

HEARINGS COMMITTEE AGENDA

THURSDAY, 7 OCTOBER 2021, 9.00 AM
Edinburgh Room, Municipal Chambers

MEMBERSHIP: Councillors David Benson-Pope (Chairperson), Christine Garey and Mike Lord

IN ATTENDANCE: Campbell Thomson (Senior Planner/Committee Advisor), Kirstyn Lindsay (Consultant Planner), Andrea Farminer (Heritage Advisor) and Wendy Collard (Governance Support Officer)

PART A (Committee has the power to decide these matters):

1 RESOURCE CONSENT APPLICATION – LUC-2019-436, 330 AND 332 HIGH STREET, DUNEDIN

Introduction

Applicant to introduce themselves and their team.

Procedural Issues

Any procedural matters to be raised.

Presentation of the Planner's Report

Report from Kirstyn Lindsay

Refer to pages 1 – 28

Draft Conditions

Refer to pages 29 - 32

The Applicant's Presentation

Application

Refer to pages 33 – 122

Notification Assessment

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Archaeological Authority

Refer to pages 130 – 138

Council Officer's Evidence

- Memorandum from Heritage Advisor
Refer to pages 140 - 146
- Memorandum from Urban Designer
Refer to pages 147 – 148
- Email from 3 Waters
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- Memorandum from Development Support Officer, 3 Waters
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 - Email from 3 Waters, Planning
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 - Memorandum from Seepage Control Unit
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 - Email from Transport Planner
Refer to pages 159 – 162
 - Memorandum from Consultant Planner, Transport
Refer to pages 163 – 165
- Email from Stantec
Refer to pages 166 – 167

The Planner's Review of their Recommendation

The Planner reviews their recommendation with consideration to the evidence presented

The Applicant's Response

The Applicant to present their right of reply

PLEASE NOTE: The **only** section of the hearing which is not open to the public is the Committee's final consideration of its decision, which is undertaken in private. Following completion of submissions by the applicant, submitters and the applicant's right of reply, the Committee will make the following resolution to exclude the public. All those present at the hearing will be asked to leave the meeting at this point.

RESOLUTION TO EXCLUDE THE PUBLIC

To be moved:

“That the public be excluded from the following parts of the proceedings of this meeting, namely, Item 1.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

	General subject of each matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground(s) under section 48 for the passing of this resolution.
1	Resource Consent application – 330 and 332 High Street, Dunedin	That a right of appeal lies to any Court or Tribunal against the Dunedin City Council in these proceedings.	Section 48(1)(d)

TO: Hearings Panel

FROM: Kirstyn Lindsay, Consultant Planner

DATE: 20 September 2021

SUBJECT: **RESOURCE CONSENT APPLICATION**
LUC -2019-436
330 & 332 HIGH STREET, DUNEDIN
CJ SEQUE

INTRODUCTION

- [1] This report has been prepared on the basis of information available on 13 September 2021. The purpose of the report is to provide a framework for the Committee's consideration of the application and the Committee is not bound by any comments made within the report. The Committee is required to make a thorough assessment of the application using the statutory framework of the Resource Management Act 1991 (the Act) before reaching a decision.

SUMMARY OF RECOMMENDATION

- [2] For the reasons set out in the report below, I consider that the proposal for the demolition of the existing semi-detached pair of dwellings and construction of two, multi-unit residential blocks provided with new vehicle access from High Street, will not result in adverse effects on the environment which will be more than minor and will not be contrary to the relevant planning framework. As a result, I have concluded that the proposal should be granted, subject to the conditions set out in Appendix 1 of this report.

DESCRIPTION OF PROPOSAL

- [3] Resource consent is sought to demolish the existing semi-detached pair of dwellings that currently occupy the site and construct two, multi-unit residential blocks provided with new vehicle access from High Street. Since the original application documents were lodged with the Council further information has been submitted by the applicant and is now considered to form part of the application. The application is now supported by a Heritage Impact Assessment by Origin Consultants Limited, a Detailed Seismic Assessment by Hanlon and Partners Limited, an Estimated Cost Assessment for a Seismic and Compliance Upgrade by Flanders Marlow Limited and a Stormwater Management Plan prepared by Paterson Pitts Group. A related application for land use consent for earthworks has recently been submitted to the Council (LUC-2021-533), but is being assessed separately from this report, as the notification assessment undertaken for LUC-2019-436 was determined prior to any information being received on the proposed earthworks.
- [4] The subject site is located on the north side of the High Street opposite the junction of the High Street and Melville Street. It comprises an elevated rectangular section of approximately 1012 square metres with an existing two-storey domestic building at the top of the bank overlooking the High Street. The buildings comprise a pair of near symmetrical, semi-detached, two-storey houses of Colonial bay villa design.

- [5] There is a concrete retaining wall to the bank which runs the length of the street frontage except for a double pedestrian entrance in the centre of the frontage. This comprises two flights of concrete/masonry steps leading up to the building, flanked by retaining walls on either side. There is currently no vehicular access to the site. Behind the building, there is a long rear garden with trees.
- [6] The new building works proposed are as follows:

Front block facing the High Street

- Two-storey/five units;
- Symmetrical, bay-fronted design;
- Narrower building width/frontage to allow a drive to be formed along the west boundary;
- Corrugated Colorsteel roof cladding;
- Spouting/rainwater fittings to match the roof cladding;
- Painted timber joinery, including double-glazed timber windows and timber sills, fascias and finials;
- Painted timber rusticated weatherboards and facing boards;
- Painted timber ply sheet and painted timber, bull nose mouldings to the bays; and
- Framed glass barriers to the first floor balconies with supporting painted timber posts.

Rear block

- Two-storey/four units;
- Symmetrical, gable fronted design;
- Corrugated Colorsteel roof cladding;
- Spouting/rainwater fittings;
- Pre-finished aluminium double-glazed windows and doors;
- Painted timber/ply vertical board and batten wall claddings.

- [7] The proposed external colours of the new buildings will be similar to those of the current building, namely:
- Roof colour – grey from the Resene Heritage Colour Chart translated into the best-match for Colorsteel/Colorbond;
 - Weatherboard colour -cream/yellow.
 - Joinery/trim colour – white/off-white and green.

In between the front and rear blocks will be a turning and parking area finished with asphalt.

- [8] A copy of the application, including plans of the proposed development together with the supporting documents noted above, is contained in Appendices 2 and 3 of this report.

DESCRIPTION OF SITE AND LOCATION

- [9] The subject site is legally described as Section 16 Block VII Town of Dunedin (held in Record of Title OT292/90).

- [10] The subject site contains a pair of two-storey, semi-detached, weather boarded villas with corrugated iron roofing that face directly onto High Street. The villas are conjoined by a brick party wall, and feature symmetrical rectangular bays with first-floor balconies. Both dwellings also feature a gabled side bay set back from the main façade and have two, substantial brick chimneys. The building layout comprises four flats, two units at ground floor and two units on the first floor. The two-storey building is constructed of timber framing with a central unreinforced masonry wall. The exterior is clad in weatherboard. The roof is clad with light weight corrugated iron.
- [11] The buildings are set near the front of the section to High Street on a raised bank, and accessed via a pair of concrete steps. There is currently no vehicular access to the property.
- [12] The receiving environment features many larger scale heritage properties. The houses in the High Street precinct, tend to have higher site coverage and less curtilage, a product of the steeper topography, early settlement and proximity to what was once the hub of the central city. Fences and hedges are an integral part of the street frontage. Buildings are generally two or three storeys at the road frontage. A range of materials are used in the construction of buildings in the precinct but there is common use of brick and masonry.
- [13] The site is located in High Street which is a short walk downhill to the Central Business District, to the Industrial Zone, or uphill to the Mornington Suburban Area. High Street is on a public bus route. Recreational green spaces are located 300m to the north west, 600m to the west and 400m to the south west.

HISTORY OF THE SITE/BACKGROUND TO THE APPLICATION

- [14] The application was made in August 2019. Further information was requested in September 2019 and the application was subsequently modified in response to the questions posed by the reports noted in paragraph 3 and supporting information. This information was variously received between August 2020 and June 2021, with some subsequent supplementary information in July this year. Other than information received recently on the details of proposed earthworks, the further information is considered to form part of the application.

ACTIVITY STATUS

- [15] Dunedin currently has two district plans, the 2006 Dunedin City District Plan (2006 District Plan) and the 2GP. The decisions on the 2GP were released on 7 November 2018 and the rules of the 2GP have legal effect. The appeal period of the 2GP closed on 19 December 2018 and rules that have not been appealed are deemed operative. An appeals version of the plan was released on 13 February 2019.

- [16] Section 86F of Act states that:

A rule in a proposed plan must be treated as operative (and any previous rule as inoperative) if the time for making submissions or lodging appeals on the rule has expired and, in relation to the rule,—

- (a) *no submissions in opposition have been made or appeals have been lodged; or*
- (b) *all submissions in opposition and appeals have been determined; or*
- (c) *all submissions in opposition have been withdrawn and all appeals withdrawn or dismissed.*

- [17] The site is zoned Inner City Residential under the 2GP. The site is located within an archaeological alert layer mapped area. The site is also located within the High Street Residential Heritage Precinct and the existing residential building (i.e. both existing dwellings) is identified as B308 with the façade and bulk appearance to High Street protected.

[18] The following 2GP rules which are relevant to this proposal are under appeal:

Rule 15.6.6.1 Height in relation to boundary – It is noted that there is no breach of either the 2GP rule or equivalent 2006 Operative Plan Rule 8.10.2(ii).

[19] The changes under Variation 1 have been incorporated in the 2GP. The changes proposed by Variation 2 do not affect this proposal.

Proposed 2GP

[20] City Wide Activity

There are no city wide activities proposed as part of LUC-2019-436. The earthworks required to enable the proposed redevelopment of the site are the subject of the separate but related application LUC-2021-533.

[21] Land Use Activity

Rule 15.3.3.3 states that standard residential activity is permitted subject to meeting the standards as set out below:

- Rule 15.5.2 – Density
Rule 15.5.2.1.e states that within the Inner City Residential zone, the density standard is one habitable room per 45m² of site area. There is no cap on the number of residential units these habitable rooms may comprise. In this instance, the site area provides for 22 habitable rooms and 18 are proposed and this rule will be met.

For completeness, there are two residential buildings to be built and these will comply with Rule 15.5.2.3.

- Rule 15.5.8 - Minimum Car parking (Repealed in accordance with the NPS-UD 2020)
- Rule 15.5.11 – Outdoor Living Space

Rule 15.5.11.1.a.ii requires each unit to provide an individual minimum outdoor amenity space of 15m² for the two-bedroom unit and 20m² for the three-bedroom unit. Rule 15.5.11.3 requires this outdoor space to comply with the criteria set out in Rule 15.5.11.3.a and c. In this instance, the outdoor space to serve each unit will meet the minimum area and dimension requirements and will be of an even grade and clear of buildings and structures.

- Rule 15.5.12. - Service areas
Not applicable

- Rule 15.5.14 - Family Flats
Not applicable

Overall, the land use activity is assessed as a permitted activity.

[22] Development Activity

Rule 15.3.4.5 states that multi-unit developments in the Inner City Residential zone are Restricted Discretionary activities. This rule also states that new buildings which have a footprint greater than 300m² are also restricted discretionary activities. Multi-unit developments are assessed under Rule 15.11.3.1.

Rule 15.3.4.6 states that new buildings in a heritage precinct which are visible from an adjoining public place are restricted discretionary activities. New buildings in a heritage precinct are assessed under Rule 15.11.5.4.

Rule 15.3.4.18 states that demolition of a scheduled heritage structure is a non-complying activity. Demolition of scheduled heritage structures are assessed under Rules 15.13.2.1 and 15.13.4.1.

The following relevant development standards are assessed below:

- Rule 15.6.3 - Fire fighting

New residential dwellings must provide fire fighting capability in accordance with Rule 9.3.3. Rule 9.3.3 requires that, in this instance, new residential dwellings activities must ensure access to sufficient water supplies for fire fighting consistent with the SNZ/PAS:4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice. There are fire hydrants located within 135m of the site and it is considered that this rule is met.

- Rule 15.6.6 - Height

Rule 15.6.6.1.a.iii states that in the Inner City Residential zone, the height in relation to boundary must be within a plane rising at an angle of 45 degrees measured from a point 3m above ground level at the boundary. This standard will be met to all external boundaries.

Rule 15.6.6.2.a.iv sets a maximum height limit of 12m beyond the required yard set back. The units will comply with this standard.

- Rule 15.6.7.1 - Location and Screening of Car Parking

In all residential areas, parking, loading and access areas and garages and carports must not occupy more than 50% of the area of the front yard that is part of the road boundary setback required by Rule 15.6.13. In this instance, car parking will be located to the rear of the site.

- Rule 15.6.10 - Maximum Building Site Coverage and Impermeable Surfaces

Rule 15.6.10.1.b requires a maximum building coverage of 50% and building and hard surface coverage of 80%. In this instance proposed building coverage is 33.0% and hardsurfacing including buildings is 65%.

- Rule 15.6.13 - Boundary setbacks

A front yard setback of 3.0m and side and rear yard setbacks of 1.0m is required by Rule 15.6.13.1.a.iv. The proposal will comply with this rule.

- Rule 15.6.12 Parking, Loading and Access Standards

Where parking and access is required, Rule 15.6.12 requires compliance with Rule 6.6. Rule 6.6.1.3, requires 6 metres of on-site queuing space for vehicles entering or exiting a parking area for between 5 and 20 vehicles. In this instance, no queuing space is proposed. Breaches of the parking, loading and access standards are assessed under Rule 15.10.4.12 and 6.10.2.1 and 6.10.5.1.

No other development activity performance standards are considered relevant to this proposal.

National Environmental Standards

[23] There are no National Environmental Standards relevant to this application.

Overall Status

- [24] Where an activity requires resource consent under more than one rule, and the effects of the activity are inextricably linked, the general principle from case law is that the different components should be bundled and the most restrictive activity classification applied to the whole proposal.
- [25] In this case, there is more than one rule involved, and the effects are linked. As a result, having regard to the most restrictive activity classification, the proposal is considered to be a non-complying activity.

NOTIFICATION

- [26] No written approvals were submitted with the application and no effects on parties are to be disregarded.
- [27] An assessment under sections 95A-E of the Resource Management Act 1991 determined that after having regard to the step-by-step process for considering public notification and limited notification, it is determined that the application could be processed on a non-notified basis. A copy of this assessment is attached to this report as Appendix 4.
- [28] In respect to making a substantive decision on the application the s95 assessment concluded that key issues with respect to this application are the following:
- The demolition of heritage buildings in the city is a sensitive issue with strong community interest.
 - The building is located in a Heritage Precinct where the Council has been dealing with Environment Court proceedings concerning modifications to two existing buildings.
 - The question of whether the environmental effects are minor, or more than minor is very finely balanced in this case.
- [29] On this basis, it was determined that any decision making on the substantive proposal should be made by Council's Hearings Panel.

ENVIRONMENTAL EFFECTS OF ALLOWING THE ACTIVITY

- [30] Section 104(1)(a) of the Act requires that the Council have regard to any actual and potential effects on the environment of allowing the activity. 'Effect' is defined in Section 3 of the Act as including-
- a) *Any positive or adverse effect; and*
 - b) *Any temporary or permanent effect; and*
 - c) *Any past, present, or future effect; and*
 - d) *Any cumulative effect which arises over time or in combination with other effects—regardless of the scale, intensity, duration or frequency of the effect, and also includes –*
 - e) *Any potential effect of high probability; and*
 - f) *Any potential effect of low probability which has a high potential impact.*

Permitted Baseline and Receiving Environment

- [31] An important consideration for the assessment of effects is the application of what is commonly referred to as the permitted baseline assessment. The purpose of the permitted baseline assessment is to identify the non-fanciful effects of permitted activities and those effects authorised by resource consent in order to quantify the degree of effect of the proposed activity. Effects within the permitted baseline can be disregarded in the effects assessment of the activity.

- [32] In this situation, there is no permitted baseline as no development can occur without the demolition of the schedule building which is not provided for by a rule in a plan or the NES.
- [33] With regard to the existing and reasonably foreseeable receiving environment is made up of:
- The existing environment and associated effects from lawfully established activities;
 - Effects from any consents on the subject site (not impacted by proposal) that are likely to be implemented;
 - The existing environment as modified by any resource consents granted and likely to be implemented; and
 - The environment as likely to be modified by activities permitted in the district plan.
- [34] For the subject site, the existing and reasonably foreseeable receiving environment comprises a pair of two-storey, semi-detached, weather boarded villas with corrugated iron roofing that face directly onto High Street. The construction detail, layout and location of the dwellings are described in paragraph 10 of this report.
- [35] As noted in paragraph 11 the buildings are set near the front of the section to High Street on a raised bank and accessed via a pair of concrete steps. There is currently no vehicular access to the property.
- [36] For adjacent land, the existing and reasonably foreseeable receiving environment is set out at paragraph 12 of this report.
- [37] It is against these that the effects of the activity, beyond the permitted baseline, must be measured.

Assessment of Effects

- [38] The assessment of effects is guided by the assessment matters as identified in the Rule assessment above; in particular Rules 15.11.3.1, 15.11.5.4, 15.13.2.1, 15.13.4.1, 15.10.4.12, 6.10.2.1 and 6.10.5.1. Accordingly, assessment is made of the following effects of the proposal:
- Effects on Heritage Values
 - Design, Appearance and Amenity Values;
 - Services
 - Transportation;
 - Positive Effects;
 - Cumulative Effects;

Effects on Heritage Values

- [39] The application proposes the demolition of the existing semi-detached pair of dwellings that currently occupy the site. In their place, it proposes the construction of two, multi-unit residential blocks provided with new vehicle access from High Street.
- [40] The dwellings at 330 and 332 High Street are a pair of two-storey, semi-detached, weather boarded villas with corrugated iron roofing that face directly onto High Street. The villas are conjoined by a brick party wall, and feature symmetrical rectangular bays with double-hung sash windows, first-floor balconies with iron posts and fretwork friezes, and two pairs of later, matching doors to each dwelling. Both dwellings also feature a gabled side bay set back from the main façade and have two, substantial brick chimneys. The right hand villa at 330 has an upper storey, glazed bay addition supported by fretwork brackets.

- [41] The buildings are set near the front of the section to High Street on a raised bank, and accessed via a pair of concrete steps separated by a low concrete wall topped with classically decorated iron railings. There is currently no vehicular access to the property.
- [42] The paired dwellings at 332 High Street are included on the District Plan Schedule of Protected Heritage Items and Sites (Appendix A1.1) as B308 – Residential Building. Protection is afforded to the façade and bulk appearance to High Street. The building is not listed in the Heritage New Zealand Register of Heritage Buildings.
- [43] The property is also located within the High Street Residential Heritage Precinct (2GP Appendix A2.1.6).
- [44] The property is also subject to an Archaeological Alert Layer mapped area of the 2GP. As such, statutory responsibility for archaeological sites rests with Heritage New Zealand. Archaeological sites are defined in the Heritage New Zealand Pouhere Taonga Act 2014 as:

"...any place in New Zealand, including any building or structure (or part of a building or structure), that (i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and (ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand..."

- [45] Sites dating from after 1900 may also be declared to be archaeological sites if they may provide significant evidence relating to the historical and cultural heritage of New Zealand. The Heritage New Zealand Pouhere Taonga Act 2014 makes it unlawful for any person to destroy, damage or modify the whole or any part of an archaeological site without the prior authority of Heritage New Zealand. The applicant has accordingly obtained an Archaeological Authority from Heritage New Zealand issued on 10 September 2021 - Archaeological Authority 2022/107. A copy of this Authority is attached to this report as Appendix 5.
- [46] The applicant has submitted three reports in support of the application relating to the condition of the existing building as noted in paragraph 3 of this report. These are discussed below:

Detailed Seismic Assessment by Hanlon and Partners Limited

- [47] Hanlon and Partners Limited undertook a Detailed Seismic Assessment of the building in June 2020. After assessment, the building was given an 'E' grade and is 7% of New Build Strength (NBS). Key structural issues for the building include the following:

Table 1: Key structural issues for the building (Source: Detailed Seismic Assessment)

Element	Direction	%NBS IL2	Commentary with regards capacity
Timber framed ground floor walls	Transverse	30%	Cladding and linings to timber-framed walls do not provide sufficient lateral bracing strength to transfer seismic loads.
Timber framed first floor walls	Transverse	64%	Cladding and linings to timber-framed walls do not provide sufficient lateral bracing strength to transfer seismic loads.
Timber framed ground floor walls	Longitudinal	7%	Cladding and linings to timber-framed walls do not provide sufficient lateral bracing strength to transfer seismic loads.
Timber framed first floor walls	Longitudinal	14%	Cladding and linings to timber-framed walls do not provide sufficient lateral bracing strength to transfer seismic loads.
Unreinforced masonry	Out of plane	41%	The out of plane capacity of the unreinforced masonry to support itself within the framing during an earthquake.
Unreinforced masonry walls	In plane	100%	There is sufficient length of masonry wall to brace the central section of the building.

[48] The report also identified other Structural Weaknesses (SW's) of the building including:

- The insufficient lateral bracing of the ground and first floor longitudinal walls
- The insufficient lateral bracing of the ground and first floor Transverse walls
- The out of plane capacity of the unreinforced masonry.

[49] The report by Hanlon and Partners Limited is adopted as expert evidence for the purposes of this report and is assessed that the building has significant structural weaknesses.

Estimated Cost assessment for a Seismic and Compliance Upgrade by Flanders Marlow Limited.

[50] Flanders Marlow Limited provided a cost estimate for the seismic and compliance upgrade required for the building. The estimate is based on the upgrade work identified as necessary in the Hanlon and Partners Limited report to bring the building up to 67% of NBS. This estimate was given at \$1,924,247.47.

[51] The assessment by Flanders Marlow Limited is adopted as expert evidence for the purposes of this report.

Heritage Impact Assessment by Origin Consultants Limited

[52] Origin Consultants Limited prepared a Heritage Impact Assessment (the Origin Report) which covers both the effects of the proposed demolition of the existing building and of the new building on the Heritage Precinct values.

[53] The assessment set out the history of the building noting that in 1861 three dwellings were recorded on the subject site. There are contradictory records about the construction date for the building at 332 High Street, but on balance the report considers that the physical depictions of the building during the 19th century suggest that it was built prior to 1900. Regardless of the construction date, the report considers that it is likely that the semi-detached dwellings were built as, and have always

remained as, rental houses. Building alterations noted in the Dunedin City Council records reflect this continuing use as a rental property. In 1923, the two original dwellings were subdivided to create four separate tenancies, two upstairs and two downstairs. Later in the 1980s, additional rooms were added to the upstairs tenancies, presumably to provide additional bedroom space for more tenants. Bathroom facilities were also incrementally modernised between the 1910s and 1940s.

[54] The Origin Report notes the heritage significance for the property is "regional" with key features from the Scheduled Heritage Place Record given as follows:

- a) *Particular note is made of the Colonial bay villa design, the architectural symmetry, and the external features of the balconies, steps, gates and walls (assumed to be the front retaining wall);*
- b) *The buildings are considered to be an element of the terminus of the view up Melville Street;*
- c) *The buildings are not considered to be the most imposing houses on the street, but have rarity and as a combination are 'impressive'; and*
- d) *The buildings reflect the changing economic fortunes and social composition of the High Street area from a historical and social perspective.*

[55] Whilst Origin Consultants Ltd notes agreement with much of the information in the Scheduled Heritage Place Record, it considers that the overall assessment of 332 High Street as being of "regional" significance is considered to be an overestimation of the buildings' heritage value. Generally, throughout the Otago region, domestic buildings of Colonial bay design are not generally considered to be rare and these particular buildings have had modifications to them over a long period of time. There has also been a long-term decline in their aesthetic value. The report also notes that in 2014, the Scheduled Heritage Place Record for the buildings accepted that they 'are not the most imposing houses on the street'.

[56] The Origin Report considers that which assessing the significance of the adverse effects of losing the subject buildings will be the loss of the values identified above, where these cannot be mitigated by the new development proposed. The report notes that the way in which the proposed development will mitigate these adverse effects is:

- *The creation of a new, contemporary building at the front of the site of quality and design that reflects the style of the existing façade and the bulk appearance of the buildings to the High Street.*
- *The new building will take the place of the existing one as the terminus of the view up Melville Street; that said, it is noted that the District Plan protection is specific to the bulk appearance from the High Street, and not from Melville Street.*
- *The new buildings will continue the historic use of the site for multi-occupancy domestic purposes. In a way, it will also reflect a contemporary extension, or continuance, of the changing economic fortunes of the High Street area as old gives way to new.*

[57] Section A2.1.6 of the 2GP provides a description of the heritage precinct and sets out its characteristics. The Origin report assesses that the existing buildings accord with some of these characteristics as follows:

- *There is no crossing or garaging to the street frontage;*
- *The architectural design, including the bays, balconies and window/door design, contributes to the verticality of the streetscape;*

- *The roof design / roof line adds interest; and*
- *The building is 2-storey.*

- [58] The buildings do not, however, have the building materials that are recognised as a particular feature of the walling (except for the internal party wall), Marseille tiles and slates. Accordingly, the report advises that the positive characteristics of the heritage precinct that the existing building displays will be lost, but only to the extent that they are not mitigated by façade and bulk appearance to the High Street of the proposed new front building.
- [59] The Origin report considers that, from an historic environment urban design perspective, the front building is proposed to be sympathetic to the existing building on the site. It is not a replica building, but is intended to be a quality, contemporary reflection of it that will sit comfortably in its place and which will have no significant adverse effects on the value of the heritage precinct. Its materials and architectural features will be reminiscent of the existing building and appropriate to the historic environment.
- [60] The report also notes that the rear block will not be prominent in the streetscape; from many perspectives it will not be visible at all. It is most likely to be seen from the west side of the road junction with Melville Street, but the rising slope of the ground and selected tree plantings are intended to further reduce this visibility. The design of the rear block is intended to be different to the front block; it will not be part of the streetscape and is again intended to be contemporary. It has been designed so as not to compete on the site with the front block and will also be the location of car parking concealed from the street.
- [61] Overall, the Origin Report concludes that the loss of a scheduled heritage building is regrettable, but the reasons for the proposed demolition are clearly set out in the Hanlon & Partners and Flanders Marlow documents. From a heritage perspective, the Origin report accepts that, overall, the loss of the scheduled façade and bulk appearance of the building to the High Street will have a low to moderate adverse effect on the heritage values of the precinct. However, the proposed new front building will work to mitigate this affect and will enhance the aesthetic of the site, which is currently poor. Furthermore, the report finds that the proposed development will have the positive benefit of improving the precinct environment in the vicinity of the site.

Assessment of Council's Heritage Advisor

- [62] The application and assessments submitted above were also reviewed by the Council's heritage advisor. The heritage advisor's comments and those of other technical advisors are set out in Appendix 6 of this report. The heritage advisor agrees with the Origin Report that there is some doubt regarding the precise construction date for the dwellings. The heritage advisor notes that the 2015 heritage assessment review prepared for DCC suggested that the pair were on site by 1898, as they are represented on the Pictor Lithograph of 1898, facing the terminus of Melville Street. Subsequent rates records note the houses from c.1900 onwards and street directory entries commence from 1905. However, the heritage assessment prepared by Origin Consultants suggests there is evidence for the house construction possibly having been tendered for in 1883 and their gables seem to appear on a c.1887 photograph by the Burton Brothers.
- [63] The heritage advisor agrees that the houses were probably built as rental houses (both heritage assessments note a succession of tenants from 1900) for the estate of James Charles Graham (the son of a deceased, local solicitor, Malcolm Graham), who died in 1937. In 1923, each house was divided into two flats (DC plan permit 1923 6633). But notes that the 1923 proposed building plan and front elevation for these alterations and additions shows a number of design features that were not constructed, but does show the eastern first-floor bay addition (an unglazed version; a matching western addition is also shown but not constructed).

- [64] The heritage advisor has also reviewed the 2015 Heritage significance Assessment and also considers that the findings that the buildings are *'a rare example of a two storeyed, symmetric semi-detached pair of New Zealand colonial bay villas. Though unusual it is representative of the buildings of the High Street Heritage Precinct in being an impressive residential building'* are unsubstantiated when considered in context with the building pairs and terraces of timber and brick, two-storey villas located along Arthur Street and Adam Street, amongst others.
- [65] The heritage advisor considers that the villas present as good, typical examples of their kind found across Dunedin and other cities in New Zealand, and upon further review, are considered to be of local rather than regional significance. The heritage advisor places weighting and significance on their setting and location at the terminus of Melville Street with High Street; however, she assesses that this still remains as locally significant. Therefore, their overall heritage value is considered local.
- [66] In assessing the effects of the proposed demolition and replacement buildings, the heritage advisor recognises the key values to protect of the High Street Residential Heritage Precinct Values, along with Objective 2.4.2, Policy 2.4.2.1 and Objective 13.2.1, and Policies 13.2.1.7, 13.2.1.8 and 13.2.3.9.
- [67] The heritage advisor considers that the proposed demolition of Scheduled Heritage Building B308 will have a long-term adverse effect on the protected heritage values of the buildings through permanently destroying their physical fabric and form, and the wider heritage contribution they make to the character and identity of High Street. If demolished, the late 19th Century architectural qualities, traditional construction techniques and materials, and distinctive built form and heritage character will be lost permanently. A new building of similar proportions, form and style is proposed to replace them, but this will not replace the authentic heritage qualities of the buildings as they currently stand. Although the present poor condition of the buildings, it is the heritage advisor's general view that their current condition only detracts from their heritage values in terms of their visual aspect, and does not impact upon their intrinsic heritage values for which these were scheduled by the District Plan.
- [68] In terms of the potential for cumulative adverse effects, the heritage advisor considers that it is clear that the buildings at 332 High Street have been neglected and un-maintained for a considerable number of years. Their demolition is being argued on the basis that the buildings are beyond 'reasonable' repair and no longer feasible to repair and modify in order to allow increased development on the section. However, as the ownership of the property has remained stable for several decades, a view could be taken that this neglect of the scheduled heritage buildings has been intended to a degree, allowing the future redevelopment of the site.
- [69] The heritage advisor considers that there appears to be little apparent evidence of ongoing maintenance work on the building. If consent was granted for the demolition of these protected heritage buildings, then the heritage advisor considers there to be a serious risk that such a route to site redevelopment could create a precedent for other protected buildings in the city, contrary to the strategic directions and heritage objectives of the District Plan.
- [70] In terms of the effects on heritage streetscape character values, the heritage advisor considers that the proposed demolition of the original dwellings will have an adverse effect on the precinct values, from the perspective that it does not meet the requirement to protect the large number of scheduled heritage buildings within the precinct.
- [71] From the perspective of the proposed redevelopment, the heritage advisor notes that the application proposes the construction of a new, High Street-facing unit of similar proportions, form and style to the existing pair of dwellings, effectively reproducing the essential form and architectural elements of the buildings in a simplified manner. As such, the proposed new design simply replaces the existing buildings with some of the original character and architectural detailing removed. Some contemporary elements identify the proposed units as new (e.g. glazed balconies and aluminium joinery), but the overall design is considered to be a reconstructed version of the original. Although

this approach is not specifically supported by the heritage precinct design guidelines or heritage conservation best practice (the ICOMOS NZ Charter (2010) notes that reconstruction, if it is the majority of a place or structure, is not usually acceptable), the heritage advisor considers that the proposed design does meet the basic design requirements, as assessed by the applicant's Heritage Assessment. Likewise, the heritage advisor accepts that the proposed design will provide a sympathetic and open façade to the street, similar to the present buildings when they were in a maintained condition. Therefore, the resulting effect of the proposed new unit design is considered to have minor adverse effects on the High Street Residential Heritage Precinct values in design terms.

- [72] The heritage advisor considers that the rear units are generally acceptable from a precinct design perspective. They are clearly contemporary, simple and meet the basic design requirements of the precinct in terms of their cladding and gabled forms. Situated to the rear of the proposed front units, the rear units have fairly low visibility from High Street. Similarly, parking will be screened by the front units with mainly the access drive being visible to the west side of the section. Therefore, the heritage advisor considers that the effect of these elements of the proposed redevelopment on the High Street Residential Heritage Precinct values will be less than minor adverse.

Summary of heritage effects

- [73] Having considered the assessment of heritage values overall and noting the assessments of the heritage experts, I consider that a heritage significant value of "local" is most likely appropriate. I note the heritage advisor's advice that the current condition of the buildings only detracts from their heritage values in terms of their visual aspect, and does not impact upon their intrinsic heritage values for which these were scheduled by the District Plan. I also note the concerns of the heritage advisor that the buildings at 332 High Street have been neglected and un-maintained for a considerable number of years and that this neglect falls at the feet of the applicant as the ownership of the property has remained stable for several decades. I also recognise the potential risk that the approval of consent in these circumstances could set a precedent for demolition of other protected buildings in the city.
- [74] However, the effects of the application must be assessed on its current merits according to the facts of the buildings and physical context as it exists now. The buildings exhibit some characteristics of the heritage precinct, but not in terms of building materials. While Scheduled in the District Plan, it appears the scheduling description overstates the importance of the buildings, which are not listed by Heritage NZ. The loss of the buildings is assessed as low to moderate by Origin Consultants and this conclusion is not disputed by the Councils Heritage Advisor. This loss is mitigated to a degree by the new buildings proposed.
- [75] While positive effects of the new building design are a matter to be weighed up in terms of the section 104 considerations, the mitigation provided by the new building to be erected at the front of the site cannot be divorced from the analysis of the heritage effects. The loss of a building in a precinct leaving a vacant site has a far greater environmental effect than a loss of a building to be replaced by a new building in a similar position. Some regard must therefore be given to the level of mitigation for the purpose of determining if the adverse effects are no more than minor. Given the starting point in terms of the loss of heritage values is considered to be moderate at worst, a conclusion can be reached that taking into account the mitigating factors the overall adverse effects in terms of the loss of heritage values is no more than minor.
- [76] Given the period of time that the building has been owned by the applicant, it is not unreasonable to assume that the building reached this state most likely a direct result of the inaction of the applicant. However, I consider that little weight can be given to the steps that may or may not have led to the current set of circumstances. I accept that the building is in poor repair such that it poses a safety risk and is currently uninhabitable. The application establishes that cost of repairing the building is not reasonably economically viable.

- [77] When the unviability of building restoration as per the expert evidence is accepted and when considering the alternative, which is to do nothing, I accept that the building will continue to deteriorate. This deterioration is likely to increase the safety risk to the public, prevent the site being used for the purpose for which it is zoned, and detract from the amenity values of the area overall. I consider that it is these set of circumstances which Policy 13.2.7.1 provides for. Furthermore, there is no mechanism in the District Plan or RMA which can compel a property owner to upgrade or repair a vacant heritage building. There are mechanisms which sit within the Building Act to require a building owner to make a building safe but this sits outside of those matters able to be considered by the Hearings Panel. There is also the Dunedin Heritage Fund (which also sits outside of this consent process) but I consider that this funding would be insufficient to contribute meaningfully to the \$2M upgrade required.
- [78] Although unfortunate, when weighing the existing set of circumstances against the alternative of doing nothing, this leads me to consider that, overall, the demolition of the building and its replacement development will have only minor adverse effects on the heritage values.

Bulk and Location, Amenity Values and Character and Design and Appearance

- [79] The proposal is for a residential activity in a residential zone and, in this respect, the effects of the activity on amenity values have largely been anticipated by the zoning of the site. The proposed development is demonstrated as meeting the bulk and location requirements and, in this regard, the bulk and location effects of the proposed development are anticipated by the underlying zoning and consequently, the effects of the bulk and location of the structure will not cause any adverse effects on the wider environment surrounding the site.
- [80] The proposal was assessed by the Council's Urban Designer who notes that generally, the condition of other heritage buildings on High Street is good and there appears to have been some focus on improvements in the past few years. Several wooden villas close to the subject site, have been repainted. In contrast, 330 and 332 High Street appears to have received very little maintenance. The Urban Designer notes that High Street has a high level of authenticity as much of the heritage architecture is intact. It is the frequency and quality of these buildings that is important to the streetscape and therefore, demolition must be considered as having negative effects on the streetscape values.
- [81] The Urban Designer notes that the proposed development will yield nine two-bedroom units and associated car parks. This would be achieved with two buildings. A front (south) building with five units and a rear (north) building with four units. Car parking would be established between the two building while outdoor amenity space would be provided for as follows; to the east of unit A and B, to the west and adjoining the proposed driveway, for units C-E and to the north of units F-I. All of these spaces would be accessed from living areas.
- [82] The Urban Designer notes that the revised plans submitted with the further information request generally addresses the concerns he held regarding the development and he considers that the proposed design is not without merit and, providing it is completed to a high standard, will not have an adverse effect on the streetscape. The urban designer's assessment, and advice of the heritage advisor above on the new buildings proposed, are generally in agreement with the findings of the Origin report with regard to the new buildings. Relying on this consistent expert advice, I consider that the effect of the new buildings in respect of bulk and location, amenity values and character, and design and appearance are assessed as no more than minor.

Services

- [83] The application was reviewed by the Council's development officer 3Waters who notes that Council's GIS records a 50mm diameter water pipe, 150mm diameter wastewater pipe and a 225mm diameter stormwater pipe in High Street. The officer notes that the 3 Waters Hydraulic Modeller has assessed this application as described below and notes that no issues have been identified with supplying water to this development. In respect of wastewater, the modeller notes that although the system does not indicate surcharges in the downstream sections, the model is not well represented in the vicinity of the proposed construction. As such to minimize risk of surcharging and overflows it is required to keep the flows to minimum by using water saving devices and to ensure there is no cross connection between the stormwater and the sewer systems from the site. With regard stormwater, the modeller considers that the stormwater model is incomplete and there are known issues of water ponding in this area. The applicant subsequently prepared a Stormwater Management Plan which has been accepted by 3 Waters.
- [84] The officer notes that all aspects of this development shall be undertaken in accordance with the requirements of the Dunedin Code of Subdivision and Development 2010. The officer advises that there is an existing water connection to the property which will need to be up sized in order to accommodate the nine unit development. For any change to an existing water connection, an "Application for Water Supply" is required. With regard to fire fighting capability, the officer notes that all aspects relating to the availability of water for firefighting is to be in accordance with SNZ PAS 4509:2008, being the Fire Service Code of Practice for Fire Fighting Water Supplies. There is a Fire Hydrant (WFH02788) 20 m from the development entrance. Based on SNZ PAS 4509:2008 a FW2 (25l/s) zone requires a Fire Hydrant within 135 m and a second within 270 m. The Fire Hydrants requirements are compliant for the development.
- [85] The officer's assessment is adopted for the purposes of this report and it is assessed that the development can be accommodated within the city's existing infrastructure capacity with no more than minor adverse effects on the network capacity.

Transportation

- [86] The application was forwarded to Council's Transport department for comment in 2019. Since the application was lodged the National Policy Statement on Urban Development 2020 has come into effect which removed the requirements for carparking associated with standard residential activity. However, it is noted that where car parking is provided then the design of this parking and associated access must comply with Rule 6.6.
- [87] The Transportation Planner notes that High Street is an Urban High Density Collector road and therefore vehicles must not reverse on or off the site. The Transportation Planner advises that the proposed driveway at the south-western side of the property meets most requirements identified in the proposed 2GP. The proposal does not indicate the provision of 6 metres of queuing space for vehicles using the driveway, however given the design and layout of the parking area, which generally meets the requirements of the proposed 2GP, it is considered that adequate space has been retained on the site to enable vehicles to queue and manoeuvre within the parking area. On this basis, the layout is considered appropriate for the number of vehicles expected to regularly use the parking area.
- [88] Prior to the request for further information, a number of breaches of Rule 6.6 were identified and the application was subsequently modified as follows:
- Car Park 1 widened to 2.8m.*
- [89] In respect of modified Car Park 1, the Transportation Planner notes the space will be difficult to exit if entered in a forward manner because the egress/access is directly behind it. He notes however

that the space can be entered with relative ease should vehicles choose to drive beyond the space and reverse in on entry. Since the car parking area is limited in scale and noting that it services a limited number of residential units, this is accepted. He recommends an advice note be placed on the consent to alert buyers/users of the constraints noted above. A review condition is also recommended to ensure any unforeseen adverse effects are suitably managed.

Car 8 removed

- [90] The Transportation Planner notes that the space which was formally occupied by Car park 8 is not wide enough to operate as a car park. He recommends that this area should be clearly marked as 'no parking'. A condition should be included to that effect.

Sealed car parking area to have a flat gradient.

- [91] The Transportation Planner recommends that a condition requiring the gradient of the surface of the parking area is no greater than 1 in 20 in any one direction is therefore appropriate and achievable.
- [92] The plan confirms a max gradient of 1 in 8 for at least the first 5.0m of the access (determined from the 1:100 scale on the section provided on Sheet 1). A condition that reinforces this requirement is therefore appropriate and perfectly achievable. The summit change in gradient will be from +12.5% to +6.67%. This will easily comply with the maximum of 12.5% change in gradient at the summit as per Rule 6.6.3.7.a. Conditions should be imposed on the consent to reinforce these requirements.
- [93] Overall, the car parking dimensions comply with the 2GP requirement for a residential car park as contained within Rule 6.6.1.1.a, subject to the comments regarding car park 1.
- [94] The Transportation Planner also recommends the conditions which were recommended in the 2019 assessment also be imposed:
- *The maximum gradient of the first 5.0m of the vehicle access, measured from the road boundary, must not exceed a gradient of 1 in 8.*
 - *The area adjacent to Car Park 7 must be marked as 'no parking'*
 - *A review condition should be imposed on the consent pursuant to Section 128 of the RMA insofar as it relates to Car Park 1, due to the constraints identified above (location of egress/access being directly behind it).*
- [95] The Transportation Planner assessment is adopted for the purposes of this report and I am satisfied that the adverse effects of the activity on the transportation network will be no more than minor, subject to compliance with recommended conditions of consent.

