

**FORM 7 – NOTICE OF APPEAL TO ENVIRONMENT COURT AGAINST
DECISION ON PROPOSED POLICY STATEMENT OR PLAN OR
VARIATION**

Clause 14(1) of Schedule 1, Resource Management Act

To The Registrar
Environment Court
Christchurch

I, **Christopher James Medlittcott** appeal against a decision of Dunedin City Council on the following policy statement (*or plan, or change or variation*) Variation to - Additional Housing Capacity of the Second Generation Plan dated 8 February 2023.

I made a submission on that change.

I am not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.

I received notice of the decision on **8 February 2023**

The decision was made by **Dunedin City Council**

The decision I am appealing is:

Two conditions of the Second Decision Report that rezoned 30 Mercer Street, Kenmure (RDZ1) with the two conditions being:

- a. the requirement to provide a second entrance to the Wattie Fox Lane site and
- b. the requirement to vest up to 500m² of land suitable for residential development in the Dunedin Council for the purposes of a sewerage detention scheme.

The reasons for the appeal are:

- a. It is premature to require a second entrance to the Wattie Fox Zone site as the necessity for two entrances will depend upon the requirements of the integrated transport plan and, for instance an initial smaller development or stages of development may not require two entrances and may be more appropriate, meaning the decision as to the need for a second entrance should be left for the subdivision resource consent stage housing in regard to the integrated transport plan and the extent of the development required and the extent of each stage of the development.
- b. The requirement to vest up to 500m² of land suitable for residential development in the Dunedin City Council for the purposes of a the sewerage detention scheme is excessive, as the total required for a residential

subdivision would not exceed 100m² (two to four large concrete storage tanks and control structures).

- c. It is not necessary that the land for the purposes of the sewerage detention scheme be suitable for residential development so long as the land is suitable for the appropriate sewerage detention scheme.
- d. It is not necessary to vest the land in council given the detention system is viewed as a temporary arrangement pending rectification of the storm water infiltration issue in the Kaikorai Valley Road sewer.

I seek the following relief:

- a. **The requirement to provide a second entrance to the Wattie Fox site be removed, or alternatively, the removal of the second entrance be a discretionary activity.**
- b. **That the requirement to vest up to 500m² of land suitable for residential development for the purpose of the sewerage detention scheme for the site be modified as follows:**
 - i. The requirement be to vest sufficient land to enable a sewerage detention scheme to be constructed to provide for proposed and future housing on the site and
 - ii. The land be suitable for the sewerage detention scheme.

I attach the following documents to this notice:

- (a) a copy of my further submission (with a copy of the submission opposed or supported by my further submission):
- (b) a copy of the relevant part of the decision.
- (c) any other documents necessary for an adequate understanding of the appeal: Nil
- (d) A list of names and addresses of persons to be served with a copy of this notice.



.....
L A Andersen KC / S Gaskell
Counsel for Appellant

.....
21st March 2023
Date

Address for service of appellant:

**The offices of MEDLICOTTS LAWYERS situated at 3 Crawford Street,
Dunedin (3 Crawford Street, Dunedin)**

Telephone: (03) 477 7401

Fax: (02) 477 7406

**Contact Person: Mr Len Andersen KC (counsel for appellant)
P O Box 5117, Dunedin;
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Note to Appellant

You may appeal only if - -

You referred in your submission or further submission to the provision or matter that is the subject of your appeal; and

In the case of a decision relating to a proposed policy statement or plan (as opposed to a variety or change), your appeal does not seek withdrawal of the proposed policy statement or plan as a whole.

Your right to appeal may be limited by the trade competition provisions in Part 11A of the Resource Management Act 1991.

The Environment Court, when hearing an appeal relating to a matter included in a document under section 55(2B), may consider only the question of law raised.

You must lodge the original and 1 copy of this notice with the Environment Court within 30 working days of being served with notice of the decision to be appealed. The notice must be signed by you or on your behalf. You must pay the filing fee required by regulation 35 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003. You must serve a copy of this notice on the local authority that made the decision and on the Minister of Conservation (if the appeal is on a regional coastal plan), within 30 working days of being served with a notice of the decision.

