

HEARINGS COMMITTEE AGENDA

MONDAY, 9 JUNE 2025, 9.00 AM
Plaza Conference Room, Civic Centre
50 The Octagon, Dunedin

MEMBERSHIP:

Commissioner Megan Justice and Councillors Kevin Gilbert and Jim O'Malley

IN ATTENDANCE:

Ian McCabe (Associate Senior Planner/Committee Advisor),
Karen Bain (Associate Senior Planner) and Wendy Collard
(Governance Support Officer)

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

1 RESOURCE CONSENT APPLICATION – LUC-2024-380, 404 Allanton Road, East Taieri

Introduction

Applicant to introduce themselves and their team.

Procedural Issues

Any procedural matters to be raised.

Presentation of the Planner's Report

Report from Karen Bain

Refer to pages 1 - 36

The Applicant's Presentation

Application

Refer to pages 37 – 81

Further Information and Written Approvals

Refer to pages 82 – 139

Updated Site Plan

Refer to pages 140 - 141

Council Officer's Evidence

- Memorandum from Transport Planner
Refer to pages 142 - 146
- Email from Consultant Geotechnical Engineer
Refer to pages 147 - 148

Recommended Conditions

Refer to pages 149 – 153

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 – 404 Allanton Road, East Taieri	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 Committee

FROM: Karen Bain, Associate Senior Planner

DATE: 22 May 2025

SUBJECT: **RESOURCE CONSENT APPLICATION LUC-2024-380**
404 ALLANTON ROAD, EAST TAIERI

INTRODUCTION

- [1] This report has been prepared on the basis of information available on 22 May 2025. 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 below, I recommend that the proposal be **granted**.

BACKGROUND

- [3] Subdivision consent SUB-2022-16 was issued in March 2022, and authorised a two lot subdivision, to create a 1.0ha lot around the existing residential dwelling at 404 Allanton Road, to separate it from the historic buildings within the overall property. The balance land was amalgamated with Lot 2 DP 568084 (406 Allanton Road). Land use consent LUC-2022-58 was issued at the same time, authorising the existing residential activity on an undersized rural site, and residential activity within a flood hazard overlay.
- [4] The subdivision has been completed, and titles were issued in September 2022.
- [5] Land use consent LUC-2023-306 was issued in August 2023, and authorised the establishment of a 220m² shed within the side yard setback.

DESCRIPTION OF PROPOSAL

- [6] Resource consent is sought to establish an industrial business at 404 Allanton Road, involving the construction of up to three relocatable homes at any one time. A new circular driveway suitable for heavy vehicles is to be established, for use by trucks delivering materials, and transporting the completed homes from the site. The driveway will be 5.0m wide and will have a compacted mineral aggregate surface. The house-building area will either be grassed, or have a compacted mineral aggregate surface.
- [7] The existing shed and workshop building within the property will be used for storage of materials and construction of parts of the relocatable dwellings.

- [8] Five car parks are provided near the shed/workshop, one of which will be an accessible car park.
- [9] The applicant anticipates employing up to four builders, and engaging a range of sub-contractors to complete each transportable dwelling.
- [10] The hours of operation, including deliveries and relocation of completed dwellings, will be Monday to Friday, 7am to 7pm, excluding public holidays.
- [11] A sign on the fence at the entrance to the site is proposed, and is to feature the words "Slow down, Outram Homes this way, Viewing by appointment only". The sign will have a maximum area of 2m², and the height of the lettering on the sign will be no less than 160mm. It will not be illuminated or digital. Directional signage within the site is also proposed.
- [12] Earthworks are proposed to create the driveway, and a bund between the driveway and existing septic tank. The earthworks comprise excavations of 381m³ and a maximum (cut) depth of 0.3m, and will be over a total area of 2312m². The application indicates all soil is to be kept on site, and used for the formation of the earthworks bund. The bund will be 2m wide, a maximum height of 1.0m, and approximately 85m long. If the house build area is to be gravelled, additional excavations of 312m³ to a depth of 0.3m would be required (resulting in a total volume of excavations of 693m³).
- [13] The location of the building area, driveway and bund are shown in the following image:

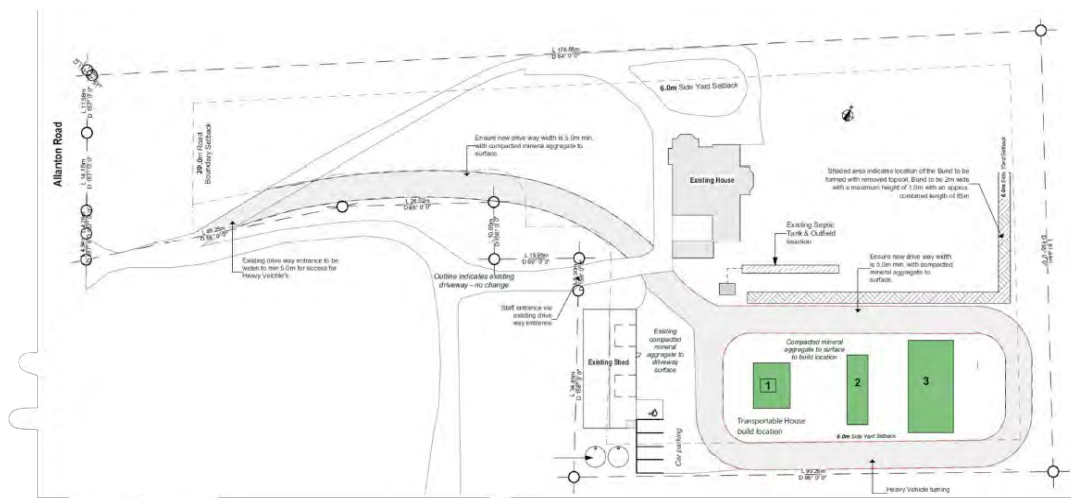


Figure 1: Site plan showing location of proposed building area, driveway and earthworks bund (Source: extracted from site plan included with the application)

- [14] In an email dated 12 March 2025, Ms Peters (the applicant's consultant planner) responded to a further information request from the processing planner; and provided additional information pertaining to:
- the risk from natural hazards
 - loading and manoeuvring movements within the site
 - light spill
 - noise
 - hazardous substances; and
 - vegetation removal.

- [15] An updated site plan showing the location of a swale mapped area was also provided, together with written approvals from three neighbouring properties.
- [16] Copies of the application, further information, written approvals and updated site plan are contained in Appendices 1, 1A and 1B of this report.

DESCRIPTION OF SITE AND LOCATION

- [17] The subject site is a flat, 9944m² property. There is an existing dwelling within the property, accessed via a loop driveway and vehicle crossing from Allanton Road. The shed authorised by LUC-2023-306 has been constructed to the west of the proposed building area.
- [18] The overall site is shown in the following image:



Figure 2: aerial view of site (Source: DCC aerial photography, 2023-2024)

- [19] The site is legally described as Lot 1 Deposited Plan 576008 (held in Record of Title 1058622).

ACTIVITY STATUS

- [20] Dunedin currently has two district plans: the Operative Dunedin City District Plan 2006 (the District Plan 2006), and the Proposed Dunedin City Second Generation District Plan. On 19 August 2024, the Proposed Dunedin City Second Generation District Plan ("2GP") became partially operative and now supersedes the District Plan 2006, except for limited specific provisions and identified areas that are still subject to appeal. Where these provisions and appeals are relevant, the District Plan 2006 must still be considered.
- [21] In this instance, there are no relevant appeals, and this application has been processed with reference to the 2GP only.
- [22] 2GP Plan Change 1 (Minor Improvements) was notified on Wednesday 20 November 2024. Rules that protect areas of significant indigenous vegetation or habitats of indigenous fauna, and that protect historic heritage, had immediate legal effect from that date. The submission period ended on 18 December 2024, at which point rules that did not have submissions in opposition to them were deemed operative. None of the rules that have immediate legal effect, or that are deemed operative, are relevant to this application.

Partially Operative Dunedin City Second Generation District Plan 2024 (2GP)

[23] The subject site is zoned Rural: Taieri Plain and is subject to the following annotations:

- High Class Soils Mapped Areas (applies to all of the site except for an approximately 700m² area at the rear, south-east corner of the property, and a 60m² area at the north-west corner adjoining Allanton Road)
- Swale Mapped Area (applies to western portion of site only, and is not affected by the proposed works)
- Hazard 2 (flood) Overlay Zone
- Designation D274 (Dunedin Airport Flight Fan)

[24] Allanton Road is classified as an arterial road in the 2GP road classification hierarchy.

City-wide Activities - Earthworks

[25] The proposed earthworks exceed the thresholds for “earthworks – small-scale” set out under Rule 8A.5.1.5.a.Y, which specifies a maximum volume of earthworks of 100m³ on a rural site of this size in the Hazard 2 (flood) Overlay Zone, whereas up to 693m² is proposed.

[26] These earthworks are defined as “earthworks - large scale” and are a **restricted discretionary** activity, in accordance with Rule 8A.3.2.3.

Land Use Activity

[27] The proposed land use within the site is defined as an industrial activity, and a natural hazards potentially sensitive activity.

[28] “Industry” is defined in the 2GP as:

The use of land and buildings for any of the following:

- *manufacturing, assembly, processing, storage, repair, maintenance, and packing of goods and materials, including machinery or vehicles*
- *transport facilities including distribution centres, collection points, courier depots and bus depots (except where passengers are picked up or dropped off)*
- *depots for the storage and dispatch of vehicles, equipment, and/or materials, and the administration and dispatch of workers using these in the field*
- *bulk fuel storage facilities*
- *laboratory or factory-based research*
- *waste management facilities including refuse transfer and recycling stations*
- *property and equipment maintenance services*
- *vehicle repair and testing stations; and*
- *wholesale.*

...

[29] “Natural hazards potentially sensitive activities” are defined in the 2GP as (highlighting added):

The category of activities that are considered to be a "natural hazards potentially sensitive activity" for the purposes of the natural hazards provisions. These consist of:

- *airport*
- *campus*
- *community and leisure (excluding marae-related activities)*

- *commercial activities (excluding visitor accommodation, registered health practitioners, and commercial advertising)*
- *intensive farming*
- ***industrial activities***
- *Invermay/Hercus activities in the*
- *major recreation facility*
- *mining*
- *New Zealand Marine Studies Centre*
- *port*
- *rural tourism - large scale*
- *rural research - large scale*
- *sport and recreation; and*
- *Taieri Aerodrome.*

[30] Rule 16.3.3.53.a determines that industrial activities in the Rural zones are a **non-complying** activity.

[31] Rule 16.3.6.2.c determines that natural hazards potentially sensitive activities in the Hazard 2 (flood) Overlay Zone are a **restricted discretionary** activity.

Development Activity

[32] Rule 16.3.4 details the performance standards that apply to development activities. The proposal does not comply with Rule 6.6.2.3.a, which requires that loading areas be hard surfaced.

[33] The proposed development activity is a **restricted discretionary** activity in accordance with Rule 6.6.2.3.b.¹

[34] In addition, Rule 16.3.6.3 determines that new buildings in the Hazard 2 (flood) Overlay Zone with more than 60m² of new ground floor area are a **restricted discretionary** activity. It is presumed that the ground floor area of some, if not all, of the dwellings to be built will exceed 60m².

National Environmental Standards

[35] The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human health) Regulations 2011 (NES-CS) came into effect on 1 January 2012. The NES-CS applies to any piece of land on which an activity or industry described in the current edition of the Hazardous Activities and Industries List (HAIL) is being undertaken, has been undertaken or is more than likely than not to have been undertaken. Activities on HAIL sites need to comply with permitted activity conditions specified in the NES-CS or obtain a resource consent.

[36] A HAIL search report was obtained as part of the 2022 subdivision (SUB-2022-16). This identified that the following HAIL activity, has occurred on part of the overall site:

¹ In terms of boundary setbacks, Rule 16.6.10.1.a requires a side and rear yard setback of 20m or 40m separation from any residential building on an adjoining site for residential buildings. A 6m setback is required for non-residential buildings (not housing animals) with a maximum height 7m. The application plans indicate that the 6m setback has been applied for the proposed industrial activity. While the industrial activity proposed is for the construction of residential dwellings, no residential activity will occur within them, and they will be relocated off-site upon completion. In practical terms, they are considered to be non-residential buildings rather than residential buildings, and application of the 6m setback is deemed appropriate.

A17: Storage tanks or drums for fuel, chemicals or liquid waste.

- [37] The report also noted that the farm buildings and yards on the site have had a long history of use, which might have included other HAIL activities that the council holds no records about, such as agrichemical storage, fertiliser bulk storage, livestock dips/spray races, persistent pesticide storage, and storage tanks for fuel.
- [38] The agent who carried out the original subdivision provided advice that confirmed that the following activities had occurred on the (unsubdivided) site:
- a diesel tank adjoining the dwelling, (which was used for heating of the dwelling and has not been used since approximately 2012)
 - three fuel tanks (diesel and petrol) within Lot 2. Two of the tanks are below ground while the other is above ground. These are operational and expected to continue to be used into the future; and
 - a disused plunge dip within the sheep yards that has not been used for many years.
- [39] The location of the tanks and plunge dip are shown in the following image:

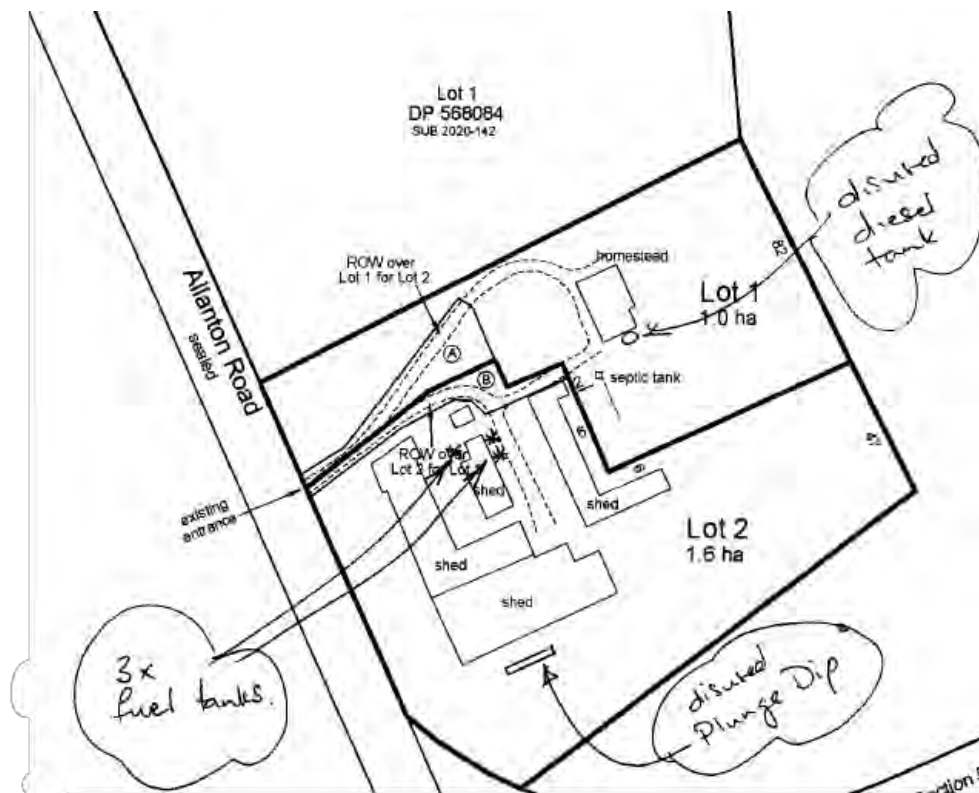


Figure 3: Image showing location of fuel tanks and plunge dip (Source: email from Craig Horne dated 11 March 2022, associated with subdivision application SUB-2022-16)

- [40] Only the diesel tank adjoining the dwelling is located within the subject site.
- [41] The proposed earthworks and industrial activity will not be located in the vicinity of the diesel tank, so the NES-CS does not need to be considered in association with this application. Nonetheless, if during site works, soils are found to have visible staining, odours and/or other conditions that indicate soil contamination, work should cease until a suitably qualified and experienced practitioner has assessed the matter and advised on appropriate remediation and/or disposal options for these soils. It is recommended that

should consent be granted to this proposal, an advice note to this effect be included in the decision certificate.

- [42] There are no other National Environmental Standards relevant to this application.

Overall Status

- [43] 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.
- [44] 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 assessed as a **non-complying activity**.

WRITTEN APPROVALS

- [45] Written approvals have been obtained from the persons detailed in the table below. In accordance with sections 95D(e) and 104(3)(a)(ii) of the Resource Management Act 1991, the Council cannot have regard to the effects of the activity on these persons.

Person	Owner	Occupier	Address	Obtained
(No name, and signature illegible)	✓		403 Allanton Road (part of the property known as 95 Huntly Road	24 November 2024
David Ian Blair and Kerry Marie Blair	✓	✓	430 Allanton Road	10 January 2025
(signature illegible) and Stephen Grant, Directors, Girvan Pastoral Co Limited	✓	✓	406 Allanton Road	(undated)

- [46] For the reasons set out in the effects assessment below, the environmental effects of the proposal are limited to effects on parties that are less than minor; and no other persons are considered to be affected by it.

ENVIRONMENTAL EFFECTS OF ALLOWING THE ACTIVITY

Permitted Baseline

- [47] Under sections 95D(b) and 104(2) 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. This is the permitted baseline.
- [48] In the Rural zones within the Hazard 2 (flood) Overlay Zone, a number of activities are permitted, provided they comply with the relevant performance standards. These activities include:
- Domestic animal boarding and breeding (not dogs)
 - Farming
 - Forestry (not in a Residential Transition Overlay Zone)
 - Grazing

- Mineral Prospecting
- Mineral Exploration (with and without blasting)
- Rural ancillary retail
- Rural tourism – small scale
- Rural Research – small scale
- Working from Home
- Conservation
- Rural contractor and Transport Depots – small scale
- Emergency Services outside a hazard facility mapped area.

[49] These activities comprise a baseline that might be of assistance to the Committee when assessing this proposal.²

Receiving Environment

[50] 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.

[51] For the subject site, the existing and reasonably foreseeable receiving environment comprises a flat, 9944m² property featuring a large, two-storey dwelling and large accessory shed.

[52] For adjacent land, the existing and reasonably foreseeable environment comprises the rural pastoral lands of the Taieri Plain. The West Taieri overland flowpaths/Swale Mapped Area traverse the adjoining site to the north (430 Allanton Road) and the historic Abbotsford Farm buildings are on the adjoining land to the south (406 Allanton Road). The Taieri River lies approximately 500m to the east, and the township of Outram approximately 1.5km to the northwest.

Assessment Rules

Rural Zones

Maintenance of Land for Productive Rural Activities / Protection of the Natural Environment (Assessment Rules 16.12.2.1 and 16.12.3.2)

[53] These assessment rules require consideration of the extent to which rural land is reserved for productive rural activities, and the natural environment is protected and enhanced.

² Any activity that is defined as a natural hazards sensitive activity, or a natural hazards potentially sensitive activity does not form part of the permitted baseline, and is not included in the permitted activities listed here.

The Application

[54] The application states:

To the extent that there is any rural productive capacity associated with the land on which the proposed activity is to be located, the inherently small-scale and ultimately temporary nature of that proposed activity means that once the site ceases to be used for the building of relocatable homes, the build location can revert to being available for rural productive use and in that sense, the potential to use the site for rural productive uses is maintained.

Planning Officer's Assessment

[55] The proposed industrial land use is not a productive rural activity. Nonetheless, the construction of buildings that will be relocated off the site upon completion is considered to be relatively benign, in terms of potential impacts on the productive capability of the land. Any such impacts are comparable to those that might arise in association with permitted activities such as farming, or operating a small-scale rural contractor/transport depot. Furthermore, as suggested by the applicant, any impacts on the productive capability of the land will be in existence only while the proposed activity is operating from the site, and long term effects are not anticipated.

[56] In addition, at 9944m², the site is too small to be viable for rural production. This was considered during the assessment of the underlying subdivision, SUB-2022-16, at which time the processing planner considered that the transfer of 1.6ha of land and the rural outbuildings from 404 to 406 Allanton Road would provide for more efficient land use and increased rural productivity on #406, while the separation of the dwelling within #404 was akin to a surplus dwelling subdivision.

[57] As such, overall, it is considered that any effects on the capability of the land to support productive rural activities, and on the natural environment, will be no more than minor.

Reverse Sensitivity / Health and Safety (Assessment Rules 16.12.2.1 and 9.8.3.1)

[58] Consideration is to be given to the potential for conflict between activities within the rural zones, and how the potential for issues of reverse sensitivity are minimised. Relevant to this, effects on the health and safety of people associated with noise and light spill are also to be considered.

[59] The 2GP defines "reverse sensitivity" as

When lawful activities that create effects (such as noise, odour, traffic movements, electromagnetic interference or risk) are affected by uses that may be sensitive to these effects establishing or intensifying nearby and thereby curtail or constrain the activities. Lawful activities in the context of this definition refers to: existing lawfully established activities, permitted activities, designations and consented activities that are likely to establish. The most common example is new residential activities establishing next to farming or industrial operations, or airports, which can lead to the new residents complaining about noise, odour or other nuisance effects from those established activities.

The Application

[60] The application states:

No reverse sensitivity effects will arise from the proposed activity with respect to the continued use of adjoining properties for pastoral grazing purposes. Distance and screening provided by existing vegetation and buildings, mean that no reverse

sensitivity effects are anticipated with respect to existing residential activity on adjoining properties.

- [61] On the matters of noise and light spill, the application anticipates compliance with the noise and light spill limits set out under Rules 9.3.6.1.b and 16.5.5 and suggests that the public health of neighbours will not be affected over the long term. In the further information provided on 12 March, Ms Peters provided the following additional assessments:

[Noise]

...heavy vehicle movements associated with the proposed activity will be relatively infrequent and, in terms of noise, will be akin to other heavy vehicle movements which are an expected element in the 'noise landscape' of rural zones.

Construction noise is an activity permitted by the district plan provided that it is within the specified noise limits. The applicant does not propose to monitor construction noise but we anticipate that if there were ever any complaints about construction noise, Council would undertake monitoring at the appropriate boundary to evidence the veracity of the complaint.

As discussed in the AEE, the closest residential dwellings on adjoining properties are located at 403 and 430 Allanton Road and are located approximately in excess of 280m and 260m respectively from the proposed activity. The owners/occupiers of both these residences have provided affected party consent. Affected party consent has also been obtained from 406 Allanton Road which is a pastoral grazing property with no established residential activity.

[Light Spill]

The applicant informs that:

"There is existing security lighting on both the existing shed and the existing dwelling on the site and we won't require any extra lighting. The transportable homes will be constructed during daylight. During winter there might be the odd lamp used in the transportable home being constructed but again any such lighting will be used during the hours of operation stated in the resource consent application."

Given the stated level of lighting, affected parties consents obtained and distance to Allanton Road and intervening vegetation and buildings, it is not considered that there will be any adverse effects arising from light spill associated with the proposed activity.

Planning Officer's Assessment

- [62] Having visited the site, I consider that the potential for issues of reverse sensitivity, and adverse effects from light spill and noise are most likely to arise in relation to the immediately adjoining properties, 403, 406 and 430 Allanton Road. Written approvals have been obtained from all of these and therefore no consideration has been given to potential reverse sensitivity, light spill or noise effects in respect of these properties.
- [63] Beyond these adjoining sites, the operation of existing and/or permitted activities is not considered likely to be adversely affected by issues of reverse sensitivity. This is because of the relatively small-scale nature of the proposed operation; and because of the distance between the proposed construction site and the closest property from whom written

approval has not been obtained (29 Granton Road, the closest boundary of which is approximately 235m away, and the dwelling within the property is almost 500m away).

- [64] For the same reason, I consider that any effects associated with noise and light spill will be no more than minor. Having said that, I do not agree the applicant's suggestion that any issues relating to noise can be dealt with by the Council, in response to complaints received (particularly when the application documentation has indicated that the proposal will comply with the noise limits – see application appendix 4(c)). The onus should be on the consent holder to operate in such a way as to avoid adverse effects arising. Accordingly, should consent be granted to the proposal, it is recommended that consent conditions be included to require that the 2GP noise (and light spill) limits be adhered to. Draft conditions are included in in Appendix 4.
- [65] In addition, it is recommended that a consent condition be included to limit the hours of operation to those set out in the application. A draft condition is included in Appendix 4.
- [66] Overall, in the context of written approvals having been provided by all adjoining properties, there are unlikely to be any conflicts with adjoining rural activities, nor any reverse sensitivity effects, so overall, effects will be no more than minor. Adverse effects on the health and safety of people associated with noise and light spill will be managed by conditions of consent so as to also be no more than minor.

Rural Character and Amenity (Assessment Rule 16.12.2.1)

- [67] Consideration is to be given to the extent to which rural character values and amenity are maintained and enhanced.
- [68] The rural character values of the Taieri Plain Rural Zone are described in 2GP Appendix A7.3 as:

The Taieri Plain Rural Zone encompasses the Taieri Plain, a modified and managed landscape located west of Dunedin. Bordered by the Maungatua ranges in the west and hills to the north and east, it is a natural alluvial plain which is now predominantly rural farmland. Dunedin City's main south access runs through this area as well as it being the location of the Dunedin International Airport. These significant transport routes through the southern hinterland of the district make the area a scenic and strategic gateway into Dunedin City, linked with a sense of identity for locals and a first impression for visitors.

Originally this area was wetland, being the outwash plains of the Taieri River. However, early settlers colonised and modified the area, beginning at the better drained north eastern corner. This beginning is reflected today in the eastern end being the most established area of the plain, hosting the township of Mosgiel. It was a logical choice, given that the south west area is close to sea level, with some areas actually below it. The transformation of the plain into pasture affected a significant mahika kai gathering area used by local Māori, who hunted eels, birds and other food from the wetland. Draining the plain, as well as protecting it from frequent flood events, was challenging. Today the area is criss-crossed with extensive open drain networks, mechanical pumps and flood embankments. The very south-western end of the plain has maintained some wetlands which feed into the remaining lakes: Lake Waiholā and Lake Waipori (both are located just outside of Dunedin City boundaries). These lakes are two of what once were several located across the plain.

- [69] The values identified for the zone include soil quality, productive capacity and the three main waterways (the Taieri and Waipori Rivers and Silverstream).

The Application

[70] The application notes that the proposed signage complies with the requirements set out under the ancillary signage performance standard (Rule 16.6.7); and that the dwellings under construction will comply with height and setback requirements (rules 16.6.5.1.c and 16.6.10.1.a.iii).³

[71] The application states:

Views from Allanton Road, which is the only public viewing point, to the proposed activity are essentially non-existent due to existing vegetation (large mature trees and roadside hedging) and existing buildings on the site and adjoining property at 406 Allanton Road.

The existing vegetation and buildings, which effectively screen the proposed activity from viewing points on Allanton Road, coupled with the small scale and temporary nature of building transportable homes, means that there are no long term effects on rural character and amenity of the locale.

Planning Officer's Assessment

[72] During a visit to the site, I was able to confirm the applicant's assertion that the activity won't be visible from the road due to existing vegetation and buildings.

[73] While under construction, the dwellings will form part of a cluster of buildings comprising the dwelling and large shed at #404, and the historic farmstead buildings and covered sheepyards at #406. With the exception of the immediately adjoining properties (from whom written approvals have been obtained) the proposed activity will not be readily discernible from beyond the site.

[74] Views into the site and toward the proposed construction area are shown in the following images.

³ As noted in footnote 1 above, the dwellings to be constructed have been assessed as non-residential buildings rather than residential buildings, and the 6m side and rear yard setback applied, on the basis that no residential activity will occur within the houses, and they will be relocated off-site upon completion.



Figure 4: View into subject site from the property entrance, looking northwards along Allanton Road – the construction area is out of view and to the right of the red brick dwelling (Source: Google Maps photography – image taken August 2023)



Figure 5: View into subject site from the property entrance, looking southwards along Allanton Road (Source: Google Maps photography – image taken August 2023)



Figure 5: Aerial view of site and surrounding vegetation and buildings, with the proposed construction area marked with an X (Source: DCC aerial photography, 2023/2024)

- [75] On the subject of signage, as indicated by the applicant, the proposed sign is in keeping with the signage that is anticipated by the 2GP. Nonetheless, an advice note is recommended, to note that any variation from the signage detailed in the application is likely to require a further resource consent. Such an advice note is included within Appendix 4.
- [76] Overall, the small-scale of the proposed activity, and the screening provided by surrounding vegetation and buildings on the subject and surrounding properties, is such that any effects on the rural character and amenity of this environment will be no more than minor.

Biodiversity Values (Assessment Rules 8A.7.2.2, 10.6.3.3, 10.8.2.1 and 16.12.2.1)

- [77] In a rural environment, it appropriate to consider the extent to which the proposed activity maintains or enhances biodiversity values.

- [78] The 2GP defines 'Biodiversity Values' as:

The intrinsic values, and value to the community, of indigenous biota and indigenous or mixed habitats and ecosystems that support indigenous biota.

For the sake of clarity, effects on biodiversity values include effects on the health of the indigenous or mixed habitats and ecosystems that support indigenous biota, as well as effects on the indigenous biota themselves.

- [79] The application suggests that the site has no indigenous biodiversity values. In terms of potential effects on biodiversity values arising from the earthworks required for the driveway excavations, the application states:

The site does not express much in the way of biodiversity and, as such, there will be no effect on the biodiversity values of the site from the exceedance of the 100m³ volume [earthworks] small scale threshold.

- [80] In the further information provided by Ms Peters, she adds:

The applicant informs that the vegetation to be removed includes:

“Grass, garden weeds, part of a Laurel hedge and a couple of rose bushes that will be relocated to the [existing] house garden.”

- [81] Presumably this work has already been undertaken, because, while on site, I saw no laurel hedge or rose bushes in the vicinity of the proposed construction area. There are two sizeable trees that will need to be removed, but these appear to be exotics. On the basis that they are not included in the 2GP Schedule of Trees (Appendix A1.3) or the list of protected indigenous species (Appendix 10A), the DCC Biodiversity Adviser, Ms Zoe Lunniss, has not raised any concerns.
- [82] Accordingly, it is considered that the proposal, including earthworks, will neither maintain nor enhance biodiversity values, but will have a neutral effect on them.

Effects on the Transportation Network (Assessment Rules 6.10.5.1, 6.13.2.1 and 16.12.2.1)

- [83] These assessment rules require consideration of impacts on the safety and efficiency of the transport network; the design and location of parking and loading areas and vehicle accesses; and whether the proposed land use activity is accessible by a range of travel modes.

Application

- [84] The application advises that the proposed construction area will be at the centre of a circular driveway which will be used by trucks delivering materials, and transporting the completed relocatable home. The driveway surfacing will be compacted mineral aggregate. Five on-site car parks, including one mobility park, are to be provided in association with the activity. It states:

Access to the site uses an existing vehicle crossing from Allanton Road before branching onto a new (i.e. to be constructed) heavy vehicle driveway. Allanton [Road] is hard surfaced and the driveway will be hard surfaced from the edge of that hard surfacing and then for a minimum of 5m inside the road boundary of the site in compliance with Rule 6.6.3.6.a.

The heavy vehicle driveway to the site will have a formed width of 5m in compliance with Rule 6.6.3.9.a.vi.3.

...

- [85] On the matter of vehicle movements and the lack of hard-surfacing for the loading areas, in the further information provided on 12 March 2025, Ms Peters advises:

The driveway and yard area adjacent to the existing shed will be used for manoeuvring associated with the delivery of materials to construct the relocatable homes. Essentially, delivery vehicles will stop in this area, unload the materials then exit the site using the circular driveway. No reversing is required.

When each relocatable home is completed, a truck will use the driveway to pull in front of, then reverse under the relocatable home before loading and exiting the site via the driveway.

Given the infrequency of delivery and truck movements associated with the proposed activity and its location in the rural zone, a metalled surface for the driveway is considered appropriate. ... In the context of the proposed activity the

contravention of 2GP Rule 6.6.2.3.a will have a less than minor effect on the safety and efficiency of the transportation network.

Advice from the DCC Transport Planner / Engineer

[86] The application was referred to the DCC transport planner, Mr Reese Martin. He advises:

Access

The site is currently accessed via an existing unsealed vehicle crossing and driveway that provides access to the existing dwelling and shed located within 404 Allanton Road and the various farm buildings within the adjacent site at 406 Allanton Road.

...

... The applicant notes that the existing vehicle crossing will be upgraded to a hard surface as part of the establishment of the new construction activity in order to comply with [2GP requirements], which is acceptable. As the vehicle crossing will at times serve as access to heavy transport vehicles and for the delivery of building materials to the site, the existing vehicle crossing must be upgraded to a maximum 9.0m wide in accordance with DCC's Industrial Vehicle Entrance Specification.

...

Parking and manoeuvring

As part of the proposed construction activity the applicant proposes to provide five dedicated on-site car parking spaces to be located adjacent to an existing shed, one of which will be marked as a mobility car parking space.

Rule 6.6.1.1 requires that car parking spaces for non-residential activities must provide for a stall width and depth of 2.5m by 5.2m and an aisle width of 6.2m including an additional 300mm to the sides and ends of each space where bound by a permanent obstruction. In this case the existing shed. Mobility car parking spaces are also required to provide a stall width of 3.6m in accordance with Rule 6.6.1.1.e.iii. The applicant has confirmed that compliance with these requirements will be achieved and is therefore acceptable.

