

IN THE MATTER	the Resource Management Act 1991
AND	
IN THE MATTER	Variation 2 of the 2GP - Greenfields
BY	JKS Paddock Limited <u>Applicant</u>
AND	THE DUNEDIN CITY COUNCIL <u>The Council</u>

EVIDENCE OF DARRYL SYCAMORE
ON BEHALF OF JKS PADDOCK LIMITED
4 AUGUST 2022

Introduction

1. My full name is Darryl Allan Sycamore.
2. I am a Planner for Terrmark Limited and have held the position as Planning Manager with Terramark since January 2020.
3. I hold the qualification of Bachelor of Science from the University of Otago. I am a Member of the New Zealand Planning Institute, and the current chairman of the Otago Branch. I have over 15 years experience as a resource management practitioner.
4. Prior to my employment with Terramark, I was employed by Federated Farmers as their senior policy advisor covering the Southland, Queenstown and Marlborough districts. Key projects included managing the Proposed Southland Water and Land Plan hearings and court appeals, the Proposed Marlborough Environment Plan and QLDC Proposed District Plan. I was also employed as a Planner for over nine years at the Dunedin City Council and three years as a Resource Consents Officer for the Otago Regional Council which specialised in mining, landfills and contaminated site consent applications. I also worked at the West Coast Regional Council as a Compliance Monitoring Officer, managing compliance within the primary sector and all aspects of the coal and gold mining industry.
5. I am also a member of the Guardians of Lakes Manapouri, Monowai and Te Anau (the Guardians). The Guardians make recommendations to the Minister of Conservation on matters arising from the environmental, ecological and social effects associated with hydro-electric power generation in Lakes Te Anau-Manapouri and Monowai. The Guardians oversee the implementation of management plans that guide the operation of those schemes by Meridian Energy Limited and Pioneer Generation Limited.
6. I am familiar with the Second-Generation District Plan (2GP), Variation 2 of the 2GP, the 2019 Partially Operative Regional Policy

Statement and the Proposed Otago Regional Policy Statement 2021 and the National Policy Statement on Urban Development.

7. I am also familiar with the subject site and the surrounding environment.

Code of Conduct

8. While this is a local authority hearing, I have read and agree to comply with the Code of Conduct for Expert Witnesses set out in the Environment Court Practice Note on Expert Witnesses. My evidence has been prepared on that basis.
9. Unless I state otherwise, I confirm the matters addressed in this written statement of 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 I express. I have outlined all data, information, facts, and assumptions made in forming my opinions.

Scope

10. My evidence will focus on a number of key aspects to the rezoning proposal, being
 - Background to the site and rezoning application
 - The local characteristics of the site
 - The proposed development
 - A response to the findings of the s42A report
 - Application of the Residential Transition Overlay (RTZ)

Background

11. The principal purpose of Variation 2 is to enable Dunedin City Council to meet its residential capacity obligations under the National Policy Statement on Urban Development 2020 (NPS-UD). It has been recognised by the Council that the existing housing capacity, as provided for by the 2GP, is currently insufficient. Variation 2 has been designed to address the identified shortfall through mechanisms such as new residential zone areas and adjustments to the density rules within existing residential zones.

12. The NPS-UD directs in 3.2(1) that Every tier 1, 2, and 3 local authority must provide at least sufficient development capacity in its region or district to meet expected demand for housing:
 - (a) in existing and new urban areas; and
 - (b) for both standalone dwellings and attached dwellings; and
 - (c) in the short term, medium term, and long term.
13. In order to be sufficient to meet expected demand for housing, the development capacity must be:
 - (a) plan-enabled (see clause 3.4(1)); and
 - (b) infrastructure-ready (see clause 3.4(3)); and
 - (c) feasible and reasonably expected to be realised (see clause 3.26); and
 - (d) for tier 1 and 2 local authorities only, meet the expected demand plus the appropriate competitiveness margin (see clause 3.22).
14. The expectation of the NPS-UD is that residential capacity is achieved in areas that are '*plan enabled*', '*infrastructure-ready*' and '*feasible and reasonably expected to be realised*'. It is my opinion that following rezoning to General Residential 1 meets these tests. The applicant has indicated they are motivated to proceed with the development without delay.
15. Policy 1(e) of the National Policy Statement on Urban Development 2020 relates to climate change and directs planning decisions to contribute to well-functioning urban environments that as a minimum supports reductions in greenhouse gas emissions. The proximity of the subject site enables the adoption of EV modes of transport or public transport by residents.
16. At a strategic level, Policy 2.6.2.1 underpins the greenfields assessment process and provides direction for growth in the City, and reads:

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.*
17. The proposed rezoning of greenfields site GF11 has been carefully considered against the above policy to determine whether rezoning is appropriate. It is my opinion the proposed rezoning is consistent with the policy above and is the most appropriate method to achieve the relevant objectives.
18. Having visited the site and read the technical reports and evidence commissioned by the applicant, it is my view the proposed

development can be established whilst avoiding, remedying or mitigating any adverse effects on the receiving environment including immediate neighbours.

19. The development also presents an appropriate addition to assist the Council in satisfying its obligations to provide residential capacity.

Notification of GF11

20. The subject site falls within the area GF11 notified for rezoning from Rural Residential 2 to General Residential 1. The area within GF11 comprises ten sites and is shown in the figure below.