You must also serve a copy of this notice on every person who made a submission to which the appeal relates within 5 working days after the notice is lodged with the Environment Court.

Within 10 working days after lodging this notice, you must give written notice to the Registrar of the Environment Court of the name, address, and date of service for each person served with this notice.

However, you may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38).

Advice to recipients of copy of notice of appeal

How to become party to proceedings

You may be party to the appeal if you made a submission or a further submission on the matter of this appeal.

To become a party to this appeal, you must, - -

- Within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- Within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the Court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38).

How to obtain copies of documents relating to appeal

The copy of this notice served on you does not attach a copy of the appellant's submission and (*or or*) the decision (*or part of the decision*) appealed. These documents may be obtained, on request, from the appellant.

Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.

Chris Medlicott
PO Box 1179
DUNEDIN
chris@medlicotts.co.nz

12 April 2022

Dunedin City Council
For Variation 2GP Commissioners

Email: districtplansubmissions@dcc.govt.nz

Dear Commissioners

2GP Variation 2 – 30 Mercer Street – Greenfields hearing - DIS-2021-1

I wish to make a late further submission in reply as landowner of the property at 30 Mercer Street upon its proposed rezoning from General Residential 1 Transitional Overlay Rural to (GRITZ) Residential 2. This is to be considered in the forthcoming Greenfields hearing.

Firstly I write in support of the position of Dunedin City Council for the re-zoning of that property from current transitional residential 1 zone overlay on underlying rural zoning (GRITZ) to residential 2. It is a good property with gentle terrain lying to the sun well within the city, upon public transport routes and is ideally suited for medium density development. The constraint identified for the property is that at times of heavy rain due to flooding of the Kaikorai Valley sewer occurs with downstream consequences in South Dunedin. A detention tank system has been identified in the planning documents as a solution to that. That was identified through my submissions to Council with the assistance of water engineers (Fluent Solutions). That process has resulted in Council agreeing to a threshold for community sewerage detention tanks at a threshold of 50 lots. I agree that at least 50 lots on the site are both achievable and desirable and I am content to have that as a condition upon its eventual development (pending the resolution of the constraint issue).

There are two direct objections to development of the site. Both from occupants on Wattie Fox Lane. One at number 11 from Nicole Perry-Ellison and the other at number 13 from Bruce Hall. Both are subject to Land Covenants prohibiting such objections. The land covenant is enclosed for your record together with the relevant titles (Easement Instrument 10481766.13 refer paras 11-13 and Titles 736617 and 736618).

The substantive objection from the occupier of number 11 is simply to object to any residential development of the area at all. That is unrealistic. She will have been well aware from discussions with the agent who acted on the sale of the newly developed property at number 11 that the area to the south would be developed for residential purposes in due course. I made that very clear to the agent. It was also clear in the land covenant. At the time she purchased in (December 2017), the subject area to the south was already subject to

notified processes under the 2GP (notified 26 September 2015) and its transitional zoning as GRITZ residential was well in train. The time to object to the residential zoning has passed.

The objection from number 13 is around transport. He rightly raises the prospect that the existing roadway consisting of a right of way through Wattie Fox Lane - which is approximately 6-7 metres wide at its widest - will not be adequate for the number of properties intended. That is accepted and understood. The intention is that the house at 127 Barr Street will be removed in order to provide a full width legal road into the property following the line of Wattie Fox Lane and then over the culvert to then head south. Access of a further walking or one way traffic access along the bottom track immediately behind the car yards is also proposed. An option is that there be two exit lanes out of the property - one turning left, the other turning right with a single lane entrance. This will enable rapid movement out of the property - A draft concept is **enclosed**.

I wish to be heard and in particular to deal with these issues as they arise through the course of the forthcoming hearing.

