

**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 Wendy Campbell**

(Submission 228, Further Submission 251 – Requested Site 14)

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 Wendy Campbell to rezone land located at 45 McMeakin Road and part of 188 North Taieri Road from *Rural – Hill Slopes* to a mixture of residential zones pursuant to a structure plan and apply a structure plan mapped area to the site¹. This land forms part of a requested site Council identifies as RS 14. A geotechnical report and landscape structure plan were included with the submission. A further submission was made on behalf of Wendy Campbell² seeking that all the land within RS 14 be rezoned *General Residential 1* pursuant to the application of a *Structure Plan Mapped Area* so that land deemed unsuitable for residential development pursuant to the geotech report is noted on the structure plan.
5. In response to further submissions and the s42a report a structure plan has been developed for McMeakin Road properties included in RS 14 as well as for part of 188 Taieri Road included in RS 14. There are three pages to the structure plan:

¹ Original submission 228.

² Further submission 251. Further submissions supporting submissions seeking residential rezone within RS 14 were also made.

- structure plan with constraints information;
 - structure plan with contour information; and
 - structure plan with contour and aerial photo information.
6. Copy of the three pages of the structure plan is appended at Appendices 1a – c respectively. The amended structure plan provides for an estimated 330 dwellings if rezoned *General Residential 1* and provides three areas to be rezoned as reserves – one for recreation, one for amenity and the other for biodiversity. The rezone area will have two access points from McMeakin Road and an emergency only route through 188 North Taieri Road to North Taieri Road.
7. The owners of the properties within RS 14 covered by the structure plan seek for the land to be rezoned *General Residential 1*.
8. In addition, Ms Campbell seeks a *Residential Transition Overlay Zone (Low Density Residential)* over that part of 188 North Taieri Road within RS 14 outside of the structure plan area but within the area shown as blue in Figure 1 below. The structure plan area is to the right of the line notated A – B.

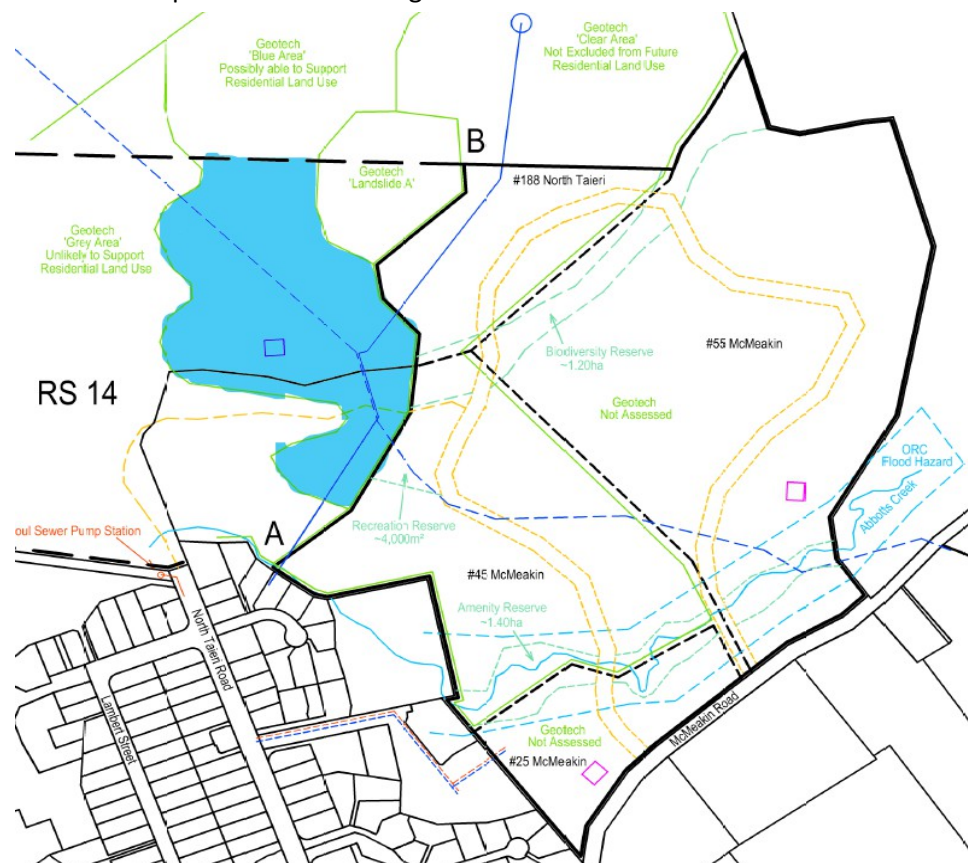


Figure 1: Blue Area over which RTZ is to be Placed.

9. This *Residential Transition Overlay Zone* 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. Release of the *Residential Transition Overlay*

Zone would be subject to: (a) geotechnical investigations including subsurface finding that this area is suitable for the proposed subdivision design; and (b) funding of the necessary upgrades to North Taieri Road are included in the 10 year plan.

S42a Report

10. The s42a report details both the submissions and further submissions and canvasses those when discussing various issues raised.
11. The reporting planner recommends: *“Overall, based primarily upon the hazard and transport issues, I do not consider that rezoning to residential is appropriate and I recommend that RS 14 remains zoned as Rural.”*³

Policy 2.6.2.1

12. 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.”*
13. Policy 2.6.2.1 provides the criteria by which the district plan envisages land will be selected for residential rezoning. The criteria include⁴:
 - necessary to provide at least sufficient housing capacity to meet short and medium term demand;
 - 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;

³ S42a Report page 210.

⁴ See Appendix 2 for a copy of Policy 2.6.2.1.

- effect on the efficiency and effectivity of public infrastructure;
- effects on a multi-modal transport network;
- Dunedin remains a compact and accessible City with resilient townships.

Council's Assessment of RS 14 Pursuant to Policy 2.6.2.1.

14. 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."*

15. In relation to RS 14 the table includes the following information:

Location	Map number	Current Zone	Requested Zone	Size (ha)	Reasons for rejection
Freeman Cl. & Lambert St., Abbotsford	14	Rural	GR1	70.28	Significant natural hazard risks identified.

16. Appendix C *Site Criteria Assessment* to the s42a report includes assessment of RS 14 with respect to Policy 2.6.2.1⁵.

Assessment of Site Pursuant to Policy 2.6.2.1

17. An assessment of RS 14 against the criteria set out in Policy 2.6.2.1 is undertaken below.

Short and Medium Term Demand

18. 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..."*.

19. 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

⁵ Copy attached at Appendix 3.

reticulated wastewater) zones as well as *Variation 2 Mapped Areas*⁶.

20. 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.
21. 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.
22. 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.
23. 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.
24. The reporting planner states⁷: *"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."*
25. This criteria is met. There is a clear demand for more residential zoned capacity to be made available to the market in this area of Dunedin.

⁶ This part of the Panel's decision has been appealed by Paterson Pitts Limited Partnership – see *ENV-2022-CHC-035*.

