

IN THE ENVIRONMENT COURT
AT CHRISTCHURCH

I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHĪ

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	GLADSTONE FAMILY TRUST Appellant
And	DUNEDIN CITY COUNCIL Respondent

NOTICE OF APPEAL ON BEHALF OF GLADSTONE FAMILY TRUST



GALLAWAY COOK ALLAN LAWYERS

Phil Page

Phil.Page@gallawaycookallan.co.nz

PO Box 143

Dunedin 9054

Ph: +64 (3) 477 7312

Fax: (03) 477 5564

NOTICE OF APPEAL

To: The Registrar

Environment Court

Christchurch Registry

1. Gladstone Family Trust (**GFT**) appeals against a decision of the Dunedin City Council Variation 2 to the 2GP (**Variation 2**).
2. GFT made a submission regarding Variation 2 (**Original Submission**)
3. GFT is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.
4. GFT received notice of the decision on 8 February 2023.
5. The decision was made by Dunedin City Council.
6. The decision GFT is appealing is Variation 2 Hearing Panels Report section 2.3.10.3 which refused to rezone property at Chain Hills area (**Site**) to a mixture of residential zones (**Decision**).
7. The reasons for this appeal are:
 - (a) The Site is presently zoned a mixture of Rural Hill Slopes, Rural Residential 1 and Low Density Residential. The Site is adjacent to Low Density Residential zones.
 - (b) The whole of the Site is suitable for residential development.
 - (c) The Original Submission is consistent with Strategic Objective 2.6.2 of the 2GP in maintaining a compact city, as the site is adjacent to residential areas and developments. Developing the Site is a logical and compact extension of Mosgiel and is close in proximity to key amenities and services.
 - (d) 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.

- (e) The Decision failed to place appropriate weight on the ability to provide additional medium-term greenfield housing development capacity.
 - (f) 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.
 - (g) The Decision discounts Policy 2 in NPSUD and places insufficient weight on market demand for new development capacity in the Mosgiel suburb.
 - (h) The Decision ignored or misunderstood GFT's evidence on 3 waters infrastructure servicing capacity and the extent to which constraints would be overcome through the development of GFT's land already zoned for urban development.
 - (i) The Decision failed to give weight to the uncontested expert evidence recognising the lower elevation areas' appropriateness for rezoning.
 - (j) The Decision neglected to appreciate the geotechnical appropriateness of the site for rezoning.
 - (k) 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.
 - (l) The NPS-HPL should not affect the Decision for the parts of the Site that are land use classification 4 or higher.
8. GFT seek the following relief:
- (a) Accept Appellant's Original Submission.

- (b) As an alternative form of relief, apply a residential transitional overlay to the Site.
 - (c) 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 my original submission.
 - (b) A copy of Second Decision Report.
 - (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 17 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
Alison Eagle		tersteagle@xtra.co.nz
Allan Chisholm		pachizz@xtra.co.nz
Angela Barton		angela_500@hotmail.com
Annette Neylon		ajneylon@gmail.com
Anthony Hoets		a.hoets1@xtra.co.nz
Archibald Robert & Jennifer Joy Cowan		cowanb87@gmail.com
Barry Galbreath		bj.galbreath@xtra.co.nz
Brad Harris		bradharris72@gmail.com
Brier Bousie		brier_galbreath@hotmail.com
Bronwyn Hughes		bronwyn.hughes@otago.ac.nz
Bruce Beckingsale		dbeckingsale@gmail.com
Caroline O'Donohue		judger@kinect.co.nz
Chris Rudd		chris.rudd@otago.ac.nz
Christoher and Shelli Pike		pike.zoomhair.chris3@gmail.com

Claire Duell		sally@marksandworth.co.nz
Debra Gale		debragale75@gmail.com
Dion Bennett		dion@lbengineering.co.nz
Donald & Pamela McInnes		dipamcinnes@xtra.co.nz
Esther Willis		districtplan@dcc.govt.nz
Gordon Hunt		huntgordon995@gmail.com
Greg Hamburger		greg.hamburger@lionco.com
Holly and Gareth Shanks		garethandhollyshanks@gmail.com
Ian and Joy Macbeth		njoymac7@gmail.com
Ian Hannah		hirugby@hotmail.com
Ian Pollock		ian.pollock@slingshot.co.nz
Jessica Hannah		jhannah07@outlook.com
Jim Cotter		jim.cotter@otago.ac.nz
John Franklin		john.franklin94@gmail.com
Karen Wispinski		kwispinski46@gmail.com
Karren O'Neill		karren.oneill@agresearch.co.nz
Kylie Ellis		kylie@bodysynergy.co.nz

Lisa and Shannon Lamb		shannon.lisa@outlook.com
Lyn Murray		murraybl@xtra.co.nz
Marion Maxwell		maxwellmarion77@gmail.com
Martyn Solomon		martyn.solomon@gmail.com
Neville and Alison Beck		the.becks10@yahoo.co.nz
Nicole Thompson		nicolejthompson@gmail.com
Nikita and Mathew Woodhead		nikitawoodhead@gmail.com
Otago Regional Council		warren.hanley@orc.govt.nz
Pam and Neville Jemmett		pam.jemmett@xtra.co.nz
Paul Lucas		paul.lucas@mikepero.co.nz
Paul Weir		pgweir@hotmail.com
Philip & Kerry Kirk		phil.n.keg@xtra.co.nz
Rebecca Guest		rebecca_j_mcleod@hotmail.com

Rebecca Kurtovich		rebecca.kurtovich@gmail.com
Rennie Logan (Logan Projects Ltd)		crhorne@xtra.co.nz
Ronald and Diane Underwood		underwoodconsult@xtra.co.nz
Shay and Ashleigh van der Hurk		ash.shay.leigh@gmail.com
Tracy Chambers		purplepacer@gmail.com

2.3.10.3 Chain Hills Area, Mosgiel (RS153 and RS204)

917. This section addresses the submissions covered in section 5.4.6 of the section 42A report.
918. RS153 and RS204 are located on the slopes of Chain Hills, adjacent to Mosgiel. RS153 has a total area of 51.2ha and is presently zoned a mixture of Rural Hill Slopes, Rural Residential 1 and Low Density Residential. RS204 has a total area of 14.1ha and is currently zoned Rural Residential 1. There is a Hazard 3 (alluvial fan) overlay zone covering a small part of RS153, adjacent to the existing residential zone at Irwin Logan Drive.
919. The section 32 report indicates that RS153 was rejected from notification within Variation 2 as the site has features (a central gully, areas of south facing slopes, and steep in parts) making development more complex and less efficient. RS204 was rejected as the site is fairly isolated and fails to support the compact form/city policies.

2.3.10.3.1 Submissions received

920. *Gladstone Family Trust (S219.003, S219.004, S219.005, S219.008)* submitted to rezone RS153 and RS204 to a mixture of residential zoning in accordance with a proposed structure plan provided by the submitter. The submission also sought that a structure plan mapped area is applied to the site rather than a new development mapped area. The submitter's structure plan proposes rezoning the upper slopes of Chain Hills adjacent to Chain Hills Road to General Residential 1. Further downslope, a large area of Large Lot Residential 1 zoning along with some Rural Residential 1 zoning was proposed. The lower slopes, adjoining existing residential areas, were proposed to be Low Density Residential, along with some General Residential 1. The proposed structure plan also included areas of native bush regeneration and an area zoned Recreation. In total, the proposed structure plan provides for 136 additional dwellings. It also shows a link road, connecting Irwin Logan Drive with Chain Hills Road.
921. Three further submitters supported, or supported in part, the Gladstone Family Trust submission. These were Nikita and Mathew Woodhead (FS183.1, FS183.2, FS183.3, FS183.4), Karen Wispinski (FS128.1, FS128.2, FS128.3, FS128.4), and Rennie Logan (Logan Projects Ltd) (FS202.1, FS202.2).
922. A large number of further submissions were received in opposition to the *Gladstone Family Trust* submission points. Concerns raised were varied, but included transportation (most notably the proposed link road between Chain Hills Road and Irwin Logan Drive), visual impacts, landscape effects, loss of rural character, 3 waters concerns, hazard and geotechnical concerns, impacts on biodiversity, concerns around proposed lot sizes, compact city concerns, lack of affordability, loss of productive land, impacts to existing residents, and inconsistency with the Resource Management Act and Te Tiriti o Waitangi.
923. At the hearing, further submitters *Mr Gordon Hunt, Ms Bronwyn Hughes, Mr John Franklin, Ms Holly Shanks, Pam and Neville Jemmett, Mr Jim Cotter, and Ms Debra Gale* all spoke and outlined their opposition to rezoning, citing a range of concerns. Their evidence is discussed in relation to the topics below.

2.3.10.3.2 Submitters' response to the section 42A report recommendations

924. In her planning evidence on behalf of the *Gladstone Family Trust*, Ms Peters advised that the structure plan for the site had been further developed since the submission was originally

lodged, in response to further submissions and the section 42A report. The updated structure plan provides for 138 dwellings at a range of residential densities across the site, and retains the area to be rezoned recreation, the walking tracks, link road, area of ecological enhancement, protection and supplementation of existing stands of indigenous vegetation, as well as new indigenous plantings.

925. Ms Peters noted that the submitter is now seeking immediate rezoning of the lower slope areas only. In recognition of the landscape issues and issues raised in further submissions, the submitter now seeks application of a Residential Transition Overlay Zone (RTZ) to the balance of the land. This would allow release for residential development with a site-specific rule relating to (a) areas of ecological enhancement being planted and managed in accordance with an approved environment management plan reaching a specified level of maturity; and (b) funding of the link road agreed with DCC.
926. Mr Rennie Logan, representing the *Gladstone Family Trust*, spoke at the hearing and provided a brief history, and his vision for the land.

