

**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 Roger & Janine Southby
(Submission 191 – Requested Site 212)

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 submission, further submissions and Variation 2 of the Dunedin City Second Generation District Plan Appeals Version including Council's s32 report, 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.

Submission:

4. A submission was made on behalf of Roger and Janine Southby to rezone land they own located at 170 Riccarton Road West from *Rural – Taieri Plain* to a residential zone pursuant to a structure plan¹. Three structure plans in the alternative were included with the submission – one each for *General Residential 1*, *Low Density Residential* and *Large Lot Residential 1*. Copy of the structure plans are appended at Appendix 1a – c respectively. RS 195 contains approximately 8.3 hectares. Council identifies the site as RS 212.

Further Submissions:

5. Four further submissions were received on submission 191, one in support, three opposing. The further submissions received are:
 - Clive and Linda Wallis on behalf of Daisy Link supports the rezoning but wanted to ensure that the proposed rezoning is subject to appropriate stormwater requirements so that any infrastructure design does not

1 Original submission 191.

adversely effect the stormwater network's ability to also receive stormwater from residential development at 58 Ayr Street (rezoned via 2GP appeal ENV-2018-CHC-266).

- Otago Regional Council (FS184) opposes the rezoning on the basis of natural hazard risk, stormwater and wastewater management and loss of high class soils).
- Allen Blackie (FS11) opposes the rezoning on the basis of reverse sensitivity effects on his existing farming activities undertaken on his property at 114 Riccarton Road West.
- Denise Snell (FS77) opposes the rezoning on the basis of increased traffic on Bush Road causing an increased safety risk particularly with respect to intersection with Riccarton Road West; lack of pedestrian access along Bush Road to existing footpath within Mosgiel; loss rural character and amenity; impact on native birds; adequacy of existing infrastructure to supply development.

S42a Report:

6. The reporting planner recommends: *"...I consider that rezoning the site to residential has multiple clear conflicts with Policy 2.6.2.1 and that the site is presently unsuitable for residential rezoning. I therefore, recommend that the site remain zoned as Rural Taieri Plain."*²

Policy 2.6.2.1

7. Objective 2.6.2 Adequate Urban Land Supply states: *"Dunedin provides sufficient, feasible, development capacity (as intensification opportunities and zoned urban land) in the most appropriate locations to at least meet demand over the medium term (up to 10 years), while sustainably managing urban expansion in a way that maintains a compact city with resilient townships as outlined in Objective 2.2.4 and policies 2.2.4.1 to 2.2.4.3."*
8. Policy 2.6.2.1 provides the criteria by which the district plan envisages land will be selected for residential rezoning. The criteria include³:
 - necessary to provide at least sufficient housing capacity to meet short and medium term demand;

² S42a Report page 334.

³ See Appendix 2 for a copy of Policy 2.6.2.1.

- no pressure on unfunded public infrastructure upgrades;
- area is suitable for rezoning with respect to specified factors;
- the zoning sought is the most suitable with respect to specified factors;
- biodiversity effects;
- effects on outstanding and significant landscapes;
- effects on natural character of coastal environment;
- access to coasts, rivers and the like;
- effects on residents' and visitors' aesthetic appreciation and enjoyment of the City with respect to specified factors;
- risk from natural hazards;
- effect on the efficiency and effectiveness of public infrastructure;
- effects on a multi-modal transport network;
- Dunedin remains a compact and accessible City with resilient townships.

Council's Assessment of the Site Pursuant to Policy 2.6.2.1.

9. In Appendix 4 to the s32 report Council states: *"The following table lists sites that were assessed for rezoning but are not being proposed for rezoning in Variation 2. These sites were rejected as they do not meet (or there is insufficient information to be confident that they would be likely to meet) relevant policy assessment criteria. Having identified that a site was unsuitable for any reason, no further assessment was undertaken. Therefore, the list of reasons for rejection included in Appendix 4 is not necessarily complete, as a full assessment against all policy criteria may not have been undertaken."*

10. In relation to RS 212 the table includes the following information:

Location	Map number	Current Zone	Requested Zone	Size (ha)	Reasons for rejection
170 Riccarton Road West		Rural	LLR	8.35	The site is considered unsuitable due to its disconnection from existing residential areas.

11. Appendix C *Site Criteria Assessment* to the s42a report does not include any further assessment of RS 212 with respect to Policy 2.6.2.1. However, an assessment has been made on behalf of the submitter based on Appendix 5 Site Criteria Table to the s42 a Report and is appended at Appendix 3.

