways to minimise hard landscaping resulting in incremental loss of permeable surfaces in private gardens: our own data indicated that over a five-year period about 19ha of permeable surface was likely to have been lost from private gardens across Dunedin's main urban area.
OS187.007	Dunedin City Council	Add a change	As an alternative to rejecting any changes that provide for intensification or new residential zoning in response to submissions opposing them, consider the need for additional plan provisions to better manage any adverse effects as an alternative.

Background

The submissions listed above, in whole or in part, raised broad matters that apply to all of the intensification area proposals with regard to changes in the amenity and character of the City. Such submissions raised concerns relating to the city as a whole or specific neighbourhoods. These matters are addressed together here to enable them to be considered holistically, rather than being repeated under each of the sections on specific change proposals, though I note that there are also submitters addressed with respect to individual areas that also raise issues related to amenity and character. The submissions are addressed in groups below, according to general topics.

In considering these submissions, it is important to note other relevant submissions that are dealt with elsewhere in this report. These include many submissions in support of the proposed changes, as set out in **Section 4.1.1** on broad support for Variation 2, and each of the other sections on the specific intensification areas (**Section 4.2**).

Expert Evidence sought

Mr Peter Christos, DCC Urban Designer, and Dr Andrea Farminer, DCC Heritage Advisor, undertook Medium Density character assessments (dated February 2021) to inform the section 32 evaluation. This assessment reviewed the impact of potential General Residential 2 zoning for each proposed change area².

In addition to this earlier evidence, I have also sought comments from Mr Peter Christos, DCC Urban Designer, on some of the submissions which raised broad concerns regarding effects on residential character and amenity and which are addressed in this part of the report (see **Appendix C**).

Submissions raising concerns regarding intensification and effects on residential character and amenity (these also appear in the relevant sections below on each change)

Broad submissions opposing intensification due to effects on residential character and amenity include:

- Marita Ansin-Johnson (S9.005) and Megan Goodwin (S306.003), are opposed to intensification because they do not want to see Dunedin change to become like other cities that have intensified, with associated

² See Variation 2 – Additional Housing Capacity Section 32 Report (February 2021), Appendix 9.

loss of space between buildings and outdoor living areas (Megan Goodwin, S306.003 & S9.005 Marita Ansin-Johnson)

- Hilary Hutton (S309.002), who is opposed to intensification due to a range of concerns, including amenity effects from increased pet density and social change; and

Broad submissions seeking amendments regarding effects on residential character and amenity include:

- Liz Angelo (S176.005) who seeks changes requiring new dwellings to be soundproof and to ensure that infill suburban homes are acoustically designed to minimise noise for occupants;
- as an alternative to rejecting any changes that provide for intensification or new residential zoning in response to submissions opposing them, consider the need for additional plan provisions to better manage any adverse effects as an alternative (DCC S187.007). There are recommendations in response to this submission as addressed in **Section 4.1.4-4.1.6** of this report.

A further submission from Southern Heritage Trust (FS226.16) supports the submission from Liz Angelo (OS176.005).

Recommendations and Assessment

I have considered the submissions received, reasons for those submissions and the expert evidence provided by Mr Christos. Overall, I recommend retaining the proposed changes that are the subject of this report, except where amendments have been recommended in other sections in response to other submissions.

The reasons for not recommending changes in response to the submissions and evidence outlined above are as follows:

- Regarding the submission from Liz Angelo, I note that noise from residential activity is managed by the performance standard for noise (Rule 9.3.6) and associated enforcement procedures, and the Plan has acoustic insulation requirements for dwellings in locations likely to be subject to reverse sensitivity from existing or permitted activities (Rule 15.5.1). Furthermore, regarding concerns that new housing might be used to house students, I note there is a need to provide housing options for all members of the community to enable Objective 2.6.1 Housing choices to be effectively achieved..
- Regarding the submissions from Marita Ansin-Johnson, Megan Goodwin and Hilary Hutton, who have concerns about the effects of intensification on amenity, it is not possible to provide for additional housing in Dunedin without also providing for some level of change in the character of places where intensification occurs. To not provide for housing intensification as a means of avoiding change would not enable the DCC to meet its obligations to provide sufficient housing capacity under the NPS-UD and Objective 2.6.1 Housing choices and Objective 2.6.2 Adequate urban land supply. In terms of character and amenity, Mr Christos, DCC Urban Designer, notes that he considers that the 2GP generally provides for adequate yard space, setbacks and height constraints to ensure a suitable level of amenity is provided for within proposed General Residential 2 zones. The 2GP also requires consent for multiunit developments to control effects on streetscapes and residential character.
- I note that the NPS-UD provides direction to decision-makers that changes to an area are not, of themselves, an adverse effect and to consider the benefits of urban development (Policy 6) which can improve amenity values appreciated by other people, communities, and future generations including by providing increased and varied housing densities and types. As noted above, submissions have been received in broad support of Variation 2 and specifically for the intensification areas.

Submissions raising broad concerns regarding intensification and provision of greenspaces (these also appear in the relevant sections below on each change)

Submissions were received seeking the following amendments regarding the provision of greenspace as part of intensification:

- from John & Christine Burton (S8.001) seeking amendments to the proposals to ensure green spaces are maintained where the density of housing is increased;
- from Rebecca Post (S59.002) seeking a requirement for provision of communal outdoor children's play areas as part of larger developments of 4 or more residential units in addition to private outdoor living space; and
- from Yolanda Heezik (S82) who seeks amendments to the proposals to ensure that there is no loss of good quality habitat that is currently present in the gardens of properties in those suburbs. This

submission has been mostly considered in **Section 4.1.3** above. However, the submission also raises issues regarding the loss of greenspace particularly in regard to existing private gardens and established vegetation. The submission suggests the following options:

- implement methods to minimise hard landscaping resulting in incremental loss of permeable surfaces in private gardens;
 - consider ways of reducing housing footprints while increasing density, particularly regarding access/drives;
 - protect vegetation cover at sites adjacent to major biodiverse areas;
 - implement compensatory plantings/greenspace creation to ensure there is no overall reduction in vegetated areas;
 - use of conditions through the resource consent process to require enhancement measures, including planting and creation of corridors.
- From the DCC (S187.007) which requests as an alternative to rejecting any changes that provide for intensification or new residential zoning in response to submissions opposing them, consider the need for additional plan provisions to better manage any adverse effects; and
 - I also note that the broad submissions from Marita Ansin-Johnson (S9.005) and Megan Goodwin (S306.003) opposing intensification, as discussed in the previous section, included reasons related to the loss of greenspaces between buildings.

Expert evidence

As part of the Section 32 analysis, Mr Peter Christos and Dr Andrea Farminer undertook Medium Density character assessments (dated February 2021) to inform the section 32 evaluation and boundaries of the intensification areas. This assessment reviewed the impact of potential General Residential 2 zoning for each proposed change area³. For some of the intensification areas, they recognised that landscape is largely provided by private gardens and hedges. In the assessments provided, it was acknowledged that potential threats to character due to infill housing in some of the intensification areas would be the loss of existing levels of green amenity, particularly along streets and in the centre of blocks where larger areas of mature vegetation/established plantings exist. Options to manage the loss of greenspace were recommended in the assessment for some of the intensification areas⁴. The options included controls to protect high quality gardens from removal through consent requirements and implementation of design guidance (to support a consent process), including on ways to retain mature planting and how new planting can be integrated into new developments. As explained in the Section 32 assessment⁵, these recommendations were not adopted by the planner (Ms McEwan) as it was considered the benefits of rezoning and providing for additional housing capacity outweighed the potential effects on amenity and associated loss of greenspace.

In addition to the above, Mr Christos has provided further evidence in response to the submissions received from John and Christine Burton, Rebecca Post and Yolanda Van Heezik (see **Appendix C**). Regarding the submissions raising concerns on the loss of greenspace, Mr Christos considered that identifying important urban corridors, habitat and landscape features within the intensification areas could be undertaken and additional standards added to the 2GP. He also notes that as replacement occurs due to intensification, it is likely that there would be loss of green amenity and gardens from clearance during construction and smaller sites would provide less space for new gardens and trees. However, over the longer term, it is likely that some vegetation would eventually be replaced as residents and developers re-establish gardens and hedges. Mr Christos also makes the point that the City's compact form also ensures good access to sports fields, playgrounds and reserves. As intensification occurs, these spaces are likely to become more valuable to surrounding communities.

In response to John & Christine Burton and Rebecca Post, Mr Christos considered an option presented in his earlier evidence of requiring resource consent for the removal of key mapped vegetation. Regarding the submission from Rebecca Post, Mr Christos considers that:

- The current outdoor living space performance standard requires the provision of a minimum area of outdoor living space with good solar access and that space can be used by the occupants as they see fit (e.g. as play space); and

³ See Variation 2 – Additional Housing Capacity Section 32 Report (February 2021), Appendix 9.

⁴ See Variation 2 – Additional Housing Capacity Section 32 Report (February 2021), Appendix 9.

⁵ See Variation 2 Additional Housing Capacity Section 32 Report (February 2021), pp. 48-50 for assessment of the potential inclusion of design controls and Appendix 6 Site Assessments

- A requirement for additional communal play space for multi-unit development of 4 or more residential units would reduce the flexibility over the use of any shared amenity space and may not provide the best outcome for all residents, particularly where all occupants are adults.
- Good provision of accessible public playgrounds can provide sufficient opportunities for shared play space without additional requirements for multi-unit development and this can be achieved as part of the upcoming Play Space Strategic Plan.

In addition to this, further evidence was also requested from urban planner and designer, Ian Munro (see **Appendix F**). He has reviewed the Variation 2 submissions in relation to intensification and suggests a number of methods that could be considered as ways of helping generally enable the scale and type of intensification proposed within the General Residential 2 zone. One of the issues he highlights in particular is that existing tall trees are almost always removed from sites and notes that *'..this is a key and generally unacknowledged amenity issue within Plans'*. To better provide for tall trees (either retained or new), Mr Munro suggests that a plan performance standard requires a certain percentage of the site area is dedicated as landscaped area to be provided for the specific purpose of accommodating tall trees in the urban environment.

Recommendation & Assessment

I have considered the submissions received, reasons for those submissions, and the evidence of Mr Peter Christos and Mr Ian Munros, as set out above. Overall, I am of the view that a new performance standard is required for the intensification areas to ensure that tree and garden plantings are provided for as part of any new development in order to buffer the amenity effect of intensification on public places and to encourage urban biodiversity. This change responds to the submitters discussed above and is also in scope of the submission from DCC (S187.007) which sought to encourage consideration of new plan provisions to better manage the adverse effect of the loss of greenspace due to intensification (if required). It is noted that mature trees and well-established gardens are almost always removed from sites that intensify and this is a key amenity issue as a result of intensification.

It is acknowledged that by introducing medium density zoning into these areas not already developed at medium density, the provisions will over time reduce the amount of green space on private residential properties and based on the evidence from submission 82 and comments from Mr Richard Ewans, this is likely to have an effect on biodiversity in urban areas. As noted above, the loss of private greenspace and consequential effects on biodiversity has to be balanced against the substantial benefit to the city as a whole of having new housing in or close to areas with existing infrastructure and amenities meeting the need to provide additional housing capacity and Objective 2.6.1 housing choice.

Regarding the submission from Yolanda van Heezik (S82) the amendments sought for the above intensification areas included:

- Consider ways of reducing housing footprints while increasing density, particularly regarding access and drives;
- Protect vegetation cover, at sites adjacent to major biodiverse areas;
- Require compensatory plantings to ensure no overall reduction in vegetated areas or impose conditions regarding biodiversity protection and enhancement measures; and
- Consider ways to minimise hard landscaping resulting in incremental loss of permeable surfaces in private gardens.

It is important to note that there are a number of methods in place for the General Residential 2 zone that go some way to address the amendments sought.

- In terms of density, the GR2 performance standards allow for different types of housing types as a permitted activity given that density is measured by the maximum development potential per site (Rule 15.5.2.1.b). This can provide for duplex, units or townhouse developments which may result in attached units with common walls with a reduced footprint.
- It is also noted that the removal of minimum on-site car parking requirements from the Plan, as required under the NPS-UD Policy 11, may reduce the amount of hard paving provided for car parking on site and allow for more on-site amenity and landscaping. However, there are no current 2GP performance standards that require landscaping or more on-site amenity areas apart from the outdoor living space performance standard and building coverage (Rule 15.5.11.1 and 15.6.10.1.b).

- New buildings or additions that are greater than 300m² footprint or a multi-unit development requires resource consent as a restricted discretionary activity. There is a matter of discretion 'effects on streetscape amenity and character' and the guidance on assessing this matter directs consideration of whether the development provides adequate green space and maintains an appropriate balance of green space versus built and hard features and encourages landscaping as potential circumstances to support a consent application (Rule 15.11.3.1). Although it is noted that the assessment matters are designed to assess the effects on streetscape amenity and character rather than effects on biodiversity, additional wording to the assessment could be made to give explicit recognition to the provision of green space and landscaping and their contribution to urban biodiversity. The relevant assessment matters are copied below:

iv. In assessing the effects on streetscape amenity and character, Council will consider...

2. any landscaping proposed and its effectiveness in enhancing amenity and/or mitigating adverse effects;

....

5. whether the development provides adequate green space and maintains an appropriate balance of green space vs built and hard features...

- It is noted that the 2GP also contains standards that manage site coverage including the amount of impermeable surfacing allowed on a site. For the General Residential 1 zone the maximum site coverage is 70% and for the General Residential 2 zone it is 80%. Of note is that the intensification areas IN01, IN03, IN04 and IN13 are also within a proposed 'stormwater constraint mapped area' which limits the impermeable surfaces to that required under the General Residential 1 zone rule. Although these standards are not directly related to protecting biodiversity it does restrict the amount of hard standing onsite.

However, based on the submissions and evidence provided, I recommend amending the Residential Zone's Maximum Building Site Coverage and Impermeable Surfaces performance standard (Rule 15.6.10) which would set out a specified amount of the site to be landscaped and require a certain number of trees to be located within the landscaped area. The performance standard is based on the suggested option from Ian Munro as well as a number of landscaping rules other Councils include in their District Plan including Christchurch, Napier, and Auckland.

I recommend that the performance standard be applied to all of the intensification areas via the use of a 'mapped area' overlay identified on the planning maps, apart from IN12 (98 Blacks Road) which is the rezoning of one site which is currently split zoned and not part of any larger intensification area. I consider that the landscaping performance standard will address the key issues arising from intensification that are not currently managed by the rules in the Plan.

Overall, I consider that the proposed amendment appropriately balances the management of potential for adverse effects on the loss of greenspace with the need to provide additional housing capacity and housing choice. As such, I am of the view that the proposed amendment will enable the relevant objectives of the Plan to be efficiently and effectively achieved; particularly Objective 2.4.1 Form and structure of the environment, Objective 2.3.3 Facilities and spaces that support social and cultural well-being, Objective 2.6.2 Adequate urban land supply, and Objective 2.6.1 Housing choices.

While I do not recommend changes in response to the submission from Rebecca Post (\$59,002) to require provision of communal outdoor children's play areas as part of larger developments of 4 or more residential units, as I agree with the evidence of Mr Christos as set out above, if the Panel are of a mind additional assessment guidance on the assessment of consents for multi-unit housing could be included to consider this matter.

Recommended amendments:

To apply a 'Minimum Landscaping mapped area' to Intensification Areas IN01-IN06, IN07-IN11 and IN13 [NB A future plan change should consider application of this policy and rule to all of the General Residential 2 zone and not just the intensification areas]

All sites within this mapped area will have the following policy and performance standard apply:

Amend 15.6.10 Maximum Building Site Coverage and Impermeable Surfaces

15.6.10.Y (between subclauses 1 and 2)

- Y. Any new development in the Minimum Landscaping Mapped Area which will result in a new residential building with one or more new residential units must provide 20% of the site area or 30m² (whichever is the greater) as minimum landscaping that is to be located and landscaped in a way that meets the following requirements:
- a. every site (or comprehensive multi-unit development proposed for fee simple subdivision) larger than 250m² must, at a ratio of 1 tree per 250m² of site area, include a minimum of 1 tree from the Appendix 10A.3 Important Native Tree List or the DCC Native Planting Guide – Dunedin Hillslopes Forest Species List (DCC, 2021). The required tree/s must be:
 - i. at least 1*m high at the time of planting and capable of growing to a minimum of 3*m high; and
 - ii. setback a minimum of 2.5m from all boundaries;
 - b. where the site adjoins a road, at least 50% of the land within the road boundary setback be planted with native trees, shrubs or groundcover (it may not be managed as lawn) or in the case of sites with driveways, buildings or impermeable surfaces within the road boundary setback that were lawfully established prior to {Date of decision}, 75% of the remaining area of permeable surface (whichever is the lesser); and
 - c. all trees and landscaping required by this rule must be maintained and if dead, diseased or damaged, must be replaced.
 - d. for the sake of clarity, the area required to meet this clause will not count towards the maximum required area of impermeable surfaces in Rule 15.6.10.1.

*N.B. The heights recommended by Mr Richard Ewans, DCC Biodiversity Advisor for the initial planting of trees and minimum height are 2m and 5m respectively. For ease of implementation (including the cost and availability of larger saplings), and avoidance or lessening of potential adverse effects of shading at the front of a site, and potential issues with utilities including overhead power and telephone lines, I have initially recommended reduced heights.

15.10 Assessment of restricted discretionary performance standard contraventions

Activity		Matters of discretion	Guidance on the assessment of resource consents
10.	Maximum building site coverage and impermeable surfaces	<u><i>b. Effects on neighbourhood residential character and amenity</i></u>	<p>Relevant objectives and policies</p> <p>i. Objective 15.2.4</p> <p>ii. Development maintains or enhances streetscape amenity and by ensuring there are adequate green space areas free from buildings or hard surfacing (Policy 15.2.4.1.b)</p> <p><u><i>iii. Development within a Minimum Landscaping Mapped Area provides tree and garden plantings that mitigate the effects of any loss of existing significant vegetation (Policy 15.2.4.X)</i></u></p> <p><u><i>Potential circumstances that may support a consent application include:</i></u></p> <p><u><i>iv. Adequate space is available for landscaping and future growth of mature trees</i></u></p>

			<p><u>v. The extent to which there is retention of mature on-site vegetation and the importance of the vegetation to indigenous biodiversity</u></p> <p><u>vi. Tree and shrub species proposed within landscaping area are a high value tree for indigenous forest birds</u></p>
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4.1.4 Submissions on the loss of biodiversity as a result of intensification

Submission point	Submitter Name	Support/oppose	Decision requested
<i>Submissions on intensification areas IN06 (Roslyn South), IN08 (Roslyn North) and IN09 (Maori Hill)</i>			
OS82.001-.003	Yolanda van Heezik	Reject the change	Remove Change IN06, IN08, and IN09 (rezoning from General Residential 1 zone to General Residential 2 zone at Roslyn (south), Roslyn (north) and Maori Hill.
OS90.001	Karen Oben	Reject the change	Remove Change IN09 (rezoning from General Residential 1 zone to General Residential 2 zone at Maori Hill, and associated changes).
OS183.001	Trish Brooking	Reject the change	Remove Change IN09 (rezoning from General Residential 1 zone to General Residential 2 zone at Maori Hill, and associated changes).
OS198.002	Elizabeth-Anne Gregory	Reject the change	Remove Change IN09 (rezoning from General Residential 1 zone to General Residential 2 zone at Maori Hill, and associated changes).
OS208.001	Gisela Sole	Accept the change with amendments	Amend Change IN09 (rezoning from General Residential 1 zone to General Residential 2 zone at Maori Hill, and associated changes) to retain the gulley's habitat of mature trees (the gulley is located between Prestwick and Monro Street).
<p><u>Background</u></p> <p>The areas identified for rezoning are all currently zoned General Residential 1 or a mix of General Residential 1 and Industrial zoning. The primary method of managing impacts on indigenous biodiversity in urban areas is through the application of 'Urban Biodiversity Mapped Areas' (UBMA). The current standards of the 2GP for sites zoned General Residential 1 or 2 do not require resource consent for vegetation removal, including indigenous vegetation unless it is in an UBMA or if it is a scheduled tree.</p> <p>In urban areas, UMBAs are the primary means of managing impacts on indigenous biodiversity through the 2GP. There are currently no specific criteria for the identification of UMBAs and the areas identified in the 2GP are derived from the Urban Landscape Conservation Areas (ULCAs) of the first-generation Dunedin City District Plan and include those with the highest conservation values. UMBAs have a broader utility and application than Areas of Significant Biodiversity Values (ASBVs) in recognition of the highly modified nature of urban areas i.e. the dominance of the built environment, and the benefits to a relatively large population of accessible green spaces and biodiversity.</p> <p>The proposed intensification areas IN05 (Mornington), IN06 (Roslyn South), IN08 (Roslyn North) and IN09 (Maori Hill) adjoin the Town Belt which is identified on the 2GP planning maps as UMBA 01. For General Residential 1 zoned sites adjoining the UMBA, there are currently no specific rules that apply to development or the retention of vegetation adjoining an UMBA other than the standard General Residential 1 zone rules that apply such as setback from the boundary, height in relation to boundary, site coverage and impermeable surfaces limits.</p>			

The draft National Policy Statement for Indigenous Biodiversity (November 2019) sets minimum targets for indigenous vegetation cover in urban areas (Policy 3.17) and is explicit that ecological significance is to be determined regardless of tenure and property boundaries.

Several submissions, in whole or in part, raised broad matters that cut across multiple Variation 2 proposals with regard to intensification and the effects on the loss of biodiversity. Such submissions raised concerns relating to the city as a whole or specific neighbourhoods. These matters are addressed together here to enable them to be considered holistically, rather than being repeated under each of the sections on specific change proposals. The submissions are addressed in groups below, according to general topics.

One further submission was received from the Southern Heritage Trust (FS226.8) supporting the submission from Elizabeth-Anne Gregory (OS198.002).

Expert evidence sought

Mr Richard Ewans, DCC Biodiversity Advisor previously provided expert evidence⁶ on the potential effects of intensification on biodiversity to inform the s32 evaluation. This evidence considered that vegetation, including indigenous vegetation, can be removed without resource consent in Residential zones unless in an UBMA or if it is a scheduled tree. The advice at the time was that a change in density did not justify increased restrictions on vegetation clearance. However, Mr Ewans acknowledged that some areas outside UBMA's in General Residential 1 and 2 zones retain small patches of indigenous vegetation, established exotic trees, and high-quality gardens which provide habitat for indigenous biodiversity. He noted that intensification poses a direct risk to these values, which in many cases will also align with amenity and other values by potentially exacerbating tree and habitat loss. Mr Ewans recommended that further work is carried out to look at options for avoiding and minimising the impact of intensification on biodiversity habitat values in Dunedin.

In addition to this earlier evidence, I have sought further comments from Mr Ewans, on the submissions we received which raised broad concerns regarding the loss of biodiversity which are addressed in this part of the report (see **Appendix E**). In summary, Mr Ewans acknowledges that there will be an impact on indigenous biodiversity as a result of intensification that will result in the loss of indigenous biodiversity across many of the inner hill suburbs. Mr Ewans considers that additional provisions are needed where intensification is proposed outside of New Development Mapped Areas to maintain indigenous biodiversity in areas of importance to the city.

Mr Ewans provided comments on submissions from the following submitters, and these are discussed in the relevant sections below:

- Yolanda Van Heezik (S82);
- Karen Oben (S90);
- Trish Brooking (S183);
- Elizabeth Anne-Gregory (S198);
- Gisela Sole (S208);
- Manson Wright (S121);
- Erik Dakin (S164); and
- Hazel and Robert Heal and Van Hale (S171).

Submission raising concerns regarding intensification in the 'hill suburbs' adjoining the town belt and the effects on biodiversity (these also appear in the relevant sections below on each change)

Submissions from Yolanda Van Heezik (S82), Karen Oben (S90), Trish Brooking (S183) and Elizabeth-Anne Gregory (S198) all object to the proposed intensification of the 'hill suburbs' (including intensification areas IN06 Roslyn South, IN08 Roslyn North & IN09 Maori Hill).

One of the reasons for opposing intensification is due to concerns regarding the long-term negative impacts on native biodiversity in the city. The submission from Yolanda van Heezik notes that the Town Belt acts as an important corridor for native birds to move into the city from the northern suburbs, which link well to peri urban reserves such as Mount Cargill. Professor van Heezik notes that an abrupt transition to a high-density residential development will result in 'edge effects' that will increasingly undermine the integrity of the Town Belt and its capacity to support biodiversity. All of the submissions also raise the concern that the loss of well-established large

⁶ See Variation 2 Additional Housing Capacity Section 32 Report (February 2021), Appendix 8.

gardens will have adverse effects on native biodiversity due to the loss of vital habitat. The submission from Yolanda van Heezik (S82) presents evidence from her Zoology Department research group at Otago University that demonstrates the value of the Town Belt's surrounding suburbs in supporting native avian diversity. The submission also notes that their research has shown that gardens within about 200 metres of the Town Belt support densities of native birds as high as or nearly as high as Town Belt densities, reflecting the relatively high proportion of well-vegetated green space in these areas.

Expert Evidence

DCC Biodiversity Advisor, Mr Richard Ewans provided comments on the submissions from Yolanda van Heezik (S82), Trish Brooking (S183) and Karen Oben (S90) (see **Appendix E**). Mr Ewans agrees with the submissions that, intensification will lead to a loss of indigenous biodiversity in the suburbs subject to it. Mr Ewans, although not specifically listed in the submissions, considers that the habitat quality and proximity to the Town Belt appears to be similar in parts of IN05 (Mornington) as well. Mr Ewans considers that it is not just avian biodiversity that will be impacted but also mature native species of trees and invertebrates and herpetofauna due to the loss of established gardens.

Mr Ewans recommends that for IN05, IN06, IN08 & IN09 amendments should include:

- Remove blocks that support larger patches for structurally diverse habitat for native fauna, including all blocks within a 200m buffer around the Town Belt.
- Apply New Development Mapped Area natural environment type provisions.
- Only provide for developments that provide significant additions to housing stock.

Preliminary assessment of potential effects on biodiversity as a result of proposed intensification areas

Yolanda van Heezik's submission provides detail on the critical role small patches of networked habitat (such as established gardens with structurally diverse vegetation) near the Town Belt plays in maintaining indigenous biodiversity in the Dunedin urban landscape. The submission notes:

"The role that vegetation fragments such as the Town Belt play in supporting biodiversity is very dependent on not only the vegetation inside the fragment, but the wider environment the fragments sit in: an abrupt transition to a high density residential development will result in "edge effects" that will increasingly undermine the integrity of the Town Belt and its capacity to support biodiversity.

The submission also notes that: *"...the re-zoning of these suburbs that abut the Town Belt will have significant negative impacts on native biodiversity due to the loss of vital habitat in the form of established large gardens with structurally diverse vegetation. Our research has also shown the value of the Town Belt's surrounding suburbs in supporting native avian diversity. In residential areas, vegetation structure of private gardens, composition and cover, and proximity to bush fragments such as the Town Belt explain two thirds to three quarters (69% and 72%) of the city-wide variation in bush native species richness and abundance respectively. Our research has shown that gardens within 200m of the Town Belt support densities of native birds as nearly as high as Town Belt densities, reflecting the relatively high proportion of well-vegetated green space in these areas".*

DCC Biodiversity Advisor, Richard Ewans (refer to **Appendix E**) acknowledges the research and notes that many native bush bird species are well known for being tolerant of urban settings. He notes that important factors in determining their presence and abundance are garden size, composition and structural complexity; and proximity to bush remnants. In the IN05, IN06, IN08 and IN09 areas, habitat is well networked with small patches of indigenous vegetation, established exotic trees, and high-quality gardens. A recent Dunedin study co-authored by Yolanda van Heezik showed that densities of common small native birds were highest in undeveloped patches, and largely absent from high density housing areas.

Mr Ewans notes that indigenous biodiversity is poorly protected in the proposed IN05, IN06, IN08 and IN09 areas due to:

- The areas are outside any UBMA boundaries and therefore are not subject to vegetation clearance rules;
- The areas are not within proposed 'New Development Mapped Areas' and therefore are not subject to the new proposed assessment matters regarding natural environment values; and

- Although the areas contain many trees on the 2GP Schedule of Trees (which provides a level of protection), it is likely to be only a small proportion of trees that could meet the criteria for scheduling. There are likely to be many large native trees unprotected in these areas.

It is also important to note that the amount of indigenous vegetation in private gardens in the Dunedin suburbs has not been quantified or subject to detailed mapping, however Mr Ewans considers that the habitat network in much of the IN05, IN06, IN08 and IN09 areas, if considered collectively, would meet the 2GP criteria for ecological significance under the Ecological Context criterion (Policy 2.2.3.2.e.i & iii). Based on the expert evidence provided, I consider that there will be some risk of biodiversity loss as a result of intensification, particularly for those intensification areas adjoining the town belt.

Options to manage the risk of loss of biodiversity values

The first option to consider (and the decision requested by Yolanda van Heezik S82) would be to remove the proposed rezoning to GR2 from the areas that adjoin the Town Belt (IN05, IN06, IN08 & IN09). However, I am of the view that this option would not be in line with the NP-UDS Objective 1 and policies 1 and 2 seeking well-functioning urban environments that enable a variety of homes to meet expected demand in existing and new urban areas. The Section 32 assessment provides the details on the housing capacity assessment undertaken for Dunedin which demonstrated a shortfall in housing over the short, medium and long term⁷. The updated population projections and housing references analysis within the Section 32 assessment also demonstrated that the greatest need for housing capacity is likely to be in the inner suburbs including Mornington, Roslyn, and Maori Hill. Intensification in these locations are required to meet this inner suburb demand. The proposed rezoning in these intensification areas also meets Objective 2.6.1 providing a range of housing choices and Objective 2.2.4 achieving a compact and accessible city given that the intensification areas are close to existing amenities and services.

A second option, as recommended by DCC Biodiversity Advisor, Richard Ewans, would be to realign the boundary of the intensification areas so that there is a 200-metre buffer from the Town Belt and those sections remain zoned as General Residential 1. Another alternative within the 200m buffer would be to reduce the building site coverage and/or impermeable surface coverage to a lower percentage of the site and increase the area of the site to be landscaped.

Mr Nathan Stocker, DCC Team Leader Research and Monitoring, has provided details on the modelled difference in capacity for those intensification areas affected by the proposed 200 metre Town Belt buffer as shown **Table 5** below:

Table 5: Difference in capacity for intensification areas with 200-metre buffer applied

	Short-term (2020-23)	Medium-term (2020-30)	Long-term (2020-50)
Difference in development capacity	+31	+78	+132

The 200-metre buffer would also reduce the rezoning areas by the proportions shown in **Table 6** below:

Table 6: Area removed from intensification areas if 200 metre buffer was applied

Change Number	Location	Area removed
IN05	Mornington	44%
IN06	Roslyn (south)	37%
IN08	Roslyn (north)	34%
IN09	Maori Hill	32%

The third and preferred option would be to include a new policy and performance standard in the Plan, as recommended above in **Section 4.1.3**, to require a certain percentage of the site area to be dedicated for

⁷ Variation 2 – Additional Housing Capacity Section 32 Report February 2021 pp 7-14

landscaping as part of any new development within the intensification areas. This would provide some mitigation to the loss of existing trees and gardens by requiring a landscaped area to be provided for the specific purpose of accommodating tall trees and shrubs in the urban environment. Whilst this would not protect against the removal of existing trees and gardens, it would provide mitigation by replacing some of what is lost due to the intensification of a site and over time would result in re-established trees and garden. The recommended performance standard requires a certain number of trees be planted per site and requires that 50% of the landscaping area is trees and shrubs to ensure it is not planted entirely in grass with no benefits to biodiversity. It is recommended that a schedule is included in the Plan that links to the rule which provides a list of appropriate trees and shrubs that are suitable for the Dunedin urban environment and includes both native species and high value trees for indigenous forest birds.

In terms of the retention of existing trees and vegetation assessment matters have been added to the landscaping performance standard to consider the retention of mature on-site vegetation including well established trees. This is discussed in more detail in **Section 4.1.3** of this report.

Recommendation

I have considered the submissions received and reasons for these submissions and acknowledge that, in providing more opportunities for development in the suburban areas of Dunedin, there is an associated risk of the loss of biodiversity which is not currently protected by the Plan provisions.

As set out in **Section 4.1.3** I have already recommended adding a new performance standard for a minimum landscaping area where if the standard is not met new assessment matters are included to consider the retention of existing trees and gardens and that replacement planting of native trees and/or trees that are a high value tree for indigenous forest birds is encouraged.

Over the long term, it is considered appropriate to review application of the standards for all of the General Residential 2 zone and other ways to protect well established trees and gardens particularly for sites adjoining major biodiverse areas in the Plan (within the 200m buffer). It is recommended that this topic be considered as part of a future plan change.

Recommended amendments:

Refer to the section below for recommendations in response to the above and further submissions on the loss of greenspace in the section 4.1.3 above.

4.1.5 Submissions on effects on car parking demand due to intensification

Submission point	Submitter Name	Support oppose	Decision requested
<i>Intensification Area IN01 Mosgiel</i>			
S214.001	Matthew & Karen Dooher, Richard & Mary McKay, Peter Lobb, Patrick & Nicole Kearns, Ken & Gemma Clayton, Matthias Urban, Lisa Saldivar-Urban, Gary	Reject the change	Reinstate provisions requiring minimum on-site car parking for residential zones.