⁷ S42a Report, paragraph 23.

Public Infrastructure and Multi-Modal Land Transport Network

26. 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)...”*.
27. The issues of effects on 3 waters infrastructure and increased traffic effects including congestion and safety in relation to the lower reaches of North Taieri Road were raised in further submissions.
28. The s42a report states at page 210: *“The transport evidence received highlighted numerous concerns regarding the potentially high level of traffic generated, effects on intersections, impacts on North Taieri Road, and lack of alternative connection points. Based on this, and the lack of information provided by submitters to address these concerns, DCC Transport is unable to support the proposed rezoning. I consider the issues raised are significant and represent a conflict with Policy 2.6.2.1.d.x...The 3 Waters advice for this site indicates issues with water supply, and potential issues with wastewater. Additionally, while stormwater management is possible, it is somewhat reliant on the proper functioning of the downstream sections of watercourses. Based on the issues identified, I consider the rezoning the site has potential conflicts with Policy 2.6.2.1.d.ix.”*
29. With respect to transport, Paterson Pitts have investigated alternative connection points into the valley. Both McMeakin Road and Abbotts Hill Road were assessed but Abbotts Hill Road was found to be the feasible option due to the more appropriate terrain it traverses, having sufficient legal width and lower likely construction cost. Paterson Pitts have produced the following plans in relation to the formation of Abbotts Hill Road as an alternative access to the valley:
- road design overview;
 - cross section; and

- long sections.

30. Copy of these road plans for the formation of Abbotts Hill Road are appended at Appendix 4. It is anticipated that the developer(s) of residential development covered by the structure plan will pay for the formation of Abbotts Hill Road including any necessary upgrades of existing formations where these do not meet the required standard. A performance standard can be attached to the structure plan requiring that a cost sharing agreement is met between the landowners prior to any subdivision resulting in residential development being accepted by Council.
31. It is anticipated that a performance standard will attach to the structure plan requiring an Integrated Traffic Assessment to be undertaken prior to any subdivision for residential development of RS 14 and that any upgrades to the transport network recommended in that Integrated Traffic Assessment would necessarily have to be provided for via the subdivision process, particularly the s224(c) process. The development of RS 14 will not have an adverse impact on the multi-modal land transport network. RS 14 is close to the railway line on which there is the potential for a commuter service from south of the City to run.
32. It is anticipated that a *New Development Mapped Area* will be applied to the part of RS 14 to which the structure plan mapped area also applies. Operation of the NDMA and subdivision performance standards mean that at the time of subdivision, the subdivision design must, in this instance, incorporate: (a) feasible solution with respect to the issue of capacity of the potable water supply line, for example installation of a larger diameter pipe; (b) information that the local wastewater network has capacity for the proposed level of residential development; and (c) a stormwater management plan which demonstrates that the proposed residential development including any attenuation measures, controls on levels of impermeable surfaces and the like, will not cause adverse effects downstream of the development site. Additional performance standards can be attached to the structure plan to ensure that these requirements are clear.
33. In response to further submissions and the s42a report, performance standards attaching to the structure plan will require that all lots within parent title for 45 McMeakin Road are to include a storm water detention tank, with capacity to allow for 100 litres of water per 1m² of roof area before discharge to the local stormwater system; and external site hard standing surfaces are to be drained to an in-ground garden detention tank capable of containing 500 litres of water

before overflow that then discharges to the accessway drainage system. These performance standards could be applied to all of the land within the structure plan.

34. It is understood that there is a secured arrangement between the owners of 113 North Taieri Road and 25 McMeakin Road for the provision of potable water and wastewater through 113 North Taieri Road to 25 McMeakin Road which is within the structure plan area of RS 14.
35. These criteria can be met by RS 14.

Land Suitable for Rezoning?

36. 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..."*.
37. Table 1 below contains an assessment of RS 14 against the factors specified in Policy 2.6.2.1.c.

Table 1: Assessment of RS 14 Against Policy 2.6.2.1.c – Desired Site Characteristics.

Desired Characteristic	Assessment of RS 14
Topography 'not too steep'	Council's site assessment states that there are 'some issues' with the mean slopes of RS 14 being 7.7 degrees. The geotech report included with submission 228 found that 45 McMeakin Road and the part of 188 North Taieri Road included in the structure plan were in an area suitable for residential development from a geotechnical perspective. It is anticipated that a performance standard requiring geotechnical investigations including subsurface prior to subdivision will be attached to the structure plan if RS 14 is rezoned residential. RS 14 has this characteristic.
Close to township with shortage of capacity	RS 14 is immediately adjacent to existing <i>General Residential 1</i> zone. There is a shortage of zoned capacity available to the market in Dunedin, particularly in this locale. RS 14 has this characteristic.
Public transport services 'currently serviced or likely to be easily serviced'	Council's site assessment assesses this as 'very good'. RS 14 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>

	Council's site assessment assess this as 'poor' because the <i>Green Island Principal Centre</i> is approximately 2.3km away. RS 14 does not have this characteristic.
Close to existing community facilities	Council's site assessment rates RS 14 as 'very good' in relation to closeness to the nearest primary school which is approximately 600m away. The closest highschool is located in Kaikorai Valley. Public walking tracks and reserves will be provided within the rezone site. There are recreation reserves including sports fields at Green Island. There is a GP clinic at Green Island. The book bus (Dunedin Public Library service) comes to Green Island every Monday morning. RS 14 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 14 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. Policies 2.6.2.1.d.iv and d.v are not relevant to RS 14 as it is not located within a landscape overlay zone or within the coastal environment.
41. The issues of loss of rural character, visual amenity and green spaces are raised in further submissions.
42. The s42a report states at page 210: *"...the landscape advice received for this site indicates a range of effects, depending on the area being considered for rezoning. While some areas of the site appear more favourable for residential development from a landscape perspective, other areas are considered to have high adverse*

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

effects on rural character values. I consider that rezoning parts of the site would conflict with Policy 2.6.2.1.d.i and 2.6.2.1.d.vii."

43. It is acknowledged that rezoning the site pursuant to the structure plan represents a significant change to the landscape. The amenity and biodiversity reserves will be planted in indigenous species and there is some existing vegetation within the recreation reserve which will be retained and supplemented. The existing trees and plantings will provide a framework for the residential development to nestle into.
44. In response to further submissions and the s42a report it is suggested that performance standards attaching to the structure plan in relation to 45 McMeakin Road and that part of 188 North Taieri Road included in the structure plan control built form with respect to height, gross floor area and colours and materials. This will include:
- All sites are to retain a minimum of 60% permeability that is to be used for open decking (not close board or sheet covering), lawn, ground cover, shrub planting, or gravel paths;
 - Concrete hard standing areas are restricted to a maximum of 80m², excluding car port areas, with larger areas permitted where loosely compacted gravel with surface runoff directed to a garden area, and not the adjacent paths or accessway;
 - Dwellings are restricted to a ground floor area of 300m², including garage/carport;
 - All lots are restricted to one external garden shed/studio;
 - Structures are limited to 5m from base of external wall to top of roof line;
 - Roof colours are restricted to a maximum reflectivity of 30% on British Standard Colour Chart:
(https://www.resene.co.nz/pdf/charts/BS5252_Colour_Range.pdf);
 - External wall colours are not to exceed 40% reflectivity on the BS5252 range, including concrete block, steel, synthetic cladding, or painted finish; and
 - Accessways are to be tinted to 50% reflectivity if concrete is used for construction.
45. Zoning to *General Residential 1* is sought pursuant to a structure plan. This zoning is the most suitable given the landscape characteristics of RS 14 and the locale. This criteria is met.

