



APPLICATION FORM FOR A RESOURCE CONSENT

PLEASE FILL IN ALL THE FIELDS

Application details

I/We

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

Land Use Consent Subdivision Consent

I opt out of the fast-track consent process: Yes No

(only applies to controlled activities under the district plan, where an electronic address for service is provided)

Brief description of the proposed activity:

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

Site location/description

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

Street address of site:

Legal description:

Certificate of Title:

Contact details

Name: (applicant agent (tick one))

Address:

Postcode:

Phone (daytime):

Email:

Chosen contact method (this will be the first point of contact for all communications for this application)

I wish the following to be used as the address for service (tick one): Email Post Other:

Ownership of the site

Who is the current owner of the site?

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

Address:

Postcode:

Phone (daytime):

Email:

Planning Application Fees Payment Details (Who are we invoicing)

THIS FORM MUST BE COMPLETED FOR ALL PLANNING APPLICATIONS THAT ATTRACT A FEE. ALL FIELDS ARE MANDATORY.

This information is required to assist us to process resource consent invoices and refunds at lodgement and the end of the process. If you have any queries about completing this form, please email planning@dcc.govt.nz

Deposit Payment Payee Details:

Full Name of Deposit Payee (Person or Company):

Mailing Address of Deposit Payee (please provide PO Box number where available):

Email Address of Deposit Payee:

Daytime contact phone number:

Important Note: The Payee will automatically be invoiced for the deposit and/or any additional costs. Should a portion of the deposit be unspent, it will be refunded to the payee.

Fees

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

Development contributions

Your application may also be required to pay development contributions under the Council's Development Contributions Policy. For more information please ring 477 4000 and ask to speak to the Development Contributions Officer, or email development.contributions@dcc.govt.nz.

Occupation of the site

Please list the full name and address of each occupier of the site:

Monitoring of your Resource Consent

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

(month and year)

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

Detailed description of proposed activity

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

Description of site and existing activity

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

(Attach separate sheets if necessary)

District plan zoning

What is the District Plan zoning of the site?

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

Breaches of district plan rules

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

Affected persons' approvals

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

Name:

Address:

Name:

Address:

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

Assessment of Effects on Environment (AEE)

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

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

(Attach separate sheets if necessary)

The following additional Resource Consents from the Otago Regional Council are required and have been applied for: Yes No

Water Permit	Discharge Permit	Coastal Permit	Land Use Consent for certain uses of lake beds and rivers	Not applicable
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Assessment of Objectives and Policies

In this Section you need to consider and assess how your application proposal aligns with the relevant objectives and policies in the District Plan relating to your activity. If your proposal is a discretionary or non-complying activity under the District Plan more attention to the assessment will be necessary as the objectives and policies of the District Plan may not always be in support of the proposed activity.

Declaration

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

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

Subject to my/our rights under section 357B and 358 of the RMA to object to any costs, I agree to pay all the fees and charges levied by the Dunedin City Council for processing this application, including a further account if the cost of processing the application exceeds the deposit paid.

Signature of: Applicant Agent (tick one):



Date:

Privacy – Local Government Official Information and Meetings Act 1987

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

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

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

What happens when further information is required?

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

Further assistance

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

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

City Planning Staff can be contacted as follows:

IN WRITING: Dunedin City Council, PO Box 5045, Dunedin 9054

IN PERSON: Customer Services Centre, Ground Floor, Civic Centre, 50 The Octagon

BY PHONE: (03) 477 4000

BY EMAIL: planning@dcc.govt.nz

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

Information requirements

- Completed and Signed Application Form
- Description of Activity and Assessment of Effects
- Site Plan, Floor Plan and Elevations (where relevant)
- Written Approvals
- Payee details
- Application fee (cash, eftpos, direct credit or credit card (surcharge may apply))
- Certificate of Title (less than 3 months old) including any relevant restrictions (such as consent notices, covenants, encumbrances, building line restrictions)
- Forms and plans and any other relevant documentation signed and dated by Affected Persons

In addition, subdivision applications also need the following information:

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

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

OFFICE USE ONLY

Has the application been completed appropriately (including necessary information)?		Yes	No
Application:	Received	Rejected	
Received by:	Counter	Post	Courier
Other:			
Comments:			

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

Planning Officer:	Date:
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RESOURCE CONSENT APPLICATION

Assessment of Environmental Effects Including Commentary of the Relevant Provisions of the Dunedin City District Plan

Application
by
Tomboy Limited
at
33 Russell Street, Dunedin

Anderson & Co Resource Management
Advising on Planning and Resource Management
www.RMApro.co.nz *your RMA professionals*
P O Box 5933
Dunedin 9058

Ref:\3077

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AUTHOR:

1. My name is Conrad Anderson, and I am a director of Anderson & Co (Otago) Limited.
2. I hold a Masters in Planning from the University of Otago. I have over 10 years of professional experience in planning, and I am a member of the New Zealand Planning Institute.
3. I completed this Assessment of Environmental Effects (AEE).

SUMMARY:

4. While the subject site is located within a residential setting, it has a long history associated with non-residential use.
5. The proposal seeks to continue that non-residential use, predominately via the establishment of a café (licensed), with supplementary activities being a small grocery offering, visitor accommodation and residential activity¹.
6. Resource consent is required due to:
 - a. Land Use Activities:
 - i. Visitor accommodation
 - ii. Restaurant (All other activities in the commercial activities category)
 - iii. Retail (All other activities in the commercial activities category)
 - iv. Ancillary licensed premises
 - b. Development Activities:
 - i. Signs attached to buildings and structures
 - ii. All other additions and alterations to a character-contributing building
 - c. Subdivision Activities:
 - i. n/a
 - d. Hazards:
 - i. n/a
 - e. Earthworks
 - i. n/a
 - f. HAIL
 - i. n/a
7. Overall, the proposal is a **non-complying** activity.

THE APPLICANT / OWNER

8. The Applicant (Tomboy Limited) is associated with the owners (Tansy Hayden & Paul Keesing), and for the purposes of this resource consent application, their address is c/- Anderson & Co, PO Box 5933, Dunedin 9058.

DESCRIPTION OF THE SITE AND LOCATION

9. The site is located in the residential area of Dunedin. The site is held in OT292/146 (PT SEC 17 BLK X SO 14194 TN OF DUNEDIN), and is 233m2. The site has frontage to both Russell and Arthur Streets.
10. The site is relatively flat and close to a rectangle shape, with the existing building located towards the street corner, with an open space to the north-west of the existing building. The building includes an existing veranda over the footpath. Refer following:

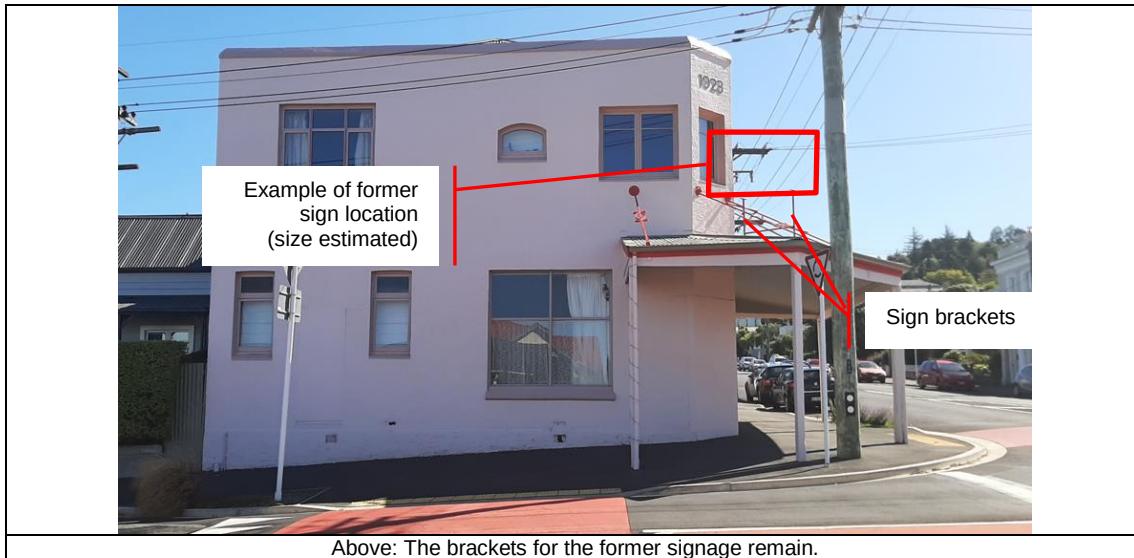
¹ Noting that residential activity and the visitor accommodation activity cannot take place at the same time.



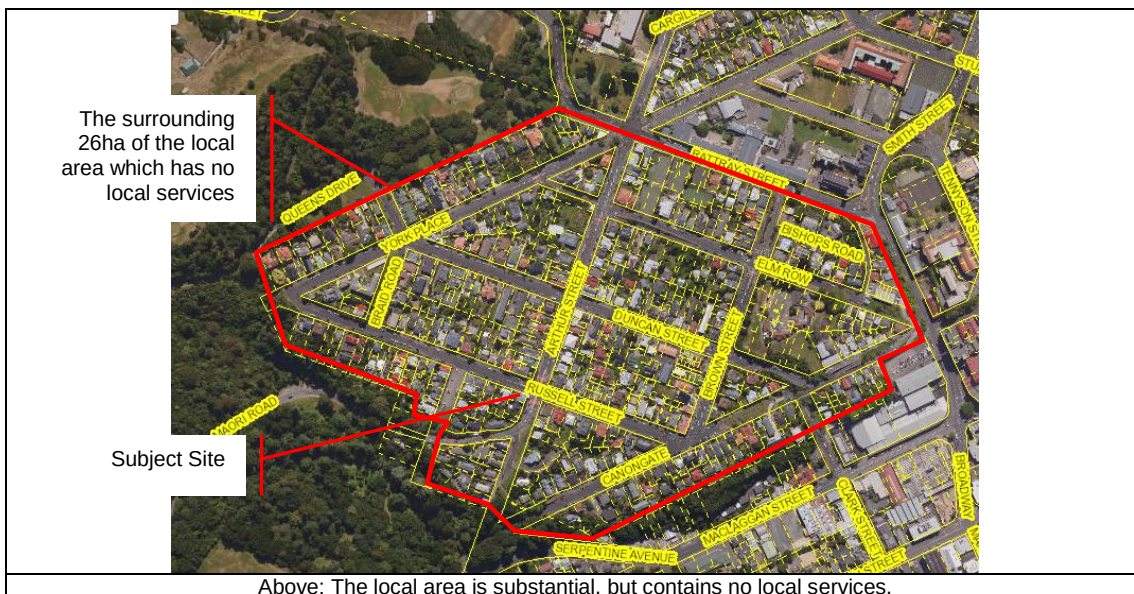
11. The subject building was built in 1923 as a corner shop with a residential flat upstairs. The building consists of 2 levels. The ground level has a split level floor, with the former shop area being lower than the area facing the open space.
12. The exterior of the building has recently been painted and retains many of the original features, albeit not the original corner entry to the shop area.



13. The exterior walls are brick, approx. 300mm thick, including the wall to the southern neighbour (98 Arthur Street).
14. In terms of the wall to the southern neighbour, the current openings include: On the ground floor, two window opens and on the upper level, a window from the smallest bedroom.
15. In terms of former signs on the site, the original sign brackets above the veranda remain. As shown below:



16. In terms of the surrounding area, this is residential in nature². The surrounding residential area continues to a limited extent to the south, but mostly extends around Russell Street, upper York Place, down Rattray Street and along Canongate (refer map below). That area is approximately 26ha, and somewhat surprisingly contains no local services (apart from a school/school grounds/early childhood services).



17. In terms of the local community (as defined above) it is relevant to note that the subject location means the majority of the local community will approach the subject site from the north, west or east, but not from the south/south-west³.
18. Further, within the surrounding area (as defined above) the 2GP does not provide any Neighbourhood Centre zones⁴.

² Noting, the southern neighbour at 98 Russell Street has a resource consent (RMA20050281) for a commercial activity (art gallery).

³ This is relevant in terms of the foot traffic and parking effects of the proposal.

⁴ Examples of small Neighbourhood Centre zones in a community setting include the top of Silverton Street (Andersons Bay), on Larnach Road (Waverly), Forbury Road (St Clair) and Main South Road (Concord).

DESCRIPTION OF THE PROPOSAL:

19. The proposal includes:

- exterior modifications, and
- the re-use the existing building predominately via the establishment of a café (on-license), with supplementary activities being a small grocery offering (off-license), visitor accommodation and residential activity.