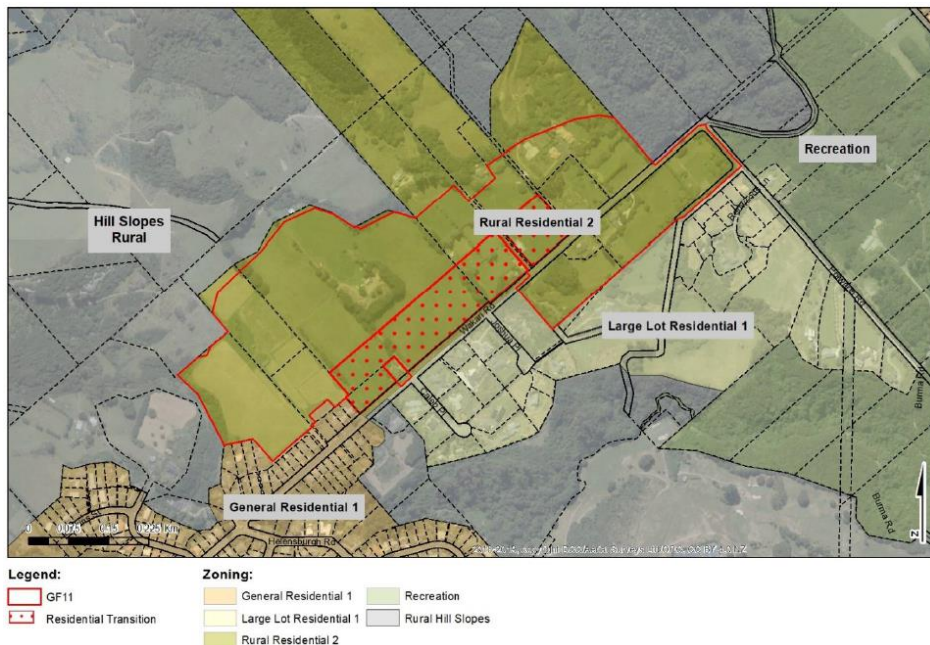


Figure 1 – The GF11 area for rezoning

The Characteristics of the Subject Site

21. The subject site comprises three parcels held in a single Record of Title. It is contained in Record of Title OT17C/596 and contains an area of 5.9116 hectares. It is legally described as Part Deposited Plan 6568, Lot 1 Deposited Plan 10300 and Part Lot 1-2 Deposited Plan 12686. The land is in the name of JKS Paddock Limited.
22. The access leg to the site proper comprised approximately 420m². This land is zoned General Residential 1 in the 2GP. Access is directly onto Wakari Road with a 9.3m wide formation. Against both

sides with the access leg to the subject site are parallel accesses to the adjoining properties. To the south-west, a sealed access for #175 Wakari Road extends from Wakari Road, runs along the boundary with #191 and then tracks behind a number of other properties that have direct frontage to Wakari Road. The rear of the properties at #185-191 Wakari Road are visible in figure 2. A number of properties enjoy rights of way over this formation, and many have submitted on the rezoning proposal.



Figure 2 – The relationship between the adjacent residential sites and the subject site (in blue)

23. The site has an easterly aspect and is offered sweeping views extending over the city and onto the peninsula landforms. There are no known natural hazards recorded in the 2GP for the subject site.
24. The site itself is a large gently sloping lot that rises from Wakari Road up to open rural land and into the Flagstaff- Mt Cargill SNL. For the most part, the site appears rural, comprising a mix of open pastoral landscape, established scraggly exotic scrub with a tract of predominantly native vegetation within a gully to the west towards Honeystone Street.

25. In terms of proximity to the city centre the subject site is approximately four kilometres from the city centre. Whilst generally considered too far to walk for the average resident, the site is certainly close enough to cycle or rely on an EV mode of transport. The site adjoins an existing arterial roading network, with generally reliable public transport options. Two bus-stops are located within 400m of the subject site.



Figure 3 – The subject site looking towards the east

26. The upper section of the site is located within the Flagstaff- Mt Cargill Significant Natural Landscape (SNL). The values of this SNL that are to be protected have been identified in Appendix A3.3.2 of the 2GP.
27. In terms of utilisation, the land is limited in terms of productive potential beyond that of a hobby farm. It is currently used for grazing a number of miniature horses with no primary production. Its value lies in its ability to contribute to transition between the residential and rural zones. The proposal seeks to optimise development potential whilst respecting the topography and adjoining landowners.

The Proposed Development

28. A concept plan has been prepared for the subject site labelled 'Proposed Subdivision D12412' Sheets 1-3 as shown in Appendix 1 and 2.

29. A new 16m wide access formation will be constructed adopting a form respecting the topography. The formation will include a 8m wide carriageway with 1.5m wide footpaths on each side. The formation includes a roading layout over #245 Wakari Road which enables future connectivity.
30. Sixty-one new lots have been identified within the site and roading layout.
31. Proposed Lots 200 and 300 makes use of the encumbrance area. This area will be planted in native plant species and grasses to support biodiversity and include both reserve areas and stormwater attenuation and treatment ponds. These ponds will then be directed to the unnamed watercourse to the immediate west of the site, or to a connection within the proposed carriageway near the existing RR2 and GR1 boundary and to the Council's stormwater system. The attenuation will ensure the flows offsite will remain consistent with that presently occurring.
32. The plantings and management of the encumbrance area will be designed to provide physical separation from the existing properties fronting Wakari Road.
33. New sites will be consistent with the General Residential 1 standards for minimum lot size. Further up the slope, the sites will progressively increase in size which seeks to give effect to the view of Council's landscape architect. The proposed site layout seeks to adopt the most efficient use of the land whilst respecting the topographical constraints and the SNL in the upper extent of the property.
34. Whilst this is more relevant to a subdivision application, it offers an insight as to how the development will function within the site. It is our understanding the servicing can fit within the site and Council network.

Conclusions of the s42A Report

35. The subject site was assessed as part of the s32 review and identified by Council as suitable for consideration for rezoning.
36. The s42A report discusses the encumbrance and existing right of way providing vehicle access to #163, 165, 167, 169, 171, 173, 175, 177 and 179 Wakari Road. The applicant initially sought to remove the 20m wide encumbrance that adjoins the right over way to enable that land to be considered for development. It is now proposed the encumbrance is retained and used for amenity, screening and biodiversity plantings within reserve areas. It will also provide parting from the right of way in several points and include stormwater attenuation and treatment ponds. Those ponds will drain at pre-development rates to the unnamed watercourse to the west for Lots 9-33 or the Council network for Lots 1-8 and 34-61. The plantings will provide habitat and food to birds and create a visual softening supporting the transition to the rural zone and SNL. Based on the feedback in submissions and Council's landscape architect we consider this use of the land will be generally welcomed.
37. Council's landscape architect Mr McKinlay also sought consideration be given to implement low impact urban design and development principles to mitigate the amenity effects of dense residential developments. The applicants have applied his advice about the plantings within the encumbrance area which will assist in softening the view toward the SNL. He also considers an opportunity exists to link with or expand Bain Reserve. Again, this has been considered by the applicant. Whilst the s42A author rightly notes this is best dealt with at the time of subdivision, Mr McKinlay can take some comfort that any sensible landscape suggestions will be considered, or already adopted.
38. The s42A report notes Council's Parks and Reserves Department suggests the subject site provide additional land to augment Bain Park and provide additional facilities, or an additional 5,000m² of

the subject site is retained as green space. Whilst applaudable, the intent of Variation 2 is to increase housing supply to the City. As Bain Park is 1,088m² and is a bit sad comprising a set of swings and four rocks, that maybe the department the applicant could look to improve the existing park as part of any future subdivision.

