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Resource Consent Application for Te Kāika Wellbeing Hub Redevelopment

For Ōtākou Health Limited

Application for Land Use Consent and
Assessment of Environmental Effects

September 2021

REPORT INFORMATION AND QUALITY CONTROL

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Site Address:	25 College Street, Caversham
Applicant's Name	Ōtākou Health Limited
Address for Service:	4Sight Consulting Limited Level 1, The Chamberson, 77 Stuart Street, Dunedin, 9016 Attention: Chris Pearse-Smith
Address for Fees:	Ōtākou Health Limited 25 College Street Caversham Dunedin, 9012
Owner:	Ōtākou Health Limited
Owner Address for Service:	As above.
Legal Description:	Lot 42, 44, 46, 48 Deeds Plan 46 (RT 720102); Lot 41, 43, 45, 47 Deeds Plan 46 (RT 715079); Allotment 49-54 Deeds Plan 46 (RT OT264/196); Allotment 56 Deeds Plan 46 (RT OT264/194); Allotment 55A, 56A Deeds Plan 46 (OT264/195); Allotment 55 Deeds Plan 46 (RT OT264/197); Allotment 49-54 Deeds Plan 46 (RT OT264/196)
Site Area:	6,800m ² (Approximate Only)
Operative Plan Name:	Dunedin District Plan (2006)
Operative Plan Zone:	Residential 1
Proposed Plan Name:	Proposed Dunedin Second Generation District Plan
Proposed Plan Zone and Overlays:	General Residential 2, Caversham Mapped Area, Infrastructure Constraint Mapped Area
Brief Description of Proposal:	Redevelopment of existing Te Kāika Medical Centre and Social Services site including construction of new building and car parking area, including earthworks.
Overall activity status of resource consent:	Discretionary

Locality Plan:



1 INFORMATION REQUIREMENTS

1.1 General

This application has been prepared in accordance with the requirements of Schedule 4 of the Resource Management Act 1991 (“the Act”) and the specific information requirements for this proposal contained in the Dunedin District Plan and Proposed Dunedin Second Generation District Plan (Proposed 2GP).

2 THE PROPOSAL

Land use consent is sought to redevelop the existing Te Kāika Medical Centre and Social Services Hub to establish a new high-quality Kaupapa Community Support Services facility known as the ‘Te Kāika Wellbeing Hub’ that will allow for the expansion of existing services on site. The proposal will include a range of demolition and building work, and associated earthworks.

The proposed ‘Te Kāika Wellbeing Hub’ will see the integration of existing community support services offered on site being transferred into the proposed building and co-located with Ministry of Social Development (MSD) and Southern District Health Board (DHB) community support services, with the key aim to broaden Kaupapa Community Support Services from the site.

The central aim of the proposed development is to provide for enhanced ‘wrap around’ health and social services through the further integration of MSD and DHB staff on site. All MSD and DHB staff to be located within the proposed development will have a core ‘community support’ role in direct support to Te Kāika existing clients. All DHB staff will comprise ‘primary health community workers’ and similarly, for MSD, all case managers will provide ‘community support services’ directly to Te Kāika’s existing clients through the provision of services, or where there is an opportunity for existing MSD clients to benefit from the services that Te Kāika has to offer. Importantly, the MSD and DHB components do not include any administrative offices, with administrative office services being undertaken from existing CBD and Hospital locations.

To meet the wider social needs of whānau, Te Kāika has already implemented a pilot scheme, which includes integrated MSD social security and employment services on site and is currently provided by two FTE Work and Income staff who come to the site and respond to benefit and entitlement questions for approximately 300 of Te Kāika’s existing clients. The success of this pilot scheme has demonstrated the benefit of cross agency responses to ensure whānau, patients and clients are supported to a state of wellbeing and maintenance of wellbeing and underpins the importance that Te Kāika is able to broaden the application of these ‘wrap around’ health and social services to all of Te Kāika’s 7,000 existing clients.

Resource consent was initially lodged on 17 March 2021 for the proposed development. As part of the initial application, off-site car parking was promoted to address any overspill car parking that would arise from the Te Kaika site and a shuttle service was promoted to transport staff between the site and the off-site car parking area proposed on the KiwiRail owned Hillside Road site. However, given this area was limited to a maximum five-year lease only, the applicant has since sought to amend the site layout to provide for all staff and visitor car parking on site. With the exception of the additional car parking areas on the site, and

changes to the shape and design of the proposed building, overall, the nature and layout of the proposal still remains much the same as the application lodged on 17 March 2021.

2.1 Limited Notification

The applicant wishes to proceed immediately into limited notification for this proposal as it is anticipated that Council will deem the original catchment of affected parties identified as part of the underlying application (LUC-2016-385) affected. This list of affected parties is anticipated to be limited to the persons identified in Section 6.1.3 and Table 3 below. It is noted that the majority of these listed parties provided their written approval as part of the application lodged on 17 March 2021 with Council, however, these written approvals are no longer valid as the proposed design has since been updated. The applicant intends on reobtaining these written approvals during the limited notification period.

2.2 Building Works

Prior to construction, the demolition of approximately seven buildings and structures will be undertaken to prepare the site. This includes a number of existing buildings within the northwest area of the site, as well as a large building located in the southeast area of the site. After completion of demolition works, only the existing the Te Kāika Health Care Centre located in the southwest corner of the site and physiotherapy-rehab gym located in the northwest corner will remain.

The RC.01 existing site plan attached in Appendix B identifies the buildings that will be removed (highlighted blue) and the buildings that will be retained.

The proposed building works include the construction of a new centrally located registered health practitioner and community support building which will be approximately 1,050m² in total size and will be two storeys in height. The gross floor area of the proposed building across both the ground and first floor will be approximately 1,900m². The building will be setback at least 20m from all site boundaries.

The proposed building will have dimensions of approximately 42m by 25m and will have a maximum height above existing ground level of approximately 11m at its highest point. The elevation plans, attached as Appendix B, indicate the 9m height plane across the site and this confirms that only the eastern end of the building infringes the 9m height requirements of the General Residential 2 Zone. The proposed building will be adequately setback to avoid the height recession planes of the zone. The total built coverage of the site will be approximately 25.9% and the total impermeable surface coverage will be approximately 62.7%. The overall new landscaping coverage will be approximately 11.4%.

A Construction Management Plan (CMP) has been prepared and addresses the construction phases of the development and associated construction effects.

2.3 Car Parking and Access

The existing lower car parking area located at the eastern end of the site will be expanded to provide for 99 car parking spaces. This includes extending the lower car parking area around the north, south, and west of the proposed building and underneath the College St car parking area, through the creation of an under-

croft car park. This lower carpark will be utilised as a combination of staff and customer carparking. Table 1 below provides a breakdown of the number of existing car parks and proposed car parks.

Table 1: Existing and Proposed Car Parking Numbers

Car Park	Existing Parking Numbers	Proposed Parking Numbers
College Street (West)	22	23 (including 2 accessible spaces)
Lomond/Playfair Street (East)	25	97 (including 4 accessible spaces)
Total	47	119 (increase of 72 car parks)

The following breakdown also specifies how the car parks are anticipated to be generally used by staff, visitors, and for carpooling purposes:

- Staff – 63 car parks
- Visitors - 15 car parks
- Staff Carpool – 42 car parks (split between three proposed tenancies)

A new vehicle crossing will be constructed at the centre of the eastern Playfair Street road boundary. This access will be two way and will provide access to the primary car parking area. The existing vehicle crossing off Lomond Street, will be closed as part of this application.

The existing vehicle crossing off College Street will be widened to provide two-way access to and from the site and will continue to service the upper-level car parking area in the western area of the site and will be predominantly utilised for tenant fleet vehicle parking, although four visitor spaces will be provided to the existing Te Kāika dentistry facility located within Mataora (main existing Te Kāika building).

It is also noted that a shuttle service running between the site and a central South Dunedin location will be provided for Te Kāika patrons only. This will provide for additional transport and accessibility opportunities for patrons who do not have access to a private vehicle. The frequency of the shuttle service will be directed by demand and will be governed by a proposed Travel Plan and regularly reviewed by the Travel Plan Coordinator as explained in Section 8.1 below.

2.4 Earthworks

The proposal will include provision for earthworks comprising approximately 6,100m³ of cut over a 2,550m² area of the site and approximately 1,700m³ of fill over a 2,600m² area. The combined cut and fill will total 7,800m³ over a 5,150m² area. The proposed earthworks area is shown below in Figure 1 below.



Figure 1: Earthworks Plan showing areas of cut (in red) and fill (in green). (Source: McCoy Wixon Architects).

The maximum cut depths will be approximately 4m with the majority of these larger cuts occurring around the immediate building area in order to set the building into the ground. The cuts will also enable the construction of the under-croft car park located at the western end of the site. It is noted that the majority of these larger cuts within the central area of the site will be supported by retaining which will all form part of the future building consent application.

The proposed earthworks will also extend immediately up to the Ranfurly Street boundary and the Playfair Street boundary and within close proximity of the Lomond Street boundary. The excavation cuts along the boundary are minimal and only generally occur to remove or reduce existing retaining walls around the site. The intention of cuts and fill along the boundary is to level the site with the adjoining roads, especially along Ranfurly Street. The existing blue stone wall centrally located along the Ranfurly Street boundary is intended to be removed or reduced (and reused on site) in order to soften the interface between the main building entrance and Ranfurly Street. This is shown in the 3-dimensional aerial renders attached as Appendix B.

It is noted that all retaining works will be subject to further detailed design at the building consent stage.

An Earthworks Plan has been provided with the attached plans in Appendix B. Further details of the earthworks construction process are included in the attached Construction Management Plan attached as Appendix D.

2.5 Occupation

The proposed new building will be utilised entirely for Te Kāika (with between 35 to 40 staff coming across from the existing Te Kāika facility), the Ministry for Social Development, and the Southern District Health Board. The establishment of the new building is expected to increase the number of employees based on site by approximately 92 full time equivalent staff (FTE).

The occupation of the existing Te Kāika buildings for community support services will continue as part of this application, with between 10 to 15 existing dental facility and physiotherapy staff located within Mataora (main Te Kāika building) and the gym facility being retained.

Error! Reference source not found. below provides a breakdown of the maximum number of full-time equivalent staff members for each entity, as well as the proposed use, and hours of operation.

Table 2: Maximum Staff numbers - Full Time Equivalent (FTE) for proposal

Service/Company	Proposed Use	Total Staff Numbers (FTEs)	Hours of Operation
Existing Te Kāika Staff	Continued use across site within the existing Te Kāika facilities	10-15	8:30 – 17:30
Existing Te Kāika staff moving into new building	Two additional community support staff, such that overall, 55 FTEs will directly support Te Kāika's operations	35-40	8:30 – 17:30
	After Hours Service (5 to 6 FTE staff)		Mon – Fri 17:30 – 21:30 Sat – Sun 9:00 – 17:00
Ministry of Social Development	New MSD community support staff to support MSD integrated services on site	34-37	8:30 – 17:00
District Health Board	New DHB community support staff within proposed building	50	8:30 – 17:30
Dunedin Community Groups	Facilities hired by community groups for social gatherings	5	7:00 – 21:30
Total across all services/companies		134-147	

The Te Kāika after hours service identified in Table 2 will provide for 5-6 FTE Staff including 1-2 General Practitioners, 1 Health Care Assistant, 1 Nurse, and 2 Admin/Reception staff. All staff will park onsite.

2.6 Landscaping

The 3-dimensional site plans and aerial images included within Appendix B shows the proposed level of landscaping along the site boundaries and within the car parking areas. It is proposed that the development will be supported by a comprehensive landscape response which will be detailed by way of a pre-commencement condition. We note that Te Kāika includes a number of community gardens located within the site. It is proposed that these community gardens will be relocated into the wider landscape areas adjoining the proposed development.

Details of any final fencing will be confirmed as part of the final landscaping plan provided by way of a pre-commencement condition; however, it is intended that all fencing will comply with the visual permeability requirements of the Proposed 2GP, situated along road boundaries. The fencing design will most likely entail an open link fence design which is similar to the existing fencing around the site. Furthermore, any fencing will be no more than 2m in height above existing ground level.

2.7 Signage

Two principal signs will be erected as part of this proposal. One will be attached to the eastern facade of the proposed building and one sign will be freestanding within the Playfair Street car park within close proximity of the entrance.

The freestanding sign will be located centrally within the car park and will be used for wayfinding purposes. This sign will comply with the maximum height requirements of 2m and maximum area of 1.5m² per display face.

An additional 'Te Kāika' sign is to be erected on the northern building elevation and exceeds the 4m maximum height above ground level and maximum display face of 1.5m² requirements of the Proposed 2GP. Resource consent is therefore required to authorise future signage with the final details and dimensions to be confirmed and provided to Council for approval as part of a pre-occupation certification condition. Indicative signage is shown on the northern elevation plans and 3-dimensional renders attached as Appendix B.

3 BACKGROUND

3.1 Consent History

The existing Te Kāika Medical Centre and Social Services hub was previously consented as a 'Community Support Activity' under LUC-2016-385. As part of this resource consent application, the applicant proposes to integrate the operation of the existing consented activity with the proposed operation.

Land use consent was approved in 2016 to redevelop the former College Street Primary School on the subject site in order to establish a medical centre and social services hub. The purpose of the approved hub is to provide an integrated suite of free to low-cost social services for the City, with a particular emphasis on the South Dunedin community.

LUC-2016-385 provided for the operation of a medical centre and social services hub on the site, and to re-authorise the existing bulk. This also included the authorisation of six buildings including:

1. The Mataora Clinic building in the southwest corner of the site for accessible and affordable health care and dental services.
2. The Physiotherapy-Rehab Gymnasium building in the northwest corner of the site.
3. Three smaller buildings immediately to the east of the gymnasium building used for teaching, office spaces (ancillary to the Te Kaika Registered Health Practitioner and Community Support Services use), and a garage.
4. A community support services building for Te Runanga O Ngai Tahu centrally located along the southern site boundary.

In association with these above buildings, consent LUC-2016-385 also authorised the use of the site for 53 staff members.

Regarding car parking, 22 car parks were provided off the College Street upper level car park and a new lower level car park and vehicle access off Lomond Street (at the eastern end of the site) provided an additional 25 car parks. Overall, 47 car parks were approved under consent LUC-2016-385.

Given the change to the character, intensity, and scale associated with the proposed development, it is proposed that this existing consent (LUC-2016-385) will be superseded and be replaced by this current application. Importantly, however, we consider that this existing consented development forms part of this existing environment against which this current application must be assessed against.