Yours faithfully



Christopher Medlicott

c.c. Nicole Perry-Ellison, 

Bruce Hall 

Single Submission Viewer - Variation 2

Last updated: 03 Feb 2023 6:43pm

Submission point number/s:

S140.001

Click on each heading to view the submission details

- **Submitter and address for service details**

Reference: 808381

Name	Withheld Name
Organisation (if applicable)	
Contact person/agent (if different to submitter)	
Postal address (address for service)	
Email address:	districtplan@dcc.govt.nz
Contact phone number:	

- **Hearings**

Do you wish to speak in support of your submission at a hearing

No

If others make a similar submission, would you consider presenting a joint case at a hearing

Yes

• **Trade competition**

I could gain an advantage in trade competition through this submission

No

My submission relates to an effect that I am directly affected by and that: a. adversely affects the environment; and b. does not relate to trade competition or the effects of trade competition.

• **Submission**

Variation 2 change ID	RTZ1
Provision name and number, or address and map layer name	
My/our submission seeks the following decision from the Council:	Reject the change
Details	Reject the change to residential and reject the idea for 80 sections
Reasons for these views	There are multiple reasons for my desire to reject the changes. These are as follows: Congestion at bottom of Wattie Fox Lane going on to Barr Street, specifically during peak traffic times it is difficult enough with only six house on Wattie Fox Lane. Congestion for that traffic then flowing on to Kenmure Road and Kaikorai Valley Road, again it is hard enough to get across these roads at any point of the day especially Kaikorai Valley Road. I

am concerned about the number of houses, apparently there is to be up to 80. And with only one road in and out. This is a mind blowing possibility and extremely unreasonable. As a private road waste pick up is from the entry into the proposed new subdivision causing issues for residents.

Submission documents

Submission that have been deemed to have 'Out of scope' submission points have had a pdf attached showing the Out-of-scope points highlighted.

No associated documents with this submission.

Single Submission Viewer - Variation 2

Last updated: 03 Feb 2023 6:43pm

Submission point number/s:

S40.001 S40.002

Click on each heading to view the submission details

- **Submitter and address for service details**

Reference: 807740

Name	Bruce Hall
Organisation (if applicable)	
Contact person/agent (if different to submitter)	
Postal address (address for service)	13 Wattie Fox Lane Kenmure Dunedin 9011
Email address:	brucedhall68@gmail.com
Contact phone number:	03 474 3708 (work)

- **Hearings**

Do you wish to speak in support of your submission at a hearing

No

If others make a similar submission, would you consider presenting a joint case at a hearing

Yes

• **Trade competition**

I could gain an advantage in trade competition through this submission

No

My submission relates to an effect that I am directly affected by and that: a. adversely affects the environment; and b. does not relate to trade competition or the effects of trade competition.

• **Submission**

Variation 2 change ID	RTZ1 & RTZ3
Provision name and number, or address and map layer name	13 Wattie Fox Lane
My/our submission seeks the following decision from the Council:	Multiple submission points/decisions outlined below
Details	RTZ3 - 13 Wattie Fox Lane. My understanding of Gen Res 1 is that the minimum site size will be reduced to 400m2. Given the topography of 13 Wattie Fox Lane this makes no sense. In places it is very steep and to develop sections of that size would involve shifting large amounts of earth. I believe that a 750-800m2 size would make a great deal more sense - it would still allow three more sections and would allow for easier development. However

	the whole premise of future development is reliant on being able to connect to the Council Foul Water network (currently I am on a septic tank). Unless written approval of this is forthcoming from 3 Waters then I do NOT want any change to take place. Any change without this permission would significantly increase my land value, thereby causing further financial burden, without the actual ability to subdivide. RTZ1 - 30 Mercer Street. I have seen the proposal for subdivision under this change - 90+ sections - and the density is insane for the site. I fail to see how the Transportation network could possibly cope with the level of traffic generated. The proposal includes widening Wattie Fox Lane to 15m by demolishing 127 Barr Street and filling in the gully opposite 3 & 5 Wattie Fox Lane, however I just don't see how the intersection of Wattie Fox Lane and Barr Street could cope with 200 vehicles (allowing approximately 2 vehicles per section). I feel to develop this site to that level would require a second access point to the transportation network - but I don't see how that can be achieved. Add in things like, how will collection of recycling and rubbish be achieved, the impact on the waste water system (even with holding tanks), pedestrian access etc and I just don't see how the site can sustain that level of development. I feel restricting this site to 40-50 sections maximum would be a better option.
Reasons for these views	RTZ3 - 13 Wattie Fox Lane. I certainly wish to subdivide at some point in the future - say 10 years +. However I wish to be able to subdivide in the most sustainable way possible and feel a larger section size would be better all round (including for the environment). RTZ1 - 30 Mercer Street. I do not feel that the infrastructure of the area can sustain the proposed level of development. 90+ sections would be detrimental to all concerned, and I feel that the developer is more interested in maximising his profits over the long term good of the area and to allow the density the developer wishes would let the area turn into an ill maintained slum.