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

46. 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 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...".

47. There are no *High Class Soil Mapped Areas* within RS 14 although RS 14 has LUC Class 3 soils⁹. However, given the location of RS 14, multiple ownership and the existing zoning nearby (both *General Residential 1* and *Rural Residential 1*), the primary productive capacity of RS 14 is likely to be relatively low.
48. Council's site assessment of RS 14 states that there are 'no issues' with significant indigenous biodiversity, significant trees excepting one scheduled tree within RS 14, heritage items, important vistas or viewshafts, important green or open spaces.
49. The proposed development will provide new housing in a development that provides for a recreation reserve and an amenity reserve, regeneration of indigenous plants and several walking tracks through the rezone site, all of which are important for the social wellbeing of people.
50. This criteria is met.

Biodiversity

51. 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..."*.
52. The issue of loss of biodiversity including loss of habitat for birds is raised in further submissions.
53. The reporting planner states at page 209 of the s42a report in relation to biodiversity that: *"A desktop assessment of vegetation cover did not identify and*

⁹ Source: Dunedin City Council Data Map.

indigenous vegetation on the site. While it is likely that native birds reside in the area, the site is not expected to provide significant habitat. Overall, I consider that the biodiversity values at this site are low."

54. The structure plan includes three reserve areas one of which will be a biodiversity reserve. Appropriate indigenous species for the locale will be planted in these reserve areas. This will provide for an enhancement of the biodiversity of both the site and its immediate locale. To the extent that criteria is applicable to RS 14, it is met.

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

55. 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)..."*.
56. The proposed structure plan provides for an amenity reserve in relation to Abbotts Creek. Pedestrian access will be provided for in this amenity reserve as well as within the recreation reserve. This criteria is met.

Natural Hazards Risk

57. 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)..."*.
58. The s42a report states at page 210: *"The hazard assessment indicates the site has high level hazards associated with slope instability, with a precedent for land instability within similar geology and slope angles nearby. A hazards assessment was provided by submitters for part of the site, and this identifies a small area that is "possibly suitable for residential land use (subject to further analysis and investigations)". SanteC's assessment indicates that the site geology is complex and a general desktop overview is insufficient to draw full conclusions. Given this, detailed information would need to be provided to confirm whether sub-areas of the site are appropriate for residential development. In the absence of this, I consider that rezoning the site to residential conflicts with Policy 2.6.2.1.d.viii, as the evidence to date suggests the potential risk from natural hazards is significantly higher than low."*
59. The issue of natural hazard risk including flooding and land instability was raised

in further submissions.

60. It appears that there has been an error of interpretation of the map included with the preliminary geotechnical assessment provided with submission 228. Copy of the geotech figure relevant to RS 14 is appended at Appendix 5. What is important to note about that figure is that the dark grey areas are unlikely to be suitable for residential land use and the blue areas are possibly suitable for residential land use subject to further detailed checks. The light gray areas "...appear to be relatively straightforward for residential development..." but will be subject to subsurface investigations necessary to confirm geotechnical requirements for any subdivision and residential land use within the structure plan mapped area of RS 14.
61. It is anticipated that a performance standard will be attached to the structure plan requiring further geotechnical investigations including subsurface to be carried out at the subdivision design stage.
62. The structure plan notates the ORC flood hazard risk. Within this area is an amenity reserve which will be a 'no build area'. For any residential activity outside of the amenity reserve but within the ORC flood hazard notation, a consent application will need to demonstrate acceptable mitigation of the flood risk. This matter is best dealt with at the time of subdivision when detailed subdivision design can be assessed.

63. This criteria is met.

Compact & Accessible City

64. 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)..."*.
65. Council's site assessment of RS 14 rates this site as 'very good' with respect to the *compact city – ability to develop land efficiently* criteria and as having 'no issues' with respect to the *compact city – proximity to existing residential areas* criteria.
66. This criteria is met.

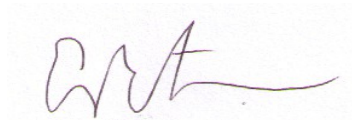
Conclusion

67. RS 14 rates well in terms of the site rezone criteria. The provision of the structure

plan including the various performance standards attaching therein overcome issues raised by further submissions and the s42a report.