Assessment of Site Pursuant to Policy 2.6.2.1

12. An assessment of RS 212 against the criteria set out in Policy 2.6.2.1 is undertaken below.

Short and Medium Term Demand in Dunedin

13. Policy 2.6.2.1.a states: “...rezoning is necessary to ensure provision of at least sufficient housing capacity to meet expected demand over the short and medium term...”.
14. The s42a report includes an update of the Housing Capacity Assessment. That purports to show a supposed surplus of zoned capacity for 1,280 dwellings in the short term (2022 – 2025) and a 350 dwellings in the medium term (2022 – 2032). However, it appears that these figures do not take into account the impact of the Panel's decision that pre-1940s buildings required some level of protection and resource consent is now required to demolish buildings built prior to 1 January 1940 in the *General Residential 1* and *Township and Settlement* (with Council reticulated wastewater) zones as well as in *Variation 2 Mapped Areas*⁴.
15. This rule will operate so that at least some of pre 1940's buildings will now have to be retained meaning that the number of dwellings resulting from infill development in these zones and mapped areas will now not be as high as originally anticipated in the Housing Capacity Assessment.
16. It became apparent during 2GP mediation that there were issues in the modelling producing the Housing Capacity Assessment data. A finer grained analysis of the land with moderate to high zoned capacity (that is, zoned capacity for 6 or more residential units) showed that there were issues with the modelled zoned capacity including things such as historic rubbish tips, slopes of more than 25 degrees, insufficient lot size on slope terrain, access, encumbrances and the like.
17. Despite repeated requests by Sweep Consultancy Limited (to Council and to the Panel) and by Property Economics (to Council) Council has not released the zoned capacity data for double checking by professionals engaged by submitters. This raises real issues of natural justice particularly if the Panel places weight on the Housing Capacity Assessment Report in any decisions not to rezone requested sites residential.
18. There is also an accepted difference between 'zoned capacity' which is what the Housing Capacity Assessment Report assesses and 'market availability' of that zoned capacity. Seeking a residential rezone of your land is a clear indication that such landowners intend to make the zoned capacity resulting from such a rezone available to the market.

⁴ This part of the Panel's decision has been appealed by Paterson Pitts Limited Partnership – see *ENV-2022-CHC-035*.

19. Mr Russell Lundy, Area Manager for Property Brokers, states that: *"My experience in these projects and the interaction with 100's of purchasers and potential purchasers informs that there is an ongoing and unsatisfied market for flat smaller to medium sized residential sections in the greater Mosgiel area."*⁵
20. The reporting planner states⁶: *"Despite a projected sufficiency of supply in the short and long term, the decisions on Variation 2 to date do not enable any additional greenfield zoning. Providing for greenfield development opportunities provides choice for Dunedin's residents, in terms of type, price and location of households. Sufficient projected capacity should not be a reason not to rezone any new greenfield land. However, in my view, there is not a pressing demand for additional development capacity that could be used to justify zoning greenfield land that is not well aligned with the objectives and policies of the 2GP."*
21. This criteria is met. There is a clear demand for more residential zoned capacity to be made available to the market in this locale.

Public Infrastructure and Multi-Modal Land Transport Network

22. Policy 2.6.2.1.b states: *"...rezoning is unlikely to lead to pressure for unfunded public infrastructure upgrades, unless either an agreement between the infrastructure provider and the developer on the method, timing, and funding of any necessary public infrastructure provision is in place, or a Residential Transition overlay zone is applied and a future agreement is considered feasible..."* and Policy 2.6.2.1.d.ix states: *"...public infrastructure networks operate efficiently and effectively and have the least possible long term cost burden on the public (Objective 2.7.1)..."* and Policy 2.6.2.1.d.x states: *"...the multi-modal land transport network, including connections between land, air and sea transport networks, operates safely and efficiently (Objective 2.7.2)..."*
23. The s42a report states at page 334: *"...rezoning the site would result in inefficient and ineffective public infrastructure through needing to extend servicing significantly to reach the site. For this reason, I consider rezoning this site to residential to have a clear conflict with Policy 2.6.2.1.d.ix."*
24. The issues of effects on 3 waters infrastructure and traffic effects with respect to both Bush Road and Riccarton Road West were raised in further submissions.
25. No assessment by 3 waters of RS 212 has been included in Appendix D.5 to the

⁵ See letter from Mr Lundy appended at Appendix 5.

⁶ S42a Report, paragraph 23.

s42a report.

26. If RS 212 is zoned *Large Lot Residential 1*, then the dwellings can be self-served with respect to both potable and wastewater. RS 212 is within a *Groundwater Protection Mapped Area* being *Zone B Lower Taieri Aquifer* and consent will likely be required for dwellings to disperse treated wastewater to land.
27. Rezoning *General Residential 1* or *Low Density Residential* requires the provision of reticulated potable and wastewater services. There are two existing connections to the potable water supply, being a 25mm pipe, within the boundary of RS 212 as shown in Figure 1a. There is a 150mm wastewater pipe within Bush Road approximately 330m from the boundary of RS 212 as shown in Figure 1b below. The Carlyle Street Wastewater Treatment Plant is situated essentially only a block away from RS 212 as shown in Figure 1c.
28. The developer would pay for the extension of the wastewater services to RS 212 if it is rezoned *General Residential 1* or *Low Density Residential*.