3.2 Consultation

3.2.1 Pre-Application Meeting

The applicant and their consultants attended a pre-application meeting with Council on 17 March 2020. The following Council staff and officers attended this meeting:

- John Sule – Senior Planner
- Logan Copland – Transport Planner
- Andrea Farminer – Heritage Advisor

Key outcomes as a consequence of discussions and Council suggestions following the pre-application meeting are summarised below. It is noted that the pre-application meeting was based on an earlier iteration of the proposed plans and the proposed development falling within the definition of ‘office’. New plans have since been prepared which have taken the following comments into consideration:

General:

- Mr Sule noted that the following effects would be relevant and assessed by Council as part of a resource consent application:

- Visual amenity and integration with the building as part of the residential environment (including the two heritage buildings on-site).
- Transportation effects including traffic movements, access, and car parking.
- Impacts on South Dunedin centre as a result of moving further community and registered health practitioner facilities into Te Kāika.
- Mr Sule emphasised that while the proposal would have similar effects to the previous application, a updated consideration of new effects is necessary;
- Finally, Mr Sule indicated that the Proposed 2GP Policy Framework may have a number of significant policies which the application could be contrary to, particularly when compared to the operative district plan.

Transport:

- Mr Copland confirmed there are significant considerations for transport, including the increase of traffic movements on the adjoining and surrounding streets, car parking (both on-site and off-site).
- The Transport Planner confirmed that an Integrated Transport Plan (ITA) would be required with the application and would be essential to assessing transport affects and determine projected vehicle movements as well as required car parking. An ITA has since been prepared and is attached in Appendix C.
- Council would need to assess a full report which discusses the adverse effects on the transport network.

Heritage:

- Detailed elevation plans of the new building and how it relates to the existing buildings would be useful for Council to assess as part of a resource consent application. More detailed elevation plans have since been prepared and are attached in Appendix B.
- The key Heritage concerns were:
 - Ensuring there is minimal impact on existing heritage buildings.
 - What will happen to heritage buildings should they be vacated (i.e. in terms of its care and maintenance). It is noted that both heritage buildings will be continually utilised for similar use as part of this proposal.
 - How the bulk and location of the new larger building effect the two heritage buildings on either side.

Notification:

- Council concluded that the catchment of affected parties who provided written approval as part of LUC-2016-385 may potentially be larger as part of this new development given the increased nature and scale of the proposal, particularly in relation to the effects on the transportation network.

The above meeting outcomes have since been considered in detail and are reflected in this assessment of environmental effects, as well as plans, and additional supporting technical reports and written approvals.

Further Information

After lodgement of the initial application, Council's processing planner has since requested additional information on the 24 March 2021 and 6 April 2021. A separate further information response letter was sent to Council's Planner, Caleb Park on 4 June 2021, which provided amended project plans, a Te Kāika Travel Management Plan, an assessment of on-street car parking, and an updated list of affected party approvals that have been provided to date. These responses have also been reflected in this amended AEE.

3.3 Any other activities that are part of the proposal

Clause 2(1)(d) of Schedule 4 of the Act requires the applicant to identify other activities that are part of their proposal. This is intended to capture things which need permission or licensing outside of the Act, for example, activities under the Building Act 2004 or the Hazardous Substances and New Organisms Act 1996. Building consent has not yet been sought for the proposal.

3.4 Permitted activities that are part of the proposal

Permitted activities that form part of the proposal are as follows:

- Demolition and construction activities;
- Construction and removal of new vehicle crossings to Council's standards; and
- Removal of community gardens and addition of new landscaping.

4 THE SITE & SURROUNDING ENVIRONMENT

4.1 The Site

The subject site is approximately 6,800m² and is comprised of land sloping in west to east direction. The site has legal frontages on all four sides including Ranfurly Street to the North, Playfair Street to the East, Lomond Street to the South, and College Street to the West.

There are currently three main buildings on the site including:

- The Te Kāika Health Care Centre located in the southwest corner of the site which includes medical and dental care facilities;
- A physiotherapy-rehab gym located in the northwest corner of the site;
- The Te Runanga o Ngai Tahu community support services building located in the south-east area of the site.

There are a number of additional ancillary buildings also located in the northwest and centre of the site which are scheduled to be removed as outlined above.

An aerial of site is shown in Figure 2 below.



Figure 2: Aerial of Subject Site (Source: Proposed 2GP Maps)

4.1.1 Heritage

There are two Category 2 Scheduled Heritage Buildings listed within the Proposed 2GP on the Te Kāika site, including:

- The Te Kāika Health Care Centre building located in the southwest corner which is scheduled as B842 – Caversham Infant School (former). The protection extends to entire building envelop including fenestration, timber glazing, and architectural details.
- The building located in the north-east corner of the site utilised for physiotherapy-rehab gym purposes, is scheduled as B843 – Caversham School Gymnasium. The protection extends to the entire building envelop including fenestration and timber joinery.

4.1.2 Vegetation

There is various existing vegetation including boundary planting and onsite gardens throughout the site. This includes a number of mature trees, including native cabbage trees as well as native plantings in central garden areas. Figure 3, Figure 4, and Figure 5 below show some of the existing vegetation on site. It is

proposed that large areas of existing vegetation will be removed to accommodate the proposed development and associated carparking, however where vegetation can be retained it will be integrated into the proposed landscaping response for the site.



Figure 3: Eastern site boundary vegetation most of which will be removed (Photo taken 17 Feb 2021)



Figure 4: Existing Garden area on southern boundary and central garden area, most of which will be removed (Photo taken 17 Feb 2021)



Figure 5: Existing Community Garden Centrally Located on Site, most of which will be removed or relocated onsite (Photo taken 17 Feb 2021)

4.1.3 Access

There are currently two existing vehicle crossings that provide access to the upper and lower car parking areas on site. The first access which was authorised under LUC-2016-385 is located off Lomond Street near the southeast corner of the site, and provides access to the lower level car parking area, while the second access is located off College Street along the centre of the western site boundary, provides access to the upper level car parking area.

4.1.4 Contamination

There is no known history of contamination on the subject site and a review of the Otago Regional Council's Hazardous Activities, Industries and Bores Search does not indicate any known HAIL activities. Therefore, the site is not considered to be a HAIL site. A consideration of the National Environmental Standards for Assessing and Managing Contamination in Soil to Protect Human Health was provided as part of LUC-2016-385. This assessment included that the site has not been historically used for an activity or industry described as HAIL. On this basis, we do not consider that the proposal invokes a consideration of the NESCS as a HAIL site.

4.2 Surrounding Environment

The majority of the surrounding environment comprises further General Residential 2 zoned land, with an area of Suburban Centre zoned land along South Road to the north, which comprises the Caversham Centre. There is also General Residential 1, Recreation, and School zoned land to the southeast.

The surrounding environment therefore comprises mostly low to medium density residential neighbourhoods with the main Caversham Centre comprising commercial and mixed-use activities, such as offices, retail, and restaurants amongst other residential activity along South Road.

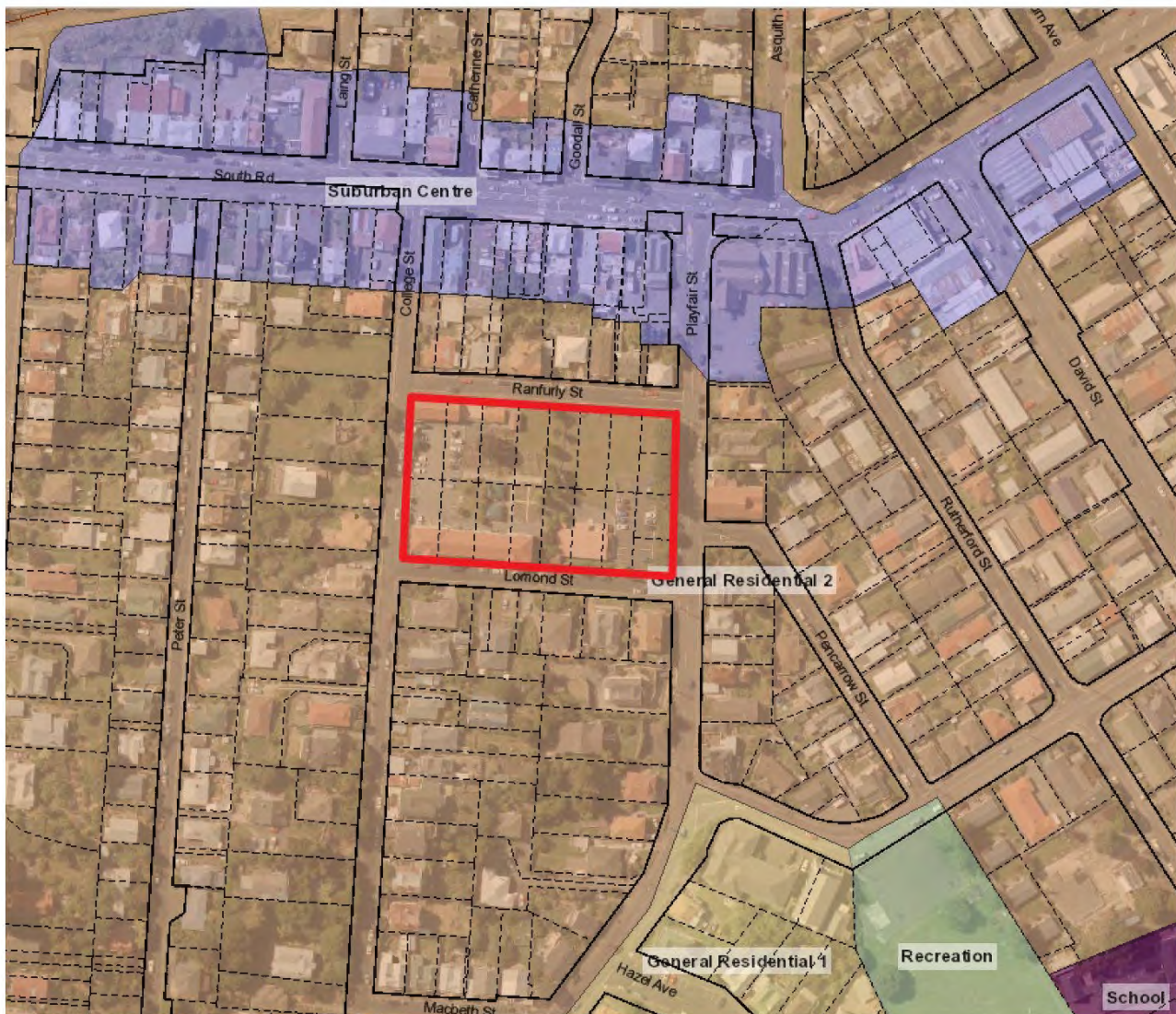


Figure 6: Aerial Image Showing Surrounding Proposed 2GP Zoning

South Road is classified as a Collector Road under the Proposed 2GP hierarchy, while Lomond Street, College Street, and Ranfurly Street are all Local Roads. For these reasons, Playfair Street typically observes higher levels of traffic movements than the other adjoining roads.

5 REASONS FOR THE APPLICATION

An assessment of the proposal against the relevant statutory documents has been undertaken and the following reasons for consent are identified.

It is noted that Te Kāika volunteer to surrender the existing consent (LUC-2016-385) upon approval of this application.

5.1 Dunedin Proposed Second Generation District Plan (Proposed 2GP)

The subject site is located within the General Residential 2 Zone under the Proposed 2GP and is subject to the Caversham Mapped Area and an Infrastructure Constrained Area. Resource consent is sought under the Proposed 2GP for:

Land Use Activity:

- A **restricted discretionary** activity under Rule 15.3.3.6 (Community and Leisure – Large scale) - given that the central focus of the proposed MSD and SDHB component of the development is to provide direct community support to existing Te Kāika clients. As a consequence, of the proposed 147 FTEs proposed across the site, we consider that the majority land use to be contained within the proposed development as falling within the definition of ‘Community and Leisure-Large Scale’, with all existing Te Kāika primary health service staff falling within the definition of Registered Health Practitioner. This position is supported by a legal opinion prepared by Chapman Tripp attached as Appendix F to this application.

In summary, the legal opinion states that it is not considered that the proposal would be captured within the definition of ‘office’ or ‘commercial activities’. Instead, the proposal would be most appropriately defined as ‘community and leisure – large scale’ and ‘registered health practitioner’.

- A **discretionary** activity pursuant to Rule 15.3.3.14 (Registered Health Practitioner) with the Te Kāika health care centre components meeting the definition of a ‘Registered Health Practitioner’ which is a ‘sub activity’ of Office. We note that:

The existing Te Kāika development was authorised under LUC-2016-385 as a ‘Community Support Activity’. The proposal does not seek to change the use of the underlying resource consent activity, but rather intends on expanding on the existing use of the site by two additional community support staff, such that overall, 55 FTEs will directly support Te Kāika’s operations.

Development Activities:

- A **restricted discretionary** activity pursuant to Rule 15.3.4.5 for a new building that is greater than 300m² footprint. The proposed building will be approximately footprint. Council’s discretion is restricted to effects on streetscape amenity and character.

Note: It is anticipated that new signage may be erected as part of the development and new premises within the new building. The final details of any signage will be submitted to Council as volunteered as a condition of consent.

- A **restricted discretionary** activity pursuant to Rule 15.6.1 in relation to building length. The plan provides for a maximum building length of 20m. The proposed building will be approximately 42m by 25m exceeding the permitted length by up to 22m. Council's discretion is restricted to effects on neighbourhood residential character and amenity.
- A **restricted discretionary** activity pursuant to Rule 15.6.6.2 in relation to maximum height. The maximum height permitted in the General Residential 2 Zone is 9m. The proposed building will exceed the maximum height limit by approximately 2m at the highest point, resulting in a maximum height of 11m above ground level. Council's discretion is restricted to:
 - Effects on surrounding sites' residential amenity; and
 - Effects on neighbourhood residential character and amenity.

Transport:

- A **restricted discretionary** activity pursuant to Rule 15.3.4.24 for additions to parking areas that result in 50 or more new parking spaces (High Trip Generator). The proposal will increase the number of existing on-site car parking spaces from 47 to 119. Council's discretion is restricted to:
 - Effects on the safety and efficiency of the transport network and;
 - Effects on accessibility.
- A **restricted discretionary** activity pursuant to Rule 6.6.1.3 regarding Minimum Queuing Space for Parking Areas. A queueing space of 18m is required for car parking areas that provide between 51-101 car parks. The eastern lower-level car park will only provide a queueing space of approximately 12m. Council's discretion is restricted to effects on the safety and efficiency of the transport network.