2.3.10.3.3 Landscape and green space

927. At the hearing, *Mr Gordon Hunt, Mr John Franklin, Pam and Neville Jemmett, and Ms Debra Gale* all spoke and raised concerns relating to the visual effects of the development (particularly on the upper slopes), loss of green space, loss of rural character and environment, impacts to views, and general loss of amenity.
928. The original submission from the *Gladstone Family Trust* seeking rezoning was accompanied by a landscape and visual effects assessment by Mr Mike Moore, consulting Landscape Architect. Mr Moore's overall assessment was that extending development up the lower slope areas of Chain Hills will integrate well with landscape character and quality, and that adverse effects will be low. He said that residential zoning in the mid-slope spur areas would be a significant departure for the Chain Hills landscape, and the landscape and visual effects would be adverse / high in the short term reducing to adverse / moderate as plantings soften built impact and enhance the character of the gullies. His assessment was that residential zoning at the summit is considered to have moderate – high adverse landscape and visual effects.
929. Mr Moore attended the hearing and spoke to his evidence. He considered the effects on landscape values acceptable up to the 125m contour and recommended a number of mitigation measures to reduce the adverse landscape and visual effects. Ms Peters also discussed how landscape concerns should be assessed as part of Policy 2.6.2.1. Ms Peters noted the updated proposal, which includes an RTZ over the upper slopes, provides more time for the ecological restoration project to be completed before development occurs, and this would mitigate adverse visual effects from development.
930. Mr McKinlay, DCC Landscape Architect, provided an assessment of the proposed rezoning in the section 42A report and in a reply report, and generally agreed with Mr Moore's assessment. Mr McKinlay considered that limiting rezoning to the lower slopes within the northern part of the site (to approximately the 90m contour) would help mitigate some of the more significant landscape effects. This is to preserve a more distinct green break above existing and proposed residential development near the north-western side of the site.
931. In his legal submission on behalf of *Gladstone Family Trust*, Mr Phil Page acknowledged the shared concerns of the landscape architects in relation to landscape effects on the upper

slopes but submitted that these concerns ought not to outweigh the benefits of rezoning the balance of the land to residential. Mr Page submitted that Policy 6(b) of the NPS-UD means that landscape amenity effects on neighbours should not be considered an adverse effect.

932. Mr Michael Garbett, Legal Counsel for DCC, provided a legal submission in response. Mr Garbett disagreed with Mr Page's submission and considered that the effects on the environment are perfectly appropriate to assess when deciding whether a greenfield site should be rezoned as part of an urban environment. Mr Garbett submitted that adverse effects on rural character and amenity are squarely an issue that we should take into account and we should consider the evidence on that issue.

2.3.10.3.4 Biodiversity

933. *Mr John Franklin* and *Mr Jim Cotter* both attended the hearing and raised concerns about loss of biodiversity.
934. The section 42A report notes that the site was assessed for indigenous biodiversity values by Wildlands Consultants. Mr Kelvin Lloyd of Wildlands Consultants recommended that the sites for residential development could be rezoned as proposed, however, several areas should be protected should rezoning proceed.
935. Mr Morrissey commented that the areas identified by Mr Lloyd for protection closely lined up with the areas marked for native bush regeneration in the submitter's proposed structure plan and the submitter's proposed structure plan would be able to adequately protect the areas of indigenous biodiversity value.

2.3.10.3.5 Transportation

936. At the hearing, *Mr Gordon Hunt*, *Ms Bronwyn Hughes*, *Mr John Franklin*, *Ms Holly Shanks*, *Pam and Neville Jemmett*, and *Ms Debra Gale* all spoke and outlined various transportation-related concerns including issues around access, increases in traffic, issues with traffic safety, lack of street lighting on Chain Hills Road, lack of public transport, the suitability of Irwin Logan Drive, provision for alternative transport options (e.g. cycling), and the proposed link road. Safety concerns for the nearby Morris Road were also outlined.
937. *Mr Jim Cotter* also spoke at the hearing and was specifically concerned about development contributing to increased private car use, and the implications of this for climate change and human health.
938. Mr Trevor Watson, of DCC Transport, provided an assessment of the proposed rezoning in the section 42A report. He noted that the proposed roading link between Chain Hills Road and Gladstone Road North would occur via an extension of Irwin Logan Drive, but there had been no assessment provided of the proposed roading connection on the wider transport network and the implications of this. He noted that both Chain Hills Road and Morris Road are rural roads with an 80kph speed limit, a tortuous alignment, and lack of facilities for non-motorised road users. Significant upgrades would be required to both these roads. Mr Watson considered that an Integrated Transport Assessment (ITA) is required which would allow DCC to better understand the scale of the potential effects of the proposal on the wider transport network.
939. Mr Grant Fisher, consulting Transport Engineer for the *Gladstone Family Trust*, presented an Integrated Transport Assessment for the proposed rezoning and development. He concluded that the proposal would not cause the function, safety, or capacity of the

surrounding road network to be compromised, and that an acceptable transportation outcome for all modes and users could be delivered at this location. In response to the issue of “rat running” raised by a number of submitters, Mr Fisher commented that roading infrastructure can be used to control this issue, if assessed as necessary, at the time of subdivision.

940. In his response to the evidence from Mr Fisher, Mr Watson noted that while a full ITA would be required at the time of subdivision, subject to the required upgrades being able to be delivered, he did not have any overriding transport objections to this proposal. Mr Watson also commented that it appears likely the additional traffic generated is unlikely to result in a “step change” increase compared with the existing relatively high flows on the surrounding roads. With respect to the potential for “rat running”, Mr Watson noted this view was predicated on the majority of traffic travelling to Dunedin which may not in fact be the case.

2.3.10.3.6 3 waters

941. At the hearing, *Mr Gordon Hunt, Mr John Franklin, Ms Holly Shanks, and Pam and Neville Jemmett* outlined various concerns relating to all 3 waters, including issues around stormwater run-off, potential for increased septic tank use, and the costs of providing 3 waters servicing.
942. Mr Oliver and Mr Saunders provided a high-level overview of 3 water constraints in Mosgiel and did not support rezoning of this land due to constraints in the water supply and wastewater networks providing an impediment to servicing more growth in Mosgiel. Their concerns are further explained below.

Potable water supply

943. Regarding potable water supply, Mr Jared Oliver and Mr Bruce Saunders stated that there are current supply constraints to Mosgiel in peak summer months, and low pressures for the higher elevation areas would require booster pumps. There are also significant upstream network upgrades required, with a medium term timeframe to resolve.
944. Ms Melanie Stevenson, consultant Environmental Engineer for the *Gladstone Family Trust*, presented evidence at the hearing. She concluded that both parts of the proposed development could be serviced for potable water via an extension of the Gladstone Heights reticulation. The southern part of the site (Chain Hills Park) would also require some additional storage, a set of booster and inline fire pumps, and a backup generator.
945. In response Mr Oliver and Mr Saunders emphasised that there are significant upgrades required to the existing water network, with a medium term timeframe to resolve meaning there was no capacity to service this area until those upgrades were completed. With respect to the proposal from the submitters, they noted that, based on the evidence provided, there does not appear to be a holistic approach for water supply for the entire site. They noted booster pumping would be required in some areas, and this is generally not supported as “good quality” infrastructure. DCC 3 Waters prefers gravity pumping where possible due to lower operating and maintenance costs, and supporting the DCC’s Zero Carbon policy.

Wastewater

946. DCC 3 Waters advised that significant downstream network upgrades are required, as both the network and treatment plants are overloaded in wet weather events. This will require a medium to long term timeframe to resolve.

947. Ms Stevenson outlined that, for wastewater, this is proposed to be drained to the catchment feeding the Wingatui No. 4 Pumpstation, however the impact of the increased wastewater flow estimates from the development had not been assessed. Wastewater detention storage could be considered to manage flows if necessary.
948. In Reply, Mr Oliver and Mr Saunders noted that some areas of the rezoning site are proposed to self-service for wastewater, but no evidence regarding flows, soil type, and topography was provided to indicate if self-servicing is feasible.

Stormwater

949. DCC 3 Waters noted that there are known capacity issues in the Owhiro Stream, which is where stormwater from the development would discharge to. Mr Oliver and Mr Saunders were concerned about both the affordability of on-site stormwater infrastructure that would be required to manage peak flows, and the risks to downstream areas if stormwater management is not appropriately implemented.
950. Ms Stevenson discussed that the preferred option for stormwater management in the northern part of the proposal (Gladstone Heights) involves four stormwater detention ponds located around the proposed development catchment. In the southern part of the proposal (Chain Hills Park), the preferred option involves various servicing options based on the lot sizes and location of the lots within the catchment.
951. In Reply, Mr Oliver and Mr Saunders noted that it is unclear if the stormwater management proposed would meet the new development mapped area rules, and it also does not address their previous concerns regarding affordability.
952. We also note that Mr Garbett, legal counsel for DCC, submitted that affordability of infrastructure is a matter that can be taken into account in making a decision on rezoning.
953. To help explain the risks associated with stormwater associated with new urban development Dr Jean-Luc Payan, Manager Natural Hazards at the Otago Regional Council, had at the hearing outlined the flood hazards affecting the broad Taieri Plain area, at the request of DCC officers. He provided information on the flood hazard mapping approach taken by the Otago Regional Council, and specifically discussed the capacity of the Owhiro Stream. This is part of the East Taieri drainage scheme and has limited capacity, particularly in high rainfall events

2.3.10.3.7 Geotechnical hazards

954. At the hearing, *Ms Bronwyn Hughes, Mr John Franklin, Pam and Neville Jemmett, and Ms Debra Gale* outlined concerns about the potential for land subsidence and slope instability. One further submission had noted that the land is prone to subsidence due to the waterlogged nature of the ground at this location.
955. Mr Lee Paterson, from Stantec, had completed a hazards assessment on both RS153 and RS204 for DCC. He said that RS153 was assessed as having a medium level hazard associated with slope instability, while RS204 was assessed as having low level hazards associated with slope instability on slopes less than 12 degrees, and medium level hazards associated with slope instability within gullies where slopes are greater than 15 degrees.