Submission documents

Submission that have been deemed to have 'Out of scope' submission points have had a pdf attached showing the Out-of-scope points highlighted.

No associated documents with this submission.

2.3.8.4.2 *Reporting Officer's recommendation*

820. In the section 42A report, Mr Morrissey considered that rezoning the site to residential has conflicts with Policy 2.6.2.1. These include that the site is disconnected from existing residentially zoned land, and so does not reflect the objective to maintain a compact and accessible city (Policy 2.6.2.1.d.xi). If servicing is required, given this disconnection, this would result in inefficient and ineffective public infrastructure (Policy 2.6.2.1.d.ix). Given the site's distance to public transport, centres, and other community facilities, Mr Morrissey considered that rezoning would also conflict with Policy 2.6.2.1.c. Finally, Mr Morrissey advised that the access road to the property is narrow and unsealed and would appear to require upgrading. He considered that, in its present condition, this issue represents a conflict with Policy 2.6.2.1.d.x.

2.3.8.4.3 *Decision and reasons*

821. We reject the submission of *Michael and Michelle Wallace (S274.001)* and accept the further submission from the *ORC (FS184.72)*. We accept the evidence of Mr Morrissey that rezoning the site conflicts with Policy 2.6.2.1 and that the site is unsuitable for residential rezoning.
822. We also record that we did not hear from any submitters in relation to this site and did not receive any evidence challenging Mr Morrissey's advice.

2.3.9 **Kenmure**

2.3.9.1 **30 Mercer Street, Kenmure (RTZ1)**

823. This section addresses the submissions covered in section 5.3.1 of the section 42A report.
824. This site is 9.1ha in size and located in Kaikorai Valley, close to Kaikorai Valley College. The site slopes to the west and is located approximately 1,800m from the Mornington suburban centre. It is subject to a Residential Transition Overlay Zone (RTZ), which provides for the area to be developed for residential use at General Residential 1 density once infrastructure constraints are resolved.
825. The proposal is to rezone the site to General Residential 2, rather than the General Residential 1 zoning provided for through the RTZ overlay, as this will enable a more efficient use of the land. The site has an estimated feasible capacity of 49 – 79 dwellings under General Residential 2 zoning.
826. The section 32 report states that the RTZ is in place due to a lack of capacity in the wastewater network. Removing the RTZ overlay is only possible through use of a communal wastewater detention system, to manage flows into the Kaikorai Valley wastewater network.
827. The section 42A report indicates that developing the site will present some challenges due to its slope; however, the developer is confident that at least 50 dwellings can be developed, the minimum necessary for use of a communal wastewater detention system acceptable to DCC 3 Waters.

2.3.9.1.1 *Submissions received*

828. *Leah McKay (S74.001)* sought to amend the change to limit the number of sections accessing Wattie Fox Lane to avoid potential congestion, and to ensure appropriate roading

infrastructure is provided (including opening another entry/exit from Kaikorai Valley Road and Wattie Fox Lane becoming Council owned).

- 829. *Bruce Hall (S40.002)* submitted to remove the change unless the site is restricted to a maximum of 40-50 sections. He also questioned the impact development would have on the wastewater system. This submission was opposed by a further submission from *Christopher Medlicott (FS257.001)*.
- 830. *Timothy Yang (S49.001)* submitted to remove the change unless another access is provided into Wattie Fox Lane, and Wattie Fox Lane is vested in Council.
- 831. *Nicole Perry-Ellison (S140.001)* submitted to remove the change due to concerns around traffic congestion and the single road in and out of RTZ1. This submission was opposed by a further submission from *Christopher Medlicott (FS257.002)*.