Hazards

- [96] For completeness, Section 6(h) of the Resource Management Act 1991 requires the Council to recognise and provide for the management of significant risks from natural hazards, as a matter of national importance.
- [97] The assessment of the risk from natural hazards requires a combined assessment of:
- (a) *the likelihood of natural hazards occurring (whether individually or in combination); and*
 - (b) *the material damage to land in respect of which the consent is sought, other land, or structures that would result from natural hazards; and*

- (c) *any likely subsequent use of the land in respect of which the consent is sought that would accelerate, worsen, or result in material damage of the kind referred to in paragraph (b).*

[98] There are no hazards shown on the Hazards Register or 2GP Maps for this site. The Council's consulting engineer, Stantec New Zealand Ltd, has no record of hazards affecting this land, and did not report on this application. It is considered that there are no significant risks from natural hazards that need addressing as part of this application.

Positive Effects

[99] The existing buildings are currently uninhabitable, and the applicant has provided evidence that it is cost prohibitive to restore the buildings to a state where these are fit for purpose for a residential use. The proposed residential units are designed to be compatible with the heritage precinct values and will contribute to the City's new residential housing stock. The location is close to the city centre, recreational areas and on a public transport route. Overall, it is considered that there are positive effects to be taken into consideration when making a determination on this application.

Cumulative Effects

[100] The concept of cumulative effects, as defined in *Dye v Auckland Regional Council & Rodney District Council* [2001] NZRMA 513, is:

"... one of a gradual build up of consequences. The concept of combination with other effects is one of effect A combining with effects B and C to create an overall composite effect D. All of these are effects which are going to happen as a result of the activity which is under consideration".

[101] Similarly, some effects may not presently seem an issue, but after having continued over time those effects may have significant impact on the environment. In both of these scenarios, the effects can be considered to be 'cumulative'.

[102] The policy framework surrounding the demolition of heritage building is clear and only provides for demolition in very particular and confined situations. Given the prescriptive policy framework, I consider that the occurrences of demolition of heritage buildings are generally low. I do not consider that this application will give rise to cumulative effects.

Effects Assessment Conclusion

[103] Having carefully weighed up the proposal against the alternative, I consider that the proposed activity is likely to have a no more than minor adverse effects on the environment overall.

OFFSETTING OR COMPENSATION MEASURES ASSESSMENT

[104] Section 104(1)(ab) of the Resource Management Act 1991 requires that the Council have regard to any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity.

[105] In this case, no offsetting or compensation measures have been proposed or agreed to by the applicant and I consider that none are necessary.

OBJECTIVES AND POLICIES ASSESSMENT

Assessment of Objectives and Policies of the District Plan (Section 104(1)(b)(vi))

[106] In accordance with Section 104(1)(b) of the Resource Management Act 1991, the objectives and policies of the proposed 2GP were taken into account in assessing the application.

Objective	Supporting Policies	Commentary
Objective 6.2.3 Land use, development and subdivision activities maintain the safety and efficiency of the transport network for all travel modes and its affordability to the public.	Policy 6.2.3.3 Require land use activities to provide adequate vehicle loading and manoeuvring space to support their operations and to avoid or, if avoidance is not practicable, adequately mitigate adverse effects on the safety and efficiency of the transport network.	The proposal has been assessed by the Council's transportation planner who is satisfied that the proposal will provide adequate vehicle loading and manoeuvring space, adequate parking and that the adverse effects on the safety and efficiency of the transport network will be avoided. No changes to the transportation network are proposed or considered necessary. The proposal is assessed as consistent with the relevant objective and policies.
	Policy 6.2.3.4 Require land use activities to provide the amount of parking necessary to ensure that any overspill parking effects that could adversely affect the safety and efficiency of the transport network are avoided or, if avoidance is not practicable, adequately mitigated.	
	Policy 6.2.3.9 Only allow land use and development activities or subdivision activities that may lead to land use or development activities, where: a) adverse effects on the safety and efficiency of the transport network will be avoided or, if avoidance is not practicable, adequately mitigated; and b) any associated changes to the transportation network will be affordable to the public in the long term.	
Objective 13.2.1 Scheduled heritage buildings and structures are protected.	Policy 13.2.1.7 Avoid the demolition of a protected part of a scheduled heritage building or scheduled heritage structure unless the following criteria are met: a) i. the building or part of the building poses a significant risk to safety or property; or ii. the demolition is required to allow for significant public benefit that could not otherwise be achieved, and the public benefit outweighs the adverse	In this instance, the applicant has adequately demonstrated that the building poses a safety risk being 7% of NBS. The applicant has also demonstrated that the cost to reinstate the building to 67% of NBS is approximately \$2M. This is considered to be cost prohibitive and, in this regard, it is considered there is no

	effects of loss of the building; and b) there is no reasonable alternative to demolition, including repair, adaptive re-use, relocation or stabilising the building for future repair; and c) for buildings and structures located within a heritage precinct: i. development post demolition will maintain or enhance the heritage streetscape character and amenity in accordance with Policy 13.2.3.6; and ii. conditions will be imposed which would give reasonable certainty that this will be completed within an acceptable timeframe.	reasonable alternative to demolition. Furthermore, the replacement development is assessed as maintaining the heritage streetscape character. Conditions are recommended which will provide some certainty regarding time frames of demolition and re-development. Overall, it is considered that the proposed demolition will meet the criteria set out in Policy 13.2.1.7 and in this regard the proposal is assessed as consistent with the relevant objective and policy.
Objective 13.2.3 The heritage streetscape character of heritage precincts is maintained or enhanced.	Policy 13.2.3.2 (under appeal) Require development within residential heritage precincts to maintain or enhance heritage streetscape character, including by ensuring: a) garages and carports do not dominate the street; b) off-street car parking is appropriately located or screened from view; c) building heights, boundary setbacks and scale reflect heritage streetscape character; d) building utilities are appropriately located, taking into consideration operational and technical requirements; and e) fences do not screen buildings from view.	In this instance, no garaging or carports are proposed, off-street car parking is located to the rear of the site and screened from view. The buildings are of an appropriate height, scale and setback from boundaries setbacks which reflect heritage streetscape character. No building utilities will be seen from the

	Policy 13.2.3.6 Only allow demolition or removal for relocation of a building where: a) the heritage streetscape character of the precinct will be maintained or enhanced; and b) conditions will be imposed that will give reasonable certainty that within an acceptable timeframe: i) a replacement building will be constructed; or ii) the land will be put to an acceptable alternative land use that will make a positive contribution to the amenity of the streetscape.	street and no fences are proposed. As noted above conditions are recommended which will provide some certainty regarding time frames of demolition and re-development. The Urban Designer and Heritage Advisor have both assessed the proposed buildings as appropriate for the High Street Residential Heritage Precinct.
	Policy 13.2.3.7 Only allow buildings and structures that are visible from an adjoining public place, where their design, materials and location ensure the heritage streetscape character of the precinct is maintained or enhanced, including by: a) incorporating into the design the relevant preferred design features and characteristics listed in Appendix A2 and, where practicable and appropriate, the relevant suggested features and characteristics; b) maintaining existing views of scheduled heritage buildings and character-contributing buildings from adjoining public places as far as practicable; and c) ensuring structures whose design unavoidably conflicts with precinct characteristics are as unobtrusive as practicable.	In this regard, the proposal is assessed as meeting the criteria set out in Policy 13.2.3.2, 13.2.3.6 and 13.2.3.7 is assessed as consistent with the relevant objective and policies.
Objective 15.2.2 Residential activities, development, and subdivision activities provide high quality on-site amenity for residents.	Policy 15.2.2.1 Require residential development to achieve a high quality of on-site amenity by: a) providing functional, sunny, and accessible outdoor living spaces that allow enough space for on-site food production, leisure, green space or recreation; b) having adequate separation distances between residential buildings; c) retaining adequate open space uncluttered by buildings; and d) having adequate space available for service areas.	Each unit will have adequate outdoor amenity space. The consolidation of the units into two distinct buildings means that there is adequate separation distances between residential buildings, <u>with</u> open space uncluttered by buildings and space available for service areas

Objective 15.2.3 Activities in residential zones maintain a good level of amenity on surrounding residential properties and public spaces.	Policy 15.2.3.3 Require buildings and structures in the Inner City Residential Zone to be of a height and setback from boundaries that: a) enables a high quality, medium density form of development; b) is consistent with the existing streetscape character of the zone; and c) avoids or, if avoidance is not practicable, adequately mitigates, adverse effects on sunlight access on outdoor spaces at the rear of adjacent sites.	The bulk and location of the proposed development ensure that the proposal is consistent with this objective and policy.
Objective 15.2.4 Activities maintain or enhance the amenity of the streetscape, and reflect the current or intended future character of the neighbourhood.	Policy 15.2.4.2 (Proposed to be deleted under Variation 2) Require residential activity to be at a density that reflects the existing residential character or intended future character of the zone.	The proposed development will meet the underlying density established for the Inner City Residential Zone. As noted above the multi-unit development is appropriate for the High Street Residential Heritage Precinct. The proposal is consistent with this objective and policy.
	Policy 15.2.4.8 Only allow buildings over 300m ² footprint or multi-unit developments where they are designed to ensure that streetscape and neighbourhood amenity and character is maintained or enhanced.	
Strategic Directions		
Objective 2.4.2 Heritage Dunedin's heritage is central to its identity and is protected and celebrated as a core value of the city, through the heritage conservation and retention of important heritage items, and the maintenance and active use of built heritage.	Policy 2.4.2.1 a) Identify in a schedule (Appendix A1.1) buildings and structures that have significant heritage values and use rules to: i) manage additions and alterations to, or removal for relocation of these buildings, in a way that maintains important heritage values; ii) restrict demolition of these buildings except in limited circumstances; iii) support adaptive re-use, heritage conservation and restoration; and iv) prioritise protection of heritage values over compliance with other performance standards where there is a conflict.	The strategic directions set the underlying framework for the 2GP. It is noted that Policy 2.4.2.1 instructs the plan maker to include rules which restricts demolition of heritage buildings, except in limited circumstances. I note that the Strategic Directions policy framework is to be achieved through the lower order substantive objectives and policies. In respect to this

	b) Identify heritage buildings and structures based on the following criteria: i) historic and social significance; ii) spiritual/cultural significance, including significance to Māori; iii) design significance; and iv) technological/scientific significance.	application there is no conflict between the lower order provisions that may make examination against the higher level policy framework applicable The demolition of heritage buildings is given a non-complying activity status and is to be avoided except for in the circumstances as set out in Policy 13.2.1.7. The proposal has been assessed above against this policy and found to be consistent. Therefore, the relevant strategic policy and objective have been met by the plan maker.
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Summary Objectives and Policies Assessment

[107] Overall, it is considered that the proposal is consistent with the relevant objectives and policies set out by the 2GP. In particular, it is considered that Policy 13.2.1.7 is satisfied, although I acknowledge the concerns raised by the Heritage advisor that the building was allowed to slip into disrepair by a lack of action by the applicant.

Operative District Plan

[108] It is not considered necessary to assess the proposal against the objectives and policies of the Operative District Plan 2006 because the relevant rule provisions are no longer considered to be in force in relation to this application

Assessment of Regional Policy Statements (Section 104(1)(b)(v))

[109] Section 104(1)(b)(v) of the Act requires that the Council take into account any relevant regional policy statements.

[110] The Regional Policy Statement for Otago (RPS) 1998 is now revoked.

[111] The Partially Operative Regional Policy Statement for Otago (PORPS) was made partially operative on 14 January 2019. Specific to this proposal are the following objectives and policies:

Objective 5.2 Ensure that historic heritage resources are recognised and contribute to the region's character and sense of identity.
Policy 5.2.1 - Recognising historic heritage Sets out the elements which are identified as characteristic or important to Otago's historic heritage.
Policy 5.2.2 - Identifying historic heritage Identify historic heritage places and areas of regional or national significance, using the attributes in Schedule 5*.
Policy 5.2.3 - Managing historic heritage: Protect and enhance places and areas of historic heritage, by all of the following: a) Recognising that some places or areas are known or may contain archaeological sites, tapu or wāhi taoka which could be of significant historic or cultural value; b) Applying these provisions immediately upon discovery of such previously unidentified archaeological sites or areas, wāhi tapu or wāhi taoka; c) Avoiding adverse effects on those values that contribute to the area or place being of regional or national significance; d) Minimising significant adverse effects on other values of areas and places of historic heritage; e) Remedying when adverse effects on other values cannot be avoided; f) Mitigating when adverse effects on other values cannot be avoided or remedied; g) Encouraging the integration of historic heritage values into new activities; h) Enabling adaptive reuse or upgrade of historic heritage places and areas where historic heritage values can be maintained.

*Schedule 5 sets out the criteria for the identification of historic heritage values.

[112] Policy 5.2.1 and 5.2.5 require actions to be undertaken by the Regional, District and City Councils and are not considered applicable at a resource consent level.

[113] In respect of Policy 5.2.3, the site is not identified as being wāhi tapu or wāhi taoka. The site does not contain any identified archaeological feature, however, due to the history of the site and location it is deemed an archaeological site under the Heritage New Zealand Act and an archaeological authority has been obtained. The 2GP heritage provisions are in effect for this site. The expert evidence confirms that the heritage building does not have national or regional significance. The significant adverse effects on other values of the precinct will be somewhat minimised by the construction of the new buildings, the design of which is considered by the experts as not without merit and providing it is completed to a high standard will not have an adverse effect on the streetscape. I consider that adaptive reuse or upgrade or integration of historic heritage values into new activities is not feasible in this instance.

[114] The Proposed Otago Regional Policy Statement 2021 was notified on 26 June 2021 and the submission period closed on 3 September 2021. Specific to this proposal are the following objectives and policies:

[115]

HCV-HH-O3 – Historic heritage resources Otago's unique <i>historic heritage</i> contributes to the region's character, sense of identity, and social, cultural and economic well-being, and is preserved for future generations.
HCV-HH-P3 – Recognising <i>historic heritage</i> Recognise that Otago's <i>historic heritage</i> includes: 1. Māori cultural and historic heritage values, 2. archaeological sites 3. residential and commercial buildings, 4. pastoral sites, 5. surveying equipment, communications and transport, including roads, bridges and routes, 6. industrial historic heritage, including mills and brickworks, 7. gold and other mining systems and settlements, 8. dredge and ship wrecks, 9. ruins, 10. coastal historic heritage, particularly Kāi Tahu occupation sites and those associated with early European activities such as whaling, 11. memorials, and 12. trees and vegetation.
HCV-HH-P4 – Identifying <i>historic heritage</i> Identify the places and areas of <i>historic heritage</i> in Otago in accordance with <u>APP8</u> and categorise them as: 1. places and areas with special or outstanding <i>historic heritage</i> values or qualities, or 2. places and areas with <i>historic heritage</i> values or qualities.
HCV-HH-P5 – Managing historic heritage Protect historic heritage by: 1. requiring the use of accidental discovery protocols, 2. avoiding adverse effects on areas or places with special or outstanding historic heritage values or qualities, 3. avoiding significant adverse effects on areas or places with historic heritage values or qualities, 4. avoiding, as the first priority, other adverse effects on areas or places with historic heritage values or qualities, 5. where adverse effects demonstrably cannot be completely avoided, remedying or mitigating them, and 6. recognising that for infrastructure, <u>EIT-INF-P13</u> applies instead of HCV-HH-P5 (1) to (5).
HCV-HH-P6 – Enhancing <i>historic heritage</i> Enhance places and areas of <i>historic heritage</i> wherever possible through the implementation of plan provisions, decisions on applications for <i>resource consent</i> and notices of requirement and non-regulatory methods.

HCV-HH-P7 – Integration of historic heritage

Maintain *historic heritage* values through the integration of *historic heritage* values into new activities and the adaptive reuse or upgrade of *historic heritage* places and areas.

- [116] As per the Partially Operative Regional Policy Statement 2019 above, Policies HCV-HH-P3 and HCV-HH-P4 require actions to be undertaken by the Regional, District and City Councils and are not considered applicable at a resource consent level.
- [117] For HCV-HH-P5, this seeks to protect historic heritage through a number of methods. I note that accidental discovery protocols will apply to this development. The expert evidence suggests that the buildings and site are not special and do not have outstanding historic heritage values or qualities. The significant adverse effects on other values of the precinct will be somewhat minimised by the construction of the new buildings, the design of which is considered by the experts as not without merit and providing it is completed to a high standard will not have an adverse effect on the streetscape. The proposal does not relate to infrastructure.
- [118] In respect of HCV-HH-P6 requires implementation of plan provisions and decision makers to enhance places and areas of *historic heritage*. The 2GP is clear in the particular situations where granting a consent for demolitions may be appropriate and the application is considered to meet these criteria. With regard to HCV-HH-P7, I consider that adaptive reuse or upgrade or integration of historic heritage values into new activities is not feasible in this instance.
- [119] Overall, I consider that the proposal is consistent with the above objectives and policies.

Part 2 Matters

- [120] The purpose of the RMA to promote the sustainable management of the natural and physical resources detailed below:

managing the use, development and protection of natural and physical resources in a way or at a rate which enables people and communities to provide for their social, economic and cultural well being and for their health and safety while:

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations: and*
- (b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems: and*
- (c) Avoiding, remedying, or mitigating any adverse effect of activities on the environment.*

- [121] Section 6 sets out the matters of national importance. Of relevance to this application, is section 6(f) which seeks to recognise and provide for the protection of historic heritage from inappropriate subdivision, use, and development. In this instance, I consider that the 2GP adequately recognises and provides for the protection of historic heritage as directed by Section 6(f), except where the particular and confined circumstances set out in Policy 13.2.1.7 are met. In this regard, I consider that the 2GP gives effect to Part 2 and there is no need to specifically assess the application under Section 6.

- [122] In respect of the other matters set out in Section 7, the following matters are considered relevant:

- 7(b) the efficient use and development of natural and physical resources;
- 7(c) the maintenance and enhancement of amenity values;
- 7(f) maintenance and enhancement of the quality of the environment;
- 7(g) any finite characteristics of natural and physical resources;

[123] In this instance, the 2GP clearly sets out the amenity values and the quality of the environment to be maintained and enhanced within the heritage precinct overlay. The 2GP identifies the efficient development potential for the site through the underlying zoning and recognises the finite characteristics of the heritage resource within the city. In this regard, I consider that the 2GP gives effect to Part 2 and there is no need to specifically assess the application under Section 7.

[124] Overall, I consider that there is no invalidity, incomplete coverage or uncertainty within the Proposed 2GP and as a result, there is no need for further assessment in terms of Part 2 of the Resource Management Act 1991.

Section 104

[125] Section 104(1)(a) states that the Council must have regard to any actual and potential effects on the environment of allowing the activity. This report assessed the environmental effects of the proposal and concluded that the likely adverse effects of the proposed development overall will be minor when compared to the alternative of doing nothing and can be adequately avoided remedied or mitigated provided recommended conditions of consent were adhered to.

[126] Section 104(1)(ab) requires the Council to have regard to any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects. No offsetting or compensation measures have been proposed or agreed to by the applicant and none are considered necessary.

[127] Section 104(1)(b)(vi) requires the Council to have regard to any relevant objectives and policies of a plan or proposed plan. This report concluded that the application would not be contrary to the key objectives and policies of the Proposed 2GP and does meet the exemptions set out in Policy 13.2.7.1.

[128] Section 104(1)(b)(v) requires the Council to have regard to any relevant regional policy statement. In this report it was concluded that the application is not contrary to the relevant objectives and policies of the Regional Policy Statements for Otago.

Other Matters

[129] Section 104(1)(c) of the Resource Management Act 1991 requires the Council to have regard to any other matters considered relevant and reasonably necessary to determine the application. The matters of precedent and Plan integrity are considered relevant here. These issues have been addressed by the Environment Court (starting with *Russell v Dunedin City Council* C092/03) and case law now directs the Council to consider whether approval of a non-complying activity will create an undesirable precedent.

[130] In this case, the proposal is non-complying because the proposal involves the demolition of a scheduled heritage structure. I acknowledge the Heritage Advisor's concerns regarding setting an undesirable precedent, should consent be granted. However, I note that, in respect of precedent and plan integrity, *Wilson v Whangarei* DC 2007 [43] states that *"This is an argument that is, to be blunt, overused and it can rarely withstand scrutiny when measured against the provisions of the RMA"* and the Court has since confirmed that cases should be assessed on their merits to avoid affecting plan integrity.

[131] In this regard, I consider that the evidence presented by applicant meets the criteria set out in Policy 13.2.7.1 and, in this regard, the granting of consent for the proposal will not set an undesirable precedent, nor will it undermine the integrity and coherence of the District Plan or public confidence in its administration.

[132] With regard to other matters of relevance, I note that the property is also subject to an Archaeological Alert layer of the 2GP. As such, statutory responsibility for archaeological sites rests with Heritage New Zealand. Archaeological sites are defined in the Heritage New Zealand Pouhere Taonga Act 2014 as:

*"...any place in New Zealand, including any building or structure (or part of a building or structure), that
(i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and
(ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand..."*

[133] Sites dating from after 1900 may also be declared to be archaeological sites if they may provide significant evidence relating to the historical and cultural heritage of New Zealand. The Heritage New Zealand Pouhere Taonga Act 2014 makes it unlawful for any person to destroy, damage or modify the whole or any part of an archaeological site without the prior authority of Heritage New Zealand. Accordingly, an Archaeological Authority has been obtained, and provided the terms of this Authority are complied with, the applicant will have met his obligation under the Heritage New Zealand Pouhere Taonga Act 2014.

[134] The National Policy Statement for Urban Development 2020 NPSUD sets out the objectives and policies for planning for well-functioning urban environments under the Resource Management Act 1991. The NPSUD came into effect on 20 August 2020. While the NPSUD is directed more to decision makers when preparing a District Plan, I note that the proposal seeks to replace buildings which are unfit for residential purposes and establish nine residential units in its place in a desirable location. In this regard, it is considered that the granting of consent would be consistent with:

Objective 1: *New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.*

Objective 3: *Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:*

- a) *the area is in or near a centre zone or other area with many employment opportunities*
- b) *the area is well-serviced by existing or planned public transport*
- c) *there is high demand for housing or for business land in the area, relative to other areas within the urban environment.*

Objective 4: *New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.*

Section 104D

[135] Section 104D of the Resource Management Act 1991 specifies that resource consent for a non-complying activity must not be granted unless the proposal can meet at least one of two limbs. The

limbs of section 104D require that the adverse effects on the environment will be no more than minor, or that the proposal will not be contrary to the objectives and policies of both the district plan and the proposed district plan.

- [136] I consider that the proposal meets both limbs as any adverse effects arising from the demolition activity will be minor (when compared to the alternative of doing nothing), and the activity will not be contrary to the objectives and policies of the Proposed 2GP. In particular, I consider that the proposal aligns with the exemptions provided for in Policy 13.2.1.7. Therefore, the Hearings Panel can exercise its discretion under section 104D to grant consent if it is of a mind.

RECOMMENDATION

- [137] Having regard to the above assessment, I recommend that pursuant to Part 2 and sections 34A(1), 104, 104B and 104D of the Resource Management Act 1991, and the provisions of the Proposed Second Generation Dunedin City District Plan, the Hearing Panel grants consent to a non-complying **activity** being the demolition of the existing semi-detached pair of dwellings and construction of two, multi-unit residential blocks provided with new vehicle access from High Street on the site at 330 and 332 High Street, Dunedin, legally described as Section 16 Block VII Town of Dunedin (Record of Title OT292/90), subject to the conditions imposed under section 108 of the Act, as attached at Appendix 1.

REASONS FOR RECOMMENDATION

- [138] Provided that the recommended conditions of consent are implemented, I consider that the likely adverse effects of the proposed activity can be adequately mitigated and will be no more than minor.
- [139] The proposal is considered to be consistent with the key relevant objectives and policies of the Proposed 2GP.
- [140] The proposal is considered to be not contrary to the objectives and policies of the Regional Policy Statement for Otago.
- [141] As the proposal is considered likely to give rise to adverse effects that will be no more than minor, and will not be contrary with the objectives and policies of the District Plan, the proposal is considered to meet both 'limbs' of the Section 104D 'gateway test'. Consideration can therefore be given to the granting of consent to the proposal.
- [142] Overall, the proposed development has been assessed as not being likely to give rise to adverse effects on those elements of the heritage values that the Dunedin City District Plan seeks to protect.

Report prepared by:



Kirstyn Lindsay
Consultant Planner

Date: 20.9.2021

Report checked by:



Campbell Thomson
Senior Planner

Date: 20.9.2021

**APPENDIX 1:
DRAFT CONDITIONS**

Consent Type: Land Use Consent

Consent Number: LUC-2019-436

Purpose: The demolition of the existing semi-detached pair of dwellings and construction of two, multi-unit residential blocks provided with new vehicle access from High Street.

Location of Activity: 330 and 332 High Street, Dunedin.

Legal Description: Section 16 Block VII Town of Dunedin (Record of Title OT292/90).

Lapse Date: DATE, unless the consent has been given effect to before this date.

Conditions:

1. *The proposed activity must be undertaken in general accordance with the approved plans attached to this certificate as Appendix One, and the information provided with the resource consent application received by the Council on date, and further information received on 14 August 2020, 27 April 2021 and 18 June 2012, except where modified by the following conditions.*
2. *No site works or demolition may begin until building consent is granted for the new residential buildings.*
3. *The building fronting High Street (containing Units A-E) must be constructed within 18 months of demolition.*
4. *All aspects of this development must be undertaken in accordance with the requirements of the Dunedin Code of Subdivision and Development 2010.*

Transport

5. *Prior to any site works or construction commencing Temporary Traffic Management Plan, prepared by a suitably qualified person, must be prepared and approved, should the proposed works affect the normal operating conditions of the transport network.*
6. *The maximum gradient of the first 5.0m of the vehicle access, measured from the road boundary, must not exceed a gradient of 1 in 8.*
7. *The gradient of the surface of the parking area must be no greater than 1 in 20 in any one direction.*
8. *The surface of all parking, associated access and manoeuvring areas shall be formed, hard surfaced and adequately drained for their entirety, and parking spaces permanently marked.*
9. *The area adjacent to Car Park 7 must be marked as 'no parking'.*
10. *Any damage to any part of the footpath or road formation as a result of the demolition or construction works must be reinstated at the applicant's cost.*

11. Pursuant to Section 128 of the RMA, the conditions of this consent may be reviewed on the first anniversary from occupation of the site as it relates to the car parking or upon any complaint made to the Dunedin City Council regarding the on-site carparking.

Servicing

12. The development must be undertaken in accordance with the Stormwater Management Plan prepared by Paterson Pitts Group on 16 June 2021 and approved by 3 Waters on 18th June 2021.
13. At the time of construction, water saving devices, including but not limited to, low-flow shower heads, 6/3 dual flush toilets and aerated sink mixers must be installed in each unit.

Design

14. Prior to construction, the final details of the proposed cladding colours and materials for the units are to be submitted to the Resource Consent Manager at rcmonitoring@dcc.govt.nz for certification.

Advice Notes:

Transportation

1. The vehicle crossing, between the road carriageway and the property boundary, is within legal road and will therefore require a separate Vehicle Entrance Approval from DCC Transport to ensure that the vehicle crossing is constructed/upgraded in accordance with the Dunedin City Council Vehicle Entrance Specification (note: this approval is not included as part of the resource consent process).
2. It is recommended that Car Park 1 be entered in a reverse gear to enable ease of egress in a forward gear.

Heritage

3. Buildings built before 1900 or sites which were in use before that time are considered archaeological sites under the Heritage New Zealand Pouhere Taonga Act 2014. Site development must comply with the requirements of the Archaeological Authority 2022/107.

General

4. In addition to the conditions of a resource consent, the Resource Management Act 1991 establishes through sections 16 and 17 a duty for all persons to avoid unreasonable noise, and to avoid, remedy or mitigate any adverse effect created from an activity they undertake.
5. Resource consents are not personal property. The ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.
6. It is the responsibility of any party exercising this consent to comply with any conditions imposed on the resource consent prior to and during (as applicable) exercising the resource consent. Failure to comply with the conditions may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.

7. The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.
8. This is a resource consent. Please contact the Council's Building Services Department, about the building consent requirements for the work.

**APPENDIX 2:
THE APPLICATION**

APPLICATION NUMBER:	LUC-2019-436
RELATED APPLICATIONS/LICENCES:	

PLANNING APPLICATION DETAILS FORM

Property Address		332 High Street Dunedin	
Property Description:		Property No: 5027527, Legal Description: SEC 16 BLK VII SO 14197 TN OF DUNEDIN	
First Contact: (Applicant)	Name:	C J Seque	
	Mail Address:	C/O MacDonell Consulting Limited, 17 Cliffs Road, Dunedin 9012	
	Contact Email:	barry@macdonellconsulting.co.nz	
	Phone Number:		
	Method of Service	Preferred Method - Email	
Second Contact: (Agent)	Name:	MacDonell Consulting Limited	
	Mail Address:	17 Cliffs Road Dunedin 9012	
	Phone Number:	027 228 2386	
	Contact Person:		
Description of Application:		land use consent to demolish scheduled building B308	
Application Type:		Land Use Consent	
Fast Track?			
Consent Type:	Multiple Activities	Consent Nature	Multiple Activities
Major Category		Land Use Category C	
Minor Category		Non-Notified - Non Complying	
Senior Planner or Responsible Officer:		John Sule	
Lodgement Date:		26 August 2019	Lodgement Officer: Paula Myers
Amount Paid:	\$1,600.00	Invoice Number:	766581
Waived: ☐			
Application Requirements	Signed Application Form		Copy of Title
	Locality Plan		Site Plan
	Plans and Elevations		AEE
	Affected Persons Consent		
Counter Comments:			



Application Form for a Resource Consent

50 The Octagon, PO Box 5045
Dunedin 9054, New Zealand
Ph 03 477 4000 | www.dunedin.govt.nz

PLEASE FILL IN ALL THE FIELDS

Application details

I/We Clifford James Seque (must be the FULL name(s) of an individual or an entity registered with the New Zealand Companies Office. Family Trust names and unofficial trading names are not acceptable: in those situations, use the trustee(s) and director(s) names instead) hereby apply for:

☒ Land Use Consent ☐ Subdivision Consent

I opt out/do not opt out (delete one) of the fast-track consent process (only applies to controlled activities under the district plan, where an electronic address for service is provided)

Brief description of the proposed activity:

Demolition of a heritage building at 332 High Street and construction of a 9 unit residential development.

Have you applied for a Building Consent? ☐ Yes, Building Consent Number ABA _____ ☒ No

Site location/description

I am/We are the: ☒ owner ☐ occupier ☐ lessee ☐ prospective purchaser of the site (tick one)

Street Address of Site: 332 High Street, Dunedin

Legal Description: Section 16 Block VII Town of Dunedin

Certificate of Title: OT 292/90

Contact details

Name: MacDonell Consulting Ltd (Barry MacDonell) Agent (applicant/agent (delete one))

Address: 17 Cliffs Road, St Clair, Dunedin Postcode: 9012

Phone (daytime): 027 228 2386 Email: barry@macdonellconsulting.co.nz

Chosen contact method (this will be the first point of contact for all communications for this application)

I wish the following to be used as the address for service: ☒ email ☐ post ☐ other _____ (tick one)

Address for invoices or refunds (if different from above)

Name: Cliff Seque

Address: 102 Kenmure Road, Dunedin

Bank details for refunds

Bank Account Name: _____

Account Number:

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--	--

Bank Branch

Account Number

Suffix

Ownership of the site

Who is the current owner of the site? Applicant

If the applicant is not the site owner, please provide the site owner's contact details:

Address: _____ Postcode: _____

Phone (daytime): _____ Email: _____

Occupation of the site

Please list the full name and address of each occupier of the site: _____

N/A unoccupied

Monitoring of your Resource Consent

To assist with setting a date for monitoring, please estimate the date of completion of the work for which Resource Consent is required. Your Resource Consent may be monitored for compliance with any conditions at the completion of the work. (If you do not specify an estimated time for completion, your Resource Consent, if granted, may be monitored three years from the decision date).

June 2020

(month and year)

Monitoring is an additional cost over and above consent processing. You may be charged at the time of the consent being issued or at the time monitoring occurs. Please refer to City Planning's Schedule of Fees for the current monitoring fee.

Detailed description of proposed activity

Please describe the proposed activity for the site, giving as much detail as possible. Where relevant, discuss the bulk and location of buildings, parking provision, traffic movements, manoeuvring, noise generation, signage, hours of operation, number of people on-site, number of visitors etc. Please provide proposed site plans and elevations.

Please refer to the attached planning assessment & plans.

Description of site and existing activity

Please describe the existing site, its size, location, orientation and slope. Describe the current usage and type of activity being carried out on the site. Where relevant, discuss the bulk and location of buildings, parking provision, traffic movements, manoeuvring, noise generation, signage, hours of operation, number of people on-site, number of visitors etc. Please also provide plans of the existing site and buildings. Photographs may help.

Please refer to the attached planning assessment.

(Attach separate sheets if necessary)

District plan zoning

What is the District Plan zoning of the site? Inner City Residential in 2GP. Res 4 in Op DP.

Are there any overlaying District Plan requirements that apply to the site e.g. in a Landscape Management Area, in a Townscape or Heritage Precinct, Scheduled Buildings on-site etc? If unsure, please check with City Planning staff.

Yes. Heritage. Building is scheduled.

Declaration

I certify that, to the best of my knowledge and belief, the information given in this application is true and correct.

I accept that I have a legal obligation to comply with any conditions imposed on the Resource Consent should this application be approved.

Subject to my/our rights under section 357B and 358 of the RMA to object to any costs, I agree to pay all the fees and charges levied by the Dunedin City Council for processing this application, including a further account if the cost of processing the application exceeds the deposit paid.

Signature of Applicant/Agent (delete one): *J Macmillan* (Agent) Date: 23/8/19

Privacy – Local Government Official Information and Meetings Act 1987

You should be aware that this document becomes a public record once submitted. Under the above Act, anyone can request to see copies of applications lodged with the Council. The Council is obliged to make available the information requested unless there are grounds under the above Act that justify withholding it. While you may request that it be withheld, the Council will make a decision following consultation with you. If the Council decides to withhold an application, or part of it, that decision can be reviewed by the Office of the Ombudsmen.

Please advise if you consider it necessary to withhold your application, or parts of it, from any persons (including the media) to (tick those that apply):

- ☐ Avoid unreasonably prejudicing your commercial position
☐ Protect information you have supplied to Council in confidence
☐ Avoid serious offence to tikanga Maori or disclosing location of waahi tapu

What happens when further information is required?

If an application is not in the required form, or does not include adequate information, the Council may reject the application, pursuant to section 88 of the RMA. In addition (section 92 RMA) the Council can request further information from an applicant at any stage through the process where it may help to a better understanding of the nature of the activity, the effects it may have on the environment, or the ways in which adverse effects may be mitigated. The more complete the information provided with the application, the less costly and more quickly a decision will be reached.

Fees

Council recovers all actual and reasonable costs of processing your application. Most applications require a deposit and costs above this deposit will be recovered. A current fees schedule is available on www.dunedin.govt.nz or from Planning staff. Planning staff also have information on the actual cost of applications that have been processed. This can also be viewed on the Council website.

Development contributions

Your application may also be required to pay development contributions under the Council's Development Contributions Policy. For more information please ring 477 4000 and ask to speak to the Development Contributions Officer, or email developmentcontributions@dcc.govt.nz.

Further assistance

Please discuss your proposal with us if you require any further help with preparing your application. The Council does provide pre-application meetings without charge to assist in understanding the issues associated with your proposal and completing your application. This service is there to help you.

Please note that we are able to provide you with planning information but we cannot prepare the application for you. You may need to discuss your application with an independent planning consultant if you need further planning advice.

City Planning Staff can be contacted as follows:

- In Writing: Dunedin City Council, PO Box 5045, Dunedin 9054
- In Person: Customer Services Centre, Ground Floor, Civic Centre, 50 The Octagon
- By Phone: (03) 477 4000
- By Email: planning@dcc.govt.nz

There is also information on our website at www.dunedin.govt.nz.



Clifford Seque

Proposed Multi Unit Development at 332 High
Street, Dunedin

Resource Consent Application

23 August 2019

1 APPLICANT AND PROPERTY DETAILS

Applicant: Clifford Seque

Location: 332 High Street, Dunedin

Legal Description: Section 16 Block VII Town of Dunedin
OT 292/90
Refer Appendix 1

Site Area: 1012 m²

Address for Service: MacDonell Consulting Ltd
17 Cliffs Road
St Clair
Dunedin

barry@macdonellconsulting.co.nz

Phone: 027 228 2386

2 PROPOSAL

The applicant is seeking consent to demolish the existing dwelling on the site and construct a 9 unit residential development. Each unit will comprise 2 bedrooms, so the total number of bedrooms on site will be 18.

The existing 8 bedroomed dwelling is in a very poor state of repair and has not been tenanted for some time. Refer Photo 1. The owner (applicant) has been having problems with squatters, and has now decided to invest in a new 9 unit development that is consistent with the existing streetscape and surrounding residential character. Demolishing the existing building allows the un-utilised rear of the site to be access via a new driveway.

Please refer to the plans at Appendix 2, including plans & elevations, site plan and street frontage detail.

The site is zoned Residential 4 (R4) in the Operative District Plan and Inner City Residential in the Proposed Second Generation Plan (2GP).

In the Operative District Plan the site is within the TH 14 Townscape Heritage Precinct, and more particularly the High Street Heritage Precinct. The existing dwelling is B308 in Schedule 25.1 and is therefore a protected building. The features to be protected are the façade and the bulk appearance to High Street.

In accordance with 13.7.4 the demolition of this building is non complying.

In the 2GP, the existing dwelling is also protected as B308 being a Heritage Building (Refer A1 Schedules). The site is within the High Street Residential Heritage Precinct. Again the features to be protected are the façade and the bulk appearance to High Street.

In accordance with 13.8.3, the demolition of this building is non complying.

A pre application meeting was held with Dr Andrea Farminer on 24 July 2019. As a result of that meeting the street frontage design of the new building was reconfigured, and emailed feedback received from Andrea Farminer and Peter Christos on 5 August 2019. In summary it was requested that the High Street façade incorporate front doors, to reinforce a visual connection with the street, and consistent also with the existing dwelling. The applicant has also offered to re-use where possible the original wrought iron decorations and porch posts in the new façade.

Also required as part of this development, is the removal of several trees from the rear of the property. As discussed with Phil Marshall, these trees are not protected, and this is not an urban biodiversity mapped area.



Photo 1: Existing dwelling at 332 High Street.

3 STATUTORY ASSESSMENT

Operative District Plan

In the Operative District Plan the site is within the TH 14 Townscape Heritage Precinct, and more particularly the High Street Heritage Precinct. The existing dwelling is B308 in Schedule 25.1 and is therefore a protected building. The feature to be protected are the façade and the bulk appearance to High Street.

In accordance with 13.7.4 the demolition of this building is non complying.

As the 2GP is the dominant planning instrument, these planning provisions are assessed in detail below. However, similar provisions apply under the Operative

District Plan, in respect of both Heritage and development. For example residential activity at a density of not less than 200 m² per residential unit is a PA, in accordance with 8.10.1. This means there could be 5 units on this site, but with say 4 bedrooms per unit, that is 20 bedrooms rather than the 18 proposed.

Similar provisions apply in respect of yards, height, site coverage, amenity open space, car parking, etc. Refer 8.10.2.

Similar objectives and policies also apply in respect of heritage values and residential development.

However more weighting is accorded to the provisions of the 2GP, as discussed below. In any event, the proposal is non complying.

Proposed Second Generation Plan (2GP)

In the 2GP, the existing dwelling is also protected as B308 being a Heritage Building (Refer A1 Schedules). The site is within the High Street Residential Heritage Precinct. Again the features to be protected are the façade and the bulk appearance to high Street.

In accordance with 13.8.3, the demolition of this building is non complying.

A multi unit development (3 or more units) is a restricted discretionary activity in the Inner City Residential Zone (ICR), in accordance with 15.3.4.

Land Use Performance Standards

The proposal complies with all relevant performance standards, as follows;

Density

15.5.2 (1) (e) states that the maximum density of habitable rooms is 1 per 45 m² of the site area. With a total site area of 1012 m², this would allow 22 rooms. The applicant is proposing 18, being 9 two bedroomed units.

Car parking

15.5.8 (1) (c) requires 2 parking spaces plus one for every 4 habitable rooms. In this case, that is a requirement for 7 spaces. 8 are being provided.