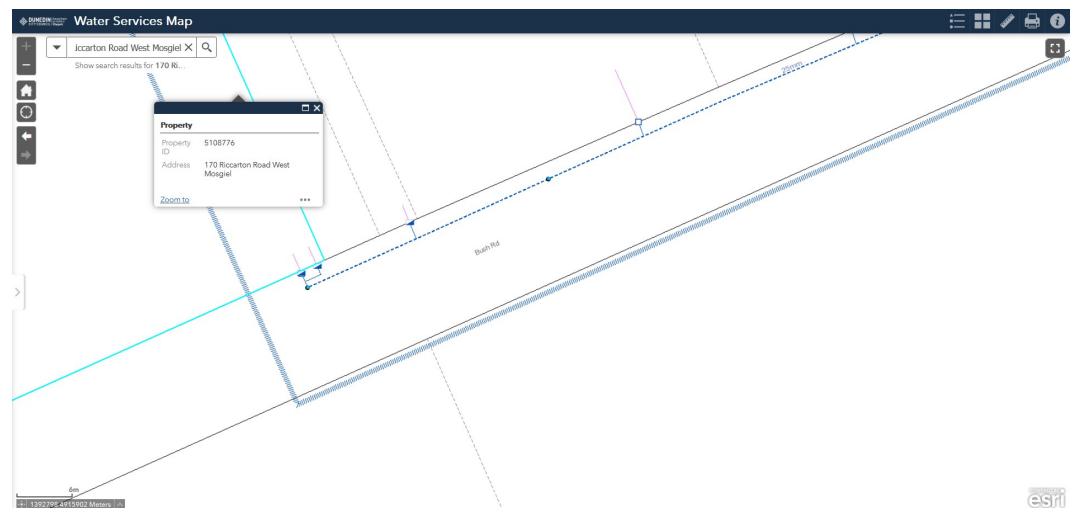


Figure 1a: Two Existing Connections to Potable Water Supply within RS 212.

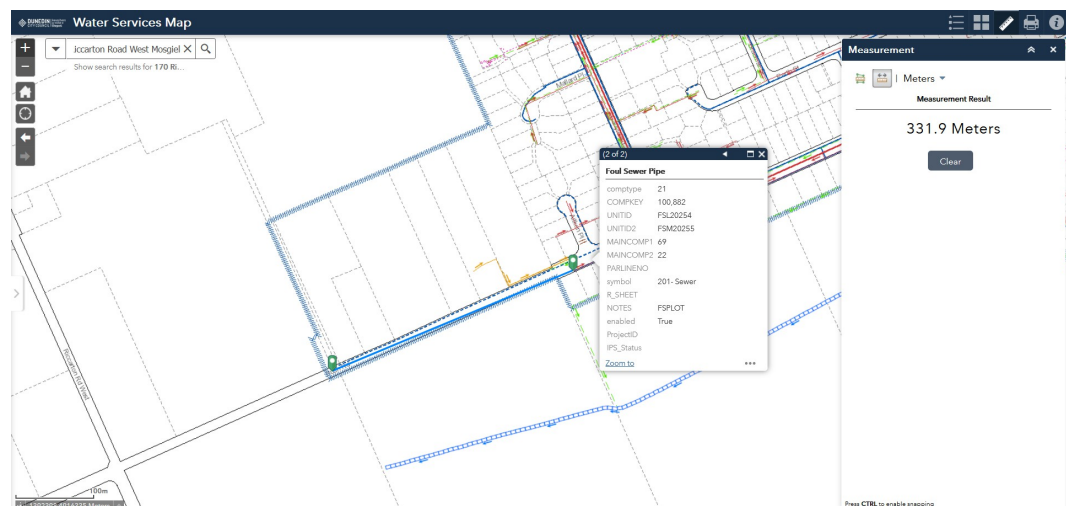


Figure 1b: Distance from Boundary of RS 212 to Existing 150mm Wastewater Pipe in Bush Road.

