

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH**

**I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHU**

ENV-2023-CHC

Under	The Resource Management Act 1991 (the Act)
In the Matter	of an appeal pursuant to Clause 14 of Schedule 1 of the Act concerning the Dunedin City Council Second Generation District Plan (2GP) – Variation 2
Between	DDS PROPERTIES (2008) LIMITED Appellant
And	DUNEDIN CITY COUNCIL Respondent

NOTICE OF APPEAL ON BEHALF OF DDS PROPERTIES (2008) LIMITED



GALLAWAY COOK ALLAN LAWYERS

Phil Page

Phil.Page@gallowaycookallan.co.nz

PO Box 143

Dunedin 9054

Ph: +64 (3) 477 7312

Fax: (03) 477 5564

NOTICE OF APPEAL ON BEHALF OF DDS PROPERTIES (2008) LIMITED

To: The Registrar

Environment Court

Christchurch Registry

1. DDS Properties (2008) Limited (**DDS**) appeals against a decision of the Dunedin City Council on a decision of the 2GP – Variation 2 regarding the zoning of a site at 774 Allanton-Waihola Road (**Decision**).
2. DDS made a submission regarding the Decision.
3. DDS is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.
4. DDS received notice of the decision on 8 February 2023.
5. The decision was made by Dunedin City Council.
6. The decision DDS is appealing is Variation 2 Hearing Panels Report section 2.3.2.1 which refused to rezone property at 774 Allanton-Waihola Road (**Site**) to Township and Settlement Zone and Large Lot Residential 1 (**Decision**).
7. The reasons for this appeal are:
 - (a) The Site is currently zoned Rural Taieri Plain, the Site is adjacent to Township and Settlement, Rural Taieri Plain and Rural Coastal zones.
 - (b) The Decision does not fully realise the purpose of Variation 2 which is to enable Dunedin City Council to meet its residential capacity obligations under the National Policy Statement on Urban Development (2020) (Updated May 2022) (**NPSUD**). Due to this, the Decision unreasonably limits the extent to which Variation 2 can give effect to the NPSUD.

- (c) The Decision failed to place appropriate weight on the ability to provide additional medium-term greenfield housing development capacity.
- (d) The Decision does not provide adequate housing choices that will meet the needs of people and communities and future generations of a range of dwelling types and locations.
- (e) The Decision gave insufficient weight to ensuring there are resilient townships and failed to give effect to Objective 2.2.4 of the 2GP. Further development occurring in townships means they can maintain and improve resilience.
- (f) The Decision discounts Policy 2 in NPSUD and places insufficient weight on market demand for new development capacity in the Allanton township. Developing the Site is a logical extension of Allanton and improves the township's resilience.
- (g) The Decision failed to accept DDS's evidence on the potential 3Waters infrastructure and the extent to which constraints would be overcome by the submitter.
- (h) The Decision failed to give weight to the proposal's consistency with maintaining visual amenity.
- (i) The Decision gave little weight to the Site's potential to reduce carbon emissions by increasing housing availability for people employed locally.
- (j) The Decision disregarded the potential for acceptable access to be provided to the State Highway network.
- (k) There is no geotechnical or natural hazard reason to exclude the majority of the site for residential land use.
- (l) The Decision ignored or misunderstood DDS's evidence that no development is proposed in the Hazard 1A (flood) Overlay Zone and that the Geosolve report found that the Hazard 1 (flood) Overlay Zone can be designed around.

- (m) The Site is not subject to the National Policy Statement on Highly Productive Land 2022 (**NPS-HPL**) as Variation 2 is a Council-initiated plan change and comes within clause 3.5(7)(b)(ii) of the NPS-HPL.

8. DDS seeks the following relief:

- (a) Accept Appellants Original Submission.
- (b) Any further, other, or consequential relief to give effect to the original submission or the grounds raised in this Notice.

9. The following documents are attached to this notice:

- (a) A copy of the original submission.
- (b) A copy of the Decision and
- (c) A list of names and addresses of persons to be served with a copy of this notice.



Phil Page

Solicitor for the Appellant

DATED 17TH MARCH 2023

Address for service

for Appellant:	Gallaway Cook Allan
	Lawyers
	123 Vogel Street
	P O Box 143
	Dunedin 9054
Telephone:	(03) 477 7312
Fax:	(03) 477 5564
Contact Person	Phil Page

Email

Phil.Page@gallawaycookallan.co.nz

Advice to Recipients of Copy of Notice

How to Become a Party to Proceedings

You may be a party to the appeal if you made a submission on the matter of this appeal and you lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court, and serve copies on the other parties, within 15 working days after the period for lodging a notice of appeal ends. 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 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 relevant decision. 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.

List of names of persons to be served with this notice

Name	Address	Email Address
Otago Regional Council		Warren.hanley@orc.govt.nz
Susan Alanna Browne		martin.alanna.browne@gmail.com
Alan and Leanne Coombs (A & L Coombs Contracting Ltd)		coombscontracting@outlook.com

Roxanne Davies

From: Emma Peters <sweepconsultancy@gmail.com> on behalf of emma <Emma@sweepconsultancy.co.nz>
Sent: Friday, 9 April 2021 09:23 a.m.
To: District Plan Submissions
Subject: Re: Variation 2 submission completed

Hi,

I've also just noticed that part of the submitter name is missing from the submitter form - see underlined in next sentence.

The correct submitter name is: **DDS Properties (2008) Limited.**

Do you need me to redo page 1 of the submission form? If so, I will need to complete on Monday 12th April 2021 as I am currently on holiday.

Cheers,

Emma Peters Consultant Sweep Consultancy Limited P.O. Box 5724 Dunedin 9054 Phone 0274822214
www.sweepconsultancy.co.nz

On 9/04/2021 9:01 am, emma wrote:

Hi,

Re part of form below that states: "**Supporting documents** (file name/s) No file uploaded"

Just double checking that the files attached to the two emails lodging the submission were uploaded? The documents to be uploaded are shown in the snips below.

Cheers,

Emma Peters Consultant Sweep Consultancy Limited P.O. Box 5724 Dunedin 9054 Phone 0274822214 www.sweepconsultancy.co.nz

Email 1:

From Me★

Subject **Email 1 of 2: Submission of DDS Properties Ltd - Riverview: 774 Allanton-Waiholā**

Reply to Me★

To districtplansubmissions@dcc.govt.nz★

Hi,

Please find attached the following documents forming the submission of D

- Completed Form 5;
- Submission Notes;
- Table 1; and
- Structure Plan;
- Landscape Figures; and
- Landscape Report.

The landscape figures and landscape report will be sent in a subsequent email.

Please confirm receipt of both emails.

Cheers,

Emma Peters Consultant Sweep Consultancy Limited P.O. Box 5724 Dunedin

✓ 4 attachments 16.0 MB

 Submission Form 5 - DDS Properties Ltd - Riverview.PDF

 Variation 2 Submission Notes - DDS Properties Ltd - Table 1.pdf

Email 2:

From Me★

Subject **Email 2 of 2: Submission of DDS Properties Ltd - Riverview: 774 Allanton-Waihola f**

Reply to Me★

To districtplansubmissions@dcc.govt.nz★

Attached:

Landscape Figures and Report

Cheers,

Emma Peters Consultant Sweep Consultancy Limited P.O. Box 5724 Dunedin 9

▼ 2 attachments 12.1 MB

 744 Allanton_Waihola_Lndscp figs_final.pdf	9.9 MB	 774 Allanton_Waiho
--	--------	--

On 9/03/2021 9:28 am, districtplansubmissions@dcc.govt.nz wrote:

Submission Form Submitted

Thank you for taking the time to submit on Variation 2

Below is a copy of your submission:

Reference number 809085

Submitter name

DDS Properties Ltd

Organisation

Contact person/agent

Emma Peters, Consultant, Sweep Consultancy Ltd

Postal address

PO Box 5721 Dunedin 9054

Email

emma@sweepconsultancy.co.nz

Contact phone number

I could gain an advantage in trade competition through this submission

No

If you could gain an advantage in trade competition through this submission please select an answer

Variation 2 change ID

Rezone 774 Allanton - Waiholo Road in accordance with the structure plan 4 apply a SPMA

Provision name and number, or address and map layer name

All provisions relating to New Development Mapped Area

My submission seeks the following decision from the Council

Accept the change with amendments outlined below

Details

See attached submission notes

Reasons for my views

See attached submission notes

Supporting documents (file name/s)

No file uploaded

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

Yes

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

Yes

From: [Emma Peters](#) on behalf of [emma](#)
To: [District Plan Submissions](#)
Subject: Email 1 of 2: Submission of DDS Properties Ltd - Riverview: 774 Allanton-Waihola Road (Residential Rezone & Application of a Structure Plan Mapped Area)
Date: Thursday, 4 March 2021 04:58:38 p.m.
Attachments: [Submission Form 5 - DDS Properties Ltd - Riverview.PDF](#)
[Variation 2 Submission Notes - DDS Properties Ltd - Riverview 774 Allanton Waihola Road.pdf](#)
[Variation 2 Submission Notes - DDS Properties Ltd - Table 1.pdf](#)
[Riverview Structure Plan.pdf](#)

Hi,

Please find attached the following documents forming the submission of DDS Properties Ltd in relation to the application of a SPMA for the residential rezone of 774 Allanton-Waihola Road.

- Completed Form 5;
- Submission Notes;
- Table 1; and
- Structure Plan;
- Landscape Figures; and
- Landscape Report.

The landscape figures and landscape report will be sent in a subsequent email.

Please confirm receipt of both emails.

Cheers,

Emma Peters Consultant Sweep Consultancy Limited P.O. Box 5724 Dunedin 9054 Phone 0274822214 www.sweepconsultancy.co.nz

From: [Emma Peters](#) on behalf of [emma](#)
To: [District Plan Submissions](#)
Subject: Email 2 of 2: Submission of DDS Properties Ltd - Riverview: 774 Allanton-Waihola Road (Residential Rezone & Application of a Structure Plan Mapped Area)
Date: Thursday, 4 March 2021 04:58:27 p.m.
Attachments: [744 Allanton Waihola Lndscp figs final.pdf](#)
[774 Allanton Waihola Rd Var Two landscape rpt final.pdf](#)

Attached:

Landscape Figures and Report

Cheers,

Emma Peters Consultant Sweep Consultancy Limited P.O. Box 5724 Dunedin
9054 Phone 0274822214 www.sweepconsultancy.co.nz

VARIATION 2 – ADDITIONAL HOUSING CAPACITY

SUBMISSION FORM 5



SECOND
GENERATION
DISTRICT PLAN

CLAUSE 6 OF FIRST SCHEDULE, RESOURCE MANAGEMENT ACT 1991

This is a submission on Variation 2 to the Second Generation Dunedin City District Plan (2GP). Your submission must be lodged with the Dunedin City Council by midnight on 4 March 2021. All parts of the form must be completed.

Privacy

Please note that submissions are public. Your name, organisation, contact details and submission will be included in papers that are available to the media and the public, including publication on the DCC website, and will be used for processes associated with Variation 2. This information may also be used for statistical and reporting purposes. If you would like a copy of the personal information we hold about you, or to have the information corrected, please contact us at dcc@dcc.govt.nz or 03 477 4000.

Make your submission

Online: www.dunedin.govt.nz/2GP-variation-2 | Email: districtplansubmissions@dcc.govt.nz

Post to: Submission on Variation 2, Dunedin City Council, PO Box 5045, Dunedin 9054

Deliver to: Customer Services Agency, Dunedin City Council, Ground Floor, 50 The Octagon, Dunedin

Submitter details (You must supply a postal and/or electronic address for service)

First name: DNS Properties Ltd

Last name:

Organisation (if applicable):

Contact person/agent (if different to submitter): Emma Peters, Consultant, Sweep Consultancy Ltd

Postal address for service: P.O. Box 5724

Suburb:

City/town: Dunedin

Postcode: 9054

Email address: emma@sweepconsultancy.co.nz

Trade competition

Please note: If you are a person who could gain an advantage in trade competition through your submission, your right to make a submission may be limited by clause 6(4), Schedule 1 of the Resource Management Act.

I could gain an advantage in trade competition through this submission: Yes ☐ No ☒

If you answered yes, you could gain an advantage in trade competition through this submission, please select an answer:

- Yes 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

Submissions on Variation 2 can only be made on the provisions or mapping, which are proposed to change or alternatives that are clearly within the scope of the 'purpose of the proposals', as stated in the Section 32 report. Submissions on other aspects of the 2GP are not allowed as part of this process.

You must indicate which parts of the variation your submission relates to. You can do this by either:

- making a submission on the Variation Change ID (in which case we will treat your submission as applying to all changes related to that change topic or alternatives within the scope of the purpose of that proposal); or
- on specific provisions that are being amended.

The specific aspects of Variation 2 that my submission relates to are:

Variation 2 change ID (please see accompanying Variation 2 – Summary of Changes document or find the list on www.dunedin.govt.nz/2GP-variation-2)

Rezone 774 Allanton - Waihola Road in accordance with the
For example: D2 structure plan 4 apply a SPMA.

Provision name and number, or address and map layer name (where submitting on a specific proposed amendment):

All provisions relating to New Development Mapped Area
For example: Rule 15.5.2 Density or zoning of 123 street name.

My submission seeks the following decision from the Council: (Please give precise details, such as what you would like us to retain or remove, or suggest amended wording.)

☒ Accept the change

☒ Accept the change with amendments outlined below

☐ Reject the change

If the change is not rejected, amend as outlined below

see attached submission notes

see attached submission notes

Reasons for my views (you may attach supporting documents):

If you wish to make multiple submissions, you can use the submission table on page 3 or attach additional pages.

see attached submission notes

Hearings

Do you wish to speak in support of your submission at a hearing: ☒ Yes ☐ No

If others make a similar submission, would you consider presenting a joint case at a hearing: ☒ Yes ☐ No

Signature:

Emma Peters, Consultant, Sweep Consultancy Ltd. Date: 4/3/21

Notified Policy / Rule	Issue	Potential Solutions						
CHANGE F2-6 Policy 9.2.1.AA <u>Policy 9.2.1.AA:</u> Only allow subdivision in a new development mapped area where any new public or private 3-waters infrastructure is designed to connect to, and provide capacity for future urban development on adjoining or nearby sites that are zoned for urban development, where necessary. <i>{Change F2-6}</i> Rule 9.5.3.Z	Limit the extent of Policy 9.2.1.AA and related lower order provisions to provision of capacity of infrastructure within the specific new development mapped area.	Delete the words 'on adjoining or nearby sites that are zoned for urban development' and insert the words 'within the subject new development mapped area' before 'where necessary'. AND Similarly in Rule 9.5.3.Z.a.iii delete the words 'on adjoining or nearby sites that are zoned for urban development' and insert the words 'within the subject new development mapped area' before 'where necessary'. AND Similarly in Rule 9.6.2.X.a.iii delete the words 'on adjoining or nearby sites that are zoned for urban development' and insert the words 'within the subject new development mapped area' before 'where necessary'.						
9.5.3 Assessment of performance standard contraventions <table border="1"> <thead> <tr> <th>Performance standard</th><th>Matters of discretion</th><th>Guidance on the assessment of resource consents</th></tr> </thead> <tbody> <tr> <td> Z. In a new development mapped area Service connections - stormwater (Rule 9.3.7.AA) <i>{Change F2-2}</i> </td><td> a. Effectiveness and efficiency of stormwater management and effects of stormwater from future development </td><td> iii. <u>Only allow subdivision in a new development mapped area where any new public or private 3-waters infrastructure is designed to connect to, and provide capacity for future urban development on adjoining or nearby sites that are zoned for urban development, where necessary. (Policy 9.2.1.AA). <i>{Change F2-6}</i></u> </td></tr> </tbody> </table> Rule 9.6.2.X	Performance standard	Matters of discretion	Guidance on the assessment of resource consents	Z. In a new development mapped area Service connections - stormwater (Rule 9.3.7.AA) <i>{Change F2-2}</i>	a. Effectiveness and efficiency of stormwater management and effects of stormwater from future development	iii. <u>Only allow subdivision in a new development mapped area where any new public or private 3-waters infrastructure is designed to connect to, and provide capacity for future urban development on adjoining or nearby sites that are zoned for urban development, where necessary. (Policy 9.2.1.AA). <i>{Change F2-6}</i></u>		
Performance standard	Matters of discretion	Guidance on the assessment of resource consents						
Z. In a new development mapped area Service connections - stormwater (Rule 9.3.7.AA) <i>{Change F2-2}</i>	a. Effectiveness and efficiency of stormwater management and effects of stormwater from future development	iii. <u>Only allow subdivision in a new development mapped area where any new public or private 3-waters infrastructure is designed to connect to, and provide capacity for future urban development on adjoining or nearby sites that are zoned for urban development, where necessary. (Policy 9.2.1.AA). <i>{Change F2-6}</i></u>						
9.6.2 Assessment of restricted discretionary activities <table border="1"> <thead> <tr> <th>Activity</th><th>Matters of discretion</th><th>Guidance for the assessment of resource consents</th></tr> </thead> <tbody> <tr> <td> X. In a new development mapped area All subdivision activities <i>{Change F2-2}</i> </td><td> a. Effectiveness and efficiency of stormwater management and effects of stormwater from future development </td><td> iii. <u>Only allow subdivision in a new development mapped area where any new public or private 3-waters infrastructure is designed to connect to, and provide capacity for future urban development on adjoining or nearby sites that are zoned for urban development, where necessary (Policy 9.2.1.AA). <i>{Change F2-6}</i></u> </td></tr> </tbody> </table> ...	Activity	Matters of discretion	Guidance for the assessment of resource consents	X. In a new development mapped area All subdivision activities <i>{Change F2-2}</i>	a. Effectiveness and efficiency of stormwater management and effects of stormwater from future development	iii. <u>Only allow subdivision in a new development mapped area where any new public or private 3-waters infrastructure is designed to connect to, and provide capacity for future urban development on adjoining or nearby sites that are zoned for urban development, where necessary (Policy 9.2.1.AA). <i>{Change F2-6}</i></u>		
Activity	Matters of discretion	Guidance for the assessment of resource consents						
X. In a new development mapped area All subdivision activities <i>{Change F2-2}</i>	a. Effectiveness and efficiency of stormwater management and effects of stormwater from future development	iii. <u>Only allow subdivision in a new development mapped area where any new public or private 3-waters infrastructure is designed to connect to, and provide capacity for future urban development on adjoining or nearby sites that are zoned for urban development, where necessary (Policy 9.2.1.AA). <i>{Change F2-6}</i></u>						

