

**Before a Panel Appointed by the
Dunedin City Council**

In the Matter of the Resource Management Act 1991 (**RMA**)

And

In the Matter of Proposed Variation 2 of the Second Generation
Dunedin District Plan – Appeals Version (**2GP**)

Brief of Evidence of Emma Rayner Peters
on behalf of Gladstone Family Trust
(Submission 219 – Requested Sites 153 & 204)

Dated 5th August 2022

Background:

1. My name is Emma Rayner Peters. I hold a BA and LLB both from the University of Otago and a First Class Honours degree and MA with Distinction, both from the University of Canterbury. I have worked as a solicitor in the areas of commercial and environmental law. I have been the principal of Sweep Consultancy Limited since 2003 providing resource management advice predominantly in the Dunedin City, Clutha, Waitaki, Queenstown Lakes and Central Otago districts.
2. I have prepared this evidence based upon my investigations and knowledge of the submission, further submissions and Variation 2 of the Dunedin City Second Generation District Plan Appeals Version including Council's s32 report, s42a report and evidence from Council staff.
3. I acknowledge we are not before the Environment Court. However, I have read the Code of Conduct for Expert Witnesses within the Environment Court Consolidated Practice Note 2014 and I agree to comply with that Code. This evidence is within my area of expertise, except where I state that I am relying on the evidence of another person. To the best of my knowledge, I have not omitted to consider any material facts known to me that might alter or detract from the opinions expressed in this evidence.

Context & Vision:

4. The Logan land is a large tract of land which has been in the ownership of the Logan family for over 60 years. It is located immediately adjacent to existing Mosgiel residential zoning which runs up onto the slopes of the Chain Hills to approximately the 147m contour. The site is well connected to the urban environment via the existing Gladstone Heights development and increases development capacity in a high demand area.
5. The vision for this land is to provide a range of housing choice in a way which is sympathetic and responsive to the environment and people's well being. Mixed housing densities are to be provided for within a framework of indigenous structural plantings which support, supplement and link to existing stands of indigenous vegetation within the Logan land. A reserve with loop walkway and another walkway from Woodland Avenue to Irwin Logan Drive provide pedestrian connectivity across the site. A link road is between Gladstone Heights development and Chain Hills Road provides a much needed third road link

between Mosgiel to Dunedin. This vision is supported by an integrated traffic assessment¹ and reports assessing provision of 3 waters infrastructure².

6. This vision has been fully articulated in the plans attached at Appendix 1 – see in particular Plan 2206-04c.

Submission:

7. Gladstone Family Trust seeks to rezone land located at 77 and 121 Chain Hills Road and part 100 Irwin Logan Drive from *Rural – Hill Slopes* to a mixture of residential zonings and apply a structure plan mapped area to the site³. Council identifies this site as RS 153. These properties contain a total of approximately 48.2ha although some of these properties are already zoned *Low Density Residential* and the submission and structure plan do not seek to change this zoning.
8. Gladstone Family Trust also seek to rezone approximately 13.9ha of land located at 21, 43, 55, 65, 75, 79 & 111 Chain Hills Road from *Rural Residential 1* to a mixute of residential zones and apply a structure plan mapped area to the site. Council identifies this site as RS 204.
9. The structure plan for the rezone site (i.e. both RS 153 and RS 204) has been further developed since the submission was lodged in response to further submissions and the s42a report. The fully articulated structure plan is appended at Appendix 1. The structure plan provides for 138 dwellings at a range of residential densities across the rezone site and retains area to be rezoned recreation, the walking tracks, link road and areas of ecological enhancement both protection and supplementation of existing stands of indigenous vegetation as well as new indigenous plantings.

S42a Report:

10. The reporting planner recommends: *“Overall, based on the expert evidence, I am unable to recommend rezoning either RS153 and/or RS204 at this time and I therefore recommend the existing zoning is retained. Should the Panel choose to*

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See ITA report attached to evidence of Mr Grant Fisher of Modal Consulting Limited.

² See reports attached to evidence of Ms Melanie Stevenson of Fluent Solutions.

³ Original submission 219.

rezone, I would recommend that only the lower slopes of the area be considered. Based on the landscape evidence, I would suggest rezoning Areas A, N, and B up to the 90m contour, as shown on the submitters proposed structure plan, and include a structure plan mapped area requiring native bush revegetation as proposed around the areas zoned residential. I would also support the proposed 2 ha Recreation zone.”⁴

11. The s42a details the further submissions received and canvasses these in discussion of topics.

Submitter's Response to s42a & Further Submissions

12. The submitter seeks rezoning of the reserve area and residential areas A (*Low Density Residential*), N (*General Residential 1*), M (*Large Lot Residential 1*) and B (*Low Density Residential*) up to the 125m contour line. These areas are shown in Figure 1 below and are supported by Mr Mike Moore, Landscape Architect for the



submitter.

Figure 1: Rezoning Sought for Areas A, B, M, N and the Recreation Reserve – Areas Subject to Survey.

⁴ S42a Report page 245.
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13. In recognition of the landscape issue and various further submissions, the submitter seeks application of a *Residential Transition Overlay Zone* to the balance of the Logan land, that is, the land between the SH1 motorway and M in Figure 1 above. The balance of the Logan land would transition to the residential zones pursuant to that shown in the structure plan⁵ with a site-specific rule governing release of the land for residential development, rather than the standard criteria specified in Rule 12.3.1 of the 2GP. Release of the *Residential Transition Overlay Zone* would be subject to: (a) the areas of ecological enhancement being planted and managed in accordance with an approved environment management plan reaching a specified level of maturity; and (b) funding of the link road agreed with Council⁶.

Policy 2.6.2.1

14. The primary mechanisms in the 2GP for rezoning land, where medium density is not sought, are Objective 2.6.2 and policy 2.6.2.1.
15. Objective 2.6.2 *Adequate Urban Land Supply* states: “*Dunedin provides sufficient, feasible, development capacity (as intensification opportunities and zoned urban land) in the most appropriate locations to at least meet demand over the medium term (up to 10 years), while sustainably managing urban expansion in a way that maintains a compact city with resilient townships as outlined in Objective 2.2.4 and policies 2.2.4.1 to 2.2.4.3.*”
16. Policy 2.6.2.1 provides the criteria by which the district plan envisages land will be selected for residential rezoning. The criteria include⁷:
- necessary to provide at least sufficient housing capacity to meet short and medium term demand;
 - no pressure on unfunded public infrastructure upgrades;
 - area is suitable for rezoning with respect to specified factors;
 - the zoning sought is the most suitable with respect to specified factors;
 - biodiversity effects;
 - effects on outstanding and significant landscapes;
 - effects on natural character of coastal environment;
 - access to coasts, rivers and the like;

⁵ Area E could also be rezoned *Large Lot Residential* instead of *General Residential 1*.

⁶ See Appendix 2 for draft wording of the structure plan mapped area performance standard.

⁷ See Appendix 3 for a copy of Policy 2.6.2.1.

- effects on residents' and visitors' aesthetic appreciation and enjoyment of the City with respect to specified factors;
- risk from natural hazards;
- effect on the efficiency and effectivity of public infrastructure;
- effects on a multi-modal transport network;
- Dunedin remains a compact and accessible City with resilient townships.

Council's Assessment of the Site Pursuant to Policy 2.6.2.1.

17. In Appendix 4 to the s32 report Council states: *“The following table lists sites that were assessed for rezoning but are not being proposed for rezoning in Variation 2. These sites were rejected as they do not meet (or there is insufficient information to be confident that they would be likely to meet) relevant policy assessment criteria. Having identified that a site was unsuitable for any reason, no further assessment was undertaken. Therefore, the list of reasons for rejection included in Appendix 4 is not necessarily complete, as a full assessment against all policy criteria may not have been undertaken.”*

Location	Map number	Current Zone	Requested Zone	Size (ha)	Reasons for rejection
21, 43, 55, 65, 75, 79 and 111 Chain Hills Rd		RR1	GR1	14.11	The site is fairly isolated and fails to support the compact form/city policies. The area is also been considered as part of recent resource consent appeal process.
77 & 121 Chain Hills Road, Mosgiel	10	Rural	GR1	39.4	The site has features (a central gully, areas of south facing slopes, and steep in parts) making development more complex and less efficient.

18. In relation to RS 153 and RS 204 the table includes the following information:

19. Appendix C *Site Criteria Assessment* to the s42a report includes assessment of the RS 153 and RS 204 with respect to Policy 2.6.2.1⁸.

Policy 2.6.2.1 Site Assessment

20. A more fulsome assessment of the rezone site against the criteria set out in Policy 2.6.2.1 is undertaken below.

Short and Medium Term Demand

21. Policy 2.6.2.1.a states: *“...rezoning is necessary to ensure provision of at least sufficient housing capacity to meet expected demand over the short and medium term...”*.

⁸ Copy attached at Appendix 4.
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22. The s42a report includes an update of the Housing Capacity Assessment. That purports to show a supposed surplus of zoned capacity for 1,280 dwellings in the short term (2022 – 2025) and 350 dwellings in the medium term (2022 – 2032). However, it appears that these figures do not take into account the impact of the Panel's decision that pre-1940s buildings required some level of protection and resource consent is now required to demolish buildings built prior to 1 January 1940 in the *General Residential 1* and *Township and Settlement* (with Council reticulated wastewater) zones as well as *Variation 2 Mapped Areas*⁹.
23. This rule will operate, unless the appeal is successful, so that at least some of pre 1940's buildings will now have to be retained meaning that the number of dwellings resulting from infill development in these zones and mapped areas will now not be as high as originally anticipated in the Housing Capacity Assessment.
24. It became apparent during 2GP mediation that there were issues in the modelling producing the Housing Capacity Assessment data. A finer grained analysis of the land with moderate to high zoned capacity (that is, zoned capacity for 6 or more residential units) showed that there were issues with the modelled zoned capacity including things such as historic rubbish tips, slopes of more than 25 degrees, insufficient lot size on slope terrain, access, encumbrances and the like; again meaning that the zoned capacity available, particularly in the *General Residential 1* zone, is not as high as anticipated by the Housing Capacity Assessment.
25. Despite repeated requests by Sweep Consultancy Limited (to Council and to the Panel) and by Property Economics (to Council) Council has not released the zoned capacity data for double checking by professionals engaged by submitters. This raises real issues of natural justice particularly if the Panel places weight on the Housing Capacity Assessment Report in any decisions not to rezone requested sites residential.
26. There is also an accepted difference between '*zoned capacity*' which is what the Housing Capacity Assessment Report assesses and '*market availability*' of that zoned capacity. Seeking a residential rezone of your land is a clear indication that such landowners intend to make the zoned capacity resulting from such a rezone available to the market.

⁹ This part of the Panel's decision has been appealed by Paterson Pitts Limited Partnership – see *ENV-2022-CHC-035*.
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27. The submitter informs that demand for sections with Gladstone Heights has been consistent but has noticeably increased in recent years. Gladstone Heights stage one commenced marketing from June 2018 with most of the 22 sections available sold at asking price within two months. Estate agents kept a list of interested purchasers and due to the level of interest the next two stages were developed together. In May 2021 all 27 sections offered sold at Auction, with many under bidders. A waiting list of purchasers has been kept for future stages already zoned residential and interest remains keen.
28. In any case, the reporting planner states¹⁰: *“Despite a projected sufficiency of supply in the short and long term, the decisions on Variation 2 to date do not enable any additional greenfield zoning. Providing for greenfield development opportunities provides choice for Dunedin’s residents, in terms of type, price and location of households. Sufficient projected capacity should not be a reason not to rezone any new greenfield land. However, in my view, there is not a pressing demand for additional development capacity that could be used to justify zoning greenfield land that is not well aligned with the objectives and policies of the 2GP.”*
29. This criterion is met. There is a clear demand for more residential zoned capacity to be made available to the market in this area of Dunedin and the Logan land is well aligned with the objectives and policies of the 2GP.

Public Infrastructure and Multi-Modal Land Transport Network

30. Policy 2.6.2.1.b states: *“...rezoning is unlikely to lead to pressure for unfunded public infrastructure upgrades, unless either an agreement between the infrastructure provider and the developer on the method, timing, and funding of any necessary public infrastructure provision is in place, or a Residential Transition overlay zone is applied and a future agreement is considered feasible...”* and Policy 2.6.2.1.d.ix states: *“...public infrastructure networks operate efficiently and effectively and have the least possible long term cost burden on the public (Objective 2.7.1)...”* and Policy 2.6.2.1.d.x states: *“...the multi-modal land transport network, including connections between land, air and sea transport networks, operates safely and efficiently (Objective 2.7.2)...”*.
31. The issues of effects on 3waters infrastructure and increased traffic effects

¹⁰ S42a Report, paragraph 23.
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including congestion and safety, were raised in further submissions.