Earthworks:

- A **restricted discretionary** activity pursuant to Rule 8A.3.2 for Earthworks – Large Scale, as the proposal is unable to comply with the small-scale thresholds in regard to volumes outlined in Rule 8A.5.1.5. Sites with a slope of less than 12 degrees provide for 30m³ of earthworks per 100m² of site. Approximately 8,303m³ of earthworks will be undertaken on a 9,530m² site. The proposal will also exceed the maximum change in finished ground level of 1.5m as specified in Rule 8A.5.1.3, as cuts as deep as 4m will be undertaken. Council's discretion is restricted to:
 - Effects on visual amenity;
 - Effects on amenity of surrounding properties; and
 - Effects on the stability of land, buildings, and structures.

It is considered that resource consent is not required under Rule 8A.5.4 in relation to earthworks setbacks from buildings as it is intended that all cuts over 600mm will be supported by a retaining wall that will be subject to a future building consent.

Signage:

- A **restricted discretionary** activity pursuant to Rule 15.6.11.5 for an attached building sign greater than 4m above ground level and with a display face of greater than 1.5m². Council's discretion is restricted to:
 - Effects on neighbourhood residential character and amenity
 - Effects on the safety and efficiency of the transport network

5.2 Overall Status of the Application

Overall, resource consent is required for a **discretionary** activity.

6 SCHEDULE 4 RMA – ASSESSMENT OF ENVIRONMENTAL EFFECTS

6.1 Introduction

Having reviewed the relevant plan provisions, visited the site and taking into account the matters that must be addressed by an assessment of environmental effects as outlined in Clause 7 of Schedule 4 of the Act, the following environmental effects warrant consideration as part of this application.

As this application is for a discretionary activity, relevant effects that the council can consider are unlimited. Notwithstanding the ability of council consider all effects, we consider that only the following effects are relevant:

- Effects on the Viability and Vitality of the South Dunedin Centre;
- Effects on Residential Amenity and Character
- Streetscape Character and Amenity
- Transport Effects
- Earthworks Effects
- Cumulative Effects
- Positive Effects

An assessment of these effects, that corresponds with the scale and significance of the effects that the activity may have on the environment, is provided below in the remaining parts of section 6. Clause 7(2) notes that the requirement to address matters in the assessment of environmental effects is subject to the provisions of any policy statement or plan. The relevant documents have been assessed in Section 7 of this report.

6.1.1 Permitted Baseline

The permitted baseline is relevant to both the assessment under sections 95A – 95G and section 104 of the Act. Under these sections, a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect. This is

the permitted baseline. It is only the adverse effects over and above those forming a part of the baseline that are relevant when considering an application.

The purpose of the permitted baseline test is to isolate and make irrelevant, the effects of activities on the environment that are permitted by the plan. When applying the permitted baseline, such effects cannot then be taken into account when assessing the effects of a particular resource consent application. The baseline has been defined by case law as comprising the 'existing environment' and non-fanciful (credible) activities that would be permitted as of right by the plan in question.

Given the nature and scale of the proposal it is considered that the permitted baseline is of limited relevance. This is with the exception of how residential activity could develop as of right within the General Residential 2 Zone. In this case, it is noted that residential activity could be constructed up to 9m in height as close as 3m from the site boundaries which adjoin residential sites. Typically, development can be undertaken at a density of 1 habitable room per 45m² in the General Residential 2 Zone with no limit on the number of residential units. However, as the site is subject to an infrastructure constrained mapped area, in this case only 1 habitable room per 100m² could be provided. Overall, on this site, this could provide for up to 68 habitable rooms.

We note that the Community and Leisure component is permitted at a small scale where it does not exceed an attendance rate of 50 people at any one time, except for a maximum of 10 days per calendar year, where the attendance rate does not exceed 100 people at any one time.

6.1.2 Receiving environment

In assessing the potential adverse effects on the environment, the receiving “environment” for effects must be considered.

The receiving environment is a mandatory consideration defined by caselaw and is the environment beyond the subject site upon which a proposed activity might have effects. This includes the future state of the environment upon which effects will occur, including:

- The environment as it might be modified by the utilisation of rights to carry out permitted activities; and
- The environment as it might be modified by implementing resource consents that have been granted at the time a particular application is considered, where it appears likely that those resource consents will be implemented.

In this case the receiving environment is as described in Section 4 of this report.

6.1.3 Other considerations

Sections 95D(d)-(e) and 104(3)(a) of the Act require that assessments must disregard:

- Trade competition, or the effects of trade competition; and
- Any effect on a person who has given written approval to this application.

Trade competition is not relevant to this application, but written approval is.

The list of affected persons that are anticipated as part of this proposal are listed below in Table 3. It is noted that the applicant had previously obtained the majority of written approvals of the persons listed in this table, however, given the proposed development design has changed since these approvals were provided, they are no longer considered to be valid.

The applicant therefore wishes to proceed immediately into a limited notified process, with the persons listed in Table 3 and pictured in Figure 7 considered to be the overall catchment of affected persons as part of this proposal. The catchment of affected persons identified below was determined from the same catchment of properties where persons provided their written approval under the previous 2016 application (LUC-2016-385). A more detailed assessment of affected persons is provided in Section 9.2 below.

The applicant will seek to reobtain the same written approvals previously obtained as part of the previous design during the limited notification period.

Table 3 – Affected Party Catchment Table

Name	Address
Lou Luff	2 Ranfurly St
David Lumsden Stevenson, Dianne Stevenson	4 Ranfurly St
Joyce Agnes Carson, Royce Alfred Carson	6 Ranfurly St
Michael James Shum	8 Ranfurly St
Andrew Prescott / Paula Meijerink for Dawn2Dust.Com Ltd	329 South Road
Andrew Prescott / Paula Meijerink for Dawn2Dust.Com Ltd	12 Ranfurly St
Raymond George Scurr	10 Playfair St
Baby Cyriac, Minu Cheriyaackal Andrews	11 Playfair St
Paul Kelly	15 Playfair St
The Stewards' Trust of New Zealand Incorporated	17 Playfair St
Penelope Catharine Muir	23 Playfair St
Sharlene Marie Fraser	25 Playfair St
John McKinnon, Kathryn Lorraine McKinnon	28 Playfair St
Thomas Nailard of TGC Holdings Ltd	27 – 31 Playfair Street
Andrew Prescott and Paula Meijerink	32 Playfair Street
Benjamin Isaak Connor, Nicole Rose Olds	1 Lomond Street

<i>Jan Marie Wolf</i>	<i>3 Lomond Street</i>
<i>Christopher Scott Moody, Pauline Joanne Osborne</i>	<i>5 Lomond Street</i>
<i>Yuet Hung Young</i>	<i>8 College Street</i>
<i>Andreas Alfred Penckwitt</i>	<i>10 College Street</i>
<i>Anne Elizabeth Mary Morris, Leigh Donne Morris</i>	<i>11 College Street</i>
<i>The Dunedin City Council</i>	<i>12-16 College Street</i>
<i>Carmel Mary Chittenden, Peter Joseph Chittenden</i>	<i>18 College Street</i>
<i>Jamie Elaine Rebecca Milford, Jared Francis Culling</i>	<i>22 College Street</i>
<i>Helen Christine Beamish, Samuel Francis Beamish</i>	<i>24 College Street</i>
<i>Graham Randal Scott, Karene Leigh Scott</i>	<i>25A College Street</i>
<i>Alison Joyce Patton, Arthur James Patton</i>	<i>26 College Street</i>
<i>Celia Mary Steadman, Jeffrey Allan Pohlmann</i>	<i>28 College Street</i>
<i>Leanne Aroha Dewes</i>	<i>(1-4) 30 College Street</i>
<i>Najah Youssef Hlaihel</i>	<i>36 and 36A College Street</i>



Figure 7: Extent of Sites within the Affected Party Catchment and where Affected Party Approval is Sought

As per the assessment undertaken below, we have concluded that the adverse effects generated by the development will be less than minor on those persons set out above, however previous discussions with Council have outlined that the written approvals of adjoining neighbours (i.e. those within the identified catchment area) would be required in the scenario that resource consent was going to be achieved on a non-notified basis. As the written approvals of these persons have not been provided with the application at this stage, we recommend that Council advance with the limited notification of the application.

6.2 Effects on the Viability and Vitality of the Dunedin Centres

We do not consider that the proposal will impact on the viability and vitality of the Dunedin Centres on the basis that the proposed development will look to integrate community support and primary health care services onto an existing site used for this purpose.

The proposal includes the expansion of social services linked with both MSD and DHB community support services being integrated with Te Kāika's existing hub facilities on site.

Presently, MSD staff are located across a number of locations across Dunedin including a CBD Zone location contained within John Wickliffe House with 107.9 FTEs, a South Dunedin location with 25 FTEs (Principal Centre Zone) and site in Mosgiel with 14 FTEs. It is proposed that up to 37 Community Support related FTEs would relocate to the Te Kāika site. Importantly, none of the existing MSD administrative office facilities will be affected by this change. Similarly, it is proposed that 50 Community Support related FTEs will come across from the DHB's existing facilities, including Waikari Hospital and the main Dunedin Hospital and given that the DHB employs more than 1,000 FTEs across Dunedin, this movement is not considered to have a material impact upon these existing facilities.

A consideration of the key objectives and policies relating to the Proposed 2GP Centre's Hierarchy is outlined in detail in section 7.3.3 below. In terms of any actual or potential adverse effects linked with the viability and vitality of the CBD and South Dunedin Centre, it is not proposed to change MSD's existing facility in these locations, at this point in time. As a consequence, it is not considered that the proposal will have any adverse effects on the functioning of both the CBD and Principal Centre Zones.

Importantly, the proposal does not seek to provide any commercial retail, restaurant, entertainment, or administrative office uses that would inherently undermine the viability and vitality of wider centres and indeed the Te Kāika Wellbeing Hub will continue to promote health and social wellbeing services to vulnerable communities, while also offering additional people activity in close proximity to the Caversham Suburban Centre.

Given the above, it is considered that any adverse effects on the viability and vitality of Dunedin Centres will be less than minor.

6.3 Effects on Residential Amenity and Character

6.3.1 Effects of Community Support and Registered Health Practitioner Uses In Residential Zone

The subject site is located in the General Residential 2 Zone and is surrounded by residential activity in all directions. However, the Suburban Centre Zone is located immediately to the north, with the exception of a small strand of additional residential activity.

As the site was previously the former Caversham School and is now a well-established medical and social services hub, it is noted that the site has generally always operated on a non-residential basis. The proposed building expands the built elements on site into an area which is largely devoid of buildings and includes

the expansion of eastern lower-level car park and associated lower-level under-croft carpark. Therefore, the key residential amenity and character effects relating to the proposed building are considered to focus on areas adjoining the site which will have direct visibility of the proposed use.

While the visual effects of the new building and car park are addressed below, it is noted that the expansion of services may generate potential adverse effects on residential amenity and character. Importantly, the nature of the operation of Te Kāika will not change to a significant extent, despite an increase in scale of the activity. The hours of operation of the new building will be the same as the existing Te Kāika use (except for the addition of a small-scale after hours activity for the Te Kāika health services component of the proposal, as specified in Table 2), and the proposed activity will continue to provide for the wellbeing of the surrounding South Dunedin Community. While there will be changes to on-site car parking and access, these have been carefully considered through an Integrated Transport Assessment (as discussed in detail below) to ensure that additional vehicle movements can be diverted to Playfair Street where they are better absorbed, whilst improving side street traffic by removing and upgrading existing vehicle crossings. The proposed car parking area will be adequately screened to ensure that the scale of the proposed activity does not appear out of character with the surrounding environment or the existing Te Kāika operation on site.

As discussed in greater detail below in the Transport Effects section, the Integrated Transport Assessment (ITA) prepared by Stantec concluded that while there will be an increase to average daily traffic movements, particular along Playfair Street, there is ample capacity on the surrounding roads to accommodate the additional traffic with no noticeable effects on its operation. The ITA concludes that any overflow parking demand is expected to be less than ten spaces which can be accommodated on the surrounding roads, that is, Lomond Street, College Street and Ranfurly Street.

In this regard, the proposed changes from a transport perspective are not anticipated to undermine the residential amenity and character of the surrounding residential environment and based on the conclusions of the ITA we consider that any adverse effects on immediately adjoining residents and all those properties beyond the identified catchment area to be less than minor.

6.3.2 Bulk and Location and Building Design

The proposed building will be approximately 1,050m² and will be 42m by 25m in dimensions, with a maximum height of approximately 11m above existing ground level. The proposal will breach the residential bulk and location rules, including the maximum 300m² footprint, 20m building length, and 9m maximum height requirements as outlined in detail above.

Despite this, the new building will be centrally located on-site to ensure that the required building setbacks of the zone can be achieved. The building will be well separated from all site boundaries with a minimum setback of 20m from the closest boundary. This will ensure that any significant visual effects will be appropriately mitigated and will mean that the building will not dominate any particular area of the surrounding residential environment.

When considering the permitted baseline, the building will only exceed the maximum height of the zone by approximately 2m where it relates only to the eastern end of the building. The proposed earthworks will

allow the building to be appropriately integrated into the sloping site to reduce any potential adverse visual effects in relation to this height exceedance. In this sense, for much of the site, the building will appear notably under the required 9m height limit when viewed from the wider environment. While the provided setback distances will assist in reducing any visual effects associated with the maximum height infringement, the building has also been designed to be generally sympathetic with the surrounding environment.

The building design comprises a rectangular shaped building with four primary gables. The building design and materials have been specifically selected to blend in with the existing structures on site, as well as the general design of residential dwellings in the surrounding environment. The colours and materials will be generally of earthy tones and these colours and materials will resemble typical finishes of modern residential dwellings. A design statement prepared by McCoy Wixon Architects is attached as Appendix E.