As the site will be accessed from an Arterial Road, compliant on-site manoeuvring space must be provided pursuant to Rule 6.6.1.2.a.i. The manoeuvring area must be large enough to ensure a 99th percentile motor vehicle can exit the site in a forward direction, using no more than one reversing movement when entering or exiting a car parking space. Based on the existing/proposed configuration of the site and the distance between the on-site car parking spaces and the entrance onto Allanton Road, compliance with this requirement will be achievable.

Rule 6.6.1.3 requires that the minimum effective on-site queuing space for vehicles entering or exiting parking areas with 5-20 car parking spaces is 6.0m. Based on the proposed driveway formation width of 5.0m compliance with this requirement will be achieved and is therefore acceptable.

Rule 6.6.1.5 requires that parking areas (including associated access and manoeuvring areas) provided for any activity other than standard residential must be hard surfaced, adequately drained, and permanently marked. While ... adequate drainage can likely be provided, like the remainder of the loading, construction area and driveway, these spaces will not be hard surfaced. Although based on the rural locality of the site a metalled surface is considered appropriate in this instance noting that the vehicle crossing will be hard surfaced to minimise any loose material being tracked out onto Allanton Road. Therefore, the effects of this rule breach is considered to be less than minor.

...

Loading

...

Rule 6.6.2.1 requires that sufficient manoeuvring space must be provided to ensure that no vehicle accessing a vehicle loading area is required to reverse either onto or off an Arterial Road, using no more than one reversing movement. While vehicles transporting the completed dwellings may be required to perform more than one reversing movement while manoeuvring, the loading of completed dwellings will be able to be carried out safely within the site and will still enable vehicles to exit the site in a forward direction. Therefore, this is acceptable with any effects considered to be less than minor.

Rule 6.6.2.3 requires that loading areas, including associated access and manoeuvring areas, must be hard surfaced, adequately drained and permanently marked. While adequate drainage can likely be provided, the proposed loading and unloading areas within the site will not be hard surfaced and therefore will not comply with this requirement. Although as noted above similar to the proposed car parking area, based on the rural locality of the site a metalled surface is considered appropriate in this instance noting that the vehicle crossing will be hard surfaced to minimise any loose arterial being tracked out onto Allanton Road. Therefore, the effects of this rule breach is considered to be less than minor.

Signage

...As the proposed signage will comply with the 2GP Transport signage requirements (specifically Rule 6.7.3) this is acceptable.

Generated Traffic

It is understood that the proposed activity will employ up to four builders as well as a range of sub-contractors to complete each dwelling. It is therefore considered that the traffic generated by the proposal is likely to be no different to/indistinguishable from a farming activity that could already be expected to occur within the Rural zone and noting that heavy vehicle movements to transport each constructed dwelling as well as construction materials to the site are likely to be infrequent. On that basis Transport considers that the effects of the traffic generated as a result of this proposal on the transport network will be less than minor.

It is advised that the applicant will require a TMP, prepared by a suitably qualified person, if the proposed activity will affect the normal operating conditions of the transport network. The TMP will need to be approved by Transport, prior to any activities commencing, particularly during the transport of completed dwellings from the site. As the transport of constructed dwellings from the site may be over dimension, permits for any over dimension/overweight vehicles may be required which can be applied for from NZTA.

[87] Overall, subject to consent conditions that reflect his advice above, Mr Martin considers that vehicle access, parking and manoeuvring, and loading provisions are acceptable.

[88] The full text of Mr Martin's advice is included in Appendix 2.

Planning Officer's Assessment

[89] Mr Martin's advice is accepted, and consent conditions relating to the formation standard of the vehicle crossing, access and first 5m of the driveway are included accordingly. Advice notes relating to the potential need for a traffic management plan and permits for the transportation of overweight/over dimension dwellings are also included.

- [90] Overall, with these conditions in place, any effects on the safety and efficiency of the transport network, and the design and location of parking and loading areas and vehicle accesses, will be no more than minor.
- [91] With regard to accessibility by a range of travel modes, the rural location of the site means travel modes such as public transport, walking and cycling are highly unlikely; and workers are likely to bring their own vehicles to the site. The characteristics of the site are such that there is plenty of space available for parking for workers and residents alike.

Risk from Natural Hazards (Assessment Rules 11.5.2.2, 11.5.2.3 and 16.10.5.11)

- [92] These assessment rules require consideration of whether the activity has a critical operational need to locate within the Hazard 2 (flood) Overlay Zone; and whether the scale, location and design of the activity or other factors mean risk is avoided, or is no more than low.
- [93] 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.
- [94] The assessment of the risk from natural hazards requires a combined assessment of:
- the likelihood of natural hazards occurring (whether individually or in combination); and
 - the material damage to land in respect of which the consent is sought, other land, or structures that would result from natural hazards; and
 - 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).

The Application

- [95] In the further information provided on 12 March 2025, Ms Peters provided the following assessment in respect of natural hazards:

...The area of the site in which the proposed activity is to be located has a contour level of approximately 6.5m ... Each relocatable home is only temporary in that it will be constructed on bearers located at minimum 250mm above the ground, to allow for jack access to put onto trucks when complete.

...

The nature of the proposed activity and the fact that any partially constructed relocatable home can be jacked up and secured in anticipation of a flood event, means the risk from natural hazards is no more than low.

There is a critical need for the proposed activity to be located at this site. ... the applicant cannot find suitable land at a suitable price meeting their criteria for the proposed activity especially given relocatable homes are a critical product in meeting housing demand at price sensitive point in the market.

Advice from the Consultant Geotechnical Engineer

- [96] The application has been assessed by the Council's consultant engineers. Geotechnical engineer, Mr Edward Guerreiro has advised that the hazard information held by the Council indicates that the site is subject to the following potential hazards:
- Hazard ID 10111: Seismic – Intensified Shaking
 - Hazard ID 11407: Seismic – Liquefaction (Domain C)

- Hazard ID 11582: Flood – Overland Flow Path (Flood Area Hazard 1B)

- [97] In terms of the global setting, he advises that the underlying geology comprises alluvial plains silts, sands and gravels, and is relatively flat.
- [98] Mr Guerreiro advises that the primary hazards of the site are flood and liquefaction. He considers that the proposed land use will not necessarily be significantly affected by the liquefaction hazard, but that the applicant should be aware it exists so they might take appropriate steps to mitigate potential liquefaction effects.
- [99] Noting that the earthworks excavations are to be used to create a 1m high and 85m long bund on the site, he advises that this is likely to have some effect on the overland flow characteristics of the site. However, given the flat nature of the site and location of the bund, he considers the effect is unlikely to be significant.
- [100] He recommends that the application not be declined on the ground of known natural hazards.
- [101] The full text of Mr Guerreiro's advice is included in Appendix 3.

Planning Officer's Assessment

- [102] I do not accept Ms Peters' argument that there is a critical need for the activity to be located at the site because the applicant can't find appropriate land at a suitable price elsewhere. The 2GP defines "Operational Need" as:

The need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints.

- [103] The affordability of suitable land is not deemed to be a "technical, logistical or operational" constraint. Nor is the provision of relocatable housing to meet housing demand an operational need.
- [104] However, Ms Peters' observations in respect of the ability of the homes to be jacked up and relocated in anticipation of a flood event is accepted. The buildings will not impede the flow of flood waters, and in this regard, the risk from natural hazards associated with the physical structures themselves is considered to be no more than low.
- [105] Overall, taking Mr Guerreiro's advice into account, while from a land use perspective there is not considered to be a critical operational need for the proposed natural hazards potentially sensitive activity to be situated in this location, the construction methodology for the dwellings means that the risk from natural hazards will be no more than low.

Earthworks

Stability of Land, Buildings, and Structures / Risk from Natural Hazards (2GP Assessment Rules 8A.7.2.1.c, 8A.7.3.5 and 11.5.2.4)

The Application

- [106] Addressing the stability of land, buildings and structures, the application states:

*There will be **no effect** on the stability of land, buildings and structures from the exceedance of the 100m³ volume small scale threshold. This is because the earthworks will be undertaken on ground that is essentially flat and the cut depth is minimal at approximately 300mm.*

- [107] With regard to risk from natural hazards (associated with the earthworks), the application observes:

*...The risk from natural hazards of the exceedance of the 100m³ small scale threshold is **very low**. The earthworks for the driveway and, if gravelled, the build location are located outside of the swale mapped area ...*

The topsoil is required to be retained on site pursuant to Rule 8A.5.8 and will be stored in a bund as shown on the site plan. The location of the bund is well outside the mapped swale area which is the natural overland stormwater drainage system in this locale.

Advice from the Consultant Geotechnical Engineer

- [108] Consultant geotechnical engineer, Mr Edward Guerreiro, has considered the proposed earthworks, and observed that they comprise up to 693m³ of material to be stripped to create the driveway to a max depth of 300mm; and that this material will be reused on the site. It is anticipated that granular fill will be imported to create the hard stand areas.
- [109] He considers that the proposed earthworks are relatively significant. The excavated material is proposed to be used to create a 1m high and 85m long bund on the site, but given the flat nature of the site and location of the bund, any effect is unlikely to be significant.
- [110] He does however note that temporary stability could be a concern on this project, and that it is the responsibility of the developer to manage and control temporary stability of stockpiles and excavations.
- [111] He recommends that the following conditions be included:
- Any modification to the site shall not increase any adverse stormwater effects on neighbouring lots as a result of the work
 - Any modifications to existing ephemeral flow paths or addition of new stormwater features shall be designed by appropriately qualified person/s and ensure that overland stormwater flows are not interrupted and not increase any adverse effects from local ponding or concentrated runoff during storm rainfall events.
 - Slopes may not be filled steeper than 2h:1v (27°) or two metres high without specific engineering design and certification
 - Any earth fill over 0.6m thick supporting foundations must be specified and supervised by a suitably qualified person in accordance with NZS 4431:2022 Engineered fill construction for lightweight structures
 - As-built records of the final extent and thickness of any un-engineered fill should be recorded

Planning Officer's Assessment

- [112] This advice is accepted, and consent conditions that reflect those recommended by Mr Guerreiro have been included, with the exception of the second last bullet point. The relocatable dwellings will be in situ only temporarily, and earth fill for foundations is not anticipated, so this condition is considered unnecessary.
- [113] In addition, other standard earthworks consent conditions are recommended, including a requirement that appropriate measures and devices are installed to control and contain stormwater run-off from the site during earthworks, and as the industrial activity is

undertaken. A condition and associated advice note pertaining to erosion and sediment control management is also included.

- [114] Overall, it is considered that any adverse effects on the stability of land, buildings, and structures arising from the proposed earthworks will be adequately mitigated through adherence to these consent conditions. Adherence to the conditions will also ensure that any risk from natural hazards will be no more than low.

Visual Amenity (2GP Assessment Rule 8A.7.2.1.a)

The Application

- [115] The application states:

*Any adverse effects on visual amenity of the exceedance of the 100m³ volume small scale threshold will be **negligible**. This is because the bulk of the earthworks for the access and, if gravelled, the build location, are screened from public view by existing vegetation and buildings.*

Planning Officer's Assessment

- [116] Earthworks and excavations associated with formation of driveways and farm tracks, and rural activities generally, are anticipated in a rural zone, and in this respect effects on visual amenity values and the character of the area arising from the earthworks proposed for the formation of the driveway are considered acceptable.
- [117] Notwithstanding this, there is potential for excavated soil to have an adverse effect if left banked up for an indefinite length of time. Therefore, a condition of consent to require that the soil be used for landscaping or otherwise re-distributed within the site within six months of the earthworks being completed is recommended. (It is important to note that most of the subject site is within a high class soils mapped area; and that 2GP Rule 8A.5.8 directs that topsoil or subsoil located within a high class soils mapped area must not be removed from the site. The recommended consent condition is worded to reflect this.)
- [118] Overall, any effects on the visual amenity and character of this rural area will be acceptable.

Amenity of Surrounding Properties (2GP Assessment Rule 8A.7.2.1.b)

The Application

- [119] The application observes:

*The immediately adjacent land is used for pastoral grazing purposes. The closest, off-site dwellings are in excess of approximately 260m (430 Allanton Road) and 280m (403 Allanton Road). The separation between the proposed activity and dwellings on adjacent sties, the small-scale and temporary nature of the earthworks and intervening vegetation and buildings, combine to mitigate any adverse effects of the exceedance of the 100m³ volume small scale threshold such that any adverse effects will be **negligible**.*

Planning Officer's Assessment

- [120] The nature of the work proposed is such that there is the potential for issues of noise and dust to arise. As such, it is recommended that consent conditions be included to require that earthworks activity be limited to the times and noise limits set out in the New Zealand Standard NZS 6803:1999; and that any soil exposed during excavation and/or construction

be watered down where necessary and appropriate to reduce dust. Such conditions are included within Appendix 4.

- [121] Subject to compliance with these conditions of consent, it is considered that the potential for adverse effects on surrounding properties and the wider environment, including from changes to drainage patterns, will be adequately mitigated.

Effects Assessment Conclusion

- [122] The above effects assessment has found that, subject to conditions:

- any effects on the capability of the land to **support productive rural activities**, and on the **natural environment**, will be no more than minor
- the **potential for conflict with rural activities** being undertaken in this zone, and for issues of **reverse sensitivity** to arise, will be no more than minor
- any adverse effects on the **health and safety** of people associated with noise and light spill will be no more than minor
- any effects on the **rural character and amenity** of this environment will be no more than minor
- effects on **biodiversity values** will be negligible
- any adverse effects on the **safety and efficiency of the transport network**, including those associated with the design and location of **loading areas** will be no more than minor
- there is not a **critical operational need** for the proposed natural hazards potentially sensitive activity to be situated in this location, but the construction methodology for the dwellings will mean **the risk from natural hazards** will be no more than low
- adverse effects on the **stability of land, buildings, and structures** arising from the proposed earthworks will be adequately mitigated
- effects on **visual amenity and character** associated with the earthworks will be acceptable; and
- adverse **effects on surrounding properties and the wider environment** associated with the earthworks, including from changes to drainage patterns, will be adequately mitigated.

- [123] Overall, in the context of written approvals having been obtained from all adjoining properties, the effects of the proposed operation of an industrial activity within a Hazard 2 (flood) Overlay Zone are comparable with those that might be associated with a permitted activity such as farming, or operation of a small-scale rural contractor/transport depot. It is anticipated that effects will be in evidence only for as long as the proposed activity is operating, and will be **no more than minor**.

NOTIFICATION ASSESSMENT

Public Notification

[124] 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

- There are no rules or national environmental standards requiring public notification.
- The activity will not have, or be likely to have, adverse effects on the environment that are more than minor.

Step 4: Public notification in special circumstances

- There are no special circumstances that warrant the application being publicly notified. There is nothing exceptional or unusual about the application that makes public notification desirable.

Limited Notification

[125] 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.
- Written approval has been obtained from all persons where the activity's adverse effects on the person are minor or more than minor (but are not less than minor).
- Step 3 does not apply because limited notification is precluded under Step 2.

Step 4: Further notification in special circumstances

- There are no special circumstances that warrant the application being limited notified. There is nothing exceptional or unusual about the application that makes limited notification to any other persons desirable.

OFFSETTING OR COMPENSATION MEASURES ASSESSMENT

[126] 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 might result from allowing the activity.

[127] In this case, no offsetting or compensation measures have been proposed or agreed to by the applicant.

NATIONAL POLICY STATEMENTS

[128] In accordance with Section 104(1)(b)(iii) of the Resource Management Act 1991, the relevant provisions of a national policy statement must be taken into account when considering an application.

National Policy Statement for Highly Productive Land (“NPS-HPL”)

[129] The NPS-HPL came into effect on 17 October 2022, and seeks to ensure the availability of New Zealand’s most favourable soils for food and fibre production, now and for future generations. The NPS-HPL contains direction around urban and rural lifestyle rezoning and subdivision, and use and development of highly productive land.

[130] In Dunedin, land currently treated as highly productive land (as per cl 3.5(7) of the NPS-HPL) is identified here:

<https://www.dunedin.govt.nz/council/district-plan/monitoring-and-research/highly-productive-land-map>.

[131] This map identifies the subject land as having a land use capability of 1 (most versatile land with minimal limitations to arable use), and therefore consideration of the proposal against the objectives of the NPS-HPL is required.

The Application

[132] The application states:

In this case the proposed activity falls within the exception to the NPS-HPL provided by Clause 3.9(2)(g) which states: “...it is a small-scale or temporary land-use activity that has no impact on the productive capacity of the land...”.

The rural productive capacity of the site of the proposed activity is limited in both size and typology. It is currently used as a yard and mown grass area... The proposed activity is inherently both small-scale and temporary in nature and will ultimately have no impact on the limited productive capacity of the land on which the proposed activity is to be located. Topsoil stored in a low bund between the driveway and the existing septic tank can be reapplied once the proposed activity ceases.

Subclause (3) states: “Territorial authorities must take measures to ensure that any use or development on highly productive land: (a) minimises or mitigates any actual loss or potential cumulative loss of the availability and productive capacity of highly

productive land in their district; and (b) avoids if possible, or otherwise mitigates, any actual or potential reverse sensitivity effects on land-based primary production activities from the use or development.”

To the extent that there is any rural productive capacity associated with the land on which the proposed activity is to be located, the inherently small-scale and ultimately temporary nature of that proposed activity means that once the site ceases to be used for the building of relocatable dwellings it can revert to being available for rural productive use. No reverse sensitivity effects will arise from the proposed activity with respect to the continued use of adjoining properties for pastoral grazing purposes.

Planning Officer’s Assessment

[133] The objective of the NPS-HPL is:

Highly productive land is protected for use in land-based primary production, both now and for future generations.

[134] Part 3 of the NPS-HPL sets out how the policy objectives are to be implemented. The sections that are relevant to this proposal are sections 3.9 and 3.13, which require that highly productive land be protected from inappropriate use and development; and that reverse sensitivity and cumulative effects be managed.

[135] The NPS-HPL policies that are relevant to this proposal are assessed in the table below:

Relevant Policies	Assessment
Policy 1: <i>Highly productive land is recognised as a resource with finite characteristics and long term values for land-based primary production.</i>	As indicated by the applicant, the specifics of the proposed industrial activity are such that the land could revert to productive use when it is no longer being used for the construction of relocatable dwellings. In this respect, the proposal is consistent with this policy.
Policy 4: <i>The use of highly productive land for land-based primary production is prioritised and supported.</i>	This proposal does not involve primary production, and is inconsistent with this policy.
Policy 8: <i>Highly productive land is protected from inappropriate use and development.</i>	Section 3.9(2)(g) of the NPS-HPL indicates that “...a small-scale or temporary land-use activity that has no impact on the productive capacity of the land” is not an inappropriate use. “ In this context, the applicant’s suggestion that “...the inherently small-scale and ultimately temporary nature of that proposed activity means that once the site ceases to be used for the building of relocatable dwellings it can revert to being available for rural productive use” is

Relevant Policies	Assessment
	accepted, and as such, the proposal is considered consistent with this policy.
Policy 9: <i>Reverse sensitivity effects are managed so as not to constrain land-based primary production activities on highly productive land.</i>	As noted in the effects assessment above, in the context of written approvals having been provided by all adjoining properties, the potential for conflict with rural activities being undertaken in this zone, and for issues of reverse sensitivity to arise, will be no more than minor. The proposal is therefore considered to be consistent with this policy.

[136] The above assessment has found that the proposal is consistent with all but one of the policies of the NPS-HPL. Considered overall, the proposed industrial activity is considered **consistent with** the objective of the NPS-HPL, because it:

- is small-scale;
- will not compromise the productive capacity of the land; and,
- is to occur on a 9944m² site that was created by a 2022 subdivision and is not economically viable for primary production.⁴

OBJECTIVES AND POLICIES ASSESSMENT

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

[137] The 2GP was made partially operative on 19 August 2024. No consideration of the objectives and policies of the District Plan 2006 is required, unless the proposal relates to the specific provisions and identified areas of the 2GP that remain subject to an appeal. In this instance, none of the appeals are relevant to this application.

[138] In accordance with Section 104(1)(b) of the Resource Management Act 1991, the objectives and policies of the 2GP were taken into account when assessing the application. These are discussed below:

Transportation Section

Objective/Policy	Assessment
Objective 6.2.2: <i>Land use activities are accessible by a range of travel modes.</i> Policy 6.2.2.1: <i>Require land use activities whose mobility parking demand either cannot be met by the public parking</i>	The rural location of the site means that travel modes such as bussing, walking and cycling are highly unlikely; and workers are likely to bring their own vehicles to the site.

⁴ As noted in the effects assessment above, at the time of the 2022 subdivision, the processing planner considered that the transfer of 1.6ha of land and the rural outbuildings from 404 to 406 Allanton Road would provide for more efficient land use and increased rural productivity on #406. This subdivision consent effectively endorsed the establishment of a 9944m² site, within which primary production was not envisaged.

Objective/Policy	Assessment
<i>supply, or would significantly affect the availability of that supply for surrounding activities, to provide mobility parking either on or near the site at an amount that is adequate to:</i> <i>a. avoid or, if avoidance is not practicable, adequately mitigate adverse effects on the availability of publicly available mobility parking in the vicinity of the site (including on-street parking and off-street facilities); and</i> <i>b. ensure accessibility for residents, visitors, customers, staff and students (as relevant) who have limited mobility, including disabled people, the elderly and people travelling with young children.</i> Policy 6.2.2.2: <i>Enable the sharing of parking areas by different land use activities, where adequate accessibility for all users is maintained.</i>	Five on-site car parks are to be provided, one of which is a mobility park. The characteristics of the site are such that there is plenty of space available for parking for workers and residents alike. The proposal is considered to be generally consistent with this objective and these policies.
Objective 6.2.3: <i>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.</i> Policy 6.2.3.1: <i>Require ancillary signs to be located and designed to avoid or, if avoidance is not practicable, adequately mitigate adverse effects on the safety and efficiency of the transport network.</i> Policy 6.2.3.3: <i>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.</i> Policy 6.2.3.4: <i>Require land use activities 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.</i>	The application suggests that, as an arterial road, Allanton Road is capable of absorbing vehicle movements associated with the proposed activity; and that the proposed activity will have little to no adverse effect on the safety and efficiency of the transportation network. <i>Planning Officer's Assessment</i> The proposed signage is in accordance with the performance standard for ancillary signage in this zone. Mr Martin is satisfied with the proposed loading and manoeuvring arrangements and has not raised any concerns in terms of the safety and efficiency of the transport network. As detailed above, on-site parking is to be provided, and no overspill parking is anticipated. On the basis of Mr Martin's advice, it is considered that the safety and efficiency of the transport network will be maintained.

Objective/Policy	Assessment
Policy 6.2.3.9: <i>Only allow land use and development activities or subdivision activities that may lead to land use or development activities, where:</i> a. <i>adverse effects on the safety and efficiency of the transport network will be avoided or, if avoidance is not practicable, adequately mitigated; and</i> b. <i>any associated changes to the transportation network will be affordable to the public in the long term.</i>	Accordingly, the proposal is consistent with this objective and these policies.

Earthworks Section

Objective/Policy	Assessment
Objective 8A.2.1: <i>Earthworks necessary for permitted or approved land use and development are enabled, while avoiding, or adequately mitigating, and adverse effects on:</i> a. <i>visual amenity and character;</i> b. <i>the stability of land, buildings, and structures; and</i> c. <i>surrounding properties.</i> Policy 8A.2.1.1: <i>Require earthworks, and associated retaining structures, to be designed and located to avoid or minimise, as far as practicable, adverse effects on the stability of land, buildings, and structures by:</i> a. <i>being set back an adequate distance from property boundaries, buildings, structures and cliffs; and</i> b. <i>using a batter gradient that will be stable over time.</i> Policy 8A.2.1.2: <i>Require earthworks and any associated retaining structures, to be designed, located and undertaken in a way that minimises, as far as practicable, adverse effects on surrounding sites and the wider area, including from:</i> a. <i>sediment run-off onto any property, or into any stormwater pipes, drains, channels or soakage systems; and</i> b. <i>dust nuisance on the amenity of surrounding sites.</i> Policy 8A.2.1.3: <i>Only allow earthworks that exceed the scale thresholds</i>	The application suggests that the proposed earthworks will be managed to avoid adverse effects; are largely screened from public viewing points on Allanton Road by existing vegetation and buildings; and, once completed, will not be visible. <i>Planning Officer's Assessment</i> Effects on the stability of land, buildings, and structures will be managed by the conditions of consent recommended by Mr Guerreiro. The minor nature of the proposed earthworks (i.e. a driveway scrape with a maximum depth of 300mm) is such they will have minimal, if any, effect on visual amenity and the amenity of surrounding properties. As such, the proposed earthworks are considered to be consistent with this objective and these policies.

Objective/Policy	Assessment
(earthworks - large scale) and any associated retaining structures, where the following effects will be avoided or, if avoidance is not practicable, adequately mitigated: a. adverse effects on visual amenity and character; b. adverse effects on the amenity of surrounding properties, including from changes to drainage patterns; and c. adverse effects on the stability of land, buildings, and structures.	

Public Health and Safety Section

Objective/Policy	Assessment
Objective 9.2.2: Land use, development and subdivision activities maintain or enhance people's health and safety. Policy 9.2.2.1: Require activities to be designed and operated to avoid adverse effects from noise on the health of people or, where avoidance is not practicable, ensure any adverse effects would be insignificant. Policy 9.2.2.4: Require activities to be designed and operated to avoid adverse effects from light spill on the health of people or, where avoidance is not practicable, ensure any adverse effects would be insignificant.	Earthworks and operational conditions to manage the hours within which works may occur, and the noise limits they must comply with, have been recommended. A condition regarding light spill limits is also recommended. With these measures in place, the proposal is considered to be consistent with this objective and these policies.

Natural Environment Section

Objective/Policy	Assessment
Strategic Direction 2.2.3: Dunedin's significant indigenous biodiversity is protected or enhanced, and restored; and other indigenous biodiversity is maintained or enhanced, and restored; with all indigenous biodiversity having improved connections and improved resilience. Objective 10.2.1: Biodiversity values are maintained or enhanced, including by protecting areas of significant indigenous	The DCC Biodiversity Adviser, Ms Zoe Lunniss, has not raised any concerns regarding biodiversity values, and the above effects assessment has found that the proposal, including earthworks, will neither maintain nor enhance biodiversity values, but will have a neutral effect on them. As such, the proposal is considered to be consistent with this objective and policy.

Objective/Policy	Assessment
<i>vegetation and the significant habitats of indigenous fauna.</i> Policy 10.2.1.1: <i>Only allow land use, development and city-wide activities where biodiversity values are maintained or enhanced.</i>	

Natural Hazards Section

Objective/Policy	Assessment
Objective 11.2.1: <i>Land use and development is located and designed in a way that ensures that the risk from natural hazards, and from the potential effects of climate change on natural hazards, is no more than low, in the short to long term.</i> Policy 11.2.1.4: <i>In the hazard 1, hazard 1A and hazard 2 (flood) overlay zones, only allow new buildings and additions and alterations to buildings, where the scale, location and design of the building or other factors mean risk is avoided, or is no more than low.</i> Policy 11.2.1.6: <i>In the Hazard 2 (flood) Overlay Zone, only allow natural hazards sensitive activities and natural hazards potentially sensitive activities where:</i> <i>the activity has a critical operational need to locate within the Hazard 2 (flood) Overlay Zone and risk is minimised as far as practicable; or</i> <i>the scale, location and design of the activity or other factors means risk is avoided, or is no more than low.</i> Policy 11.2.1.11: <i>In all hazard overlay zones, the swale mapped area, and the dune system mapped area, only allow earthworks - large scale where:</i> <i>the risk from natural hazards will be avoided, or is no more than low;</i> <i>they will not have adverse effects on land instability nor create, exacerbate, or transfer risk from natural hazards;</i> <i>they will not have adverse effects on the stability or buffering capacity of dune systems; and</i>	Mr Guerreiro has recommended that the application not be declined on the ground of known natural hazards. While, from a land use perspective there is not considered to be a critical operational need for the proposed natural hazards potentially sensitive (industrial) activity to be situated in this location, the construction methodology for the relocatable dwellings means the risk from natural hazards is considered to be no more than low. Subject to adherence with consent conditions, the proposed earthworks will not obstruct or impede flood water. Therefore, the proposal is considered to be consistent with this objective and these policies.

Objective/Policy	Assessment
d. they will not obstruct or impede flood water, unless part of approved natural hazard mitigation activities.	

Strategic Directions and Rural Zone Sections

Objective/Policy	Assessment
Objective 16.2.1: Rural zones are reserved for productive rural activities and the protection and enhancement of the natural environment, along with certain activities that support the well-being of communities where these activities are most appropriately located in a rural rather than an urban environment. Policy 16.2.1.8: Avoid supported living facilities, commercial activities, industrial activities, and major facility activities, unless otherwise provided for, in the rural zones.	The application states: <i>“The proposed activity supports the well-being of communities by providing well constructed, reasonably priced, relocatable homes. The proposed activity is best located on this site as the ability of the site, due to its small size, to provide for rural productive activities is limited. The applicant has investigated other sites within other zones but these have not had the range of factors required to make the venture feasible.”</i> It suggests the proposal is consistent with Objective 16.2.1 and “... therefore meets the exception provided in Policy 16.2.1.8”. <i>Planning Officer’s Assessment</i> The proposed industrial activity is not a “productive rural activity” nor one that is most appropriately located in a rural environment. I do not agree with the applicant’s assertion that the proposal meets the exception provided for in Policy 16.2.1.8. The industrial activity that is “otherwise provided for” in this policy is small scale rural contractor and transport depots, which are the only industrial activity permitted in the Rural zones. As such, the operation of an industrial activity in this Rural Zone is found to be contrary to this objective and policy.
Objective 16.2.2: The potential for conflict between activities within the rural zones, and between activities within the rural zones and adjoining residential zones, is minimised through measures that ensure:	The application suggests the proposal is consistent with this objective and policy because it “...complies with all relevant performance standards including boundary setbacks.” <i>Planning Officer’s Assessment</i>

Objective/Policy	Assessment
a. <i>the potential for reverse sensitivity in the rural zones is minimised;</i> b. <i>the residential character and amenity of adjoining residential zones is maintained; and</i> c. <i>a reasonable level of amenity for residential activities in the rural zones.</i> Policy 16.2.2.3: <i>Require all new buildings to be located an adequate distance from site boundaries to ensure a good level of amenity for residential activities on adjoining sites.</i> (See also Strategic Direction 2.3.1 and Policy 2.3.1.2)	Written approvals have been obtained from all adjoining properties. Beyond these neighbouring sites, issues of reverse sensitivity are not anticipated because of: • the relatively small-scale nature of the proposed operation • the distance to the closest property from whom written approval has not been obtained (29 Granton Road); and • consent conditions having been recommended to manage effects relating to noise, light spill and hours of operation. Accordingly, the proposal is found to be consistent with this objective and policy.
Objective 16.2.3: <i>The rural character values and amenity of the rural zones are maintained or enhanced, elements of which include:</i> a. <i>a predominance of natural features over human made features;</i> b. <i>a high ratio of open space, low levels of artificial light, and a low density of buildings and structures;</i> c. <i>buildings that are rural in nature, scale and design, such as barns and sheds;</i> d. <i>a low density of residential activity, which is associated with rural activities;</i> e. <i>a high proportion of land containing farmed animals, pasture, crops, and forestry;</i> f. <i>extensive areas of indigenous vegetation and habitats for indigenous fauna; and</i> g. <i>other elements as described in the character descriptions of each rural zone located in Appendix A7.</i> Policy 16.2.3.1: <i>Require buildings and structures to be set back from site boundaries and of a height that maintains the rural character values and visual amenity of the rural zones.</i> Policy 16.2.3.7: <i>Require ancillary signs to be located and designed to maintain rural</i>	The application suggests the proposal is consistent with this objective and these policies because: <i>“... (a) views of the build location are virtually non-existent from public viewpoints due to screening from existing vegetation and buildings; (b) the proposed activity complies with all relevant performance standards including boundary setbacks and signage; (c) the proposed activity will only operate during ‘daytime business hours’; and (d) the proposed activity is small scale and ultimately temporary in nature.”</i> <i>Planning Officer’s Assessment</i> The generally small-scale of the proposed activity, the screening provided by surrounding vegetation and buildings on the subject and surrounding properties, and the compliant nature of the proposed ancillary signage is such that rural character and amenity will be maintained, although not enhanced. As such, the proposal is found to be consistent with this objective and these policies.

Objective/Policy	Assessment
<i>character and visual amenity, including by being of an appropriate size and number to convey information about the name, location, and nature of the activity on-site to passing pedestrians and vehicles and not being oversized or too numerous for that purpose.</i> Policy 16.2.3.9: <i>Require activities to be designed and operated to ensure that any adverse effects from light spill on rural character and amenity, and the ability of people to view the night sky, will be no more than minor.</i>	
Objective 16.2.4: <i>The productivity of rural activities in the rural zones is maintained or enhanced.</i> Policy 16.2.4.1: <i>Require earthworks in a high class soils mapped area to retain soils on the site.</i> Policy 16.2.4.2: <i>Only allow activities other than farming on highly productive land where:</i> a. <i>the scale, size and nature of the activity means that any loss of current or potential future rural productivity would be:</i> i. <i>insignificant in any high class soils mapped area; and</i> ii. <i>no more than minor in other areas of highly productive land; unless</i> b. [n/a/]	The application states: <i>“The site has limited rural productivity value. What value there is will be maintained because the high class soils will be retained on site and the proposed activity is small scale and ultimately temporary in nature.</i> <i>This means that allowing the proposed activity will have no to an insignificant consequential loss of current or potential future rural productivity.”</i> Planning Officer’s Assessment It is anticipated that effects associated with the proposed industrial activity will be generally benign, in terms of potential impacts on the productive capability of the land; and the applicant’s assertion that the proposed activity “... <i>is small scale and ultimately temporary in nature</i>”, is accepted. Furthermore, the underlying 2022 subdivision consent effectively endorsed the establishment of this 9944m² site, within which primary production would not occur. With regard to high class soils, the application indicates that excavated soil will remain on site, in the form of low bunds, and consent conditions have been recommended to reinforce this. Taking these factors into account, the proposal is considered to be consistent with this objective and these policies.