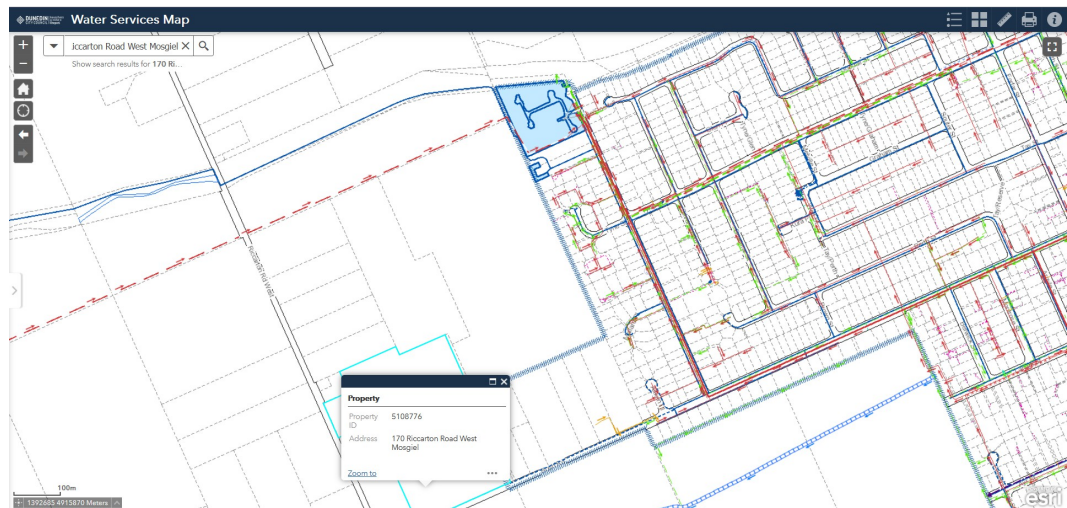


Figure 1c: Proximity of RS 212 to Carlyle Street Treatment Plant.

29. A certain volume of stormwater will need to be attenuated. The structure plans for the different residential zonings all allocate areas for stormwater attenuation. It is anticipated that performance standard attached to the structure plan will require a storm water management plan to be provided at the time of subdivision.
30. The structure plans all show access from/to Riccarton Road West and Bush Road. Riccarton Road West is classified as an *Arterial Road*⁷ in the district plan roading hierarchy whilst Bush Road is classified as a *Collector Road*. Given the classification of both, these roads are capable of absorbing the additional traffic volume resulting from the development of RS 212.
31. It is anticipated that a performance standard attaching to the structure plan will require that an Integrated Traffic Assessment is prepared for RS 212 prior to any subdivision. The roads within RS 212 and any transport infrastructure upgrades required as a result of the Integrated Traffic Assessment, for example pedestrian access along Bush Road, would be paid for by the developer who would then vest roading infrastructure in Council with the ongoing maintenance of that roading infrastructure being paid for by the rate take.
32. All of the structure plans make provision for road connections for future development on adjoining properties. The development of RS 212 will not have an adverse impact on the multi-modal land transport network.
33. These criteria can be met by RS 212.

⁷ Although this mapping element has been appealed in relation to Riccarton Road West – see ENV-2018-CHC-234 (32).

Land Suitable for Rezoning?

34. Policy 2.6.2.1.c states: *“...the area is suitable for residential development by having all or a majority of the following characteristics: i. a topography that is not too steep; ii. being close to the main urban area or townships that have a shortage of capacity; iii. currently serviced, or likely to be easily serviced, by frequent public transport services; iv. close to centres; and v. close to other existing community facilities such as schools, public green space and recreational facilities, health services, and libraries or other community centres...”*.
35. The s42a report states at page 334: *“I also consider rezoning the site to have a conflict with Policy 2.6.2.1.c, as it is located relatively distant to public transport, centres and other community facilities.”*
36. Table 1 below contains an assessment of RS 212 against the factors specified in Policy 2.6.2.1.c.
37. Table 1: Assessment of RS 212 Against Policy 2.6.2.1.c – Desired Site Characteristics.

Desired Characteristic	Assessment of RS 195
Topography 'not too steep'	RS 212 is ideally suited for residential development essentially comprising flat or very gently sloping land. RS 212 has this characteristic.
Close to urban area with shortage of capacity	RS 212 is located approximately 300m from the Mosgiel urban boundary. There is a shortage of zoned capacity <u>available to the market</u> in Mosgiel and Dunedin. However, there are intervening smaller sized properties not yet zoned residential between RS 212 and the existing <i>General Residential 1</i> zone . RS 212 sort of has this characteristic.
Public transport services 'currently serviced or likely to be easily serviced'	RS 212 is located approximately 800m from the nearest bus stop. RS 212 has this characteristic.
Close to centres	'Centre' is defined in the district plan as: <i>“Principal, Suburban, Rural, Neighbourhood, Neighbourhood Convenience and Neighbourhood Destination centres zones.”</i> The <i>Principle Centre</i> zone at Mosgiel is approximately 1.2km away. RS 212 has this characteristic.
Close to existing community facilities	Elmgrove Primary school is located less than 2km away. The closest highschool is located in Mosgiel. There are various public green spaces within Mosgiel. If the site is zoned <i>General Residential 1</i> is likely that a recreation area will be required within RS 212 at the time of subdivision. The public pool in Mosgiel is currently being redeveloped. There is a GP clinic in Mosgiel as well as a public library and various community halls. RS 212 exhibits this characteristic.

38. Policy 2.6.2.1.c states that a site is suitable for rezoning if it has all or the majority of the characteristics therein listed. 'Majority' is typically interpreted to mean: 'a

*number or percentage equaling more than half of a total*⁸. The analysis in Table 1 above shows that RS 212 meets four of the five desired characteristics which represents a majority. This criteria is met.