Exterior Modifications – southern wall

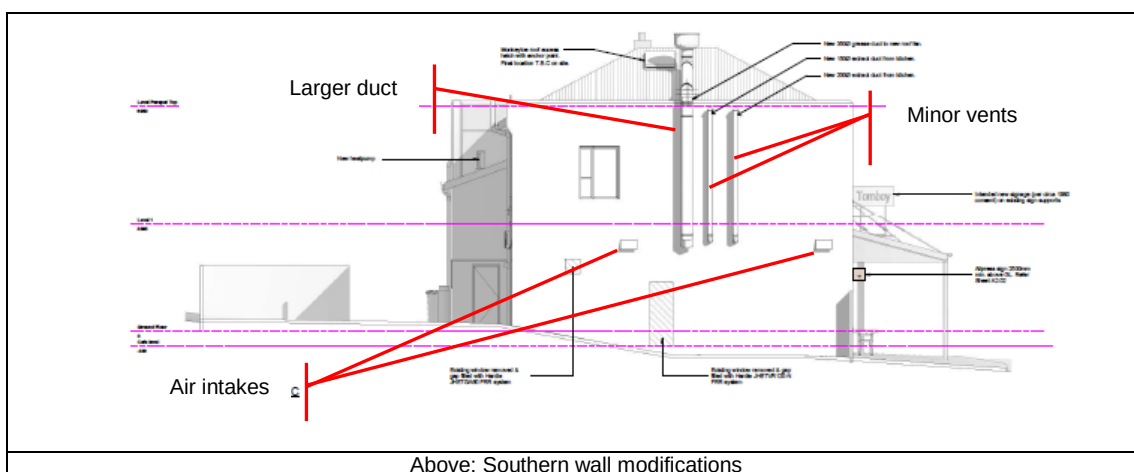
20. As noted earlier the wall to the southern/south-western neighbour (98 Arthur Street) includes two window opens on the ground floor. Both of these openings are to be infilled. While the upper level bedroom/office window is to be retained⁵.



21. Infill of the existing two window openings to the southern/south-western neighbour (98 Arthur Street) is beneficial to that neighbour.

22. Additions to the southern wall, include

- Two small air intakes.
- Two minor vents.
- A larger duct.



23. The air intakes are small (associated with 200mm diameter ducting) and raise no concern.

⁵ This window will be associated with residential and visitor accommodation activity. If required, consideration can be given to ensure this bedroom is not used as part of the proposed visitor accommodation activity.

24. The two minor ducts require 150-mm to 200mm diameter ducting to the top of the southern wall. These provide venting from the bathroom and generally from the kitchen area. These are not anticipated to raise any concerns.
25. The larger duct is associated with the main kitchen duct, and will continue onto the roof, rather than terminating at the top of the southern wall. This ducting is larger at 350mm diameter. Due to a combination of the limited visibility of the southern wall and the proposed termination point of the duct, not material effects are anticipated.

Exterior Modifications - other

26. Arthur Street elevation – exterior modifications include reinstating a window, along with a small coffee sign.
27. Corner of Arthur and Russell Street - exterior modifications include the re-instatement of the corner entrance, along with an above veranda sign.
28. Russell Street elevation – modifying the existing door for an accessible entry, inserting a new window in a former door location, a gate/screen on the apartment entrance, along with a small coffee sign.
29. Northern elevation (elevation to open space space) – changing a door to a window, adding a new door, a heat-pump exterior unit, along with a ducting cowl.
30. In terms of the roof, as noted earlier the main kitchen duct extends to the roof. In addition, a roof top service hatch is proposed
31. All modifications as shown in the attached plans.
32. In terms of the building exterior finish, the exterior has recently been painted, and no colour change is anticipated.

Visitor accommodation and residential activity

33. In terms of the visitor accommodation and residential activity this will utilise the entire upper level, and approximately one third of the ground floor space (north-western end of the ground level) and the outdoor area, are shown below:



34. The visitor accommodation and residential activity on the ground floor will consist of the entrance, living/dining and kitchen areas. This will have no external openings nor vents to the south/south-western neighbour.
35. The visitor accommodation and residential activity on the upper level will consist of three bedrooms, a study area (or potentially a fourth bedroom) and two bathrooms. The only

external opening to the south-western neighbour is an existing window from the small bedroom/study room (as shown earlier in this AEE)⁶.

36. Full details are in the attached plans.

Café (licensed)

37. The café will serve hot and cold beverages and food. Either prepared onsite in the cafe kitchen or bought in pre-prepared. The Applicants aims to have day and evening service with an on-licence.

38. In terms of the café (licensed) area on the ground floor, this will consist of:

- a. A public area
- b. Counter areas (staff only)
- c. Bathrooms (staff and customers)
- d. Commercial kitchen (staff only)

39. The total floor area for the café activity is approximately 68m², of which only approximately 30m² is the public café area⁷. Due to its small size, seating is anticipated to be limited to less than 25 seats⁸.

40. As the proposed café activity is very small scale, it will focus on providing a service to local residents.

41. Access to the café will be via a new door in the corner of Russell and Arthurs Streets. For clarity, the café patrons will have no access to the existing outdoor area to the north-west of the building.

42. Full details are in the attached plans.

43. The proposal has the following parameters:

- Hours of operation: 7am to 10pm, 7 days a week. The 7am to 10pm timeframe aligns with the 2GP noise limits. Further, most evenings will result in an earlier close than 10pm, but the proposed hours provide for some flexibility. If required, the Applicant is open to considering this matter further.
- Number of internal seats: 25, with a maximum occupancy (including staff) of 35.
- Number of external seats: 8 (which will not be available for use after 9pm).
- Maximum number of staff: Usually 3, but could be up to 6.
- Products for sale: Predominately café food, and a variety of drinks.
- Signage: Will be limited to one above veranda sign ("Tomboy") and two small signs associated with coffee (refer attached plans).
- Deliveries will either be undertaken by the owners, or via courier. Given the limited extent of the proposal, no large trucks are anticipated for deliveries⁹.

44. The café activity essentially faces the streets, and predominately to Russell Street. The activity is limited to the available floor area (approx. 30m² is associated with the seating area of the café), and as a result this activity is considered to be small scale.

45. In terms of noise, this will generally be internal to the building, with outdoor noise associated with a limited number of seats, people arriving/leaving and very minor background/ambient music (i.e. very low volume, to provide a background atmosphere, while allowing people to talk easily to each other). A condition of consent is offered for the review of noise on annual basis.

⁶ Refer footnote 5.

⁷ The remaining area is associated with the kitchen, toilets and counter areas.

⁸ Subject to Council approval a very limited number of outdoor seats are anticipated. Outdoor seating anticipated to be a maximum of 4 tables with 8 seats.

⁹ If required this can be a condition of consent.

Small grocery offering

46. Within the café area a small grocery offering is anticipated, with a focus on specialty artisan food (such as sourdough bread, cheese and charcuterie) and wine for at-home consumption.
47. The grocery offering is ancillary to the Café activity, and will be limited to a display of no more than 10% of the café area (i.e. approx. 3m²)
48. The small grocery offering will provide a modern link to the heritage grocery store and dairy roots of the site.
49. In terms of amenity and character associated with streetscape, the existing building is viewed as a commercial building (as a result of being constructed for the purposes of having a shop on the ground floor), and the proposal fits within that setting, while providing an additional amenity for the local community.
50. The proposal has a number of benefits, such as providing a community service and a meeting place for the local community, repurposing a heritage building, providing local employment, and an enhanced streetscape amenity.

RELEVANT SITE HISTORY / BACKGROUND TO THE APPLICATION

51. The site has had a general store on it as early as the 1870's. The current building was originally built as a grocer (flat above) in 1923 by James Airy.
52. It is understood the most recent dairy activity was based on existing use rights, and ceased in December 2008.
53. At the end of 2009, two resource consents were granted for the site, but these could not be undertaken at the same time, being:
 - a. LUC-2009-279 provided for a food store and deli style bakery.
 - b. LUC-2009-466 provided for additional residential activity in the former store (ground floor) which is internally linked to the residential activity on the first floor.
54. By December 2012 it seems the resource consent for the additional residential activity had been implemented.
55. LUC-2009-279 (food store and deli style bakery) lapsed at the end of 2014. i.e. for the majority of the past 150 years the site was associated with or anticipated to be associated with some sort of commercial activity.
56. While the proposed commercial activities associated with the café / grocery offering are very small scale and has a focus on providing a service to local residents, it is noted that in terms of the surrounding on-street parking, Council has recently agreed to amend the parking layout, which will result in an additional 28 parking spaces, being the total parking in Russell Street to 65 spaces.

ACTIVITY STATUS

57. From 19 August 2024 the Proposed Second Generation Dunedin City District Plan (the "2GP") was made 'partially operative'.
58. The parts of the 2GP which were not made operative from 19 August 2024, relate to a limited number of specific sites, none of which have relevance to this application.
59. Therefore for the purposes of this application, only the 2GP needs to be considered in determining the activity status and deciding what aspects of the activity require resource consent.

60. 2GP Plan Change 1 (PC1) was notified on 20 November 2024, and where appropriate any relevant PC1 matter will be discussed below.

61. To follow is consideration of the activity status under the 2GP, and the activity status applied by the National Environmental Standard is also considered.

Second Generation Dunedin City District Plan (the “2GP”)

62. The 2GP maps shows the site as being zoned Inner City Residential (ICR), with the following overlays:

- Archaeological Alert Layer Mapped Area
- Heritage Precinct Overlay Zone (City Rise Residential Heritage Precinct)

63. The subject building is listed as a Character Contributing Building (CC854)

64. The adjacent portion of Russell Street is a local road, while the adjacent portion of Arthur Street is a Collector road in the Road Classification Hierarchy.

65. In terms of the Land Use Activity Status Table, these have been reviewed, and the following is relevant:

- Rule 15.3.3.1.b Light Spill
- Rule 15.3.3.2 Noise
- Rule 15.3.3.12 Ancillary licensed premises
- Rule 15.3.3.23 All other activities in the commercial activities category

66. Rule 15.3.3.1.b Light Spill links to Rule 15.5.5, which requires compliance with Rule 9.3.5. Compliance with Rule 9.3.5 is anticipated.

67. Rule 15.3.3.2 Noise links to Rule 15.5.10, which requires compliance with Rule 9.3.6. Compliance with Rule 9.3.6 is anticipated.

68. In terms of noise the following is noted:

- In terms of the café activity, the existing openings in the solid brick wall with 98 Arthur St will be infilled. In terms of venting, 4 vents will be on the south wall, but these are all minor, while the larger vent will terminate on the roof i.e. no ventilation of concern will face 98 Arthur Street. No external seating will be available after 9pm (further, if required the seating on the Russell Street side of the building can be removed earlier than 9pm). And a review condition in terms of noise is offered.
- Any noise associated with small scale visitor accommodation is similar to residential activity.
- Only the permitted residential activity and the proposed visitor accommodation will have access to the open space.
- The adjacent Collector road and road layout (a round about) results in a receiving environment being associated with traffic noise greater than a local road environment.

69. Rule 15.3.3.12 Ancillary licensed premises as an activity status of “Same status as underlying activity”. Refer below.

70. In terms of the residential use of the part of the ground floor and the upper level, residential activity is permitted subject to four performance standards:

- Density – the maximum density is 1 bedroom per 45m² of site. The proposal complies.
- Outdoor living space – for the 4 bedroom unit, 25m² of outdoor living is required (complies) and in terms of the quality and location of the outdoor space, the proposal complies.
- Service areas – not applicable
- Ancillary residential units – not applicable.