	& Barbara Kenworthy		
OS113.001	Matthew Doohar	Reject the change	Remove Change IN01
Intensification Area IN05 Mornington			
OS194.001	Barry Douglas	Accept the change with amendments	Amend Change IN05 (rezoning from General Residential 1 zone to General Residential 2 zone at Mornington (north), and associated changes) to exclude the northern area as bounded to the south by Hawthorn Avenue and to the west by Kenmure Road, this being the suburb more generally identified as Belleknowes.
Intensification Area IN06 Roslyn (south)			
OS57.001	Virginia Theis	Reject the change	Remove Change IN06 (rezoning from General Residential 1 zone to General Residential 2 zone at Roslyn (south), and associated changes) where it applies to the area shaded red on the map attached to the submission.
Intensification Area IN08 Roslyn (north)			
OS17.001	Kate Logan	Reject the change	Remove Change IN08 (rezoning from General Residential 1 zone to General Residential 2 zone at Roslyn (north), and associated changes).
OS57.002	Virginia Theis	Reject the change	Remove Change IN08 (rezoning from General Residential 1 zone to General Residential 2 zone at Roslyn (north), and associated changes) where it applies to the area shaded red on the map attached to the submission.
IN09 Maori Hill			
OS35.001	Helen Thomas	Reject the change	Remove Change IN09 (rezoning from General Residential 1 zone to General Residential 2 zone at Maori Hill, and associated changes).
IN13 Andersons Bay			
OS115.001	Carey Woodhouse	Reject the change	Remove Change IN13 (rezoning from General Residential 1 zone to General Residential 2 zone at Andersons Bay, and associated changes).
<p><u>Background</u></p> <p>The National Policy Statement on Urban Development (NPS-UD – Policy 11) requires the removal of minimum car parking standards from the 2GP by February next year, except for accessible car parking. These standards have already been removed for standard residential activity in residential zones including the General Residential 1 and General Residential 2 zones. As a result, private parking onsite may not increase as fast as it has historically, which is likely to place more demand on the public parking resource.</p> <p>The NPS-UD encourages local authorities to manage effects associated with the supply and demand of car parking through comprehensive management plans. Waka Kotahi has produced a draft ‘National Parking Management Guidance’ which recommends that decisions on parking management and supply should be guided by a parking strategy that aligns with local and government policy direction. An output of the parking strategy is a parking management plan which is a location specific plan that outlines parking management interventions for a centre, a neighbourhood or for a particular land use⁸. These plans provide recommendations on what interventions are needed. Gathering information about parking supply, utilisation and resource costs is an essential part of developing a robust parking management plan.</p> <p>Several submissions, in whole or in part, raised concerns relating to car park demand as a result of intensification. Such submissions raised concerns relating to the city as a whole or specific neighbourhoods. These matters are addressed together here to enable them to be considered holistically, rather than being repeated under each of the sections on specific change proposals.</p> <p><u>Submissions received</u></p>			

⁸ National Parking Management Guidance (November 2020) Waka Kotahi

The submissions listed above (which are also addressed again in response to individual areas) raise concerns about the demand for additional car parking as a result of intensification and associated off site traffic effects particularly given that there are no longer requirements for minimum car parking in the 2GP. These submissions rejected intensification in specific areas listed or sort amendments to include provision of car parking onsite, provision of additional on street parking or excluding some areas within the intensification areas where streets are narrow to reduce traffic safety effects. Two submissions (M Dooher S113.001 and Dooher and others S214.001) raised the uptake in electric vehicles and ability to charge these vehicles where no parking is provided onsite.

Expert Evidence Sought

In order to assess the matters raised in these submissions I sought expert evidence as follows:

- Regarding the consideration of parking effects due to intensification, I requested evidence from Mr Logan Copland, DCC Planner, Transport Strategy. His memorandum of evidence with input from Simon Spiers, Team Leader Regulation Management, in respect of parking issues is provided in **Appendix A**. In summary, as part of the Shaping Future Dunedin Transport programme (SFDT), DCC Transport will be developing a parking management policy to ensure it strategically manages the supply of parking in the city. This will include guidance for residential areas. The policy, and any related parking management plans, will be developed and implemented over the next three years. Looking to the future, DCC Transport are also likely to promote other transport options to reduce private vehicle use which will reduce the need for providing storage for cars on the street.

Recommendation

I have considered all submissions received, and reasons for those submissions, and the expert evidence provided by Mr Copland. Overall, I recommend retaining the proposed changes that are the subject of this report, except where amendments have been recommended in other sections in response to other submissions.

The reasons for not recommending changes in response to the submissions above and evidence outlined above are as follows:

- As noted above and in regard to the submission from M & K Dooher and others (S214.001), Policy 11 of the NPS-UD requires the removal of minimum car parking standards from the 2GP by February next year and therefore minimum car parking cannot be reinstated.
- It is acknowledged that due to the proposed intensification, there will be more increased pressure on street parking and reduced accessibility for residents to the on-street parking resource. However, due to national policy direction (NPS-UD, Policy 11) minimum car parking is no longer an issue that can be managed through the 2GP. Therefore, it must be largely discounted in terms of consideration of the appropriateness of a particular zoning. However, concerns expressed through this process have been shared with the DCC Transportation team and can inform their parking management strategy. DCC Transport have stated that parking will be managed in a way that supports the overall objectives for the city and decisions on parking will be consistent with the parking management policy. This will align with the Dunedin Spatial Plan, Integrated Transport Strategy and the Dunedin Central City Plan.
- It is likely that developers in most instances will still choose to provide on-site car parking to meet demand (this is likely in terms of the points raised in regard to the uptake in electric cars).

Recommended amendments:

None – see the recommendations in response to other submissions in the sections below.

4.1.6 Submissions on heritage

Submission point	Submitter Name	Support oppose	Decision requested
<i>General Intensification</i>			

OS71.006	Andrew Rutherford	Accept the change with amendments	Amend changes IN01-IN13 and RTZ1-RTZ2 (rezoning to General Residential 2 zone) so that effects on character and heritage are managed.
OS153.001	David Murray	Accept the change with amendments	Amend Changes A2, A3, B1, B3, B4, B6, E9 (Changes to minimum site size and density standards) to ensure that increased residential density is integrated with complementary amendments to heritage provisions. <i>N.B. this submission point was also addressed in the first s42A report on rule changes.</i>
IN06 Roslyn South & IN08 Roslyn North			
OS57.001	Virginia Theis	Reject the change	Remove Change IN06 (rezoning from General Residential 1 zone to General Residential 2 zone at Roslyn (south), and associated changes) where it applies to the area shaded red on the map attached to the submission.
OS57.002	Virginia Theis	Reject the change	Remove Change IN08 (rezoning from General Residential 1 zone to General Residential 2 zone at Roslyn (north), and associated changes) where it applies to the area shaded red on the map attached to the submission.
IN09 Maori Hill			
OS183.001	Trish Brooking	Reject the change	Remove Change IN09 (rezoning from General Residential 1 zone to General Residential 2 zone at Maori Hill, and associated changes).
OS198.002	Elizabeth-Anne Gregory	Reject the change	Remove Change IN09 (rezoning from General Residential 1 zone to General Residential 2 zone at Maori Hill, and associated changes).
<p><u>Background</u></p> <p>The 2GP currently protects heritage buildings as either Scheduled Heritage Buildings, Character Contributing Buildings or as part of a Heritage Precinct overlay. It should be noted that this list is not complete due to resourcing constraints to continually review, expand and assess new heritage sites for the Heritage Schedule. As noted by Dr Andrea Farminer, omission from the Schedule should not be used as a determinant of potentially low or little heritage value of any building, structure or site across Dunedin until that site is assessed. Any building or site that is not included in the Schedule may result in the heritage values of potential heritage buildings not being subject to, or managed by, the District Plan heritage provisions.</p> <p>The terms 'heritage' and 'character' have been referred to in the assessment below. Under the 2GP heritage provisions⁹, heritage refers to buildings and structures that have significant values pertaining to: historic and social significance; spiritual/cultural significance, including significance to Maori; design significance; and technological/scientific significance. Further the 2GP heritage provisions clarify that character specifically refers to Character Contributing Buildings that contribute to the heritage streetscape character of heritage precincts. Currently, Character Contributing Buildings can only be identified within a heritage precinct area. None of the proposed intensification areas are located within a heritage precinct.</p> <p>Resource consent is required for additions and alterations, restoration of a building or structure that has a Heritage NZ Category listing, some earthquake strengthening work, demolition and removal for relocation. The intensification areas that contain 2GP scheduled heritage buildings are listed below.</p> <p>IN06 (Roslyn South) – 4 scheduled heritage buildings IN08 (Roslyn North) – 4 scheduled heritage buildings (not including those within Mercy Hospital and Columba College grounds) IN13 (Andersons Bay) – 1 scheduled heritage building</p> <p><u>Submissions received</u></p> <p>6 original submissions were received which raised concerns regarding intensification and the effects on heritage.</p>			

⁹ Refer to 2GP Section 13 Heritage

2 submissions sought broad changes for all of the intensification areas to manage effects on heritage as it is considered that there is little in the way of heritage protection in suburban areas and that this is inadequate in light of the development that is being provided for and the presence of currently unrecognised heritage values.

The remaining 4 submissions were specific to intensification areas IN06 (Roslyn south), IN08 (Roslyn north) and IN09 (Maori Hill) and concerns about the loss of heritage buildings in these areas.

Expert Evidence

- Preliminary comments had been received from DCC Heritage Advisor, Andrea Farminer on points raised in the submissions regarding the effects on heritage values within the General Residential 2 zone. These have been integrated into the assessment below.
- Information pertaining to the distribution of housing stock by age and the extent to which the proposed intensification areas are expected to be associated with the demolition of pre-1940s dwellings was sought from Mr Nathan Stocker, DCC Team Leader Research and Monitoring. This data is discussed in the assessment below

Recommendation

I have considered the submissions received and acknowledge that, in providing for intensification in the suburban areas of Dunedin, there is an associated risk of the loss of buildings with heritage values that are not currently protected by the Plan provisions.

I concur with the assessment undertaken in the Part 1 – Provisions Section 42A report (dated 22 August 2021) which includes the following points:

- *The Plan's schedule of heritage buildings and mapped heritage precincts is likely to be incomplete. Invariably there are constraints on assessing all potential heritage buildings within the Dunedin territory and the associated Plan provisions can be considered to continually be a work-in-progress in this regard. As such, an absence of Plan provisions relating to a specific area or site to manage demolition or development for heritage reasons should not be considered an indication that there are no significant heritage values present. I also note that the protection of historic heritage from inappropriate subdivision, use, and development is a matter of national importance set out in Section 6 of the RMA and must be recognised and provided for as part of achieving the purpose of the RMA.*
- The risk to potential heritage buildings from the proposed rezoning to General Residential 2 zoning in the intensification areas is likely to arise from three key factors:
 - The increase in development potential of sites will increase the economic feasibility of demolishing existing buildings and replacing them with more residential units;
 - Heritage values are typically associated with older buildings and those buildings may be poorly maintained and designed in a way that does not meet modern lifestyle or living standard expectations, consequently making them of lower value and prone to demolition (N.B. this is already a risk factor even without the proposed changes as demolition is a permitted activity); and
 - New, incompatibly designed buildings may be developed close to buildings with heritage values and detract from those values (while the current Plan rules for density and minimum site size may limit this occurring under the status quo).
- I note that Dr Andrea Farminer, DCC Heritage Advisor, gave preliminary comments stating that: *Many of the older housing stock are unlikely to meet the criteria for inclusion on the Heritage Schedule as Heritage Buildings (the highest heritage category), as their heritage values would be relatively low and their built form, commonplace. However, in some instances, both individually and collectively, their heritage values will be significant, which contribute to the broader, distinctive built heritage character that Dunedin is renowned for.*

Preliminary assessment of potential effects on heritage as a result of proposed intensification areas

An assessment has been undertaken of the distribution of older buildings within the areas proposed for intensification by Mr Nathan Stocker. The cut-off date of 1940 was used because preliminary discussions with Dr Andrea Farminer, DCC Heritage Advisor, indicated that this may be an appropriate starting point. As shown in the table below the figures show a higher proportion of pre-1940s dwellings in the intensification areas that are closer to the CBD. It is difficult to assess what proportion of these buildings may have significant heritage values without taking a detailed assessment and it is not possible to do this as part of the Variation 2 process due to time and resourcing constraints. I note Dr Farminer's preliminary comments that many older buildings will not meet the criteria to be a scheduled heritage building, but that should not detract from the fact that some would. As such, I consider there to be some risk of the loss of buildings with as-yet unidentified heritage values if the proposed intensification areas proceed as notified. This is likely to be higher in some of the intensification areas that contain higher numbers of older dwellings such as Mornington (IN05), Roslyn (IN06 & IN08), Maori Hill (IN09), and Andersons Bay (IN13).

Table 7: Dwellings by build year range in the intensification areas.

Build year range	Intensification Areas												
	IN01	IN02	IN03	IN04	IN05	IN06	IN07	IN08	IN09	IN10	IN11	IN12	IN13
1860-69	0	0	0	0	0	1	0	0	0	0	0	0	0
1870-79	2	0	0	0	0	2	0	5	0	0	0	0	1
1880-89	0	0	2	0	2	0	0	9	6	0	0	0	0
1890-99	0	0	3	0	5	17	1	17	12	0	0	0	1
1900-09	1	0	6	0	16	19	0	49	40	0	0	0	2
1910-19	7	0	10	0	44	58	0	72	67	0	0	0	34
1920-29	2	1	11	0	42	35	0	61	110	0	0	0	56
1930-39	2	0	19	0	40	35	0	35	91	0	39	1	58
Total	14	1	51	0	149	167	1	248	326	0	39	1	152

Options to manage the risk of loss of heritage values

The Provisions s42a report for the first hearing discusses a number of options to manage the risk of loss of heritage values. I agree with the conclusion that options such as undertaking detailed assessment of affected areas or specific buildings to enable protection of heritage values in a targeted and specific way are not reasonably practicable as part of the Variation 2 process, due to limited time and resources and a need to enable additional housing capacity in a timely manner. I concur with the assessment and recommendation of the first report, that one option to consider for Variation 2 is the introduction of a blanket rule requiring resource consent for the demolition of any pre 1940 dwelling (or another appropriate cut-off date) to enable a heritage assessment to be undertaken and determination made of whether consent to demolish should be granted. I note that any changes progressed through Variation 2 to manage potential effects on heritage must only apply to areas where Variation 2 makes changes to increase development potential (i.e. the intensification areas). Any additional changes would be outside the scope of Variation 2 and would need to be considered through a later variation or plan change process.

As an example, Wellington City Council contain rules in their District Plan restricting the demolition of pre 1930 buildings within identified areas. Resource consent is required and assessed as a restricted discretionary activity. The provisions set out criteria when assessing a resource consent to demolish a pre-1930 building. If the assessment indicates that the building makes a positive contribution to 'townscape character', applicants may request that the Council also consider whether the existing building is such that its retention is impractical or unreasonable. Council

then consider matters related to the condition of the building and use. The Plan states that while there is a presumption that pre-1930 buildings should be retained, demolition may be contemplated in exceptional situations. Council will then consider the 'townscape' contribution of any proposed replacement.

Recommendation

This matter was considered in the Variation 2 Provisions (except 3 Waters) hearing, and the recommendation was to require a heritage assessment for buildings constructed prior to 1940 to be undertaken to determine whether a consent is required for demolition. I consider that this approach should also apply to the intensification areas and therefore recommend that the Panel considers these submissions on specific intensification areas in addition to the more general submissions considered through the first Variation 2 hearing, and make a decision that is consistent across all land subject to Variation 2 (Additional Housing Capacity) to the 2GP.

Recommended amendments:

If the Panel are of a mind, introduction of consent requirements for demolition of buildings older than a specified age requiring a heritage assessment prior to demolition to ensure that there would not be effects on significant heritage values.

4.2 Intensification – Rezoning from General Residential 1 to General Residential 2 Zone

4.2.1 Change IN03 Green Island

Submission Point	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission
OS47.001	Adam Binns	Accept the change	Retain Change IN03 (rezoning from General Residential 1 zone to General Residential 2 zone at Green Island, and associated changes) as it relates to 6 Kirkland Street and 19A Church Street, Green Island.
OS130.001	Ben Mackey	Accept the change with amendments	Amend Change IN03 (rezoning from General Residential 1 zone to General Residential 2 zone at Green Island, and associated changes) by undertaking an assessment on the upgrading and relocating of key parts of the stormwater network. This could involve routing infrastructure down roads / footpaths or closer to property boundaries, to a modern construction standard with sufficient capacity for increased housing, changing rainfall patterns etc.
OS82.007	Yolanda van Heezik	Accept the change with amendments	Amend Change IN03 (rezoning from General Residential 1 zone to General Residential 2 zone at Green Island, and associated changes) as follows: <ol style="list-style-type: none"> 1. Review ways to minimise housing footprints and the loss of private gardens through hard landscaping on residential sites. This could include the use of housing styles that have the same footprint (e.g. low rise, common walls, shared drives/access) and a review of site coverage limits to minimise hard landscaping (inferred not stated). 2. Require the protection of vegetation cover at sites adjacent to major biodiverse areas. 3. For infill and new development, require biodiversity protection and enhance measures to ensure no overall reduction in vegetation area or the fragmentation of existing corridors.
OS187.033	Dunedin City Council	Accept the change with amendments	Review Change IN03 (rezoning from General Residential 1 zone to General Residential 2 zone at Green Island, and associated changes) to ensure any land instability hazards within or

Submissions received

6 original submissions were received on Change IN03 with one in support and five seeking amendments.

Reasons for support of Change IN03 included:

- Intensification of new development promoted within the city boundaries protects greenfield areas (Adam Binns, S47.001)

Amendments sought to Change IN03 included:

- measures to address traffic effects by introducing speed control measures along Derby and Edinburgh Streets or if this is not managed a request to reject the proposed rezoning (William McArthur, S34.001);
- assessment of the stormwater network and potential upgrades in the area to remove pipelines from private property & undertake upgrades (Ben Mackey, S130.002);
- require biodiversity protection and enhance measures to ensure no overall reduction in vegetation area (Yolanda van Heezik, S82.007). note these concerns are addressed in the general section on the 'loss of biodiversity' earlier in this report (this submission has been addressed in **Section 4.1 above**); and
- measures to address any land instability hazards within or adjacent to the rezoning area to ensure these are appropriately managed (DCC, S187.033).

One further submission was received from the Otago Regional Council (FS184.513) supporting the submission from DCC (OS187.33).

Expert technical evidence sought

In order to further assess the matters raised in these submissions I sought expert evidence on the following:

- I requested evidence from Mr Jared Oliver from DCC 3 waters (see **Appendix B**) on the capacity of the stormwater network and feasibility of upgrading stormwater pipes in the area in regard to Ben Mackay's submission (S130.001 and S130.002). DCC 3 Waters have advised that there are two projects currently underway in terms of upgrading existing infrastructure and providing new infrastructure for areas of intensification. DCC 3 Waters are undertaking a renewals programme to replace some of the public 3 Waters infrastructure throughout the City. Mr Oliver comments that the location of current public infrastructure may be due to topographical reasons, location of connecting infrastructure or to facilitate draining the properties it services. Realignment of some pipes may be possible without compromising the functioning of the infrastructure. Work is also underway to carry out the 3 Waters capital works necessary to facilitate growth. This work includes reviewing where there is a need for additional stormwater capacity in the public network and where this should be constructed or upgraded. As part of these works, where feasible and cost effective, DCC will seek to relocate public infrastructure to areas outside of private property. The location and timing of these works is yet to be confirmed.
- I have reviewed a report undertaken by Stantec (see **Appendix J**) which assesses natural hazards within the IN03 area (refer to Section 32 report, Supporting documents). This report identifies that there has been known instability and damaged houses due to historic slips at the end of Corbett Street. Whilst these slips are outside the proposed rezoning area, they have been considered as part of the natural hazard's assessment by Stantec. Based on their findings the report identifies a 'medium level hazards' associated with slope instability in the area and 'high-level hazards' associated with slope stability on adjacent land. As a result, Stantec recommends that the proposed area contain controls on stormwater discharge (to the Council network only) and earthworks. Under the 2GP performance standards, any site located within a Hazard 1 (land instability) overlay zone has additional controls for maximum change in finished ground level and maximum volume of combined cut and fill (Rules 8A.5.1.3 and 8A.5.1.5). The area 'IN03' is not currently within a Hazard overlay zone.
- I requested evidence from Mr Logan Copland and Mr Trevor Watson from DCC Transport (see **Appendix A**) on the submission from William McArthur (S32.001) in relation to the potential traffic effects and existing issues along Derby and Edinburgh Street within IN03. DCC Transport have commented that the most recent counts for Derby Street and Edinburgh Street show that most people are travelling at an appropriate speed within the threshold of the posted speed limit. Given this, it is likely that the use of

speed calming may be targeting the wrong body of road users, and that targeting the minority of speeders through enhanced enforcement from the Police is the better approach. DCC Transport conclude that this issue is unlikely to change with the proposed rezoning.

Recommendation

I note I have addressed potential effects on amenity and character from loss of landscaped and green spaces on sites and associated effects on biodiversity from intensification in areas being rezoned through the recommendation I have provided in sections 4.1.3 and 4.1.4 above. I am of a view that these changes will help to address these issues and therefore address the concerns raised by Yolanda van Heezik (S82.007) on this rezoning area.

I have considered all submissions received, and reasons for those submissions, and recommend rejecting Change IN03 as notified.

In addition, regarding submissions that I recommend rejecting, I note that:

- DCC Transport has assessed the proposed intensification area for Green Island and specific request for speed control measures raised in the submission from William McArthur (S34.001). They have concluded that there is no need for additional traffic calming in the area, based on the most recent counts for Derby Street and Edinburgh.
- 3 Waters have reviewed the proposed suggestion by Ben Mackey to review the existing stormwater network, particularly pipes crossing private property in the Green Island area and comment that some of the pipes in IN02 are privately owned stormwater pipes or privately owned piped watercourse within private property. DCC 3 Waters explain that where relocation of private stormwater pipes is necessary for further development this would be at the property owners' expense. In the case where DCC pipes are on private property and there is a need to relocate them due to further development then typically both parties (developer and Council) enter into a cost sharing agreement as there can be benefit to both parties from the relocation. Therefore, these matters can be resolved as part of the development process. As noted above, there are also Council projects underway that are reviewing the need to upgrade existing infrastructure and providing new infrastructure to meet the projected growth. Mr Oliver notes that given that the stormwater network consists of both public and private infrastructure and open water courses, upgrading public infrastructure will not always eliminate all capacity issues as these could still exist where stormwater passes through private infrastructure and water courses. In regard to the hazards assessment, Mr Oliver notes that there is capacity in the system for stormwater to discharge to the DCC network. However, it is noted that under the current 2GP rules if the activity is permitted, there is no requirement for a stormwater management plan to manage discharge from the site. On site attenuation may be suitable in these cases to mitigate the hazard risk.

I have considered all submissions received, and reasons for those submissions, and recommend rejecting Change IN03. I consider that the risk associated with privately owned stormwater pipes, and uncertainty about the capacity of the stormwater infrastructure coupled with the land instability hazard risk make this area unsuitable for residential intensification at this time. I also consider that intensification could also lead to more earthworks which could exacerbate the hazard risk.

Recommended amendments:

Retain zoning of General Residential 1 for Change Area IN03 (Green Island).
Do not add a Stormwater Constraint mapped area to IN03.
Do not change the default zoning for Green Island School.

4.2.2 Change IN08 Roslyn (north) and Change IN08a request to include 16 Wright Street and 37 Tyne Street

Submission point	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission
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OS17.001	Kate Logan	Reject the change	Remove Change IN08 (rezoning from General Residential 1 zone to General Residential 2 zone at Roslyn (north), and associated changes).
OS57.002	Virginia Theis	Reject the change	Remove Change IN08 (rezoning from General Residential 1 zone to General Residential 2 zone at Roslyn (north), and associated changes) where it applies to the area shaded red on the map attached to the submission.
OS82.002	Yolanda van Heezik	Reject the change	Remove Change IN08 (rezoning from General Residential 1 zone to General Residential 2 zone at Roslyn (north), and associated changes).
OS198.001	Elizabeth-Anne Gregory	Reject the change	Remove Change IN08 (rezoning from General Residential 1 zone to General Residential 2 zone at Roslyn (north), and associated changes).
OS189.029	Ryman Healthcare Limited	Accept the change	Retain Change IN08 (rezoning from General Residential 1 zone to General Residential 2 zone at Roslyn (north), and associated changes) as it relates to 383 Highgate.
OS15.001	Mike and Claire Cowan	Accept the change with amendments	Extend Change IN08 (rezoning from General Residential 1 zone to General Residential 2 zone at Roslyn (north), and associated changes) to include the properties at 16 Wright Street and 37 Tyne Street, Roslyn. <i>Change ID IN08a</i>

Background

Figure 8: General area proposed for rezoning for IN08 (Roslyn north) and Change IN08a



Change IN08 Roslyn (north) is summarised as follows:

Purpose statement	Description of change	Provisions affected by change
To rezone sites within the area 'IN08' from General Residential 1 to General Residential 2 to provide for additional housing.	Refer to the Roslyn (north) area of change in Figure 8 .	<ul style="list-style-type: none"> Application of a 'stormwater constraint mapped area' Amend Appendix A9 to change the default zones for Columba College, Kaikorai Primary School, Otago Boys High School Tennis Courts and School Hostel, and part of Mercy Hospital from General Residential 1 to General Residential 2.

Submissions received

6 original submissions were received on Change IN08, 4 in opposition, 1 seeking amendments and 1 in support.

Reasons for support of Change IN08 included:

- rezoning areas that apply to Ryman's existing sites in order to provide for a reasonable increase in feasible development capacity (Ryman Healthcare Limited, S189.029).

Reasons for opposition to Change IN08 included:

- Concerns around the long-term negative impacts that denser residential development and infill in Roslyn will have on native biodiversity and loss of good quality habitat that is currently present in the gardens of properties in those suburbs (Yolanda van Heezik, S82.002). note these concerns are addressed in the general **Section 4.1** in this report;
- concerns around potential adverse effects, including:
 - traffic and parking effects (Virginia Theis, S57.002, Kate Logan S17.001) this submission is address in **Section 4.1.5**;
 - stormwater effects (Virginia Theis, S57.002);
 - capacity of 3 waters infrastructure (Virginia Theis, S57.002);
 - loss of heritage buildings (Virginia Theis, S57.002) this submission is addressed in **Section 4.1.6** of this report on heritage; and
 - effects on amenity including noise, location of buildings and loss of open space (Kate Logan S17.001, Elizabeth-Anne Gregory S198.001) these submissions are addressed in the general **Section 4.1.3** above.

Amendments sought to Change IN08 included:

- To include the properties at 16 Wright Street and 37 Tyne Street to provide more flexibility for future land development and to maximize their potential for housing (Mike and Claire Cowan S15.001). This request is identified as **Change IN08a**.

Three further submissions were received from Southern Heritage Trust (FS226.6, FS226.7 & FS226.9) supporting the submissions from Elizabeth Anne Gregory (OS198.001) and Kate Logan (OS17.001). A further submission was also received from Hilary Hutton (FS104.1) opposing the submission from Mike and Claire Cowan (S15.001).

Request to include additional sites within Change IN08 (Change IN08a)

16 Wright Street and 37 Tyne Street are located to the west of change area IN08 and contain existing dwellings. The sites are 417m² and 562m² respectively. 37 Tyne Street is a rear property with an access way to Tyne Street. 16 Wright Street is located at the end of a cul-de-sac with footpath access onto Tyne Street.

Expert technical evidence sought

In order to further assess the matters raised in these submissions I sought expert evidence on the following:

- I requested evidence from Mr Logan Copland and Mr Trevor Watson from DCC Transport on parking and traffic effects raised in the submission from Virginia Thies and Kate Logan (S57.002 & S17.001). In

summary, in terms of on street parking, DCC Transport note that requests for parking restrictions are reviewed on a case-by-case basis however, Council are not looking at providing any additional car parking in Roslyn at this time. As noted above, as part of the Shaping Future Dunedin Transport programme, the DCC will be developing a parking management policy to ensure it strategically manages the supply of parking in the city. This will also include guidance for residential areas. The policy, and any related parking management plans, will be developed and implemented over the next three years. DCC Transport consider that the proposed rezoning will have a minimal impact upon the wider road network. In terms of the request for two additional sites to be rezoned to General Residential 2, DCC transport have no concerns and consider that any issues would be site specific and resolved at the development stage.

- I requested evidence from Mr Jared Oliver from DCC 3 waters in regard to the capacity of Council's infrastructure based on the concern raised by Virginia Thies (S57.002). In summary, as noted in the Section 32 report there are known stormwater flooding issues downstream. It is therefore already proposed that the maximum impermeable surface limits are kept at the General Residential 1 limit to avoid exacerbating this situation¹⁰. In regard to the request for two additional sites, 3 Waters are not supportive given due to wastewater constraints. The two sites drain their wastewater into the Kaikorai Valley catchment. The catchment has known wastewater overflows in significant rainfall events. Some of the overflows are consented and the expectation is that these overflows are reduced or eliminated over time.

Recommendation

I note I have addressed potential effects on amenity and character from loss of landscaped and green spaces on sites and associated effects on biodiversity from intensification in areas being rezoned through the recommendation I have provided in sections 4.1.3 and 4.14 above. I am of a view that these changes will help to address these issues and therefore address the concerns raised by some of the submitters on this rezoning area. With respect to parking effects, I have addressed this topic in section 4.1.5 and note my recommendation there that no change to the plan is required and that this recommendation follows the requirements of the National Policy Statement on Urban Development. In regard to the loss of heritage values, this has been addressed in **section 4.1.6**.

I concur with the assessment of Change IN08 as set out in the Section 32 Report, and note the following:

- Mr Jared Oliver of DCC 3 Waters recognises that there are stormwater issues in the area and supports the proposal which will restrict the maximum impermeable surface limits to the General Residential 1 limit¹¹ (the General Residential 2 zone allows for 80% coverage whereas the General Residential 1 zone allows for 70%).
-

In addition, regarding submissions that I recommend rejecting, I note that:

- It is difficult to 'maintain green spaces' (as requested by Kate Logan S17.001, Elizabeth-Anne Gregory S198.001) while providing for intensification, and the loss of some green space can be expected as a trade-off for providing additional housing choices within the existing urban area. However, a new landscaping performance standard is recommended which is discussed further in **Section 4.1** of the report above.
- The proposed 'stormwater constraint mapped area' will manage stormwater effects in the proposed General Residential 2 area by limiting the permeable surfaces to what is currently required.
- In response to the submission from Kate Logan (S17.001) I note that noise, including from residential activity, is managed by the performance standard for noise (Rule 9.3.6) and associated enforcement procedures.
- I have reviewed the request for two additional sites to be added to the proposed rezoning area ((Mike and Claire Cowan S15.001). I accept the evidence from DCC 3 Waters that rezoning is inappropriate due to wastewater capacity issues. I note that even though the land areas are small, given that the two sites are not within the block of the area of change, this could lead to other properties adjacent to the proposed General Residential 2 area seeking similar rezoning. This could set a precedent which would put further pressure on the capacity of the wastewater network. There are still opportunities under the current General Residential 1 zone to further develop the sites including the proposed changes to

¹⁰ Variation 2 Additional Housing Capacity Section 32 Report (February 2021) Site Assessments, pp 176-177

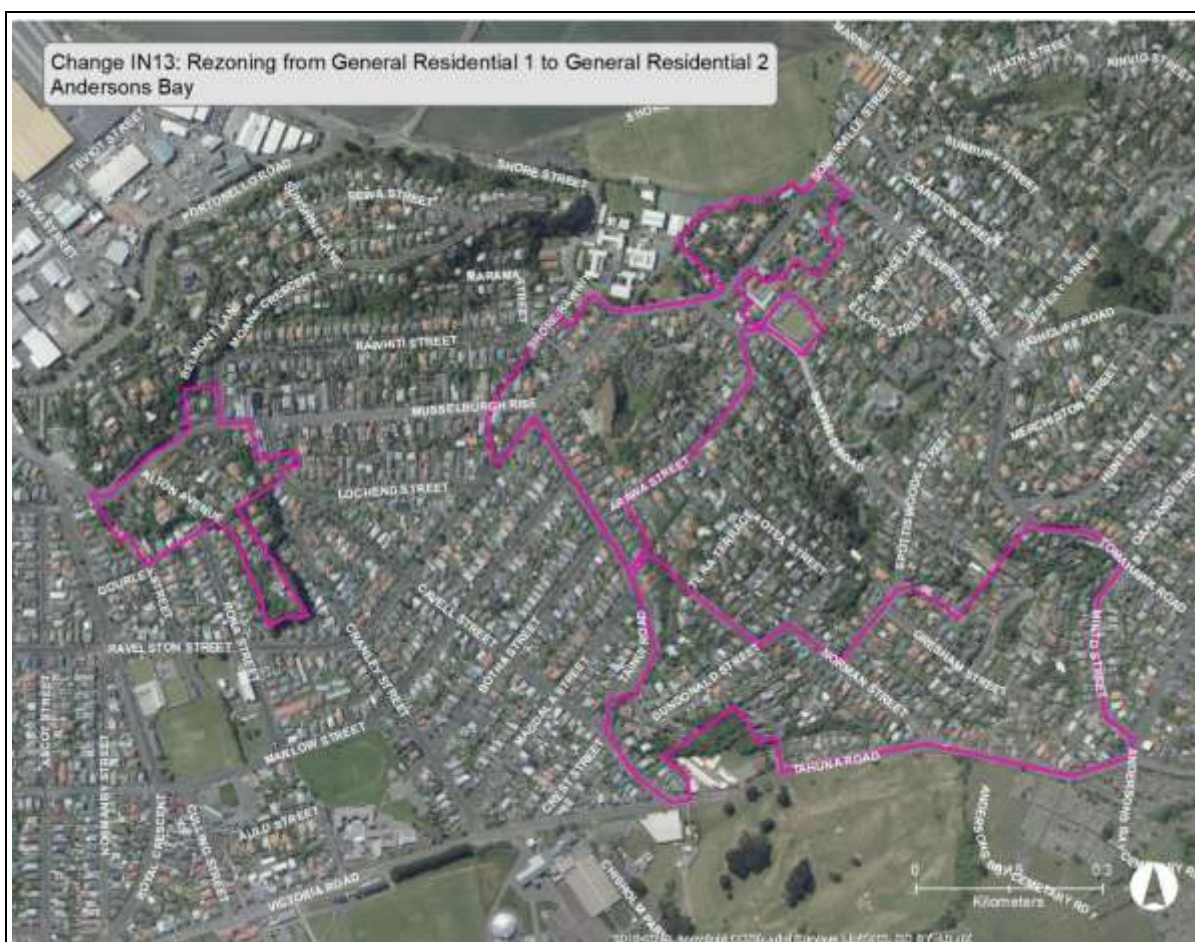
¹¹ Variation 2 Additional Housing Capacity Section 32 Report (February 2021) Section 32 report, page 177

<p>ancillary residential units, minimum site area and provisions for duplexes (addressed in Part 1 of the Section 42A report 'provisions').</p> <ul style="list-style-type: none"> • In response to the submission from Kate Logan (S17.001) I note that noise, including from residential activity, is managed by the performance standard for noise (Rule 9.3.6) and associated enforcement procedures. • I have reviewed the request for two additional sites to be added to the proposed rezoning area ((Mike and Claire Cowan S15.001). I concur with comments from DCC 3 Waters and note that due to wastewater concerns and, given that the two sites are not within the block of the area of change, this could lead to other properties adjacent to the proposed General Residential 2 area seeking similar rezoning. This could set a precedent which would put further pressure on the capacity of the wastewater network. There are still opportunities under the current General Residential 1 zone to further develop the sites including the proposed changes to ancillary residential units, minimum site area and provisions for duplexes (addressed in Part 1 of the Section 42A report 'provisions').
<p><u>Recommended amendments:</u></p> <p>Decision topic 1: Whether to retain proposed rezoning IN08</p> <p>Recommendation: Retain zoning as proposed and associated changes including:</p> <ul style="list-style-type: none"> • Application of a 'stormwater constraint mapped area' • Amend Appendix A9 to change the default zones for Columba College, Kaikorai Primary School, Otago Boys High School Tennis Courts and School Hostel, and part of Mercy Hospital from General Residential 1 to General Residential 2. <p>Decision topic 2: Whether to accept request to rezone IN08a</p> <p>Recommendation: Not to include IN08a within the intensification area.</p>

4.2.3 Change IN13 Andersons Bay and IN13a request to include 125, 127, 129, 133 & 135 Tomahawk Road

Submission point	Submitter Name	Support/Oppose/Seek Amend	Summary of Submission
OS4.001	Kevin Gough	Reject the change	Remove Change IN13 (rezoning from General Residential 1 zone to General Residential 2 zone at Andersons Bay, and associated changes) at 31 Bayfield Road (Andersons Bay Bowling Club).
OS22.001	Lorraine Wong	Reject the change	Remove Change IN13 (rezoning from General Residential 1 zone to General Residential 2 zone at Andersons Bay, and associated changes).
OS29.001	Allan Miller	Reject the change	Remove Change IN13 (rezoning from General Residential 1 zone to General Residential 2 zone at Andersons Bay, and associated changes) at the Andersons Bay bowling green.
OS32.001	Marion Lindley	Reject the change	Remove Change IN13 (rezoning from General Residential 1 zone to General Residential 2 zone at Andersons Bay, and associated changes).
OS115.001	Carey Woodhouse	Reject the change	Remove Change IN13 (rezoning from General Residential 1 zone to General Residential 2 zone at Andersons Bay, and associated changes).
OS44.001	Rachel Wallace	Accept the change	Retain Change IN13 (rezoning from General Residential 1 zone to General Residential 2 zone at Andersons Bay, and associated changes).