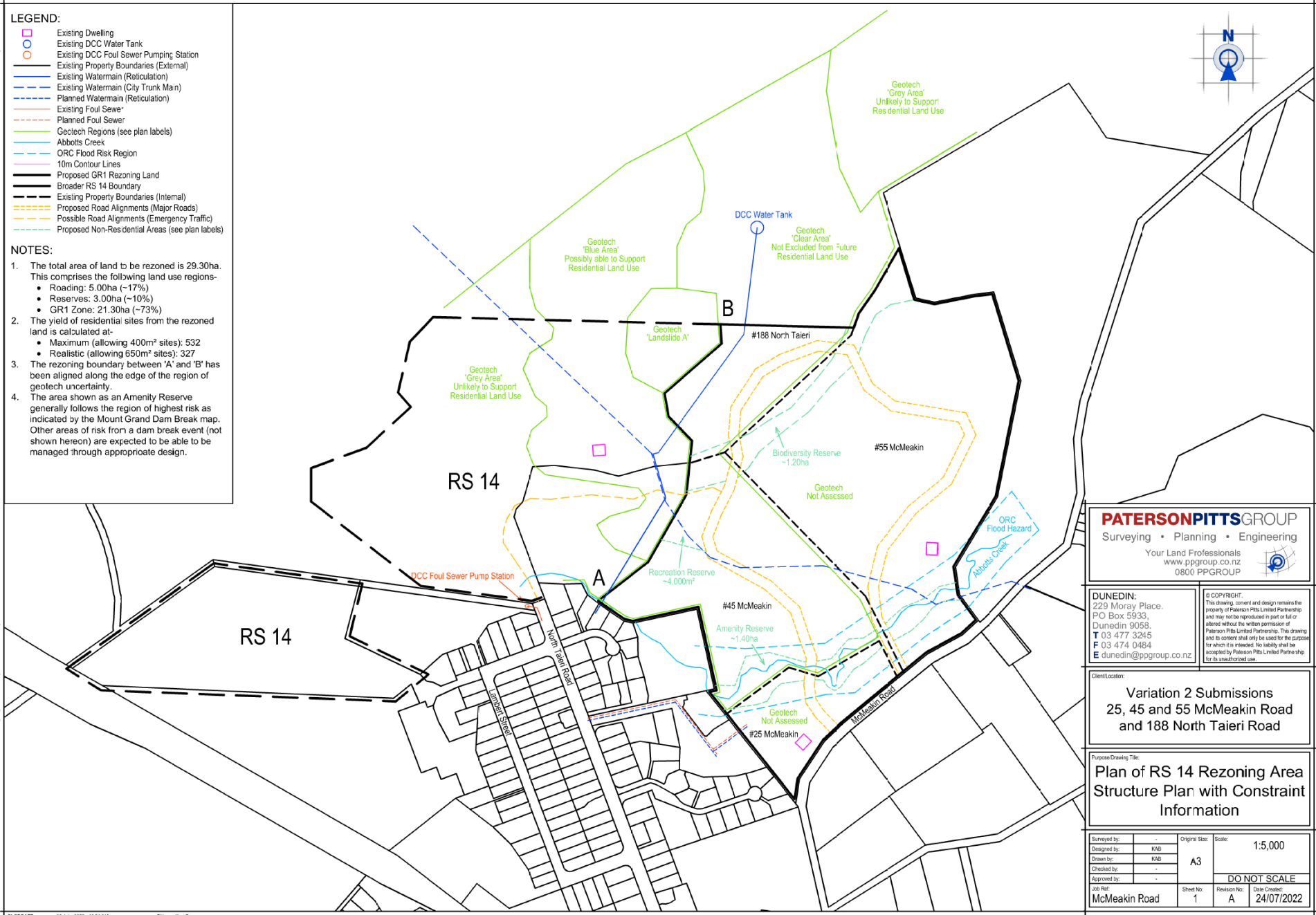
68. Investigations by Paterson Pitts show that upgrading of Abbotts Hill Road is feasible and will provide an alternative access route to the valley.
69. 45 McMeakin Road and the area of 188 North Taieri Road covered by the structure plan are in areas which have been found to be suitable for residential development subject to subsurface geotechnical investigations at the subdivision stage.
70. There are no impediments to rezoning RS 14 within the structure plan area *General Residential 1*.

Dated this 5th day of August 2022

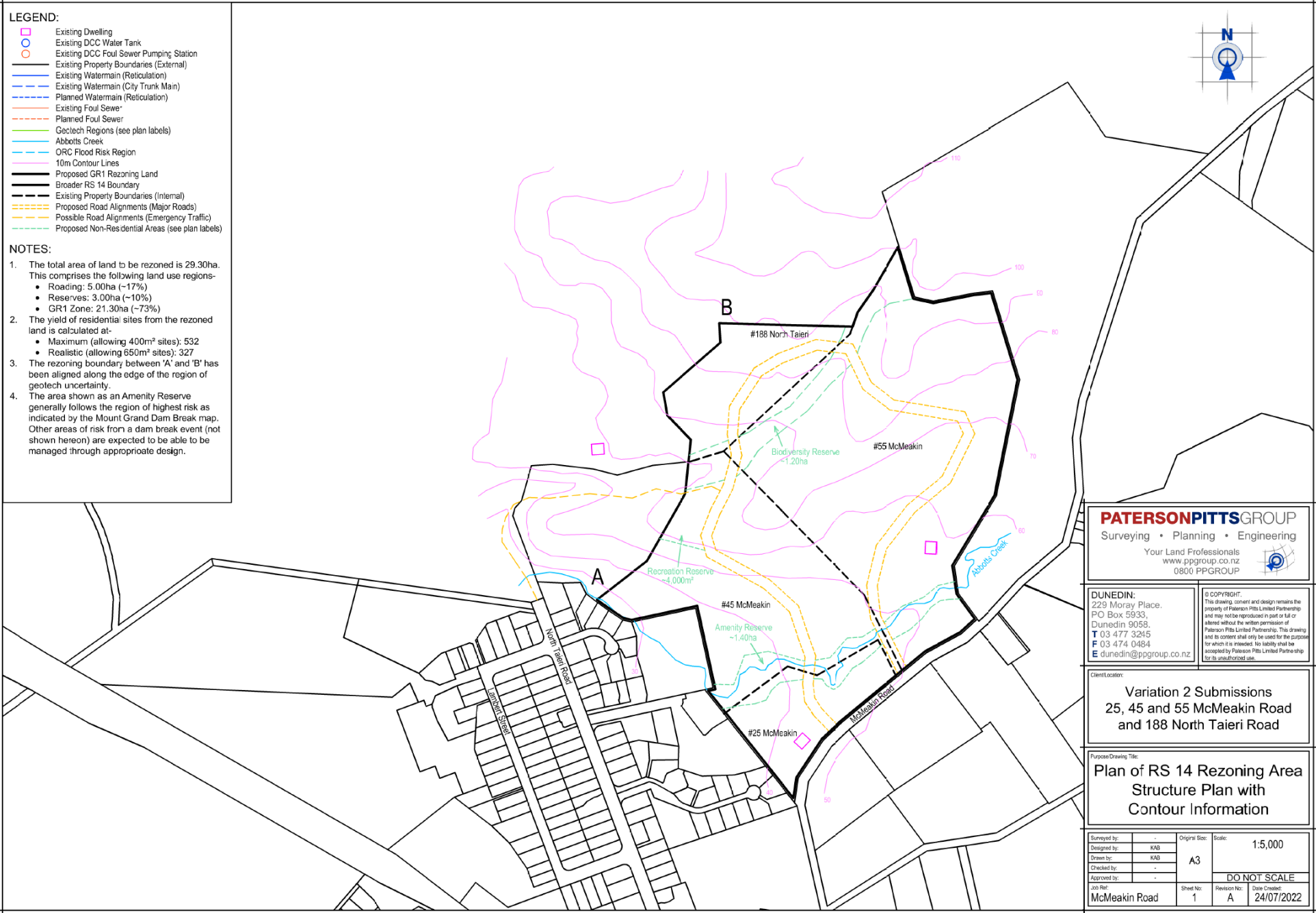


Emma Rayner Peters (BA (First Class Honours), MA (Distinction), LLB)