71. Based on the above the residential use as proposed is a permitted activity.

72. In terms of the visitor accommodation use of the part of the ground floor and the upper level, visitor accommodation has an activity status of **restricted discretionary**, with two performance standards, being:
- Mobility car parking – not applicable, as no on-site parks will be provided for visitor accommodation.
 - Vehicle loading – not applicable due as the proposal is only associated with one visitor unit.
73. Based on the above the visitor accommodation is a **restricted discretionary** activity.
74. In terms of the proposed cafe, this is defined as a “Restaurant”, as the 2GP includes the following examples within that definition: restaurants, cafes, bars/taverns, tearooms and takeaways.
75. Within the ICR zone, the 2GP only provides for restaurant that are ancillary to sport and recreation (discretionary activity) or as ancillary to visitor accommodation (restricted discretionary). Otherwise a restaurant comes under Rule 15.3.3.23 ‘All other activities in the commercial activities category’, which has a **non-complying** activity status.
76. In terms of the proposed small grocery offering, potentially this could be defined as a ‘Dairies’ activity, as it is a shop that serves the local neighbourhood. However, due to its limited product range, its small footprint, and the fact it is ancillary to the Café activity, taking a cautious approach, a more appropriate activity would be via Rule 15.3.3.23 ‘All other activities in the commercial activities category’, which has a **non-complying** activity status.
77. Because of the nature of the proposed small grocery offering, the effects are assessed as being de minimis and not warranting further discussion.
78. Returning the the Ancillary licensed premises activity, for completeness, as this is considered a separate activity, and has an activity status of “Same status as underlying activity” both the on-licence and the off-licence are **non-complying** activities.
79. In terms of the Development Activity Status Table, these have been reviewed, and the following is relevance – each are discussed below:
- Rule 15.3.4.3 Signs attached to buildings and structures
 - Rule 15.3.4.9 All other additions and alterations to a character-contributing building or non-protected part of a scheduled heritage building (other than signs attached to buildings and structures)
80. Rule 15.3.4.3 Signs attached to buildings and structures links to Rule 15.6.11, with the following being relevant:
- Rule 15.6.11.1.b.i requires the two small coffee signs to comply with Rule 6.7.2. The proposal complies with the relevant rules in Rule 6.7.2.
 - Rule 15.6.11.1.b.ii requires all signs to comply with Rule 6.7.3. The ‘coffee’ signs have no letters, with the ‘Tomboy’ sign has lettering 363mm tall. The proposal complies with the relevant rules in Rule 6.7.3.
 - Rule 15.6.11.2.a states signs must not be attached to roofs. The ‘Tomboy’ sign is attached to the veranda roof.
 - Rule 15.6.11.2.d states signs attached to a building must not protrude from the building façade by more than 1m. The ‘Tomboy’ sign is attached to the roof (being part of the building) and protrudes more than 1m from the facade.
 - Rule 15.6.11.5 has a maximum of 1 sign being attached to a building. The proposal has three.
 - Rule 15.6.11.5.b requires the highest point of a sign to be 4m above ground level. The ‘Tomboy’ sign is approx. 5.5m above the ground.
81. In accordance with Rule 15.6.11.1.d the above matters are a **restricted discretionary** activity.

82. For the following reasons, the effects associated with the proposed signage is assessed as de minimis and does not warrant further discussion:

- The 'coffee' signs are very minor at 300mm x 300mm.
- The 'Tomboy' sign is of a straight forward design, and to be positioned below the roof of the building (but not the veranda). It is also located in a position historically associated with signage.

83. Rule 15.3.4.9 All other additions and alterations to a character-contributing building or non-protected part of a scheduled heritage building (other than signs attached to buildings and structures) has a **restricted discretionary** activity status. This relevant to the exterior modifications.

84. The subdivision, hazards and earthwork matters are not relevant.

Resource management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (the "NES")

85. The proposal does not include soil disturbance/removal or subdivision.

86. The proposed activities, while resulting in the introduction of new activities, they are not activities that are more at risk than the existing residential use of the site.

87. Therefore consideration under the HAIL regulations is not required.

Overall Activity Status

88. Overall, it is anticipated the proposal is a **non-complying** activity.

NOTIFICATION

89. The matter of both public and limited notification are discussed below:

Public Notification (s95A)

90. In terms of Step 1 (Mandatory public notification in certain circumstances):

- Public notification has not been requested.
- There has been no failure or refusal to provide further information.
- There has been no failure to respond or refusal to a report commissioning request.
- The application does not involve the exchange of recreation reserve land.

Therefore, Step 2 is to be considered.

91. In terms of Step 2 (Public notification precluded in certain circumstances):

- There are no rules or national environmental standards precluding public notification.
- The proposal is not for a restricted discretionary or discretionary subdivision.

Therefore, Step 3 is to be considered.

92. In terms of Step 3 (Public notification required in certain circumstances), there are no rules or national environmental standards requiring public notification, nor will the activity have, or be likely to have, adverse effects on the environment that are more than minor. Step 4 is to be considered.

93. With regards the adverse effects on the environment, as discussed within this AEE, they are assessed as being less than minor.

94. In terms of Step 4 (Public notification in special circumstances), there are no special circumstances that warrant the application being publicly notified.

95. With regards to any special circumstances in terms of public notification, the proposal is for a locally focused activity, which has no bearing on the wider public that would warrant public notification, and (as discussed later in this AEE) the risk of an undesirable precedent is assessed as being very low.

Limited Notification (s95B)

96. In terms of Limited notification, the following is noted:

- Parking – the proposal is focusing on the local community, hence any parking demand generated by the proposal is anticipated to be very low. Further, Council is adding to the on-street parking capacity of the immediate area, and any after normal working hours demand for parking should co-exist with reduced parking demand from commuters who choose to park in the area during the day. Therefore, parking effects from the proposal are assessed as being de minimis and do not support limited notification.
- Noise – the proposal is a low noise activity, which faces the street. In terms of 98 Arthur Street, the café activity is separated by a solid brick wall with no openings to 98 Arthur St. Further, the main vent terminates on the roof, rather than facing 98 Arthur St. Any noise associated with small scale visitor accommodation is similar to residential activity (relevant in terms of 98 Arthur Street and 41 Russell Street). Only the permitted residential activity and the proposed visitor accommodation will have access to the open space (relevant in terms of 98 Arthur Street and 41 Russell Street). Noise effects when compared to both the permitted environment and the adjacent Collector road are assessed as being less than minor. Therefore, noise effects from the proposal does not support limited notification.
- Foot traffic – the proposal is anticipated to create foot traffic, due to being a locally focused activity. Given the site location, this will be generated predominately from the west, north and east. Foot traffic past the south/south-western neighbours will be negligible. The use of footpaths for a slight increase in foot traffic does support limited notification.
- Non-residential building – the subject building was clearly built for a non-residential activity in the ground floor, and as noted earlier in this AEE for the majority of the past 150 years the site has been partly associated with a non-residential activity. The proposed use itself is not a reason to justify notification. And as outlined above, there are no effects to justify notification.

97. In terms of Step 1: Certain affected groups and affected persons must be notified

- The activity is not in a protected customary rights area; the activity is not an accommodated activity in a customary marine title area; and, the activity is not on or adjacent to, or might affect, land that is the subject of a statutory acknowledgement.

Therefore, Step 2 is to be considered.

98. In terms of Step 2: If not required by Step 1, limited notification precluded in certain circumstances

- There are no rules or national environmental standards precluding limited notification.
- The application does not involve a controlled activity that is not a subdivision.

Therefore, Step 3 is to be considered.

99. In terms of Step 3: If not precluded by Step 2, certain other affected persons must be notified

- The application does not involve a boundary activity.
- There are no persons where the activity's adverse effects on the person are minor or more than minor (but are not less than minor). Refer above and elsewhere in this AEE.

Therefore, Step 4 is to be considered.

100. In terms of Step 4: Further notification in special circumstances
- There are no special circumstances that warrant the application being limited notified. There is nothing exceptional or unusual about the application that makes limited notification to any other persons desirable.
101. With regards to any special circumstances in terms of limited notification, while it may be argued that the proposal is not aligned with the zoning, it is clear the proposal is aligned with the existing physical structure and its past use. The non-residential physical structure is obvious. The Applicants have taken steps to reduce effects to an acceptable level (via infill of ground floor openings to the south, proposed opening hours, main vent termination point etc) and have offered/suggested a number of conditions, including a review condition in terms of noise. Overall, the non-residential use of the site could be anticipated for the site, while the effects have been reduced to a level which are assessed as being less than minor. On that basis there is nothing exceptional or unusual about the application that makes limited notification to any other persons desirable.

EFFECTS ON THE ENVIRONMENT

102. To follow is a review of both the permitted baseline and the receiving environment. That review informs the assessment of effects.

Permitted Baseline

103. Under Sections 95D(b) and 104(2) of the Resource Management Act 1991, the Council may disregard an adverse effect of the activity on the environment if the district plan or a national environmental standard permits an activity with that effect. This is called the permitted baseline.
104. Permitted activities include:
- Residential, potentially as two flats – while retaining all the existing openings to the southern neighbour.
 - Community and leisure - small scale (i.e. up to 50 people – double the expected number of seats in the café), with the ability to operate Sunday - Thursday: 6.00am - 10.30pm and on Friday - Saturday: 6.00am - 12.00am (midnight) – noting these times are beyond those limited by this application.
105. It is considered that this is the appropriate baseline against which the activity should be considered.

Receiving Environment

106. The existing and reasonably foreseeable receiving environment is made up of:
- The existing environment and associated effects from lawfully established activities;
 - Effects from any consents on the subject site (not impacted by proposal) that are likely to be implemented;
 - The existing environment as modified by any resource consents granted and likely to be implemented; and
 - The environment as likely to be modified by activities permitted in the district plan.
107. With regards to the subject site, the receiving environment includes the existing non-residential building, while in terms of the wider area this includes the anticipated increase in on-street parking and the existing level of traffic noise associated with the current roading environment.

Assessment of Effects

108. In terms of the reasons for this resource consent, as discussed above, the matters associated with the small grocery offering and signs are assessed as having de minimis effects and not warranting further discussion. Therefore the following will focus on
- Visitor accommodation
 - Restaurant (All other activities in the commercial activities category)

- Ancillary licensed premises
- All other additions and alterations to a character-contributing building

Visitor accommodation

109. The proposed visitor accommodation activity is a restricted discretionary activity, with the matters of discretion listed in Rule 15.11.2.7, and that is considered below:

Standard	Details	Comment
15.11.2 Assessment of restricted discretionary land use activities		
15.11.2.7 Visitor accommodation,		
Matter of discretion 15.11.2.7.a Effects on surrounding sites' residential amenity		
15.11.2.7.a.i	Objective 15.2.3 Activities in residential zones maintain a good level of amenity on surrounding residential properties and public places.	As the proposal is very small scale (one visitor unit, up to 4 bedrooms ¹⁰), it is anticipated the effects of the visitor accommodation will effectively mirror the residential use of the site resulting in no material change in terms of amenity.
15.11.2.7.a.ii	Visitor accommodation is designed to avoid or, if avoidance is not practicable, adequately mitigate, adverse effects on the amenity of surrounding residential properties (Policy 15.2.3.4).	As above. Further, it is noted that resource consents for visitor accommodation in existing (and proposed) dwellings is common in Dunedin, and as a general observation raise no issues of concern.
Potential circumstances that may support a consent application include:		
15.11.2.7.a.iii	Communal outdoor gathering areas are located or screened to minimise effects on adjacent residential properties.	While the small scale nature of the visitor accommodation should provide comfort in this regard, if required, screening can be managed by a condition of consent.
Conditions that may be imposed include:		
15.11.2.7.a.iv	For campgrounds...	n/a
Matter of discretion 15.11.2.7.b Effects on efficiency and affordability of infrastructure		
15.11.2.7.b	See Rule 9.6.	A review of Rule 9.6 is considered unnecessary due to the very small scale of the proposal.