OS61.002	Daniel Anfield	Accept the change	Retain Change IN13 (rezoning from General Residential 1 zone to General Residential 2 zone at Andersons Bay, and associated changes). This submission point does not cover the request for an extension to this rezoning area, as it is covered by a separate point.
OS66.003	Conrad Anderson	Accept the change	Retain Change IN13 (rezoning from General Residential 1 zone to General Residential 2 zone at Andersons Bay, and associated changes).
OS82.013	Yolanda van Heezik	Accept the change with amendments	Amend Change IN13 (rezoning from General Residential 1 zone to General Residential 2 zone at Andersons Bay, and associated changes) as follows: 1. Review ways to minimise housing footprints and the loss of private gardens through hard landscaping on residential sites. This could include the use of housing styles that have the same footprint (e.g. low rise, common walls, shared drives/access) and a review of site coverage limits to minimise hard landscaping (inferred not stated). 2. Require the protection of vegetation cover at sites adjacent to major biodiverse areas. 3. For infill and new development, require biodiversity protection and enhance measures to ensure no overall reduction in vegetation area or the fragmentation of existing corridors.
OS61.001	Daniel Anfield	Accept the change with amendments	Extend Change IN13 (rezoning from General Residential 1 zone to General Residential 2 zone at Andersons Bay, and associated changes) to include the sites at 125, 127, 129, 133 and 135 Tomahawk Road.
<p><u>Background</u> Figure 13: General area proposed for rezoning IN13 (Andersons Bay) and Change IN13a</p>			



Change IN13 Anderson Bay is summarised as follows:

Purpose statement	Description of change	Provisions affected by change
To rezone sites within the area 'IN13' from General Residential 1 to General Residential 2 to provide for additional housing.	Refer to the Anderson Bay area of change in Figure 13 .	<ul style="list-style-type: none"> Application of a 'stormwater constraint mapped area' Amend Appendix A9 to change the default zone for Tainui School from General Residential 1 to General Residential 2.

Submissions received

10 original submissions were received on Change IN13, 3 in support, 5 in opposition and 2 seeking changes to the rezoning proposal.

Reasons for support to Change IN13 included:

- need increased housing capacity in Dunedin (Rachel Wallace, S44.001); and
- location of IN13 being close to schools, shops and bus routes (Conrad Anderson, S66.003).

Reasons for opposition to Change IN13 included:

- Concerns around the long-term negative impacts that denser residential development and infill in Anderson Bay will have on native biodiversity and loss of good quality habitat that is currently present in the gardens of properties in those suburbs (Yolanda van Heezik S82.013). Note these concerns are addressed in **Section 4.1** earlier in this report;
- concerns about rezoning the Anderson Bay Bowling Club (31 Bayfield Road, Andersons Bay) to General Residential 2, including potential adverse effects on:
 - outlook of neighbouring properties due to height of new development (Kevin Gough, S4.001 & Allan Miller, S29.001)
 - loss of green space (Marion Lindley, S32.001);

- bus transport and effects of narrow road (Kevin Gough, S4.001);
- traffic effects and safety particularly with regards to congestion and busy pedestrian area on streets surrounding the bowling club sites (Marion Lindley, S32.001);
- likelihood of roads being dug up again for new pipes (Kevin Gough, S4.001).
- concerns around potential adverse effects, including:
 - loss of character and amenity due to increased density (Lorraine Wong, S22.001);
 - traffic and parking effects (Carey Woodhouse, S115.001);
 - infrastructure capacity for future development and timing of establishing it (Carey Woodhouse, S115.001);
 - effects on outlook due to new development in the area (Carey Woodhouse, S115.001).

Amendments sought to Change IN13 included:

- inclusion of the sites at 125, 127, 129, 133 and 135 Tomahawk Road within the IN13 area (Daniel Anfield, S61.001 & S61.002). This request is identified as **Change IN13a**.

Two further submissions were received from Melissa Shipman (FS170.1 & FS170.2) supporting the submissions from Daniel Anfield OS61.001 and OS61.002.

Request to include additional sites within IN13 (Change IN13a)

The submission by Daniel Anfield has requested that sites 125, 127, 129, 133 and 135 Tomahawk Road be included within the IN13 area. The sites range in site size from 500m² to 759m² and are currently zoned General Residential 1. All of the properties contain existing dwellings and obtain access from Tomahawk Road.

Expert technical evidence sought

In order to further assess the matters raised in these submissions I sought expert evidence on the following:

- I requested evidence from Mr Logan Copland from DCC Transport on parking and traffic effects raised in the submission from Marion Lindley (S32.001), Kevin Gough (S4.001) & Carey Woodhouse (S115.001) and the addition of sites (D Anfield S61.001). In summary, their assessment noted that DCC Transport have recently undertaken school safety improvements on Bayfield Road and Elliot Street in the form of speed restrictions during pick-up and drop-off times to reduce speeds from 50km/h to 40km/h to improve the road safety for vulnerable road users. The existing traffic volumes along Bayfield Road and Elliot Street are considered normal for the classification of the roads. Overall, DCC Transport have no concerns regarding safety and congestion in the area and consider that any site-specific issues as a result of any new development can be assessed at the time of resource consent. In terms of the Anderson Bay Bowling Club site, it is noted that the same traffic requirements such as access location would apply if the site remained zoned as General Residential 1. These site-specific issues would be assessed at the time of development.
- I requested evidence from Mr Jared Oliver from DCC 3 waters in regard to the capacity of Council's infrastructure based on the concern raised by Carey Woodhouse (S115.001). In summary, his assessment was over 77 million of capital funding has been approved through the 10-year plan for new capital and renewals to support growth. Work is currently in the planning phase to identify, design and carry out the 3 Waters capital works necessary to facilitate this additional growth. Any upgrades would address issues in the public network. There are private watercourses in the area that service stormwater flows which also needs to be managed appropriately. In regard to the request to include additional sites (D Anfield S61.001), Mr Oliver raises the concern of stormwater effects downstream where drainage is provided through private watercourses. While the Stormwater Constraint Mapped Area will help to manage stormwater flows, the extent of private downstream stormwater drainage makes the extension of IN13 a risk to downstream properties.
- I requested evidence from DCC Urban Design Advisor, Peter Christos on the concerns raised regarding loss of character and outlook, particularly in regard to the rezoning of the Anderson's Bay Bowling Club from GR1 to GR2 (Carey Woodhouse (S115.001), Kevin Gough (S4.001), Lorraine Wong (S22.001) & Allan Miller (S29.001)). In summary, Mr Christos acknowledges the submitters concerns in regard to the change in existing character due to intensification. Mr Christos considers the existing General Residential 2 standards including setbacks and height constraints ensure a suitable level of amenity, providing new development is

well designed and integrated with the surrounding neighbourhood. He notes that due to the size and shape of the two principle areas of proposed rezoning the suburbs existing character would remain dominant and effects on the built character would be relatively constrained.

Recommendation

I note I have addressed potential effects on amenity and character from loss of landscaped and green spaces on sites and associated effects on biodiversity from intensification in areas being rezoned through the recommendation I have provided in sections 4.1.3 and 4.1.4 above. I am of a view that these changes will help to address these issues and therefore address the concerns raised by some of the submitters on this rezoning area. With respect to parking effects, I have addressed this topic in section 4.1.5 and note my recommendation there that no change to the plan is required and that this recommendation follows the requirements of the National Policy Statement on Urban Development.

I have considered all submissions received, and reasons for those submissions, and recommend retaining Change IN13 as notified and including IN13a within the intensification area. Management of stormwater throughout area IN13 is important, but I do not consider that the addition of 5 sites already developed for residential purposes will exacerbate the overall risk.

In addition, regarding submissions that I recommend rejecting, I note that:

- In regard to the submission from Marion Lindley, it is important to note that the Anderson Bay bowling green is currently zoned General Residential 1 zone and therefore could be developed for residential under the current 2GP. There is no plan to protect the area as a green reserve. The performance standards for bulk and location, outdoor living space, and impermeable surfaces will ensure that minimum requirements for open space are met. Please refer to Section 4.1.3 and 4.1.4 in regard to the recommendation to address the loss of greenspace as a result of intensification.
- In regard to the submissions from Carey Woodhouse (\$115.001), Kevin Gough (\$4.001), Lorraine Wong (\$22.001) & Allan Miller (\$29.001), I concur with the advice provided by Mr Christos and consider the existing General Residential 2 performance standards to be adequate in terms of setbacks, height and outdoor living space in terms of ensuring a suitable level of amenity. It is also noted that any proposal for a multi-unit development (three or more residential units) would require resource consent and an assessment of building design, streetscape amenity and landscaping.
- DCC Transport has assessed the proposed intensification area for Anderson Bay and have reviewed the submissions from Carey Woodhouse, Kevin Gough and Marion Lindley. They have concluded that there are no traffic safety or congestion concerns, and any issues will be discussed at the time of the resource consent. They also note that as the Andersons Bay bowling club site is currently zoned General Residential 1, the same traffic requirements in terms of access location and traffic safety standards would apply for any new residential development.
- Effects from additional demand for car parking as a result of intensification will be managed outside of the 2GP in line with the National Policy Statement for Urban Development.

Recommended amendments:

Decision topic 1: Whether to retain proposed rezoning IN13

Recommendation:

Retain zoning as proposed and associated changes including:

- Application of a 'stormwater constraint mapped area'
- Amend Appendix A9 to change the default zone for Tainui School from General Residential 1 to General Residential 2.

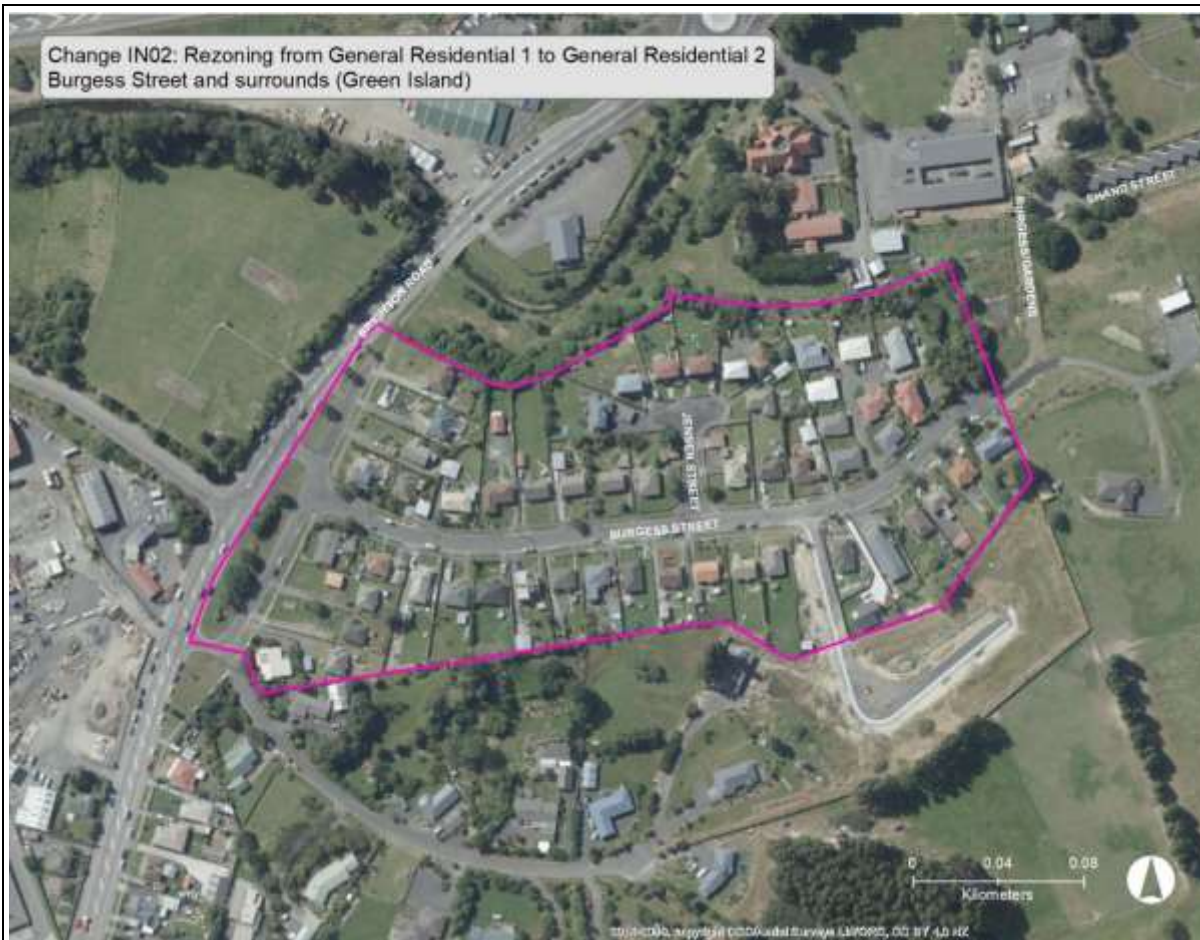
Decision topic 2: Whether to accept request to rezone IN13a

Recommendation:

Include IN13a (125, 127, 129, 133 and 135 Tomahawk Road) within the intensification area.

4.2.4 Change IN02 Burgess Street and surrounds, Green Island and Change IN02a to extend the boundary of the IN02 area to part of 41 Burgess Street (Lot 4)

Submission Point	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission
OS3.001	Alana Jamieson	Accept the change with amendments	Extend Change IN02 (rezoning from General Residential 1 zone to General Residential 2 zone at Burgess Street and surrounds, Green Island, and associated changes) to rezone part of 41 Burgess Street (Lot 4 DP 23545), Green Island, from Rural Coastal zone to General Residential 2 zone.
OS82.006	Yolanda van Heezik	Accept the change with amendments	Amend Change IN02 (rezoning from General Residential 1 zone to General Residential 2 zone at Burgess Street and surrounds, Green Island, and associated changes) as follows: <ol style="list-style-type: none"> 1. Review ways to minimise housing footprints and the loss of private gardens through hard landscaping on residential sites. This could include the use of housing styles that have the same footprint (e.g. low rise, common walls, shared drives/access) and a review of site coverage limits to minimise hard landscaping (inferred not stated). 2. Require the protection of vegetation cover at sites adjacent to major biodiverse areas. 3. For infill and new development, require biodiversity protection and enhance measures to ensure no overall reduction in vegetation area or the fragmentation of existing corridors.
OS86.001	W David & M Whitney	Accept the change	Retain IN02 rezoning
<p><u>Background</u></p> <p>Figure 2: General area proposed for rezoning for IN02 (Burgess Street and surrounds) and Change IN02a</p>			



Change IN02 Burgess Street and surrounds is summarised as follows:

Purpose statement	Description of change	Provisions affected by change
To rezone sites within the area 'IN02' from General Residential 1 to General Residential 2 to provide for additional housing.	Refer to the Green Island area of change in Figure 2.	<ul style="list-style-type: none"> Amend Appendix A9 to change the default zone for St Peter Chanel School from General Residential 1 to General Residential 2.

Submissions received

3 original submissions were received on Change IN02, 1 in support and 2 seeking amendments.

Reasons for support of Change IN02 included:

- more efficient use of land;
- development occurs in an established residential area that is close to existing community and commercial facilities; and
- consistency with the purpose and principles of the Resource Management Act 1991 (W David & M Whitney S86.001).

Amendments sought to Change IN02 included:

- amendments to include part of another site (Lot 4 DP 23545 of 41 Burgess Street) within the area of change IN02 (Alana Jamieson S3.001). This is identified as **Change IN02a**; and
- consideration of adding Plan provisions to better manage any adverse effects of intensification and the loss of biodiversity (Yolanda van Heezik S82.006). This submission has been considered in **Section 4.1 above**.

Two further submissions were received supporting Change IN02a, the request to include the site at Lot 4, 41 Burgess Street within the IN02 intensification area and rezone the site at Lot 4 from Rural Coastal to General Residential 2 zone. These were received from Katie Ford (FS133.1) and Daryl and Anne-Marie McKay (FS66.1).

Request to include an additional site within IN02 (Change IN02a)

The site at 41 Burgess Street is currently zoned Rural (coastal) and is a parcel of land made up of two lots (legally described as Lot 1 DP 23545 and Lot 4 DP 23545). The submitter has requested that Lot 4 of 41 Burgess Street be rezoned from Rural (Coastal) zone to General Residential 2 zone. The site is 1467m² in area and adjoins St Peter Chanel School to the north. The site adjoins residential to the west and rural land to the east. A public walkway adjoins the east boundary of the site which provides access to the school, DCC owned community housing and the Green Island Memorial Park. The site is currently vacant. Part of the site is identified on the Council's Hazard register as being subject to land instability. There are no high-class soils identified on the site.

A resource consent (LUC-2009-271) was issued at 41 Burgess Street to allow for the existing residential dwelling which is located on Lot 1. There are no consent notices or covenants registered on the certificate of title that are relevant to Lot 4.

Expert technical evidence sought

In order to further assess the request raised to rezone part of the site at 41 Burgess Street, I sought expert evidence from:

- Regarding effects on 3 Waters infrastructure, I requested evidence from DCC 3 Waters (**Appendix B**) on the capacity of infrastructure if an additional site (Lot 4 at 41 Burgess Street) was included to area IN02;
- Regarding Transportation effects of including an additional site to area IN02, I requested evidence from Mr Logan Copland and Mr Trevor Watson of DCC Transport (**Appendix A**);
- Regarding effects on parks and reserves given the site is in close proximity to Green Island Memorial Park and adjoining walkway, I requested evidence from Parks and Recreation Mr John Brenkley.

Recommendation

I note I have addressed potential effects on amenity and character from loss of landscaped and green spaces on sites and associated effects on biodiversity from intensification in areas being rezoned through the recommendation I have provided in sections 4.1.3 and 4.1.4 above. I am of a view that these changes will help to address these issues and therefore address the concerns raised by submission 82 on this rezoning area.

I have considered all submissions received, and reasons for those submissions, and recommend retaining Change IN02 as notified with the addition of Change IN02a including the site at Lot 4 DP 23545 of 41 Burgess Street (Change IN02a) in response to the submission from Alana Jamieson.

I accept the submission to include Lot 4 DP23545(part of the site at 41 Burgess Street) for the following reasons:

- the site at Lot 4 DP23545 at 41 Burgess Street adjoins residential development to the east and the access adjoining the eastern boundary provides some setback from the adjoining rural section. The site area (1467m²) is large enough to meet the required minimum site area for the General Residential 2 zone and could accommodate approximately four 300m² sites or 32 habitable rooms. The site is not within any mapped area or hazards overlay but is approximately 140 metres away from a Hazard 1 (land instability) overlay zone to the south east of the site (active Church Street slip). However, the site is located below this area and the topography of the site has a gentle slope towards the north (towards Main South Road).
- DCC Transportation have raised no concerns about including this site in the IN02 area and consider that any site-specific matters can be dealt with at the resource consent stage.
- Mr Jared Oliver, 3 Waters, has stated that the addition of one site is unlikely to have significant effect on the demand or capacity of infrastructure. There is available 3 Waters infrastructure reasonably close to the site, but it is important to note that there would be costs associated with the extension of this infrastructure.

Recommended amendments:

Decision topic 1: Whether to retain proposed rezoning IN02

Recommendation:

Retain zoning as proposed for IN02 and associated changes including amendment of Appendix A9 to change the default zone for St Peter Chanel School from General Residential 1 to General Residential 2.

Decision topic 2: Whether to accept proposed rezoning IN02a

Recommendation:

To rezone part of the site at 41 Burgess Street (Lot 4 DP23545) from Rural (coastal) zone to General Residential 2 zone (Change IN02a).

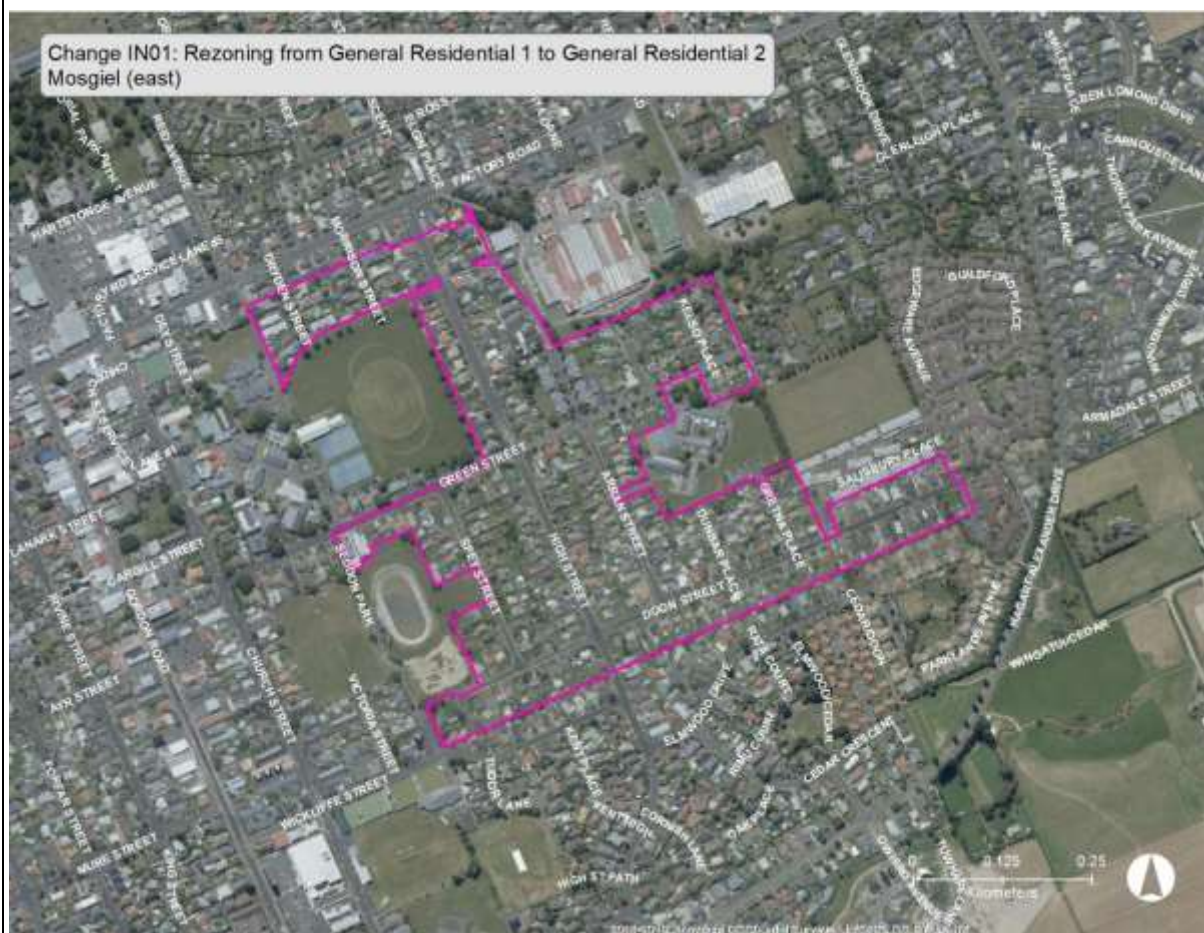
4.2.5 Change IN01 Mosgiel Medium Density Extension

Submission Point	Submitter Name	Support/Oppose/Seek Amend	Decision requested
OS113.001	Matthew Dooher	Reject the change	Remove Change IN01
OS110.002	Brian Miller	Reject the change	Remove Change IN01
OS214.002	M & K Dooher, R & M McKay, P Lobb, P & N Kearns, K & G Clayton, M Urban, L Saldivar-Urban, G & B Kenworthy (M&K Dooher and others)	Reject the change	Remove Change IN01 (rezoning from General Residential 1 zone to General Residential 2 zone at part of Mosgiel, and associated changes) from Morrison Street and Taieri College, Mosgiel, including all associated changes to minimum site size, density, height in relation to boundary, setbacks and default zoning of Taieri College.
OS201.002	Zig Zag Trust	If the change is not rejected, amend	Remove Change IN01 (rezoning from General Residential 1 zone to General Residential 2 zone at part of Mosgiel, and associated changes) until such time as an agreed approach is implemented to address traffic safety issues at the intersection of State Highway 87 (Gordon Road and Quarry Road) with Burns Street, Hagart-Alexander Drive, and Gladstone Road and to resolve increased pressure on the transport network between Doon Street and Factory Road. Alternatively, low cost, short term interventions are available and could be implemented in the interim to address the issue and to maintain safety and efficiency, whilst a longer term and likely more costly remedy is developed and approved for implementation.
OS5.001	Ajimon Jose	Accept the change	Retain Change IN01
OS82.004	Yolanda van Heezik	Accept the change with amendments	Amend Change IN01 (rezoning from General Residential 1 zone to General Residential 2 zone at part of Mosgiel, and associated changes) as follows: 1. Review ways to minimise housing footprints and the loss of private gardens through hard landscaping on residential sites. This could include the use of housing styles that have the same footprint (e.g low rise, common walls, shared drives/access) and a review of

			<p>site coverage limits to minimise hard landscaping (inferred not stated).</p> <ol style="list-style-type: none"> 2. Require the protection of vegetation cover at sites adjacent to major biodiverse areas. 3. For infill and new development, require biodiversity protection and enhance measures to ensure no overall reduction in vegetation area or the fragmentation of existing corridors.
OS12.001	Mathew Zacharias	Accept the change with amendments	Amend Change IN01 (rezoning from General Residential 1 zone to General Residential 2 zone at part of Mosgiel, and associated changes) to manage increased traffic and congestion through better road networks and ensure a plentiful supply of clean water.

Background

Figure 1: General area proposed for rezoning for IN01 (Mosgiel)



Change IN01 Mosgiel Medium Density Extension is summarised as follows:

Purpose statement	Description of change	Provisions affected by change
To rezone sites within the area 'IN01' from General Residential 1 to General Residential 2 to provide for additional housing.	This area comprises 26 ha of existing developed residential area in Mosgiel, to the east of Gordon Road between Factory Road and	<ul style="list-style-type: none"> • Application of a 'stormwater constraint mapped area' • Application of a Mosgiel mapped area overlay • Amend Appendix A9 to change the default zone for Taieri College and Silverstream

	immediately south of Doon Street as shown in Figure 1 .	Primary School from General Residential 1 to General Residential 2. <ul style="list-style-type: none"> • Amend Rule 15.13.5.1 • Delete Rule 15.13.5.6 • Amend Rule 15.10.3.4
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Submissions received

7 original submissions were received on Change IN01 with three in support and four in opposition. The submissions listed in the table above are those relating to the proposed changes to the rezoning to General Residential 2. These submissions either seek removal of changes that will add housing capacity in Mosgiel or seek amendments to address pre-existing traffic congestion issues or ensure provision of adequate 3 waters infrastructure.

Reasons for support of Change IN01 included:

- no reason stated (Ajimon Jose - s5.001)
- support the increase in density of housing provided green spaces are maintained (Yolanda van Heezik - S82.004).

Reasons for opposition to Change IN01 included:

- concerns around potential adverse effects, including:
 - traffic and parking effects (Matthew Zacharias S12.001, Mathew Dooher S113.001, Zig Zag Trust S201.002 & M & K Dooher and others S214.002);
 - loss of biodiversity and greenspace (Yolanda van Heezik S82.004 & M & K Dooher and others S214.002 in relation to Taieri College underlying zoning). Note the concerns raised in S82 are addressed in **Section 4.1** earlier in this report;
 - loss of amenity and character (Matthew Dooher S113.001 and M & K Dooher and others S214.002);
 - effects on privacy, shading and reduced setbacks (Matthew Dooher S113.001 and M & K Dooher and others S214.002);
- concern around the potential for housing type and suitability for families (Matthew Dooher S113.001);
- concern around health and safety for its residents due to infill housing and difficulties that may arise to self-isolate during global pandemics (M & K Dooher and others S214.002); and
- concern regarding the availability of adequate 3 waters infrastructure capacity (Matthew Zacharias S12.001, Matthew Dooher S113, Brian Miller S110 & M & K Dooher and others S214.002) (stormwater)).

Amendments sought to Change IN01 included:

- measures to address traffic effects (Zig Zag Trust S201.002) and
- amendments to require biodiversity protection and measures to enhance to ensure that there is no overall reduction in vegetation area or the fragmentation of existing corridors (Yolanda van Heezik S82.004) including:
 - use of housing styles that have the same footprint (e.g. low rise, common walls, shared drives) to reduce housing footprints;
 - protecting vegetation cover at sites adjacent to major biodiverse areas;
 - implement compensatory plantings requirements to ensure no overall reduction in vegetated area;
 - require conditions of consent for infill regarding biodiversity protection and enhancement measures, including planting and creation of corridors; and
 - minimise hard landscaping through provisions controlling permeable surfaces.

Some of these submissions were supported and opposed to by further submissions from the Otago Regional Council due to stormwater management concerns as follows:

- FS184.7 supports in part OS110.02 Brian Miller
- FS184.8 supports in part OS113.001 Matthew Dooher
- FS184.33 opposes in part OS201.002 Zig Zag Trust
- FS184.109 opposes in part OS82.004 Yolanda van Heezik
- FS184.11 supports in part OS12.001 Mathew Zacharias
- FS184.96 opposes OS5.001 Ajimon Jose

- FS184.42 opposes in part OS12.001 Matthew Zacharias
- FS184.512 supports in part OS214.002 M & K Dooher and others

Expert evidence sought

In order to further assess the matters raised in these submissions I sought expert evidence as follows:

- Regarding Transportation effects, I requested evidence from Mr Logan Copland and Mr Trevor Watson of DCC Transport. Their memorandum of evidence is provided in **Appendix A**. In summary, it is acknowledged that there are existing issues with congestion at key Mosgiel intersections at peak commuter times. However, these are not considered to be so severe at this stage to prevent additional housing in Mosgiel for transportation reasons. In response to these issues, DCC Transport considered that it is DCC's preference to provide better alternative options to private motor vehicle use for commuting to the city centre, rather than to increase the capacity for private motor vehicles. DCC Transportation has noted several programmed transport projects for 2021-2024 (with responsibilities for DCC, ORC and Waka Kotahi) which includes:
 - Improved public transport, including possible introduction of express bus services from Mosgiel and super stops;
 - Development of a park-and-ride facility at Mosgiel to support bus services;
 - Development of the tunnels cycleway system between Mosgiel and Dunedin;
 - Travel behaviour change and travel planning initiatives; and
 - Speed management programme for State Highway 1.
- Regarding 3 waters infrastructure effects, evidence from Mr Jared Oliver of DCC 3 Waters was sought to inform the Section 32 evaluation of the proposed intensification areas (see **Appendix B**). In summary, his assessment was that the additional capacity being added in Mosgiel through Variation 2 is likely to only have minor effects on water supply and wastewater networks which would be mitigated by other factors, such as upgrade works already being identified and budgeted for.
- As part of the Section 32 analysis, Mr Peter Christos, DCC Urban Designer, and Dr Andrea Farminer, DCC Heritage Advisor, undertook Medium Density character assessments (dated February 2021) to inform the section 32 evaluation. This *assessment considered that the new GR2 area proposed in Mosgiel is capable of absorbing the potential increase in intensification from a residential character perspective, due to its existing, well-developed character*¹². I sought further comments from Mr Christos (see **Appendix C**) in regard to the submissions from Mathew Dooher (S113.001) and M & K Dooher and others (S214.002). In summary, Mr Christos acknowledges the submitters concerns regarding the existing residential character of East Mosgiel but considers that the area is capable of accepting a more diverse range of housing. Although this would alter the character, Mr Christos suggests that this would not necessarily have a negative effect and could provide some architectural diversity and improve housing choice.

Recommendation & Assessment

I note I have addressed potential effects on amenity and character from loss of landscaped and green spaces on sites and associated effects on biodiversity from intensification in areas being rezoned through the recommendation I have provided in sections 4.1.3 and 4.1.4 above. I am of a view that these changes will help to address these issues and therefore address the concerns raised by some of the submitters on this rezoning area. With respect to parking effects, I have addressed this topic in section 4.1.5 and note my recommendation there that no change to the plan is required and that this recommendation follows the requirements of the National Policy Statement on Urban Development.

I have considered all submissions received and the reasons for those submissions. I have also considered evidence from DCC Transportation (see **Appendix A**), and Mr Jared Oliver, DCC 3 Waters¹³. On balance, I recommend retaining the proposed rezoning Change IN01 at Mosgiel as notified.