32. The infrastructure (transport and 3 waters) concerns raised in the further submissions and the s42a report largely relate to the land proposed to have the *Residential Transition Overlay Zone* applied and, therefore, do not affect the ability to rezone Areas A, B, M and N.
33. The s42a report states at page 239: *“DCC Transport has provided an assessment of the proposed rezoning. The proposed roading link between Chain Hills Road and Gladstone Road North would occur via an extension of Irwin Logan Drive, which passes through the Gladstone Oaks development and the more recent Gladstone Heights development. The proposed new intersection with Chain Hills Road would be located about 800m north of the Morris Road intersection, and hence this section of Chain Hills Road would receive additional traffic should the connection proceed. The proposed intersection location would require assessment against Austroads standards. There has been no analysis of the proposed roading connection on the wider transportation network. While DCC Transport is typically supportive of proposals that enhance network connectivity, this needs to be assessed in the context of the surrounding environment...Overall the DCC Transport's position is that in the absence of any detailed traffic/transport analysis, it is unable to provide support to the proposed rezoning at this time.”*
34. An integrated traffic assessment has been undertaken by Mr Grant Fisher of Modal Consulting Limited and is appended to his statement of evidence. Mr Fisher concludes at paragraphs 75 – 79 of his report:

“The proposed Plan Change area is considered to be reasonably well located for residential development from a road safety and efficiency perspective. Except for promoting reduction in vehicular use, it generally aligns with the transport outcomes of the Dunedin Integrated Transport Strategy outlined in this report. Significantly, the proposed link road will provide additional transport network resilience toward the south of the Mosgiel township at a time when the State Highway 87/Gladstone Road North intersection is under considerable operational pressure.

Connectivity will be possible to the surrounding land use with walking and cycling connections provided between the site and the established Mosgiel urban area south of the railway line. Across the wider area, the site is well situated for

accessing the primary road network, with the arterial corridor via Morris Road located near to the south-west, and the State Highway network easily accessible outside of peak commute times. Access and circulation within the subdivision itself will be designed to deliver an appropriate level of service for all transport modes, in the manner anticipated by the current New Zealand Standard 4404.

An assessment of the current speed limit on Chain Hills Road adjacent the site has shown the current 80km/h speed limit is higher than that recommended by the NZTA Speed Management Guidelines. While it is noted that the process to change speed limits sits outside of the Resource Consent process, additional development facilitated by the proposed Plan Change would further reinforce the appropriateness of reducing the speed limit on this part of the network.

An assessment of the likely traffic generation levels associated with the residential subdivision indicates a significant increase in traffic using Chain Hills Road, and a slight decrease in traffic using Gladstone Road North. Overall traffic from the development of the proposed Plan Change area would be dispersed across the adjacent road network, with local trips to the Mosgiel urban centre to the north, and trips to the Dunedin urban area via Chain Hills Road/Morris Road to the south. Vehicular traffic generated by the development is expected to be able to be accommodated by the existing transport network, with proposed upgrades to Chain Hills Road for active road users being appropriate.

Overall, it is assessed that the proposed Plan Change to provide for development of the site for residential subdivision would not cause the function, safety, or capacity of the surrounding road network to be compromised, and that an acceptable transportation outcome for all modes and users can be delivered in this location.”

35. Any transport infrastructure upgrades, for example, upgrades to Chain Hills Road with respect to a pedestrian path, would be paid for by the developer, with the ongoing maintenance of that roading infrastructure being paid for by the rate take. The development of the Logan land will not have an adverse impact on the multi-modal land transport network.
36. With respect to 3 Waters infrastructure, the s42a report states at page at 241: *“DCC 3 Waters has assessed the site. Regarding potable water supply, 3 Waters has advised that the existing infrastructure is inadequate to service the proposed development due to both current supply constraints to Mosgiel in peak summer*

demand periods, and low pressures for the higher elevation parts of the site (above 100m). Booster pumps would be required to service the higher elevations of the site as well as additional reservoir storage. 3 Waters prefers gravity to pumping where possible due to lower operating and maintenance costs and supporting DCC's Carbon Zero policy. Significant upstream network upgrades are required and there is a medium term timeframe to resolve these.

Regarding wastewater, the site's northern location has an adequate connection to wastewater pipes. Flow from some of these goes to the Mosgiel Wastewater Treatment Plant (WWTP), while some goes to Green Island WWTP. However, the southern end of the proposed site is distant from a connection point and, unless easements through neighbouring property were obtained, would require pumping. 3 Waters prefers gravity to pumping where possible due to lower operating and maintenance costs and Supporting DCC's Zero Carbon policy. Significant downstream network upgrades are required as the network and treatment plants have issues in wet weather events and a medium to long term timeframe is required to resolve these issues.

Finally, regarding stormwater, there is no existing stormwater infrastructure close to the subject site, flow is by open watercourse eventually connecting to ORC Schedule Drains(O5 to the west, also known as Quarry Creek, and O11 to the north) and then to the Owhiro Stream. The Owhiro Stream has capacity issues in rainfall events when the Taieri River level is up and the Owhiro cannot discharge into it, this results in flood issues in Mosgiel. There are known and significant downstream flooding issues and concerns from residents at Woodland Avenue, the Gladstone Road South Industrial area and East Taieri School. Some of the other developments adjacent to the proposed site have implemented stormwater management poorly, and this has resulted in issues for both other residents and DCC. The fragmented nature of the stormwater management approach has exacerbated this. The capacity of the overland flow-paths is unknown, therefore onsite attenuation is required for a 100-year Annual Recurrence Interval (ARI) storm event. Stormwater would need to be managed in accordance with the NDMA requirements (Policy 9.2.1.Y and Rule 9.9.X), so that there is no increase in the peak stormwater discharge rate. 3 Waters has expressed concerns both about the affordability of the stormwater infrastructure, and the risks to downstream areas if stormwater management is not properly implemented.

Overall, 3 Waters do not support the rezoning of either RS153 and RS204.”

37. The submitter engaged Fluent Solutions to assess 3 Waters provision for the proposed residential development pursuant to the structure plan. Fluent have undertaken investigations of the site and produced reports for each of the parts of the proposed residential development¹¹. The Fluent Solutions reports demonstrate that provision of 3 waters infrastructure is feasible.
38. These criteria can be met by RS 153 and RS 204.

Land Suitable for Rezoning?

39. Policy 2.6.2.1.c states: *“...the area is suitable for residential development by having all or a majority of the following characteristics: i. a topography that is not too steep; ii. being close to the main urban area or townships that have a shortage of capacity; iii. currently serviced, or likely to be easily serviced, by frequent public transport services; iv. close to centres; and v. close to other existing community facilities such as schools, public green space and recreational facilities, health services, and libraries or other community centres...”*.
40. Table 1 below contains an assessment of RS 153 and RS 204 against the factors specified in Policy 2.6.2.1.c.

Table 1: Assessment of RS 153 & RS 204 Against Policy 2.6.2.1.c – Desired Site Characteristics.

Desired Characteristic	Assessment of RS 153 & RS 204
Topography 'not too steep'	<p>Council's site assessment states that there are 'significant issues' with the mean slopes of RS 153 and RS 204 with means slopes of 23.5 degrees and 23.7 degrees respectively.</p> <p>Santec concludes that geotechnical advice will be required for both RS 153 and RS 204 prior to subdivision to: <i>“...confirm the stability of the gullies across the site. Provided the site is found to be globally stable, requirements for earthworks consent would be normal for low angled lots (<15 degrees) within this area.”</i></p> <p>All lots to be zoned <i>General Residential 1</i> or <i>Low Density Residential</i> and all building platforms within lots to be zoned <i>Large Lot Residential</i> are located on slopes appropriate for residential activity.</p> <p>It is anticipated that a performance standard requiring geotechnical investigations prior to subdivision will be attached to the structure plan if RS 153 and RS 204 are rezoned residential.</p> <p>RS 153 and RS 204 both have this characteristic.</p>
Close to township with shortage of capacity	<p>RS 153 and RS 204 form part of a land holding that is owned/controlled by one entity. This land holding is located on the edge of Mosgiel which, in this locale, is zoned a mixture of <i>Low Density Residential</i> and <i>General Residential 1</i>. There is a shortage of zoned capacity available to the market in Dunedin, particularly in this locale.</p>

¹¹ See evidence of Ms Stevenson wherein copy is appended.
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	RS 153 and RS 204 both have this characteristic.
Public transport services 'currently serviced or likely to be easily serviced'	Council's site assessment assesses this as 'ok' for RS 153 and 'poor' for RS 204. RS 153 has this characteristic but RS 204 does not.
Close to centres	'Centre' is defined in the district plan as: " <i>Principal, Suburban, Rural, Neighbourhood, Neighbourhood Convenience and Neighbourhood Destination centres zones.</i> " The <i>Mosgiel Neighbourhood Convenience Centre</i> is between approximately 1.3km (RS 153) and 1.8km (RS 204) away. RS 153 and RS 204 do not have this characteristic.
Close to existing community facilities	Council's site assessment rates RS 153 as 'very good' and RS 204 as 'good' in relation to closeness to the nearest primary school. The closest highschool is located in Mosgiel.. Public walking tracks will be provided within the rezone site. The public swimming pool in Mosgiel is currently being redeveloped. There is a public library in Miosgiel. There is also a GP clinic in Mosgiel. RS 153 and RS 204 both exhibit this characteristic.

41. Policy 2.6.2.1.c states that a site is suitable for rezoning if it has all or the majority of the characteristics therein listed. 'Majority' is typically interpreted to mean: 'a number or percentage equaling more than half of a total'¹². The analysis in Table 1 above shows that RS 153 meets four of the five desired characteristics whilst RS 204 meets three of the four desired characteristics, both of which represent a majority. This criterion is met.

Landscape, Rural Character and Visual Amenity

42. Policy 2.6.2.1.d.i states: "...the character and visual amenity of Dunedin's rural environment is maintained or enhanced (Objective 2.4.6)..." and Policy 2.6.2.1.d.vii states: "...the elements of the environment that contribute to residents' and visitors' aesthetic appreciation for and enjoyment of the city are protected or enhanced. These include: 1. important green and other open spaces, including green breaks between coastal settlements; 2. trees that make a significant contribution to the visual landscape and history of neighbourhoods; 3. built heritage, including nationally recognised built heritage; 4. important visual landscapes and vistas; 5. the amenity and aesthetic coherence of different environments; and 6. the compact and accessible form of Dunedin (Objective 2.4.1)..."
43. Policies 2.6.2.1.d.iv and d.v are not relevant to RS 153 and RS 204 as both are not located within a landscape overlay zone or within the coastal environment.
44. The issues of loss of rural character, visual amenity and green spaces are raised in

¹² Source: Merriam-Webster online dictionary: <https://www.merriam-webster.com/dictionary/majority>
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further submissions.

45. The s42a report states at page 241: *"I have further discussed the landscape considerations and above assessment with Mr McKinlay. He is of the view that, if rezoning were to proceed, rezoning only the lower slopes within the northern part of the site would help mitigate some of the more significant landscape effects. If the rezoning in Area B was limited to approximately the 90m contour, this would provide a green break of rural land above. Looking from Mosgiel, other intervening houses and trees in the foreground would typically screen at least part of these lower slope residential areas. The middle and upper slopes would still provide a rural backdrop, with the exception of areas C and D, part of which is subject to an appeal to zone them Low Density Residential. This approach would result in areas A, N, and the majority of area B (up until the 90m contour) being rezoned."*
46. A landscape assessment report was included with the submission and the s42a report at page 240 provides a summary of the findings of that report including mitigation measures (planting in gullies and controls on built form). The Panel is referred to Mr Moore's full landscape report included with the submission for the detail.
47. Mr Moore has prepared evidence in response to the s42a report and further submissions. Mr Moore concludes at paragraph 37 of his evidence that: *"I have assessed the landscape and visual effects of the rezoning as generally adverse, with the magnitude ranging from low – high. In terms of effects on landscape values, I consider that zoning to provide for residential development as proposed, is appropriate in Areas A, B (up to approximately 125m contour), M and N."*
48. That part of RS 153 relating to Areas A, B, M and N met these criteria.
49. With respect to the balance of RS 153 and RS 204, it appears to be agreed by both the submitter's and Council's landscape architects that the importance of this part of the rezone site is to form an 'enclosing rural backdrop' to Mosgiel when viewed from Mosgiel.
50. The fully articulated structure plan includes an an ecological restoration project. What is needed is the requirement for that ecological restoration project to be completed and embedded in the landscape prior to any residential development on the balance of RS 153 and RS 204. This can be achieved via the application of

a *Residential Transition Overlay Zone* with a site specific rule governing release of the land as discussed in paragraph 13 above. This provides the necessary certainty for commencement of the ecological restoration.