Rule 15.10.4.Y			
15.10.4 Assessment of development performance standard contraventions			
Performance standard	Matters of discretion	Guidance on the assessment of resource consents	
...			
10 Maximum building site coverage and impermeable surfaces	c. Effects on efficiency and affordability of infrastructure (stormwater) (Change F2-3) d. Effects of stormwater from future development (Change F2-3)	See Rule 9.5.	
Rule 15.11.5.Z			
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: (Change F3-2)	• <u>Kaikorai Valley Road</u> (Change IN07) • <u>Selwyn Street</u> (Change RT22) • <u>Wattie Fox Lane</u> (Change RT24)	a. Effectiveness and efficiency of wastewater management and effects of wastewater from future development (Change F3-2) See Rule 9.6. (Change F3-2)	

Rule 9.9.Y

9.9.Y. Wastewater management plans

1. Any application for subdivision, multi-unit development or supported living facilities in a new development mapped area specified in Rule 9.6.2.Y must include a proposed wastewater management plan 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 via the use of a communal wastewater detention system, unless such a system has already been approved for the site and will be connected to.
2. The wastewater management plan must be prepared by a chartered engineer and meet the following requirements:
 - a. Specify the design and location of one or more communal wastewater detention systems to detain wastewater from the entire new development mapped area.
 - b. The communal wastewater detention systems must:
 - i. have the capacity to detain wastewater for a 24-hour period, prior to releasing to the wastewater via a connection to the wastewater public infrastructure network. The volume of wastewater to be detained will be calculated with reference to Part 5 of the Dunedin Code of Subdivision and Development 2010 ('Code of Subdivision');
 - ii. be compatible with DCC's Supervisory Control and Data Acquisition (SCADA) system;
 - iii. have a minimum 20 year expected life for all electrical / mechanical components and a minimum 50 year expected life for all civil components;
 - iv. where practicable, be located such that all flow goes to one communal wastewater detention system with no pumping;
 - v. have components and materials that comply with the DCC's 3-Waters Approved Product and Manufacturers List and Part 5 of the Dunedin Code of Subdivision and Development 2010 ('Code of Subdivision');
3. The wastewater management plan must be submitted along with the written approval of all landowners within the new development mapped area unless they are the applicants. *(Change F3-2)*

<u>Y</u> In the following new development mapped areas, all subdivision activities, multi-unit development and supported living facilities: <i>(Change F3-2)</i> • Kalkorai Valley Road <i>(Change IN07)</i> • Selwyn Street <i>(Change RT22)</i> • Wattle Fox Lane <i>(Change RT21)</i> a. Effectiveness and efficiency of wastewater management and effects of wastewater from future development	Relevant objectives and policies (in addition to those outlined in 9.6.2.2 and 9.6.2.4 above): - Objective 9.2.1 - Require subdivision, multi-unit development or supported living facilities in specified new development mapped areas to provide or connect 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. <i>(Policy 9.2.1 BB, (Change F3-2)</i> <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 consequently 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>(Change F3-2)</i> <i>Conditions that may be imposed:</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. - 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. - 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. <i>(Change F3-2)</i>
---	---

Notified Policy / Rule	Issue	Potential Solutions			
CHANGE F3-2 Policy 2.7.1.2.Y Ensure areas of new urban development provide for public infrastructure networks that represent the least possible long term cost to the public through: ... <u>Y. policies and assessment rules that require wastewater detention for specified sites in the new development mapped area to allow urban expansion while ensuring any impacts on the wastewater public infrastructure network are no more than minor. (Change F3-2)</u> Policy 9.2.1.BB <u>Policy 9.2.1.BB</u> Require subdivision, multi-unit development or supported living facilities in specified new development mapped areas to provide or connect 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. (Change F3-2) Note 9.3.7.ZA General Advice ... <u>b. In new development mapped areas specified in Rule 9.6.2.Y, immediate connections to the wastewater public infrastructure network will not be available due to network capacity constraints. In these cases, subdivision consent may be refused even if this standard is met where an on-site communal wastewater detention system that serves 50 or more residential units is yet to be approved as a solution to capacity constraints. (Change F3-2)</u> ... Rule 9.6.2.Y 9.6.2 Assessment of restricted discretionary activities <table> <tr> <td>Activity</td><td>Matters of discretion</td><td>Guidance for the assessment of resource consents</td></tr> </table> ...	Activity	Matters of discretion	Guidance for the assessment of resource consents	1. Potential difficulties with NDMA being in multiple ownership – for example, if there is / are reluctant or recalcitrant owner(s) within the NDMA.	1. Provide a claw-back mechanism whereby when the developer of infrastructure in a NDMA with multiple owners vests that infrastructure in DCC, DCC pays that developer for the infrastructure (less the developer's pro rata share) and DCC claws-back the cost of that infrastructure vis development contributions as the other land within that NDMA comes online. AND Provide a mechanism whereby the DCC can compulsorily acquire easements in NDMA for new infrastructure.
Activity	Matters of discretion	Guidance for the assessment of resource consents			

Y In a new development mapped area Service connections - stormwater (Change F2-2)	a Effectiveness and efficiency of stormwater management and effects of stormwater from future development	See Rule 9.5. (Change F2-2)		
Rule 15.11.5.Y				
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		
...				
Y In a new development mapped area All subdivision activities (Change D1 & Change F2-2)	f Effectiveness and efficiency of stormwater management and effects of stormwater from future development (Change F2-2)	See Rule 9.6. (Change F2-2)		

m. <u>where low impact design features are inadequate to address stormwater discharge in a way that meets Policy 9.2.1.Y consider the use of detention tanks;</u> n. <u>for larger subdivisions, the design should incorporate consideration of how stormwater management areas can be integrated into reserves and recreation spaces;</u> o. <u>for larger subdivisions, the design proposal should demonstrate how the integrity of the stormwater mitigation and management measures will not be compromised during and after subdivision, for example, avoiding premature contamination of devices during the construction of houses and ensuring that open drains that form part of the system will not be blocked or altered); (Change F2-2 & Change F2-3)</u>			
Rule 15.3.4.1 Development Activity Status Table <table> <tr> <td data-bbox="512 1261 932 2098"> 1. Performance standards that apply to all development activities </td><td data-bbox="512 833 932 1261"> a. Natural Hazards Performance Standards b. Maximum building site coverage and impermeable surfaces c. Setback from scheduled tree d. Structure plan mapped area performance standards (where relevant) Y. Service connections - stormwater (in a new development mapped area) (Change F2-2) </td></tr> </table> Rule 15.6.X 15.6.X Service Connections - Stormwater - to be added (Change F2-2)	1. Performance standards that apply to all development activities	a. Natural Hazards Performance Standards b. Maximum building site coverage and impermeable surfaces c. Setback from scheduled tree d. Structure plan mapped area performance standards (where relevant) Y. Service connections - stormwater (in a new development mapped area) (Change F2-2)	
1. Performance standards that apply to all development activities	a. Natural Hazards Performance Standards b. Maximum building site coverage and impermeable surfaces c. Setback from scheduled tree d. Structure plan mapped area performance standards (where relevant) Y. Service connections - stormwater (in a new development mapped area) (Change F2-2)		
<u>in a new development mapped area, all development that creates an impermeable surface must comply with Rule 9.3.7.A.A. (Change F2-2)</u>			
Rule 15.10.4.Y 15.10.4 Assessment of development performance standard contraventions			
Performance standard	Matters of discretion		
...	Guidance on the assessment of resource consents		

- iv. for the purposes of this requirement, 'primary infrastructure' includes both open and closed conduits designed to contain the flows generated by the 10% AEP rainfall event
- v. for the purposes of this requirement, 'secondary flow paths' means the flow path over which surface water will flow if the primary flow path becomes overloaded or inoperative and consists of overland flow paths with sufficient capacity to transfer the flows generated by rainfall events up to 1% AEP. Secondary flow paths should be aligned with natural flow paths and located on public land where possible. If located in private property, 1% AEP secondary flows should be through primary infrastructure unless protected by an easement
- e. assess the difference between pre-development flows and post-development flows, taking into account the maximum impermeable surfaces permitted in the underlying zone and any proposed roading or accessways for the subdivision area (or in a new development mapped area for the entire NDMA)
- f. specify the design and location of any on-site stormwater management systems to accommodate the calculated difference in flows
- g. where relevant, specify the design and location of secondary flow paths
- h. specify any upgrades to stormwater public infrastructure, or other infrastructure, that will be used to add capacity where it is required
- i. the stormwater management system design should allow for stormwater quality treatment to reduce potential contaminants that the site and development may generate
- j. areas requiring stormwater quality treatment include trafficked areas such as roads, driveways and carparks. Roof and building areas should not require stormwater quality treatment providing they are constructed with inert building products which avoid exposed metal surfaces
- k. stormwater quality treatment devices shall target the removal of 75% total suspended solids (TSS) on a long-term average basis and consider the avoidance or minimisation of thermal loading effects
- l. the stormwater management design should consider the use of low impact design features, for example:
 - i. grassed/landscaped swales and other vegetation areas
 - ii. infiltration trenches/bioretention systems
 - iii. storage ponds/wetlands/sediment ponds
 - iv. rainwater tanks harvesting and reuse
 - v. rain gardens, green roofs, or
 - vi. porous surface treatments

X. In a new development mapped area • All subdivision activities (Change F2-2)	a. Effectiveness and efficiency of stormwater management and effects of stormwater from future development	Relevant objectives and policies (in addition to those outlined in 9.6.2.2 above): 1. Objective 9.2.1 ii. <u>Only allow subdivision activities in a new development mapped area where:</u> 1. <u>an on-site stormwater management system that is designed for the whole NDMA and is installed in full or in planned stages prior to development will ensure there is no increase in the pre-development peak stormwater discharge rate from the site into the stormwater public infrastructure (at any point); or</u> 2. <u>where this is not practicable, any adverse effects from an increase in discharge on the stormwater public infrastructure are no more than minor (Policy 9.2.1.Y). (Change F2-2)</u>
Special Information Requirement Rule 9.9.X <u>9.9.X Stormwater management plans</u> 1. <u>Application for subdivision in a new development mapped area must include a proposed stormwater management plan that demonstrates how Policy 9.2.1.Y will be achieved, unless such a plan has already been approved as part of an earlier subdivision. (Change F2-2)</u>		
... 3. <u>Stormwater management plans must</u> a. <u>be prepared by a chartered engineer or other suitably qualified person;</u> b. <u>be of a level of detail commensurate with the scale of the activity, complexity of stormwater management issues, and potential for adverse effects from stormwater. (Change F2-2 & Change F2-3)</u> c. <u>for a new development mapped area (NDMA), address the whole NDMA area, and be submitted along with the written approval of all owners of land within the new development mapped area unless they are the applicant's. (Change F2-2)</u> d. <u>assess pre-development flows and post-development flows, generally based on the following rainfall events:</u> i. <u>for primary infrastructure, a 10% annual exceedance probability (AEP) for the critical storm duration for the NDMA and the critical storm duration and the catchment upstream of the point of discharge; and</u> ii. <u>for secondary flow paths, a 1% AEP for the critical storm duration for the NDMA and the critical storm duration for the catchment upstream of the point of discharge;</u> iii. <u>for the purposes of this requirement, 'critical storm duration' means the duration of rainfall event likely to cause the highest peak flows or water levels;</u>		

Rule 9.5.3.Z		
9.5.3 Assessment of performance standard contraventions		
Performance standard	Matters of discretion	Guidance on the assessment of resource consents
...		
Z. In a new development mapped area • Service connections - stormwater (Rule 9.3.7.A4) (Change F2-2) a. Effectiveness and efficiency of stormwater management and effects of stormwater from future development		<u>Relevant objectives and policies</u> i. <u>Objective 9.2.1</u> ii. <u>Require development in a new development mapped area that creates impermeable surfaces to be connected to the integrated communal on-site stormwater management system that meets Policy 9.2.1.Y (Policy 9.2.1.X). (Change F2-2)</u> <u>General assessment guidance</u> iv. <u>Council will consider how stormwater will be managed and may require a stormwater management plan to be submitted with the application (see Special Information Requirement - Rule 9.9.X). (Change F2-2)</u> <u>Conditions that may be imposed include</u> v. <u>A requirement for easements, covenants, consent notices or bonds to ensure future development will be in accordance with a stormwater management plan.</u> vi. <u>A requirement for on-site stormwater management such as the installation of detention devices in accordance with the approved stormwater management plan. (Change F2-2)</u>
Rule 9.6.2.X		
9.6.2 Assessment of restricted discretionary activities		
Activity	Matters of discretion	Guidance for the assessment of resource consents
...		

Rule 9.3.7.AA

9.3.7.AA Stormwater (Change F2-2)

- a. In a new development mapped area, all development that creates an impermeable surface must be connected to a communal stormwater management system that services the new development mapped area, except:
1. prior to the communal stormwater management system being installed, any development that creates less than 60m² of impermeable surface is exempt from this standard.
- b. Activities that contravene this performance standard are restricted discretionary activities. (Change F2-2)

Note 9.3.7.AAA

Note 9.3.7.AAA - General advice and other requirements outside of the District Plan (Change F2-2)

- a. In a new development mapped area, Policy 9.2.1.V requires installation of a communal stormwater management system prior to development as part of the assessment of a subdivision consent. The requirements for stormwater management are set out in the Social Information Requirements - Rule 9.9.X. (Change F2-2)
- b. Clause E1 - Surface Water of the New Zealand Building Code (Building Regulations 1992, Schedule 1) contains requirements regarding buildings and sitework in relation to managing surface water and effects on other property.
- c. Development that will divert surface water may require resource consent under the Otago Regional Plan: Water.
- d. Discharge of stormwater to any Otago Regional Council scheduled drain or overland flow path is managed by the Otago Regional Council Flood Protection Management Bylaw 2012.
- e. If development affects the flow of surface water, this effect is also subject to the common law principle of natural servitude.
- f. Part 4 of the Dunedin Code of Subdivision and Development 2010 (Code of Subdivision) requires that design and construction of stormwater systems be undertaken in accordance with NZS 4404:2004 (now replaced by NZS 4404:2010), except as amended by the Code of Subdivision. This includes a requirement that stormwater systems be provided so that any new development results in an insignificant increase of runoff wherever possible (Clause 4.2.8).
- g. For further information on connections to the public stormwater network and for assistance with design requirements for stormwater management systems, please contact DCC 3 Waters on 03 477 4000 at the earliest opportunity. (Change F2-4)

mapped area' to the end of the sentence at Rule 9.5.3.Z.a.