Regarding transportation and 3 waters infrastructure, the reasons for my recommendation are as follows:

¹² Appendix 9 – Medium density character assessments pages 1-5

¹³ See Appendix 2 to the Section 32 Report for DCC 3 Waters Memorandum on rule changes

- Despite known issues with transportation infrastructure for which Waka Kotahi is responsible (State Highways 87 & 1), Waka Kotahi has not sought any changes to Variation 2 proposals in relation to effects on its infrastructure at Mosgiel as part of its submission. Waka Kotahi is supportive of the approach in Variation 2 which distributes housing capacity across a wider area “as it provides the opportunity to utilise existing resources and infrastructure and is likely to result in a lesser impact or create a significant change in demand on infrastructure at specific points or locations including within the State Highway network” (pg. 5 of their submission);
- Based on the evidence from DCC Transport, they have identified several programmed transport projects for 2021-2024 that will provide alternatives to the use of private motor vehicles, as set out above;
- I also note that growth in the population of Mosgiel is likely to make provision of more local services and employment opportunities viable, reducing dependency on travel to the city (e.g. the current development of the new pool facility); and
- Variation 2 is providing a large amount of residential capacity spread across the city rather than being concentrated in Mosgiel. This reduces the risk that a large increase in housing development will occur in Mosgiel in the short term, giving time for mode choice initiatives to be implemented.
- It is also noted that if the pressures on Mosgiel intersections increase over time, Waka Kotahi or DCC (as relevant) may be required to undertake upgrades to address matters and this is not considered unfeasible.
- In regards to concerns related to stormwater effects and flooding issues in the area (Brian Miller, S110.002 and Matthew Dooher, S113.001), DCC 3 Waters (**Appendix B**) comments that applying the ‘stormwater constraint mapped area’ to the proposed rezoning will ensure that the amount of impermeable surface permitted by the existing General Residential 1 zone is not increased with the proposed General Residential 2 zone. This performance standard should minimise the risk of the amount of stormwater created on a site increasing beyond what is already permitted by existing zoning.
- I concur with the assessment of Change IN01 as set out in the Section 32 report on residential character and amenity and note Mr Christos further comments that the proposed change will provide a positive change in architectural diversity and housing choice. This is consistent with Objective 2.6.1 on Housing Choices.

Overall, I am of the view that the transportation effects arising from the proposed rule changes that are the subject of this report will be acceptable and will not unduly impact the achievement of Objective 2.7.1 on Efficient Public Infrastructure and Objective 2.7.2 on Efficient Transportation. My view also takes into account the positive effects of providing additional housing capacity within the existing urban area in terms of achieving Objective 2.6.2 on Adequate Urban Land Supply, Objective 2.6.1 on Housing Choices, and Objective 2.2.4 on Compact and Accessible City and associated objectives.

Submissions recommended for rejection

I recommend not making changes to address the other matters raised, as set out below:

- In regards to the submission from M & K Dooher and others (S214.002), I consider that although there is a change to density, effects on amenity, privacy and shading will be adequately managed by the existing performance standards for bulk and location in the General Residential 2 zone (and Mosgiel mapped area standards). The relevant assessment matters consider effects on residential character and amenity where there is a breach of these performance standards.
- In regard to the submission from Matthew Dooher (S113.001) and concern around the suitability of housing for families, the General Residential 2 performance standards allow for a range of different types of housing therefore it is intended to provide housing options for all members of the community;
- The submission from M & K Dooher and others (S214.002) raised a concern regarding the proposed change to the default zoning for Taieri College to General Residential 2 and potential loss of green space if developed. It should be noted that the current default zoning for the college is General Residential 1 zone which does not retain the area as open space. Taieri College is zoned School and has a default zoning of General Residential 1 (Table A9.2: Default zones for schools). The Plan enables land no longer needed for school purposes to transition to the default zone (Rule 31.3.7). In general, for sites zoned School, the default zoning will be the same as the zoning for the surrounding area.

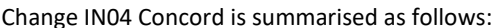
<p>Given this, I consider it appropriate to amend the default zoning to reflect the change from proposed General Residential 1 zone to General Residential 2 zone as proposed as part of Variation 2.</p> <ul style="list-style-type: none"> • M&K Dooher and others raised an issue about current flooding along Morrison Street and the concern that this will be exacerbated with increased development. Mr Jared Oliver has reviewed these concerns and comments that Council does not typically take action on 'nuisance flooding' (infrequent flooding only affecting road carriageways) as this is to be expected with the level of service provided by the infrastructure. Any current concerns regarding the mud tank and gutter sweeping needs to be raised with DCC Transport and cannot be resolved via the Variation 2 process.
<p>Decision topic: Whether to retain proposed rezoning IN01</p> <p>Recommendation: Retain zoning as proposed and associated changes including:</p> <ul style="list-style-type: none"> • Application of a 'stormwater constraint mapped area' • Application of a Mosgiel mapped area overlay • Amend Appendix A9 to change the default zone for Taieri College and Silverstream Primary School from General Residential 1 to General Residential 2. • Amend Rule 15.13.5.1 • Delete Rule 15.13.5.6

4.2.6 Change IN04 Concord

Submission point #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission
OS82.009	Yolanda van Heezik	Accept the change with amendments	<p>Amend Change IN04 (rezoning from General Residential 1 zone to General Residential 2 zone at Concord, and associated changes) as follows:</p> <ol style="list-style-type: none"> 1. Review ways to minimise housing footprints and the loss of private gardens through hard landscaping on residential sites. This could include the use of housing styles that have the same footprint (e.g. low rise, common walls, shared drives/access) and a review of site coverage limits to minimise hard landscaping (inferred not stated). 2. Require the protection of vegetation cover at sites adjacent to major biodiverse areas. 3. For infill and new development, require biodiversity protection and enhance measures to ensure no overall reduction in vegetation area or the fragmentation of existing corridors.

Background

Figure 4: General area proposed for rezoning for IN04 (Concord)



Submissions received

1 original submission was received on Change IN04 seeking an amendment. This submission from Yolanda van Heezik, S82.009 sought amendments to require biodiversity protection and measures to enhance to ensure that there is no overall reduction in vegetation area or the fragmentation of existing corridors. Note that these concerns are addressed in **Section 4.1** above. Broad submissions regarding all of the areas proposed to be rezoned from General Residential 1 zone to General Residential 2 were also received, and these have been addressed in **Section 4.1** above.

Recommendation

I note I have addressed potential effects on amenity and character from loss of landscaped and green spaces on sites and associated effects on biodiversity from intensification in areas being rezoned through the recommendation I have provided in sections 4.1.3 and 4.1.4 above. I am of a view that these changes will help to address these issues and therefore address the concerns raised by submission 82 on this rezoning area.

I have considered the submissions received, and reasons, and recommend retaining Change IN04 as notified. I concur with the assessment of Change IN04 as set out in the Section 32 Report.

Recommended amendments

Decision topic: Whether to retain proposed rezoning IN04 including application of a 'stormwater constraint mapped area'

Recommendation:

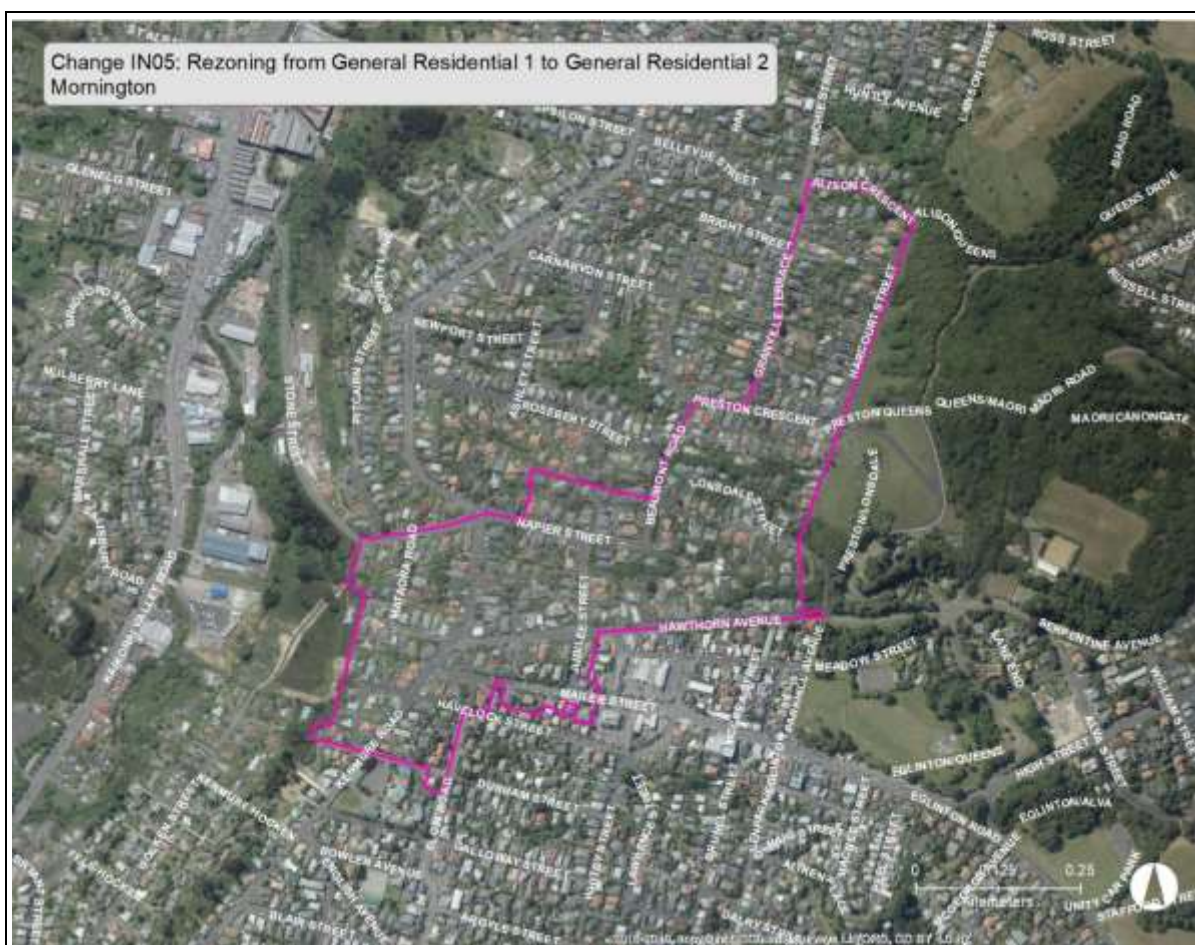
Retain zoning as proposed and associated application of a 'stormwater constraint mapped area'

4.2.7 Change IN05 Mornington (north)

Submission Point #	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission
OS98.001	Jeanette Allan	Reject the change	Remove Change IN05
OS148.001	Elizabeth Prior	Reject the change	Remove Change IN05
OS129.005	Alex King	Accept the change	Retain Change IN05
OS82.012	Yolanda van Heezik	Accept the change with amendments	Amend Change IN05 (rezoning from General Residential 1 zone to General Residential 2 zone at Mornington (north), and associated changes) as follows: 1. Review ways to minimise housing footprints and the loss of private gardens through hard landscaping on residential sites. This could include the use of housing styles that have the same footprint (e.g. low rise, common walls, shared drives/access) and a review of site coverage limits to minimise hard landscaping (inferred not stated). 2. Require the protection of vegetation cover at sites adjacent to major biodiverse areas. 3. For infill and new development, require biodiversity protection and enhance measures to ensure no overall reduction in vegetation area or the fragmentation of existing corridors.
OS194.001	Barry Douglas	Accept the change with amendments	Amend Change IN05 (rezoning from General Residential 1 zone to General Residential 2 zone at Mornington (north), and associated changes) to exclude the northern area as bounded to the south by Hawthorn Avenue and to the west by Kenmure Road, this being the suburb more generally identified as Belleknowes.
OS143.001	Anthony Reid	Accept the change with amendments	Amend Change IN05 (rezoning from General Residential 1 zone to General Residential 2 zone at Mornington (north), and associated changes) to exclude the south side of Alison Crescent.

Background

Figure 5: General area proposed for rezoning for IN05 (Mornington)



Change IN05 Mornington (north) is summarised as follows:

Purpose statement	Description of change	Provisions affected by change
To rezone sites within the area 'IN05' from General Residential 1 to General Residential 2 to provide for additional housing.	Refer to the Mornington (north) area of change in Figure 5 .	<ul style="list-style-type: none"> Application of a 'wastewater constraint mapped area' over part of the site Application of a 'stormwater constraint mapped area' Amend Appendix A9 to change the default zone for Mornington Primary School from General Residential 1 to General Residential 2

Submissions received

6 original submissions were received on Change IN05 with one in support, two in opposition and three seeking amendments.

Reasons for support of Change IN05 included:

- support the increase in density of housing provided green spaces are maintained (Yolanda van Heezik, S82.012). This submission is addressed in **Section 4.1** above; and
- support the intensification proposed for the area as it is close to bus stops and amenities (Alex King, S129.005).

Reasons for opposition to Change IN05 included:

- concerns around potential adverse effects, including:
 - loss of character and heritage, traffic and parking effects (Barry Douglas, S194.001);
 - stormwater effects (Jeanette Allan S98.001, Elizabeth Prior S148.001 and Anthony Reid S143.001);

- effects on privacy, shading and views (Barry Douglas, S194.001);

Amendments sought to Change IN05 included:

- The amendments sought by Yolanda van Heezik (S82.012) are addressed in **Section 4.1.3 and 4.1.4** above;
- amendments to the boundary of the area proposed for rezoning to exclude:
 - the northern area as bounded to the south by Hawthorn Avenue and to the west by Kenmure Road (Barry Douglas, S194.001);
 - the south side of Alison Crescent (Anthony Reid, S143.001).

Expert technical evidence sought

In order to further assess the matters raised in these submissions I sought expert evidence on the following:

- I requested evidence from Mr Logan Copland and Mr Trevor Watson from DCC Transport on parking and traffic effects as raised in the submission from Barry Douglas (S194.001) and in other submissions, this is discussed in section 4.1.5.
- I requested evidence from Mr Jared Oliver from DCC 3 Waters in regard to stormwater effects and the capacity of the stormwater network based on submissions from Jeanette Allan (S98.001), Elizabeth Prior (S148.001) and Anthony Reid (S143.001). In summary, it is noted that all three submitters have private open channel or piped watercourses on their properties which have existing issues. These private watercourses are not owned or managed by the DCC. It is recognised that there are stormwater issues in the area and as such the maximum impermeable surface limits are kept at the General Residential 1 limit¹⁴ by applying the 'stormwater constraint mapped area'. Mr Oliver states that this should minimise the risk of the amount of stormwater created on a site increasing beyond what is already permitted by the existing General Residential 1 zone impermeable surfaces rule.
- I requested evidence from DCC Urban Design officer, Peter Christos on points raised in the submission from Barry Douglas in relation to effects on privacy, shading and views (S194.001). He refers to his evidence provided for the Part 1 'Provisions' Section 42A report. Mr Christos has stated that:
 - *I agree with the submitter that intensification can lead to loss of green amenity and character through demolition and poor-quality infill. However, I also note that the architecture within Belleknowes is mixed and while there are good examples of large villas in sound condition there are also plenty of examples of more modest and contemporary housing on smaller sites. The built character is not reliant on a single typology but more reliant on good architecture in general, high levels of property upkeep and green amenity. There has been a reasonable amount of historic subdivision and redevelopment without appearing to impact on the suburbs character.*
 - *My view is that there is capacity (especially at rear sites) for further intensification without overly impacting on residential character and streetscape values. I believe the current provisions within the plan provide for sufficient amenity however, I also acknowledge that as the city's housing stock increases, there are likely to be locations (other than [heritage] precincts) where improved architectural outcomes would be necessary to preserve existing neighbourhood character and particularly where demolition and site amalgamation occurs. In these instances, design guides could aid the consent process while encouraging good design outcomes.*

In relation to Mr Christos's comments above, no specific rules have been proposed as part of Variation 2 to respond to these suggestions, but it is noted that multi-unit development of 3 or more residential units on a site requires resource consent for consideration of the design.

Recommendation

I note I have addressed potential effects on amenity and character from loss of landscaped and green spaces on sites and associated effects on biodiversity from intensification in areas being rezoned through the recommendation I have provided in sections 4.1.3 and 4.1.4 above. I am of a view that these changes will help to address these issues and therefore address the concerns raised by some of the submitters on this rezoning area. With respect to parking effects, I have addressed this topic in section 4.1.5 and note my recommendation there that no change to the plan

¹⁴ Section Variation 2 Additional Housing Capacity Section 32 Report (February 2021) Site Assessments, pp 170-171

is required and that this recommendation follows the requirements of the National Policy Statement on Urban Development.

I have considered all submissions received, and reasons for those submissions, and recommend retaining Change IN05 as notified. Overall, I concur with the section 32 assessment and consider that the proposal is appropriate to achieve the relevant objectives of the Plan.

In addition, regarding submissions that I recommend rejecting, I note that:

- In regard to the submissions from Jeanette Allan (S98.001), Elizabeth Prior (S148.001) and Anthony Reid (S143.001), Mr Oliver has noted that the area is located within a 'Stormwater Constraint mapped area' and such there is not increase in the maximum building site coverage and any impermeable surfaces, which are limited to 70% of the site which is what is currently allowed under the General Residential 1 zone (Rule 15.6.10.1.X).
- Regarding the concerns raised by Barry Douglas, the proposed rezoning to General Residential 2 is likely to result in a moderate cumulative loss of gardens and greening over time, but the benefits of providing additional housing capacity within the existing urban area are considered to outweigh the adverse effects of this change¹⁵. I accept Mr Christos advice that there is capacity for further intensification without overly impacting on residential character and streetscape values. In my opinion, effects on amenity, privacy and shading will be managed by the existing performance standards for bulk and location in the General Residential 2 zone but note my recommendation for additional controls to apply to new GR2 zoning in section 4.1.3.

Overall, I am of the view that the proposals will enable the relevant objectives of the Plan to be efficiently and effectively achieved; particularly Objective 2.4.1 Form and structure of the environment, Objective 2.6.2 Adequate urban land supply, and Objective 2.6.1 Housing choices.

Recommended amendments

Decision topic: Whether to retain proposed rezoning IN05

Recommendation:

Retain zoning as proposed including associated changes:

- Application of a 'wastewater constraint mapped area' over part of the site
- Application of a 'stormwater constraint mapped area'
- Amend Appendix A9 to change the default zone for Mornington Primary School from General Residential 1 to General Residential 2

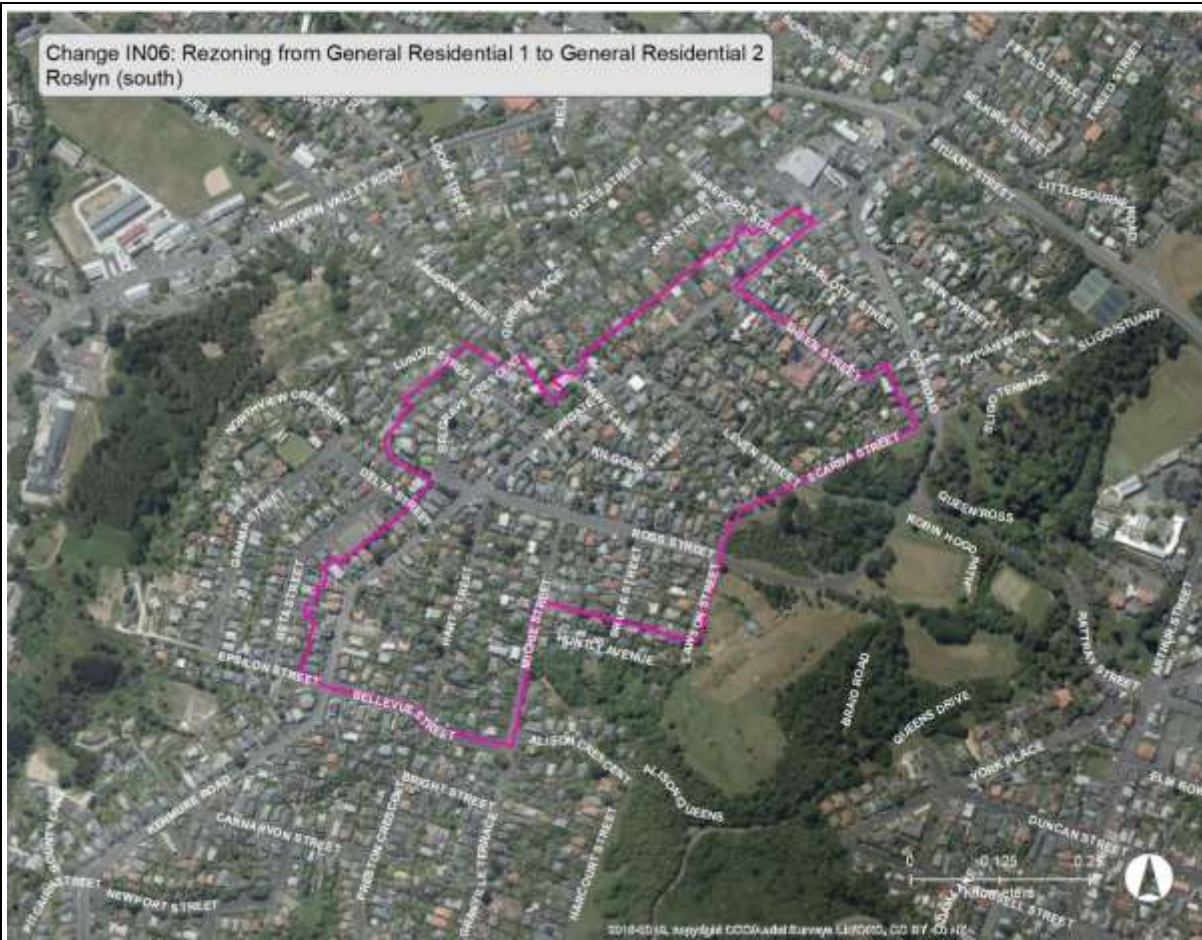
4.2.8 Change IN06 Roslyn (south)

Submission point #	Submitter Name	Support/Oppose/See k Amend	Summary of Submission
OS57.001	Virginia Theis	Reject the change	Remove Change IN06 (rezoning from General Residential 1 zone to General Residential 2 zone at Roslyn (south), and associated changes) where it applies to the area shaded red on the map attached to the submission.
OS82.001	Yolanda van Heezik	Reject the change	Remove Change IN06 (rezoning from General Residential 1 zone to General Residential 2 zone at Roslyn (south), and associated changes).

Background

Figure 6: General area proposed for rezoning for IN06 (Roslyn South)

¹⁵ See Variation 2 Additional Housing Capacity Section 32 Report (February 2021), pp. 39-40 and pp. 48-49



Change IN06 Roslyn (south) is summarised as follows:

Purpose statement	Description of change	Provisions affected by change
To rezone sites within the area 'IN06' from General Residential 1 to General Residential 2 to provide for additional housing.	Refer to the Roslyn (south) area of change in Figure 6 .	<ul style="list-style-type: none"> Application of a 'wastewater constraint mapped area' over part of the area Application of a 'stormwater constraint mapped area'

Submissions received

2 original submissions were received on Change IN06, both in opposition.

Reasons for opposition to Change IN06 included:

- Concerns around the long-term negative impacts that denser residential development and infill in Roslyn will have on native biodiversity and loss of good quality habitat that is currently present in the gardens of properties in those suburbs (Yolanda van Heezik, S82.001); note these concerns are addressed in the general **section 4.1.4** earlier in this report; and
- concerns around potential adverse effects, including:
 - traffic and parking effects;
 - stormwater effects;
 - capacity of 3 waters infrastructure; and
 - loss of heritage buildings (Virginia Theis, S57.001). The loss of heritage has been considered in **section 4.1.6** earlier in the report.

Expert technical evidence sought

In order to further assess the matters raised in these submissions I sought expert evidence on the following:

- I requested evidence from Mr Logan Copland and Mr Trevor Watson from DCC Transport on parking and traffic effects raised in the submission from Virginia Thies (S57.001) This is discussed on Section 4.1.5 alongside similar submissions.
- Preliminary evidence was received from DCC Heritage Advisor, Andrea Farminer in relation to effects on heritage buildings (Virginia Thies S57.001).

Recommendation

I note I have addressed potential effects on amenity and character from loss of landscaped and green spaces on sites and associated effects on biodiversity from intensification in areas being rezoned through the recommendation I have provided in sections 4.1.3 and 4.1.4 above. I am of a view that these changes will help to address these issues and therefore address the concerns raised by some of the submitters on this rezoning area.

I have considered all submissions received, and reasons for those submissions, and recommend retaining Change IN06 as notified.

I concur with the assessment of Change IN06 as set out in the Section 32 Report, and note the following:

- Mr Jared Oliver of DCC 3 Waters recognises that there are stormwater issues in the area but notes that the proposal is to keep the maximum impermeable surface limits at the General Residential 1 limit¹⁶ (the General Residential 2 zone allows for 80% coverage whereas the General Residential 1 zone allows for 70%). He therefore is comfortable with the rezoning from a 3 waters perspective.
- The Medium Density Character assessment notes that “...a further gradual increase in dwellings or dwelling types are unlikely to substantially alter the current development and streetscape character of Roslyn South”¹⁷ However, the report notes that there is a need to maintain the generous green amenity identified across the zone in order to avoid risking substantial loss of often mature vegetation across this area. It is noted that the area identified for rezoning would be capable of absorbing some intensification without a detrimental effect on the area’s character¹⁸. However, a new landscaping performance standard is recommended which is discussed further in **Section 4.1** of the report above.

In addition, regarding submissions that I recommend rejecting, I note that:

- In regards of the submission from Virginia Thies (S57.001) in terms of managing the effects of stormwater due to intensification, a ‘Stormwater Constraint mapped area’ is proposed which limits the maximum building site coverage and any impermeable surfaces to 70% of the site which is what is currently required under the General Residential 1 zone (Rule 15.6.10.1.X). As noted in the Section 32 assessment¹⁹, upgrades of the network for water supply and wastewater are required and are proposed to be included in the 10-year plan and DCC’s infrastructure Strategy. A wastewater constraint mapped area is also applied to limit development potential to one habitable building per 100m² of the site, compared to the normal General Residential 2 limit of one habitable room per 45m² of site area.
- Effects from additional demand for car parking as a result of intensification will need to be addressed by DCC Transport in parking management plans outside of the 2GP in line with the requirements of the National Policy for Urban Development.

Recommended amendments

Decision topic: Whether to retain proposed rezoning IN06

Recommendation:

Retain zoning as proposed and associated changes including:

- Application of a ‘wastewater constraint mapped area’ over part of the area
- Application of a ‘stormwater constraint mapped area’

¹⁶ Variation 2 Additional Housing Capacity Section 32 Report (February 2021), page 173

¹⁷ Appendix 9 of the Section 32 report, Medium Density Character Assessments, page 23

¹⁸ Appendix 9 of the Section 32 report, The Medium Density Character Assessments, page 29

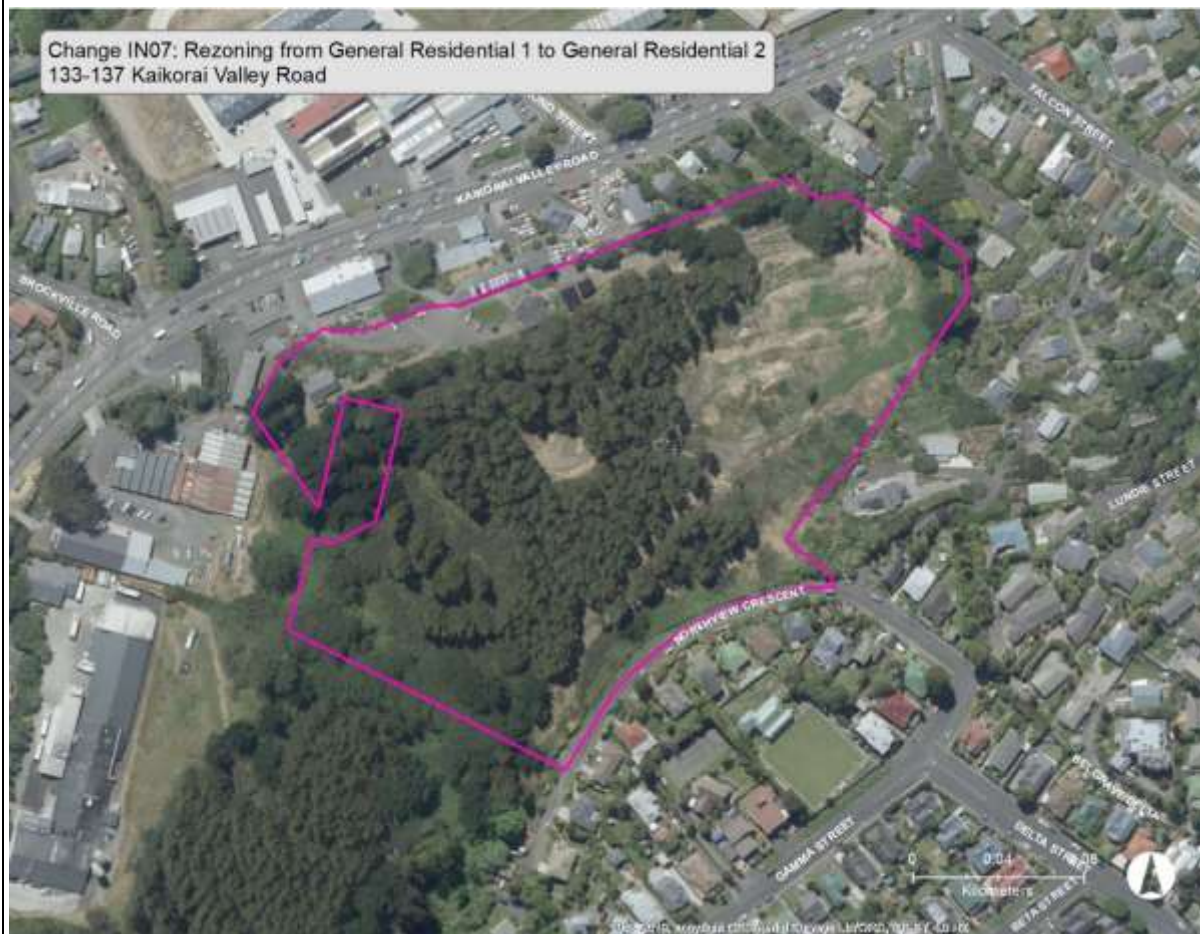
¹⁹ Variation 2 Additional Housing Capacity Section 32 Report (February 2021), pp 172-173

4.2.9 Change IN07 133-137 Kaikorai Valley Road

Submission point	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part
OS286.001	Karen Knudson & Ross Brown	Reject the change	Remove Change IN07 (rezoning from General Residential 1 zone and Industrial zone to General Residential 2 zone at 133-137 Kaikorai Valley Road, and associated changes).	
OS286.004	Karen Knudson & Ross Brown	Reject the change	Amend Change IN07 (rezoning from General Residential 1 zone and Industrial zone to General Residential 2 zone at 133-137 Kaikorai Valley Road, and associated changes) to remove the new development mapped area and associated infrastructure controls.	
OS119.001	Nicola Wood	If the change is not rejected, amend	Amend Change IN07 (rezoning from General Residential 1 zone and Industrial zone to General Residential 2 zone at 133-137 Kaikorai Valley Road, and associated changes) to ensure access is limited to Kaikorai Valley Road.	
OS286.005	Karen Knudson & Ross Brown	If the change is not rejected, amend	Amend Change IN07 (rezoning from General Residential 1 zone and Industrial zone to General Residential 2 zone at 133-137 Kaikorai Valley Road, and associated changes) to remove the new development mapped area, or if not removed, add a provision that exempts any development and/or subdivision within the NDMA where the density of the development and/or subdivision is consistent with the current zone density meets expectations. This would maintain the status quo until such time as a developer proposed a density of residential activity that exceeds the current zone allowance.	
OS286.002	Karen Knudson & Ross Brown	If the change is not rejected, amend	If Change IN07 (rezoning from General Residential 1 zone and Industrial zone to General Residential 2 zone at 133-137 Kaikorai Valley Road, and associated changes) is not removed, amend so that the site at 137 Kaikorai Valley Road is rezoned from Industrial zone to General Residential 1 only.	
OS54.001	Rebecca Crawford	If the change is not rejected, amend	Remove Change IN07 (rezoning from General Residential 1 zone and Industrial zone to General Residential 2 zone at 133-137 Kaikorai Valley Road, and associated changes), unless vehicle access is solely provided via Kaikorai Valley Road.	
OS126.001	Yoel George	If the change is not rejected, amend	Remove Change IN07 (rezoning from General Residential 1 zone and Industrial zone to General Residential 2 zone at 133-137 Kaikorai Valley Road, and associated changes) or if not rejected, amend as follows: 1. Include an access constraint requiring access to be solely via Kaikorai Valley Road, and 2. Include a green reserve within the site adjoining Northview Crescent.	
OS187.028	Dunedin City Council	Accept the change with amendments	Amend Change IN07 (rezoning from General Residential 1 zone and Industrial zone to General Residential 2 zone at 133-137 Kaikorai Valley Road, and associated changes) as it relates to Rule 11.6.2.1.i as follows: "In the Hazard 2 (land instability) Overlay Zone and any Restricted Development Area (Hazard), a A report by a suitably qualified person confirms that the risk to the activity, or resulting from the activity, will be no more than low."	

Background

Figure 7: General area proposed for rezoning for IN07 (133-137 Kaikorai Valley Road)



Change IN07 133-137 Kaikoura Valley Road is summarised as follows:

Purpose statement	Description of change	Provisions affected by change
To rezone sites within the area 'IN07' from General Residential 1 and Industrial Zone to General Residential 2 to provide for additional housing.	Refer to the Kaikorai Valley Road area of change in Figure 7 .	<ul style="list-style-type: none"> • Application of a 'new development mapped area' • Application of a 'structure plan mapped area' that contains a restricted development area over the entire IN07 area with requirements related to hazards and the need for a comprehensive geotechnical investigation report. • Application of a 'stormwater constraint mapped area' • Add to new Assessment Rule 15.11.5.Z • Add to new Assessment Rule 9.6.2.Y • New section 15.8.Z (Kaikorai Valley Road Structure Plan Mapped Area Performance Standards) • Add new Assessment Rule 15.12.3.X • Amend Assessment Rule 11.6.2.1.i

It is important to note that there are existing resource consents for the site which have granted a 4-lot subdivision and land use consent to erect two new dwellings on the new Lot 1 and Lot 4 (LUC-2019-690 and SUB-2019-164).

There is also a current resource consent being considered by Council for a proposed development within the new Lot 3 site and application to construct 40 new residential units (SUB-2021-182). An area of 'common land' is proposed as part of the development within Lot 3 which includes existing trees. Historically the site has been used for forestry with a resource consent (RM953132) granted for historical harvesting of eucalyptus trees for sale as firewood. A condition of this consent required tree plantations to be setback 25 metres from the Northview Terrace and limited tree heights at maturity to 10 metres.

Submissions received

8 original submissions were received on Change IN07, with 2 submissions in opposition and 6 seeking amendments.

Reasons for opposition to Change IN07 included:

- concerns regarding traffic noise and safety (Nicola Wood S119.001, Yoel George S126.001, Rebecca Crawford S54.001) and access to the site (Rebecca Crawford S54.001, Yoel George S126.001);
- concerns regarding the application of the New Development Mapped Area for IN07, the justification for this and additional development costs that may arise (Karen Knudson and Ross Brown S286.002, S286.004 & S286.005); and
- the loss of biodiversity (Yoel George S126.001).