Landscape, Rural Character and Visual Amenity

39. Policy 2.6.2.1.d.i states: “...*the character and visual amenity of Dunedin's rural environment is maintained or enhanced (Objective 2.4.6)...*” and Policy 2.6.2.1.d.vii states: “...*the elements of the environment that contribute to residents' and visitors' aesthetic appreciation for and enjoyment of the city are protected or enhanced. These include: 1. important green and other open spaces, including green breaks between coastal settlements; 2. trees that make a significant contribution to the visual landscape and history of neighbourhoods; 3. built heritage, including nationally recognised built heritage; 4. important visual landscapes and vistas; 5. the amenity and aesthetic coherence of different environments; and 6. the compact and accessible form of Dunedin (Objective 2.4.1)...*”.
40. Loss of rural character and amenity are raised in further submissions.
41. Policies 2.6.2.1.d.iv and d.v are not relevant to RS 212 as it is not located within a landscape overlay zone or within the coastal environment.
42. RS 212 does not have a high level of rural amenity requiring protection from a landscape perspective. Rezoning RS 212 will create a change in the landscape. Amenity planting within public spaces within RS 212 is proposed. It is anticipated that a performance standard attaching to the structure plan will require a certain level of amenity planting within these areas of RS 212.
43. Rezoning RS 212 to residential is sought. This zoning is the most suitable given the landscape characteristics of RS 212 and the locale. This criteria is met.

Protection of Land, Facilities and Infrastructure Important to Economic Productivity & Social Wellbeing

44. Policy 2.6.2.1.d.ii states: “...*land, facilities and infrastructure that are important for economic productivity and social well-being, which include industrial areas, major facilities, key transportation routes, network utilities and productive rural land: 1. are protected from less productive competing uses or incompatible uses, including activities that may give rise to reverse sensitivity; and 2. in the case of*

8 Source: Merriam-Webster online dictionary: <https://www.merriam-webster.com/dictionary/majority>

facilities and infrastructure, are able to be operated, maintained, upgraded and, where appropriate, developed efficiently and effectively (Objective 2.3.1). Achieving this includes generally avoiding areas that are highly productive land or may create conflict with rural water resource requirements...”.

45. Reverse sensitivity in relation to existing farming activities at 114 Riccarton Road West were raised as an issue in a further submission.
46. Bush Road separates 114 Riccarton Road West from RS 212. Bush Road is collector road. A performance standard requiring landscape boundary treatment along Bush Road within RS 212 can be attached to the structure plan.
47. RS 212 is currently zoned *Rural*, has a mapped area of *High Class Soils* covering approximately two-thirds of RS 212 and has a LUC class of 1. However, the land is not highly productive rural land due to its size and proximity to residential activity. RS 212 is currently run as a hazelnut orchard but the submitters have found this to be economically unviable⁹.
48. RS 212 represents a relatively small loss of primary productive capacity compared to housing gains. This criteria is met.

Biodiversity

49. Policy 2.6.2.1.d.iii states: *“Dunedin’s significant indigenous biodiversity is protected or enhanced, and restored; and other indigenous biodiversity is maintained or enhanced, and restored; with all indigenous biodiversity having improved connections and improved resilience (Objective 2.2.3). Achieving this includes generally avoiding the application of new residential zoning in ASBV and UBMA...”.*
50. Impact of residential development on birdlife and other wildlife was raised in a further submission.
51. This criteria is not applicable as there is very little existing indigenous biodiversity within RS 212. It is proposed that amenity plantings within public spaces in RS 212 will be of appropriate indigenous species which will begin providing some indigenous biodiversity to the site and, therefore, appropriate habitat for native birds.

⁹ Please refer to copy of letter from submitters' accountant appended at Appendix 4.

Access to Waterbodies, Coastlines and Other Parts of the Natural Environment

52. Policy 2.6.2.1.d.vi states: *“...subdivision and development activities maintain and enhance access to coastlines, water bodies and other parts of the natural environment, including for the purposes of gathering of food and mahika kai (Objective 10.2.4)...”*.
53. This criteria is not applicable to RS 212.

Natural Hazards Risk

54. Policy 2.6.2.1.d.viii states: *“...the potential risk from natural hazards, and from the potential effects of climate change on natural hazards, is no more than low, in the short to long term (Objective 11.2.1)...”*.
55. There is a Hazard 3 (flood) Overlay Zone being Flood Hazard Area 19 – East of Lower Pon over the entirety of RS 212. The flood risk associated with Flood Hazard Area 19 is noted by Council's planning map as being '**Low**'.
56. It is anticipated that a performance standard will be attached to the structure plan requiring further geotechnical investigations be carried out prior to subdivision.
57. This criteria is met.