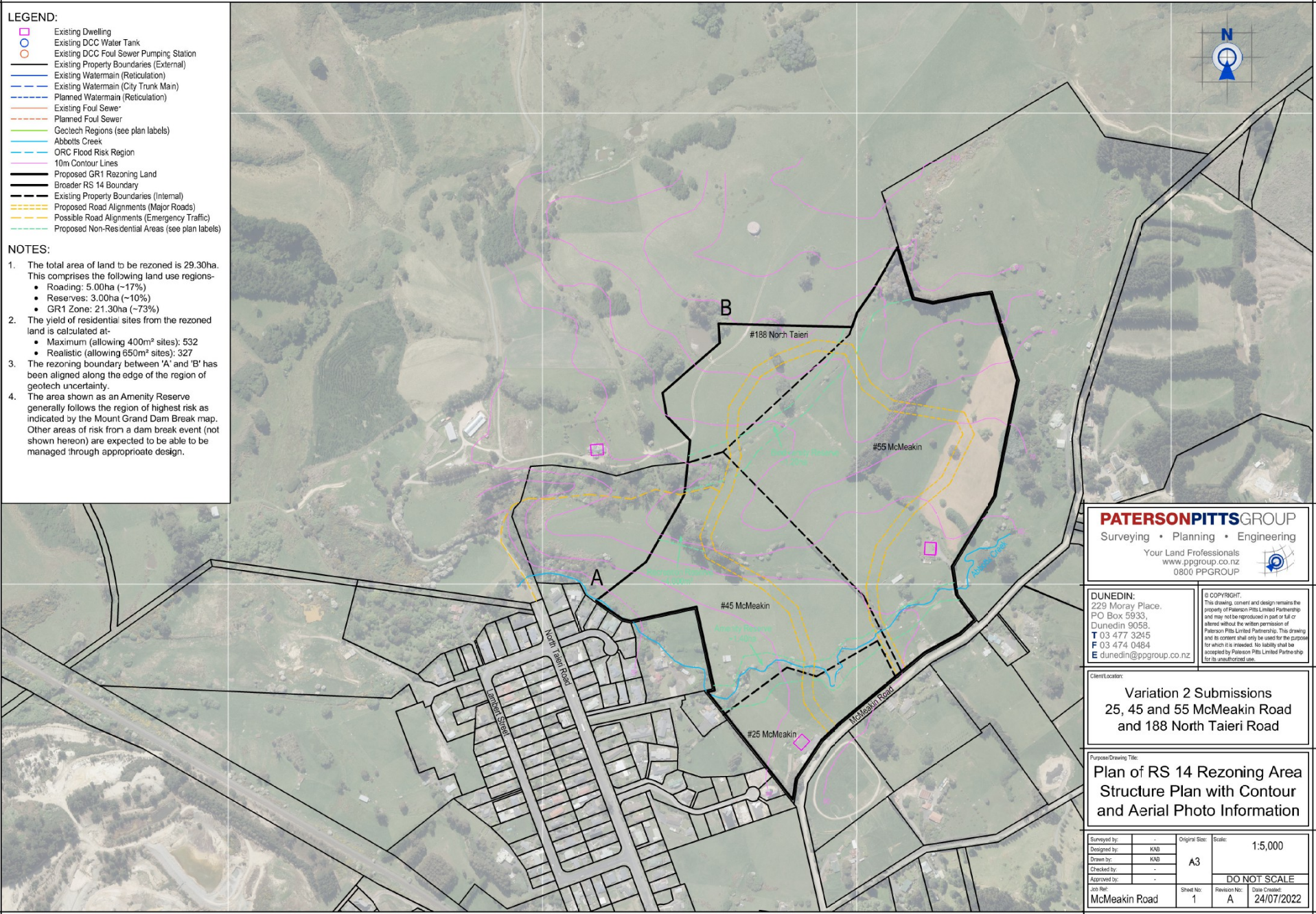
Appendix 1a: Structure Plan with Constraint Information.



Appendix 1b: Structure Plan with Contour Information.



Appendix 1c: Structre Plan with Contour & Aerial Photo Information.



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: s42a Report Appendix C Site Assessment of RS 14.

APPENDIX C.18 Rezoning Assessment Sheet – Freeman Close and Lambert Street, Abbotsford (RS14)		
SITE DETAILS		
Change Number	RS14	
Site outline image	Abbotsford Rejected Site(s) General Residential 1 Rural Residential 1 Rural Residential 2 Rural Hill Slopes	
Site Address	25 McMeakin Road, 42A Lambert Street, 45 McMeakin Road, part 188 North Taieri Road, 55 McMeakin Road, Abbotsford.	
Full area assessed	As shown in map above	
Site Area	54.6 hectares	
Current zoning	Rural	
PROPOSAL DETAILS		
2GP Zone assessed	General Residential 1	
ASSESSMENT CRITERIA		
Slope	Some issues	Mean slope of 7.7 degrees
Aspect - Solar access	Poor	Generally south facing and moderately/significantly sloping
Accessibility – Public Transportation	Very good	There is a non-frequent bus stop approximately 131m away, and a high-frequency bus stop approximately 362m away.