Objective/Policy	Assessment
<u>Strategic Direction 2.2.4</u> <u>Strategic Direction 2.3.2 and Policy 2.3.2.2</u> <u>Strategic Direction 2.4.3 and Policy 2.4.3.4</u>	These Strategic Directions and Policies, while referenced in 2GP Assessment Rules 16.12.3.1 and 16.12.3.2 (assessment of non-complying land use activities) relate primarily to restricting urban expansion and maintaining the Centres hierarchy and vibrancy. As such, they are not considered particularly relevant to this proposal, and no assessment of them has been undertaken.

Overall Objectives and Policies Assessment

- [139] The above assessment has found that the proposal is contrary to Objective 16.2.1 and the “avoid” policy, 16.2.1.8. While there is some softening of this policy for activities that are “...most appropriately located in a rural rather than an urban environment”, or activities that are specifically provided for in the zone, the proposed industrial activity does not meet these circumstances.
- [140] Nonetheless, the proposal is consistent with all other objectives and policies in the Rural Zones Section of the 2GP, and is also sits comfortably with the Transportation, Earthworks, Public Health and Safety, Natural Environment and Natural Hazards sections.
- [141] Therefore, on balance, the proposed operation of this industrial activity within a Hazard 2 (flood) Overlay Zone is considered to be generally **consistent with** the 2GP policy framework.

OTHER MATTERS

- [142] 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 potentially relevant here. These issues have been addressed by the Environment Court, starting with *Russell v Dunedin City Council* C092/03, where the case law directs the Council to consider whether approval of a non-complying activity will create an undesirable precedent. Where a plan’s integrity is at risk by virtue of such a precedent, the Council is required to apply the ‘true exception test’. This is particularly relevant where the proposed activity is contrary to the objectives and policies of the district plan and/or the proposed district plan.
- [143] However, subsequent case law indicates that the importance of plan integrity and precedent will vary, depending on things such as the nature of the district plan itself, and the local environment in which an activity is proposed (refer *Dye v Auckland Regional Council*, CA86/01).
- [144] The Courts have cautioned against attributing too much weight to purported precedent effects, because every application must be considered on its merits. In *Berry v Gisborne District Council* [2010] NZEnvC 71, the Court observed:

Only in the clearest of cases, involving an irreconcilable clash with the important provisions, when read overall, of the Plan and a clear proposition that there will be materially indistinguishable and equally clashing further applications to follow, will it be that Plan integrity will be imperilled to the point of dictating that the instant application should be declined.

[145] In this instance, the proposal is non-complying because the 2GP identifies industrial activities as a non-complying activity in the Rural Zones. Nonetheless, in the context of this particular site, where:

- the property is an undersized rural site established by a 2022 subdivision consent;
- the activity will not be visible from the road;
- written approvals have been obtained from all adjoining properties, meaning issues of reverse sensitivity are unlikely;
- the products being manufactured (relocatable dwellings) will be entirely removed from the site;
- there is the potential for the land to be left as it currently is, at such time as the proposed activity might cease;

it is not considered that approval of the proposed establishment of an industrial activity within this 9944m² rural site will set a precedent or fundamentally undermine the integrity of the 2GP.

DECISION MAKING FRAMEWORK

Section 104D

[146] Section 104D of the Act specifies that a resource consent for a non-complying activity must not be granted unless the proposal can meet one of two limbs. The limbs of Section 104D require either that the adverse effects on the environment will be no more than minor, or that the application is for an activity which will not be contrary to the objectives and policies of either the relevant plan or proposed plan.

[147] As discussed above in the assessment of effects, overall I consider that the actual and potential effects associated with the proposal will be able to be mitigated by imposing consent conditions so as to be **no more than minor** and therefore the first limb of Section 104D is met.

[148] In order for a proposal to fail the second test of Section 104D, it needs to be contrary to the objectives and policies of the plan. In order to be deemed contrary, an application needs to be repugnant to the intent of the District Plan and abhorrent to the values of the zone in which the activity was to be established. It is noted that in this instance, the proposal has been found to be **generally consistent with** the 2GP policy framework. The proposed subdivision therefore meets the second limb of Section 104D, and it is appropriate for the Committee to undertake a full assessment of the application in accordance with Section 104 of the Act; and to consider granting the consent.

Part 2 Matters

[149] There is no invalidity, incomplete coverage or uncertainty within the 2GP. As a result, there is no need for an assessment in terms of Part 2 of the Resource Management Act 1991.

CONCLUSION

[150] Having regard to the above assessment, I recommend that the application be granted subject to conditions.

RECOMMENDATION

1. *This application be processed on a non-notified basis, pursuant to sections 95A and 95B of the Resource Management Act 1991.*
2. *Pursuant to Part 2 and sections 34A(1), 104, 104B and 104D of the Resource Management Act 1991, and the provisions of the Partially Operative Dunedin City Second Generation District Plan 2024, the Dunedin City Council grants consent to a non-complying activity, being the establishment and operation of an industrial activity, and the undertaking of earthworks, in a Hazard 2 (flood) Overlay Zone, at 404 Allanton Road, East Taieri, legally described as Lot 1 Deposited Plan 576008 (held in Record of Title 1058622), subject to the conditions imposed under Section 108 of the Act, as shown in Appendix 4.*

Report prepared by:

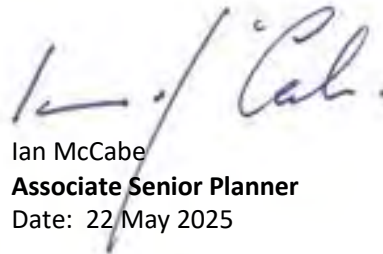


Karen Bain

Associate Senior Planner

Date: 22 May 2025

Report checked by:



Ian McCabe

Associate Senior Planner

Date: 22 May 2025

APPENDIX 1:

Application



APPLICATION FORM FOR A RESOURCE CONSENT

PLEASE FILL IN ALL THE FIELDS

Application details

I/We

(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 of the fast-track consent process: ☒ Yes ☐ No

(only applies to controlled activities under the district plan, where an electronic address for service is provided)

Brief description of the proposed activity:

Construction of relocatable homes.

Earthworks to form access and, potentially, build location.

Please refer to attached AEE for full details.

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 etc) of the site (tick one)

Street address of site:

Legal description:

Certificate of Title:

Contact details

Name: (☐ applicant ☒ agent (tick one))

Address:

Postcode:

Phone (daytime):

Email:

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 (tick one): ☒ Email ☐ Post ☐ Other:

Ownership of the site

Who is the current owner of the site?

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

Address:

Postcode:

Phone (daytime):

Email:



DUNEDIN | kaunihara
CITY COUNCIL | ā-rohe o
ōtepoti

Planning Application Fees Payment Details (Who are we invoicing)

THIS FORM MUST BE COMPLETED FOR ALL PLANNING APPLICATIONS THAT ATTRACT A FEE. ALL FIELDS ARE MANDATORY.

This information is required to assist us to process resource consent invoices and refunds at lodgement and the end of the process. If you have any queries about completing this form, please email planning@dcc.govt.nz

Deposit Payment Payee Details:

Full Name of Deposit Payee (Person or Company): Todd Ford

Mailing Address of Deposit Payee (please provide PO Box number where available):

C/o- Sweep Consultancy Limited P.O. Box 5724 Dunedin 9054

Email Address of Deposit Payee: C/o- emma@sweepconsultancy.co.nz

Daytime contact phone number: C/o- 0274822214

Important Note: The Payee will automatically be invoiced for the deposit and/or any additional costs. Should a portion of the deposit be unspent, it will be refunded to the payee.

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 development.contributions@dcc.govt.nz.

Occupation of the site

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

Applicant

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).

(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 attached AEE.

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 attached AEE.

(Attach separate sheets if necessary)

District plan zoning

What is the District Plan zoning of the site? Rural Taieri Plain

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.

Hazard 2 (flood) Overlay Zone.

High Class Soil Mapped Area.

Swale Mapped Area.

Please refer to attached AEE for more detail.

Breaches of district plan rules

Please detail the rules that will be breached by the proposed activity on the site (if any). Also detail the degree of those breaches. In most circumstances, the only rules you need to consider are the rules from the zone in which your proposal is located. However, you need to remember to consider not just the Zone rules but also the Special Provisions rules that apply to the activity. If unsure, please check with City Planning staff or the Council website.

Please refer to attached AEE.

Affected persons' approvals

I/We have obtained the written approval of the following people/organisations and they have signed the plans of the proposal:

Name:

Address:

Name:

Address:

Please note: You must submit the completed written approval form(s), and any plans signed by affected persons, with this application, unless it is a fully notified application in which case affected persons' approvals need not be provided with the application. If a written approval is required, but not obtained from an affected person, it is likely that the application will be fully notified or limited notified.

Assessment of Effects on Environment (AEE)

In this section you need to consider what effects your proposal will have on the environment. You should discuss all actual and potential effects on the environment arising from this proposal. The amount of detail provided must reflect the nature and scale of the development and its likely effect. i.e. small effect equals small assessment.

You can refer to the Council's relevant checklist and brochure on preparing this assessment. If needed there is the Ministry for the Environment's publication "A Guide to Preparing a Basic Assessment of Environmental Effects" available on www.mfe.govt.nz. Schedule 4 of the Resource Management Act 1991(RMA) provides some guidance as to what to include.

Please refer to attached AEE.

(Attach separate sheets if necessary)

The following additional Resource Consents from the Otago Regional Council are required and have been applied for: ☐ Yes ☐ No

☐ Water Permit ☐ Discharge Permit ☐ Coastal Permit ☐ Land Use Consent for certain uses of lake beds and rivers ☐ Not applicable

Assessment of Objectives and Policies

In this Section you need to consider and assess how your application proposal aligns with the relevant objectives and policies in the District Plan relating to your activity. If your proposal is a discretionary or non-complying activity under the District Plan more attention to the assessment will be necessary as the objectives and policies of the District Plan may not always be in support of the proposed activity.

Please refer to attached AEE.

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 (tick one):

Emma Peters, Consultant, Sweep Consultancy Limited

3/10/24
Date:

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 Māori 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.

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

Information requirements

- ☐ Completed and Signed Application Form
- ☐ Description of Activity and Assessment of Effects
- ☐ Site Plan, Floor Plan and Elevations (where relevant)
- ☐ Written Approvals
- ☐ Payee details
- ☐ Application fee (cash, eftpos, direct credit or credit card (surcharge may apply))
- ☐ Certificate of Title (less than 3 months old) including any relevant restrictions (such as consent notices, covenants, encumbrances, building line restrictions)
- ☐ Forms and plans and any other relevant documentation signed and dated by Affected Persons

In addition, subdivision applications also need the following information:

- ☐ Number of existing lots
- ☐ Number of proposed lots
- ☐ Total area of subdivision
- ☐ The position of all new boundaries

In order to ensure your application is not rejected or delayed through requests for further information, please make sure you have included all of the necessary information. A full list of the information required for resource consent applications is in the Information Requirements Section of the District Plan.

OFFICE USE ONLY

Has the application been completed appropriately (including necessary information)? ☐ Yes ☐ No

Application: ☐ Received ☐ Rejected

Received by: ☐ Counter ☐ Post ☐ Courier ☐ Other:

Comments:

(Include reasons for rejection and/or notes to handling officer)

Planning Officer:

Date:

Assessment of Environmental Effects



404 Allanton Road, Outram

3 October 2024

Prepared by Emma Peters
Sweep Consultancy Limited
P.O. Box 5724 Dunedin 9054
Phone 0274822214
emma@sweepconsultancy.co.nz
www.sweepconsultancy.co.nz

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3 October 2024

Senior Planner – Non-Notified
 Dunedin City Council
 P.O. Box 5045
 Dunedin 9054

Hi,

404 ALLANTON ROAD, OUTRAM – LAND USE CONSENT – BUILDING RELOCATABLE HOMES

SITE & LOCATION

1. Our client, Todd Ford, controls via a family trust, a property at 404 Allanton Road, Outram legally described as Lot 1 DP 576008 contained in record of title 1058622 (**site**)¹. The location of the site is shown in Figure 1 below.

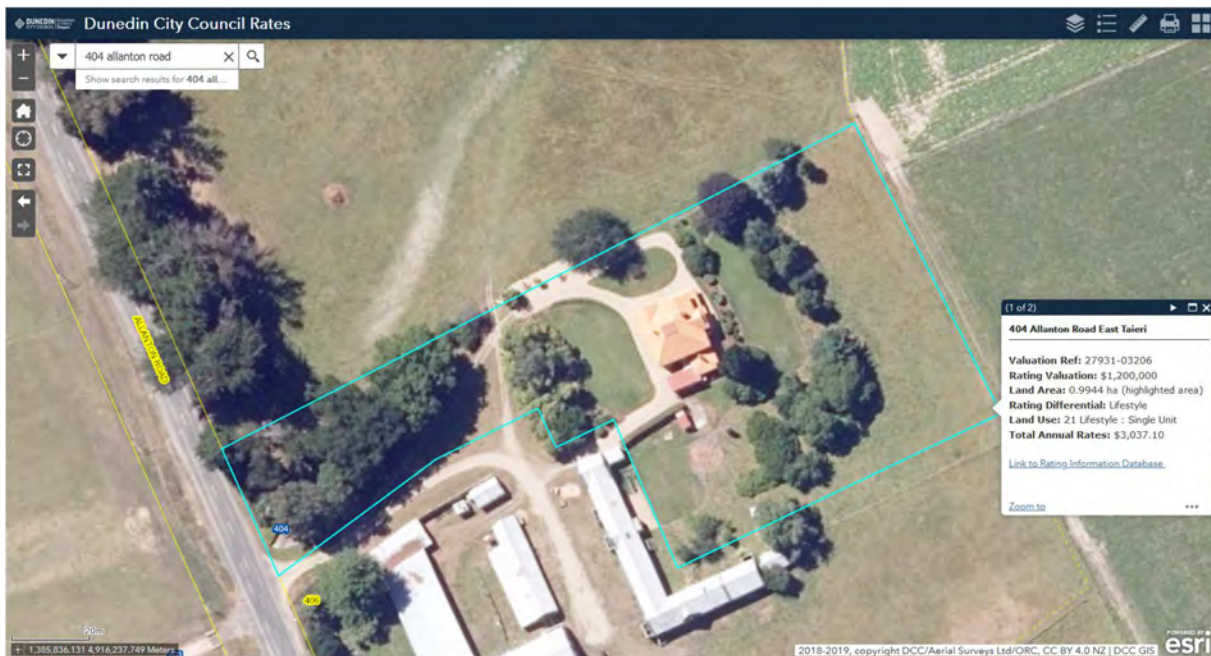


Figure 1: Location of Site.

2. The site is identified on the title as containing approximately 9,944m², is of a relatively uniform, shape narrower towards the road and widening around the existing dwelling.

¹ A copy of the record of title is appended at Appendix 1.

3. The site is flat with a slope of less than 12 degrees².

PROPOSED ACTIVITY

4. Our client, Todd Ford, seeks land use consent to operate a business from the site which will build up to three relocatable homes at any given time. A site plan is appended at Appendix 2 with a plan of the car parking and build location appended at Appendix 3.
5. The site plan depicts the circular driveway (one-way) for use by trucks delivering materials and transporting the relocatable homes once complete. The relocatable homes will be constructed in the centre of the circular driveway.
6. The existing shed and workshop will be used for storage of materials and construction of parts of the builds for the relocatable dwellings. The existing toilet meets accessible standards with minor alterations exempt under Schedule 1 of the Building Code. Five car parks are provided partially in front of and to the side of the existing shed/workshop with one being an accessible car park.
7. Up to a maximum of three relocatable homes will be built at any one time. Mr Ford aims to employ up to 4 builders and will engage a range of sub-contractors to complete each transportable dwelling. The hours of operation, including deliveries and relocation of completed dwellings, will be Monday to Friday, 7am to 7pm excluding public holidays.
8. Earthworks will consist of approximately 381.6m³ of cut to a maximum depth of 300mm to form those parts of the access not already in existence. Topsoil will be stored in a low bund between the driveway and the existing septic tank. The driveway will be surfaced using compacted mineral aggregate being the same at those parts of the existing driveway, that is, AP60 base layer with river gravel on top. The applicant will either: (a) retain the area within the driveway where the relocatable homes will be built as grass (so that the grass can continue to grow when no building is occurring); or (b) gravel this area. If the latter, those earthworks will consist of approximately 312m³ of cut to a maximum depth of 300mm
9. The applicant informs that there will be the following signs associated with the proposed activity:
 - a. A sign on the fence at the entrance to the site which states: "*Slow down, Outram Homes this way, Viewing by appointment only*". This sign will have one display face with an area of no more than 2m² and will not be illuminated or digital. The height of the lettering on the sign will be no less than 160mm.
 - b. Two directional signs at the corner of the existing house one stating "*Slow down*", the other

² Source: Dunedin City Council Web Map contour information and Data Map slope awareness information.

being an arrow pointing to the sheds/ paddock.

- c. A health and safety sign at entrance to build location.
- d. Two signs at the entrance to the shed one stating "*First aid kit*", the other "*Fire extinguisher*".
- e. A mobility car park sign in front of mobility car park.
- f. Sign stating "*Safety Zone*" to be located between the shed and houses getting built in line with water tanks.

The signs listed in 9.b. to 9.f above, fall into the categories of regulatory signs, directional signs and warning signs which are exempt from relevant performance standards provided that those signs do not exceed 0.25m² ³.

ZONING

10. Activities in Dunedin City are governed by the partially operative Second Generation Dunedin City District Plan 2024 (**2GP**). Pursuant to the 2GP, the site is zoned *Taieri Plain Rural* and is located within the *Hazard 2 (flooding) Overlay Zone* being *Area 1B - West Taieri Plain above high tide level* (shown as blue horizontal lines in Figure 2 below) and *Designation 274* being the *Dunedin Airport Flight Fan*. In addition, most of the site has a *High Class Soils Mapped Area* (shown as brown dots in Figure 2 below) and part of the site is within a *Swale Mapped Area* being *Flood Hazard Area 1C – West Taieri overland flow paths* (orange shaded area in Figure 2 below).



Figure 2: Zoning of the Site – Approximate Site Boundaries Shown in Acqua.

³ See Rule 16.6.7.1.b.

NATIONAL ENVIRONMENTAL STANDARDS

11. The *National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS)* is not applicable to this site because the proposed activity does not include subdivision and there is no change to the residential activity.
12. The site is not shown as a HAIL site on the database of Otago Regional Council as is shown in Figure 3 below. The nearest registered HAIL sites (148 Allanton Outram Road and McArthur Market Garden) are both located almost a kilometre from the site. There are four bores (I44/1070, I44/0067, I44/095 and I44/0481) located within 200 – 500m of the site.

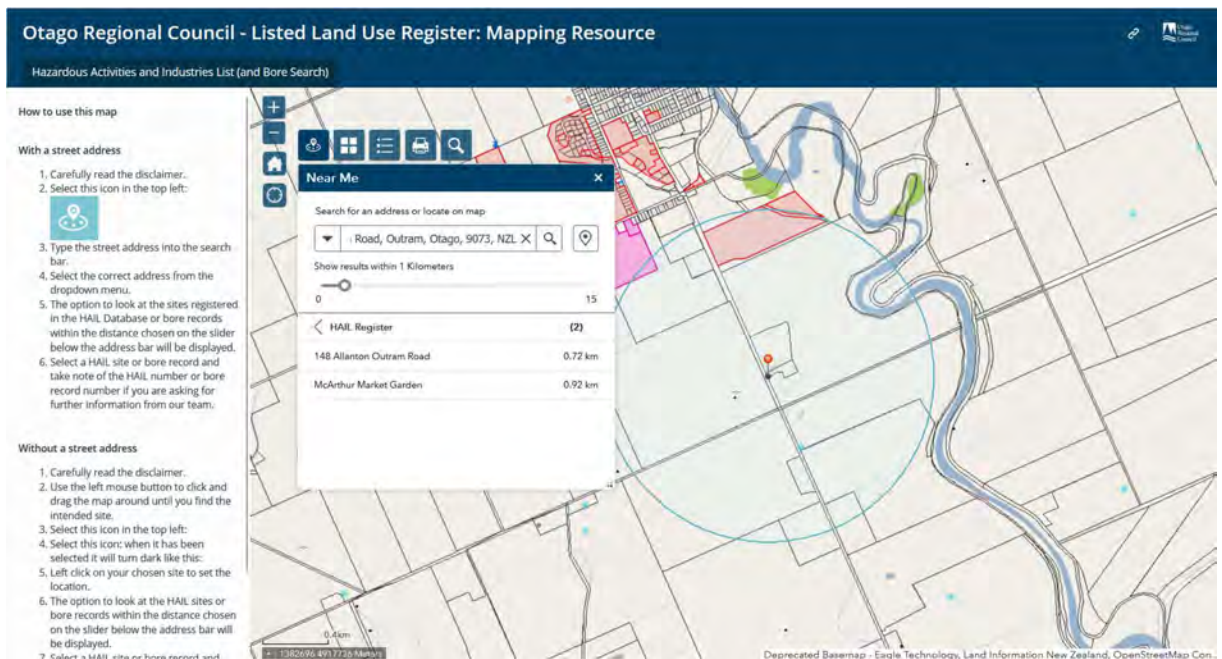


Figure 3: ORC HAIL Database Information.

13. SUB-2020-142 states in relation to the HAIL status of the larger site which was subdivided to create the subject site that (emphasis added):

“The applicant’s agent has applied for a search of the Dunedin City Council records (HAIL-2020-155). The report found no evidence of HAIL activities occurring on this site but noted that, if the land has been used for market gardening, it might be subject to A10 Persistent Pesticide bulk storage or use including sports turfs, market gardens, orchards, glass houses or spray sheds. The agent has reviewed the results and concludes:

“Hail report 2020-155 has been received for the property. The report indicates there is no evidence of any Hail activities having occurred on the property. We therefore consider it reasonable to conclude that it is unlikely there is any soil contamination that might affect human health and

therefore the NES does not apply.”

*The agent comments that the property has always been used exclusively as a pastoral farming block. It is also noted that the bulk of the subject site is productive land which does not stop being productive land on subdivision. Pursuant to Regulation 5(8)(c), the NES is not applicable to this land. **There are no sheds associated with the residential activity of Lot 1 which might have stored sprays. Accordingly, while the property might or might not have been used for market gardening in the past (given its location on the Taieri), it is unlikely that the provisions of the NES will be triggered in any case.***

14. LUC-2023-306 states that (emphasis added):

“There were no confirmed HAIL activities on ORC register, but the 2022 subdivision application indicated there is a diesel storage tank adjacent to the southeast side of the main dwelling. This diesel storage tank was indicated to be last in use in approximately 2012. It has been noted as part of this application...

A HAIL search was undertaken, as part of the 2022 subdivision, by the Council which identified that the following activity, which is included on the HAIL, has occurred on the site: • A17: Storage tanks or drums for fuel, chemicals or liquid waste.

*The previous 2022 subdivision application identified the known HAIL activity on the site. The search report noted that the farm buildings and yards on the site have had a long history of use, which may have included HAIL activities that the council holds no records about such as agrichemical storage, fertiliser bulk storage, livestock dips/spray races, persistent pesticide storage, and storage tanks for fuel. **The known HAIL use on site was identified as a diesel tank (A17 in the 2022 subdivision) – this is the tank adjoining the kitchen shown in Figure 2 below. It has not been used since approximately 2012. It was used for heating of the dwelling.***

The location of the proposed activity is separate from the fuel tank location and the NES-CS is not triggered by this proposal. However, an advice note has been included in case of accidental discovery during the works.



Figure 2: HAIL location adjacent to main dwelling

NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND

15. This national policy statement applies to rural zoned land with a land use capability classification of 1, 2 or 3 unless specific exceptions apply. According to the *Manaaki Whenua Landcare Research Our Environment Mapping Database*⁴, the site contains LUC class 1 land as shown in Figure 4 below.

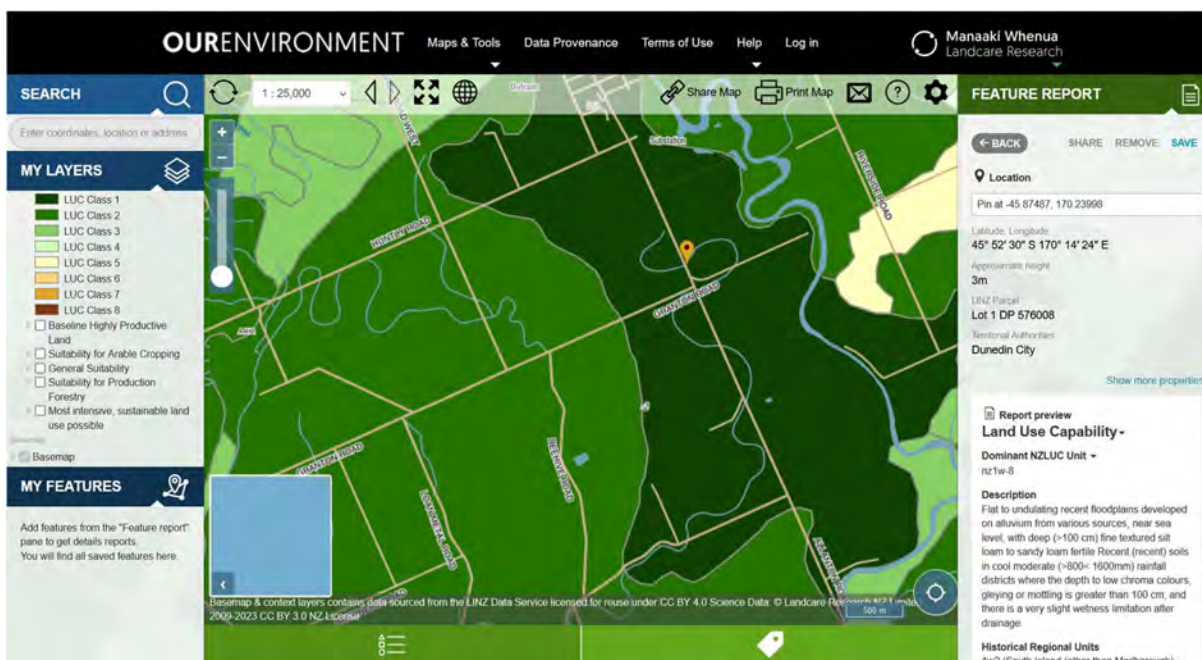


Figure 4: LUC Classification of the Site.

16. Clause 3.9(1) requires Council to protect highly productive land by avoiding the inappropriate use or development of highly productive land that is not land-based primary production. Clause 3.9(2) states that: "A use or development of highly productive land is inappropriate except where at least

⁴ https://ourenvironment.scinfo.org.nz/maps-and-tools/app/Land%20Capability/lri_luc_main

one of the following applies to the use or development, and the measures in subclause (3) are applied..."

17. In this case the proposed activity falls within the exception to the NPS-HPL provided by Clause 3.9(2)(g) which states: *"...it is a small-scale or temporary land-use activity that has no impact on the productive capacity of the land..."*.
18. The rural productive capacity of the site of the proposed activity is limited in both size and typology. It is currently used as a yard and mown grass area as can be seen in Figure 5 below. The proposed activity is inherently both small-scale and temporary in nature and will ultimately have no impact on the limited productive capacity of the land on which the proposed activity is to be located. Topsoil stored in a low bund between the driveway and the existing septic tank can be reapplied once the proposed activity ceases.



Figure 5: Yard Area (Beyond the gate) in Which Proposed Activity is to be Located⁵.

19. Subclause (3) states: *"Territorial authorities must take measures to ensure that any use or development on highly productive land: (a) minimises or mitigates any actual loss or potential cumulative loss of the availability and productive capacity of highly productive land in their district; and (b) avoids if possible, or otherwise mitigates, any actual or potential reverse sensitivity effects on land-based primary production activities from the use or development."*
20. To the extent that there is any rural productive capacity associated with the land on which the proposed activity is to be located, the inherently small-scale and ultimately temporary nature of that

⁵ Photograph supplied by applicant. Taken just inside existing shed looking out to build location beyond the gate.

proposed activity means that once the site ceases to be used for the building of relocatable dwellings it can revert to being available for rural productive use. No reverse sensitivity effects will arise from the proposed activity with respect to the continued use of adjoining properties for pastoral grazing purposes.

ACTIVITY STATUS

Industrial Activity

21. The building of relocatable homes appears to fall within the definition of 'industry' which is defined in the 2GP as meaning: *"The use of land and buildings for any of the following: manufacturing, assembly, processing, storage, repair, maintenance, and packing of goods and materials, including machinery or vehicles..."*
22. Industrial activities in the rural zone have an activity status of **non-complying**⁶.

Earthworks

23. Small scale earthworks are permitted pursuant to the 2GP with the thresholds for small scale earthworks set out at Rule 8A.5.1. Rule 8A.5.1.3 governs the maximum change in finished ground level which is set at 0.5m⁷ for sites within a Hazard 2 (flood) Overlay Zone. There is no applicable threshold for the area (m²) of the earthworks for the proposed activity as the site does not fall within one of the overlay zones listed in Rule 8A.5.4. Rule 8A.5.1.5 governs the maximum volume of combined cut and fill for earthworks which is set at 7.5m³ per 100m² of site, or 100m³, whichever is the lesser⁸. In this case the lesser is 100m³.
24. The site plan shows that the earthworks will consist of approximately 381.6m³ of cut to a maximum depth of 300mm for the driveway. If excavated, the build location in the centre of the driveway will consist of approximately 312m³ of cut to a maximum depth of 300mm. The 300mm change in finished ground level is within the permitted threshold for small scale earthworks. However, the volume of the earthworks, whether just for the driveway or for the driveway and the build location, exceed the maximum volume of 100m³ for the site under the permitted small scale earthworks threshold.
25. The proposed earthworks contravene the thresholds for small scale earthworks and, therefore, are deemed to be large scale earthworks with an activity status of **restricted discretionary**⁹. The earthworks comply with all relevant performance standards pertaining to large scale earthworks as

⁶ 2GP Rule 16.3.3.53.a

⁷ 2GP Rule 8A.5.1.3.a.vii.

⁸ 2GP Rule 8A.5.1.5.a.Y.

⁹ 2GP Rule 8A.3.2.3.

is demonstrated in Appendix 4a.

Signage

26. Rule 16.6.7 governs the number, location and design of ancillary signs in the rural zones. The proposed signage is detailed in paragraph 9 above. The compliance of the proposed signage with relevant requirements in Rule 16.6.7 is analysed in Appendix 4b. That analysis shows that the proposed signage complies with all relevant performance standards and is, therefore, **permitted**.

Land Use & Development Performance Standards

27. Rules 16.5 and 16.6 contain various performance standards relevant to the proposed activity. An analysis of those performance standards is undertaken at Appendix 4c and demonstrates that the proposed activity **complies** with all relevant performance standards.

Overall Activity Status

28. The overall activity status of the proposed activity is **non-complying**.

AFFECTED PARTY CONSENT

29. No parties are considered affected and, therefore, affected party consent is not required. The closest dwelling to the site is situated at 430 Allanton Road (in excess of 260m between the dwelling and proposed activity) with the next closest being situated at 403 Allanton Road (in excess of 280m from that dwelling to the proposed activity). There is intervening vegetation and existing buildings / structures between both these dwellings and the proposed activity as shown in Figures 6a and b below.

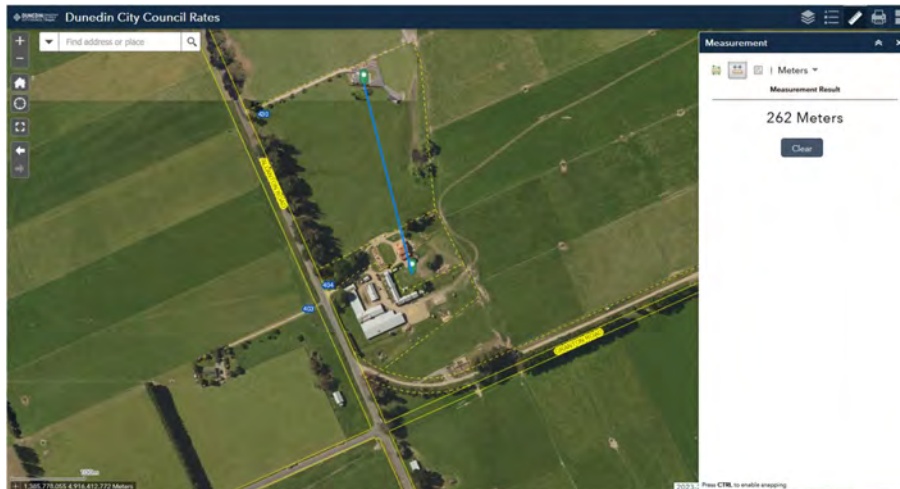


Figure 6a: Approximate Distance Between Dwelling at 430 Allanton Road & Proposed Activity.



Figure 6b: Approximate Distance Between Dwelling at 403 Allanton Road & Proposed Activity.