51. Applying a *Residential Transition Overlay Zone* to the balance of RS 153 and RS 204 means that much needed residential capacity for the medium term is provided in a manner that ensures that residential development cannot commence until the change to the landscape resulting from the ecological restoration project is embedded.

Protection of Land, Facilities and Infrastructure Important to Economic Productivity & Social Wellbeing

52. Policy 2.6.2.1.d.ii states: “...*land, facilities and infrastructure that are important for economic productivity and social well-being, which include industrial areas, major facilities, key transportation routes, network utilities and productive rural land: 1. are protected from less productive competing uses or incompatible uses, including activities that may give rise to reverse sensitivity; and 2. in the case of facilities and infrastructure, are able to be operated, maintained, upgraded and, where appropriate, developed efficiently and effectively (Objective 2.3.1). Achieving this includes generally avoiding areas that are highly productive land or may create conflict with rural water resource requirements...*”.
53. With respect to loss of rural productive land, Council's site assessment of RS 153 states: “*The site has LUC Class 3 soils. Given its location and the existing zoning nearby (both residential and Rural Residential), the primary productive capacity of the site is likely to be relatively low.*” Likewise, Council's site assessment of RS 204 states: “*This site has LUC Class 3 soils. Given its location and existing zoning (Rural Residential 1), the primary productive capacity of the site is likely to be relatively low.*”¹³
54. There are no *High Class Soils Mapped Areas* within either RS 153 or RS 204.
55. The issue of loss of rural productive land is raised in further submissions both opposing and supporting.
56. The Logan land represents an opportunity for the City to provide much needed additional residential capacity that will become available to the market in a sought after location which: (a) is not located on highly productive rural land of

¹³ The s42a estimates approximately 40% of the rezone site (RS 153 and RS 204) have LUC Class 3 soils.
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the Taieri Plain; (b) is located in an area not prone to flooding risk associated with the Taieri Plain; and (c) has a relatively low rate of productivity.

57. On this last point, the submitter states: *“The Logan Family have owned the various parcels since purchasing in the period 1958 through 1967. Site comprises mostly steep pastoral grass land and incised gullies with gorse, indigenous forest (kanuka dominant) and scrub.*

Significant clearing of long remnant and regrowth gorse stands has been completed in recent years leaving natives where possible. Follow up spraying of gorse regrowth through new pasture is a constant overhead. Regrowth and clearing of gorse has been a temporal pattern over the years of ownership. The site is marginal farm land as it struggles to support 3 – 4 sheep per hectare. Pasture is difficult to establish and maintain in thin topsoil over loess and colluvium deposits underlain by Haast Schist. The areas of steeper contour limits cultivation for pasture to lateral ridges of land descending from main ridge. Gullies require on-going spot spray of Gorse regrowth to keep in pasture. Broadboom and Heli spraying are effective but will be of limited use in future due to proximity to houses. Gorse regrowth shoots can be managed by grazing rotation but stock numbers are insufficient to keep ahead of gorse regrowth.

58. *The use of the site for forestry is limited due to fire risk proximity to adjacent residential areas and gradient for fire fighting vehicles.”*

59. This criterion is met.

Biodiversity

60. Policy 2.6.2.1.d.iii states: *“Dunedin's significant indigenous biodiversity is protected or enhanced, and restored; and other indigenous biodiversity is maintained or enhanced, and restored; with all indigenous biodiversity having improved connections and improved resilience (Objective 2.2.3). Achieving this includes generally avoiding the application of new residential zoning in ASBV and UBMA...”.*

61. The issue of loss of biodiversity including habitat for birds and impact on the Chain Hills Restoration Project is raised in further submissions.

62. The reporting planner states at concludes at page 243 of the s42a report in relation to biodiversity that: *“Both RS 153 and RS 204 were assessed for indigenous biodiversity values by Wildland Consultants...The overall*

recommendation from Wildlands for both RS 153 and RS 204 is that the sites could be rezoned as proposed without having significant effects on indigenous biodiversity. However, indigenous vegetation on the site (and marked as 1, 2, and 3 on the below map) should be protected either as an area of significant biodiversity value scheduled in the 2GP or by a QEII covenant. The gully system that runs through the site (marked as 1) could be restored to indigenous forest vegetation.”



63. Area 3 in the above figure is contained within Area J on the structure plan and is to be retained as *Rural – Hill Slopes* due to unsuitability for residential development. Area 3 can be protected by way of consent notice on the title at the time of subdivision.
64. The fully articulated structure plan includes an ecological restoration project covering approximately 14 hectares of the site with indigenous species suitable for the locale. These will provide for an enhancement of the biodiversity of both the site and its immediate locale. This criterion is met.

Access to Waterbodies, Coastlines and Other Parts of the Natural Environment

65. Policy 2.6.2.1.d.vi states: “...subdivision and development activities maintain and enhance access to coastlines, water bodies and other parts of the natural environment, including for the purposes of gathering of food and mahika kai (Objective 10.2.4)...”.

66. The proposed structure plan provides for pedestrian access through the proposed recreation reserve and through the site from Woodland Avenue to the extended Irwin Logan Drive past various areas of riparian planting.
67. This criterion is met.

Natural Hazards Risk

68. Policy 2.6.2.1.d.viii states: *"...the potential risk from natural hazards, and from the potential effects of climate change on natural hazards, is no more than low, in the short to long term (Objective 11.2.1)..."*.
69. The s42a report states at page 219: *"RS153 is assessed as having a medium level hazard associated with slope instability. Most of the site is undulating, with slopes over 15 degrees. In some areas there are prehistoric landslide features. Geotechnical assessment will be required prior to subdivision to confirm extent of any instabilities and ensure site layout is appropriate and does not limit the ability to address the hazards. It will also be required to confirm the stability of the gullies across the site. It is not anticipated that this site will be generally unstable, although much of it will be unsuitable for structures.*

RS204 (i.e., the upper parts of the site) is assessed as having low level hazards associated with slope instability on slopes less than 12 degrees adjacent to Chain Hills Road. Much of the site is within typical stability limits. There are medium level hazards associated with slope instability within gullies, where slopes greater than 15 degrees. In some areas, the site is steep and with prehistoric landslide features. Geotechnical advice will be needed prior to subdivision across the site to identify building platforms and lot layouts/sizes that will work with the terrain features and do not prevent the ability to address hazards. The assessment also notes that geotechnical assessment may be required to determine the appropriate zoning (e.g., areas that are suitable for General Residential 1 zoning compare to much lower density areas)."

70. The issue of natural hazard risk including land instability was raised in further submissions.
71. It is anticipated that a performance standard will be attached to the structure plan requiring further geotechnical investigations including subsurface to be carried out at the subdivision design stage.
72. This criterion is met.

Compact & Accessible City

73. Policy 2.6.2.1.d.xi states: “*Dunedin stays a compact and accessible city with resilient townships based on sustainably managed urban expansion. Urban expansion only occurs if required and in the most appropriate form and locations (Objective 2.2.4)...*”.
74. Council's site assessment of RS 153 and RS 204 rates both these sites as 'very good' with respect to the *compact city – ability to develop land efficiently* criteria and RS 153 as having 'no issues' and RS 204 as having 'some issues' with respect to the *compact city – proximity to existing residential areas* criteria. It is worth noting that RS 204 is situated adjacent to an existing node of residential development of 12 dwellings that, although zoned *Rural Residential 1*, are nonetheless located on sites in keeping with *Large Lot Residential 1* zoning minimum site sizes.
75. This criterion is met.

Conclusion

76. The Logan land provides for a comprehensive development of a single tract of land within the City adjacent to existing *General Residential 1* and *Low Density Residential* zones.
77. Areas A, B, M and N align fully with the objectives and policies of the 2GP and can be rezoned residential immediately to the zones sought.
78. The balance of the Logan land also aligns well with the objectives and policies of the 2GP but time is needed for the ecological restoration program to take effect to overcome potential adverse landscape effects. Therefore, the application of a *Residential Transitional Overlay Zone* provides time for the ecological restoration program to be undertaken and reach a specified level of maturity prior to residential development commencing.
79. Council has incorrectly applied Policy 2.6.2.1 in recommending that RS 153 and RS 204 declined for residential rezoning pursuant to a structure plan. The analysis of RS 153 and 204 against the rezone criteria contained in Policy 2.6.2.1 clearly demonstrates that both represent an ideal site for infill residential rezoning between Mosgiel and Fairfield providing an attractive alternative to residential development on the Taieri Plain.

A handwritten signature in black ink, appearing to read 'ERP', with a long horizontal flourish extending to the right.

Dated this 5th day of August 2022

Emma Rayner Peters (BA (First Class Honours), MA (Distinction), LLB)

Appendix 1: Fully Articulated Structure Plan.

LOGAN LAND STRUCTURE PLAN

PROPOSED ZONES AND DEVELOPMENTS AT
 100 IRWIN LOGAN DRIVE, 21 PINFOLD PLACE,
 21,43,55,65,75,77,79,111,121 CHAIN HILLS RD
 MOSGIEL 9024 DUNEDIN

for
GLADSTONE FAMILY TRUST

- GLADSTONE HEIGHTS - LOW DENSITY RESIDENTIAL; RECREATION
- GLADSTONE GROVE - GENERAL RESIDENTIAL 1
- CHAIN HILLS PARK - LARGE LOT RESIDENTIAL 1 & 2; RECREATION; HILL SLOPES RURAL
- CHAIN HILLS HEIGHTS - GENERAL RESIDENTIAL 1
- WOODLAND PARK - LARGE LOT RESIDENTIAL 1 & 2



Locality Diagram
 Not to scale

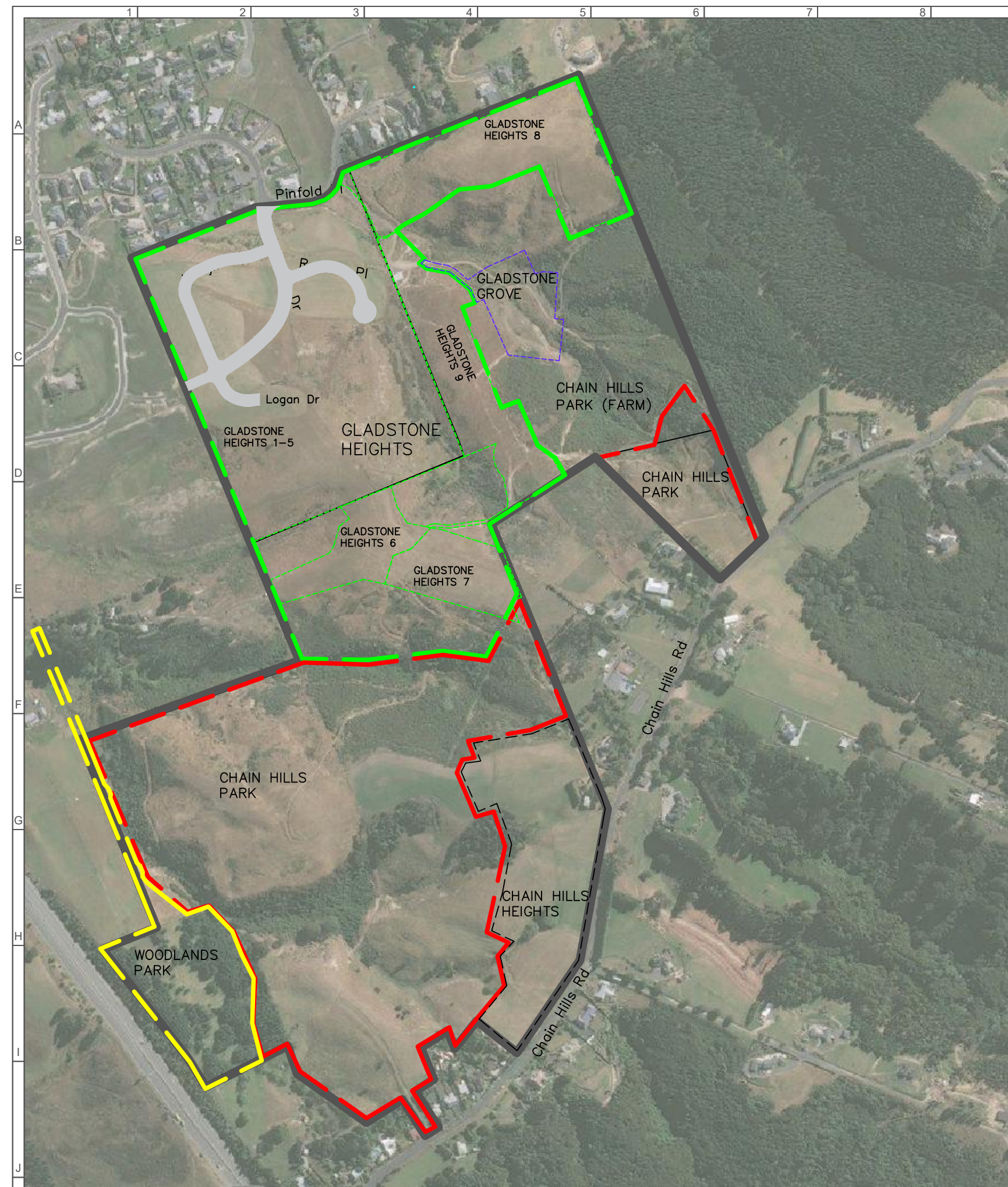
Index

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Indicative Lots, Roding, Services	05
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Environmental Trees, Ground Cover	07
Roads and Private Ways	08