Notified Policy / Rule	Issue	Potential Solutions
CHANGE F2-2 Policy 2.2.2.Y Policy 2.2.2.Y - to be added {Change F2-2} <u>Enable and encourage on-site low impact design stormwater management through policies and assessment rules that require stormwater management in new development mapped areas. (Change F2-2)</u> Delete Policy 2.2.5.2 Policy 2.7.1.2.X <u>Ensure areas of new urban development provide for public infrastructure networks that represent the least possible long term cost to the public through</u> ... <u>X policies and assessment rules that require on-site stormwater management in the new development mapped area. (Change F2-2)</u> Policy 9.2.1.Y Objective 9.2.1 <u>Land use, development and subdivision activities maintain or enhance the efficiency and affordability of public water supply, wastewater and stormwater infrastructure.</u> ... <u>Policy 9.2.1.Y</u> <u>Only allow subdivision activities in a new development mapped area where:</u> <u>a. an on-site stormwater management system that is designed for the whole NDMA and is installed in full or in planned stages prior to development will ensure there is no increase in the pre-development peak stormwater discharge rate from the site into the stormwater public infrastructure (at any point), or</u> <u>b. where this is not practicable, any adverse effects from an increase in discharge on the stormwater public infrastructure are no more than minor. (Change F2-2)</u> Policy 9.2.1.X <u>Policy 9.2.1.X</u> <u>Require development in a new development mapped area that creates impermeable surfaces to be connected to the integrated communal on-site stormwater management system that meets Policy 9.2.1.Y (Change F2-2)</u>	1. Potential difficulties with NDMA being in multiple ownership – for example, if there is a reluctant or recalcitrant 2. Requirement to install infrastructure prior to obtaining subdivision consent (see Policy 9.2.1.Y and Note 9.3.7.AAA.a). The proper development process is for resource consent to be obtained prior to installation occurring so that all matters can be assessed together. Focus should be on the design of infrastructure at this stage of the consent / development process. 3. Limiting the extent of Rule 9.5.3.Z.	1. Provide a claw-back mechanism whereby when the developer of infrastructure in a NDMA with multiple owners vests that infrastructure in DCC, DCC pays that developer for the infrastructure (less the developer's pro rata share) and DCC claws-back the cost of that infrastructure vis development contributions as the other land within that NDMA comes online. AND Provide a mechanism whereby the DCC can compulsorily acquire easements in NDMA for new infrastructure. AND Delete from Rule 9.9.X.3.C the following: ', and be submitted along with the written approval of all owners of land within the new development mapped area unless they are the applicant/s'. 2. Delete requirement for infrastructure to be installed prior to subdivision consent. 3. Add the words 'within the subject new development

5. In a new development mapped area All subdivision activities (Change D1)	e. Whether subdivision design supports efficient use of land (Change D8) <u>Relevant objectives and policies</u> i. Objective 12.2.X ii. The subdivision design ensures the efficient use of land, while also achieving the other elements of Objective 12.2.X (Policy 12.2.X.5) (Change D8) <u>General assessment guidance</u> iii. Council will generally require subdivision in a NDMA to enable the maximum development capacity allowed under the rules and as can be achieved while still achieving the other objectives and policies of the Plan (e.g. as many sites suitable for residential development as practicable or through other means of maximising development capacity) (Change D8) iv. Where a subdivision proposes a residential yield less than what is allowed by the zoning and where this is not required to achieve other plan objectives or policies, Council will consider: 1. how this might affect the affordability and efficient delivery of public infrastructure; 2. how this might affect the ability to provide a reasonable amount of affordable housing in the development; and 3. the potential cumulative effects of inefficient development on loss of rural land. (Change D8)		
Rule 15.11.5.Y			
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	
...			
Y In a new development mapped area: All subdivision activities (Change D1 & Change F2-2)	e. Whether subdivision design supports efficient use of land (Change D8) See Rule 12.X (Change D8)		

Notified Policy / Rule	Issue	Potential Solutions
CHANGE D8 Policy 2.7.1.2 Ensure areas of new urban development provide for public infrastructure networks that represent the least possible long term cost to the public through: ... <u>2. policies and assessment rules for new development mapped areas that encourage efficient use of land as a way to maximise the cost effectiveness of public infrastructure delivery.</u> <i>{Change D8}</i> Objective 12.2.X {Change D1} <u>Future residential growth areas are developed in a way that achieves the Plan's strategic directions for:</u> <i>{Change D1}</i> ... e. <u>a compact and accessible city</u> (Objective 2.2.4); and <i>{Change D8}</i> f. <u>efficient public infrastructure</u> (Objective 2.7.1). <i>{Change D8}</i> Policy 12.2.X.5 <u>Only allow subdivision in a new development mapped area where the subdivision design ensures the efficient use of land, while also achieving the other elements of Objective 12.2.X.</u> <i>{Change D8}</i> Rule 12.X.2.5.e <u>12.X.2 Assessment of restricted discretionary activities in a Transition Overlay Zone or mapped area</u>	Rule 12.X.2 – general assessment guidance iv.3 This assessment has already been undertaken in rezoning of the land (including placement of Transition overlay zone or mapped area).	Delete.

✓ In a new development mapped area: ■ All subdivision activities (Change D1 & Change F2-2)	b. Provision for amenity, planting and public amenities (Change D1)	See Rule 12.X (Change D1)	
---	--	----------------------------------	--

Notified Policy / Rule	Issue	Potential Solutions												
CHANGE D7 Objective 12.2.X {Change D1} <u>Future residential growth areas are developed in a way that achieves the Plan's strategic directions for.</u> <i>{Change D1}</i> ... <u>d. form and structure of the environment</u> (Objective 2.4.1). <i>{Change D7}</i> Policy 12.2.X.4 Only allow <u>subdivision in a new development mapped area</u> where the subdivision will provide adequate areas of amenity planting (including but not limited to street trees) and public amenities to ensure an attractive residential environment. <i>{Change D7}</i> Rule 12.X.2.5.b 12.X.2 Assessment of restricted discretionary activities in a Transition Overlay Zone or mapped area <table border="1"> <tr> <th>Activity</th><th>Matters of discretion</th><th>Guidance on the assessment of resource consents</th></tr> <tr> <td> 5. <u>In a new development mapped area:</u> All subdivision activities <i>{Change D1}</i> </td><td> b. <u>Provision for amenity planting and public amenities</u> <i>{Change D7}</i> </td><td> <u>Relevant objectives and policies:</u> i. <u>Objective 12.2.X</u> ii. <u>The subdivision provides adequate areas of amenity planting (including but not limited to street trees) and public amenities to ensure an attractive residential environment.</u> (Policy 12.2.X.4) <u>Conditions that may be imposed include:</u> iii. <u>Requirements for street tree and other subdivision amenity planting.</u> <i>{Change D7}</i> </td></tr> </table> ... Rule 15.11.5.Y 15.11.5 Assessment of restricted discretionary activities in an overlay zone, mapped area, heritage precinct or affecting a scheduled heritage item <table border="1"> <tr> <th>Activity</th><th>Matters of discretion</th><th>Guidance on the assessment of resource consents</th></tr> <tr> <td></td><td></td><td></td></tr> </table>	Activity	Matters of discretion	Guidance on the assessment of resource consents	5. <u>In a new development mapped area:</u> All subdivision activities <i>{Change D1}</i>	b. <u>Provision for amenity planting and public amenities</u> <i>{Change D7}</i>	<u>Relevant objectives and policies:</u> i. <u>Objective 12.2.X</u> ii. <u>The subdivision provides adequate areas of amenity planting (including but not limited to street trees) and public amenities to ensure an attractive residential environment.</u> (Policy 12.2.X.4) <u>Conditions that may be imposed include:</u> iii. <u>Requirements for street tree and other subdivision amenity planting.</u> <i>{Change D7}</i>	Activity	Matters of discretion	Guidance on the assessment of resource consents				What is the threshold for the requirement? What constitutes an 'adequate' area?	Include a trigger (i.e. number of lots / size of development area), AND / OR Provide guidance on what constitutes 'adequate' areas of amenity planting and public amenities.
Activity	Matters of discretion	Guidance on the assessment of resource consents												
5. <u>In a new development mapped area:</u> All subdivision activities <i>{Change D1}</i>	b. <u>Provision for amenity planting and public amenities</u> <i>{Change D7}</i>	<u>Relevant objectives and policies:</u> i. <u>Objective 12.2.X</u> ii. <u>The subdivision provides adequate areas of amenity planting (including but not limited to street trees) and public amenities to ensure an attractive residential environment.</u> (Policy 12.2.X.4) <u>Conditions that may be imposed include:</u> iii. <u>Requirements for street tree and other subdivision amenity planting.</u> <i>{Change D7}</i>												
Activity	Matters of discretion	Guidance on the assessment of resource consents												

Rule 15.11.5.Y			
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	
...			
Y In a new development mapped area. All subdivision activities (Change D1 & Change F2-2)		d. Whether subdivision design maintains or enhances areas with significant natural environment values. (Change D6)	
		See Rule 12.X (Change D6)	

Notified Policy / Rule	Issue	Potential Solutions
CHANGE D6 Objective 12.2.X and Policy 12.2.X.2 Objective 12.2.X {Change D1} Future residential growth areas are developed in a way that achieves the Plan's strategic directions for. {Change D1} ... b. indigenous biodiversity {Objective 2.2.3}. {Change D6} ... Policy 12.2.X.2 Only allow subdivision in a new development mapped area where the subdivision is designed to ensure any future land use and development will protect, and where necessary restore, any waterways, areas of important indigenous vegetation and habitats of indigenous fauna, or other areas with significant natural environment values. {Change D6} Rule 12.X.2.5.d 12.X.2 Assessment of restricted discretionary activities in a Transition Overlay Zone or mapped area Activity Matters of discretion Guidance on the assessment of resource consents ... d. Whether subdivision design maintains or enhances areas with significant natural environment values {Change D6} Relevant objectives and policies: i. Objective 12.2.X ii. The subdivision is designed to ensure any future land use and development will protect, and where necessary restore, any waterways, areas of important indigenous vegetation and habitats of indigenous fauna, or other areas with significant natural environment values {Policy 12.2.X.2}. {Change D6} Conditions that may be imposed include: iii. A requirement to protect areas through reserve status or other legal mechanisms. iv. A requirement to undertake conservation activity. {Change D6}	What is the threshold for 'significant natural environment values'?	Provide a definition for this term.

5. <u>In a new development mapped area:</u> • <u>All subdivision activities</u> <i>{Change D1}</i>.	a. <u>Whether subdivision design supports energy-efficient housing</u> <i>{Change D5}</i>.	Relevant objectives and policies: i. <u>Objective 12.2.X</u> ii. <u>The subdivision layout and orientation provides for houses to be designed with good solar access to living areas and outdoor living spaces (Policy 12.2.X.3).</u> <i>{Change D5}</i>.
...		
Rule 15.11.5.Y		
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
...		
Y <u>In a new development mapped area:</u> • <u>All subdivision activities</u> <i>{Change D1 & Change F2-2}</i>	a. <u>Whether subdivision design supports energy-efficient housing</u> <i>{Change D5}</i>	See Rule 12.X <i>{Change D5}</i>

Notified Policy / Rule	Issue	Potential Solutions			
CHANGE D5 Delete Policies 2.2.2.5.b and 2.2.5.3.a and replace with new clause in Policy 2.2.2.X.a Policy 2.2.2.X to be added {Change D5 & Change E4} <u>Encourage improvements to the environmental performance of new housing by, {Change E4}</u> a. <u>use of policies and assessment rules for subdivision, including in new development mapped areas, that encourage subdivisions to be designed to maximise the potential for passive solar design in housing, {Change D5}</u> b. <u>encouraging new medium density housing in parts of the city that have old housing stock that is not protected for its heritage values;</u> c. <u>rules that require outdoor living space to be on the sunny side of buildings, and requiring principal living areas to connect to the outdoor living space; and</u> d. <u>rules that restrict height in relation to boundary to facilitate access to sunlight in outdoor areas. {Change E4}</u> Objective 12.2.X & Policy 12.2.X.3 Objective 12.2.X {Change D1} <u>Future residential growth areas are developed in a way that achieves the Plan's strategic directions for. {Change D1}</u> ... c. <u>environmental performance and energy resilience (Objective 2.2.2); {Change D5}</u> .. <u>Policy 12.2.X.3</u> Only allow subdivision in a new development mapped area where the subdivision layout and orientation provides for houses to be designed with good solar access to living areas and outdoor living spaces. {Change D5} Rule 12.X.2.5.a 12.X.2 Assessment of restricted discretionary activities in a Transition Overlay Zone or mapped area <table border="1"> <tr> <td>Activity</td><td>Matters of discretion</td><td>Guidance on the assessment of resource consents</td></tr> </table> ...	Activity	Matters of discretion	Guidance on the assessment of resource consents	No issues.	N/A
Activity	Matters of discretion	Guidance on the assessment of resource consents			

5. In a new development mapped area All subdivision activities (Change D1)	c. Provision of recreation spaces (Change D4) Relevant objectives and policies i. Objective 12.2.X ii. The subdivision provides or otherwise ensures road access to outdoor recreation opportunities (including playgrounds) and, where possible, opportunities for offroad cycling and walking tracks within and between different residential developments and connecting to community facilities and services. (Policy 12.2.X.1), (Change D4) Conditions that may be imposed include iii. Location, size and shape of recreation reserves, including a minimum length of road frontage iv. A requirement to vest recreation spaces in DCC as DCC reserve v. Public amenities to be included in a recreation reserve vi. A requirement for the recreation space to be developed prior to vesting in DCC. (Change D4)	Rule 15.11.5.Y 15.11.5 Assessment of restricted discretionary activities in an overlay zone, mapped area, heritage precinct or affecting a scheduled heritage item <table border="1"> <thead> <tr> <th>Activity</th><th>Matters of discretion</th><th>Guidance on the assessment of resource consents</th></tr> </thead> <tbody> <tr> <td> X In a new development mapped area All subdivision activities (Change D1 & Change F2-2) </td><td> c. Provision of recreation spaces (Change D4) </td><td> See Rule 12.X (Change D4) </td></tr> </tbody> </table>	Activity	Matters of discretion	Guidance on the assessment of resource consents	X In a new development mapped area All subdivision activities (Change D1 & Change F2-2)	c. Provision of recreation spaces (Change D4)	See Rule 12.X (Change D4)
Activity	Matters of discretion	Guidance on the assessment of resource consents						
X In a new development mapped area All subdivision activities (Change D1 & Change F2-2)	c. Provision of recreation spaces (Change D4)	See Rule 12.X (Change D4)						

Table 1: NDMA Issues and Potential Mechanisms For Solutions

Notified Policy / Rule	Issue	Potential Solutions
CHANGE D4 Policy 2.3.3.1.X <u>Support community and leisure activity, sport and recreation, and essential community facilities in Dunedin through:</u> ... <u>X policies and assessment rules for subdivision in a new development mapped area that require consideration of the need for formal and/or informal space for recreation, sporting, social and cultural activities, and community facilities. (Change D4)</u> Delete Policy 2.6.1.6.b Objective 12.2.X <u>Future residential growth areas are developed in a way that achieves the Plan's strategic directions for: (Change D1)</u> <u>a. facilities and spaces that support social and cultural well-being (Objective 2.3.3); (Change D4)</u> Policy 12.2.X.1 <u>Policy 12.2.X.1</u> <u>Only allow subdivision in a new development mapped area where it will provide or otherwise ensure good access to outdoor recreation opportunities. (Including playgrounds) and, where possible, opportunities for off-road cycling and walking tracks within and between different residential developments and connecting to community facilities and services. (Change D4)</u> Rule 12.X.2.5.c <u>12.X.2 Assessment of restricted discretionary activities in a Transition Overlay Zone or mapped area</u> <u>Activity</u> <u>Matters of discretion</u> <u>Guidance on the assessment of resource consents</u> ...	How will this operate in NDMA where land is in multiple ownership and development is likely to occur over time and potentially without co-operation between landowners? S32 report talks about 'large greenfield areas' [see para 296], however, many of the 'large greenfield areas' in NDMA are in multiple ownership.	A trigger mechanism for requirement of formal and/or informal space for recreation, sporting, social and cultural activities, and community facilities. That is, over so many lots / developed area a greenspace is required. AND / OR Specify what greenspace etc is required as a minimum for which NDMAs.

performance standards in the 2GP and the subdivision and development process.

- The application of the Structure Plan Mapped Area provides the opportunity for Council to attach performance standards necessary to achieve desired outcomes for this specific site (e.g. attenuation onsite of stormwater and / or wastewater at time of subdivision if found to be necessary on assessment of infrastructure capacity). This is a more appropriate methodology than applying the NDMA to change area GF01.
- The NDMA provisions will, in this case, act as an impediment to development.

In the alternative, the submitter requests changes to the NDMA provisions as set out in Table 1 of these submission notes. Table 1 contains the NDMA related provisions, issues and potential solutions.

On the submission form the submitter states that their submission relates to *“All provisions relating to New Development Mapped Area”*. In the event that Table 1 is not a complete list of all such provisions, the submitter reserves the right to make comment in evidence on any other NDMA related provisions which are found to be missing from Table 1.

Submission:

This represents an exciting opportunity to create a special place to live and work which adds to the vibrancy of Allanton ensuring its continued resilience as a 'township and settlement'. The proposal makes provision for varying types of housing, working spaces and recreational uses, good transportation links for all modes of transport (including the opportunity to install a siding for use by passenger trains) as well as providing for ecological enhancement and conservation.

1. Rezone 774 Allanton – Waihola Road in Accordance with the Structure Plan and Apply a Structure Plan Mapped Area

Reasons:

- Experienced severe shortage of residential capacity in Dunedin, including in this locale, meaning Council cannot satisfy the short through to long term demand with sufficient capacity to meet Council's obligations pursuant to *NPS-UD 2020*. Rezoning this site residential helps Council meet its obligations pursuant to *NPS-UD 2020* by ensuring available capacity to the market. The structure plan also provides the opportunity to achieve other policy objectives such as conservation and ecological enhancement in an 'ecologically threatened' landscape.
- Rezone meets rezoning criteria specified in 2GP (see 2.6.2.1) – in particular, it provides a logical extension of Allanton over an area which is close to infrastructure, services and public amenities. The rezone will ensure that Allanton grows in resilience. The site sits between two transportation corridors being SH1 and the main trunk line – provision has been made for a future rail transportation link.
- The proposal has landscape support – see attached landscape figures and report.
- Provides for flexibility of development in this locale for which there is experienced high demand for more residential capacity. Provides an opportunity to provide a residential community with recreation and conservation / ecological gains.
- The scale of this proposal provides the ability to tackle any infrastructure issues via agreement between Council and the site developer.
- The areas for residential activity are all located on ridges out of the flood hazard overlay zone.