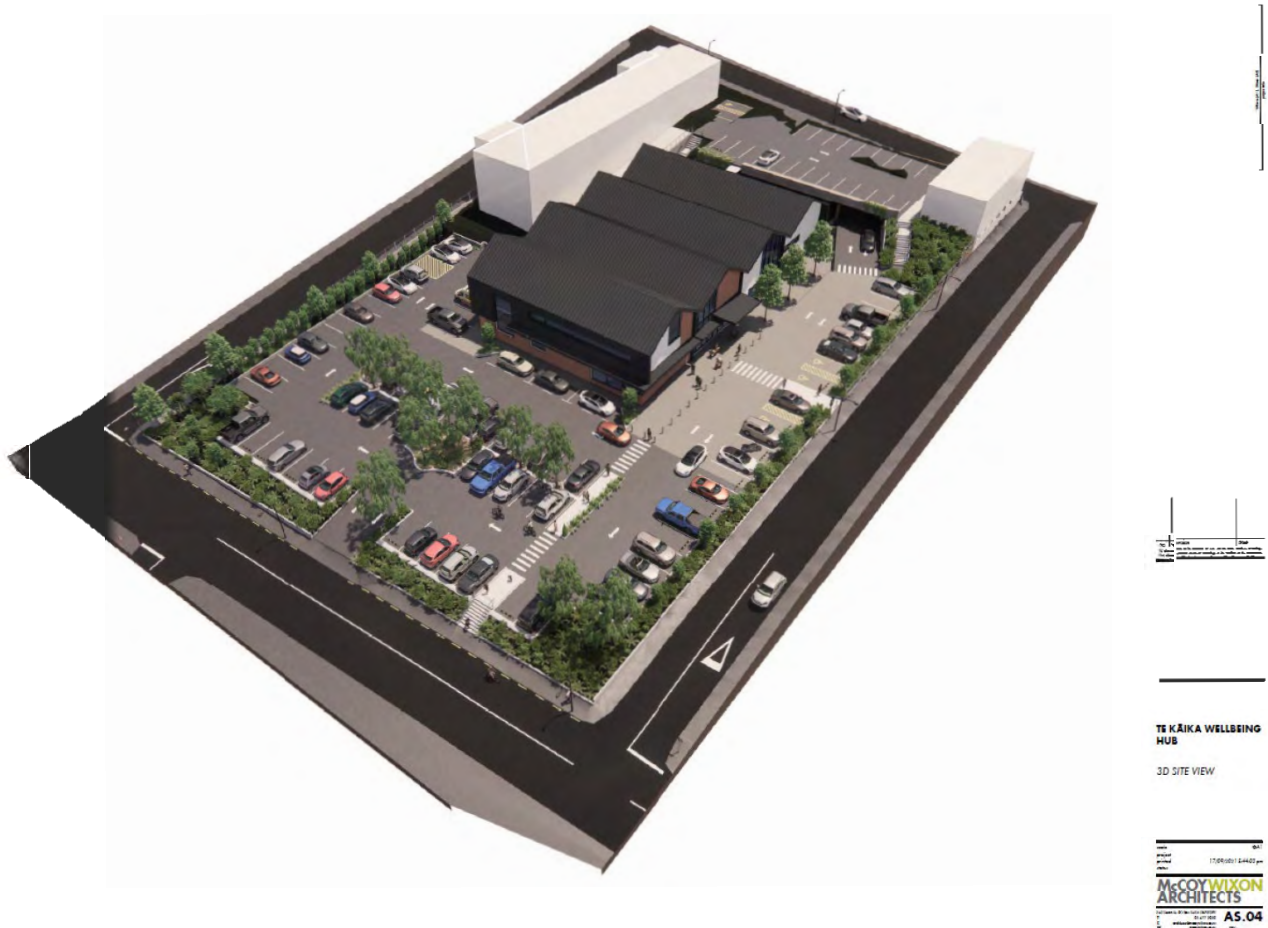


Figure 8: 3D Site View Showing Building Design

The proposal will also result in the removal of two buildings constructed within close proximity of the northern site boundary and will be situated centrally between two larger existing structures being the physiotherapy gym and the Mataora Health Care Centre. The physiotherapy gym is currently constructed immediately against the north and west site boundaries and is considered to be a generally more visually dominating building, particularly when viewing the site from north, and particularly from sites along Ranfurly Street. The location of this existing structure, as well as the Mataora Health Centre in the

southwest corner, will assist in screening the proposed building from the wider environment, as well as more readily absorbing the building onto the site amongst existing structures. The overall building design and location will be generally sympathetic with these existing structures.

When considering the permitted baseline, it is noted that residential activity comprising up to 68 habitable rooms could be developed with buildings up to 9m in height as close as 3m from the site boundaries which adjoin residential sites. Given the proposed setbacks and the integrated nature of the building into the ground, it is considered that the effects permitted in the zone could have notably more adverse effects on the surrounding residential environment than the proposed building.

Overall, given the central location of the proposed building, the proposed integration into the site, the relief and screening provided by existing buildings on site, and existing and proposed landscaping along the site boundaries, it is considered that any adverse effects in regard to bulk and location and building design in regard to residential amenity and character will be less than minor.

6.4 Streetscape Character and Amenity

Ranfurly Street

Further to the effects discussed above, the building will also impact areas of the surrounding streetscape. The proposed building is likely to have the greatest change or impact on the Ranfurly Street streetscape given the building is orientated to the north towards this street. Importantly, the proposed earthworks will improve the interface between the site and Ranfurly Street given earthworks will be undertaken to level the site boundary with the street front. This will result in the existing retaining being removed (and reused within the site) as indicated in Figure 9 below. No changes are proposed to the existing physiotherapy gym and no changes to the streetscape character are anticipated in this regard.



Figure 9: Photo showing proposed location of building and existing buildings when viewed from Ranfurly Street (red square indicates buildings to be removed)

The proposed building is not considered to adversely affect the Ranfurly Streetscape character and amenity given the proposed approximately 20m setback, recession of the building into the ground (resulting from earthworks), building design, and existing screening provided by the existing physiotherapy gym building. There is also existing landscape planting along this boundary that will be retained and extended where necessary to assist in softening the building from this street.

Playfair Street

The proposed building will be setback at least 30m from the eastern, Playfair Street boundary and will be separated from the road by the main car parking area. Given the large setback to this boundary it is considered that any adverse effects in regard to visual dominance on the streetscape will be less than minor. The car parking area will be appropriately landscaped around the site boundaries in order to soften the visual impact on the surrounding streetscape. This landscaping is indicated in the provided conceptual plans attached in Appendix B. The existing landscaping along the Playfair Street boundary will be maintained where possible, albeit with the addition of the new vehicle crossing in the centre of the site boundary. This existing mature vegetation, where retained, will also further soften the car park and the bulk of the new building in the centre of the site. This vegetation is shown Figure 3 above.

Lomond Street and College Street

The Lomond Street and College Street streetscapes are considered to be the least affected by the proposal given the building will be well setback and will be recessed into the ground at a notably lower elevation. The existing buildings in the northwest corner and southwest corner will also obscure any significant views of the dwelling from many areas across both streets. Any adverse effects on the Lomond Street and College Street streetscape amenity and character will be less than minor in this regard.

6.5 Transport effects

The following assessment is based on the ITA prepared by Stantec as attached as Appendix C. A Te Kāika Travel Management Plan has also been prepared and is promoted to effectively management both on-site car parking and the proposed off-site car park and associated shuttle services.

For the purposes of this assessment, it is noted that the ITA is based on there being a total of 'at least 118 car parks' proposed. This identifies that there may be a scenario in which one car park may have to be removed for service vehicle manoeuvring. For clarity, the actual number of car parks proposed is confirmed to be 119.

The proposal is considered to be a High Trip Generator under the Proposed 2GP as the new building is anticipated to generate more than 250 vehicle movements per day and will result in the addition to existing car parking, resulting in more than 50 parking spaces.

As concluded in the ITA, the proposal is expected to increase the peak parking demand by 70-80 spaces. The proposed site layout will provide for 73 additional on-site car parking spaces and therefore essentially all car parking demand will be met on-site, with rare overspill events onto adjoining streets during peak hours.

In order to manage the increased scale of vehicle movements and car parking demands the following mitigation measures are proposed:

1. An increase of on-site car parks for staff and patrons from 47 – 119 (increase of 72 parks).
2. The provision of a Travel Management Plan (as provided) which will be utilised to implement the various strategies indicated above, such as providing detail on shuttle times, on-site parking availability and allocation between staff and visitors, cycle parking, and various induction and ongoing strategies to ensure best vehicle usage and parking practice.
3. The provision of additional transport methods including a Te Kāika patron shuttle between the subject site and a central South Dunedin location. The exact operation and frequency of this service will be managed through the regularly reviewed Travel Management Plan.

A number of conditions of consent are volunteered to assist within managing transportation effects and these are outlined below in Section 8.1

The following assessment is broken down in regard to access, car parking, and overall effects on the safety and efficiency of the transportation network.

6.5.1 Access

As outlined above, a new two-way vehicle crossing will be constructed in the centre of the Playfair Street Road boundary to provide access to the primary eastern car parking area.

This crossing will be compliant with all performance standards of the Proposed 2GP, including the separation distances from the nearby Playfair Street / Pencarrow Street intersection. The crossing will also be less than 9m in width and will support sight distances of 70m.

The ITA notes that the change in vehicle crossing location for the eastern car parking area will reduce the number of vehicle movements at the Playfair Street / Lomond Street intersections, which will instead be displaced to Playfair Street which has as significantly greater capacity for additional vehicle movements.

Regarding queueing space, the ITA identifies that there will be an infringement of the required 18m queueing space based on the size of the car parking area, as approximately 12m of queueing space is provided. The ITA confirms that this level of queueing space is sufficient to allow two vehicles to stop clear of Playfair Street, and that it is unlikely that three or more vehicles would arrive within 30 seconds potentially resulting in obstruction. Any adverse effects in regard to this queueing space breach is therefore considered to be less than minor.

Furthermore, the ITA does not raise any significant safety concerns with right hand turns onto the Playfair Street access across incoming traffic, as *“average delays for turning movements at the new driveway are expected to be low and are not expected to result in risk taking behaviour for drivers”*.

The existing access off College Street will remain, however it will be upgraded and widened to facilitate two-way traffic. This will be widened in accordance with the Proposed 2GP access performance standards. It is not anticipated that this will generate any additional adverse effects beyond what already exist.

Overall, any adverse effects in regard to access will be less than minor.

6.5.2 Car Parking

The proposed expansion of the existing eastern lower-level car parking space will provide an additional 73 car parks. The ITA notes that the inclusion of the MSD and DHB community support activities are expected to generate approximately 70-80 on-site spaces, however, the additional car parks are considered to be adequate for ensuring all parking can be provided for on-site. It is anticipated that during peak hours there may be on a rear occasion a small overspill of vehicles onto the adjoining streets.

In relation to any overspill effects for on-street car parking, the ITA notes that *“the proposed alterations to the site layout will increase the number of parking spaces on-site by 71 and so there will be some overflow parking demands from the site during the busiest periods of the day. Any overflow parking demand is expected to be less than ten spaces which can be accommodated on the surrounding roads, that is, Lomond Street, College Street and Ranfurly Street.”* On this basis, we consider that there is sufficient capacity for on-site car parking and there will only be very occasional overspill effects onto adjoining roads that will be barely discernible in terms of effects on the transportation network.

It is also considered that remote consultations will remain a common practice for Te Kāika, particularly as a result of the COVID-19 pandemic. MSD has also noted a significant decrease in visits due to a preference shift to online and landline-based consultations. This type of operation is continued to operate into the future and will assist in reducing car parking demand and associated vehicle movements below the projected numbers.

Bus routes are also available along Playfair Street and South Road with bus stops available within 200m of the subject site. This will provide an additional mode of transport for staff and visitors and as a result, further assist in alleviating car parking demand on-site.

Overall, the proposed expansion of the car parking area and shuttle service will ensure that there is sufficient capacity for onsite car parking. Any overflow parking demand is expected to be less than ten spaces which can be accommodated on the surrounding roads, that is, Lomond Street, College Street and Ranfurly Street and is expected to generate less than minor effects on the safe and efficient operation of the adjoining road network.

6.5.3 Effects on the Safety and Efficiency of Surrounding Transport Network

Overall, the proposal is expected to increase the average daily traffic movements to and from the site by 520 vehicle movements per day. The ITA notes that Playfair Street carries an average daily volume of approximately 3,000vpd and that if all movements associated with the proposed activity occurred on this street, it would increase the average daily traffic volume by 500vpd. This is considered to remain well within the capacity of the road and would not be expected to adversely affect its safe or efficient operation.

It is considered that the majority of trips to the site will be via the South Road / Playfair Street Intersection. With respect to the ongoing safety and efficiency of this intersection, the ITA notes that “since the new activity on the site is expected to generate about 70 staff vehicle movements during the morning and evening commuter period with about 50 of these occurring in the peak hour, it is likely that about half of these will use the South Road / Playfair Street intersection. This represents an additional 25 movements per hour at the intersection. This is not expected to contribute to any noticeable effect on the operational performance of the intersection.

Regarding safety, the ITA indicated there were eight crashes reported over a five-year period within proximity of Te Kāika. Only one of these crashes resulted in serious injury, resulting from a car door being opened on a passing cyclist on South Road. No crashes have been reported on College Street, Lomond Street, Ranfurly Street, or the site frontage to Playfair Street. As a result, it is not anticipated that there are any underlying significant traffic safety issues that the proposed development would further exacerbate. In this regard, any significant adverse effects with respect to the safety of the local transport network will be less than minor.

Furthermore, there is an existing bus route (Route 33) which operates at a 30-minute peak and 60-minute interpeak frequency established along Playfair Street. Bus stops for this route are located on Playfair Street and are both within 200m walking distance of the subject site. In addition, the proposed shuttle service for Te Kāika patrons will assist in alleviating the number of private vehicle users travelling to the site. Census data also confirms that approximately 20% of staff could be expected to live within Caversham and be

within walking distance of the site, therefore further limiting actual vehicle movements to and from the site.

Given the above and considering that the ITA concludes that the proposed development can be supported from a transport perspective, as well as in relation to the discussed access and car parking effects, it is considered that any adverse effects on the safety and efficiency of the transport network will be less than minor.

6.6 Earthworks

As outlined above, approximately 7,800m³ of earthworks over an area of 5,150m² will be undertaken with maximum cuts of up to 4m centrally within the site.

The proposed cuts will be undertaken in order to flatten the sloping site and lower the building into the ground to minimise the extent of the height infringement. The earthworks will also provide for the construction of an under-croft car parking area at the western end of the site. As noted above, any areas of deep cut within the immediate building area will be supported by retaining walls. Detailed design of these retaining walls will be provided as part of the building consent stage and therefore it is considered that the proposed retaining walls supporting cuts are exempt from consenting requirements under Rule 8A.5.4 Proposed 2GP.