2.3.9.1.2 Submitters' response to the section 42A report

- 832. At the hearing, *Mr Medlicott* spoke and outlined an updated proposal which now includes a second entrance onto Kaikorai Valley Road. He stated he has a verbal agreement to purchase the land in question if this second access point is required. He also noted future connection opportunities to Mornington Road. He acknowledged that the house at 127 Barr Street would need to be removed to provide sufficient access width, and commented this was within his control as he owned the property. He is supportive of the requirement for a communal wastewater system. He also noted he was not convinced a roundabout on Kaikorai Valley Road is necessary for this development (discussed further below). *Mr Medlicott* provided a tabled statement showing concept plans for the development, including the secondary access onto Kaikorai Valley Road.

2.3.9.1.3 Transport

- 833. The section 42A report highlighted previous comments from DCC Transport that access could be problematic for the site as it is steep, two access points are required, and upgrades to Wattie Fox Lane are likely to be required. The report also noted that there are plans to upgrade Kaikorai Valley Road at the intersection with Barr Street. These include the potential construction of a roundabout, a central median strip along Kaikorai Valley Road, and works at the Kenmure Road / Barr Street intersection. The funding and timing of the roundabout, however, was not confirmed.
- 834. Mr Watson of DCC Transport provided comments in the section 42A report. He noted that the proximity of Wattie Fox Lane to the Kenmure Road / Barr Street intersection is potentially problematic, and an Integrated Transport Assessment would be required. He considered that unless a roundabout at Kaikorai Valley Road / Barr Street is installed, the development would exacerbate existing issues at this intersection.
- 835. In his response to the additional information provided at the hearing from *Mr Medlicott*, in particular the second entrance onto Kaikorai Valley Road, Mr Watson subsequently advised that the zoning of the site was not, on balance, contingent on the provision of the roundabout. In the circumstances he considered that zoning of the site could be supported, and that any necessary transport infrastructure upgrades could be addressed as part of an Integrated Transport Assessment at the subdivision stage.

2.3.9.1.4 3 waters

836. *Bruce Hall (S40.002)* in his submission questioned the impact development would have on the wastewater system, even considering that communal wastewater detention is required.
837. In the section 42A report, Mr Morrissey outlined that a communal wastewater detention system holds wastewater generated by the site until such time as there is capacity in the downstream network to receive the additional flows. He considered that the communal wastewater system would act to appropriately mitigate wastewater constraints for the site.

2.3.9.1.5 Reporting Officer's recommendation

838. Mr Morrissey's recommendation was to rezone the site to General Residential 2. He acknowledged that significant roading upgrades and improvements would be necessary, and considered it important that the developer is fully aware of these. In his view, the site is suitable for medium density housing in accordance with Policy 2.6.2.3. He did, however, recommend that a structure plan is applied to the site to require provision of a secondary access point, as this is considered by DCC Transport to be a key requirement.

2.3.9.1.6 Decision and reasons

839. Having heard all of the evidence, we reject the submissions that opposed the notified rezoning RTZ1 to General Residential 2 or requested limits on development. We also note that we received no evidence from the submitters in opposition who also did not attend the hearing to counter any of the expert evidence provided by Council officers and by Mr Medlicott.
840. We accept in part the submission from Ms McKay in relation to ensuring there is appropriate roading infrastructure for the number of sites being developed. The additional information presented by Mr Medlicott at the hearing was helpful and demonstrated how the development could work. We agree with Mr Watson that a secondary access point is critical, and we therefore have applied a structure plan performance standard that requires this. We also agree with his evidence that an Integrated Transport Assessment (ITA) is required at the time of subdivision, and have required this in the structure plan rules. We consider that our amendments appropriately balance the costs to developers with the benefits of an improved overall development outcome, in accordance with section 32AA of the RMA. These changes are shown in Appendix 1 with the reference 'Change RTZ1/S74.001'.
841. We acknowledge that the issue of a roundabout on Kaikorai Valley Road, while not an impediment to rezoning, is not fully resolved and ongoing discussions will be required regarding the timing and funding of this. However, based on the evidence of Mr Watson, we consider that rezoning is not contingent on this.
842. We do not consider it necessary to limit the number of sites provided for, on the basis of the concept plan provided by Mr Medlicott and the expert evidence that the rezoning to this density can be supported from a transport perspective.
843. We are satisfied that wastewater can be appropriately managed via the proposed detention system, meaning the rezoning is appropriate despite the constraints in the wastewater network.
844. As a consequential change under clause 16, we have added this site to the list of NDMA's in Appendix 12C of the Plan.