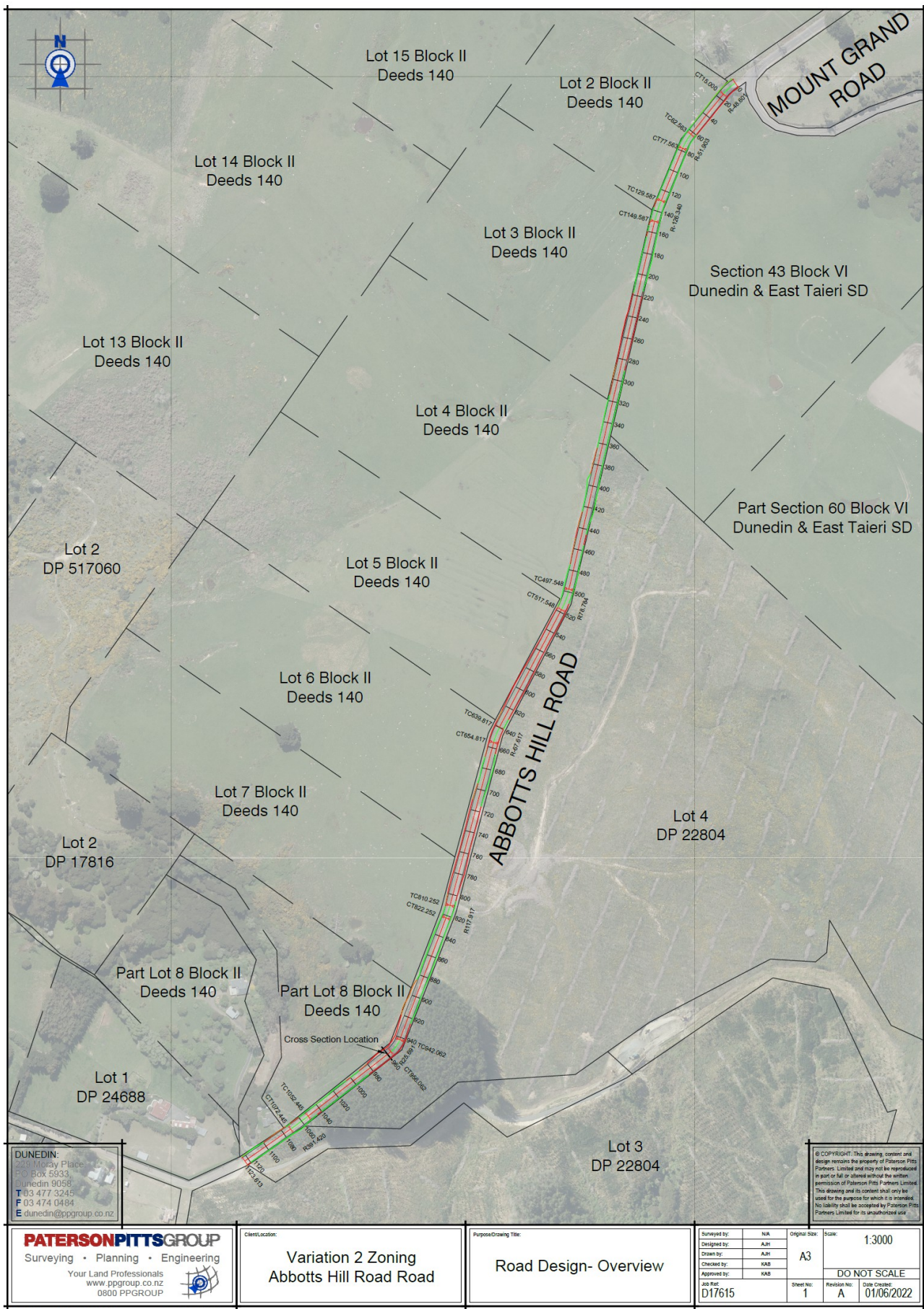
Accessibility - Centres	Poor	The Green Island principal centre is approximately 2,390m away.
Accessibility – Schools	Very good	The nearest primary school is approximately 587m away.
Rural character/visual amenity	Significant issues	The land covered by RS14 comprises a large rural block of pastoral farmland north of Abbotsford. Topography is gently rolling to moderately steep in places. These hillslopes display some of the values attributed to the wider Hillslopes Rural Zone. They provide a rural backdrop to nearby residential Abbotsford, particularly the area at the end of North Taieri Road and its surrounding streets. Four submissions were received on RS14, each seeking to rezone a discrete area. A summarised assessment of landscape effects is provided below for each. S298.001 (rezone 25 McMeakin Road) - Residential development here would conform to the existing pattern of nearby residential development, which is restricted the flatter parts of the valley floor. It is not a highly prominent location as viewed from most nearby residential areas. S281.001 (rezone 42 Lambert Street) - Effects on wider surrounding rural character will be low-moderate. There will likely be some adverse visual amenity effects on a small number of nearby residents on Hyslop and Lambert Streets. S228.003 (rezone 45 McMeakin Road and part of 188 North Taieri Road) - There will likely be at least moderate adverse effects on existing rural amenity values associated with the proposed low density residential and general residential areas proposed. If considered alongside S302.002 and S298.001, the cumulative effect on rural character values of this large conversion of rural pastoral land to residential use would be considerable. Effects on existing rural character values are likely to be at least moderate when considered in isolation to S302.002 and s298.001 and high, if considered cumulatively. S302.001 (rezone 55 McMeakin Road) - Conversion of such as large area of distinctly rural land, which is part of a largely contiguous area of rural or rural residential land, will have high adverse effects on existing rural character values. There will also be adverse visual amenity effects on nearby rural residential and residential properties.
Impacts on productive rural land	Significant issues	The site is largely covered by LUC Class 3 soils. The land appears to be used in primary industry and development will result in loss of primary productive capacity in this area.
Reverse sensitivity	Some issues (manageable)	A small part of the site is adjacent to a rail corridor. 2GP performance standards require acoustic insulation within 70m of a rail line.
Significant indigenous biodiversity	No issues	

Natural landscapes and natural coastal character	No issues	
Access to the coast and water bodies	Some issues (manageable)	Abbotsford Creek passes through the area. Access can be considered during any subdivision application.
Significant Trees, heritage items, important vistas or viewshafts, important green or open spaces	Some issues (manageable)	There is a scheduled tree within the site.
Natural Hazards	Significant issues (not manageable)	The site is assessed as having medium and high level hazards. There are high level hazards associated with slope instability and precedent for land instability within similar geology and slope angles nearby. There are also several medium level hazards associated with stormwater. Extensive geotechnical assessments are required to identify suitability (or not) of the site for higher density development.
Potable water supply	Significant issues (manageable)	There is a connection point close to the site boundary. A minor local network upgrade is required to service the site. Within the site are a 750mm diameter raw water trunk main, and a 200mm diameter treated water trunk main. The raw water trunk main is the primary source water feed to the Southern Water Treatment Plant as so is a critical water supply main for Dunedin. An access corridor and buffer easement would be required to ensure that DCC can access and maintain the raw water trunk main. The 200mm treated water main does not have adequate capacity for the proposed development and would need to be upgraded. Higher elevation areas of the site would require pumping. 3 Waters prefers gravity to pumping where possible due to lower operating and maintenance costs and supporting DCC's Zero Carbon policy. Significant upstream network upgrades required. Medium to long term to resolve. Eastern and south western sides of site are within the Mt Grand Raw Water Reservoir Dam Break Hazard Zone. Any development would need to either avoid development in this zone or be designed to mitigate property and life safety risks.
Wastewater supply	Some issues (manageable)	The existing wastewater infrastructure in this area gravitates to a pump station. Pump station capacity would likely need to be increased but verification of capacity is required through modelling. From a high-level desktop study it appears the local network has the capacity for the proposed development density and future development in the existing zoned catchment. Additional pumping would be required to service the lower lying western block of land but this may be undevelopable due to flood risks. 3 Waters prefers

		gravity to pumping where possible due to lower operating and maintenance costs and supporting DCC's Zero Carbon policy. Some downstream network upgrades required
Stormwater management	Significant issues (manageable)	The proposed site discharges to a stream which passes under the railway line downstream and is an upper tributary of Abbots Creek. No stormwater infrastructure is present downstream of the area to be developed. As the channel capacities are unable to be determined and the risk exists for flooding to neighbouring properties, it is advised to attenuate the 100yr ARI storm event to predevelopment levels to ensure post development flows are kept to predevelopment levels to ensure the stream integrity is maintained. Neighbouring properties have contacted DCC repeatedly about concerns over flooding, particularly as it relates to increasing development in the catchment. There is evidence that downstream watercourses are not properly maintained, increasing flood risks. Provided the new stormwater management rules in Variation 2 are applied to the whole proposed area the site may be considered developable, however despite this there is still significant risk to downstream landowners if watercourses are not being properly maintained.
Transport effects (local)	Significant issues (not manageable)	The site is constrained in terms of options for access, and it is considered that this level of development would create unacceptable pressure on North Taieri Road and the wider transport network. It is considered that, as a minimum, a development of this size would require construction of additional connection points to other parts of the existing transport network. There are existing legal roads in McMeakin Road and Abbots Hill Road which provide these possible connections. However, these roads are not fully formed and where they are formed, the standard is not suitable for residential development. They also have narrow reserve widths. DCC Transport is unable to provide its support for the proposed rezoning, based on the quantum of development being proposed and the lack of sufficient transport assessment on behalf of the submitters.
Transport effects (wider network)	Significant issues (not manageable)	There would be significant effects on the transport network, these effects have not been evaluated by the submitters. Since the development site is located at the end of North Taieri Road, a large proportion of this traffic would be required to travel the full length of the road when entering and leaving the site. The effects of this additional traffic on downstream intersections, such as North Taieri Road / Abbotsford Road and also the motorway on-ramp and nearby roundabouts, has not been assessed by the submitters. From a structural integrity perspective, it is unlikely that North Taieri Road would be able to accommodate the additional traffic loading. This is especially the case noting the amount of heavy construction traffic that would be required to access the site during earthworks/subdivision construction phase, and house construction phase. The railway bridge also presents constraints in this regard,