2.3.10.3.8 Lot sizes

956. A number of submissions raised concerns regarding the proposed lot sizes in the submitter's structure plan. Some submitters sought that the minimum lot size be limited, for example Large Lot Residential, or 1,000m², or that there should be no General Residential 1 zoning. Some submitters considered that lifestyle blocks would be more appropriate for this area.
957. In the section 42A report, Mr Morrissey commented that he considered the proposed zoning types (Low Density Residential and General Residential 1) in the lower slope areas to be appropriate. However, he did not support the proposed development density for the mid-slope and up areas, due to adverse landscape effects. Mr Morrissey also noted that consideration of rezoning any areas to Rural Residential is not within the scope of Variation 2.

2.3.10.3.9 Housing demand

958. In her evidence for the *Gladstone Family Trust*, Ms Peters noted there is a clear demand for more residential zoned capacity to be made available to the market in this area of Dunedin. She raised a number of broad issues of concern with the housing capacity assessment. We have discussed these in more detail, along with the response from Mr Nathan Stocker, DCC Research and Monitoring Team Leader, in section 2.1.1 of the decision.

2.3.10.3.10 Rural productivity

959. *Mr John Franklin* spoke at the hearing and raised concerns with the loss of productive land that would result if rezoning were to proceed.
960. The site is not subject to the high class soils mapped area on the 2GP maps; however, the section 42A report advised that approximately 40% of the site is Land Use Capability Class (LUC) 3. In the section 42A report, Mr Morrissey acknowledged that this would likely be lost if development occurs.
961. We note that part way through our deliberations the National Policy Statement for Highly Productive Land (NPS-HPL) was released and came into effect. Mr Morrissey, in his response to minutes 15, 16 and 17, advised that the LUC 3 land (20% of RS153) meets the NPS-HPL interim definition of highly productive land, and so that land is subject to the NPS-HPL provisions.
962. 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.

2.3.10.3.11 Reporting Officer's recommendation

963. Mr Morrissey acknowledged in his Reply that while the submitters evidence had addressed some of the concerns outlined in the section 42A report, he continued to recommend that, based to the expert evidence received, no part of either RS153 nor RS204 should be rezoned. This was in part due to the evidence from DCC 3 Waters that the area could not be serviced for potable water or wastewater until upgrades were completed that were expected in the medium term. He also concluded that effects on landscape values (if development was to occur above the 90m contour) were unacceptable. He also mentioned that issues regarding

transportation effects were still in question. He noted in his Reply that he also did not support the submitters RTZ proposal for the upper slopes, and he commented that he did not consider this an appropriate usage of the RTZ method.

964. However he recommended that, should we decide that rezoning was appropriate, that this should be limited to the lower slopes only (up until approximately the 90m contour) based on the landscape evidence. He also recommended that, should rezoning proceed, a new development mapped area be applied, along with a structure plan requiring native bush revegetation as proposed in the submission.
965. We asked Mr Morrissey, in Minute 15, in order to clarify the recommendation to report further on whether there is any part of the lower slopes that could be supported for residential development from a 3 Waters perspective. In his response, Mr Morrissey reiterated that, based on further discussion with Mr Oliver and Mr Saunders, that the 3 Waters department was unable to support any part of the site for residential rezoning due primarily to the water supply capacity constraints. We understood his evidence to be, therefore, that he could not support any of the rezoning from a planning point of view.

2.3.10.3.12 Decision and reasons

966. Having carefully considered all of the evidence and matters raised in submissions, our decision is to reject the submissions of *Gladstone Family Trust* (S219.003, S219.004, S219.005, S219.008) to rezone both RS153 and RS204. Our reasons are set out below.
967. We accept the evidence of Mr Saunders and Mr Oliver (DCC 3 Waters) that there are significant issues with all three waters in relation to this site. In particular, we highlight the issues with potable water supply including a constrained supply in summer, low pressure, booster pumping needed, and the significant upgrades required with a medium term timeframe to resolve. Wastewater upgrades also have a medium – long term timeframe for the necessary upgrades to take place. We considered that the evidence of Ms Stevenson was not persuasive as to how these issues could be resolved. In short we preferred the evidence of the witnesses from the DCC 3 Waters department based on their expertise in managing 3 waters infrastructure and their experience in the issues associated with development in this area.
968. We also gave weight to the issues identified with stormwater management, and the concerns that this could overwhelm the Owhiro Stream. This was also reinforced by the presentation from Mr Payan from the ORC which, whilst at a higher more strategic level, was nevertheless relevant when considering a rezoning request for a large area of land in this location. We further note the opposition of the ORC to this rezoning request and their tabled evidence that supported the officer's recommendation to reject the submissions seeking rezoning. We also gave weight to the evidence from DCC 3 Waters about their concern on the affordability of stormwater infrastructure, and if the stormwater management proposed would meet the new development mapped area requirements. We accept the legal submission from Mr Michael Garbett that affordability is a matter that can be taken into account in making a decision on rezoning.
969. Overall, in relation to 3 waters issues, we highlight that this is a substantial new development being proposed, and the impacts on already overloaded systems would be substantial.
970. We acknowledge the transportation evidence from Mr Fisher and the response from Mr Watson. While we note Mr Watson broadly supports the proposal, we refer to the large

number of further submitters raising concerns about the link road between Chain Hills Road and Irwin Logan Drive, and consider that the Future Development Strategy is the more appropriate process through which to review and consider fairly major changes to the transport network. As we have emphasised throughout our decision report, rezonings enabled through Variation 2 should be relatively “easy wins” if they are to meet the stated purpose of the variation

971. Turning to landscape, we note the broad agreement between Mr Moore and Mr McKinlay, with both landscape architects considering that rezoning the upper slopes will have adverse impacts. We accept the legal submission from Mr Garbett that adverse effects on rural character and amenity are issues that we should take into account and consider as part of our decision making process. We therefore agree with Mr Moore and Mr McKinlay that the rezoning of the upper slopes (i.e. any areas above 90 – 120 metres elevation) is not appropriate from a visual effects perspective.
972. With respect to the proposal to consider applying an RTZ to the upper slopes while the planting matures in this area, we agree with the Reporting Officer that this is not something that an RTZ can be used for, but given that we find the site inappropriate for rezoning for a range of other reasons, this is not a material consideration.

2.3.10.4 170 Riccarton Road West (RS212)

973. This section addresses the submissions covered in section 5.4.22 of the section 42A report.
974. 170 Riccarton Road West is located to the west of Mosgiel and is 8.3ha in area. It is subject to a number of overlays on the 2GP maps, as follows: a high class soils mapped area (the majority of the site), a groundwater protection mapped area, the Kokika o Te Matamata (area surrounding Mosgiel) wāhi tūpuna mapped area, the Hazard 3 (flood) Overlay Zone, and it is within the Dunedin Airport Flight Fan. The site is located just over 300m from the nearest residential zoning. The site was originally rejected in the section 32 report as it was considered unsuitable due to its disconnection from existing residential zoned areas.
975. Evidence from Ms Peters was that the site currently includes a hazelnut orchard.

2.3.10.4.1 Submissions received

976. *Richard Muir (S156.002)* sought to rezone the site to either Low Density Residential or, if it was desirable to retain an element of rural character as it merges with its rural surroundings, Large Lot Residential 1.
977. *Roger and Janine Southby (S191.002)* sought to rezone the site to General Residential 1 and/or Low Density Residential and/or Large Lot Residential 1, subject to a structure plan mapped area rather than a new development mapped area. The submission contained a number of concept plans showing proposed structure plan layouts for the various zonings.
978. *Clive and Linda Wallis (Daisy Link Garden Centres Ltd) (FS56.1, FS56.2)* supported both the submissions above, but noted that they wish to participate in the process to ensure development does not adversely affect the stormwater network’s ability to receive stormwater from residential development at 58 Ayr Street.
979. *Allen Blackie (FS11.2, FS11.3)* opposed rezoning due to concerns about loss of rural land, and the potential for reverse sensitivity issues from the existing surrounding farm operations.

Roxanne Davies

From: Emma Peters <sweepconsultancy@gmail.com> on behalf of emma <Emma@sweepconsultancy.co.nz>
Sent: Thursday, 4 March 2021 10:33 p.m.
To: District Plan Submissions
Subject: Email 1 of 2: Submission of Gladstone Family Trust - Chain Hills Park - Residential Rezone Pursuant to a Structure Plan
Attachments: Submission Form 5 - Gladstone Family Trust - Chain Hills Park Residential Rezone.PDF; Variation 2 Submission Notes - Gladstone Family Trust - Chain Hills Park Residential Rezone.pdf; Variation 2 Submission Notes - Gladstone Family Trust - Table 1.pdf
Follow Up Flag: Follow up
Flag Status: Completed
Categories: Follow up with Paul

Hi,

Please find attached the following documents forming the submission of Gladstone Family Trust in relation to the residential rezone of Chain Hills Park pursuant to a structure plan:

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

I will send the Landscape Figures and Report in email 2.

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

Roxanne Davies

From: Emma Peters <sweepconsultancy@gmail.com> on behalf of emma
<Emma@sweepconsultancy.co.nz>
Sent: Thursday, 4 March 2021 10:34 p.m.
To: District Plan Submissions
Subject: Email 2 of 2: Submission of Gladstone Family Trust - Chain Hills Park - Residential Rezone
Pursuant to a Structure Plan
Attachments: Chains Hills Gladstone Family Trust 4-03-21.pdf; Chain Hills Rd, Gladstone Family Trust
4-03-21.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Follow up with Paul

Attached: Landscape Figures and report.