39. With respect to the Transport Department, they note Wakari Road has limitations and the rezoning of GF11 will generate the need for substantial upgrades to the existing transport network. They note detail of these upgrades is not yet fully understood. In my opinion the subdivision process has sufficient rigor including the need to obtain an Integrated Traffic Assessment to ensure local transport effects are sufficiently understood and managed.
40. Transport considers a bridge connecting to Honeystone Road to enhance connectedness is appropriate. In my view the costs and effects of establishing a bridge over the gulley is of little benefit and will require a suite of consents from the ORC and affected party approvals, where that consent may or may not be approved. Any bridge would adversely impact the existing vegetation and bank profile.
41. Transport also seeks access routes through the subject to adjoining properties. The adjoining sites and contours have been assessed and the concept plan has been designed to cater for future-proofing by way of the most suitable roading alignment.
42. Three Waters noted upgrades are required for water and wastewater servicing. They have advised these works are programmed and budgeted into the 10year plan including all costs associated with servicing new sites. Three Waters rightly noted the NDMA rules required stormwater management and refer to Policy 9.2.1.Y of the 2GP. The applicants recognise the NDMA introduces a more onerous pathway but are agreeable with this approach. Initial works on design have been undertaken and complex engineering and design calculations will be carried out by a suitably qualified company such as Fluent Solutions.

43. The s42A report, in 4.10, was also cognisant of carbon emissions from growth areas following the Council declaring a climate emergency with renewed emphasis on become carbon net zero. An assessment was prepared by Council staff on the anticipate additional carbon emissions from the development. In general terms, the findings suggested the more remote rezoning areas generating higher daily household carbon emissions compared to sites closer to centres. The subject site was found to fall in more favourable extent than the majority of other greenfield sites assessed. Given the proximity and efficient roading network to and from the city centre from the subject site, and public transport it is my opinion the proposed development is a suitable response to the carbon net zero ambition.
44. Concerns were raised about the High-Class Soils. As previously noted, these soils are only of use when used for a productive use. In this case, the site is typically used for grazing miniature horses.

Application of the Residential Transition Overlay

45. The s42A recommending report writer notes the rezoning of the site is "broadly appropriate" they are "unwilling to recommend rezoning the site to residential at this time" and promote a Residential Transitional Overlay.
46. This RTZ would have a site-specific rule governing release of the land for residential development, rather than the standard criteria specified in Rule 12.3.1 of the 2GP.
47. Release of the RTZ would be subject to either a cost sharing agreement is in place between all landowners within the RTZ area and DCC (where appropriate), that would cover preparing an Integrated Transportation Assessment (ITA), undertaking the necessary transportation upgrades and providing an appropriate recreational reserve; or the required upgrades are included in the DCC's 10-year plan, and funding for these upgrades is able to be recovered via development contributions.

48. The structure plan provided demonstrates there is sufficient area and grade to manage stormwater such that post development flows are no greater than pre-development flows.
49. The structure plan also confirms there is land set aside for reserves, although it is curious the Parks Department wants an additional 5,000m² of reserve established within the site when Bain Parl adjacent to the subject site is so unwelcoming. As noted above, the applicant considers a better use of land and resources would be to contribute to the upgrade of the existing DCC park as part of the staged development.

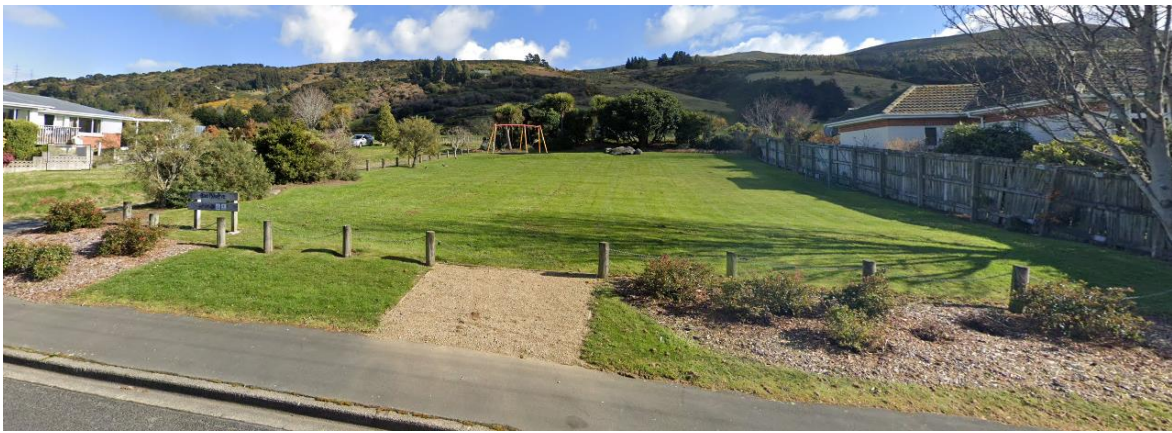


Figure 4 – Bain Park with the applicants' access lot to the left of the image

50. With respect to an Integrated Transport Assessment, this can be carried out at the time of seeking subdivision consent. This is the convention for other developments throughout the City and no issues of these assessments being ad hoc have been raised in the past to my knowledge.
51. In my opinion there is no need to adopt a Residential Transitional Overlay to the subject site or wider GF11 area.

Submitter concerns

52. A number of property owners submitted on the rezoning of GF11, and raised concerns about a number of issues, such as
- The retention of the 20m encumbrance
 - Vegetation and screening

- Effects on birds
- Revised minimum site areas
- Transportation effects
- Provision of access for emergency services
- Amenity

The proposal by JKS Paddock Limited seeks to respect the views of the submitters.

53. With respect to the 20m encumbrance, the proposed layout of the development seeks to retain and utilise this area. This is shown in Appendix 1.