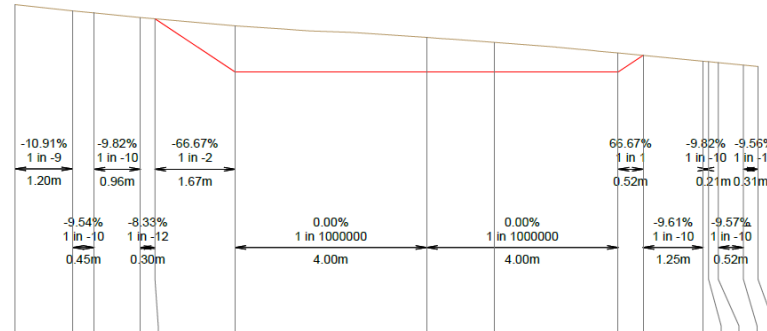
		since the bridge is structurally incapable of supporting heavy overweight type vehicles, such as mobile cranes. DCC Transport is unable to provide its support for the proposed rezoning, based on the quantum of development being proposed and the lack of sufficient transport assessment on behalf of the submitters.
Compact city – proximity to existing residential areas	No issues	
Compact city - ability to develop land efficiently	Very good	The site has an approximate feasible capacity of 761 dwellings under General Residential 1 zoning.
Effects on Manawhenua values	No issues	
Issues for: • network utility operators • Southern District Health Board • Ministry for Education • FENZ	No issues	
Other constraints on development (encumbrances, owner aspirations, appeals)	Some issues (manageable)	Site is subject to easements, compensation certificate, consent notice.

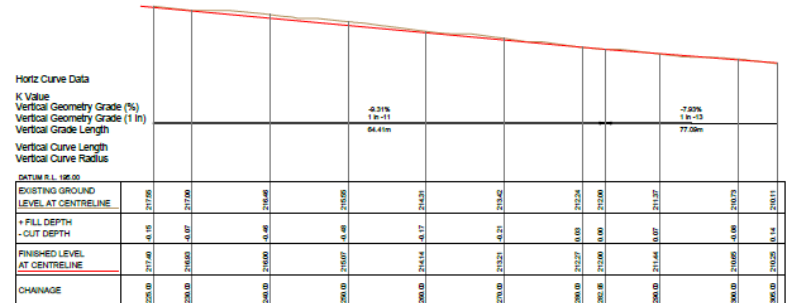
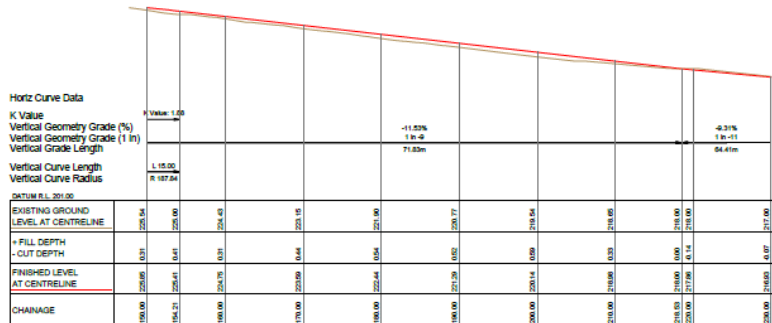
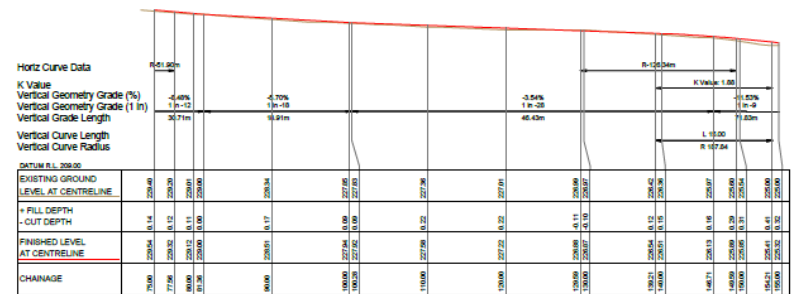
Appendix 4: Abbots Hill Road Plans.



K Value
Vertical Geometry Grade (%)
Vertical Geometry Grade (1 in)
Vertical Grade Length

Vertical Curve Length
Vertical Curve Radius

[illegible]



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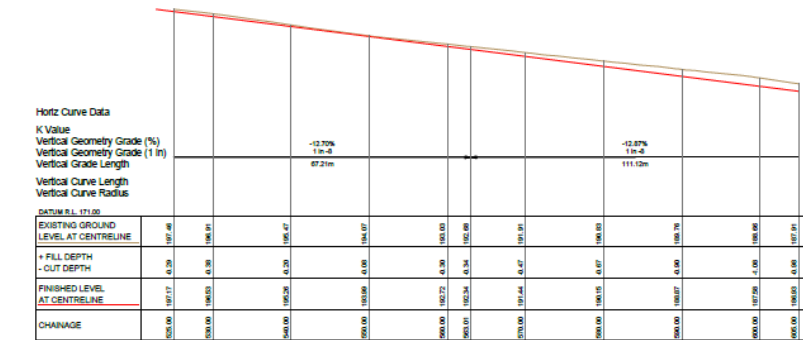
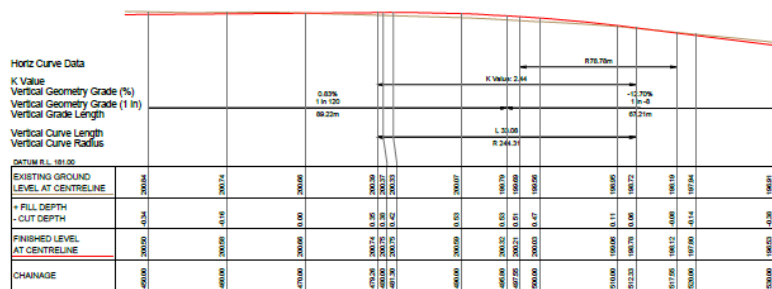
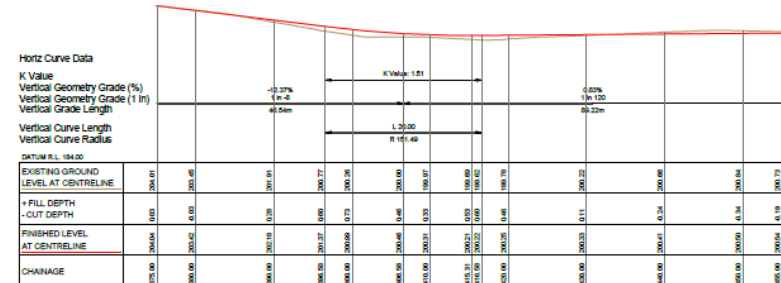
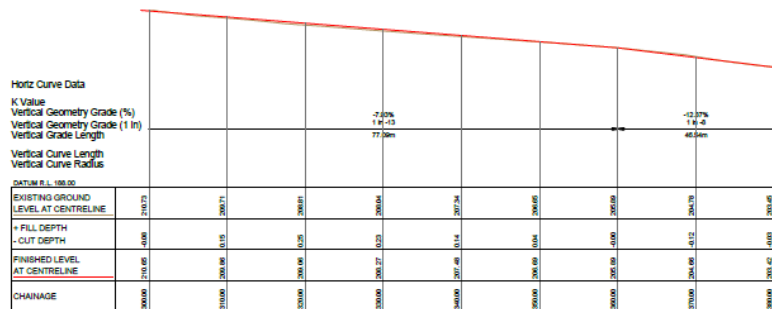
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Client/Location:
**Variation 2 Zoning
Abbotts Hill Road**