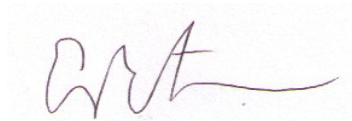
Compact & Accessible City

58. Policy 2.6.2.1.d.xi states: *“Dunedin stays a compact and accessible city with resilient townships based on sustainably managed urban expansion. Urban expansion only occurs if required and in the most appropriate form and locations (Objective 2.2.4)...”*.
59. The s42a report states at page 333: *“The site is disconnected from existing residential zoned land (it is just over 300m to the nearest residentially zoned land) and is surrounded on all sides by land zoned Rural. Rezoning isolated and disconnected pockets of land will result in conflict with Policy 2.6.2.1.d.xi which requires Dunedin stays a compact and accessible city.”*
60. This gap between RS 212 and the existing *General Residential 1* zone does not provide sufficient reason to outright reject RS 212 for residential rezoning particularly *Large Lot Residential 1* given how well RS 212 rates against other rezoning assessment criteria.

2.6.2.1.

66. The analysis of RS 212 against the rezone criteria contained in Policy 2.6.2.1 clearly demonstrates that RS 212 is an ideal site for rezoning residential excepting the 'gap' of approximately 300m between RS 212 and the existing *General Residential 1* zone. Several landowners of smaller properties in a strip fronting Bush Road within that 'gap' sought to rezone their properties residential pursuant to Variation 2. These owners still seek to rezone their properties residential.
67. The 'gap' between RS 212 and the existing *General Residential 1* zone is not a reason to decline rezoning RS 212 but is instead a reason to apply a *Residential Transition Overlay Zone* which would, in this case, have a site specific rule which would release the land once there was a 'residential zone connection' between RS 212 and the existing *General Residential 1* zone. A *Residential Transition Overlay* zone may not be necessary if the site is zoned *Large Lot Residential* as that density is more in keeping with existing densities within the gap.

Dated this 5th day of August 2022



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

Appendix 1a: Structure Plan Included with Submission 212 – General Residential 1.



Appendix 1b: Structure Plan Included with Submission 212 – Low Density Residential.



Appendix 1c: Structure Plan Included with Submission 212 – Large Lot Residential 1.



Appendix 2: Policy 2.6.2.1.

Identify areas for new residential zoning based on the following criteria:

- a) rezoning is necessary to ensure provision of at least sufficient housing capacity to meet expected demand over the short and medium term; and
- b) rezoning is unlikely to lead to pressure for unfunded public infrastructure upgrades, unless either an agreement between the infrastructure provider and the developer on the method, timing, and funding of any necessary public infrastructure provision is in place, or a Residential Transition overlay zone is applied and a future agreement is considered feasible; and
- c) the area is suitable for residential development by having all or a majority of the following characteristics:
 - i. a topography that is not too steep;
 - ii. being close to the main urban area or townships that have a shortage of capacity;
 - iii. currently serviced, or likely to be easily serviced, by frequent public transport services;
 - iv. close to centres; and
 - v. close to other existing community facilities such as schools, public green space and recreational facilities, health services, and libraries or other community centres;
- d) considering the zoning, rules, and potential level of development provided for, the zoning is the most appropriate in terms of the objectives of the Plan, in particular:
 - i. the character and visual amenity of Dunedin's rural environment is maintained or enhanced (Objective 2.4.6);
 - ii. land, facilities and infrastructure that are important for economic productivity and social well-being, which include industrial areas, major facilities, key transportation routes, network utilities and productive rural land:
 - 1. are protected from less productive competing uses or incompatible uses, including activities that may give rise to reverse sensitivity; and
 - 2. in the case of facilities and infrastructure, are able to be operated, maintained, upgraded and, where appropriate, developed efficiently and effectively (Objective 2.3.1).Achieving this includes generally avoiding areas that are highly productive land or may create conflict with rural water resource requirements;
 - iii. Dunedin's significant indigenous biodiversity is protected or enhanced, and restored; and other indigenous biodiversity is maintained or enhanced, and restored; with all indigenous biodiversity having improved connections and improved resilience (Objective 2.2.3).

Achieving this includes generally avoiding the application of new residential zoning in ASBV and UBMA;

- iv. Dunedin's outstanding and significant natural landscapes and natural features are protected (Objective 2.4.4). Achieving this includes generally avoiding the application of new residential zoning in ONF, ONL and SNL overlay zones;
- v. the natural character of the coastal environment is, preserved or enhanced (Objective 2.4.5). Achieving this includes generally avoiding the application of new residential zoning in ONCC, HNCC and NCC overlay zones;
- vi. subdivision and development activities maintain and enhance access to coastlines, water bodies and other parts of the natural environment, including for the purposes of gathering of food and mahika kai (Objective 10.2.4);
- vii. the elements of the environment that contribute to residents' and visitors' aesthetic appreciation for and enjoyment of the city are protected or enhanced. These include:
 - 1. important green and other open spaces, including green breaks between coastal settlements;
 - 2. trees that make a significant contribution to the visual landscape and history of neighbourhoods;
 - 3. built heritage, including nationally recognised built heritage;
 - 4. important visual landscapes and vistas;
 - 5. the amenity and aesthetic coherence of different environments; and
 - 6. the compact and accessible form of Dunedin (Objective 2.4.1);
- viii. the potential risk from natural hazards, and from the potential effects of climate change on natural hazards, is no more than low, in the short to long term (Objective 11.2.1);
- ix. public infrastructure networks operate efficiently and effectively and have the least possible long term cost burden on the public (Objective 2.7.1);
- x. the multi-modal land transport network, including connections between land air and sea transport networks, operates safely and efficiently (Objective 2.7.2); and
- xi. Dunedin stays a compact and accessible city with resilient townships based on sustainably managed urban expansion. Urban expansion only occurs if required and in the most appropriate form and locations (Objective 2.2.4).