DRAFT 04 08 22

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ISSUE	DESCRIPTION	DATE	APPROVED						

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- Proposed Developments Boundary Area- 66Ha
- Gladstone Heights Existing - Stage 1 -5 Area 11.8Ha ; Stages 1 - 3 Complete Proposed - Stage 6 - 9 Area 8.5 Ha
- Proposed Gladstone Grove Area- 1.3Ha
- Propose Chain Hills Park Chain Hills Park Area- 30.2Ha Chain Hills Park Farm Area - 6.6Ha
- Chain Hills Heights Land Area- 4.2Ha
- Woodland Park Area- 2.7Ha

Draft 04 08 22
Areas subject to Survey

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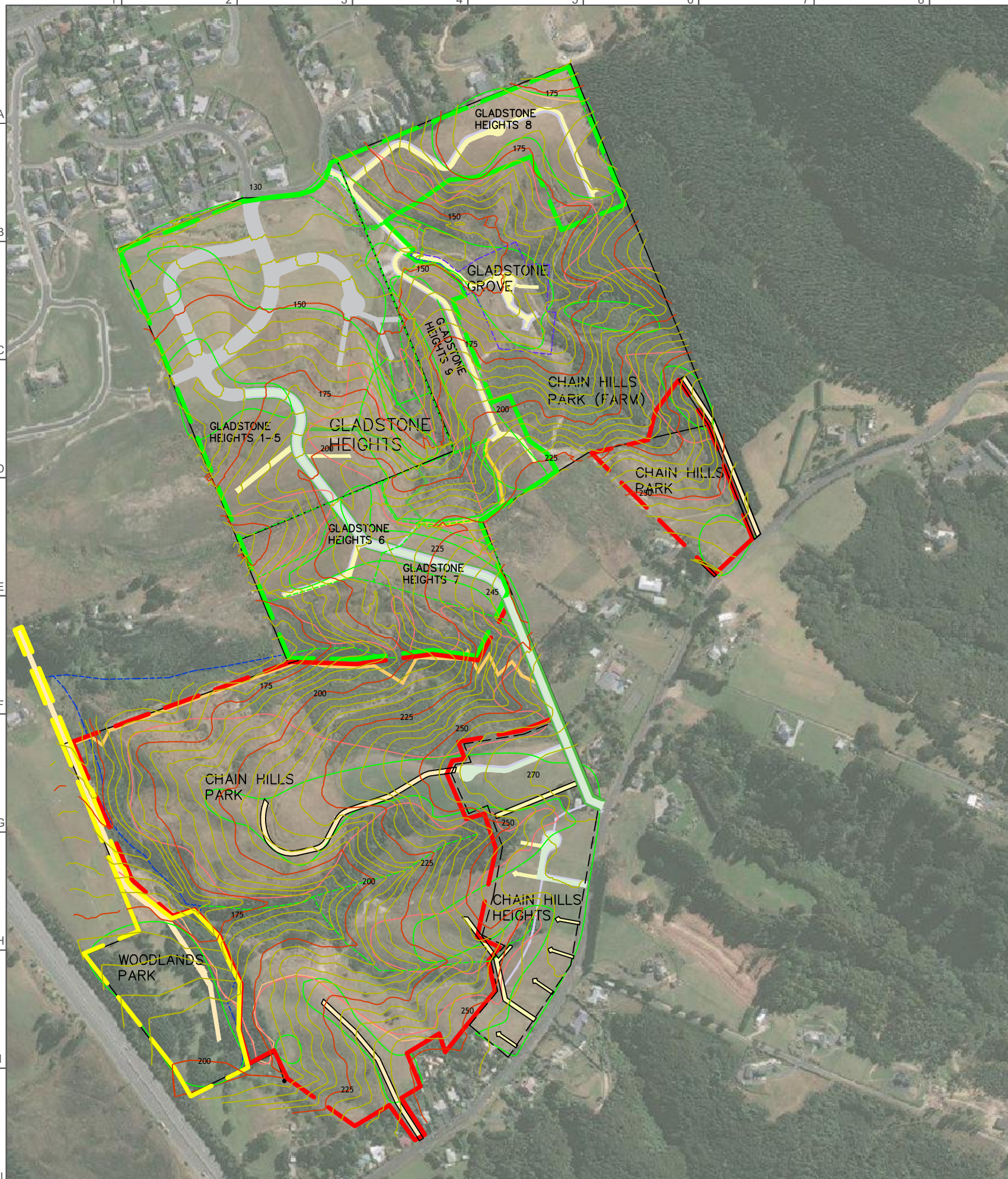
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PROJECT	LOGAN LAND - STRUCTURE PLAN	DRAWING NUMBER	2206-01
DRAWING TITLE	Proposed Development Outlines	ISSUE	022 -

--	--



- 25m Contours
- 5m Contours
- slope Contour 0%<math>< 20\%</math> (1:5, 11.31°)
- slope Contour 20%<math>< 40\%</math> (1:2.5, 21.8°)
- ▭ Proposed Private Ways
- ▭ Proposed Road

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 Contour and slope indicative
 only.
 Areas subject to survey.

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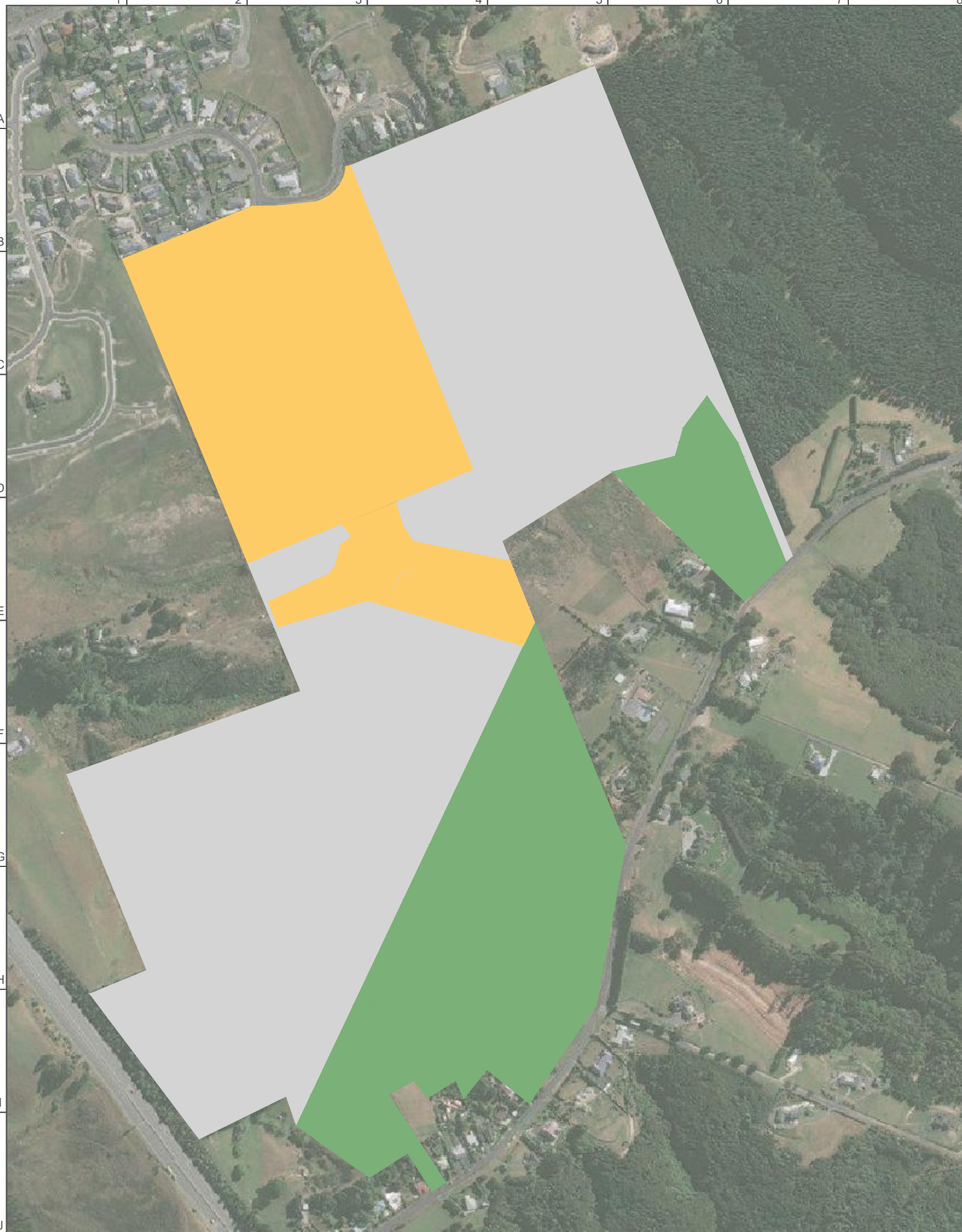
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PROJECT LOGAN LAND - STRUCTURE PLAN	DRAWING NUMBER 2206-02
DRAWING TITLE Existing Contours & Slope	ISSUE 023 -



- Hill Slopes Rural
- Rural Residential 1
- Low Density Residential

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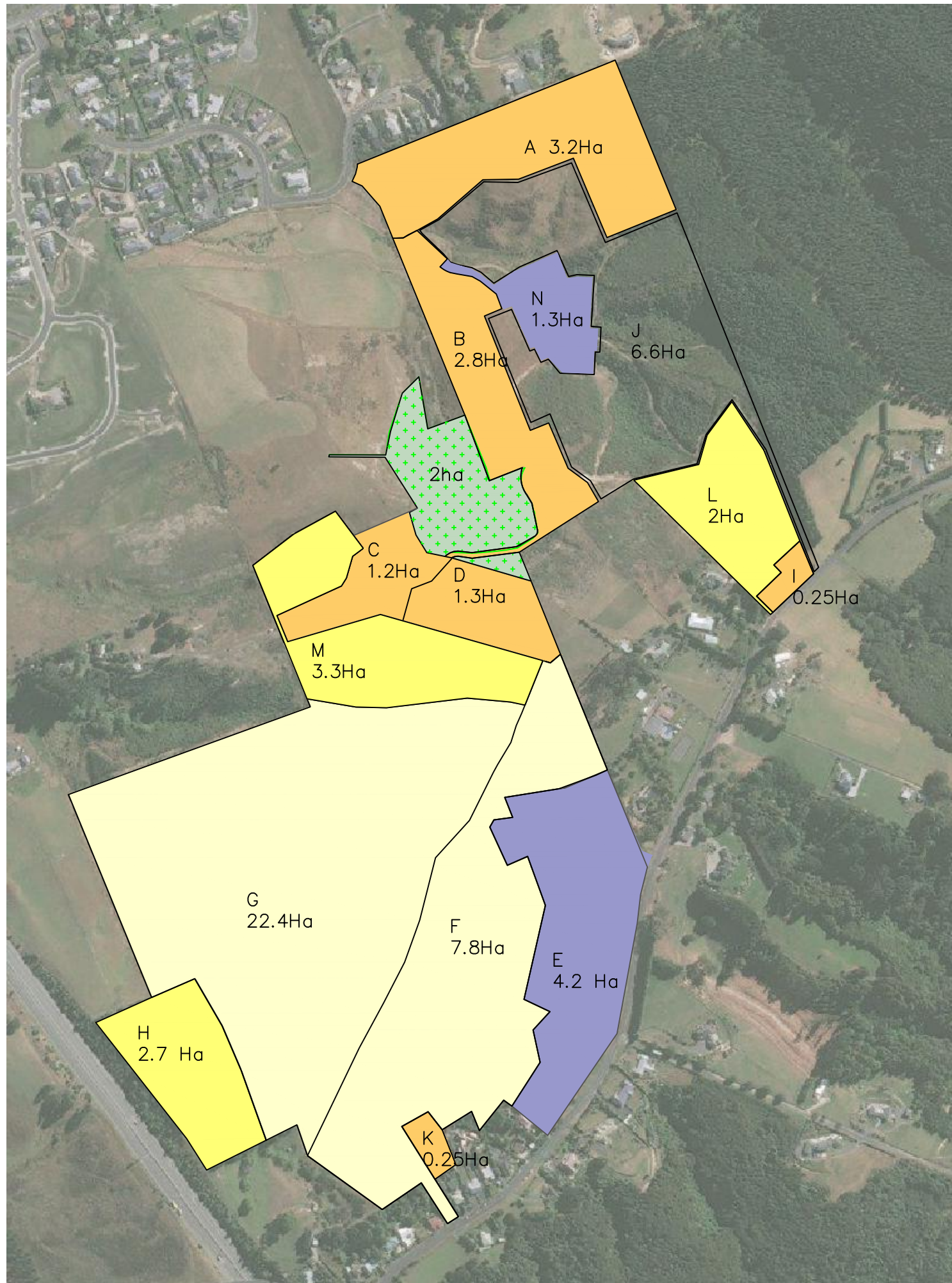
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PROJECT
LOGAN LAND STRUCTURE PLAN

