SECOND GENERATION DISTRICT PLAN

Variation 2 – Additional Housing Capacity

Summary of Decisions Requested Report

2 June 2021

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LIST OF ABBREVIATIONS

2GP	Second Generation Dunedin City District Plan
Act	Resource Management Act 1991
AEP	Annual Exceedance Probability
DCC	Dunedin City Council
Ev	Electric vehicle
Ebike	Electric bike
GR2	General Residential 2 Zone
HETZ	Harbourside Edge Transition Overlay Zone
ICMA	Infrastructure Constraint Mapped Area
IndTZ	Industrial Transition Overlay Zone
NC	Non-complying
NDMA	New Development Mapped Area
NES	National Environmental Standard
NPS-UD	National Policy Statement on Urban Development 2020
NWRA	No DCC Reticulated Wastewater Mapped Area
P	Permitted
Plan	Second Generation Dunedin City District Plan
Rec	Recreation Zone
RC	Rural Centre Zone
RD	Restricted Discretionary
RMA	Resource Management Act 1991
RTZ	Residential Transition Overlay Zone
SNL	Significant Natural Landscape Overlay Zone
VA	Visitor Accommodation
WCMA	Wastewater Constraint Mapped Area

1 INTRODUCTION

1. The Resource Management Act (RMA) sets out a process whereby 'further submissions' can be made for plan change or plan variation processes.

2. A further submission can only be made in support of, or opposition to, a point raised in another person's original submission. Therefore, it cannot seek an entirely new change (not covered in an original submission) but can suggest a modification to a change proposed through an original submission.

3. There may be more than one submitter who has submitted on a particular provision/ rezoning area that you are concerned with. You can choose to make a further submission on all or only some of these submissions. You do not need to, and there is no benefit from, making further submissions to repeat any decisions requested or reasons that you have already made in an original submission.

4. The RMA limits who can make further submissions to:

    a. any person representing a relevant aspect of the public interest

    b. any person that has an interest in Variation 2 greater than the interest that the general public has (for example someone who may be directly affected by a change proposed in an original submission)

    c. the local authority (Dunedin City Council).

5. You do not have to have made an original submission to participate.

6. The Resource Management Act prescribes a 10 working day period for making further submissions from the day of notification. **The period for further submissions on Variation 2 is from Wednesday 2 June (the date of the public notice) to Thursday, 17 June 2021.**

7. To assist the further submission process, Clause 7 of Schedule 1 of the Resource Management Act (RMA) requires the Dunedin City Council (DCC) to prepare a summary of decisions requested through submissions on Variation 2 (Additional Housing Capacity) to the proposed Second Generation Dunedin City District Plan (2GP).

8. This summary of decisions requested concisely summarises the decisions requested in the original submissions on Variation to the 2GP, for which the submission period closed on 4 March 2021. The summaries included in this report are not the full or exact content of submissions and do not include reasons for the request or other supporting material included in the submission. It is prepared to facilitate the further submission process, which is set out in Schedule 1 of the RMA.

9. Before making a further submission, you are encouraged to read the original submission to fully understand the issues raised by the submitter. Copies of all submissions can be viewed online (including at DCC public libraries) or in hard copy form at the Mosgiel and Dunedin City public libraries. See section 2.4 below for more detail regarding viewing the original submissions and the Variation 2 website for details of the further submission process at www.dunedin.govt.nz/2GP-variation-2.

10. It should be noted that, pursuant to the direction of the Hearing Panel on 31 May 2021, parts of some submissions have been 'struck out' in accordance with Section 41D of the RMA as they are outside the scope of Variation 2 changes. Further submissions cannot be made on parts of submissions that have been struck out. The parts of submissions that have been struck out have been highlighted in yellow within each submission file. More detail on submission points that have been struck out is provided in section 2.4.1 below.

2 SUMMARY OF DECISIONS REQUESTED REPORT OVERVIEW

11. The summary of decisions requested has been prepared in two formats:

    a. ordered by submitter name (alphabetical order by first name) – see Appendix A; and

    b. ordered by change group (14 change groups based on the section headers used in the Section 32 Report, each including a selection of changes with 'Change IDs') – see Appendix B.

12. Appendix C contains a list of all the original submitter contact details for the service of further submissions. It is the responsibility of all people making a further submission to serve a copy of the further submission on the person who made the original submission no later than five working days after lodging the further submission with the DCC. The 'address for service' is the address to which these copies should be sent. Where both an email and postal address are provided, the copy can be sent via either method.

2.1 Format of the Decisions Requested by Change Group

13. Appendix B orders the submission points by the headers that grouped together the Change IDs in the Section 32 Report ('change groups'). Each change group includes the proposed changes and alternatives considered but rejected, as set out in the table below.