Amendments sought to Change IN07 included:

- amending Rule 11.6.2.1.i (assessment of all discretionary activities in the Natural Hazards section) which covers a wide range of consenting situations relevant to natural hazards. Suggestion to remove reference to specific mapped areas as this precludes consideration of this matter in other situations (DCC, 187.028);
- provision of a green reserve area (Yoel George S126.001);
- only rezoning a portion of IN07 at 137 Kaikorai Valley Road from Industrial Zone to General Residential 1 zone (Karen Knudson & Ross Brown S286.002).
- only allow access to the development from Kaikorai Valley Road (Yoel George S126.001, Nicola Wood S119.001, Rebecca Crawford S54.001).

Expert technical evidence sought

In order to further assess the matters raised in these submissions I sought expert evidence on the following:

- I requested evidence from Mr Logan Copland and Mr Trevor Watson from DCC Transport (see **Appendix A**) on access constraints to the site raised in the submissions from Nicola Wood (S119.001), Yoel George (S126.001), and Rebecca Crawford (S54.001). In summary, their assessment notes that given the topography of the site being extremely steep, any new road would be difficult to construct to DCC Council requirements in terms of widths and gradients. However, this is the case for the current General Residential 1 zoning. DCC Transport consider that in principle, access would likely need to be provided from Kaikorai Valley Road and Northview Crescent to ensure safe and efficient operation of the network. Mr Copland states that DCC Transport would not support a through route to ensure the prevention of 'rat-running' through the residential neighbourhood and to reduce the impact to Kaikorai Valley Road during peak periods.
- I requested evidence from Mr Jared Oliver from DCC 3 waters (see **Appendix B**) in regard to the reasons for applying the 'New Development Mapped Area' for the site based on the concern raised by Karen Knudson and Ross Brown (S286.002). In summary, his assessment was that the New Development Mapped area is considered the most appropriate method to manage stormwater and wastewater onsite. The site discharges almost immediately into the Kaikorai Stream. Flood hazard to downstream properties is identified by Otago Regional Council flood hazard report. It is also noted that further degradation of Kaikorai Stream is counter to principles of Te Mana O te Wai. Without adequate controls in place for new development at this site, additional stormwater affects could arise causing flood damage to downstream commercial and residential properties and adverse effects on water quality and biodiversity of the Kaikorai Stream due to discharge of contaminants. The site also poses risks from a wastewater perspective. Mr Oliver notes that development of the site would generate additional wastewater flows. Currently when the capacity of the wastewater network is exceeded the Kaikorai Valley constructed wastewater overflow discharges diluted wastewater into the Kaikorai Stream in moderate to significant rainfall events. The constructed overflow was consented in 2017 on the basis that DCC would aim to reduce or eliminate overflows in the long term. Therefore, managing wastewater onsite is deemed appropriate so that there

are no increases in overflows at the Kaikorai Valley constructed wastewater overflow and to ensure there are no adverse effects on water quality and biodiversity in the Kaikorai Stream. I note that the 3 waters NDMA provisions are being addressed in Hearing 3 of variation 2.

- I requested evidence from DCC Biodiversity Advisor, Richard Ewans (see **Appendix E**) and DCC Parks and Recreation (see **Appendix D**) on points raised in the submission from Yoel George (\$126.001) relating to effects of the loss of green space and suggestion of a reserve. In summary, Mr Brenkley from Parks and Recreation notes that there are five recreation spaces ranging from 95 metres to 700 metres away from this subdivision. Given this, there would not be a need for open space for recreation purposes within the proposed Change area IN07. Biodiversity Advisor Mr Ewans comments that current habitat on the site (including established eucalyptus, with some conifers) provides an ecological linkage for native fauna between Frasers Gully and the Brockville slopes gully native bush areas and the central Town Belt. Although vegetation clearance is permitted (under General Residential 1 and 2 zone), the area is also proposed to be within a New Development Mapped Area (NDMA) which has additional assessment matters proposed for subdivision including natural environment values such as indigenous biodiversity. Mr Ewans advises that an area of the site be set aside (along the Northview Crescent boundary) for native plantings to address habitat loss associated with subdivision in the medium-long term.

Recommendation

I have considered all submissions received, and reasons for those submissions, recommend retaining Change IN07 as notified but with amendments, for the reasons set out below:

- Amend Rule 11.6.2.1.i (DCC S187.028) to remove specific reference to the Hazard 2 Overlay zone and any Restricted Development Area (Hazard). Rule 11.6.2.1 covers the assessment of a wide range of consenting situations relevant to natural hazards. Reference to specific mapped areas precludes consideration of this matter for other situations, which does not make sense in the context of this assessment rule. This change will ensure the rule will accurately cover all consenting situations that are directed to this rule, including within the new mapped areas.
- Based on the evidence from DCC Transport, I recommend adding a performance standard to the Structure Plan to ensure that no through roads for motor vehicles are created on the site due to the steep topography of the site, the narrow road widths of Northview Crescent Road and ability to accommodate large increases in traffic. Mr Logan Copland also comments that this would also reduce the impact to Kaikorai Valley Road during peak periods.

Overall, I consider that the changes above will ensure that the provisions can be more effectively implemented, and this will ensure that associated Objective 2.2.1 Natural Hazards, Objective 2.2.3 Indigenous biodiversity, Objective 2.3.1 and Objective 2.4.1 Form and structure of the environment can be more effectively achieved.

In addition, regarding submissions that I recommend rejecting, I note that:

- In regard to submissions from Nicola Wood (\$119.001), Yoel George (\$126.001), and Rebecca Crawford (\$54.001), DCC Transport consider that in principle they would support access from Kaikorai Valley Road and Northview Crescent but that they would be opposed to a through road. Restricting a through road will reduce traffic effects within the neighbourhood (to prevent rat running) and minimise the impact on Kaikorai Valley Road during peak periods.
- Yoel George (\$126.001) raised concerns about the loss of green space and suggestion of a reserve. Mr Brenkley from DCC Parks and Recreation considers that there is no need for a formal public open space for recreational purposes given the close proximity to other parks in the area. One option, as suggested by Biodiversity Advisor Richard Ewans, is to amend the structure plan to allow for native re-plantings which would address some of Mr George's concerns by retaining an area of greenspace for vegetation growth and to maintain an ecological linkage for native fauna. However, as noted above, the New Development Mapped Area is applied to the site which includes assessment matters (Rule 12.X) to review whether a subdivision design maintains or enhances areas with environmental values. New proposed Policy 12.2.X.2 seeks to ensure that any future land use and development will protect, and where necessary restore, any waterbodies, areas of important indigenous vegetation *or habitats of indigenous fauna*. It is considered that any areas identified as requiring native replacement planting can be assessed at the time of the resource consent application.

- In regard to the submission from Karen Knudson and Ross Brown (S286.002, S286.004 & S286.005) it is considered that the New Development Mapped Area is the most appropriate method to manage stormwater and wastewater effects given the location of the site in close proximity to the Kaikorai Stream. This has been confirmed by Mr Oliver from DCC 3 Waters as summarised above. Further as noted in the Section 32 Report²⁰, rezoning to General Residential 2 will provide a significant increase in capacity resulting from the proposed medium density zoning. It is important that, with the increase in density, appropriate controls are applied to the site to manage stormwater and wastewater effects. The recent resource consent submitted indicates that the applicants are considering developing the site at a medium density and as noted above it is necessary that the New Development Area provisions are applied for the reasons stated above.

Recommended amendments:

Decision topic 1: Whether to retain proposed rezoning IN07

Recommendation:

Retain zoning as proposed and associated changes including:

- Application of a 'new development mapped area'
- Application of a 'structure plan mapped area' that contains a restricted development area over the entire IN07 area with requirements related to hazards and the need for a comprehensive geotechnical investigation report.
- Application of a 'stormwater constraint mapped area'
- Add to new Assessment Rule 15.11.5.Z
- Add to new Assessment Rule 9.6.2.Y
- New section 15.8.Z (Kaikorai Valley Road Structure Plan Mapped Area Performance Standards)
- Add new Assessment Rule 15.12.3.X
- Amend Assessment Rule 11.6.2.1.i

Decision topic 2: Proposed amendments required to manage transport issues in IN07

Recommendation:

Amend structure plan 15.8.Z to include the following:

15.8.Z.4

1. The layout of any subdivision must not provide any through road connection for motor vehicles between Kaikorai Valley Road and Northview Crescent.
2. In the case of conflict with performance standards 15.5 to 15.7, the rules in this performance standard apply.
3. Activities that contravene this performance standard are a non-complying activity.

Amend Rule 11.6.2.1.i as follows:

~~In the Hazard 2 (land instability) Overlay Zone and any Restricted Development Area (Hazard), a~~ A report by a suitably qualified person confirms that the risk to the activity, or resulting from the activity, will be no more than low.

4.2.10 Change IN09 Maori Hill

Submission point	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission
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²⁰ Section Variation 2 Additional Housing Capacity Section 32 Report (February 2021) Site Assessments, pp 175-176

OS141.001	Barbara J Kennedy	Accept the change with amendments	Amend Change IN09 (rezoning from General Residential 1 zone to General Residential 2 zone at Maori Hill, and associated changes) to exclude the Cannington Road and Cairnhill Street area.
OS172.001	Chris Palmer	Accept the change with amendments	Amend Change IN09 (rezoning from General Residential 1 zone to General Residential 2 zone at Maori Hill, and associated changes) to exclude properties adjacent to Brent Street, Baxter Street, Henry Street, Brownville Crescent (and streets of similar widths).
OS208.001	Gisela Sole	Accept the change with amendments	Amend Change IN09 (rezoning from General Residential 1 zone to General Residential 2 zone at Maori Hill, and associated changes) to retain the gully's habitat of mature trees (the gully is located between Prestwick and Monro Street).
OS208.003	Gisela Sole	Accept the change with amendments	Amend Change IN09 (rezoning from General Residential 1 zone to General Residential 2 zone at Maori Hill, and associated changes) to consider effects of increased stormwater runoff into the gully between Prestwick Street and Monro Street. Particular consideration is needed to prevent pooling of water upstream (e.g. between 5 and 5A Monro Street) as a result of increased development in the area.
OS35.001	Helen Thomas	Reject the change	Remove Change IN09 (rezoning from General Residential 1 zone to General Residential 2 zone at Maori Hill, and associated changes).
OS82.003	Yolanda van Heezik	Reject the change	Remove Change IN09 (rezoning from General Residential 1 zone to General Residential 2 zone at Maori Hill, and associated changes).
OS90.001	Karen Oben	Reject the change	Remove Change IN09 (rezoning from General Residential 1 zone to General Residential 2 zone at Maori Hill, and associated changes).
OS183.001	Trish Brooking	Reject the change	Remove Change IN09 (rezoning from General Residential 1 zone to General Residential 2 zone at Maori Hill, and associated changes).
OS198.002	Elizabeth-Anne Gregory	Reject the change	Remove Change IN09 (rezoning from General Residential 1 zone to General Residential 2 zone at Maori Hill, and associated changes).

Background

Figure 9: General area proposed for rezoning IN09 (Maori Hill)

- loss of trees, greenspace and effects on streetscape amenity and character (Karen Oben S90.001, Helen Thomas S35.001, Trish Brooking S183.001, Elizabeth-Anne Gregory S198.002); and
- stormwater effects and infrastructure at capacity (Karen Oben S90.001, Trish Brooking S183.001, Barbara Kennedy S141.001).

Amendments sought to Change IN09 included:

- to exclude properties adjacent to Brent Street, Baxter Street, Henry Street, Brownville Crescent (and streets of similar widths) from the area of Change IN09 due to traffic effects and parking issues on narrow streets;
- to exclude the gully between Prestwick Street and Munro Street or consider stormwater effects and loss of trees within this area (Gisela Sole S208.001 & S208.003); and
- to exclude the Cannington Road and Cairnhill Street area due to stormwater effects (Barbara Kennedy S141.001).

Two further submissions were received from the Southern Heritage Trust (FS226.5) supporting the submissions received from Elizabeth-Anne Gregory OS198.002 and Helen Thomas OS35.001.

Expert technical evidence sought

In order to further assess the matters raised in these submissions, I sought expert evidence on the following:

- I requested evidence from Mr Logan Copland and Mr Trevor Watson from DCC Transport on traffic and parking issues in the area to address the submissions from Helen Thomas (S35.001) and Trish Brooking (S183.001). In summary, their assessment details that in terms of safety issues, DCC Transport have plans for road safety improvements around the Maori Hill School area for the next financial year. Improvements are likely to include 40km/h speed limits around the school zone, raised crossings and buildouts. In terms of parking, as noted above the Shaping Future Dunedin Transport Programme will initiate the development of a parking management policy with guidance for residential areas. Any related parking management plans will be developed and implemented over the next three years.
- I requested evidence from Mr Jared Oliver from DCC 3 waters (**Appendix B**) in regard to stormwater issues identified within the area and concern regarding the capacity of the infrastructure to deal with the additional growth from Karen Oben (S90.001), Trish Brooking (S183.001), Barbara Kennedy (S141.001) and Gisela Sole (S208.001 & S208.003). In regard to existing issues raised by Mrs Kennedy and Mrs Sole it is important to note that these are private watercourses which Council does not manage. However, DCC 3 Waters do run a 'Watercourse Programme' which reviews issues related to private watercourses. As new locations are added to the programme, priority ranking for areas may change due to limited DCC resources. This process runs outside of the 2GP process. Concerns were also raised regarding the future impact on a watercourse in a gully between Prestwick and Munro Streets. DCC 3 Waters notes that watercourses are the responsibility of the landowners whose properties they pass through. It is also noted that this specific location has been reviewed by DCC 3 Waters in relation to other projects, but as the infrastructure is private, DCC is not proposing any upgrades to it. Of note is the application of the 'stormwater constraint mapped area' to the proposed rezoning area. Mr Oliver comments that this should ensure that the amount of impermeable surfaces permitted by the existing General Residential 1 zoning is not increased which should minimise the risk of the amount of stormwater created on a site increasing beyond what is already permitted by the existing zone. In relation to concerns raised about the network capacity, work is currently in the planning phase to identify and carry out the 3 Waters Capital works necessary to facilitate additional growth in the area.
- I requested evidence from DCC Biodiversity Advisor, Richard Ewans (**Appendix E**) on points raised in the submission from relating to effects of the loss of biodiversity in the gully area between Prestwick Street and Munro Street by Karen Oben (S90.001), Elizabeth-Anne Gregory (S198.002) and Trish Brooking (S183.001). In summary, his assessment notes that the current 2GP rules require a 5 metre setback from water bodies for earthworks (large scale) and new buildings or structures (Rule 10.3.3.5). These standards do not prevent vegetation clearance or require riparian planting to maintain the natural environment values. Mr Ewans suggests investigating options to either remove these properties from Change IN09 or review options to require riparian plantings to compensate for vegetation removal along the waterway as part of the subdivision consent.

- I requested comments from DCC Urban Design Advisor, Peter Christos (**Appendix C**) on concerns raised in submission regarding loss of character from Helen Thomas (S35.001), Elizabeth-Anne Gregory (S198.002) and Trish Brooking (S183.001). Mr Christos acknowledges the submitters concerns but considers that the suburb provides excellent opportunities for intensification due to the location being close to existing services and amenities. In summary, Mr Christos believes that the General Residential 2 standards provide for adequate yard space, setbacks and height constraints to ensure a suitable level of amenity, providing new development is well designed and integrated with the surrounding neighbourhood. Advice relating to additional design controls and maintaining vegetation is discussed in more detail in **Section 4.1.3** of the report.

Recommendation

I note I have addressed potential effects on amenity and character from loss of landscaped and green spaces on sites and associated effects on biodiversity from intensification in areas being rezoned through the recommendation I have provided in sections 4.1.3 and 4.1.4 above. I am of a view that these changes will help to address these issues and therefore address the concerns raised by some of the submitters on this rezoning area. With respect to parking effects, I have addressed this topic in section 4.1.5 and note my recommendation there that no change to the plan is required and that this recommendation follows the requirements of the National Policy Statement on Urban Development. In regard to the loss of heritage values, this has been addressed in section 4.1.6 which recommends the introduction of new consent requirements for demolition of buildings older than a specified age requiring a heritage assessment prior to demolition to ensure that there would not be effects on significant heritage values.

I have considered all submissions received, and reasons for those submissions, and recommend retaining Change IN09 as notified.

I concur with the assessment of Change IN09 as set out in the Section 32 Report and further evidence received, and note the following:

- Mr Jared Oliver of DCC 3 Waters recognises that there are stormwater issues but notes that it is proposed that the maximum impermeable surface limits are kept at the General Residential 1 limit²¹ (the General Residential 2 zone allows for 80% coverage whereas the General Residential 1 zone allows for 70%). As noted in evidence from DCC 3 Waters upgrades to existing infrastructure are also being planned as part of the 3 Waters capital works program to facilitate growth in the area.
- The Medium Density Character assessment notes that the current General Residential 1 baseline has facilitated change within the identified Maori Hill area through the normal mechanisms of either rebuilding on existing sites or subdivision with new, this has led to the older 'historic' character of the area to change gradually, creating a mixed character in terms of the architecture and materials of the houses, and also the scale of gardens and other greening elements. The assessment notes that the gradual increase in dwellings or dwelling types are unlikely to substantially alter the current development and streetscape character of Maori Hill. However, it is noted that this risks reducing the green amenity of the area²². Mr Christos considers the existing 2GP performance standards will ensure that there is adequate yard space, setbacks and height constraints within the intensification area.

In addition, regarding submissions that I recommend rejecting, I note that:

- Effects from additional demand for car parking as a result of intensification is to be managed outside of the 2GP in line with the National Policy Statement for Urban Development.
- It is difficult to 'maintain green spaces' (as requested by Karen Oben S90.001, Trish Brooking S183.001, Elizabeth-Anne Gregory S198.002) while providing for intensification, and the loss of some green space can be expected as a trade-off for providing additional housing choices within the existing urban area. However, a new landscaping performance standard is recommended which is discussed further in **Section 4.1** of the report above.
- The proposed 'stormwater constraint mapped area' will manage stormwater effects in the proposed General Residential 2 area by limiting the permeable surfaces to what is currently required.

Recommended amendments:

²¹ Variation 2 Additional Housing Capacity Section 32 Report (February 2021) Section 32 report, page 178

²² Appendix 9 of the Variation 2 Additional Housing Capacity Section 32 Report (February 2021) Section 32 report, page 36

Decision topic: Whether to retain proposed rezoning IN09

Recommendation:

Retain zoning as proposed and associated changes including:

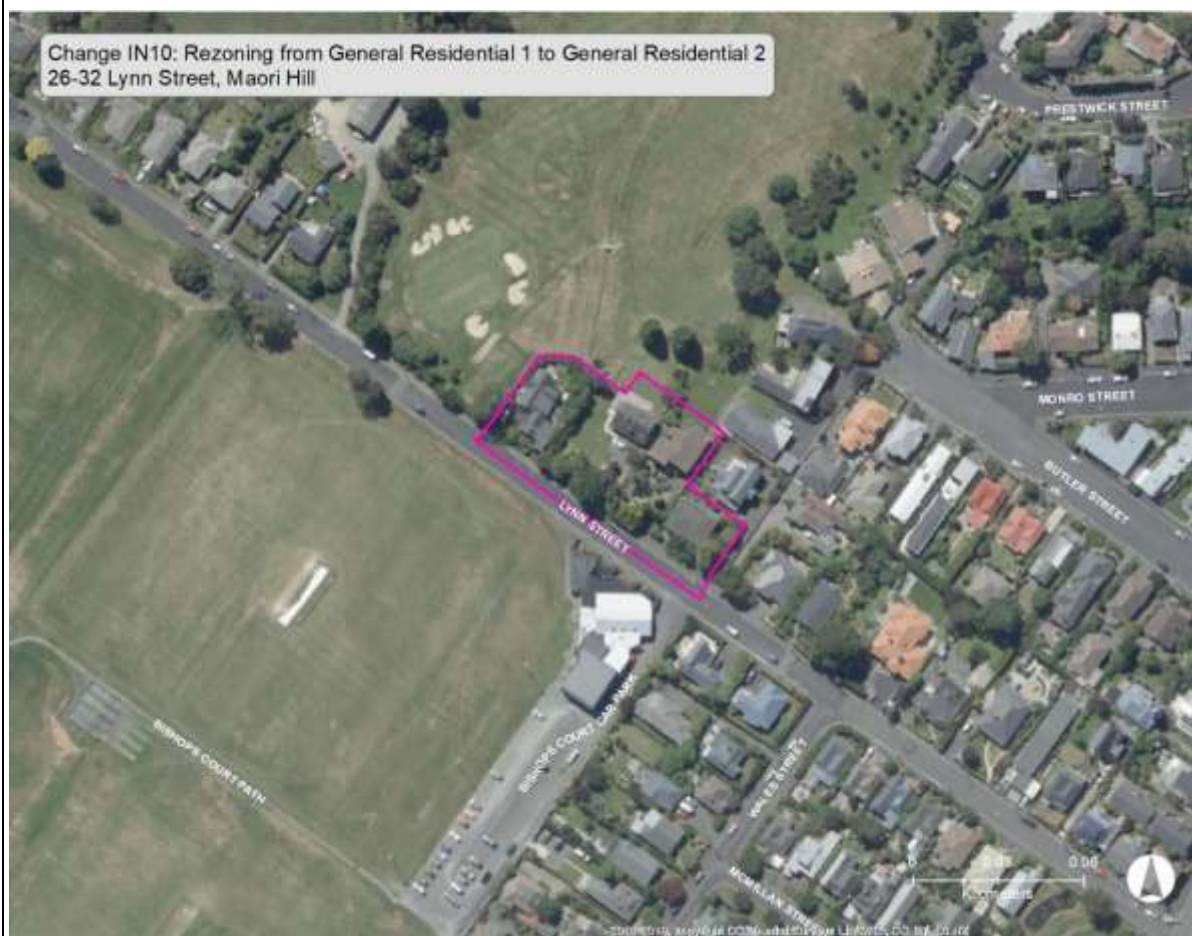
- Application of a 'wastewater constraint mapped area' over part of the site
- Application of a 'stormwater constraint mapped area'
- Amend Appendix A9 to change the default zone for Māori Hill School and John McGlashan School from General Residential 1 to General Residential 2.

4.2.11 Change IN10 26-32 Lynn Street, Maori Hill

Submission point	Submitter Name	Support/Oppose/Seek Amend	Summary Of Submission	Accept/Reject/Accept in part
OS96.001	Kevin Wilson & Anna Campbell	Accept the change	Retain Change IN10 (rezoning from General Residential 1 zone to General Residential 2 zone at 26-32 Lynn Street, and associated changes).	

Background

Figure 10: General area proposed for rezoning IN10 (26-32 Lynn Street, Maori Hill)



Change IN10 26-32 Lynn Street, Wakari is summarised as follows:

Purpose statement	Description of change	Provisions affected by change
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To rezone sites within the area 'IN10' from General Residential 1 to General Residential 2 to provide for additional housing.	Refer to the Lynn Street area of change in Figure 10 .	<ul style="list-style-type: none"> Application of a 'wastewater constraint mapped area'
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Submissions received

1 original submission received on Change IN10, is in support of the rezoning.

Recommendation

That the changes made under Change IN10 are adopted.

Recommended amendments:

Decision topic: Whether to retain proposed rezoning IN10

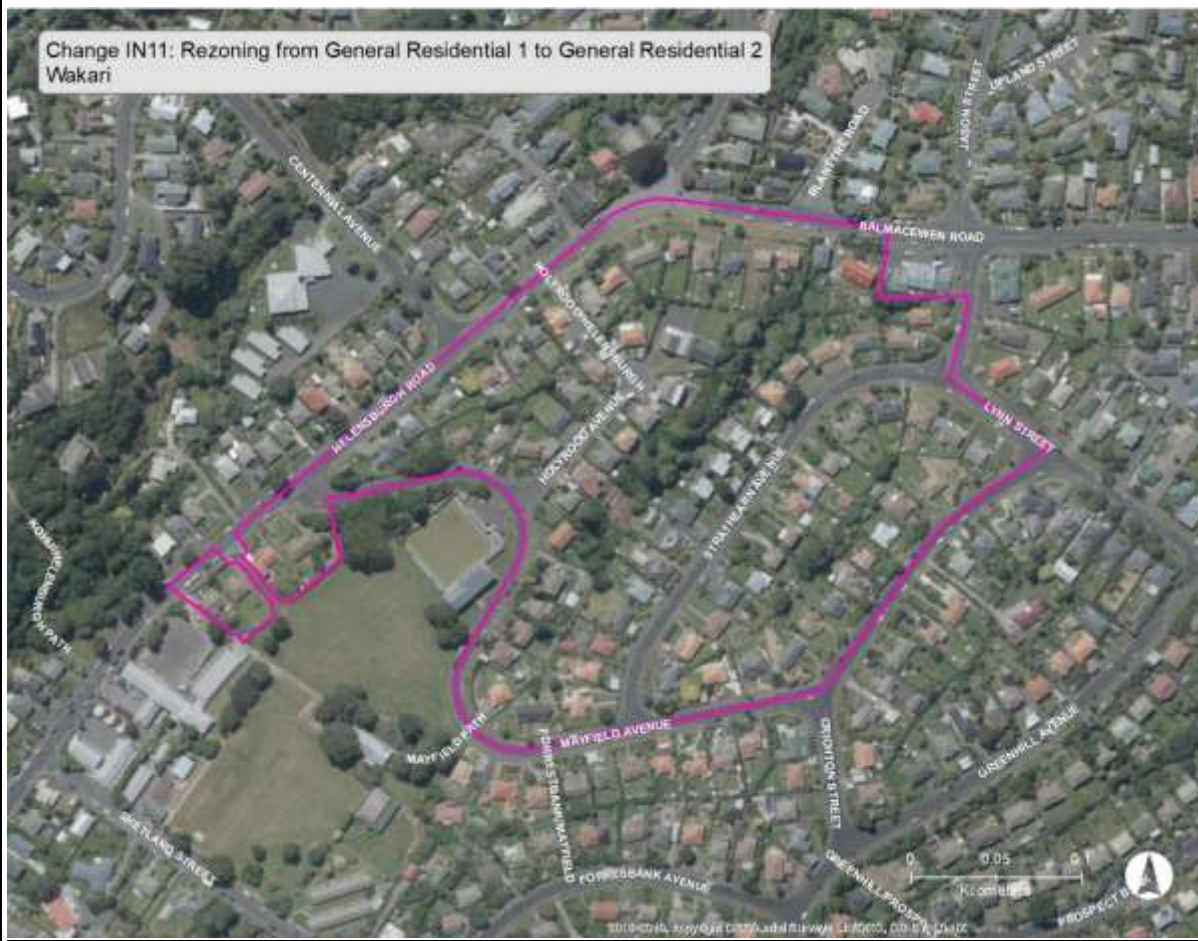
Recommendation:

Retain zoning as proposed and associated changes including application of a 'wastewater constraint mapped area'

4.2.12 Change IN11 Wakari

Background

Figure 11: General area proposed for rezoning IN11 (Wakari)



Change IN11 Wakari is summarised as follows:

Purpose statement	Description of change	Provisions affected by change
To rezone sites within the area 'IN11' from General Residential 1 to General Residential 2 to provide for additional housing.	Refer to the Wakari area of change in Figure 11 .	<ul style="list-style-type: none">• Application of a 'stormwater constraint mapped area'

Submissions received

No submissions were received on Change IN11.

Recommendation

That the changes made under Change IN11 as notified are adopted.

Recommended amendments:

Decision topic: Whether to retain proposed rezoning IN011

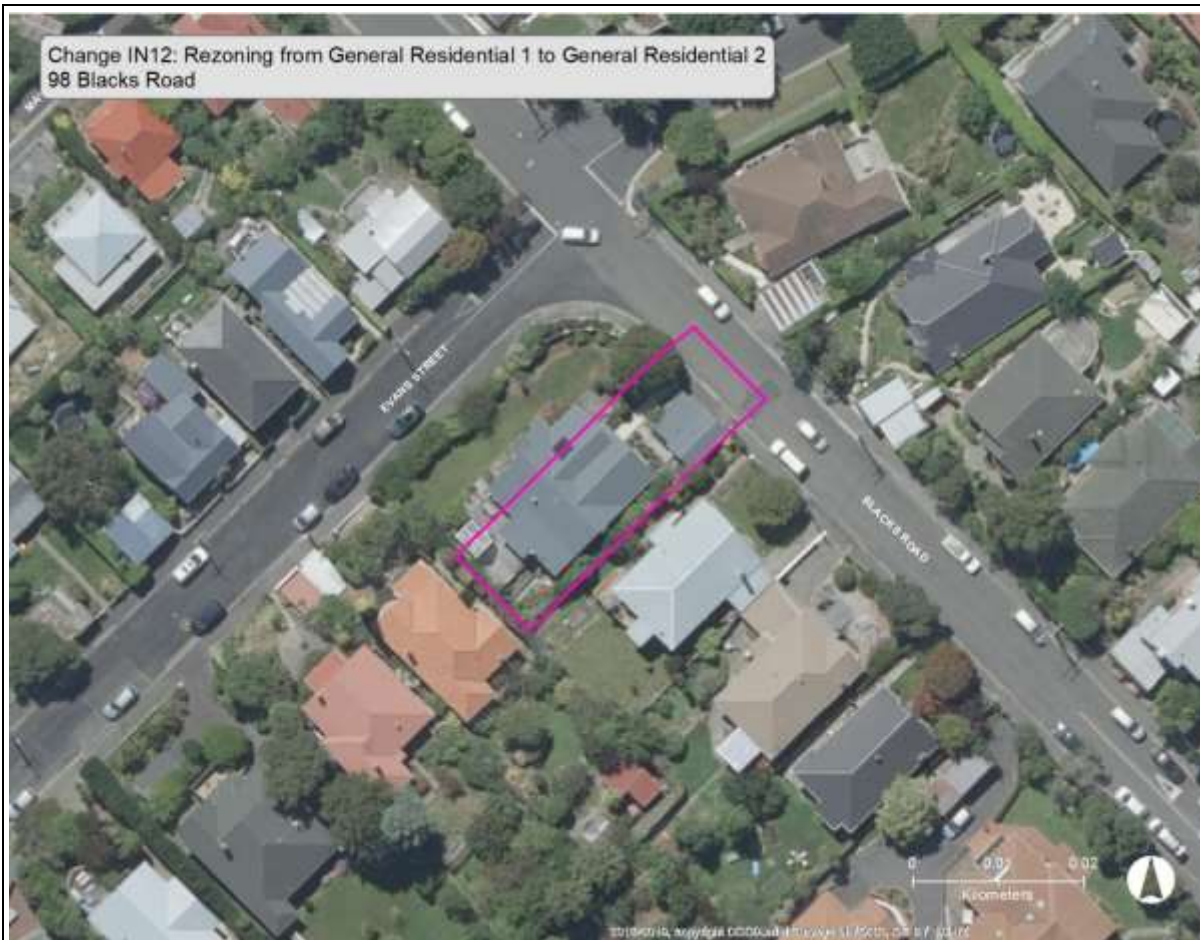
Recommendation:

Retain zoning as proposed and associated change to apply a 'stormwater constraint mapped area'

4.2.13 Change IN12 98 Blacks Road, Opoho

Background

Figure 12: General area proposed for rezoning IN12 (98 Blacks Road, Opoho)



Change IN12 98 Blacks Road, Opoho is summarised as follows:

Purpose statement	Description of change	Provisions affected by change
To rezone sites within the area 'IN12' from General Residential 1 to General Residential 2 to provide for additional housing.	Refer to the Wakari area of change in Figure 12 .	<ul style="list-style-type: none"> Application of a 'wastewater constraint mapped area'

Submissions received

No submissions were received on Change IN12.

Recommendation

That the changes were made under Change IN12 as notified are adopted.

Recommended amendments:

Decision topic: Whether to retain proposed rezoning IN012

Recommendation:

Retain zoning as proposed and associated change to apply a 'wastewater constraint mapped area'

5 Appendices

5.1 Appendix A: Evidence on Transport from Mr Logan Copland and Mr Trevor Watson

BEFORE THE VARIATION 2 HEARING PANEL

IN THE MATTER

of the Resource Management
Act 1991

AND

Variation 2 to the proposed
Second Generation Dunedin City
District Plan (2GP)

STATEMENT OF EVIDENCE OF LOGAN PAUL COPLAND FOR DUNEDIN CITY COUNCIL

Dated 11 October 2021

QUALIFICATIONS AND EXPERIENCE

1. My name is Logan Paul Copland.
2. I hold the degree of Master of Planning with distinction from the University of Otago, New Zealand.
3. I am employed by the Dunedin City Council ("the Council") in the role of Planner (Transport) within the DCC Transport Group.
4. In my role, I am responsible for identifying and assessing transportation effects relating to private land development proposals. I am tasked with providing transportation advice on resource consent applications and District Plan Changes to the Council's City Planning and City Development departments, the Council Hearings Committee and the Environment Court. I am also responsible for overseeing design and construction of new public roading infrastructure and providing the associated quality assurance informed by advice from others within the Transport Group.
5. During my time in the transportation planning field, I have evaluated the transportation related effects of, and provided design advice on many residential and industrial subdivisions, high density residential developments, service stations, medical centres, early childcare centres and various other commercial developments.
6. The DCC Transport Group works as a multi-disciplinary team and the information contained within this evidence has been compiled in conjunction with other team members, including, but not necessarily limited to:
 - a. Transport Strategy Manager
 - b. Transport Planning Team Leader
 - c. Senior Transport Engineer

If there are detailed questions about any of the information contained within this evidence, I may need to call upon other members of staff to assist.

7. I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note. This evidence has been prepared in accordance with it and I agree to comply with it. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

SCOPE OF EVIDENCE AND OVERVIEW

8. My evidence relates to submissions on transportation matters insofar as they relate to Variation 2 to the 2GP.

DATED this 11th day of October 2021

Logan Copland
PLANNER
TRANSPORT STRATEGY
DUNEDIN CITY COUNCIL

Memorandum

TO:	Paul Freeland, Principal Policy Advisor, City Development
FROM:	Logan Copland, Trevor Watson, Simon Spiers & Kyle Martin, - Transport
DATE:	11 October 2021
SUBJECT:	VARIATION 2: RESPONSE TO REQUEST FOR COMMENTS ON SUBMISSIONS FOR HEARING 2A - INTENSIFICATION

1. Introduction

1. The Transportation department received an initial memo from yourselves dated 22 June 2021 requesting that the Transportation team consider submissions on a Variation 2 in relation to a number of topics and provide response to specific questions you have raised as a result of reviewing submissions. Priority 1 comments were provided in accordance with the specified timescales.
2. This response relates to Hearing 2A comments – your email request dated 14 July refers. We have considered the relevant submissions on the topics/issues you highlighted and your specific questions.
3. Please find below our response on these topics/questions in the groupings that you posed these requests.
4. It should be noted that as the majority of the submission points relate to Parking and Traffic Safety issues, the input of our specialist colleagues - Simon Spiers in respect of Parking issues and Kyle Martin of Transport's Transport Engineering and Road Safety (TEARS) team in regard to Traffic Safety matters have been sought. They will be able to respond to more detailed issues should they be raised by submitters at the forthcoming Hearings.