NOTIFICATION

30. Section 95A of the RMA governs the process for determining if an application is to be publicly notified. The process contains four steps with criteria set out for each step. The four steps are:
 - Step 1: mandatory public notification in certain circumstances.
 - Step 2: public notification precluded in certain circumstances.
 - Step 3: public notification required in certain circumstances.
 - Step 4: public notification in special circumstances.
31. With respect to the criteria for step 1, as listed in subsection (3) of s95A, the applicant has not requested the application be notified; Council has all relevant information, and the application does not include recreation reserve land. Therefore, there is no requirement for mandatory public notification.
32. With respect to criteria for step 2, the consent application is not for any activities for which a rule or national environmental standard precludes public notification of the proposed activity.
33. With respect to criteria for step 3, none of the criteria apply, that is, there is no rule or environmental standard requiring notification of the proposed activity and the effects of the proposed activity are demonstrated in the assessment of effects to be no more than minor.
34. With respect to step 4, subsection 9 of s95A, requires a determination as to whether special circumstances exist in relation to the application that warrant the application being publicly notified – if yes, publicly notify the application; if no, determine whether to give limited notification under s95B.
35. Case law holds that what constitutes 'special circumstances' are circumstances which must be

unusual or exceptional but may be less than extraordinary or unique¹⁰ – the circumstances must be out of the ordinary. Although, public opinion may be a contributing factor it is not determinative¹¹.

36. There are no 'unusual', 'exceptional' or 'out of the ordinary' circumstances relating to the application. The application is for a building business involving the construction of up to three relocatable homes at any one time in the rural zone. The proposed activity complies with all relevant performance standards¹² and any adverse effects associated with the proposed activity will be less than minor – see *Assessment of Environmental Effects* below for further detail.
37. Similarly, s95B sets out the steps for determining whether there is a need for limited notification of an application. Step 1 determines whether there are certain affected groups or affected persons that must be notified. No protected customary rights or marine title groups are affected by the application, nor will the application affect land the subject of a statutory acknowledgement made in accordance with an act specified in schedule 11 of the RMA. None of the circumstances set out in step 2 (s95B(6)) apply, meaning Council is not precluded from limited notification of the application. Step 3 (s95B(8)) requires determination of any other affected party in accordance with s95E. There are no other affected parties because any adverse effects will be less than minor as demonstrated by the assessment of environmental effects below. Step 4 (s95B(10)) requires that the application be notified on a limited basis if special circumstances exist which warrant limited notification. No such special circumstances exist.
38. The application can be dealt with by Council on a **non-notified basis**.

PERMITTED BASELINE & RECEIVING ENVIRONMENT

39. 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.
40. In the current context the following elements are permitted activities under the most restrictive, applicable provisions of the 2GP:
 - Earthworks not exceeding 0.5m maximum change in ground level and 100m³ in volume.
 - Signage that complies with relevant performance standards in Rules 16.6.7 and 6.7.3.

¹⁰ *Peninsula Watchdog Group Inc v Minister of Energy* [1996] 2 NZLR 529.

¹¹ *Murray v Whakatane District Council* [1997] NZRMA 433.

¹² See Appendices 4a – c.

- Access, loading and car parking which meets the relevant performance standards.

There is no permitted baseline for any other components of the proposed activity.

41. 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 the 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 2GP.
42. For the subject site, the existing and reasonably foreseeable receiving environment comprises erection of a shed in the location of the proposed activity, earthworks meeting the small scale thresholds and signage, access, loading and car parking which meets relevant performance standards.

S104D

43. Applications for non-complying activities must first demonstrate that the proposed activity meets one of the two limbs set out in Section 104D of the RMA. Section 104D states:

“...a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either— (a) the adverse effects of the activity on the environment...will be minor; or (b) the application is for an activity that will not be contrary to the objectives and policies of...(iii)...the relevant plan.”

44. The assessment of effects provided below, shows that the adverse effects of the proposed activity will be **less than minor** meaning the proposed activity meets the first test of s104D, that is, *“...the adverse effects of the activity on the environment...will be minor...”*.
45. The assessment of objectives and policies provided below, demonstrates that the proposed activity is consistent with the relevant policy framework and, although not necessary, can also pass the second test of s104D, that is, *“...the application is for an activity that will not be contrary to the objectives and policies of...(iii)... the relevant plan...”*.

ASSESSMENT OF EFFECTS

46. The proposed activity involves the following elements which require resource consent:
 - a. Industrial activity (non-complying); and
 - b. Exceedance of 100m³ volume small scale earthworks threshold (restricted discretionary).

Each of these is discussed below.

Industrial Activity (Non-complying)

47. Rule 16.12 governs the assessment of non-complying activities. Rule 16.12.1.3 states: “Rules 16.12.2 – 16.12.5 apply as follows: a. Rule 16.12.2 applies to all non-complying activities; b. Rule 16.12.3 applies to non-complying land use activities...”
48. An analysis of the relevant assessment guidance in Rule 16.12.2 is provided in Appendix 5a whilst an analysis of the relevant assessment guidance in Rule 16.12.3 is provided in Appendix 5b.
49. The analysis in both Appendices 5a and 5b determine that any adverse effects associated with the proposed activity are less than minor and are ultimately temporary in nature and that the proposed activity is consistent with all relevant objectives and policies detailed in the assessment guidance in Rules 16.12.2 and 16.12.3.

Exceedance of 100m³ Volume Small Scale Earthworks Threshold (Restricted Discretionary)

50. The discretion of Council is restricted, in this case, to consideration of the following matters for earthworks contravening the small scale earthwork thresholds¹³:
 - Effects on visual amenity.
 - Effects on amenity of surrounding properties.
 - Effects on the stability of land, buildings, and structures.
 - Effects on biodiversity values.
 - Risk from natural hazards.
51. An analysis of the proposed activity in relation to each of these matters is undertaken in Appendix 5c. That analysis determines that any adverse effects resulting from the exceedance of the 100m³ volume threshold are in the range **negligible to less than minor**.

ASSESSMENT OF OBJECTIVES & POLICIES

52. Section 104(1)(b)(v) of the act requires that Council consider any relevant regional policy statements. However, given the localised nature of the proposed activity, the Regional Policy Statement for Otago is not considered to provide any specifically relevant provisions.
53. Section 104(1)(b)(vi) of the act requires an assessment of relevant objectives and policies of the 2GP.

¹³ 2GP Rules 8A.7.2.1.a – c, 8A.7.2.2.a and 8A.7.2.5.a.

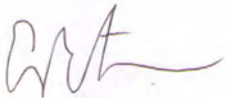
This assessment has been undertaken and demonstrates that the proposed activity is **consistent** with relevant policy framework¹⁴.

CONCLUSION

54. The proposed activity involves the construction of up to three relocatable homes at any one time which requires resource consent as a non-complying industrial activity. The proposed activity complies with all relevant performance standards excepting exceedance of the 100m³ volume small scale earthworks threshold. Resource consent is required for this performance standard contravention as a restricted discretionary activity.
55. Any adverse effects associated with the proposed activity have been assessed in the range negligible to less than minor meaning that the proposed activity meets the first limb of S104D. Although not necessary, the proposed activity is consistent with relevant objectives and policies of the 2GP.
56. Council can deal with the application on a non-notified basis due to: (a) the distance between the two nearest dwellings offsite and the location of the proposed activity; and (b) in both cases, intervening vegetation and buildings.
57. The applicant looks forward to receiving a grant of consent to the proposed activity.

Please make contact if you wish to discuss this matter further or require any further information.

Yours sincerely,



Emma Peters Consultant Sweep Consultancy Limited P.O. Box 5724 Dunedin 9054 Phone 0274822214
www.sweepconsultancy.co.nz

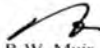
¹⁴ See Appendix 6 for the detail of that analysis.

Appendix 1: Record of Title 1058622.



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
 Search Copy




 R. W. Muir
 Registrar-General
 of Land

Identifier **1058622**
Land Registration District **Otago**
Date Issued 02 September 2022

Prior References
 OT405/158

Estate	Fee Simple
Area	9944 square metres more or less
Legal Description	Lot 1 Deposited Plan 576008
Registered Owners	
Todd Michael Ford, Kirsty Alice Grant and Polson McMillan Trustee Company No.3 Limited	

Interests

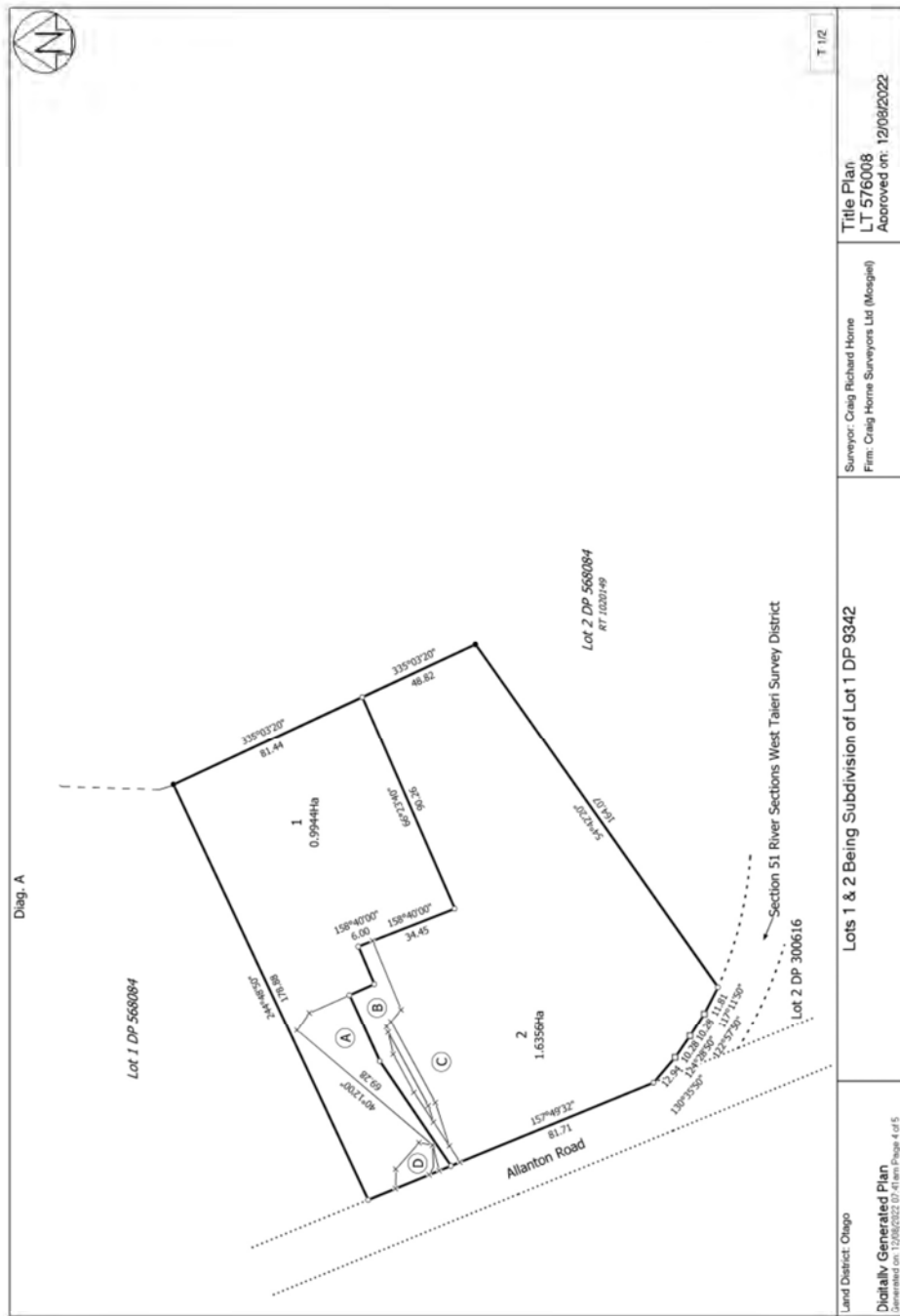
X20320 Memorandum of Acceptance imposing Building Line Restriction - 6.10.1958 at 2.15 pm

Land Covenant in Covenant Instrument 12304668.3 - produced 10.5.2022 at 3:32 pm and entered 30.8.2022 at 7:00 am
 (Affects part marked D on DP 576008)

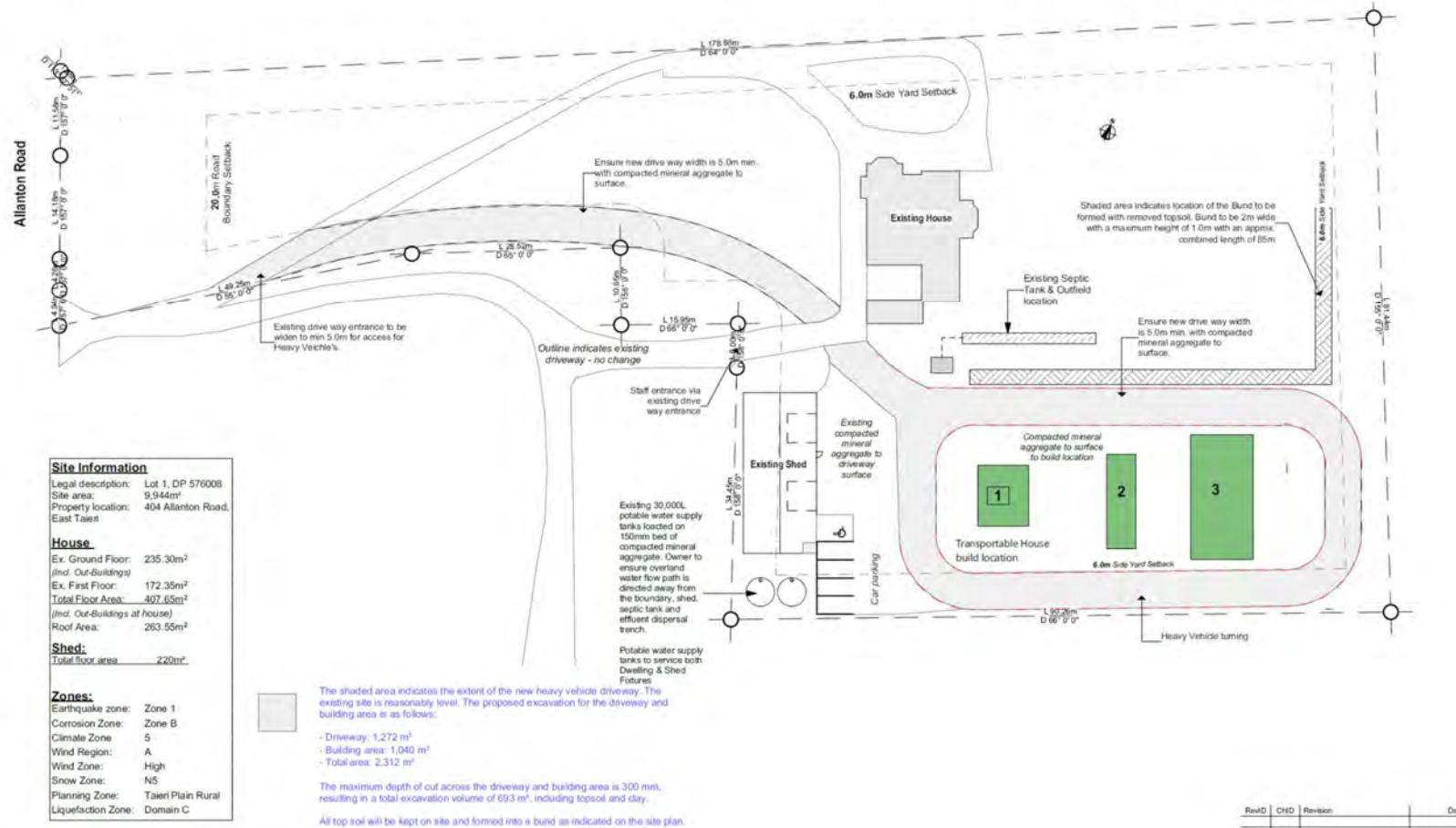
Subject to a right of way over part marked A on DP 576008 created by Easement Instrument 12548954.3 - 2.9.2022 at 4:45 pm

Appurtenant hereto is a right of way and a right to convey electricity and telecommunications created by Easement Instrument 12548954.3 - 2.9.2022 at 4:45 pm

The easements created by Easement Instrument 12548954.3 are subject to Section 243 (a) Resource Management Act 1991
 12585641.2 Mortgage to ASB Bank Limited - 19.10.2022 at 4:52 pm

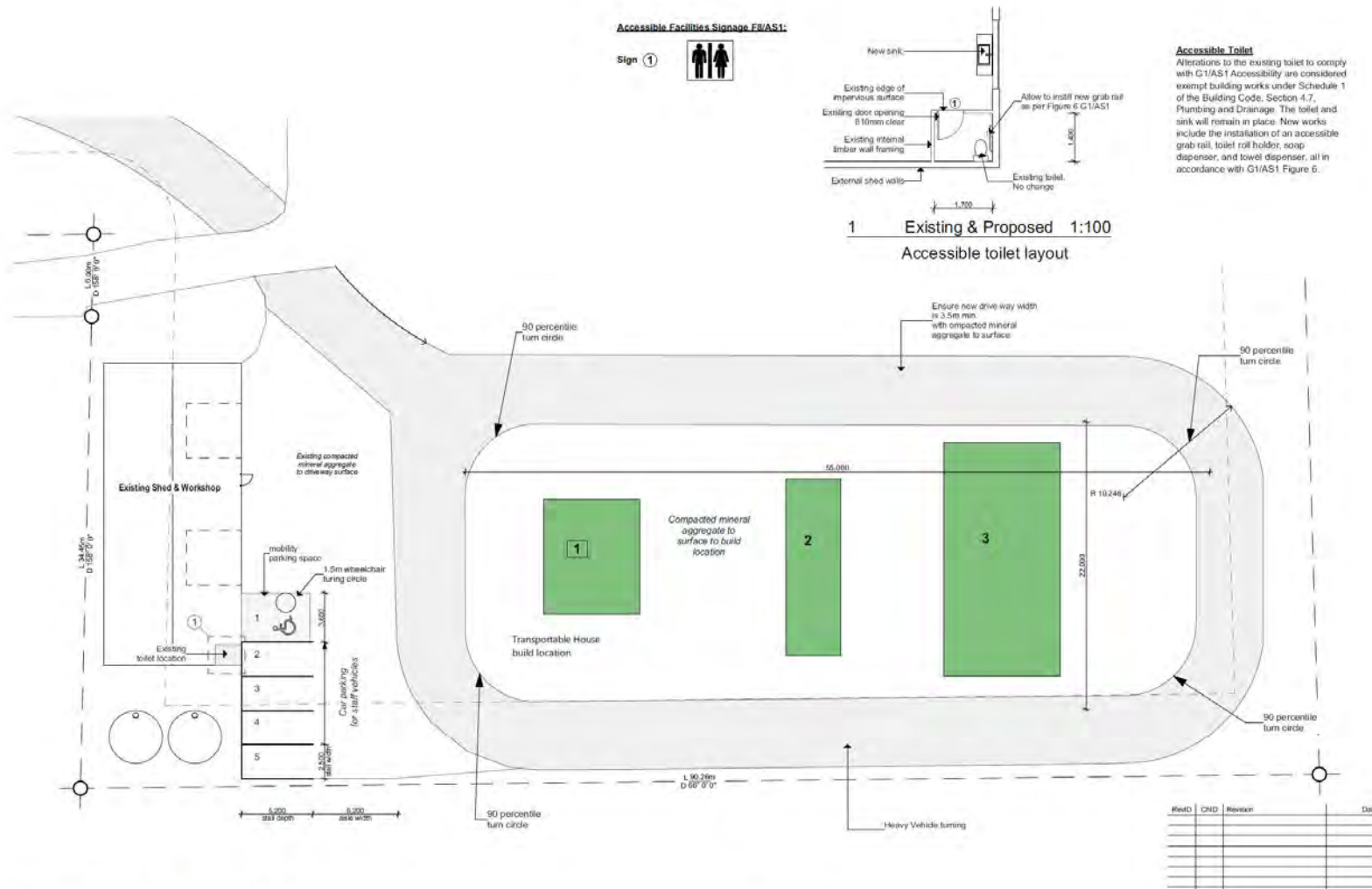


Appendix 2: Site Plan (Sheet A101).



Rev/D	CHD	Revision	Date

Appendix 3: Car Parking & Build Location (Sheet A102).



Appendix 4a: Analysis of Proposed Activity Against Earthworks – Large Scale Performance Standards.

Performance Standard	Analysis of Proposed Activity
Rule 8A.3.2.1.a Archaeological Sites	Not applicable as the site is not a scheduled archaeological site.
Rule 8A.3.2.1.b Batter Gradient 8A.5.3 Batter Gradient 1. Earthworks must: a. have a maximum cut batter gradient of 1h:1v (i.e. rising 1m over a 1m distance); and b. have a maximum fill batter gradient of 2h:1v (i.e. rising 1m over a 2m distance).	The earthworks will comply with this performance standard where applicable.
Rule 8A.3.2.1.c Setback from Property Boundary, Buildings, Structure and Cliffs Directs to Rule 8A.5.4 1. Earthworks over 600mm in height or depth must be set back from: property boundaries, foundations of buildings, structures greater than 10m ² footprint, and the top or toe of any cliff, the following minimum distances: a. Earthworks not supported by retaining walls: i. a distance at least equal to the maximum height of the fill, as measured from the toe of the fill (see Figure 8A.5.4A); ii. a distance at least equal to 1.5 times the maximum depth of the cut, plus 300mm, as measured from the toe of the cut (see Figure 8A.5.4A); and iii. 300mm, as measured from the crest of any cut (see Figure 8A.5.4A). b. Retaining walls supporting a cut or fill must be set back a distance at least equal to the height of the retaining walls (see Figure 8A.5.4B), except: i. retaining walls supporting a cut that have been granted building consent are exempt from this standard. c. Earthworks ancillary to network utility activities, earthworks ancillary to the operation, repair and maintenance of the roading network, earthworks ancillary to the operation, repair and maintenance of the rail network, earthworks ancillary to the maintenance or replacement of underground fuel storage systems and earthworks ancillary to forestry are exempt from the setback from property boundary, buildings, structures and cliffs performance standard.	Not applicable because the earthworks are not over 600mm in height or depth.
Rule 8A.3.2.1.d Setbacks from National Grid	Not applicable as no National Grid infrastructure in the immediate locale.
Rule 8A.3.2.1.e Setback from Network Utilities Directs to Rule 5.6.2: 1. Earthworks must be set back at least 2.5m from any water mains and at least 1.5m from all other network utility structures,...	There is a 32mm water pipe within Allanton Road reserve. However, this water pipe is located more than 8m from the boundary of the site as is shown in Figure 7 below.

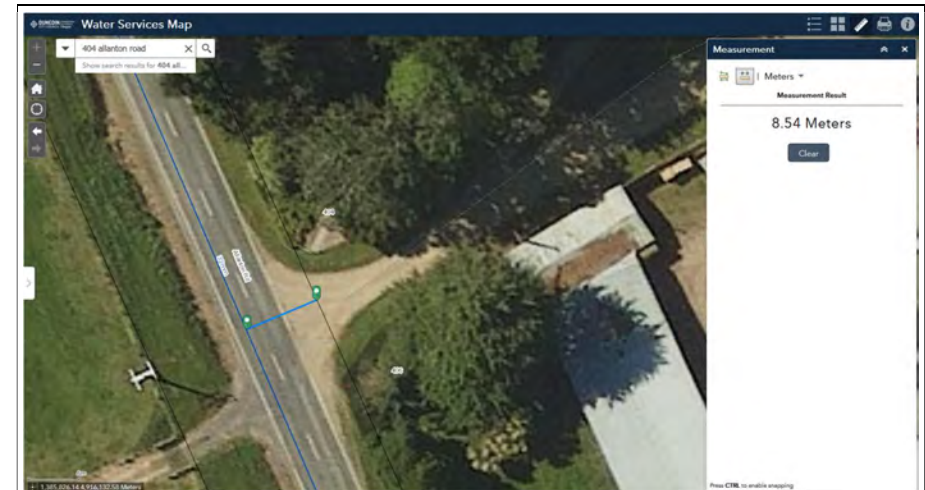


Figure 7: Location of Water Pipe within Allanton Road & Distance to Site Boundary.

There is a power pole located opposite the driveway on the furthest edge of Allanton Road reserve, as shown in Figure 7 above, in excess of 19m from the site boundary.

Proposed activity **complies** with this performance standard.

Rule 8A.3.2.1.f	Sediment Control	The earthworks will be undertaken by a reputable contractor who utilises best practice sediment control management. It is anticipated that a condition of consent or advice note will also control this matter. Proposed activity complies with this performance standard.
Rule 8A.3.2.1.g	Removal of High Class Soils	High class soils will be retained on site in a low bund situated between the driveway and the existing septic tank. Proposed activity complies with this performance standard.
Rule 8A.3.2.1.h	NZ Environmental Code of Practice for Plantation Forestry	Not applicable.
Rule 8A.3.2.1.i	Setback from Scheduled Tree	Not applicable as there is no scheduled tree on the site and there are no scheduled trees on adjoining properties.
Rule 8A.3.2.1.j	Dust Control	The earthworks will be undertaken by a reputable contractor who utilises best practice dust control management. It is anticipated that a condition of consent or advice note will also control this matter. Proposed activity complies with this performance standard.
Rule 8A.3.3.a	Setback from Coast and Water Bodies	Not applicable.

Appendix 4b: Analysis of Proposed Signage against Relevant Performance Standards.

Performance Standard	Analysis of Proposed Activity
Rule 16.6.7.1.a A maximum of one sign attached to a building and one freestanding sign is allowed per site...	There will be no signs attached to the existing shed except regulatory signs which are exempt from the performance standards. There will be one freestanding sign albeit attached to the fence on the road boundary of the site. Proposed signage complies with this performance standard.
Rule 16.6.7.1.b Signs visible from a public place must meet all of the following performance standards, except that regulatory signs, directional signs and warning signs that do not exceed 0.25m² are exempt from these standards.	The sign on the fence is the only sign that will be visible from a public place and will comply with relevant performance standards in Rule 6.7.3 as required by Rule 16.6.7.1.d. Proposed signage complies with this performance standard.
Rule 16.6.7.1.c Signs that only give address, occupant or place name information (not including any commercial business names) do not count toward maximum sign numbers.	Not applicable.
Rule 16.6.7.1.d Signs must comply with Rule 6.7.3 where visible from a road. Rule 6.7.3 Signs Visible from Roads 1. The minimum letter height of signs...must be...b. 160mm where the speed limit is greater than 70km per hour; 2. Signs must not be of a design or form that resembles or conflicts with traffic signs ...	The only sign visible from the road will be the sign attached to the fence adjacent to the entrance to the site it will not be illuminated or digital in nature. The height of the lettering will be at least 160mm. Proposed signage complies with this performance standard.
Rule 16.6.7.1.e Signs must not be illuminated or digital.	None of the signs were illuminated or digital. Proposed signage complies with this performance standard.

Appendix 4c Analysis of Proposed Activity Against Relevant Performance Standards Contained in Rules 16.5 & 16.6.

Performance Standard	Analysis of Proposed Activity												
Hours of Operation Rule 16.5.4	Although not directly applicable , the specified hours of operation for the listed activities provide guidance. The proposed activity will only operate between the hours of 7am and 7pm which is in line with this performance standard.												
Light Spill Rule 16.5.5 1. Light spill measured 1.5m above <u>ground level</u> at the boundary of a <u>site</u> must not exceed 1 Lux between 10:00pm and 7:00am. 2. Lights must be: a. cut-off or fully shielded; and b. directed away from roads and any adjacent <u>property</u> . 3. Light spill measured at the boundary of the residential zone or any <u>site</u> used for residential purposes between 7:00am and 10:00pm must not exceed 3 Lux, except this standard does not apply to light spill from the headlights of motor vehicles.	The proposed activity will comply with this performance standard.												
Minimum Mobility Parking Rule 16.5.8 1. Land use activities must provide on-site mobility parking spaces as follows: <table><tr><th>Total number of parking spaces provided</th><th>Minimum number of these that must be mobility parking spaces</th></tr><tr><td>a. 1 - 20</td><td>1 parking space</td></tr></table>	Total number of parking spaces provided	Minimum number of these that must be mobility parking spaces	a. 1 - 20	1 parking space	The proposed activity includes 5 car parking spaces one of which meets the requirements for a mobility parking space. Proposed activity complies with this performance standard.								
Total number of parking spaces provided	Minimum number of these that must be mobility parking spaces												
a. 1 - 20	1 parking space												
Noise Rules 16.5.9 & 9.3.6 1. Land use activities...must not exceed the following noise emission limits: <table><tr><th>Zoning of receiving property</th><th colspan="3">Noise level measured at the boundary of the receiving property, or in a rural, rural residential or Ashburn Clinic zone at the notional boundary of noise sensitive activities</th></tr><tr><td rowspan="2">...</td><th>i. 7.00am to 7.00pm</th><th>ii. 7.00pm to 10.00pm</th><th>iii. 10.00pm to 7.00am</th></tr><tr><td>d. Rural, rural residential and Ashburn Clinic zones (at property boundaries, where there are no <u>noise sensitive activities</u> within 20m of boundary)</td><td>60 dB LAeq (15 min)</td><td>60 dB LAeq (15 min)</td><td>1. 60 dB LAeq (15 min); and 2. 85 dB LAFmax</td></tr></table>	Zoning of receiving property	Noise level measured at the boundary of the receiving property, or in a rural, rural residential or Ashburn Clinic zone at the notional boundary of noise sensitive activities			...	i. 7.00am to 7.00pm	ii. 7.00pm to 10.00pm	iii. 10.00pm to 7.00am	d. Rural, rural residential and Ashburn Clinic zones (at property boundaries, where there are no <u>noise sensitive activities</u> within 20m of boundary)	60 dB LAeq (15 min)	60 dB LAeq (15 min)	1. 60 dB LAeq (15 min); and 2. 85 dB LAFmax	The noise associated with the construction of the relocatable dwellings will comply with this performance standard. Proposed activity complies with this performance standard.
Zoning of receiving property	Noise level measured at the boundary of the receiving property, or in a rural, rural residential or Ashburn Clinic zone at the notional boundary of noise sensitive activities												
...	i. 7.00am to 7.00pm	ii. 7.00pm to 10.00pm	iii. 10.00pm to 7.00am										
	d. Rural, rural residential and Ashburn Clinic zones (at property boundaries, where there are no <u>noise sensitive activities</u> within 20m of boundary)	60 dB LAeq (15 min)	60 dB LAeq (15 min)	1. 60 dB LAeq (15 min); and 2. 85 dB LAFmax									
Natural Hazards Rule 16.6.2 <u>16.6.2.1 Hazard exclusion areas</u> a. New <u>buildings</u> , new <u>structures</u> , and <u>additions and alterations</u> located in a swale mapped area must comply with <u>Rule 11.3.1.1</u> .	Not applicable. No buildings or structures will be located within the swale mapped area on the site.												
Hazardous Substances Quantity Limits and Storage Requirements Rules 16.6.3 & 9.3.4	The storage and use of hazardous substances must comply with the relevant performance standards set out in Rule 9.3.4. Proposed activity complies with this												

		performance standard.
Maximum Height c.i 10m	Rule 16.6.5.1	The applicant informs that the maximum height of the relocatable dwellings including supports and scaffolding will be: • 3 bedroom relocatable home – support height 250mm, dwelling height 4,110mm, scaffolding height 1,000mm – 5,360mm in total. • 2 bedroom relocatable home – support height 250mm, dwelling height 3,910mm, scaffolding height 1,000mm – 5,160mm in total. • 1 bedroom – support height 250mm, dwelling height 4,100mm, scaffolding height 1,000mm – 5,350mm in total. The proposed activity complies with this performance standard.
Number, Location and Design of Ancillary Signs	Rule 16.6.7	The proposed signage is described in paragraph 9, discussed at paragraph 26 and compliance of the proposed signage with relevant performance standards is assessed in Appendix 4c. All of the proposed signage complies with relevant performance standards. The proposed activity complies with this performance standard.
Parking, Loading and Access Standards	Rules 16.6.8 & 6.6	Parking spaces 2 – 5 comply with the dimensions set out in Rule 6.6.1.1.b.1 of a stall depth of 5.2m, stall width of 2.5m and an aisle width of 6.2m. Parking space 1 is a mobility park which complies with the dimensions set out in Rule 6.6.1.1.e.iii of a stall width of 3.6m. There is adequate space within the site of the proposed activity for unloading of supplies and loading of a relocatable dwelling once built. The loading areas comply with all relevant performance standards in Rule 6.6.2. Access to the site uses an existing vehicle crossing from Allanton Road before branching onto a new (i.e. to be constructed) heavy vehicle driveway. Allanton is hard surfaced and the driveway will be hard surfaced from the edge of that hard surfacing and then for a minimum of 5m inside the road boundary of the site in compliance with Rule 6.6.3.6.a. The heavy vehicle driveway to the site will have a formed width of 5m in compliance with Rule 6.6.3.9.a.vi.3. The proposed activity complies with all relevant parking, loading and access performance standards.
Setbacks: a.iii.1 & 2	Rule 16.6.10 20m from road boundary & 6m from rear and side boundaries	The site plan appended at Appendix 2 delineates the setbacks in relation to the build locations for the relocatable dwellings which are outside the required boundary setbacks. The proposed activity complies with this performance standards.

Appendix 5a: Analysis of Rule 16.12.2 Assessment Guidance for Non-Complying Activity.