Cheers,

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

Roxanne Davies

From: Emma Peters <sweepconsultancy@gmail.com> on behalf of emma <Emma@sweepconsultancy.co.nz>
Sent: Thursday, 4 March 2021 03:23 a.m.
To: District Plan Submissions
Subject: Submission of Gladstone Family Trust - SPMA for 90 and 98 & 100 Gladstone Road North & Amendments to Some Provisions
Attachments: Submission Form 5 - Gladstone Family Trust.PDF; Variation 2 Submission Notes - Gladstone Family Trust - SMPA for 90, 98 & 100 Gladstone Road North.pdf; Townhouses 4#90 and 6# 98-100 Gladstone Rd North.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Nat

Hi,

Please find attached the following documents forming the submission of Gladstone Family Trust in relation to the application of a SPMA to 90 and 98 & 100 Gladstone Road North.

- Completed Form 5;
- Submission Notes; and
- A pdf containing the two structure plans.

Please confirm receipt of this email.

Cheers,

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

Roxanne Davies

From: Emma Peters <sweepconsultancy@gmail.com> on behalf of emma <Emma@sweepconsultancy.co.nz>
Sent: Monday, 15 March 2021 06:29 p.m.
To: District Plan Submissions
Subject: Re: Variation 2 submission completed

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Roxy

Hi,

Thank you for the confirmation below of the submission from Gladstone Family Trust in relation to 90 Gladstone Rd North and 98/100 Gladstone Rd North.

There was also another submission from Gladstone Family Trust in relation to 'Chain Hills Park'. Have the details for that submission been entered yet?

Cheers,

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

On 8/03/2021 11:48 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 808925

Submitter name

Gladstone family Trust Gladstone family Trust

Organisation

Contact person/agent

Emma Peters, Consultant, Sweep Consultancy Ltd

Postal address

Po Box 5724 Dunedin 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

Application of structure plan mapped area to 90 Gladstone Rd North and 98/100 Gladstone Rd North

Provision name and number, or address and map layer name

All provisions relating to townhouses and duplexes

My submission seeks the following decision from the Council

Accept the change

Details

Reasons for my views

See attached submission notes.

Supporting documents (file name/s)

V2-S-Gladstone-Family-Trust-04.03.2021.pdf, type application/pdf, 3.8 MB

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

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: Gladstone Family Trust

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:
- adversely affects the environment; and
 - 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)

Residential rezone of 21, 43, 55, 65, 75, 77, 79, 111 & 121 Chain Hills Rd pursuant to a
For example: D2 structure plan & application of a structure plan mapped area.

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

All provisions relating to NDMA
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

Proposed Residential Re-zoning, Gladstone Family Trust Properties, Chain Hills, Mosgiel.

Landscape and Visual Effects Assessment Report

3 March 2021



Prepared by

MIKE MOORE

BSc, Dip LA, MRRP, ANZILA

LANDSCAPE ARCHITECT

Po box 5076, Dunedin

Tel (03) 479 0833 . fax (03) 479 0834 . cell 0274 360 163

Email mike@mmla.co.nz

Introduction

The Gladstone Family Trust is seeking a residential rezone of the property it controls at the following locations, collectively referred to as the 'rezone site'. The properties included are 21, 43, 55, 65, 75, 77, 79, 111 and 121 Chain Hills Road. The rezone site contains approximately 54 ha, although part of this area is already rezoned *Low Density Residential* via the 2GP decision and appeal process. The land is currently zoned as follows in the 2GP:

- 21, 43, 55, 65, 79 and 111 Chain Hills Road are zoned *Rural Residential 1*
- 77 Chain Hills Road is zoned *Rural – Hill Slopes, Rural Residential 1, and Low Density Residential*. An area (red hatched on the plan) is subject to a 2GP appeal and is awaiting drafting of a consent memorandum to rezone *Low Density Residential*.
- 121 Chain Hills Road is zoned *Rural – Hill Slopes*.

The Gladstone Family Trust is seeking to rezone the site residential with a mixture of zonings including *General Residential 1, Low Density Residential or Large Lot Residential 1, and Large Lot Residential 2*. The Trust has developed a structure plan which is shown in **Figure 1**, which illustrates the proposed rezoning.

The purpose of this report is to provide a landscape assessment of the proposed rezoning. This will be structured as follows:

- Site and area description
- The proposed rezoning
- Recommended mitigation measures
- Landscape and visual effects
- Conclusion

Site and area description

The rezone site is located on the north-western side of Chain Hills on generally north-western facing slopes overlooking Mosgiel. It is accessed from Chain Hills Road, Pinfold Place, and Irwin Logan Drive, and via Right of way from Woodland Avenue. The property has frontage on its south-western boundary to State Highway 1 and ranges in elevation from approximately 30 – 170m asl.

The underlying geology is schist and the landform is expressive of the characteristic Otago Peneplain surface with broad, gently sloping spurs, dissected by steeper gullies. The property extends to a portion of the summit ridge of Chain Hills and to parts of various secondary ridges, along with the intervening gullies; and drains toward Owhiro Stream.

The land is predominantly under pasture cover and grazed, but on the steeper gully slopes there are areas of both native and exotic scrub. At higher elevation within the southern gully there are stands of Kanuka forest. There are no buildings currently existing on the site except for a woolshed and yards located within 75 and 79 Chain Hills Road, and a tractor shed located within 121 Chain Hills Road, accessed from Pinfold Place. A number of farm tracks are also present as well as retention ponds in the gully system.

The wider landscape context of the rezone site is the north-western side of Chain Hills. This landform rises to approximately 170m and forms the topographical containment and backdrop to the northern Taieri Plain and Mosgiel. It slopes relatively steeply on this north-western side, expressing the scarp associated with the Titri fault. The plateau ridge-top is rural residential in character and zoning, with buildings concentrated near Chain Hills Road. Due to the plateau landform, these have only moderate levels of visibility from the Taieri Plain.

Currently, the steeper, less accessible mid-slope areas (including much of the site) remain rural in character and zoning, and are mainly held in small holdings. The result is that the hill slopes are a complex patchwork of

pasture, woodlot (of various species and ages) and scrub cover. Urban development is extending gradually up the lower slopes of Chain Hills from Wingatui to Mosgiel with development currently underway in the area below the site to approximately 105m elevation.

The 2GP has zoned a spur above Irwin Logan Drive *Low Density Residential*, to approximately the 115m contour, and the slopes above this (see Figures 1 and 2) are also to be zoned *Low Density Residential* up approximately the 145m contour, via consent memorandum resulting from a 2GP appeal. Residential development in these areas (to a maximum density of 750m²) will significantly alter the current rural / urban interface and pattern on the hill slopes. South-west of State Highway 1, there is *Large Lot Residential 1* zoning on the toe slopes of Saddle Hill to approx. the 130m contour with *Rural* zoned land above.

Figure 2 illustrates the character of the site and area as viewed from Mosgiel.

In terms of recognized landscape values, there is no landscape overlay on Chain Hills in the 2GP, but Appendix A7.5 outlines rural character values associated with the *Rural - Hill Slopes* zone. These include its role in providing backdrop and enclosure to urban areas with a 'predominantly unbuilt natural' character (i.e. natural features predominate over human made features). It also notes that there are some areas of 'important and varied biodiversity' including some 'scattered indigenous vegetation dominated by Kanuka' on the Taieri slopes.

My assessment of the landscape values of this part of the Chain Hills is that whilst they form a visually prominent backdrop to the Taieri Plain and Mosgiel, their natural / rural landscape values are now highly modified by the presence of houses on the summit area and by the incoherent patchwork of pasture and woodlots that affects the legibility of the natural landform on the northern slopes overlooking the Taieri Plain. In the area of the rezone site, the predominant pasture cover and presence in some places of scrub and

indigenous vegetation in the gullies, contribute positively to natural landform legibility and open rural landscape character.

The proposed rezoning

The proposed rezoning is illustrated in Figure 1 and proposes various residential zones as follows:

P	Land description	C	P r o p o s e d 2 G P z o n e	M
A	Gently – moderately sloping lower spur top landform, currently under pasture cover and adjacent to existing residential development. A predominantly westerly	R	L o w D e n	7

	aspect.		s i t y R e s i d e n t i a l	
B	Gently – moderately sloping mid - lower spur landform, currently under pasture cover. A predominantly northerly aspect.	R	L o w D e n s i t y R e s i d	7

			e n t i a l	
C	Gently – moderately sloping mid-level secondary spur top landform, currently under pasture cover and adjacent to existing residential zoned land (not yet developed). A predominantly westerly aspect.	L	L o w D e n s i t y R e s i d e n t i a l	7
D	Gently – moderately sloping broad upper secondary spur top landform, currently under pasture cover. A	R	L o w	7

	predominantly north-westerly aspect.		density Residential density (consistent with)	
E	Flat – gently sloping summit plateau - ridgetop landform,	R	Ge	5

	currently under pasture cover. Adjacent to lineal residential development along Chain Hills Road to the south. A predominantly westerly aspect.		n e r a l R e s i d e n t i a l 1	
F	Gently – moderately sloping upper secondary spur top landforms, currently under pasture cover with gullies separating. Areas of regenerating kanuka forest in the gullies. A predominantly westerly aspect.	R	L a r g e L o t R e s i	2

			d e n t i a l 1	
G	Gently – steeply sloping mid elevation secondary spur landforms, currently under pasture cover with gullies separating. Some areas of scrub in the gullies. A predominantly north-westerly aspect.	R	L a r g e L o t R e s i d e n t i a l 1	2
H	Broad, gently sloping	R	L	2

	secondary spur landform under pasture cover. Modified to an extent by earthworks associated with State Highway 1		a r g e L o t R e s i d e n t i a l 1	
I	Flat – gently sloping summit plateau - ridgetop landform, currently under pasture cover. A predominantly northerly aspect.	R	G e n e r a l R e s	5

			i d e n t i a l 1	
J	Steep north and west facing lower level gully sides largely scrub or rough pasture covered.	R	R u r a l - H i l l S i l o p e s	1
K	Flat – gently sloping summit plateau - ridgetop landform, currently under pasture cover. Adjacent to existing	R	G e n e	5

	lineal residential development along Chain Hills Road. A predominantly westerly aspect.			r a l R e s i d e n t i a l 1	
L	Steeply sloping gully head landform near the summit ridge with eroding areas. Largely rough pasture and scrub covered and with a predominantly north-west aspect.	R	R	u r a l R e s i d e n t i a l	2

				Residential	
--	--	--	--	-------------	--

The structure plan provides for native bush regeneration areas within some of the gullies. It also provides for a road link connecting Chain Hills Road and Irwin Logan Drive, and a walking access link, from this road to Woodland Avenue.