HEARING 2A COMMENTS

On Street parking effects

Response

As part of the Shaping Future Dunedin Transport programme (SFDT), the DCC will be developing a parking management policy and strategy to ensure it strategically manages the supply of parking in the city. This will align with the direction of the Dunedin Spatial Plan, Integrated Transport Strategy and Dunedin Central City Plan. This will primarily focus on parking in the central city, although it will also include guidance for residential and industrial areas. The policy, and any related parking management plans, will be developed and implemented over the next three years. Transport does occasionally receive requests for changes to the parking restrictions and any traffic safety issues that arise due to on street parking. These are reviewed by DCC Transport on a case-by-case basis.

IN01 Mosgiel – Rezoning from General Residential 1 (GR1) to General Residential 2 (GR2)

Response to submissions that raise traffic congestion issues as a concern

Whilst we may be able to provide advice from a local road perspective, the majority of the congestion issues in Mosgiel are on SH87, for which Waka Kotahi is the road controlling authority. While Waka Kotahi has not sought any specific changes to Variation 2 proposals in relation to effects on its infrastructure at Mosgiel as part of its submission, we note that as part of the Shaping Future Dunedin Transport project (the collaborative partnership between Waka Kotahi NZ Transport Agency, Dunedin City Council, and the Otago Regional Council) the following transport projects in Mosgiel are scheduled for 2021-2024.

- Improved public transport, including possible introduction of express bus services from Mosgiel and super stops;
- Development of a park-and-ride facility at Mosgiel to support bus services;
- Development of the tunnels cycleway system between Mosgiel and Dunedin;
- Travel behaviour change and travel planning initiatives; and
- Speed management programme for State Highway 1.

Initial modelling of the impact of additional housing through potential rezoning of sites at East Taieri and Mosgiel as a result of appeals on the 2GP (which will comprise the majority of the additional capacity that is now proposed to be enabled), as well as the additional housing capacity created by Variation 2, has indicated that without the projects detailed above that there may be a worsening in Level of Service (LoS) at a number of intersections both along the routes between Mosgiel and Dunedin, and to a lesser extent in Dunedin due to a general increase in traffic. We consider that these effects can be managed at the relevant intersections albeit the details of the necessary improvements that may be required are still to be worked through.

IN02 & IN02a Burgess Street and surrounds, Green Island - Rezoning from General Residential 1 (GR1) to General Residential 2 (GR2)

Response to submission (S3.001 A Jamieson) requesting the inclusion of Lot 4 at 41 Burgess Street

In principle, Transport does not have any overarching concerns with the proposed inclusion of the additional property at 41 Burgess Road. It is expected that any transportation related issues can be addressed at the time of subdivision. This would include providing for safe access over the path running between Shand Street at Burgess Street.

IN03 Green Island - Rezoning from General Residential 1 (GR1) to General Residential 2 (GR2)

Response to submission (S34.001 McArthur) regarding effects on traffic safety

With reference to comments made by Mr Martin, we do not consider there is a need for additional traffic calming. The most recent counts for Derby St and Edinburgh St show that most people are travelling at an appropriate speed within the threshold of the posted speed limit. This is not to dispute the submitter's local knowledge of the minority of drivers that stand-out as driving inconsiderately. What these speeds tell us is that engineering measures such as speed calming may be targeting the wrong body of road users, and that targeting the minority of speeders through enhanced enforcement from the Police is the better approach. We consider this is unlikely to change with intensification.

IN06 Roslyn (South) Rezoning from General Residential 1 (GR1) to General Residential 2 (GR2)

Response to submission raising effects on parking as a concern (S57.001, V Thies)

Transport does occasionally receive requests for changes to the parking restrictions in Roslyn. These are reviewed on a case-by-case basis. The DCC is not considering providing additional car parking in Roslyn at this time. Comments on parking in general and DCC Transport's approach have been discussed in more detail above.

TEARS have received complaints from some residents in the past and they generally followed two themes: rat-running and parking concerns. These complaints have indicated that Charlotte Street is used as a rat run, because it is a shortcut to City Rd and avoids having to go the long way to the roundabout and back.

Charlotte Street is a narrow one-way road with some parking restrictions. Occasionally there are complaints about inconsiderate parking and/or parking on the footpath. We understand that there has been the odd occasion where a fire truck was delayed, and a contractor's truck was unable to pass through due to the location of parked cars.

Lisa Clifford, previous DCC Senior Road Safety Engineer, arranged a meeting with the residents on site and proposed two or three options for consideration which included more parking restrictions, speed humps, etc.

It is understood that the residents could not decide on a preferred option and most residents did not think there was a problem and were therefore happy with the status quo, so no changes were undertaken.

IN07 133 -137 Kaikorai Valley Road Rezoning from General Residential 1 (GR1) to General Residential 2 (GR2)

Response to submissions raising effects on traffic safety and access as a concern (S54.001 R Crawford, S126.001 Y George, S119.001 N Wood)

The number of dwellings that could be established on the site (even when based on the current General Residential 1 zoning of the site, and its Residential 1 zoning under the previous 2006 District Plan) is not insignificant and would therefore likely necessitate construction of new internal public roading infrastructure to provide safe and efficient access to the new sites. However, designing and constructing a new public road to Council's standards would appear to be particularly difficult due to the topography of the land.

That said, we note that these issues already exist with the current zoning of the site and in that regard the proposed change in zoning is unlikely to present any significant transportation issues over and above those that already exist due to these site-specific constraints. It is therefore considered that such issues may be better addressed at the resource consent stage; albeit with the limited information available, Transport is currently uncertain as to what solutions are available to address the topographical access issues. All of that notwithstanding, the Transportation department would be pleased to discuss possible solutions with the developer, having regard to the existing General Residential 1 zoning of the site.

In terms of the surrounding transportation network, we note that Northview Crescent is a low volume road and measures in at approximately 7m wide, narrowing further in sections. Therefore, given its current condition, we consider that Northview Crescent would not be suitable to accommodate large increases in traffic volumes. Development of the site would likely necessitate on-street parking

changes and potential road widening on its northern side to facilitate safe, unimpeded access, particularly for emergency services. Additionally, a footpath extension on the northern side of the carriageway would likely be required to ensure that suitable pedestrian access is made available. In that regard we note an obstruction in the form of a utility structure, and steep drop-offs into the development site from Northview Crescent, which would need to be investigated further.

Noting these constraints identified with Northview Crescent, it is considered that further investigations are required to identify possible solutions and then a method agreed to identify the most effective way for any required external roading improvements to be delivered (e.g., by way of a private developer agreement, development contributions or conditions of any subdivision consent). Therefore, dependent on scale, development of this site would require the preparation of a comprehensive integrated transport assessment which investigates and assesses the effects of the development on the transportation network, including Northview Crescent and Kaikorai Valley Road.

Note that the Council is currently considering two separate subdivision consents relating to development of this site – SUB-2021-155 & SUB-2021-182. SUB-2021-155 seeks consent for a 24-lot freehold subdivision of 137A Kaikorai Valley Road with access for all sites proposed via Northview Crescent. SUB-2021-182 seeks consent for a 42-lot Unit Title subdivision of 137 Kaikorai Valley Road with access for all units proposed via Kaikorai Valley Road.

Transportation have requested further information in respect of both of these subdivision consents. In the case of SUB-2021-155, a transportation assessment has been requested to assess the effects of the proposed development on the safety and efficiency of Northview Crescent in particular. Similarly, in the case of SUB-2021-182, a transport assessment has been requested to assess the effects of the development on the safety and efficiency of Kaikorai Valley Road.

It is understood that no such assessments have been provided to Council at the time of writing.

Minor road safety improvements may also be required on the local road network to support the site's development including signs and markings.

IN08 & IN08a Roslyn (North) Rezoning from General Residential 1 (GR1) to General Residential 2 (GR2)

Response to submissions requesting additional properties to be included (S15.001 M&C Cowan)

Regarding the submission requesting the addition of the two additional properties to the IN08 & IN8a areas, it is noted that these properties are opposite the proposed area for up zoning. Additional properties would need to be included in order to prevent 'spot zoning'. That said, the principle of the addition of 16 Wright Street and 37 Tyne Street should not have any specific transport implications. Any transportation issues would be site specific and could be picked up at the detailed stage.

Effects on parking

As per response in respect of IN06 Roslyn North, Transport does occasionally receive requests for changes to the parking restrictions in Roslyn. These are reviewed on a case-by-case basis. The DCC is not considering providing additional car parking in Roslyn at this time. Comments on parking in general and DCC Transport approach have been discussed in more detail above.

From a Transport perspective this proposed rezoning is anticipated to have minimal impact upon the wider transport network. Therefore, DCC Transport are not opposed to the proposed rezoning.

IN09 Maori Hill Rezoning from General Residential 1 (GR1) to General Residential 2 (GR2)

Response to submissions raising concerns in relation to traffic and parking effects (S35.001 H Thomas, S183.001 T Brooking)

The DCC has not undertaken any particular analysis with regard to parking in Maori Hill. Comments on parking in general and DCC Transport approach have been discussed in more detail above.

In respect of safety issues, we have plans for road safety improvements around Maori Hill school next financial year. Improvements are likely to include 40km/h speed limits around the school zone, raised crossings and buildouts.

IN13 & IN13a Andersons Bay Rezoning from General Residential 1 (GR1) to General Residential 2 (GR2)

Response to submissions raising concerns in relation to traffic and parking effects (S32.001 M Lindlay, S115.001 C Woodhouse) and request to include additional sites (S61.001 D Anfield)

The DCC has not undertaken any particular analysis with regard to parking in Andersons Bay. Comments on parking in general and DCC Transport approach have been discussed in more detail above.

The DCC is looking to improve the intersection of Tomahawk Rd/Tahuna Rd to improve the overall road safety. Trials are likely to be undertaken this financial year with a permanent solution a year or two later. This is being undertaken as a joint project with the Otago Regional Council.

It is noted that the submission (S32.001) by M Lindlay raises concerns regarding traffic safety and congestion on the streets surrounding the bowling club site (Bayfield Road/Elliot Street area). In response to this, Mr Kyle Martin has commented that DCC has recently undertaken school safety improvements on Bayfield Rd and Elliot St in the form of speed restrictions during pick-up and drop off times to reduce speeds from 50km/h to 40km/h to improve the road safety for vulnerable road users. The existing traffic volumes (3600 Annual Daily Traffic for Bayfield Rd and 330 for Elliot St) are normal for the classification of the roads. DCC Transport have not undertaken investigations regarding congestion on either road, however no concerns have been raised about the level of service of these roads. There have also been no reported crashes over the last 5 years around the subject site. Based on this, Mr Martin doesn't have any concerns regarding safety and congestion in this area.

It is noted that the access location and design would need consideration given that the site is on an intersection and Elliot Street has two sharp curves. However, details such as access location is a matter that can be addressed at the time of development. It is also important to note that as the site is already zoned General Residential 1, residential development of the site is already anticipated and DCC Transport would be required to address similar issues with respect to access location and design, regardless of whether it is zoned GR1 or GR2.

The inclusion of 125, 127, 129, 133 and 135 Tomahawk Rd will have minimal impact to the wider road network. Access would be assessed at the time of subdivision.

Logan Copland / Trevor Watson/ Kyle Martin / Simon Spiers
PLANNER/CONTRACTOR /SENIOR TRAFFIC SAFETY ENGINEER/ PARKING MANAGEMENT TEAM LEADER
TRANSPORT
DUNEDIN CITY COUNCIL

5.2 Appendix B: Evidence on 3 Waters from Mr Jared Oliver

BEFORE THE VARIATION 2 HEARING PANEL

IN THE MATTER

of the Resource Management
Act 1991

AND

Variation 2 to the proposed
Second Generation Dunedin City
District Plan (2GP)

STATEMENT OF EVIDENCE OF JACINDA BAKER FOR DUNEDIN CITY COUNCIL

11 October 2021

QUALIFICATIONS AND EXPERIENCE

1. My name is Jacinda Baker.
2. I am employed by the Dunedin City Council ("the Council") as a Policy Analyst with the 3 Waters Group. In my current role I am responsible for providing advice on the 3 Waters Group's strategic, policy, and regulatory planning framework; subdivision and development issues for 3 Waters (particularly stormwater), connections to 3 Waters services, and district plan provisions.
3. I hold a Bachelor of Science majoring in zoology and botany from Canterbury University, and a Diploma in Resource Management Law from Lincoln University. I have over two years' experience in the Three Water's industry and 13 years' experience prior to this working as a Policy Planner at the Council, involved with the review of the district plan and development of the 2GP, and review of development contributions policy and processes.
4. I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note. This evidence has been prepared in accordance with it and I agree to comply with it. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

SCOPE OF EVIDENCE AND OVERVIEW

5. My evidence relates to submissions related to water, wastewater and storm water services and has been prepared by myself and another member of the 3 Waters Group, Jared Oliver, Engineering Services Team Leader. At times we have sought input from other 3 Waters staff.
6. My evidence is contained in a memo dated 11 October 2021.

CONCLUSION

7. It is my opinion that the information within the memo is correct.

DATED this 11th day of October 2021



Jacinda Baker

BEFORE THE VARIATION 2 HEARING PANEL

IN THE MATTER

of the Resource Management
Act 1991

AND

Variation 2 to the proposed
Second Generation Dunedin City
District Plan (2GP)

STATEMENT OF EVIDENCE OF JARED OLIVER FOR DUNEDIN CITY COUNCIL

Dated 11 October 2021

QUALIFICATIONS AND EXPERIENCE

1. My name is Jared Oliver.
2. I am employed by the Dunedin City Council ("the Council") as the Engineering Services Team Leader with the 3 Waters Group. In my current role I am responsible for leading a team that provides technical support and direction at a long-term strategic level to support investment in 3 Waters infrastructure, through strategic planning, engineering, condition assessments, hydraulic modelling and coastal expertise.
3. I hold a Bachelor of Technology Degree majoring in Chemical Technology and a Masters of Technology majoring in Energy Management, both from Massey University. I am a member of the Engineering New Zealand (ENZ) and have been a Chartered Professional Engineer (CPEng) since 2011. I am a member of the New Zealand Water & Wastes Association (Water NZ) and the Institute of Public Works Engineering Australasia (IPWEA). I have over sixteen years' experience in the 3 Water's industry both within New Zealand and abroad in the public and private sectors. My experience has included the design, operation, maintenance and asset management of water and wastewater treatment systems and 3 Waters reticulation networks.
4. I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note. This evidence has been prepared in accordance with it and I agree to comply with it. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

SCOPE OF EVIDENCE AND OVERVIEW

5. My evidence relates to submissions that require water, wastewater and storm water services and has been prepared by myself and another member of the 3 Waters Group, Jacinda Baker, Policy Analyst. At times we have sought input from other 3 Waters staff.
6. A consultant, AR & Associates has also supported the 3 Waters Group with work on Variation 2 and in particular, Andres Roa, of AR & Associates in advising on certain aspects.
7. My evidence is contained in a memo dated 11 October 2021.

CONCLUSION

8. It is my opinion that the information within the memo is correct.

DATED this 11th day of October 2021

A handwritten signature in black ink, appearing to be 'Jared Oliver', written on a light gray background.

Jared Oliver

TO:	Paul Freeland, Principal Policy Advisor, City Development
FROM:	Jared Oliver, Jacinda Baker, DCC 3 Waters
DATE:	11 October 2021
SUBJECT:	VARIATION 2: RESPONSE TO REQUEST FOR COMMENTS ON SUBMISSIONS FOR HEARING 2A - INTENSIFICATION

INTRODUCTION

1. The 3 Waters department received a memo from you dated 22 June 2021 requesting comments on Variation 2 in relation to 3 Waters and specific questions you have raised as a result of reviewing submissions.
2. We have considered the relevant submissions on the topics/issues you highlighted and your specific questions.
3. Please find below our response on these topics/questions in the grouping that you posed these requests.

HEARING 2A COMMENTS

IN01 Mosgiel – Rezoning from General Residential 1 (GR1) to General Residential 2 (GR2)

1. You have requested comments on the submissions below and concerns related to stormwater effects and flooding issues in the area.
2. In response to the submissions from Brian Miller (S110.002) and Matthew Dooher (S113.001), the following comments are provided.
3. There is an existing and current demand for additional housing in Mosgiel. Applying the 'stormwater constraint mapped area' to this proposed rezoning will ensure that the amount of impermeable surface permitted by the existing GR1 zoning is not increased with the proposed GR2 zoning. This should minimise the risk of the amount of stormwater created on a site increasing beyond what is already permitted by existing zoning (Impermeable surfaces rule). Comments in the 3 Waters Memo and AR & Associates report (*Variation 2 Section 32 Report, Appendix 2, December 2020¹*) are regarding permitted site coverage. Applying the 'stormwater constraint mapped area' will provide time for the planning and implementation of infrastructure upgrades that will mitigate existing flooding issues and provide future capacity.
4. In response the submission by Matthew & Kaaren Dooher, Richard & Mary McKay, and others (S214.002), the following comments are provided.
5. Regarding other pathways for submitters concerns on current infrastructure issues, with flooding, they would need to provide more information on the flooding. Whether this is in the road, in private property or a habitable floor area, and how frequently this occurs. Council does not typically act on 'nuisance flooding' (infrequent flooding only affecting road carriageways), as this is to be expected with the level of service provided by the infrastructure.

¹ https://www.dunedin.govt.nz/_data/assets/pdf_file/0003/804747/Section-32-Appendix-2-DCC-3-Waters-Memorandum-on-rule-changes-December-2020.pdf

The submitters' concern regarding the mud tank and gutter sweeping is an issue that should be directed to the Transport Group. There is no other pathway, unless property or habitable floor flooding is a result of this issue.

IN02 & IN02a Burgess Street and surrounds, Green Island – Rezoning from General Residential 1 (GR1) to General Residential 2 (GR2)

6. You have requested comments on any 3 Waters infrastructure concerns related to part of 41 Burgess Street (Lot 4) being included within the IN02 proposal to rezone to GR2.
7. Lot 4 is currently within the Coastal Rural Zone and sits outside the water supply boundary. The site is 1467 m² and would allow for the development of four 300m² sites or 32 habitable rooms. The requested addition is relatively small when considered in the context of IN02 and is unlikely to have a significant effect on the demand or capacity of infrastructure. There is DCC 3 Waters infrastructure reasonably close to the site. Extension of infrastructure would be required.
8. Water services would need to be extended approximately 81m, of 150DN pipe and at a cost of approximately \$30,000; or could possibly be done with a 50mm rider at \$15,000. A mix of these options may be necessary to achieve appropriate fire flows. The overall cost could be \$23,000 net, \$33,000 gross.
9. Wastewater servicing could be challenging due to topography. The best possible option by gravity is to extend into 59 Shand St (through private property) 46m of 150DN pipe, at a cost of approximately \$20,000 net, \$28,000 gross.
10. Stormwater services are available at the boundary. The downstream area has a Hazard 2 (flood) overlay zone, so on-site attenuation may be required.
11. Cost to service (excluding wider network and stormwater) is approximately \$60,000 for 3 lots - \$20,000/lot. This is more than the average of selected sites for Variation 2 (approximately \$10,000/lot) but not the highest. Although this is more expensive to service than other sites, IN02 could be extended to include this area without any major concerns from a 3 Waters perspective.

IN03 Green Island – Rezoning from General Residential 1 (GR1) to General Residential 2 (GR2)

12. You have requested comments on the submission by Ben Mackey (S130.001 and S130.002) regarding the stormwater constraints mapped area and whether the suggestions proposed in the submission have ever been looked at as an option and why it may not be feasible from a 3 Waters perspective. You have also requested comments on the recommendations from the Stantec report for the area regarding stormwater and whether all stormwater can be discharged to the Council piped network and not to ground.
13. Applying the 'stormwater constraint mapped area' to this proposed rezoning will ensure that the amount of impermeable surface permitted by the existing GR1 zoning is not increased with the proposed GR2 zoning. This should minimise the risk of the amount of stormwater created on a site increasing beyond what is already permitted by existing zoning (Impermeable surfaces rule). Applying the 'stormwater constraint mapped area' will provide time for the planning and implementation of infrastructure upgrades that will mitigate existing stormwater issues and provide future capacity.
14. Work is currently underway with the renewals program to replace some of the public 3 Waters infrastructure throughout the city. Part of this project may involve relocating public pipes

where they are in less desirable locations, for example, such as where houses have been constructed over or close to public infrastructure.

15. The location of public infrastructure may have been located where it is because of topographical reasons, location of connecting infrastructure or to facilitate draining the properties it services. Much of the infrastructure may have been located there prior to, or in association with, development in the area. Realignment of some pipes may be possible without compromising the functioning of the infrastructure.
16. Some of the pipes in the proposed rezone area are privately owned stormwater pipes or privately owned piped watercourses within private property. Where relocation of these is necessary to create space for intensification this would be at the property owner's expense. Where DCC pipes are in private property and need to be relocated to create space for intensification, typically both parties enter into a cost sharing agreement as there can be benefit to both parties from the relocation.
17. Work is currently in the planning phase to identify and carry out the 3 Waters capital works necessary to facilitate additional growth. This work includes considering and identifying where there is a need for additional stormwater capacity in the public network and where this should be constructed or upgraded. As part of these works, where feasible and cost effective, DCC may seek to relocate public infrastructure to areas outside of private property. The location and timing of works is yet to be confirmed.
18. As the stormwater network consists of both public and private infrastructure and open water courses, upgrading public infrastructure may not always eliminate all capacity issues as these could still exist where stormwater passes through private infrastructure and water courses.
19. The Stantec hazard assessment recommends stormwater control is essential for the further development of this area to ensure no stormwater is concentrated into the water sensitive slopes. As such, it should be a requirement of any development in this area to control stormwater discharge. Stantec suggests no stormwater should be discharged to the ground and all stormwater concentration should be discharged to the DCC piped network (or road network).
20. Development in brownfield areas such as this are unlikely to trigger the need for a Stormwater Management Plan (SWMP) and management of stormwater unless the impermeable surface rules are contravened. Under the proposed provisions it is not possible to require stormwater management for permitted development.
21. Discharge of stormwater to the public stormwater system is acceptable in the area. However, on-site attenuation, although not mandatory under the proposed 2GP provisions, would be beneficial to assist in reducing the risks of land instability outlined in the Stantec report.
22. It is recommended that Hazard (land instability) overlay zones be added to any provisions which identify situations where a Stormwater Management Plan is required to ensure risks in these areas are appropriately assessed and stormwater is managed to minimise risks on land instability if needed.

IN05 Mornington (north) – Rezoning from General Residential 1 (GR1) to General Residential 2 (GR2)

23. You have requested comments on the submissions by Anthony Reid (S143.001), Elizabeth Prior (S148.001), and Jeanette Allan (S98.001) which raised concerns regarding specific stormwater issues (Ross Street, Alison Crescent and Hawthorne Avenue) and whether these specific locations have been investigated by 3 Waters and whether they will be part of any proposed upgrades for the area in the future.

24. All three submitters have private open channel or piped watercourses on their properties which have existing issues. These watercourses are not owned or managed by the DCC. Private watercourses are the responsibility of the landowners whose properties they pass through.
25. Applying the 'stormwater constraint mapped area' to this proposed rezoning will ensure that the amount of impermeable surface permitted by the existing GR1 zoning is not increased with the proposed GR2 zoning. This should minimise the risk of the amount of stormwater created on a site increasing beyond what is already permitted by the existing zoning (Impermeable surfaces rule).
26. As the infrastructure in question is private, not in DCC ownership, these specific locations have not been investigated by the DCC or any upgrades proposed.
27. There is another pathway for issues raised (blockage, flooding) to be looked at. 3 Waters has a "Watercourse Programme" that considers private watercourse issues. Private watercourses with stormwater flooding issues are scored and prioritised for investigation/mitigation. DCC assist landowners of priority sites with solutions and projects to address issues. The project manager for the watercourse programme has been asked to contact these landowners so their sites can be considered for inclusion in the programme.

IN07 133-137 Kaikorai Valley Road – Rezoning from General Residential 1 (GR1) to General Residential 2 (GR2) and mapping NDMA over existing residential land and proposed intensified residential land

28. You have requested 3 Waters review the IN07 area (sites 133-137 Kaikorai Valley Road) and submission regarding the proposed NDMA, to determine whether it is necessary to apply it from a 3 Waters perspective; and assess the additional effects that could arise as a result of the proposed GR2; and make a recommendation for IN07 as to the best method to manage additional stormwater issues.
29. Development in greenfield areas increases the impermeable surfaces in the area, resulting in significantly more stormwater run-off than occurs pre-development. New development increases the volume of stormwater flowing through the stormwater network and this could result in the capacity of infrastructure being exceeded and possibly contribute to increased flood risks or exacerbate any existing flooding issues.
30. Stormwater reasons for application of a NDMA to this site include:
 - The site discharges almost immediately into the Kaikorai Stream. Flood hazard to downstream properties is identified in the ORC flood hazard report (*Flood hazards of Dunedin's urban streams, ORC June 2014*²)
 - Historical flood damage to downstream properties
 - Further degradation of Kaikorai Stream is counter to principles of Te Mana o te Wai
31. Additional stormwater effects that could arise, without adequate controls in place are:
 - Flood damage to downstream commercial and residential properties
 - Adverse effects on water quality and biodiversity in the Kaikorai Stream due to discharge of contaminants
32. In addition, the site also poses risks from a wastewater perspective and the NDMA places requirements on management of these wastewater issues. The site is located approximately 2km upstream of the Kaikorai Valley constructed wastewater overflow. This overflow discharges diluted wastewater into the Kaikorai Stream in moderate to significant rainfall events, when the

² <https://www.orc.govt.nz/media/1724/flood-hazard-of-dunedins-urban-streams.pdf>

capacity of the wastewater network is exceeded due to stormwater infiltrating the wastewater network. This constructed overflow was consented in 2017 on the basis that DCC would aim to reduce or eliminate overflows in the long term. Intensification of this site from GR1 to GR2 increases the potential number of lots able to be created through development. This would generate additional wastewater flows and contribute to an increase in overflows at the Kaikorai Valley constructed wastewater overflow, being against the objectives of the discharge consent as well as contributing to adverse effects on water quality and biodiversity in the Kaikorai Stream and being counter to the principles of Te Mana o te Wai.

33. The proposed NDMA overlay is still considered the appropriate method to provide rules that will manage stormwater and wastewater on the site.

IN08 and IN08a Roslyn (north) – Rezoning from General Residential 1 (GR1) to General Residential 2 (GR2) and request to extend the area to 16 Wright Street and 37 Tyne Street Roslyn.

34. You have requested comments on the submission by Cowan (s15.001) seeking inclusion of properties at 16 Wright Street and 37 Tyne Street within the IN08.
35. The Stormwater Constraint Mapped Area which is applied to the rest of IN08 should also be applied to these properties if IN08 is extended to include them.
36. The primary concern regarding these two properties is wastewater. These two sites, unlike the rest of IN08, drain their wastewater into the Kaikorai Valley catchment. This catchment has known wastewater overflows in significant rainfall events. Some of the overflows are consented and the expectation is that these overflows are reduced or eliminated over time.
37. The submitters request is not supported.

IN09 Maori Hill – Rezoning from General Residential 1 (GR1) to General Residential 2 (GR2)

38. You have requested comments on the submissions raising concerns regarding specific stormwater issues (around Prestwick and Monro Street, and Cannington Road) and whether these locations have been investigated by 3 Waters and whether they will be part of any proposed upgrades for the area in the future.

Barbara J Kennedy (S141.001)

39. Regarding the specific issue at the submitter's property, they are already included in the 3 Waters 'Watercourse Programme' that considers private watercourse issues. These are scored and prioritized for investigation/mitigation. The priority list is active, meaning new sites are added to it as they are identified. As this happens, projects are often re-prioritised so the most critical sites can be attended to first. As new locations are added to the programme, priority ranking for areas may change, as has been the case for this property. While the original list started with 19 sites in February 2019, as of August 2020 there are now 42 sites on the list.
40. The prioritized list allows the sites to be consistently measured. Knowing the most important sites has allowed both financial and personnel resources to be focused and has also provided a means of providing justification as to why a site is or isn't immediately being attended to.

Trish Brooking (S183.001)

41. The submitters concern is noted. Work is currently in the planning phase to identify and carry out the 3 Waters capital works necessary to facilitate additional growth. This work includes considering and identifying where there is a need for additional capacity and where this should be constructed. The timing of work is yet to be confirmed.

Gisela Sole (S208.001 and S208.003)

42. Prevention of pooling of water (e.g. between 5 and 5A Monro Street) can be raised through the 3 Waters 'Watercourse Programme' that considers private watercourse issues. However, if no habitable floor flooding has occurred it is unlikely to be ranked high enough to be investigated due to limited DCC resources.
43. The other issues raised in the submissions were regarding potential future impacts on a watercourse in a gully between Prestwick and Munro Streets. Watercourses are the responsibility of the landowners whose properties they pass through. Applying the 'stormwater constraint mapped area' to this proposed rezoning will ensure that the amount of impermeable surface permitted by the existing GR1 zoning is not increased with the proposed GR2 zoning. This should minimise the risk of the amount of stormwater created on a site increasing beyond what is already permitted by the existing zoning (Impermeable surfaces rule). This specific location has been visited previously by 3 Waters staff in relation to other projects. As the infrastructure in question is private, DCC is not proposing upgrades to it.

IN13 and IN13a Anderson Bay – Rezoning from General Residential 1 (GR1) to General Residential 2 (GR2)

44. You have requested comments on:
- The submission by Carey Woodhouse (S115.001) and the capacity of the existing infrastructure and whether the proposed upgrades planned in the future will be sufficient to accommodate the growth in the area as a result of rezoning to GR2.
 - The submission by Daniel Anfield (S61.001) to include the properties at 125, 127, 129, 133 and 135 Tomahawk Road within the IN13 and any infrastructure concerns related to including these properties.
45. In response to the submission by Carey Woodhouse (S115.001) the following comments are provided.
46. Over \$77 million of capital funding has been approved through the 10-year plan for new capital and renewals that support growth. Work is currently in the planning phase to identify, design and carry out the 3 Waters capital works necessary to facilitate this additional growth. This work includes identifying and confirming where there is a need for additional capacity and where this should be constructed. The timing of specific projects within this growth capital programme is yet to be confirmed. Any upgrades can only address issues in the public networks. There are areas within the proposed rezoning that are serviced for stormwater by private watercourses. There are potential risks to the properties which these watercourses traverse though if stormwater is not managed appropriately. In areas where stormwater is particularly complex or of concern, amendments to boundaries may be appropriate.
47. Daniel Anfield (S61.001) provides several sound reasons for intensification of their site and the surrounding area. The greatest concern in this area is the extent of downstream stormwater drainage that is provided through private watercourses. While the Stormwater Mapped Area will help to manage stormwater flows, the extent of private downstream stormwater drainage makes a further upstream extension of IN13 a risk to downstream properties.

Jared Oliver
ENGINEERING SERVICES TEAM LEADER

Jacinda Baker
POLICY ANALYST

5.3 Appendix C: Evidence on Urban Design from Mr Peter Christos

BEFORE THE VARIATION 2 HEARING PANEL

IN THE MATTER

of the Resource Management
Act 1991

AND

Variation 2 to the proposed
Second Generation Dunedin City
District Plan (2GP)

STATEMENT OF EVIDENCE OF PETER CHRISTOS FOR DUNEDIN CITY COUNCIL

Dated 11 October 2021

QUALIFICATIONS AND EXPERIENCE

1. My name is Peter Christos.
2. I am employed by the Dunedin City Council ("the Council") as an Urban Designer with City Development. In my current role I am responsible for providing Urban Design comment and advice as part of the resource consent process. In addition to this, I provide pre-application advice to encourage good city-wide outcomes. I work closely with other council departments to ensure a coordinate approach is taken to achieve the strategic directions of Council are met. In addition to this, I provide urban advice and design for a range of council projects ranging from major streetscape projects, commercial centre redevelopment and park development.
3. I hold a bachelor's degree majoring in The Built Environment (landscape architecture) and a Post Graduate Diploma in Urban Design, both from Queensland University of Technology (QUT). I have over fourteen years' experience in landscape architecture and urban design practice, both within New Zealand and abroad in the public and private sectors. My experience has included the assessment and design of public space.
4. I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note. This evidence has been prepared in accordance with it and I agree to comply with it. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

SCOPE OF EVIDENCE AND OVERVIEW

5. My evidence relates to submissions that require urban design services and has been prepared by myself.
6. My evidence is contained in a memo dated 11 October 2021.

CONCLUSION

7. It is my opinion that the information within the memo is correct.

DATED this 11th day of October 2021

Peter Christos

Memorandum

TO:	Paul Freeland, Principal Policy Advisor, City Development
FROM:	Peter Christos, DCC Urban Design
DATE:	11 October 2021
SUBJECT:	VARIATION 2: RESPONSE TO REQUEST FOR COMMENTS ON SUBMISSIONS FOR HEARING 2A - INTENSIFICATION

GR2 Rezoning: Urban Design Response to Submissions for Hearing Part 2A

Submissions: Burton (8), Ansin (9), Van Heezik (82), Goodwin (306)

1. Submission points: Rezoning of all proposed new GR2 areas.
2. The submitters reject proposed rezoning based on concerns relating to character, biodiversity and additional shading.
3. Concerns: Creation of 'slums', loss of green space and gardens, impact on biodiversity, shading.
4. Submitters generally acknowledged that protecting the city from urban sprawl was critical, however there is also concern regarding reduced green /open space. In particular, reduced yard sizes and impacts on productive gardens, solar access, opportunities for outdoor play and effects on the existing residential character.
5. I believe The Second-Generation Plan (2GP) generally provides for adequate yard space, setbacks and height constraints to ensure a suitable level of amenity is provided for within proposed GR2 zones. The 2GP also allows for broad assessment of multiunit developments to control effects on streetscapes and residential character. As well as existing standards, other factors would control change of character within proposed GR2 zones, such as financial viability of redevelopment, site constraints and property owners simply choosing not to redevelop sites.
6. Redevelopment is most likely to occur where property values are low and housing quality is poor. In this regard, there are benefits in terms of improving the city's housing stock and increasing housing choice. While intensification could alter existing neighbourhood character, it would likely happen gradually and without a wholesale change of character. I do not believe the proposed rezoning would necessarily reduce built character and amenity, but simply alter it, providing good design was applied.
7. As redevelopment occurs, it is likely that there would be loss of green amenity and gardens from clearance during construction. As well as this, smaller sites would provide less space for new gardens and trees. While this may impact on amenity and biodiversity values, it is also

likely that some vegetation would eventually be replaced as residents and developers re-establish gardens and hedges etc.