Outdoor Living Space

15.5.11.1 requires 15 m² per unit. This is being provided. Please refer to site plan. The outdoor living space also complies with the quality and location requirements at 15.5.11.3

Services Areas

The site can easily accommodate the 22.5 m² of service area required by 15.5.12.;

Units A & B	5 m ² between building and driveway
Units C, D & E	7.5 m ² between building and eastern boundary
Units F & G	5 m ² between building and eastern boundary
Units I & H	5 m ² between building and western boundary

Development Performance Standards

Building Length

There is no continuous dimension in the new building that is greater than 20 m. This complies with 15.6.1.

Height to Boundary

The proposal complies with the 3 m plus 45 degrees height to boundary envelope required by 15.6.6.1 (a) (ii).

Height

The new building complies with the maximum height limit of 12 m at 15.6.6.2.

Location & Screening of Car Parking

The proposal complies with 15.6.7 (2) as the car parking is located at the rear of the site, and is not visible from any adjoining public place.

Site Coverage

The site coverage rules at 15.6.10 limit building coverage to 60 %. In this proposal it is 35 %. The maximum impervious limit is 80 %. In this proposal it is 65 %.

Setbacks (Yards)

The proposal complies with the 3 m front yard and 1 m side and rear yard, in accordance with 15.6.13.1.

Resource Management Act

Section 104 of the Resource Management Act (1991) requires an assessment against:

- a) *Any actual and potential effects on the environment of allowing the activity, and*
- ab) *Any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and*

b) Any relevant provisions of -

- i. a national environmental standard
- ii. other regulations
- iii. a national policy statement
- iv. a New Zealand coastal policy statement
- v. a regional policy statement or proposed regional policy statement
- vi. a plan or proposed plan; and

c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.

The proposal must therefore be assessed in terms of actual and potential effects on the environment, the relevant objectives and policies of the 2GP, and Part 2 of the Resource Management Act. Overall this is a non complying activity, because of the demolition of a scheduled building.

4 ASSESSMENT OF ENVIRONMENTAL EFFECTS

Background – High Street Residential Heritage Precinct (A2.1.6)

The High Street Residential Heritage Precinct has a particular character with large dwellings, dating from the 19th and early 20th centuries, built close to the street frontage. Garaging is normally not visible from the street. A2.1.6.2 outlines the values of the precinct, while A2.1.6.3 confirms the threats to the precinct. These include the demolition of heritage buildings and the development of new buildings not in keeping with the surrounding buildings and streetscape.

A2.1.6.4 outlines the features and characteristics that should be incorporated into the design of any new buildings. The design of the new building has taken these matters into account, particularly in respect of height, bulk and location, car parking, design, materials and retaining. In respect of colour, this will be chosen from Council's palette of heritage or neutral colours, in consultation with the heritage advisor, and can be a condition of consent.

Heritage

It is acknowledged that this is a scheduled building, where Council seeks to protect the façade and bulk appearance to High Street.

Demolition is discouraged, however in this case the building is in a very poor state of repair. It is proposed that by replacing the existing building the rear of the property can be developed to more fully utilise the site for residential development. The replacement of an 8 bedroomed dilapidated building, with a new 18 bedroomed development, with a design that is sympathetic to the Precinct, has benefits that out-weigh the adverse effects of losing this building. The new development will be fully insulated and will provide a far warmer and healthier living environment. In this case it considered that the re-development is justified.

Residential Development

The proposal involves a multi-unit development in the ICR Zone. 15.11.3 notes specific assessment criteria for this type of development. These include effects on amenity and streetscape, including building design, landscaping, visibility from the street, location of car parking, and site coverage.

The proposal is consistent with all of these desired outcomes, although landscaping is not considered necessary. The proposed façade to High Street is entirely consistent with the character of this heritage precinct, and landscaping would not contribute to this heritage character.

The applicant met with Council's Heritage Advisor to discuss the proposal prior to lodging this application. The focus of that meeting was primarily on the façade to High Street and effects on the character of the streetscape. As a result of this meeting the applicant agreed to incorporate front doors in the façade design and to add more heritage type architectural features, including the re-use of wrought iron decoration and porch posts. This new design is quite similar to the façade of the existing dwelling.

The benefits of this proposal include allowing the rear of the site to be developed for additional accommodation. The current 8 bedroom building will be replaced by 2 new buildings incorporating 18 bedrooms. In a growing city with a shortage of quality inner city accommodation, this is a significant benefit.

5 RELEVANT OBJECTIVES AND POLICIES

Proposed District Plan (2GP)

Heritage

As noted at 13.8.3, the relevant objective is 13.2.1 and the relevant policy is 13.2.1.7.

Objective 13.2.1

This objective seeks to protect heritage buildings and structures.

Policy 13.2.1.7

This policy seeks to discourage the demolition of heritage buildings except where there is a public benefit, and repairs make the proposal uneconomic.

In this case there will be a wider benefit to the city by more than doubling the number of bedrooms on site, while the replacement building will enhance the heritage streetscape character and amenity.

Residential Development

As noted at 15.11.3, the relevant objective is 15.2.4 and the relevant policy is 15.2.4.8.

Objective 15.2.4

This objective seeks to maintain or enhance the amenity of the streetscape, and to reflect the current or intended future character of the neighbourhood.

Policy 15.2.4.8

This policy seeks to allow only multi-unit developments that are designed to maintain or enhance streetscape and neighbourhood amenity and character

For the reasons discussed in the assessment of effects above, in all respects, the proposed 9 unit development is consistent with these relevant 2GP objectives and policies.

6 CONSULTATION

As there are not considered to be any affected parties, the applicant has therefore not consulted with any other party.

7 CONCLUSION

The application is consistent with the relevant objectives and policies of the 2GP.

There are no adverse environmental effects that are more than minor, while there will be positive effects in respect of providing additional superior accommodation opportunities, while also enhancing streetscape values.

It is therefore concluded that consent should be granted.

**MacDonell Consulting Ltd
Planning Consultants**

Appendix 1



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Limited as to Parcels
Search Copy**



R. W. Muir
Registrar-General
of Land

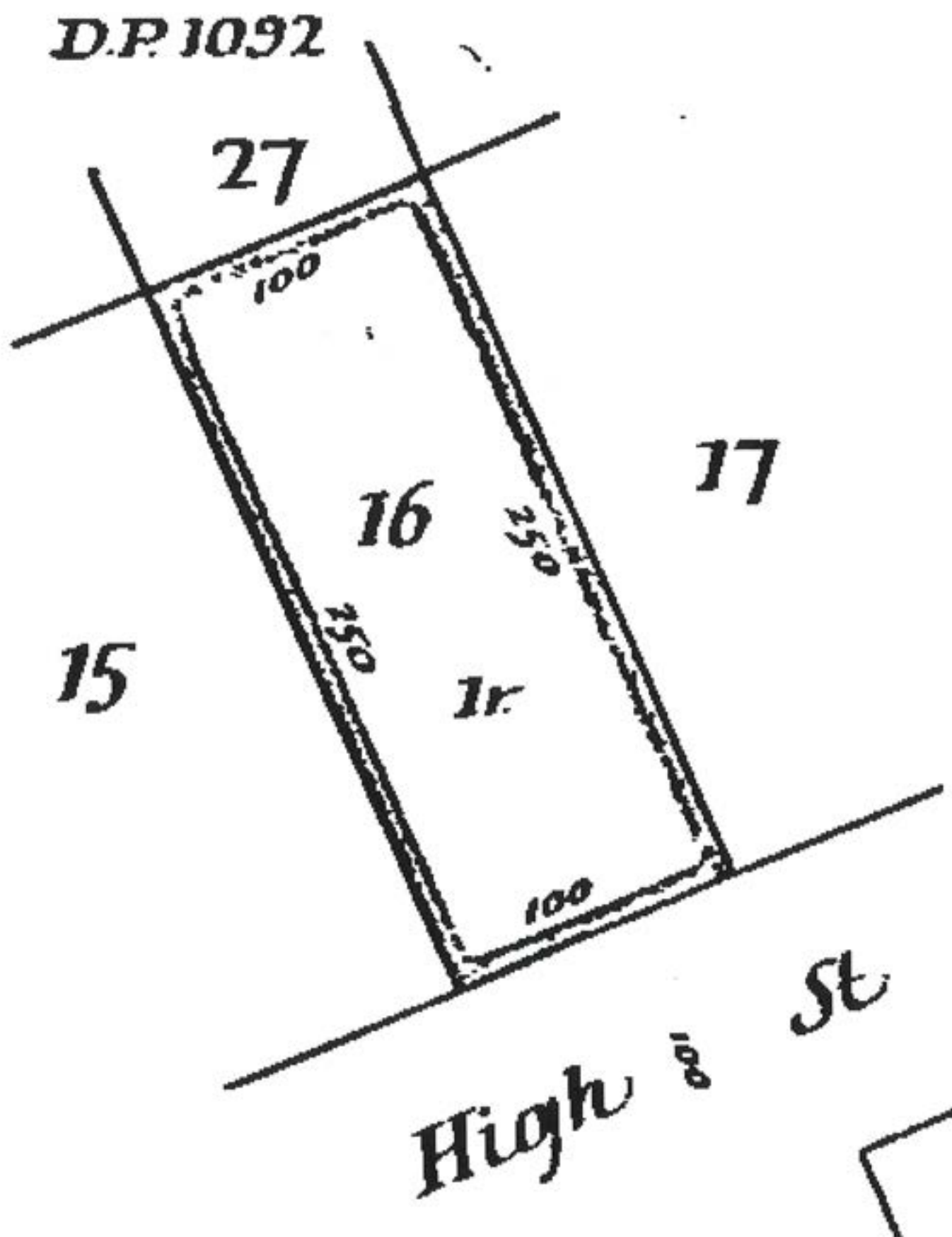
Identifier **OT292/90**
Land Registration District **Otago**
Date Issued 07 November 1938

Prior References
DI T320

Estate	Fee Simple
Area	1012 square metres more or less
Legal Description	Section 16 Block VII Town of Dunedin

Registered Owners
Clifford James Seque

Interests

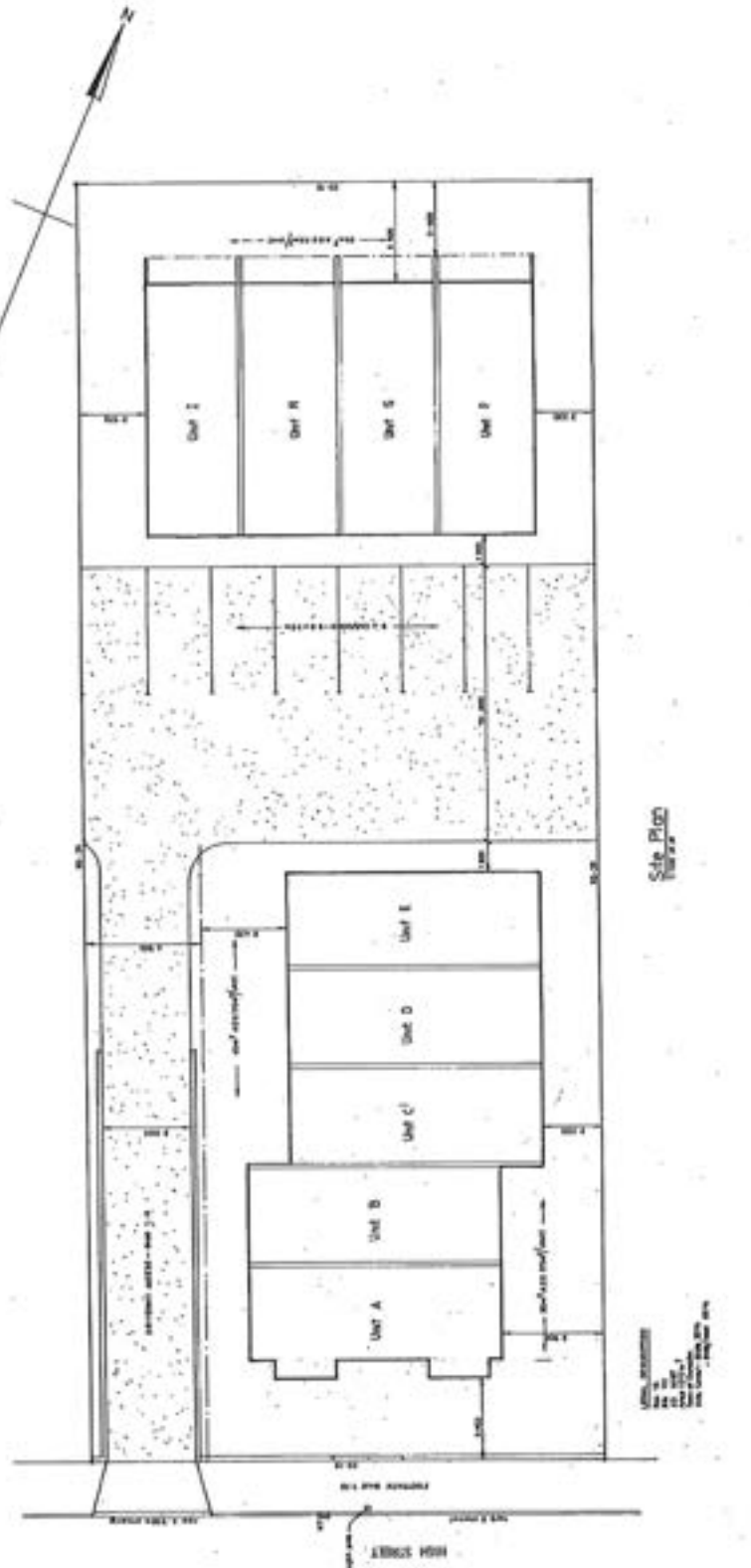


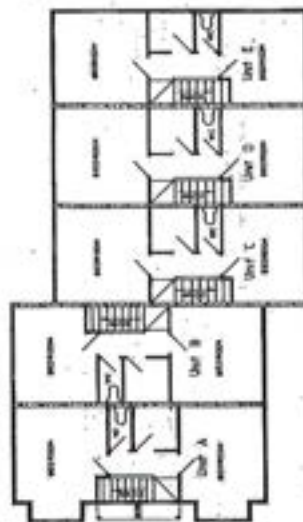
Appendix 2



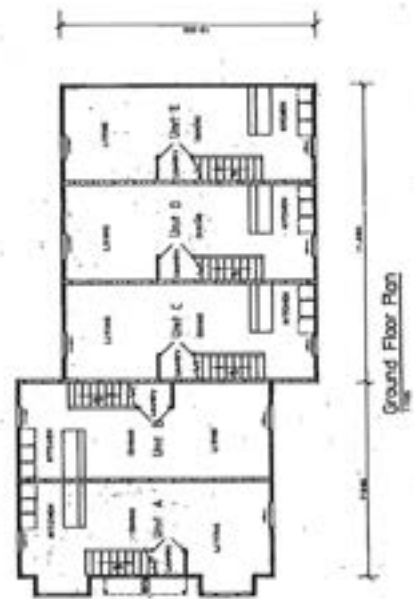
South Elevation

SITE PLAN





First Floor Plan



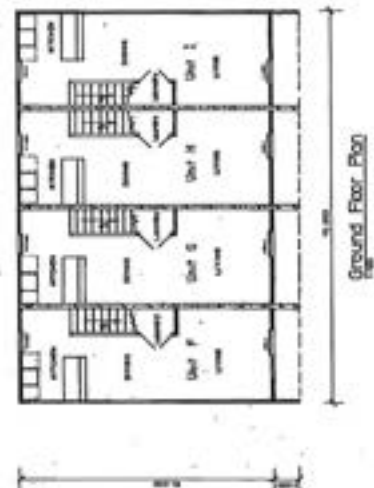
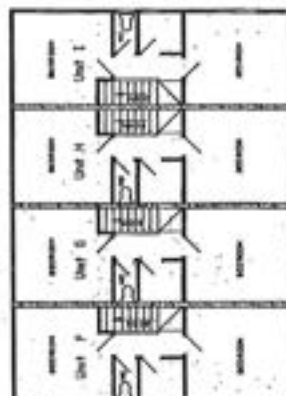
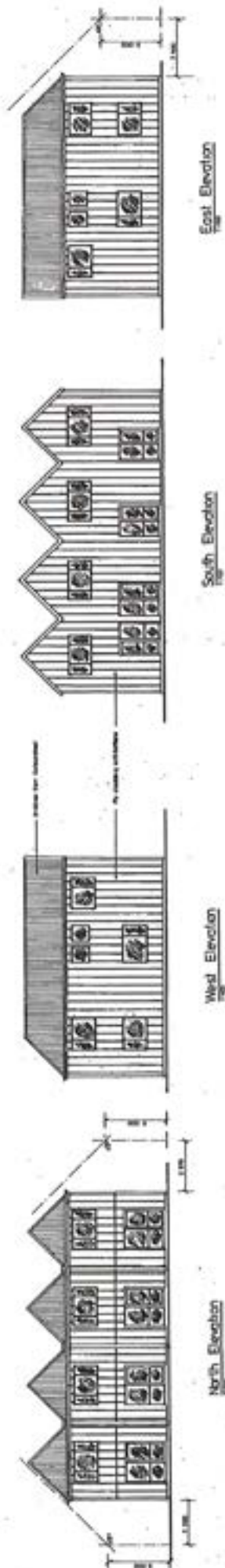
Ground Floor Plan



North Elevation

Floor Block

David T. Ruffet Architectural design & plan 100, Box 218, P.O. Box 1, Dunedin Phone 03 478 1111		Project PROPOSED RESIDENTIAL UNITS for CLIFF SEQUE at 302 HIGH STREET DUNEDIN	
Date 18/08/2011		Scale 1:100	
Client 18/08/2011		Date 18/08/2011	
Designer David T. Ruffet		Date 18/08/2011	
Checker David T. Ruffet		Date 18/08/2011	
Approver David T. Ruffet		Date 18/08/2011	



K.E.M.A. 86, 074, 402

David T. Rutter ARCHITECTURAL DESIGN & PLAN 21 302 HIGH STREET DUNEDIN 03 434 1100		Project: PROPOSED RESIDENTIAL UNITS for CLIFF SEQUE at 302 HIGH STREET DUNEDIN	
Name: Date: JUNE 2011 Scale:		Consultant: Date: 18/06/11 Drawing No. 18/06/11	
Author: Date: Scale:		Check: Date: Scale:	

APPENDIX 3: FURTHER INFORMATION



27 April 2021

Kirstyn Lindsay
Planning Consultant for DCC

Dear Kirstyn

LUC 2019-436 / 332 High Street

I refer to your s92 letter of 19 September 2019 and email of 19 August 2020.

1 - 4 *Justification for Demolition*

On 14 August 2020 we provided a detailed seismic assessment confirming that the building is in the very high risk category, and that it is uneconomic to upgrade the building. You responded on 19 August 2020 that the information generally addresses items 1 – 4 in the s92 request.

5 – 7, 9 & 10 *Heritage Values*

Origin Consultants Ltd have completed a heritage assessment of the proposed building replacement – attached.

8 *2GP Objectives & Policies*

The relevant 2GP objectives and policies at 13.2.3 seek to maintain and enhance heritage streetscape character in heritage precincts. In particular, the new build incorporates appropriate materials and design features, no visible garages or carports, and off street parking is screened from view. The built height, scale and setbacks are all consistent with the existing heritage streetscape. Fences will not obstruct the view of the building from the street.

Policy 13.2.3.6 relates specifically to demolition of buildings. This policy seeks to only allow demolition where the heritage streetscape character of the precinct will be maintained. As concluded in the Origin report, the heritage streetscape character will be maintained.

Policy 13.2.3.7 seeks to encourage the use of design features found in Appendix A2. The proposed design has been refined following discussions with Dr Andrea Farminer, incorporating design elements consistent with Appendix A2. These design elements include;

- consistent height, and bulk & location YES
- parking at rear YES
- sympathetic & consistent heritage design YES
- consistent heritage materials YES
- front wall consistent with existing YES
- heritage colours YES
- no signs YES

11 - 15 *Transport*

Please refer to the amended plan set (attached) showing changes to the parking layout and confirmation of parking area and driveway gradients, etc, as requested.

16 – 17 *3 Waters*

Please refer to the site plan which includes the requested stormwater information.

The applicant will utilise water saving devices as suggested by Council.

18 *Residential 4 Provisions*

I understand from Paul Freeland that the 2GP Inner City Residential Zone appeals have been resolved, and therefore consideration of the Residential 4 provisions is no longer required. Nevertheless it is noted that with an allowable density of 1 unit per 200 m² of site area, this site would accommodate 5 units. At say 4 bedrooms per unit, this is more than the 18 bedrooms proposed.

Similar provisions apply in respect of yards, site coverage, amenity open space, car parking etc. The maximum height in Res 4 is 9 m, where as it is 12 m in Inner City Residential. The proposal complies with both.

19 *Objectives and Policies 15.2.2 & 15.2.3*

The objectives and policies at 15.2.2 and 15.2.3 seek to provide high quality onsite amenity for residents, and a good level of amenity for surrounding residential properties. This new development that is proposed will be well insulated and heated, in stark contrast to the dilapidated building that currently exists. While it is accepted that the existing building could be renovated, bringing it up to an appropriate seismic standard at the same time has been found to be uneconomic.

The height and setbacks for the proposed building are similar to that which currently exist for the existing building. In fact the setback on the eastern boundary is increasing so the building will be more centred on the site than the current building.

20

RMA 104D

On the basis of the above analysis, it is concluded that the proposal is not inconsistent with the relevant objectives and policies, and any adverse effects will be no more than minor.

Yours faithfully
MacDonell Consulting Ltd

A handwritten signature in black ink, appearing to read 'J MacDonell', with a stylized flourish at the end.

Barry MacDonell

HANLON & PARTNERS Ltd.

CONSULTING STRUCTURAL ENGINEERS

Bl Chisholm BE CMEngNZ IntPE CPEng (Civil & Structural)

219 HIGH STREET, DUNEDIN

Ph: 03 477 7475 Fax: 03 479 2597

E-mail: office@hanlons.co.nz

Dl Hand BE (Civil) CMEngNZ CPEng (Structural)

12 June 2020

Cliff Seque
cliffseque@gmail.com

Dear Cliff

330-332 HIGH STREET, DUNEDIN
DETAILED SEISMIC ASSESSMENT**The Building**

Our assessment is based on the as-built drawings by David T Rutter architectural design & Plan. We were not able to obtain the drawings of the building from the Dunedin City Council archives.

The building consists of 4 flats, 2 ground floor and 2 first floor units. The two-storey building is constructed of timber framing with a central unreinforced masonry wall. The exterior is clad in weatherboard. The roof is clad with light weight corrugated iron. Photo 1 below shows the building from High Street.

Job No. 18577

Our report dated 4-12-2019, reports on the current condition of the building. This report contains additional photos of the interior and exterior of the building.

Building Description and Seismic Bracing System

The building description is based on our site visit.

Date of construction	Unknown
Gross Floor area	2 levels at 225m ²
Foundation System	Unreinforced masonry, piles on blue stone, ordinary piles
Wall/ Cladding Systems	Plaster board lined walls, lathe plaster lined walls, with and without timber weatherboard linings and unreinforced masonry
Roof System	Profiles roofing iron over timber purlins and rafters.
Lateral Load Resisting System – Longitudinal Direction (E-W)	Timber framed bracing walls lined with Plaster board with exterior clad in weatherboard and unreinforced masonry
Lateral Load Resisting System – Transverse Direction (N-S)	Timber framed bracing walls lined with Plaster board with exterior clad in weatherboard and unreinforced masonry

Detailed Seismic Assessment Methodology

We have calculated the current strength of the building under seismic loading based on the ministry of Business, Innovation & Employment (MBIE) publication – The Seismic Assessment of Existing Buildings – July 2017 (the seismic Assessment Guidelines), Using the Probable Strengths.

Parameter	Value
Design Working Life	50 Years
Importance level - IL	IL2
Return Period Factor - R	R = 1.0
Site Subsoil Classification	C (Shallow Soil)
Period – T (seconds)	T < 0.4s
Hazard Factor - Z	Z = 0.13
Near Fault Factor - N	N = 1.0
Structural Ductility Factor - μ	μ = 3.0 (for timber-framed bracing walls)

Detailed Seismic Assessment Results

Our assessment concluded that the building has the following percentage of New building Standard (%NBS) score under earthquake loading of 7%NBS IL2

The following table summarises the %NBS scores for the various lateral load resisting elements assessed as part of our seismic analysis

Element	Direction	%NBS IL2	Commentary with regards capacity
Timber framed ground floor walls	Transverse	30%	Cladding and linings to timber-framed walls do not provide sufficient lateral bracing strength to transfer seismic loads.
Timber framed first floor walls	Transverse	64%	Cladding and linings to timber-framed walls do not provide sufficient lateral bracing strength to transfer seismic loads.
Timber framed ground floor walls	Longitudinal	7%	Cladding and linings to timber-framed walls do not provide sufficient lateral bracing strength to transfer seismic loads.
Timber framed first floor walls	Longitudinal	14%	Cladding and linings to timber-framed walls do not provide sufficient lateral bracing strength to transfer seismic loads.
Unreinforced masonry	Out of plane	41%	The out of plane capacity of the unreinforced masonry to support itself within the framing during an earthquake.
Unreinforced masonry walls	In plane	100%	There is sufficient length of masonry wall to brace the central section of the building.

Based on the table above the Critical Structural Weakness (CSW) of the building's lateral load resisting system under earthquake loading is the insufficient lateral bracing systems of the ground floor longitudinal walls at the front of the building.

The other Structural Weaknesses (SW's) of the building we identified are

- The insufficient lateral bracing of the ground and first floor longitudinal walls
- The insufficient lateral bracing of the ground and first floor Transverse walls
- The out of plane capacity of the unreinforced masonry.

Meaning of %NBS Score

The Building Code provides for new buildings of 'normal' category (IL2) to have "Ultimate Limit State" (ULS) strength to meet a 1 in 500 year earthquake demand. This is the 100% NBS level assumed in this assessment.

At the Ultimate Limit State, substantial damage is allowed, such as unrecoverable displacement or cracking, as long as there is a margin against collapse and appropriately low life-safety risk.

Buildings are generally required by legislation to have a minimum design life of 50 years. The chance of a 1 in 500-year event being exceeded in any 50-year period is approximately 10%.

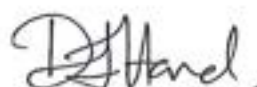
The following table by NZSEE provides a grading system for existing buildings, as one way of interpreting the %NBS building score. It can be seen that *Earthquake Prone* buildings (%NBS less than 33%) have more than 10 times the risk of collapse than a similar new building. And for buildings that are potentially *Earthquake Risk* ($67\% \geq \%NBS \geq 33\%$), the risk of collapse is 5 to 10 times greater than that of an equivalent new building. Broad descriptions of the life-safety risk can be assigned to these building Grades accordingly.

Relative Earthquake Risk			
Building Grade	Percentage of New Building Strength (%NBS)	Approx. Risk Relative to a New Building	Risk Description
A+	≥ 100	≤ 1	low risk
A	80 to 100	1 or 2 times	low risk
B	67 to 80	2 or 5 times	low or medium risk
C	33 to 67	5 to 10 times	medium risk
D	20 to 33	10 to 25 times	high risk
E	≤ 20	more than 25 times	very high risk

We must emphasise the %NBS score for a building is the maximum level of earthquake shaking that a building can protect its occupants and passersby from injury.

The building therefore has a seismic grade of E.

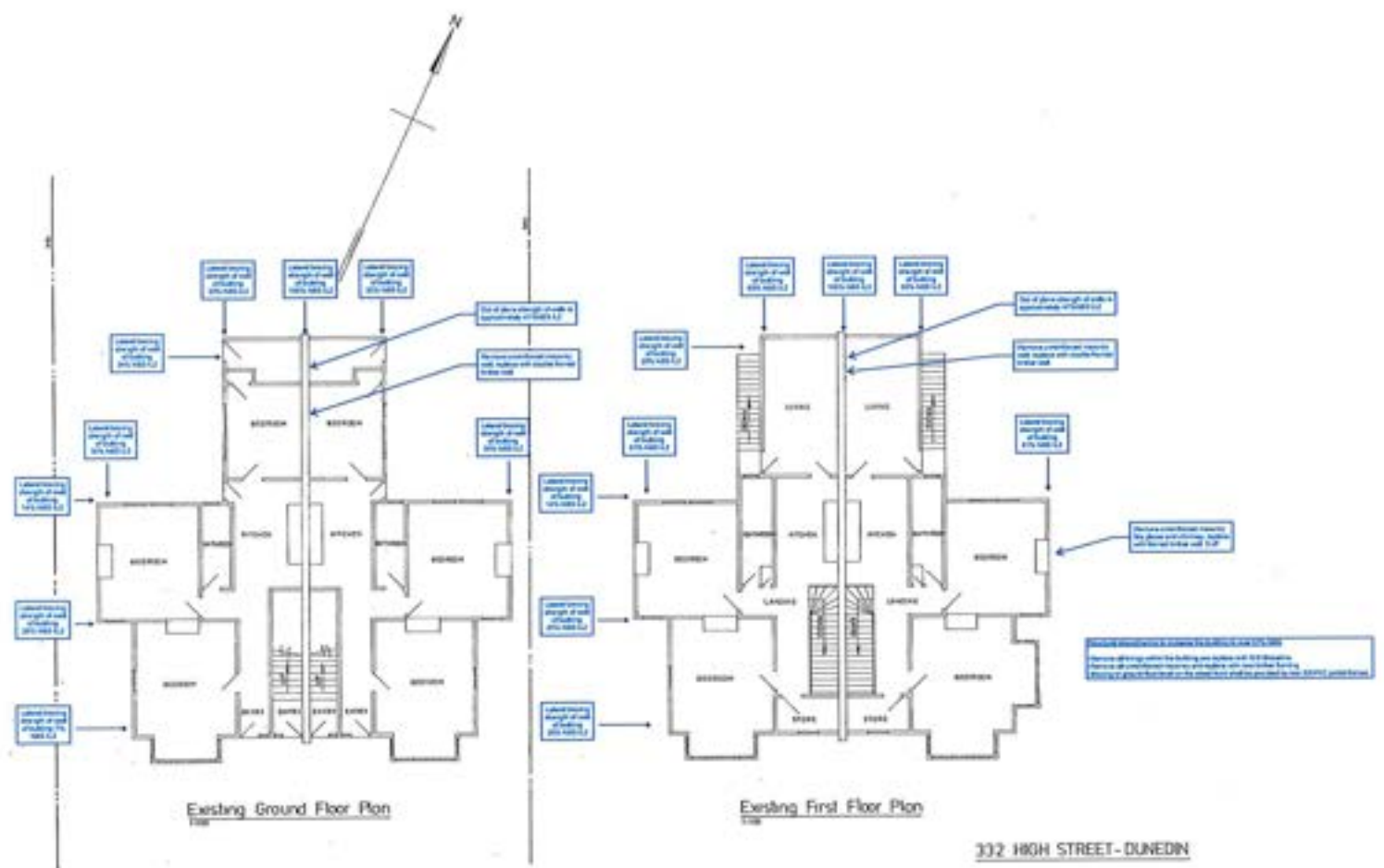
Yours faithfully
Hanlon and Partners Ltd



David Hand

Attachments:

Mark-Up drawings showing Assessment scores and suggested strengthening scheme



SEISMIC & COMPLIANCE UPGRADE

FOR

CLIFF SEQUE

300-332 HIGH ST, DUNEDIN

Estimated Costs 13/07/2020

ITEM	DESCRIPTION OF WORK	QUANTITY	UNIT	Estimated Costs 13/07/2020	
				RATE	AMOUNT
	17778 330-332 High St, Estimated Costs to Seismic Upgrade Current Building & Reinstate Building to Meet Current Code Requirements This estimate was prepared from the following information provided by Cliff Seque 1. David T Rutter existing As Built Ground & First Floor Plans 2. Hanlon & Partners Ltd: Condition Report - Dated 4th December 2019 Detailed Seismic Assessment - Dated 12th June 2020 Fire Design Summary - 10th June 2020 It is noted the Structural Engineers recommendation is to demolish the complete structure.				
	<u>SITE PREPARATION</u>				
1	Tent entire structure to enable works to be continuous		SUM		80,000.00
2	Scaffolding	608	m2	35.00	21,280.00
3	Fall protection once roof structure removed	260	m2	6.50	1,690.00
4	Clear and dispose of existing rubbish and waste left in building		SUM		6,613.75
	<u>DEMOLITION</u>				
	External				
5	Remove and dispose of existing roof cladding and structure	260	m2	52.00	13,520.00
6	Remove and dispose of exterior cladding	632	m2	40.00	25,280.00
7	Demolish and dispose of existing chimney structures	4	No	2500.00	10,000.00
8	Demolish and dispose of existing balcony landings	10	m2	65.00	650.00

ITEM	DESCRIPTION OF WORK	QUANTITY	UNIT	Estimated Costs 13/07/2020	
				RATE	AMOUNT
9	Remove and set aside for reuse existing balcony support columns and balustrading		SUM		800.00
10	Remove and set aside for reuse all windows and doors	44	No	260.00	11,440.00
	Internal				
11	Isolate services, remove and dispose existing kitchen benchtops & joinery	4	No	600.00	2,400.00
12	Demolish and dispose of existing internal stairways	2	No	1040.00	2,080.00
13	Demolish and dispose of timber framed and lined partitions to provide access and working spaces for demolition of unreinforced masonry Intertenency wall	45	m2	40.00	1,800.00
14	Remove and dispose of existing floor structure approx 1500 either side of Intertenency wall to provide access to footings and demolition of Intertenency wall	120	m2	65.00	7,800.00
15	Temporarily prop existing ground floor from underneath the suspended floor		SUM		3,750.00
16	Temporarily prop existing Level 01 floor from ground to underneath the Level 01 suspended floor		SUM		5,200.00
17	Demolish and dispose of existing approx 300 unreinforced masonry Intertenency wall	152	m2	120.00	18,240.00
18	Breakout, grub up and dispose of existing Intertenency wall foundations	15	m3	500.00	7,500.00
19	Isolate, remove and set aside for reuse existing sanitary fittings and fixtures		SUM		3,000.00
20	Remove and dispose of all interior wall linings	1,524	m2	37.50	57,150.00
21	Uplift remove and dispose of existing floor coverings	407	m2	30.00	12,210.00
22	Remove and dispose of existing ceiling linings	407	m2	32.50	13,227.50
	<u>SUBSTRUCTURE</u>				
23	Allow to relevel building	202	m2	100.00	20,200.00
24	Hand excavate, for new Intertenency foundation, load excavated fill onto truck	29	m3	325.00	9,425.00

ITEM	DESCRIPTION OF WORK	QUANTITY	UNIT	Estimated Costs 13/07/2020	
				RATE	AMOUNT
25	Foundation thickening to Intertenency wall, including for formwork, reinforcement, concrete and 200 hardfill	15	m3	1488.00	22,320.00
26	Backfill to working spaces, hand barrowed to position	15	m3	135.00	2,025.00
	<u>FRAME</u>				
27	Timber roof frame members (rafters, joists etc)	260	m2	260.00	67,600.00
	<u>STRUCTURAL WALLS</u>				
28	300 PFC Structural steel portal frame to street front		SUM		23,759.25
29	Isolated mass concrete footings to support last	4	No	182.25	729.00
30	Shop drawings @ \$300/tonne		SUM		600.00
	<u>UPPER FLOORS</u>				
31	Replace existing balcony landings, posts and balustrading	130	m2	575.00	74,750.00
32	Replace and make good suspended timber floor framing and linings removed during demolition	120	m2	331.25	39,750.00
33	Connections to tie in timber framed floor to Intertenency wall and exterior framing	1,424	No	18.75	26,700.00
	<u>ROOF</u>				
34	New lightweight prefinished metal roof covering & associated flashings	260	m2	82.50	21,450.00
35	Internal membrane gutter including framing and plywood substrate	32	m2	205.00	6,560.00
36	600 Eaves facing and Hardies soffit, including supporting framing	50	m2	137.50	6,875.00
37	Downpipes	34	m	75.00	2,550.00
38	Rainwater head each end	4	No	350.00	1,400.00
	<u>EXTERIOR WALLS & EXTERIOR FINISH</u>				
39	Provisional SUM allowance for replacement of exterior timber framing - allowed 15% of overall coverage	95	m2	72.50	6,887.50

ITEM	DESCRIPTION OF WORK	QUANTITY	UNIT	Estimated Costs 13/07/2020	
				RATE	AMOUNT
40	New timber weatherboard, cavity system, building wrap and insulation fixed to existing timber framing	546	m2	272.25	148,648.50
41	Extra value to de-nail existing framing	546	m2	5.20	2,839.20
	<u>WINDOWS & EXTERIOR DOORS</u>				
42	Reinstate timber framed single doors	10	No	146.25	1,462.50
43	New flashings to windows	222	m	65.00	14,430.00
44	Provisional allowance for replacement glazing and framing to timber framed windows - allowed 20%	18	m2	1125.00	20,250.00
45	Reinstate timber framed windows >2m2	12	No	308.75	3,705.00
46	Reinstate timber framed windows <2m2	22	No	195.00	4,290.00
47	Prepare and repaint existing timber exterior doors	10	No	275.00	2,750.00
48	Prepare and repaint existing timber framed windows and door framing	608	m	22.75	13,832.00
	<u>STAIRS & BALUSTRADES</u>				
49	New replacement 1000 timber framed stair set with intermediate landing, rising approx 3600	2	No	6500.00	13,000.00
	<u>INTERIOR WALLS</u>				
50	2/150 timber framed double Intertenency partition	156	m2	117.27	18,294.12
51	100 Timber framed partitions, excluding linings - to replace those demolished during Intertenency enabling work	50	m2	72.00	3,600.00
52	Additional timber studs to comply with Fire Rated & Bracing plasterboard fixing requirements	724	m	15.25	11,041.00
	<u>INTERIOR DOORS</u>				
53	Timber framed hollow core doors	22	No	1150.00	25,300.00
	<u>FLOOR FINISHES</u>				
54	New broadloom carpeted floor coverings	380	m2	65.00	24,700.00
55	Hardboard overlay	27	m2	37.25	1,005.75

ITEM	DESCRIPTION OF WORK	QUANTITY	UNIT	Estimated Costs 13/07/2020	
				RATE	AMOUNT
56	150 coved vinyl floor coverings	34	m2	105.00	3,570.00
	<u>WALL FINISHES</u>				
57	Retrofit building wrap & insulation within existing exterior framing	546	m2	35.05	19,137.30
58	16 Fyrelime plasterboard wall linings - stopped & painted	260	m2	90.00	23,400.00
59	13 Fyrelime plasterboard wall linings - stopped & painted	442	m2	72.60	32,089.20
60	13 Braceline plasterboard wall linings - stopped & painted	1,348	m2	72.60	97,864.80
61	Skirting's, cornice and architraves	1,425	m	27.50	39,187.50
	<u>CEILING FINISHES</u>				
62	Plywood ceiling diaphragm	407	m2	72.50	29,507.50
63	16 Fyrelime plasterboard ceiling linings - stopped & painted, fixed to proprietary metal batten system	202	m2	121.50	24,543.00
64	13 Braceline plasterboard ceiling linings - stopped & painted, fixed to proprietary metal batten system	206	m2	104.10	21,444.60
65	Acoustic insulation at level 01 suspended floor	206	m2	18.75	3,862.50
	<u>FITTING & FIXTURES</u>				
66	Replace kitchen benchtops & joinery damaged during demolition	4	No	7500.00	30,000.00
	<u>SANITARY PLUMBING</u>				
67	The assumption has been made the incoming potable water supply does not need replacing		Note		No Allowance
68	Locate and form connection with potable water supply		SUM		375.00
69	Hot water heating source	4	No	3500.00	14,000.00
70	Sanitary fittings and fixtures prime cost allowance		SUM		12,000.00
71	Insulated cold & hot water pipework to sanitary fittings & fixtures	227	m	38.00	8,626.00
72	FWG	4	No	225.00	900.00
73	uPVC waste suspended under timber floor	62	m	85.00	5,270.00

ITEM	DESCRIPTION OF WORK	QUANTITY	UNIT	Estimated Costs 13/07/2020	
				RATE	AMOUNT
74	Waste and vents in wall framing	53	m	65.00	3,445.00
75	Water supply and waste pipework connections to fittings and outlets, including valves & insulation	20	No	825.00	16,500.00
76	Roof penetration, flashing and vent termination cap	2	No	250.00	500.00
	<u>HEATING & VENTILATION</u>				
77	Extract ventilation to client supplied rangehoods	4	No	585.00	2,340.00
78	Extract ventilation to bathroom areas	4	No	750.00	3,000.00
	<u>FIRE SERVICES</u>				
79	Fire egress signage		SUM		3,000.00
	<u>ELECTRICAL SERVICES</u>				
80	MSB		SUM		1,500.00
81	Distribution circuit boards	4	No	515.00	2,060.00
82	Power and lighting circuits, rates include for standard PDL power outlets, switching and bayonet light fittings. Use existing circuits as draw lines, dispose on completion	407	m2	105.00	42,735.00
83	HWC circuits	4	No	375.00	1,500.00
84	Range circuits	4	No	375.00	1,500.00
85	Thermostatically controlled panel heaters to bedroom & living areas	12	No	425.00	5,100.00
	<u>DRAINAGE</u>				
86	The assumption has been made the existing foul & stormwater drain systems does not need replacing		Note		No Allowance
87	Locate and form foul drain connections with existing system	4	No	850.00	3,400.00
	<u>EXTERNAL WORKS</u>				
88	No Allowance		Note		No Allowance
				1,400,717.47	

ITEM	DESCRIPTION OF WORK	QUANTITY	UNIT	Estimated Costs 13/07/2020	
				RATE	AMOUNT
	Preliminary & General			6.0%	84,040.00
	Contractor's Overheads & Margin			8.0%	1,484,757.47 118,780.00
	Contingency Allowance			20.0%	1,603,537.47 320,710.00
	Professional Fees				1,924,247.47 No Allowance
	Total				1,924,247.47
TOTAL OF ESTIMATE (Excluding GST)					\$ 1,924,300.00

Notes: No allowance has been made for the following

1. Goods & Services Tax
2. Legal and financing costs
3. Resource & Building Consent fees or application
4. Professional Fees
5. Project contingency
6. Window coverings
7. Escalation
8. Assumes a competitive tender process
9. No allowance for landscaping or paving
10. There has been no allowance for site mitigation responses as required by territorial authorities for archaeological or historic artifact discovery
11. There has been no allowance for site mitigation responses as required by territorial authorities for a contaminated site.



