



4 August 2022

The Variation 2 Officer
Dunedin City Council
PO Box 5045
Dunedin

**RESPONSE TO VARIATION 2 s42A REPORT
RS 161 (210 SIGNAL HILL ROAD)
SUBMITTER: BOB CUNNINGHAME**

Attached:

- Photos from preferred building platform locations

Please find below, the submitter's response to the s42a recommendations that relate to this greenfields site.

Background

The subject site, being RS 161 at 210 Signal Hill Road, is a 22.74ha property that is currently zoned General Residential 1 in part and Hill Slopes Rural in part. The land contains a single dwelling (and associated buildings), various areas of pasture, and several large regions of regenerating native bush. The submitter has supplied to Council a plan showing the proposed house sites and the proposed mitigation strategy (for landscape effects). This plan includes 7 new building platforms.

The submitter has proposed that a 6.3ha portion of the land be rezoned from Hill Slopes Rural to Large Lot Residential (1 or 2). The submitter intends that the proposed house sites and the proposed mitigation strategy plan (the 'Strategy Plan') can be translated into a more formal Structure Plan at the conclusion of an agreed rezoning format. This Structure Plan can then be incorporated into the 2GP to ensure that the critical elements of the rezoning, including density, house sites, bush and biodiversity protection, and mitigation obligations, can be appropriately implemented.

As described in the s42a report, the site has good access to public transportation, very good access to a primary schools, and reasonable access to suburban centres.

Modification to Proposed Building Platforms

The proposed building platforms on the Strategy Plan are numbered 1-7. Having reviewed the concerns raised in the s42a report by Council's Landscape Architect, the submitter has re-assessed the suitability of all 7 building platforms. As a consequence of this re-assessment, the submitter would like to modify the Strategy Plan to reduce the number of building platforms from 7 to 3. The 3 platforms that the submitter wishes to retain are those

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numbered 1, 2 and 5. For clarity, Platforms 1 and 2 are the two platforms that appear furthest north on the property, while Platform 5 is the platform that appears furthest south.

The submitter has provided an attached document that contains photos taken from each of these three 'preferred' platforms. These photo sequences are discussed in greater detail below, and are supplied to demonstrate that the visual effects of new houses at these three locations are anticipated to be minor.

Landscape Matters

A landscape assessment prepared by Mr Hugh Forsyth of Site Environmental Consultants has previously been supplied to Council. That assessment outlines some proposed structure plan controls and mitigation. The short-term landscape effects are considered to be low while the longer term adverse landscape effects are assessed as being very low. Short term visual effects are considered to be moderate/high while the long term visual effects are assessed as low/moderate. The landscape assessment supports the proposed development, subject to proposed conditions that include:

1. All dwellings and ancillary buildings are to be incorporated in the designated building platform;
2. Maximum roof to floor height is to be 5.5m above natural ground;
3. Excavation to a level requiring a 3m retaining wall behind the structure is permitted;
4. Retaining walls are restricted to 2m either side of the residential structure and are to be painted to a LRV of 30% or lower and utilizing brown-grey colours;
5. All external walls are to be at a LRV of 35% or lower, utilizing dark brown to grey colour range;
6. Stainless steel fitting, mirror glass, and external satellite dishes are not permitted;
7. All roof materials are to be at a LRV of 5% less than the main external walls;
8. Only native species from an approved planting list are to be planted around the house perimeter;
9. Where topography permits private gardens for amenity and vegetables are permitted within 10m of the main dwelling;
10. All dwellings are required to maintain a 40,000 litre water tank for fire fighting purposes, located behind the dwelling or screen with planting from wider public view.

The submitter is comfortable with the above landscape controls, and notes that these controls will now only apply to the three preferred platforms, being those numbered 1, 2 and 5 on the Strategy Plan.

The s42a report notes that the DCC's Landscape Architect has assessed the submission and considers that the site retains values that are consistent with those of the wider Flagstaff-Mt Cargill SNL. Council Landscape Architect notes that the site forms an important component of the rural backdrop to surrounding urban parts of Dunedin, and further advises that there is a visual dominance of natural landscape elements within the site and the landform is largely unmodified, with the exception of farm tracks and building platforms. He adds that the block is one of several contiguous blocks of rural land that surround the Signal Hill

Recreation Reserve and contribute to the amenity values of the wider Flagstaff-Mt Cargill SNL.