110. Overall, the use of part of the property for visitor accommodation arises no issues of concern.

Restaurant / Ancillary licensed premises

111. The proposed café (Restaurant), small grocery offering (retail) and Ancillary licensed premises (on-licence and off-licence) are a non-complying activities, with the matters of discretion listed in Rule 15.13, and those are considered below:

Standard	Details	Comment
15.13.2 Assessment of all non-complying activities		
15.13.2.1 All non-complying land use		
Relevant objectives and policies (priority considerations):		
15.13.2.1.a	Objective 15.2.1 Residential zones are primarily reserved for residential activities and only provide for a limited number of compatible activities, including: visitor	The requirement for this resource consent aligns with the objective. It is noted that the proposed activity

¹⁰ Could be limited to 3 bedrooms by a condition of consent.

	accommodation, community activities, major facility activities, and commercial activities that support the day-to-day needs of residents.	is to service the local community, and based on the effects conclusion, are compatible activities with the zone.
<i>General assessment guidance:</i>		
15.13.2.1.b	In assessing the significance of effects, consideration will be given to: 1. short to long term effects, including effects in combination with other activities 2. the potential for cumulative adverse effects arising from similar activities occurring as a result of a precedent being set by the grant of resource consent. 3. any effects otherwise managed through performance standards and consistent with all relevant objectives and policies for the zone.	Short and long term effects of the café / small grocery offering / licensed premises are expected to be similar. The site is somewhat unique in terms of its history, location, and corner position; hence the setting of a precedent is unlikely. Further, due to the effects conclusion, if a precedent is set, it is unlikely to be undesirable. Noted.
15.13.2.1.c	In assessing activities that are non-complying due to being in an overlay zone...	n/a
<i>Relevant guidance from other sections (priority considerations):</i>		
15.13.2.1.d	See Section 6.13 for guidance on the assessment of resource consents in relation to objectives 6.2.2 and 6.2.3, and effects related to accessibility and the safety and efficiency of the transport network and its affordability to the public.	A review of Section 6 is considered unnecessary, as the proposal is for a local café / licensed premises with limited, if any, noticeable effects to the transportation network.
15.13.2.1.e	See Section 9.8 for guidance on the assessment of resource consents in relation to Objective 9.2.2 and effects on health and safety.	A review of Section 6 is considered unnecessary, as the proposal is very small scale, and the licenced premises will be managed via the licencing regulations.
15.13.2.1.f	See Section 14.6 for guidance on the assessment of resource consents in relation to Objective 14.2.1 and effects on cultural values of Manawhenua.	n/a

Standard	Details	Comment
15.13.3 Assessment of non-complying land use activities		
15.13.3.3 All non-complying commercial activities		
<i>Relevant objectives and policies (priority considerations):</i>		
15.13.3.3.a	Objective 15.2.1 Refer above.	Refer above.
15.13.3.3.b	Objective 2.4.3 Dunedin's Central Business District is a strong, vibrant, attractive and enjoyable space that is renowned nationally and internationally for providing the highest level of	Objective 2.4.3 n/a as the proposal is site specific, focusing on the local community.

	pedestrian experience that attracts visitors, residents and businesses to Dunedin. It is supported by a hierarchy of attractive urban and rural centres. Policy 2.4.3.4 Maintain or enhance the vibrancy and density of activity in the CBD and centres through rules that restrict the distribution of retail and office activity. Objective 2.3.2 Dunedin has a hierarchy of vibrant centres anchored around one Central Business District Zone (CBD), which provides a focus for economic and employment growth... Policy 2.3.2.2 Maintain or enhance the density and productivity of economic activity in the CBD and centres through rules that restrict retail and office activities outside these areas...	Policy 2.4.3.4 n/a as the proposal is site specific, focusing on the local community. Objective 2.3.2 n/a as the proposal is site specific, focusing on the local community. Policy 2.3.2.2 As above, but noting the core of the proposal is not for retail nor office activity.
15.13.3.3.c	Commercial activities, other than those expressly provided for, are avoided from locating in residential zones, unless: 1. the activity will not detract from the vibrancy and functioning of the centres hierarchy; and 2. the site is adjacent to a centre and it provides a logical extension to a centre; and 3. the centre is at, or very close to, capacity; and 4. the development activities are done in accordance with the performance standards of the street typology (if relevant) of the adjacent centre zoned sites; and 5. the development maximises opportunities for integration with the centre; or 6. if the site is in the Township and Settlement Zone...	The proposal is aligned with this. As per above. n/a n/a The site already contains a non-residential building. n/a n/a
General assessment guidance:		
15.13.3.3.d	In assessing the effects on the vibrancy and functioning of the centres hierarchy, Council will also consider effects on the economic feasibility of any redevelopment necessary to maintain the vibrancy and attractiveness of those centres.	n/a - given the small scale nature of the proposal, along with its focus on providing a service to the local community.

All other additions and alterations to a character-contributing building

112. The proposed exterior modifications is a restricted discretionary activity, with Rule 15.11.5.4 referring to Rule 13.6 with the relevant matter being Rule 13.6.4.2, which is considered below:

Standard	Details	Comment
13.6.4 Assessment of restricted discretionary activities in a heritage precinct		
13.6.4.2 Additions or alterations to a character-contributing building or a non-protected part of a scheduled heritage building in a heritage precinct that are visible from an adjoining public place (other than earthquake strengthening or restoration)		
Matters of discretion 13.6.4.2.a Effects on heritage streetscape character		
Relevant objectives and policies:		
13.6.4.2.a.i	Objective 13.2.3 The heritage streetscape character of heritage precincts is maintained or enhanced.	The modifications to the frontage are considered in keeping with the former design. For example, reinstating the veranda top sign and the corner entrance.
13.6.4.2.a.ii	Heritage streetscape character is maintained or enhanced, including by ensuring building utilities are appropriately located, taking into consideration operational and technical requirements (policies 13.2.3.2.d, 13.2.3.3.d)	Most exterior vents are minor, while the main vent terminates on the roof. The proposed heat pump is to be located on the side of the building facing the internal court yard.
13.6.4.2.a.iii	Only allow additions and alterations to character-contributing buildings where visible from a public place, where their design, materials and location achieve the following: ... for all other additions and alterations, heritage streetscape character is maintained or enhanced (Policy 13.2.3.5.b).	The proposal is in keeping with this.
13.6.4.2.a.iv	Only allow buildings and structures...	n/a
Potential circumstances that may support a consent application include:		
13.6.4.2.a.v	Decorative architectural features and fabric on character-contributing buildings that contribute to the heritage streetscape character are protected as far as practicable.	The veranda is to be retained.
13.6.4.2.a.vi	Where the building is character-contributing and is part of an integrated group of buildings...	n/a
13.6.4.2.a.vii	The development avoids or, where avoidance is not possible, minimises loss of fabric and features that contribute to the heritage streetscape character.	Almost the entire frontage is to be retained and enhanced.
13.6.4.2.a.viii	Where alternative materials are used, their effect on the heritage streetscape character is minor. This may include the use of muted colours.	The new window in the Arthur Street façade will have a wooden frame. The new doors on the corner of the building will be glass with a wooden frame.
13.6.4.2.a.ix	Where an alternative design is proposed...	n/a
13.6.4.2.a.x	Rendering of un-rendered surfaces is undertaken only where the surface	n/a

	has deteriorated and cannot feasibly be repaired.	
13.6.4.2.a.xi	Where unpainted surfaces are painted...	n/a
General assessment guidance:		
13.6.4.2.a.xii	For additions and alterations within a heritage precinct, Council will consider, and may impose conditions on, elements of building design such as height and setbacks even where these meet performance standards for the zone, where these matters are important to meet Objective 13.2.3 and policies 13.2.3.5 and 13.2.3.7.	Noted.

113. The proposal will have a number of positive effects, including:
- Neighbourhood / community - The provision of a service which is not currently available for the local community, and a meeting place for the local community. Along with providing local employment opportunities.
 - Heritage – repurposing a heritage building, while restoring the street facing 1920's look of the building.

114. Overall, the effects of the proposal are assessed as being less than minor.

Effects Assessment Conclusion

115. The key reason for this resource consent is the proposed café activity.

116. The existing building structure, the sites long history associated with a non-residential activity, along with the details of the proposal assist in terms of effects.

117. Overall, the effects of the proposal are assessed as being less than minor.

OFFSETTING OR COMPENSATION MEASURES ASSESSMENT

118. No offsetting or compensation measures are offered.

OBJECTIVES AND POLICIES ASSESSMENT

119. In accordance with Section 104(1)(b) of the RMA, the objectives and policies of the 2GP are assessed below:

Residential Zones (Section 15):

Objective	Supporting Policy	Comment
Objective 15.2.1 Residential zones are primarily reserved for residential activities...	Policy 15.2.1.2 Provide for a limited range of major facility activities and commercial activities, including dairies, registered health practitioners, training and education, and visitor accommodation, where the effects of these activities will be managed in line with objectives 15.2.3 and 15.2.4, and their policies. Policy 15.2.1.5 Avoid commercial activities,	Objective 15.2.1 Discussed earlier in this AEE. Policy 15.2.1.2 While not all proposed activities are provided for, the key matter of how an activity functions is discussed under objectives 15.2.3 and 15.2.4, and their policies – refer below. Policy 15.2.1.5 This is a directive policy. In

	other than those expressly provided for, from locating in residential zones, unless: - the activity will not detract from the vibrancy and functioning of the centres hierarchy; and - the site is adjacent to a centre and it provides a logical extension to a centre; and - the centre is at, or very close to, capacity; and - the development activities are done in accordance with the performance standards of the street typology (if relevant) of the adjacent centre zoned sites; and - the development maximises opportunities for integration with the centre; or	terms of the exceptions, the two key themes are not to detract from centres hierarchy (which the application is aligned to as it focuses on the local community), however, the second theme seems to require the location to be adjacent to a Centre (which the site is not). As all the exceptions in Policy 15.2.1.5 are linked by “and”, then any exception needs to align to all matters. Because of the site location, it cannot align to all exception matters. Therefore the proposal is contrary to this directive policy.
Objective 15.2.3 Activities in residential zones maintain a good level of amenity on surrounding residential properties and public places.	Policy 15.2.3.2 Require activities provided for to operate in a way (including hours of operation) that avoids or, if avoidance is not practicable, adequately mitigates, noise or other adverse effects on the amenity of surrounding residential properties. Policy 15.2.3.4 Refer earlier in this AEE.	Objective 15.2.3 In terms of the visitor accommodation, this is discussed earlier in this AEE. In terms of the other commercial activities, the Applicants have taken care to ensure the proposal results in at least maintaining amenity to the surrounding properties, and even enhancing it, via the removal of openings facing a neighbour. Further, the proposed exteriors renovation will result in an enhance streetscape amenity. Objective 15.2.3.2 The discussed in detail earlier in this AEE, the effect on amenity, including noise, has been assessed as being less than minor. Policy 15.2.3.4 The relevant part relates to visitor accommodation.

Objective 15.2.4 Activities maintain or enhance the amenity of the streetscape, and reflect the current or intended future character of the neighbourhood.	Policy 15.2.4.1 Require activities to maintain or enhance streetscape... a. ... b. ... c. ... d. shared service areas are not visible from ground level from outside the site; and e. outdoor storage is managed in a way that does not result in unreasonable visual amenity effects or create nuisance effects. Note – PC1 seeks to amend Policy 15.2.4.1 as follows (change underlined): Require activities to maintain or enhance streetscape amenity <u>and neighbourhood residential character</u> by ensuring Policy 15.2.4.5 Require ancillary signs to be located and designed to maintain residential amenity including by being of an appropriate size and number to convey information about the name, location and nature of the activity on-site to passing pedestrians and vehicles and not being oversized or too numerous for what is necessary for that purpose. Policy 15.2.4.7 Only allow ... visitor accommodation ... where they are designed and located to avoid or, if avoidance is not practicable, adequately mitigate, adverse effects on streetscape amenity.	Objective 15.2.4 The heritage frontage is part of the current streetscape, and the proposed upgrades to the heritage frontage will enhance the amenity of the streetscape. Policy 15.2.4.1 No shared services area is proposed. No outdoor storage is proposed. The PC1 change makes no material impact on the matters identified above. Policy 15.2.4.5 The 3 signs are detailed earlier in this AEE, and assessed in resulting in de minimis effects. Policy 15.2.4.7 As the proposed visitor accommodation is within an existing building, no effects on streetscape are anticipated.
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120. Overall, it is assessed that the proposal is consistent with the majority of the relevant objectives and policies of the 2GP. However, Policy 15.2.1.5 is a directive policy, and the proposal is contrary to that single policy.

Operative and Proposed Regional Policy Statement for Otago

121. The Operative and Proposed Regional Policy Statement for Otago raises no matter of concern.

DECISION MAKING FRAMEWORK

Part 2 Matters

122. It is considered that there is sufficient assessment guidance within the 2GP. As a result, there is no need for an assessment in terms of Part 2 RMA.

Actual and Potential Effects

123. As noted above, the effects of the proposal are assessed as being less than minor.

Any Relevant Provision

124. The only relevant provisions relate to the district plan, and it is concluded the proposal is generally aligned the anticipated outcomes, with the exception of one directive policy.

The Gateway Test

125. S104D RMA requires an application for a non-complying activity to pass at least one of the s104D 'gateways': either the effects will be no more than minor, or the proposal is not contrary to the relevant objectives and policies.
126. As detailed above, the proposal does pass the effects gateway. Therefore, consideration to granting consent can be given under s104D.

Other Matters

127. S104(1)(c) RMA requires regard to be given to any other matters considered relevant and reasonably necessary to determine the application, such as precedent and Plan integrity. Case law now directs consideration of whether approving a non-complying activity will create an undesirable precedent. If a plan's integrity is at risk by such a precedent, then the 'true exception test is to be applied'.
128. In terms of effects, overall these are assessed as being less than minor. Therefore, any precedent is unlikely to be 'undesirable'.
129. In terms of policy, the proposal is contrary only to one directive policy.
130. Therefore, to ensure there is no risk that granting consent will result in the setting of an undesirable precedent, the 'true exception test' is required. The proposal has a number of features that assist to differentiate the application (including those listed below), therefore, there is limited risk of any precedent being set:
- For the majority of the past 150 years the site has been associated with a non-residential activity.
 - The application relates to a non-residential building that was built in 1923.
 - While the site sits within a residential zone, its corner location, along with being adjacent to a Collect road assists to differentiate the site.
 - The space associated with the café has an identifiable footprint (due to the ground floor being split level), which restricts the footprint available – and aligns the proposed footprint with past activities on the site.