Assessment Guidance	Analysis
<i>Relevant objectives and policies (priority considerations):</i> a. Objectives: 16.2.1 (Rural zones are reserved for productive rural activities and the protection and enhancement of the natural environment, along with certain activities that support the well-being of communities where these activities are most appropriately located in a rural rather than an urban environment). 16.2.2 (The potential for conflict between activities within the rural zones, and between activities within the rural zones and adjoining residential zones, is minimised through measures that ensure: a. the potential for reverse sensitivity in the rural zones is minimised; b. the residential character and amenity of adjoining residential zones is maintained; and c. a reasonable level of amenity for residential activities in the rural zones). 16.2.3 (The rural character values and amenity of the rural zones are maintained or enhanced, elements of which include: a. a predominance of natural features over human made features; b. a high ratio of open space, low levels of artificial light, and a low density of buildings and structures; c. buildings that are rural in nature, scale and design, such as barns and sheds; d. a low density of residential activity, which is associated with rural activities; e. a high proportion of land containing farmed animals, pasture, crops, and forestry; f. extensive areas of indigenous vegetation and habitats for indigenous fauna; and g. other elements as described in the character descriptions of each rural zone located in Appendix A7). 16.2.4 (The productivity of rural activities in the rural zones is maintained or enhanced).	To the extent that there is any rural productive capacity associated with the land on which the proposed activity is to be located, the inherently small-scale and ultimately temporary nature of that proposed activity means that once the site ceases to be used for the building of relocatable homes, the build location can revert to being available for rural productive use and in that sense, the potential to use the site for rural productive uses is maintained. No reverse sensitivity effects will arise from the proposed activity with respect to the continued use of adjoining properties for pastoral grazing purposes. Distance and screening provided by existing vegetation and buildings, mean that no reverse sensitivity effects are anticipated with respect to existing residential activity on adjoining properties. Views from Allanton Road, which is the only public viewing point, to the proposed activity are essentially non-existent due to existing vegetation (large mature trees and roadside hedging) and existing buildings on the site and adjoining property at 406 Allanton Road. The existing vegetation and buildings, which effectively screen the proposed activity from viewing points on Allanton Road, coupled with the small scale and temporary nature of building transportable homes, means that there are no long term effects on rural character and amenity of the locale. Figures 8a – c below show the existing vegetation and buildings screening view of the location of the proposed activity from Allanton Road. The proposed activity is consistent with these objectives.



Figure 8a: Vegetation and Buildings Intervening in Views from Allanton Road.



Figure 8b: Vegetation and Buildings Intervening in View from Allanton Road.

	 Figure 8c: Vegetation and Buildings Intervening in View from Allanton Road.
<i>Relevant objectives and policies (priority considerations):</i> b. The activity does not detract from, or preferably contributes to, the strategic direction objectives, including, but not limited to, those related to: i. Objectives: • 2.2.2 (Environmental Performance and Energy Resilience). • 2.2.3 (Indigenous Biodiversity). • 2.2.4 (Compact and Accessible City). • 2.3.1 (Land and Facilities Important for Economic Productivity and Social Well-being).	The proposed activity provides for much needed affordable housing in the way of transportable new dwellings which, once built, will be located on sites meeting 2GP density requirements, if relocated within Dunedin City. The site has no indigenous biodiversity values, and the proposed activity does not propose to alter this fact. Given the small-scale and ultimately temporary nature of the proposed activity, whatever limited rural productive capacity of the location of the proposed activity is maintained. The proposed activity is consistent with these objectives.
<i>General assessment guidance:</i> c. In assessing the significance of effects, consideration will be given to: 1. short to long term effects, including effects in combination with other activities; and 2. 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. ...	Ultimately there are no long-term effects from the proposed activity. It is unlikely that any cumulative effects will arise from granting consent to the proposed activity, nor is it likely that granting consent to the proposed activity will result in a precedent being set due to the context of the setting of the proposed activity, it being small scale and ultimately temporary in nature. The proposed activity will have a less than minor effect with respect to: (a) both short and long term effects; and (b) cumulative effects.

Appendix 5b: Analysis of Rule 16.12.3.2 Assessment Guidance for Non-Complying Land Use Activity.

Assessment Guidance	Analysis
<i>Relevant objectives and policies (priority considerations):</i> a. Objective 2.3.2 (Centres Hierarchy) and Policy 2.3.2.2 (Maintain or enhance the density and productivity of economic activity in the CBD and centres through rules that restrict retail and office activities outside these areas unless: they are unlikely to contribute to, or may detract from, the vibrancy of centres... b. Objective 2.4.3 (Vibrant CBD and Centres) and Policy 2.4.3.4 (Maintain or enhance the vibrancy and density of activity in the CBD and centres through rules that restrict the distribution of retail and office activity.) c. Objective 16.2.1 (Rural zones are reserved for productive rural activities and the protection and enhancement of the natural environment, along with certain activities that support the well-being of communities where these activities are most appropriately located in a rural rather than an urban environment.) d. ...industrial activities...are avoided, unless otherwise provided for, in the rural zones (Policy 16.2.1.8).	The nearest centre to the site is the Rural Centre situated at Outram. It would be completely inappropriate for the proposed activity to be located within a centre zone adjacent to residential activity. The proposed activity would detract from the vibrancy of the Rural Centre zone at Outram even if a site was available for the applicant to use for the proposed activity. The low level of effects and essentially temporary nature of the proposed activity also mean it would be completely inappropriate to require the proposed activity to be located in an industrial zone which is better reserved for use by higher effect industrial activities. The small-scale and ultimately temporary nature of the proposed activity means that whatever level or potential for rural productive use the location of the proposed activity has, is retained. The proposed activity supports the well-being of communities by providing affordable, transportable dwellings for relocation to sites complying with density requirements. The proposed activity is most appropriately located at the proposed site rather than an urban environment due to the higher level of adverse effect it would have on adjacent residential activity in an urban zone. The proposed activity is consistent with Objective 16.2.1 and, therefore, meets the exception provided in Policy 16.2.1.8. The proposed activity is consistent with these objectives and policies.

Appendix 5c: Analysis of Matters of Restricted Discretion for Exceedance of 100m³ Volume Small Scale Threshold.

Matter of Discretion	Analysis
Rule 8A.7.2.1. a Effects on visual amenity.	Any adverse effects on visual amenity of the exceedance of the 100m³ volume small scale threshold will be negligible. This is because the bulk of the earthworks for the access and, if gravelled, the build location, are screened from public view by existing vegetation and buildings.
Rule 8A.7.2.1.b Effects on amenity of surrounding properties.	The immediately adjacent land is used for pastoral grazing purposes. The closest, off-site dwellings are in excess of approximately 260m (430 Allanton Road) and 280m (403 Allanton Road). The separation between the proposed activity and dwellings on adjacent sties, the small-scale and temporary nature of the earthworks and intervening vegetation and buildings, combine to mitigate any adverse effects of the exceedance of the 100m³ volume small scale threshold such that any adverse effects will be negligible.
Rule 8A.7.2.1.c Effects on the stability of land, buildings, and structures.	There will be no effect on the stability of land, buildings and structures from the exceedance of the 100m³ volume small scale threshold. This is because the earthworks will be undertaken on ground that is essentially flat and the cut depth is minimal at approximately 300mm.
Rule 8A.7.2.2.a Effects on biodiversity values.	The site does not express much in the way of biodiversity and, as such, there will be no effect on the biodiversity values of the site from the exceedance of the 100m³ volume small scale threshold.
Rules 8A.7.3.5.a Risk from natural hazards.	The site is located in a Hazard 2 (flood) overlay zone. The risk from natural hazards of the exceedance of the 100m³ volume small scale threshold is very low. The earthworks for the driveway and, if gravelled, the build location are located outside of the swale mapped area as shown in Figure 9 below. The topsoil is required to be retained on site pursuant to Rule 8A.5.8 and will be stored in a bund as shown on the site plan. The location of the bund is well outside the mapped swale area which is the natural overland stormwater drainage system in this locale.



Figure 9: Swale Mapped Area in Relation to Access & Build Location and Contours of Site.

Appendix 6: Analysis of Proposed Activity Against Relevant 2GP Policy Framework.

Transportation Activities Policy Framework	Analysis of Proposed Activity
Objective 6.2.2 Land use activities are accessible by a range of travel modes. Policy 6.2.2.1 Require land use activities whose parking demand either cannot be met by the public parking supply, or would significantly affect the availability of that supply for surrounding activities, to provide parking either on or near the site at an amount that is adequate to: a. avoid or, if avoidance is not practicable, adequately mitigate adverse effects on the availability of publicly available parking in the vicinity of the site (including on-street parking and off-street facilities); and b. ensure accessibility for residents, visitors, customers, staff and students (as relevant) who have limited mobility, including disabled people, the elderly and people travelling with young children. 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 6.2.3.9 Only allow land use and 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...	A mobility park has been provided. The heavy vehicle access to the build location uses an existing vehicle crossing from Allanton Road. Allanton Road is classified as an arterial road in the 2GP roading hierarchy. As an arterial road, Allanton Road is well capable of absorbing vehicle movements associated with the proposed activity and the proposed activity will have little to no adverse effect on the safety and efficiency of the transportation network. The proposed activity is consistent with these objectives and policies.
Earthworks Policy Framework	Analysis of Proposed Activity
Objective 8A.2.1 Earthworks necessary for permitted or approved land use and development are enabled, while avoiding, or adequately mitigating, any adverse effects on: a. visual amenity and character; b. the stability of land, buildings, and structures; and c. surrounding properties... Policy 8A.2.1.1 Require earthworks, and associated retaining structures, to be designed and located to avoid or minimise, as far as practicable, adverse effects on the stability of land, buildings, and structures by: a. being set back an adequate distance from property boundaries, buildings, structures and cliffs... Policy 8A.2.1.2 Require earthworks and any associated retaining structures, to be designed, located and undertaken in a way that minimises, as far as practicable, adverse effects on surrounding sites and the wider area, including from: a. sediment run-off onto any property, or into any stormwater pipes, drains, channels or soakage systems; and b. dust nuisance on the amenity of surrounding sites. continued overleaf... Policy 8A.2.1.3 Only allow earthworks that exceed the scale thresholds (earthworks - large scale) and any associated retaining structures, where the following effects will be avoided or, if avoidance is not practicable, adequately mitigated: a. adverse effects on visual amenity and character; b. adverse effects on the amenity of surrounding properties,	The earthworks can be managed regarding land stability, sedimentation, dust and drainage. The earthworks are largely screened from public viewing points on Allanton Road by existing vegetation and buildings. In any case, once the access and, if gravelled, the build location is developed, the earthworks will not be visible. Any adverse effects associated with the earthworks are ultimately temporary. The proposed is consistent with this objective and these policies.

including from changes to drainage patterns; and c. adverse effects on the stability of land, buildings, and structures.	
Public Health & Safety Policy Framework	Analysis of Proposed Activity
Policy 9.2.1.8 Require earthworks...to be designed to ensure adverse effects from sediment runoff from the site on any drains, channels, soakage and treatment systems or stormwater reticulation will be avoided or minimised, as far as practicable.	The earthworks can be managed regarding sedimentation and drainage. The proposed activity is consistent with this policy.
Objective 9.2.2 Land use, development and subdivision activities maintain or enhance people's health and safety. Policy 9.2.2.1 Require activities to be designed and operated to avoid adverse effects from noise on the health of people or, where avoidance is not practicable, ensure any adverse effects would be insignificant.	Provided the maximum noise levels are not exceeded for the proposed activity, the public health of neighbours will not be affected over the long term. The proposed activity is consistent with this objective and policy.
Rural Zones Policy Framework	Analysis of Proposed Activity
Objective 16.2.1 Rural zones are reserved for productive rural activities and the protection and enhancement of the natural environment, along with certain activities that support the well-being of communities where these activities are most appropriately located in a rural rather than an urban environment.	The proposed activity supports the well-being of communities by providing well-constructed, reasonably priced, relocatable homes. The proposed activity is best located on this site as the ability of the site, due to its small size, to provide for rural productive activities is limited. The applicant has investigated other sites within other zones but these have not had the range of factors required to make the venture feasible. The proposed activity is not contrary to this objective.
Objective 16.2.2 The potential for conflict between activities within the rural zones...is minimised through measures that ensure: 1. the potential for reverse sensitivity in the rural zones is minimised; 2. ... 3. a reasonable level of amenity for residential activities in the rural zones. Policy 16.2.2.3 Require all new buildings to be located an adequate distance from site boundaries to ensure a good level of amenity for residential activities on adjoining sites.	The proposed development complies with all relevant performance standards including boundary setbacks. The proposal is consistent with this objective and this policy.
Objective 16.2.3 The rural character values and amenity of the rural zones are maintained or enhanced, elements of which include: 1. a predominance of natural features over human made features; 2. a high ratio of open space, low levels of artificial light, and a low density of buildings and structures;	The rural character and amenity values of the locale are maintained due to the following factors: (a) views of the build location are virtually non-existent from public viewpoints due to screening from existing vegetation and buildings; (b) the proposed activity complies with all relevant performance standards including boundary setbacks and signage; (c) the proposed activity will only operate during 'daytime business hours'; and (d) the proposed activity is small scale and ultimately temporary in nature.

3. buildings that are rural in nature, scale and design, such as barns and sheds; 4. a low density of residential activity, which is associated with rural activities; 5. a high proportion of land containing farmed animals, pasture, crops, and forestry; 6. extensive areas of indigenous vegetation and habitats for indigenous fauna; and 7. other elements as described in the character descriptions of each rural zone located in Appendix A7. Policy 16.2.3.1 Require buildings and structures to be set back from site boundaries and of a height that maintains the rural character values and visual amenity of the rural zones. Policy 16.2.3.7 Require ancillary signs to be located and designed to maintain rural character and visual amenity, including by being of an appropriate size and number to convey information about the name, location, and nature of the activity on-site to passing pedestrians and vehicles and not being oversized or too numerous for that purpose. Policy 16.2.3.9 Require activities to be designed and operated to ensure that any adverse effects from light spill on rural character and amenity, and the ability of people to view the night sky, will be no more than minor.	The proposed activity is consistent with this objective and these policies.
Objective 16.2.4 The productivity of rural activities in the rural zones is maintained or enhanced. Policy 16.2.4.1 Require earthworks in a high class soils mapped area to retain soils on the site. Policy 16.2.4.2 Only allow activities other than farming on highly productive land where: 1. the scale, size and nature of the activity means that any loss of current or potential future rural productivity would be: 1. insignificant in any high class soils mapped area; and 2. no more than minor in other areas of highly productive land...	The site has limited rural productivity value. What value there is will be maintained because the high class soils will be retained on site and the proposed activity is small-scale and ultimately temporary in nature. This means that allowing the proposed activity will have no to an insignificant consequential loss of current or potential future rural productivity. The proposed activity is consistent with this policy.



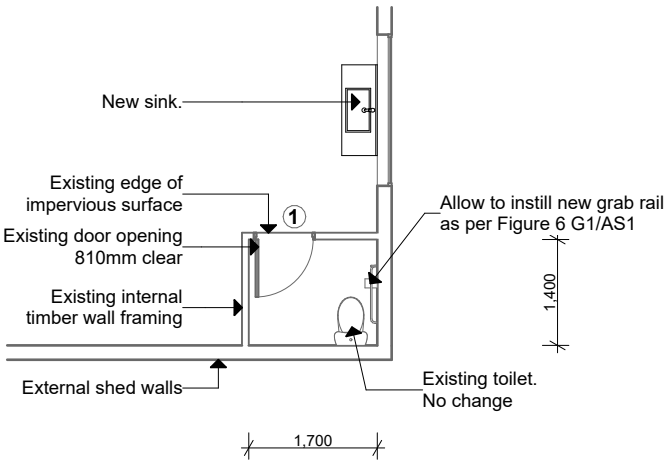
House

Shed:

Zones:

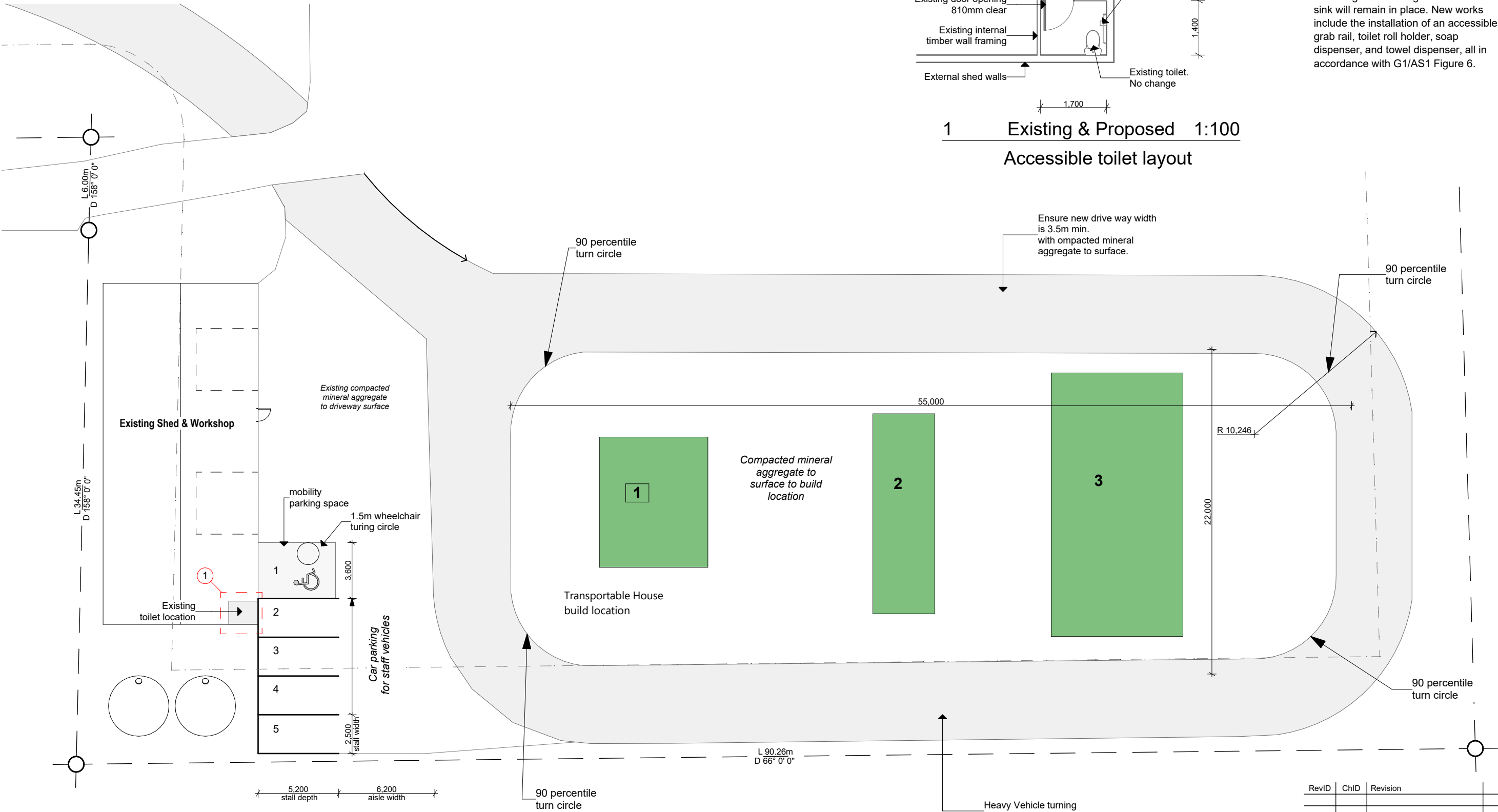
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Sign ①



Accessible Toilet
Alterations to the existing toilet to comply with G1/AS1 Accessibility are considered exempt building works under Schedule 1 of the Building Code, Section 4.7, Plumbing and Drainage. The toilet and sink will remain in place. New works include the installation of an accessible grab rail, toilet roll holder, soap dispenser, and towel dispenser, all in accordance with G1/AS1 Figure 6.

1 Existing & Proposed 1:100
Accessible toilet layout



RevID	ChID	Revision	Date

APPENDIX 1A:

**Further Information and Written Approvals Provided by Ms
Peters (12 March 2025)**

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12 March 2025

Karen Bain
 Associate Senior Planner
 Dunedin City Council
 P.O. Box 5045
 Dunedin 9054

Sent via email sent to:
 Karen.Bain@dcc.govt.nz

Hi Karen,

LUC-2024-380 – 404 Allanton Road, East Taieri – Response to RFI

Thank you for your request for further information received 16th October 2024¹. The RFI contained two information requests. Each of the two is dealt with in turn below.

Assessment of Environmental Effects

The RFI requires information in relation to a number of matters to enable a complete assessment of effects. Each of these matters is dealt with in turn below.

Risk from Natural Hazard

The RFI states:

- **Risk from Natural Hazards** – as in my activity status assessment, the earthworks required to form part of the driveway are within a Swale Mapped Area. In addition, industrial activities are a natural hazards potentially sensitive activity in the Hazard 2 (flood) Overlay Zone, and new buildings with an area of more than 60m² in this overlay zone also require consent.

An assessment of the risk from natural hazards is required (noting that Assessment Rule 11.5.2.3 requires consideration of the extent to which the activity has a critical operational need to locate within the overlay zone and risk is minimised as far as practicable; or the scale, location and design of the activity or other factors mean risk is avoided, or is no more than low.

The proposed driveway is located entirely outside the swale mapped area as shown on the updated site plan² which now shows the location of the swale mapped area in relation to the proposed activity. The entirety of the proposed activity including the access is located outside of the Swale Mapped Area.

The site plan shows the location of the existing driveway (non-shaded) and the proposed truck access to the site requiring formation (grey shaded) as can be seen in Figure 1 below.

¹ See Appendix 1 for copy.

² See Appendix 2 for copy.

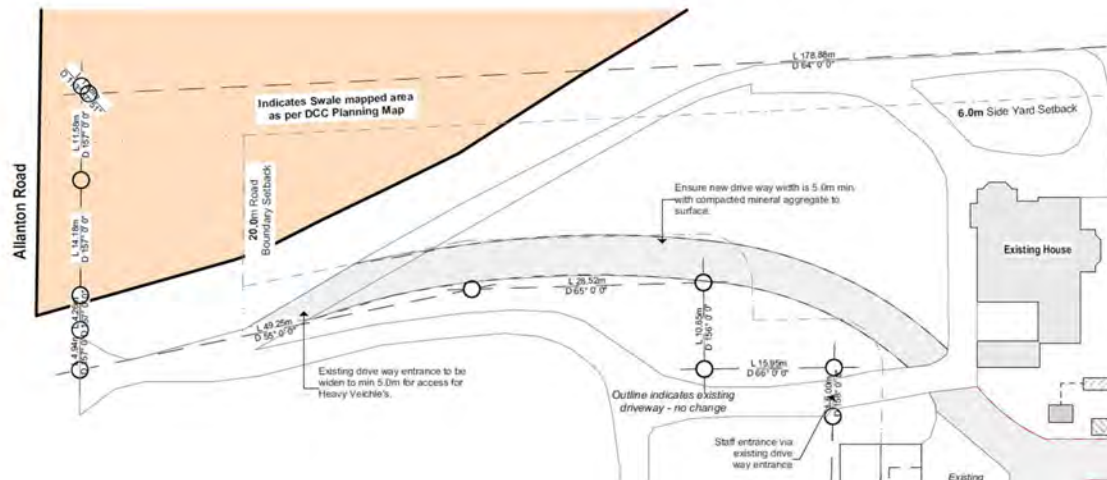


Figure 1: Excerpt from Site Plan Showing Existing and Proposed Driveways.

The alignment of the existing driveway, that is the top non-shaded access in Figure 1 above can be seen in the aerial of the district plan as shown in Figure 2 below (annotations added). The existing driveway is clearly outside of the swale mapped area and the proposed driveway formation at its closest extent to the swale mapped area is never outside of the extent of the existing driveway.

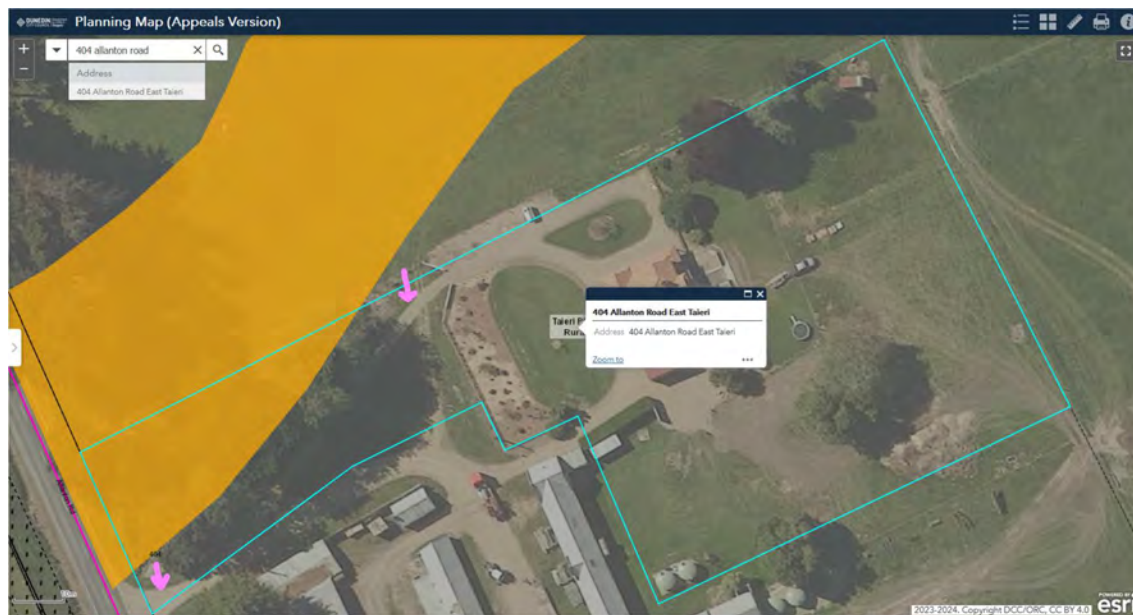


Figure 2: Existing Driveway in Relation to Swale Mapped Area – Indicated by Pink Arrows.

The proposed activity includes use of a paddock area (which excepting formation of the driveway to provide truck access will remain in grass) where relocatable homes will be constructed. The area of the site in which the proposed activity is to be located has a contour level of approximately 6.5m as shown in Figure 3 below. Each relocatable home is only temporary in that it will be constructed on bearers located at minimum 250mm above the ground, to allow for jack access to put onto trucks when complete.



Figure 3: Contours of Site.

The nature of the proposed activity and the fact that any partially constructed relocatable home can be jacked up and secured in anticipation of a flood event, means the **risk from natural hazards is no more than low.**

There is a critical need for the proposed activity to be located at this site. As discussed, in the AEE accompanying the application, the applicant cannot find suitable land at a suitable price meeting their criteria for the proposed activity especially given relocatable homes are a critical product in meeting housing demand at price sensitive point in the market.

Safety & Efficiency of Transportation Network

The RFI states:

- Safety and Efficiency of the Transportation Network – the application suggests that the loading areas will comply with 2GP requirements, but no detail is provided. Please indicate how manoeuvring within the loading area is to be managed, and respond to the non-compliance with the hard-surfacing requirement for loading areas identified in my activity status assessment. Information about the number and timing of vehicle movements would also be helpful.

The driveway and yard area adjacent to the existing shed will be used for manoeuvring associated with the delivery of materials to construct the relocatable homes. Essentially, delivery vehicles will stop in this area, unload the materials then exit the site using the circular driveway. No reversing is required. When each relocatable home is completed, a truck will use the driveway to pull in front of, then reverse under the relocatable home before loading and exiting the site via the driveway.

Given the infrequency of delivery and truck movements associated with the proposed activity and its location in the rural zone, a metalled surface for the driveway is considered appropriate. As you have identified, the metalled surface contravenes 2GP Rule 6.6.2.3.a which requires loading areas to be marked and hard surfaced. Therefore, resource consent is required pursuant to 2GP Rule 6.6.2.3.b. In the context of the proposed activity the contravention of 2GP Rule 6.6.2.3.a will have a less than minor effect on the safety and efficiency of the transportation network.

Light Spill

The RFI states:

- Light Spill – the application states that the proposal will comply with Rule 16.5.5, but no information is provided about lighting associated with the proposed activity. Please provide details.

The applicant informs that:

“There is existing security lighting on both the existing shed and the existing dwelling on the site and we won’t require any extra lighting. The transportable homes will be constructed during daylight. During winter there might be the odd lamp used in the transportable home being constructed but again any such lighting will be used during the hours of operation stated in the resource consent application.”

Given the stated level of lighting, affected parties consents obtained and distance to Allanton Road and intervening vegetation and buildings, it is not considered that there will be any adverse effects arising from light spill associated with the proposed activity.

Noise

The RFI states:

- Noise – similarly, the application indicates that “construction of the relocatable dwellings will comply with this performance standard” but includes no assessment of potential noise effects and how these will be managed. Noise effects associated with heavy vehicle movements and construction activities (such as hammering, sawing, the use of nail guns and radios etc) have the potential to impact on rural amenity values; and to conflict with farming activities on nearby sites. Please provide details of anticipated noise levels, and measures to manage this.

As stated above, heavy vehicle movements associated with the proposed activity will be relatively infrequent and, in terms of noise, will be akin to other heavy vehicle movements which are an expected element in the ‘noise landscape’ of rural zones.

Construction noise is an activity permitted by the district plan provided that it is within the specified noise limits. The applicant does not propose to monitor construction noise but we anticipate that if there were ever any complaints about construction noise, Council would undertake monitoring at the appropriate boundary to evidence the veracity of the complaint.

As discussed in the AEE, the closest residential dwellings on adjoining properties are located at 403 and 430 Allanton Road and are located approximately in excess of 280m and 260m respectively from the proposed activity. The owners/occupiers of both these residences have provided affected party consent³. Affected party consent has also been obtained from 406 Allanton Road which is a pastoral grazing property with no established residential activity.⁴

Hazardous Substances

The RFI states:

³ Copy appended at Appendices 3a and 3b respectively.

⁴ Copy appended at Appendix 3c.

- Hazardous Substances – the application states that the proposal will comply with hazardous substances quantity limits and storage requirements, but no information is provided about this. Please provide details of the types and quantities of hazardous substances that are anticipated, and how they are to be stored/managed.

The applicant informs that:

“The only potentially hazardous substances used in the construction of the transportable homes are adhesives and paint. These will be safely stored in the workshop [existing shed] in accordance with applicable regulations and all information for these will be available in the workshop.”

By storing any hazardous substances correctly with the workshop ensures that the proposed activity complies with relevant performance standards within the 2GP and there will be no adverse effects.

Biodiversity

The RFI states:

- Biodiversity – it appears the proposed house-building area will require the removal of some trees/vegetation. Please advise the number and species of vegetation to be removed.

The applicant informs that the vegetation to be removed includes:

“Grass, garden weeds, part of a Laurel hedge and a couple of rose bushes that will be relocated to the [existing] house garden.”

Written Approvals

The RFI states:

Notification Rule 16.4.7 states:

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

1. *activities in the hazard 1 or hazard 1A (flood) overlay zones; and*
2. *activities in swale mapped areas.*

The earthworks required to form part of the driveway are within a swale mapped area, and the ORC is therefore deemed to be an affected party.

The site is located in a hazard 2 (flood) overlay zone and, as discussed above and shown on the updated site plan appended at Appendix 2, the earthworks required to form those parts of the driveway shaded grey, are not within the swale mapped area.

As such, written approval is not required from the Otago Regional Council nor can Otago Regional Council be deemed an affected person pursuant to 2GP Rule 16.4.7.

The applicant requests that the matter is now taken off hold and that Council advise the number of remaining processing days for this matter.

Please make contact if you wish to discuss this matter further.

Yours sincerely,

A handwritten signature in purple ink, appearing to read 'Emma Peters', with a long horizontal flourish extending to the right.

Emma Peters Consultant Sweep Consultancy Limited P.O. Box 5724 Dunedin 9054 Phone 0274822214
www.sweepconsultancy.co.nz

Appendix 1: RFI.



16 October 2024

Mr T Ford P D Enright
C/- Ms Emma Peters
Sweep Consultancy Limited
P O Box 5724
Dunedin 9054

Via email: emma@sweepconsultancy.co.nz

Dear Emma

LUC-2024-380: 404 ALLANTON ROAD, EAST TAIERI - REQUEST FOR FURTHER INFORMATION

After an initial assessment of the above application, I am of the view that further information is required to enable me to properly assess your proposal and determine how your proposal is to be processed. The following information request is made in accordance with Section 92 of the Resource Management Act 1991. Details of the process for responding to further information requests is included as Appendix One.

My assessment of the activity status of the proposal is provided for your information, because it includes some matters that are not identified in your application – Refer Appendix Two.

The information required is set out under the headings below.

Environmental Effects Assessment

Sufficient information to enable me to undertake an effects assessment has not been provided. Specifically:

- Risk from Natural Hazards – as in my activity status assessment, the earthworks required to form part of the driveway are within a Swale Mapped Area. In addition, industrial activities are a natural hazards potentially sensitive activity in the Hazard 2 (flood) Overlay Zone, and new buildings with an area of more than 60m² in this overlay zone also require consent.

An assessment of the risk from natural hazards is required (noting that Assessment Rule 11.5.2.3 requires consideration of the extent to which the activity has a critical operational need to locate within the overlay zone and risk is minimised as far as practicable; or the scale, location and design of the activity or other factors mean risk is avoided, or is no more than low.

- Safety and Efficiency of the Transportation Network – the application suggests that the loading areas will comply with 2GP requirements, but no detail is provided. Please indicate how manoeuvring within the loading area is to be managed, and respond to the non-compliance with the hard-surfacing requirement for loading areas identified in my activity status assessment. Information about the number and timing of vehicle movements would also be helpful.