54. The initial submission by the applicant sought to have the encumbrance removed and be available for development. A number of submitters sought to retain the encumbrance land. Having reconsidered this, the applicants have taken on the concerns of the submitters and seek to use that land as a mitigation package. The encumbrance area will:
 - It will be retained creating a buffer between the properties at #165- 191 Wakari Road,
 - It will be planted for amenity and screening, again providing a visual buffer from existing properties.
 - Plantings will include grasses, shrubs and small trees from locally sourced cultivars to support biodiversity, whilst being positioned to ensure they do not grow to impose on adjoining neighbours in terms of views or shading.
 - Recreation reserve – parts will be retained as recreational reserve.
 - Stormwater management - with the construction of retention swales where stormwater from upslope can be attenuated, treated and discharged off-site in the controlled manner either to the unnamed watercourse (for proposed Lots 9-33) or the Councils reticulated network (Lots 1-8 and 34-61). This will require additional work, however initial feedback from a land engineer considers this is a practical mechanism for controlling stormwater and

ensuring the volume and velocity of the discharge is as it was prior to the development. This work will be required to the satisfaction of Council as part of the subdivision, or should the RTZ remain, during the RTZ uplifting process.

55. One submitter (S18.001) sought an additional 20m of land to adjoin the encumbrance to be set aside for no development. The existing area subject to the encumbrance is 8,186m². In my opinion the proposed use of the existing encumbered area will address a number of concerns held by the submitter. To sterilise a further 8,186m² of the land is inconsistent with the intent of the greenfields variation and also the NPS-UD.
56. A number of submitters sought to increase the minimum site size as they were concerned with the 400m² site size standards being considered by Council, which are now operative. Suggestions ranged from a minimum of 800m² against the encumbrance land, to 600m² within the entire site, with some suggesting a minimum site size of 3,000m². The applicant has considered the submissions and is cognisant of the mitigations proposed within the encumbrance area against the tension of the plan change/ NPS-UD. The concept plan seeks to strike an acceptable median addressing those submitters concerns against the need to establish additional housing capacity by creating larger sites further upslope to soften the transition into the rural area.
57. The effects of additional housing on the landscape was raised, where submitters sought to ensure cladding and colours were designed to fit within a rural landscape. The applicant agrees, and should the rezoning be approved, a consent notice will be promoted in the subdivision consent to appropriately address this issue.
58. Stormwater and runoff were raised by a number of submitters. JKS Paddock Limited has engaged a land engineer to assess how stormwater will be addressed to ensure the flows are appropriately managed. It is the advice of the land engineer that the proposed development can be carried out without introducing any new effects

on surrounding properties. Assuming the site is rezoned, a stormwater management plan will be required as part of any subdivision consent which will require approval of DCC 3waters staff, and quite likely the Otago Regional Council. I respect the opinion of the land engineer and consider stormwater can be addressed to the satisfaction of the concerned submitters.

59. Concern was raised about the potential impact on the transportation network, including the provision of access to sites for emergency services. It is acknowledged the immediate area faces some challenges with respect to transportation effects. The applicant intends to commission an Integrated Traffic Assessment as part of the subdivision process as promoted by the s42A report author. It is my view, there is scope to strike the right balance between the imposition of effects arising from the development and the need to create additional housing stock for the City.
60. High class soils were raised by Murray & Gloria Harris. The submitter has expertise in assessing high class soils and sought the retention of the high-class soil overlay and that development density is reduced. I note the site is only used for the grazing of horses for recreation rather than to enhance the primary productivity of the area. Any development will not impact the local supply of food. The loss of high-class soils must be balanced against the benefits to the City and the tension that exists between the NPS-UD directive to the City to create additional housing stock.
61. The applicant has considered the submissions and is motivated to find practical solutions to the concerns raised. With respect to the larger minimum site sizes suggested by some, the applicant is mindful Council and NPS-UD seek to maximise development to enable housing. The applicants have six generations of history living in the Wakari area and want to create a legacy for the City rather than built to the 400m² permitted in the GR1 zone. In my view the proposed concept plan establishes a balance between creating new sites and managing effects. The site is gently sloping, and once developed, the site will be a pleasant addition to the city.

Summary

62. JKS Paddock Limited appreciates the rezone results in tension between creating additional housing supply and plan provisions i.e., transport, infrastructure or landscape.
63. They support the rezoning proposal including the NDMA and Structure Plan Mapped Area which is appended.
64. They do not support the RTZ overlay. The RTZ (LLR1) overlay and the RTZ (GR1) overlay add unnecessary complexity when the City is required to increase housing stock.
65. The applicants support the s42A authors recommendation to remove the High-Class Soil overlay.
66. The applicants also support the amendment to the boundary for the Flagstaff-Mt Cargill SNL.
67. The three waters upgrades will require quite detailed plans and reports pursuant to policy 9.2.1.Y if there is a NDMA overlay, particularly regarding stormwater. ORC and landowners in the NDMA would be considered affected parties if a subdivision consent were sought (9.9.XA). These requirements are more strenuous than if an overlay were not imposed but provide a clear pathway to address submitter and council concerns.
68. The NDMA as proposed does however present issues in terms of relying on other property owners wanting to develop their land. Issues of financial capability and timing can impact when respective landowners proceed with development which may stymie the development on other sites. It also implies one site has a clear relationship with another which it may not. It is my view the NDMA should be retained but on a site-by-site basis.
69. Any issues identified in relation to three waters and transport can be resolved at the time of subdivision.

70. There is no need or benefit in adopting a Residential Transition Overlay zone to the site in relation to transportation issues or cost sharing for 3 Waters infrastructure upgrades. Transportation matters can be addressed at the time of subdivision and the 10-year plan has budgeted for any necessary upgrades with respect to water and wastewater services.
71. An assessment against the key objectives and policies are included as a number of appendices attached against each Section of the 2GP. It is my view the proposal is largely consistent with the Public Health and Safety, Strategic Directions and General Residential 1 provisions.
72. Overall, the proposal presents a considered opportunity to establish additional residential sites which gives effect to policy 2.6.2.1 of the 2GP and meet the requirements of the NPS-UD, specifically being infrastructure-ready (following the programmed three waters upgrades), are feasible and reasonably expected to be realised.