It is noted that earthworks will extend up to the boundaries of the site, however, any cuts along the boundary will be minimal (i.e. less than 600mm) and will generally remove or reduce existing retaining walls such as along Ranfurly Street. Ultimately, the earthworks along this boundary are considered to improve the interface between the site and Ranfurly Street by levelling the site with the Ranfurly Street boundary and improve the relationship between the main building entrance and the street. The 3-Dimensional aerials provided within Appendix B show how the relationship between the site and road boundary will change as a result of the earthworks. It is also noted that landscaping will be implemented around the boundaries of the site to further soften the site boundaries.

There will be no new retaining walls constructed along the boundaries of the site and no adverse effects are anticipated in this regard.

In terms of visual effects, the proposed earthworks will allow the new building to be integrated into the ground as outlined above in Section 6.2. The earthworks will not generate any significant visual effects in this regard as these areas will be entirely covered by the proposed building. Similarly, the wider site will be covered by the proposed sealed car parking area and vegetation and as a result, the earthwork areas will not be visually dominating on the surrounding environment.

The Proposed 2GP services map does not show any existing Council reticulated services traversing the site that would be adversely affected by the proposed earthworks.

In order to manage noise and nuisance effects it is determined that Council will impose a number of earthworks management conditions. Furthermore, a preliminary Construction Management Plan (CMP) has been prepared by the applicant which will assist in managing onsite effects resulting from construction activities. It is noted that the Te Kāika will continue to operate during the construction period and therefore

all noise and nuisance effects will be managed to the most reasonable degree. Earthworks and construction timeframes will be restricted to weekdays between 9:00am to 5:00pm.

Overall, any adverse effects regarding earthworks will be less than minor.

6.7 Cumulative effects

The proposal is not considered to generate any significant cumulative effects beyond what already exist as the proposal is for the continuation and expansion of a non-residential activity on a historically non-residential site. The extension of the existing Te Kāika Hub will allow for the continued provision of health and social services to the City.

In regard to built form, as outlined above, the proposed building will be centrally located, recessed into the ground, and designed in sympathy with the surrounding residential environment so to avoid any dominance on the wider environment. It is not anticipated that the proposed building will generate any cumulative effects in terms of built form in the residential environment.

Finally, regarding cumulative transport effects, as outlined in the above transport assessment, while there will be increases to traffic movements, these will not generate any significant noticeable effects along Playfair Street, or the rest of the surrounding local transport network.

Overall, any adverse cumulative effects will be less than minor.

6.8 Positive Effects

The proposal will generate positive effects on the environment, being the provision of a new building that will expand on the existing social and health services provided to the City, particularly the South Dunedin community. The Te Kāika wellbeing hub has become an important social and health service for the local and wider community and the proposed expansion will allow for these services to be enhanced through providing further social services and health services within an existing integrated health hub.

The proposed building will also allow for many existing services to be established within one building in a centralised location to provide a high quality, integrated and complimenting service line.

It is considered that the building will generally enhance the wider residential environment and the nearby Centre Zone to the North, particularly due to the high-quality design and materials sought as part of the development, as well as by reducing the number of small accessory buildings scattered across the site.

6.9 Environmental Effects Assessment Summary

Overall, from the assessment undertaken above the proposal will have actual and potential effects that are considered to be less than minor.

7 STATUTORY ASSESSMENT

Section 104(1) requires that when considering an application for a resource consent, the consent authority must have regard to the matters set out in 104(1)(a), (ab), (b) and (c). These matters are addressed below, and all are subject to Part 2 of the Act.

7.1 Section 104(1)(a) of the Act

Section 104(1)(a) requires the consent authority to have regard to ‘any actual and potential effects on the environment of allowing the activity’.

As assessed in Section 6 above, the proposal will have actual and potential effects that are less than minor.

7.2 Section 104(1)(ab)

Section 104(1)(ab) requires that the consent authority consider “any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity”.

In the case of this particular application, the proposal is not of a scale or nature that would require specific offsetting or environmental compensation measures to ensure positive effects on the environment.

7.3 Section 104(1)(b) of the Act

Section 104(1)(b) requires the consent authority must to have regard to:

any relevant provisions of –

- (i) a national environmental standard;
- (ii) other regulations;
- (iii) a national policy statement;
- (iv) a New Zealand coastal policy statement;
- (v) a regional policy statement or proposed regional policy statement;
- (vi) a plan or proposed plan

An assessment of the relevant statutory documents that corresponds with the scale and significance of the effects that activity may have on the environment has been provided below.

7.3.1 Partially Operative Otago Regional Policy Statement

Objective 1.1. of the Partially Operative Otago Regional Policy Statement seeks to ensure Otago’s resources are used sustainably to promote economic, social, and cultural wellbeing for its people and communities. Specifically, Policy 1.1.1 and 1.1.2 seek to provide for economic and social and cultural wellbeing and health and safety.

The proposed Te Kāika wellbeing hub will build on the already existing social wellbeing services that are provided to the City, with an emphasis on the South Dunedin Community. This will further ensure that accessible health and social services are provided for the most vulnerable communities extending across a number of demographic and cultural groups. Importantly, this will further enhance the social, health and cultural wellbeing of these communities by integrating several interrelated services (i.e. Te Kāika health services and MSD social services) into the same building which can all be utilised during the same visit.

In this regard, the proposal is consistent with the objectives and policies of the Partially Operative Otago Regional Policy Statement.

7.3.2 Operative District Plan

Relevant objectives and policies

7.3.2.1 Residential Section

The existing Te Kāika hub was originally consented as a 'Community Support Activity' under LUC-2016-385. Objective 8.2.6 and associated policies recognise that some community support activities contribute to the maintenance and enhancement of residential character and amenity. Specifically, Policy 8.3.10 seeks to provide for community support activities within residential areas. In this regard, the proposed activity (which is an extension of the existing activity) will continue to maintain residential character and amenity of the surrounding environment, and provides positive social benefits to the City, particularly the South Dunedin community.

The proposal will be consistent with the remaining relevant objectives and policies of the Residential Zone which seek to ensure that activities do not adversely affect character and amenity values of residential areas (Objective 8.2.1 and Policy 8.3.1).

There are no further objectives or policies which seek to avoid commercial activities or community support activities from residential areas.

The proposal will therefore be consistent with the objectives and policies of the Residential Section the ODP.

7.3.2.2 Transport Section

The objectives and policies of Transportation section seek to ensure that land use activities are undertaken in a manner which avoids, remedies, or mitigates adverse effects on the transportation network, while achieving integrated management of the roading network, including pedestrian and cycle use (Objectives 20.2.2 and 20.2.3 and associated Policies).

As discussed in greater detail below under the Proposed 2GP Transport section, the proposal will be consistent with these objectives and policies as the proposal is supportable from a transportation perspective and will integrate a number of transportation modes including, cycling, public transport, and a Te Kāika patron shuttle system from a key central South Dunedin location.

Overall, the proposal will be consistent with objectives and policies of the Transport Section of the ODP.

7.3.3 Proposed 2GP

Relevant objectives and policies

7.3.3.1 Strategic Directions

Centres Hierarchy:

Objective 2.3.2 and Policy 2.3.2.1

These objectives and policies seek to identify and protect the existing hierarchy of centres in Dunedin, which includes Principal Centres such as South Dunedin. The plan seeks to drive attraction of business to these areas based on the high level of amenity and density of activity in the area, as well as opportunities for social interaction, exchange of ideas and business cooperation. The following policies are also of relevance to this proposal:

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 unless:

- a. they are unlikely to contribute to, or may detract from, the vibrancy of centres; or*
- b. as provided for under Policy 18.2.1.3 or 15.2.1.5.*

Policy 2.3.2.4

Manage the other existing low-amenity mixed commercial/industrial areas around Andersons Bay Road, Hillside Road and the outer edges of the central city through zones that only provide for commercial activities that are likely to be incompatible with the amenity expectations of the CBD and centres, or require larger sites than are available in the CBD and centres, including:

- a. for the Trade Related Zone providing for trade related retail mixed with yard-based retail and industrial activities, and large supermarkets; and*
- b. for the CBD Edge Commercial Zones, provide for large format and bulky goods retail along with yard-based retail and industrial activities.*

Comment:

Further to the assessment undertaken in Section 6.2, the proposal is unlikely to detract from either the CBD or the South Dunedin Principal Centre given that it represents the expansion of existing services on site to promote a more integrated social wellbeing hub on a site. Essentially, the proposal will involve people specialising in these services moving to the site with MSD and DHB core staff remaining at their existing facilities. Importantly, the proposal will not promote any standalone commercial offices, but rather a mix of registered health practitioner and community and leisure – large scale land uses.

The proposed development seeks to enhance the availability and quality of health and social services available to the surrounding South Dunedin community rather than establishing a new commercial activity that attracts people away from the main CBD and Principal Centre Zones. It is intended that the proposal will continue to facilitate for users of the existing Te Kāika facilities while integrating additional social services that can be accessed by these users in a single visit. The proposal is not for commercial gain and does not seek to provide any additional commercial activities that would undermine the viability and vitality of the CBD or South Dunedin Principal Centre nor does it seek to directly compete with commercial activities in the Centre. Rather, the Te Kāika Wellbeing Hub will continue to promote health and social wellbeing services to vulnerable communities, particularly with the integration of wrap-around services from MSD and the DHB which directly support the existing Te Kaika operation.

High Trip Generator Strategic Directions

Policy 2.7.2.1 seeks to support the safe and efficient operation of the multi-modal land transport network through rules that manage the location, scale, and design of high trip generators, as well as for the number and location of vehicle accesses, and on-site car parking.

The proposal is considered a 'high trip generator' as outlined above in Section 6.4 of this report. The provided ITA has assessed all components of this proposal from a transportation perspective and has considered that the application can be supported to this degree. The proposal is therefore considered to be consistent with the relevant strategic directions of the Proposed 2GP.

Objective 6.2.2

Require land use activities whose parking demand either cannot be met by the public parking supply, or would significantly affect the availability of that supply for surrounding activities, to provide parking either on or near the site at an amount that is adequate to:

- a. avoid or, if avoidance is not practicable, adequately mitigate adverse effects on the availability of publicly available parking in the vicinity of the site (including on-street parking and off-street facilities); and*
- b. ensure accessibility for residents, visitors, customers, staff and students (as relevant) who have limited mobility, including disabled people, the elderly and people travelling with young children.*

Policy 6.2.2.2

Enable the sharing of parking areas by different land use activities, where adequate accessibility for all users is maintained.

Policy 6.2.2.4

Only allow activities that are likely to generate a significant number of trips by walking, cycling or public transport where:

- a. for activities likely to generate trips by cycling, there will be safe access for cyclists into and through the site and sufficient secure cycle parking;*

- b. *for activities likely to generate trips by walking, there will be safe access for pedestrians into and through the site; and*
- c. *for activities likely to generate trips by public transportation, the activity will be located a reasonable walking distance from a frequent public transportation route with safe access for pedestrians from a bus stop to the site.*

Comment:

The proposal will significantly increase the number of on-site car parks from 47 to 119 car parks. It is proposed that the western upper-level car park accessed off College Street will service staff car parks only. The larger lower-level car park which is proposed to be extended will provide further car park for staff as well as for visitors, it is likely that any fleet vehicles will be securely parked in the under-croft carpark. The lower-level car park will provide shared access to multiple integrated services all available onsite in accordance with Policy 6.2.2.2.

It is also noted that the projected car parking numbers have been projected on a high-end basis and assuming that the site is operating at full capacity. It is considered that through many available modes of transport options, and due to an increase of online and landline consultations, there is a high possibility that these projected numbers will not be fully realised.

The site provides safe access for pedestrians, cyclists, and public transportation users.

Objective 6.2.3

Land use, development and subdivision activities maintain the safety and efficiency of the transport network for all travel modes and its affordability to the public.

Policy 6.2.3.3

Require land use activities to provide adequate vehicle loading and manoeuvring space to support their operations and to avoid or, if avoidance is not practicable, adequately mitigate adverse effects on the safety and efficiency of the transport network.

Policy 6.2.3.4

Require land use activities to provide the amount of parking necessary to ensure that any overspill parking effects that could adversely affect the safety and efficiency of the transport network are avoided or, if avoidance is not practicable, adequately mitigated.

Policy 6.2.3.8 (Under Appeal)

Only allow high trip generators where they are designed and located to avoid or, if avoidance is not practicable, adequately mitigate adverse effects on the safety and efficiency of the transport network.

Comment:

As outlined above, the proposal can be supported from a transportation perspective as concluded in the provided ITA. Specifically, the proposal will result in construction of a new vehicle crossing off Playfair Street, which is better able to absorb additional vehicle movements as a Collector Road. This new crossing will be appropriately designed and located except for a minor infringement of queuing space requirements which is not considered to undermine the safety of the overall crossing. The proposal will improve the general safety efficiency of the surrounding side streets, particularly Lomond Street where the existing vehicle access will be removed. Improvements will also be made by widening the College Street crossing.

Overall, the proposed transportation response is considered to be effective in ensuring the efficiency and safety of the transport network for all travel modes will not be undermined.

Objective 6.2.4

Parking areas, loading areas and vehicle accesses are designed and located to:

- a. provide for the safe and efficient operation of both the parking or loading area and the transport network; and*
- b. facilitate the safe and efficient functioning of the transport network and connectivity for all travel modes.*

Policy 6.2.4.1

Require parking and loading areas, including associated manoeuvring and queuing areas, to be designed to ensure:

- a. the safety of pedestrians travelling on footpaths and travelling through parking areas;*
- b. that vehicle parking and loading will be carried out safely and efficiently;*
- c. that any adverse effects on the safe and efficient functioning of the transport network are avoided or, if avoidance is not practicable, will be no more than minor;*
- d. the safe and convenient access to and from parking and loading areas for vehicles, emergency vehicles, pedestrians and cyclists; and*
- e. that mud, stone, gravel or other materials are unlikely to be carried onto hard surface public roads or footpaths.*

Policy 6.2.4.4

Require vehicle accesses to be limited in number and width, in order to avoid or, if avoidance is not practicable, adequately mitigate adverse effects on:

- a. pedestrian and cyclist safety and ease of movement; and*
- b. the safety and efficiency of the multi-modal transport network.*

Policy 6.2.4.5

Require new vehicle accesses to be located a sufficient distance from intersections and level crossings to avoid or, if avoidance is not practicable, adequately mitigate adverse effects on safety and efficiency due to:

- a. vehicles queuing to enter the crossing hindering the efficient functioning of the intersection or level crossing; and*
- b. confusion over whether indicating vehicles are seeking to turn at the crossing or the intersection.*

Comment:

As assessed above, the proposed vehicle crossings and parking areas will be sufficient in providing safe manoeuvring and an adequate number of car parks. The site will be accessible by all modes of transport modes.