14. Note that some Change IDs appear multiple times – once for specific submissions on the Change ID and affected provisions, and again where Change IDs have been grouped to cover broad submission points on certain types of changes. Please be aware of this when selecting the submissions you wish to further submit on.

CHANGE GROUP	CHANGE IDs INCLUDED IN THIS CHANGE GROUP
1. Changes to minimum site size, density & family flats standards	• Change A1 (Family flat provisions) • Alternative A1-Alt1 (Controls for design of family flats/ancillary residential units) • Change A2 (Duplexes and two units in a single building) • Alternative A2-Alt1 (Two standalone residential units per site) • Alternative A2-Alt2 (Habitable room approach to density) • Alternative A2-Alt3 (Controls for infill housing enabled by Change A2 & Change A3) • Change A3 (Minimum site size and minimum site area) • Change B1 (Minimum site size averaging) • Change B3 (Density and units on existing sites of any size) • Change B4 (Counting of access legs towards minimum site area and minimum site size)

CHANGE GROUP	CHANGE IDs INCLUDED IN THIS CHANGE GROUP
	• Change B6 (Exemptions to minimum site size for existing development) • Change E9 (Clarification of density performance standard activity status for Rule 15.5.2.4) The following groups of Change IDs: • General intensification (Rules) – Changes A2, A3, B1, B3, B4, B6 & E9 • All Change A2 Alternatives (Alternatives A2-Alts1, 2 and 3)
2. Changes to policy on residential character	• Change B5 (Removal of policy link between management of density for character and amenity)
3. Changes for social housing	• Change C1 (Better provide for social housing)
4. Changes for subdivision of large greenfield areas	• Change D1 (Broad changes linked to NDMA provisions) • Alternative D1-Alt1 (Performance standards in NDMAs) • Alternative D1-Alt2 (Assessment rules for subdivision in all areas) • Change D4 (Provision of social and recreational spaces in large greenfield subdivisions) • Change D5 (Solar access in large greenfield subdivisions) • Change D6 (Protection of natural and environmental values in large greenfield subdivisions) • Change D7 (Providing for amenity planting and public amenities in large greenfield subdivisions) • Change D8 (Providing for efficient use of land in large greenfield subdivisions) • Change E5 (Strategic direction policies related to structure plans) • Changes NDMA02-15 (Mapping NDMA over selected existing greenfield residential areas) The following groups of Change IDs: • NDMAs on existing RTZ land (Changes NDMA04, 06-10, 12-15) • NDMAs on existing residential land (Changes NDMA02, 03 and 05)
5. Changes for transportation connections in subdivisions	• Change D2 (Transportation connections in subdivisions)
6. Other changes	• Change E1 (Residential zone descriptions) • Change E2 (Clarify the RTZ, HETZ and IndTZ provisions) • Change E3 (Correct errors in RTZ, HETZ and IndTZ assessment rules) • Change E4 (Correct duplication between Objective 2.2.2 and Objective 2.2.5 and related policies) • Change E6 (Policy on the application of overlays at the time of plan changes to rezone land) • Change E7 (Long stay areas for people living in transportable homes)

CHANGE GROUP	CHANGE IDs INCLUDED IN THIS CHANGE GROUP
	• Change E10 (Corrections to assessment of structure plan standards)
7. General changes to 3 waters provisions	• Change F1-2 (Review of 3 waters Policy 9.2.1.1, Policy 9.2.1.4 and Policy 9.2.1.6) • Change F2-6 (Provision of 3 waters connections to adjacent land) • Alternative F2-6-Alt1 (Provision of 3 waters connections to adjacent land for all subdivision) • Change F5 (3 waters management for visitor accommodation)
8. Stormwater package	• Change F2-1 (Performance standard for connections to stormwater) • Change F2-2 (Add rules for stormwater management in large greenfield areas) • Change F2-3 (Rules for residential stormwater management other than in large greenfield areas) • Change F2-5 (Impermeable surfaces permitted baseline) • Change F2-7 (Stormwater constraint mapped area method) • Alternative F2-Alt1 (Impermeable surfaces standard) • Alternative F2-Alt2 (Performance standard for on-site stormwater detention) The following groups of Change IDs: • Change F2-2 and Change F2-3 (Rule 9.9.X Stormwater Management Plans)
9. Wastewater package	• Change F3-2 (Wastewater detention in selected large greenfield areas) • Change F3-4 (Health and safety effects from wastewater)
10. Minor 3 waters changes	• Change E8 (Policy 2.7.1.2.a on structure plans) • Change F1-1 (Rule 9.3.7 Service Connections layout) • Change F1-3 (Policy 9.2.1.3 on service connections) • Change F1-4 (Policy 2.2.4.5 on where connections to public infrastructure networks are allowed) • Change F1-5 (Rule 9.3.3 Firefighting) • Change F1-6 (Policy 2.2.5.2 on on-site stormwater and wastewater management) • Change F1-7 (Policy 2.7.1.2.b on Development Contributions Policy and requirements for developers to pay for infrastructure • Change F1-8 (Policy 2.7.1.2.c on consideration of the long-term costs to the DCC of new infrastructure) • Change F2-4 (Stormwater methods outside the Plan) • Change F3-1 (Location of available public wastewater infrastructure) • Changes NWRA1-7 (Application of the no DCC reticulated wastewater mapped area to selected areas) • Change F3-3 (Renaming the ICMA - infrastructure constraint mapped area) • Change F4-1 (Reference to the DCC Water Bylaw) • Changes WCMA1-4 (Correct errors in ICMA mapping) The following groups of Change IDs: • Change F1-6 and Change F2-2 (Policy 2.2.5.2)