131. The proposed activities, the specifics of the site/application, the sites setting, along with the offered conditions of consent assists to differentiate the proposal. Thus, if consent is granted, the risk of setting an undesirable precedent is assessed as being very low.

Specific Considerations

132. Details of any permitted activity that is part of the proposal: Not applicable
133. S124 / S165ZH91(e): Not applicable
134. S85 of the Marine and Coastal Area: Not applicable
135. Subdivision Consent – Additional Information: With regards to the plan attached to this application, the following is noted:
- a) The plan adequately defines the position of all new boundaries.
 - b) The plan adequately defines the areas of all new allotments.
 - c) No new reserves are proposed.
 - d) The proposal is not associated with any existing esplanade reserves, esplanade strips, and access strips.
 - e) The proposal is not located near any part of the bed of a river or lake.
 - f) The site is not located within the coastal marine area.
 - g) The proposal does not anticipate land being set aside as new roads.
136. Reclamation Consent – Additional Information: Not applicable

Written Approvals

137. As concluded above the effects are anticipated to be less than minor. Further, a review condition is offered in terms of noise.
138. The fact the site contains a non-residential building suggests that some (compatible) non-residential use may result.
139. As no person is identified as being affected by the proposal, the application does not include any written approvals.

CONCLUSION

140. The proposal seeks the re-use of a heritage building.
141. The exterior modifications, along with the use of part of the building visitor accommodation raises no concerns.
142. In terms of the proposed café/small grocery offering/licenced premises, these are non-complying activities. However due to its small scale, the parameters of the activity, its local focus, along with the offered review condition associated with noise – they also raises no concerns.
143. Acknowledging that the application includes non-complying activities and there is an 'avoid' policy in the 2GP, a decision made by a Hearings Committee is logical. To that extent, a non-notified hearing is requested.
144. Overall, the proposal seeks the efficient use of non-residential building, with effects being assessed as less than minor. If the resource consent is granted no precedent concern is anticipated. Therefore, the proposal is assessed as being suitable for consent to be granted.

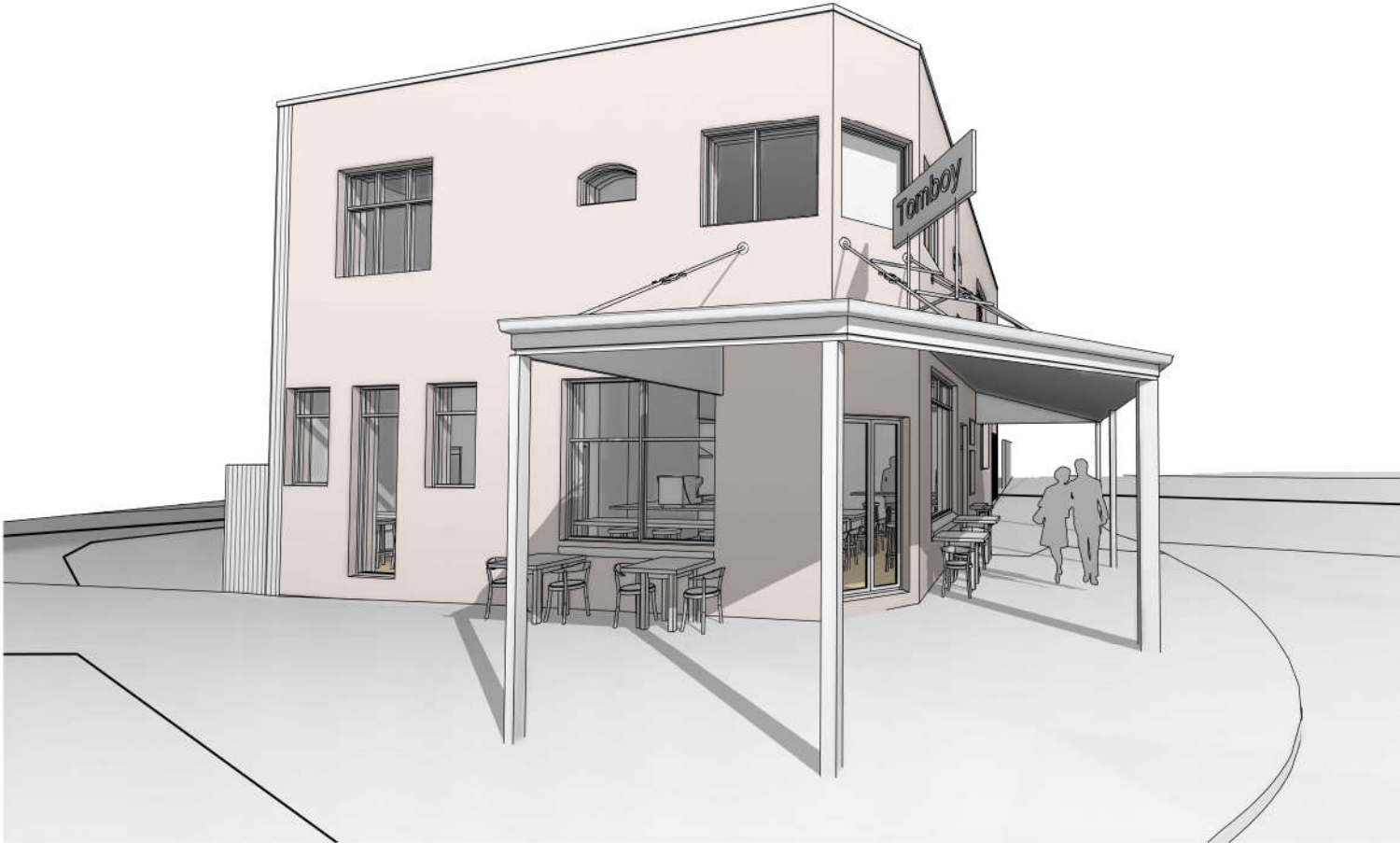
Anderson & Co (Otago) Ltd

CONDITIONS – OFFERED / POTENTIAL

- 145. An annual review condition in terms of noise.
- 146. No trucks are allowed to deliver to the site.
- 147. No external seating will be available between 9pm and 7am the following day.
- 148. If required, the open space to the north-west of the existing building is to be screened from 98 Arthur Street. The details of the proposed screening are to be submitted to and approved by Council, and installed prior to the Visitor Accommodation activity commencing.
- 149. If required, the bedroom associated with the window that looks towards 98 Arthur Street is not to be used for the visitor accommodation activity i.e. the visitor accommodation activity is limited to 3 bedrooms.

END

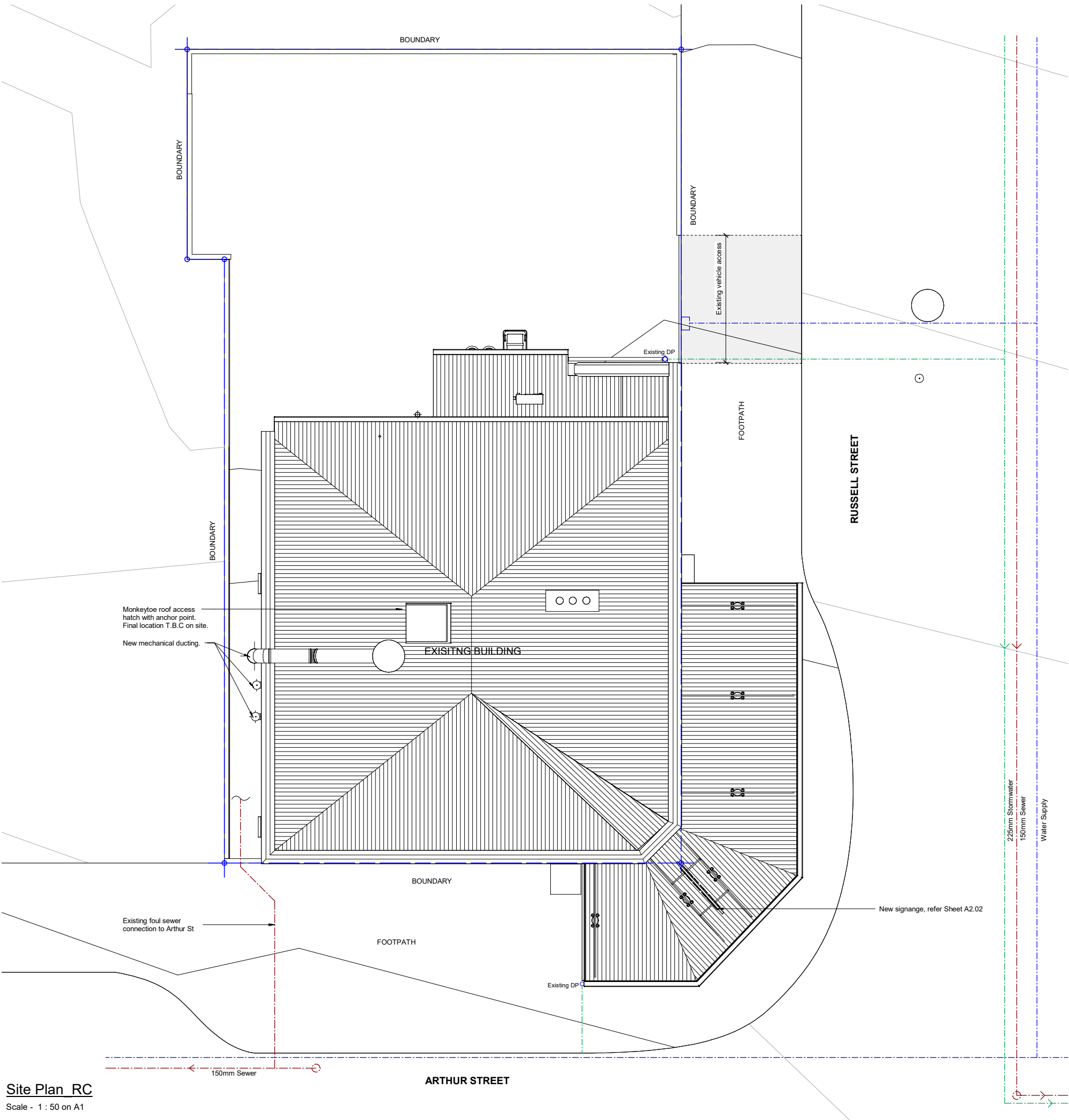
Proposed Alterations to 33 Russell Street



Location Plan
(NTS)

Sheet List - RC Drawings			
Sheet Number	Sheet Name	Current Revision	Current Revision Date
R0-00	Cover Sheet RC	A	06-05-25
R0-01	Site Plan - RC	A	06-05-25
R1-01	Existing/Demolition Floor Plans RC	A	06-05-25
R1-02	Proposed Floor Plans RC	A	06-05-25
R2-03	Elevations - RC	A	06-05-25
R2-04	Elevations - RC	A	06-05-25





LEGEND	
	Existing Foul Sewer
	Existing Stormwater
	Existing Water Supply
	Existing Toby (cos)
	Boundary
	DP Downpipe

GENERAL NOTES	
- Confirm all dimensions on the job, obtain all consents and pay all fees	
- All work shall be carried out strictly according to NZS 3604:2011 and the NZBC.	
- Concrete construction shall comply with NZS 3109:1997 and shall be a min. 25MPa strength at 28 days.	
- Reinforcing shall comply with AS/NZS 4671:2001.	
- Concrete masonry shall comply with NZS 4210:2001 with all cells concrete filled.	
- Fix all frames to slab (Malthoid DPC between plates & concrete using Ramset 12150GH Masonry Anchors set 150mm from corners and at 600mm crs elsewhere, all according to 7.5.12 of NZS 3604:2011.	
- Fix all studs to top plates with 2/90x3.15 end nails & 2 wire dogs.	
- Allow to fix all angle bracing, straps, bolts, sheet bracing etc, all as necessary.	
- Allow to fix in position shown - battery powered smoke detectors to NZBC F7/AS1- shown as SD on plans.	
- All wall and ceiling linings to be stopped to LEVEL 4 finish, apply sealer and paint finish all to manuf. specifications.	
- All flashings shall comply with Tables 20 - 22 of the NZBC E2/AS1.	
- Contractor shall ensure site conditions comply with Section F2 and F5 of the NZBC.	
- Unless otherwise specified ALL TIMBER GRADES shall be SG 8.	
- All timber treatments shall be as shown on the drawings or as specified.	
- All new plumbing and drainage shall be in accordance with AS/NZS 3500.2	
All foul and stormwater drainage shall be run in 100mm uPVC, all to AS/NZS 1260 and be run to min grades of 1:60.	
- All Buteline pipe shall be factory tested and certified for use, then water tested after installation to 1500kPa Pressure for 15 minutes ensure 'Buteline' compliant.	
- All pipework in wall, roof space or above ground shall be frost protected using 13mm Armaflex insulation.	
Allow to wrap around all drains penetrating concrete walls or slab with Densolape.	
- Ensure tempering valve is fitted to hot water system.	
- Any and all Electrical work shall be undertaken by registered Electrician with any downlights to be '1.C.' rated.	
- All ventilation works shall comply with NZBC G4/AS1.	
- All artificial lighting shall comply with NZBC G8.	
- Provide exterior lighting to allow safe movement around exterior of house, confirm on site with client and electrical/light consultant.	