2. Do not put a New Development Mapped Area over the Site and Instead use a Structure Plan Mapped Area

Reasons:

- Provision of infrastructure is adequately governed by existing subdivision and land use

Figure 4: Controls on Built Environment within Structure Plan Mapped Area

Table Two: Proposed conditions

Key: applies / permitted ● does not apply / precluded ●

Condition	Town and Settlement	Large Lot Residential 1
250m ² maximum residential unit FA ¹	●	
300m ² maximum residential FA		●
Maximum building height of 5.5m from existing or modified ground level, per level	●	●
Maximum building height - 6m from existing or modified ground level		●
External wall length - maximum 20 m length	●	
External wall length - maximum 25m length		●
External materials: Wood, natural stone, concrete	●	●
Block, plaster, brick	●	●
Stainless steel (exposed) and mirror glass	●	●
Concrete paving: Tint to 50% LRV ²	●	●
External wall colours: 40% max. LRV	●	
Roof colours: 5% below LRV of walls	●	
External wall colours: 35% max. LRV		●
Roof colours: 5% below LRV of walls		●
Retaining walls: 2.0 m max. above existing or modified ground level. Colour - 50% or less LRV	●	●
Retaining offset: 2 m max. from house on all sides	●	
Retaining offset: 4 m max. from house on all sides		●
Water tanks: 40,000 litre tank, 1m above ground	●	●
Water tanks: 35% LRV max – locate from public view	●	●

1 FA means Floor Area. Maximum floor area for residential units excludes attached garages

2 LRV refers to light reflectivity values – Resene Colour Chart BS5252

Figure 3: Proximity of 3 Waters Infrastructure to the Site.



Notes:

- The eastern edge of the site abuts 3 waters infrastructure at Allanton.
- 3 waters will be provided by reticulated services – either via Dunedin City Council 3 waters infrastructure, private, or a mixture of the two.
- The scale of the proposal and volume of residential lots at the proposed densities means that it is likely to be economically feasible for the site developer to put in 3 waters engineered solutions to any existing capacity constraints in the 3 waters infrastructure. It is also likely that some level of treatment will be occur on site.

Figure 2: Structure Plan for Site



774 Allanton-Waihola

LANDSCAPE PROPOSAL



DATE: 22-02-21 SCALE @A3: 1:5000
DWG: 003 REVISION #:

Note: Given the scale of the rezoning, development will be staged over a course of time providing a continuous stream of residential capacity in this locale for a reasonable period of time.

Variation 2 Submission Notes – DDS Properties Ltd – Riverview: 774 Allanton – Waihola Road

Figure 1: Location of Site:



Notes:

- The triangle of land by the river separated from the body of the site by the railway line does not form part of the structure plan. This piece of land will be subdivided from the balance of the site and sold to an adjoining land owner. The term 'site' in this submission refers to the area of land covered by the structure plan and excludes the triangle of land on the 'other' side of the railway line.
- The site is within scope for Variation 2.

KEY

Site Features

1. Existing rural machinery sales yard

Access

2. Slip way for new site access
3. New site access - 20m legal boundaries, tree planting either side
4. Siding area for future passenger train stop
5. Main site collector road
6. Walking/cycling/running track (approx 7km)
7. Walking track (approx 2.5km)

Retail and Work/Life Infrastructure

8. Future retail - cafe/takeaway/superette to support residents of subdivision
9. Home office workshop units for residents + other non-residential activities if required, including cafe and retail

Residential Areas

10. South-east ridges and valleys:
Township and settlement - 450m² - 750m² lots + potential for cluster housing development/residential care
Area: 9.9 ha Potential yield: 154 - 92 lots
11. South-west ridges and gullies:
Township and settlement - 450m² lots
Area: 3.1 ha Potential yield: 48 lots
12. South-west mid site slopes:
Township and settlement - 500m² - 1000m² lots
Area: 9.9 ha Potential yield: 139 - 70 lots
13. North-east plateau:
Township and settlement - 1000m² lots
Area: 1.5 ha Potential yield: 10 lots
14. Riverside ridges and headlands:
Large Lot Residential 1 - 2000m² lots
Area: 11.6 ha Potential yield: 41 lots

Riparian and Stormwater

15. Future wetland zone:
Enrichment planting of existing native wetland species for habitat and amenity, including wetland trees (e.g. Kahikatea) and boardwalk access
16. Future riparian gully wetland, with planting for stormwater catchment
17. Stormwater filtering pond points (TBC by technical site review following rezoning)
18. Native structure planting (5m wide) - subcanopy shrub species (5m-7m height) and small trees
19. Native amenity mix - subcanopy and canopy trees
20. Highway boundary trees - double line of exotics (e.g. Alder, Plane, Liquidambar, Liquid Amber)



774 Allanton-Waihola

LANDSCAPE PROPOSAL

•	<i>Elaeocarpus hookerianus</i> (pokaka)	***
•	<i>Griselinia littoralis</i> (broadleaf)	***
•	<i>Hoheria angustifolia</i> (narrow-leaved lacebark)	***
•	<i>Kunzea ericoides</i> (kānuka)	***
•	<i>Leptospermum scoparium</i> (mānuka)	****
•	<i>Myrsine australis</i> (matipo)	***
•	<i>Myrsine divaricata</i> (weeping matipo)	**
•	<i>Olearia odorata</i> (scented tree daisy)	***
•	<i>Olearia lineata</i> (twiggy tree daisy)	****
•	<i>Phormium tenax</i> (harakeke/flax)	* **
•	<i>Plagianthus regius</i> (ribbonwood)	**
•	<i>Pittosporum eugenioides</i> (lemonwood)	***
•	<i>Pittosporum tenuifolium</i> (kōhūhū)	***
•	<i>Podocarpus hallii</i> (Hall's totara)	***
•	<i>Pseudopanax crassifolius</i> (lancewood)	***
•	<i>Sophora microphylla</i> (kōwhai)	***
•	<i>Veronica salicifolia</i> (koromiko)	****

- suitable for long periods of inundation.
- ** suitable for areas which are water-free for the majority of time but become inundated with water during high rain and flood events.
- *** suitable for upper bank zone of riparian planting, in dry areas.
- **** tolerates having damp feet but does not like being water logged for long periods.

Amenity tree planting list

Small sized street trees:

- *Cornus* 'Eddies White Wonder' (white flowering dogwood)*
- *Malus* 'Arrows Gold' (yellow fruiting crabapple)*
- *Prunus serrulata* 'Shirotae' (Mount Fuji cherry tree)*
- *Prunus yedoensis* (Yoshino cherry)*
- *Sorbus aucuparia* 'Josephs Rock' (cream berry rowan)*
- *Ulmus glabra* 'Pendula' (weeping elm)*

Medium sized street trees:

- *Arbutus unedo* (Irish strawberry tree)
- *Acer capillipes* (snake bark maple tree)*
- *Fraxinus ornus* (flowering manna ash)*
- *Magnolia kobus* (white flowering yulan magnolia)*
- *Magnolia grandiflora* 'Blanchard' (evergreen magnolia)
- *Pyrus calleryana* 'Aristocrat' (ornamental pear)*
- *Sophora microphylla* (kōwhai)

Large sized street trees:

- *Fraxinus excelsior* 'Purple Spire' (purple ash tree)*
- *Metrosideros* 'umbellata' (southern rata)

Highway planting

- *Coprosma cathamica* (Chatham Island tree)
- *Fraxinus excelsior* (European Ash)*
- *Hoheria angustifolia* (narrow-leaved lacebark)
- *Liquidambar styraciflua* 'Worplesdon' (sweet gum)*
- *Liriodendron tulipifera* 'Fastigata' (upright tulip tree)*
- *Olearia paniculata* (akiraho)
- *Pittosporum eugenioides* (lemonwood)
- *Plagianthus regius* (ribbonwood)
- *Tilia platyphyllos* (European lime)*

*deciduous.

Wetland and riparian planting list

- | | |
|---|------|
| • <i>Austroderia richardii</i> (toetoe) | ** |
| • <i>Carex secta</i> (purei) | * |
| • <i>Carex virgata</i> (swamp sedge) | * ** |
| • <i>Carpodetus serratus</i> (marble leaf) | *** |
| • <i>Coprosma lucida</i> (shiny karamu) | *** |
| • <i>Coprosma propinqua</i> (mingimingi) | ** |
| • <i>Coprosma rotundifolia</i> (mikimiki) | *** |
| • <i>Cordyline australis</i> (cabbage tree) | ** |
| • <i>Dacrycarpus dacrydioides</i> (kahikatea) | * ** |
| • <i>Dacrydium cupressinum</i> (rimu) | *** |

Appendix Two

Provisional site planting list

Chantal Whitby

Hudson Associates, Landscape Architects

Adverse Visual Effects Rating Scale

Effect Rating	Use and Definition
Very High:	Total loss of key elements / features / characteristics, i.e. amounts to a very significant negative change in visual amenity.
High:	Major modification or loss of most key elements / features / characteristics, i.e. little of the pre-development visual amenity remains and amounts to a significant negative change in visual amenity values. <i>Concise Oxford English Dictionary Definition</i> <i>High: adjective - Great in amount, value, size, or intensity.</i>
Moderate - High:	Modifications of several key elements / features / characteristics, i.e. the pre-development visual amenity remains evident but materially changed.
Moderate:	Partial loss of or modification to key elements / features / characteristics, i.e. the pre-development visual amenity remains evident but is changed. <i>Concise Oxford English Dictionary Definition</i> <i>Moderate: adjective - average in amount, intensity, quality or degree</i>
Moderate - Low:	Minor loss of or modification to one or more key elements / features / characteristics, i.e. new elements are not uncharacteristic within the visual environment and do not disturb the pre development visual amenity.
Low:	Very little material loss of or modification to key elements / features / characteristics. i.e. new elements integrate seamlessly into the pre-development visual environment. <i>Concise Oxford English Dictionary Definition</i> <i>Low: adjective- 1. Below average in amount, extent, or intensity.</i>
Very Low:	Negligible loss of or modification to key elements/ features/ characteristics of the baseline, i.e. visual influence of new elements is barely discernible.

Note:

The following assessment guidelines have been reproduced from the Queenstown Lakes District Council guidelines for assessment of landscape and visual effects, published April 2019 in response to an Environment Court request for some consistency of landscape expert evidence within the current District Plan review Appeals.

'Minor' Test

For the purposes of notification determination, an adverse effects rating of 'Moderate – Low' corresponds to a 'minor' adverse effects rating. An adverse effects rating of 'Low' or 'Very Low' corresponds to a 'less than minor' adverse effects rating.

Note: This determination applies to both landscape and visual effects.

Adverse Landscape Effects Rating Scale

Effect Rating	Use and Definition
Very High:	Total loss of key elements / features / characteristics / values, i.e. amounts to a very significant negative change in landscape character and / or landscape values.
High:	Major modification or loss of most key elements / features / characteristics / values, i.e. little of the pre-development landscape character remains and amounts to a significant negative change in landscape character and / or landscape values. <u>Concise Oxford English Dictionary Definition</u> <i>High: adjective - Great in amount, value, size, or intensity.</i>
Moderate - High:	Modifications of several key elements / features / characteristics / values, i.e. the pre-development landscape character and / or landscape values remains evident but materially changed.
Moderate:	Partial loss of or modification to key elements / features / characteristics / values, i.e. the pre-development landscape character and / or landscape values remains evident but is changed. <u>Concise Oxford English Dictionary Definition</u> <i>Moderate: adjective - average in amount, intensity, quality or degree</i>
Moderate - Low:	Minor loss of or modification to one or more key elements / features / characteristics / values, i.e. new elements are not uncharacteristic within the receiving landscape and do not disturb the pre development landscape character and / or landscape values.
Low:	Very little material loss of or modification to key elements / features / characteristics / values, i.e. new elements integrate seamlessly into the pre-development landscape character and / or landscape values. <u>Concise Oxford English Dictionary Definition</u> <i>Low: adjective- 1. Below average in amount, extent, or intensity.</i>
Very Low:	Negligible loss of or modification to key elements/ features/ characteristics / values of the baseline, i.e. influence of new elements on landscape character and / or landscape values is barely discernible.

Appendix One

Extracts from Queenstown Lakes District Council Guidelines for Landscape and Visual Effects Assessment
April 2019

point on the slopes and looks over the south/west catchment. Trees line the entrance roadway and shelter planting surrounds the house.

- 7.17 The potential short term adverse visual effects are assessed as being '**moderate-high**'. The medium- and long-term adverse landscape effects are assessed as being '**moderate-low**'. The basis of this assessment is the short-term views available to passing motorists and the approach or exit to Allanton that is the primary focus on this section of busy highway. No roadside pull-overs exist at road level and there are few elements in the surrounding landscape that draw attention below road level.
- 7.18 The rise of the coastal hills to the south/east and the distant Maungatua Range are the visual 'high-points' in this journey, and it is expected that the proposal will add to the present interest and character of this stretch of road through boundary and internal site planting.

8.0 Discussion and Conclusion

- 8.1 The proposal seeks to provide for several residential communities that have points of difference on the basis of location, lot size, planting, and topography within a structure of environmental measures. These include planted road boundary setbacks, protection and enhancement of existing wetland, reintroduction of native vegetation, internal work/life spaces and café and board walks, external retail for the wider community, and plans for rail connection to Dunedin.
- 8.3 At present a rural overlay applies to the farm area, which contains one residential house. If approved the development will provide for between 245 to 376 lots to be located on 36ha of the approximate 53ha of farmland on the south/east side of the railway line. A further 12.4ha is proposed for native and exotic planting, over both stages of development.
- 8.4 No overlays of significant landscape value apply to the site and there is no evidence of indigenous onsite vegetation apart from wetland species. The proposal will lead to a fundamental change in land use and character, but this is assessed as positive in the medium to long term, i.e., 10 – 20 years.
- 8.5 The development proposal is supported by this landscape scoping assessment and it is recommended that approval to rezone be given subject to a structure plan and conditions being submitted by the applicant that meets the approval of Regional and Territorial Authorities. Approval should rest on meeting technical performance and provisions for a management mechanism that provides certainty about implementation.

Hugh Forsyth
Landscape architect

02 March 2021

contribute positively to the visual environment or the ecological health of the surrounding catchment or receiving watershed. The proposal will remove the present adverse environmental effects and provide an extensive area of on-site vegetation that will benefit birds, insects, and lizards as well as providing elements of naturalness that are absent at present.

7.9 Viewsheds

Public views to the site are available from the Taieri River bridge on Centre Road and from Allanton-Waihola Road. Private views are limited to the three houses located mid slope on the south/east side of the highway. The site is screened from view from houses located within Allanton Village and for most of those on the slopes above, due to topography and screening provided by the shelter belt on the north/east site boundary of the site.

7.10 Views from Taieri River bridge are available to vehicles approaching from the western Moana Airport end and have the top headland area of the mid ridgeline as a focal point. The upper areas of the ridge are visible over the trees that line the riverbanks. The speed limit on the bridge is 80kph both views are fleeting (Fig.1 and Fig.2).

7.11 Allanton-Waihola Road provides the greatest opportunity for public views and over a longer duration. The common boundary is approximately 0.95km in length with traffic speeds ranging between 80 – 100kph. At 80ph this length provides for a viewing period of approximately 43 seconds for both catchments.

7.12 When traveling southwards from Allanton views are initially screened by the shelter belt on the north/east boundary. Past this point the road alignment moves slightly to the south/east and away from the farm boundary, limiting views to the passenger and drivers as the road swings away from the site. The first focal point of this view is the shelter belt between the eastern and western catchments and then the existing farm buildings (Vpt 3).

7.13 Wider views can be gained at a glance and in between the small rises that result from where the carriageway cuts through the previous ridge, but these views can only be gained in full by using the stop over point, located off road to the east. Much wider and strategic views are then available by climbing to the road level or from stationary car views while cuing to rejoin the highway (Vpt.4).

7.14 When travelling northwards from Waihola traffic speed is mostly 100kph on approach. The shelterbelt of the south/west ridge screens views to the first section of the south/west catchment but the vista opens to motorists, once pass a slight embankment. Wider views include the ridge headland promontories, and distant wetland. The foreground of fields and small ridges and the mid ridge shelter belt is the most prominent in this view of approximately 260m (Vpt.6).

7.15 Three rural lifestyle neighbours overlook the farm from the slopes on the south/east side of the highway. These include numbers 759, 771, and 795 Allanton-Waihola Road. All are lifestyle blocks ranging from 5.3 to 10.4ha and located between 10 and 18m above the carriageway and a setback ranging between 90 and 140m.