DRAWING TITLE
Operative Plan

DRAWING NUMBER
2206-03

ISSUE
024 -



- Low Density Residential
9.0Ha A,B,C,D,K,I
- Large Lot Residential 1
30.2Ha F,G
- Large Lot Residential 2
8Ha H,L,M
- General Residential 1
5.5Ha E,N
- Recreation
2Ha

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Areas subject to Survey

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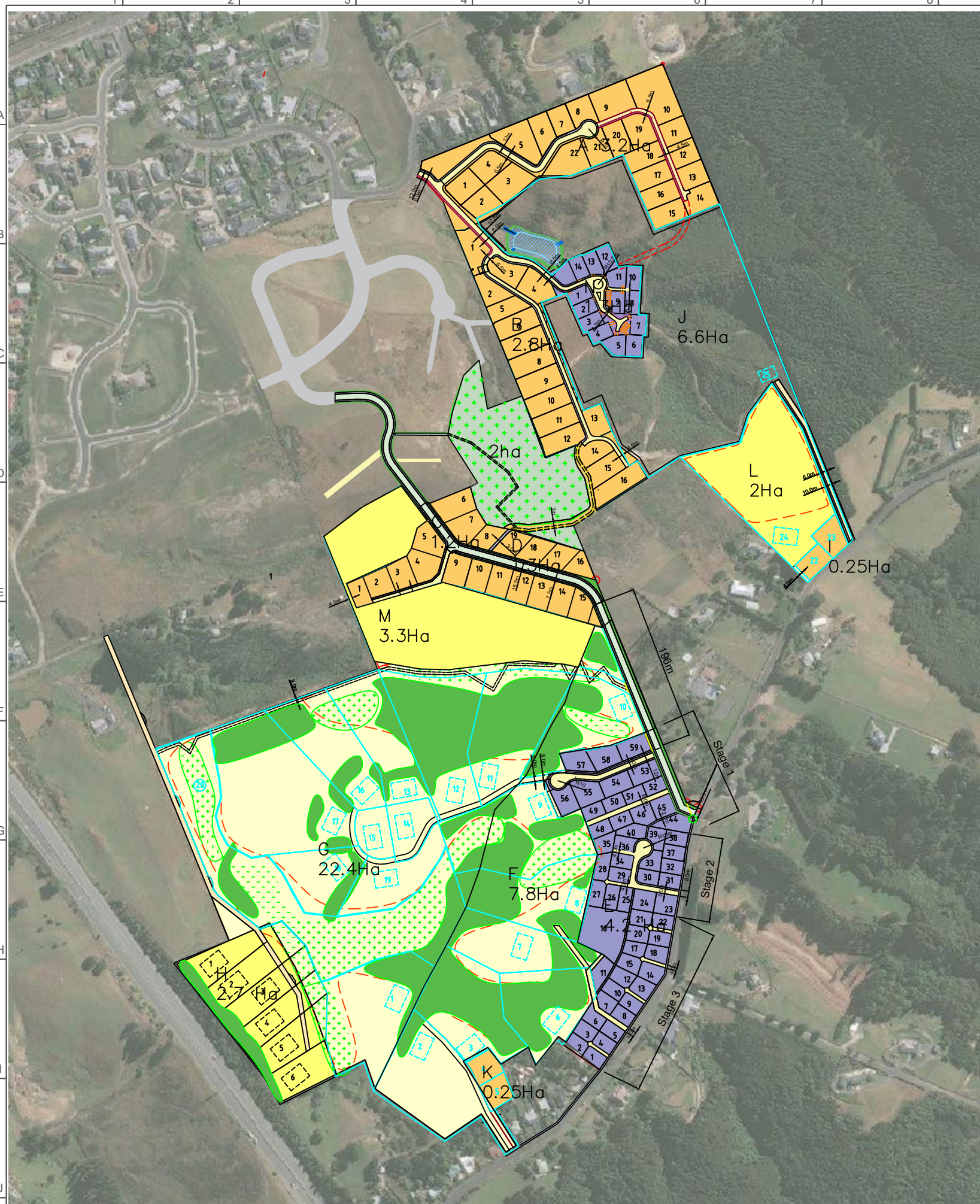
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PROJECT LOGAN LAND STRUCTURE PLAN	DRAWING NUMBER 2206-04
DRAWING TITLE Proposed Zones	ISSUE 025 -



- Low Density Residential
9.0Ha A,B,C,D,K,I
- Large Lot Residential 1
30.2Ha F,G
- Large Lot Residential 2
8Ha H,L,M
- General Residential 1
5.5Ha E,N
- Recreation
2Ha
- No Build Area
- Native Bush Regeneration Area
- Extra Landscape Planting Areas
7.5Ha

Notes:
 A - N Refer Lot Plan 05
 Large Lot Residential 1 2000m² min.
 Large Lot Residential 2 3500m² min.
 Low Density Residential 750m² min.
 General Residential 1 500m² min.
 All Areas subject to Survey

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 Area subject to Survey

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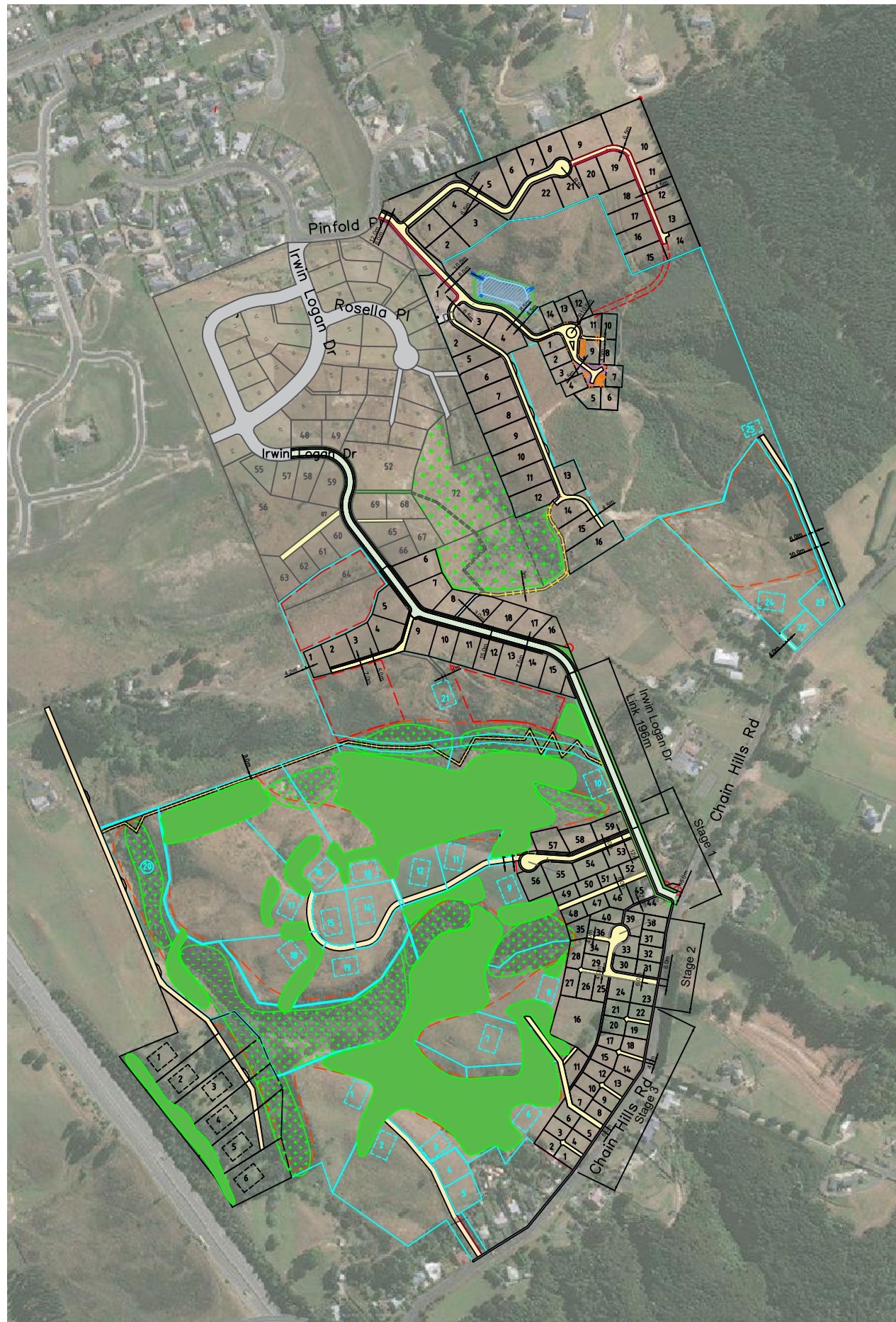
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PROJECT
 LOGAN LAND STRUCTURE PLAN

DRAWING TITLE
 Proposed Zone Development

DRAWING NUMBER
 2206-04a

ISSUE
 026



1-19,
22-24

21

20

25

1-40, 44-59
> 500m²

16, 53-59
> 1000m²

1 - 6

Native Bush Regeneration
6.5Ha

No Build Area -
12.7Ha

Chain Hills Park 24Ha
(F,G) Large Lot Residential 1 #18 Lots (1-3, 6-19,21) 20.5Ha
(I) Low Density Residential (>1000m²) #4 Lots (4,5, 22,23) 0.5Ha
Indicative Building Platform 30m x 20m 600m²
Services - Road, Power, Data; Water to Lots 6 - 19.
Roof Water - Tank Storage Lots 1-5, 21-23
Sewer - Sewer Septic Tank Treatment System (eg Oasis Clearwater) and Soakage Field (SSF)
Stormwater - Piped collector to Gully Distributor (Overland Flow to Common OSD Pond)

(M) Rural Residential 1 Area 3.3Ha
Access from Gladstone Heights Stage 6
All services available from Gladstone Heights Stage 6

Reserve 3Ha - Native Bush Regeneration

Chain Hills Park Farm 7.6Ha - 1 Lot (#25)
(N) Rural hill Slopes

Chain Hills Heights 4.6Ha - 3 Stages -56 Lots
(E) General Residential 1 (>500m²) - 48 lots (1-15,17-40,44-52) and
Low Density Residential (>750m²) - 8 lots (16,53-59) > 1000m². Fully Serviced Sections.
Access from Chain Hills Rd & proposed Irwin Logan Drive Link from GH7.
Water, Sewer Services extended from Gladstone Heights Stage 7. Stormwater - Piped to OSD ponds then out to natural gully.
Power, Fibre from Chain Hills Rd.
Lot #'s 41-43 not used