- Light Spill – the application states that the proposal will comply with Rule 16.5.5, but no information is provided about lighting associated with the proposed activity. Please provide details.
- Noise – similarly, the application indicates that “*construction of the relocatable dwellings will comply with this performance standard*” but includes no assessment of potential noise effects and how these will be managed. Noise effects associated with heavy vehicle movements and construction activities (such as hammering, sawing, the use of nail guns and radios etc) have the potential to impact on rural amenity values; and to conflict with farming activities on nearby sites. Please provide details of anticipated noise levels, and measures to manage this.
- Hazardous Substances – the application states that the proposal will comply with hazardous substances quantity limits and storage requirements, but no information is provided about this. Please provide details of the types and quantities of hazardous substances that are anticipated, and how they are to be stored/managed.
- Biodiversity – it appears the proposed house-building area will require the removal of some trees/vegetation. Please advise the number and species of vegetation to be removed.

Policy 16.2.1.8.

I do not agree with your assessment that “*The proposed activity is consistent with Objective 16.2.1 and, therefore, meets the exception provided in Policy 16.2.1.8.*”

Objective 16.2.1 states:

Rural zones are reserved for productive rural activities and the protection and enhancement of the natural environment, along with certain activities that support the well-being of communities where these activities are most appropriately located in a rural rather than an urban environment.

Policy 16.2.1.8 states:

Avoid supported living facilities, commercial activities, industrial activities, and major facility activities, unless otherwise provided for, in the rural zones.

In this instance, the industrial activity that is “otherwise provided for” is small scale rural contractor and transport depots, which are the only industrial activity permitted in the rural zones (refer to the Land Use Activity Status Table, and Rule 16.3.3.50).

The proposal to establish an industrial activity at 404 Allanton Road is at odds with this “avoid” policy, and will need to be considered by the Hearings Committee at a non-notified hearing, assuming that the environmental effects associated with the proposal are found to be no more than minor.

Should the environmental effects associated with the proposal be found to be more than minor, public notification of the application will be required.

Written Approvals

Notification Rule 16.4.7 states:

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

1. *activities in the hazard 1 or hazard 1A (flood) overlay zones; and*

2. *activities in swale mapped areas.*

The earthworks required to form part of the driveway are within a swale mapped area, and the ORC is therefore deemed to be an affected party.

Depending on the information provided regarding environmental effects, other affected parties might be identified.

SUMMARY

Please provide:

- An effects assessment that responds to the six bullet points detailed under the *Environmental Effects Assessment* heading above
- Written approval from the ORC.

Feel free to get in touch about this - obviously, I'm happy to discuss any of the above matters, and anything else that might come to light as I work through the application.

Yours faithfully



Karen Bain
Associate Senior Planner

Appendix One - Further Information Process

Responding to this request:

Within 15 working days from the date of this letter you must either:

- Provide the requested information; or
- Provide written confirmation that you cannot provide the requested information within the timeframe, but do intend to provide it; or
- Provide written confirmation that you do not agree to provide the requested information.

The processing of your application has been put on hold from 16 October 2024.

If you cannot provide the requested information within this timeframe, but do intend to provide it, then please provide:

- Written confirmation that you can provide it; and
- The likely date that you will be able to provide it by; and
- Any constraints that you may have on not being able to provide it within the set timeframe.

The Council will then set a revised timeframe for the information to be provided.

If you do not agree to provide the requested information, then please provide written confirmation of this to the Council.

Restarting the processing of your application:

The processing of your application will restart:

- When all of the above requested information is received (if received within 15 working days from the date of this letter); or
- From the revised date for the requested information to be provided, if you have provided written confirmation that you are unable to meet the above timeframe and the Council has set a revised timeframe for the information to be provided; or
- From the date that you have provided written confirmation that you do not agree to providing the requested information; or
- 15 working days from the date of this letter (if you have not provided the requested information or written confirmation).

Once the processing of the application restarts:

If you have provided all the requested information, then we will consider its adequacy and make a decision on whether your application requires public or limited notification pursuant to sections 95A, 95B, 95D and 95E of the Resource Management Act 1991, or, whether any parties are considered adversely affected from whom you will need to obtain written approval in order for the proposal to be considered on a non-notified basis.

If you have not provided the requested information, then your application will continue to be processed and determined on the basis of the information that you have provided with the application:

- If the Council decides to give public or limited notification of the application, then the Council must publicly notify the application under section 95C(1) of the Resource Management Act 1991. You will be invoiced for any outstanding payment needed to make up the deposit required for public notification.
- If the Council decides to process the application on a non-notified basis, and all written approvals have been received, then the application must be considered under section 104 of the Resource Management Act 1991. The Council may decline the application on the grounds that it has inadequate information to determine the application. In making an assessment on the adequacy of

the information, the Council must have regard to whether this request resulted in further information being made available.

Please note that requests for further information, interim correspondence and assessment of the further information can introduce additional work and therefore costs. Deposits are based on the average cost of processing similar consents in the previous year. There is normally a sizable range between the lowest and highest cost for similar consents. These additional costs incurred as a result of the further information request will be passed onto you and, as such, the final cost of processing this application may be higher than previous 12-month average for similar applications.

Appendix Two – Activity Status Assessment

City-wide Activities - Earthworks

The proposed earthworks exceed the thresholds for “earthworks – small-scale” set out under the following performance standards:

- Rule 8A.5.1.5.a.Y, which specifies a maximum volume of earthworks of 100m³ on a rural site of this size in the Hazard 2 (flood) Overlay Zone, whereas up to 693m³ is proposed.
- Rule 8A.5.1.5.a.x, which determines that no earthworks are permitted within a Swale Mapped Area, whereas the earthworks required to form part of the driveway are within a Swale Mapped Area

These earthworks are defined as “earthworks - large scale” and are a **restricted discretionary** activity, in accordance with Rule 8A.3.2.3.

Land Use Activity

The proposed land use within the site is defined as an industrial activity, and a natural hazards potentially sensitive activity.

“Industry” is defined in the 2GP as:

The use of land and buildings for any of the following:

- *manufacturing, assembly, processing, storage, repair, maintenance, and packing of goods and materials, including machinery or vehicles*
- *transport facilities including distribution centres, collection points, courier depots and bus depots (except where passengers are picked up or dropped off)*
- *depots for the storage and dispatch of vehicles, equipment, and/or materials, and the administration and dispatch of workers using these in the field*
- *bulk fuel storage facilities*
- *laboratory or factory-based research*
- *waste management facilities including refuse transfer and recycling stations*
- *property and equipment maintenance services*
- *vehicle repair and testing stations; and*
- *wholesale.*

...

“Natural hazards potentially sensitive activities” are defined in the 2GP as (highlighting added):

The category of activities that are considered to be a "natural hazards potentially sensitive activity" for the purposes of the natural hazards provisions. These consist of:

- *airport*
- *campus*
- *community and leisure (excluding marae-related activities)*
- *commercial activities (excluding visitor accommodation, registered health practitioners, and commercial advertising)*
- *intensive farming*
- *industrial activities*
- *Invermay/Hercus activities in the*
- *major recreation facility*
- *mining*
- *New Zealand Marine Studies Centre*

- port
- rural tourism - large scale
- rural research - large scale
- sport and recreation; and
- Taieri Aerodrome.

Rule 16.3.3.53.a determines that industrial activities in the Rural zones are a **non-complying** activity.

Rule 16.3.6.2.c determines that natural hazards potentially sensitive activities in the Hazard 2 (flood) Overlay Zone are a **restricted discretionary** activity.

Development Activity

Rule 16.3.4 details the performance standards that apply to development activities. The proposal does not comply with the following standards:

- Rule 6.6.2.1.c, which requires that vehicles not be required to undertake more than one reverse manoeuvre when manoeuvring out of any required loading space, whereas no details of the size of the trucks or the loading areas has been provided.
- Rule 6.6.2.3.a, which requires that loading areas be hard surfaced.¹

The proposed development activity is a **restricted discretionary** activity in accordance with Rules 6.6.2.1.e (manoeuvring dimensions of loading area) and 6.6.2.3.b (surfacing of loading area).

In addition, Rule 16.3.6.3 determines that new buildings in the Hazard 2 (flood) Overlay Zone with more than 60m² of new ground floor area are a **restricted discretionary** activity. It is presumed that the ground floor area of some, if not all, of the dwellings to be built will exceed 60m².

National Environmental Standards

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human health) Regulations 2011 ("NES-CS") came into effect on 1 January 2012. The NES-CS applies to any piece of land on which an activity or industry described in the current edition of the Hazardous Activities and Industries List (HAIL) is being undertaken, has been undertaken or is more than likely than not to have been undertaken. Activities on HAIL sites need to comply with permitted activity conditions specified in the NES-CS or might require a resource consent.

A HAIL search report was obtained as part of the 2022 subdivision (SUB-2022-16). This identified that the following HAIL activity, has occurred on part of the overall site:

A17: Storage tanks or drums for fuel, chemicals or liquid waste.

The report also noted that the farm buildings and yards on the site have had a long history of use, which might have included other HAIL activities that the council holds no records about, such as agrichemical storage, fertiliser bulk storage, livestock dips/spray races, persistent pesticide storage, and storage tanks for fuel.

¹ In terms of boundary setbacks, Rule 16.6.10.1.a requires a side and rear yard setback of 20m or 40m separation from any residential building on an adjoining site for residential buildings. A 6m setback is required for non-residential buildings (not housing animals) with a maximum height 7m. The application plans indicate that the 6m setback has been applied for the proposed industrial activity. While the industrial activity proposed is for the construction of residential dwellings, no residential activity will occur within them, and they will be relocated off-site upon completion. In practical terms, they are considered to be non-residential buildings rather than residential buildings, and application of the 6m setback is deemed appropriate.

The agent for the subdivision applicant subsequently provided advice that confirmed that the following activities had occurred on the (unsubdivided) site:

- a diesel tank adjoining the dwelling, (which was used for heating of the dwelling and has not been used since approximately 2012)
- three fuel tanks (diesel and petrol) within Lot 2. Two of the tanks are below ground while the other is above ground. These are operational and expected to continue to be used into the future; and
- a disused plunge dip within the sheep yards, which has not been used for many years.

The location of the tanks and plunge dip are shown in the following image:

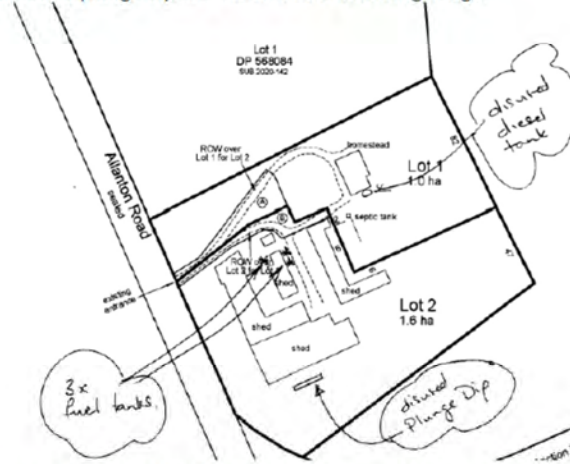


Figure 1: Image showing location of fuel tanks and plunge dip (Source: email from Craig Horne dated 11 March 2022, associated with subdivision application SUB-2022-16)

It is noted that only the diesel tank adjoining the dwelling is within the subject site.

The proposed earthworks and industrial activity is not in the vicinity of the diesel tank, and the NES-CS does not need to be considered in association with this application. Nonetheless, if during site works, soils are found to have visible staining, odours and/or other conditions that indicate soil contamination, work should cease until a suitably qualified and experienced practitioner has assessed the matter and advised of the appropriate remediation and/or disposal options for these soils. An advice note to this effect is included in the decision certificate.

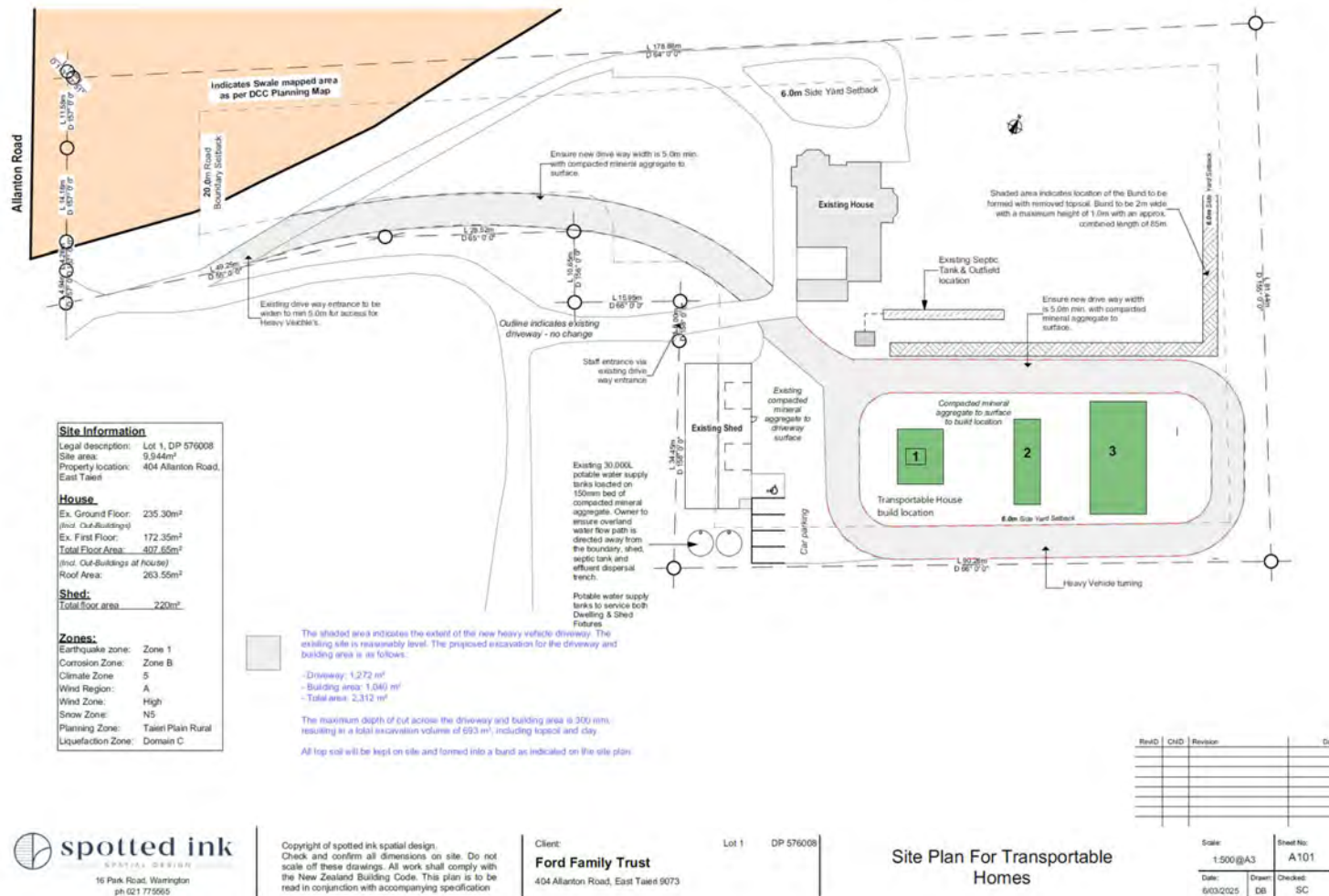
There are no other National Environmental Standards relevant to this application.

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**.

Appendix 2: Site Plan Showing Swale Mapped Area.



Appendix 3a: Affected Party Consent for 403 Allanton Road.

Sweep Consultancy Limited
 P.O. Box 5724, Dunedin 9054
 email: emma@sweepconsultancy.co.nz
 mobile: 0274 822 214
 www.sweepconsultancy.co.nz

6 November 2024

Dear Sir / Madam,

We have been engaged by Todd Ford to prepare and lodge with Dunedin City Council (**Council**) an application for resource consent to establish a business constructing relocatable homes at 404 Allanton Road, East Taieri (**site**). The resource consent has been lodged with Council.

The site contains approximately 9,944m² and is zoned *Taieri Plain Rural*. There are several other mapped areas and overlays relating to the site being: *High Class Soils Mapped Area, Hazard 2 (flood) Overlay Zone and Swale Mapped Area*.

Todd seeks affected party consent from you, as the owner/occupier of your property, to the establishment of his business to construct relocatable homes on the site.

We have included the following information:

1. Copy of the application form (please refer to Attachment 1).
2. Copies of the site plan (please refer to Attachment 2a) and parking and build location plan (please refer to Attachment 2b).
3. A preliminary assessment of environmental effects (please refer to Attachment 3). Please get in contact with us if you would like a copy of the full assessment of effects.

Once you have read this information, if you are satisfied that, in your assessment, there will be no adverse effects to your property, then please complete and sign the affected party's consent form and initial one of the copies of this letter (including all pages and attachments).

The other copy of the affected party's consent form and letter with attachments is for your records.

We thank you for your time and please contact Emma Peters of our office if you have any questions.

Regards,



Emma Peters
 Consultant
 Sweep Consultancy Limited

Initials of Affected Party: 

Resource Consent Affected Person(s) Written Approval Form

Important: Please read the back of this form to ensure you are aware of your rights.

Please be aware that these details are available to the public.

To: Resource Consents Team, City Planning, Dunedin City Council, PO Box 5045, Moray Place, Dunedin 9058

I/We (full names): _____

Being the: ☐ Owner and Occupier ☒ Owner ☐ Occupier

of the property situated at (address and/or legal description of your property): _____

403 ALLANTON ROAD, OUTRAM.

have read and understand the information on the reverse side of this page and give written approval to the

proposal by (name of applicant(s)): _____

Todd Ford

to (description of proposed activity): _____

Establish a business constructing relocatable homes.

on the following property (address of application site): _____

404 Allanton Road, East Taieri

☒ I/we have read and understand the application as described above and have signed and dated the application and plans as attached.

If there are multiple owners or occupiers on a site, each party needs to individually sign the application documents and this form; or tick the declaration box below:

☐ I am authorised to give written approval on behalf of all owners and/or occupiers (delete one) of this site.

If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

Signed:  _____

A signature is not required if you give your written approval by electronic means

Date: 24/11/2024 Telephone: 027 4891876

Contact person (name, and designation if applicable): _____

Postal address: 95 HUNTLY ROAD, RD1, OUTRAM

Email address: HuntlyRoadFarm@gmail.com Telephone: _____

Method of service: ☒ Email ☐ Post ☐ Other

If you have any queries regarding the Resource Consent process and the role and rights of adversely affected person(s), please contact us before you complete and sign this form and the associated plans.

Resource Consents Team, City Planning Department, Dunedin City Council, Telephone: 03 477 4000
Facsimile: 474 3451, PO Box 5045, Moray Place, Dunedin 9058, www.dunedin.govt.nz



Written Approval of Affected Person(s) in Relation to an Application for Resource Consent under the Resource Management Act 1991

Introduction

Any proposal to do something that is not a Permitted Activity in the Dunedin City District Plan requires a Resource Consent.

If you have been asked to sign this form, it will be because your neighbour proposes to do something that is not a Permitted Activity, and therefore their proposal requires a Resource Consent. This is not a bad thing in itself, but the Resource Consent process provides the opportunity to determine whether the proposal can be granted consent in terms of the Resource Management Act 1991.

Why is your written approval required?

If an application for a Resource Consent is to be processed as a non-notified application, the Resource Management Act 1991 requires that:

- The activity have or be likely to have adverse effects on the environment that are no more than minor; and
- Written approval be obtained from all affected persons, in relation to an activity, if the activity's adverse effects on the parties are minor or more than minor (but are not less than minor).

If you have been asked to give your written approval it is because you may be adversely affected by the proposed activity. However, just because your written approval is being sought does not mean that you are definitely adversely affected. The affected persons written approval process is designed to give you the opportunity to consider the particular proposal and decide for yourself whether you are adversely affected and/or the degrees to which you may be adversely affected.

What should you do?

If you are asked to give your written approval to someone's proposal as part of their application for a Resource Consent, you should do the following:

1. Request that your neighbour (or their representative) explain the proposal clearly and fully to you.
2. Study the application and associated plans for the proposed activity provided by them in order to understand the effects of the proposal. If there are no plans available at this stage, you are quite entitled to wait until they are available.
3. Decide whether the proposal will adversely affect you or your property and, if so, to what extent. You can take your time over this decision and you are quite entitled to ask the applicant for more information. You may suggest amendments to the proposal that you consider improve aspects of the proposal in terms of its adverse effects on you.
4. If you are satisfied that the proposed activity will not adversely affect you, complete and sign the affected person/s written approval form on the reverse side of this page and sign a copy of the associated plans. If you wish to give written approval to the proposed activity subject to conditions, these should be discussed with your neighbour (or their representative) directly and a satisfactory conclusion reached before your written

approval is given. This may require your neighbour amending the application or plans, or entering into a private (side) agreement with you. The Council will not enter into any negotiations on the subject.

5. Return all documentation to your neighbour (or their representative).

Please note that:

- You do not have to give written approval if you are unhappy with what is being proposed.
- The Council will not get involved in any negotiations between you and the applicant.
- The Council will not accept conditional written approvals.
- Side agreements do not bind the Council in any way.

Important information

Please note that even though you may sign the affected person(s) written approval form, the Council must still give full consideration to the application in terms of the Resource Management Act 1991. However, **if you give your approval to the application, the Council cannot have regard to any actual or potential effects that the proposal may have on you.** If Resource Consent is granted by the Council there is no way for either you or the Council to retract the Resource Consent later. You are therefore encouraged to weigh up all the effects of the proposed activity before giving written approval to it.

If you do not give your approval, and you are considered to be an adversely affected party, then the application must be treated as a limited notified or publicly notified application, as a result of which you will have a formal right of objection by way of submission.

If the proposal requires resource consent and you change your mind after giving your written approval to the proposed activity, your written approval may only be withdrawn and the effects on you considered for the notification decision if a final decision on affected parties has not already been made by the Council. Accordingly, you need to contact the Council immediately if you do wish to withdraw your written approval.

If the Council determines that the activity is a deemed permitted boundary activity under section 87BA of the Resource Management Act 1991, your written approval cannot be withdrawn if this process is followed instead.

For further information

Read the Council's "Written Approvals of Affected Persons - What Are They?" pamphlet.

Refer to the Ministry for the Environment's publication "Your Rights as an Affected Person" available on www.mfe.govt.nz.

Privacy: Please note that written approvals form part of the application for resource consent and are public documents. Your name, and any other details you provide, are public documents and will be made available upon request from the media and the public. Your written approval will only be used for the purpose of this resource consent application.

Attachment 1:

Application Form as Lodged with Council.



APPLICATION FORM FOR A RESOURCE CONSENT

PLEASE FILL IN ALL THE FIELDS

Application details

I/We: Todd Ford

(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 of the fast-track consent process: ☒ Yes ☐ No
(only applies to controlled activities under the district plan, where an electronic address for service is provided)

Brief description of the proposed activity:

Construction of relocatable homes.
Earthworks to form access and, potentially, build location.
Please refer to attached AEE for full details.

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 etc) of the site (tick one)

Street address of site: 404 Allanton Road, Outram

Legal description: Lot 1 DP 576008

Certificate of Title: 1058622

Contact details

Name: Emma Peters, Consultant, Sweep Consultancy Limited (☐ applicant ☒ agent (tick one))

Address: P.O. Box 5724 Dunedin

Postcode: 9054

Phone (daytime): 0274822214 Email: emma@sweepconsultancy.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 (tick one): ☒ Email ☐ Post ☐ Other:

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:

 **DUNEDIN** | kaitiaki
CITY COUNCIL | te kaitiaki

Page 1 of 7

Initials of Affected Party.....

Planning Application Fees Payment Details (Who are we invoicing)

THIS FORM MUST BE COMPLETED FOR ALL PLANNING APPLICATIONS THAT ATTRACT A FEE. ALL FIELDS ARE MANDATORY.

This information is required to assist us to process resource consent invoices and refunds at lodgement and the end of the process. If you have any queries about completing this form, please email planning@dcc.govt.nz

Deposit Payment Payee Details:

Full Name of Deposit Payee (Person or Company): Todd Ford

Mailing Address of Deposit Payee (please provide PO Box number where available):

C/o- Sweep Consultancy Limited P.O. Box 5724 Dunedin 9054

Email Address of Deposit Payee: C/o- emma@sweepconsultancy.co.nz

Daytime contact phone number: C/o- 0274822214

Important Note: The Payee will automatically be invoiced for the deposit and/or any additional costs. Should a portion of the deposit be unspent, it will be refunded to the payee.

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 development.contributions@dcc.govt.nz.

Occupation of the site

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

Applicant

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).

(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 attached AEE.

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 attached AEE.

(Attach separate sheets if necessary)

Page 3 of 7

Initials of Affected Party.....

District plan zoning

What is the District Plan zoning of the site? Rural Taieri Plain

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.

Hazard 2 (flood) Overlay Zone.

High Class Soil Mapped Area.

Swale Mapped Area.

Please refer to attached AEE for more detail.

Breaches of district plan rules

Please detail the rules that will be breached by the proposed activity on the site (if any). Also detail the degree of those breaches. In most circumstances, the only rules you need to consider are the rules from the zone in which your proposal is located. However, you need to remember to consider not just the Zone rules but also the Special Provisions rules that apply to the activity. If unsure, please check with City Planning staff or the Council website.

Please refer to attached AEE.

Affected persons' approvals

I/We have obtained the written approval of the following people/organisations and they have signed the plans of the proposal:

Name: DUNCAN & ANNE-MARIE WELLS

Address: 403 ALLANTON ROAD, OUTRAM.

Name:

Address:

Please note: You must submit the completed written approval form(s), and any plans signed by affected persons, with this application, unless it is a fully notified application in which case affected persons' approvals need not be provided with the application. If a written approval is required, but not obtained from an affected person, it is likely that the application will be fully notified or limited notified.

Assessment of Effects on Environment (AEE)

In this section you need to consider what effects your proposal will have on the environment. You should discuss all actual and potential effects on the environment arising from this proposal. The amount of detail provided must reflect the nature and scale of the development and its likely effect. i.e. small effect equals small assessment.

You can refer to the Council's relevant checklist and brochure on preparing this assessment. If needed there is the Ministry for the Environment's publication "A Guide to Preparing a Basic Assessment of Environmental Effects" available on www.mfe.govt.nz. Schedule 4 of the Resource Management Act 1991(RMA) provides some guidance as to what to include.

Please refer to attached AEE.

(Attach separate sheets if necessary)

Page 4 of 7

Initials of Affected Party... 

The following additional Resource Consents from the Otago Regional Council are required and have been applied for: Yes No

Water Permit Discharge Permit Coastal Permit Land Use Consent for certain uses of lake beds and rivers Not applicable

Assessment of Objectives and Policies

In this Section you need to consider and assess how your application proposal aligns with the relevant objectives and policies in the District Plan relating to your activity. If your proposal is a discretionary or non-complying activity under the District Plan more attention to the assessment will be necessary as the objectives and policies of the District Plan may not always be in support of the proposed activity.

Please refer to attached AEE.

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 (tick one):

Emma Peters, Consultant, Sweep Consultancy Limited

3/10/24
Date:

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 Māori 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.

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

Information requirements

- Completed and Signed Application Form
- Description of Activity and Assessment of Effects
- Site Plan, Floor Plan and Elevations (where relevant)
- Written Approvals
- Payee details
- Application fee (cash, eftpos, direct credit or credit card (surcharge may apply))
- Certificate of Title (less than 3 months old) including any relevant restrictions (such as consent notices, covenants, encumbrances, building line restrictions)
- Forms and plans and any other relevant documentation signed and dated by Affected Persons

In addition, subdivision applications also need the following information:

- Number of existing lots
- Number of proposed lots
- Total area of subdivision
- The position of all new boundaries

In order to ensure your application is not rejected or delayed through requests for further information, please make sure you have included all of the necessary information. A full list of the information required for resource consent applications is in the Information Requirements Section of the District Plan.

OFFICE USE ONLY

Has the application been completed appropriately (including necessary information)? Yes No

Application: Received Rejected

Received by: Counter Post Courier Other:

Comments:

(Include reasons for rejection and/or notes to handling officer)

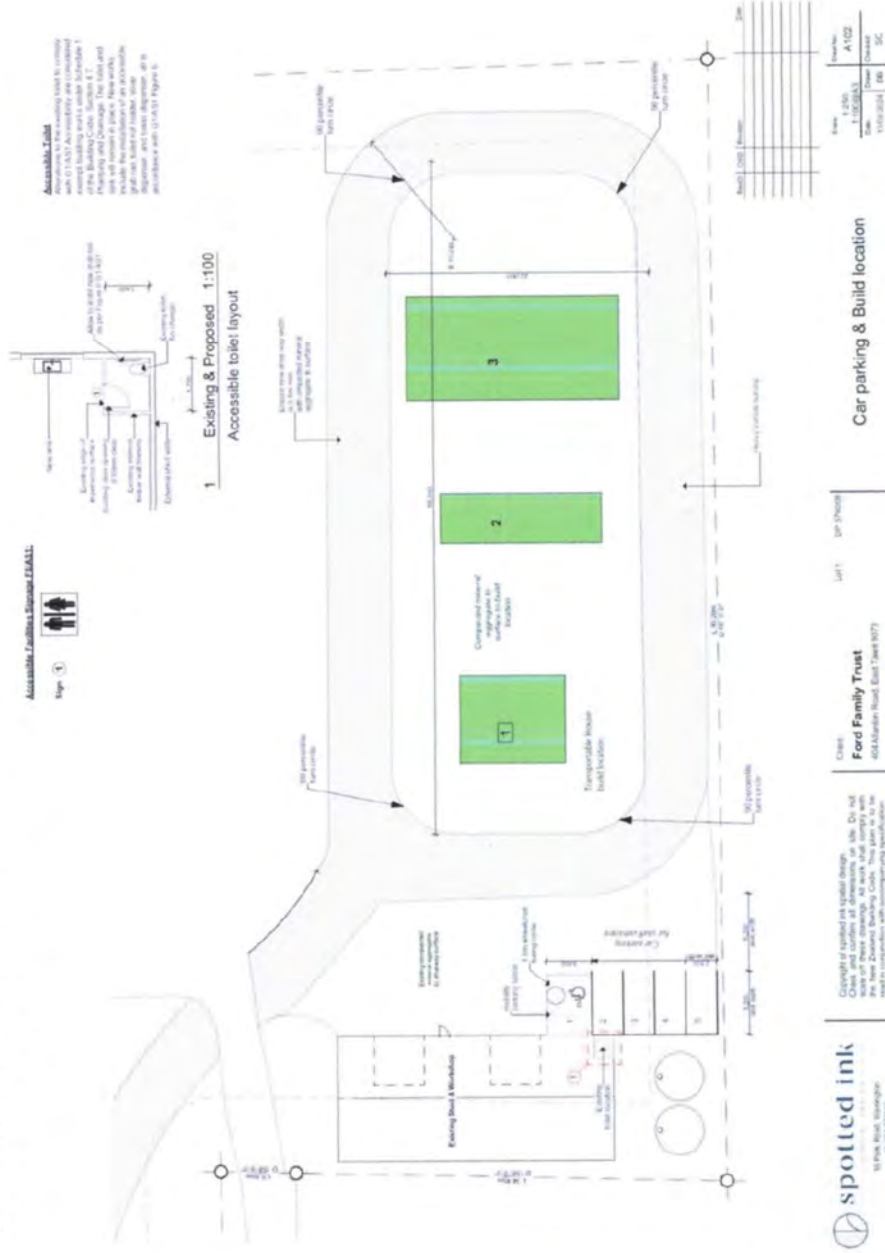
Planning Officer:

Date:

Page 7 of 7

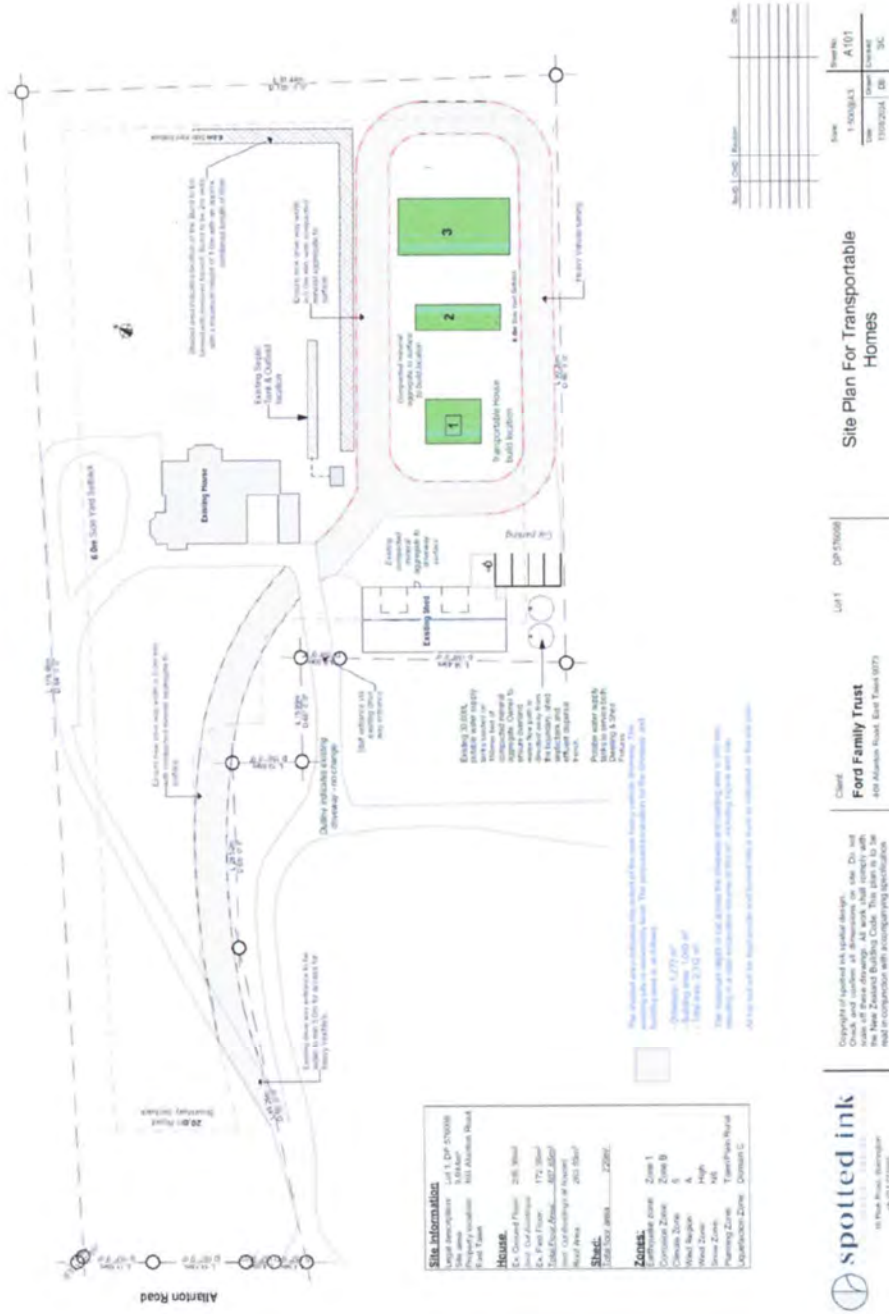
Initials of Affected Party.....;

Attachment 2b: Parking & Build Location Plan.