2.3.9.2 13 Wattie Fox Lane, Kenmure (RTZ3)

845. This section addresses the submissions covered in section 5.3.3 of the section 42A report.
846. RTZ3 applies to 13 Wattie Fox Lane. Variation 2 proposes to rezone parts of this site from Rural Hill Slopes Zone to General Residential 1 Zone, noting that the operative zoning is General Residential 1 in part (700m²) and Rural in part (2,350m²), subject to a Residential Transition Overlay Zone (RTZ). The RTZ provides for the area to be developed for residential use at a General Residential 1 density once infrastructure constraints are resolved. There is one existing dwelling on the operative General Residential 1 zoned part of the site.

2.3.9.2.1 Submissions received

847. *Bruce Hall (S40.001)* opposed the notified rezoning unless written approval from DCC 3 Waters is received that future development is able to connect to the Council wastewater system. If connection is not possible, he considers that the zoning would increase the financial burden (through an increase in land value and therefore rates) without the ability to subdivide. He also considered a 750-800m² minimum site size more appropriate than the GR1 minimum site size (400m²) due to the site's topography.
848. *Nicole Perry-Ellison (S140.002)* opposed the notified rezoning due to concerns around traffic congestion and the single road in and out of RTZ1.

2.3.9.2.2 Reporting Officer's recommendation

849. In the section 42A report, Mr Morrissey recommended maintaining the notified zoning. He said that although infrastructure constraints in the catchment are not yet resolved, the site is small and the proposed rezoning of adjacent RTZ1 (30 Mercer Street) would leave the rural portion of 13 Wattie Fox Lane as a small rural-zoned 'island'. The site has an approximate feasible capacity of 3 dwellings at General Residential 1 density.
850. DCC 3 Waters had advised the site would be able to connect to the DCC foul sewer network. On that basis Mr Morrissey considered General Residential 1 density is appropriate to ensure efficient use of the land, but also noting the topography may reduce the number of dwellings that are ultimately constructed.
851. In response to the transportation concerns raised by *Ms Perry-Ellison*, he referred to his discussion in relation to RTZ1 (see section 2.3.9.1 above). This concluded that transport matters could be managed.

2.3.9.2.3 Decision and reasons

852. We accept the evidence before us that the land can appropriately be rezoned as notified. Accordingly, we reject the submissions seeking the notified rezoning be removed.
853. In response to the submission from *Bruce Hall (S40.001)* the evidence from DCC 3 Waters is that the site would be able to connect to the DCC foul sewer network.
854. With respect to the submission from *Nicole Perry-Ellison (S140.002)*, we consider that the transportation issues can be appropriately addressed, as outlined in our discussion under site RTZ1. We note that the second entrance required into the area may help address her concerns.