CHANGE GROUP	CHANGE IDs INCLUDED IN THIS CHANGE GROUP
11. Changes to triggers for adding housing capacity	• Change H1 (Capacity and demand criteria in Policy 2.6.2.1.a) • Change H2 (Housing capacity release trigger for residential transition overlay zone land)
12. Rejected change (notification rules)	• Change RC1 (Notification rules)
13. Assessment of sites for rezoning to residential	• Changes GF01-17, GF02a, GF05a, GF11a (Rezoning of selected greenfield sites to a residential zone with minor extensions requested indicated by the addition of the suffix 'a') • Changes IN01-13, IN02a, IN08a, IN13a (Rezoning of selected General Residential 1 zoned areas to General Residential 2 zone with minor extensions requested indicated by the addition of the suffix 'a') • Changes RTZ1-3 (Rezoning of selected Residential Transition Overlay Zones (RTZ) to a residential zone and removal of the RTZ) • Rejected Sites RSxxx (Selected sites listed in Appendix 4 of the Section 32 Report that were assessed for residential rezoning but rejected) The following groups of Change IDs: • General intensification – GR2 rezoning (Changes IN01-13 and RTZ1-2) • General intensification – Greenfield (Changes GF01-17 and RTZ1-3) • Intensified residential land subject to NDMAs or new infrastructure controls (Changes IN01-13 and RTZ1, RTZ2) • NDMAs on new residential land (Changes GF01-08; GF10-16)
14. Miscellaneous	• Miscellaneous • All of Variation 2 The following groups of Change IDs: • All 3 Waters changes • Proposed infrastructure controls for all new development and subdivision activities except for new greenfield land (Changes E3, F1-2, F1-5, F2-2, F2-3, F2-5, F2-6, F3-1, F3-2) • Proposed infrastructure controls for all new development and subdivision activities (Changes E3, F1-2, F1-5, F2-2, F2-3, F2-5, F2-6, F2-7, F3-1, F3-2, NWRA1-7, WCMA2-4) • All NDMA changes (Changes D1, D4-8, E5, F2-2, F3-2, GF01-08, 10-2, 14-16, NDMA2-15 & RTZ1 and RTZ 2)

2.2 Layout of the Summary of Decisions Requested Tables

15. The layout of the summary of decisions requested tables is shown below.

Submission point	Submitter Name	Change ID	Support / oppose	Decision requested
S47.001	Adam Binns	IN03	Accept the change	Retain Change IN03 (rezoning from General Residential 1 zone to General Residential 2 zone at Green Island, and associated changes) as it relates to 6 Kirkland Street and 19A Church Street, Green Island.
S5.001	Ajimon Jose	IN01	Accept the change	Retain Change IN01 (rezoning from General Residential 1 zone to General Residential 2 zone at part of Mosgiel, and associated changes).
S302.001	Alan David and	RS014	Add a change	Rezone 55 McMeakin Road (part of Rejected Site RS14) from Rural Hill Slopes zone to General Residential 1 zone

16. The following paragraphs provide explanation of each column in the summary of decisions requested tables.

17. Submission point column

    a. The submission point is the unique number allocated to each decision requested that will be considered in the Variation 2 process (e.g. 'S1.001'). It is made up of the submitter ID number (e.g. 'S1') and the submission point number (e.g. '.001').

    b. If you wish to make a further submission supporting or opposing any decisions requested, please include the submission point number in your further submission; a space is provided for this on the further submission form.

    c. As far as possible, the submission point numbers allocated to each submitter are sequential. However, sometimes this is not the case as a result of points being added or deleted during the quality assurance process, or due to points being struck out in accordance with the direction of the Hearing Panel (see section 2.4.1 below for further details).