8. Dunedin is fortunate to have a range of natural edges such as The Town Belt, multiple coastlines, and beaches. These contain development while providing accessible amenity from proposed new GR2 zones. The city's compact form also ensures good access to sports fields, playgrounds and other opportunities from proposed GR2 zones. As intensification occurs, these spaces are likely to become more valuable to surrounding communities and could be redeveloped to meet changing needs.
9. While no-one should feel looked on while in their home, there is also a point where excessive privacy restricts healthy community and discourages opportunities for interactions between neighbours. Achieving appropriate levels of privacy is fundamental to good development. I do not believe that proposed intensification would necessarily reduce privacy to unreasonable levels, providing good design was applied.
10. Reduced boundary setbacks and smaller sites would likely create increased shading of properties within proposed new GR2 zones. Assuming the minimum setbacks were applied, the extent of shading would depend on building alignment, time of year, building orientation and existing features. Provided that good site layout and design is applied, reasonable levels of solar access should be possible to ensure outdoor and indoor living areas receive sun for a minimum number of hours each day.
11. If the panel was of mind to accept this submission, consideration could be given to providing additional standards requiring shade diagrams to be submitted prior to redevelopment to ensure new developments do not create unreasonable shading of neighbouring properties.
12. As the city's housing stock increases, there are likely to be locations (other than precincts) where improved architectural outcomes would be necessary to preserve existing special character and particularly where demolition and site amalgamation is likely. In these instances, design guides could aid the consent process while encouraging good design outcomes.
13. Consideration could also be given to identifying and mapping important urban corridors, habitat and landscape features within proposed GR2 zones. These features could be protected by additional standards.

Submission: Dooher (113)

14. Submission points: proposed rezoning to GR2 of Mosgiel East.
15. The submitter seeks rejection of proposed rezoning based on effects on character and additional shading.
16. While I partly concur with the submitter regarding the impacts of intensification on the existing residential character of East Mosgiel, I am less certain that this would necessarily equate to negative change.

17. The dominant built character of East Mosgiel is based on simple low-rise bungalows (1930-60), pockets of state housing and a lesser number of unit developments. Established front gardens, deep front yards, a relative lack of double garaging at the street and low fences provide a good interface between private property and public space.
18. While the architectural character is reasonably constant, I believe the area is capable of accepting a more diverse range of housing. Clearly this would alter character, however it would not necessarily have a negative effect and could provide some architectural diversity and improve housing choice.
19. East Mosgiel provides good opportunities for intensification with large sites (often in excess of 700 m²) and relatively small houses, allowing for potential subdivision and redevelopment, particularly at rear yards. In my view, the GR2 standards would ensure sufficient yard setbacks and height restrictions to ensure proposed intensification maintained a reasonable level of amenity.
20. I believe there is capacity for intensification without overly impacting on residential character and streetscape values. I also acknowledge that as the city's housing stock increases, there are likely to be locations (other than precincts) where improved architectural outcomes would be necessary to preserve special neighbourhood character and particularly where demolition and site amalgamation occurs. In these instances, design guides could aid the consent process while encouraging good design outcomes.

Submission: Jamieson (3)

21. Submission points: proposed rezoning to GR2 at Green Island.
22. The submitter seeks to extend the GR2 boundary beyond the north/west corner of the mapped area. This would include an additional 1467m² of land taking the zone boundary to the edge of an existing access road off Burgess Street and extending to an unformed section of Shand Street.
23. In my view, extending the proposed GR2 boundary would be compatible with the existing residential character while providing additional housing beside an established pedestrian link to the commercial centre.

Submission: Cowan (15)

24. Submission points: proposed rezoning to GR2 at North Roslyn.
25. The submitter seeks to extend the GR2 boundary to include 37 Tyne Street and 16 Wright Street.
26. I partly concur with the submitter. The subject properties are located on the north/west edge of Tyne Street. The proposed GR2 boundary does not include properties on this edge of the street, other than a small area on the intersection of Oban and Tyne Street. Restricting the GR2 boundary on the west side of Tyne Street provides some protection of the heritage

qualities of the street however, the subject properties are not as critical as these properties are situated below the street and therefore have less interact with the street.

27. While I believe rezoning the subject properties would not distract from the positive streetscape and character of Tyne Street it would create an irregular patch of spot zoning.

Submission: Brooking (183) and Thomas (35)

28. Submission points: proposed rezoning to GR2 within Maori Hill.
29. The submitters reject the proposed GR2 rezoning.
30. The submitters raise concerns about loss of character, heritage values, biodiversity and shading.
31. I partly concur with the submitters regarding the loss of green space, additional shading and heritage values; however, I also believe that the suburb provides excellent opportunities for intensification close to existing services and amenities.
32. Maori Hill currently has an area of GR2 zoning (approximately 11.8 ha) west of Highgate, along the north edge of Drivers Road (approximately .6 ha.) and a small enclave (approximately .4ha) attached to the northern edge of the Maori Hill Neighbourhood Centre. The proposed additional GR2 zone would encompass about 59 ha to the north of Grendon Street before terminating at Braeview Crescent.
33. Architectural styles within Maori Hill are varied. While there are numerous examples of impressive heritage homes, there are also plenty of examples of more modest and contemporary housing, including some small-scale unit development. The proposed rezoning does not include the southern areas of Maori Hill, where there are high concentrations of large heritage houses.
34. Despite an era of development, good architecture and high levels of property upkeep are a constant throughout the suburb. Established gardens and proximity to The Town Belt provide a good level of green amenity throughout Maori Hill. These factors are central to Maori Hills positive streetscapes and character.
35. I believe GR2 standards generally provide for adequate yard space, setbacks and height constraints to ensure a suitable level of amenity, providing new development is well designed and integrated with the surrounding neighbourhood.
36. Other factors that are likely to control the rate of intensification and lessen impacts on character include topography, financial viability of redevelopment and property owners simply choosing not to redevelop sites.
37. If the panel was of mind to accept the concerns raised by the submitters, I suggest that these could be addressed through additional controls to ensure site layout and window placement provided adequate solar access and privacy of habitable rooms and outdoor living spaces. The panel may also consider standards that either require retention of existing vegetation

during redevelopment or require a certain level of vegetation is planted after redevelopment. Such controls should be supported with design guides to aid the consent process while encouraging good design outcomes.

Submission: Gough (4), Wong (22), Miller (29), Lindsay (32)

38. Submission points: proposed rezoning to GR2 within Andersons Bay.
39. The submitters reject the proposed GR2 rezoning.
40. The submitters raise concerns about loss of character, shading, loss of green amenity and effects of increased traffic.
41. I partly concur with the submitters regarding the potential loss of green space and additional shading. While more intensive redevelopment may alter the existing character, I also believe that the suburb provides excellent opportunities for intensification close to existing services and amenities.
42. I believe GR2 standards generally provide for adequate yard space, setbacks and height constraints to ensure a suitable level of amenity, providing new development is well designed and integrated with the surrounding neighbourhood.
43. The residential character of Andersons Bay (relating to the proposed new GR2 zone) is based on relatively flat land along Musselburgh but increasingly undulating towards the south. The suburb is well established with a number of turn of the century (1800/1900) villas, however the predominant architectural style is derived from both timber and brick bungalows and a lesser amount of more contemporary redevelopment. The undulating topography provides for sites elevated above the street as well as below street. Site size is typically between 500m²- 600m² with frontages less than 15m. Small gullies and front gardens provide the suburbs green amenity.
44. The proposed rezoning within Andersons Bay is relatively constrained to two principle areas of about 15 ha each. The north section following Musselburgh Rise, Tainui Road and Arawa Street and the southern section defined by Tainui Road, Tahuna Road and Minto Street. An additional small area that includes Alton Avenue is proposed to the west of the suburb. Generally, these locations are on slopes, other than Tahuna Road and Musselburgh Rise. I believe the shape and size of the proposed zones would ensure that the suburbs existing character would remain dominant and effects on the built character would be relatively constrained.
45. If the panel was of mind to accept the issues raised by the submitters, I suggest that these could be addressed through additional controls to ensure site layout and window placement provided adequate solar access and privacy of habitable rooms. The panel may also consider standards that either retain existing vegetation during redevelopment or require a certain level of vegetation is planted after redevelopment. Such controls should be supported with design guides to aid the consent process while encouraging good design outcomes.

Submission: Anfield (61)

- 46. Submission points: extension of proposed GR2 zoning at Ocean Grove.
- 47. The submitter supports the GR2 rezoning (with the inclusion of a single site).
- 48. The submitters specifically request rezoning extends to include the sites at 125, 127, 129 133 and 135 Tomahawk Road.
- 49. I believe the subject sites could be developed to GR2 standards without negative effects on the surrounding streetscape.

Peter Christos

5.4 Appendix D: Evidence on Recreation from Mr Brenkley

BEFORE THE VARIATION 2 HEARING PANEL

IN THE MATTER

of the Resource Management
Act 1991

AND

Variation 2 to the proposed
Second Generation Dunedin City
District Plan (2GP)

STATEMENT OF EVIDENCE OF JOHN BRENKLEY FOR DUNEDIN CITY COUNCIL

Dated 11 October 2021

QUALIFICATIONS AND EXPERIENCE

1. My name is John Brenkley.
2. I am employed by the Dunedin City Council ("the Council") as the Planning and Partnerships Manager with the Parks and Recreation Services Business Unit. In my current role I lead the recreation planning function for parks and recreation and oversee implementation of the Parks and Recreation Strategy. The purpose of the recreation planning team is to provide professional and technical advice to Council, the community and development industry on spatial matters to facilitate planned, sustainable city parks, cemeteries and open space growth. The team is also responsible for supporting the Group's planning processes such as Resource Consent applications, Bylaw development, input into policy and plan development including Reserve Management Plans.
3. I hold a Bachelor of Horticultural Science from Massey University and a Master of Landscape Architecture from the University of Edinburgh, Scotland. I have been a Registered member of the New Zealand Institute of Landscape Architects Tuia Pito Ora since 1995. I have over 20 years' experience in landscape architecture and in the parks and recreation sector both in New Zealand and overseas. My experience includes landscape design, contract management, contract administration and landscape planning as a local authority landscape architect with Palmerston North City Council from 1994 to 2006. I was then employed as Parks and Property Manager for 12 years at Palmerston North City Council before moving to Dunedin in 2018 to take up my current position as Planning and Partnerships Manager within Parks and Recreation Services.
4. I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note. This evidence has been prepared in accordance with it and I agree to comply with it. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

SCOPE OF EVIDENCE AND OVERVIEW

5. My evidence responds to submissions that relate to parks and recreation facilities and has been prepared by myself and Claire Swift, Senior Parks and Recreation Planner.
6. My evidence is contained in a memo dated 11 October 2021.

CONCLUSION

7. It is my opinion that the information within the memo is correct.

DATED this 11th day of October 2021

John Brenkley

Planning and Partnerships Manager
Parks and Recreation Services
Dunedin City Council

TO:	Paul Freeland, Principal Policy Advisor, City Development
FROM:	John Brenkley, DCC PARS Team
DATE:	11 October 2021
SUBJECT:	VARIATION 2: RESPONSE TO REQUEST FOR COMMENTS ON SUBMISSIONS FOR HEARING 2A - INTENSIFICATION

1. Introduction

- We received a memo from you dated 22 June 2021 requesting consideration of submissions on Variation 2 in relation to Parks and Recreation matters and to provide response to specific questions you have raised as a result of reviewing submissions.
- We have considered the relevant submissions on the topics/issues you highlighted and your specific questions.
- Please find below our response on these topics/questions in the grouping that you posed these requests.

4. Background

- Open spaces are important. Open spaces are an integral part of residential areas to providing for the communities' social wellbeing and health. Open spaces enhance the amenity values of residential areas by maintaining space for recreation and a creating a pleasant visual appearance for the community. However, the type, location and provision of amenities within these open spaces require consideration as they can also generate adverse effects such as noise, parking congestion and become inefficient for servicing if they are too small or situated too close to each other.
- Our current provision metrics, that Parks and Recreation Services (PARS) are seeking to maintain, for the different open spaces are:
 - 5.5 playgrounds per 1,000 children under 14
 - 2.3 hectares of sports land per 1,000 residents
 - 33 hectares of open space (parks land) per 1,000 residents

2. Hearing 2A comments

- 2.1 You have requested comments on the priority 2 request of several areas of General Residential 1 zone that are proposed for rezoning to General Residential 2 zone to provide for intensification. This includes most of the 'hill suburbs' from Mornington to Maori Hill; and areas at Wakari, Concord, Green Island and Mosgiel. You received a few submissions which expressed concerns about lack of sufficient playgrounds and specific comments on areas proposed for rezoning to GR2.

Comments in relation to submission number and name - 59 (Post)

- 2.2 Parks and Recreation Services (PARS) carry out regular provision assessments. The current provision metrics for playgrounds that PARS are seeking to maintain is 5.5 playgrounds per 1,000

children under 14. This is in line with Council's peer group average as recorded annually by Yardstick. This metric is an average across the whole city.

- 2.3 PARS also carry out assessments for the different community profiles against the cities overall average, taking into consideration other factors that include housing density, access to cars, population of children, number of schools, and socio-economic factors. This assessment is reviewed regularly to help PARS determine whether there is an oversupply or under supply of playgrounds across the different communities.
- 2.4 To summarise, the provision assessment shows the Dunedin has a good supply of playgrounds in line with the peer group average. Based on current metrics there is no evidence to suggest that increasing housing density will negatively impact the provision metrics that PARS are seeking to maintain. Analysis will be carried out on a regular basis. If there are community profile areas that are identified as having a shortage of playgrounds, PARS will ensure that integrated planning occurs so that open space is included within the city development process.

Comments in relation to submission number and name - 3 (Jamieson)

- 2.5 PARS cannot identify any reason why Lot 4 could not be considered as part of the re-zoning to residential housing.

Comments in relation to submission number and name - 126 (George)

- 2.6 There are five recreation spaces (Ellis Park, Mellor Park, Nairn Street, Falcon Street and the Town Belt) ranging from 95mts to 700mts away from this subdivision. For this reason, PARS do not require an open space for recreation purposes within the proposed change IN07. That said, PARS recognise the importance of maintaining habitats for local natives (flora and fauna), and would refer to the advice provided by Richard Ewans, the DCC Biodiversity Advisor, in relation to this submission.

Comments in relation to submission number and name 82 (van Heezik) regarding re-zoning of Roslyn South (IN06); Roslyn North (IN08) Maori Hill (IN09)

- 2.7 PARS recognise the importance of the Town Belt from a recreational and ecological perspective to support thriving native bird populations and PARS work closely with City Sanctuary to help protect this space. City Sanctuary is a Predator Free Dunedin and Dunedin City Council project that aims to support community-led predator control in backyards and reserves (including the Town Belt) throughout Dunedin's urban and city area. With regard to re-zoning suburbs that about the Town Belt and its impact on biodiversity PARS would refer to the advice provided Richard Ewans, the DCC Biodiversity Advisor.

Comments in relation to submission number and name 82 (van Heezik) regarding re-zoning of areas in Mosgiel, Green Island, Concord, Mornington and Andersons Bay

- 2.8 The provision assessment shows that Mosgiel, Green Island, Concord, Mornington and Andersons Bay currently have a good supply of open space in line with the peer group average. Based on current metrics there is no evidence to suggest that increasing housing density will negatively impact the provision metrics that PARS are seeking to maintain.

Comments in relation to submission number and name 82 (van Heezik) regarding rezoning from rural residential 2 to general residential 2, Selwyn Street RTZ

- 2.9 Rule 10.3.1 of the 2GP, as notified, sets out requirements for subdivision activities where they occur along the bank or margin of listed rivers, lakes, creeks or streams. Subdivision activities must provide esplanade reserves with a minimum width of 20m where they occur along the mark of mean high-water springs, or along some of Dunedin's larger creeks, streams and rivers.
- 2.10 Where subdivision activities occur along the bank or margin of some of Dunedin's smaller creeks and streams, the requirement is for an esplanade strip with a minimum width of 5m.

- 2.11 Section 229 of the RMA sets out the purpose of esplanade reserves and esplanade strips. The setback requirements for esplanade reserves and strips are set out in Section 230 of the RMA.
- 2.12 Any subdivision activities that occur along the Lindsay Creek will need to comply with these rules and Parks and Recreation Services will seek to maintain the integrity of this corridor for access and biodiversity as part of the subdivision process.
- 2.13 In summary, Parks and Recreation note benefits obtained in the variation 2 proposal and support the rezoning activities proposed.

Other comments

- 3. You requested whether there are other ways that submitters can request that a reserve be established with Council and the process for making an area reserve and/or requiring playgrounds.
- 4. PARS regularly assess open space requirements against the metrics to ensure that as the city expands open spaces are maintained at the appropriate levels as identified below:
 - 4.1 5.5 playgrounds per 1,000 children under 14
 - 4.2 2.3 hectares of sports land per 1,000 residents
 - 4.3 33 hectares of open space (parks land) per 1,000 residentsIf communities want to request an open space or have a request in relation to a playground they can contact parksconsulting@dcc.govt.nz where a member of the team can respond to their request. Communities can also request consideration of a reserve through the annual plan process.

Please do not hesitate to contact me if you have any further questions or review requirements.

John Brenkley
Planning and Partnerships Manager
PARKS AND RECREATION SERVICES

5.5 Appendix E: Evidence on Biodiversity from Mr Richard Ewans

BEFORE THE VARIATION 2 HEARING PANEL

IN THE MATTER

of the Resource Management
Act 1991

AND

Variation 2 to the proposed
Second Generation Dunedin City
District Plan (2GP)

STATEMENT OF EVIDENCE OF RICHARD ANDREW EWANS FOR DUNEDIN CITY COUNCIL

Dated 11 October 2021

QUALIFICATIONS AND EXPERIENCE

1. My name is Richard Andrew Ewans.
2. I am employed by the Dunedin City Council ("the Council") as the Biodiversity Advisor with the City Development Business Unit. In my current role I am responsible for leading the delivery the biodiversity outcomes sought under the Second Generation Dunedin City District Plan (2GP) and Te Ao Tūroa (Dunedin's Environment Strategy 2016-2026). Among other key work areas, I provide expert advice on ecological matters to support plan development and resource consent processes. The scope of the role is primarily related to indigenous biodiversity on private land, however public land is in scope when it relates to statutory processes.
3. I hold a Bachelor of Science (Hons) First Class in Plant Ecology from the University of Otago (2000). I have 20 years' experience working on indigenous biodiversity, mostly in the plant ecology field. I have worked in, or for, the public sector for most of that time, either as an employee or contractor/consultant. I have extensive ecological field survey experience including providing botanical expertise on programs and projects across New Zealand. I was employed by the Department of Conservation as a Ranger – Biodiversity Monitoring between 2004 and 2013. I have several years' recent experience in indigenous ecosystem assessment in relation to regional or local authority statutory processes.
4. I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note. This evidence has been prepared in accordance with it and I agree to comply with it. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

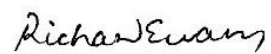
SCOPE OF EVIDENCE AND OVERVIEW

5. My evidence relates to proposed rezoning for intensification of housing in 2GP Variation 2 and was prepared by myself. Specifically, my evidence addresses potential effects on biodiversity and natural environment values and responds to submissions on this topic.
6. My evidence is contained in a memo dated 13 August 2021 which was subsequently updated 11 October 2021.


CONCLUSION

7. It is my opinion that the advice contained in the memo will improve outcomes relating to the natural environment including indigenous biodiversity in terms of 2GP Strategic Directions.

DATED this 11th day of October 2021

A handwritten signature in black ink that reads "Richard Ewans". The script is cursive and fluid, with the first letters of the first and last names being capitalized and prominent.

Richard Ewans

 DUNEDIN CITY COUNCIL kaunihera a-rohe o ōtepoti	Memorandum
TO:	Paul Freeland, Principal Policy Advisor, City Development
FROM:	Richard Ewans, Biodiversity Advisor
DATE:	13 August 2021; updated 11 October 2021
SUBJECT:	2GP VARIATION 2 – PRIORITY 2 BIODIVERSITY COMMENTS

Introduction

1. These comments respond to Priority 2 matters as detailed in Emily McEwan’s Memo dated 22 June 2021 in relation to biodiversity and specific questions raised as a result of reviewing submissions.
2. A review was requested of relevant submissions regarding effects on biodiversity from proposed General Residential 2 (GR2) rezoning areas and suggested mitigation measures, along with comment on the final version of the National Policy Statement for Indigenous Biodiversity (NPS-IB).
3. This Memo was updated on 11 October 2021 to remove content related to a greenfields rezoning site.
4. My comments are grouped below as follows:
 - i. Effects of GR2 rezoning (intensification) on biodiversity (part submission S82) and related submissions (S126, S208, S90 & S183).
 - ii. Mitigation methods for proposed intensification.
 - iii. Likely direction from Draft NPS-IB (dNPS-IB) and Proposed Regional Policy Statement for Otago (pRPS).

Background and context

5. Between July and October 2020, I assessed the biodiversity values on a range of potential sites for rezoning as part of the 2GP Appeals and Variation 2 processes. This was carried out to minimise potential losses of indigenous biodiversity associated with rezoning.
6. Previous Memos dated 30 November 2020, 2 April 2021, & 5 May 2021 dealt with the effects on biodiversity from changes to Rural or Rural Residential zoning which allow for more subdivision. A Memo dated 19 July 2021 addressed Variation 2 Priority 1 matters, specifically proposed assessment matters relating to New Development Mapped Areas (NDMAs).
7. Variation 2 sites already zoned Residential and identified for GR2 were not subject to field inspection. Vegetation has been described where applicable using interpretation of aerial and satellite imagery, Google Street View, existing vegetation cover mapping or reports, and local experience.
8. The city is part of a complex and interlinked ecological area in which flora and fauna move between urban, peri-urban and hinterland areas. A recent study calculated that private

gardens comprise the largest vegetation resource in the urban area covering approximately 1184ha (approximately 36% of the urban area)¹.

9. Intensification in existing urban (Residential Zone) areas can lead to potential losses of indigenous biodiversity via removal of established exotic and native trees, small patches and network connectivity of indigenous vegetation, and high quality biodiverse gardens.
10. Many of these areas in urban Dunedin are unprotected by district plan provisions on private land. Vegetation, including indigenous vegetation, can be removed without resource consent in Residential zones under 2GP rules unless in an Urban Biodiversity Mapped Area (UBMA) or if it is a scheduled tree. Sites proposed for intensification tend to lie outside of existing UBMA's, and usually only a small proportion of established trees are protected on the 2GP Appendix A1.3 Schedule of Trees.
11. My Memo dated 30 November 2020 recommended that further work was carried out to look at options for avoiding and minimising the impact of intensification on biodiversity habitat (and other) values in Dunedin.

Rezoning from General Residential 1 to GR2 (intensification) – Specific submissions and general comment

Submission 126 (Yoel George)

12. Submission 126 seeks to amend IN07 to include a 'green reserve' along Northview Crescent to maintain biodiversity values (habitat for native birds) and reduce the noise and visual impact of development, should the IN07 change not be rejected.
13. The current vegetation cover of the IN07 site appears to be a mix of rank grass, gorse and tall exotic planted forest. The forest is mostly eucalyptus, with some conifers, and provides permanent or temporary habitat for native birds. Eucalyptus can also be a seasonally important food source for nectar feeding birds such as tui and bellbird. The submission states that native birds use the area, and disperse to the adjacent neighbourhood.
14. Some of the eucalyptus plantation was removed between 2013 and 2018-19. As of 2018-19, approximately 2ha of eucalypt plantation was remaining. Current habitat provides an ecological linkage for native fauna between Frasers Gully and the Brockville slopes gully native bush areas and the central Town Belt.
15. Rezoning the site from General Residential 1 (GR1) and Industrial to GR2 is unlikely to result in additional effects on biodiversity values because vegetation clearance is permitted in those zones, the site is currently mostly undeveloped, and the outcomes of development on the site are likely to be similar with either zoning i.e. the removal of the current habitat values.

¹ Freeman C, Mathieu R, van Heezik Y. Undated. Enhancing understanding of urban biodiversity: The Dunedin data base development project. Parliamentary Commissioner for the Environment Background papers on environmental sustainability in New Zealand. https://www.pce.parliament.nz/media/pdfs/dunedin_v2.pdf. Accessed on 10 August 2021.

16. The IN07 site is a NDMA, which under Variation 2 has additional assessment matters proposed for subdivision including natural environment values such as indigenous biodiversity.
17. Although vegetation clearance at the site is permitted, future subdivision would likely require indigenous planting to maintain and enhance biodiversity values and provide ecological linkages. It is recommended that this be incorporated into the structure plan for the site due to the removal of habitat already underway.
18. Native plantings would address habitat loss associated with subdivision in the medium-long term. Planting along the Northview Crescent boundary could address the submissions concerns and be linked with planting along the steep southern boundary slopes to provide good linkages with Frasers Gully and the Brockville slopes gully native bush areas. Map 1 shows the indicative area where native planting could address the potential loss of natural environment values and provide for the submissions other concerns, while being primarily situated what is presumably the least viable part of the site to develop.

Submission 208 (Gisela Sole) and 90 (Karen Oben)

19. Submissions 208 and 90 relate to a small gully system between Prestwick Street and Munro Street in IN09. Both submissions raise concern about the effects that removing mature trees may have on the gully habitat and the stability of the gully during rainfall.
20. Only properties on Prestwick Street are within IN09. The area is not subject to NDMA provisions, however current 2GP rules provide a 5m setback from water bodies for earthworks -large scale and new buildings or structures (10.3.3.5), and subdivision must be able to meet these performance standards (10.7.6.1).
21. The setbacks do not necessarily prevent larger trees being removed, nor require riparian planting to maintain natural environment values or mitigate the water flow.
22. It is unclear if there are native trees in the gully, but the loss of trees from this gully would remove a small amount of potential habitat for native fauna. Alone, this would be a relatively minor effect at the urban landscape and Ecological District scales. However, this effect needs to be considered collectively as part of cumulative/overall effects of the GR2 rezoning change (considered below).
23. Slope and gully stability, and water flows are beyond the scope of these comments. However, if these are of specific local concern, the boundary of IN09 could be redrawn to exclude this gully. Removing 15-43 Prestwick Street from IN09 would remove 14 properties where potential development appears to be limited to a south-facing gully assuming existing housing remains. Alternatively, provisions relating to riparian management could be added to GR2 zones (see mitigation section below, Paragraphs 39-42).

Submission 183 (Trish Brooking)

24. Submission 183 seeks to reject the GR2 change IN09, with adverse effects from intensification of housing on the natural environment values including native birds being a key concern. Comments on this submission are included in those for Submission 82 below.

Submission 82 (Yolanda van Heezik)

25. Submission 82 is substantive, being from an expert in urban ecology (Professor at the University of Otago Department of Zoology) with a research focus on Dunedin. The submission is grouped in three sections with different focus areas:
- i. Rezoning of areas in Roslyn and Maori Hill (changes IN06, IN08, IN09).
 - ii. Rezoning of areas in Mosgiel, Green Island, Concord, Mornington and Andersons Bay.
 - iii. Rezoning of RTZ2 (Selwyn and Crown Streets). This is addressed alongside other submissions on the same area in a subsequent section (see Paragraphs 46-56).

Submission 82 - Rezoning of areas in Roslyn and Maori Hill and general comment on the effects of intensification

26. Based on a body of published and unpublished research focussed on urban Dunedin, the submission highlights the critical role small patches of networked habitat (such as established gardens with structurally diverse vegetation) nearby the Town Belt plays in maintaining indigenous biodiversity in the urban landscape.
27. For example, research highlighted in the submission shows that gardens within 200m of the Town Belt support densities of native birds as high (or nearly so) as the Town Belt, and that garden composition, structure and proximity to bush fragments/remnants are key factors in determining native bird diversity. The Town Belt's surrounding suburbs provide essential stepping-stones (linkages) for native fauna dispersing across the city and are highly valuable in supporting native bird diversity.
28. The submission states that the loss of quality fragments, linkages and corridors of habitat from areas surrounding the Town Belt would have significant negative impacts on indigenous biodiversity and compromise the integrity and capacity of the Town Belt to support indigenous biodiversity.
29. Although this is not specifically listed in the submission, habitat quality and proximity to the Town Belt appears to be similar in parts of IN05.
30. Many common native bush bird species (e.g. grey warbler, silvereye, fantail, bellbird, tui and kereru) are well known for being tolerant of urban settings. Important factors in determining their presence and abundance are garden size, composition and structural complexity; and proximity to bush remnants. In the IN05, IN06, IN08 & IN09 areas, habitat is well networked with small patches of indigenous vegetation, established exotic trees, and high-quality gardens².

² Freeman C & Buck O (2003). Development of an ecological mapping methodology for urban areas in New Zealand. Landscape and Urban Planning 63: 161-173.

31. Habitat for native birds includes for feeding, resting and breeding. Feeding habitat can be seasonal and highly network reliant with plant diversity being important. Resting and breeding habitat is likely to be more influenced by structure, with established trees being important.
32. A basic principle applies: if there is less habitat, there will be fewer native birds. For example, a recent Dunedin study co-authored by the submitter showed that densities of common small native birds (fantail, waxeye, grey warbler and bellbird) were highest in undeveloped patches, and largely absent from high density housing areas³.
33. This may mean that the overall number of native birds remains similar at larger scales for some larger, more mobile species, but that they retreat to available habitats elsewhere. However, it is likely that for most or all species there will be less birds overall, and therefore a reduction in native avian biodiversity will result from intensification. Either way, intensification will lead to a loss of indigenous biodiversity in the suburbs subject to it.
34. The amount of indigenous vegetation in private gardens has not been quantified. However, indigenous vegetation is a known component of many of the high quality habitat gardens in the area and it is likely there are unprotected mature species of trees present in these areas listed on the 2GP Appendix 10A.3 - Important native tree list. Removal of such vegetation also represents a loss of indigenous biodiversity independent of its habitat value.
35. It is noted that invertebrates and herpetofauna values are not addressed here, however it is self-evident that if they are present, and their habitat is removed, then they will also be removed.
36. Indigenous biodiversity is poorly protected in the proposed IN05, IN06, IN08 and IN09 areas because:
- i. The areas are outside any UBMA boundaries and therefore not subject to vegetation clearance rules;
 - ii. The areas are not within proposed NDMAs and therefore not subject to the new proposed assessment matters regarding natural environment values; and
 - iii. Although the areas contain many trees on the 2GP Schedule of Trees (which provides a level of protection), it is likely to be only a small proportion of trees that could meet the criteria for scheduling, and most of these trees are exotic. There may be large native trees unprotected in these areas.
37. Loss of urban biodiversity habitat is a highly predictable effect of intensification. For example, a recent study reported a loss of over 12,000 trees in a 10-year period in one area of inner-city Auckland, a third of which were due to developments, improvements and extensions⁴. By potentially exacerbating tree and habitat loss, rezoning to GR2 in IN05, IN06,

³ Van Heezik Y & Adams AL. 2014. Vulnerability of native and exotic urban birds to housing intensification and changing gardening and landscape trends. *Urban Ecosystems* 19:1551-1563.

⁴ <https://ourauckland.aucklandcouncil.govt.nz/articles/news/2018/10/study-measures-urban-tree-loss/>. Accessed 20/11/2020.

IN08 and IN09 poses a direct risk to biodiversity values, which often align with other values such as amenity and climate change mitigation⁵.

38. It is important to note that:

- i. Indigenous vegetation in IN08, IN09 parts of IN05 (and much of the wider Dunedin urban area) meets the 2GP criteria for ecological significance under the Rarity criterion (Policy 2.2.3.2.b.ii);
- ii. Collectively, the habitat network in much of the IN05, IN06, IN08 and IN09 areas would meet the 2GP criteria for ecological significance under the Ecological Context criterion (Policy 2.2.3.2.e.i & iii);
- iii. The DCC commits significant funding to the Predator Free Dunedin City Sanctuary project which aims to improve the habitat and population of native birds in these areas. It is contradictory to then facilitate increased removal of important habitat through the district plan process; and
- iv. Piecemeal single infill housing might be the least efficient way of achieving higher density of population in the context of a trade-off between maintaining biodiversity (and related values) and the provision of additional housing.

Submission 82 - Rezoning of areas in Mosgiel, Green Island, Concord, Mornington and Andersons Bay

39. The submission focuses more on green space provision for social benefits in these areas, based also on research by the submitter and others. These benefits are outside the scope of this Memo, however the mitigation measures outlined in the submission are applicable to both biodiversity and green space related social outcomes and are addressed in the following section.

Mitigation methods

40. Submission 82 proposes some ways of mitigating the effects of intensification. Not all are in scope for biodiversity comment but the following are:

- i. Protecting vegetation cover at sites adjacent to major biodiverse areas.
- ii. Implement compulsory plantings/greenspace creation to ensure there is no overall reduction in vegetated area.
- iii. Conditions on infill and new development regarding biodiversity protection and enhancement measures, including planting and creation of corridors. No new development should further fragment existing corridors.

41. Greenfields developments are subject to the proposed NDMA provisions including assessment matters that require providing for important natural environment values. In my opinion, the mitigation measures outlined in the submission are highly likely to be among the considerations when development is proposed in NDMA, and the proposed NDMA provisions are sufficient to address them.

⁵ Trees and urban forest provide a substantial range of environmental and societal benefits, see Auckland Council (2019). Auckland's Urban Ngahere (Forest) Strategy.

42. However, very few of the intensification (IN) rezoning areas are within NDMAs, and therefore additional mitigation measures should be considered for those areas with the highest biodiversity values. Options (that appear to be practicable) should include:

- i. Remove blocks from IN05, IN06, IN08 & IN09 that support larger patches of structurally diverse habitat for native fauna, including all blocks within a 200m buffer around the Town Belt;
- ii. NDMA natural environment type provisions could be applied to the IN05, IN06, IN08 & IN09 intensification area (which contain the best remaining private habitat areas adjacent to the Town Belt);
- iii. Riparian buffer and revegetation within setbacks for subdivision in GR2 in recognition of the increased pressure on water bodies from increased density;
- iv. Subdivision in GR2 being subject to development or reserves contribution type fund to replace habitat for indigenous biodiversity in nearby Parks and Reserves;
- v. Only provide for developments that provide significant additions to housing stock in areas important for biodiversity; and
- vi. Predicted housing capacity removed by implementation of these mitigations could be shifted to greenfield sites subject to NDMA provisions.

43. In my opinion, only if alternative site and mitigation options were exhausted would rezoning for higher density become a trade-off between maintaining biodiversity and provision of additional housing. However, should a trade-off be considered then outside of the Variation 2 process Council should pursue other options to mitigate losses of biodiversity such as:

- i. Expansion of UBMA areas to include important gully habitats and/or suburbs with high quality habitat gardens;
- ii. Promoting and incentivising scheduling of trees and voluntary protective covenants on land titles; and
- iii. Completing an urban tree and habitat action plan to improve biodiversity outcomes from developments in public and private spaces.