Appendix 3: Site Assessment of RS 212 based on s42 a Report Appendix 5 *Site Assessment Criteria Table*.

Criteria	Site Assessment
Slope Objective 2.6.2, policies 2.6.2.1.c.i & 2.6.2.3.d.	No Issues. Flat or gently sloping.
Aspect – Solar Access	Very Good. Flat and north facing site.
Accessibility – Public Transport Objective 2.2.2, policies 2.6.2.1.c.iii & 2.6.2.3.c.ii	Ok. The site is located, at its closest point, approximately 800m from the Bus Stop located outside 70 Bush Road on Bus Route 81 (Mosgiel West Circuit).
Accessability – Centres Objective 2.2.2, policies 2.6.2.1.c.ii & 2.6.2.3.ii.	Ok. Site is approximately 1.2km, closest point of site, from the <i>Principal Centre</i> zone in Mosgiel.
Accessibility – Schools Objective 2.2.2, policies 2.6.2.1.c.v & 2.6.2.3.c.ii	Very Good. Elmgrove School is within 2km from site, closest point.
Rural Character / Visual Amenity Policy 2.6.21.d.ii, Objective 2.4.6	Some Issues. Some local impacts but overall minor effects at a broader scale. Landscaping with indigenous planting will form part of the structure plan public spaces.
Impacts on Productive Rural Land Policy 2.6.2.1.d.i, Objective 2.3.1, policy 2.3.1.2	Some Issues. Site categorised as <i>Land Use Capability Class 1</i> . Approximately two-thirds of the site is mapped as an area of <i>High Class Soils</i> . However, benefits of housing gains likely outweigh relatively small loss of rural productive capacity.
Reverse Sensitivity Policy 2.6.2.1.d.i, Objective 2.3.1	No Issues.
Significant Indigenous Biodiversity Policy 2.6.2.1.d.iii, Objective 2.2.3, policy 2.2.3.5	No Issues. Currently no to low biodiversity values associated with the site. Landscaping with indigenous planting will form part of the structure plan public spaces.
Natural Landscapes & Natural Coastal Character Policies 2.6.2.1.d.iv & v; objectives 2.4.4 & 2.2.5	No Issues. The site does not overlap with these mapped areas.
Access to the Coast and Water Bodies Policy 2.6.2.1.d.vi, objective 10.2.4	No issues. Rezone site is not immediately adjacent to a waterbody.
Significant Trees, Heritage Items...	No Issues. No relevant features.

Criteria	Site Assessment
Residential Character and Amenity (Applies to potential medium density sites only)	Not Applicable.
Natural Hazards Policy 2.6.2.1.d.vii, objective 11.2.1	No Issues. Site is not shown as a HAIL site on ORC database. Site is included in a <i>Hazard 3 (Flood) Overlay Zone</i> being <i>Flood Hazard Area 19 – East of Lower Pond</i> which has a low flood level risk.
Potable Water Supply Policy 2.6.2.1.d.ix, objective 2.7.1, policy 2.7.1.1	No Issues – Some Issues (Manageable). Council water zone boundary extends on to site. Anticipated that site can be readily serviced by Council reticulated water supply.
Wastewater Supply Policy 2.6.2.1.d.ix, objective 2.7.1, policy 2.7.1.1	No Issues – Some Issues (Manageable). There is a 150mm wastewater pipe located in Bush Road approximately 330m from the site. It is likely that there will be sufficient capacity for the site and, if there are any issues, that these are likely to be manageable. The site is in close proximity to the Mosgiel wastewater treatment plant located in Carlyle Street.
Stormwater Management Policy 2.6.2.1.d.ix, objective 2.7.1, policy 2.7.1.1	No Issues – Some Issues (Manageable). Likely that no management required other than standard performance standards already contained in 2GP rules (e.g. on-site attenuation).
Transport Effects (Local) Objective 2.7.1, policy 2.7.1.1, objective 2.7.2	No Issues. Bush Road is classified as a <i>Collector Road</i> in the 2GP road hierarchy. Riccarton Road West is classified as a <i>Strategic Road</i> in the 2GP road hierarchy.
Transport Effects (Wider Network) Policy 2.6.2.1.d.x, objective 2.7.1, policy 2.7.1.1, objective 2.7.2	No Issues – Some Issues (Manageable). Unlikely that upgrades to the wider transport network will be required or if there are transport issues these can be dealt with at the time of subdivision.
Compact City – Proximity to Existing Residential Areas Policies 2.6.2.1.d.xi, 2.6.2.1.d.vii.6 & 2.6.2.3.c.iii.6, objective 2.2.4	Significant Issues (Manageable). Site is located approximately 300m from existing GR1 zone at Mosgiel. However, there are a number of small properties in the 'intervening space' which seek residential rezoning in a subsequent plan change.
Compact City – Ability to Develop Land Efficiently Policies 2.6.2.1.d.xi, 2.6.2.3.c.iii.6, objective 2.2.4	Very Good. There is feasible capacity for 50 sites or more at GR1 density.
Effects on Manawhenua Values Objective 2.5.1, policy 2.5.1.2	Some Issues (Manageable). Site overlaps with a <i>Wāhi Tupuna Mapped Area</i> being ID 56 – <i>Kokika o Te Matamata (Area Surrounding Mosgiel)</i> .