ASBESTOS NOTE	
If found, all friable (or more than 10m2 of non-friable) asbestos will be removed by a licensed asbestos removalist only.	

SITE ADDRESS	
33 Russell Street	
Dunedin Central	
Dunedin	
LEGAL DESCRIPTION	PT SEC 17 BLK X SD 14194 TN OF DUNEDIN
SITE AREA	233m²
BUILDING AREA	110m²
SITE COVERAGE	47.2%
EARTHQUAKE ZONE	Zone 1
EXPOSURE ZONE	Zone C
SNOW ZONE	N5
WIND REGION	A
GROUND ROUGHNESS	Urban
TOPOGRAPHIC CLASS	
Hill Height and Formation	Hill
Gradient Value and Class	Moderate
Topography	Outer
Site Exposure	Sheltered
Topographic Class	T2
WIND ZONE	High

Cadzow Design
ARCHITECTURAL DESIGN & CONTRACT DRAFTING

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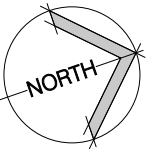
HEAD OFFICE
29 GLADSTONE ROAD, MOSGIEL 9024
PO BOX 145, MOSGIEL 9053
PHONE (03) 489 4196

AUCKLAND OFFICE
31 BARRIES POINT ROAD,
TAKAPUNA, AUCKLAND 0622
PHONE (09) 837 7654

PROJECT
Alterations to 33 Russell Street, Dunedin

DATE		Jan 2024
PROJECT NO.		24001
NO.	DATE	REVISION
A	06-05-25	RC Issued

NOTES
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USE FIGURED DIMENSIONS ONLY



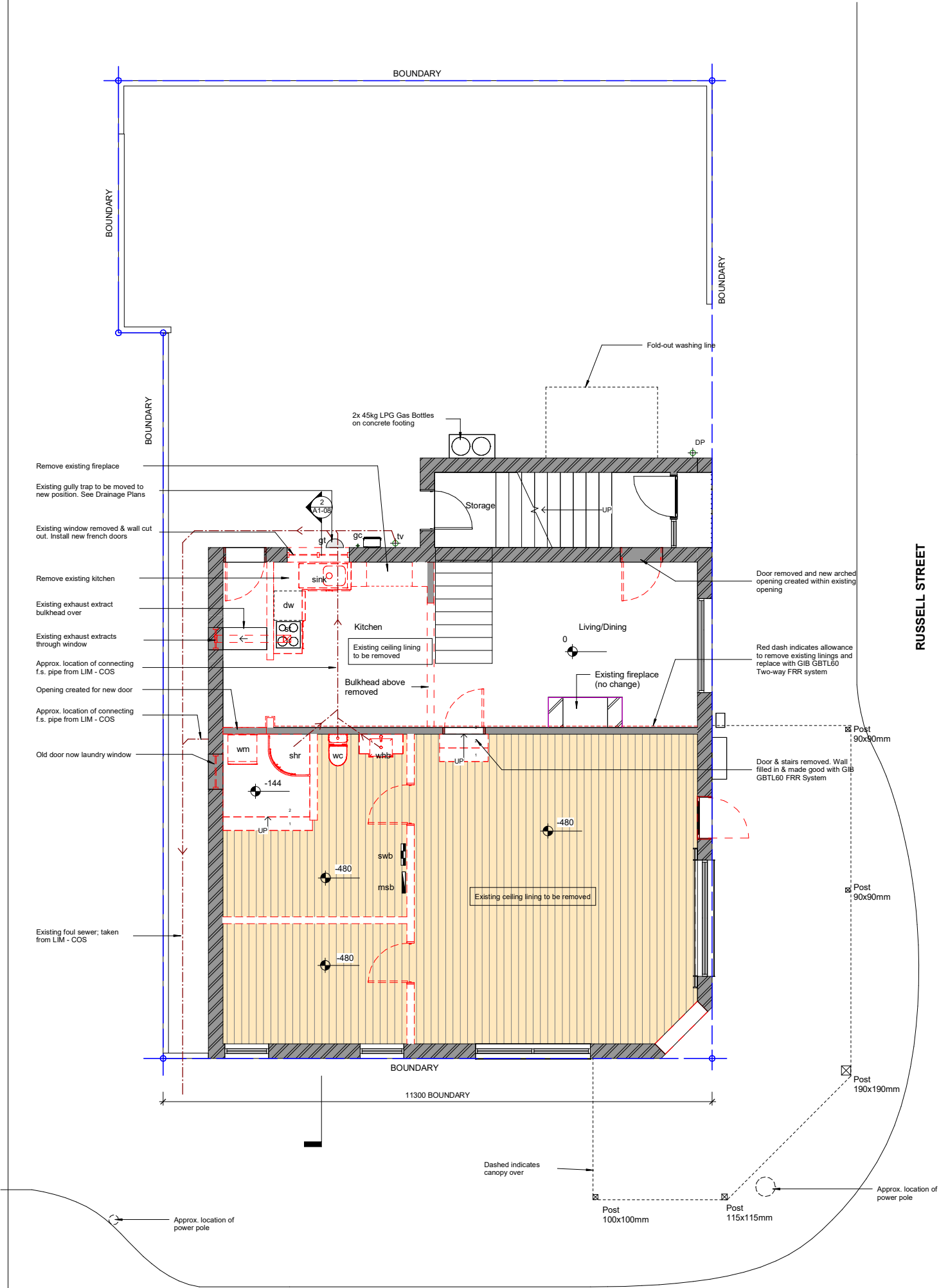
SHEET TITLE
Site Plan RC

R0-01

REVISION
A
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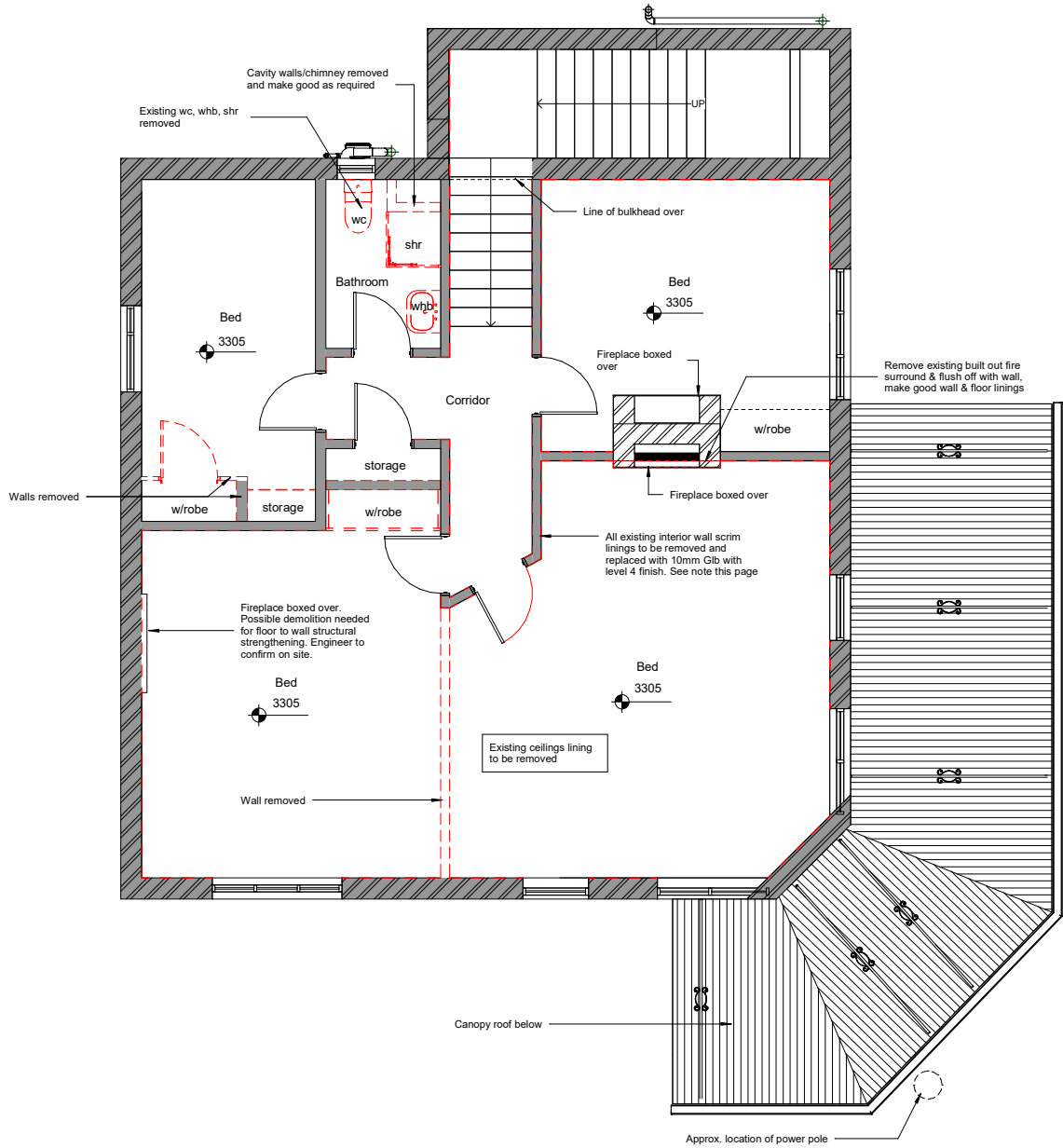
Site Plan RC
Scale - 1 : 50 on A1





Existing/Demolition Floor Plan - Ground
Scale - 1 : 50 on A1

ARTHUR STREET



Existing/Demolition Floor Plan - Level 1
Scale - 1 : 50 on A1

ORIGINAL SIZE A1 0 50 100

DEMOLITION LEGEND

- Objects to be demolished
- Wall to be demolished
- Existing 300mm Brick
- 130-150mm Existing timber framed wall with sarking or GIB Plasterboard

DEMOLITION NOTE

Allow to prop all existing roof, walls, floors and ceilings prior to any internal walls or structure being removed or demolished until all new support members are securely fixed in place. Confirm all on site prior to any demolition commencing.

PLUMBING DEMOLITION NOTE

Cap and seal all existing pipes as necessary for proposed alteration - contractor to confirm exact locations and extent of demolition on site prior to any demolition commencing.

--- Existing Foul Sewer

All existing scrim linings to be removed and replaced with 10mm GIB with level 4 paint finish. Colour TBC with client.