**330-332 HIGH STREET, DUNEDIN
SECTION 16 BLOCK VII TOWN OF DUNEDIN
RESOURCE CONSENT APPLICATION: LUC-2019-436**

**RESPONSE TO RFIS AND HERITAGE IMPACT ASSESSMENT (HIA)
PREPARED ON BEHALF OF CJ SEQUE**

22 April 2021

INTRODUCTION

This response document and Heritage Impact Assessment (HIA) has been prepared on behalf of CJ Seque and concerns a Resource Consent application to demolish the buildings at 330-332 High Street and redevelop the site for new housing. Specifically, the purpose of this HIA is to respond to the following numbered items in the Request for Further Information from Dunedin City Council dated 19 September 2019:

5. *Please identify "the adverse effects of losing the building" as referred to in the last paragraph of page 7 of the application.*
6. *There is an archaeological alert layer identified for the site. Please provide details of any proposed earthworks for the site.*
7. *Please provide evidence that an archaeological authority from Heritage New Zealand has been applied for.*
9. *Please provide an assessment of the effects of the removal of the building at that location on the values of the High Street Residential Heritage Precinct.*
10. *Please provide greater details of the design elements and detailing for the new buildings and an urban design assessment from a suitably qualified person of how these complement the values of the High Street Residential Heritage Precinct.*

The information within this report is based upon the following architectural drawings and images:

- David J. Rutter, Architectural Design – 1829/June 2019 comprising 3 sheets of site plan, elevations and floor plans (to distinguish these drawings from previous versions they have a single flight of new steps leading up from the High Street to the front of Unit A); and
- 2 sheets of 3D colour perspectives/street scenes.

The following documents have also been considered:

- Hanlon & Partners Ltd Structural Report for 330-332 High Street, Dunedin dated 04 December 2019;
- Hanlon & partners Ltd Detailed Seismic Assessment for 330-332 High Street, Dunedin dated 12 June 2020; and
- Flanders Marlow 17778 332 High St Reinstatement / Estimated Costs dated 13 August 2020.

In responding to the above RFIs, this report generally follows the accepted best-practice approach for the preparation of a Heritage Impact Assessment as described in Sustainable Management of Historic Heritage Guidance Information Sheet 9 by Heritage New Zealand Pouhere Taonga. In essence, it covers:

- What heritage place is affected or involved.
- What work or changes are proposed.
- The principles that guide the assessment.
- How the proposal measures up to the District Plan assessment standards (or other best practice standards).

It concludes by providing a summary of the positive or negative effects of the proposal.

THE SITE

The site lies on the north side of the High Street opposite the junction of the High Street and Melville Street. It comprises an elevated rectangular section of approx. 1012 square metres with a two-storey domestic building at the top of the bank overlooking the High Street.

There is a concrete retaining wall to the bank which runs the length of the street frontage with a double pedestrian entrance in the centre of the frontage and two flights of concrete/masonry steps leading up to the building. There is currently no vehicular access to the site.

Behind the building, there is a long rear garden with trees.



Figure 1. Location of 332 High Street, Dunedin.

METHODOLOGY

The preparation of this report has comprised:

- ❖ A brief inspection of the building by Robin Miller and Jeremy Moyle of Origin Consultants Ltd in September 2019;
- ❖ Liaison with the building owner and other consultants over the last 18 months or so;
- ❖ Archival research with sources including Papers Past, Archives New Zealand, the Dunedin Town Board Ratebook, Dunedin City Rates Records, and Te Papa.

Consideration has also been given to information in the 2GP relating to the High Street Residential Precinct and the Scheduled Heritage Place Record Form for 332 High Street (B308) in the 2GP Hearings' Evidence (refer to Appendix A).

A. WHAT HERITAGE PLACE IS AFFECTED OR INVOLVED

BRIEF DESCRIPTION OF THE BUILDING AT 332 HIGH STREET

The buildings comprise a pair of near symmetrical, semi-detached, two-storey houses of Colonial bay villa design. As stated in the Scheduled Heritage Place Record and in the brief history set out below, the date of their construction is unclear. Rates and valuation records put them at 1900, whilst the 1898 Pictor image and c.1887 photograph in Figure 3 suggest they are of pre-1900 origin. Each house has been divided into two flats at some point during the early to mid-20th century.

The houses are of timber-frame construction with a brick masonry party wall and brick masonry chimneys. The roofs are clad with corrugated iron sheeting and the external walls with painted, rusticated timber weatherboards. The windows are of painted timber sash design.

STATUTORY PROTECTION

332 High Street is included in A1.1 Schedule of Protected Heritage Items and Sites with protection given to the 'façade and bulk appearance to High Street'.

The buildings are not included in the New Zealand Heritage List/Rārangi Kōrero.

332 High Street is also included in the High Street Residential Heritage Precinct (A2.1.6).

HISTORICAL OWNERSHIP AND DEVELOPMENT OF THE SITE (IN BRIEF)

The earliest ownership details of Section 16, Block VII are unclear, but it appears to have been initially granted to an individual named Inglis before being sold on to a McLeod. In 1859 it was sold to Malcolm Graham.¹ Rates records show that he owned the section as part of a larger landholding that incorporated Sections 12-17 in Block VII. In 1861 three dwellings are recorded on this set of town sections.²

Graham was a solicitor in Dunedin and owned multiple properties around the town. It is probable that the three dwellings recorded on Sections 12-17 in 1861 were rental units. However, it is also possible that one was his own home. Graham died in 1863 and his wife Christina passed away a year later, leaving the property to be held in trust for his infant child – James Charles Graham.³ Property records appear to suggest that the site continued to be managed by trustees on behalf of J. C. Graham into the 20th century.

There are contradictory records about the construction date for the building at 332 High Street. Dunedin City Council rates records and central government valuation rolls suggest the building was constructed in 1900, replacing a c. 40 year old single dwelling on the site (presumably one of the three dwellings built in 1860-1861.⁴ However, the building is also shown in the 1898 Pictor image (Figure 1) and its front gables appear to be visible in a *circa* 1887 image of High Street (Figure 2-Figure 3). There is also an 1883 tender advertisement "for the ERECTION of a TERRACE of RESIDENCES in High and Melville Streets, for J. C. Meadway, Esq., trustee in the estate of J. C. Graham, Esq."⁵ No equivalent tender notice supporting a 1900 construction date has been identified. On balance, the physical depictions of the building during the 19th century suggest that it was built prior to 1900, although the reason for conflicting rates and valuation information is unclear.

¹ Deeds Index C-166.

² Dunedin Town Board Ratebook, 1857-1862.

³ Archives New Zealand, R22049559.

⁴ DCC Rates Records, 1876-1910; Archives New Zealand, R21088178.

⁵ Otago Daily Times, 1883, 'Tenders', 24 December, Pg. 3.



Figure 2. Detail of 1898 Pictor image.⁶



Figure 3. Circa 1887 image looking down high Street.⁷

⁶ From DCC Heritage Assessment.

⁷ Te Papa, O.000830.



Figure 4. Detail of Figure 2, showing what appears to be the front gables of 332 High Street (centre left, to the left of the telegraph pole). The present house at 316 High Street is visible at the right of the image.

Regardless of the construction date, it is likely that the semi-detached dwellings were built as, and have always remained as, rental houses. No evidence has been identified that suggests J. C. Graham ever lived at the address and late 19th century Stone's directories record a changing array of individuals occupying dwellings at the approximate location of 332 High Street. This pattern continued into the 20th century: Peter Entwistle's Scheduled Heritage Place Record of the buildings describes a succession of tenants that generally changed at least every five years from 1905 to 1985.

Building alterations noted in the Dunedin City Council records reflect this continuing use as a rental property. In 1923 the two original dwellings were subdivided to create four separate tenancies, two upstairs and two downstairs. Later in the 1980s, additional rooms were added to the upstairs tenancies, presumably to provide additional bedroom space for more tenants. Bathroom facilities were also incrementally modernised between the 1910s and 1940s.⁸

Accordingly, the buildings have been modified since their original construction on a number of occasions. The Scheduled Heritage Place Record advises that the subdivision of the buildings before 1935 reflects the slow decline that occurred in the area as the motor car allowed more well-to-do people to live in the suburbs.

HERITAGE SIGNIFICANCE

The following is noted from the Scheduled Heritage Place Record:

- a) Particular note is made of the Colonial bay villa design, the architectural symmetry, and the external features of the balconies, steps, gates and walls (assumed to be the front retaining wall);
- b) The buildings are considered to be an element of the terminus of the view up Melville Street;
- c) The buildings are not considered to be the most imposing houses on the street, but have rarity and as a combination are 'impressive'; and
- d) The buildings reflect the changing economic fortunes and social composition of the High Street area from a historical and social perspective.

Accordingly, the significance assessment is given as:

Historic/social
Spiritual/Cultural

Local
None

⁸ DCC Archives, Drainage M1206, L8770, E4467, E3329, D5889, 2382, 2338, B4215, A4942; Building Plans 1988 4782, 1923 6633, AAB19910904 2693.

Design	Regional
Technological/Scientific	None
OVERALL HERITAGE SIGNIFICANCE	Regional

Whilst Origin Consultants Ltd agrees with much of the information in the Scheduled Heritage Place Record, the overall assessment of 332 High Street as being of 'regional' significance is considered to be an over-estimation of the buildings' heritage value. Generally, throughout the Otago region, domestic buildings of Colonial bay design are not generally considered to be rare and these particular buildings have had modifications to them over a long period of time. There has also been a long-term decline in their aesthetic value.

B. WHAT WORKS ARE PROPOSED

The buildings are proposed to be demolished for the reasons given in the Hanlon & Partners and Flanders Marlow reports and replaced by new housing as shown in the David J. Rutter design drawings. The new housing will be in 2 blocks – the details are shown on the drawings, but a general summary is given below:

Front block facing the High Street

- ❖ Two-storey/five units;
- ❖ Symmetrical, bay-fronted design;
- ❖ Narrower building width/frontage to allow a drive to be formed along the west boundary;
- ❖ Corrugated Colorsteel roof cladding;
- ❖ Spouting/rainwater fittings to match the roof cladding;
- ❖ Painted timber joinery, including double-glazed timber windows and timber sills, fascias and finials;
- ❖ Painted timber rusticated weatherboards and facing boards;
- ❖ Painted timber ply sheet and painted timber, bull nose mouldings to the bays; and
- ❖ Framed glass barriers to the first floor balconies with supporting painted timber posts.

The proposed external colours will be similar to those existing to the current building, namely:

- Roof colour – grey from the Resene Heritage Colour Chart translated into the best-match for Colorsteel/Colorbond;
- Weatherboard colour – cream/yellow.
- Joinery/trim colour – white/off-white and green.

Confirmation of the final colour scheme can be subject to the approval of Council.

The overall design intention is to create a contemporary new building of quality design and materials that reflects the nature of the existing building and takes its place as townscape element of the view up Melville Street.

It is proposed to keep the existing retaining wall to the street frontage, but to form an opening in it at the west end so that a drive can be formed to allow off-street parking behind the block. The present paired flights of steps up from the pavement will be re-built as a single flight. As is commonly found along the High Street, these two openings in the front retaining wall will be finished with concrete masonry posts. Picket-type timber fencing will be used along the retaining wall and drive as both a safety barrier (to prevent people falling) and to enhance the grandeur of the new building.

The bank along the pavement frontage will remain grassed and a small number of trees will be introduced to compliment the new building and reduce the already limited street views through to the back of the site, where the rear block and parking will be constructed.

Rear block

- ❖ Two-storey/four units;
- ❖ Symmetrical, gable fronted design;
- ❖ Corrugated Colorsteel roof cladding;
- ❖ Spouting/rainwater fittings;
- ❖ Pre-finished aluminium double-glazed windows and doors;
- ❖ Painted timber/ply vertical board and batten wall claddings.

The proposed external colours are as above.

In between the front and rear blocks will be a turning and parking area finished with asphalt.

C. RESPONSE TO RFIs

5. *Please identify "the adverse effects of losing the building" as referred to in the last paragraph of page 7 of the application.*

As stated above under the heading of 'Heritage Significance', the heritage values of the buildings are derived from their Colonial bay villa design (and some other external features to the front of the building), their street position as the backdrop to the view up Melville Street, and the way in which they reflect the changing economic fortunes and social composition of the High Street area. The result of these values is the protection given to the 'façade and bulk appearance to High Street' by the District Plan.

The adverse effects of losing the buildings will be the loss of these values, where they cannot be mitigated by the new development proposed. The way in which the proposed development will mitigate these adverse effects is:

- The creation of a new, contemporary building at the front of the site of quality and design that reflects the style of the existing façade and the bulk appearance of the buildings to the High Street.
 - The new building will take the place of the existing one as the terminus of the view up Melville Street; that said, it is noted that the District Plan protection is specific to the bulk appearance from the High Street, and not from Melville Street.
 - The new buildings will continue the historic use of the site for multi-occupancy domestic purposes. In a way, it will also reflect a contemporary extension, or continuance, of the changing economic fortunes of the High Street area as old gives way to new.
6. *There is an archaeological alert layer identified for the site. Please provide details of any proposed earthworks for the site.*

At this concept/preliminary design stage, it is not possible to be exact about the earthworks that will be needed for the proposed development to take place; these will be investigated and refined during the future developed design/detailed design stages. For now, it is only possible to indicate that earthworks are likely to be required in respect of:

- Excavation of existing building foundations;
 - Site scrape for the new buildings and drive, etc, and removal of existing vegetation;
 - Excavation of the front bank for the new vehicular access and new flight of steps;
 - Trenching for new building services;
 - Any investigations or remedial groundworks required for engineering purposes; and
 - Excavations for new building foundations.
7. *Please provide evidence that an archaeological authority from Heritage New Zealand has been applied for.*

At Resource Consent stage, it is often too early to be able to prepare an Archaeological Assessment and make an application to HNZPT for an Authority as there is insufficient information on which to base the assessment and application. This is the case for 330-332 High Street.

However, a preliminary discussion has been held with HNZPT (refer to the correspondence in Appendix B) and Mr. Seque is aware of the pre-1900 status of the site, the need for an archaeological assessment to be made, and an Authority obtained.

RFIs 9 and 10 are dealt with below.

D. HERITAGE IMPACT ASSESSMENT

9. *Please provide an assessment of the effects of the removal of the building at that location on the values of the High Street Residential Heritage Precinct.*

As the 3D photographic images show, the primary streetscape element of the proposed new development will be the front block. The rear block will either not be visible or will be barely visible from the street depending upon the place in the street from which the view is taken.

Section A2.1.6 provides a description of the heritage precinct and sets out its characteristics. As a starting point, it is considered that the existing buildings accord with some of these characteristics as follows:

- o There is no crossing or garaging to the street frontage;
- o The architectural design, including the bays, balconies and window/door design, contributes to the verticality of the streetscape;
- o The roof design / roof line adds interest; and
- o The building is 2-storey.

The buildings do not, however, have the building materials that are recognised as a particular feature of the precinct, such as brick masonry walling (except for the internal party wall), Marseille tiles and slates.

Accordingly, the positive characteristics of the heritage precinct that the existing building displays will be lost, but only to the extent that they are not mitigated by façade and bulk appearance to the High Street of the proposed new front building.

Section A2.1.6.2 records the heritage precinct values to be protected. These are set out below, together with comment on whether they are relevant to the subject site and, if so, the extent of any adverse effects upon them created by the proposed development.

Value to be protected	Relevance and effect
The large number of scheduled heritage and character-contributing buildings in the area	Relevant. The façade and bulk appearance of the buildings to be demolished is scheduled. There will be a moderate adverse effect by their removal, but this will be mitigated by the creation of a new building of character-contributing façade and bulk appearance to the front of the section.
A strong focus on grand, individual architecturally designed homes	Relevant. As above, the façade and bulk appearance to High Street will be removed, but will be replaced by character-contributing building elements (façade and bulk).
The use of ornamentation and detail in design	As above.
The use of red brick and masonry in construction	Not directly relevant in respect of the buildings, but the masonry retaining wall to the street frontage will be retained and adapted for the new development.
A general lack of visible off-street car parking, including garages and carports	Relevant. This value will be protected by the off-street car parking being placed at the rear of the front building and, hence, not (or just barely) visible from the street.
Established gardens and trees	Partially relevant. The existing building is set within a grassed site with trees, particularly to the rear; however, there are no formally established garden areas. The proposed

	new development will include grassed areas and plantings.
The focus on buildings presenting attractive and welcoming façades to the street	Relevant. The proposed new front building is designed to maintain the current connection of the existing facade to the street, and to enhance it given that the aesthetic appearance of the current building has declined over a long period. This will include a flight of steps between the new front building and the street and an entrance to the first residential unit in the street façade.

Section A2.1.6.3 records the principal threats to these values. Comment upon them is made below:

Threat	Comment
The demolition of existing scheduled heritage and character-contributing buildings	The structural and seismic reasons for the proposed demolition of the existing scheduled heritage building(s) are set out in the two reports by Hanlon & Partners Ltd.
Insufficient maintenance of buildings	As above.
Development of new buildings and alterations to existing buildings that are unsympathetic to existing buildings	The proposed new front building façade and bulk appearance to the street is designed to be in sympathy with the existing buildings and, hence, with its precinct surroundings.
The use of materials in new buildings or alterations to existing buildings that are inconsistent with those used in the area	As above
The removal of original materials and features from scheduled heritage buildings	Not applicable.
Car parking in front of buildings	Not applicable.
The loss of established trees and gardens	There will be some vegetation removal required for the new development, but this vegetation is not generally visible from the street. The planting in the front of the site will be grass with 2 specimen trees, one either side of the steps / entrance.
The cumulative negative effects on heritage streetscape character of the incremental loss of heritage and character-contributing buildings through additions and alterations and demolition.	The façade and bulk appearance to High Street of the existing buildings will be demolished, but will be replaced by character-contributing building elements (façade and bulk).

Assessment of the proposal against the relevant parts of A2.1.6.4 'Features and characteristics to be incorporated into design':

Features or characteristics	Assessment of the proposal
a. Height	
New buildings should be consistent in height with immediate neighbours where these are scheduled heritage buildings or character-contributing buildings.	Complies with the relative height relationship that current exists on the site.
b. Bulk & location	

Houses should be orientated so that the front wall is parallel with the street.	Complies
Buildings at the front of the site should be built close to the road boundary, consistent with the adjacent scheduled heritage buildings or character-contributing buildings.	Complies
c. Car parking	
Where possible, parking areas should be located discreetly to the rear of dwelling units. Where they are located at the front of the site, they should be set back from the road frontage and where possible, incorporate fencing, walls, hedges or landscaping to reduce the negative amenity effects and visibility of vehicles.	Complies
d. Design	
New buildings should be sympathetic to existing scheduled heritage buildings or character-contributing buildings in the part of the precinct they are located in.	Complies
New buildings will generally draw important design cues from Victorian or Edwardian heritage and character-contributing buildings in the precinct, including scale, orientation, roof pitch, window alignment, materials and details, although these may be expressed in a simpler fashion than on historic buildings.	Complies
Buildings should accentuate a vertical dimension.	Complies
Buildings should present a balanced, symmetrical façade to the street.	Complies
Road facing façades should clearly look like the front of a building.	Complies
Buildings should have a clear entrance way, visible from the street. This entrance should include some architectural detail and should not be a ranch slider.	Complies (first residential unit and flight of steps)
Window placement and alignment should be a key component of the design of the building, accentuating the verticality and symmetry of the building.	Complies
Roof pitch should be between 30° - 45°. Pitch may be lower where the roof is concealed behind a parapet.	Complies
Roofs should be gabled. At least one gable should face the road frontage, unless the building is a terraced house or cottage.	Complies
e. Materials	
Building façades should be clad in materials such as plaster, brick, stone, concrete or weatherboards, which are visually consistent with the traditional materials of the precinct.	Complies
Buildings should avoid the use of single cladding materials and use a mix of materials to create shadow/depth and visual interest in the façade.	Complies – weatherboards and moulded plain panels to bays
f. Fences	
Front fences should preferably be no higher than 1400mm on road frontages to protect views of buildings. Side fences should only go higher once they have passed the building setback. Fences higher than 1400mm should be visually permeable.	Complies
Fences should be made from similar materials to those traditionally associated with scheduled heritage and character-contributing buildings in the area e.g. wrought iron, timber, brick or stone. Concrete block and basic pool fencing should be avoided.	Complies – timber picket
Retaining walls should be constructed of materials such as rendered concrete block, crib walling or stone, rather than gabion baskets, timber or sheet materials such as iron.	Complies – the majority of the existing is to be retained
g. Colour	
Base colours for walls and roofs should be chosen from a palette of heritage or neutral colours. Bright colours should be avoided, although colour can be used effectively for highlighting details.	Complies – refer to colour descriptions earlier in this document
i. Other	

Building utilities should be located in a way that reduces visual clutter. Where located in areas visible to the public, they should be installed discreetly or screened from view.	Any utilities will be located behind the front block, screened from public street view
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10. *Please provide greater details of the design elements and detailing for the new buildings and an urban design assessment from a suitably qualified person of how these complement the values of the High Street Residential Heritage Precinct.*

The design elements and detailing for the new buildings are set out in Section B. above.

The urban design assessment is part of the heritage impact assessment set out above, primarily the response to A2.1.6.4.

Overall, from an historic environment urban design perspective, the front building is proposed to be sympathetic to the existing building on the site. It is not a replica building, but is intended to be a quality, contemporary reflection of it that will sit comfortably in its place and which will have no significant adverse effects on the value of the heritage precinct. Its materials and architectural features will be reminiscent of the existing building and appropriate to the historic environment.

The rear block will not be prominent in the streetscape; from many perspectives it will not be visible at all. It is most likely to be seen from the west side of the road junction with Melville Street, but the rising slope of the ground and selected tree plantings are intended to further reduce this visibility. The design of the rear block is intended to be different to the front block; it will not be part of the streetscape and is again intended to be contemporary. It has been designed so as not to compete on the site with the front block and will also be the location of car parking concealed from the street.

E. CONCLUSION & ASSESSMENT OF EFFECTS ON HISTORIC HERITAGE

The loss of a scheduled heritage building is regrettable, but the reasons for the proposed demolition are clearly set out in the Hanlon & Partners and Flanders Marlow documents.

From a heritage perspective, it is accepted that the loss of the scheduled façade and bulk appearance of the building to the High Street will have a low to moderate adverse effect on the heritage values of the precinct. However, as shown in the above assessments, the proposed new front building will work to mitigate this affect and will enhance the aesthetic of the site, which is currently poor. In 2014, the Scheduled Heritage Place Record for the buildings accepted that they 'are not the most imposing houses on the street' and the proposed development will have the positive benefit of improving the precinct environment in the vicinity of the site.



Robin Miller
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RICS Certified Historic Building Professional
For and on behalf of Origin Consultants Ltd

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APPENDIX A – SCHEDULED HERITAGE PLACE RECORD

Appendix B31

SCHEDULED HERITAGE PLACE RECORD FORM

332 High Street

B308

PROPERTY INFORMATION

Address	330-332 High Street
Legal Description	Sec 16 Blk VII Town of Dunedin
Building Name	
Precinct	High Street Residential Heritage Precinct
HPT registration	Not registered
Building Use	Residential
Current Vacant Space	0%
Estimated Building Condition	Fair

HISTORIC AND ARCHITECTURAL INFORMATION

Architectural Period	Victorian
Style/Era	One of a pair of semi-detached, two storeyed, symmetric colonial bay villas. By 1898
Date of Construction	
Architect/Designer	
Builder	
Historic Use	Residential
Construction Materials	Stone foundations? Timber for the upper parts; corrugated iron roofs. Bay windows, balconies, decorative ironwork on the building and its approaches.
Architectural Features	
Themes/Subthemes Represented	Theme 10: residential development

Site and first building

High Street was one of the principal thoroughfares laid out by Charles Kettle when he surveyed Dunedin for the Otago Association in 1846-7. It extends through his Town Belt precipitately in switchback gradients to its intersection with Princes Street, which with George Street, form Dunedin's principal commercial thoroughfare. Despite its difficult gradients High Street affords spectacular views of the harbour and its surrounding hills.

From the late 1860s the Exchange area, as it is now called, around the triangle formed by the intersection of High and Rattray Streets at Princes Street, became the commercial centre of the city. Above Clark Street High Street became a very desirable residential address with handsome and sometimes imposing houses built on its steep sites. The construction of a cable car tramway along High Street in 1883 gave the residents convenient access to the business district while affording views as impressive as those of San Francisco, where there is a still surviving cable tramway with a comparable

orientation. While 332 and its neighbour 330 High Street are not the most imposing houses on the street, they are rare of their type and as a combination impressive. They form the terminus of the view from Melville Street, which makes them a landmark.

An 1898 image shows 332 and its neighbour 330 High Street on the present site then.



1. Pricor 1898 detail. 332 & 330 High Street are the pair of houses near the top and to the right of centre facing Melville Street, the thoroughfare forming a T junction with High Street approaching it diagonally from the left of this image.

There is a puzzle here as the city council's rate assessment records show only land at the address in 1900 assessed at £24. The document for 1901 records two houses assessed at £144.¹ But the evidence of the Pricor image seems incontrovertible. It is not a photograph but a lithograph published by W.J. Pricor for the Jubilee of Otago in 1898.² How would its maker come to show such a pair of houses on just that site if they were not already there? It seems best to suppose they were but that for some reason the rate records did not take note of them until 1901. The owner and occupier in 1900 and also in 1901, is recorded as James Graham.³

¹ Email Chris Scott DCA/Peter Entwisle 10/2/14 citing rate records.

² Ellis, 1978, pp. 230-1, item 1023.

³ Email Chris Scott DCA/Peter Entwisle 10/2/14 citing rate records.



1. 332 & 330 High Street 21 February 2014. Photo by Peter Entwisle.



2. Approach to 332 High Street 21 February 2014. Photo by Peter Entwisle.



3. 330 High Street 21 February 2014. Photo by Peter Entwisle.

New Zealand's colonial bay villas can be categorised by the height and proportions of their principal facades. There are single storey symmetric and asymmetric compositions. The symmetric ones have two bay windows, each in its own forward reach, set equally apart. The asymmetric ones have a single bay window, in a forward reach, with a lateral compartment to one side, wider than the forward reach. There are two storey variations of each. There are some truncated two storey symmetric compositions with the shortened forward compartment ending in a party wall for a semi-detached partner which never got built. More rarely there are also semi-detached symmetric pairs, where the second house was constructed. The house at 332 High Street, with its neighbour 330, is one. There are now few others particularly timber ones. Having side bays as well as forward ones it is probably the best surviving example.



3. 332 & 330 High Street 21 February 2014. Photo by Peter Entwisle. The side bay of 330 is apparent at right. There is a matching one at 332.

Later occupation and changes

In 1905 332 was numbered 96a and 330 96. 96a was occupied by Charles Henry Tucker, of Charles Henry Tucker and Co., while 96 was the home of Sydney Jacobs, a salesman.⁴ In 1910 this was still so but by 1914 Jacobs had been replaced by William McHutcheson, chief postmaster.⁵ By 1920 the present numbering had been adopted: 332 was occupied by Francis David Cleland, an accountant and 330 by Mrs Elizabeth Sutherland.⁶ In 1925 Robert Kaye, an engineer, was at 332 while 330 was the home of Max Scherek, a music teacher.⁷ Five years later in 1930 332 was Mrs W.A. Fleming's address while 330 had been subdivided. It was now 330a where Max Scherek still lived while 330 was the address of Matthew Gray Young of G. & T. Young Limited.⁸

By 1935 both houses had been subdivided reflecting the area's slow decline prompted by the increasing use of private motor vehicles and the consequent development of more distant suburbs. Mrs W.A. Fleming was at 332, Mrs H.C. Medley at 332a, Alexander David

⁴ Stone's, 1905 p.51.

⁵ Stone's, 1910 p.75; 1914, p.62.

⁶ Stone's, 1920 p.57.

⁷ Stone's, 1925 p.63.

⁸ Stone's, 1930 p.62.

Macartney, a clerk, was at 330 while '(Madame)' Winnie Fraser was at 330a.⁹ By 1940 the subdividing had either disappeared or more likely two of the now four dwellings in the building were empty. Sydney Herbert Wood, a draper's buyer was listed at 332 and Ralph Fell Smith at 330.¹⁰ In 1945 Miss Lorna Rowland was living at 330, Miss Doreen Alma Medley at 332a. Frederick Airey a blacksmith was at 330 and Mrs Joanna Watt was at 330a. In 1950 Sister Angus was living at 332 High Street while Frederick Airey, a blacksmith, was at 330 and John Laing Wood, a dental student, was at 330a.¹¹ In 1954 Mrs Annie M. Angus was at 332 as was C.L. Armstrong while Mrs Betty Armstrong was at 330 and John Richard Presland, a medical practitioner, was at 330a.¹²

In 1961 Mrs Annie Angus was still at 332, 'Ms Lsa Pile' [sic] was at 332a, Percival R. Morley, a clerk, was at 330 and Mrs Jean A. Thompson was at 330a.¹³ In 1965 Mrs Angus remained at 332, Morley was still at 330 and Mrs Christina A. Smail was at 330a.¹⁴ By 1971 Mrs Angus remained at 332 and Donald J. McInnes, a salesman, was at 332a; 330 was occupied by Mrs N.M. George, a sales representative, and 330a by someone called Dixon.¹⁵ In 1975 332 was still Mrs Angus's address and 330a that of Mrs O'Connor, the only listings.¹⁶ By 1980 Wills R and Kathryn Mills were at 332, Mrs. P.E. Campbell at 332a and Mrs 'Cthme' Bracegirdle at 330.¹⁷ By 1985 there were no listings for 332 and 330 High Street, the directories apparently having abandoned listing private addresses.¹⁸

This is not to say the houses were unoccupied, indeed they appear to be occupied at the time of writing.¹⁹

SIGNIFICANCE ASSESSMENT

Historic/social	Local
Spiritual/Cultural	None
Design	Regional
Technological/Scientific	None
OVERALL HERITAGE SIGNIFICANCE	Regional

REVIEWER PROTECTION RECOMMENDED

[Tick]	Features	Details
✓	Entire external building envelope Bulk appearance	
✓	Façade(s) only	
	Other external features	Ironwork on the house and approaches. The gates, approaching steps and walls.
	Internal features	

PPER REVIEWER PROTECTION RECOMMENDED

⁹ Stone's, 1935 p.67.

¹⁰ Stone's, 1940 p.68.

¹¹ Stone's, 1950 p.81.

¹² Stone's, 1954 p.85.

¹³ Wise's NZ Post Office Directory Vol 4 Otago-Southland 1961, p.46.

¹⁴ Wise's Post Office Directory Vol 4, Otago-Southland 1965, p.47.

¹⁵ Wise's Post Office Directory Vol 4, Otago-Southland 1971, p.44.

¹⁶ Wise's Post Office Directory volume four – 1975 Otago-Southland, p.532.

¹⁷ Wise's Otago-Southland Directory Volume 4, 1980, p.536.

¹⁸ Wise's Otago Southland Directory November 1985, p.518.

¹⁹ Personal exterior inspection 3/2/14.

[Tick]	Features	Details
	Entire external building	
✓	envelope	
✓	Bulk appearance	Façade and bulk appearance to High Street.
	Façade(s) only	
	Other external features	
	Internal features	

HERITAGE ASSESSMENT SCHEDULED HERITAGE PLACE

HISTORIC/SOCIAL

- Is the feature associated with an important event or activity?*
- Is the feature associated with a notable person, group or organisation?*

The building is assessed as having LOCAL historic/social significance.

i. The building epitomises the changing economic fortunes and social composition of the High Street area over its history.

SPIRITUAL/CULTURAL

- Does/did the feature provide an important contribution to a way of life, culture, philosophy, religion or other belief?*
- Is/was the feature an important landmark or symbol for a particular group or community?*

The building is not assessed as having spiritual/cultural significance.

DESIGN

In the fields of architecture/landscape/urban/technical/engineering design:

- Is the feature a good example of a particular style, period, function or designer?*
- Does the feature have noteworthy aesthetic qualities?*
- Does the feature have a significant design relationship with its setting and/or surrounding features, neighbourhood or area?*
- Does the feature display noteworthy craftsmanship or creative, aesthetic or innovative use of materials, spaces, finishes and construction methods?*

i. The building is a rare example of a two storeyed, symmetric semi-detached pair of New Zealand colonial bay villas. Though unusual it is representative of the buildings of the High Street Heritage Precinct in being an impressive residential building.

ii. As the terminus of the view from Melville Street the pair is a landmark building.

iv. The bays, balconies and the decorative ironwork both on the houses and their approaches and the approaches themselves are noteworthy aesthetic features.

TECHNOLOGICAL/SCIENTIFIC

- Is the feature associated with the creation, invention, adaption or application of an industry, science or technology?*

The building is not assessed as having technological/scientific significance.

STATEMENT OF OVERALL HERITAGE SIGNIFICANCE

The building is assessed as having overall regional heritage significance.

References

Abbreviations

DCA	Dunedin City Archives
DNZB	The Dictionary of New Zealand Biography
ES	<i>The Evening Star</i>
HC	Hocken Collections
ODT	<i>Otago Daily Times</i>
OW	<i>Otago Witness</i>
Stone's	<i>Stone's Otago & Southland, Commercial, Municipal and General Directory and New Zealand Annual.</i>

Ellis, E.M. & D.G., *Early Prints of New Zealand 1642-1875*, Avon Fine Prints Ltd., Christchurch, 1978.

Pictor, W.J., *Dunedin 1898*, J. Wilkie & Co., Dunedin, 1898.

Stone's Otago & Southland, Commercial, Municipal and General Directory and New Zealand Annual, Stone Son & Co., Ltd., Crawford St., Dunedin. Issued serially 1884-1954 [Stone's].

Wise's NZ Post Office Directory Vol 4 Otago-Southland 1961.

Wise's Post Office Directory Vol 4, Otago-Southland 1965.

Wise's Post Office Directory Vol 4, Otago-Southland 1971.

Wise's Post Office Directory volume four – 1975 Otago-Southland.

Wise's Otago-Southland Directory Volume 4, 1980.

Wise's Otago-Southland Directory November 1985.

Assessment Completed	25 February 2014	Author	Peter Entwisle
Peer Reviewed	30 August 2015	Reviewer	Glen Hazelton
Assessment Updated		Author	

Other comments I am indebted to Meg Davidson for image editing.

APPENDIX B – CORRESPONDENCE WITH HNZPT

From: [Jeremy Moyle](#)
 To: [Nikole Wills](#)
 Cc: [Robin Miller](#)
 Subject: Re: Enquiry
 Date: Monday, 12 April 2021 10:39:29 AM

Thanks Nikole,

Kind regards

Jeremy

On Mon, 12 Apr 2021, 8:52 AM Nikole Wills, <NWills@heritage.org.nz> wrote:

Hi Jeremy,

The site at 332 High Street has a history of pre-1900 occupation as indicated by historic sources including the 1898 lithograph of Dunedin city by Wilkie & Co.

Under the Heritage New Zealand Pouhere Taonga Act 2014, archaeological sites are defined as any place occupied in or prior to 1900 that may provide archaeological information on the history of New Zealand. An authority is required for any works that may modify or destroy an archaeological site; this includes earthworks on a site occupied prior to 1900 and demolition of any pre-1900 building. Renovations or modifications to a pre-1900 building (that do not result in its complete demolition) do not require an authority; however any earthworks associated with the project are likely to.

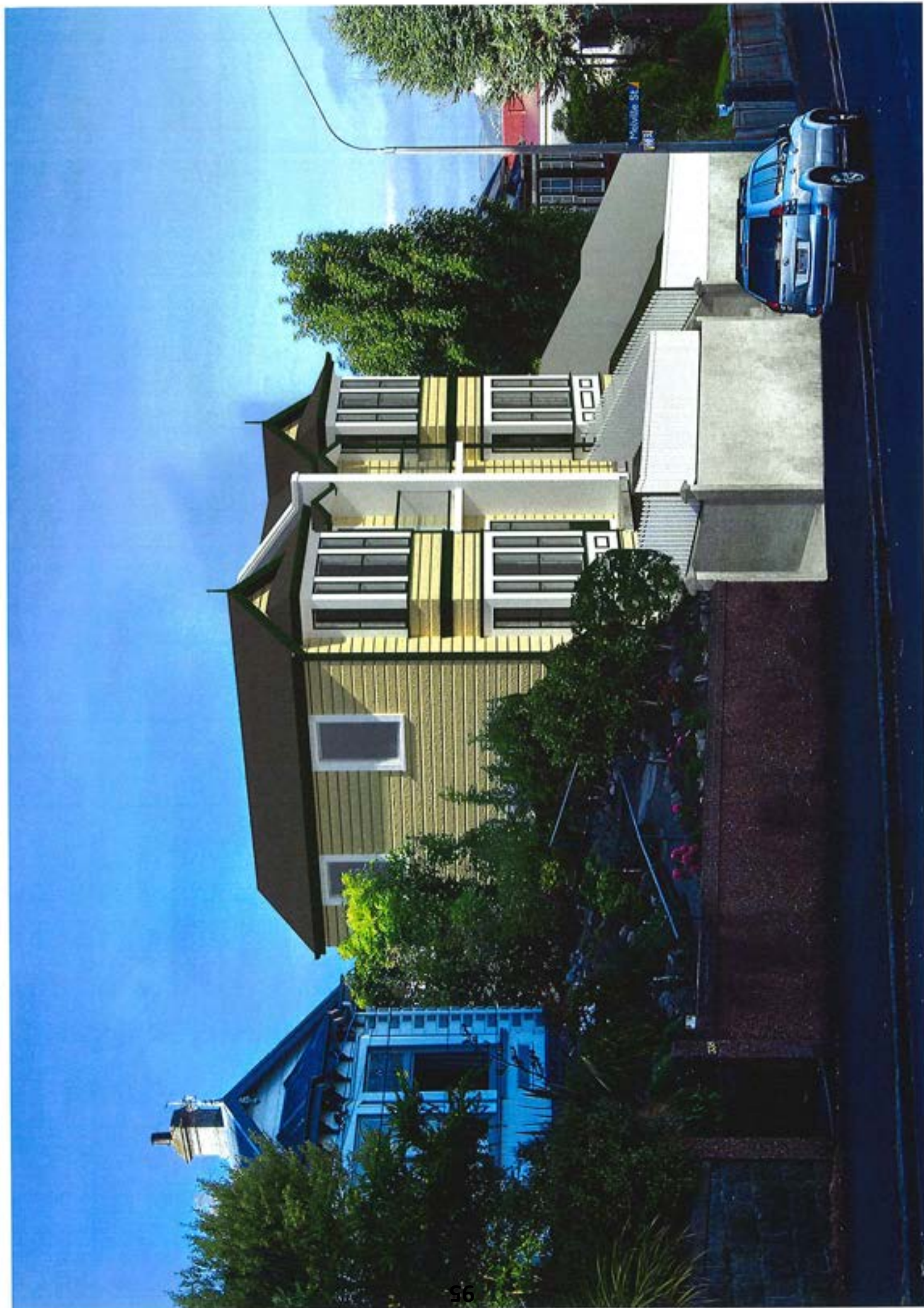
As such, it would be our recommendation that **the project is assessed by a consultant archaeologist** to look at the history of the site in more detail and confirm whether an authority is required for the works. The assessment will form the basis for an authority application.

Ngā mihi

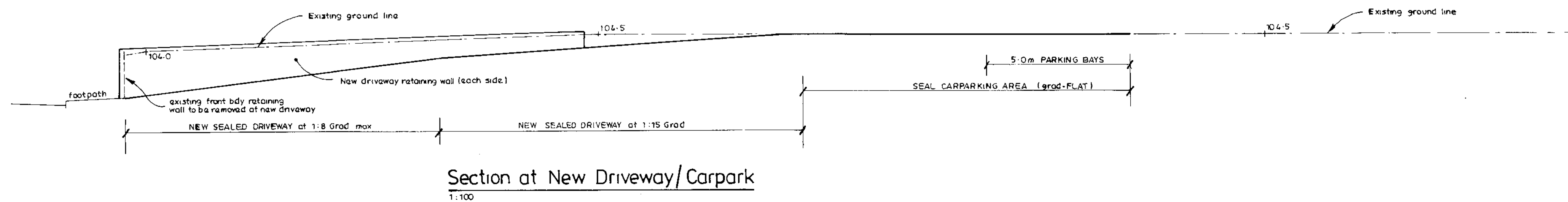
Nikole

Nikole Wills | Archaeologist Poutairangahia Otago/Southland | Heritage New Zealand Pouhere Taonga | PO Box 5467, Dunedin 9054 | Ph. +64 3 470 2364 | Mob. 027 240 8715 | Visit www.heritage.org.nz and learn more about New Zealand's heritage places

Tairangahia o tua whakarere: Tātakihia ngā reanga o āmuri ake nei. Honouring the Past; Inspiring the Future.