Woodland Park - 2.7Ha
(H) Large Lot Residential 2 (>3000m²)
Access from Woodland Ave
Indicative Building Platform 30m x 20m 600m²
Services - Road, Power, Data only.
Water - Tank Storage
Sewer - Sewer Septic Tank Treatment System (eg Oasis Clearwater) and Soakage Field (SSF)
Stormwater - Piped collector to Gully Distributor (Overland Flow to Common OSD Pond)

Native Bush Regeneration
6.5Ha

Extra Landscape Planting Areas
7.5Ha

No Build Area -
12.7Ha

Gladstone Heights Stages 6 - 9 8.7Ha
Gladstone Heights Stage 6 1.25Ha
(C) Low Density Residential (>750m²) 9 Lots (1-3, 4-9)
Area All Lots >1000m² Indicative House Pad 21m x 14m(300m²)
Access from Gladstone Heights Stage 5
All services available from Gladstone Heights Stage 5 except Stormwater to new OSD

Gladstone Heights Stage 7 1.25Ha
(D) Low Density Residential (>750m²) 10 Lots (10-19)
All Lots >1000m² Indicative House Pad 21m x 14m(300m²)
All services available from Gladstone Heights Stage 6

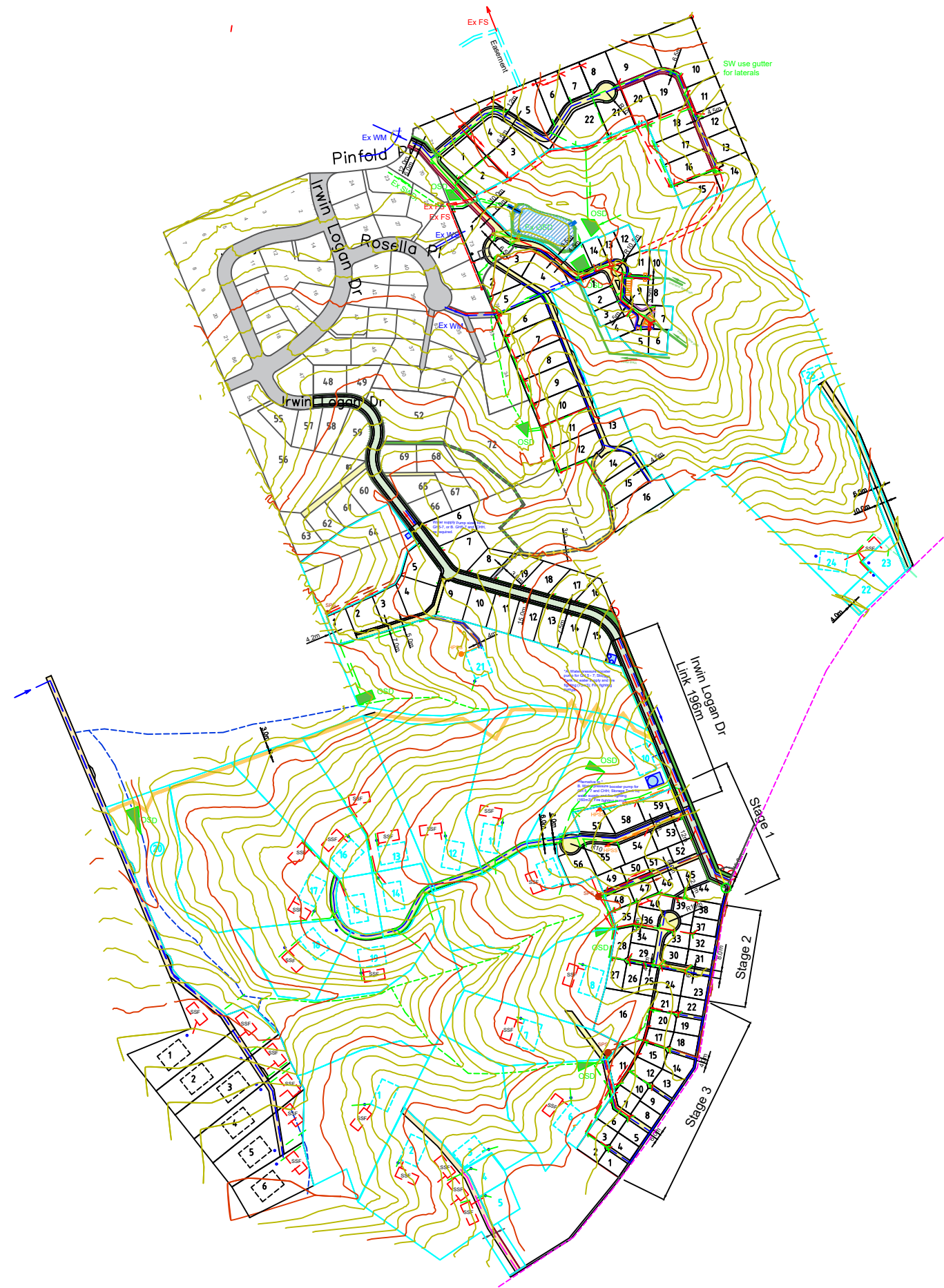
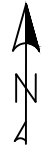
Gladstone Heights Stage 8 3.7Ha
(A) Low Density Residential (>750m²) - 22 Lots (1-22)
All Lots >1000m² Indicative House Pad 21m x 14m(300m²)
Access off Pinfold Place. All services available at Pinfold Place except Stormwater through new OSD

Gladstone Heights Stage 9 2.5Ha
(B) Low Density Residential (>750m²) - 16 Lots (1 - 16)
All Lots >1000m² Indicative House Pad 21m x 14m(300m²)
Access from Gladstone Heights Stage 8
All services available from Gladstone Heights Stage 8 except Stormwater through new OSD

Gladstone Grove 1.3Ha
(J) General Residential 1 (>500m²) - 14 Lots (1-14)
Indicative House Pad 21m x 14m(300m²)
All services available from Gladstone Heights Stage 8 (Access and services from Pinfold Pl; Stormwater through new OSD)

Draft 04 08 22
Area subject to Survey

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ISSUE	DESCRIPTION	DATE	APPROVED	SCALE				



- Water Main
(Power, Fibre in same trench)
- Rain Water Storage Tanks
- WSBP# Water Supply Tank and Booster Pump,
1. GH Stages 5-7 or 2.CHH and GH 5 - 7
- DCNRV Double Check Non-return
Valve if required
- Power Fibre - Existing
- Sewer Lateral
- ⤴ Gravity Sewer Drain, Manhole
- SSF Sewer Soakge
Field
- HPSS House Pumpout
Sewer System
- SPS Sewer Pump Station and
Rising Main
- ⤴ Stormwater Drain, Manhole
- OSD On Site Detention
Stormwater Pond
- Stormwater Lateral
- Ephemeral Drain
- Drain
- Road - 15m Reserve
- Private Way -
Width as noted
- Contour - 25m
--- Contour - 5m

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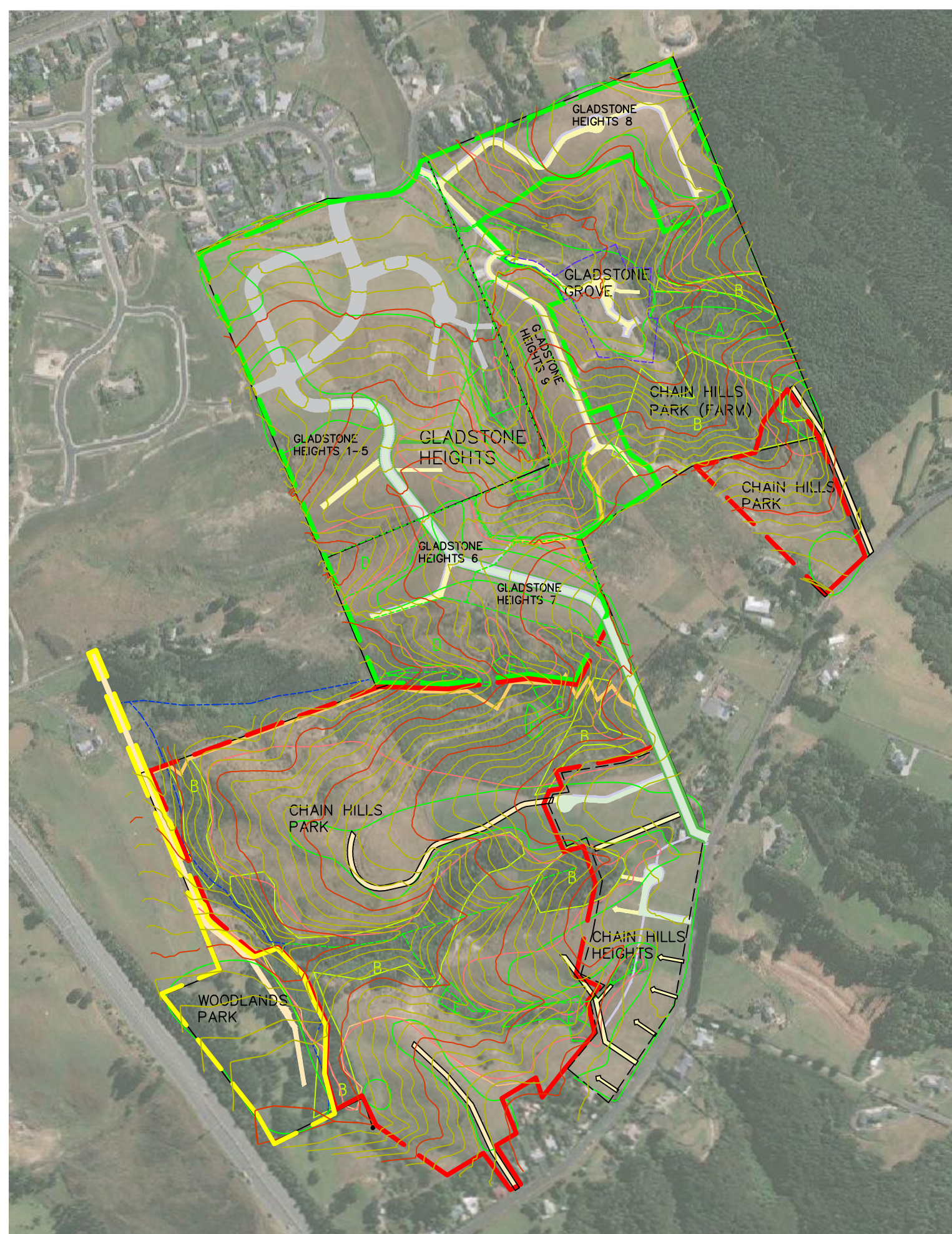
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






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PROJECT	LOGAN LAND STRUCTURE PLAN	DRAWING NUMBER	2206-06
DRAWING TITLE	Indicative Services Layout	ISSUE	028 -

ISSUE	DESCRIPTION	DATE	APPROVED



-  slope Contour 0%<math>< slope < 20\% (1:5, 11.31^\circ)</math>
-  slope Contour 20%<math>< slope < 40\% (1:2.5, 22.8^\circ)</math>
-  Clear gorse & cultivate for pastoral farming
-  Fell Exotics Preserve Native Bush
Clear Gorse, Plant natives & pasture
-  Remove Willows
-  Pastoral Lifestyle Farming. Maintain/Clear Gorse Patches. Remove Poplars
-  Pastoral Farming. Clear Gorse. Establish pasture.
-  Clear Gorse
Reinstate Native Woodlot
-  No build area
-  Proposed Walking Track
-  Proposed Reserve - Bush Regeneration & Track