In a more favourable tone, Council's landscape Architect advises that he considers that the proposed development controls and the house site locations around the periphery of the adjoining bush areas will likely help to reduce the visual prominence of dwellings from some surrounding locations. However, on balance, he considers that the proposed rezoning to residential land-use would have at least moderate adverse effects on the existing landscape values of this SNL.

In response to the position reached by Council's Landscape Architect, the submitter has now re-assessed the suitability of the originally proposed building platforms, and has consequently reduced these from 7 to 3. The three preferred platforms have been selected because they are very well screened from external views of the property. The discussion below refers to the attached photo sequence document.

Platform 1

Platform 1 is located to the west of the existing dwelling on the land, at a lower elevation on the site, and relatively close to the existing GR1 zone boundary. The photos that have been taken while standing in this location show that the bulk of the Dunedin urban environment is well screened by existing vegetation, including native bush. While the platform will be visible from houses on the lower slopes of Flagstaff, this is a relatively small group of properties. Additional plantings could be very easily installed to screen this view direction. The submitter considers that a house at this location, with the controls that have been proposed in the earlier landscape evidence, will not intrude into the visual amenity values of the SNL feature to any noticeable extent. In this respect, the submitter believes that any adverse effects from a house erected at the Platform 1 location will be no more than minor.

Platform 2

Platform 2 is located to the east of the existing dwelling on the land, at a marginally higher elevation to the existing dwelling, and again relatively close to the existing GR1 zone boundary. The photos that have been taken while standing in this location show that almost all of Dunedin urban environment is well screened by existing vegetation. While the platform will be visible from a handful of houses on the lower slopes of Flagstaff, this is a particularly small group of properties. As the existing screening vegetation matures over the next few years, the visibility of a house at this location will essentially disappear completely. The submitter considers that a house at this location, with the controls that have been proposed in the earlier landscape evidence, will not intrude into the visual amenity values of the SNL feature to any noticeable extent. In this respect, the submitter believes that any adverse effects from a house erected at the Platform 2 location will be no more than minor.

Platform 5

Platform 5 is located to the south of the existing dwelling on the land, at a similar elevation to the existing dwelling, and within a slight depression in the landform. The photos that

have been taken while standing in this location show that all of Dunedin urban environment is well screened by existing vegetation. It will be important to ensure that new suitable-grade native plantings are installed to bolster the screening vegetation prior to the pest plants being removed (where the pest plants presently form the screening vegetation). The submitter considers that a house at this location, with the controls that have been proposed in the earlier landscape evidence, will not intrude into the visual amenity values of the SNL feature to any noticeable extent. In this respect, the submitter believes that any adverse effects from a house erected at the Platform 3 location will be no more than minor.

Biodiversity Matters

The Strategy Plan that has been previously supplied to Council describes the extents proposed to achieve a high degree of bush protection and opportunity for biodiversity values to be enhanced. On this plan, the aqua area to the south/southwest shows the area of established kanuka forest which is proposed to be covenanted. The green area to the west shows existing broadleaf forest along with kanuka forest and gorse area, which is proposed to be placed into ongoing protection through an Area of Significant Biodiversity Value (ASBV) overlay.

The s42a report has identified an area kanuka forest in the southwestern corner of the site that comprises significant indigenous vegetation as it meets the criteria set by the 2GP in regard to Ecological Context. The area of kanuka forest provides a small amount of habitat for indigenous fauna and helps to buffer the mixed broadleaved forest further downhill. Furthermore, the s42a report advises that other kanuka and broadleaved forest on the property, while affected by wilding conifers, provides significant habitat for indigenous forest birds and also warrants protection. The biodiversity recommendation is to protect the area of regenerating forest and kanuka forest within the rezoning area, and the remaining indigenous forest on the property, either as an Area of Significant Biodiversity Value scheduled in the 2GP, or by a QEII covenant.

The s42a report specifically highlights that the biodiversity offsetting proposed by the submitter is significant, and this is acknowledged as a potential benefit if rezoned.

The submitter wishes to add that the protection of native bush and the enhancement of biodiversity areas is a particularly important consideration by the Cunninghame family. The family has been actively progressing a program of planting new native trees and undertaken work that supports natural regeneration processes for a long period of time. A key objective of this rezoning is to better enable these processes to continue.