STORMWATER MANAGMENT

Pre - development

Area	1
Elevation	50m
ARI	10 yrs
Historical	45.2 ± 9.5 mm/hr (35.7 x 54.7)

Site Areas

Driveway	Nil
Roof	200m ² - t = 4min
Grass area (to street)	150m ² - t = 20mins

For roofs $Q = 2.77 \times C \times I \times A$
 $2.77 \times 0.90 \times 45.2 \times 0.02 = 2.25 \text{ l/s}$

For grass area $2.77 \times 0.25 \times 45.2 \times 0.015 = 0.46 \text{ l/s}$

Total SW discharge to Street = 2.71 l/s

STORMWATER MANAGMENT

Post development

Area	1
Elevation	50m
ARI	10 yrs
RCP 8.5 for period 2081 - 2100	=60.4mm/hr (ARI 0.1, 10 min event)

Driveway	328m ²
Roof	333m ²
Grass area	352m ² (to natural ground absorption)

For driveway/carpark $Q = 2.77 \times C \times I \times A$
 $2.77 \times 0.85 \times 60.4 \times 0.033 = 4.69 \text{ l/s}$

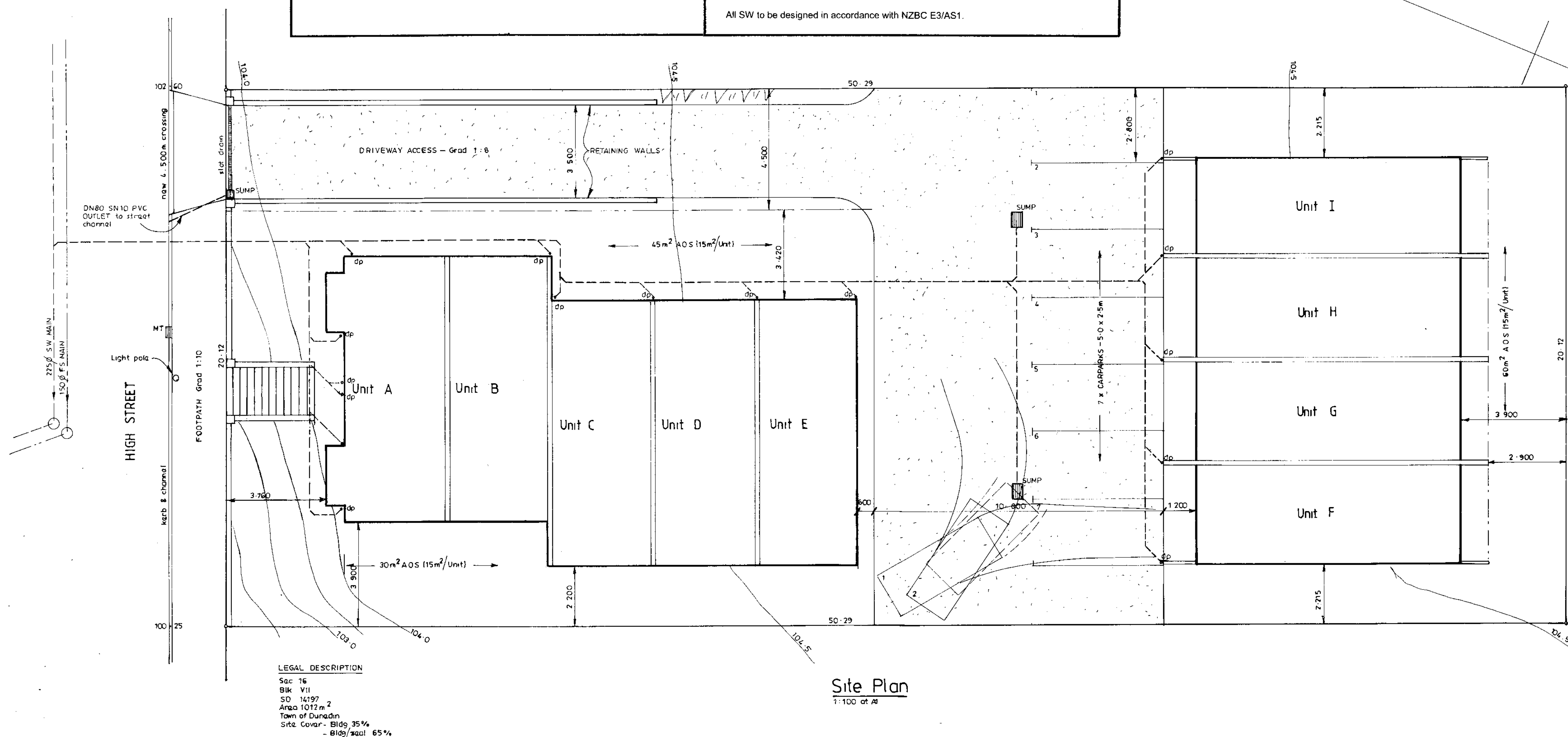
For roofs $2.77 \times 0.90 \times 60.4 \times 0.033 = 4.96 \text{ l/s}$

For grass area Ground water - natural (significantly less than Pre development)

Total SW discharge to Street = 9.65 l/s

Therefore predicted increase to SW discharge is 6.94 l/s

All SW to be designed in accordance with NZBC E3/AS1.



David T. Rutter
N.Z.C.D. (Arch)

Licensed Building Practitioner - Design 3
architectural design & plan

CRAIGIE HOUSE - 22 MANSE STREET, DUNEDIN
P.O. Box 810, Phone 474 0649, E. drutter@bt.com

Project:

PROPOSED RESIDENTIAL UNITS for
CLIFF SEQUE

at 332 HIGH STREET

DUNEDIN

Title:

Notes:

DESIGN
DRAWN
TRACED
CHECKED

Consultant:

Revisions

Date

Date: JUNE 2019

Scale:

Confirm all
dimensions & profiles
with details
Contractors to check
all dimensions on site

Contract No. 1829

Drawing No.

DO NOT SCALE

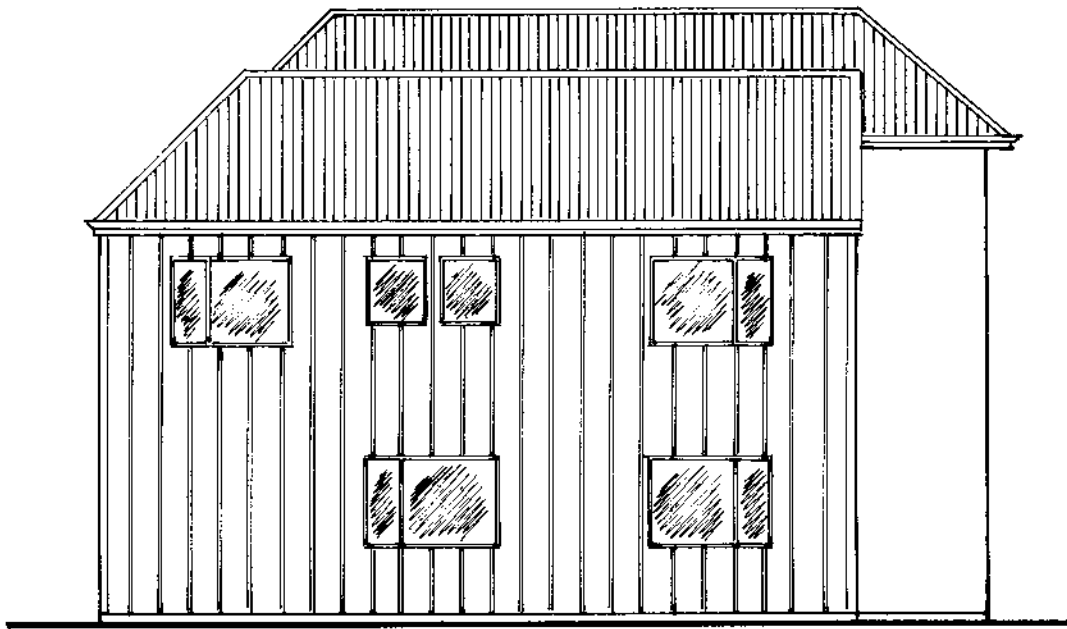
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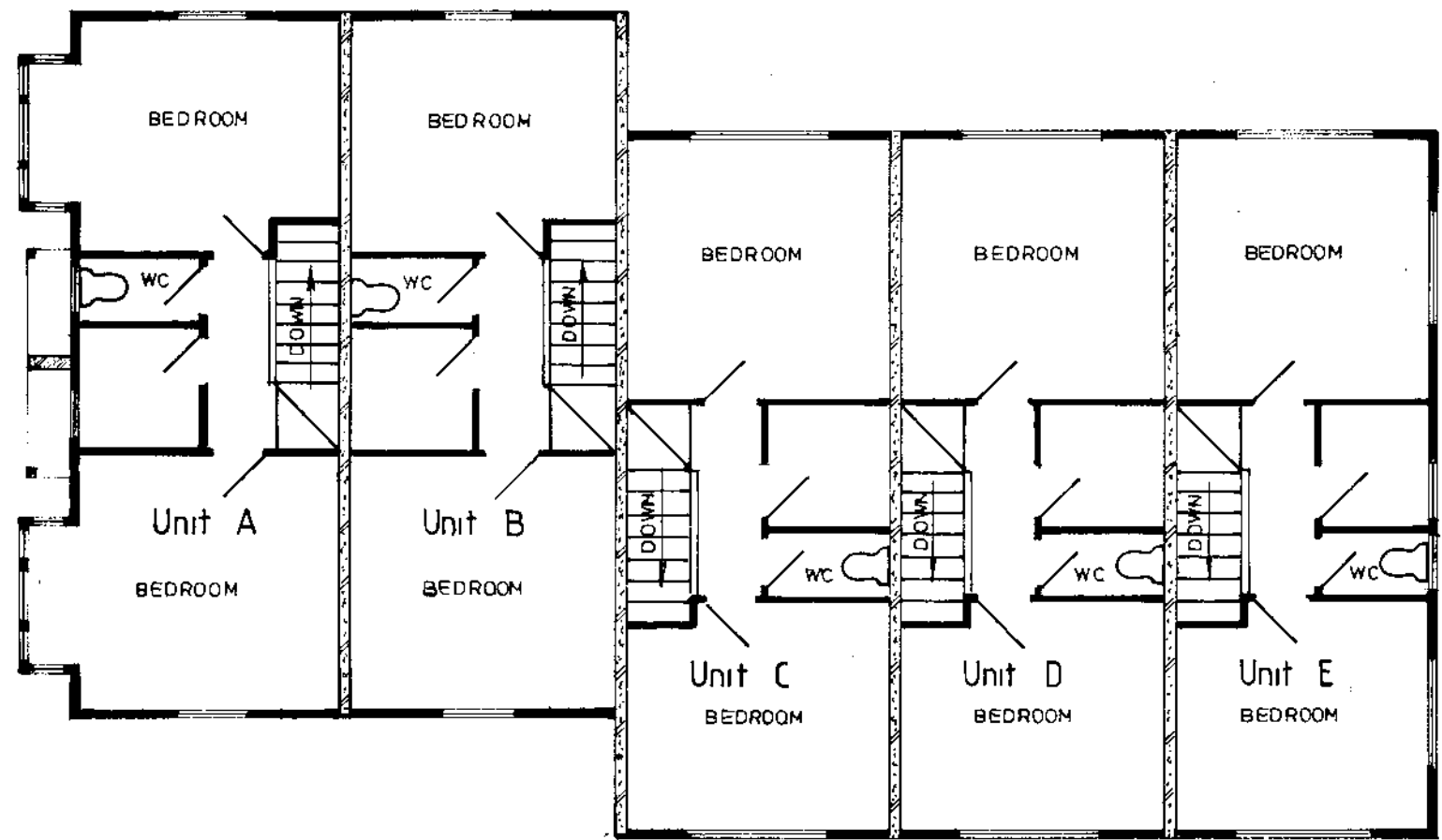
East Elevation

South Elevation

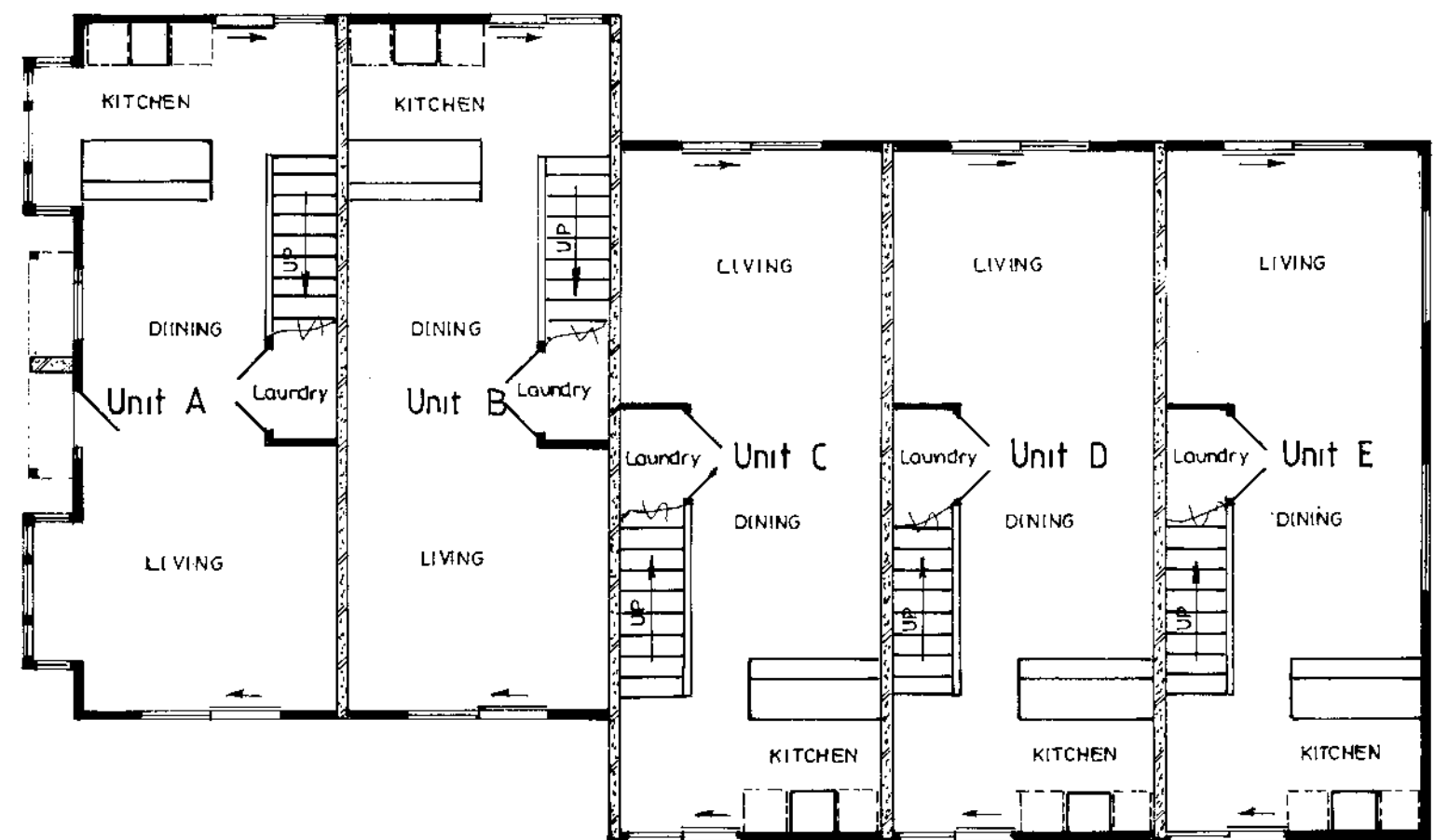
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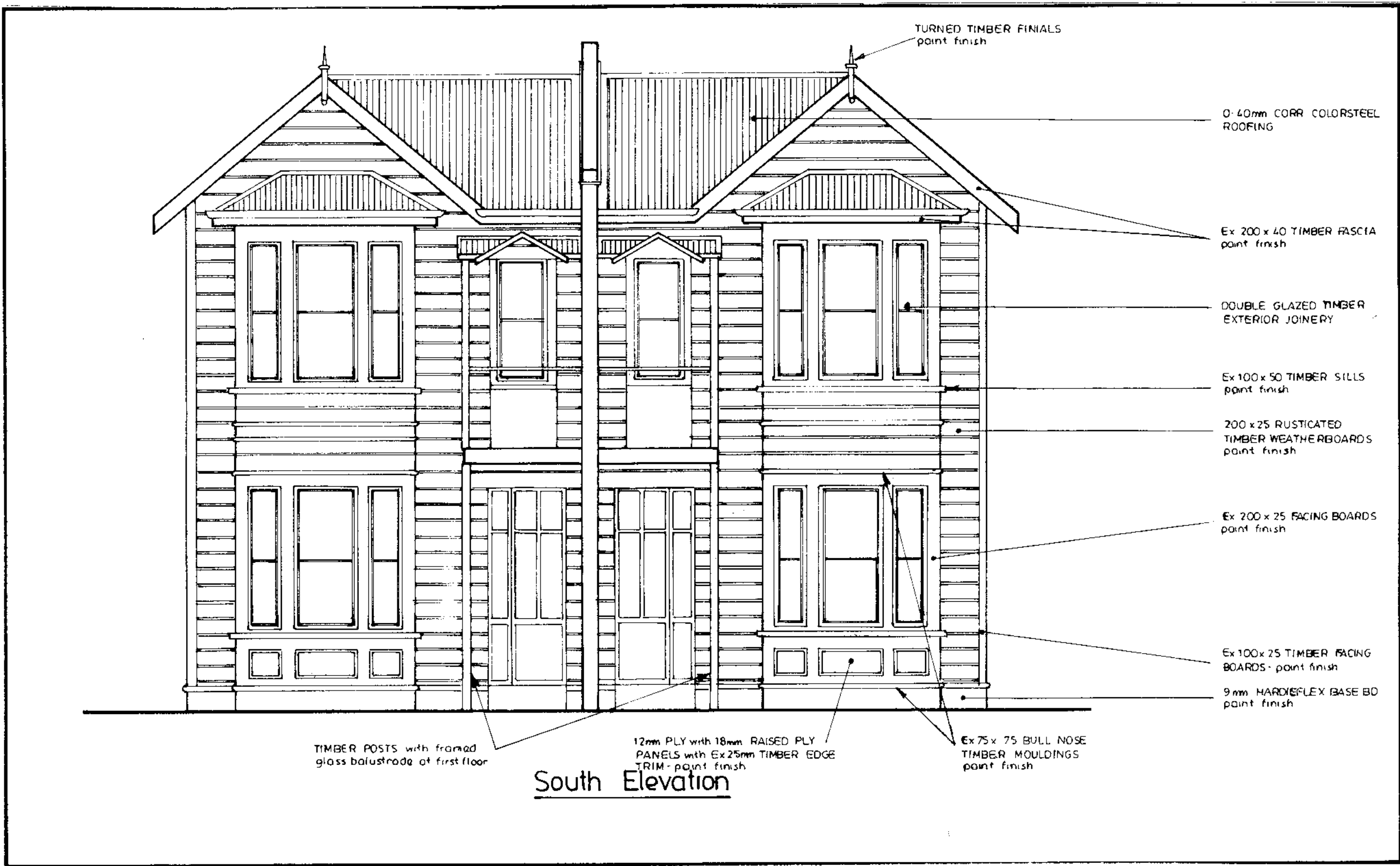
North Elevation



First Floor Plan
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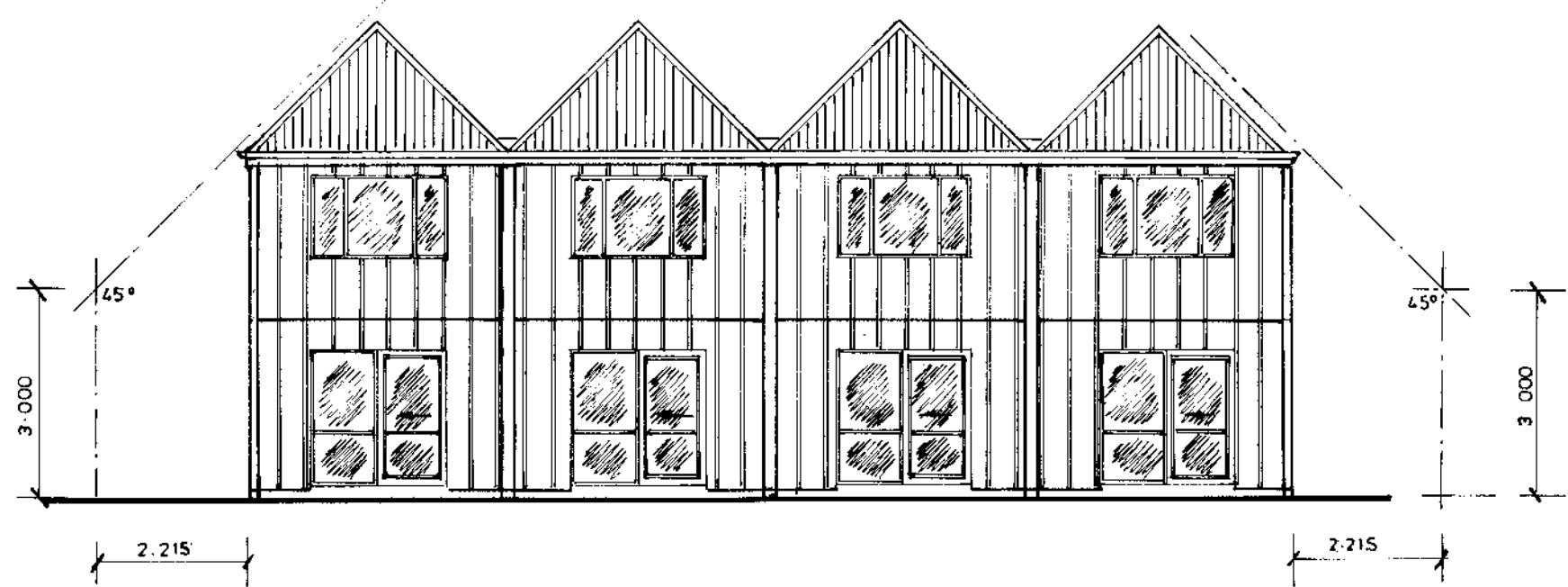


Ground Floor Plan
1:100

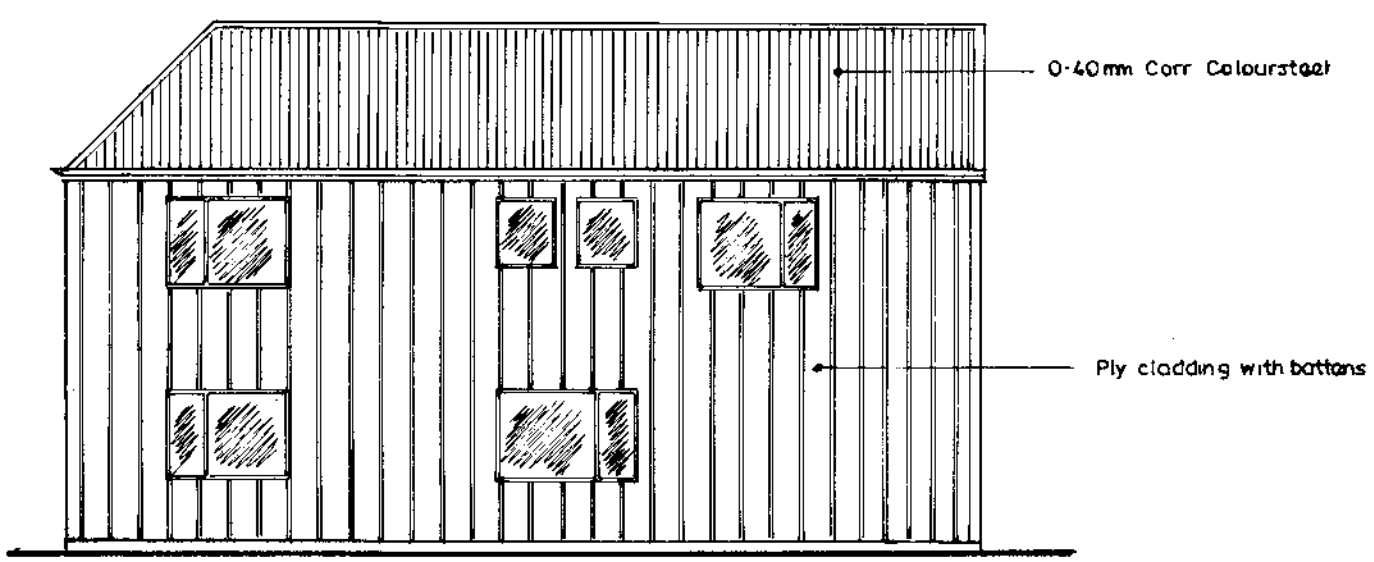


South Elevation

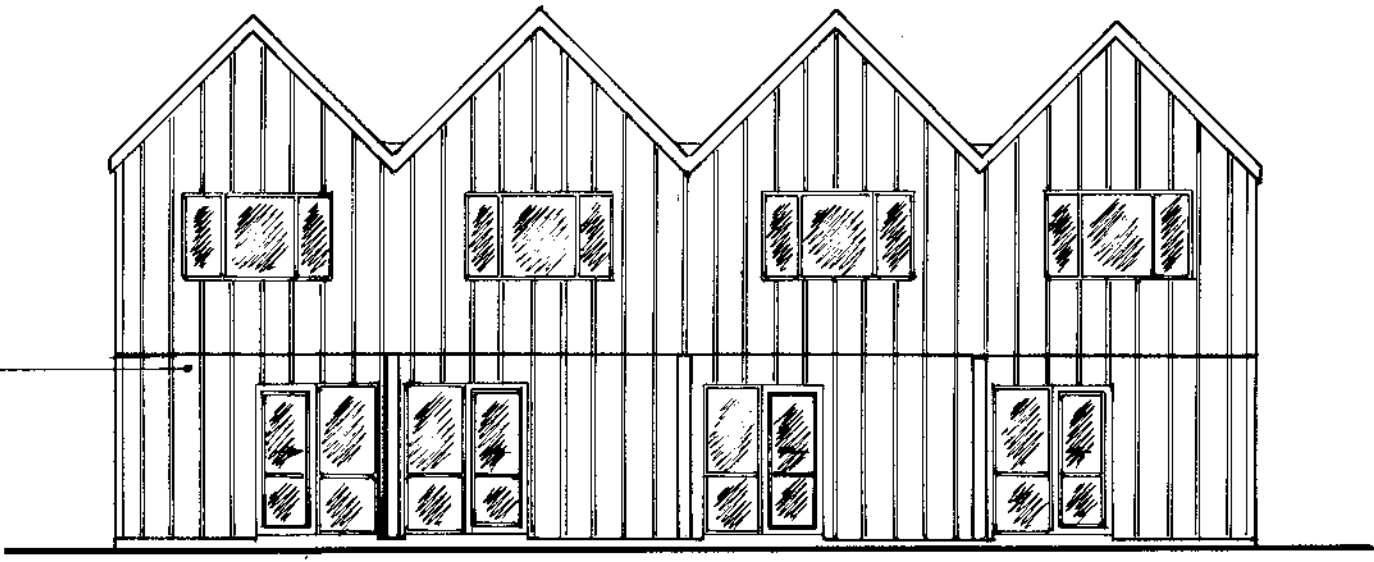
David T. Rutter N / Z C D (Arch) Licensed Building Practitioner - Design 3 architectural design & plan CRAIGIE HOUSE 22 MANSE STREET, DUNEDIN P.O. Box 810 Phone 474 0649 E drutter@xtra.co.nz		
Project: PROPOSED RESIDENTIAL UNITS for CLIFF SEQUE at 332 HIGH STREET DUNEDIN		
Title:		
Notes:		
Consultant:		
Date: JUNE 2019 Scale:		
Revisions		
Contract No. 1829 Drawing No.		



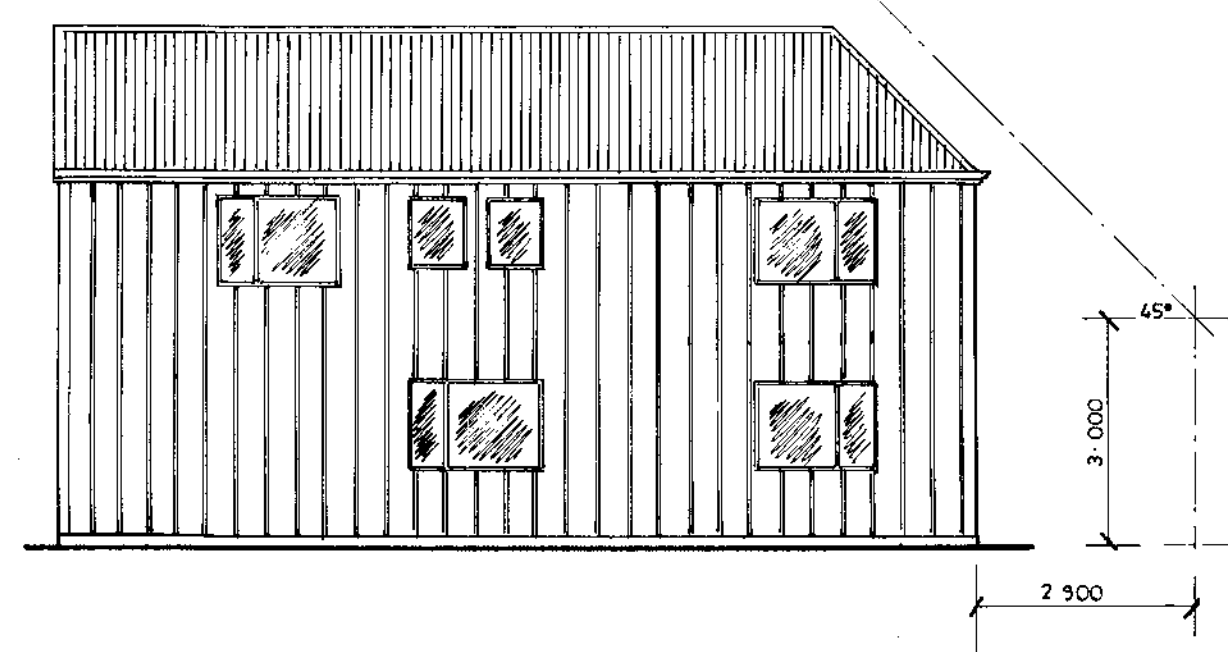
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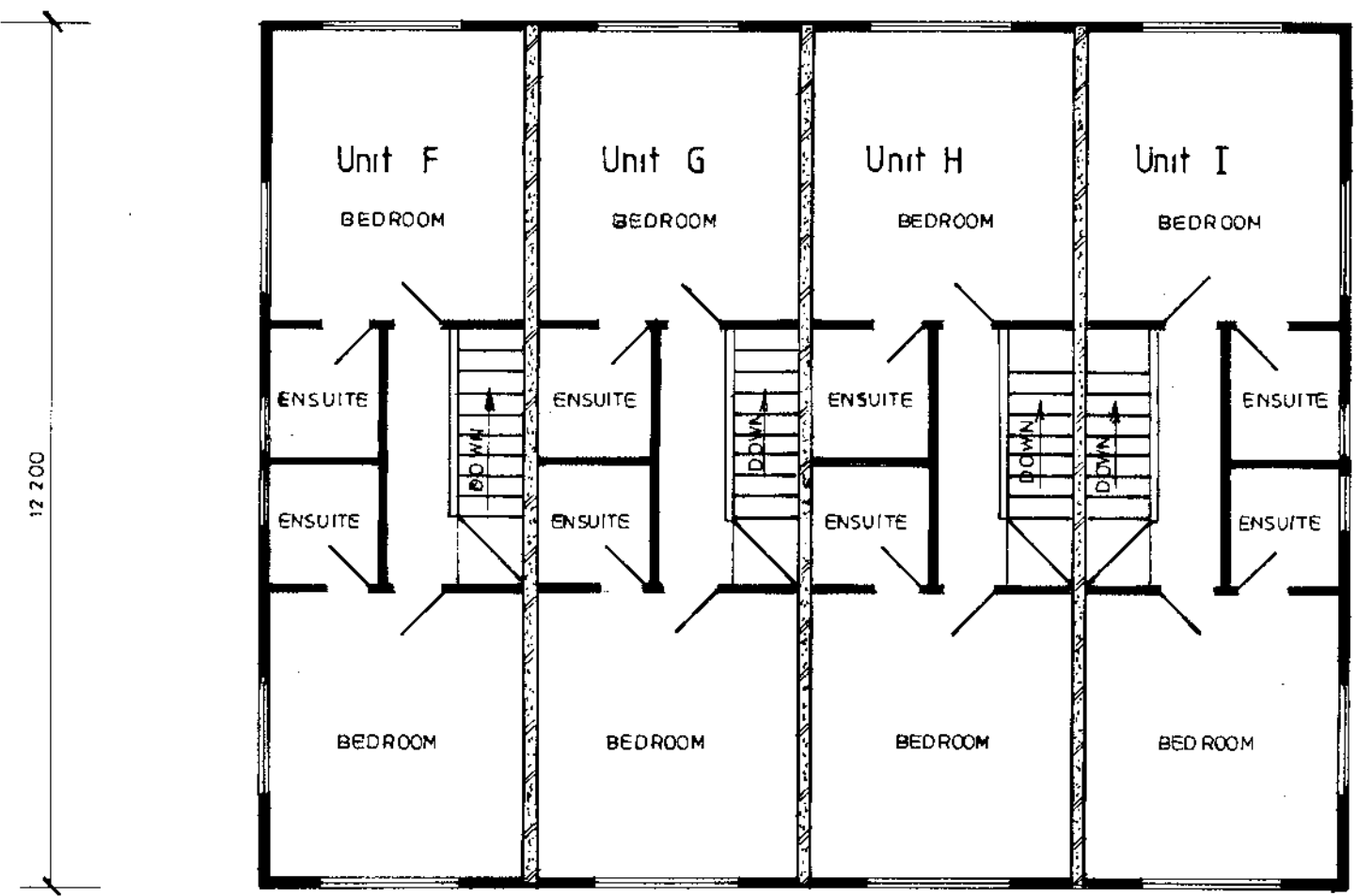
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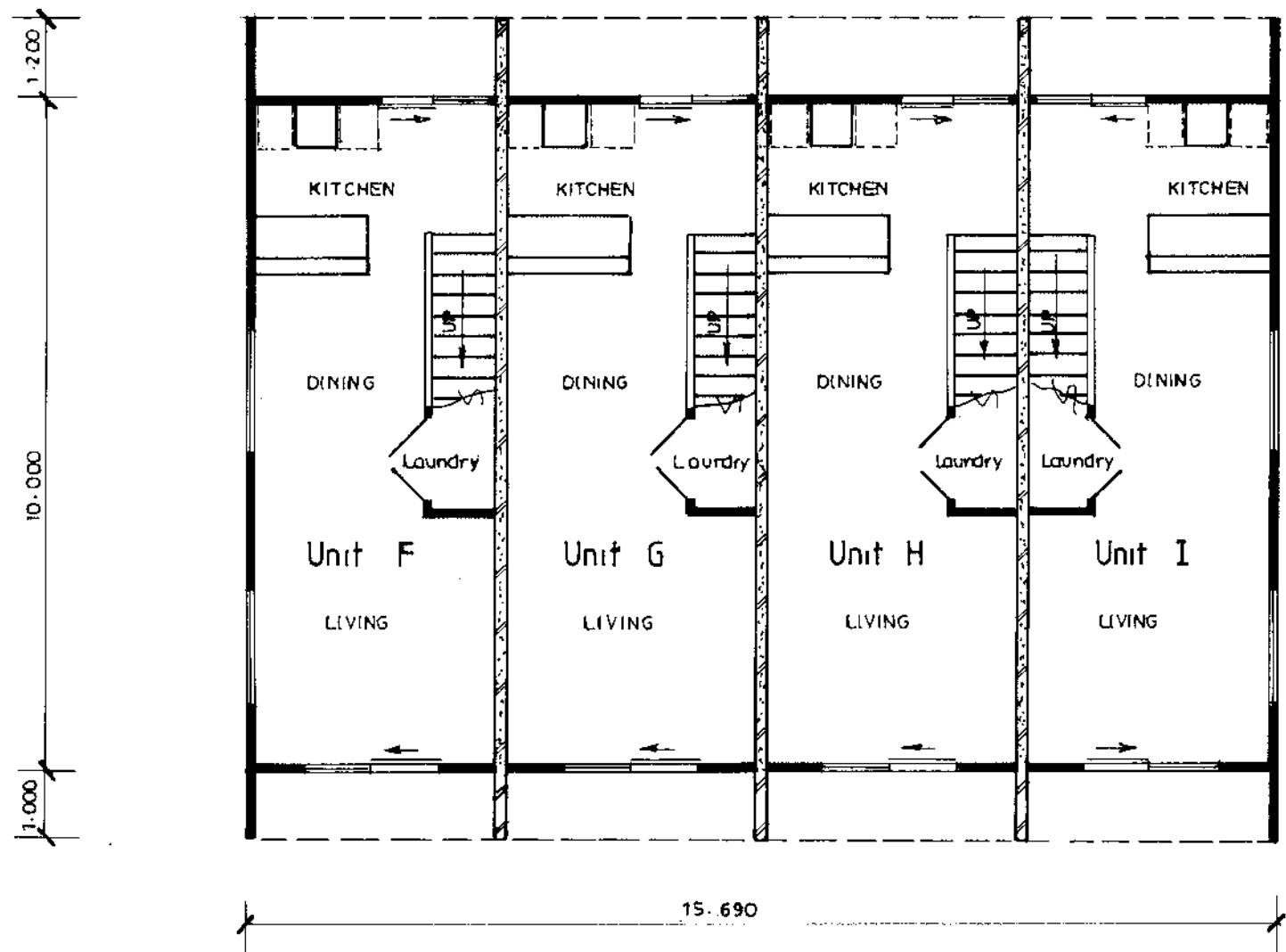
South Elevation
1:100



East Elevation
1:100



First Floor Plan
1:100



Ground Floor Plan
1:100

David T. Rutter N.Z.C.D. (Arch.) Licensed Building Practitioner - Design 3 architectural design & plan CRAIGIE HOUSE - 22 MANSE STREET, DUNEDIN P.O. Box 810, Phone 474 0649, E. drutter@xtra.co.nz	
ARCHITECTURAL DESIGNER	
Project: PROPOSED RESIDENTIAL UNITS for CLIFF SEQUE at 332 HIGH STREET DUNEDIN	
Title:	
Notes:	DESIGN DRAWN <i>DR</i> TRACED CHECKED
Consultant:	Revisions Date
Date: JUNE 2019	Confirm all dimensions & profiles with details Contractors to check all dimensions on site DO NOT SCALE
Scale:	Contract No. 1829 Drawing No. In set of



16 June 2021

Our Ref: D_____

3-Waters Team
Dunedin City Council
PO Box 5045
Dunedin

Attn: Jakub Kochan

Dear Jakub

332 HIGH STREET UNITS STORMWATER MANAGEMENT PLAN

Introduction

This stormwater management plan described how stormwater flows from the proposed development at 332 High Street will be managed to ensure that post-development discharge is no greater than pre-development discharge.

Pre-Development Calculations

The pre-development situation has been assessed using the following parameters-

- 1 On-Site Catchments:
 - (i) From roof surfaces: 258m² (use 'C' = 0.90)
 - (ii) From Paved areas: 30m² (use 'C' = 0.85)
 - (iii) From garden/grass areas: 724m² (use 'C' = 0.25)
- 2 Off-Site Catchments:
 - (i) From garden/grass areas: 1,930m² (use 'C' = 0.25)
- 3 Intensity data from NIWA HIRDS system, RCP8.5 (2081-2100), 10-year ARI
- 4 Time of Concentration (ToC) at 15 minutes
- 5 Intensity interpreted to be 51.0mm/hr, using NIWA data and ToC of 15 mins

Calculation of the off-site flows in a critical rainfall event, using the above parameters, results in a flow of 11.4 litres per second. This is therefore the maximum flow permitted to leave the site across all post-development scenarios.

DUNEDIN:

P.O. Box 5933,
Dunedin 9058.

T 03 477 3245

CHRISTCHURCH:

P.O. Box 160094,
Christchurch 8441.

T 03 928 1533

ALEXANDRA:

P.O. Box 103,
Alexandra 9340.

T 03 448 8775

CROMWELL:

P.O. Box 84,
Cromwell 9342.