The broad pattern that would eventually arise from this zoning and associated development can be described as follows:

- Dense residential urban character on the western side of Chain Hills Road on the flatter summit plateau area.
- Residential character at various densities on the secondary ridge forms with the steeper gully areas remaining un-built and increasingly tree covered.
- Dense residential urban character as an extension of adjacent residential areas on the lower spurs and in the Area N valley floor area.

Recommended mitigation measures

Chain Hills is a prominent natural landform feature that visually 'contains' the northern Taieri Plain, separating it from the Kaikorai catchment. Its natural character / rural amenity attributes have been diluted by small scale rural and rural-residential subdivision and development, but its remaining natural landscape character attributes should be protected and enhanced to the extent possible to ensure that Dunedin maintains a coherent and attractive landscape.

The proposed rezoning will extend the residential urban environment of Mosgiel up the lower and mid slopes of the hills, and will significantly expand an existing node of residential development, creating an area with urban character on the Chain Hills summit. The currently largely unbuilt mid-slope areas will be modified by housing on the secondary spur forms, and low density urban character with more tree'd gully areas will replace open rural pasture.

To retain as much natural landscape character as possible with the proposed residential built density, and to retain as much of an open space / natural landscape linkage along the north-western face of Chain Hills as possible, the following mitigation measures are recommended:

1. The gullies are to be revegetated in locally appropriate indigenous forest cover to the extent generally indicated in Figure 3 and in general accordance with the establishment and management principles outlined in Appendix A.
2. All buildings within plan areas D, E, F, G, H, I and M are to be finished in materials and / or colours that minimise visual prominence and contrast with the colours of the natural landscape elements (grass and trees). Painted finishes are to have LRV's of no more than 30%.
3. Within plan areas D, F, G, H and M, development is to be planned and designed to minimise the need for earthworks. No retaining walls of more than 2m height are permitted and earthworks are to be designed to blend with surrounding natural contours.

4. Within plan areas E and I, buildings shall be no more than 7m high, to minimise the visual impact of built form on the summit as viewed from lower elevation viewpoints.
5. Public walking access through the area is to be provided for more or less as indicated in Figure 3 to provide for enjoyment of the revegetated gullies / rural areas, and to provide for good levels of connectivity.

Landscape and visual effects assessment

As discussed above, Chain Hills are a visually prominent natural landscape feature providing containment to the North-Taieri plain and Mosgiel to the south-east. Their rural amenity values, landform legibility and aesthetic coherence have been considerably eroded over recent decades, on their north-western side at least, by small scale rural, and rural residential subdivision and development, resulting in an incoherent land use pattern to a large extent. Whilst the broad summit plateau / ridge is host to a relatively densely settled rural residential area, the visual prominence of built form on the summit as viewed from lower viewpoints remains relatively low, given the flat summit surface and screening by landform and vegetation. Overall, it is my assessment that whilst the landscape and visual values of Chain Hills have been seriously compromised, their sensitivity to change remains moderate – high on account of their visual prominence and importance as a structural element defining different landscapes (Taieri / Kaikorai) within the City.

The proposed rezoning will result in:

- The significant expansion of an existing, isolated small node of residential urban character on the flatter summit plateau area of Chain Hills.
- Residential character at various densities on the secondary ridge forms with the steeper gully areas remaining un-built and progressively returning to indigenous forest cover.
- Dense residential urban character as an extension of adjacent residential areas on the lower spurs and in the Area N valley floor area.

In my assessment, the extension of the current urban edge of Mosgiel up the lower slope areas of Chain Hills will integrate with the landscape character and quality well. Any adverse effects associated with this will be low (minor).

The spread of residential land use into the mid-slope spur areas will be a significant departure for the Chain Hills landscape. The existing sense of the

urban area of Mosgiel being enclosed within a rural context will be substantially weakened, giving rise to an adverse effect in my assessment. Mitigating this, the proposed residential density is necessarily low, given the landform constraints, and mitigation measures to minimise built prominence and maximise the impact of natural elements are proposed. Importantly, the natural character and indigenous biodiversity values of the gully system will be enhanced and the natural landform pattern (developed spurs and natural gullies) will be strongly expressed. I assess landscape and visual effects as adverse / high in the short term – reducing to adverse / moderate as plantings soften built impact and enhance the character of the gullies. I note that development at this elevation on the hill is similar to that in the Braeside area on the hills to the south-western side of the motorway. The difference being that there, Saddle Hill provides a significant rural landscape backdrop higher.

The node of residential use proposed for the summit area will not be unduly visually prominent from lower viewpoints, given the flat landform and viewing angle and the proposed building height and colour mitigation measures. It will be connected physically to Mosgiel via the proposed extension to Irwin Logan Drive. In my assessment, the landscape and visual effects of this development will be adverse, but will be mitigated in magnitude to some extent, by the fact that it extends an existing area of residential development (at the south-western end of Chain Hills Road), rather than introduce an area of totally new character. The appropriateness of a node of relatively intense residential development on the hill top, separated from Mosgiel (and other existing urban areas) by steeper hill slopes however, is an issue, and it is my assessment that landscape and visual effects will be adverse / moderate – high. I consider that it would be more appropriate that built density reduces with height, and to retain Rural Residential zoning in this area.

Conclusion

The proposed rezone site is located on the north-western side of Chain Hills adjacent to Mosgiel. Chain Hills are a visually prominent landscape feature in

this area but their natural / rural landscape character and values have been significantly eroded by small scale rural and rural residential subdivision and development.

The proposed rezoning will result in a significant change to the character of the hills, including the expansion and reinforcement of a node of relatively dense residential use on the summit ridge, less dense residential development on the mid-slope secondary spurs (with indigenous forest restoration in the gullies), and for the extension of residential development up the lower slopes from the existing urban edge. Mitigation measures to minimise adverse effects on landscape values are proposed.

I have assessed the landscape and visual effects of the rezoning as generally adverse, with the magnitude ranging from low – high.

Mike Moore

Registered NZILA Landscape Architect

Appendix A: Proposed Gully Revegetation Guidelines

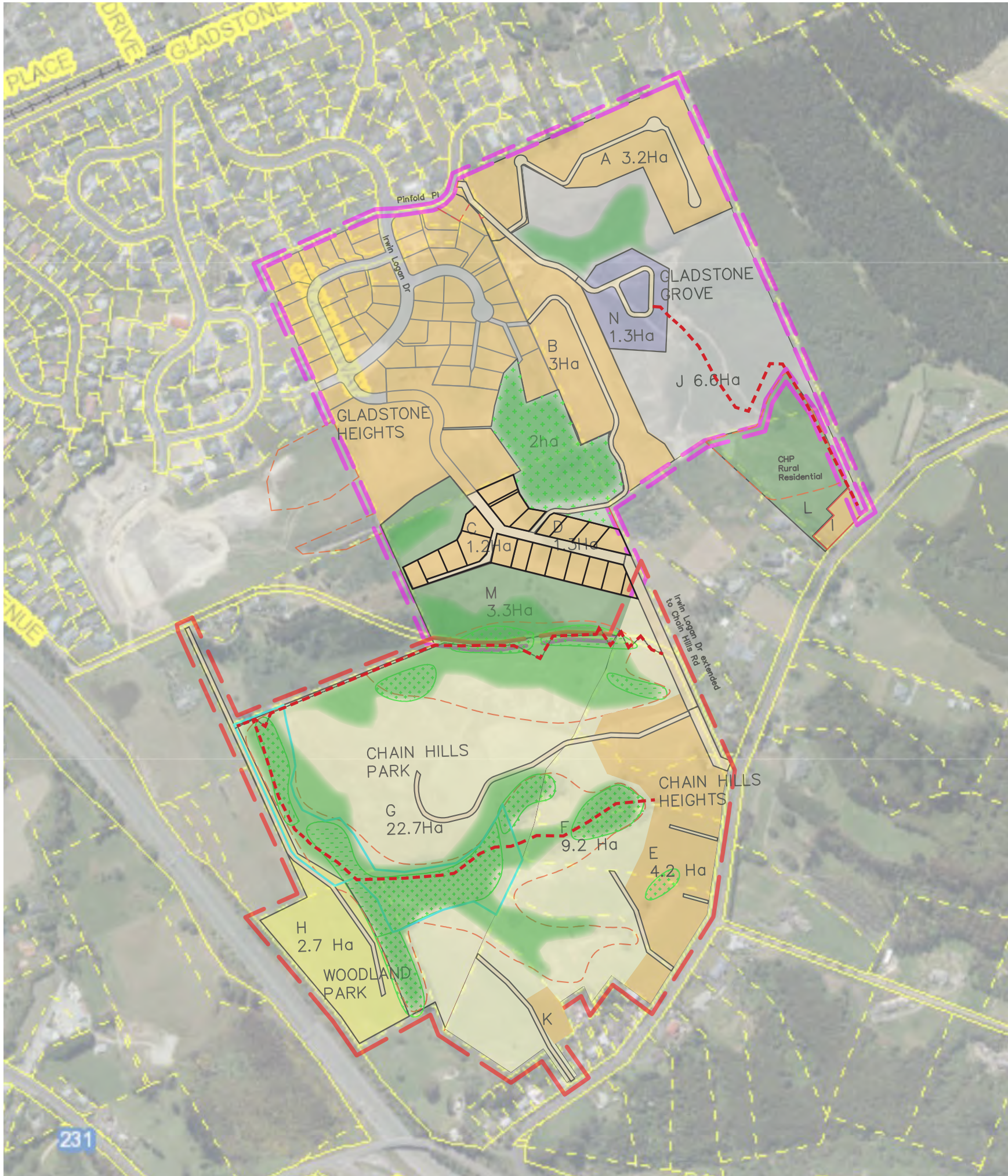
The areas shown as 'gully revegetation' in Figure ... are to be planted using the following species and at the ratios indicated.