APPENDIX 1 - CONCEPT PLAN





terramark
setting new boundaries
Surveying, Resource Management, & Engineering Consultants

PROVISIONAL ONLY
DETAILS ARE SUBJECT TO RESOURCE
CONSENT, ENGINEERING DESIGN,
DCC DESIGN APPROVALS, AND
FINAL SURVEY

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Client: JKS Paddock Limited

Address: 195 Wakari Road
Dunedin

Legal Description: Part Lot 1 DP 12686 &
Lot 1 DP 10300

Area: Record of Title

Drawing Title: Layout Sheet A

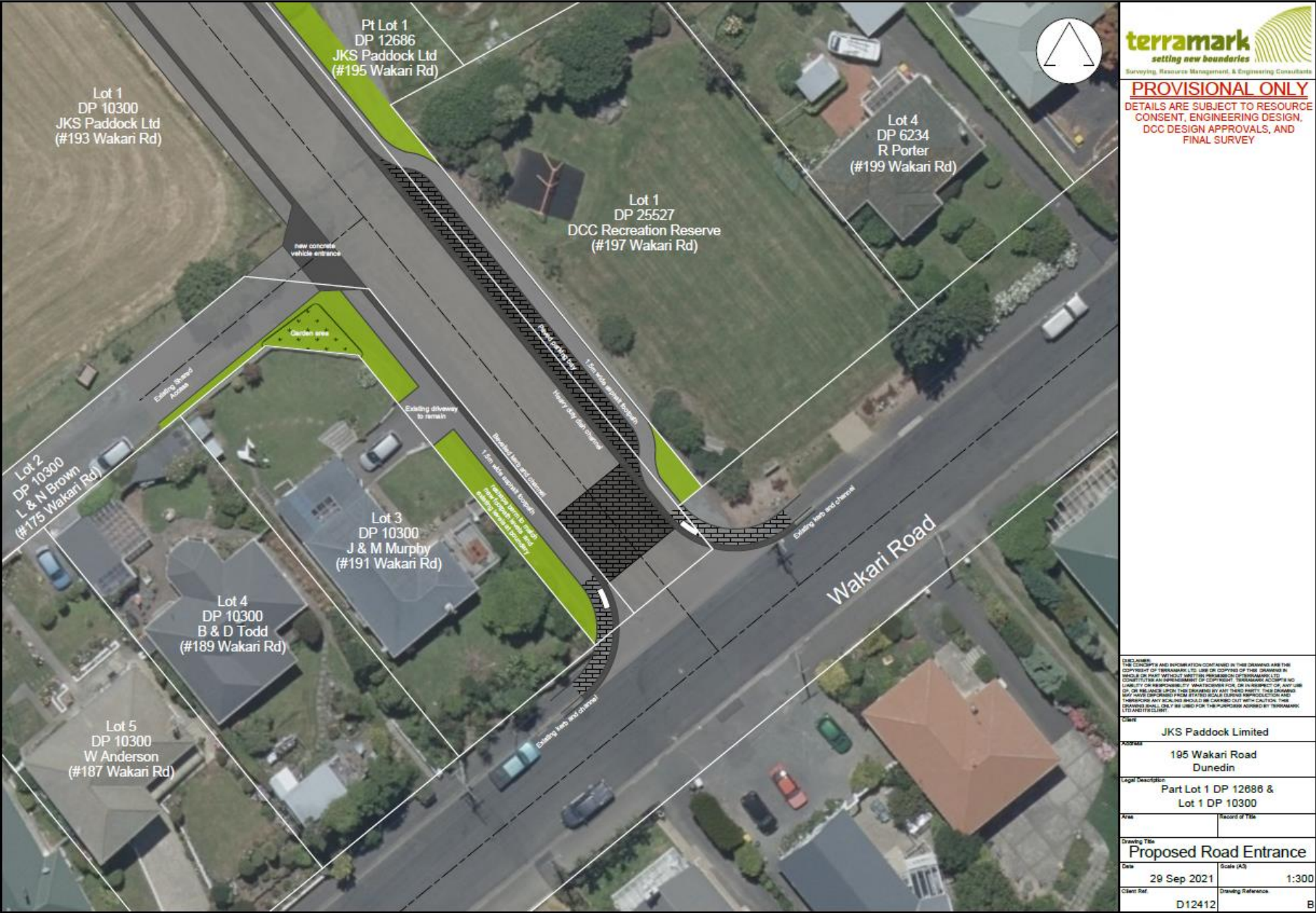
Date: 05/08/2022 Scale (A3): 1:800

Client Ref: D12412 Drawing Reference: 3

Sheet 2 of 3



APPENDIX 2 – ENTRANCE DESIGN



APPENDIX 3– 2GP STRATEGIC DIRECTION OBJECTIVES & POLICIES

Provision	Explanation/Analysis	Consistency of site with provision? Y/N
Objective 2.2.2 Environmental performance and energy resilience Dunedin reduces its environmental costs and reliance on non-renewable energy sources as much as practicable, including energy consumption, water use, and the quality and quantity of stormwater discharge, and is well equipped to manage and adapt to changing or disrupted energy supply by having: a. increased local renewable energy generation; b. reduced reliance on private motor cars for transportation; c. increased capacity for local food production; and d. housing that is energy efficient	The site is located approximately 4km from the Octagon and is within easy travel distance for cyclists or using alternative EV modes of transport. The site is also located close to a bus stops and enjoys generally reliable public transport.	Yes
Policy 2.2.2.4 Support transport mode choices and reduced car dependency through policies and rules that: a. restrict the location of activities that attract high numbers of users, and to which access by a range of travel modes is practicable, to where there are several convenient travel mode options, including private vehicles, public transport, cycling and walking; b. encourage new community facilities to locate where there are several convenient travel mode options, including private vehicles, public transport, cycling and walking, unless there are specific operational requirements that make this impracticable; c. allow the highest development densities in the most accessible locations, being in the central city and suburban centre zones; d. use existing access to public transport, or the ability to be serviced by public transport in the future, as a criterion for determining appropriate locations for new residential and medium density zones; e. provide for dairies and registered health practitioners in residential zones to meet day to day needs, in a way that does not undermine Objective 2.3.2; and f. require subdivision to be designed (subdivision layout and standard of roading) to support good connectivity and legibility for all modes, including good accessibility by active modes to: i. existing or planned centres, public open spaces, schools, cycleways, walkways, public transport stops, and community facilities; and ii. neighbouring existing or potential future urban land.	The s42a report notes the site slopes to the east, providing a sunny site and is located close to a bus stops. The concept design demonstrates that the subdivision will support good connectivity with adjoining undeveloped land. The proposed road in the plan complies with the 2GP standards. This serves 2.2.2.4(X).	Yes
Policy 2.2.2.Y Enable and encourage low impact design stormwater management through policies and assessment rules that require stormwater management	It is assessed that the proposed design will suitably address stormwater management such that post-development flows will be equal to or less than pre-development flows. No properties downstream of the development will be affected.	Yes
Policy 2.3.1.5 Identify key transportation routes, and protect the safety and efficiency of these roads from inappropriate subdivision or development through: a. rules that control the location and design of access points; and b. rules that require minimum on-site loading requirements.	This policy is under appeal, however it is noted local widening to accommodate GF11 developments will be required,	Yes