T 03 445 1826

QUEENSTOWN:

P.O. Box 2645,
Queenstown 9349.

T 03 441 4715

WANAKA:

P.O. Box 283,
Wanaka 9305.

T 03 443 0110

Post-Development Calculations

The post-development situation has been assessed using the following parameters-

- 1 On-Site Catchments:
 - (i) From captured roof surfaces: 333m² (use 'C' = 0.90)
 - (ii) From captured paved areas: 400m² (use 'C' = 0.85)
 - (iii) From captured garden/grass areas: 64m² (use 'C' = 0.25)
 - (iv) From uncaptured paved areas: 112m² (use 'C' = 0.85)
 - (v) From uncaptured garden/grass areas: 103m² (use 'C' = 0.25)
- 2 Off-Site Catchments:
 - (i) From garden/grass areas: 1,930m² (use 'C' = 0.25)
- 3 The flow from the off-site catchment is to be adjusted by 50% for the 10-minute event duration calculation as this catchment will take 20 minutes to reach full flow.
- 4 Intensity data from NIWA HIRDS system, RCP8.5 (2081-2100), 10-year ARI
- 5 Time of Concentration (ToC) at 15 minutes for the uncaptured flows.
- 6 Intensity interpreted to be 51.0mm/hr for the uncaptured flows, using NIWA data and ToC of 15 mins

The attached plan shows the various post-development catchments. It also shows the original location of the proposed stormwater tank and an alternative location that is clear of the vehicle manoeuvring area (which would be superior in the event that the selected tank cannot support vehicle loading).

The flow from the critical event for the uncaptured catchments has been calculated at be 1.4 litres per second. This flow will pass into the stormwater system without being controlled in any way. Accordingly, the permitted maximum flow from the detention tank facility is determined to be the pre-development site flow less the uncontrolled flow, therefore 11.4 l/s less 1.4 l/s = 10.0 litres per second.

Testing of various stormwater detention methods, it has been determined that a storage tank of the following specification will successfully provide sufficient storage to cater for all 10-year ARI events-

- 1 Tank internal depth of 1.2m
- 2 Restricted orifice of 65mm
- 3 Tank size of 6,000 litres

Using the information in 1 and 2 above, the following discharge rates can be calculated from the tank at different levels of storage:

When the tank is 25% full:	4.8 l/s
When the tank is 50% full:	7.0 l/s
When the tank is 75% full:	8.6 l/s
When the tank is 100% full:	10.0 l/s

The ability for the proposed storage tank to successfully cater for all 10-year ARI events is summarised in the table below. This table calculates how long each 25% section of the tank will take to fill under event durations of different times. Provided that the total length of time for the tank to fill under each duration is greater than the length of the event itself, we can be confident that the storage capacity of the tank will not be exceeded under any 10-year ARI scenario. In this instance, the closest that the tank gets to becoming full is during the 20-minute event scenario, in which the tank would need a period of time of 20.4 minutes to reach its capacity.

Event Duratn. (mins)		10	20	30	60	120	360	720	1440
Intensity		60.4	41.7	34.1	24.5	17.7	10.10	6.93	4.54
Flow into Tank	inflow:	15.06	13.19	10.79	7.75	5.60	3.20	2.19	1.44
Discharge for 1st 25%	outflow:	4.8	4.8	4.8	4.8	4.8	4.8	4.8	4.8
1st 25% Retention Rate	retained at:	10.25	8.39	5.98	2.95	0.79	-1.61	-2.61	-3.37
Tank Volume in 1st 25%	volume in segment:	1.50	1.50	1.50	1.50	1.50	1.50	1.50	1.50
Time to Fill 1st 25%	time to fill (mins):	2.4	3.0	4.2	8.5	31.5	-15.5	-9.6	-7.4
Discharge for 2nd 25%	outflow:	7.0	7.0	7.0	7.0	7.0	7.0	7.0	7.0
2nd 25% Retention Rate	retained at:	8.07	6.20	3.80	0.76	-1.39	-3.80	-4.80	-5.56
Tank Volume in 2nd 25%	volume in segment:	1.50	1.50	1.50	1.50	1.50	1.50	1.50	1.50
Time to Fill 2nd 25%	time to fill (mins):	3.1	4.0	6.6	32.9	-18.0	-6.6	-5.2	-4.5
Discharge for 3rd 25%	outflow:	8.6	8.6	8.6	8.6	8.6	8.6	8.6	8.6
3rd 25% Retention Rate	retained at:	6.42	4.55	2.15	-0.89	-3.04	-5.45	-6.45	-7.21
Tank Volume in 3rd 25%	volume in segment:	1.50	1.50	1.50	1.50	1.50	1.50	1.50	1.50
Time to Fill 3rd 25%	time to fill (mins):	3.9	5.5	11.6	-28.1	-8.2	-4.6	-3.9	-3.5
Discharge for 4th 25%	outflow:	10.0	10.0	10.0	10.0	10.0	10.0	10.0	10.0
4th 25% Retention Rate	retained at:	5.04	3.17	0.76	-2.27	-4.42	-6.83	-7.83	-8.59
Tank Volume in 4th 25%	volume in segment:	1.500	1.500	1.500	1.500	1.500	1.500	1.500	1.500
Time to Fill 4th 25%	time to fill (mins):	5.0	7.9	32.7	-11.0	-5.7	-3.7	-3.2	-2.9
Total Time to Fill (mins):		14.4	20.4	55.1	2.4	-0.3	-30.4	-21.8	-18.3
Must be at least:		10	20	30	60	120	360	720	1440

Table 1: Tank Performance Calculations

Note that the cells in the table above that are highlighted in yellow indicate periods of time in which the stored volume of water is reducing (i.e. the incoming flows are lower than the discharge flows).

Additional notes:

- 1 The proposed stormwater management design will collect water from an off-site catchment (the back yards of 338-356 High Street) and allow this water to pass through the new tank and into High Street. This does not significantly change the outfall for this off-site water, as presently it continues to flow to the eastern boundary of 326 High Street (some 30m further east), from which it is captured and transferred into the High Street catchment. This design will simply capture the off-site water slightly earlier in its travels.
- 2 An overflow pipe will be installed from the tank to cater for over-design rainfall events. It is recommended that the manhole access lid to the detention tank is also formed in such a manner as to enable any overflow from this access point to be directed to the new driveway that slopes down to High Street. This will essentially provide an additional secondary flow path away from the new units.
- 3 The total tank depth is expected to be 2.1m from the ground surface to the discharge invert level. An example tank option is attached for reference (however this might not be the actual tank this is installed). At 1.2m depth, there remains generous amount of fall from the tank invert to the DCC stormwater sewer in

High Street (approximately 1.7m height difference), which will easily support passage of the tank discharge flows. Potentially, discharge to the kerb and channel might also be an option (there is approximately 0.5m drop between the tank invert and the kerb and channel), however that option has not been investigated in more than a cursory fashion by this evaluation.

Summary

- 1 The 10-year ARI critical event flow for the site in its pre-development form is 11.4 litres per second.
- 2 The maximum discharge rate from the detention tank is calculated by the pre-development flow less the uncontrolled post-development flows. Therefore 11.4 l/s less 1.4 l/s = 10.0 l/s.
- 3 The proposed storage tank, with an internal storage depth of 1.2m, a restricted orifice of 65mm and a storage capacity of 6,000 litres will ensure that the maximum discharge flow does not exceed the allowable discharge flow of 10.0 l/s, and that the tank will be able to cater for all 10-year ARI post-development scenarios.
- 4 The existing off-site catchment flow that presently passes through the site will be redirected by the proposed development, however this will have no effect on the network as it will quickly reach the same catchment that it presently feeds (just a short distance upstream of its present collection point).
- 5 The landowner is recommended to install debris catch-traps in the roof gutter systems and yard sumps in order to prevent debris from entering (and potentially blocking) the detention tank.
- 6 The landowner is recommended to establish a maintenance program for the detention tank.

Yours faithfully

PATERSON PITTS LIMITED PARTNERSHIP



Kurt Bowen

Registered Professional Surveyor

Attachments

- NIWA HIRDS data printout
- Post-development catchment plan
- Example detention tank specification

High Intensity Rainfall Design System V4 (i)

Location

Address search

Enter your address and press enter to search



Site Information

2.2.2 ©2017 NIWA and New Zealand Regional Councils

Terms and Conditions (<https://www.niwa.co.nz/privacy-policy>)Creative Commons (CC-BY-NC) 4.0 License (<http://creativecommons.org/licenses/by-nc/4.0/legalcode>)

To generate a set of results, either click on an existing data point, or a new location and enter a site name, then press the Generate Report button.

Latitude -45.87991859640066

Longitude 170.49429363012314

Site Name 330 High

Site Id

Output Table Format

- ☐ Depth - Duration - Frequency
☒ Intensity - Duration - Frequency

Generate Report

Results

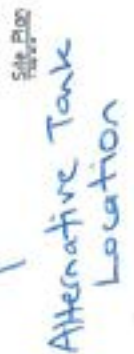
Spreadsheet Download 

Site Details		Historical Data			RCP2.6 Scenario			RCP4.5 Scenario						
RCP6.0 Scenario			RCP8.5 Scenario											
Rainfall intensities (mm/hr) :: RCP8.5 for the period 2031-2050														
ARI	AEP	10m	20m	30m	1h	2h	6h	12h	24h	48h	72h	96h	120h	
1.58	0.633	24.7	17.2	14.2	10.3	7.55	4.52	3.17	2.15	1.38	1.04	0.837	0.701	
2	0.500	27.9	19.5	16.0	11.6	8.50	5.06	3.55	2.40	1.54	1.16	0.931	0.779	
5	0.200	40.1	27.8	22.7	16.4	11.9	7.06	4.92	3.30	2.11	1.58	1.27	1.06	
10	0.100	50.2	34.7	28.3	20.4	14.8	8.66	6.01	4.02	2.56	1.91	1.53	1.28	
20	0.050	61.7	42.4	34.6	24.8	17.9	10.4	7.22	4.80	3.05	2.27	1.82	1.51	
30	0.033	69.2	47.5	38.7	27.7	19.9	11.6	7.98	5.30	3.36	2.50	2.00	1.66	
40	0.025	74.8	51.2	41.7	29.8	21.4	12.4	8.56	5.67	3.58	2.67	2.13	1.77	
50	0.020	79.4	54.3	44.2	31.5	22.6	13.1	9.01	5.96	3.77	2.80	2.23	1.86	
60	0.017	83.3	56.9	46.3	33.0	23.6	13.7	9.40	6.22	3.92	2.91	2.32	1.93	

ARI	AEP	10m	20m	30m	1h	2h	6h	12h	24h	48h	72h	96h	120h
80	0.012	89.7	61.3	49.7	35.4	25.3	14.6	10.0	6.62	4.17	3.09	2.47	2.05
100	0.010	94.9	64.7	52.5	37.3	26.7	15.4	10.5	6.95	4.37	3.24	2.58	2.14
250	0.004	118	80.2	64.9	45.9	32.7	18.7	12.7	8.36	5.23	3.87	3.08	2.55

Rainfall intensities (mm/hr) :: RCP8.5 for the period 2081-2100

ARI	AEP	10m	20m	30m	1h	2h	6h	12h	24h	48h	72h	96h	120h
1.58	0.633	29.3	20.4	16.8	12.3	8.89	5.20	3.58	2.39	1.52	1.13	0.902	0.754
2	0.500	33.2	23.2	19.0	13.8	10.1	5.86	4.03	2.68	1.70	1.26	1.01	0.842
5	0.200	48.1	33.3	27.3	19.7	14.2	8.23	5.64	3.71	2.34	1.74	1.38	1.15
10	0.100	60.4	41.7	34.1	24.5	17.7	10.1	6.93	4.54	2.85	2.11	1.68	1.40
20	0.050	74.4	51.2	41.8	29.9	21.5	12.3	8.34	5.44	3.41	2.52	2.00	1.66
30	0.033	83.5	57.3	46.7	33.4	23.9	13.6	9.23	6.01	3.75	2.77	2.20	1.82
40	0.025	90.3	61.9	50.4	36.0	25.7	14.7	9.91	6.44	4.01	2.96	2.35	1.95
50	0.020	96.0	65.7	53.4	38.1	27.2	15.4	10.4	6.77	4.22	3.11	2.47	2.04
60	0.017	101	68.9	56.0	39.9	28.4	16.2	10.9	7.07	4.39	3.24	2.57	2.12
80	0.012	109	74.2	60.2	42.9	30.5	17.3	11.6	7.53	4.68	3.44	2.73	2.26
100	0.010	115	78.4	63.6	45.2	32.1	18.2	12.2	7.91	4.90	3.60	2.86	2.36
250	0.004	143	97.1	78.6	55.6	39.3	22.1	14.8	9.52	5.87	4.30	3.41	2.81



332 High Street.

Catchment Areas (Post-Development).

1) Areas for detection:

Catchment F, i) Roof = 333m^2

ii) Paved = 400m^2

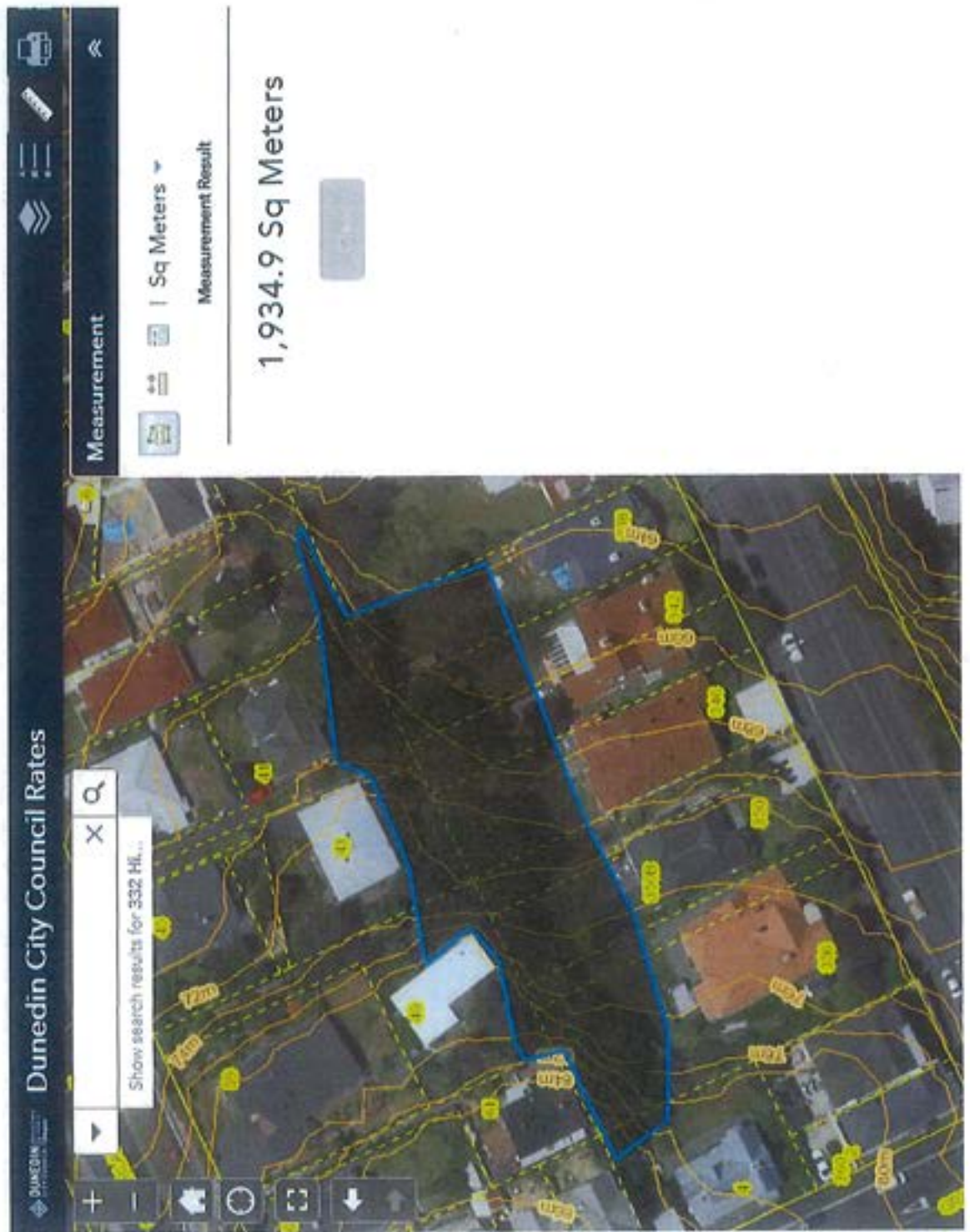
Catchment G, Garden = 64m^2

Catchment H, Garden = 1930m^2 (from off-site).

2) Areas that are uncontrolled:

Catchments A & C, Paved = 112m^2

Catchments B, D + E, Grass = 103m^2



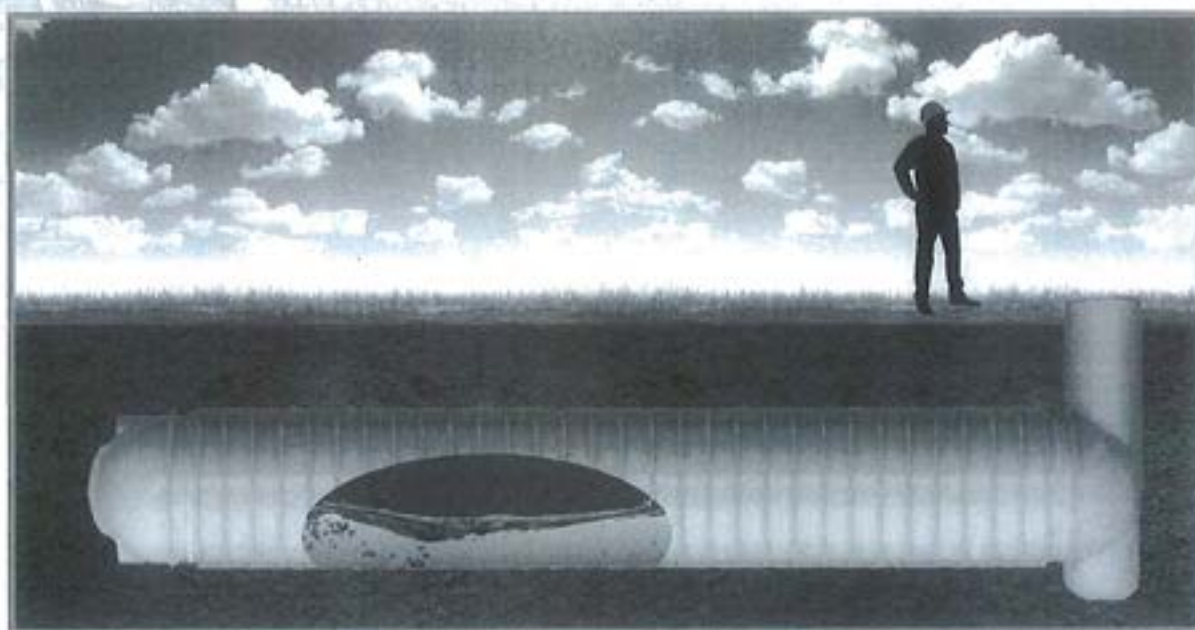


The Tank Guy - 06 326 8888

**VERSATILE.
RELIABLE.
STRONG.
COMPLIANT.**

STORMWATER MANAGEMENT.

*storm***VAULT**



stormVAULT stormwater management tanks from Devan offer stormwater solutions with a 15-year domestic warranty and are ready to be specified in your project.



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30 YEARS OF PROVEN TANK MANUFACTURING QUALITY

Devan has been in business for over 30 years and if there is anything that time has taught us it is that our customers see no compromise when it comes to confidence and reliability.

stormVAULT stormwater tanks make specification easy

Whatever your project's soil type or water table, stormVAULT tanks are designed to meet your project's needs. Each tank is manufactured to meet whatever your volume requirements are. Standard sizes are available in any combination from 2,000L to 10,000L with other volumes available on request. The more volume you require, the longer the tank. Larger volumes are achieved by coupling multiple tanks together onsite with ease.

The tank is the strongest design on the market and has achieved compliance to AS/NZS1546 Septic Tank Standard, ARMA COP15 Underground Tank Code of Practice, and verified by CPEng Engineers here in New Zealand.

Built from environmentally friendly, long lasting material

Devan stormVAULT tanks are manufactured from the highest quality polyethylene available which is

ideally suited to our moulding technique, giving long life and trouble-free service.

The material is certified to AS/NZS4766:2006, AS/NZS4020:2005, and AS/NZS 2070.

Polyethylene cannot rot or corrode and is ultra violet stabilised for New Zealand's harsh environmental conditions. The manufacturing process produces zero waste of polyethylene and the product is 100% recyclable.

Designed for installation flexibility on New Zealand sites

The tanks have been designed for the majority of soil types and water table conditions in New Zealand. They have been built to be easily installed under your lawn, **but can also be installed under concrete drive if space is a premium on your site.** The tank is not reliant on surrounding soil structures for strength.



STRENGTH TESTED TO LAST LONG-TERM AND THE ASSURANCE OF A 15-YEAR DOMESTIC WARRANTY

FEA Analysis

This image of a 10,000L stormVAULT tank has been modelled and tested for performance across New Zealand's variety of soil types and water tables, not just in the short term but also modelled performance over the long term. These tanks come with the Devan 15-year domestic warranty.



QUALITY COMPONENTS PROVIDE A TROUBLE-FREE STORMWATER SOLUTION



Solid filled rib design: The unique solid filled rib design is superior in both design and strength to withstand the ground pressures that will be applied over the lifetime of the tank.



Unique interlocking jointing: The unique interlocking jointing system ensures there is no stain or reliance on the weld joints; welds are for sealing only – not holding together.



Heavy, thick, strong: We understand the demands put on products that go underground. For this reason, the stormVAULT is the thickest and heaviest product on the market and exceeds design standards.



Anti-floatation anchors: Made from high-quality products that include polypropylene restrains and 316 grade stainless steel fitting, these anchors will stand the test of time.



Standard garden lid: Made from high-quality polyethylene with child resistant 316 grade stainless steel, ensuring the lid remains secure. 510mm internal opening offers easy access for inspection and maintenance.



Ductile iron lids: stormVAULT tanks are strong enough to be buried under domestic and commercial driveways and, as an option, can come with a ductile iron adaptor kit to adapt to a standard 600mm internal clearance ductile iron lid.

1200 SERIES PRODUCT CODES

CODE	TANK VOLUME	LENGTH (M)	WEIGHT (KG)
SVR12-02	2,000L	2.3	170
SVR12-03	3,000L	3.2	225
SVR12-04	4,000L	4.1	280
SVR12-05	5,000L	5.0	340
SVR12-06	6,000L	5.9	395
SVR12-07	7,000L	6.7	450
SVR12-08	8,000L	7.7	510
SVR12-09	9,000L	8.6	570
SVR12-10	10,000L	9.5	625

ACCESSORY PRODUCT CODES

CODE	LID TYPE
SVALP	stormVAULT plastic lid
SVALDC	Cast iron lid class D – commercial trafficable
SVALAR	stormVAULT adaptor ring and temporary lid
SVGA-12	stormVAULT ground anchor set – 1200mm
SVKOV100	stormVAULT 100mm over-flow kitset

6,000 L is OK

0800 338 268

NI. 07 578 8726 | SI. 03 344 1065

APPENDIX 4:
NOTIFICATION ASSESSMENT



14 July 2021

CJ Seque
C/O MacDonell Consulting Limited,
17 Cliffs Road,
Dunedin 9012

Via email: barry@macdonellconsulting.co.nz

Dear CJ Seque

RESOURCE CONSENT APPLICATION:

**LUC-2019-436
330 AND 332 HIGH STREET
DUNEDIN**

NOTIFICATION DECISION PURSUANT TO SECTIONS 95A TO 95G OF THE RESOURCE MANAGEMENT ACT 1991.

Your application for resource consent has been assessed in accordance with sections 95A to 95G of the Resource Management Act 1991. The notification decision was considered by a Senior Planner, under delegated authority, on 2 July 2021.

The Council has determined that the consent will not need to be publicly or limited notified for the reasons set out in the attached assessment. However, it is determined that the decision is not to be made under delegated authority and will be referred to the hearings panel for a decision.

Please note that the determination as to whether an application should be notified or not is separate from the issues to be considered in making a decision on the application itself.

Please feel free to contact me on 0273088950 or email kirstyn@planningsouth.nz if you have any questions.

Yours faithfully

Kirstyn Lindsay
Consultant Planner

APPLICATION LUC-2019-436: 330 AND 332 HIGH STREET, DUNEDIN

Department: Resource Consents

BACKGROUND

The application was made in August 2019. Further information was requested and the application was subsequently modified as a response to the questions posed. The further information is considered to form part of the application.

DESCRIPTION OF ACTIVITY

Resource consent is sought to demolish the existing semi-detached pair of dwellings that currently occupy the site and construct two, multi-unit residential blocks provided with new vehicle access from High Street. As a consequence of further information supplied to the Council in August 2020 and April 2021, the application is now supported by a Heritage Impact Assessment by Origin Consultants Limited, a Detailed Seismic Assessment by Hanlon and Partners Limited and Estimated Cost assessment for a Seismic and Compliance Upgrade by Flanders Marlow Limited.

The subject site is located on the north side of the High Street opposite the junction of the High Street and Melville Street. It comprises an elevated rectangular section of approximately 1012 square metres with an existing two-storey domestic building at the top of the bank overlooking High Street. This building comprises a pair of near symmetrical, semi-detached, two-storey houses of Colonial bay villa design.

There is a concrete retaining wall supporting the bank, which runs the length of the street frontage except for a double pedestrian entrance in the centre of the frontage. This comprises two flights of concrete/masonry steps leading up to the building, flanked by retaining walls on either side. There is currently no vehicular access to the site. Behind the building, there is a long rear garden with trees.

The works proposed are to demolish the existing building (both houses) and redevelop the land with new buildings at the front and rear of the site as follows:

Front block facing the High Street

- Two-storey/five units;
- Symmetrical, bay-fronted design;
- Narrower building width/frontage to allow a drive to be formed along the west boundary;
- Corrugated Colorsteel roof cladding;
- Spouting/rainwater fittings to match the roof cladding;
- Painted timber joinery, including double-glazed timber windows and timber sills, fascias and finials;
- Painted timber rusticated weatherboards and facing boards;
- Painted timber ply sheet and painted timber, bull nose mouldings to the bays; and
- Framed glass barriers to the first floor balconies with supporting painted timber posts.

Rear block

- Two-storey/four units;
- Symmetrical, gable fronted design;
- Corrugated Colorsteel roof cladding;

- Spouting/rainwater fittings;
- Pre-finished aluminium double-glazed windows and doors;
- Painted timber/ply vertical board and batten wall claddings.

The proposed external colours will be similar to those existing to the current building, namely:

- Roof colour – grey from the Resene Heritage Colour Chart translated into the best-match for Colorsteel/Colorbond;
- Weatherboard colour -cream/yellow.
- Joinery/trim colour – white/off-white and green.

In between the front and rear blocks will be a turning and parking area finished with asphalt.

The subject site is legally described as Section 16 Block VII Town of Dunedin (held in Record of Title OT292/90).

REASONS FOR APPLICATION

Dunedin currently has two district plans, the 2006 Dunedin City District Plan (2006 District Plan) and the 2GP. The decisions on the 2GP were released on 7 November 2018 and the rules of the 2GP have legal effect. The appeal period of the 2GP closed on 19 December 2018 and rules that have not been appealed are deemed operative. An appeals version of the plan was released on 13 February 2019.

Section 86F of Act states that:

- (1) *A rule in a proposed plan must be treated as operative (and any previous rule as inoperative) if the time for making submissions or lodging appeals on the rule has expired and, in relation to the rule, —*

- (a) no submissions in opposition have been made or appeals have been lodged; or*
- (b) all submissions in opposition and appeals have been determined; or*
- (c) all submissions in opposition have been withdrawn and all appeals withdrawn or dismissed.*

The site is zoned Inner City Residential under the 2GP. There is an archaeological alert layer identified for the site. The site is also located within the High Street Residential Heritage Precinct and the existing dwelling is identified as B308 with the façade and bulk appearance to High Street protected.

The following 2GP rules which are relevant to this proposal are under appeal:

- **Rule 15.6.6.1 Height in relation to boundary** – It is noted that there is no breach of either the 2GP rule or equivalent 2006 Operative Plan Rule 8.10.2(ii).

Operative District Plan

In accordance with Section 86F of the RMA the zoning and associated rule provisions of the Plan applying to this site are considered inoperative, with the exception of the height plane rule noted above. This applies to the development of the new units only which comply with the rule.

Proposed 2GP

City Wide Activity

There are no citywide activities proposed at this time

Rule 15.3.3.3 states that standard residential activity is permitted subject to meeting the standards as set out below:

- Rule 15.5.2 – Density

Rule 15.5.2.1.e states that within the Inner City Residential zone, the density standard is one habitable room per 45m² of site area. There is no cap on the number of residential units able to be established on the site. In this instance, the site area provides for 22 habitable rooms and 18 are proposed and this rule will be met.

For completeness, there are two residential buildings to be built and these will comply with Rule 15.5.2.3.

- Rule 15.5.8 - Minimum Car parking (Repealed in accordance with the NPS-UD 2020)

- Rule 15.5.11 – Outdoor Living Space

Rule 15.5.11.1.a.ii requires each unit to provide an individual minimum outdoor amenity space of 15m² for the two-bedroom unit and 20m² for the three-bedroom unit. Rule 15.5.11.3 requires this outdoor space to comply with the criteria set out in Rule 15.5.11.3.a and c. in this instance, the outdoor space to serve each unit will meet the minimum area and dimension requirements and will be of an even grade and clear of buildings and structures.

- Rule 15.5.12. - Service areas

Not applicable

- Rule 15.5.14 - Family Flats

Not applicable

Development Activity

Rule 15.3.4.5 states that multi-unit developments in the Inner City Residential zone are Restricted Discretionary activities. This rule also states that new buildings which have a footprint greater than 300m² are also restricted discretionary activities.

Rule 15.3.4.6 states that new buildings in a heritage precinct which are visible from an adjoining public place are restricted discretionary activities.

Rule 15.3.4.18 states that demolition of a scheduled heritage structure is a non-complying activity.

The following relevant development standards are assessed below:

- Rule 15.6.3 - Fire fighting

New residential dwellings must provide fire fighting capability in accordance with Rule 9.3.3. Rule 9.3.3 requires that, in this instance, new residential dwellings activities must ensure access to sufficient water supplies for fire fighting consistent with the SNZ/PAS:4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice. There are fire hydrants located within 135m of the site and it is considered that this rule is met.

- Rule 15.6.6 – Height

Rule 15.6.6.1.a.iii states that in the Inner City Residential zone, the height in relation to boundary must be within a plane rising at an angle of 45 degrees measured from a point 3m above ground level at the boundary. This standard will be met to all external boundaries.

Rule 15.6.6.2.a.iv sets a maximum height limit of 12m beyond the required yard set back. The units will comply with this standard.

- Rule 15.6.7.1 - Location and Screening of Car Parking

In all residential areas, parking, loading and access areas and garages and carports must not occupy more than 50% of the area of the front yard that is part of the road boundary setback required by Rule 15.6.13. In this instance, car parking will be located to the rear of the site.

- Rule 15.6.10 - Maximum Building Site Coverage and Impermeable Surfaces

Rule 15.6.10.1.b requires a maximum building coverage of 50% and building and hard surface coverage of 80%. In this instance proposed building coverage is 33.0% and hardsurfacing including buildings is 65%.

- Rule 15.6.13 - Boundary setbacks

A front yard setback of 3.0m and side and rear yard setbacks of 1.0m is required by Rule 15.6.13.1.a.iv. The proposal will comply with this rule.

- Rule 15.6.12 Parking, Loading and Access Standards

Where vehicle parking and access is to be established, Rule 15.6.12 requires compliance with Rule 6.6. The NPS-UD 2020 has removed the obligation to supply parking under the District Plan but not the design criteria and limitations for car parking where it is provided. Rule 6.6.1.3, requires 6 metres of on-site queuing space for vehicles entering or exiting a parking area for between 5 and 20 vehicles. In this instance, no queuing space is proposed.

No other development activity performance standards are considered relevant to this proposal.

National Environmental Standards

There are no National Environmental Standards relevant to this application.

Overall Status

Where an activity requires resource consent under more than one rule, and the effects of the activity are inextricably linked, the general principle from case law is that the different components should be bundled and the most restrictive activity classification applied to the whole proposal.

In this case, there is more than one rule involved, and the effects are linked. As a result, having regard to the most restrictive activity classification, the proposal is considered to be a non-complying activity.

NOTIFICATION ASSESSMENT

PUBLIC NOTIFICATION

Section 95A of the Resource Management Act 1991 sets out a step-by-step process for determining public notification. Each step is considered in turn below.

Step 1: Mandatory public notification in certain circumstances

- Public notification has not been requested.
- There has been no failure or refusal to provide further information.
- There has been no failure to respond or refusal to a report commissioning request.
- The application does not involve the exchange of recreation reserve land.

Step 2: If not required by Step 1, public notification precluded in certain circumstances

- There are no rules or national environmental standards precluding public notification.
- The application does not involve: a controlled activity, nor a boundary activity. As a result, public notification is not precluded under Step 2.

Step 3: If not precluded by Step 2, public notification required in certain circumstances

- The application is not for a resource consent for one or more activities, where those activities are subject to a rule or national environmental standard that requires public notification:
- An application must be publicly notified, if under s95D(8)(b), the activity will have or is likely to have adverse effects on the environment which are more than minor (s95A(2)(a)). An assessment under s95D is made below.

Assessment of Effects on the Environment (S95D)

Section 95D requires consideration of the effects of the activity. This assessment is restricted to those matters set out in the rule assessment above.

Mandatory Exclusions from Assessment (s95D)

- A: Effects on the owners or occupiers of land on which the activity will occur and on adjacent land (s95D(a)).
- B: An adverse effect of the activity if a rule or national environmental standard permits an activity with that effect (s95D(b)) (the permitted baseline, refer section below).
- C: The activity is not a restricted discretionary activity, and no matters have been disregarded (s95D(c)).
- D: Trade competition and the effects of trade competition (s95D(d)).
- E: All effects on the parties which have provided written approval to the application are disregarded. In this instance, there are no parties who have provided written approval to the application and no effect on any party is disregarded.

Permitted Baseline

Under sections 95D(b) of the Resource Management Act 1991, the Council may disregard an adverse effect of the activity on the environment if the district plan or a national environmental standard permits an activity with that effect. In this situation, there is no permitted baseline as no development can occur without the demolition of the schedule building which is not provided for by a rule in a plan or the NES.

Receiving Environment

The existing and reasonably foreseeable receiving environment is made up of:

- The existing environment and associated effects from lawfully established activities;
- Effects from any consents on the subject site (not impacted by proposal) that are likely to be implemented;
- The existing environment as modified by any resource consents granted and likely to be implemented; and

- The environment as likely to be modified by activities permitted in the district plan.

For the subject site, the existing and reasonably foreseeable receiving environment comprises a pair of two-storey, semi-detached, weather boarded villas with corrugated iron roofing that face directly onto High Street. The villas are conjoined by a brick party wall, and feature symmetrical rectangular bays with double-hung sash windows, first-floor balconies with iron posts and fretwork friezes, and two pairs of later, matching doors to each dwelling. The building layout comprises four flats, two units at ground floor and two units on the first floor. The two-storey building is constructed of timber framing with a central unreinforced masonry wall. The exterior is clad in weatherboard. The roof is clad with light weight corrugated iron.

The buildings are set near the front of the section to High Street on a raised bank, and accessed via a pair of concrete steps separated by a low concrete wall topped with classically decorated iron railings. There is currently no vehicular access to the property.

For adjacent land, the existing and reasonably foreseeable receiving environment comprises larger scale heritage properties. The houses in the High Street precinct, tend to have higher site coverage and less curtilage, a product of the steeper topography, early settlement and proximity to what was once the hub of the central city. Fences and hedges are an integral part of the street frontage. Buildings are generally two or three storeys at the road frontage. The design elements and the scale of the buildings also reflect the area's former wealth and the prominence of its early residents.

A range of materials are used in the construction of buildings in the precinct. However, reflecting a focus on architectural expression and the quality of buildings, there is common use of brick and masonry. There are fewer timber buildings in this precinct than in other Dunedin heritage precincts. The number of masonry buildings lends a sense of permanence and solidity to the area.

It is against these that the effects of the activity, beyond the permitted baseline, must be measured.

Assessment Matters

Consideration is required of the relevant assessment matters in the Proposed 2GP. In this instance, the assessment is limited to the effects of the proposal on heritage values.

1 Effects on Heritage Values

The application proposes the demolition of the existing semi-detached pair of dwellings that currently occupy the site. In their place, it proposes the construction of two, multi-unit residential blocks provided with new vehicle access from High Street.

The dwellings at 330 and 332 High Street are a pair of two-storey, semi-detached, weather boarded villas with corrugated iron roofing that face directly onto High Street. The villas are conjoined by a brick party wall, and feature symmetrical rectangular bays with double-hung sash windows, first-floor balconies with iron posts and fretwork friezes, and two pairs of later, matching doors to each dwelling. Both dwellings also feature a gabled side bay set back from the main façade and have two, substantial brick chimneys. The right hand villa at 330 High Street has an upper storey, glazed bay addition supported by fretwork brackets.

The buildings are set near the front of the section to High Street on a raised bank, and accessed via a pair of concrete steps separated by a low concrete wall topped with classically decorated iron railings.

The paired dwellings at 332 High Street are included on the District Plan Schedule of Protected Heritage Items and Sites (Appendix A1.1) as B308 – Residential Building. Protection is afforded to the façade and bulk appearance to High Street.

The property is also located within the High Street Residential Heritage Precinct (2GP Appendix A2.1.6).

The property is also subject to the Archaeological Alert Layer of the 2GP. As such, statutory responsibility for archaeological sites rests with Heritage New Zealand. Archaeological sites are defined in the Heritage New Zealand Pouhere Taonga Act 2014 as:

"...any place in New Zealand, including any building or structure (or part of a building or structure), that
(i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and
(ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand..."

Sites dating from after 1900 may also be declared to be archaeological sites if they may provide significant evidence relating to the historical and cultural heritage of New Zealand. The Heritage New Zealand Pouhere Taonga Act 2014 makes it unlawful for any person to destroy, damage or modify the whole or any part of an archaeological site without the prior authority of Heritage New Zealand. In this case, evidence provided in support of the application suggests that the existing dwellings were constructed prior to 1900.

The applicant has submitted three reports in support of the application. These are discussed below:

Detailed Seismic Assessment by Hanlon and Partners Limited

Hanlon and Partners Limited undertook a Detailed Seismic Assessment of the building in June 2020. After assessment, the building was given an 'E' grade and is considered to be 7% of New Build Strength (NBS). Key structural issues for the building include the following:

Element	Direction	%NBS IL2	Commentary with regards capacity
Timber framed ground floor walls	Transverse	30%	Cladding and linings to timber-framed walls do not provide sufficient lateral bracing strength to transfer seismic loads.
Timber framed first floor walls	Transverse	64%	Cladding and linings to timber-framed walls do not provide sufficient lateral bracing strength to transfer seismic loads.
Timber framed ground floor walls	Longitudinal	7%	Cladding and linings to timber-framed walls do not provide sufficient lateral bracing strength to transfer seismic loads.
Timber framed first floor walls	Longitudinal	14%	Cladding and linings to timber-framed walls do not provide sufficient lateral bracing strength to transfer seismic loads.
Unreinforced masonry	Out of plane	41%	The out of plane capacity of the unreinforced masonry to support itself within the framing during an earthquake.
Unreinforced masonry walls	In plane	100%	There is sufficient length of masonry wall to brace the central section of the building.

The report also identified other structural weaknesses of the building including:

- The insufficient lateral bracing of the ground and first floor longitudinal walls
- The insufficient lateral bracing of the ground and first floor Transverse walls
- The out of plane capacity of the unreinforced masonry.

The report by Hanlon and Partners Limited is adopted as expert evidence for the purposes of this report and is assessed that the building has significant structural weaknesses.

Estimated Cost assessment for a Seismic and Compliance Upgrade by Flanders Marlow Limited.

Flanders Marlow Limited provided a cost estimate for the seismic and compliance upgrade required for the building. The estimate is based on the upgrade work identified as necessary in the Hanlon and Partners Limited report to bring the building up to 67% of NBS. This estimate was given at \$1,924,247.47.

The assessment by Flanders Marlow Limited is adopted as expert evidence for the purposes of this report.

Heritage Impact Assessment by Origin Consultants Limited

Origin Consultants Limited prepared a Heritage Impact Assessment (the Origin Report) which covers both the effects of the proposed demolition of the existing building and of the new building on the Heritage Precinct values.

The assessment set out the history of the building noting that in 1861 three dwellings were recorded on the subject site. There are contradictory records about the construction date for the building at 332 High Street, but on balance the report considers that the physical depictions of the building during the 19th century suggest that it was built prior to 1900. Regardless of the construction date, the report considers that it is likely that the semi-detached dwellings were built as, and have always remained as, rental houses. Building alterations noted in the Dunedin City Council records reflect this continuing use as a rental property. In 1923, the two original dwellings were subdivided to create four separate tenancies, two upstairs and two downstairs. Later in the 1980s, additional rooms were added to the upstairs tenancies, presumably to provide additional bedroom space for more tenants. Bathroom facilities were also incrementally modernised between the 1910s and 1940s.

