

VARIATION 2 – HEARING 4

Preliminary Questions from the Hearing Panel for Reporting Officer

As foreshadowed in the e-mail from the Governance Support Officer (Ms Lapham) on 2 September 2021, the Hearing Panel members have a number of questions for the Reporting Officer.

These questions relate to the first introductory part of the section 42A Report including on Broad Submissions.

We will be satisfied with these questions being addressed by the reporting officer team at the commencement of the hearing or later in the hearing as appropriate.

Please note these are initial questions and the Panel members may have further questions at the hearing.

S42A Report reference	Question
2.1 Background	Please confirm our understanding that the Enabling Housing Supply Amendment Act and the Medium Density Residential Standards apply in Tier 1 Urban Environments. Dunedin is a Tier 2 Urban Environment, so we don't need to consider impact from these.
2.1.1 Sect 32AA evaluations	Does the s42A report contain any recommended amendments where a s32AA evaluation has been applied. If not please provide the Panel with the statutory requirements that we should apply to any changes the Panel makes in its decisions.
2.2.1 Housing Capacity Assessments	How does slope impact on development yields and feasibility by reducing them in the short term but increasing them in the long term?
4.2 Rural character and visual amenity Para 33	It is stated that <i>"in general relatively little weight has been placed on meeting this objective (Objective 2.4.6) in terms of supporting rezoning of new sites"</i> . If that is the case, is there a flaw in Policy 2.6.2.1, i.e. we are being asked to broadly place little weight on a key objective that the policy refers to when assessing all new sites for residential rezoning. Or is the recommendation to assess the rezoning sites in a holistic way taking account of all relevant objectives?
Para 37	We presume the issue of scope to remove small areas of SNL is addressed in the report, for each site as relevant?
4.4 Urban Design Controls Para 41	We understand the report to be saying that where a site is being changed from Rural to Residential there may be an expectation for an even higher standard of design control than is provided by way of standard Residential Zone controls, i.e. the land may border onto Rural Zoned land with a consequentially higher need to maintain rural character in that surrounding area (i.e. a buffer area). In some instances the controls will not be sufficient, and rezoning may not be appropriate. Is that correct?

S42A Report reference	Question
4.6 Highly Productive Land Para 50 Para 51	<i>"Sites and areas smaller than 4ha were considered to contribute no or minimal productive potential"</i> Is there not a danger that excluding such sites and areas of land will have cumulative effects on the overall ability for adjacent areas to remain highly productive? If we place weight on the land assessed for rezoning as comprising only 1% of the highly productive land in Dunedin, by that logic would we not simply accept that all of the rezoning requests will have no significant effect on the supply of such land?
4.10 Carbon Emissions Para 65	Philosophically, can you please comment on whether this is a 'chicken and egg' situation? That is, will public transport routes and centres be developed in response to cater for areas of new growth even if they are not currently well connected or located, so that these areas then become more sustainable in terms of carbon emissions? Re: para 65, has the data on carbon emissions in this section been actively factored into the assessments that follow?
5.5.1 Vegetation Clearance rules Page 26	Was there a reason why clearance of vegetation rules related only to indigenous, and not to all vegetation, or was this simply an error. Why are the submission and recommendation limited to GF08, GF10 and RTZ2?
5.1.4 NDMA and associated Infrastructure controls Page 37	The Panel has requested (Minute 12) that the reporting officers provide legal submissions to support the recommendations on DCC's submission S187.017. We are concerned at issues of scope, vires and natural justice to accept the recommendation for new development mapped area (NDMA) be applied to any greenfield zoning site that has been added to the 2GP since notification of Variation 2 through the resolution of rezoning appeals, as well as to any (as yet unidentified) additional sites added at the hearing. In point 2, please clarify the roles of NDMA's and Structure Plans. Can Structure Plans include appropriate stormwater management provisions and not be NDMA's or are they necessarily mutually exclusive?
5.1.5 3 Waters Infrastructure	Please clarify what is the recommendation for ORC's submission, and is Mr Grindlay's submission to be 'accepted in part'?
5.1.6 Public Transport and roading network Page 41, second paragraph	What point has the measurement been generally taken from, is it a central point? Can you please comment here as well on the 'chicken and egg' issue, i.e. what comes first PT routes or development followed by PT?
5.1.7 High Class Soils	It is stated that these are 'generally interpreted' as land with a Land Use Capability Class of 1 – 3. Please clarify where the interpretation may have been based on any other factors. Does it call for a site by site assessment?
5.1.9 Green Space Page 44	Other than those controls in GR1 Zone (min site size, 1 dwelling per site) what other controls are in 2GP to retain open and green space. Is minimum site coverage also relevant?

S42A Report reference	Question
5.1.10 Miscellaneous Page 45	Can you please comment on the DCC submission being potentially too vague to be a valid submission? Does the panel have authority to make detailed as yet unspecified changes to the plan provisions? Re: ORC's further submission, is it a valid further submission as it requests a specific relief? Is a decision required here, or should our decision be made only with respect to any ORC's submissions on (GF01, RS160, RS220).
Planning questions to arise from Biodiversity Evidence	Please comment on what planning controls are available/valid to: • limit/prohibit the keeping of domestic pets in new GF sites/areas; • require areas of new plantings of indigenous trees/corridors; • protect existing indigenous vegetation on sites that is not already protected; • require special management of stormwater?
General planning questions on Landscape Evidence	Can all of the recommendations with respect to e.g. Linking remnant native vegetation areas, reflectivity, landscape viewshafts etc be accommodated in rules for the new zoned areas or Structure Plans?

11 August 2022