Criteria	Site Assessment
Issues for Network Utility Operators, SDHB, Ministry for Education, FENZ, Kiwirail NPS-UD	No Issues. Likely that any issues are manageable.
Other constraints on Development Objective 2.6.2	No Issues. Landowners is willing to develop. Any encumbrances on title can be dealt with at time of subdivision consent.
Feasibility for Medium Density Development – Lower Quality Housing Stock more likely to be Developed	Not Applicable.
Feasibility for Medium Density Development – Market Desirability	Not Applicable.

Appendix 4: Letter from Submitters' Accountant.



30th June 2022

Hazelnut Estate Limited
170 Riccarton Road West
RD 2
Mosgiel 9092

**Re: Hazelnut Estate Limited - Company Number 3241527
Roger & Janine Southby & Holly Trustee Limited**

To Whom it May Concern,

We wish to advise that we act as Accountants for Roger and Janine Southby and their company Hazelnut Estate Limited.

Our clients own the property at 170 Riccarton Road West, Mosgiel which is their personal home, and the land is planted out as a hazelnut plantation.

Our client uses their company Hazelnut Estate Limited to operate the commercial activity on the property relating to maintaining, harvesting, processing and selling of the hazelnuts their plantation produces which they have done since 2020.

In the first two years of operation the business has been operating at a loss.

The owners have not been able to withdraw an income or drawings due to the poor trading, the owners have had to contribute personal funds to keep the business operating.

The property is owned by a Trust which rents the operational land to the client's trading company. When these costs are excluded from the business trading figures the business is still trading at a loss, thus the true loss to Roger and Janine is greater.

Target Accounting Limited

South Island: • P.O Box 84, Mosgiel 9053 • P: 03 489 0790 • F: 03 489 7360 North Island: • P.O Box 4566, Mt Maunganui 3149 • P: 07 5422 228 • M: 027 439 9370

www.target.co.nz

We have meet with our clients and discussed how the can improve the trading performance of the business around the hazelnuts and concluded the volume and demand is not there to make it a profitable business.

Currently Roger and Janine are required to maintain their full-time employment to cover the trading losses.

The demand for hazelnuts is not increasing and the business turnover does not generate enough to justify the investment in specialist expertise to try and develop the product further.

The operation does process the product into spreads, the time involved and the costs involved make it un-economical as the processed product can't compete against imported products.

Our view based on the past two years performance is the business is not economical and is more suitable for a hobby.

It would be difficult to sell the business and its not sustainable going forward.

Please do not hesitate to contact us if you have any further queries.

Yours faithfully



Justin Stent
Target Accounting Limited

Appendix 5: Letter from Mr Russell Lundy, Area Manager, Property Brokers.



5/8/2022

I have been a licenced Real Estate Agent working in the Dunedin – Mosgiel market for 13 years. In that time I have been directly involved in, or via support of colleagues in, the marketing and sale of in excess of 250 sections in the Mosgiel / Taieri area including,

Heathfield - Mosgiel
Gladstone Heights - Mosgiel
Balmoral - Outram
Subdivision of the Wingatui RC Car Park.

My experience in these projects and the interaction with 100's of purchasers and potential purchasers informs that there is an ongoing and unsatisfied market for flat smaller to medium sized residential sections in the greater Mosgiel area.

Our last 2 projects, both auctions, had more than 80 registered bidders for approx 30 sections in each subdivision.

Feedback often centres around additional costs associated with building on sloping sections and the desire to build in a community environment as opposed to infill sections.

I am happy to provide further if required

Regards

A handwritten signature in black ink, appearing to be "R. Lundy", written over a horizontal line.

Russell Lundy
Area Manager