	The intention of the concept design is to inform discussion with the DCC during the consenting process which will include an ITA.	
New Development Mapped Areas provisions		
Policy 2.2.2.X Encourage improvements to the environmental performance of new housing by: a. use of policies and assessment rules for subdivision, including in new development mapped areas, that encourage subdivisions to be designed to maximise the potential for passive solar design in housing; b. encouraging new medium density housing in parts of the city that have old housing stock that is not protected for its heritage values; c. rules that require outdoor living space to be on the sunny side of buildings, and requiring principal living areas to connect to the outdoor living space; and d. rules that restrict height in relation to boundary to facilitate access to sunlight in outdoor areas.	The s42A report notes the site slopes with an easterly aspect, providing a sunny site. There are no heritage buildings on the site. Limbs (c) and (d) will be assessed and can be complied with at subdivision stage.	Yes
Policy 2.3.3.1 Support activity, sport and recreation, and essential community facilities in Dunedin through: a. policies and assessment rules for subdivision in a new development mapped area that require consideration of the need for formal and/or informal space for recreation, sporting, social and cultural activities, and community facilities.	Each site will have access to green space and Bain Park as well as other local recreation areas so every resident within the development to enjoy for recreation and wellbeing.	Yes

Objective 2.6.1 Housing Choices There is a range of housing choices in Dunedin that provides for the community's needs and supports social well-being. Policy 2.6.1.1 Provide for housing development necessary to meet the future housing needs of Dunedin, through zones and rules that provide for an appropriate mix of development opportunities, including: infill development, redevelopment, and greenfield development; and that support Objective 2.2.4. Identify housing needs based on population projections and analysis of housing types required. Policy 2.6.1.2 Encourage more residential housing suitable for our ageing population and growing number of one and two person households, through: a. zoning of areas that provide for medium density housing to enable transition to lower maintenance housing in existing neighbourhoods ('ageing in place'); b. rules that enable family flats and ancillary residential units, other than in General Residential 2 and Inner City Residential zones; and c. rules that enable two residential units in the form of a duplex in the General Residential 1 and Township and Settlement zones except within a no DCC reticulated wastewater mapped area.	The subdivision that will comprise 61 residential allotments that are aligned with the GR1 provisions. The site is a greenfield development but remains arguable as to whether the zoning provides for medium density housing. But it is noted that in the introduction to Chapter 12 of the 2GP it explains that the NDMA mapping is for development of larger areas of 'greenfield'. The scale, density and location of the proposed subdivision consistent with the overall settlement pattern of the transitional zone within the area which is consistent with the intent of Policy 2.6.1.1.	Yes
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;	The site is a large sloping lot that rises from the residential development fronting Wakari Road up to open rural land and into the SNL. As part of the land capability assessment of Variation 2, Council identified the site as being suitable for further intensification. NDMA mapping according to the introduction to ch12 of the 2GP is for development of larger areas of 'greenfield'. This would suggest that the rezoning would be able to provide a sufficient amount of housing capacity. We require agreement between infrastructure providers for three waters and for roading on the method, timing,	The applicant will require agreement with the infrastructure providers or capitalise the infrastructure upgrades. Assuming the applicant will pay for the upgrade, then the proposal is consistent with the policy.

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). 3. 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).	and funding of necessary public infrastructure provision to be consistent with b. Area is suitable for residential development serving 2.6.2.1(c) given that: The topography of the site is gently sloping land. The residential nature and the lot sizes of the proposed lots are consistent to the surrounding residential development. The site is distant from a commercial centre (4km); however, there is a bus route adjacent to the site. Character and visual amenity: the character, visual amenity and values of the SNL and the rural environment will be protected and maintained through retention of the gully vegetation to tie in with the wider landscape and create continued visual cohesion with the wider area. The values of the SNL are to be retained through restrictions on Building and the vegetation within the encumbered zone against the right of way. No issues for biodiversity – revegetation taking place and biodiversity will be enhanced. New proposal avoids the SNL overlay entirely. Proposal gives more opportunity for people to enjoy the dramatic	
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	coastal landforms of the Otago Peninsula. Proposal is in line with the elements of environment that contribute to residents' and visitors' aesthetic appreciation for and enjoyment of the city being protected and enhanced. These include: the compact and accessible form of development in Dunedin, given that the proposal is an extension of an area that is already zoned residential or transitional residential. There is capacity in the main to service the water demand for the development. The need for upgrades to the wastewater network, both within the rezoning area and to the downstream network. 3 waters has also advised that stormwater management will be required as per the rules covering NDMA. 3 waters has also advised that a new water supply connection would be necessary for the proposed development. The applicant would be required to service the new water supply connection. This would be consistent with viii. The s42A report also sought the adoption of the NDMA.	
Policy 2.6.2.AA Ensure that any plan change that proposes a new residential zoning area (in accordance with Policy 2.6.2.1) or a new rural residential zoning area (in accordance with policies 2.6.1.4 to 2.6.1.5) best achieves the objectives of this Plan by application of any necessary overlay zones or mapped areas (including structure plan mapped areas and/or new development mapped areas) and related provisions as part of the plan change, including where necessary to:	The use of the NDMA is promoted to be consistent with this Policy. No issues with (b) or (c) and natural hazard risks	The proposed development would be consistent if the NDMA overlay is adopted or if network utilities do not require further management.