The Origin Report notes the heritage significance for the property is “regional” with key features from the Scheduled Heritage Place Record given as follows:

- a) *Particular note is made of the Colonial bay villa design, the architectural symmetry, and the external features of the balconies, steps, gates and walls (assumed to be the front retaining wall);*
- b) *The buildings are considered to be an element of the terminus of the view up Melville Street;*
- c) *The buildings are not considered to be the most imposing houses on the street, but have rarity and as a combination are ‘impressive’; and*
- d) *The buildings reflect the changing economic fortunes and social composition of the High Street area from a historical and social perspective.*

Whilst Origin Consultants Ltd notes agreement with much of the information in the Scheduled Heritage Place Record, it considers that the overall assessment of 332 High Street as being of “regional” significance is considered to be an overestimation of the buildings’ heritage value. Generally, throughout the Otago region, domestic buildings of Colonial bay design are not generally considered to be rare and these particular buildings have had modifications to them over a long period of time. There has also been a long-term decline in their aesthetic value. The report also notes that in 2014, the Scheduled Heritage Place Record for the buildings accepted that they ‘are not the most imposing houses on the street’.

The Origin Report considers that when assessing the significance of the adverse effects of losing the subject buildings, it is the balance of the loss of the values identified above which cannot be mitigated by the new development proposed. The report notes that the way in which the proposed development will mitigate these adverse effects is:

- *The creation of a new, contemporary building at the front of the site of quality and design that reflects the style of the existing façade and the bulk appearance of the buildings to the High Street.*
- *The new building will take the place of the existing one as the terminus of the view up Melville Street; that said, it is noted that the District Plan protection is specific to the bulk appearance from the High Street, and not from Melville Street.*
- *The new buildings will continue the historic use of the site for multi-occupancy domestic purposes. In a way, it will also reflect a contemporary extension, or continuance, of the changing economic fortunes of the High Street area as old gives way to new.*

Section A2.1.6 of the 2GP provides a description of the heritage precinct and sets out its characteristics. The Origin report assesses that the existing buildings accord with some of these characteristics as follows:

- There is no crossing or garaging to the street frontage;
- The architectural design, including the bays, balconies and window/door design, contributes to the verticality of the streetscape;
- The roof design / roof line adds interest; and
- The building is 2-storey.

The buildings do not, however, have the building materials (brick and masonry) that are recognised as a particular feature of the walling (except for the internal party wall) of buildings in the precinct, and the use of Marseille tiles and slates for roofs. Accordingly, the report advises that the positive characteristics of the heritage precinct that the existing building displays will be lost, but only to the extent that they are not mitigated by façade and bulk appearance to the High Street of the proposed new front building.

The Origin report considers that, from an historic environment urban design perspective, the front building is proposed to be sympathetic to the existing building on the site. It is not a replica building, but is intended to be a quality, contemporary reflection of it that will sit comfortably in its place and which will have no significant adverse effects on the value of the heritage precinct. Its materials and architectural features will be reminiscent of the existing building and appropriate to the historic environment.

The report also notes that the rear block will not be prominent in the streetscape; from many perspectives it will not be visible at all. It is most likely to be seen from the west side of the road junction with Melville Street, but the rising slope of the ground and selected tree plantings are intended to further reduce this visibility. The design of the rear block is intended to be different to the front block; it will not be part of the streetscape and is again intended to be contemporary. It has been designed so as not to compete on the site with the front block and will also be the location of car parking concealed from the street.

Overall, the Origin Report concludes that the loss of a scheduled heritage building is regrettable, but the reasons for the proposed demolition are clearly set out in the Hanlon & Partners and Flanders Marlow documents. From a heritage perspective, the Origin report accepts that, overall, the loss of the scheduled façade and bulk appearance of the building to the High Street will have a low to moderate adverse effect on the heritage values of the precinct. However, the proposed new front building will work to mitigate this affect and will enhance the aesthetic of the site, which is currently poor. Furthermore, the report finds that the proposed development will have the positive benefit of improving the precinct environment in the vicinity of the site.

Assessment of Council's Heritage Advisor

The application and assessments submitted above were also reviewed by the Council's Heritage advisor. The advisor agrees with the Origin Report that there is some doubt regarding the precise construction date for the dwellings. The advisor notes that the 2015 heritage assessment review

prepared for DCC suggested that the pair were on site by 1898, as they are represented on the Prictor Lithograph of 1898, facing the terminus of Melville Street. Subsequent rates records note the houses from c.1900 onwards and street directory entries commence from 1905. However, the heritage assessment prepared by Origin Consultants suggests there is evidence for the house construction possibly having been tendered for in 1883 and their gables seem to appear on a c.1887 photograph by the Burton Brothers.

The advisor agrees that the houses were probably built as rental houses (both heritage assessments note a succession of tenants from 1900) for the estate of James Charles Graham (the son of a deceased, local solicitor, Malcolm Graham), who died in 1937. In 1923, each house was divided into two flats (DC plan permit 1923 6633). But notes that the 1923 proposed building plan and front elevation for these alterations and additions shows a number of design features that were not constructed, but does show the eastern first-floor bay addition (an unglazed version; a matching western addition is also shown but not constructed).

The Heritage advisor has also reviewed the 2015 Heritage significance Assessment and also considers that the findings that the buildings are *'a rare example of a two storeyed, symmetric semi-detached pair of New Zealand colonial bay villas. Though unusual it is representative of the buildings of the High Street Heritage Precinct in being an impressive residential building'* are unsubstantiated when considered in context with the building pairs and terraces of timber and brick, two-storey villas located along Arthur Street and Adam Street, amongst others.

The advisor considers that the villas present as good, typical examples of their kind found across Dunedin and other cities in New Zealand, and upon further review, are considered to be of local rather than regional significance. She places more weighting and significance on their setting and location at the terminus of Melville Street with High Street; however, she assesses that this still remains as locally significant. Therefore, their overall heritage value is considered **local**.

In assessing the effects of the proposed demolition and replacement buildings, the heritage advisor recognises the key values to protect of the High Street Residential Heritage Precinct Values, along with Objective 2.4.2, Policy 2.4.2.1 and Objective 13.2.1, and Policies 13.2.1.7, 13.2.1.8 and 13.2.3.9.

The heritage advisor considers that the proposed demolition of Scheduled Heritage Building B308 will have a long-term adverse effect on the protected heritage values of the buildings through permanently destroying their physical fabric and form, and the wider heritage contribution they make to the character and identity of High Street. If demolished, the late 19th Century architectural qualities, traditional construction techniques and materials, and distinctive built form and heritage character will be lost permanently. A new building of similar proportions, form and style is proposed to replace them, but this will not replace the authentic heritage qualities of the buildings as they currently stand. Despite the present poor condition of the buildings, it is the heritage advisor's general view that their current condition only detracts from their heritage values in terms of their visual aspect, and does not impact upon their intrinsic heritage values for which these were scheduled by the District Plan.

In terms of the potential for cumulative adverse effects, the heritage advisor considers that it is clear that the buildings at 332 High Street have been neglected and un-maintained for a considerable number of years. Their demolition is being argued on the basis that the buildings are beyond 'reasonable' repair and no longer feasible to repair and modify in order to allow increased development on the section. However, as the ownership of the property has remained stable for several decades, a view could be taken that this neglect of the scheduled heritage building has been intended to a degree, to facilitate the future redevelopment of the site. There appears to be little apparent evidence of ongoing maintenance work on the building. If consent was granted for the demolition of these protected heritage buildings, then the heritage advisor considers there to be a serious risk that such a route to site redevelopment could create a precedent for demolition of other protected buildings in the city, contrary to the strategic directions and heritage objectives of the District Plan.

In terms of the effects on heritage streetscape character values, the heritage advisor considers that the proposed demolition of the original dwellings will have an adverse effect on the precinct values, from the perspective that it does not meet the requirement to protect the large number of scheduled heritage buildings within the precinct.

Assessment of Council's Urban Designer

The proposal was assessed by the Council's Urban Designer who notes that generally, the condition of heritage buildings on High Street is good and there appears to have been some focus on improvements in the past few years. Several wooden villas close to the subject site, have been repainted. In contrast, 332 High Street appears to have received very little maintenance. The Urban Designer notes that High Street has a high level of authenticity as much of the heritage architecture is intact. It is the frequency and quality of these buildings that is important to the streetscape and therefore, demolition of the existing building must be considered as having negative effects on the streetscape values.

Summary of heritage effects

Having considered the assessment of heritage values overall and noting the conflicting assessment by the heritage experts, I consider that a heritage significant value of "local" is most likely appropriate. I note the heritage advisor's advice that the current condition of the buildings only detracts from their heritage values in terms of their visual aspect, and does not impact upon their intrinsic heritage values for which these were scheduled by the District Plan. I also note the concerns of the heritage advisor that the buildings at 332 High Street have been neglected and that they appear to have been un-maintained for a considerable number of years. This neglect must fall at the feet of the applicant as the ownership of the property has remained stable for several decades. I also recognise the potential risk that the approval of consent in these circumstances could set a precedent for demolition of other protected buildings in the city.

However, the effects of the application must be assessed on the facts of the buildings and physical context as it exists now. The buildings exhibit some characteristics of the heritage precinct, but not in terms of building materials. While Scheduled in the District Plan, it appears the scheduling description overstates the importance of the buildings, which are not listed by Heritage NZ. The loss of the buildings is assessed as low to moderate by Origin Consultants and this conclusion is not disputed by the Council's Heritage Advisor. This loss is mitigated to a degree by the new buildings proposed. While positive effects of the new building design are a matter to be weighed up in terms of the section 104 considerations, the mitigation provided by the new building to be erected at the front of the site cannot be divorced from the analysis of the heritage effects. The loss of a building in a precinct leaving a vacant site has a far greater environmental effect than a loss of a building to be replaced by a new building in a similar position. Some regard must therefore be given to the level of mitigation for the purpose of determining if the adverse effects are no more than minor. Given the starting point in terms of the loss of heritage values is considered to be moderate at worst, a conclusion can be reached that taking into account the mitigating factors the overall adverse effects in terms of the loss of heritage values is no more than minor.

The merits of the application will be determined when it is time to undertake the Section 104 assessment. I note that Policy 13.2.7.1 sets out the circumstances where the demolition of a scheduled building may be acceptable. I accept that the building is in poor repair such that it poses a safety risk and is currently uninhabitable. How it reached this state is most likely a direct result of the apparent inaction of the applicant, but I also consider that this cannot be factored into the assessment of effects. The application establishes that cost of repairing the building is not reasonably economically feasible. I note that there is the Dunedin Heritage Fund (which sits outside of this process) but it is considered that this funding would be insufficient to contribute meaningfully to the \$2M upgrade required.

When considering the alternative, which is essentially to do nothing, given the prohibitive cost of any upgrade to achieve minimum compliance with the building code, the building will continue to decay. This will increase the safety risk to the public, preventing the site being used for that which it is

intended, and detracting from the amenity values of the area overall. I consider that it is these set of circumstances which Policy 13.2.7.1 provides for. Furthermore, I note that there is no mechanism within the 2GP which requires the upgrade or repair of the building to be undertaken. Although unfortunate, when weighing the existing set of circumstances against the alternative of doing nothing, this leads me to consider that, overall, the demolition of the building and its replacement development will have minor adverse on heritage values.

2 *Bulk and Location, Amenity Values and Character and Design and Appearance*

The proposed development is for a residential activity in a residential zone and, in this respect, the effects of the activity on residential amenity values have largely been anticipated by the zoning of the site. The proposed development is demonstrated as meeting the bulk and location requirements of the 2GP, and in this regard the bulk and location effects of the proposed development are anticipated by the underlying zoning. Consequently, the effects of the bulk and location of the new structures to replace the existing buildings will not cause any adverse effects on the wider environment surrounding the site.

The Urban Designer notes that the proposed development will yield nine two-bedroom units and associated car parks. This would be achieved with two buildings. A front (south) building with five units and a rear (north) building with four units. Car parking would be established between the two building while outdoor amenity space would be provided for as follows; to the east of unit A and B, to the west and adjoining the proposed driveway, for units C-E and to the north of units F-I. All of these spaces will be accessed from living areas.

The Urban Designer notes that the revised plans submitted with the further information request generally addresses the concerns he held regarding the development and he considers that the proposed design is not without merit and, providing it is completed to a high standard, will not have an adverse effects on the streetscape.

The heritage advisor also commented on the new building noting that from the perspective of the proposed redevelopment, the application proposes the construction of a new, High Street-facing unit of similar proportions, form and style to the existing pair of dwellings, effectively reproducing the essential form and architectural elements of the buildings in a simplified manner. As such, the proposed new design simply replaces the existing buildings with some of the original character and architectural detailing removed. Some contemporary elements identify the proposed units as new, but the overall design is considered to be a reconstructed version of the original. Although this approach is not specifically supported by the heritage precinct design guidelines or heritage conservation best practice (the ICOMOS NZ Charter (2010) notes that reconstruction, if it is the majority of a place or structure, is not usually acceptable), the proposed design does meet the basic design requirements, as assessed by the Heritage Assessment. Likewise, the heritage advisor accepts that the proposed design will provide a sympathetic and open façade to the street, similar to the present buildings when they were in a maintained condition. Therefore, the resulting effect of the proposed new unit design is considered to have minor adverse effects on the High Street Residential Heritage Precinct values in design terms.

The heritage advisor considers that the rear units are generally acceptable from a precinct design perspective. They are clearly contemporary, simple and meet the basic design requirements of the precinct in terms of their cladding and gabled forms. Situated to the rear of the proposed front units, the rear units have fairly low visibility from High Street. Similarly, parking will be screened by the front units with mainly the access drive being visible to the west side of the section. Therefore, the heritage advisor considers that the effect of these elements of the proposed redevelopment on the High Street Residential Heritage Precinct values will be less than minor adverse.

The heritage advisor and urban designer's assessments are generally in agreement with the findings of the Origin report with regard to the new buildings. Relying on this consistent expert advice, I

consider that the effect of the new buildings in respect of bulk and location, amenity values and character, and design and appearance are assessed as no more than minor.

3 Services

The application was reviewed by the Council's development officer 3 Waters who notes that Council's GIS records a 50mm diameter water pipe, 150mm diameter wastewater pipe and a 225mm diameter stormwater pipe in High Street. The officer notes that the 3 Waters Hydraulic Modeller has assessed this application as described below and notes that the development can proceed with no adverse effects on the water and wastewater networks. With regard stormwater, the modeller considers that the stormwater model is incomplete and there are known issues of water ponding in this area. The applicant subsequently prepared a Stormwater Management Plan which has been accepted by 3 Waters. Subject to compliance with the approved stormwater management plan, it is assessed that the development can be accommodated within the city's existing infrastructure capacity with no more than minor adverse effects on the network capacity.

4 Transportation

The application was forwarded to Council's Transport department for comment in 2019. Since the application was lodged the National Policy Statement on Urban Development 2020 has come into effect which removed the requirements for minimum carparking associated with standard residential activity. It is noted that where car parking is provided then this must still comply with Rule 6.6. High Street is an Urban High Density Collector Road

The Transportation Planner has reviewed the revised plans and considers that the parking and access effects will be contained within the site such that the adverse effects on the environment will be no more than minor. I note that the Transportation Planner has recommended conditions of consent but these are to manage effects within the site rather than on the wider transportation network.

The Transportation Planner's assessment is adopted for the purposes of this report and I am satisfied that the adverse effects of the activity on the transportation network will be no more than minor.

5 Hazards

There are no hazards shown on the Hazards Register or 2GP Maps for this site. The Council's consulting engineer, Stantec New Zealand Ltd, has no record of hazards affecting this land, and did not report on this application. It is considered that there are no adverse effects arising from natural hazards.

Summary: Effects on the Environment (s95A(2))

Having carefully weighed up the proposal against the alternative, I consider that, for the purposes of notification, the proposed activity is likely to have a no more than minor adverse effects on the environment overall. Therefore, public notification is not required under Step 3.

Step 4: Public notification in special circumstances

Public notification is required if:

- There are special circumstances that warrant the application being publicly notified (s95A(9)).

Current case law has defined 'special circumstances' as those "outside the common run of things which is exceptional, abnormal or unusual, but they may be less than extraordinary or unique." Current case law outlines certain cases where the courts have considered special circumstances in relation to the public notification of resource consent applications. In particular, the court found that special circumstances are deemed to apply where there is likely to be high public interest in the proposal [*Murray v Whakatane DC* [(1997) NZRMA 433 (HC)], *Urban Auckland v Auckland Council* [(2015) NZHC 1382, (2015) NZRMA 235].

In this instance, while the building is of some significance to Dunedin, as it is scheduled in the District Plan and located within a heritage precinct, these facts alone do not constitute special circumstances. The circumstances that surround the proposal in terms of the design, construction and present condition of the building do not suggest that there are special circumstances which apply to this application which warrant public notification.

Recommendation - S95A Public Notification

Pursuant to s95A(5)(b)(i), public notification of the application is not recommended

LIMITED NOTIFICATION

Section 95B of the Resource Management Act 1991 sets out a step-by-step process for determining limited notification. Each step is considered in turn below.

Step 1: Certain affected groups and affected persons must be notified

- The activity is not in a protected customary rights area; the activity is not an accommodated activity in a customary marine title area; and, the activity is not on or adjacent to, or might affect, land that is the subject of a statutory acknowledgement.

Step 2: If not required by Step 1, limited notification precluded in certain circumstances

- There are no rules or national environmental standards precluding limited notification.
- The application does not involve a controlled activity that is not a subdivision.

Step 3: If not precluded by Step 2, certain other affected persons must be notified

- The application does not involve a boundary activity.
- With regard to affected parties, Rule 15.4.2.1 of the 2GP states that:

"With respect to resource consent applications, Heritage New Zealand will be considered an affected person in accordance with section 95B of the RMA where its written approval is not provided for the following:

activities that affect a protected part of a scheduled heritage building, scheduled heritage structure, or a scheduled heritage site, that is listed with Heritage New Zealand"

In this instance, the building, while on the Council Schedule,6 is not listed with Heritage New Zealand. I note that given the age of the building, additional approvals outside of this consent process will be required from Heritage New Zealand

Step 4: Further notification in special circumstances

- I consider that there are no special circumstances which apply to this application which warrant limited notification.

Recommendation -s95B Limited Notification

Pursuant to s95B(1), limited notification of the application is not recommended.

Conclusion

Having regard to the step-by-step process for considering public notification and limited notification, it is determined that:

- The application can be processed on a non-notified basis

Substantive Decision Making

Key issues with respect to this application include the following:

- The demolition of heritage buildings in the city is a sensitive issue with strong community interest.
- The building is located in a Heritage Precinct where the Council has been dealing with Environment Court proceedings concerning modifications to two existing buildings
- The question of whether the environmental effects are minor, or more than minor, is very finely balanced in this case

On this basis, I recommend that any decision making on the substantive proposal is made by Council's Hearings Panel.

OVERALL RECOMMENDATION

After having regard to the above assessment, I recommend that:

This application be processed on a non-notified basis, pursuant to section 95A of the Resource Management Act 1991. However, I also recommend that the application should not be determined under delegated authority and be heard by the Council's Hearing Panel.



Kirstyn Lindsay
Consultant Planner

Date: 1 July 2021

DECISION

I have read both the notification assessment in this report. I agree with the recommendation above.

1. Under delegated authority on behalf of the Dunedin City Council, I accordingly approve the processing of the application as a non-notified application pursuant to section 95A – 95F of the Resource Management Act 1991.
2. I agree that the application be heard by the Hearing Panel.



Campbell Thomson
Senior Planner

Date: 14 July 2021

APPENDIX 5:
ARCHAEOLOGICAL AUTHORITY



HERITAGE NEW ZEALAND
POUHERE TAONGA

S:\Archaeology\Archaeological Authorities

10 September 2021

File ref: 2022/107
11013-009

Cliff Seque
102 Kenmure Street
Belleknowes
Dunedin 9011

Tēnā koe Cliff

**APPLICATION FOR ARCHAEOLOGICAL AUTHORITY UNDER HERITAGE NEW ZEALAND
POUHERE TAONGA ACT 2014: Authority no. 2022/107: I44/1109, Historic-domestic, 332 High
Street, Dunedin**

Thank you for your application for an archaeological authority which has been granted and is attached.

In considering this application, Heritage New Zealand Pouhere Taonga notes that you wish to undertake earthworks to construct nine residential units at 332 High Street, Dunedin. This activity will affect a recorded archaeological site. The land parcel was originally part of a larger block owned by Malcolm Graham. Three 1860s dwellings were noted across the properties, one of which was likely within the project area. The 1860s dwelling was replaced by the extant building in 1900-1901. Although the site has been damaged in the past, it may still possess archaeological values. There is potential for in-situ archaeological evidence associated with the pre-1900 occupation of the site to be present which would provide insight into the site's history and life in nineteenth century Dunedin. The historic heritage values of the extant building are also noted, and its demolition is regrettable.

Please inform, the s45 approved person and Heritage New Zealand Pouhere Taonga of start and finish dates for the work.

An appeal period from receipt of decision by all parties applies. Therefore, this authority may not be exercised during the appeal period of 15 working days, or until any appeal that has been lodged is resolved.

The granting of this authority by Heritage New Zealand Pouhere Taonga does not constitute affected party approval under the Resource Management Act or in any way prejudice its response to any other consent processes in respect of the proposed works.

If you have any queries, please direct your response in the first instance to:

Nikole Wills
Archaeologist, Otago / Southland
Heritage New Zealand Pouhere Taonga, Dunedin Office
P O Box 5467, Dunedin 9058

Phone (03) 470 2364

Email ArchaeologistOS@heritage.org.nz

Nāku noa, nā,

A handwritten signature in blue ink, appearing to be 'Vanessa Tanner', with a stylized, flowing script.

Vanessa Tanner

Manager Archaeology

cc: Cliff Seque
via email at cliffseque@gmail.com

cc: Barry MacDonell
via email at barry@macdonellconsulting.co.nz

cc: Jeremy Moyle
via email at jeremy@originteam.co.nz

cc: Planning Manager
Dunedin City Council
via email at dcc@dcc.govt.nz

Pursuant to Section 51 Heritage New Zealand Pouhere Taonga Act 2014 Heritage New Zealand Pouhere Taonga must notify TLAs of any decision made on an application to modify or destroy an archaeological site. We recommend that this advice is placed on the appropriate property file for future reference.

cc: Ministry for Culture and Heritage
via email at protected-objects@mch.govt.nz

Pursuant to Section 51 Heritage New Zealand Pouhere Taonga Act 2014

cc: NZAA Central Filekeeper
Attn: Mary O'Keeffe
via email at centralfilekeeper@archsite.org.nz

cc: Heritage New Zealand Pouhere Taonga Archaeologist, Nikole Wills

cc: Heritage New Zealand Pouhere Taonga Area Manager, Nick Dixon

cc: Heritage New Zealand Pouhere Taonga Pouarahi, Nigel Harris



HERITAGE NEW ZEALAND
POUHERE TAONGA

AUTHORITY

Heritage New Zealand Pouhere Taonga Act 2014

AUTHORITY NO: 2022/107

FILE REF: 11013-009

DETERMINATION DATE: 10 September 2021

EXPIRY DATE: 10 September 2026

AUTHORITY HOLDER: Cliff Seque

POSTAL ADDRESS: 102 Kenmure Street, Belleknowes, Dunedin 9011

ARCHAEOLOGICAL SITES: I44/1109, Historic-domestic

LOCATION: 332 High Street, Dunedin

SECTION 45 APPROVED PERSON: Jeremy Moyle

LANDOWNER CONSENT: Landowner is applicant

This authority may not be exercised during the appeal period of 15 working days, or until any appeal that has been lodged is resolved.

DETERMINATION

Heritage New Zealand Pouhere Taonga grants an authority pursuant to section 48 of the Heritage New Zealand Pouhere Taonga Act 2014 in respect of the archaeological site described above, within the area specified as Section 16 Block VII Tn of Dunedin to Cliff Seque for the proposal to undertake earthworks to develop the site including top soil stripping, vegetation removal, excavation for driveways and paths, excavation for new buildings and installation of storm water retention tanks and trenching for services at 332 High Street, Dunedin, subject to the following conditions:

CONDITIONS OF AUTHORITY

1. The authority holder must ensure that all contractors working on the project are briefed on site by the s45 approved person, who may appoint a person to carry out the briefing on their behalf, prior to any works commencing on the possibility of encountering archaeological evidence, how to identify possible archaeological sites during works, the archaeological work required by the conditions of this authority, and contractors' responsibilities with regard to notification of the discovery of archaeological evidence to ensure that the authority conditions are complied with.

2. Prior to the start of any on-site archaeological work, the Authority Holder must ensure that Heritage New Zealand Pouhere Taonga is advised of the date when work will begin. This advice must be provided at least 2 working days before work starts. The Authority Holder must also ensure that Heritage New Zealand Pouhere Taonga is advised of the completion of the on-site archaeological work, within 5 working days of completion.
3. All earthworks that may affect any archaeological sites must be monitored by the s45 approved person who may appoint a person to carry out the monitoring on their behalf.
4. Any archaeological evidence encountered during the exercise of this authority must be investigated, recorded and analysed in accordance with current archaeological practice.
5. The authority holder must ensure that if any possible taonga or Māori artefacts, or sites of Māori origin are encountered, all work should cease within 20 metres of the discovery. The Heritage New Zealand Pouhere Taonga Archaeologist must be advised immediately and no further work in the area may take place until they have responded.
6. That within 20 working days of the completion of the on-site archaeological work associated with this authority, site record forms must be updated or submitted to the NZAA Site Recording Scheme.
7. That within 12 months of the completion of the on-site archaeological work, the authority holder shall ensure that a final report, completed to the satisfaction of Heritage New Zealand Pouhere Taonga, is submitted to the Heritage New Zealand Pouhere Taonga Archaeologist for inclusion in the Heritage New Zealand Pouhere Taonga Archaeological Reports Digital Library.
 - a) One hard copy and one digital copy of the final report are to be sent to the Heritage New Zealand Pouhere Taonga Archaeologist.
 - b) Digital copies of the final report must also be sent to: the NZAA central file keeper; Otago Settlers Museum.

Signed for and on behalf of Heritage New Zealand.



Claire Craig
Deputy Chief Executive Policy, Strategy and Corporate Services
Heritage New Zealand Pouhere Taonga
PO Box 2629
WELLINGTON 6140

Date 10 September 2021

ADVICE NOTES

Contact details for Heritage New Zealand Archaeologist

Nikole Wills
Archaeologist, Otago / Southland
Heritage New Zealand Pouhere Taonga, Dunedin Office
P O Box 5467, Dunedin 9058

Phone (03) 470 2364, Email ArchaeologistOS@heritage.org.nz

Current Archaeological Practice

Current archaeological practice may include, but is not limited to, the production of maps/ plans/ measured drawings of site location and extent; excavation, section and artefact drawings; sampling, identification and analysis of faunal and floral remains and modified soils; radiocarbon dating of samples; the management of taonga tuturu and archaeological material; the completion of a final report and the updating of existing (or creation of new) site record forms to submit to the NZAA Site Recording Scheme. The final report shall include, but need not be limited to, site plans, section drawings, photographs, inventory of material recovered, including a catalogue of artefacts, location of where the material is currently held, and analysis of recovered material.

Please note that where one is required, an interim report should contain a written summary outlining the archaeological work undertaken, the preliminary results, and the approximate percentage of archaeological material remaining *in-situ* and a plan showing areas subject to earthworks, areas monitored and the location and extent of any archaeological sites affected or avoided.

Reporting Conditions

In relation to the creation of reports as required by the authority conditions, Heritage New Zealand Pouhere Taonga supports transparent reporting processes. It therefore is expected that all relevant directly affected parties have reviewed the report in question, are happy with its contents, and understands that it will be made publically available via the Heritage New Zealand Pouhere Taonga Archaeological Reports Digital Library.

Heritage New Zealand Pouhere Taonga has the right to make available any report produced under an authority where the distribution of the report is for the purpose of providing archaeological information about the place in question for research or educational purposes.

Rights of Appeal

An appeal to the Environment Court may be made by any directly affected person against any decision or condition. The notice of appeal should state the reasons for the appeal and the relief sought and any matters referred to in section 58 of the Heritage New Zealand Pouhere Taonga Act 2014. The notice of appeal must be lodged with the Environment Court and served on Heritage New Zealand Pouhere Taonga within 15 working days of receiving the determination, and served on the applicant or owner within five working days of lodging the appeal.

Review of Conditions

The holder of an authority may apply to Heritage New Zealand Pouhere Taonga for the change or cancellation of any condition of the authority. Heritage New Zealand Pouhere Taonga may also initiate a review of all or any conditions of an authority.

Non-compliance with conditions

Note that failure to comply with any of the conditions of this authority is a criminal offence and is liable to a penalty of up to \$120,000 (Heritage New Zealand Pouhere Taonga Act 2014, section 88).

Costs

The authority holder shall meet all costs incurred during the exercise of this authority. This includes all on-site work, post fieldwork analysis, radiocarbon dates, specialist analysis and preparation of interim and final reports.

The Protected Objects Act 1975

The Ministry for Culture and Heritage ("the Ministry") administers the Protected Objects Act 1975 which regulates the sale, trade and ownership of taonga tūturu.

If a taonga tūturu is found during the course of an archaeological authority, the Ministry or the nearest public museum must be notified of the find within 28 days of the completion of the field work.

Breaches of this requirement are an offence and may result in a fine of up to \$10,000 for each taonga tūturu for an individual, and of up to \$20,000 for a body corporate.

For further information please visit the Ministry's website at <http://www.mch.govt.nz/nz-identity-heritage/protected-objects>.

Landowner Requirements

If you are the owner of the land to which this authority relates, you are required to advise any successor in title that this authority applies in relation to the land. This will ensure that any new owner is made aware of their responsibility in regard to the Heritage New Zealand Pouhere Taonga Act 2014.



HERITAGE NEW ZEALAND
POUHERE TAONGA

SECTION 45 APPROVED PERSON

Heritage New Zealand Pouhere Taonga Act 2014

AUTHORITY NO: 2022/107

FILE REF: 11013-009

APPROVAL DATE: 10 September 2021

This approval may not be exercised during the appeal period of 15 working days, or until any appeal that has been lodged is resolved.

APPROVAL

Pursuant to section 45 of the Act, **Jeremy Moyle**, is approved by Heritage New Zealand Pouhere Taonga to carry out any archaeological work required as a condition of authority 2022/107, and to compile and submit a report on the work done. Jeremy Moyle will hold responsibility for the current archaeological practice in respect of the archaeological authority for which this approval is given.

Signed for and on behalf of Heritage New Zealand,

A handwritten signature in blue ink, appearing to read 'Claire Craig'.

Claire Craig
Deputy Chief Executive Policy, Strategy and Corporate Services
Heritage New Zealand Pouhere Taonga
PO Box 2629
WELLINGTON 6140

Date 10 September 2021

APPENDIX 6:
COUNCIL OFFICER EVIDENCE

TO: Kirstyn Lyndsay, Consultant Planner

FROM: Dr Andrea Farminer, Heritage Advisor

DATE: 11 May 2021

SUBJECT: LUC-2019-436 332 HIGH STREET HERITAGE COMMENTS

Dear Kirstyn,

Please find my heritage comments for application LUC-2019-436 for the proposed demolition of the scheduled heritage buildings at 330-332 High Street, as follows.

Please note, as there are no appeals relevant to this application from a heritage perspective, it has been assessed under the 2GP rules and assessment guidance only. The activity has been assessed as a non-complying activity under the District Plan.

Heritage Status

The paired dwellings at 332 High Street are included on the District Plan Schedule of Protected Heritage Items and Sites (Appendix A1.1) as **B308 – Residential Building**. Protection is afforded to the façade and bulk appearance to High Street.

The property is also located within the **High Street Residential Heritage Precinct** (2GP Appendix A2.1.6).

The property is also subject to an Archaeological Alert layer of the 2GP. As such, statutory responsibility for archaeological sites rests with Heritage New Zealand. Archaeological sites are defined in the Heritage New Zealand Pouhere Taonga Act 2014 as:

"...any place in New Zealand, including any building or structure (or part of a building or structure), that

- (i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and
- (ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand..."

Sites dating from after 1900 may also be declared to be archaeological sites if they may provide significant evidence relating to the historical and cultural heritage of New Zealand. The Heritage New Zealand Pouhere Taonga Act 2014 makes it unlawful for any person to destroy, damage or modify the whole or any part of an archaeological site without the prior authority of Heritage New Zealand.

The Application

The Application proposes the demolition of the existing semi-detached pair of dwellings that currently occupy the site. In their place, it proposes the construction of two, multi-unit residential blocks provided with new vehicle access from High Street.

Heritage Narrative & Values

Description

The dwellings at 330 and 332 High Street are a pair of two-storey, semi-detached, weather boarded villas with corrugated iron roofing that face directly onto High Street. The villas are conjoined by a brick party wall, and feature symmetrical rectangular bays with double-hung sash windows, first-floor balconies with iron posts and fretwork friezes, and two pairs of later, matching doors to each dwelling. Both dwellings also feature a gabled side bay set back from the main façade and have two, substantial brick chimneys. The right hand villa at 330 has an upper storey, glazed bay addition supported by fretwork brackets.

The buildings are set near the front of the section to High Street on a raised bank, and accessed via a pair of concrete steps separated by a low concrete wall topped with classically decorated iron railings. There is currently no vehicular access to the property.

Narrative

There is some doubt regarding the precise construction date for the dwellings. The 2015 heritage assessment review prepared for DCC suggested that the pair were on site by 1898, as they are represented on the Pictor Lithograph of 1898, facing the terminus of Melville Street. Subsequent rates records note the houses from c.1900 onwards and street directory entries commence from 1905. However, the heritage assessment prepared by Origin Consultants suggests there is evidence for the house construction possibly having been tendered for in 1883 and their gables seem to appear on a c.1887 photograph by the Burton Brothers. The houses were probably built as rental houses (both heritage assessments note a succession of tenants from 1900) for the estate of James Charles Graham (the son of a deceased, local solicitor, Malcolm Graham), who died in 1937. In 1923, each house was divided into two flats (DC plan permit 1923 6633). Interestingly, the 1923 proposed building plan and front elevation for these alterations and additions (Figure 1) shows a number of design features that were not constructed, but does show the eastern first-floor bay addition (an unglazed version; a matching western addition is also shown but not constructed).



Figure 1: DCC Building Plan – 1923 6633 Alteration to dwelling (1419223) for P Wren, showing the proposed and largely unconstructed façade and side bay alterations.

Heritage values

The 2015 Heritage Assessment prepared for DCC assessed the heritage significance/values of the pair of dwellings at 332 High Street, as follows:

Historic/social	Local
Spiritual/Cultural	None
Design	Regional
Technological/Scientific	None
OVERALL HERITAGE SIGNIFICANCE	Regional

The assessment noted that the building is '*a rare example of a two storeyed, symmetric semi-detached pair of New Zealand colonial bay villas. Though unusual it is representative of the buildings of the High Street Heritage Precinct in being an impressive residential building.*' However, having reviewed this statement in light of the building pairs and terraces of timber and brick, two-storey villas located along Arthur Street and Adam Street, amongst others, this statement appears unsubstantiated. The villas present as good, typical examples of their kind found across Dunedin and other cities in New Zealand, and upon further review, are considered to be of local rather than regional significance. I would place more weighting and significance on their setting and location at the terminus of Melville Street with High Street; however, this still remains as locally significant. Therefore, their overall heritage value is considered **local**.

High Street Residential Heritage Precinct Values

The houses in the precinct tend to be of a larger scale than those found in many other heritage residential precincts, similar to those in the Royal Terrace - Pitt Street - Heriot Row Residential Heritage Precinct. The houses in the High Street precinct, however, tend to have higher site coverage and less curtilage, a product of the steeper topography, early settlement and proximity to what was once the hub of the central city. Fences and hedges are an integral part of the street frontage. Buildings are generally two or three storeys at the road frontage.

The design elements and the scale of the buildings also reflect the area's former wealth and the prominence of its early residents. This can be seen in the large number of homes demonstrating diverse architectural styles and a greater focus, in comparison to most of the other heritage precincts, on the individual houses as distinct elements, rather than as part of a consistent streetscape. A number of the houses were built for professionals such as doctors, dentists and lawyers, and incorporate architectural features specifically tailored for professionals. This housing of professional classes is an important element of the area's social history, still clearly seen in its architectural form.

A range of materials are used in the construction of buildings in the precinct. However, reflecting a focus on architectural expression and the quality of buildings, there is common use of brick and masonry. There are fewer timber buildings in this precinct than in other Dunedin heritage precincts. The number of masonry buildings lends a sense of permanence and solidity to the area.

Key values to protect are:

- The large number of scheduled heritage and character-contributing buildings in the area
- A strong focus on grand, individual architecturally designed homes
- The use of ornamentation and detail in design
- The use of red brick and masonry in construction
- A general lack of visible off-street car parking, including garages and carports
- Established gardens and trees
- The focus on buildings presenting attractive and welcoming façades to the street

Heritage Comments

The proposed demolition of the pair of two-storey, timber dwellings at 332 High Street is a non-complying activity of the District Plan (Rule 13.8). The assessment guidance is addressed below.

Rule 13.8.2 Assessment of all non-complying activities

13.8.2.1 Relevant objectives and policies (priority considerations):

a) *The activity does not detract from, or preferably contributes to, the strategic directions objectives, including, but not limited to Objective 2.4.2;*

Objective 2.4.2: Dunedin's heritage is central to its identity and is protected and celebrated as a core value of the city, through the heritage conservation and retention of important heritage items, and the maintenance and active use of built heritage.

b) *Policy 2.4.2.1.*

a) *Identify in a schedule (Appendix A1.1) buildings and structures that have significant heritage values and use rules to:*

- i. *manage additions and alterations to, or removal for relocation of these buildings, in a way that maintains important heritage values;*
- ii. *restrict demolition of these buildings except in limited circumstances;*
- iii. *support adaptive re-use, heritage conservation and restoration; and*
- iv. *prioritise protection of heritage values over compliance with other performance standards where there is a conflict.*

b) *(not relevant)*

Comment:

The proposed demolition of Scheduled Heritage Building B308 will not meet either Objective 2.4.2 or Policy item 2.4.2.1.ii) as the protected facades and bulk form of the heritage buildings will not be retained and, therefore, their contribution to the city's identity and value will be lost permanently. As such, the proposed demolition activity does not meet the strategic directions objectives and will detract from the intent of Rule 13.8.2.1.

It is noted that the 'limited circumstances' allowing demolition are not defined or prescribed in this policy. However, it is considered that this is defined through Policy 13.2.1.7 and Rule 13.9.1, disused below.

General assessment guidance:

c) *In assessing the significance of effects, consideration will be given to:*

- i. *both short and long term effects, including effects in combination with other activities; and*
- ii. *the potential for cumulative adverse effects arising from similar activities occurring as a result of a precedent being set by the granting of a resource consent;*

d) *In assessing the effects on heritage streetscape character, Council will consider the values in Appendix A2.*

Comment:

The proposed demolition of Scheduled Heritage Building B308 will have a long-term adverse effect on the protected heritage values of the buildings through permanently destroying their physical fabric and form, and the wider heritage contribution they make to the character and identity of High Street. If demolished, the late 19th Century architectural qualities, traditional construction techniques and materials, and distinctive built form and heritage character will be lost permanently. A new building of similar proportions, form and style is proposed to replace them, but this will not replace the authentic heritage qualities of the buildings as they currently stand. Although the present poor condition of the buildings will be addressed later in these comments, it is my general view that their current condition only detracts from their heritage values in terms of their visual aspect, and does not impact upon their intrinsic heritage values for which they were scheduled by the District Plan.

In terms of the potential for cumulative adverse effects, it is clear that the buildings at 332 High Street have been neglected and un-maintained for a considerable number of years. Their demolition is being argued on the basis that the buildings are beyond 'reasonable' repair and no longer feasible to repair and modify in order to allow increased development on the section. However, as the ownership of the property has remained stable for several decades, a view could be taken that this neglect of the scheduled heritage buildings has been intended to a degree, allowing the future redevelopment of the site. If consent was granted for the demolition of these protected heritage buildings, then I consider there to be a serious risk that such a route to site redevelopment could create a precedent for other protected buildings in the city, contrary to the strategic directions and heritage objectives of the District Plan.

In terms of the effects on heritage streetscape character values, the proposed demolition of the original dwellings will have an adverse effect on the precinct values, from the perspective that it does not meet the requirement to protect the large number of scheduled heritage buildings within the precinct.

From the perspective of the proposed redevelopment, the Application proposes the construction of a new, High Street-facing unit of similar proportions, form and style to the existing pair of dwellings, effectively reproducing the essential form and architectural elements of the buildings in a simplified manner. As such, the proposed new design simply replaces the existing buildings with some of the original character and architectural detailing removed. Some contemporary elements identify the proposed units as new (e.g. glazed balconies and aluminium joinery), but the overall design is considered to be a reconstructed version of the original. Although this approach is not specifically supported by the heritage precinct design guidelines or heritage conservation best practice (the ICOMOS NZ Charter (2010) notes that reconstruction, if it is the majority of a place or structure, is not usually acceptable), the proposed design does meet the basic design requirements, as assessed by the Heritage Assessment. Likewise, the proposed design will provide a sympathetic and open façade to the street, similar to the present buildings when they were in a maintained condition. Therefore, the resulting effect of the proposed new unit design is considered to be minor adverse on the High Street Residential Heritage Precinct values in design terms.