Transportation Matters

The s42a report notes comments from DCC Transport to the effect that the proposed rezoning would have an insignificant effect on the wider transportation network because the quantum of development proposed is relatively small. DCC Transport has noted that rezoning to Large Lot Residential density may provide for a density where residents would expect urbanised transport infrastructure such as footpaths (or, if density low enough, a shoulder on the road) to be provided.

The rezoning proposal has now been modified to provide for a total of three new houses. The submitter considers that at this density, residents are not likely to expect the type of urbanised transport infrastructure suggested by DCC transport. This is supported by the Large Lot Residential zones, which anticipate that some areas are serviced by way of a semi-rural style of infrastructure.

Having said this, the construction of a shoulder on the southern side of Signal Hill Road does not appear to be problematic. The image below shows a typical view of the southern edge of the road, where the site frontage exists. The work required to undertake a small volume of earthworks, realign the sealed channel structure to behind the line of power poles, and create a shoulder of perhaps 1.0m width between the white edge line and the poles, appears entirely feasible.



We agree that the details of any appropriate road improvements along Signal Hill Road is a matter that would best be determined at the time of subdivision.

Overall, we do not consider that there are any adverse effects in relation to transport matters that cannot be mitigated through appropriate design.

3-Waters Matters

Regarding 3-waters matters, we note that the three new sites created as a result of the proposed rezoning would all be serviced by rural-style infrastructure, as is recognised by the Large Lot Residential zones. Water will be supplied by rooftop collection. Wastewater disposal will be achieved via septic tank treatment, and stormwater will be managed through disposal to ground methods. If necessary, stormwater detention and/or treatment devices can be incorporated into house designs.

Overall, we do not consider that there are any adverse effects in relation to 3-waters infrastructure.

Hazards Matters

The s42a report advises that the site is assessed by Stantec as having a low level hazard associated with slope instability.

The submitter agrees with this finding.

Structure Plan

The submitter has not provided a Structure Plan at this time, however notes that such a plan can be readily prepared in the event that agreement is reached on the suitability of the three preferred building platforms.

Planning Matters

The s42a reporting planner concludes that rezoning the land into a residential zoning is inconsistent with Policy 2.6.2.1.d.iv, which requires that Dunedin's outstanding and significant natural landscapes and natural features are protected. For this reason, the reporting planner has remained of the view that rezoning the site to any residential zoning is inappropriate.

No other reasons have been provided for retaining the current Rural Hill Slopes zoning. Review of the other matters that have been considered by the s42a report suggests that on all counts other land landscape, the proposed rezoning is generally considered unlikely to generate unacceptable adverse effects.

Counting in favour of the rezoning are-

- The significant native bush protection and biodiversity outcomes that will be realised if the rezoning proceeds.
- The site's good access to public transportation.
- The site's very good access to a primary schools.
- The site's reasonable access to suburban centres.

So, there are many benefits that could be achieved should the proposed rezoning be enabled. In terms of the purpose of the Variation, an additional three houses will add support to the City's ability to meet its obligations under the NPS-UD.

The tension here is whether the enabling of three houses in the SNL feature contradicts the City's landscape objectives, and if so, can the effects of this be mitigated.

The s42a reporting planner has referenced Policy 2.6.2.1.d.iv. This policy states:

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;

The proposed rezoning will enable a total of three new houses in the SNL region. These will be located on parts of the land that are heavily screened by existing vegetation. These houses will be subject to a raft of controls that have been designed to mitigate adverse effects on landscape values.

Furthermore, the proposed rezoning will provide enhancements for bush protection and biodiversity. These enhancements are expected to have a positive effect on landscape values.

Balancing these considerations, the submitter genuinely considers that landscape values will overall be supported by the proposed rezoning. The relevant policy states that new residential zoning will *generally* be avoided in the SNL overlay zones. There is clearly some room to move within this policy, and it is our view that carefully considered applications, particularly where there are significant positive effects that are anticipated, may not in fact be judged contrary to this policy. It is our opinion that the proposed rezoning is a rare exception to the policy, where a small amount of carefully designed residential activity is acceptable in light of the significant native bush protection and biodiversity enhancement outcomes that will arrive hand-in-hand with the residential development.

Yours faithfully

PATERSON PITTS GROUP

A handwritten signature in blue ink, appearing to read 'Kurt Bowen', with a long horizontal stroke extending to the right.

Kurt Bowen

Registered Professional Surveyor