a. manage risks or effects (for example relating to natural hazards or network utilities); b. manage constraints within or beyond the area (for example relating to reverse sensitivity); or c. protect values (for example relating to coastal character, landscape, or biodiversity).	were not important in s42A.	Putting aside whether the rezoning application is consistent or inconsistent with this policy. We consider stormwater can be addressed on-site.
Objective 2.7.1 Efficient Public Infrastructure Public infrastructure networks operate efficiently and effectively and have the least possible long term cost burden on the public.	This objective is achieved should the applicant fund the additional public infrastructure should they wish to move forward on the development before the DCC programmes the works. There is scope for the applicant and the Council to negotiate a mutual outcome in terms of costs and timing.	Yes
Policy 2.7.1.1 Manage the location of new housing to ensure efficient use and provision of public infrastructure through: a. rules that restrict development density in line with current or planned public infrastructure capacity; b. consideration of public infrastructure capacity as part of zoning and rules that enable intensification of housing; c. consideration of public infrastructure capacity as part of the identification of transition overlay zones, assessment of changes to zoning, or assessment of any greenfield subdivision proposals; d. assessment rules that require consideration of whether any discretionary or non-complying activities would consume public infrastructure capacity provided for another activity intended in the zone and prevent it from occurring; and e. rules that control the area of impermeable surfaces in urban areas to enable stormwater to be absorbed on-site, and reduce the quantity of stormwater run-off.	With negotiation there is scope for upgrades to wastewater, stormwater, water supply and roading and could be funded prior to the Council's programme is finalised.	The proposal is consistent with this policy if the applicant funds the infrastructure upgrades if they are required or negotiates the costs and timing of works with Council.
Policy 2.7.1.2 Ensure areas of new urban development provide for public infrastructure networks that represent the least possible long term cost to the public through: a. consideration of, as part of a proposal to rezone new urban land, the long-term costs to the DCC of any new infrastructure, including up-front capital costs to the DCC; the extent of debt required to be taken on by the DCC including the costs of the debt; and the on-going maintenance and renewals costs of new public infrastructure; b. policies and assessment rules for new development mapped areas that encourage efficient use of land as a way to maximise the cost effectiveness of public infrastructure delivery; and ...	Proposed upgrades works will be funded by the 10-year plan funding or potentially landowner in consultation with Council so capital costs not an issue. Rezoning is consistent if the development provides for public infrastructure networks that represent least possible long-term cost.	The development complies with this policy.

	The proposal will require upgrades to the water and wastewater network, and stormwater management will be addressed onsite.	
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APPENDIX 4 - 2GP Public Health & Safety Objectives and Policies

Policy 9.2.1.BB <u>Require subdivision, multi-unit development or supported living facilities in specified new development mapped areas to provide or connect to a communal wastewater detention system that ensures that all wastewater from the future development of the entire new development mapped area does not exceed the capacity of the wastewater public infrastructure network</u>	The site is a specified NDMA in terms of 9.6.2.Y. Under this scenario it will require connection to a communal wastewater detention system that ensures that all wastewater does not exceed the capacity of the network. This is relevant given that the s42A noted this issue in suggesting that the wastewater infrastructure required upgrades.	Yes
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9.2.1.Y Only allow subdivision activities, multi-unit development, supported living facilities or development that contravenes Rule 9.3.7.AA in a new development mapped area where: a. an integrated stormwater management plan that is designed for the whole NDMA has been prepared, and stormwater management system(s) for all parts of the NDMA that are hydrologically connected to the area proposed for subdivision will ensure there is no increase in the peak stormwater discharge rate from the NDMA into the stormwater public infrastructure, or into a private stormwater system (at any point) between pre-development and post-development; or b. where this is not practicable, any adverse effects from an increase in discharge on the stormwater system are no more than minor.	This policy does not apply assuming the development connects to a dedicated stormwater management system that meets requirements of 9.9.X. In NDMA's, subdivision activities must include a proposed integrated stormwater management plan prepared in accordance with clauses 4 to 6 of 9.9.X.	Assuming the NDMA is retained, the development complies with the policy with an approved stormwater management plan, or no more than minor effects.
9.3.7.AA Stormwater for development a. In a new development mapped area, all development activities that create an impermeable surface and new roads or additions or alterations to existing roads must: i. connect to a stormwater management system that services the new development mapped area and meets the requirements set out in Rule 9.9.X; except: 1. prior to the stormwater management system being installed, any development that creates less than 60m² of impermeable surface; and 2. any development activities that create an impermeable surface on lots of less than 1000m² that were created by a subdivision consent approved prior to 31 May 2022, are exempt from this standard. b. Activities that contravene this performance standard are restricted discretionary activities.	The same matters apply as with Policy 9.2.1.Y.	The same matters apply as with Policy 9.2.1.Y.
9.5.3 Assessment of performance standard contraventions Performance standard a. In a new development mapped area: • Service connections - stormwater for development (Rule 9.3.7.AA) Matters of discretion a. Effectiveness and efficiency of stormwater management and effects of stormwater from future development Guidance on assessment of resource consent <i>Relevant objectives and policies:</i> i. Objective 9.2.1 ii. Development in a new development mapped area that creates impermeable surfaces is connected to the stormwater management system that meets Policy 9.2.1.Y (Policy 9.2.1.X). iii. Only allow subdivision in a new development mapped area where any new public or private 3-waters infrastructure is designed to connect to, and provide capacity for, future urban development on adjoining or nearby sites that are zoned for urban development, where necessary (Policy 9.2.1.AA). <i>General assessment guidance:</i> iv. Council will consider how stormwater will be managed and may require an integrated stormwater management plan to be submitted with the application (see Special Information Requirement - Rule 9.9.X). <i>Conditions that may be imposed include:</i>	The development will be consistent with this policy if private infrastructure designed to connect to infrastructure with an approved stormwater management plan. A kerbside grated inlet sumps will collect stormwater from the road area to provide primary treatment of any stormwater runoff from the road formation. The sumps will then drain to a stormwater trunk pipeline and discharge to the council network.	Yes

v. A requirement for easements, covenants, consent notices, or bonds to ensure future development will be in accordance with an integrated stormwater management plan. vi. A requirement for stormwater management, such as the installation of detention devices, in accordance with the approved integrated stormwater management plan.		
9.9.X Stormwater management a. In a new development mapped area, applications for the following activities must include a proposed integrated stormwater management plan prepared in accordance with clauses 4 to 6 of this rule, unless an earlier approved land use or subdivision consent includes such a plan, prepared in accordance with this rule: i. subdivision; ii. multi-unit development; iii. supported living facilities; or iv. development that contravenes Rule 9.3.7.AA (service connections - stormwater management for development). b. Where an integrated stormwater management plan has already been provided in accordance with this rule as part of an earlier approved consent, but did not include design details for stormwater management systems for any part of the new development mapped area that the current proposal is in, applications for the activities set out in clauses 1 (a) to (d) must provide those details in accordance with clauses 5 to 6 of this rule in a way that is consistent with the integrated stormwater management plan approved as part of the earlier consent c. Outside a new development mapped area, applications for consent that include the following activities must provide details of how stormwater will be managed in accordance with clause 7 of this rule: i. subdivision that may lead to new residential development; ii. development that contravenes the impermeable surfaces performance standard; iii. multi-unit development; or iv. supported living facilities. d. Integrated stormwater management plans required for new development mapped areas must: i. address the whole NDMA and demonstrate how Policy 9.2.1.Y will be achieved; ii. provide details in accordance with clause 5 of this rule of all stormwater management systems for the hydrologically connected parts of the new development mapped area in which the proposal is located and details of how those systems will be installed in full or in planned stages prior to development;	The proposal would be compliant if an approved integrated stormwater management plan was provided. If the NDMA overlay was removed from GF11, then any application would need to provide details of how stormwater would be managed in accordance with clause 7.	This will be met with an approved stormwater management plan. The stormwater management plan will be less onerous without overlay. If NDMA is retained the development would need to meet 9.2.1.Y and explain how system will be installed and work.