Cadzow Design
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PROJECT

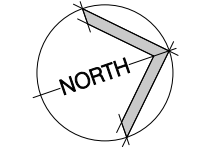
Alterations to 33 Russell Street, Dunedin

DATE Jan 2024
PROJECT NO. 24001

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SHEET TITLE

Existing/Demolition Floor Plans RC

R1-01

REVISION A
BC ISSUE

Ground Floor Plan - Proposed
Scale - 1 : 50 on A1

ARTHUR STREET

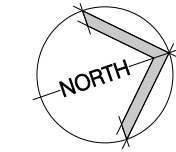
RUSSELL STREET

Level 1 Floor Plan - Proposed
Scale - 1 : 50 on A1

PROJECT
**Alterations to 33
Russell Street,
Dunedin**

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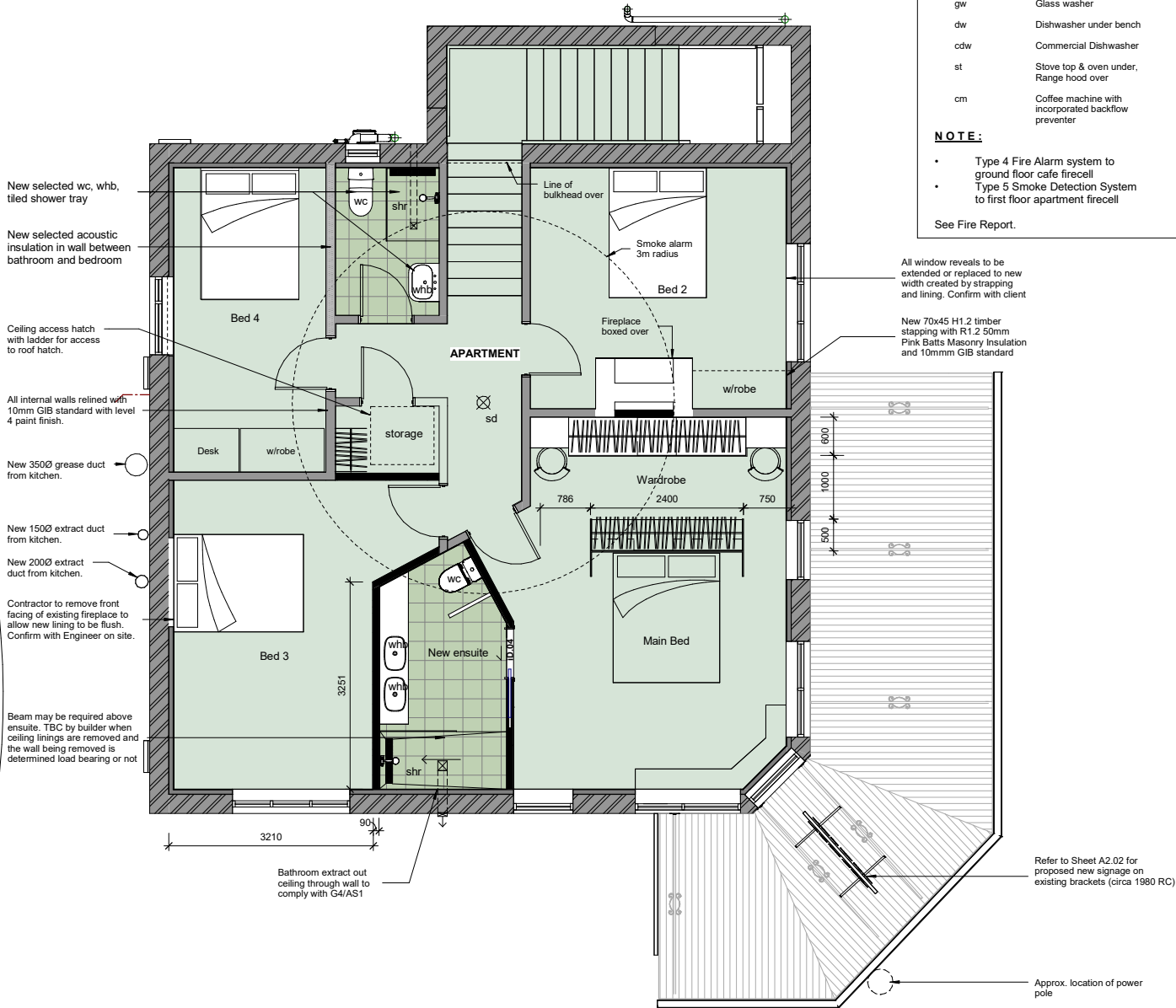
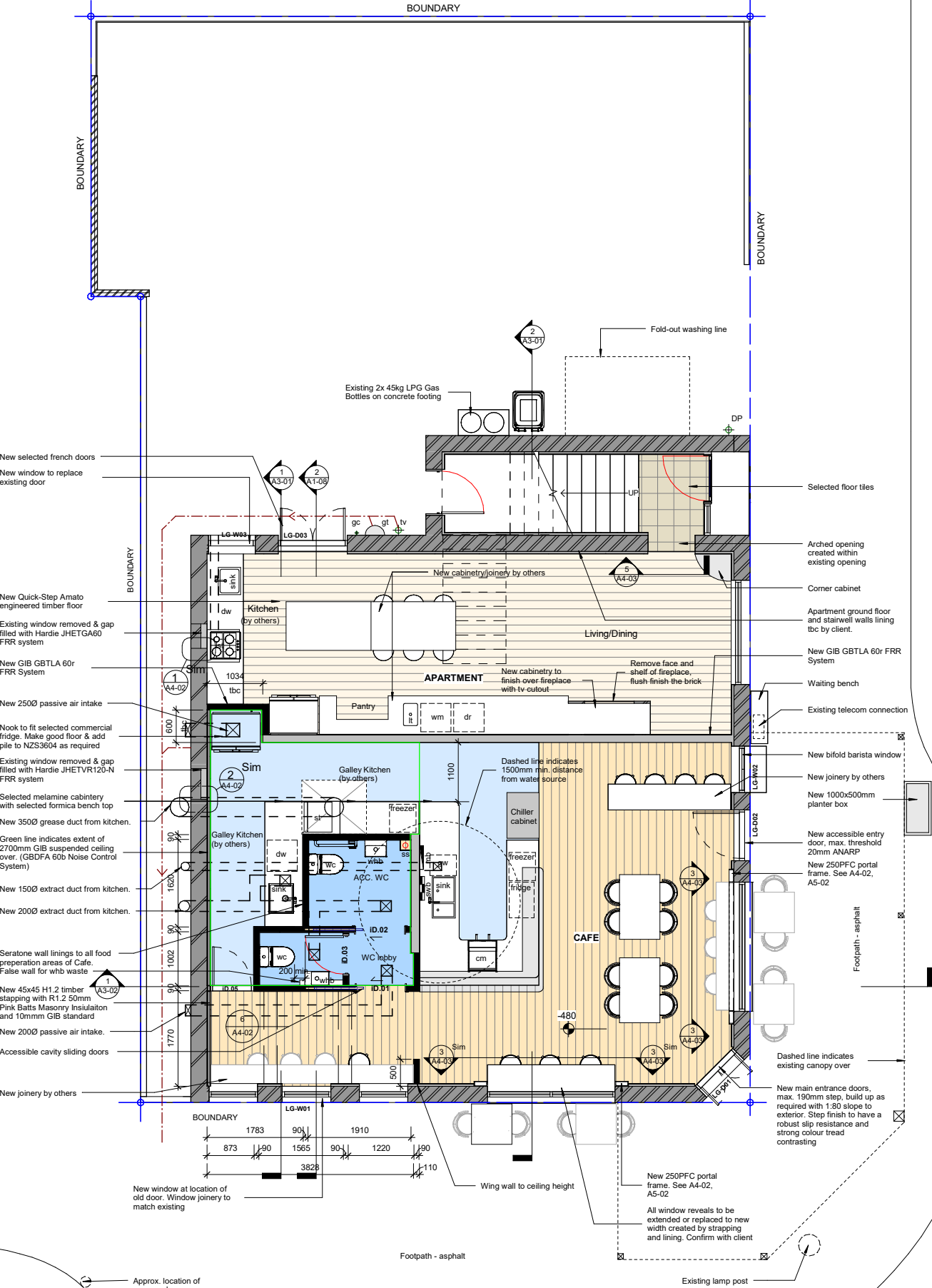
SHEET TITLE
**Proposed Floor
Plans RC**

Window & Door Schedule					
Mark	Length	Height	Sill Height	Lintel	Comments
LG-D01	980	2340	0	Existing	Grade A Safety Glass
LG-D02	940	2000	0	Existing	Grade A Safety Glass, Accessible Door
LG-D03	1280	2767	0	Existing	Grade A Safety Glass
LG-W01	900	2881	0	Existing	Grade A Safety Glass
LG-W02	860	994	966	Existing	Grade A Safety Glass, Bifold
LG-W03	870	870	1160	Existing	Grade A Safety Glass
LG-W04	940	484	2000	Existing	Grade A Safety Glass

Interior Door Schedule					
Mark	Width	Height	Sill Height	Lintel	Comments
ID.01	910	2000	0	2/140x45mm SG8	Accessible
ID.02	910	2000	0	2/140x45mm SG8	Accessible
ID.03	710	2000	0	2/90x45mm SG8	Accessible
ID.04	760	1980	0	2/140x45mm SG8	
ID.05	800	1980	0	2/90x45mm SG8	

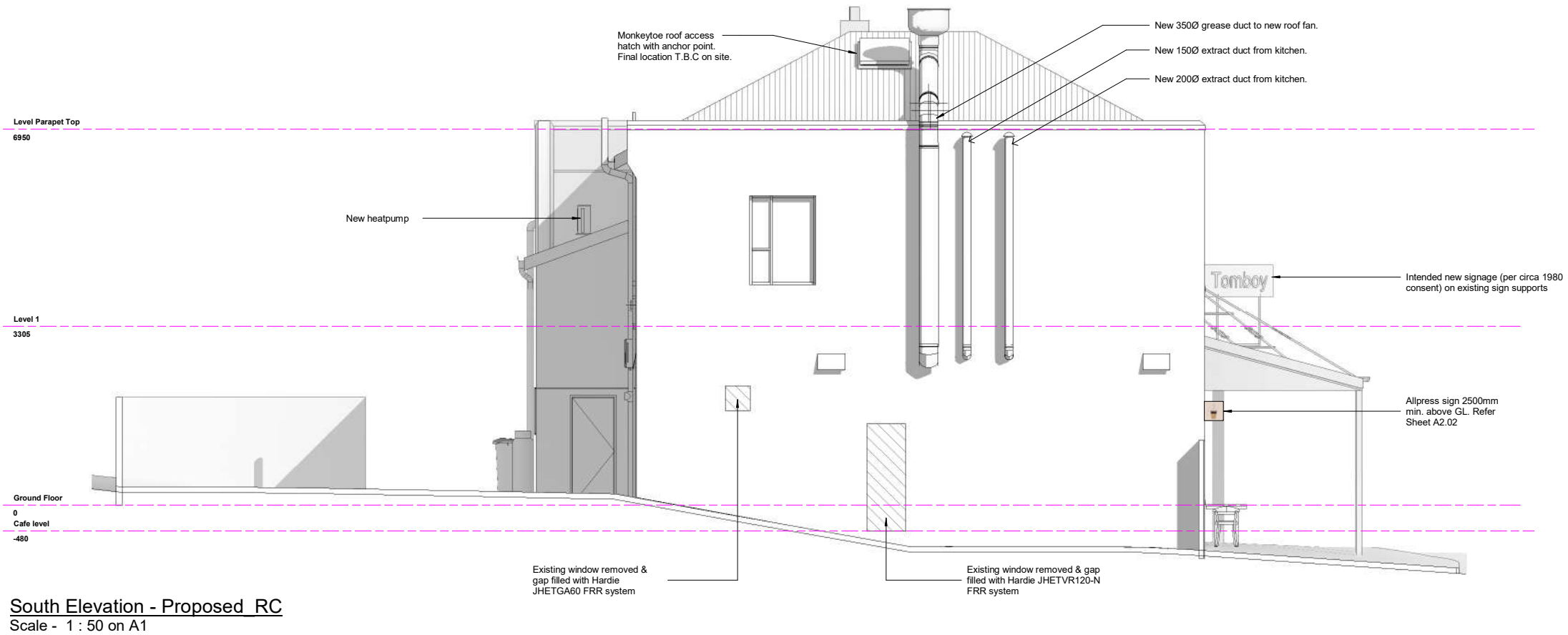
FLOOR FINISHES LEGEND	
	New Quickstep Amato timber flooring on 2mm Quiet Step underlay
	New Tarkett SafeTred Universal Plus sheet vinyl
	New Tarkett Eclipse Premium Classic sheet vinyl
	Existing floorboards to be sanded & sealed with polyurethane. Make good where required
	New selected carpet
	New selected bathroom floor tiles
	New selected floor tiles. Selected tiles must have a minimum SRV classification of no less than 39 in accordance with D1/AS1

WALL LEGEND	
	Existing 300mm Brick
	130-150mm Existing timber framed wall with sarking or GIB Plasterboard
	New 90x45mm SG8 H1.2 @ 300 c/s. timber wall with 10mm GIB Standard each side up to max. 3.6m stud height
	New 70x45mm SG8 H1.2 strapping @600 c/s. with R2.2 70mm Pink Batts Masonry Wall insulation and 10mm GIB standard
	New 40x40mm SG8 H1.2 strapping @ 600 c/s. with R1.0 40mm Pink Batts Masonry Wall insulation and 10mm GIB standard
	Smoke Detector
	Mechanical Extract Fan
KEY:	
gt	Gully Trap
tv	Terminal Vent
gc	Gas Caulfont
DP	Downpipe
wc	Toilet
whb	Wash Hand Basin
shr	Shower
wm	Washing Machine
dr	Clothes dryer
sink	Kitchen Sink
lt	Laundry tub
gw	Glass washer
dw	Dishwasher under bench
cdw	Commercial Dishwasher
st	Stove top & oven under, Range hood over
cm	Coffee machine with incorporated backflow preventer
NOTE:	
• Type 4 Fire Alarm system to ground floor cafe firecell	
• Type 5 Smoke Detection System to first floor apartment firecell	
See Fire Report.	



