

**BEFORE THE COMMISSION
APPOINTED BY THE DUNEDIN CITY COUNCIL**

Under	The Resource Management Act 1991 (the Act or RMA)
IN THE MATTER	of proposed Variation 2 (Additional Housing Capacity) to the Second Generation Dunedin District Plan (2GP)
BY	Jose Corporation Ltd Submitter

STATEMENT OF EVIDENCE OF CONRAD STEWART ANDERSON
Dated: 3 August 2022

BRIEF OF EVIDENCE OF CONRAD ANDERSON

Introduction

1. My full name is Conrad Stewart Anderson. I am a Director of Anderson & Co Resource Management and since 2012 I have been employed as a resource management planner with Anderson & Co (Otago) Ltd.
2. I hold a Master of Business Administration, and a Master of Planning from the University of Otago and I am a full Member of the New Zealand Planning Institute.
3. I have visited the site multiple times.
4. On behalf of the Submitter I have been involved in various aspects of the proposal and in preparing this evidence I have reviewed:
 - (a) National Policy Statement Urban Development 2020 (NPS-UD)
 - (b) The Section 32 Report
 - (c) The Section 42A Report, including the Appendix C (Site assessments)

Code Of Conduct for Expert Witnesses

1. Although not necessary in respect of council hearings, I can confirm I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note dated 1 December 2014 and agree to comply with it. I have complied with the Code of Conduct in preparing this evidence, and I agree to comply with it while giving oral evidence before the hearing panel. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

Background to Submission

5. The wider site (127a Main Road, Fairfield) is an undeveloped site of 2.6ha, which has split zoning, with the northern half zoned General Residential 1 (GR1), while the southern half is zoned Rural.
6. GF04 is part of 127a Main Road, Fairfield.
7. The GR1 zoned land is now associated with a subdivision resource consent (SUB-2021-174) to provide for 15 residential sites. Copy of the approved plan is attached.
8. GF04 is associated with the southern half of the site, with the submission seeking to rezone the area to GR1. This area is anticipated to provide a further 13 residential lots (subject to a resource consent process). Copy of the concept plan is attached.
9. Along the south boundary is State Highway 1, to the north is established residential development, and to the east is a school.
10. The reasons for the submission include:
 - (a) The submission area is zoned Rural Hill Slopes, but the area is limited in size, and has no connection to the wider rural zone. The area is adjacent to a residential area and is in close proximity to a school and public transport.
 - (b) The area zoned Rural Hill Slopes effectively has very limited, if any real, development capacity due to 2GP rules associated with density and minimum site sizes in the rural zone.
 - (c) The requested zoning would provide for the enhanced use of the land resource, thus assisting with the key outcome desired by the NPS-UD.

Submissions

11. While a number of submissions were received, the most relevant submissions are:
 - (a) Waka Kotahi (NZ Transport Agency)

(b) Andrew Rutherford

12. In terms of the matters raised by Waka Kotahi (NZ Transport Agency), the recently released Variation 2 decisions include Assessment Guidance, as follows:

Rule 6.11.2.7.a.z Council will consider the effects of subdivision and subsequent development on the safety and efficiency of the state highway network, and may require written approval from Waka Kotahi NZ Transport Agency.

13. In addition, it is noted that in the Residential Zone, the following performance standard applies to all land use activities: Rule 15.3.3.1.a Acoustic insulation (noise sensitive activities only). That Rule links to Rule 15.5.1 which requires noise sensitive activities (such as residential activity) within 40m of a state highway to comply with Rule 9.3.1. Rule 9.3.1 sets out the requirements for acoustic insulation and ventilation.
14. In terms of the matters raised by Andrew Rutherford concerning proximity to the motorway and reverse sensitivity issues. Such matter are addressed by the above and/or by Waka Kotahi.

Section 42A Report Recommendation

15. The Section 42A Report recommended to rezone GF04 to GR1, subject to:
- (a) Any further information provided by Waka Kotahi (NZ Transport Agency) on the need for site-specific provisions to manage effects resulting from the site's close proximity to SH1. Such provisions, if required, could be applied via a structure plan for the site.
 - (b) Application of a 'new development mapped area'.

Comment

16. As noted above, the existing GR1 area of the site has already been granted a resource consent for subdivision. The finer details of the

subdivision are being worked on, with the aim of beginning implementation shortly.

17. In terms of the sites proximity to the motorway, due to the sites land form and the fact the site does not have a boundary along the road formation, any dwelling associated with the GF04 land will not be located adjacent to the state highway.
18. In terms of a NDMA, the following is noted:
 - (a) In paragraph 52 of the Section 42A Report is notes that *“where rezoned sites are subject to a new development mapped area (NDMA) (this is recommended for all but the smallest of sites)...”*. This suggested that an NDMA is not required for small sites.
 - (b) While the original submission did not include comment on the NDMA, given the wider site has already been granted a subdivision resource consent, and the area proposed to be rezoned by GF04 will only result in 13 new lots, in keeping with the above, it would seem a relevant time to considered if the NDMA is required (Noting the NDMA is actually across both the GR1 area and the GF04 area of the site).

Conclusion

19. The rezoning of GF04 is logical and well supported, and will result in housing adjacent to a school close to public transportation.
20. In terms of the proximity of the state highway, the 2GP contains rules to manage that situation.
21. In terms of the NDMA given the half the site is already associated with a subdivision consent, and the remaining area will only result in an additional 13 sites, it seems a practical step to reconsider the need for the NDMA.

Date: 3/8/2022

Conrad Anderson