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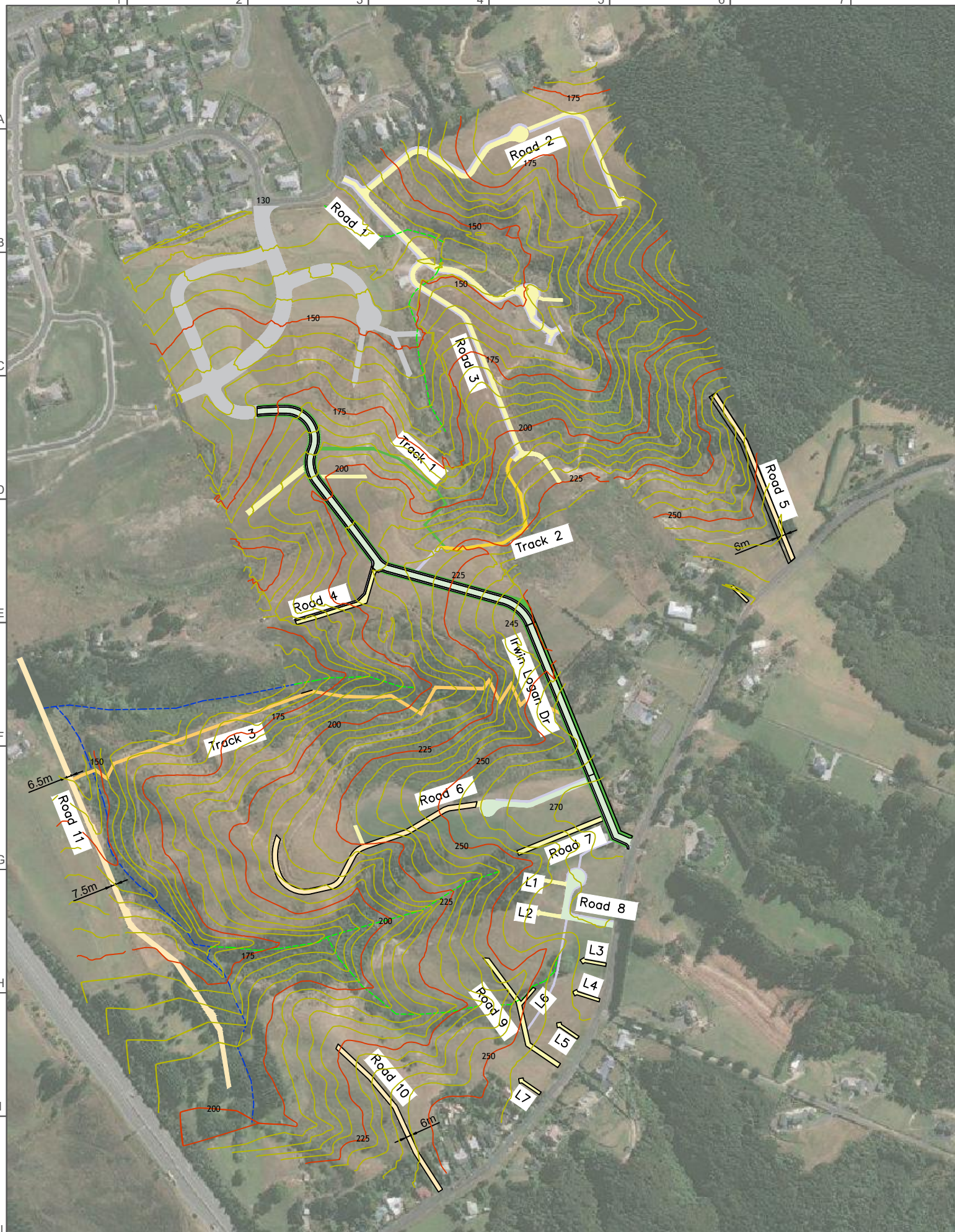
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PROJECT
CHAIN HILLS
STRUCTURE PLAN

DRAWING TITLE
Environmental-Trees, Ground Cover

DRAWING NUMBER
20002 07

ISSUE
029 -



- 25m Contours
- 5m Contours
- Proposed Private Ways
- Proposed Road

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PROJECT
LOGAN LAND STRUCTURE PLAN

DRAWING TITLE
Proposed Roads and Private Ways

DRAWING NUMBER
2206-08

ISSUE
030 -

Appendix 2: Draft Wording of RTZ Release Structure Plan Mapped Area Performance Standard.

15.8.[x].[x]. Release of Land in the Logan Land Residential Transition Overlay Zone (RTZ)

- 1. In the Logan Land Residential Transition Overlay Zone, the provisions of the specified future residential zone will apply to any part of that zone that is "released" by the Chief Executive Officer or their delegate certifying that the requirements in Rule 15.8.[x].[x].2 are met.*
- 2. The Chief Executive Officer of their delegate must certify to release land in the Logan Land Residential Transitional Overlay Zone following receipt of an application demonstrating that:*
 - a. funding of the link road has been agreed with Council; and*
 - b. the areas of ecological enhancement have been supplemented, planted and protected in accordance with the approved Environment Management Plan and those plantings have achieved [e.g. height, canopy closure – trigger to be agreed by expert caucusing].*
- 3. For the sake of clarity, this Rule supersedes Rule 12.3.1 of the 2GP.*

Appendix 3: Policy 2.6.2.1.

Identify areas for new residential zoning based on the following criteria:

- a) rezoning is necessary to ensure provision of at least sufficient housing capacity to meet expected demand over the short and medium term; and
- b) rezoning is unlikely to lead to pressure for unfunded public infrastructure upgrades, unless either an agreement between the infrastructure provider and the developer on the method, timing, and funding of any necessary public infrastructure provision is in place, or a Residential Transition overlay zone is applied and a future agreement is considered feasible; and
- c) the area is suitable for residential development by having all or a majority of the following characteristics:
 - i. a topography that is not too steep;
 - ii. being close to the main urban area or townships that have a shortage of capacity;
 - iii. currently serviced, or likely to be easily serviced, by frequent public transport services;
 - iv. close to centres; and
 - v. close to other existing community facilities such as schools, public green space and recreational facilities, health services, and libraries or other community centres;
- d) considering the zoning, rules, and potential level of development provided for, the zoning is the most appropriate in terms of the objectives of the Plan, in particular:
 - i. the character and visual amenity of Dunedin's rural environment is maintained or enhanced (Objective 2.4.6);
 - ii. land, facilities and infrastructure that are important for economic productivity and social well-being, which include industrial areas, major facilities, key transportation routes, network utilities and productive rural land:
 - 1. are protected from less productive competing uses or incompatible uses, including activities that may give rise to reverse sensitivity; and
 - 2. in the case of facilities and infrastructure, are able to be operated, maintained, upgraded and, where appropriate, developed efficiently and effectively (Objective 2.3.1).

Achieving this includes generally avoiding areas that are highly productive land or may create conflict with rural water resource requirements;
 - iii. Dunedin's significant indigenous biodiversity is protected or enhanced, and restored; and other indigenous biodiversity is maintained or enhanced, and restored; with all indigenous biodiversity having improved connections and improved resilience (Objective 2.2.3).


Achieving this includes generally avoiding the application of new residential zoning in ASBV

and

UBMA;

- iv. Dunedin's outstanding and significant natural landscapes and natural features are protected (Objective 2.4.4). Achieving this includes generally avoiding the application of new residential zoning in ONF, ONL and SNL overlay zones;
- v. the natural character of the coastal environment is, preserved or enhanced (Objective 2.4.5). Achieving this includes generally avoiding the application of new residential zoning in ONCC, HNCC and NCC overlay zones;
- vi. subdivision and development activities maintain and enhance access to coastlines, water bodies and other parts of the natural environment, including for the purposes of gathering of food and mahika kai (Objective 10.2.4);
- vii. the elements of the environment that contribute to residents' and visitors' aesthetic appreciation for and enjoyment of the city are protected or enhanced. These include:
 - 1. important green and other open spaces, including green breaks between coastal settlements;
 - 2. trees that make a significant contribution to the visual landscape and history of neighbourhoods;
 - 3. built heritage, including nationally recognised built heritage;
 - 4. important visual landscapes and vistas;
 - 5. the amenity and aesthetic coherence of different environments; and
 - 6. the compact and accessible form of Dunedin (Objective 2.4.1);
- viii. the potential risk from natural hazards, and from the potential effects of climate change on natural hazards, is no more than low, in the short to long term (Objective 11.2.1);
- ix. public infrastructure networks operate efficiently and effectively and have the least possible long term cost burden on the public (Objective 2.7.1);
- x. the multi-modal land transport network, including connections between land air and sea transport networks, operates safely and efficiently (Objective 2.7.2); and
- xi.** Dunedin stays a compact and accessible city with resilient townships based on sustainably managed urban expansion. Urban expansion only occurs if required and in the most appropriate form and locations (Objective 2.2.4).

Appendix 4: S42a Report Appendix C Site Assessment of RS153 & RS204.

APPENDIX C.20 Rezoning Assessment Sheet – Chain Hills Area (RS153)		
SITE DETAILS		
Change Number	RS153	
Site outline image	<p>Mosgiel / Chain Hills</p> 	
Site Address	RS153: 77, 121 Chain Hills Road, part 100 Irwin Logan Drive, 3-20 Jocelyn Way, 38 and 40-43 Irwin Logan Drive, 25-27 Pinfold Place	
Full area assessed	As shown in map above	
Site Area	51.2 hectares	
Current zoning	Rural, Rural Residential 1, Low Density Residential	
PROPOSAL DETAILS		
2GP Zone assessed	Mix of residential zones	
ASSESSMENT CRITERIA		
Slope	Significant issues	Mean slope of 23.5 degrees
Aspect - Solar access	Good	Generally sloping west
Accessibility – Public Transportation	Poor	There is a non-frequent bus stop approximately 1,145m away, and a high-frequency bus stop approximately 1,271m away.

Accessibility - Centres	Poor	The Mosgiel principal centre is approximately 2,580m away.
Accessibility – Schools	Very good	The nearest primary school is approximately 1,998m away.
Rural character/visual amenity	Significant issues	<p>RS204 and RS153 and assessed together. The surrounding area consists of a series of broad ridges and gullies with a generally north-westerly aspect. Land cover is predominantly pastoral, with some areas of scrub and indigenous vegetation in the gullies and small blocks of Pine, Oregon and Eucalyptus trees. There is a pattern of rural residential development on the plateau ridge of Chain Hills. Higher density residential development is predominantly concentrated on the foothills.</p> <p>The supplied landscape assessment questions the appropriateness of a node of relatively intense residential development on the hilltop, separated from Mosgiel (and other existing urban areas) by steeper hill slope. The landscape assessment concludes that landscape and visual effects will be adverse / moderate – high and that the Rural Residential zoning should be retained in this area.</p> <p>The supplied landscape assessment identifies that the spread of residential land use into the mid-slope spur areas will be a significant departure for the Chain Hills landscape. The assessment concludes that these adverse effects will remain at a moderate level in the long term.</p> <p>The landscape assessment concludes that the extension of the current urban edge of Mosgiel up the lower slope areas of Chain Hills will integrate with landscape character and quality well and that adverse effects associated with this will be low (minor). The extent and location of the extension needs to be very carefully considered.</p>
Impacts on productive rural land	Some issues	This site has LUC Class 3 soils. Given its location and the existing zoning nearby (both residential and Rural Residential), the primary productive capacity of the site is likely to be relatively low.
Reverse sensitivity	Some issues (manageable)	Part of 77 Chain Hills Road is adjacent to SH1. 2GP performance standards require acoustic insulation within 40m of a state highway.
Significant indigenous biodiversity	Some issues (manageable)	<p>The site largely comprises pasture developed after clearance of gorse scrub. There are two areas of indigenous vegetation remaining. The largest is within a gully in the south of the proposed site that protrudes toward the east. When combined with the vegetation on the adjacent RS204 it would comprise a reasonable sized area of indigenous vegetation, which has been largely cleared from the Chain Hills ridge. These areas of indigenous forest warrant protection.</p> <p>Consideration should be given to retaining this indigenous vegetation and how this could be achieved (e.g. Scheduled ASBV or QEII covenant). Ecological restoration could be considered.</p>
Natural landscapes and natural coastal	No issues	

character		
Access to the coast and water bodies	No issues	
Significant Trees, heritage items, important vistas or viewshafts, important green or open spaces	No issues	
Natural Hazards	Some issues (manageable)	The site is assessed as having a medium hazard level associated with slope instability. It is not anticipated that this site will be generally unstable, though much of it will be unsuitable for structures. Geotechnical assessment will be required prior to development.
Potable water supply	Significant issues (manageable)	The existing infrastructure is inadequate to service the proposed development due to current supply constraints to Mosgiel in peak summer demand periods and low pressures for the higher elevation parts of the site, above 100m. Booster pumps would be required to service the higher elevation parts of the site as well as additional reservoir storage. 3 Waters prefers gravity to pumping where possible due to lower operating and maintenance costs and supporting DCC's Zero Carbon policy. Significant upstream network upgrades required and will be medium term timeframe to resolve.
Wastewater supply	Significant issues (manageable)	The site's northern location has an adequate connection to wastewater pipes, flow from some of these goes to Mosgiel Wastewater Treatment Plant (WWTP), while some goes to Green Island WWTP. However, the southern end of the proposed site is far from a connection point and unless easements through neighbouring property were obtained, would require pumping. 3 Waters prefers gravity to pumping where possible due to lower operating and maintenance costs and supporting DCC's Zero Carbon policy. Significant downstream network upgrades required as the network and treatment plants have issues in wet weather events. Medium to long term to resolve.
Stormwater management	Significant issues (manageable)	There is no stormwater infrastructure close to the subject site, flow is by open watercourse eventually connecting to ORC Schedule Drains (O5 to the west, also known as Quarry Creek, and O11 to the north). Both of these then connect to the Owhiro Stream. The Owhiro Stream has capacity issues in rainfall events when the Taieri River level is up and the Owhiro can not discharge into it, this results in flood issues in Mosgiel. There are known and significant flooding issues downstream of the proposed site and concerns from residents at Woodland Avenue, business in the Gladstone Road