Botanical name	Common name	Approx % of planting
<i>Coprosma crassifolia</i>		2.5
<i>Coprosma propinqua</i>	Mingimingi	5
<i>Cordyline australis</i>	Cabbage tree	10
<i>Griselinia littoralis</i>	Broadleaf	2.5
<i>Hebe salicifolia</i>	Koromiko	5
<i>Hoheria angustifolia</i>	Narrow-leaved lacebark	2.5
<i>Kunzea robusta</i>	Kanuka	20
<i>Myrsine australis</i>	Mapou	2.5
<i>Olearia avicenniifolia</i>		2.5
<i>Phormium tenax</i>	Flax	20
<i>Pittosporum tenuifolium</i>	Kohuhu	15
<i>Podocarpus laetus</i>	Hall's totara	2.5
<i>Pseudopanax crassifolius</i>	Lancewood	5
<i>Sophora microphylla</i>	Kowhai	5

Planting maintenance and management

1. Where required, fencing should be carried out to protect the areas to be planted from grazing by stock.
2. The areas to be planted are to be sprayed to kill existing grasses using a non-residual systemic herbicide.
3. Planting densities are to be approximately 1.5m
4. Plant grades are to be Pb3 or equivalent, minimum.
5. One slow release fertilizer tablet will be used per plant.
6. A circle of mulch (100mm deep woodchip or sacking or similar) is to be applied around each plant to assist in plant establishment and weed suppression.
7. The area around each plant is to be maintained weed free until well established by hand weeding or spraying where this is possible without adversely affecting the plants.
8. Plants should be watered as / if required during dry spells until well established.

9. Survival should be monitored and any dead plants replaced immediately. Animal pests should be controlled and if required, plants should be provided with an eco-shelter for protection against rabbit and possum browse.
10. The plantings are to be managed to ensure their ongoing health and vitality.



- A
- B
- C
- D
- E
- F
- G
- H
- I
- J
- K
- L
- M
- N

Rezone Hill Slopes Rural to Low Density Residential
Develop Gladstone Heights Stage 6a 3.2Ha
Yield: 19 Lots

Rezone Hill slopes Rural to Low Density Residential
Develop Gladstone Heights Stage 7a 2.3 Ha
Yield: 16 Lots

Low Density Residential
Gladstone Heights Stage 6 1.2Ha
(Already approved)

Rezone Hill Slopes Rural to Low Density Residential
Develop Gladstone Heights Stage 7 1.3Ha
Under Variation 2 appeal (Already approved)

Rezone Rural Residential 1 to General Residential 1 4.2ha
Develop Chain Hills Heights
Yield: 56 Lots

Rezone Rural Residential 1 to Large Lot Residential 1 8Ha
Yield: 7 Lots

Rezone Hill Slopes Rural to Large Lot Residential 1 22.7ha
Yield: 10 Lots

Rezone Hill slopes Rural to Large Lot Residential 2 2.7ha
Yield: 6 Lots

Rezone Rural Residential 1 to General Residential 1 0.3Ha
Yield: 2 Lots

Hill Slopes Rural 6.6Ha Farm
Existing Zone to remain
Yield: 1 Lot

Rezone Hill Slopes Rural to General Residential 1 0.24Ha
Yield: 2 Lots

Rural Residential 1 to remain 2ha, except 0.3Ha rezone Hill Slopes Rural to Rural Residential 1 Yield: 1 Lot

Hill Slopes Rural rezone to Rural Residential 1 - 3.3Ha
Yield: 1 Lot

Hill Slopes Rural rezone to General Residential 1.3Ha
Yield: 15 Lots



Native Bush Regeneration 6.5Ha

No Build Area - 12.7Ha

Rezone Hill Slopes Rural to Recreation - 2Ha Bush Reserve

Chain Hills Park (E,F,G,H)
Mixed development of Low Density Residential, Large Lot Residential 1; Large Lot Residential 2 and Rural Residential 1 37.6Ha

Gladstone Heights (A,B,C,D,M)
Mixed development of Low Density Residential, Large Lot Residential 1; Large Lot Residential 2 and Rural Residential 1 33.36Ha

Proposed Walking Track

Proposed Road & Access Lot

Existing Road & Access Lot

Notes:
Large Lot Residential 1 2000m2 min.
Large Lot Residential 2 3500m2 min.
Low Density Residential 750m2 min.
All Areas subject to Survey

Figure 1 : Proposed Re-Zone Site Structure Plan

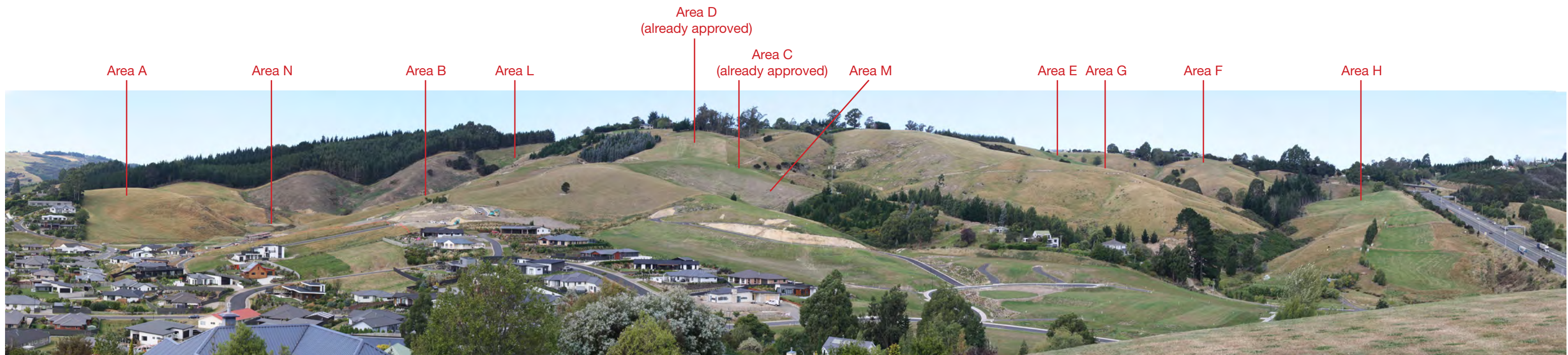


Figure 2: View toward the proposed re-zone site from Joe Brown Reserve, Mosgiel

Variation 2 Submission Notes – Gladstone Family Trust – Chain Hills Park: 21, 43, 55, 65, 75, 77, 79, 111 and 121 Chain Hills Road

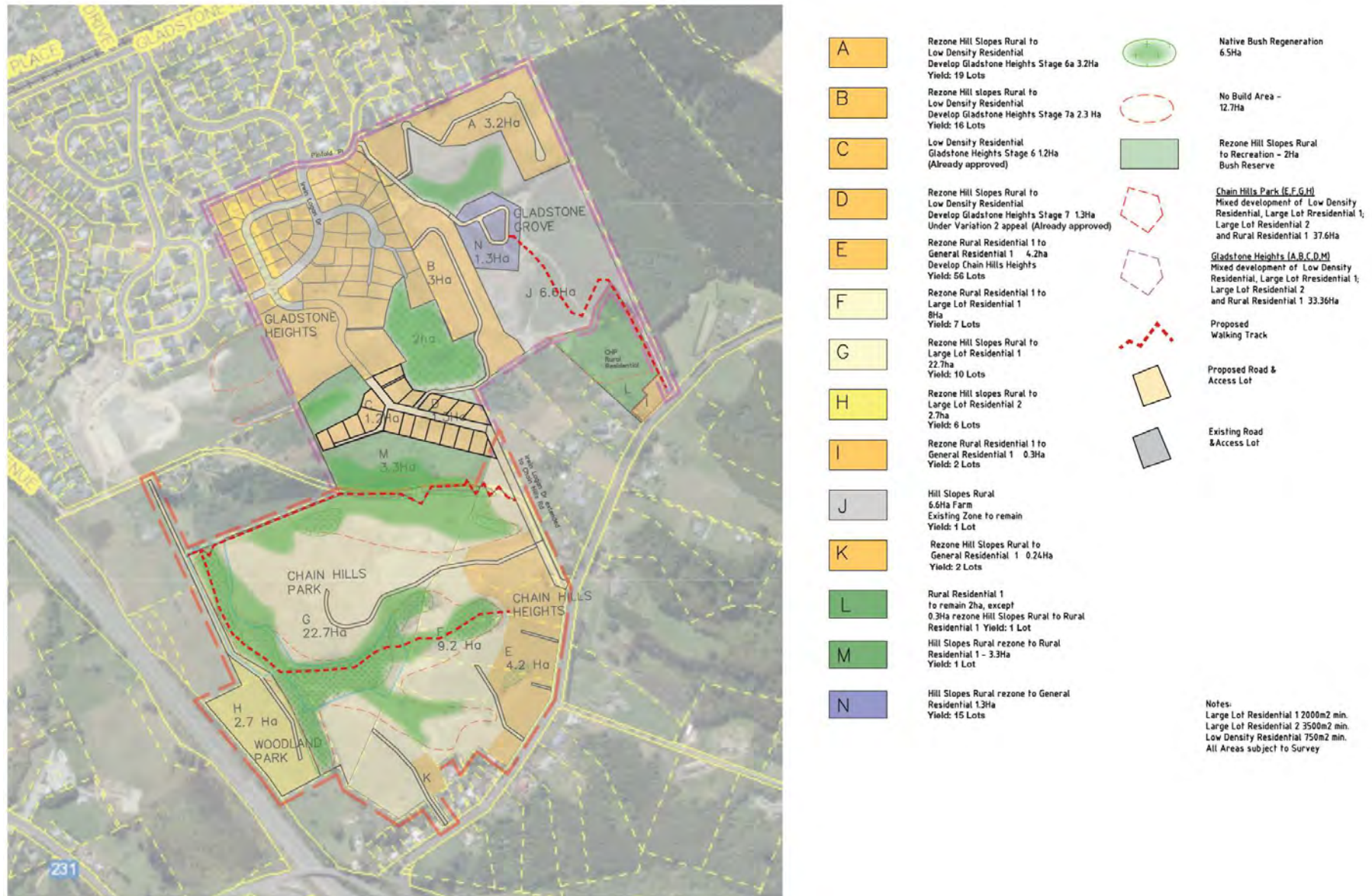
Figure 1: Location of Site:



Note:

- 77 Chain Hills Road is excluded in part from this submission. The two areas of land excluded are: a) the already zoned Low Density Residential; and b) the land subject to a 2GP appeal. These two areas are identified as areas 'c' and 'd' respectively on the structure plan. The balance of the site is within scope for Variation 2.

Figure 2: Structure Plan for Site



Notes:

- Given the scale of the rezone, 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.

Submission:

The proposal presents a comprehensice opportunity for a large tract of marginal farmland at the town boundary to be repurposed for housing supply with sufficient residential capacity to supply through to the medium term and yet maintain a rural influence through mixed use open space and areas set aside for ecological enhancement.

The proposal makes provision for varying density of housing, recreational uses, good infrastructure expansion and roading links that will be paid for by the site developer. Road linkage between Chain Hills Road and Gladstone Road North via Gladstone Heights and Irwin Logan Drive well be a bonus for the City Transportation Network. The proposal also makes provision for ecological enhancement as well as the continuation of a level of rural activity both during construction and post development.

The land owner is an experienced developer with a proven track record in the immediate locale and is ready to connect the site to adjacent residential developments. The developer has a vision for the site whereby all the gullies are vegetated, providing a 'town-belt' effect and a range of housing types are offered. The purpose of the smaller minimum section size along Chain Hills Road is so that the 'views' become more affordable for first home buyers and young families.

1. Rezone 21, 43, 55, 65, 75, 77, 79, 111 and 121 Chain Hills Road in Accordance with the Structure Plan and Apply a Structure Plan Mapped Area

Reasons:

- Experienced severe shortage of residential capacity, paticularly affordable housing 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 demand. The structure plan also provides the opportunity to acehieve other policy objectives such as conservation and ecological enhancement in an 'ecologically threatened' landsacpe.
- Rezone meets rezoning criteria specified in 2GP (see 2.6.2.1) – in particular, it provides a logical extension of Mosgiel over an area which is close to infrastructure, services and public amenities. The rezone will ensure that Mosgiel grows in resilience and the additional road and infrastructure corridor for Mosigiel provides benefits. The proposal provides a rare opportunity for higher density affordable housing with outstanding views.
- The proposal has landscape support – see attached landscape figures and report.

- Provides for flexibility of development in this locale of 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 proposal provides opportunity for Mosgiel to grow into an area which is not on the productive rural flats of Taieri Plains.

2. Do not Apply a New Development Mapped Area over the Site but Instead Apply a Structure Plan Mapped Area

Reasons:

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

3. Additional Comments by Submitter in Relation to NDMA provisions as these relate to the Chain Hills Park Rezone

The objectives of the provisions are already achieved via the structure plan.

Change D4: Chain Hills Park is a single ownership 54ha tract of greenfield offering space for housing, recreation and interconnection.

Change D6: Chain Hills Park proposes extensive native regeneration and protection of gullies and waterways.

Change D7: Chain Hills Park offers outstanding North and West views of Taieri Plains, Saddle Hill, Maungatuas and rural hinterland beyond.

Change D8: Chain Hills Park uses existing road network frontage to Chain Hills Road and provides a new link to Mosgiel. The structure plan is comprehensive in that all the land within it has been considered for its best use with respect to soils, contour, aspect, and infrastructure, the best use being assigned between high and low density housing, lifestyle, and a continued level of rural activities. Chain Hills Park is a comprehensive proposal of a scale affording efficient delivery of public infrastructure.

Change F2-2: The structure plan has assigned areas for onsite detention within natural catchments and waterways, so that pre-development run-off does not increase as a result of development. The collective approach of community onsite detention within the structure plan area simplifies construction as it limits the number of sites and enables efficient monitoring. No diversion of stormwater from natural catchment is proposed. The land owner who is the site developer is an expert in stormwater matters.

Change F3-2: Wastewater detention is passively provided already given gravity drainage to collection sump with pump and rising main. Pump operation determines timing and volume of discharge. Sump storage capacity can be augmented to allow discharge only at off peak. Chain Hills Park large lot residential lots provide on-site soakage field discharge of secondary treated wastewater, thus not adding to public wastewater.

Change F2-6: the proposal is a watershed for comprehensive DCC infrastructural change in the locale through the opportunity to connect to existing and proposed networks.

Table 1: NDMA Issues and Potential Mechanisms For Solutions

Notified Policy / Rule	Issue	Potential Solutions			
CHANGE D4 Policy 2.3.3.1.X Support community and leisure activity, sport and recreation, and essential community facilities in Dunedin through: ... 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. <i>{Change D4}</i> Delete Policy 2.6.1.6.b Objective 12.2.X Future residential growth areas are developed in a way that achieves the Plan's strategic directions for: <i>{Change D1}</i> a. facilities and spaces that support social and cultural well-being (Objective 2.3.3); <i>{Change D4}</i> Policy 12.2.X.1 Policy 12.2.X.1 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. <i>{Change D4}</i> Rule 12.X.2.5.c 12.X.2 Assessment of restricted discretionary activities in a Transition Overlay Zone or mapped area <table data-bbox="159 1007 1464 1059"> <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	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 NDMA's.
Activity	Matters of discretion	Guidance on the assessment of resource consents			

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} Encourage improvements to the environmental performance of new housing by: {Change E4} a. 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} b. encouraging new medium density housing in parts of the city that have old housing stock that is not protected for its heritage values; c. 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 d. rules that restrict height in relation to boundary to facilitate access to sunlight in outdoor areas. {Change E4} Objective 12.2.X & Policy 12.2.X.3 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} ... c. environmental performance and energy resilience (Objective 2.2.2); {Change D5} .. Policy 12.2.X.3 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 Activity Matters of discretion Guidance on the assessment of resource consents ...	No issues.	N/A

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 <table><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> 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} </td></tr></table>	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.
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}						

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 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: {Change D1}</u> ... <u>d. form and structure of the environment (Objective 2.4.1): {Change D7}</u> Policy 12.2.X.4 <u>Only allow subdivision in a new development mapped area 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. {Change D7}</u> Rule 12.X.2.5.b <u>12.X.2 Assessment of restricted discretionary activities in a Transition Overlay Zone or mapped area</u> <table> <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> <tr> <td> 5. <u>In a new development mapped area:</u> <u>All subdivision activities {Change D1}</u> </td><td> <u>b. Provision for amenity planting and public amenities {Change D7}</u> </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 (Policy 12.2.X.4).</u> <u>Conditions that may be imposed include:</u> iii. <u>Requirements for street tree and other subdivision amenity planting. {Change D7}</u> </td></tr> </table> Rule 15.11.5.Y <u>15.11.5 Assessment of restricted discretionary activities in an overlay zone, mapped area, heritage precinct or affecting a scheduled heritage item</u> <table> <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> <u>All subdivision activities {Change D1}</u>	<u>b. Provision for amenity planting and public amenities {Change D7}</u>	<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 (Policy 12.2.X.4).</u> <u>Conditions that may be imposed include:</u> iii. <u>Requirements for street tree and other subdivision amenity planting. {Change D7}</u>	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> <u>All subdivision activities {Change D1}</u>	<u>b. Provision for amenity planting and public amenities {Change D7}</u>	<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 (Policy 12.2.X.4).</u> <u>Conditions that may be imposed include:</u> iii. <u>Requirements for street tree and other subdivision amenity planting. {Change D7}</u>															
Activity	Matters of discretion	Guidance on the assessment of resource consents															

<u>Y.</u>	<u>In a new development mapped area:</u> ▪ <u>All subdivision activities {Change D1 & Change F2-2}</u>	<u>b. Provision for amenity planting and public amenities {Change D7}</u>	<u>See Rule 12.X {Change D7}</u>		
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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>Z 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. {Change D8}</u> Objective 12.2.X {Change D1} Future residential growth areas are developed in a way that achieves the Plan's strategic directions for: <i>{Change D1}</i> ... e. <u>a compact and accessible city (Objective 2.2.4); and {Change D8}</u> f. <u>efficient public infrastructure (Objective 2.7.1). {Change D8}</u> Policy 12.2.X.5 <u>Policy 12.2.X.5 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. {Change D8}</u> 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.