Overall, the proposal will be consistent with the objectives and policies of the Transport section of the Proposed 2GP.

7.3.3.2 Residential Zone

Objective 15.2.1

Residential zones are primarily reserved for residential activities and only provide for a limited number of compatible activities, including: visitor accommodation, community activities, major facility activities, and commercial activities that support the day-to-day needs of residents.

Policy 15.2.1.1

Provide for a range of residential and community activities, where the effects of these activities will be managed in line with objectives 15.2.2, 15.2.3 and 15.2.4 and their policies.

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, other than those expressly provided for, from locating in residential zones, unless:

- a. the activity will not detract from the vibrancy and functioning of the centres hierarchy; and*
- b. the site is adjacent to a centre and it provides a logical extension to a centre; and*
- c. the centre is at, or very close to, capacity; and*
- d. the development activities are done in accordance with the performance standards of the street typology (if relevant) of the adjacent centre zoned sites; and*
- e. the development maximises opportunities for integration with the centre.*

Comment:

As outlined above, the proposal is for a Community and Leisure – Large Scale activity and Registered Health Practitioner activity which is provided for in this zone as outlined by Policy 15.2.1.1. Registered Health Practitioner activity is expressly provided for in Residential Zones and is therefore not considered to be a commercial activity that should be avoided in this zone. On this basis, the proposal is considered to be consistent with Policies 15.2.1.1, 15.2.1.2, and 15.2.1.5.

In the scenario that Council does not accept the proposal as a Community and Leisure – Large Scale and Registered Health Practitioner, but rather a commercial activity, additional assessment against Policy 15.2.1.5 is provided and is supported by a legal opinion prepared by Chapman Tripp attached as Appendix F.

It is important for Council to consider the broad social and health related services already offered by Te Kāika and importantly the enhanced ‘wrap around’ health and social services that are proposed through the further integration of MSD and DHB staff on site. Te Kāika was founded on the basis of an integration of health, education and social services through the provision of affordable healthcare and free social services for low-income residents of South Dunedin. Te Kāika employs several doctors and nurses and provides a dental clinic staffed by final year dentistry students from the University of Otago. Physiotherapy, rehabilitation and social services are offered along with a gymnasium and teaching spaces.

In terms of Policy 15.2.1.5, we expand upon our earlier analysis of this policy below:

- a. We consider that the proposed use will not detract from the vibrancy and functioning of the centres hierarchy on the basis that the services that are to be provided from the site are an integration of social and health services at one site, where the majority of Te Kāika clients are also clients of MSD and DHB, with clients commonly living in the South Dunedin area. As a consequence, and gauging the success of the initial pilot ‘wrap around service’, there is a clear conglomeration benefit to Te Kāika clients being able to gain direct access to MSD and DHB social and health services in an integrated facility. Given the above, we do not consider that the integration of MSD and DHB services into the proposed development will detract from the vibrancy and functioning of the centres hierarchy.
- b. We consider that the development maximises opportunities for integration with the Suburban Centre of Caversham and importantly will support the integrated health and social services outcome that Te Kāika is seeking to achieve with this development. There is a clear link between the services provided at Te Kāika and social and economic benefits of staff using services in Caversham.

We consider that the activity will likely have a positive benefit to the Suburban Centre of Caversham while not detracting from the CBD given the existing staff operations being retained by both MSD and DHB in CBD localities. It should also be reinforced that part of Te Kāika’s existing staff operating from the site will transfer into this building.

As set out at page 13 of the decision supporting Te Kāika (LUC-2016-385), “Caversham suburb is reaching out for new projects and capital investment to help revitalise and stimulate the area. The

adaptive re-use of the site will achieve just that and serve as a catalyst for future investment.” We see the proposed development as building on the earlier benefits of Te Kāika.

- c. The site is not immediately adjacent to the Suburban Centre of Caversham, however its proximity to this centre will ensure that the intent of the policy outcome is still being achieved, including that the proposed use will support the ongoing vibrancy and functioning of this Centre, while maintaining the amenity of this residential area.

In the scenario that Council considers the proposal to be a commercial activity, the proposed development is not diametrically opposed to Policy 15.2.1.5, especially when considering its application to a site that is already operating with registered health practitioner and community support activities that have been legally authorised by resource consent and that forms part of an overall integrated hub facility geared towards delivering targeted health and social services to low income families in South Dunedin. The proposed development will incorporate a mix of crown and Te Kāika staff and therefore represents a mix of uses with services pitched at assisting ‘wrap around services’ to Te Kāika existing clients. No aspects of this development should be assessed as a standalone commercial activity when considering Policy 15.2.1.5, as this would misrepresent the very foundations upon which Te Kāika was designed for as a living example of Crown – Hapu partnership and a localised commitment to Te Tiriti o Waitangi.

The original decision supporting Te Kāika acknowledged the contribution that the facility would provide to the health and resilience of the City by providing a local medical and educational care environment for the City, with particular emphasis on the lower socioeconomic demographic. Nothing has been changed in this regard, and we consider that this proposal offers a catalyst for positive support to the Suburban Centre of Caversham, while also offering a community-based locality for the delivery of cross agency responses to ensure whānau, patients and clients are supported to a state of wellbeing and maintenance of wellbeing.

Objective 15.2.3

Activities in residential zones maintain a good level of amenity on surrounding residential properties and public spaces.

Policy 15.2.3.1

Require buildings and structures to be of a height and setback from boundaries that ensures there are no more than minor effects on the sunlight access of current and future residential buildings and their outdoor living spaces.

Policy 15.2.3.4

Only allow... community and leisure – large scale, registered health practitioners... and stand-alone car parking where they are designed and located to avoid or, if avoidance is not practicable, adequately mitigate, adverse effects on the amenity of surrounding residential properties.

Comment:

The proposed building has been centrally located on site and integrated into the ground through earthworks to ensure that a good level of amenity is maintained on surrounding residential properties. The additional vehicle movements will be appropriately absorbed onto Playfair Street. While there will be a small height breach, it is considered that the generous setback distances, integration into the ground

through earthworks, and landscaping will assist in softening the visual impact of the building on these sites. In regard to registered health practitioners, it is considered that this only relates to the Te Kāika health services which already operate on site, and no significant changes in terms of residential amenity are expected in this respect.

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 development to maintain or enhance streetscape amenity by ensuring:

- b. there are adequate green space areas free from buildings or hard surfacing;*
- c. buildings' height and boundary setbacks, and scale reflect the existing or intended future residential character;*

Policy 15.2.4.7

Only allow... community and leisure – large scale, registered health practitioners, and stand-alone parking where they are designed and located to avoid or, if avoidance is not practicable, adequately mitigate, adverse effects on streetscape amenity.

Policy 15.2.4.8

Only allow buildings over 300m² footprint or multi-unit developments where they are designed to ensure that streetscape and neighbourhood amenity and character is maintained or enhanced.

Comment:

The proposed building is located on a site that has historically been used for non-residential use, and reflects the existing character of the site and surrounding environment. The building will be greater than 300m² however, the building design will maintain the neighbourhood amenity of the surrounding environment. There is significant green space coverage across the site. The community and leisure – large scale, and registered health practitioner components of the application relate to the land use only and will not inherently influence the building design in a way that would adversely affect streetscape amenity, as outlined above in Section 6.4.

Overall, the proposal will be generally consistent with the objectives and policies of the Residential section with the exception of Policy 15.2.1.5 which is subject to appeal.

7.4 Weighting

No weighting of the Operative District Plan and Proposed 2GP are required as the same conclusions are reached.

7.5 Section 104(1)(b) Summary

The above assessments demonstrate that the proposal will be consistent with the relevant objectives and policies and assessment criteria of the relevant statutory documents.

7.6 Section 104(1)(c) of the Act

In addition to the matters of regard covered under sections 104(1)(a), (ab) and (b), section 104(1)(c) states that consideration must be given to "any other matters that the consent authority considers relevant and reasonably necessary to determine the application."

8 OTHER RELEVANT SECTIONS OF THE ACT

8.1 Section 108 – Recommended conditions of consent

As identified in the preceding assessment there are a number of recommended conditions of consent that will avoid, remedy or mitigate the potential adverse effects of the proposed activity on the environment. It is anticipated that the Council will adopt conditions relating to the following matters:

1. A condition requiring the proposal to be undertaken in general accordance with the submitted application made, assessment of environmental effects, project plans, and construction management plan.
2. Conditions regarding earthworks management.
3. Conditions regarding the construction of new vehicle crossings to Council standards.
4. A pre-commencement condition requiring a landscape plan to be prepared and submitted to Council for approval.
5. A condition requiring the final details of any signage associated with the proposed activity to be submitted to Council.
6. A review clause associated with transportation related effects as outlined below.
7. The surrendering of the existing resource consent in place for Te Kāika - LUC-2016-385.
8. Integration of many of the existing underlying LUC-2016-385 conditions where they are still relevant to this proposal including:
 - Continuation of the same hours of operation except for inclusion of the following afterhours activity associated with the Te Kāika Health Services:
 - Monday to Friday – 5:30pm – 9:30pm
 - Saturday – Sunday – 9:00am – 5pm
 - Compliance with light and noise standards
 - Connections to Council services
 - Compliance with parking, loading, and access standards.

In relation to transport management and the implementation of the Te Kāika Travel Management Plan the following set of conditions are also volunteered as a key form of ongoing mitigation:

Travel Management Plan

9. *The consent holder shall operate the Te Kaika development in accordance with the approved Te Kaika Travel Plan prepared by Stantec and dated September 2021, which shall be implemented with all necessary modifications to encourage and implement a sustainable approach to travel demand management so that the traffic effects on the surrounding road network can be minimised. Prior to occupation of the development, the consent holder shall submit final details to Council's Planning Manager for review and acceptance of the key actions that are to be implemented and that need to be advanced and include:*

Staff Travel Plan Actions:

- a) Appointment of a Travel Plan Coordinator who will be responsible for implementation of the Te Kaika Travel Plan on behalf of the consent holder;*
- b) The location and provision of secure, covered cycle parking for staff and provision for changing facilities on site;*
- c) Implementation of initial survey of travel behaviour to be completed within 3 months following occupation of the development;*
- d) Setting travel change targets after the completion of initial survey of travel behaviour;*
- e) Measures to be adopted to promote car-pooling by Te Kaika and associated Ministry of Social Development and Southern District Health Board staff in order to reduce parking demands at the site.*
- f) Evidence of installation of Travel Plan information boards within staff facilities showing sustainable travel information including walking route maps, cycle route maps, public transport information and car-pooling options;*
- g) Details of how journey planning advice is to be provided to all new employees as part of their formal induction process;*
- h) Details of Travel Plan initiatives will be built into the formal lease agreements between Te Kaika and Ministry of Social Development and Southern District Health Board tenancies;*
- i) Process to be adopted for the monitoring any issues raised (both positive and negative) regarding implementation of the Travel Plan and measures to respond to these issues;*

Te Kaika Patrons

- j) Te Kaika Shuttle service that will be available to Te Kaika Patrons with the final details covering the timing and frequency of this shuttle service during the normal hours of operation between Te Kaika and South Dunedin in order to meet the needs of patrons;*
- k) Ensure that travel information is available online to all staff on site.*

Review

10. *Within ten working days of each anniversary of the date of this decision the Council may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this resource consent for any of the following purposes:*

- a) *To deal with any adverse effects on the environment that may arise from the exercise of the consent which were not foreseen at the time the application was considered and which it is appropriate to deal with at a later stage.*
 - b) *To deal with any adverse effects on the environment which may arise from the exercise of the consent and which could not be properly assessed at the time the application was considered.*
 - c) *To avoid, remedy and mitigate any adverse effects on the environment which may arise from the exercise of the consent and which have been caused by a change in circumstances or which may be more appropriately addressed as a result of a change in circumstances, such that the conditions of this resource consent are no longer appropriate in terms of the purpose of the Resource Management Act 1991.*
11. *In addition to the general powers of review contained in condition 10, the Council may, within ten working days of each anniversary of the date of on which the consent was exercised, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this resource consent in order to deal with any adverse effects arising from traffic and parking demand arising from the proposed activity that are not being appropriately managed by the consent holder through condition 9.*

It is requested that the draft conditions be provided to 4Sight in advance of a decision being made on the application.

8.2 Section 125 – Lapsing of consent

The Act prescribes a standard consent period of five years in which all works must be undertaken, but this may be amended as determined to be appropriate by the Council. It is requested that the standard five year provision be applied in this case.

9 NOTIFICATION ASSESSMENT – SECTIONS 95A TO 95G OF THE ACT

9.1 Public Notification Assessment

Section 95A requires a council to follow specific steps to determine whether to publicly notify an application. The following is an assessment of the application against these steps:

9.1.1 Step 1: Mandatory public notification in certain circumstances

An application must be publicly notified if, under section 95A(3), it meets any of the following criteria:

- (3) (a) *the applicant has requested that the application be publicly notified:*
- (b) *public notification is required under section 95C:*
- (c) *the application is made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977.*

It is not requested the application be publicly notified and the application is not made jointly with an application to exchange reserve land. Therefore Step 1 does not apply and Step 2 must be considered.

9.1.2 Step 2: Public notification precluded in certain circumstances

An application must not be publicly notified if, under section 95A(5):

- (5) (a) *the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes public notification;*
- (b) *the application is for a resource consent for 1 or more of the following, but no other, activities:*
 - (i) *a controlled activity;*
 - (iii) *a restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity;*

In this case public notification is not precluded, therefore Step 2 does not apply and Step 3 must be considered.

9.1.3 Step 3: Public notification required in certain circumstances

An application is required to be publicly notified if one of the following circumstances are met, under section 95A(8):

- (8) (a) *the application is for a resource consent for 1 or more activities, and any of those activities is subject to a rule or national environmental standard that requires public notification;*
- (b) *the consent authority decides, in accordance with section 95D, that the activity will have or is likely to have adverse effects on the environment that are more than minor.*

There is no rule or environmental standard that requires public notification however an assessment of adverse effects is required.

9.1.3.1 Section 95D(a) – Adjacent Land

In terms of section 95D(a), the land adjacent to the site is indicated in Table 3 above and shown in Figure 7 above.