7.16 Number 759 has the most direct and unimpeded view to the north/east catchment and set on the lower level relative to the highway. Number 771 also views the north/east catchment but its viewshed is restricted to the mid part of the site by gully planting between its location and number 759 and further roadside planting that screens lower site views. Number 795 is located at highest

7.0 Potential Landscape and Visual Effects

- 7.1 The present site has a rectangular form that is dissected south/east to north/west by series of broad ridges that run out to the Taieri river terraces from the hills above Allanton-Waihola Road. The route of the highway has modified these landforms, but they remain legible and fundamental to site structure. Three of the ridges are more prominent and provide the boundaries of two main site catchments and rise to form small promontories near the river boundary. Shelter planting near the roadside screens views across the initial site areas and further reinforces the site division and character.
- 7.2 Natural landscape elements include the hills that rise to the south/east of Allanton-Waihola Road and the ridges that flow from them, the wetland area in the south/west catchment, and the presence and influence of Taieri River and its associated terraces and floodplains. Significant infrastructure elements include the railway line and the highway with the road corridor dominant, due to elevation, excavation and formation embankments in construction, and ongoing noise and movement.
- 7.3 A fundamental change in land use and landcover will result from the consent and implementation of the development. It is considered that this change will bring short term adverse landscape effects and beneficial long-term effects. The potential short term adverse landscape effects are assessed as being **'moderate-high'**. The medium- and long-term adverse landscape effects are assessed as being **'moderate-low'**.
- 7.4 No landscape overlays apply to the full site or proposal area under the 2GP. On the basis of several site visits, during wet and fine periods, the overall impression is of a rural site that is cut off from the wider landscape context by a large road and the railway line, but which retains an individual sense of place and amenity in places.
- 7.5 The areas associated with the wetland, riparian gully near the north/west boundary, the river meadow to the north of the site, and the elevated ridge headlands towards the northwest boundary most reflect these higher levels. The consistent factor in these locations is distance from the road and an increase in the evidence of natural processes and unmodified riverscape landforms. Combined these provide a legible landscape structure and has a sense of place and topographical and geographic variation.
- 7.6 The proposal largely builds on these factors and places a low number of large lot residential sites on the ridge headlands and reinforces their form with extensive native planting on their lower northern slopes. This planting connects on the north/west boundary and continues back to the road boundary in the south/west. All of the present river meadow area has been included in the wetland planting regime. A passenger landing for a suburban train service is planned in this area but which floods annually. Any provision will need to provide for elevated access and will not affect this planting approach, which will further assist in mitigating the effects of run-off.
- 7.7 The lower amenity areas of the north/east and south/west catchments that abut Allanton-Waihola Road will include native structure planting, separating the two catchments on the main centre ridge, and boundary planting of large trees below and alongside the road boundary. This will include a 10m set back along the road boundary and provide enclosure and privacy as the trees gain height. Riparian planting is included along the runoff areas and walkways are planned along these small gully areas.
- 7.8 While the development will remove the land from rural production the soil is not considered to be off high value and the present land use pattern does not include many measures or land cover that

6.0 Mitigation measures

- 6.1 There are several significant off-site effects that presently apply that are relevant to the mitigation measures proposed. These include flooding and infrastructure, and the by-products of farming. The Allanton-Waiholā Road route is the primary infrastructure element in the adjacent landscape and brings movement, reflection, night-time lighting, and noise on an ongoing basis. Taieri River flood Plains extend back into the proposed site area. All of the site represents a bio-hazard in respect to farm run-off. At different times and climate conditions this may contain nitrogen, phosphorous, potassium, and e.coli. Lastly, three adjacent residents overlook the site, and will do in the future.
- 6.2 Water and waste mitigation measures include a development strategy that responds to the flood plain, through building on ridge and ridge slope areas, riparian set-backs and wetland planting along known and potential watercourse areas, and long-term planning for a sewerage treatment system for Stage Two that includes a wetland aspect as well as mechanical and chemical treatment.
- 6.3 The effect of increased on-site catchment is mitigated through the compulsory use of water storage tanks on all residential sites. Street drainage will be collected in swale drains and then channelled to small holding ponds to further mitigate peak runoff. The south/west catchment wetland will be increased in size and this increase in area and biomass will help retain runoff and assist in retention of sediment.
- 6.4 The expected roadside, boundary and wetland planting includes approximately 12.4ha in the following areas:
- Wetland area: 77,441m² / 7.7 ha
 - Native structure planting: 19,940m² / 2 ha or 741m in length
 - Future gully riparian wetland: 6,475m² / 0.6 ha or 270m in length
 - Highway boundary trees: 21,348m² / 2.1ha or 928m in length
- 6.5 Boundary treatment of the Allanton-Waiholā Road route will involve a double avenue of exotic field trees. The bridging of the present ridge landscape by the road has left some areas with high embankments that cannot be addressed by earth mounding or noise attenuation walls, and which are considered inappropriate.
- 6.6 The tree planting is expected to provide an amenity factor for motorists, as they deaccelerate and accelerate to and from Allanton 80kph area, and to screen or filter the effects of light and sound that vehicles emit on the roadway for residents. Some of the trees will be evergreen but the overall effect will be greater visibility of the site and received light in the winter period. Long term noise mitigation is anticipated through the policy adoption of electric vehicles. An associated decrease in noise will be experienced, on the site and in the wider NZ environment.
- 6.7 The roadside planting is also expected to lessen the potential adverse visual effects for the three residents on the up-hill side of Allanton-Waiholā Road. Existing shelter planting restricts views from two of the dwellings and all are elevated by 10 to 18 metres above the road carriageway and a setback of between 90 and 140m. These houses have wide strategic views to the wider Taieri Plain and across to the Maungatua Range that will not be interrupted by the proposed development.
- 6.8 The change of use from stock to residential development will remove the source of most present potential off site biological effects.

- 5.11 The requirements for solar energy, sustainable building materials, and capture of storm water apply for each house site. Other conditions include restrictions of areas of impermeable site area outside the residential building, external colour for roof and wall, and restrictions on planting – refer Table Two. These seek to provide an environment that is not restrictive but also fits with the principles of the site and the amenity of other residents.

Table Two: Proposed conditions

Key: applies / permitted ● does not apply / precluded ●

Condition	Town and Settlement	Large Lot Residential 1
250m ² maximum residential unit FA ¹	●	
300m ² maximum residential FA		●
Maximum building height of 5.5m from existing or modified ground level, per level	●	●
Maximum building height - 6m from existing or modified ground level		●
External wall length - maximum 20 m length	●	
External wall length - maximum 25m length		●
External materials: Wood, natural stone, concrete	●	●
Block, plaster, brick	●	●
Stainless steel (exposed) and mirror glass	●	●
Concrete paving: Tint to 50% LRV ²	●	●
External wall colours: 40% max. LRV	●	
Roof colours: 5% below LRV of walls	●	
External wall colours: 35% max. LRV		●
Roof colours: 5% below LRV of walls		●
Retaining walls: 2.0 m max. above existing or modified ground level. Colour - 50% or less LRV	●	●
Retaining offset: 2 m max. from house on all sides	●	
Retaining offset: 4 m max. from house on all sides		●
Water tanks: 40,000 litre tank, 1m above ground	●	●
Water tanks: 35% LRV max – locate from public view	●	●

1 FA means Floor Area. Maximum floor area for residential units excludes attached garages

2 LRV refers to light reflectivity values – Resene Colour Chart BS5252

- 5.5 A new site access road is planned for connection to Centre Road and will cross at the north/west end of the present farm machinery business. The road will provide a collector function for a further hierarchy of streets, along the ridgelines, and lanes, that will provide access to many of the housing areas. A slip lane on the south/west side of Center Road will provide safe road access, for which NZTA provision. Outline permission has been gained for this intervention and potential purchase with the present owner.
- 5.6 Parking areas will be provided in set locations on each street with general on-street parking discouraged. Cul-de-sac street patterns will not be part of the design unless the practical solution to corner sites. Access to Allanton-Waihola Road will be provided at the south/west corner site boundary for emergency and service vehicles but not for residential access.
- 5.7 A small office/business centre is proposed that will overlook the wetland. These units would be available for short- and long-term lease. They are intended to provide the opportunity for residents to bring an existing business to the site area or begin a new one. The units could be also be leased for a café, medical centre, day care, and other options.
- 5.8 Recreation opportunities are included in the structure of the structure plan. A walking/cycle track (approx.. 7km) and a pedestrian pathway (2.5km) pathway will provide access to the wider site and the wetland areas. These paths will provide return routes for recreational pedestrians, runners, and cyclists as well as those using public transport on daily basis. Play areas will be provided in the final concept development.
- 5.9 Native tree and shrub species are proposed for the north/east and south/east boundaries and the northern sides of both main ridge headland areas. Protection of the existing wetland and an extension of its boundaries are proposed. A 10m wide band of exotic tree planting is proposed along the Allanton-Waihola Road boundary to both provide enclosure for future residents and amenity for road users. Overplanting of native wetland tree species are proposed to add to amenity and biodiversity of this area. Outline species for the different site areas are set out in Appendix Two.
- 5.10 The key principles of the development plan are to provide for a sense of place and space for each area within an evolving rural parkland structure. General and individual lot controls and conditions are proposed to reinforce this principle. At a site wide level this includes direction on the management of energy, rain and storm water, and waste-water while controls apply to height, building materials, impermeable area, colour, and vegetation for individual lot development.
- 5.11 Site wide development principles and conditions include:
- All housing to meet the guidelines of the NZ Green Building Council, or similar code;
 - Building materials are to meet a sustainability standard;
 - Solar street lighting is to be incorporated and a 'night sky' standard adopted;
 - No residential gas is to be connected;
 - All storm water runoff is to be collected and treated on site prior to discharge;
 - All housing is to have a storm water collection tank for storm surge protection and irrigation;
 - Solar energy is required in all new housing; and
 - On site sewerage treatment is to be considered at 50% of full development capacity.

plants are growing across the floor but with many gaps and appear compromised by past stock access. The enhancement and protection of this area forms a significant part of the proposal.

5.0 The Proposal

5.1 The proposal builds on a detailed concept developed by Mr. Rogers that will provide for residential development of mixed scale within a semi-rural context and with the potential to increase amenities and transport options for existing and future Allanton residents. The working title of the proposal is 'Riverview' and has been developed to take advantage of the natural site topography and riparian and wetland pattern.

5.2 The proposal relies on the rezoning of the subject site area into areas of Township and Settlement and Large Lot Residential 1 under Variation Two, 2GP. The development will be staged with the north/east catchment being Stage One. The anticipated yield for both stages is set out in Table One:

Table One

Area	Proposed zone	Ha	Lot	Yield
10.	Township and Settlement	9.9	450-750m ²	92 - 154
11.	Township and Settlement	3.1	450m ²	48
12.	Township and Settlement	9.9	450-750 m ²	70 - 139
13.	Township and Settlement	1.5	1000m ²	10
Total		24.4		220 - 351
14.	Large Lot Residential	11.6	2000 m ²	25
Totals		36ha		245 - 376

5.3 Sustainable design and building principles underlie the concept and its anticipated development. The BRANZ website provides the following definition of sustainable building:

'Building sustainably is about using practices and systems that lessen impact on the environment, lower running costs and make homes healthy, accessible and comfortable. It includes energy efficiency, the move to a net zero-carbon economy and building resilience against hazards such as earthquakes, storms and flooding'

5.4 These principles are applied to the site wide plan and individual lots by:

- Planning for public transport connections to Dunedin and Mosgiel, via bus and train;
- On-site or adjacent retail to limit off-site shopping travel and to service Allanton Village;
- On-site home office/business space for lease to support new or existing business;
- A structure plan that builds on the natural topography and river flood cycle;
- Conditions on the materials used for residential construction, energy supply, and stormwater treatment; and
- Planning for on-site waste treatment, utilising natural biological as well as mechanical treatment, as the development reaches stage two.

- 4.2 The farm area is zoned Taieri Plain Rural zone under the Proposed Second-Generation Dunedin City District Plan (2GP). No landscape, heritage, archaeological or biodiversity overlays apply to the site but it is located at the base of the north/west slopes of Saddle Hill which is largely zoned as being 'Significant Natural Landscape'.
- 4.3 Areas of 'high class soil' apply to the margins of Taieri River but not to the main farm body that lies south/east of the railway line and is the subject proposal area. The site is subject to flooding from the Taieri River and overlays apply that indicate its potential extent on the land (Fig.2)
- 4.4 Mr. Rogers purchased the farm for four years from long term owners who had run a small deer farm. Since purchase the land has been retired from deer and managed for beef finishing and cropping for silage. Apart from fencing, gates, and a system of electric fences, other structures on site include a small farmhouse, several storage sheds, and feed storage tank. These are grouped near the highway, mid site.
- 4.5 The main farm road extends due north/west and continues along the centre farm ridge to eventually descend and provide a link to a portion of the farm on the river terrace on the far side of the railway line. The land includes approximately 7.5ha area and is primarily used for cropping.
- 4.6 The proposal area lies on the south/east side of the railway line and includes approximately 87% of the farm. The proposal area varies between 585m to 650m depth from Allanton-Waihola Road and has a road boundary of approximately 0.95km. The farm meets a strip of commercial activity, a horse grazing paddock, and Allanton Cemetery on its north/east boundary and farmland to the south/west. The western side of Center Road, to the north/east has provision for a future slip lane, which forms part of this proposal.
- 4.7 A short river terrace area on the upper north/west boundary and the existence of a wetland in the south/west farm margins reflect the influence of the Taieri River. However, the form and landscape structure of the majority of the proposal area reflect the influence of the northern slopes of the coastal hills that rise above the site and the highway to the south/east (Fig.1).
- 4.8 Three broad ridges extend from the lower slopes run out across the highway route and site, to terminate at the edge of the river terraces and divide the farm into two catchments, south/west and north/east. The ridges extend from the highway to mid site at more or less the same height. At this point the south/west and mid farm ridgelines gradually increase in height and width to form small headland areas that can be seen from Centre and Allanton-Waihola Road.
- 4.9 Conifer shelter belts extend from the road boundary until mid-point and restrict views to the separate catchments for passing motorists. This screening then ends and the experience on the headland ridges is of an open landscape that provides strategic views across the inner farm and river terrace areas.
- 4.10 The north/east catchment area contains several small but pronounced sub-ridges that divide the inner catchment land into areas of ridge, slope, and narrow semi-dry riparian drain channels. These are now fenced and discharge to a stream that runs out to the Taieri River along western end of a river meadow terrace that marks the river along the northern site boundary.
- 4.11 The south/west catchment has discharges to a wetland which in turn discharges to the Taieri River on the other side of the railway line. The wetland area extends approximately 330m back from the railway and widens to approximately 150m wide at its boundary with the inner catchment. Wetland

1. Introduction

1.1 This landscape report has been commissioned by Ms. Emma Peters, Sweep Consultancy Ltd, on behalf of Mr. Paul Rogers, owner of Roseberry Farm. Mr. Rogers is seeking to amend the zoning on his property at 744 Allanton-Waihola Road, Allanton, and to change it from Taieri Plain Rural to Township and Settlement and Large Lot Residential 1 under the Variation Two Plan Change to the Proposed Second-Generation Dunedin City District Plan. The balance of land will be used for planting, wetland enhancement, and stormwater mitigation and remain Taieri Plain Rural.

1.2 The report contains the following sections:

- Methodology and Scope;
- Site description;
- Proposal;
- Mitigation measures;
- Landscape and visual effects; and
- Discussion and conclusions.

2. Methodology and Scope

2.1 A site visit was made to the site with Ms. Peters and Mr. Rogers on February 15th, 2020. Subsequent visits were made to the site and its public boundaries to assess present landscape structure, the relationship of the site to surrounding land areas, and potential landscape and visual effects.

2.2 Where an assessment of effect is provided the New Zealand Landscape Architects seven-point scale is used: 'negligible/ very low/ low/moderate/ high/ very high/ extreme'. The application of this scale follows the Queenstown Lakes District Council Environment Court advisory note. The assessment scales for landscape and visual effects are attached as Appendix One.

2.3 A detailed assessment against the policies and objective of the 'Proposed Second-Generation Dunedin City District Plan' ('2GP') is not included and will be undertaken as is required by subsequent process.

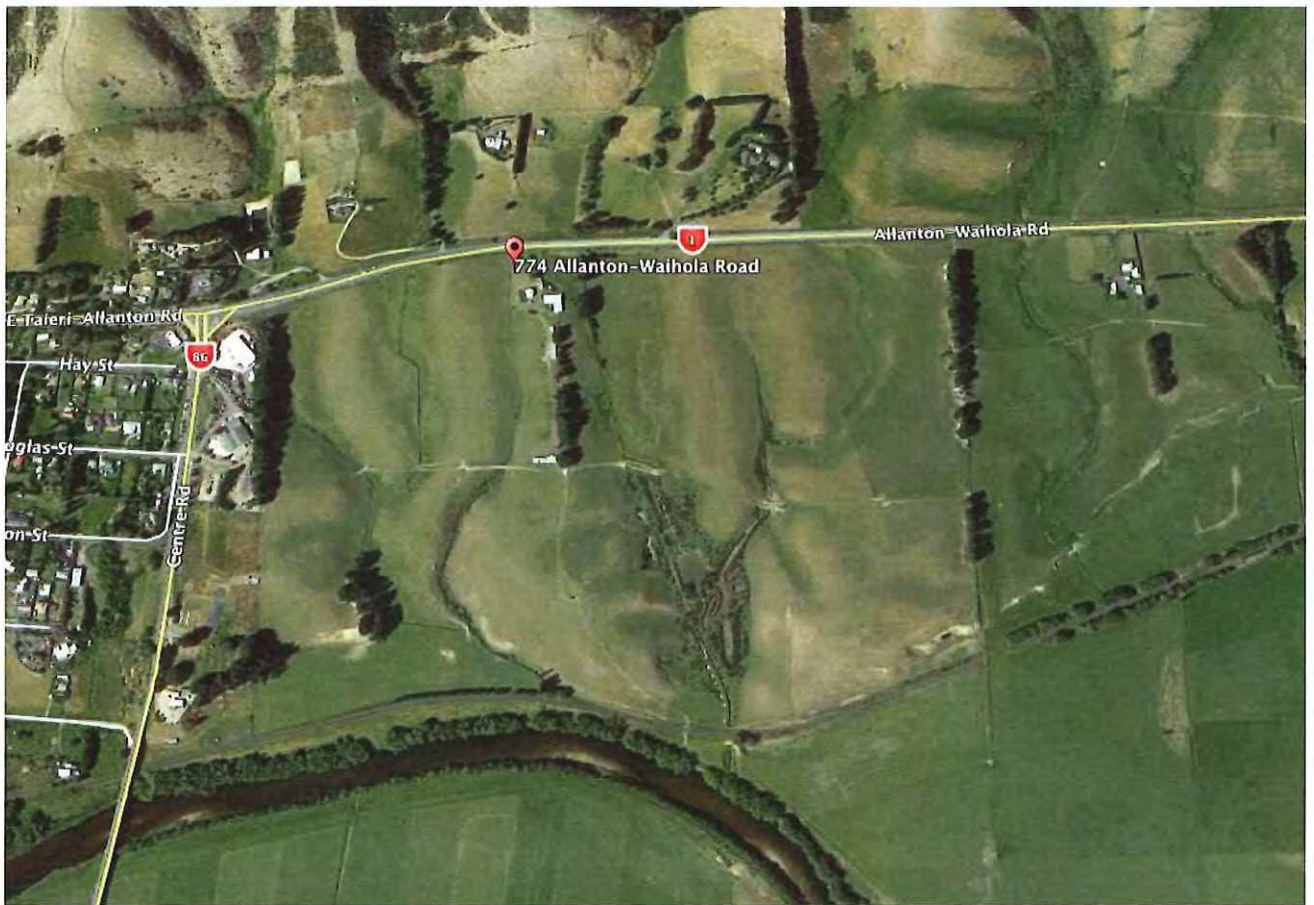
3.0 Summary of Findings

3.1 This zone change would provide for residential development on the current farmland within an ecological and recreational living framework that will enhance present riparian patterns, restore wetland biodiversity and ecological value, and add return significant areas of native vegetation to the site. The development activity and associated mitigation measures will remove the potential for adverse environment effects from farm runoff to the Taieri River catchment.