Initials of Affected Party.....

Attachment 2a: Site Plan.



Initials of Affected Party.....

Attachment 3: Preliminary Assessment of Environmental Effects

Introduction

The subject property is located at 404 Allanton Road, East Taieri, legally described as Lot 3 DP 362560 contained in record of title 255260 (site) and contains approximately 9,944m². The site is zoned *Taieri Plain Rural* pursuant to the Second Generation (Appeals Version) Dunedin City District Plan (2GP). There are a number of mapped areas and overlays relating to the site being: *Groundwater Protection Mapped Area, High Class Soils Mapped Area, Hazard 2 (flood) Overlay Zone* and *Swale Mapped Area*.

Todd Ford has applied to the Dunedin City Council (Council) for resource consent to establish on the site a business constructing relocatable homes including earthworks (**proposed activity**). The site plan is attached at Attachment 2a with the parking and build location plan attached at Attachment 2b.

The application lodged with Council states that: *"Up to a maximum of three relocatable homes will be built at any one time. Mr Ford aims to employ up to 4 builders and will engage a range of sub-contractors to complete each transportable dwelling. The hours of operation, including deliveries and relocation of completed dwellings, will be Monday to Friday, 7am to 7pm excluding public holidays."*

2GP Rules

Constructing relocatable homes is classified as an industrial activity in the 2GP and resource consent is required to operate industrial activities in rural zones. Resource consent is also required for the earthworks to establish the gray shaded parts of the driveway on the site plan.

Preliminary Assessment of Effects

This preliminary assessment of effects of the proposed activity covers:

- Character and amenity of the area.
- Transportation.
- Services.
- Flood hazard overlay and swale mapped area.
- High Class Soils

Each of these is dealt with in turn below.

Character and Amenity of the Area

The site is accessed from Allanton Road which is a busy arterial route connecting Outram to Allanton and SH1. Views into the site are limited due to the existing site boundary plantings and existing buildings both on the site and the adjacent property at 406 Allanton Road.

The screening of the build location afforded by the existing vegetation and buildings mitigates any adverse effects on the character and amenity of the locale. Other mitigating factors include the ultimately temporary nature of the proposed activity, the distance from the build location to dwellings on adjoining properties (more than 250m) and compliance with boundary setback performance standards.

Initials of Affected Party: 

Transportation

Allanton Road is classified as an arterial road in the 2GP roading hierarchy and, therefore, is considered capable of absorbing the traffic associated with the relocatable homes construction business.

The existing access to the site will be used and has sufficient sight distances for safe operation. The site plan provides for a circular access so that vehicles exiting the site will do so in a forward manner.

Services

There are no reticulated 3 waters services in the locale. Potable water is supplied to the existing shed via collection of rainwater from the shed roof to storage in a tank. Wastewater from the toilet goes to an on-site wastewater treatment and dispersal system.

Flood Hazard Overlay & Swale Mapped Area

The site is within the hazard 2 (flood) overlay zone and part of the site has a swale mapped area. Care has been taken with the layout of the proposed activity with no earthworks proposed to be undertaken in the swale mapped area and the build location being on one of the higher parts of the site (approximately 6.5m contour). Access will only be metalled, and the build location will be left as grass to ensure that the proposed activity does not cause a downstream stormwater management issue for adjoining landowners.

High Class Soils

Topsoil removed for formation of access will be retained on site in a bund as shown on the site plan.

Conclusion

For the reasons given above any adverse effects resulting from the proposed activity will be in the range of less than minor to no more than minor.

Initials of Affected Party... 

Appendix 3b: Affected Party Consent for 430 Allanton Road.

Sweep Consultancy Limited
 P.O. Box 5724, Dunedin 9054
 email: emma@sweepconsultancy.co.nz
 mobile: 0274 822 214
 www.sweepconsultancy.co.nz

6 November 2024

Dear Sir / Madam,

We have been engaged by Todd Ford to prepare and lodge with Dunedin City Council (**Council**) an application for resource consent to establish a business constructing relocatable homes at 404 Allanton Road, East Taieri (**site**). The resource consent has been lodged with Council.

The site contains approximately 9,944m² and is zoned *Taieri Plain Rural*. There are several other mapped areas and overlays relating to the site being: *High Class Soils Mapped Area*, *Hazard 2 (flood) Overlay Zone* and *Swale Mapped Area*.

Todd seeks affected party consent from you, as the owner/occupier of your property, to the establishment of his business to construct relocatable homes on the site.

We have included the following information:

1. Copy of the application form (please refer to Attachment 1).
2. Copies of the site plan (please refer to Attachment 2a) and parking and build location plan (please refer to Attachment 2b).
3. A preliminary assessment of environmental effects (please refer to Attachment 3). Please get in contact with us if you would like a copy of the full assessment of effects.

Once you have read this information, if you are satisfied that, in your assessment, there will be no adverse effects to your property, then please complete and sign the affected party's consent form and initial one of the copies of this letter (including all pages and attachments).

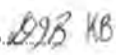
The other copy of the affected party's consent form and letter with attachments is for your records.

We thank you for your time and please contact Emma Peters of our office if you have any questions.

Regards,



Emma Peters
 Consultant
 Sweep Consultancy Limited

Initials of Affected Party: 

Resource Consent Affected Person(s) Written Approval Form

Important: Please read the back of this form to ensure you are aware of your rights.

Please be aware that these details are available to the public.

To: Resource Consents Team, City Planning, Dunedin City Council, PO Box 5045, Moray Place, Dunedin 9058

I/We (full names): David Ian Blair + Kerry Marie Blair

Being the: ☒ Owner and Occupier ☐ Owner ☐ Occupier

of the property situated at (address and/or legal description of your property):

430 Allanton Rd, 1RD Outram

have read and understand the information on the reverse side of this page and give written approval to the proposal by (name of applicant(s)):

Todd Ford

to (description of proposed activity):

Establish a business constructing relocatable homes.

on the following property (address of application site):

404 Allanton Road, East Taieri

☒ I/we have read and understand the application as described above and have signed and dated the application and plans as attached.

If there are multiple owners or occupiers on a site, each party needs to individually sign the application documents and this form; or tick the declaration box below:

☐ I am authorised to give written approval on behalf of all owners and/or occupiers (delete one) of this site.

If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

Signed: D.I. Blair K.M. Blair

A signature is not required if you give your written approval by electronic means

Date: 10.1.25 Telephone: 0226438072

Contact person (name, and designation if applicable):

Postal address: 430 Allanton Rd, 1RD Outram 9073

Email address: dandkblair@gmail.com Telephone: 0226438072

Method of service: ☐ Email ☒ Post ☐ Other

If you have any queries regarding the Resource Consent process and the role and rights of adversely affected person(s), please contact us before you complete and sign this form and the associated plans.

Resource Consents Team, City Planning Department, Dunedin City Council, Telephone: 03 477 4000
Facsimile: 474 3451, PO Box 5045, Moray Place, Dunedin 9058, www.dunedin.govt.nz



Written Approval of Affected Person(s) in Relation to an Application for Resource Consent under the Resource Management Act 1991

Introduction

Any proposal to do something that is not a Permitted Activity in the Dunedin City District Plan requires a Resource Consent.

If you have been asked to sign this form, it will be because your neighbour proposes to do something that is not a Permitted Activity, and therefore their proposal requires a Resource Consent. This is not a bad thing in itself, but the Resource Consent process provides the opportunity to determine whether the proposal can be granted consent in terms of the Resource Management Act 1991.

Why is your written approval required?

If an application for a Resource Consent is to be processed as a non-notified application, the Resource Management Act 1991 requires that:

- The activity have or be likely to have adverse effects on the environment that are no more than minor; and
- Written approval be obtained from all affected persons, in relation to an activity, if the activity's adverse effects on the parties are minor or more than minor (but are not less than minor).

If you have been asked to give your written approval it is because you may be adversely affected by the proposed activity. However, just because your written approval is being sought does not mean that you are definitely adversely affected. The affected persons written approval process is designed to give you the opportunity to consider the particular proposal and decide for yourself whether you are adversely affected and/or the degrees to which you may be adversely affected.

What should you do?

If you are asked to give your written approval to someone's proposal as part of their application for a Resource Consent, you should do the following:

1. Request that your neighbour (or their representative) explain the proposal clearly and fully to you.
2. Study the application and associated plans for the proposed activity provided by them in order to understand the effects of the proposal. If there are no plans available at this stage, you are quite entitled to wait until they are available.
3. Decide whether the proposal will adversely affect you or your property and, if so, to what extent. You can take your time over this decision and you are quite entitled to ask the applicant for more information. You may suggest amendments to the proposal that you consider improve aspects of the proposal in terms of its adverse effects on you.
4. If you are satisfied that the proposed activity will not adversely affect you, complete and sign the affected person/s written approval form on the reverse side of this page and sign a copy of the associated plans. If you wish to give written approval to the proposed activity subject to conditions, these should be discussed with your neighbour (or their representative) directly and a satisfactory conclusion reached before your written

approval is given. This may require your neighbour amending the application or plans, or entering into a private (side) agreement with you. The Council will not enter into any negotiations on the subject.

5. Return all documentation to your neighbour (or their representative).

Please note that:

- You do not have to give written approval if you are unhappy with what is being proposed;
- The Council will not get involved in any negotiations between you and the applicant;
- The Council will not accept conditional written approvals;
- Side agreements do not bind the Council in any way.

Important information

Please note that even though you may sign the affected person(s) written approval form, the Council must still give full consideration to the application in terms of the Resource Management Act 1991. However, if you give your approval to the application, the Council cannot have regard to any actual or potential effects that the proposal may have on you. If Resource Consent is granted by the Council there is no way for either you or the Council to retract the Resource Consent later. You are therefore encouraged to weigh up all the effects of the proposed activity before giving written approval to it.

If you do not give your approval, and you are considered to be an adversely affected party, then the application must be treated as a limited notified or publicly notified application, as a result of which you will have a formal right of objection by way of submission.

If the proposal requires resource consent and you change your mind after giving your written approval to the proposed activity, your written approval may only be withdrawn and the effects on you considered for the notification decision if a final decision on affected parties has not already been made by the Council. Accordingly, you need to contact the Council immediately if you do wish to withdraw your written approval.

If the Council determines that the activity is a deemed permitted boundary activity under section 87BA of the Resource Management Act 1991, your written approval cannot be withdrawn: if this process is followed instead.

For further information

Read the Council's "Written Approvals of Affected Persons - What Are They?" pamphlet.

Refer to the Ministry for the Environment's publication "Your Rights as an Affected Person" available on www.mfe.govt.nz.

Privacy: Please note that written approvals form part of the application for resource consent and are public documents. Your name, and any other details you provide, are public documents and will be made available upon request from the media and the public. Your written approval will only be used for the purpose of this resource consent application.

Attachment 1: Application Form as Lodged with Council.



APPLICATION FORM FOR A RESOURCE CONSENT

PLEASE FILL IN ALL THE FIELDS

Application details

I/We: Todd Ford

(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 of the fast-track consent process: ☒ Yes ☐ No
(only applies to controlled activities under the district plan, where an electronic address for service is provided)

Brief description of the proposed activity:

Construction of relocatable homes.
Earthworks to form access and, potentially, build location.
Please refer to attached AEE for full details.

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 etc) of the site (tick one)

Street address of site: 404 Allanton Road, Outram

Legal description: Lot 1 DP 576008

Certificate of Title: 1058622

Contact details

Name: Emma Peters, Consultant, Sweep Consultancy Limited (☐ applicant ☒ agent (tick one))

Address: P.O. Box 5724 Dunedin

Postcode: 9054

Phone (daytime): 0274822214 Email: emma@sweepconsultancy.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 (tick one): ☒ Email ☐ Post ☐ Other:

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: _____

 **DUNEDIN** Kaitiaki
City Council | Ōtepoti

Page 1 of 7

Initials of Affected Party KB

Planning Application Fees Payment Details (Who are we invoicing)

THIS FORM MUST BE COMPLETED FOR ALL PLANNING APPLICATIONS THAT ATTRACT A FEE. ALL FIELDS ARE MANDATORY.

This information is required to assist us to process resource consent invoices and refunds at lodgement and the end of the process. If you have any queries about completing this form, please email planning@dcc.govt.nz

Deposit Payment Payee Details:

Full Name of Deposit Payee (Person or Company): Todd Ford

Mailing Address of Deposit Payee (please provide PO Box number where available):

C/o- Sweep Consultancy Limited P.O. Box 5724 Dunedin 9054

Email Address of Deposit Payee: C/o- emma@sweepconsultancy.co.nz

Daytime contact phone number: C/o- 0274822214

Important Note: The Payee will automatically be invoiced for the deposit and/or any additional costs. Should a portion of the deposit be unspent, it will be refunded to the payee.

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 development.contributions@dcc.govt.nz.

Occupation of the site

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

Applicant

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).

(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 attached AEE.

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 attached AEE.

(Attach separate sheets if necessary)

Page 3 of 7

Initials of Affected Party

DB KB

District plan zoning

What is the District Plan zoning of the site? Rural Taieri Plain

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.

Hazard 2 (flood) Overlay Zone.

High Class Soil Mapped Area.

Swale Mapped Area.

Please refer to attached AEE for more detail.

Breaches of district plan rules

Please detail the rules that will be breached by the proposed activity on the site (if any). Also detail the degree of those breaches. In most circumstances, the only rules you need to consider are the rules from the zone in which your proposal is located. However, you need to remember to consider not just the Zone rules but also the Special Provisions rules that apply to the activity. If unsure, please check with City Planning staff or the Council website.

Please refer to attached AEE.

Affected persons' approvals

I/We have obtained the written approval of the following people/organisations and they have signed the plans of the proposal:

Name:

Address:

Name:

Address:

Please note: You must submit the completed written approval form(s), and any plans signed by affected persons, with this application, unless it is a fully notified application in which case affected persons' approvals need not be provided with the application. If a written approval is required, but not obtained from an affected person, it is likely that the application will be fully notified or limited notified.

Assessment of Effects on Environment (AEE)

In this section you need to consider what effects your proposal will have on the environment. You should discuss all actual and potential effects on the environment arising from this proposal. The amount of detail provided must reflect the nature and scale of the development and its likely effect. I.e. small effect equals small assessment.

You can refer to the Council's relevant checklist and brochure on preparing this assessment. If needed there is the Ministry for the Environment's publication "A Guide to Preparing a Basic Assessment of Environmental Effects" available on www.mfe.govt.nz. Schedule 4 of the Resource Management Act 1991(RMA) provides some guidance as to what to include.

Please refer to attached AEE.

(Attach separate sheets if necessary)

Page 4 of 7

Initials of Affected Party *AB KB*

The following additional Resource Consents from the Otago Regional Council are required and have been applied for: Yes No
 Water Permit Discharge Permit Coastal Permit Land Use Consent for certain uses of lake beds and rivers Not applicable

Assessment of Objectives and Policies

In this Section you need to consider and assess how your application proposal aligns with the relevant objectives and policies in the District Plan relating to your activity. If your proposal is a discretionary or non-complying activity under the District Plan more attention to the assessment will be necessary as the objectives and policies of the District Plan may not always be in support of the proposed activity.

Please refer to attached AEE.

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 (tick one):

Emma Peters, Consultant, Sweep Consultancy Limited

3/10/24

Date:

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 Māori or disclosing location of waahi tapu

What happens when further information is required?

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Further assistance

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City Planning Staff can be contacted as follows:

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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

Information requirements

- Completed and Signed Application Form
- Description of Activity and Assessment of Effects
- Site Plan, Floor Plan and Elevations (where relevant)
- Written Approvals
- Payee details
- Application fee (cash, eftpos, direct credit or credit card (surcharge may apply))
- Certificate of Title (less than 3 months old) including any relevant restrictions (such as consent notices, covenants, encumbrances, building line restrictions)
- Forms and plans and any other relevant documentation signed and dated by Affected Persons

In addition, subdivision applications also need the following information:

- Number of existing lots
- Number of proposed lots
- Total area of subdivision
- The position of all new boundaries

In order to ensure your application is not rejected or delayed through requests for further information, please make sure you have included all of the necessary information. A full list of the information required for resource consent applications is in the Information Requirements Section of the District Plan.

OFFICE USE ONLY

Has the application been completed appropriately (including necessary information)? Yes No

Application: Received Rejected

Received by: Counter Post Courier Other:

Comments:

(Include reasons for rejection and/or notes to handling officer)

Planning Officer:

Date:

Page 7 of 7

Initials of Affected Party, *AB KB*

Attachment 2a: Site Plan.



Copyright of spotted ink spatial design
 Check and confirm all dimensions on site. Do not
 build or construct any structure without the consent
 of the Council. The plan is to be
 read in conjunction with the accompanying specifications

Client:
Ford Family Trust
 100 Allerton Road, East Coast Bays

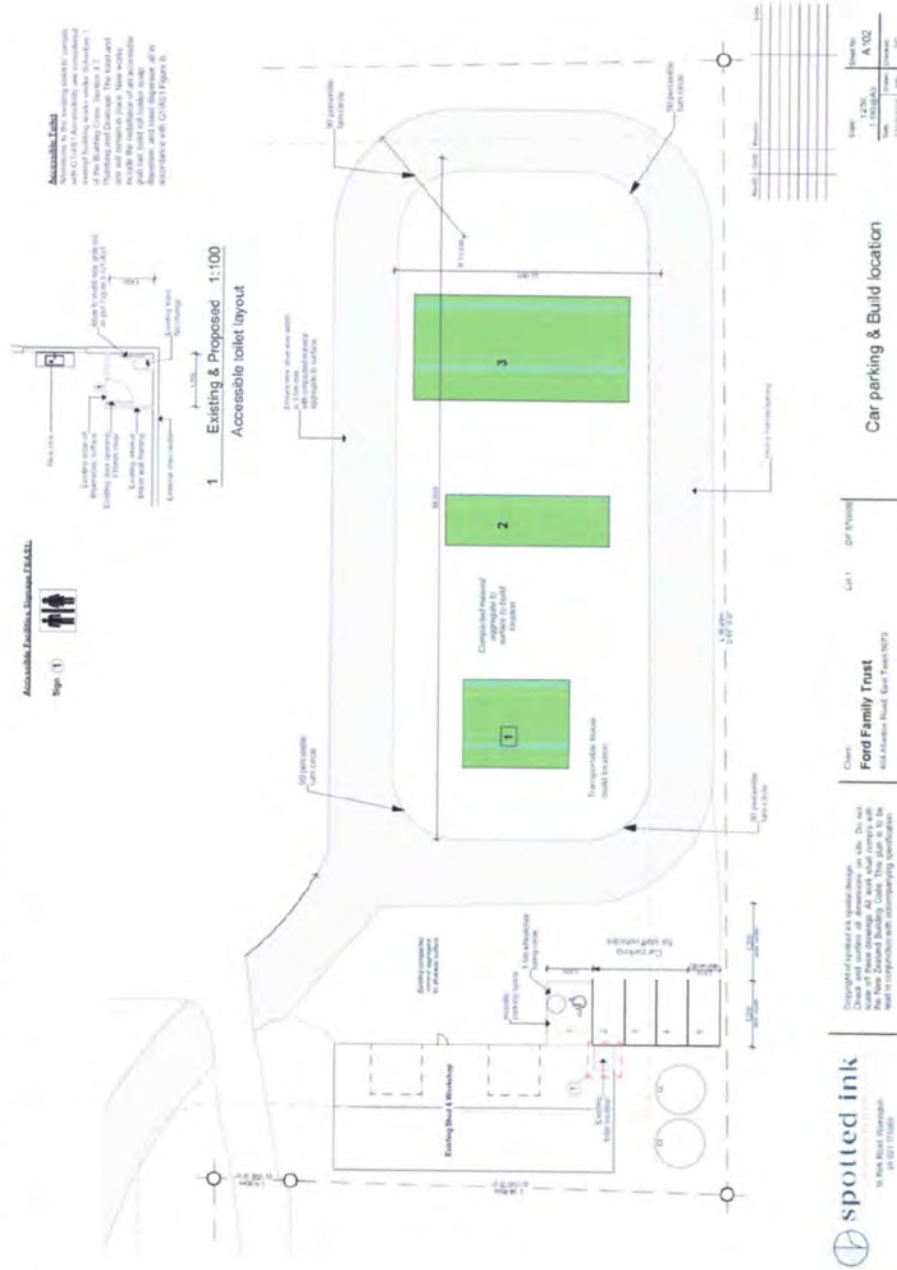
Lot 1 DP 550000

Site Plan For Transportable
 Homes

Scale: 1:500 (A3)
 Date: 10/06/2020
 Drawn: [Signature]
 Checked: [Signature]
 Title: [Signature]

Initials of Affected Party: *DLB KB*

Attachment 2b: Parking & Build Location Plan.



Initials of Affected Party *QJB KB*

Attachment 3: Preliminary Assessment of Environmental Effects

Introduction

The subject property is located at 404 Allanton Road, East Taieri, legally described as Lot 3 DP 362560 contained in record of title 255260 (site) and contains approximately 9,944m². The site is zoned *Taieri Plain Rural* pursuant to the Second Generation (Appeals Version) Dunedin City District Plan (2GP). There are a number of mapped areas and overlays relating to the site being: *Groundwater Protection Mapped Area*, *High Class Soils Mapped Area*, *Hazard 2 (flood) Overlay Zone* and *Swale Mapped Area*.

Todd Ford has applied to the Dunedin City Council (**Council**) for resource consent to establish on the site a business constructing relocatable homes including earthworks (**proposed activity**). The site plan is attached at Attachment 2a with the parking and build location plan attached at Attachment 2b.

The application lodged with Council states that: *"Up to a maximum of three relocatable homes will be built at any one time. Mr Ford aims to employ up to 4 builders and will engage a range of sub-contractors to complete each transportable dwelling. The hours of operation, including deliveries and relocation of completed dwellings, will be Monday to Friday, 7am to 7pm excluding public holidays."*

2GP Rules

Constructing relocatable homes is classified as an industrial activity in the 2GP and resource consent is required to operate industrial activities in rural zones. Resource consent is also required for the earthworks to establish the gray shaded parts of the driveway on the site plan.

Preliminary Assessment of Effects

This preliminary assessment of effects of the proposed activity covers:

- Character and amenity of the area.
- Transportation.
- Services.
- Flood hazard overlay and swale mapped area.
- High Class Soils

Each of these is dealt with in turn below.

Character and Amenity of the Area

The site is accessed from Allanton Road which is a busy arterial route connecting Outram to Allanton and SH1. Views into the site are limited due to the existing site boundary plantings and existing buildings both on the site and the adjacent property at 406 Allanton Road.

The screening of the build location afforded by the existing vegetation and buildings mitigates any adverse effects on the character and amenity of the locale. Other mitigating factors include the ultimately temporary nature of the proposed activity, the distance from the build location to dwellings on adjoining properties (more than 250m) and compliance with boundary setback performance standards.

Initials of Affected Party:  KB

Transportation

Allanton Road is classified as an arterial road in the 2GP roading hierarchy and, therefore, is considered capable of absorbing the traffic associated with the relocatable homes construction business.

The existing access to the site will be used and has sufficient sight distances for safe operation. The site plan provides for a circular access so that vehicles exiting the site will do so in a forward manner.

Services

There are no reticulated 3 waters services in the locale. Potable water is supplied to the existing shed via collection of rainwater from the shed roof to storage in a tank. Wastewater from the toilet goes to an on-site wastewater treatment and dispersal system.

Flood Hazard Overlay & Swale Mapped Area

The site is within the hazard 2 (flood) overlay zone and part of the site has a swale mapped area. Care has been taken with the layout of the proposed activity with no earthworks proposed to be undertaken in the swale mapped area and the build location being on one of the higher parts of the site (approximately 6.5m contour). Access will only be metalled, and the build location will be left as grass to ensure that the proposed activity does not cause a downstream stormwater management issue for adjoining landowners.

High Class Soils

Topsoil removed for formation of access will be retained on site in a bund as shown on the site plan.

Conclusion

For the reasons given above any adverse effects resulting from the proposed activity will be in the range of less than minor to no more than minor.

Initials of Affected Party

AB KB

Appendix 3c: Affected Party Consent for 406 Allanton Road.

Resource Consent Affected Person(s) Written Approval Form

Important: Please read the back of this form to ensure you are aware of your rights.

Please be aware that these details are available to the public.

To: Resource Consents Team, City Planning, Dunedin City Council, PO Box 5045, Moray Place, Dunedin 9058

I/We (full names): GIRVAN PASTORAL CO LIMITED

Being the: ☒ Owner and Occupier ☐ Owner ☐ Occupier

of the property situated at (address and/or legal description of your property):
406 ALLANTON ROAD (110, 8923 ha)

have read and understand the information on the reverse side of this page and give written approval to the

proposal by (name of applicant(s)): _____

Todd Ford

to (description of proposed activity): _____

Establish a business constructing relocatable homes.

on the following property (address of application site): _____

404 Allanton Road, East Taieri

☒ I/we have read and understand the application as described above and have signed and dated the application and plans as attached.

If there are multiple owners or occupiers on a site, each party needs to individually sign the application documents and this form; or tick the declaration box below:

☐ I am authorised to give written approval on behalf of all owners and/or occupiers (delete one) of this site.

If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

Signed: Stephen Grant DIRECTOR DIRECTOR

A signature is not required if you give your written approval by electronic means

Date: _____ Telephone: _____

Contact person (name, and designation if applicable): STEPHEN GRANT

Postal address: PO Box 270, DUNEDIN 9054

Email address: stephen.grant@thegrants.nz Telephone: 0274364633

Method of service: ☒ Email ☐ Post ☐ Other _____

If you have any queries regarding the Resource Consent process and the role and rights of adversely affected person(s), please contact us before you complete and sign this form and the associated plans.

Resource Consents Team, City Planning Department, Dunedin City Council, Telephone: 03 477 4000
Facsimile: 474 3451, PO Box 5045, Moray Place, Dunedin 9058, www.dunedin.govt.nz



Approved Person: _____ Date: _____ Page 6

\$ RLR

Written Approval of Affected Person(s) in Relation to an Application for Resource Consent under the Resource Management Act 1991

Introduction

Any proposal to do something that is not a Permitted Activity in the Dunedin City District Plan requires a Resource Consent.

If you have been asked to sign this form, it will be because your neighbour proposes to do something that is not a Permitted Activity, and therefore their proposal requires a Resource Consent. This is not a bad thing in itself, but the Resource Consent process provides the opportunity to determine whether the proposal can be granted consent in terms of the Resource Management Act 1991.

Why is your written approval required?

If an application for a Resource Consent is to be processed as a non-notified application, the Resource Management Act 1991 requires that:

- The activity have or be likely to have adverse effects on the environment that are no more than minor; and
- Written approval be obtained from all affected persons, in relation to an activity, if the activity's adverse effects on the parties are minor or more than minor (but are not less than minor).

If you have been asked to give your written approval it is because you may be adversely affected by the proposed activity. However, just because your written approval is being sought does not mean that you are definitely adversely affected. The affected persons written approval process is designed to give you the opportunity to consider the particular proposal and decide for yourself whether you are adversely affected and/or the degrees to which you may be adversely affected.

What should you do?

If you are asked to give your written approval to someone's proposal as part of their application for a Resource Consent, you should do the following:

1. Request that your neighbour (or their representative) explain the proposal clearly and fully to you.
2. Study the application and associated plans for the proposed activity provided by them in order to understand the effects of the proposal. If there are no plans available at this stage, you are quite entitled to wait until they are available.
3. Decide whether the proposal will adversely affect you or your property and, if so, to what extent. You can take your time over this decision and you are quite entitled to ask the applicant for more information. You may suggest amendments to the proposal that you consider improve aspects of the proposal in terms of its adverse effects on you.
4. If you are satisfied that the proposed activity will not adversely affect you, complete and sign the affected person/s written approval form on the reverse side of this page and sign a copy of the associated plans. If you wish to give written approval to the proposed activity subject to conditions, these should be discussed with your neighbour (or their representative) directly and a satisfactory conclusion reached before your written

approval is given. This may require your neighbour amending the application or plans, or entering into a private (side) agreement with you. The Council will not enter into any negotiations on the subject.

5. Return all documentation to your neighbour (or their representative).

Please note that:

- You do not have to give written approval if you are unhappy with what is being proposed;
- The Council will not get involved in any negotiations between you and the applicant;
- The Council will not accept conditional written approvals;
- Side agreements do not bind the Council in any way.

Important information

Please note that even though you may sign the affected person(s) written approval form, the Council must still give full consideration to the application in terms of the Resource Management Act 1991. However, if you give your approval to the application, the Council cannot have regard to any actual or potential effects that the proposal may have on you. If Resource Consent is granted by the Council there is no way for either you or the Council to retract the Resource Consent later. You are therefore encouraged to weigh up all the effects of the proposed activity before giving written approval to it.

If you do not give your approval, and you are considered to be an adversely affected party, then the application must be treated as a limited notified or publicly notified application, as a result of which you will have a formal right of objection by way of submission.

If the proposal requires resource consent and you change your mind after giving your written approval to the proposed activity, your written approval may only be withdrawn and the effects on you considered for the notification decision if a final decision on affected parties has not already been made by the Council. Accordingly, you need to contact the Council immediately if you do wish to withdraw your written approval.

If the Council determines that the activity is a deemed permitted boundary activity under section 87BA of the Resource Management Act 1991, your written approval cannot be withdrawn if this process is followed instead.

For further information

Read the Council's "Written Approvals of Affected Persons - What Are They?" pamphlet.

Refer to the Ministry for the Environment's publication "Your Rights as an Affected Person" available on www.mfe.govt.nz.

Privacy: Please note that written approvals form part of the application for resource consent and are public documents. Your name, and any other details you provide, are public documents and will be made available upon request from the media and the public. Your written approval will only be used for the purpose of this resource consent application.

Affected Person's Written Approval Form Page 2

[Handwritten signature]
R&R

Sweep Consultancy Limited
P.O. Box 5724, Dunedin 9054
email: emma@sweepconsultancy.co.nz
mobile: 0274 822 214
www.sweepconsultancy.co.nz

6 November 2024

Dear Sir / Madam,

We have been engaged by Todd Ford to prepare and lodge with Dunedin City Council (**Council**) an application for resource consent to establish a business constructing relocatable homes at 404 Allanton Road, East Taieri (**site**). The resource consent has been lodged with Council.

The site contains approximately 9,944m² and is zoned *Taieri Plain Rural*. There are several other mapped areas and overlays relating to the site being: *High Class Soils Mapped Area*, *Hazard 2 (flood) Overlay Zone* and *Swale Mapped Area*.

Todd seeks affected party consent from you, as the owner/occupier of your property, to the establishment of his business to construct relocatable homes on the site.

We have included the following information:

1. Copy of the application form (please refer to Attachment 1).
2. Copies of the site plan (please refer to Attachment 2a) and parking and build location plan (please refer to Attachment 2b).
3. A preliminary assessment of environmental effects (please refer to Attachment 3). Please get in contact with us if you would like a copy of the full assessment of effects.

Once you have read this information, if you are satisfied that, in your assessment, there will be no adverse effects to your property, then please complete and sign the affected party's consent form and initial one of the copies of this letter (including all pages and attachments).

The other copy of the affected party's consent form and letter with attachments is for your records.

We thank you for your time and please contact Emma Peters of our office if you have any questions.

Regards,



Emma Peters
Consultant
Sweep Consultancy Limited

Initials of Affected Party.....



Attachment 1: Application Form as Lodged with Council.



APPLICATION FORM FOR A RESOURCE CONSENT

PLEASE FILL IN ALL THE FIELDS

Application details

I/We: Todd Ford

(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 of the fast-track consent process: ☒ Yes ☐ No
(only applies to controlled activities under the district plan, where an electronic address for service is provided)

Brief description of the proposed activity:

Construction of relocatable homes.
 Earthworks to form access and, potentially, build location.
 Please refer to attached AEE for full details.