18. Submitter name column

    a. This column contains the name(s) of the individual(s) or organisation that made the submission, or the name the submission was made on behalf of. For submissions made by agents, the agent details are provided in the 'Original submitter details for service of further submissions' table (see Appendix C).

19. Change ID column

    a. Variation 2 includes a suite of proposed changes, for a range of purposes. Each change or rezoning site has been given a unique Change ID (for example 'Change A1'). A Change ID may affect multiple provisions.

    b. As well as Change IDs, rezoning sites that were assessed but rejected have a Rejected Site number (for example 'Rejected Site RS014'). Furthermore, alternative options for the drafting of rules and provisions that were assessed but rejected have Alternative IDs (for example 'Alternative A1-Alt1').

    c. A summary of the purpose of each proposed change, the nature of the change and the provisions that are amended through the proposal is available in the Summary of Changes document on the Variation 2 website www.dunedin.govt.nz/2GP-variation-2.

20. Support/oppose column

    a. Details whether the submitter supports or opposes the plan provision/topic. In some cases, submitters may be seeking amendments to the proposal and this is indicated in this column.

21. Decision requested column

    a. This is a concise summary of the decision requested by the submitter. It is not the full or exact content of the submission.

b. In some instances, where a submission has not made the decision requested clear, staff have had to infer what decision the submitter is requesting. Where this has happened the statement 'inferred not stated' follows the text.

2.3 Principles used in summarising the original submissions

22. Standardised wording has been used to make it easier for the reader to identify submissions of interest. For example: 'remove rule X', 'amend rule Y to read', or 'retain Change GF00 (rezoning from Rural Hill Slopes zone to General Residential 1 zone at 00 Address Street, and associated changes)'.

23. While we have attempted to avoid the use of abbreviations in the summaries, some that may appear have been listed in the List of Abbreviations at the front of this report.

24. Submissions in opposition and submissions asking for amendments are very similar as they are both submissions asking for changes to Variation 2. There was a large degree of variation in how submitters chose between these options and in general these should be interpreted as being more or less interchangeable. Where submissions did not clearly indicate an option, or it appeared that the incorrect option had been chosen, staff chose the option which seemed most appropriate based on the content of the submission.

25. Where a submission requested amendments to the content of a Plan provision, this has generally been identified with strikethrough (~~abc~~) for deleted text, and <u>underlining</u> or **bolding** for inserted text, or by preceding the requested change with 'amend'. In some cases, the submissions were not clear about the decisions being requested. Where inferences have needed to be made these have been identified usually using the phrase 'inferred not stated'.

26. Generally, the summary of the decision requested does not include a description of the consequential amendments that would result from making the change requested, except where they were discussed explicitly in submissions. The Hearing Panel can consider and make any necessary consequential changes when making its decision on submissions whether or not this is stated in the summary of decision requested.

27. Where a submission has been made against the wrong part of the Plan (for example, a misunderstanding about where the relevant provision sits in the Plan, or the relevant Change ID), the submission point has been coded to the correct provision or Change ID, so that all submissions relating to a particular matter can be considered together.

28. **Note:** While due care and attention has been given to making the Summary of Decisions Requested as accurate and useful as possible, a summary by nature will always involve a degree of individual judgement in deciding how to best summarise and categorise what is being written, and/or interpret information in submissions that was not clearly presented. In all cases, people making further submissions should refer to the original submission before forming a view on the content of the submission.

2.4 Original Submissions

29. Copies of the original submissions can be viewed at www.dunedin.govt.nz/2GP-variation-2 or in hard copy at the Dunedin Central and Mosgiel libraries.

30. All other DCC libraries have computer facilities where the original submissions can be viewed online.

2.4.1 Parts of some original submissions have been struck out

31. It should be noted that, pursuant to the direction of the Hearing Panel on 31 May 2021, parts of some submissions have been 'struck out' in accordance with Section 41D of the RMA. This was because the Panel considered these submission points to not be on the subject matter covered in the variation (i.e. the submission point was outside the scope of Variation 2). As further submissions cannot be made on parts of submissions that have been struck out, summaries of these parts of submissions have not been included in this report.

32. To assist the further submission process, the parts of original submissions that have been struck out and that cannot be further submitted on have been highlighted in yellow within each submission file. This should be viewed in conjunction with the summary of decisions requested for the relevant submitter.

33. Please note that some submissions include images of proposed drafting copied from the Eplan. This includes a yellow-green background and is not intended to indicate that these parts of the submissions have been struck out.

34. Please also note that there may be some submission points remaining where the decision requested includes aspects which are not within the scope of changes being considered in Variation 2, and such aspects may yet be struck out by the Hearing Panel.

35. For more information about the direction to strike out all or parts of submissions, please see the direction from the Hearing Panel on the Variation 2 website at www.dunedin.govt.nz/2GP-variation-2.