Likely National and Regional direction regarding indigenous biodiversity

44. Planning changes that increase potential losses of 'urban forest' are likely to be in conflict with the Draft National Policy Statement for Indigenous Biodiversity (due to be gazetted in late 2021). The dNPS-IB sets minimum targets for indigenous vegetation cover in urban areas (Section 3.17, dNPS-IB), and is explicit that ecological significance is to be determined regardless of tenure and property boundaries.

45. Such changes are also likely to be contrary to:

- i. The recent pRPS Objectives for ecosystems and indigenous biodiversity which include a halting of any decline in quality, quantity or diversity of indigenous biodiversity, and a net increase in the extent and occupancy of indigenous biodiversity.
- ii. A growing body of literature on urban design, human health and ecology, and the stated targets of many Australasian cities (e.g. Hamilton, Christchurch, Brisbane,

Melbourne, etc) which are aiming to increase vegetative cover due to the significant benefits it confers (e.g. ⁶ & ⁷).

46. Currently DCC does not have an action plan for maintaining and enhancing indigenous biodiversity in the urban/built environment. However such objectives are inherent in the Spatial Plan, Te Ao Tūroa – Dunedin’s Environment Strategy, Parks and Recreation Strategy, significant funding of the Predator Free Dunedin City Sanctuary project, and 2GP Objectives.

Summary and conclusions

47. In my opinion, proposed Variation 2 structure plan and NDMA provisions provide for maintaining and improving natural environment values including indigenous biodiversity at those sites subject to them.
48. However, additional provisions are needed where intensification is proposed outside of NDMA’s to maintain indigenous biodiversity in areas of importance to the city.
49. At this stage it is difficult to quantify what the total impact might be of intensification, but it will almost certainly result in a permanent loss of indigenous biodiversity across many of the inner hill suburbs.
50. A more refined strategic approach to intensification is required to ensure consistency with national and regional direction; so that the natural environment values the city enjoys are maintained and not unnecessarily traded off for housing gains, especially when:
- i. Areas are important for indigenous biodiversity;
 - ii. The gains to housing may be modest compared to other onsite or alternative site options; and
 - iii. Housing gains may be in locations less likely to provide for those parts of the population most affected by the housing crisis driving these changes.
51. Although outside the scope of this report, there are equity issues raised by proposed intensification and mitigation options. I concur with Submission 82’s conclusion that green space (and biodiversity) provision be made more equitable through better greenspace (and biodiversity) provision in lower socio-economic suburbs, rather than by removing it from higher socio-economic ones.

Recommendations for Variation 2

52. Native replanting on the southern and Northview Crescent boundaries are added into the structure plan for IN07 (15.8.Z) as a ‘Restricted Development Area (Biodiversity)’.
53. For IN05, IN06, IN08 & IN09:
- i. Remove blocks that support larger patches of structurally diverse habitat for native fauna, including all blocks within a 200m buffer around the Town Belt.

⁶ Rastandeh A & Jarchow M (2020). Urbanization and biodiversity loss in the post-Covid-19 era: complex challenges and possible solutions. *Cities & Health* Special Issue: Covid -19: 1-4.

⁷ Wallace KJ & Clarkson BD (2019). Urban forest restoration ecology: a review from Hamilton, New Zealand. *Journal of the Royal Society of New Zealand* 49(3): 347-369.

- ii. Apply NDMA natural environment type provisions.
- iii. Only provide for developments that provide significant additions to housing stock.

54. For all proposed and current GR2 zoning provide for:

- i. Subdivision in GR2 to be subject to development or reserves contribution type fund to replace habitat for indigenous biodiversity in nearby Parks and Reserves.
- ii. Maintaining vegetation and/or native revegetation in riparian buffers within setback areas.

Kind regards,

Richard Ewans
Biodiversity Advisor

Map 1 – Native revegetation area in IN07 (blue).



5.6 Appendix F: Evidence on intensification and urban design options from Mr Ian Munro

7 SEPTEMBER 2021

**ANNA JOHNSON
CITY DEVELOPMENT MANAGER
DUNEDIN CITY COUNCIL
BY E-MAIL**

Dear Anna

DUNEDIN DISTRICT PLAN – VARIATION 2, URBAN DESIGN OPTIONS PAPER

1. Thank you for asking me to review the proposed Variation, submissions received and Council s.42A report, and offer any suggestions I might have in relation to how the concerns raised might be approached. I understand that for this paper to qualify as part of a formal pre-circulation of evidence it was needed by 3 September, which due to COVID-19 lockdown restrictions and the family complications that brings I have unfortunately not been able to meet. It is my hope that nonetheless my suggestions might nonetheless prove helpful to participants.
2. Although I have not been asked to provide a formal brief of expert evidence or to express any opinions on the merits of any individual submission, I confirm that in the preparation of this statement of opinion I have been aware of and complied with the Environment Court's Code of Conduct for Expert Witnesses contained in its Practice Note, 2014. All of the opinions offered in this document are my own and are within my area of expertise.
3. I have substantial experience with housing intensification within existing urban areas, that I would loosely bundle as 'medium density housing'. This includes reviewing real-world examples, writing design guidelines for councils, contributing to district plan changes, reviewing resource consent applications for councils, and helping design proposals for applicants. I have also been an appointed resource management decision maker, for both resource consents and plan changes, that relate to this matter. My work on these matters has occurred across Auckland and its historic councils, Kaipara, Hamilton, Thames-Coromandel, Waikato, Tauranga, Rotorua, Kapiti Coast, Porirua, Hutt, Nelson, Tasman, Marlborough, Christchurch, and Queenstown Lakes. I

am also very familiar with Dunedin and its current (2GP) District Plan. For user convenience, I have included a CV as **Attachment 1**. But in summary I am an urban designer with 20-years of experience, holding the qualifications of a Bachelor of Planning (Hons); a Master of Planning (Hons); a Master of Architecture [Urban Design] (Hons); a Master of Environmental Legal Studies (Hons); and a Master of Engineering Studies [Transport] (Hons). I am a Full Member of the New Zealand Planning Institute.

4. I will provide my suggestions as follows, focused on the issue of character, and amenity concerns:
 - a. Intensification within the General Residential 1 zone; and
 - b. Intensification within the General Residential 2 zone.
 - c. I have not considered large new greenfield subdivisions due to time.
5. In the commentary that follows, I have made reference from time-to-time to photographic examples. These are all from Auckland, primarily due to time constraints and that they are the most familiar to me and simplest to locate. It is not suggested that Dunedin's intensification issues mirror Auckland's experience and I note in particular the many instances in Dunedin of hilly slopes that will in many instances dictate (or preclude) intensification.

Residential 1 zone

6. Having read the Variation 2 documentation, and reflecting on both my knowledge of the Residential 1 zone and my own experience with similar-scaled intensification as is proposed, I comment as follows:
 - a. The key urban design issues that arise with single-site intensification are in my experience, and in order of significance:
 - i. This form of intensification is often undertaken by way of permitted activity development.
 - ii. The management of car parking and vehicle crossings at the site frontage (**Attachment 2**), and loss of landscaped open space at the street.

The key design issue here is when multiple units each seek a separate garage / parking area and in some instances vehicle crossings. These can visually dominate the site frontage; exacerbate pedestrian risks by extending the length of area that may be subject to reversing vehicles; and substantially diminish the extent of landscaping and vegetation visible within the garden in front of the dwellings. When undertaken on many close-by sites, this form of intensification can result in streets that lack visual interest and is not pleasant to walk along. It is most problematic on sloping sites where the only flat-ish and accessible land (for vehicles) is at the frontage.

- iii. The loss of public space and urban structure integration, and contiguous open spaces at the backs of sections that back

onto each other, by way of new rear-lot infill (**Attachments 3 and 4**)

The key design issue here is when a proliferation of rear lots are established 'behind' original or existing houses. Especially when as detached dwellings this can substantially diminish the sense of openness and spaciousness on lots. Even if still maintaining a Plan standard for building coverage, the loss of a single large open space, generally at the rear, with many fragmented strips around the sides of and in between buildings can substantially reduce the contribution that the open space makes to the underlying character of the neighbourhood. Historically with this form of intensification, the front unit also typically has its designated outdoor living space relocated from the back garden to in front of the existing dwelling (as part of fitting-in the new dwelling). But by being placed in a more public location, users then seek to erect tall fences and barriers with the street out of a concern for privacy. This then diminishes opportunities for passive surveillance of interaction at the street edge. Plain solid fences are also not generally regarded as being visually attractive or of positively contributing to neighbourhood character.

The more concerning urban design issue (which may not be as relevant to the submissions raised in Variation 2) relates to the loss of coherent urban structure, or when as many dwellings as possible front and have a 'front door' address on a street rather than being behind a long driveway. This diminishes the opportunity for activity at the street but it also can substantially compromise the privacy of the front dwelling; instead of a 'desirable' urban structure whereby a typical lot only has one 'front' exposed to public thoroughfare and activity, where rear lots have the effect of creating public-access driveways on both sides, and depending on how the rear-lot is developed, the front dwelling can end up with three or even all four sides exposed to public thoroughfare and activity, and a substantial diminishment of on-site privacy.

- iv. Architectural compromises based on 'squeezing' detached new buildings on the 'left over' space between existing buildings (**Attachment 5**).

The key design issue here is that, especially when a desire for a detached dwelling is sought, the combination of very constrained horizontal footprint available and vertical planning constraints (such as building recession / height in relation to boundary planes) results in visually very contorted buildings that to any viewer stand out as sitting anomalously and uncomfortably on the neighbourhood. This form of building almost always exacerbates concerns that 'densification' is deteriorating local character and amenity.

- v. Loss of consistent local built form character where that is based on a consistent scale, style, and materiality used on buildings (**Attachment 6**).

The key design issue here is when there is a very coherent and obvious consistency in built form character, whereby architecturally very different but also spatially very different buildings are proposed. The difficulty with this concern is that in many existing neighbourhoods the degree of 'starting point' consistency is frequently overstated; most neighbourhoods already accommodate a wide variety of building types and forms, and existing planning rules already enable substantial further change as a permitted activity. This makes it a concern that is very rarely able to be addressed to any meaningful degree within Plans; but there are examples of 'character' of 'heritage' neighbourhoods within District Plans across the Country. In those, where I am familiar with intensification being enabled, it is usually subject to a resource consent requirement allowing a more comprehensive consideration of architectural styles, building position, and forms, shapes and materials to occur.

More than building form and type, my observation would be that it is the 'public' character elements within streets, and the consistent provision and landscaping within front yard areas adjoining streets, that has the greatest single part to play in providing a sense of character to residential neighbourhoods. This includes the depth and landscaping provided within berms and yards, street tree density and species, and the design of 'hard' facilities such as footpaths and vehicle crossings (and their finish / colouration).

7. In light of the above, I propose the following methods could be considered as ways of helping generally enable the scale and type of intensification proposed within the Residential 1 zone:
 - a. Limiting the provision of car parking at the frontage of each site to a single, double-width driveway / parking pad and two single-width (or one double-width) garage. This would provide for four parking spaces per site (2 x 2 configuration) accessible to the street. Where more than four parking spaces are sought, then it would be prudent to require these to be located at the rear of a Site, or require an assessment of site-specific circumstances (such as if the Site has greater-than-usual frontage width). This would ensure that car parking and garages did not visually dominate streets or the visual quality of buildings (but can still allow duplex developments to occur with up to 2-parking spaces per unit if desired).
 - b. Require a minimum of 50% of the width of a front yard, for all of its depth, to be landscaped with trees, shrubs or other vegetation, and be clear of driveways, accessory buildings, or paths. This would ensure that all sites contributed to a sense of spaciousness and landscaped amenity to the street.
 - c. Require that detached family flats be 1-storey buildings only, so as remain visually recessive and subordinate to the principal dwelling, and to also avoid situations of tall, narrow 'contorted' buildings that look very out of place.

- d. Require that duplexes be configured with the internal boundary long-wise, perpendicular to the street, rather than creating rear lots behind existing dwellings (with a resource consent required where a rear lot is sought). This would help ensure that:
 - i. As many dwellings as possible maintained a front-door and 'address' at the street;
 - ii. Make it more likely that a duplex would architecturally look like a traditional large family home and be massed so as to maintain a large open space at the back (two thin but adjoining outdoor living spaces); and
 - iii. Make it more likely that any existing large trees at the rear of sites could be retained.
- e. Encourage that new buildings architecturally reference 'typical' or 'common' building shapes, proportions, and materials found within the neighbourhood (I do not see that this could be a requirement without requiring such new buildings to require a resource consent, although theoretically it could be possible to require provision of a 'design statement' from each dwelling's designer to accompany plans for Building Consent that explained what and how a proposed building met a permitted activity condition / requirement within the District Plan).
- f. In terms of existing architectural built coherence, I propose that this may be beyond Variation 2 as it can in my opinion only be implemented by way of specified spatial areas mapped within the Plan (such as via an overlay), and be subject to resource consent requirements for new buildings.

Residential 2 zone

- 8. Having read the Variation 2 documentation, and reflecting on both my knowledge of the Residential 2 zone and my own experience with similar-scaled intensification as is proposed, I comment as follows:
 - a. At the scale of densification envisaged within this zone, retention of existing built form character is not generally feasible, with an emphasis on good-quality new character usually sought. Development is also typically subject to a need to obtain a resource consent.
 - b. Car parking and access issues are the same as described for the Residential 1 zone, above, although it is more common that multi-unit dwellings seek to establish in rows or strips along the length of Sites (in the middle), with a shared vehicle access and manoeuvring space on one side, and outdoor living spaces on the other. Because site frontage widths are fixed, and so are vehicle access / manoeuvring requirements, the only variables to make things fit are dwelling width and outdoor living space width. In my experience, outdoor living spaces are the 'most picked on' in this regard, or are in some instances retained by subject to upper floor levels cantilevering above them, and diminishing some user amenity.

- c. Outdoor space is often fragmented between multiple dwelling units with a minimum of outdoor living possible, especially if the space is also required to help accommodate outdoor storage (bicycles or periodic clothes drying) (**Attachment 7**).
 - d. Existing tall trees are almost always removed from sites. I regard this as a key and generally unacknowledged amenity issue within Plans. The problem arises because for multi-unit developments the capability of each site to accommodate development with a functional purpose is maximised (i.e., there is simply not enough 'left over' land to retain tall trees). In consequence, I am seeing some intensive suburbs in parts of Auckland now that are reliant on public street trees and ecological / bush reserves for all tall trees and associated habitat. I do not regard this as a desirable or successful built form outcome generally.
 - e. Development can become captured by construction efficiencies and a very high degree of repetition / architectural uniformity between units, leading to the most common negative character-based reactions that I come across.
9. In light of the above, I propose the following methods could be considered as ways of helping generally enable the scale and type of intensification proposed within the Residential 2 zone:
- a. Require an area of outdoor living space to be provided per unit (I would prefer a per habitable room or per bedroom basis to make the spaces more likely to reflect the number of users likely), and allow the space to be provided by way of both per-unit outdoor spaces and communal outdoor spaces. Then, prescribe a minimum of outdoor living space to be provided for each unit that is sufficient to allow basic outdoor seating, clothes drying etc. (such as a 10m² area with a 2.5m minimum dimension). The balance of each units' requirement could then be provided as additional per-unit space, or communal space.
 - b. In the assessment matters for multi-unit developments, encourage the provision of communal outdoor spaces in preference to per-unit outdoor spaces, when:
 - i. It is not possible to accommodate per-unit outdoor spaces that meet the minimum requirement of the standard; and/or
 - ii. It is not possible to provide per-unit outdoor spaces that enjoy solar access or free from substantial overlooking from adjacent units; and/or
 - iii. Providing a communal space would provide opportunities for existing large trees to be retained, or new trees that would have space to grow into large trees to be provided.
 - c. The other option, and possibly more reliable, to provide for tall trees (either retained or new), would be to require on sites a certain percentage of site area dedicated as landscaped area to be provided for the specific purpose of accommodating tall trees in the urban environment. In my opinion, this cannot be realistically less than approximately 5m x 5m (preferably 6m x 6m) so as to accommodate a

variety of 8m-10m tall trees and associated canopy-spread, and associated leaf or fruit litter, in a way that does not create conflict or nuisance for users or in terms of building / gutter maintenance. This would account for 3% - 4% of an 800m² site. Trees of 15m or more in mature height would require substantially more land area than this again.

- d. Where multi-unit development is proposed based on a row of units running perpendicular to the street, require the 'front' unit to have its street-facing side designed to be the front elevation including visual interest, front door and habitable room windows, rather than it being a more basic 'side' or 'end' wall.
- e. Require the design of multi-unit developments to ensure that units can be visually differentiated from one another, and have a visual individuality in their appearance.

Please feel welcome to contact me should you wish to discuss any aspect of the above further, including whether any particular suggestion above might be adapted or modified.

Yours sincerely,



IAN MUNRO

urban planner and urban designer

B.Plan (Hons); M.Plan (Hons); M.Arch [Urban Design] (Hons); M.EnvLS (Hons); M.EngSt [Transport] (Hons); MNZPI

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ATTACHMENT 1 – CV OF IAN MUNRO



ianmunro

- › strategic planning
- › urban development & growth frameworks
- › urban design advice and training
- › land use - transport integration
- › resource management & statutory policy making
- › consultation, facilitation, and public engagement
- › independent commissioner

CAREER SUMMARY

Ian is a senior urban planner and urban designer who has had the opportunity to work across New Zealand including in all of the major centres and many of the provincial centres. Ian's background includes extensive resource management and an emphasis on basing solutions on the opportunities and realities of the circumstance.

- › 2000-2001: Auckland City Council: planner
- › 2001-2005: North Shore City Council: planner / senior planner
- › 2005-2014: Urbanismplus Ltd: urban designer / senior associate
- › 2014-present: Self-employed urban designer and planner

KEY FACTS

- › Guest lecturer / tutor / professional teaching fellow, University of Auckland courses in planning and urban design annually since 2001.
- › Presenter / co-presenter, NZPI® annual urban design CPD courses since 2010, and direct training sessions with individual Councils.
- › Co-author, urban design chapter in *Planning Practice in New Zealand*, LexisNexis, 2017.
- › Contributor to numerous professional articles and conference presentations including NZPI® Planning Quarterly, Urban, NZJEL and IPENZ. Most recently co-presented an NZPI® e-seminar, 'In a Post-Covid 19 New Zealand, can we return to the local', April 2020.
- › Involved in over 2,000 planning proposals and has extensive experience with the resource management process across New Zealand.
- › As a hearings commissioner, has made or contributed to over 500 decisions on consent and plan change applications since 2007 for Auckland Council, Thames Coromandel District Council, Waikato District Council, Hutt City Council, Porirua City Council, and Queenstown Lakes District Council.
- › Member of Auckland Council Urban Design Panel since 2012.
- › Contributor to NZPI® award-winning projects: *Greater Christchurch Urban Development Strategy* (2008); Auckland City Council's *Liveable Arterials* (2009); Marlborough District Council's *Growing Marlborough* (2011); Christchurch City Council's *Sydenham and Lyttleton's master plans* (2012).
- › Lead author, RMLA award-winning *Best Practice Guideline for Urban Subdivision*, Kapiti Coast District Council, 2007.

QUALIFICATIONS AND TRAINING

2013 - University of Auckland
Master of Transport Engineering Studies (Hons).

2010 - University of Auckland
Master of Environmental Legal Studies (Hons) (Fowlds Memorial Prize*).

2005 - University of Auckland
Master of Architecture [Urban Design] (Hons).

2003 - University of Auckland
Master of Planning (Hons).

2002 - University of Auckland
Bachelor of Planning (Hons) (Senior Scholar in Planning**).

* Most distinguished Masters / Honours student in the Faculty of Law

** Most distinguished Bachelors student in the School of Planning

PROFESSIONAL AFFILIATIONS AND ACHIEVEMENTS

2020 - Distinguished Service Award, New Zealand Planning Institute.

2005 → Full Member **New Zealand Planning Institute**.

2005 → Ministry for the Environment
Making Good Decisions RMA Certification.

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ATTACHMENT 2 – EXAMPLE OF CAR PARKING / GARAGING AND VEHICLE ACCESS VISUALLY DOMINATING A SITE FRONTAGE, AUCKLAND.

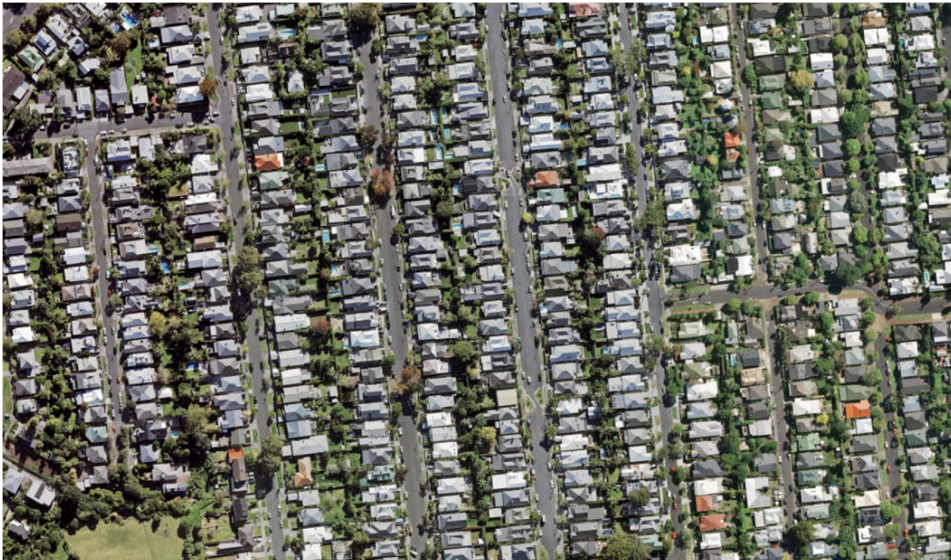
Note: The tree visible at the front is entirely within the road reserve; the full area of site that is in front of the dwelling is a driveway / manoeuvring area between the two separated vehicle crossings.

Image source: Google maps / street view.



**ATTACHMENT 3 – EXAMPLE OF URBAN STRUCTURE ‘COHERENCE’
BETWEEN PROPERTY FRONTS FACING STREETS AND LARGE COLLECTIVE
OPEN SPACES AT THE BACK OF BLOCKS, VERSUS REAR-LOT
PROLIFERATION, AUCKLAND.**

Image source: Auckland Council GIS.



- Substantial ‘pooling’ of open space (and solar access / sense of spaciousness) at the backs of lots, that generally also back onto one another.
- Most large trees are on private property.
- Very clear and consistent delineation between the public ‘fronts’ and the private ‘backs’.

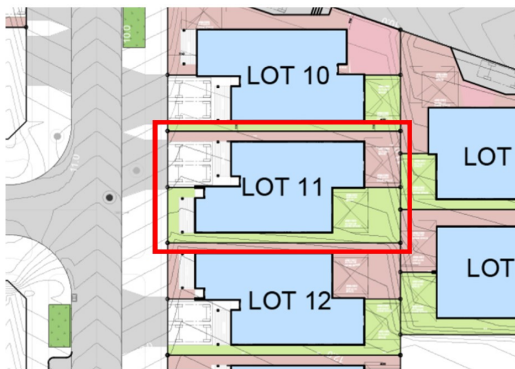


- Substantial fragmentation of space, with open spaces taking on a predominant form of linear ‘strips’ between and around buildings.
- Most large trees are on streets or in parks.
- Proliferation of driveways and public access between and around buildings.

ATTACHMENT 4 – EXAMPLE OF A DUPLEX DESIGNED TO HAVE THE FORM AND LAYOUT SIMILAR TO A LARGE FAMILY HOUSE, INCLUDING CAR PARKING PUSHED TO ONE SIDE SO AS TO ALLOW THE OTHER UNIT TO VISUALLY CONNECT WITH THE STREET. THIS DUPLEX IS DIVIDED PERPENDICULAR TO THE STREET, WITH OUTDOOR LIVING SPACES BEHIND, AUCKLAND

Note 1: This is a design solution that I devised on behalf of the developer as a response to many of the issues raised in Variation 2, and in a context where several hundred duplexes in a master-planned development of 1,300 lots were planned. Each duplex unit has one car park.

Note 2: The floor plan at top is a 1-storey variant; the photos are of a constructed 2-storey variant following the same spatial planning.



ATTACHMENT 5 – EXAMPLE OF A ‘CONTORTED’ SMALL BUILDING THAT DOES NOT RELATE TO ANY EXISTING BUILT FORM CHARACTER CONSIDERATION, BASED ON HAVING A VERY SMALL HORIZONTAL FOOTPRINT AVAILABLE, AUCKLAND.

Image source: Auckland Council GIS + Google Maps / Street View



- Minor Household Unit (equivalent to a DCC Family Flat), positioned on approx. 40m² footprint.
- Visually dominates the original / existing principal dwelling.
- No architectural or spatial compatibility with neighbourhood.
- Minimal articulation of the principal street-facing side elevation.
- Front yard almost fully used for vehicle manoeuvring and access.



ATTACHMENT 6 – EXAMPLE OF EXISTING COHERENT BUILT FORM CHARACTER WHERE NEW BUILDINGS COULD BE REQUIRED TO BE CONSISTENT WITH THAT, DEVONPORT, AUCKLAND.



- It is the degree of consistency across many adjacent sites that together creates a defensible built form character in urban design terms. This includes:
 - A. Consistency in building volumes and scales;
 - B. Consistency in building shapes and proportions, including roof pitches;
 - C. Consistency in building materials and techniques;
 - D. Consistency in building line back from the street;
 - E. Consistency in front yard landscaping and front fence height / style
 - F. Consistency in street tree and road berm design.
- In such settings, it is the presence of such consistency that makes out-of-place buildings look so out-of-place, rather than application of a more stylized or theoretical requirement for any particular aesthetic style or design feature(s).

ATTACHMENT 7 – EXAMPLES OF COMMUNAL OUTDOOR SPACE IN MULTI-UNIT DEVELOPMENTS, AUCKLAND.

Image source: Auckland Council GIS



5.7 Appendix G: All Submissions in Original Submitter Number Order

See the separate file containing this appendix.

5.8 Appendix H: All Submissions in First Name Order

See the separate file containing this appendix.

5.9 Appendix I: Minimum landscaping mapped area

See the separate file containing this appendix.

5.10 Appendix J: Evidence on hazards in Green Island from Stantec

To:	Dunedin City Council	From:	Edward Guerreiro
		Review:	Lee Paterson
File:	Hazard Assessment 2GP	Date:	February 25, 2021

Reference: 2GP appeals – Green Island Hazards

SUMMARY

The purpose of this letter is to transmit our hazards assessment for the requested Green Island area below:

- Proposed GR2 area in Green Island, located between Howden Street, District Road, Edinburgh Street, Main South Road, Church Street and Muir Street, as shown on the Variation 2 layer of the 2GP planning

As with previous assessments, we have summarized our findings using a “traffic light” system.

“Green” indicates no significant hazards are present and that the site does not require any specific engineering for development (e.g. elevated areas with shallow slopes and competent underlying geology).

“Yellow” indicates that there are hazards identified on part or all of the site that will require some specific engineering design to mitigate and enable higher density development (e.g. within low risk flood and overland flow susceptible areas, liquefaction susceptible geology, moderately steep terrain, or potentially unstable geology).

“Red” indicates that there are significant hazards on part or all of the site that will require significant specific engineering design or further investigation to enable development (e.g. steep slopes, high risk flood hazards, low strength or known unstable geology, and existing known instability).

Table 1 summarizes our assessment of the sites contained within “Group 3”.

Table 1 - Group 3 Hazard Summary

Site	Current Zone	Proposed Zone	Hazards Category
Green Island Area	Residential 1	Residential 2	Medium

GREEN ISLAND AREA

Site Summary

The proposed site is indicated in Figure 1.

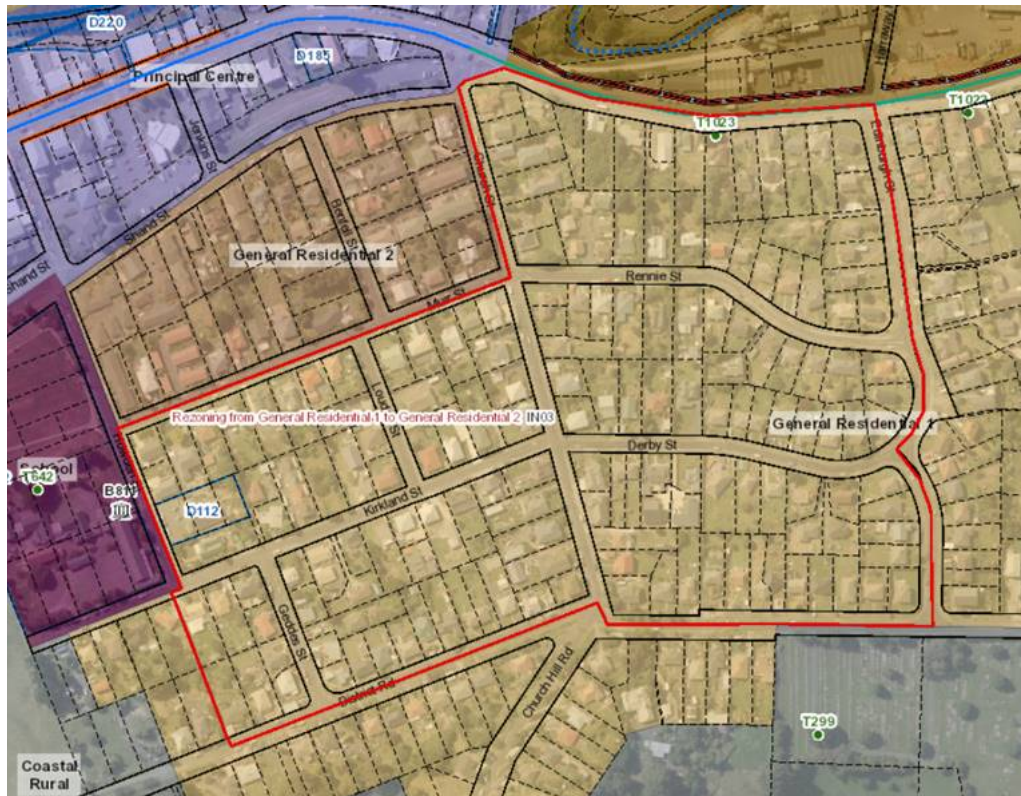


Figure 1 – Green Island Site

Geology and Slopes

The underlying geology of the site is Green Island loose sand and Burnside Mudstone. Caversham Sandstone is mapped from the southern boundary and projects further south.

The site is typically sloping by less than 12-15 degrees with some localized slopes of up to 20 degrees.

Burnside Mudstone, Caversham Sandstone, and Green Island Loose Sand is known for its susceptibility to groundwater and over excavation. This instability has proven to become hazardous at slopes of over 12 degrees.

There are other land stability hazards on nearby slopes and within similar geology that have historically failed (mapped active landslides). There are also readily identifiable features of land movement on the slopes in every direction of the site. These are all located on Caversham Sandstone, Burnside Mudstone, and Green Island Loose Sand and on slopes steeper than 12 degrees.

Existing Hazards and Effects

We have identified the following hazards within the Hazards Register that are applicable for this lot:

- Hazard ID 10125: Land Stability – Land Movement (Church Hill Rd Landslide Monitoring)

It is noted that the hazard map that produces the above hazard listing indicates that it only indicative of the monitored area and does not accurately show the extents of the slip. The following map more accurately shows the limits of the monitored area and a hazard area.



Figure 2 - Green Island Hazard Map

Note: The most southern-western lot within the proposed rezoning area (84 District Road) lies within the restricted area in the above map.

- Hazard ID 11965: Land Stability – Land Movement (District road Slide – Prehistoric Lobe)

There is a prehistoric lobe of the slide complex which is larger than the monitored active lobe indicated in Figure 2. The extents of this prehistoric lobe is indicated in yellow in Figure 3.



Figure 3 – Church Street Slips – Yellow indicates prehistoric movement, Red indicates active movement

We understand that the cause for this hazard assessment is in response to an appeal from a member of the public. The appeal raised concerns about the stability of the area as there has been historic instability and damaged houses. We speculate that this person was referring to the historic slips at the end of Corbett St. Figures 4 and 5 show the mapped active slips at this location.



Figure 4 and 5 – Mapped active slips at Corbett St

These slips are outside the proposed rezoning area; however, they are a consideration in our assessment. The Corbett St slips to the east and the active Church St slips to the west are within the same geology, slope angles and aspect as the proposed rezoning area. We believe these slips were caused by groundwater issues, which is consistent with all other slips within this area. This geology is highly sensitive to groundwater, springs, and excavation.

There are also the following hazards along Main South Road at the Northern end of the proposed area:

- Hazard ID 12074: Flood – Overland Flow Path (Kaikorai Valley Flood Level including 500mm Free Board)
- Hazard ID 11581: Flood – Waterway (Kaikorai Stream Floodplain)

These hazards relative to flood water are engineerable hazards consistent with many adjacent properties.

Recommendations/ Specific Engineering Requirements

We consider that this site is a **medium level hazard**. This decision is based on the following summary of information:

- There are **medium level hazards** associated with slope instability on the site and **high level hazards** associated with slope stability on adjacent land.
 - Global stability of the site has the potential to be affected by higher density development. Strict earthworks and stormwater controls will be required for further development within this area.
 - Local instabilities from stormwater and earthworks are likely and many earthworks/foundations will require engineering design.
 - Large scale excavations could destabilize adjacent slopes and affect neighboring lots. Global stability of the land will be negatively affected from inadequate stormwater control.
 - There is a history of instability in adjacent areas of the same slope angles and geology.

Stormwater control is essential for the further development of this area to ensure no stormwater is concentrated into the water sensitive slopes. As such, it will be a requirement of any development in this area to control stormwater discharge.

The cumulative effects of increased residential density will result in a greater impervious surface area for water infiltration, causing increased flows and reduced time to concentration in the stormwater network. As such, an assessment of the stormwater network should be undertaken to identify the capacity of the network and any overflow/secondary flow paths that may result from increased residential density. These flood event flow paths will likely drive land instability within this area.

We consider that the proposed area is developable with strict constraints on stormwater control and earthworks. The following conditions will be required for any further development in this area:

- The net volume of any earthworks shall be less than 0m³. (i.e. the volume of imported fill or repurposed fill should be lower than the volume of excavation)

- No stormwater shall be discharged to ground. All stormwater concentration shall be discharged to the DCC piped network (or road network).

Geotechnical assessments and specific engineering design may be required on some lots, depending on the proposed works, to confirm the stability of the land. The requirements for specific design would be dependent on the extent of proposed earthworks at each site.