

**Before a Panel Appointed by the
Dunedin City Council**

In the Matter of the Resource Management Act 1991 (**RMA**)

And

In the Matter of Proposed Variation 2 of the Second Generation
Dunedin District Plan – Appeals Version (**2GP**)

**Brief of Evidence of Emma Rayner Peters
on behalf of Ed Stewardson
(Submission 223 – GF02)**

Dated 5th August 2022

Background

1. My name is Emma Rayner Peters. I hold a BA and LLB both from the University of Otago and a First Class Honours degree and MA with Distinction, both from the University of Canterbury. I have worked as a solicitor in the areas of commercial and environmental law. I have been the principal of Sweep Consultancy Limited since 2003 providing resource management advice predominantly in the Dunedin City, Clutha, Waitaki, Queenstown Lakes and Central Otago districts.
2. I have prepared this evidence based upon my investigations and knowledge of the submissions and Variation 2 of the Dunedin City Second Generation District Plan Appeals Version including Council's s42a report and evidence from Council staff.
3. I acknowledge we are not before the Environment Court. However, I have read the Code of Conduct for Expert Witnesses within the Environment Court Consolidated Practice Note 2014 and I agree to comply with that Code. This evidence is within my area of expertise, except where I state that I am relying on the evidence of another person. To the best of my knowledge, I have not omitted to consider any material facts known to me that might alter or detract from the opinions expressed in this evidence.

Notificaton of Variation 2

4. GFO2 which contains land located at at 201, 207, and 211 Gladstone Road South was notified as being rezoned from *Rural – Taieri Plain* to *General Residential 1* pursuant to Variation 2 of the 2GP – see Figure 1 below. GF02 contains approximately 3.2 hectares.



Figure 1: GF02¹.

¹ Source: s32 Report, Appendix 6.2.

Submission 223

5. A submission was made on behalf of Ed Stewardson in support of change area GF02 located at 201, 207, and 211 Gladstone Road South being rezoned from *Rural – Taieri Plain* to *General Residential 1*². Mr Stewardson owns 201 Gladstone Road South.

S42a Report

6. The reporting planner recommends in the s42a report at page 78 that:
“Considering all the matters discussed above, in my opinion rezoning GF02 is generally consistent with the criteria specified in Policy 2.6.2.1 of the 2GP. While there are a number of infrastructure upgrades required, these are considered to be manageable. Overall, I recommend that GF02 be rezoned to General Residential 1.”
7. The s42a details the submissions and further submissions and canvasses these in relation to topics discussed.

Comments from Submitter

8. The submitter supports the recommendation made by the s42a reporting planner. In the interests of completeness, the submitter makes comment on the following items.

Height of Dwellings

9. The submitter supports the reporting planner's recommendation at page 73 that:
“While I acknowledge that there will be some impacts to surrounding residents, I do not recommend limiting dwellings to a single storey. I consider that the existing 2GP performance standards regarding height and boundary setback would appropriately act to minimise loss of sunlight, privacy, and views for existing properties. I do not consider that limiting dwelling height to single storey is appropriate in this situation.”

New Development Mapped Area & Subdivision Performance Standards

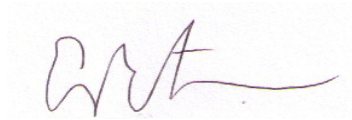
10. The reporting planner recommends applying a 'New Development Mapped Area' to GF02. Performance standards attaching to NDMA's and pursuant to subdivision will ensure that detailed assessment and design with respect to items such as the transportation network, stormwater management, amenity plantings

2 Original submission 223.

and community spaces form part of the subdivision design and consent process.

11. The reporting planner and Council experts are correct in their findings that these matters are best dealt with at the time of subdivision and do not present an obstacle for rezoning GF02, including the submitter's property, *General Residential 1*.

Dated this 5th day of August 2022

A handwritten signature in purple ink, appearing to read 'ERT', with a long horizontal flourish extending to the right.

Emma Rayner Peters (BA (First Class Honours), MA (Distinction), LLB)