3.2 The potential short term adverse landscape effects are assessed as being '**moderate-high**'. The medium and long-term adverse landscape effects are assessed as being '**moderate-low**'. The potential short term adverse visual effects are assessed as being '**moderate-high**'. The medium- and long-term adverse landscape effects are assessed as being '**moderate-low**'.

4.0 Site Description

4.1 The site is part of a 60.5473ha pastoral farm that lies approximately 22km from Central Dunedin and immediately west of Allanton Village and Centre Road, which links to Momona Airport. The land is aligned north/east to south/west and extends bounds Allanton-Waihola Road (SH1) (Fig.1).



Riverview
Proposed Rezoning and Residential Development
774 ALLANTON-WAIHOLA ROAD, ALLANTON

03 March 2021



Vpt. 10 - North/west river flats



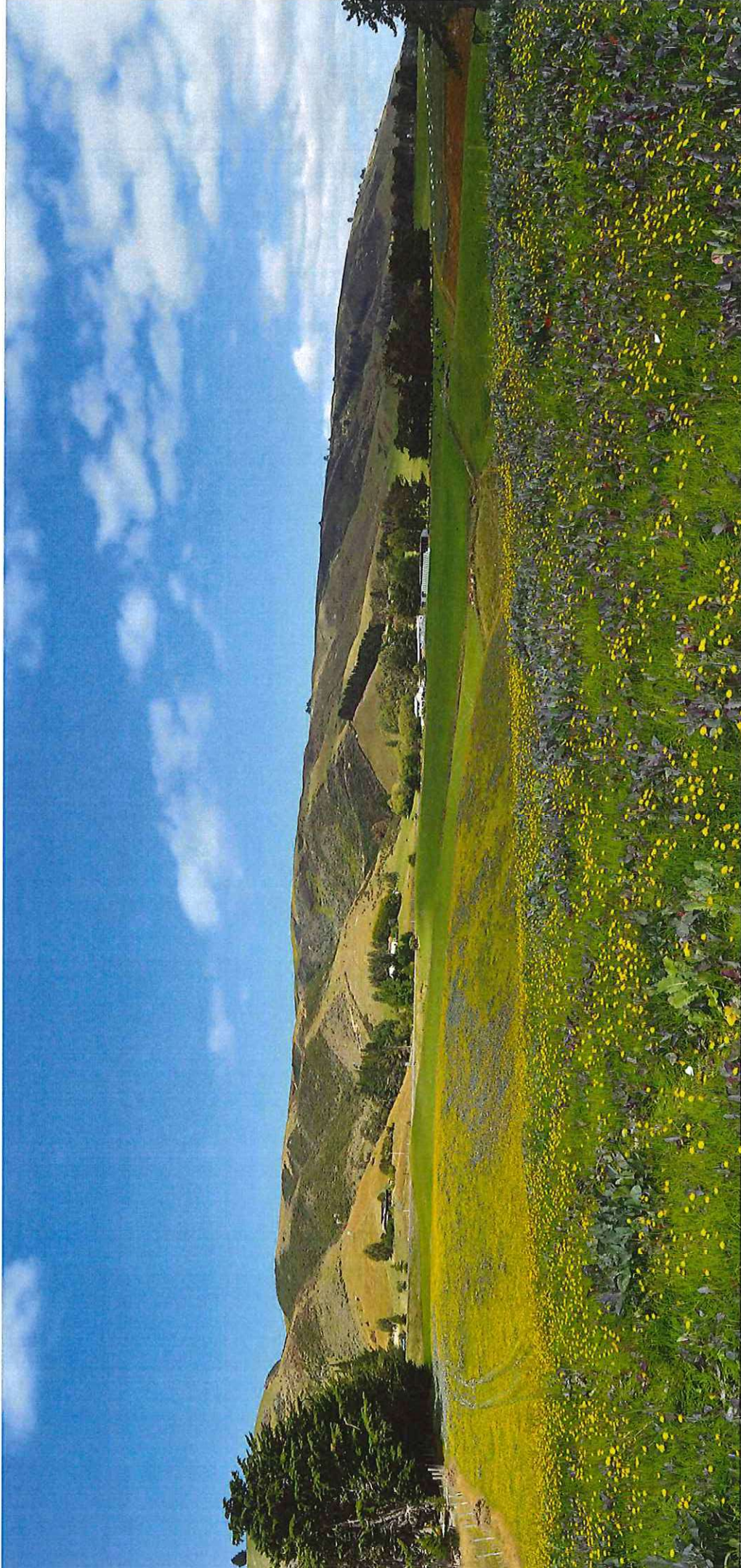
Vpt. 11 - Wetland



Vpt. 12. - Riparian gully - North/East catchment



Vpt. 13. River meadow - North/East catchment



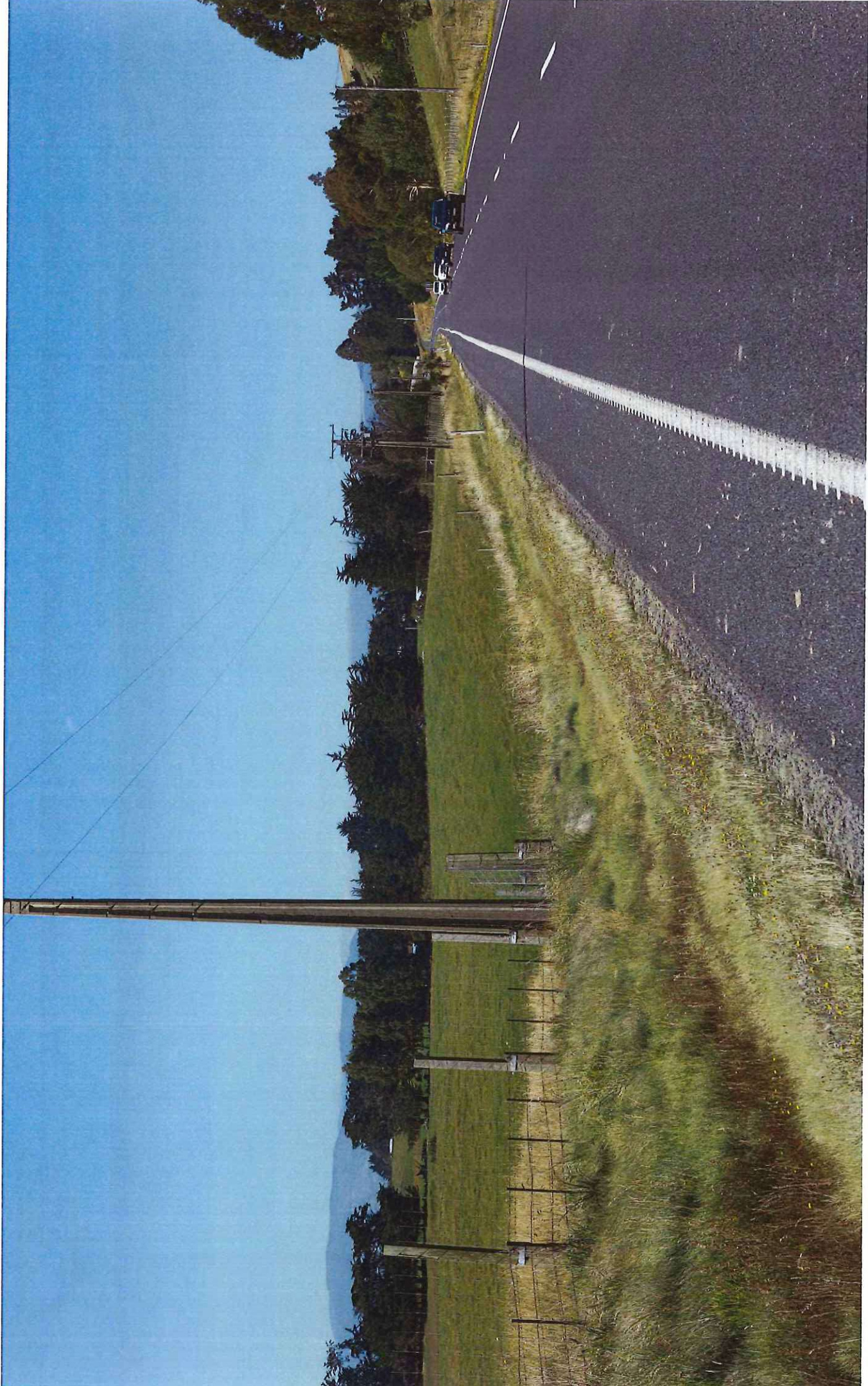
View south/east to highway and Coastal Hill Range - 5m to boundary fence - stitched image - no fixed focal length



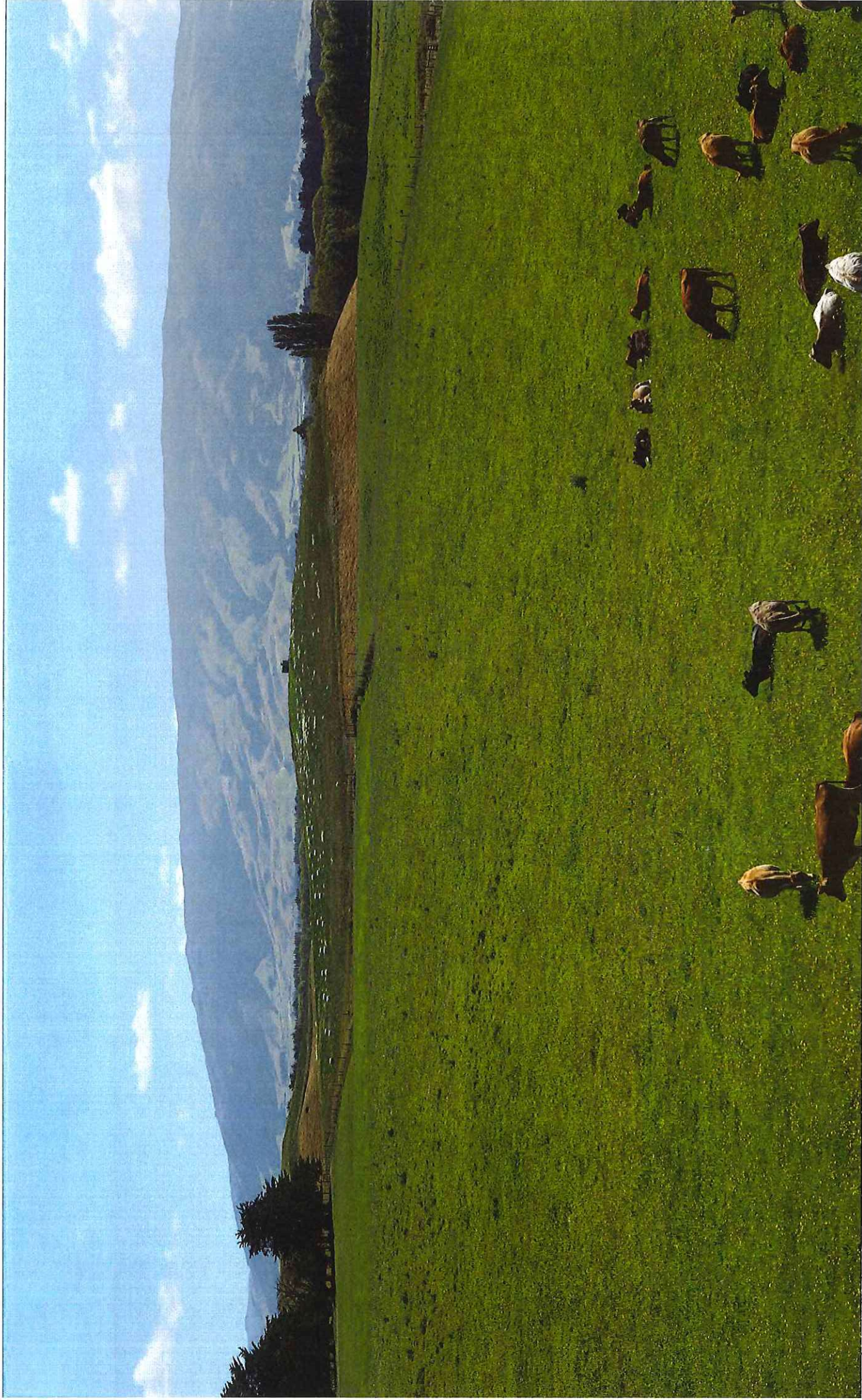
View west to south/west mid ridge and wetland - 5m to boundary fence - 50mm focal length/full frame camera



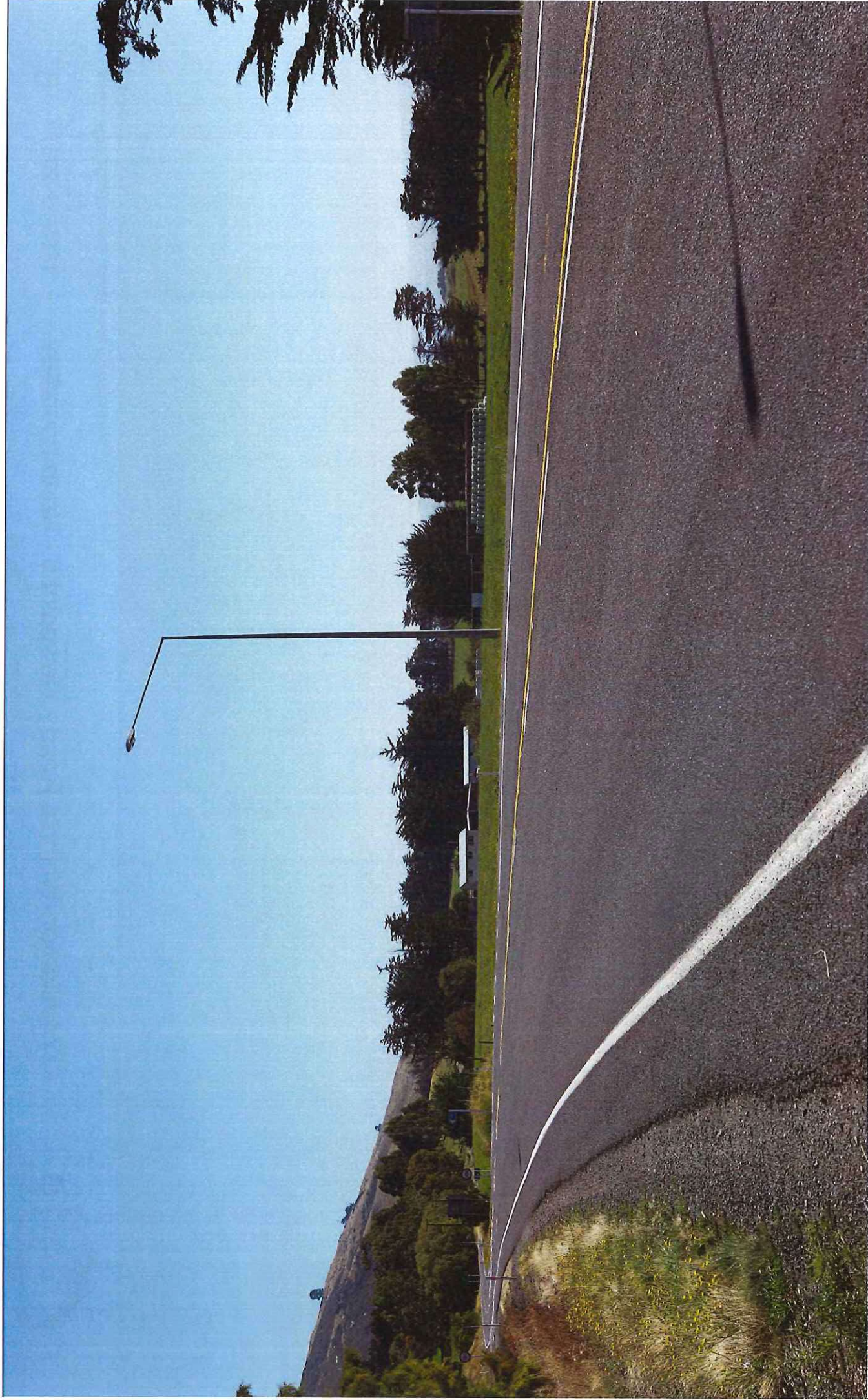
View north/west to mid ridgeline - 5m to boundary fence - 50mm focal length/full frame camera