iii. iv.	ensure that stormwater will be managed for both the current climatic conditions and climatic conditions based on climate change projections; ensure that: 1. there is no increase in the peak stormwater discharge rate from the new development mapped area into the stormwater public infrastructure, or into a private, Otago Regional Council, or natural/informal stormwater system (at any point) between pre-development and post-development, based on the assessment required in clause i; or 2. where this is not practicable, any adverse effects from an increase in discharge on the stormwater system are no more than minor; 3. For the sake of clarity, the integrated stormwater management plan does not need to avoid volume increases; a. include stormwater detention infrastructure that is designed to temporarily store and release flows from a generated 1% AEP rainfall event, such that peak pre-development flows are not exceeded in the post-development condition; b. demonstrate that secondary flows at the development's upstream and downstream boundaries are not changed or adversely affected; c. include the use of low-impact (or water-sensitive) design features, which may include features such as: i. grassed/landscaped swales and other vegetation areas;³ ii. infiltration trenches/bio-retention systems; iii. storage ponds/wetlands/sediment ponds; iv. rainwater tanks, harvesting and reuse; v. rain gardens, rooftop greening and planting, and porous surface treatments; and vi. consideration of the existing natural topography and the natural course of water flow (overland flow paths) through the design of the subdivision; d. consider whether stormwater management areas can be integrated into reserves and recreation spaces; and e. include an assessment of the difference between pre-development peak flows and post-development peak flows (with and without mitigation) over a range of event durations, taking into account the maximum impermeable surfaces permitted in the district plan zone for the mapped area (and including any other development restrictions resulting from any other rules in the district plan or legal instruments registered on the title(s) for the mapped area). This assessment must meet the following criteria: i. the assessment of pre-development and post-development flows and detention volumes must be based on the 10% and the 1% annual exceedance probability (AEP) rainfall events, covering durations from the mapped area's own critical duration to the critical duration of the catchment upstream of the point of discharge (unless agreed otherwise with the DCC, for example where direct		
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discharge to the coastal environment is feasible). For the purposes of this requirement, 'critical duration' means the duration of rainfall event likely to cause the highest peak flows or water levels; ii. the assessment must take account of climate change, using the climate adjustment rainfall sourced from HIRDS version 4 using RCP 8.5 2081-2100 values (or an alternative source approved by DCC); and iii. the assessment must include a risk based assessment to determine to what extent measures (if any) are needed to manage flows downstream of the land.		
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APPENDIX 5 - 2GP Section 12 New Urban Land Provisions Objectives & Policies

Objective 12.2.X Future Residential growth areas are developed in a way that achieves the Plan's strategic directions for: a. Facilities and spaces that support social and cultural wellbeing (Objective 2.3.3); i. Indigenous biodiversity (Obj 2.2.3); ii. Environmental performance and energy resilience (Objective 2.2.2); iii. Form and structure of the environment (Objective 2.4.1); iv. A compact and accessible city (Objective 2.2.4); v. Efficient public infrastructure (Objective 2.7.1); vi. Land, facilities and infrastructure that are important for economic productivity and social well-being (Objective 2.3.1); and vii. Heritage (Objective 2.4.2).	The site location is consistent with a compact and accessible city by being a logical extension of the hill slopes residential area.	Consistent if the applicant pays for infrastructure upgrades or Council has the works programmed in the 10-year plan. Concept design for road and preliminary design demonstrate consistent with (f)
Policy 12.2.X.1 Only allow subdivision in a new development mapped area where it will provide or otherwise ensure good access to outdoor recreation opportunities (including playgrounds) and, where possible, opportunities for off-road cycling and walking tracks within and between different residential developments and connecting to community facilities and services.	Assuming the NDMA is retained, numerous recreational opportunities are found in the immediate area from Flagstaff, the pineapple track or the Redwoods on Polwarth Road.	Yes
Policy 12.2.X.2 Only allow subdivision in a new development mapped area where the subdivision is designed to ensure any future land use and development will protect, and where necessary restore, any water bodies, areas of important indigenous vegetation or habitats of indigenous fauna, or other areas with important natural environment values.	Assuming the NDMA is retained, the location of the concept plan is adjacent to, and a natural extension of existing residential development on neighbouring properties.	Yes
Policy 12.2.X.3 Only allow subdivision in a new development mapped area where the subdivision layout and orientation provides for houses to be designed with good solar access to living areas and outdoor living spaces.	"The site slopes to the east, providing a sunny site..." (s42A)	Yes
Policy 12.2.X.4 Only allow subdivision in a new development mapped area where the subdivision will provide adequate areas of amenity planting (including but not limited to street trees) and public amenities to ensure an attractive residential environment.	The amenity planting within the encumbrance area and indigenous vegetation within the gully will provide significant	Yes

	screening and amenity benefits. For views from further afar, the site will be somewhat screened by topography, existing dwellings and amenity plantings.	
Policy 12.2.X.5 Only allow subdivision in a new development mapped area where the subdivision design ensures the efficient use of land, while also achieving the other elements of Objective 12.2.X.	Land provides feasible capacity of approximately sixty sites and the applicant proposes to make efficient use of that land capacity for subdivision.	Yes
Policy 12.2.X.6 Only allow subdivision in a new development mapped area where the subdivision design will enable any new or upgraded electricity or telecommunications network utilities necessary to service the anticipated future development to be efficiently and effectively provided by network utility operators	No issues raised in s42A.	Yes
Policy 12.2.X.7 Only allow subdivision in a new development mapped area where the subdivision design (including any associated off-site access and infrastructure) maintains or enhances any significant heritage values.	No significant heritage values	Yes