The assessment of environmental effects undertaken in Section 6 concluded that the activity will have less than minor effects on the environment as a whole. When excluding positive effects, adjacent land, written approvals, the permitted baseline, and the receiving environment as addressed in Section 6 of this report, the adverse effects on the environment will be less than minor.

9.1.3.2 Step 3 Summary

With respect to section 95D, the adjacent land (discussed above), permitted baseline, and written approvals were considered as part of the assessment of environmental effects undertaken in Section 6 of this report, which found that the adverse effects on the environment will be less than minor. Therefore Step 3 does not apply and Step 4 must be considered.

9.1.4 Step 4: Public notification in special circumstances

Section 95A (9) states that a council must publicly notify an application for resource consent if it considers that 'special circumstances' exist, notwithstanding that Steps 1 to 3 above do not require or preclude public notification.

Special circumstances are not defined in the Act. Case law though has identified special circumstances as something outside the common run of things which is exceptional, abnormal or unusual but less than extraordinary or unique. A special circumstance would be one which makes notification desirable despite the general provisions excluding the need for notification. The council should be satisfied that public notification may elicit additional information on the aspects of the proposal requiring resource consent.¹

However, special circumstances must be more than:

- where a council has had an indication that people want to make submissions;
- the fact that a large development is proposed;
- the fact that some persons have concerns about a proposal.

There are no special circumstances that exist to justify public notification of the application, particularly as the proposal seeks to expand on the existing non-residential use which has previously been consented on site.

9.1.5 Public Notification Summary

From the assessment above it is considered that the application does not need to be publicly notified, but assessment of limited notification is required.

9.2 Limited Notification Assessment

If the application is not publicly notified, a consent authority must follow the steps of section 95B to determine whether to give limited notification of an application.

¹ *Far North District Council v Te Runanga-a-iwi o Ngati Kahu* [2013] NZCA 221 at 36–37

As outlined above in Section 6.1.3 we anticipate that Council will recommend the limited notification of the application given that the written approvals of the persons adjoining the site (as identified Table 3 have not been provided). We note that Council will decide who is an affected person under Section 95E(2) and provide a detailed assessment as to why we believe no further persons are considered to be affected in the following sections.

9.2.1 Step 1: Certain affected groups and affected persons must be notified

The application must be limited notified to the relevant persons if the following are determined, as specified by section 95B(2) and (3):

- (2) (a) *affected protected customary rights groups; or*
 (b) *affected customary marine title groups (in the case of an application for a resource consent for an accommodated activity).*
- (3) (a) *whether the proposed activity is on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11; and*
 (b) *whether the person to whom the statutory acknowledgement is made is an affected person under section 95E.*

There are no protected customary rights groups or customary marine title groups or statutory acknowledgement areas that are relevant to this application. Therefore Step 1 does not apply and Step 2 must be considered.

9.2.2 Step 2: Limited notification precluded in certain circumstances

In the following circumstances an application must not be limited notified to any persons, as specified by section 95B(6):

- (6) (a) *the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes limited notification;*
 (b) *the application is for a controlled activity (but no other activities) that requires a resource consent under a district plan (other than a subdivision of land).*

There is no rule in the plan or national environmental standard that precludes notification. The application is not for a controlled activity. Therefore Step 2 does not apply and Step 3 must be considered.

9.2.3 Step 3: Certain other affected persons must be notified

Other affected persons must be notified in the following circumstances specified by section 95B(7) and (8):

- (7) *In the case of a boundary activity, determine in accordance with section 95E whether an owner of an allotment with an infringed boundary is an affected person.*
- (8) *In the case of any other activity, determine whether a person is an affected person in accordance with section 95E.*

The proposal is not for a boundary activity.

In deciding who is an affected person under section 95E, a council under section 95E(2):

- (2) (a) *may disregard an adverse effect of an activity on a person if a rule or national environmental standard permits an activity with that effect (i.e. council may consider the “permitted baseline”);*
- (b) *must disregard an adverse effect that does not relate to a matter for which a rule or environmental standard reserves control or restricts discretion; and*
- (c) *must have regard to every relevant statutory acknowledgement made in accordance with a statute set out in Schedule 11 of the Act.*

A council must not consider that a person is affected if they have given their written approval or it is unreasonable in the circumstances to seek that person’s approval.

In this scenario, the affected persons catchment as shown in above in Figure 7 was determined in discussion with Council and in respect of the same catchment of written approvals that were provided with the previous resource consent application (LUC-2016-385).

The decision for LUC-2016-385 detailed that “*in determining who was considered an affected party related to the provision of sufficient parking for both clients and staff*”. The same consideration is made for the purposes of this application. It is therefore determined that minor adverse effects in relation to transportation related effects would be generated on those persons at sites adjoining the subject site, due to an increase in overflow car parking on Lomond Street, Ranfurly Street, College Street and Playfair Street.

Overall, we believe that all other adverse effects (i.e. those effects beyond transport related effects) on these persons as well as all other persons within the surrounding environment can be managed appropriately through effective on and off-site management. This includes providing appropriate landscaping along the site boundaries, as well as providing a travel management plan and additional measures such as a staff shuttle service and alternative transport methods. The overall design and location of the building, including the notable integration into the ground, will also ensure that there are no adverse visual effects on adjoining residential property owners.

On this basis, we believe that the same catchment of affected persons relevant to this application is the same as what was determined under LUC-2016-385 and no further persons beyond this catchment are affected to a minor or more than minor extent. Therefore, these persons have been involved in a detailed consultation process including a letter drop and consultation evening where the written approvals of these persons is currently being sought. We do not consider that any further persons are considered affected by the proposal.

Overall, except for persons at sites adjoining the subject site where there are considered to be minor transportation effects linked with overflow parking, it is considered that no persons beyond this catchment are considered to be affected to a minor or more than minor extent.

9.2.3.1 Statutory Acknowledgements

There are no statutory acknowledgements that are relevant to this application.

9.2.4 Step 3 Summary

Overall, the adverse effects on any persons are considered to be less than minor. Therefore Step 3 does not apply and Step 4 must be considered.

9.2.5 Step 4: Further notification in special circumstances

As required by section 95B(10), a council must determine the following:

(10) whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined to be eligible for limited notification under this section (excluding persons assessed under section 95E as not being affected persons)

The proposal is for the construction of a new building to expand the existing Te Kāika Wellbeing Hub Registered Health Practitioner and Community and Leisure Use and a consideration of effects on any person has been undertaken at Step 3 where it was considered these are less than minor. As such it is not considered there are any other persons beyond the original catchment who would warrant notification of the application.

9.2.6 Limited Notification Assessment Summary

As per the assessment undertaken above, we have concluded that the adverse effects generated by the development will be less than minor on those persons identified within the original affected party catchment as well as any further parties beyond. However, previous discussions with Council have outlined that Council would require the written approvals of adjoining neighbours (i.e. those within the identified catchment area) in the scenario that resource consent was going to be achieved on a non-notified basis. Given that these written approvals are not provided as part of this amended proposal, it is recommended that Council advance the application on a limited notified basis with the catchment of persons identified above being considered 'affected persons.' Importantly, we do not believe that any further persons would be considered affected beyond this identified catchment as outlined in Figure 7 above.

9.3 Notification Assessment Conclusion

Pursuant to sections 95A to 95G it is recommended that the Council determine the application be non-notified for the following reasons:

- In accordance with section 95A Step 1, mandatory public notification is not required;

- In accordance with section 95A Step 2, public notification is not precluded; precluded and therefore Step 3 does not apply
- In accordance with section 95A Step 3, the circumstances requiring public notification do not apply, including that the adverse effects on the environment will be less than minor;
- In accordance with section 95A Step 4, there are no special circumstances to warrant public notification.
- In accordance with section 95B Step 1, there are no groups to whom the application must be limited notified;
- In accordance with section 95B Step 2, limited notification is not precluded, and Step 3 applies;
- In accordance with section 95B Step 3 and section 95E, we are currently seeking the written approval of those persons who are considered to be affected to a 'minor' degree;

In accordance with section 95B Step 4, there are no special circumstances to warrant limited notification.

10 PART 2 ASSESSMENT

We consider that those aspects of the relevant to this application have been 'competently prepared under the Act', in the sense referred to by the Court of Appeal². The council is therefore not obliged to conduct an evaluation under Part 2 of the Act, and Part 2 considerations should not be used to override the plan provisions. However, for the sake of completeness, and to remove any doubt, the following assessment against Part 2 has also been undertaken.

Section 5 in Part 2 identifies the purpose of the Act as being the sustainable management of natural and physical resources. This means managing the use of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

Section 6 of the Act sets out a number of matters of national importance. Matter f is relevant to this proposal where it relates to the protection of historic heritage from inappropriate development. The proposed heritage buildings on site will not be impact by the proposal, and the proposed built form will integrate with these existing buildings.

Section 7 identifies a number of "other matters" to be given particular regard to in the consideration of any assessment for resource consent. Matters b and c are considered to be relevant to this proposal in regard to the efficient use of land and the maintenance and enhancement of amenity values. The proposal will provide for a new integrate building in an area currently devoid of development, whilst maintaining and enhancing the amenity values of the surrounding residential environment.

Section 8 requires Council to take into account the principles of the Treaty of Waitangi, and this has also informed our assessment under section 104 of the Act.

² R J Davidson Family Trust v Marlborough District Council [2018] NZCA 316, paras 74 and 75

Overall, the application is considered to be consistent with the relevant provisions of Part 2 of the Act, as expressed through the objectives, policies and rules that we reviewed in earlier sections of this application. Given that consistency, we conclude that the proposal achieves the purposes of sustainable management set out by section 5 of the Act.

11 CONCLUSION

The Applicant seeks resource consent to construct a new building known as the Te Kāika Wellbeing Hub on the site currently utilised by Te Kāika for health and social wellbeing activities.

In the absence of affected party approvals prior to the Council's notification decision on this application, it is requested that the application be progressed on a limited notified basis with the extent of the affected parties being those persons at the sites listed in Table 3 above.

In terms of section 104(1)(a) of the Act, the actual and potential effects of the proposal will be less than minor, as discussed in sections 6 and 7 of this report. In particular, the proposed occupation of the building will continue and expand on the existing land use already consented on site. The proposed building will also be appropriately designed, through integration into the ground through earthworks, and will be designed and located in a manner that will ensure any adverse effects on the surrounding residential environment are less than minor. Regarding transportation effects, while there will be an increase in vehicle movements, the provided ITA confirms that these movements are not anticipated to generate any noticeable effects on the road network and that the proposal can be supported from a transportation perspective.

The proposal will generate a number of positive effects including the expansion of the existing medical and social services provided to the city, particularly the South Dunedin area. Additional positive effects include integrating many of the existing services on site into a centrally located building which is appropriately located and design with high quality materials that are generally sympathetic with the surrounding residential environment.

In terms of section 104(1)(b) of the Act the proposal will be consistent with the objectives and policies of the plan.

It is also considered that the proposal will have less than minor adverse effects on persons and the environment. As it is anticipated that Council will proceed with the limited notification of the application, the written approvals of persons within the identified catchment will be sought during the limited notification period and will be provided to Council once obtained.

Hence, in accordance with section 104B in relation to discretionary activities, it is considered appropriate for consent to be granted after limited notification, subject to fair and reasonable conditions.

Appendix A

Certificates of Title



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD**

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




R.W. Muir
Registrar-General
of Land

Identifier 720102
Land Registration District Otago
Date Issued 23 November 2015

Prior References
D 488

Estate Fee Simple
Area 1749 square metres more or less
Legal Description Lot 42, 44, 46, 48 Deeds Plan 46
Registered Owners
Otakou Health Limited

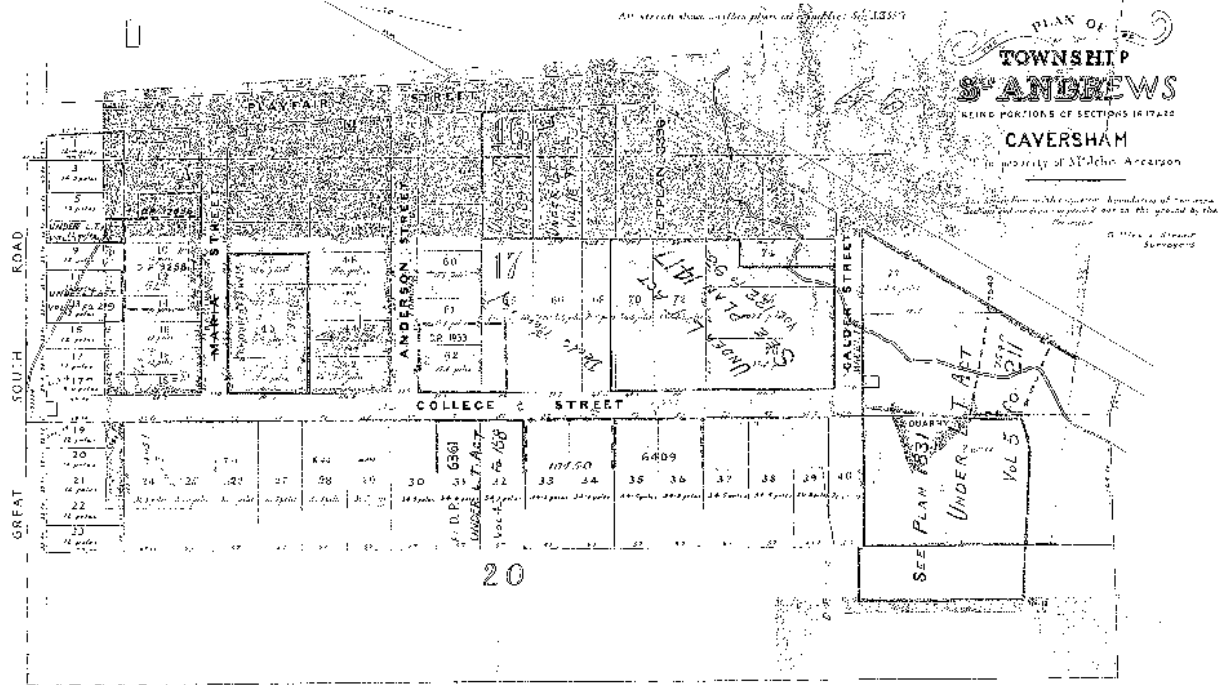
Interests

Subject to Part IVA Conservation Act 1987
Subject to Section 11 Crown Minerals Act 1991
10935960.1 Mortgage to Westpac New Zealand Limited - 20.10.2017 at 3:48 pm