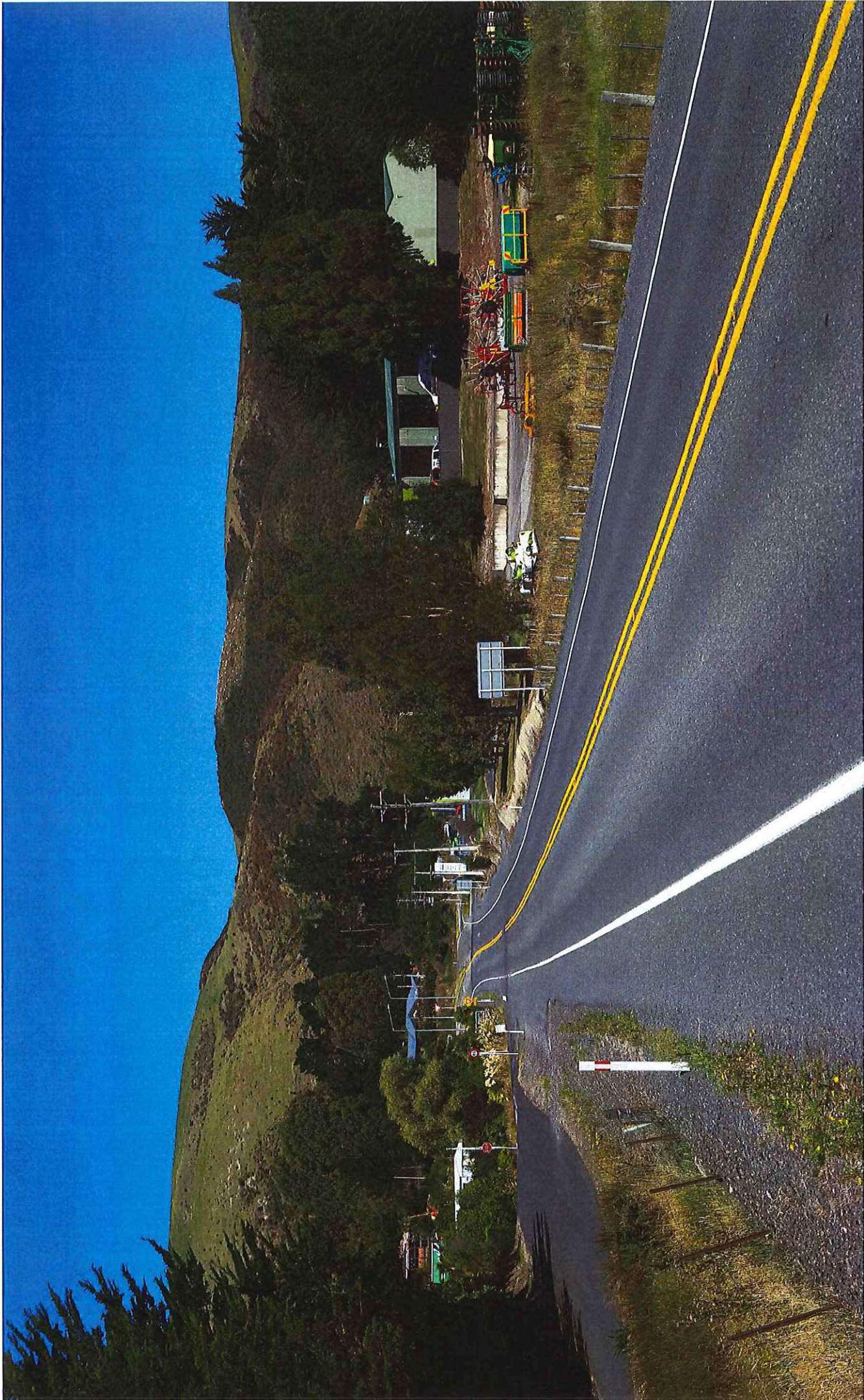
10m to boundary fence - 50mm focal length/full frame camera



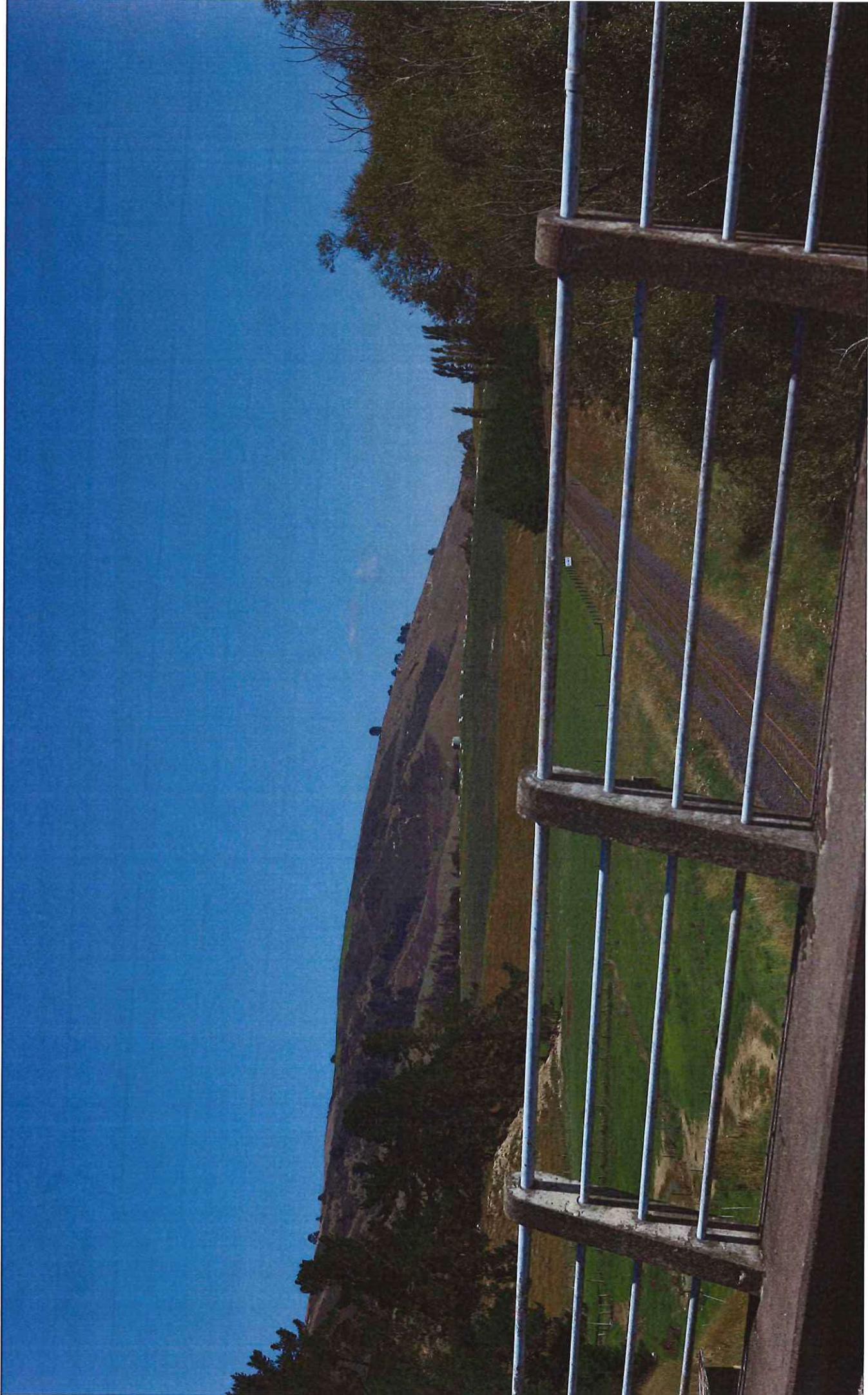
5m to boundary fence - 50mm focal length/full frame camera



40m to lamp standard - 50mm focal length/full frame camera



50mm focal length/full frame camera



0.75 km to Mid Ridge - 50mm focal length/full frame camera



0.76 km to Mid Ridge Healand - 50mm focal length/full frame camera



774 Allanton-Waihola

LANDSCAPE PROPOSAL

KEY

Site Features

1. Existing rural machinery sales yard

Access

2. Slip way for new site access
3. New site access - 20m legal boundaries, tree planting either side
4. Siding area for future passenger train stop
5. Main site collector road
6. Walking/cycling/running track (approx 7km)
7. Walking track (approx 2.5km)

Retail and Work/Life Infrastructure

8. Future retail - cafe/takeaway/superette to support residents of subdivision
9. CMU centre zone allowing home office and workshop units for residents and other non-residential activities if required, including cafe and retail

Residential Areas

10. South-east ridges and valleys:
Township and settlement - 450m² - 750m² lots + potential for cluster housing development/residential care
Area: 9.9 ha Potential yield: 154 - 92 lots
11. South-west ridges and gullies:
Township and settlement - 450m² lots
Area: 3.1 ha Potential yield: 48 lots
12. South-west mid site slopes:
Township and settlement - 500m² - 1000m² lots
Area: 9.9 ha Potential yield: 139 - 70 lots
13. North-east plateau:
Township and settlement - 1000m² lots
Area: 1.5 ha Potential yield: 10 lots
14. Riverside ridges and headlands:
Large Lot Residential 1 - 2000m² lots
Area: 11.6 ha Potential yield: 41 lots

Riparian, Stormwater and Structure Planting

15. Future wetland zone:
Enrichment planting of existing native wetland species for habitat and amenity, including wetland trees (e.g. Kahikatea) and boardwalk access
16. Future riparian gully wetland, with planting for stormwater catchment
17. Stormwater filtering pond points (TBC by technical site review following rezoning)
18. Native structure planting (5m wide) - subcanopy shrub species (5m-7m height) and small trees
19. Native amenity mix - subcanopy and canopy trees
20. Highway boundary trees - double line of exotics (e.g. Alder, Plane Liriodendron, Liquid Amber)

KEY



Site boundary



Existing roads



Existing access



Railway line



Existing buildings



Prominent ridges



Wetland and riparian areas



DCC flood zone overlay



Waterways



Existing shelter trees



Prevailing wind



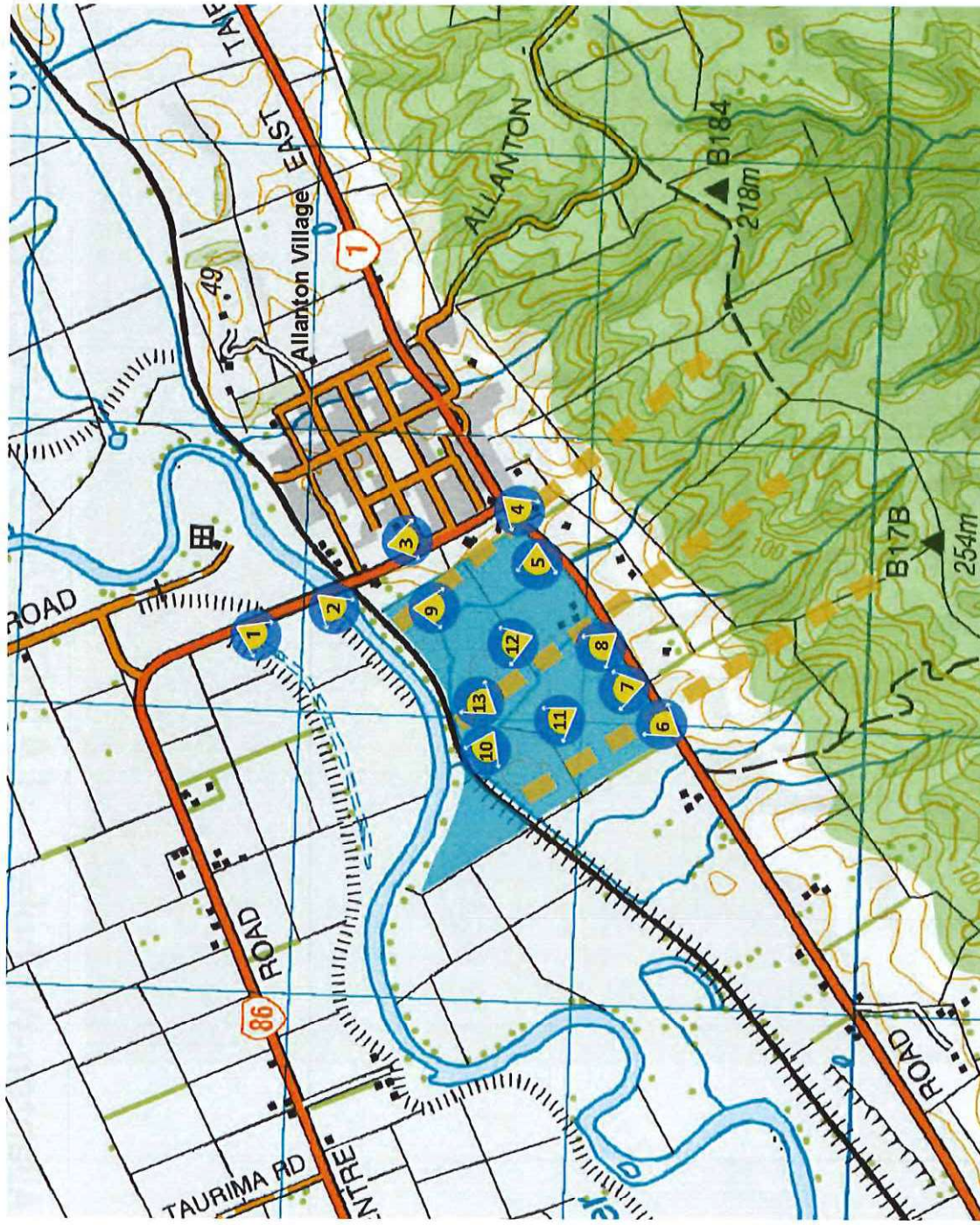
LANDSCAPE ANALYSIS DIAGRAM

774 Allanton-Waihola



DATE: 22-02-21 SCALE @A3: 1:5000

DWG: 002 REVISION #:



KEY



1. Full site area



2. Viewpoints



3. Significant Natural Landscape Overlay (Saddle Hill - DCC)



4. Main site ridges

access into this site will be required, given the large number of proposed lots. We note that Mr Bowen and Ms Peters suggested that to address this a connection could be provided along the paper road end of Abbotts Hill Road. However, there was limited cost or feasibility evidence presented for this option and we are not convinced that the proposed Abbotts Hill Road formation is feasible.

270. We consider it possible that a significantly smaller area of rezoning may have fewer transportation issues. However, we heard no specific expert evidence to support that conclusion. The only expert transportation evidence we had before us urged us to be cautious about the transportation effects of rezoning any of this land.
271. At a more strategic level, we consider the proposed upgrade to Abbotts Hill Road of the scale proposed would be a significant undertaking and would have broad public interest. In our view this would take the rezoning requests outside of the ambit of an 'easy wins' variation as there may be much higher level effects on the broader community that have not been considered, and natural justice requires that an open process is followed. We consider that proposals of this scale are more appropriately considered through a Future Development Strategy (FDS) if this area were to be considered as being required for future growth.
272. We agree with the evidence from Mr Paterson, that rezoning 42A Lambert Street is not supported by the available evidence on hazards. Rezoning an area with a high natural hazards assessment is contrary to Policy 2.6.2.1.d.viii. For the other areas of the RS14 site, we accept Mr Paterson's evidence that these can be supported from a hazards perspective.
273. We adopt the evidence from Mr Oliver and Mr Saunders that significant water supply upgrades would be required to service this area, and that pumping would be required, which is contrary to DCC's goals of reducing the carbon footprint of the 3 waters network. We also agree with Mr Oliver and Mr Saunders regarding stormwater flooding risk, and their ongoing concerns relating to development in the high hazard area of the Mt Grand Raw Water Reservoir Flood Area. We accept the evidence of Mr Oliver and Mr Saunders that rezoning the site, both in part and as a whole, is not supported from a 3 Waters perspective.
274. With respect to rural productivity and the cumulative loss of productive rural land, which was a broad issue raised by Mr Miller and discussed in section 2.2.6, we note the NPS-HPL requires much greater attention to this issue, and we discuss this in section 3. This has not materially changed our decision with respect to the rezoning of this site however.
275. With respect to Ms Peters' proposal to apply an RTZ to part of 188 North Taieri Road, we understand that further investigations into hazards matters is not something that an RTZ can be used for, and further given that we find the site inappropriate for rezoning, an RTZ is inappropriate.
276. Overall, it is our view that the site, both as a whole and also in its various parts, does not satisfy or align well with the criteria outlined in Policy 2.6.2.1 and is therefore not appropriate to rezone to residential as part of this process.