		<p>South Industrial area and East Taieri School. Some of the other developments adjacent to the proposed site have implemented stormwater management poorly, resulting in issues for residents and DCC. The fragmented nature of the stormwater management approach has exacerbated this.</p> <p>The capacity of the overland flowpaths is unknown, therefore onsite attenuation is required for 100-year storm event.</p> <p>Provided the new stormwater management rules in Variation 2 are applied to the whole proposed area the site may be considered developable, however there are concerns over the affordability of the stormwater infrastructure and the risks to downstream areas if stormwater management is not properly implemented.</p>
Transport effects (local)	Significant issues (manageable)	<p>The developer proposes a roading link between Chain Hills Road and Gladstone Road North. This would occur via an extension of Irwin Logan Drive. Chain Hills Road extends from Morris Road and terminates at a dead end after a length of about 3.4km. The proposed new intersection with Chain Hills Road is shown to be located about 800m north of the Morris Road intersection and hence, this section of Chain Hills Road would receive additional demand should the connection proceed. The proposed intersection location would require assessment against Austroads. This would need to be done by the developer's traffic engineer and submitted to Council for review.</p> <p>There are issues with safety on Chain Hills Road that the developer would need to address. In addition to upgrades on Chain Hills Road, there is also no footpath/cycle infrastructure on Morris Road which would likely be required should development proceed.</p> <p>An Integrated Transport Assessment is needed. This will need to include an analysis of traffic generation, but also distribution of existing and new traffic which could be changed with the proposed roading connection. This will allow the Council to better understand the scale of the potential wider effects of the connection on the wider transport network.</p> <p>In the absence of any detailed transport assessment / traffic modelling, the scale of this potential problem is not understood to a point where the Council is able to make a conclusive determination on Transport rounds as to the acceptability (or otherwise) of the development at this stage. Overall it is considered that in the absence of any detailed traffic/transport analysis, that DCC Transport is currently unable to provide its support to the proposed rezoning.</p>
Transport effects (wider network)	Significant issues (manageable)	<p>The submitter has not undertaken an analysis of the proposed road connection on the wider transport network. While DCC Transport is typically supportive of proposals that enhance network connectivity, this needs to be assessed in the context of the surrounding environment. An Integrated Transport Assessment is needed. This will need to include an analysis of traffic generation, but also distribution of existing and new traffic which could be changed with the proposed roading connection. This will allow the Council to better understand the scale of the potential wider effects of the</p>

		connection on the wider transport network. In the absence of any detailed transport assessment / traffic modelling, the scale of this potential problem is not understood to a point where the Council is able to make a conclusive determination on Transport rounds as to the acceptability (or otherwise) of the development at this stage. Overall it is considered that in the absence of any detailed traffic/transport analysis, that DCC Transport is currently unable to provide its support to the proposed rezoning.
Compact city – proximity to existing residential areas	No issues	
Compact city - ability to develop land efficiently	Very good	RS204 and RS153 have an estimated combined capacity of 130 dwellings under the proposed structure plan
Effects on Manawhenua values	No issues	
Issues for: <ul style="list-style-type: none"> ● network utility operators ● Southern District Health Board ● Ministry for Education ● FENZ 	Some issues (manageable)	Waka Kotahi commented that development at this site will not support the approach of maintaining a contained urban form and restricting urban sprawl.
Other constraints on development (encumbrances, owner aspirations, appeals)	Some issues (manageable)	Sites have multiple easements, land covenants, consent notices, building line restrictions, right of ways, caveats.

APPENDIX C.21 Rezoning Assessment Sheet – 21, 43, 55, 65, 75, 79, and 111 Chain Hills Road (RS204)

SITE DETAILS

Change Number	RS204	
Site outline image	<p>Mosgiel / Chain Hills</p>	
Site Address	RS204: 21, 43, 55, 65, 75, 79 and 111 Chain Hills Road	
Full area assessed	As shown in map above	
Site Area	14.1 hectares	
Current zoning	Rural Residential 1	
PROPOSAL DETAILS		
2GP Zone assessed	Mix of residential zones	
ASSESSMENT CRITERIA		
Slope	Significant issues	Mean slope of 23.7 degrees
Aspect - Solar access	Good	Generally sloping west
Accessibility – Public Transportation	Ok	There is a non-frequent bus stop approximately 747m away.

Accessibility - Centres	Poor	The Mosgiel principal centre is approximately 4,420m away.
Accessibility – Schools	Good	The nearest primary school is approximately 3,837m away
Rural character/visual amenity	Significant issues	<p>RS204 and RS153 and assessed together. The surrounding area consists of a series of broad ridges and gullies with a generally north-westerly aspect. Land cover is predominantly pastoral, with some areas of scrub and indigenous vegetation in the gullies and small blocks of Pine, Oregon and Eucalyptus trees. There is a pattern of rural residential development on the plateau ridge of Chain Hills. Higher density residential development is predominantly concentrated on the foothills.</p> <p>The supplied landscape assessment questions the appropriateness of a node of relatively intense residential development on the hilltop, separated from Mosgiel (and other existing urban areas) by steeper hill slope. The landscape assessment concludes that landscape and visual effects will be adverse / moderate – high and that the Rural Residential zoning should be retained in this area.</p> <p>The supplied landscape assessment identifies that the spread of residential land use into the mid-slope spur areas will be a significant departure for the Chain Hills landscape. The assessment concludes that these adverse effects will remain at a moderate level in the long term.</p> <p>The landscape assessment concludes that the extension of the current urban edge of Mosgiel up the lower slope areas of Chain Hills will integrate with landscape character and quality well and that adverse effects associated with this will be low (minor). The extent and location of the extension needs to be very carefully considered.</p>
Impacts on productive rural land	Some issues	This site has LUC Class 3 soils. Given its location and existing zoning (Rural Residential 1), the primary productive capacity of the site is likely to be relatively low.
Reverse sensitivity	No issues	
Significant indigenous biodiversity	Some issues (manageable)	<p>The site largely consists of pasture. The only area within the site that is dominated by indigenous species is a gully in the centre of the site that protrudes towards the east. Although the area of vegetation is dominated by indigenous tree species and provides habitat for fauna, this area is small and only meets the 2GP ecological significance criteria as an example of indigenous vegetation on land environments that retain less than 10% of their original cover. When combined with the vegetation on the adjacent RS153 site, it would comprise a reasonable sized area of indigenous vegetation which has been largely cleared from the Chain Hills ridge and would warrant protection.</p> <p>Consideration should be given to retaining this indigenous vegetation and how this could be achieved (e.g. Scheduled ASBV or QEII covenant). Ecological restoration could be considered.</p>

Natural landscapes and natural coastal character	No issues	
Access to the coast and water bodies	No issues	
Significant Trees, heritage items, important vistas or viewshafts, important green or open spaces	No issues	
Natural Hazards	Some issues (manageable)	The site is assessed as having a low to medium hazard level associated with slope instability, particular within gully features. Geotechnical assessment will be required to confirm the stability of gullies across the site.
Potable water supply	Significant issues (manageable)	The existing infrastructure is inadequate to service the proposed development due to current supply constraints to Mosgiel in peak summer demand periods and low pressures for the higher elevation parts of the site, above 100m. Booster pumps would be required to service the higher elevation parts of the site as well as additional reservoir storage. 3 Waters prefers gravity to pumping where possible due to lower operating and maintenance costs and supporting DCC's Zero Carbon policy. Significant upstream network upgrades required and will be medium term timeframe to resolve.
Wastewater supply	Significant issues (manageable)	The site's northern location has an adequate connection to wastewater pipes, flow from some of these goes to Mosgiel Wastewater Treatment Plant (WWTP), while some goes to Green Island WWTP. However, the southern end of the proposed site is far from a connection point and unless easements through neighbouring property were obtained, would require pumping. 3 Waters prefers gravity to pumping where possible due to lower operating and maintenance costs and supporting DCC's Zero Carbon policy. Significant downstream network upgrades required as the network and treatment plants have issues in wet weather events. Medium to long term to resolve.
Stormwater management	Significant issues (manageable)	There is no stormwater infrastructure close to the subject site, flow is by open watercourse eventually connecting to ORC Schedule Drains (O5 to the west, also known as Quarry Creek, and O11 to the north). Both of these then connect to the Owhiro Stream. The Owhiro Stream has capacity issues in rainfall events when the Taieri River level is up and the Owhiro can not discharge into it, this results in flood issues in Mosgiel. There are known and significant

		<p>flooding issues downstream of the proposed site and concerns from residents at Woodland Avenue, business in the Gladstone Road South Industrial area and East Taieri School. Some of the other developments adjacent to the proposed site have implemented stormwater management poorly, resulting in issues for residents and DCC. The fragmented nature of the stormwater management approach has exacerbated this.</p> <p>The capacity of the overland flowpaths is unknown, therefore onsite attenuation is required for 100-year storm event.</p> <p>Provided the new stormwater management rules in Variation 2 are applied to the whole proposed area the site may be considered developable, however there are concerns over the affordability of the stormwater infrastructure and the risks to downstream areas if stormwater management is not properly implemented.</p>
Transport effects (local)	Significant issues (manageable)	<p>The developer proposes a roading link between Chain Hills Road and Gladstone Road North. This would occur via an extension of Irwin Logan Drive. Chain Hills Road extends from Morris Road and terminates at a dead end after a length of about 3.4km. The proposed new intersection with Chain Hills Road is shown to be located about 800m north of the Morris Road intersection and hence, this section of Chain Hills Road would receive additional demand should the connection proceed. The proposed intersection location would require assessment against Austroads. This would need to be done by the developer's traffic engineer and submitted to Council for review.</p> <p>There are issues with safety on Chain Hills Road that the developer would need to address. In addition to upgrades on Chain Hills Road, there is also no footpath/cycle infrastructure on Morris Road which would likely be required should development proceed.</p> <p>An Integrated Transport Assessment is needed. This will need to include an analysis of traffic generation, but also distribution of existing and new traffic which could be changed with the proposed roading connection. This will allow the Council to better understand the scale of the potential wider effects of the connection on the wider transport network.</p> <p>In the absence of any detailed transport assessment / traffic modelling, the scale of this potential problem is not understood to a point where the Council is able to make a conclusive determination on Transport rounds as to the acceptability (or otherwise) of the development at this stage. Overall it is considered that in the absence of any detailed traffic/transport analysis, that DCC Transport is currently unable to provide its support to the proposed rezoning.</p>
Transport effects (wider network)	Significant issues (manageable)	<p>The submitter has not undertaken an analysis of the proposed road connection on the wider transport network. While DCC Transport is typically supportive of proposals that enhance network connectivity, this needs to be assessed in the context of the surrounding environment. An Integrated Transport Assessment is needed. This will need to include an analysis of traffic generation, but also</p>

		distribution of existing and new traffic which could be changed with the proposed roading connection. This will allow the Council to better understand the scale of the potential wider effects of the connection on the wider transport network. In the absence of any detailed transport assessment / traffic modelling, the scale of this potential problem is not understood to a point where the Council is able to make a conclusive determination on Transport rounds as to the acceptability (or otherwise) of the development at this stage. Overall it is considered that in the absence of any detailed traffic/transport analysis, that DCC Transport is currently unable to provide its support to the proposed rezoning.
Compact city – proximity to existing residential areas	Some issues	
Compact city - ability to develop land efficiently	Very good	RS204 and RS153 have an estimated combined capacity of 130 dwellings under the proposed structure plan
Effects on Manawhenua values	No issues	
Issues for: <ul style="list-style-type: none"> ● network utility operators ● Southern District Health Board ● Ministry for Education ● FENZ 	Some issues (manageable)	Waka Kotahi commented that development at this site will not support the approach of maintaining a contained urban form and restricting urban sprawl.
Other constraints on development (encumbrances, owner aspirations, appeals)	Some issues (manageable)	Site is subject to easements, building line restrictions, and consent notices.