The rear units are generally acceptable from a precinct design perspective. They are clearly contemporary, simple and meet the basic design requirements of the precinct in terms of their cladding and gabled forms. Situated to the rear of the proposed front units, the rear units have fairly low visibility from High Street. Similarly, parking will be screened by the front units with mainly the access drive being visible to the west side of the section. Therefore, it is considered the effect of these elements of the proposed redevelopment on the High Street Residential Heritage Precinct values will be less than minor adverse.

Rule 13.8.3 Assessment of non-complying activities

1. Demolition of a protected part of a scheduled heritage building or scheduled heritage structure

Relevant objectives and policies (priority considerations):

a) Objective 13.2.1

Scheduled heritage buildings and structures are protected.

Comment:

The proposed demolition of Scheduled Heritage Building B308 does not meet the objective; it is considered that the Application will have an adverse effect on the protected heritage values of the buildings through permanently destroying their physical fabric and form, and through destroying the broader heritage contribution they make to the character and identity of High Street.

I note that neither the RFI response nor Heritage Assessment address the key policy and objectives outlined in 13.2.1 and 13.2.2 of the 2GP (protected heritage values), only referring to Objective 13.2.3

relating to heritage streetscape character. The Heritage Assessment has assessed the demolition of the existing buildings as a 'low to moderate adverse effect on the heritage values of the precinct' (emphasis added) and in my view, has not adequately assessed the effects of the proposed demolition on the heritage values of the protected buildings themselves. As previously noted, it is considered that the proposed demolition will have an adverse effect on the protected heritage values of scheduled building B308.

b) Policy 13.2.1.7

Avoid the demolition of a protected part of a scheduled heritage building or scheduled heritage structure unless the following criteria are met:

- a)*
 - i. the building or part of the building poses a significant risk to safety or property; or*
 - ii. the demolition is required to allow for significant public benefit that could not otherwise be achieved, and the public benefit outweighs the adverse effects of loss of the building; and*
- b) there is no reasonable alternative to demolition, including repair, adaptive re-use, relocation or stabilising the building for future repair; and*
- c) for buildings and structures located within a heritage precinct:*
 - i. development post demolition will maintain or enhance the heritage streetscape character and amenity in accordance with Policy 13.2.3.6; and*
 - ii. conditions will be imposed which would give reasonable certainty that this will be completed within an acceptable timeframe.*

Comment:

a) i. The engineering assessments provided with the application identify the existing protected buildings as a significant risk to safety or property in the case of a seismic event. The seismic assessment has assessed the buildings as 7% NBS at IL2, which places them in the lowest seismic risk category. The poor physical condition of the un-maintained buildings has clearly contributed to this low seismic assessment and, based on the reinstatement report prepared by Flanders Marlow, the buildings are now beyond feasible repair and strengthening in terms of their cost.

a) ii. It is considered that no significant public benefit will be gained from the commercial redevelopment of the site requiring the demolition of the protected heritage buildings.

b) The structural engineer's report and the reinstatement report prepared by Flanders Marlow, conclude that the existing buildings are now beyond feasible repair and re-use, and have recommended their demolition on this basis. Council has not peer reviewed these reports, but based on the clear visual evidence of the buildings' dilapidated condition, the findings of the reports are considered objective.

c) i. It is considered that the heritage streetscape character of the High Street Residential Heritage Precinct will be maintained by the sympathetic design of the proposed new units, as discussed previously.

c) ii. It is recommended that a condition is placed on any grant of consent to ensure the development is completed within an acceptable timeframe and so that a 'gap' is not left in the heritage precinct.

Conclusion – the proposed application does meet the criteria for allowing the demolition of the protected part of a scheduled heritage building, as specified in Policy 13.2.1.7, as it has been assessed as meeting all three required criteria.

General assessment guidance:

c) The assessment for resource consent for demolition of a scheduled heritage building will consider the information provided with the consent application (see Special Information Requirements - Rule 13.9.1).

Rule 13.9.1: For resource consent applications proposing demolition of a scheduled heritage building, the following is required:

- 1. A Heritage Impact Assessment addressing the effect the demolition will have on heritage values, including a full discussion of the alternatives considered, including quantified reasons why the alternatives are not reasonable.*

Comment:

As a consequence of the Request for Further Information, it is considered that the information requirements for an application proposing demolition of a scheduled heritage building have been met.

Summary

In summary, the Application for the demolition of Scheduled Heritage Building B308 at 332 High Street, generally does not meet the strategic directions and broader heritage policies and objectives of the 2GP, that seek to protect scheduled buildings from demolition. As such, the effects of the Application on the heritage values of the existing buildings are considered to be adverse. However, where demolition is allowed under the 2GP due to specific criteria being met (Policy 13.2.1.7 a) - c)), it has been assessed that these criteria have been met. Therefore, a consent for their demolition can be granted upon the basis that they are beyond reasonable and feasible repair and re-use (or relocation), and that the design of the proposed new residential units will maintain the heritage streetscape character of the High Street residential Heritage Precinct.

It has been noted that there is a potential risk for creating a precedent through the granting of this consent, based on the observed neglect that has led to the proposed demolition. However, more detailed assessment of this potential is at the discretion of the processing planner.

Recommended conditions:

Standard condition on final colour palette to be approved by council.

Standard condition on requiring the development to be completed within a reasonable timeframe.

Kind regards,

Dr Andrea Farminer
Heritage Advisor
City Development



Memorandum

TO: Kirstyn Lindsay, Consultant Planner
FROM: Peter Christos, Urban Designer
DATE: 16-Sept-2019
SUBJECT: Land Use Consent - Description
 LUC-2019-436 332 High Street

Hi Kirstyn,

Regarding the above application and likely effects on streetscape values. This application relates to the proposed demolition and replacement building on the subject site. The site is zoned Inner City Residential and is within The High Street Heritage Precinct. The building is also listed on DCC Scheduled A1.1 -Scheduled Heritage Buildings (B308) with protection afforded to 'façade and bulk appearance to High Street'. 332 High Street is a large double storied Victorian timber terrace-villa. It is raised above the street level on the north side of High Street. There is no vehicle access onto the site and the original pedestrian steps and gates are intact.

Demolition of Scheduled Building:

DCC drainage records, associated with 330-332 High Street, date back to 1907 while a 1923 plan indicates alterations to the High Street façade and entrances. The property remains in four units while a large addition was built onto the back of the building 1988. The building presents to High Street with much of its original/early detailing in place. 332 High Street is prominent on High Street as well as being aligned with the view shaft along the length of Melville Street. It is part of an almost uninterrupted series of heritage buildings that make a positive contribution to the streetscape between Clark and Grant Streets.

Generally, the condition of heritage buildings on High Street is good and there appears to have been some focus on improvements in the past few years. Several wooden villas close to the subject site, have been repainted. In contrast, 332 High Street appears to have received very little maintenance. A brief site visit showed broken windows (the property was scattered with broken glass), sections of rotted exterior walls, rot to some sections of eaves and collapsed spouting. The building is in a clear state of deterioration and open to the weather in several places. Having said this, there were no obvious signs of leaning or sagging that may suggest catastrophic failure – although this would need to be substantiated by a qualified person.

High Street has a high level of authenticity as much of the heritage architecture is intact. It is the frequency and quality of these buildings that is important to the streetscape and therefore, demolition must be considered as having negative effects on the streetscape values.

Proposed Buildings:

The proposed new build would yield nine two-bedroom units and associated car parks. This would be achieved with two buildings. A front (south) building with five units and a rear (north) building with four units. Car parking would be established between the two buildings while outdoor amenity space would be provided for as follows; to the east of unit A and B, to the west and adjoining the proposed driveway, for units C-E and to the north of units F-I. All of these spaces would be accessed from living areas.

The design relies largely on replicating the existing villa frontage and the applicant has expressed a willingness to reuse existing elements/materials into the new design. The

applicant has also responded to feedback that suggested it was important to include a front door/entrance to High Street. This has been included in the design however the door is decorative only as it would be against a laundry and stair well. Doorways and entrances should provide a positive interface between private space and the public realm. There should be detectable pedestrian activity otherwise, they are simple facadism. Without further details, such as- window/door design, exact colours, cladding and roofing specifications/details etc., it is difficult to comment further on the proposed building, other than cladding.

Two separate cladding systems are proposed. Rusticated weather board would be used on the south, east and west facades of units A and B (and a small section of south faced of unit C). The north building, and the back half of the south building, would be clad with board and battens. The use of weather board is important as it is a typical material within the heritage precinct however, the proposed board and batten system is clearly to reduce costs. Given more of the east and west facades will be visible because of a reduced street setback, I would suggest that a better outcome would be to clad all visible (from the street) with weatherboard.

In my view, some verification of details, as discussed above, would be required to form a definitive assessment of effects. Having said this, I do not feel that the proposed design is without merit I simply feel that to avoid negative effects, detailing (especially of the street façade) would need to be of an appropriately high level.

Regards,
Peter Christos,
Urban designer.

Campbell Thomson

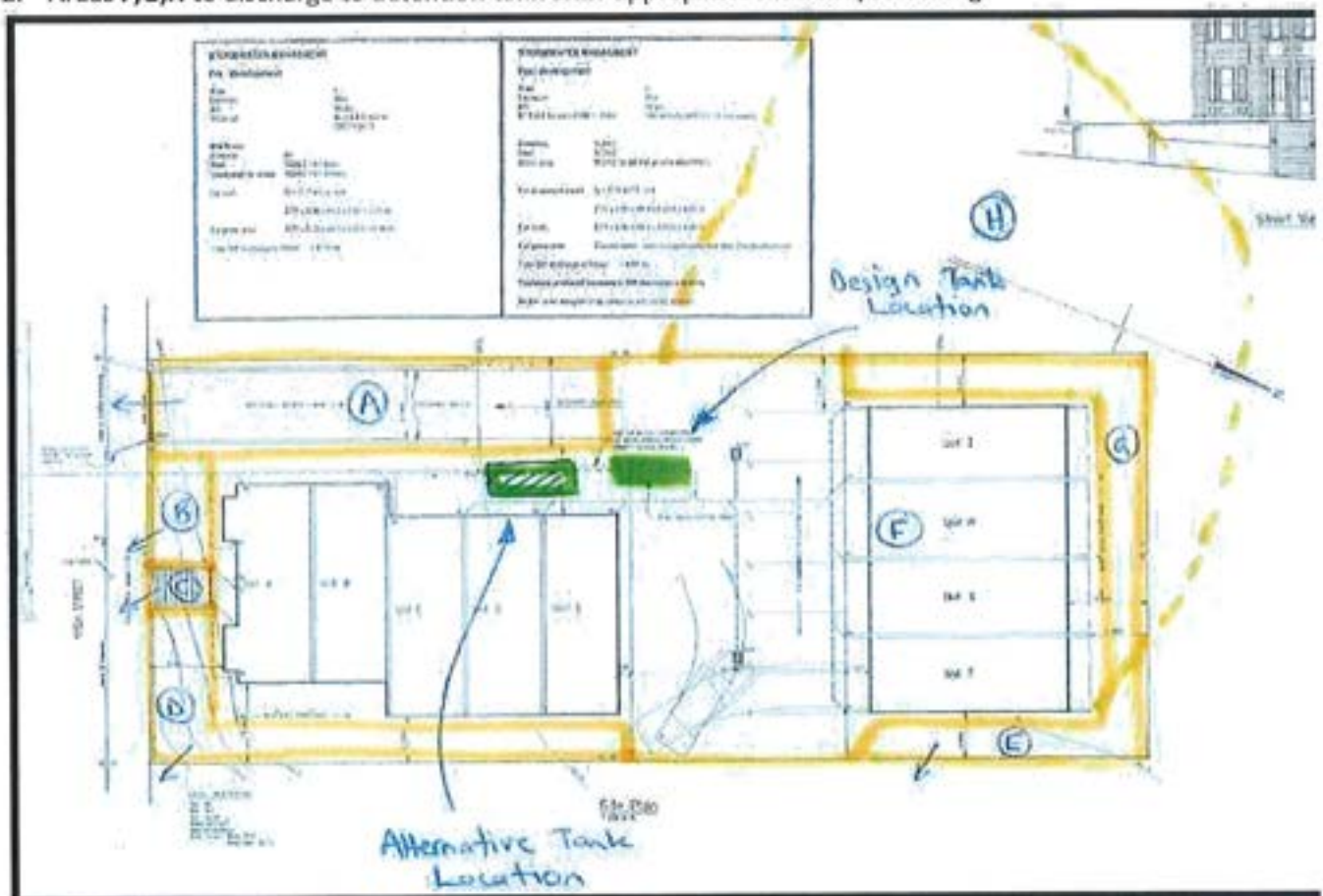
From: Jakub Kochan
Sent: Friday, 18 June 2021 10:20 a.m.
To: Kurt Bowen
Cc: Nic Jepson; Neville MacKay; Alyssa Henderson; Raymond Currie
Subject: SWMP Approved by 3 Waters. 332 High Street - SWMP, LUC-2019-436.
Attachments: 332 High Street - SMP.pdf

Hi Kurt,

This is to advise that attached SWMP for 332 High Street (LUC-2019-436) is now approved by 3 Waters.

Notes:

1. Applicant demonstrated that the underground detention tank is a feasible option for managing SW within this site
2. Areas F,G,H to discharge to detention tank after appropriate filtration/screening.



3. Detention tank details.

Summary

- 1 The 10-year ARI critical event flow for the site in its pre-development form is 11.4 litres per second.
- 2 The maximum discharge rate from the detention tank is calculated by the pre-development flow less the uncontrolled post-development flows. Therefore 11.4 l/s less 1.4 l/s = 10.0 l/s.
- 3 The proposed storage tank, with an internal storage depth of 1.2m, a restricted orifice of 65mm and a storage capacity of 6,000 litres will ensure that the maximum discharge flow does not exceed the allowable discharge flow of 10.0 l/s, and that the tank will be able to cater for all 10-year ARI post-development scenarios.
- 4 The existing off-site catchment flow that presently passes through the site will be redirected by the proposed development, however this will have no effect on the network as it will quickly reach the same catchment that it presently feeds (just a short distance upstream of its present collection point).
- 5 The landowner is recommended to install debris catch-traps in the roof gutter systems and yard sumps in order to prevent debris from entering (and potentially blocking) the detention tank.
- 6 The landowner is recommended to establish a maintenance program for the detention tank.

Yours faithfully

PATERSON PITTS LIMITED PARTNERSHIP

Best Regards,
Jakub

From: Kurt Bowen
Sent: Thursday, 17 June 2021 4:13 p.m.
To: Jakub Kochan
Subject: 332 High Street - SMP

Hi Jakub

Please find the attached SMP for the site at 332 High Street.
My calculations have concluded that a tank of 6,000 litres, with an orifice of 65mm and an internal depth of 1.2m, will cater for all 10-year ARI event scenarios.
This SMP includes allowances for i) off-site catchments that are presently draining into the property and ii) several areas of the post-development site that are not able to be captured by the proposed tank (i.e. uncontrolled catchments).

If you can please review this SMP and issue an approval for this design, that would be appreciated.

Please feel free to give me a call if you have any questions.

Regards
Kurt

Kurt Bowen

Principal

M 021 456 487**E** kurt.bowen@ppgroup.co.nz

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TO: City Planning

FROM: Development Support Officer, 3 Waters

DATE: 21 September 2021

LUC-2019-436 **9 UNIT DEVELOPMENT**

SUBJECT: **332 HIGH STREET, DUNEDIN**

3 WATERS COMMENTS

1. The proposed activity

Landuse consent is sought to demolish an existing eight-bedroomed dwelling on the site located at 332 High Street and establish a nine-unit residential development. The site is within the Residential 4 zone in the current District Plan and the Inner City Residential zone in the Second Generation District Plan (2GP).

Existing services

The DCC's GIS records a 50mm diameter water pipe, 150mm diameter wastewater pipe and a 225mm diameter stormwater pipe in High Street.

Density assessment

The Inner City Residential Rules are under appeal so both the Operative District Plan and 2GP rules must be considered.

Operative plan

Residential 4 rules in the Dunedin District Plan set density rules of one unit per 200m² of site size. The overall site is 1012m² which would allow 5 units. The site is 788m² undersized for 9 units.

2GP

The property is zoned Inner City Residential under the 2GP which allows for 1 habitable room per 45m². This site is 1012m² which allows for 22 bedrooms and the applicant is proposing 18.

2. Assessment of effects on 3 waters infrastructure

The DCC has hydraulic models for many of the City's water, wastewater and stormwater networks. The effect of new development on those networks can be evaluated against current performance, and against foreseeable future demand. District Plan zoning indicates where development is anticipated, and the density of development.

Development beyond that anticipated by the District Plan may:

- Be accommodated by existing infrastructure, both now and in the foreseeable future;
- Be accommodated by existing infrastructure only because anticipated permitted development in other areas has not yet occurred; or
- Not be able to be accommodated without upgrade or expansion of existing infrastructure.

Where there are capacity issues in the water network, water may not be able to be physically supplied, and the proposed development could cause pressure losses to existing customers. Where there are capacity issues in the drainage network, downstream wastewater and/or stormwater surcharge and flooding will be exacerbated. The 3 Waters Hydraulic Modeller has assessed this application as described below.

Water

No issues have been identified with supplying water to this development.

Wastewater

With wastewater although the system does not indicate surcharges in the downstream sections the model is not well represented in the vicinity of the proposed construction. As such to minimize risk of surcharging and overflows it is required to keep the flows to minimum by using water saving devices and to ensure there is no cross connection between the stormwater and the sewer systems from the site.

Stormwater

The stormwater model is incomplete and there are known issues of water ponding in this area. Therefore it is required to keep the post runoffs equal to pre runoffs to avoid risk of flooding due to cumulative flows from similar developments in future.

3. Infrastructure requirements

Code of Subdivision & Development 2010

All aspects of this development shall be undertaken in accordance with the requirements of the Dunedin Code of Subdivision and Development 2010.

Water services

The Dunedin City Council Water Bylaw 2008 (revised 2011) sets out the requirements for connections to the water supply network.

Each lot must be serviced from an individual Point of Supply. There is an existing water connection to the property which will need to be up sized in order to accommodate the 9 unit development. For any change to an existing water connection, an "Application for Water Supply" is required.

Non-domestic water connections are metered and require a boundary RPZ backflow prevention device. Installation of an RPZ requires a building consent, or an exemption from a building consent. Details of the device and its proposed location will be approved through that process.

Firefighting requirements

All aspects relating to the availability of water for firefighting should be in accordance with SNZ PAS 4509:2008, being the Fire Service Code of Practice for Fire Fighting Water Supplies.

There is a Fire Hydrant (WFH02788) 20 m from the development entrance. Based on SNZ PAS 4509:2008 a FW2 (25l/s) zone requires a Fire Hydrant within 135 m and a second within 270 m. These Fire Hydrants requirements are compliant for the development.

Stormwater services

The proposal is non-compliant to the Operative District Plan rules of minimum density for a Residential 2 zone. To determine how the extra flow generated due to developing the site further is managed, a Stormwater Management Plan (SWMP) is required.

A Stormwater Management Plan (SWMP) prepared by a suitably qualified person must be submitted to Dunedin City Council including the following:

- a. Stormwater calculations which state the difference between the pre-development flows and post-development flows and how to manage any difference in flow; and
- b. An assessment of the current and proposed imperviousness of the site; and
- c. Secondary flow paths; and
- d. Any watercourses located within the property; and
- e. Detail of proposed stormwater management systems for the development to accommodate for any excess runoff from extra impervious surfaces; and
- f. An assessment of the current network and its ability to accept any additional flow from the proposed development.

The SWMP must be submitted and accepted by 3 Waters prior to any construction commencing.

To allow adequate pervious area for natural stormwater drainage, the maximum site coverage specified in the District Plan must be complied with. Please note that there are new site coverage rules in the 2GP for both building coverage and maximum site imperviousness.

Wastewater services

To reduce water consumption and therefore the volume of wastewater generated, the consent holder must install water saving devices, including but not limited to, low-flow shower heads, 6/3 dual flush toilets and aerated sink mixers.

Easements

Discuss if relevant.

4. Consent conditions

The following conditions should be imposed on any resource consent granted:

Water services

2. Each lot shall have a separate service connection installed. An "Application for Water Supply" shall be submitted to the Dunedin City Council for approval to change the connection by upsizing and adding a meter to the existing connection. Details of how this property is to be serviced for water shall accompany the "Application for Water Supply".
3. An RPZ boundary backflow prevention device shall be installed on the water connection, to the satisfaction of the 3 Waters (refer to advice note).

Stormwater services

4. A Stormwater Management Plan for the subdivision shall be provided to Dunedin City Council for approval prior to construction commencing. The Stormwater Management Plan must outline how stormwater from each lot will be managed to ensure post-development flows do not exceed pre-development flows, and identify and address any downstream effects of the stormwater generated by the development, including any mitigation required.

Wastewater services

5. The consent holder must implement water saving devices, including but not limited to, low-flow shower heads, 6/3 dual flush toilets and aerated sink mixers.

5. Advice notes

The following advice notes may be helpful for any resource consent granted:

Code of Subdivision & Development

- All aspects of this development shall be compliant with Parts 4, 5 and 6 of the Dunedin Code of Subdivision and Development 2010.

Water services

- Detail of the water supply application process can be found at <http://www.dunedin.govt.nz/services/water-supply/new-water-connections>.
- All aspects relating to the availability of water for fire-fighting should be in accordance with SNZ PAS 4509:2008, being the Fire Service Code of Practice for Fire Fighting Water Supplies, unless otherwise approved by the New Zealand Fire Service.

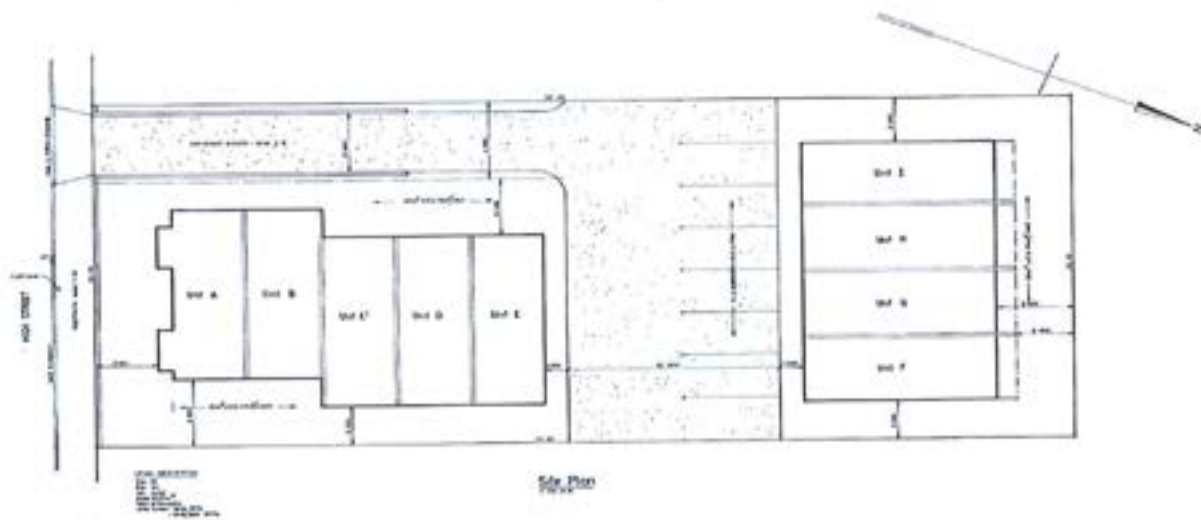
Erosion and sediment control

- The following documents are recommended as best practice guidelines for managing erosion and sediment-laden run-off:
 - Environment Canterbury, 2007 "Erosion and Sediment Control Guideline 2007" Report No. R06/23.
 - Dunedin City Council "Silt and Sediment Control for Smaller Sites" (information brochure).

Development Support Officer
3 Waters
Dunedin City Council

CC: Engineering Technician

Hydraulic Modeller



Campbell Thomson

From: Naveen Kadaba
Sent: Tuesday, 17 September 2019 03:44 p.m.
To: Logan Boyd
Subject: RE: LUC-2019-436 - Memo Request for comments - 332 High Street, Dunedin

Hi Logan,

There are no issues with potable water.

With sewer although the system does not indicate surcharges in the d/s sections the model is not well represented in the vicinity of the proposed construction. As such to minimise risk of surcharging and overflows it is recommended to keep the flows to minimum by using water saving devices and to ensure there is no cross connection between the stormwater and the sewer systems from the site.

The stormwater model is bit incomplete and there are known issues of water ponding in this area. Therefore it is recommended to keep the post runoffs equal to pre runoffs to avoid risk of flooding due to cumulative flows from similar developments in future.

Thanks

Naveen

From: Logan Boyd <Logan.Boyd@dcc.govt.nz>
Sent: Thursday, 12 September 2019 8:59 a.m.
To: Naveen Kadaba <Naveen.Kadaba@dcc.govt.nz>
Subject: FW: LUC-2019-436 - Memo Request for comments - 332 High Street, Dunedin

Hi Naveen,

Resource consent is sought to demolish an existing eight-bedroomed dwelling on the site located at 332 High Street and establish a nine-unit (2 bedroom) residential development. Site size 1012m².

The zoning is under appeal so both the Operative District Plan and 2GP rules must be considered.

The site is zoned Residential 4 under the Operative Plan which allows for a density of not less than 200m² per residential unit. This mean the on this site they can only have 5 residential units, but they are proposing 9.

The property is zoned Inner City Residential under the 2GP which allows for 1 habitable room per 45m². This site is 1012m² which allows for 22 bedrooms and the applicant is proposing 18.

Can you please let me know of any capacity constraints in the area that this development may affect?

Would it be possible to have it by Monday too?

Thanks,
 Logan

Subject: LUC-2019-436 - Memo Request for comments - 332 High Street, Dunedin

New Zealand



Memorandum

TO: Gabi McFarlane

FROM: Seepage Control Unit

DATE: 10 September 2019

SUBJECT: **LUC-2019-436**
332 High Street
Dunedin

All private drainage matters will be dealt with at time of Building Consent.

Technical Support Officer

Neville Mackay

Campbell Thomson

From: Logan Copland
Sent: Wednesday, 12 May 2021 02:45 p.m.
To: Kirstyn Lindsay
Cc: Transport; Trevor Watson; Laura Mulder
Subject: RE: FW: LUC-2019-436 - Request for Further Information - 332 High Street, Dunedin
Attachments: LUC-2019-436 332 High Street Comments.docx

LUC-2019-346 332 High Street, additional Transportation comments

Hi Kirstyn,

I have reviewed the updated plans, as requested. I have responded to the below matters in the same order i.e. Items 11-15 in your email below.

11. Car Park 1 has been widened to 2.8m as requested. The space will be difficult to exit if entered in a forward manner because the egress/access is directly behind it. It is noted however that the space can be entered with relative ease should vehicles choose to drive beyond the space and reverse in on entry. Since the car parking area is limited in scale and noting that it services a limited number of residential units, this is accepted. An advice note should be placed on the consent to alert buyers/users of the constraints noted above. A review condition is also recommended to ensure any unforeseen adverse effects are suitably managed.

12. Car 8 appears to have been removed as it is not numbered. I note this space is not wide enough to operate as a car park. This area should be clearly marked as 'no parking'. A condition should be included to that effect.

13. The car parking dimensions comply with the 2GP requirement for a residential car park as contained within Rule 6.6.1.1.a. Subject to the comments under Point 11, this is therefore accepted.

14. Sheet 1 of the updated plan set shows the sealed car parking area will have a flat gradient (no number specified). A condition requiring the gradient of the surface of the parking area is no greater than 1 in 20 in any one direction is therefore appropriate and perfectly achievable.

15. The plan confirms a max gradient of 1 in 8 for at least the first 5.0m of the access (determined from the 1:100 scale on the section provided on Sheet 1). A condition that reinforces this requirement is therefore appropriate and perfectly achievable. The summit change in gradient will be from +12.5% to +6.67%. This will easily comply with the maximum of 12.5% change in gradient at the summit as per Rule 6.6.3.7.a. Conditions should be imposed on the consent to reinforce these requirements.

The conditions and advice notes in the attached document should be retained, and the following conditions and advice notes also added:

Conditions:

- (i) The maximum gradient of the first 5.0m of the vehicle access, measured from the road boundary, must not exceed a gradient of 1 in 8.
- (ii) The area adjacent to Car Park 7 must be marked as 'no parking'.
- (iii) A review condition should be imposed on the consent pursuant to Section 128 of the RMA insofar as it relates to Car Park 1, due to the constraints identified above (location of egress/access being directly behind it).

Advice Notes:

- (i) It is recommended that Car Park 1 be entered on a reverse gear to enable ease of egress in a forward gear.

Any questions, please ask.

Regards
Logan

Logan Copland
PLANNER
TRANSPORTATION

P 03 477 4000 | M 021 951 290 | E logan.copland@dcc.govt.nz
Dunedin City Council, 50 The Octagon, Dunedin
PO Box 5045, Dunedin 9054
New Zealand
www.dunedin.govt.nz

From: Logan Copland
Sent: Tuesday, 4 May 2021 5:18 p.m.
To: Kirstyn Lindsay
Subject: RE: FW: LUC-2019-436 - Request for Further Information - 332 High Street, Dunedin

Okay Kirstyn - will do.

Cheers
Logan

Sent from my Galaxy

----- Original message -----

From: Kirstyn Lindsay <kirstyn@planningsouth.nz>
Date: 4/05/21 4:57 pm (GMT+12:00)
To: Logan Copland <Logan.Copland@dcc.govt.nz>
Cc: Laura Mulder <Laura.Mulder@dcc.govt.nz>
Subject: Re: FW: LUC-2019-436 - Request for Further Information - 332 High Street, Dunedin

Hi Logan,

Kirsten recommended a number of conditions which I thought it was appropriate for the applicant to confirm that they could comply with. These were included in the further information request. It would be good if you can assess the revised plans against the requested further information below noting of course that rules and/or assessment criteria have also altered in the past two years :

Given the location of the site on High Street, an urban high-density collector road, ensuring adequate provision is made for parking and manoeuvring is key to avoiding vehicles reversing onto High Street and adversely impacting on the safe and efficient functioning of the transportation network. While the application proposes the provision of eight parking spaces, the functionality of the parking area requires some consideration to avoid potential effects that extend beyond the site's boundaries.

The carparks located adjacent to the site's side boundaries are not considered of a suitable width to enable their accessibility and manoeuvrability. Both of these parks are required to be widened by 300mm to address this potential

effect.

Additionally, the manoeuvring space associated with the park at the eastern end of the park has not been appropriately considered, as additional aisle length has not been proposed to assure the availability of appropriate manoeuvring space. The transportation planner considers that these issues can be readily resolved via the removal of this carpark. The overall development only requires five parks in accordance with the provisions of Rule 15.5.8, and the removal of one park will not result in any additional non-compliances.

11. Please advise if the applicant offers to widen the carparks located adjacent to the site's side boundaries by 300mm? Alternatively, a parking assessment of the current parking arrangements by a suitably qualified person is required.

12. Please advise if the applicant offers to remove the car park at the eastern end of the car park area to provide for manoeuvring space? Alternatively, a parking assessment of the current parking arrangements by a suitably qualified person is required.

13. Please demonstrate that sufficient manoeuvring space is provided on the site to prevent vehicles reversing directly onto or off High Street. The area must be large enough so that an 85th percentile design motor car is required to make no more than two reversing movements when manoeuvring.

14. Please confirm that the gradient of the surface of the parking area is no greater than 1 in 20 in any one direction. The application is also silent on the gradient of the proposed access, aside from noting an overall gradient of 1:8.

15. Please confirm that the vehicle access from High Street is designed to minimise longitudinal gradients; and the maximum change in gradient without transition for all vehicular access is no greater than 1 in 8 for summit grade changes or 1 in 6.7 for sag grade changes.

Cheers, Kirstyn

Kirstyn Lindsay
Resource Management Planner
Southern Planning Solutions Limited
kirstyn@planningsouth.nz
027 308 8950

Please note that I work away from the office on secondment each Wednesday and am unavailable during this time.



Hi Kirstyn,

I did an email search and see that Kirstyn prepared comments (attached).

Are these sufficient or is further review needed?

Thanks

Logan

Logan Copland

**PLANNER
TRANSPORTATION**

P 03 477 4000 | M 021 951 290 | E logan.copland@dcc.govt.nz

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From: Kirstyn Lindsay <kirstyn@planningsouth.nz>

Sent: Tuesday, 27 April 2021 11:12 a.m.

To: Andrea Farminer <Andrea.Farminer@dcc.govt.nz>; Peter Christos <Peter.Christos@dcc.govt.nz>; Logan Copland <Logan.Copland@dcc.govt.nz>; Alyssa Henderson <Alyssa.Henderson@dcc.govt.nz>

Cc: Phil Marshall <Phil.Marshall@dcc.govt.nz>; Laura Mulder <Laura.Mulder@dcc.govt.nz>

Subject: Fwd: FW: LUC-2019-436 - Request for Further Information - 332 High Street, Dunedin

TO: Planner

FROM: Consultant Planner – Transport

DATE: 12 September 2019

SUBJECT: LUC-2019-436 332 HIGH STREET

APPLICATION:

This application relates to the construction of nine, two bedroom, two storey residential units in two blocks on the subject site. Eight carparks are proposed on the site, and they will be accessed via a driveway at the south-western side of the site.

The site is zone Residential 4 under the Operative District Plan and subject to a heritage precinct overlay. The building is scheduled as B308, and High Street is a district road under the operative District Plan.

The site is zoned Inner City Residential Zone of the 2GP, and is subject to overlays relating to archaeology and heritage. The existing dwelling is identified as B308, and its demolition is a non-complying activity. The establishment of a multi-unit development is a restricted discretionary activity. High Street is classified as an urban high density corridor under the proposed 2GP.

Transport's consideration relates to the following matters:

- Rule 15.5.8, which requires that a development of 18 habitable rooms is required to provide five carparks. Eight carparks are proposed.
- Rule 6.6.1.1, which requires stall widths to be increased by 300mm where they are bounded by a permanent obstruction, and the extension of the aisle 1 metre beyond the last parking space. This impacts on the two parks proposed at either side of the site.
- Rule 6.6.1.2 which requires adequate manoeuvring to be provided that prevents vehicles reversing to an urban high density corridor. No more than two reverse manoeuvres may be required for this on-site manoeuvring.
- Rule 6.6.1.3, which requires 6 metres of on-site queuing space for vehicles entering or exiting a parking area for between 5 and 20 vehicles. In this instance, no queuing space is proposed.
- Rule 6.6.1.5, which requires the parking, access and manoeuvring areas are suitably drained, hard surfaced, and appropriately marked. The application does not confirm this aspect of the proposal.

In this instance¹ no subdivision is proposed.

PARKING AND MANOEUVRING:

Given the location of the site on High Street, an urban high density collector road, ensuring adequate provision is made for parking and manoeuvring is key to avoiding vehicles reversing onto High Street and adversely impacting on the safe and efficient functioning of the transportation network. While

¹ Should the site be subdivided, under the proposed 2GP one park will be required for each unit, however as no subdivision is currently proposed, compliance with the parking requirements can be assessed on the basis of the entire development.

the applicant has proposed the provision of eight parking spaces, the functionality of the parking area requires some consideration to avoid potential effects that extend beyond the site's boundaries.

The carpark located adjacent to the site's side boundaries are not of a suitable width to enable their accessibility and manoeuvrability. Both of these parks are required to be widened by 300mm to address this potential effect. Additionally, the manoeuvring space associated with the park at the eastern end of the park has not been appropriately considered, as additional aisle length has not been proposed to assure the availability of appropriate manoeuvring space. These issues can be readily resolved via the removal of this carpark, and a condition is recommended to this effect. Further, it is noted that the overall development requires only 5 parks in accordance with the provisions of Rule 15.5.8, and the removal of one park will not result in any additional non-compliances.

Based on this assessment, parking and manoeuvring space in conjunction with the development is not considered to impact on the safe and efficient functioning of the transportation network in the vicinity of the site.

Finally, it is noted that the application is silent as to the gradient of the parking area, and Transport's standard condition is recommended to address this potential effect.

ACCESS:

The proposed driveway at the south-western side of the property meets most requirements identified in the proposed 2GP. The proposal does not indicate the provision of 6 metres of queuing space for vehicles using the driveway, however given the design and layout of the parking area, which generally meets the requirements of the proposed 2GP, it is considered that adequate space has been retained on the site to enable vehicles to queue and manoeuvre within the parking area. On this basis, the layout is considered appropriate for the number of vehicles expected to regularly use the parking area.

The application is also silent on the gradient of the proposed access, aside from noting an overall gradient of 1:8. It is appropriate that the Council's standard conditions are applied to clarify the criticality of providing suitable access to the site.

GENERATED TRAFFIC:

It is considered that the effects of this proposal on the transportation network will be no more than minor.

CONCLUSION

Transport considers the effects of this proposed development on the transportation network to be no more than minor, subject to the following condition(s) and advice note(s):

CONDITIONS:

1. On site parking must be provided for no more than seven vehicles. The carpark must be permanently marked and comply with the minimum dimensions stipulated for residential activities in the proposed Second Generation District Plan.
2. Any parking spaces with a permanent obstruction or wall on one side must be a minimum of 2.8m width.
3. The surface of all parking, associated access and manoeuvring areas shall be formed, hard surfaced and adequately drained for their entirety, and parking spaces permanently marked.
4. The driveway shall be kept free of obstructions to ensure that the residential parking spaces are readily accessible at all times.

5. Sufficient manoeuvring space shall be provided on the site to prevent vehicles reversing directly onto or off High Street. The area shall be large enough so that an 85th percentile design motor car is required to make no more than two reversing movements when manoeuvring.
6. The gradient of the surface of the parking area shall be no greater than 1 in 20 in any one direction.
7. Vehicle access shall be designed to minimise longitudinal gradients; and the maximum change in gradient without transition for all vehicular access shall be no greater than 1 in 8 for summit grade changes or 1 in 6.7 for sag grade changes.
8. Any damage to any part of the footpath or road formation as a result of the demolition or construction works shall be reinstated at the applicant's cost.

ADVICE NOTES:

- a) The vehicle crossing, between the road carriageway and the property boundary, is within legal road and will therefore require a separate Vehicle Entrance Approval from DCC Transport to ensure that the vehicle crossing is constructed/upgraded in accordance with the Dunedin City Council Vehicle Entrance Specification (note: this approval is not included as part of the resource consent process).
- b) The applicant will require a TMP, prepared by a suitably qualified person, if the proposed works affect the normal operating conditions of the transport network. The TMP will need to be approved by Transport, prior to any works commencing.

Campbell Thomson

From: MWH Hazards Team <MWHHazardsTeam@stantec.com>
Sent: Wednesday, 5 May 2021 04:26 p.m.
To: Laura Mulder; MWH Hazards Team
Cc: 'Kirstyn Lindsay'
Subject: RE: FW: LUC-2019-436 - Request for Further Information - 332 High Street, Dunedin

Hi,

I don't believe we have any more input to give for this application.

Regards,

Edward Guerreiro
 BEng Civil
 Civil Engineer

Mobile: +64 21 866 028
 Email: edward.guerreiro@stantec.com

Stantec New Zealand
 134a Gorge Road,
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From: Laura Mulder
Sent: 27 April, 2021 11:42 AM
To: MWH Hazards Team
Cc: 'Kirstyn Lindsay'
Subject: FW: FW: LUC-2019-436 - Request for Further Information - 332 High Street, Dunedin



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From: Kirstyn Lindsay <kirstyn@planningsouth.nz>

Sent: Tuesday, 27 April 2021 11:12 a.m.

To: Andrea Farminer <Andrea.Farminer@dcc.govt.nz>; Peter Christos <Peter.Christos@dcc.govt.nz>; Logan Copland <Logan.Copland@dcc.govt.nz>; Alyssa Henderson <Alyssa.Henderson@dcc.govt.nz>

Cc: Phil Marshall <Phil.Marshall@dcc.govt.nz>; Laura Mulder <Laura.Mulder@dcc.govt.nz>

Subject: Fwd: FW: LUC-2019-436 - Request for Further Information - 332 High Street, Dunedin

Hi Team

In 2019 an application was lodged to demolish the dwellings at 332 High Street and replace it with a number of residential units (LUC-2019-436). A further information request was made (attached).

The applicant provided the engineering report in August 2020 (attached) and the rest of the further information today (attached).

Can you please review and determine if it meets the S92 request in respect of your relevant areas, and determine if the request raises any additional points to be addressed. Can you please then provide comments by 7 May 2021.

Laura - can you please also forward this onto Stantec?

Ngā Mihi

Kirstyn Lindsay

Resource Management Planner

Southern Planning Solutions Limited

kirstyn@planningsouth.nz

027 308 8950

Please note that I work away from the office on secondment each Wednesday and am unavailable during this time.