2.3.2 Allanton

2.3.2.1 Part 774 Allanton - Waihola Rd, Allanton (RS195)

277. This section addresses the submissions covered in section 5.4.18 of the section 42A report.

278. RS195 is a 55.2ha site, currently zoned Rural Taieri Plain and surrounded by other Rural-zoned land (both Taieri Plain and Coastal). The site is located close to, but does not directly adjoin, Allanton Township and Settlement zoning, to the north of SH1. A small area of the site to the north is covered by a Hazard 1A (flood) Overlay Zone, and there are several areas of the site that are subject to a Hazard 1 (flood) Overlay Zone. A small part of the site lies within the Lower Taieri Flood Protection Scheme. The majority of the site lies within the Dunedin Airport Flight Fan.
279. The section 42A report notes the site was rejected in the section 32 report because some parts of the site were identified as being at high risk of flooding (and are subject to a Hazard 1 Overlay), In addition, there is existing residential capacity in Allanton, and rezoning would not support the compact form/city policies. The site also ranked poorly in relation to likely carbon emissions derived from commuting.

2.3.2.1.1 *Submissions received*

280. *DDS Properties (2008) Limited (S242.001)* sought to rezone the majority of the site to Township and Settlement Zone, with a smaller area of Large Lot Residential 1 and to apply a structure plan mapped area rather than a new development mapped area. A draft structure plan for the site was supplied with the submission along with a landscape assessment with approximately 245 – 376 dwellings. Residential activity is intended for the ridge areas, outside of the Hazard 1 (flood) Overlay Zone.
281. The *ORC (FS184.59) and others* opposed the rezoning due to concerns about the natural hazard risk and stormwater and wastewater management.
282. *Susan Alanna Browne (FS233.1) and others* opposed rezoning due to concerns about loss of productive land, biodiversity and rural character and amenity, including impacts on privacy and quality of life, effects on 3 waters infrastructure and existing services, increased traffic congestion and disruption from development adjacent to their existing property.

2.3.2.1.2 *Submitters response to the section 42A recommendations*

283. Mr Paul Rogers, a Director for *DDS Properties Limited*, outlined his vision for the site at the hearing. This included around 9km cycling/walking tracks through native plantings, a potential extension to the rail corridor alongside the Taieri River, low light emission/pollution through strategic placement of street lighting, a common building overlooking wetlands offering work from home office spaces and hot desks and the possibility for a small café and native plantings throughout the development. He noted that his proposal would encourage entry level housing for younger people, families and older people as he noted that locals wanted to stay in the area, but housing is limited.

2.3.2.1.3 *Landscape, rural character and biodiversity*

284. Some further submitters opposed the development due to loss of biodiversity and rural character and amenity, including impacts on privacy and quality of life.
285. Mr Hugh Forsyth, landscape architect for *DDS Properties (2008) Limited*, in evidence considered that rezoning would lead to a positive change of character over the medium term, given the extent of proposed planting, wetland and riparian protection and enhancement. He considered a general change from mostly open rural pastoral landscape to a rural/residential character of development and vegetation that would continue to develop and further define the eventual character of this landscape. He assessed the visible

effect as 'moderate-high' in the short term and 'moderate-low' in the medium to long term on the basis of present public site visibility from SH1, as visibility effects will be reduced as the project develops.

286. In response, Mr McKinlay (DCC Landscape Architect) considered that while the visual change in character would be pronounced, the perception of this change would be largely restricted to the immediate surrounding area, including the approaches to the site on SH1. Overall, he considered the proposed rezoning would adversely affect existing rural character values to at least a moderate extent.

2.3.2.1.4 Transport

287. Several further submitters opposed rezoning due to concerns about increased traffic congestion.
288. Ms Peters, appearing for *DDS Properties (2008) Limited*, in her planning evidence considered the roads were capable of absorbing the additional traffic volume resulting from development. In a memorandum appended at Appendix 5 of Ms Peter's evidence, Mr Grant Fisher of Modal Consulting Limited provided preliminary design parameters for the intersection of the site road with SH1.
289. Ms Peters noted that any transport infrastructure upgrades, such as to the slip lane into the site from Centre Road and roading and pedestrian and cycleways within the site would be paid for by the developer, with the roading infrastructure vested with the Dunedin City Council.
290. Mr Paul Rogers noted that he had discussed the potential for rail connectivity with the site with NZ Rail. We queried Mr Rogers about the timing for any potential rail connectivity and he acknowledged discussions were in their early stages.
291. Mr Watson, for DCC Transport, said he did not support rezoning R195. He considered the site is in an unsustainable location from a traffic point of view and discussion of any potential rail access is in its early stages. If the site were to be developed, access via a roundabout would likely be required. This would require discussion with and agreement from *Waka Kotahi*.
292. In response to a request for further information, Mr Fisher considered that *Waka Kotahi's* concerns in relation to the safety and efficiency of access to RS195 could be addressed through appropriate intersection controls at the intersections of SH1/SH86 and SH1/Grey Street. This could be dealt with via a performance standard attached to the structure plan requiring either affected party consent from *Waka Kotahi* at the time of subdivision, or in the absence of affected party consent being provided, that *Waka Kotahi* receives limited notification of an application for subdivision.

2.3.2.1.5 3 waters

293. Several submitters opposed rezoning due to concerns about 3 waters infrastructure.
294. Ms Peters noted that the areas proposed to be zoned Large Lot Residential could be self-serviced with respect to wastewater. For the Township and Settlement zone she noted that treated wastewater could be discharged to a constructed wetland within the site, located out of any mapped flood hazard area, or be pumped via the existing reticulated wastewater system in Allanton, with the ability for the treated wastewater to be held to be pumped at

off-peak times. She noted that Allanton is self-serviced with respect to potable water, and she considered this is a feasible solution for this development. Stormwater would be detained from roof surfaces to tank for use as potable water. Overflow from tanks and stormwater from impermeable surfaces would be attenuated as shown in the structure plan. She anticipated that performance standards attached to the structure plan would require a stormwater management plan be provided at the time of subdivision.

295. DCC 3 Waters, through the evidence of Mr Saunders and Mr Oliver, considered RS195 a risky site from a 3 Waters perspective. Allanton is self-serviced for potable water but there are concerns about the adequacy of the water supply. Additionally, DCC 3 Waters considered that the submitter's proposal did not provide for water capacity for firefighting. Wastewater and stormwater servicing could be expensive and technically challenging. If wastewater disposal occurs on-site, a large area may be required, and if it is conveyed using the existing reticulated system, the rising main to the Mosgiel Wastewater Treatment Plan (WWTP) may not have capacity for the additional volumes. It also noted there is no stormwater network in the area, the site is adjacent to the Taieri River, and parts of the site are in a Hazard 1 (flood) Overlay Zone which require further investigation.
296. In his Reply Report, Mr Morrissey further outlined the 3 Water servicing situation in Allanton. Based on advice from 3 Waters, he noted that wastewater is serviced by a pressure sewer scheme, which requires a pumping unit installed at each property, which is pumped into the pressure sewer network to the Mosgiel WWTP. He noted there is some capacity in this scheme for additional flows. There is no 3 waters stormwater network in Allanton, and stormwater flows through open channel drains alongside roads and through culverts under roads, generally in a northwest direction, under the railway line to the Taieri River.

2.3.2.1.6 Hazards

297. Several submitters opposed rezoning due to concerns about flooding.
298. Mr Morrissey in the section 42A report considered there may be a high risk from flooding as evidenced by the Hazard 1 (flood) Overlay Zone over large parts of the site. Residential development is a non-complying activity within this overlay. There is also a small area to the north of the site, adjacent to the Taieri River, which is covered by a Hazard 1A (flood) Overlay Zone. Residential development is a prohibited activity in a Hazard 1A (flood) Overlay Zone.
299. In her evidence, Ms Peters noted that no development is proposed in the Hazard 1A Overlay Zone.
300. In a geotechnical assessment for the *DDS Properties (2008) Limited*, Mr Mark Walrond of Geosolve considered there were no significant problems with developing the site for residential use. He also considered that the risk from the flood hazard had been addressed and that further detailed work would be provided at the time of subdivision.
301. In his response, Mr Paterson from Stantec noted that he had not previously reviewed this site. However, he had reviewed the nearby site RS200, which has similar geology and constraints. He noted RS195 is closer to the Taieri River and parts of the site are threatened by flood risk. The primary natural hazards on the site include flood, liquefaction and land stability. In general, Mr Paterson considered Mr Walrond's report adequately addressed the natural hazards on the site and agreed that the site is generally suitable for rezoning from a hazards perspective. Ms Paterson considered that, as with most sites, the structure of the subdivision and any future earthworks would likely be governed by the hazards present on

the site. Management of overland flows and restrictions on slope angles, retaining features and earthworks would be required.

302. Mr Payan, Manager Natural Hazards at the Otago Regional Council, appeared at the hearing for the DCC and outlined the flood hazards affecting the broad Taieri Plain area. He provided information on the flood hazard mapping approach taken by the Otago Regional Council, the different flood hazard areas present on the Taieri Plain, and the potential impacts of climate change on extreme weather events. While his evidence covered the broader Taieri Plain and was not specific to this site, it provided useful information relating to the broad flooding hazards present on the Taieri Plain, including Allanton.

2.3.2.1.7 Compact city objectives and assessment against Policy 2.6.2.1

303. The section 42A report noted the site is distant from centres and facilities, requiring a significant commute for many, with limited public transport options. Mr Morrissey considered rezoning relatively remote pockets of land conflicts with Policy 2.6.2.1.d.xi, which requires that Dunedin stays a compact and accessible city. In his view, rezoning the site would result in inefficient and ineffective public infrastructure as network expansion would be required.
304. Ms Peters noted that the Outram Rural Centre Zone is approximately 8km away, and the Neighbourhood Convenience Centre Zone and Principle Centre Zone at Mosgiel are approximately 8.5 – 9.3km away. She noted that the site would include a retail / commercial area that would operate as a centre. She commented that people living in Allanton may commute to jobs in other locations south of Allanton, such as to the correctional facility and existing industrial activities at Milburn, to the Dunedin City Airport, or to nearby farming and forestry activities. Additionally, Ms Peters noted that, given the site's proximity to State Highway 1 and the gradient of the highway between Allanton and Dunedin and Allanton and Milburn, RS195 is well suited to commuting via electric vehicle.
305. In his Reply Report, Mr Morrissey noted that if the rezoning was to occur, associated commercial development as proposed to service the area, could lead to an area of Allanton becoming a 'Rural Centre Zone'. That is a realistic outcome and would not be within scope or intent of Variation 2.
306. We have addressed Ms Christmas' comments relating to resilient townships in section 2.1.2.4 of our decision.

2.3.2.1.8 Demand for Residential zoned land in Allanton

307. The section 42A report notes there is no evidence that Allanton requires additional development capacity on the scale proposed by this development.
308. At the hearing, Ms Peters noted that the DCC had not undertaken any data based assessment of the zone capacity within Allanton or other townships, despite these townships being crucial to the rural areas which dominate the area serviced by the Dunedin City District Plan. She considered there is an accepted difference between 'zoned capacity' and the 'market availability' of that capacity and referenced a letter from Mr Paul Thomson, a real estate agent at PGG Wrightson Real Estate, about the shortage of residential sections in the greater Dunedin and Taieri areas. Ms Peters argued there is a clear demand for more residential zoned land to be made available to the market in Allanton. Mr Thomson appeared at the hearing in support of his evidence.

309. Mr Morrissey, in his Reply Report, advised that assessing the need for additional development capacity in Allanton would most appropriately be considered as part of the Future Development Strategy process. We note Mr Stocker provided further information relating to housing capacity, including in relation to Allanton in his Memorandum on Residential Housing Capacity (dated 31 August 2022). He also addressed the 'theoretical capacity' issue noting that the modelling work had in fact made realistic assumptions about realistic development capacity of land to be rezoned. Our comments on the methodology for assessing capacity in townships and settlements is discussed in section 2.1.1 of this decision.

2.3.2.1.9 Rural productivity

310. We note that part way through out deliberations the National Policy Statement for Highly Productive Land (NPS-HPL) was released and came into effect. Mr Morrissey, in his response to Minute 15, 16, 17 from the Panel dated 6 October 2022, advised that 98% of this site meets the interim criteria for Highly Productive Land.
311. Due to the timing of the NPS-HPL, and for the sake of clarity, we have chosen to undertake an analysis of the NPS as a separate part of our decision and to focus on whether the consideration of it changes any of our conclusions and decisions. This analysis is given in section 3 of this decision. We note that the analysis in that section has not materially changed our overall decision on the rezoning of this site.

2.3.2.1.10 Reporting Officer's recommendation

312. The section 42A report notes that rezoning this site to residential has clear conflicts with Policy 2.6.2.1. Mr Morrissey considered that the site was currently unsuitable for residential rezoning and recommended that the site remain zoned as Rural Taieri Plain.
313. In his Reply Report, Mr Morrissey maintained his recommendation not to rezone the site, as it is distant from public transport, centres and facilities and there is a lack of evidence in relation to what is required to achieve a resilient township. There are also potential issues in relation to wastewater servicing, concerns about the ability to manage stormwater, and the site being partly located on a Flood 1A Hazard overlay. While houses are not proposed for these areas, the flood hazard may affect accessibility during times of flooding.
314. He considered that the need for additional development capacity in Allanton should most appropriately be considered through the Future Development Strategy and that the most appropriate location and overall design of access, (particularly in relation to access to SH1), be considered as part of the Future Development Strategy.

2.3.2.1.11 Decision and reasons

315. We reject *DDS Properties (2008) Limited's* submission to rezone the majority of RS195 to Township and Settlement Zone, with a smaller area of Large Lot Residential 1, for reasons relating to compact city, carbon emissions, access and flood hazard. We adopt the evidence of Mr Watson (DCC Transport) and Mr Saunders (DCC 3 Waters) that the site is not 'infrastructure ready'. We are unable to place any weight on a potential rail connection due to the very early stage of any discussions with Kiwi Rail. We are also concerned about the cumulative loss of productive rural land, particularly on the Taieri, which was a broad issue raised by Mr Miller and discussed in section 2.2.6. We note the new policy direction in the NPS-HPL requires much greater attention to that issue as discussed in section 3.

316. We were overall quite impressed with Mr Rogers' vision for the land, and the evidence of Mr Forsyth demonstrated that the proposed development is well-integrated internally in terms of cycleways, reserves and proposed amenities. However we consider that rezoning RS195 would be a substantial expansion of the Allanton settlement and agree with Mr Morrissey this should be more appropriately considered through the Future Development Strategy process rather than the much more limited scope of Variation 2.
317. There are many other factors that need to be considered with a development of this scale, including consultation with Waka Kotahi in relation to access onto SH1, whether centre zoning should be provided, and whether additional development capacity is needed in this location to service the Taieri Plain and areas to the south.
318. We consider that access to the site is paramount, as SH1 is a Limited Access Road in this location with open road speed limits in the vicinity. We take no comfort in Mr Fisher's recommendation that a structure plan can be conditioned to require Waka Kotahi's approval prior to development. We consider this is an issue that very much needed to be resolved prior to this rezoning request being made, especially as the rezoning would enable a substantial number of new dwellings on this land. We note that *Waka Kotahi (S235.008)* also made a wider submission that has relevance to this site, that rules are added to greenfield rezoning areas adjacent to a state highway to require that access is achieved from roads other than a state highway.
319. Consequently, we accept the further submissions from *Susan Alanna Browne (FS233.1)* and *others* who opposed Change RS195 due to a range of concerns.

2.3.2.2 489 East Taieri-Allanton Road, Allanton (RS200)

320. This section addresses the submissions covered in section 5.4.19 of the section 42A report.
321. RS200 is located immediately adjacent to the eastern edge of Allanton, alongside and to the south of State Highway 1. It is located below and outside of the Saddle Hill Significant Natural Landscape Overlay Zone (SNL). A Hazard 3 (alluvial fan) Overlay Zone covers part of the site. The site is currently zoned Rural Coastal but adjoins Allanton (zoned Township and Settlement). The section 32 report states that that the site was rejected as there is existing capacity in Allanton, rezoning would not support the compact form/city policies, and parts of the site are very steep. The area proposed for rezoning is only part of the site originally assessed, and encompasses the lower, more gently sloping parts of the site.

2.3.2.2.1 Submissions received

322. *Meats of New Zealand Limited (S232.001)* sought to rezone the site to a mixture of Township and Settlement and Large Lot Residential 1 with a structure plan mapped area over the site, rather than an NDMA. A draft structure plan provided with the submission identifies access to the site via Ralston Street (at the corner of Allanton-Scroggs Hill Road), the location of residential areas, two conservation and enhancement areas totalling 27ha in area, and a parkland /recreation area to be planted with exotic canopy trees. The proposed area of Township and Settlement zoning has a development capacity of approximately 41–61 sections, and a separate proposed Large Lot Residential 1 zoned area (minimum site size 2,000m²) would have capacity for approximately eight sections.
323. A number of further submitters opposed the submission from *Meats of New Zealand Limited. Kathryn Anne Simpson (FS132.1), Malcolm Joseph and Sharon Roslyn Thomson*