Purpose/Drawing Title:
**Road 1 Long Section
Chainage 0 - 300**

Surveyed by:	LIDAR	Original Size:	Scale:
Designed by:	A.J.H.	A4	1:1750
Drawn by:	A.J.H.		
Checked by:	KAB		
Approved by:	KAB		DO NOT SCALE
Job Ref:	D17615	Sheet No:	Revision No: A Date Created: 01/06/2022



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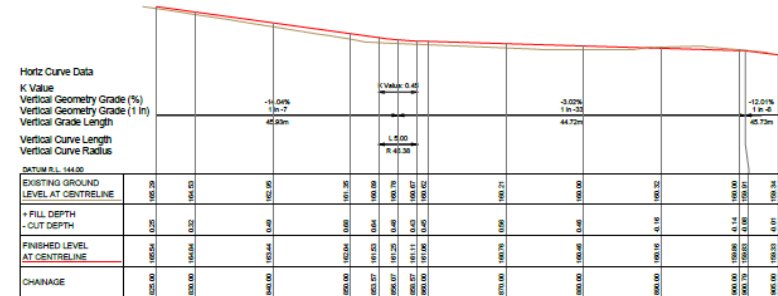
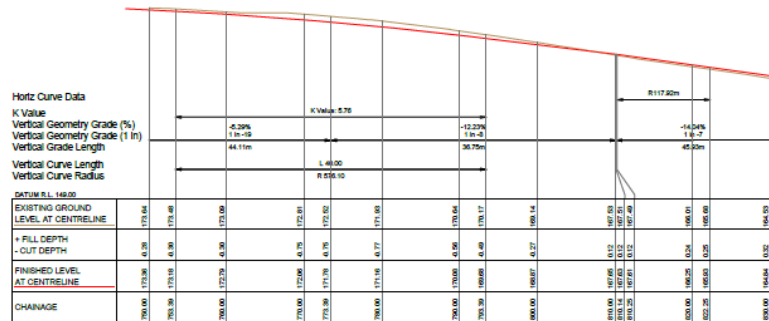
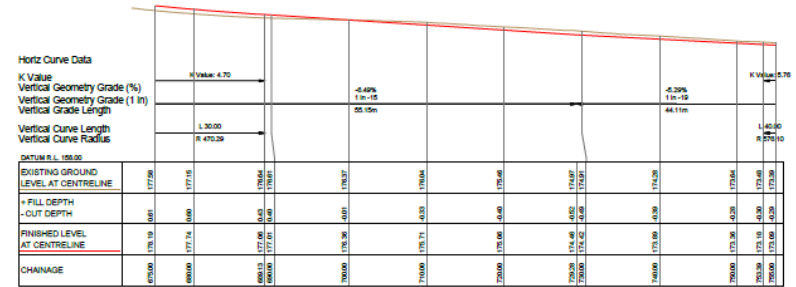
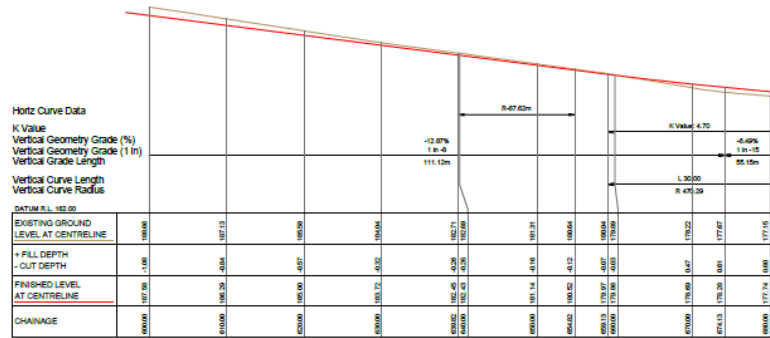
Client/Location:

Variation 2 Zoning
Abbotts Hill Road

Purpose/Drawing Title:

Road 1 Long Section
Chainage 300 - 600

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Designed by:	AJH		
Drawn by:	AJH		
Checked by:	KAB		
Approved by:	KAB	DO NOT SCALE	
Job Ref:	D17615	Sheet No:	Revision No:
		2	A
			Date Created:
			01/06/2022



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Client/Location:

Variation 2 Zoning
Abbots Hill Road

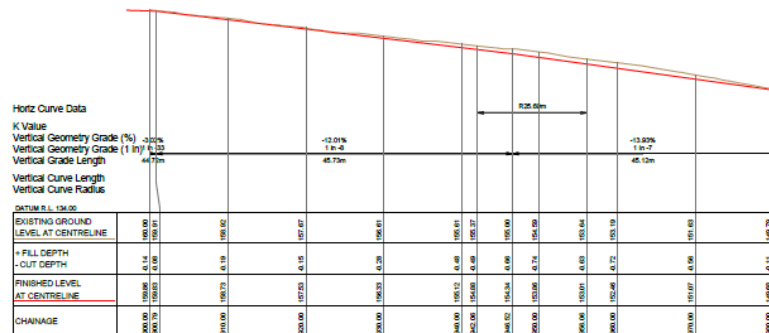
Purpose/Drawing Title:

Road 1 Long Section
Chainage 600 - 900

Surveyed by:	LIDAR	Original Size:	Scale:
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Drawn by:	A.J.H.		
Checked by:	KAB		
Approved by:	KAB	Sheet No:	Revision No:
Job Ref:	D17615	3	A
		Date Created:	01/06/2022

PLOT DATE: 01 June, 2022 - 4:16 PM

BY: Andrew Holmquist



Appendix 5: Geotech Figure Relevant to RS 14.