15.8.AN - RTZ1 (30 Mercer St, Kenmure)

15.8.AN Wattie Fox Lane Structure Plan Mapped Area Rules

15.8.AN.1 Subdivision performance standards

- a. Access
 - i. In addition to the requirements set out in Rule 6.8.1, each resultant site must have direct or indirect (e.g. leg-in) access to an internal roading network that serves the whole **structure plan mapped area** and provides for all sites to have access through the **structure plan mapped area** to a minimum of two road connection points from the **structure plan mapped area** to Barr Street, Kaikorai Valley Road or Mornington Road.
 - ii. Activities that contravene this performance standard are non-complying activities. {Change RTZ1/S74.001}

15.8.AN.2 Assessment guidance

- a. In assessing the matters in Rule 6.11.2, Council will consider the Integrated Transport Assessment submitted with the application (as required by Rule 15.8.AN.3). {Change RTZ1/S74.001}

15.8.AN.3 Special information requirements

- a. Integrated Transport Assessment
 - i. Applications for subdivision activities must provide an Integrated Transport Assessment unless one has already been provided and accepted as part of an earlier subdivision consent. {Change RTZ1/S74.001}

Figure 15.8.ANX: Wattie Fox Lane structure plan



{Change RTZ1/S74.001}

3. Other 2GP drafting changes

Rule 9.6.2

9.6.2 Assessment of restricted discretionary activities			
Activity		Matters of discretion	Guidance for the assessment of resource consents
Y.	In the following new development mapped areas, all subdivision activities, multi-unit development and supported living facilities: • <u>Selwyn Street</u> {Change RTZ2/S1 21.001} • <u>Wattie Fox Lane</u> {Change RTZ1}	a. Effectiveness and efficiency of wastewater management and effects of wastewater from future development	<i>Relevant objectives and policies (in addition to those outlined in 9.6.2.2 and 9.6.2.X above):</i> - Objective 9.2.1. - Subdivision, multi-unit development or supported living facilities in specified new development mapped areas to provides or connects to a communal wastewater detention system that ensures that all wastewater from the future development of the entire new development mapped area does not exceed the capacity of the wastewater public infrastructure network (Policy 9.2.1.BB). <i>General assessment guidance:</i> - The identified new development mapped areas are serviced for wastewater but new connections to the network will not be allowed (and consequentially any multi-unit development, supported living facility or subdivision that will lead to development that will require a connection will likely be declined) until capacity constraints are resolved or a communal on-site wastewater detention system that is designed for and associated with subdivision and/or development of 50 or more residential units is integrated into the public network and vested in the DCC. After installation of the system, all activities that create wastewater will be required to connect to the system until it is no longer required. - In assessing the appropriateness of a proposed communal on-site wastewater detention system, Council will consider the proposed wastewater management plan submitted with the application (see Special Information Requirement - Rule 9.9.Y). <i>Conditions that may be imposed include:</i> - A requirement for the communal on-site wastewater detention system to be installed prior to certification of the survey plan pursuant to section 223 of the RMA.

			vi. A requirement for the communal on-site wastewater detention system to be vested in the DCC, along with a site containing it which is of a minimum 500m² in area and suitable for residential development. vii. A requirement for necessary easements and a fixed maintenance or defect period agreement to be in place prior to vesting the communal on-site wastewater detention system and associated land.
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Rule 15.11.5

15.11.5 Assessment of restricted discretionary activities in an overlay zone, mapped area, heritage precinct or affecting a scheduled heritage item

Activity	Matters of discretion	Guidance on the assessment of resource consents
Z. In the following new development mapped areas, all subdivision activities, multi-unit development, and supported living facilities: • Selwyn Street {Change RT22/S121.001} • Wattie Fox Lane {Change RTZ1}	a. Effectiveness and efficiency of wastewater management and effects of wastewater from future development	See Rule 9.6

Rule 15.12.3

15.12.3 Assessment of discretionary performance standard contraventions

Performance standard	Guidance on the assessment of resource consents
X. Structure plan mapped area performance standards: • <u>Areas of restricted development (hazard)</u> {Change GF05}	<u>Relevant guidance from other sections (priority considerations):</u> a. <u>See Section 11.6 for guidance on the assessment of resource consents in relation to Objective 11.2.1 and effects related to the risk from natural hazards.</u> {Change GF05}

Names and Addresses of Persons to be served with this notice:

Dunedin City Council - 2gpappealls@dcc.govt.nz

Bruce Hall – brucedhall68@gmail.com

Submitters Name Withheld – Submission S140.001 – districtplan@dcc.govt.nz

Leah McKay – leah.mckay@icould.com

Timothy Yang – timothys79220@hotmail.com