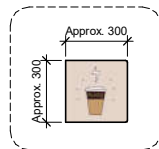
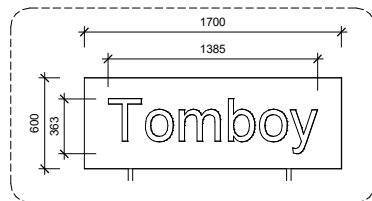
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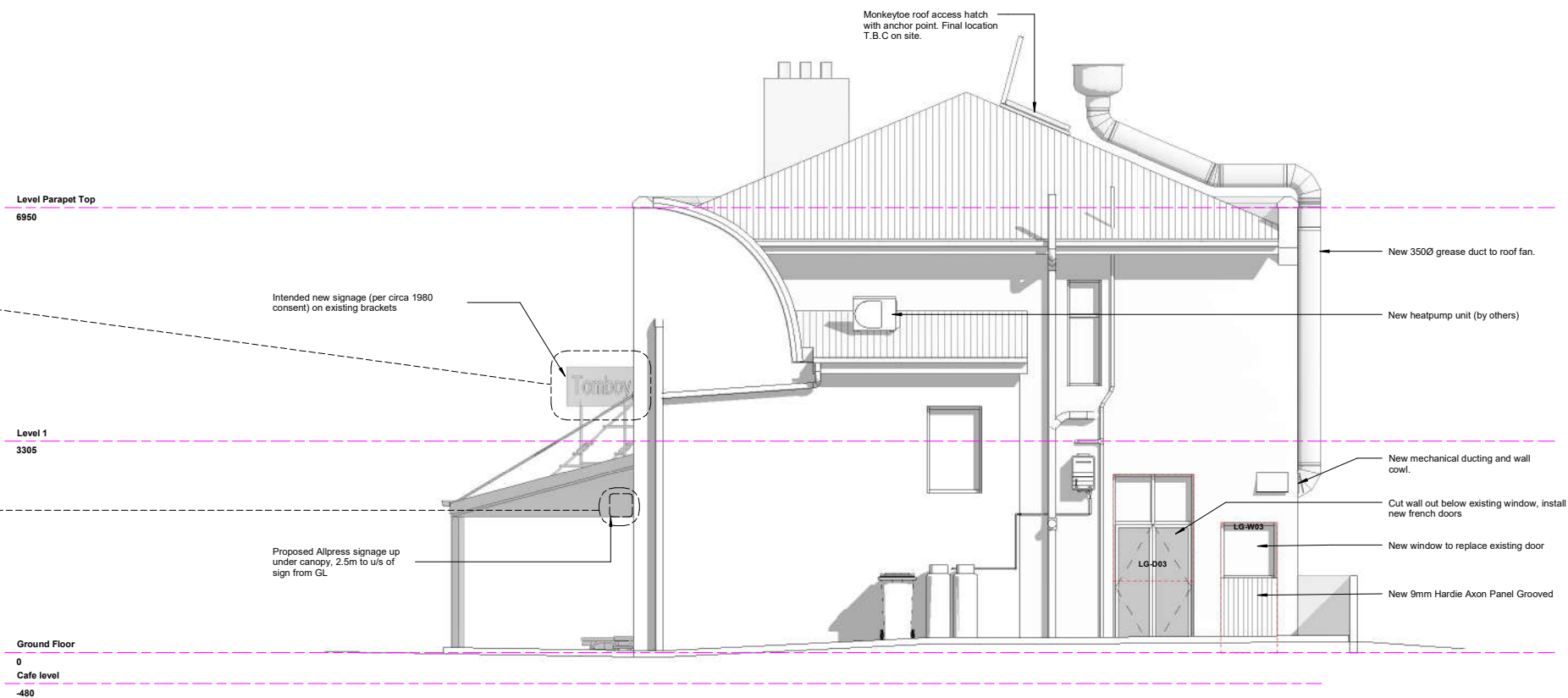


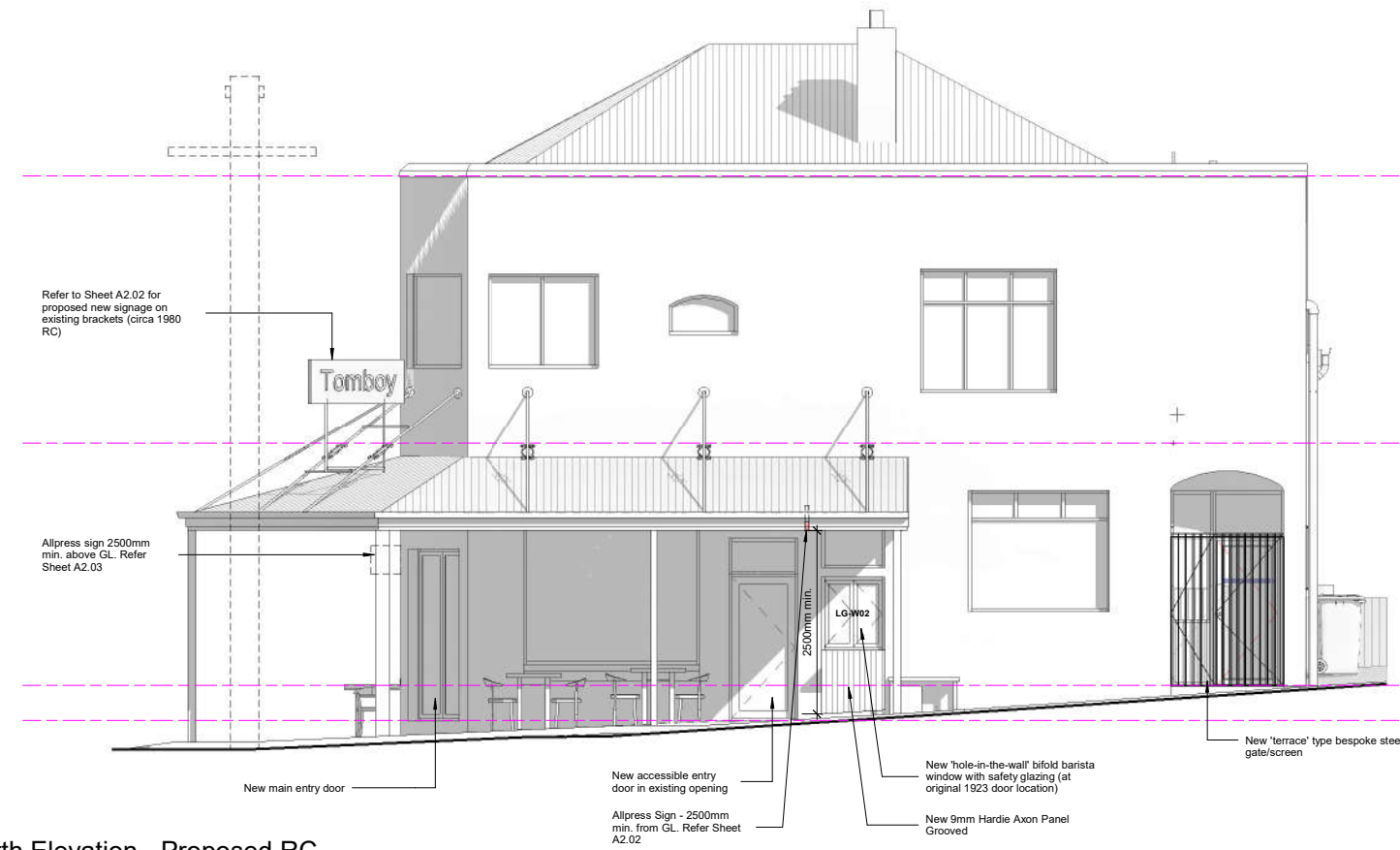
Signage notes from 2GP

1. Max. allowable height of sign above GL = 4m
Current proposed = Approx. 5.2m
2. Max. area per display face = 2m²
Current Proposed = 1.1m² (Tomboy), 0.4m² (Allpress)x2



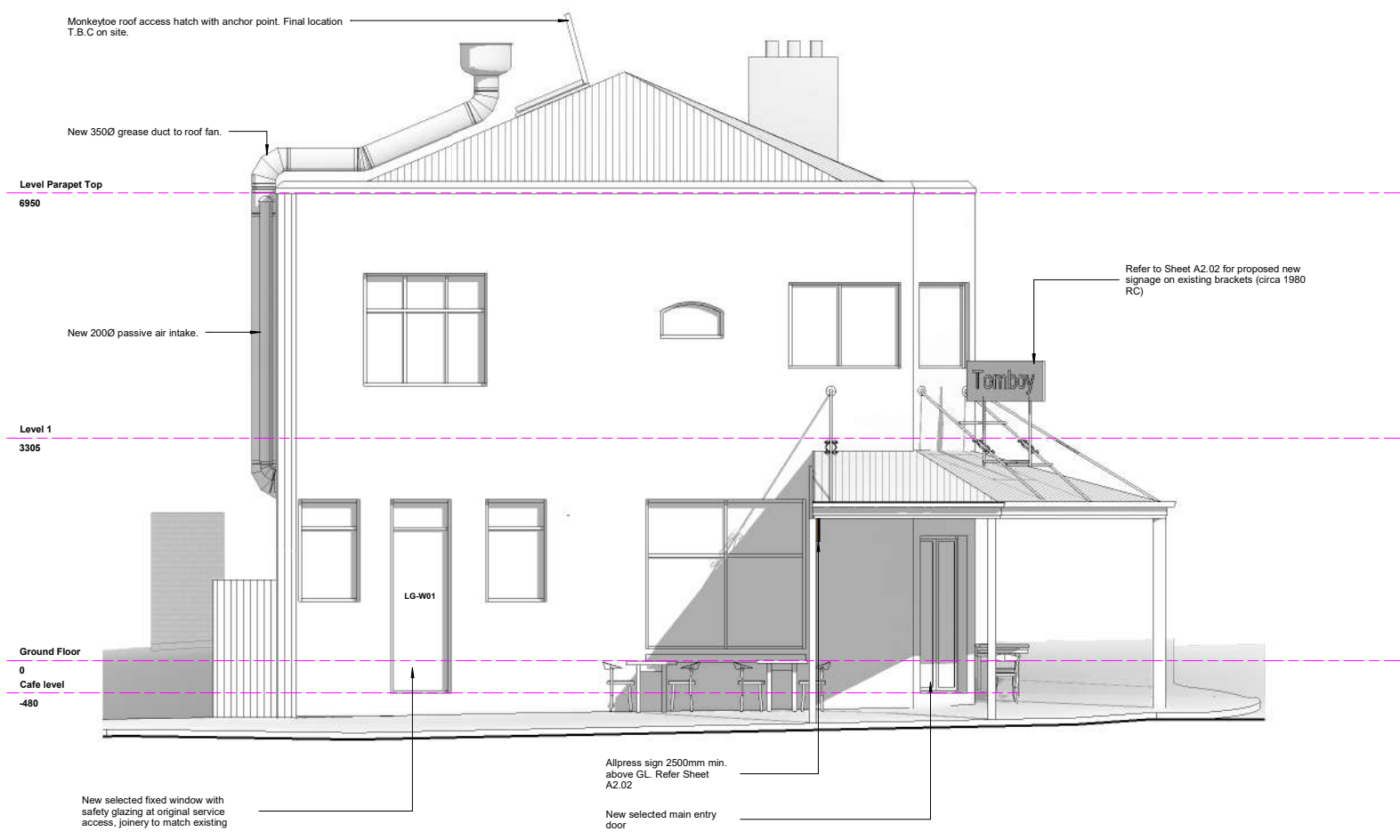
**Signage
nts**





North Elevation - Proposed RC

Scale - 1 : 50 on A1



East Elevation - Proposed RC

Scale - 1 : 50 on A1

PROJECT
**Alterations to 33
Russell Street,
Dunedin**

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SHEET TITLE
Elevations - RC

R2-04

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**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Limited as to Parcels**

**Guaranteed Search Copy issued under Section 60 of the Land
Transfer Act 2017**




R.W. Muir
Registrar-General
of Land

Identifier **OT292/146**

Land Registration District **Otago**

Date Issued 30 January 1939

Prior References

DI T750

Estate Fee Simple
Area 233 square metres more or less
Legal Description Part Section 17 Block X Town of Dunedin
Registered Owners
Paul William Keesing and Tansy Claire Hayden

Interests

12974547.1 Mortgage to Westpac New Zealand Limited - 27.3.2024 at 2:05 pm