5 In a new development mapped area All subdivision activities {Change D1}	e. Whether subdivision design supports efficient use of land {Change D8}.	Relevant objectives and policies 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} General assessment guidance 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 <table><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
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 F2-2 Policy 2.2.2.Y Policy 2.2.2.Y - to be added {Change F2-2} 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} Delete Policy 2.2.5.2 Policy 2.7.1.2.X Ensure areas of new urban development provide for public infrastructure networks that represent the least possible long term cost to the public through: ... X policies and assessment rules that require on-site stormwater management in the new development mapped area. {Change F2-2} Policy 9.2.1.Y Objective 9.2.1 Land use, development and subdivision activities maintain or enhance the efficiency and affordability of public water supply, wastewater and stormwater infrastructure. ... Policy 9.2.1.Y Only allow subdivision activities in a new development mapped area where: 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 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} Policy 9.2.1.X Policy 9.2.1.X 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}	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

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
 - i. connect 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.Y 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 Special 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.

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
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...

Z. In a new development mapped area

- Service connections - stormwater (Rule 9.3.7.AA) (Change F2-2)

a. Effectiveness and efficiency of stormwater management and effects of stormwater from future development

Relevant objectives and policies:

- Objective 9.2.1
- 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)

General assessment guidance:

- 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)

Conditions that may be imposed include:

- A requirement for easements, covenants, consent notices, or bonds to ensure future development will be in accordance with a stormwater management plan.
- 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)

Rule 9.6.2.X

9.6.2 Assessment of restricted discretionary activities

Activity	Matters of discretion	Guidance for the assessment of resource consents
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...

X	<u>In a new development mapped area:</u> • <u>All subdivision activities</u> <i>(Change F2-2)</i>	<u>a. Effectiveness and efficiency of stormwater management and effects of stormwater from future development</u>	<u>Relevant objectives and policies (in addition to those outlined in 9.6.2.2 above):</u> i. <u>Objective 9.2.1.</u> 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>					

iv. <u>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;</u> v. <u>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;</u> e. <u>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);</u> f. <u>specify the design and location of any on-site stormwater management systems to accommodate the calculated difference in flows;</u> g. <u>where relevant, specify the design and location of secondary flow paths;</u> h. <u>specify any upgrades to stormwater public infrastructure, or other infrastructure, that will be used to add capacity where it is required;</u> i. <u>the stormwater management system design should allow for stormwater quality treatment to reduce potential contaminants that the site and development may generate;</u> j. <u>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;</u> k. <u>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;</u> l. <u>the stormwater management design should consider the use of low impact design features, for example:</u> i. <u>grassed/landscaped swales and other vegetation areas;</u> ii. <u>infiltration trenches/bioretention systems;</u> iii. <u>storage ponds/wetlands/sediment ponds;</u> iv. <u>rainwater tanks harvesting and reuse;</u> v. <u>rain gardens, green roofs; or</u> vi. <u>porous surface treatments;</u>		
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- m. 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;
- n. for larger subdivisions, the design should incorporate consideration of how stormwater management areas can be integrated into reserves and recreation spaces;
- o. 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)

Rule 15.3.4.1 Development Activity Status Table

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) <u>Y. Service connections - stormwater (in a new development mapped area)</u> (Change F2-2)
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Rule 15.6.X

15.6.X Service Connections - Stormwater - to be added (Change F2-2)

In a new development mapped area, all development that creates an impermeable surface must comply with Rule 9.3.7.AA. (Change F2-2)

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
...		

...

Y	<u>In a new development mapped area</u> • <u>Service connections – stormwater</u> <i>(Change F2-2)</i>	a. <u>Effectiveness and efficiency of stormwater management and effects of stormwater from future development</u>	<u>See Rule 9.5. <i>(Change F2-2)</i></u>
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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>	f. <u>Effectiveness and efficiency of stormwater management and effects of stormwater from future development</u> <i>{Change F2-2}</i>	<u>See Rule 9.6 <i>(Change F2-2)</i></u>
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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 <table><tr><td><u>Policy 9.2.1.BB</u></td><td><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)</u></td></tr></table> Note 9.3.7.ZA General Advice ... 6. <u>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 <table><tr><th colspan="3">9.6.2 Assessment of restricted discretionary activities</th></tr><tr><td>Activity</td><td>Matters of discretion</td><td>Guidance for the assessment of resource consents</td></tr></table> ...	<u>Policy 9.2.1.BB</u>	<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)</u>	9.6.2 Assessment of restricted discretionary activities			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.
<u>Policy 9.2.1.BB</u>	<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)</u>									
9.6.2 Assessment of restricted discretionary activities										
Activity	Matters of discretion	Guidance for the assessment of resource consents								

Y.	In the following <u>new development mapped areas</u>, all <u>subdivision activities</u>, <u>multi-unit development</u> and <u>supported living facilities</u>. <i>(Change F3-2)</i> • <u>Kaikōrai Valley Road</u> <i>(Change IN07)</i> • <u>Selwyn Street</u> <i>(Change RTZ2)</i> • <u>Wattie Fox Lane</u> <i>(Change RTZ1)</i>	a. <u>Effectiveness and efficiency of wastewater management and effects of wastewater from future development</u>	<u>Relevant objectives and policies (in addition to those outlined in 9.6.2.2 and 9.6.2.X above):</u> <u>Objective 9.2.1.</u> <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 (Policy 9.2.1.BB). <i>(Change F3-2)</i></u> <u>General assessment guidance:</u> <u>The identified new development mapped areas are serviced for wastewater but new connections to the network will not be allowed (and consequentially any multi-unit development, supported living facility or subdivision that will lead to development that will require a connection will likely be declined) until capacity constraints are resolved or a communal on-site wastewater detention system that is designed for and associated with subdivision and/or development of 50 or more residential units is integrated into the public network and vested in the DCC. After installation of the system, all activities that create wastewater will be required to connect to the system until it is no longer required.</u> <u>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></u> <u>Conditions that may be imposed:</u> <u>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.</u> <u>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.</u> <u>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></u>		
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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 applicant/s. (Change F3-2)

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 <u>(stormwater)</u> <i>(Change F2-3)</i> d. Effects of stormwater from future development <i>(Change F2-3)</i>	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
...		
<u>Z. In the following new development mapped areas, all subdivision activities, multi-unit development, and supported living facilities:</u> <i>(Change F3-2)</i> • <u>Kaikorai Valley Road</u> <i>(Change IN07)</i> • <u>Selwyn Street</u> <i>(Change RT22)</i> • <u>Wattie Fox Lane</u> <i>(Change RT21)</i>	<u>a. Effectiveness and efficiency of wastewater management and effects of wastewater from future development</u> <i>(Change F3-2)</i>	<u>See Rule 9.6</u> <i>(Change F3-2)</i>

Notified Policy / Rule			Issue	Potential Solutions
CHANGE F2-6 Policy 9.2.1.AA			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'.
<u>Policy 9.2.1.AA</u> <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. {Change F2-6}</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				
<u>Z.</u>	<u>In a new development mapped area:</u> • <u>Service connections - stormwater (Rule 9.3.7.AA) {Change F2-2}</u>	<u>a. Effectiveness and efficiency of stormwater management and effects of stormwater from future development</u>	<u>iii. 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). {Change F2-6}</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				
...				
<u>X.</u>	<u>In a new development mapped area:</u> • <u>All subdivision activities {Change F2-2}</u>	<u>a. Effectiveness and efficiency of stormwater management and effects of stormwater from future development</u>	<u>iii. 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). {Change F2-6}</u>	

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: Gladstone Family Trust

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)

Application of structure plan mapped area to 90 Gladstone Rd Nth

For example: D2 and 98 & 100 Gladstone Rd Nth.

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

All provisions relating to townhouses & duplexes.

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

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: 3/3/21



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				This drawing shall not be scaled. Use figured dimensions only. Verify all dimensions on site.				DESIGN CHECKED				CONSULTANTS				DRAWING TITLE Indicative Site Plan - Subject to Survey				ISSUE A							
A				12/12/2019				APPROVED				DATE															
ISSUE				DATE				SCALE				NTS															

Variation 2 Submission Notes – Gladstone Family Trust – Application of Structure Plan Mapped Area to 90 and 98 & 100 Gladstone Road North

Figure 1: Location of 90 Gladstone Road North and 98 & 100 Gladstone Road North



Figure 2a: Structure Plan Mapped Area for 90 Gladstone Road North



Figure 2b: Structure Plan Mapped Area for 98 and 100 Gladstone Road North



Submission:

1. Apply a Structure Plan Mapped Area to 90 Gladstone Road North and 98 & 100 Gladstone Road North

Reasons:

- The structure plans provide for two pockets of medium density housing on sites zoned Low Density Residential.
- Experienced severe shortage of residential capacity in Dunedin, including in this locale, to satisfy short through to long term demand with sufficient capacity to meet Council's obligations pursuant to *NPS-UD 2020*. Therefore, applying the structure plans to these two sites helps Council meet its obligations pursuant to *NPS-UD 2020*.
- The application of the structure plans meets relevant criteria specified in 2GP (see 2.6.2.1) – in particular, it provides a additional housing capacity in a capacity limited area which is close to services and public amenities. The sites are flat and have good solar access. It is the submitter's understanding that there is sufficient infrastructure capacity to meet the demand from the future development pursuant to the two structure plans.
- Provides for flexibility of development in this locale for which there is experienced high demand for more residential capacity.
- The s32 analysis is deficient in its assessment of medium density housing capacity in this locale.
- Dunedin City Council does not have the power to limit the scope of sites assessed for Variation 2 and to do so may be ultra vires.

2. Amend Relevant Provisions so that Townhouse and Duplex Type Housing is Permitted on Existing Vacant Sections in any Residential Zone provided that there is Infrastructure Capacity and Performance Standards for this Type of Housing (to be developed) can be Met

Reasons:

- Will provide immediate, additional housing capacity throughout the city of a type for which the s32 report states there is a real lack, with the performance criteria, to be developed, ensuring that this type of development integrates with existing residential character in any particular locale.
- Will provide a range of housing choices in different locales and will ensure that this type of housing does not get 'grouped' in one location.