46

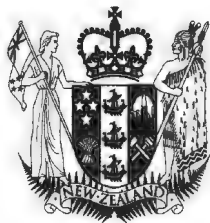
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Received the 30th day of
December 1862
Michael Croagh (signed)
Agent



46

46



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




R.W. Muir
Registrar-General
of Land

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

Identifier **OT264/196**

Land Registration District **Otago**

Date Issued 21 April 1934

Prior References

DI P438 DI R910 DI S1213

Estate Fee Simple
Area 2362 square metres more or less
Legal Description Allotment 49-54 Deeds Plan 46
Registered Owners
Otakou Health Limited

Interests

Subject to a right of way for all purposes over the roads and streets on Deeds Plan 46 created by Conveyance 28605 (36/283) - 8.9.1871
Subject to Part IVA Conservation Act 1987
Subject to Section 11 Crown Minerals Act 1991
10935960.1 Mortgage to Westpac New Zealand Limited - 20.10.2017 at 3:48 pm

AREA IS 4362 N

Kanbury St

457

47

49

51

53

55

55A

29



48

50

52

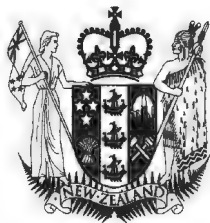
57

56A

56

A-97

Lomond St



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD**

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




R.W. Muir
Registrar-General
of Land

Identifier **715079**
Land Registration District **Otago**
Date Issued 23 November 2015

Prior References
D 488

Estate Fee Simple
Area 1749 square metres more or less
Legal Description Lot 41, 43, 45, 47 Deeds Plan 46
Registered Owners
Otakou Health Limited

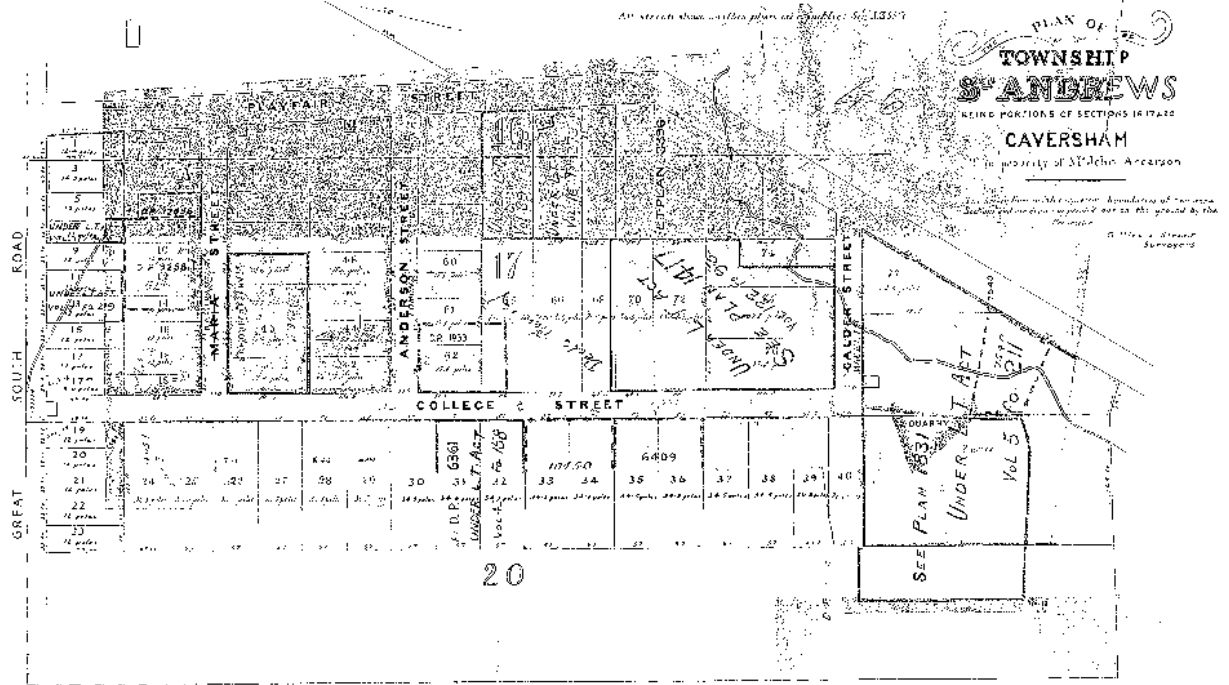
Interests

Subject to Part IVA Conservation Act 1987
Subject to Section 11 Crown Minerals Act 1991
10935960.1 Mortgage to Westpac New Zealand Limited - 20.10.2017 at 3:48 pm

46

46

Received the 30th day of
December 1862
Michael Croagh (signed)
Agent



46

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**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
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R.W. Muir
Registrar-General
of Land

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

Identifier **OT264/194**

Land Registration District **Otago**

Date Issued 21 April 1934

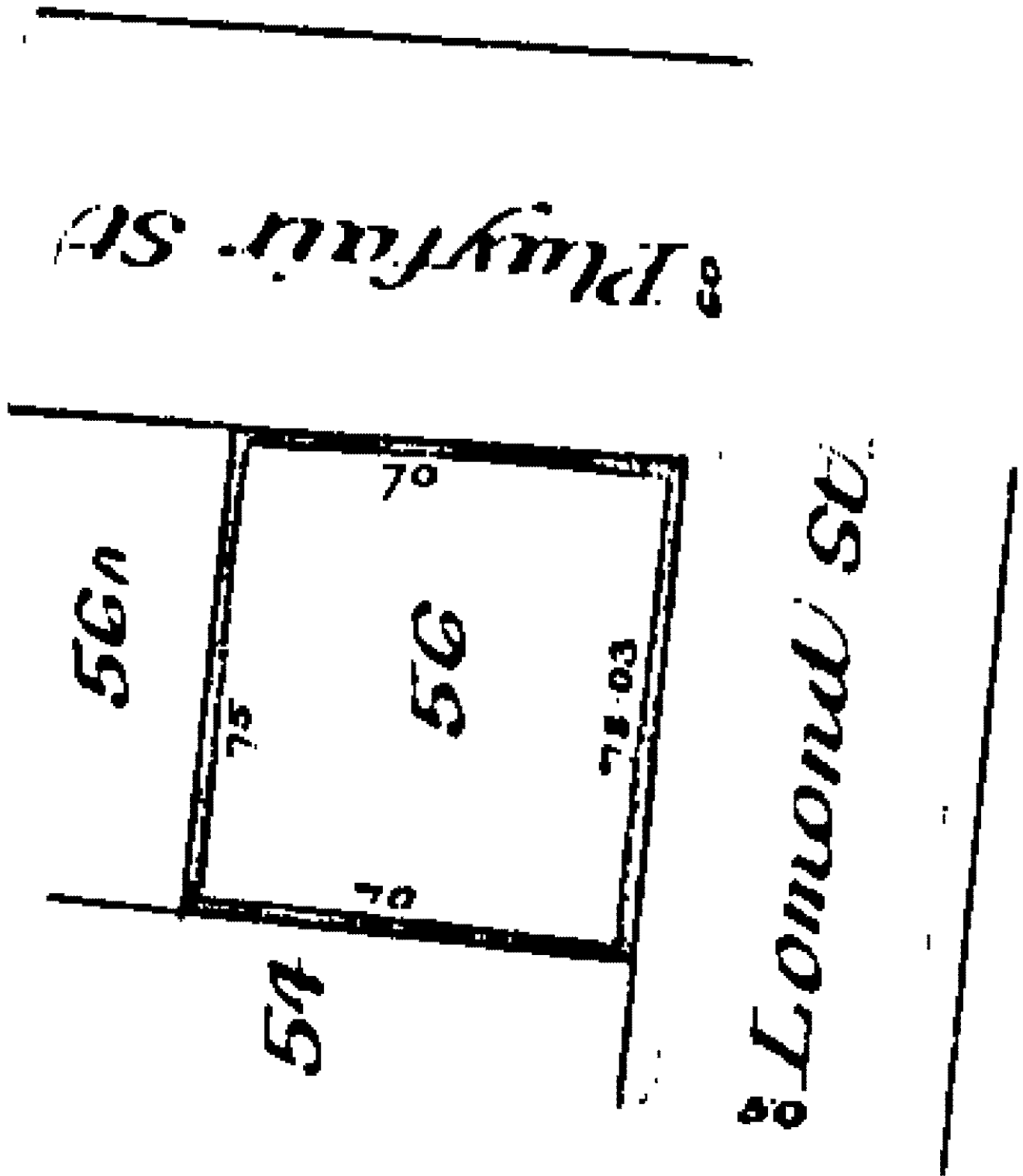
Prior References

DI O814

Estate	Fee Simple
Area	215 square metres more or less
Legal Description	Allotment 56 Deeds Plan 46
Registered Owners	
Otakou Health Limited	

Interests

Appurtenant hereto is a right of way over the roads and streets on Deeds Plan 46 created by Conveyance 28605 (36/283)
Subject to Part IVA Conservation Act 1987
Subject to Section 11 Crown Minerals Act 1991
10935960.1 Mortgage to Westpac New Zealand Limited - 20.10.2017 at 3:48 pm





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




R.W. Muir
Registrar-General
of Land

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

Identifier **OT264/197**

Land Registration District **Otago**

Date Issued 24 March 1934

Prior References

DI P293

Estate Fee Simple
Area 212 square metres more or less
Legal Description Allotment 55 Deeds Plan 46
Registered Owners
Otakou Health Limited

Interests

Appurtenant hereto is a right of way over the roads and streets on Deeds Plan 46 created by Conveyance 28605 (36/283)
Subject to Part IVA Conservation Act 1987
Subject to Section 11 Crown Minerals Act 1991
10935960.1 Mortgage to Westpac New Zealand Limited - 20.10.2017 at 3:48 pm

Township of St. Andrews

Oa. Or. 08-4p

Title Diagram OT264/1

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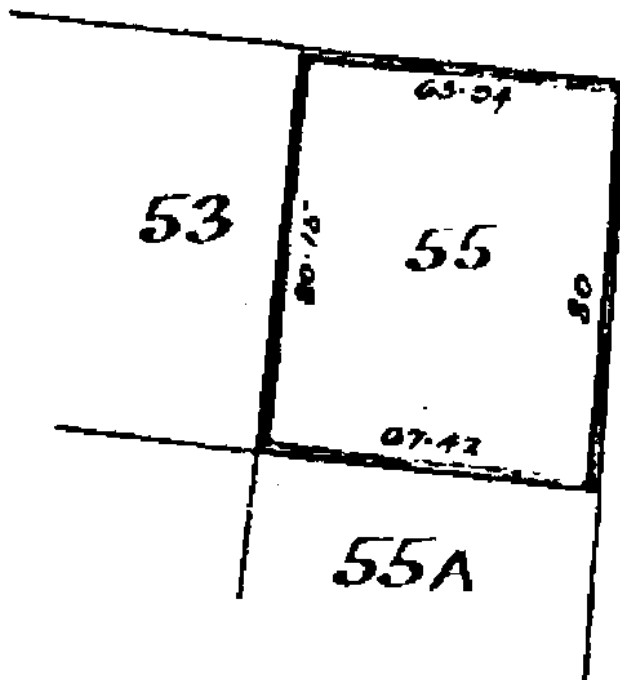
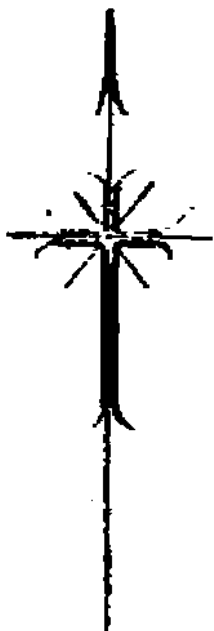


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EQUIVALENT METRIC
AREA IS212.....m²

Ranfurly St

Playfair St.



Scale, 50 links to an inch

Township of St. Andrews

Oa. Or. 08-4p

Title Diagram OT264/1

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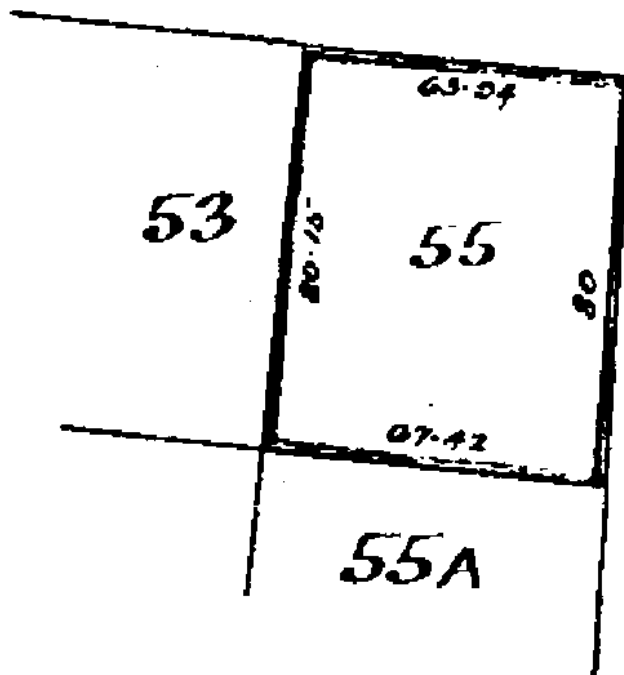
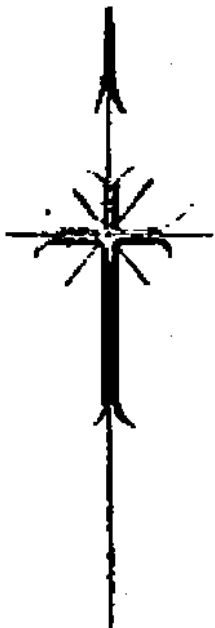


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EQUIVALENT METRIC
AREA IS212.....m²

Ranfurly St

Playfair St.



Scale, 50 links to an inch



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




R.W. Muir
Registrar-General
of Land

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

Identifier **OT264/195**

Land Registration District **Otago**

Date Issued 21 April 1934

Prior References

DI P292 DI Q101

Estate Fee Simple
Area 488 square metres more or less
Legal Description Allotment 55A, 56A Deeds Plan 46
Registered Owners
Otakou Health Limited

Interests

Appurtenant hereto is a right of way over the roads and streets on Deeds Plan 46 created by Conveyance 28605 (36/283)
Subject to Part IVA Conservation Act 1987
Subject to Section 11 Crown Minerals Act 1991
10935960.1 Mortgage to Westpac New Zealand Limited - 20.10.2017 at 3:48 pm