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

Site location/description

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

Street address of site: 404 Allanton Road, Outram

Legal description: Lot 1 DP 576008

Certificate of Title: 1058622

Contact details

Name: Emma Peters, Consultant, Sweep Consultancy Limited ☐ applicant ☒ agent (tick one)

Address: P.O. Box 5724 Dunedin

Postcode: 9054

Phone (daytime): 0274822214 Email: emma@sweepconsultancy.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 (tick one): ☒ Email ☐ Post ☐ Other

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: _____

 **DUNEDIN** | Waiariki
 CITY COUNCIL | Te Kaitiaki

Page 1 of 7

Initials of Affected Party.....

R.R.

Planning Application Fees Payment Details (Who are we invoicing)

THIS FORM MUST BE COMPLETED FOR ALL PLANNING APPLICATIONS THAT ATTRACT A FEE. ALL FIELDS ARE MANDATORY.

This information is required to assist us to process resource consent invoices and refunds at lodgement and the end of the process. If you have any queries about completing this form, please email planning@dcc.govt.nz

Deposit Payment Payee Details:

Full Name of Deposit Payee (Person or Company): Todd Ford

Mailing Address of Deposit Payee (please provide PO Box number where available):

C/o- Sweep Consultancy Limited P.O. Box 5724 Dunedin 9054

Email Address of Deposit Payee: C/o- emma@sweepconsultancy.co.nz

Daytime contact phone number: C/o- 0274822214

Important Note: The Payee will automatically be invoiced for the deposit and/or any additional costs. Should a portion of the deposit be unspent, it will be refunded to the payee.

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 development.contributions@dcc.govt.nz.

Occupation of the site

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

Applicant

Initials of Affected Party.....

[Handwritten signature]
Red

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).

(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 attached AEE.

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 attached AEE.

(Attach separate sheets if necessary)

Page 3 of 7

Initials of Affected Party.....

262

District plan zoning

What is the District Plan zoning of the site? Rural Taieri Plain

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.

Hazard 2 (flood) Overlay Zone.

High Class Soil Mapped Area.

Swale Mapped Area.

Please refer to attached AEE for more detail.

Breaches of district plan rules

Please detail the rules that will be breached by the proposed activity on the site (if any). Also detail the degree of those breaches. In most circumstances, the only rules you need to consider are the rules from the zone in which your proposal is located. However, you need to remember to consider not just the Zone rules but also the Special Provisions rules that apply to the activity. If unsure, please check with City Planning staff or the Council website.

Please refer to attached AEE.

Affected persons' approvals

I/We have obtained the written approval of the following people/organisations and they have signed the plans of the proposal:

Name:

Address:

Name:

Address:

Please note: You must submit the completed written approval form(s), and any plans signed by affected persons, with this application, unless it is a fully notified application in which case affected persons' approvals need not be provided with the application. If a written approval is required, but not obtained from an affected person, it is likely that the application will be fully notified or limited notified.

Assessment of Effects on Environment (AEE)

In this section you need to consider what effects your proposal will have on the environment. You should discuss all actual and potential effects on the environment arising from this proposal. The amount of detail provided must reflect the nature and scale of the development and its likely effect. i.e. small effect equals small assessment.

You can refer to the Council's relevant checklist and brochure on preparing this assessment. If needed there is the Ministry for the Environment's publication "A Guide to Preparing a Basic Assessment of Environmental Effects" available on www.mfe.govt.nz. Schedule 4 of the Resource Management Act 1991(RMA) provides some guidance as to what to include.

Please refer to attached AEE.

(Attach separate sheets if necessary)

Page 4 of 7

Initials of Affected Party.....

R.C.R

The following additional Resource Consents from the Otago Regional Council are required and have been applied for: Yes No
 Water Permit Discharge Permit Coastal Permit Land Use Consent for certain uses of lake beds and rivers Not applicable

Assessment of Objectives and Policies

In this Section you need to consider and assess how your application proposal aligns with the relevant objectives and policies in the District Plan relating to your activity. If your proposal is a discretionary or non-complying activity under the District Plan more attention to the assessment will be necessary as the objectives and policies of the District Plan may not always be in support of the proposed activity.

Please refer to attached AEE.

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 (tick one):

Emma Peters, Consultant, Sweep Consultancy Limited

3/10/24
Date:

Page 5 of 7

Initials of Affected Party.....

hch

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IN PERSON: Customer Services Centre, Ground Floor, Civic Centre, 50 The Octagon

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

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Initials of Affected Party.....

R.R.

OFFICE USE ONLY

Has the application been completed appropriately (including necessary information)? Yes No

Application: Received Rejected

Received by: Counter Post Courier Other:

Comments:

(Include reasons for rejection and/or notes to handling officer)

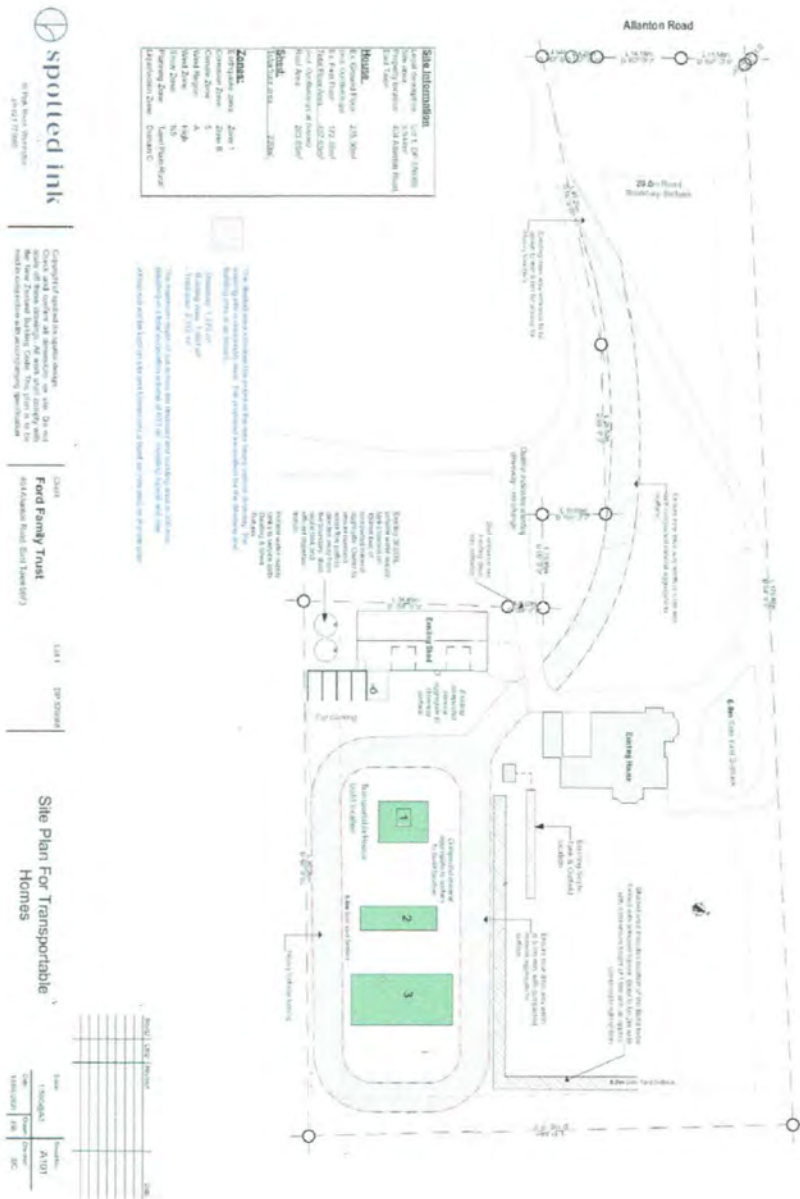
Planning Officer:

Date:

Page 7 of 7

Initials of Affected Party.....

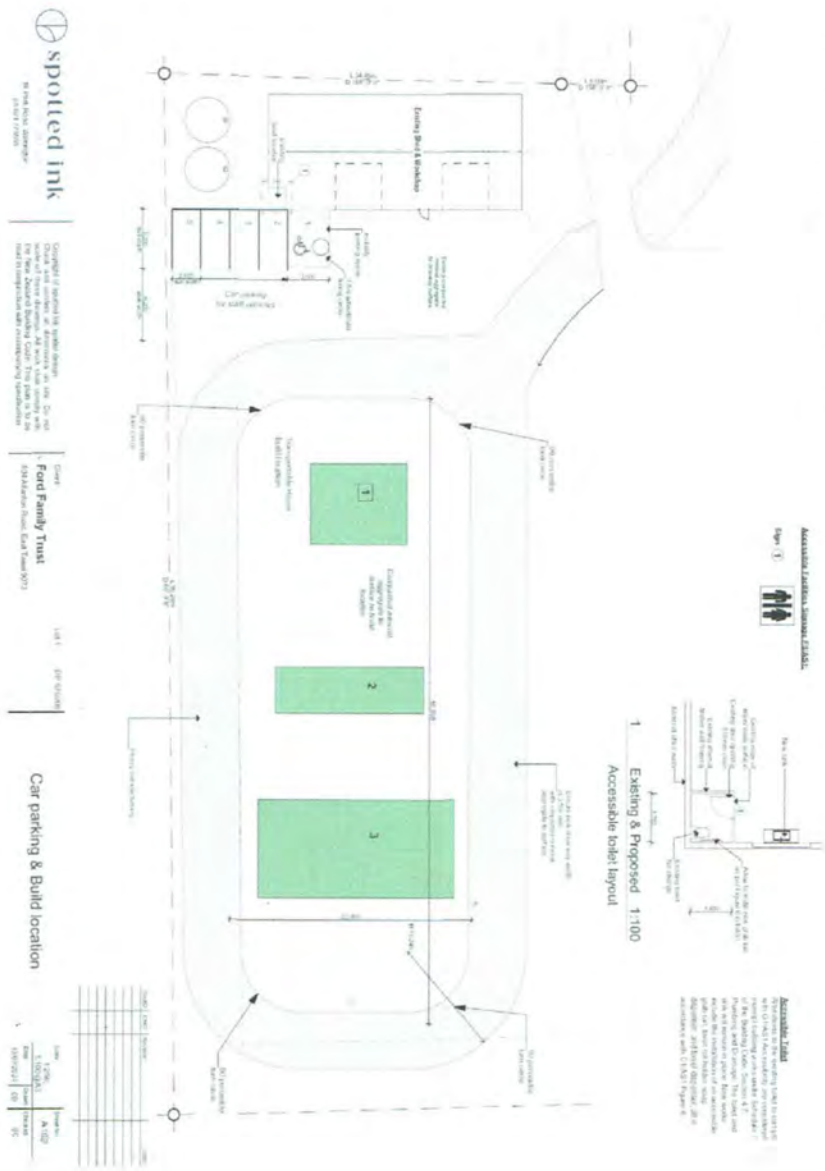
Rid



Initials of Affected Party.

Run

Attachment 2b: Parking & Build Location Plan.



Initials of Affected Party

Red

Attachment 3: Preliminary Assessment of Environmental Effects

Introduction

The subject property is located at 404 Allanton Road, East Taieri, legally described as Lot 3 DP 362560 contained in record of title 255260 (site) and contains approximately 9,944m². The site is zoned *Taieri Plain Rural* pursuant to the Second Generation (Appeals Version) Dunedin City District Plan (2GP). There are a number of mapped areas and overlays relating to the site being: *Groundwater Protection Mapped Area, High Class Soils Mapped Area, Hazard 2 (flood) Overlay Zone and Swale Mapped Area*.

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- Character and amenity of the area.
- Transportation.
- Services.
- Flood hazard overlay and swale mapped area.
- High Class Soils

Each of these is dealt with in turn below.

Character and Amenity of the Area

The site is accessed from Allanton Road which is a busy arterial route connecting Outram to Allanton and SH1. Views into the site are limited due to the existing site boundary plantings and existing buildings both on the site and the adjacent property at 406 Allanton Road.

The screening of the build location afforded by the existing vegetation and buildings mitigates any adverse effects on the character and amenity of the locale. Other mitigating factors include the ultimately temporary nature of the proposed activity, the distance from the build location to dwellings on adjoining properties (more than 250m) and compliance with boundary setback performance standards.

Initials of Affected Party.....

RCR

Transportation

Allanton Road is classified as an arterial road in the 2GP roading hierarchy and, therefore, is considered capable of absorbing the traffic associated with the relocatable homes construction business.

The existing access to the site will be used and has sufficient sight distances for safe operation. The site plan provides for a circular access so that vehicles exiting the site will do so in a forward manner.

Services

There are no reticulated 3 waters services in the locale. Potable water is supplied to the existing shed via collection of rainwater from the shed roof to storage in a tank. Wastewater from the toilet goes to an on-site wastewater treatment and dispersal system.

Flood Hazard Overlay & Swale Mapped Area

The site is within the hazard 2 (flood) overlay zone and part of the site has a swale mapped area. Care has been taken with the layout of the proposed activity with no earthworks proposed to be undertaken in the swale mapped area and the build location being on one of the higher parts of the site (approximately 6.5m contour). Access will only be metalled, and the build location will be left as grass to ensure that the proposed activity does not cause a downstream stormwater management issue for adjoining landowners.

High Class Soils

Topsoil removed for formation of access will be retained on site in a bund as shown on the site plan.

Conclusion

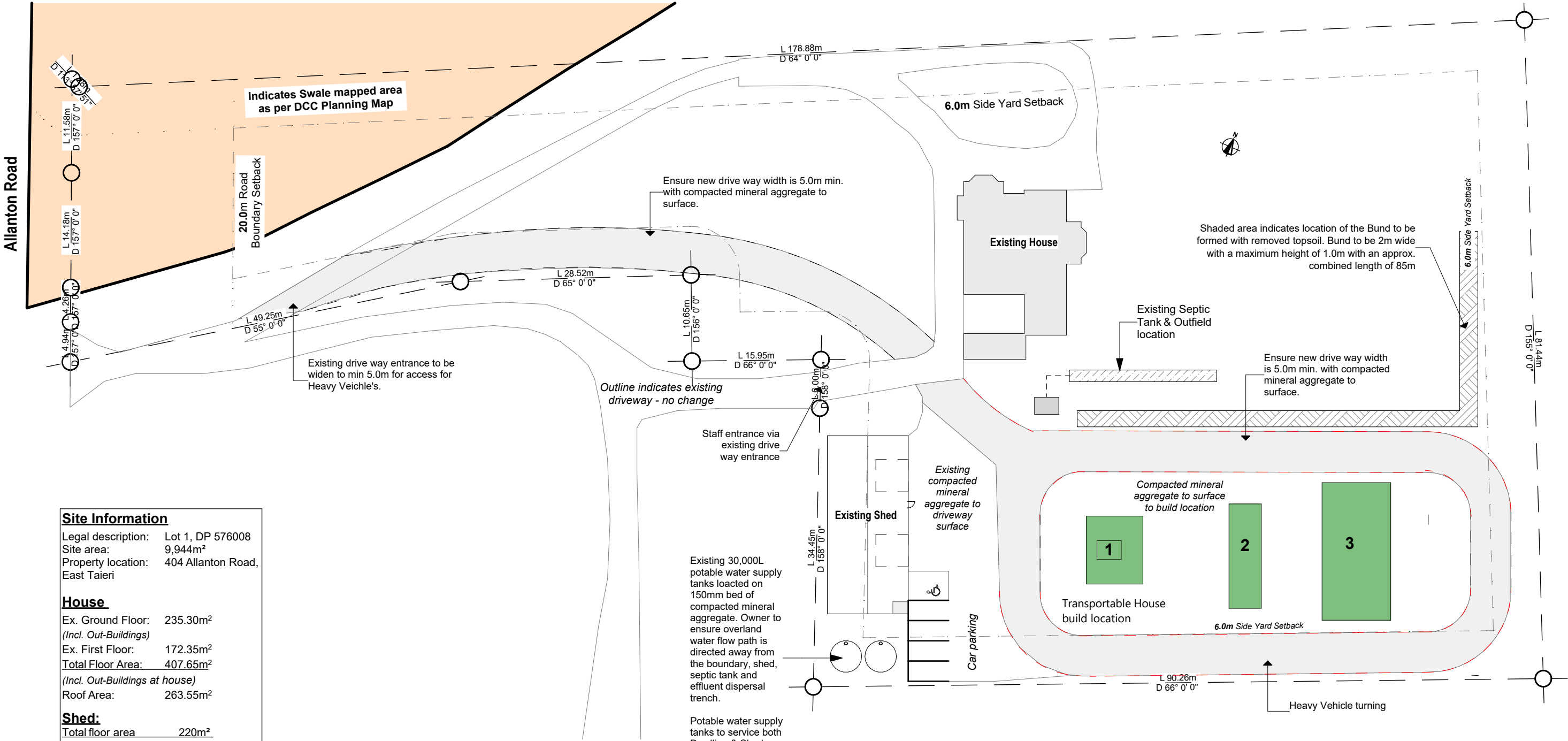
For the reasons given above any adverse effects resulting from the proposed activity will be in the range of less than minor to no more than minor.

Initials of Affected Party.....

RWR

APPENDIX 1B:

Updated Site Plan



Site Information

Legal description: Lot 1, DP 576008
Site area: 9,944m²
Property location: 404 Allanton Road, East Taieri

House

Ex. Ground Floor: 235.30m²
(Incl. Out-Buildings)
Ex. First Floor: 172.35m²
Total Floor Area: 407.65m²
(Incl. Out-Buildings at house)
Roof Area: 263.55m²

Shed:

Total floor area 220m²

Zones:

Earthquake zone: Zone 1
Corrosion Zone: Zone B
Climate Zone: 5
Wind Region: A
Wind Zone: High
Snow Zone: N5
Planning Zone: Taieri Plain Rural
Liquefaction Zone: Domain C

The shaded area indicates the extent of the new heavy vehicle driveway. The existing site is reasonably level. The proposed excavation for the driveway and building area is as follows:

- Driveway: 1,272 m²
- Building area: 1,040 m²
- Total area: 2,312 m²

The maximum depth of cut across the driveway and building area is 300 mm, resulting in a total excavation volume of 693 m³, including topsoil and clay.

All top soil will be kept on site and formed into a bund as indicated on the site plan.

RevID	ChID	Revision	Date

APPENDIX 2:

Advice from the DCC Transport Planner, Mr Reese Martin

TO: Karen Bain, Planner

FROM: Reese Martin, Planner – Transport

DATE: 21st May 2025

SUBJECT: **LUC-2024-380**
404 ALLANTON ROAD, EAST TAIERI

APPLICATION:

Land Use Consent is sought to establish a new industrial business at the site at 404 Allanton Road involving the construction of up to three relocatable homes at any one time. The site is currently accessed via an existing unsealed vehicle crossing and driveway that provides access to the existing dwelling and shed located within 404 Allanton Road and to the various existing farm buildings/sheds within the adjacent site at 406 Allanton Road. The applicant proposes to establish a new 5.0m wide metalled driveway using a compacted mineral aggregate surface extending off of the existing driveway, the initial section of which will also be widened to a width of 5.0m. This will lead to a new circular driveway around the proposed construction area with this area either being grass or a metalled surface.

The existing shed/workshop building will be used for the storage of materials and construction of parts of the relocatable dwellings. Five on-site car parking spaces are proposed near the shed/workshop, one of which will be marked as an accessible car parking space.

The applicant anticipates employing up to four builders and engaging a range of sub-contractors to complete each transportable dwelling. Signage is also proposed at the entrance to the site as well as directional signage within the site.

The site is zoned Rural - Taieri Plains. Allanton Road is classified as an Arterial Road under the 2GP Road Classification Hierarchy. The proposal is assessed as a non-complying activity.

ACCESS:

The site is currently accessed via an existing unsealed vehicle crossing and driveway that provides access to the existing dwelling and shed located within 404 Allanton Road and the various farm buildings within the adjacent site at 406 Allanton Road. The applicant proposes to establish a new 5.0m wide metalled driveway extending off of the existing driveway, the initial section of which will also be widened to a width of 5.0m. This will lead to a new circular driveway around the proposed construction site.

Rule 6.6.3.6 requires that driveways that adjoin a legal road that is hard surfaced, must be constructed with a hard surface for a minimum distance of 5.0m from the edge of the road. It is noted that the existing vehicle crossing is currently unsealed and therefore does not currently comply with this requirement. The applicant notes that the existing vehicle crossing will be upgraded to a hard surface as part of the establishment of the new construction activity in order to comply with this requirement, which is acceptable. As the vehicle crossing will at

times serve as access to heavy transport vehicles and for the delivery of building materials to the site, the existing vehicle crossing must be upgraded to a maximum 9.0m wide in accordance with DCC's Industrial Vehicle Entrance Specification.

Rule 6.6.3.9 requires that the minimum widths of driveways for non-residential activities within the rural zone is a formed width of 5.0m. As noted already above the applicant proposes to widen the initial section of the existing driveway as well as establish a new driveway with a formed width of at least 5.0m in order to comply with this requirement. Therefore, this is acceptable.

Overall, subject to access formation conditions and advice notes recommended below, the existing/proposed vehicle access provision is considered to be acceptable.

PARKING AND MANOEUVRING:

As part of the proposed construction activity the applicant proposes to provide five dedicated on-site car parking spaces to be located adjacent to an existing shed, one of which will be marked as a mobility car parking space.

Rule 6.6.1.1 requires that car parking spaces for non-residential activities must provide for a stall width and depth of 2.5m by 5.2m and an aisle width of 6.2m including an additional 300mm to the sides and ends of each space where bound by a permanent obstruction. In this case the existing shed. Mobility car parking spaces are also required to provide a stall width of 3.6m in accordance with Rule 6.6.1.1.e.iii. The applicant has confirmed that compliance with these requirements will be achieved and is therefore acceptable.

As the site will be accessed from an Arterial Road, compliant on-site manoeuvring space must be provided pursuant to Rule 6.6.1.2.a.i. The manoeuvring area must be large enough to ensure a 99th percentile motor vehicle can exit the site in a forward direction, using no more than one reversing movement when entering or exiting a car parking space. Based on the existing/proposed configuration of the site and the distance between the on-site car parking spaces and the entrance onto Allanton Road, compliance with this requirement will be achievable.

Rule 6.6.1.3 requires that the minimum effective on-site queuing space for vehicles entering or exiting parking areas with 5-20 car parking spaces is 6.0m. Based on the proposed driveway formation width of 5.0m compliance with this requirement will be achieved and is therefore acceptable.

Rule 6.6.1.5 requires that parking areas (including associated access and manoeuvring areas) provided for any activity other than standard residential must be hard surfaced, adequately drained, and permanently marked. While the applicant proposes to permanently mark each dedicated on-site car parking spaces and while adequate drainage can likely be provided, like the remainder of the loading, construction area and driveway, these spaces will not be hard surfaced. Although based on the rural locality of the site a metalled surface is considered appropriate in this instance noting that the vehicle crossing will be hard surfaced to minimise any loose material being tracked out onto Allanton Road. Therefore, the effects of this rule breach is considered to be less than minor.

Overall, subject to a condition recommended below, the proposed parking and manoeuvring provision is considered to be acceptable.

LOADING:

The applicant notes that the driveway and yard area adjacent to the existing shed within the site will be used for manoeuvring associated with the delivery of materials with delivery vehicles stopping to unload and then exit using the one-way circular driveway with no reversing required. They also note that when each relocatable home is completed, a truck will use the driveway to pull in front of, then reverse under the relocatable home before loading and exiting the site via the new driveway.

Rule 6.6.2.1 requires that sufficient manoeuvring space must be provided to ensure that no vehicle accessing a vehicle loading area is required to reverse either onto or off an Arterial Road, using no more than one reversing movement. While vehicles transporting the completed dwellings may be required to perform more than one reversing movement while manoeuvring, the loading of completed dwellings will be able to be carried out safely within the site and will still enable vehicles to exit the site in a forward direction. Therefore, this is acceptable with any effects considered to be less than minor.

Rule 6.6.2.3 requires that loading areas, including associated access and manoeuvring areas, must be hard surfaced, adequately drained and permanently marked. While adequate drainage can likely be provided, the proposed loading and unloading areas within the site will not be hard surfaced and therefore will not comply with this requirement. Although as noted above similar to the proposed car parking area, based on the rural locality of the site a metalled surface is considered appropriate in this instance noting that the vehicle crossing will be hard surfaced to minimise any loose arterial being tracked out onto Allanton Road. Therefore, the effects of this rule breach is considered to be less than minor.

Overall, the proposed loading provision is considered to be acceptable.

SIGNAGE:

The applicant proposes to provide business signage on the fence outside of the entrance to the site including the words 'Slow down, Outram Homes this way, Viewing by appointment only' and will have a maximum area of 2m², the height of the letting on the sign will be no less than 160mm, and will not be illuminated or digital. As the proposed signage will comply with the 2GP Transport signage requirements (specifically Rule 6.7.3) this is acceptable.

GENERATED TRAFFIC:

It is understood that the proposed activity will employ up to four builders as well as a range of sub-contractors to complete each dwelling. It is therefore considered that the traffic generated by the proposal is likely to be no different to/indistinguishable from a farming activity that could already be expected to occur within the Rural zone and noting that heavy vehicle movements to transport each constructed dwelling as well as construction materials to the site are likely to be infrequent. On that basis Transport considers that the effects of the traffic generated as a result of this proposal on the transport network will be less than minor.

It is advised that the applicant will require a TMP, prepared by a suitably qualified person, if the proposed activity will affect the normal operating conditions of the transport network. The TMP will need to be approved by Transport, prior to any activities commencing, particularly during the transport of completed dwellings from the site. As the transport of constructed dwellings from the site may be over dimension, permits for any over dimension/overweight vehicles may be required which can be applied for from NZTA.

CONCLUSION

Transport considers the effects of the proposed development on the transportation network to be less than minor, subject to the following conditions and advice notes:

CONDITIONS:

- (i) The vehicle access and accessway must be formed to a minimum 5.0m wide, be hard surfaced from the edge of the Allanton Road carriageway toward the property boundary for a distance of not less than 5.0m and be adequately drained for its full duration. The remainder of the accessway must comprise an adequate all-weather surface and be adequately drained for its full duration.
- (ii) The existing vehicle crossing must be upgraded to a maximum 9.0m wide in accordance with DCC's Industrial Vehicle Entrance Specification.
- (iii) Any damage to any part of the road formation as a result of the demolition or construction works must be reinstated at the applicant's cost.
- (iv) Each dedicated car parking space must be permanently marked.

ADVICE NOTES:

- (i) It is advised that any works within legal road are required to be undertaken by a DCC approved contractor and will require an approved corridor access request.
- (ii) 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). The finish levels of the vehicle crossing must match the existing levels at the back of the footpath where applicable and tie into the existing edge of seal.
- (iii) It is advised that a formal agreement be drawn up between the owners/users of all private accesses in order to clarify their maintenance responsibilities.
- (iv) The applicant will require a TMP, prepared by a suitably qualified person, if the proposed activity will affect the normal operating conditions of the transport network. The TMP will need to be approved by Transport, prior to any activities commencing.
- (v) As the transport of constructed dwellings from the site may be over dimension, permits for any over dimension/overweight may be required which can be applied for from NZTA.

APPENDIX 3:

**Advice from the Consultant Geotechnical Engineer, Mr
Edward Guerreiro**



MWH Hazards Team <MWHHazardsTeam@stantec.com>

To: Karen Bain; MWH Hazards Team

Reply

Reply All

Forward



Wed 21/05/2025 12:14 pm

This is the most recent version but you made changes to another copy. [Click here to see the other versions.](#)
You replied to this message on 21/05/2025 12:23 pm.

Hello Karen,

We have assessed the application in relation to the hazard register, street files and available aerial photography. We have not visited the site. We have the following comments to make regarding the application.

Proposal

The proposed activity is to undertake earthworks associated with establishing a construction business at the above address.

Site investigation reports have not been provided.

Plans for the proposal are provided within the application.

Hazards

From the Hazard Register, street files, and previously sent emails; for both this title and nearby properties

- Hazard ID 10111: Seismic – Intensified Shaking
- Hazard ID 11407: Seismic – Liquefaction (Domain C)
- Hazard ID 11582: Flood – Overland Flow Path (Flood Area Hazard 1B)

Global Setting

The underlying geology consists of alluvial plains silts, sands and gravels and is relatively flat.

Earthworks / Excavations / Retaining Structures

The proposed earthworks consists of 693m³ of material to be stripped to create the driveway to a max depth of 300mm. This material will be reused on the site. It is anticipated that granular fill will be imported to create the hard stand areas.

Discussion

The primary hazards of the site are flood and liquefaction.

The proposed land use will not necessarily be significantly affected by the liquefaction hazard of the area, however the applicant should be aware it exists so they may take appropriate steps for mitigation of potential liquefaction effects.

The proposed earthworks are relatively significant and the excavated material is proposed to be used to create a 1m high and 85m long bund on the site. This is likely to have some effect on the overland flow characteristics of the site, however given the flat nature of the site and location of the bund, the effect is unlikely to be significant.

Temporary stability may also be a concern on this project, and remains the responsibility of the developer to manage and control temporary stability of stockpiles and excavations.

We recommend that the application not be declined on the ground of known natural hazards.

Conditions

We recommend that the following conditions be required:-

- Any modification to the site shall not increase any adverse stormwater effects on neighbouring lots as a result of the work
- Any modifications to existing ephemeral flow paths or addition of new stormwater features shall be designed by appropriately qualified person/s and ensure that overland stormwater flows are not interrupted and not increase any adverse effects from local ponding or concentrated runoff during storm rainfall events.
- Slopes may not be filled steeper than 2h:1v (27°) or two metres high without specific engineering design and certification
- Any earth fill over 0.6m thick supporting foundations must be specified and supervised by a suitably qualified person in accordance with NZS 4431:2022 Engineered fill construction for lightweight structures
- As-built records of the final extent and thickness of any un-engineered fill should be recorded

Regards,

Edward Guerreiro

BEng Civil

Civil/Geotechnical Engineer

Mobile: +64 21 866 028

Email: edward.guerreiro@stantec.com

Unit D1.03, 19 Grant Road
Frankton, Queenstown



Stantec

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APPENDIX 4:

Recommended Conditions

Conditions:

1. *The proposed activity must be undertaken in general accordance with the approved plans attached to this certificate as Appendix One, the information provided with the resource consent application received by the Council on 3 October 2024, and further information received in an email from Ms Emma Peters dated 12 March 2025, except where modified by the following conditions.*

(Earthworks conditions)Conditions to be met prior to earthworks commencing

2. *The consent holder must provide notice of the start date of the earthworks to the Resource Consent Monitoring team. This notice must be provided by email to rcmonitoring@dcc.govt.nz at least five (5) working days before the earthworks are to commence.*

Conditions to be met at commencement of, or during, earthworks

3. *No earthworks may be undertaken within the Swale Mapped Area that traverses the site.*
4. *While undertaking earthworks approved by this resource consent, the consent holder must ensure that:*
 - a) *Any modification to the site does not increase any adverse stormwater effects on neighbouring properties.*
 - b) *Slopes are not filled steeper than 2h:1v (27°) or more than two metres high without specific engineering design and certification.*
 - c) *Any modifications to existing ephemeral flow paths or addition of new stormwater features are designed by appropriately qualified person/s to ensure that overland stormwater flows are not interrupted and any adverse effects from local ponding during storm rainfall events are not increased.*
 - d) *Soil and topsoil are not removed from the property.*
 - e) *Any fill material to be introduced to the site must comprise clean fill only.*
5. *Earthworks activity must be limited to the times set out below; and comply with the following noise limits as per New Zealand Standard NZS 6803:1999 Acoustics – Construction noise:*

<i>Time of Week</i>	<i>Time Period</i>	<i>Leq (dBA)</i>	<i>L max(dBA)</i>
<i>Weekdays</i>	<i>0630-0730</i>	<i>65</i>	<i>75</i>
	<i>0730-1800</i>	<i>75</i>	<i>90</i>
	<i>1800-2000</i>	<i>70</i>	<i>85</i>
	<i>2000-0630</i>	<i>45</i>	<i>75</i>
<i>Saturdays</i>	<i>0630-0730</i>	<i>45</i>	<i>75</i>
	<i>0730-1800</i>	<i>75</i>	<i>90</i>

	1800-2000	45	75
	2000-0630	45	75
Sundays and Public Holidays	0630-0730	45	75
	0730-1800	55	85
	1800-2000	45	75

6. *To ensure effective management of erosion and sedimentation on the site during earthworks and as the industrial activity is undertaken, measures must be taken and devices must be installed, where necessary, to:*
- divert clean runoff away from disturbed ground;*
 - control and contain stormwater run-off;*
 - avoid sediment laden run-off from the site; and*
 - protect existing drainage infrastructure sumps and drains from sediment run-off.*
7. *Any soil exposed while carrying out the proposed earthworks must be watered down when necessary, to reduce the potential for nuisance from dust.*

Conditions to be met following the conclusion of earthworks

8. *Any surplus excavated soil remaining on the site must be used for landscaping or otherwise re-distributed within the site within six months of the earthworks being completed. The site is within a high class soils mapped area, and topsoil or subsoil must not be removed from the property. The consent holder must ensure contractors are advised accordingly.*
9. *Any areas of certified or uncertified fill must be identified on a plan, and the plan and certificates submitted to the Council at rcmonitoring@dcc.govt.nz, to be recorded against the property file.*

Operational Conditions

Conditions to be met prior to the industrial activity commencing

10. *The vehicle access and accessway must have a minimum formed width of 5.0m, be hard surfaced from the edge of the Allanton Road carriageway toward the property boundary for a distance of not less than 5.0m, and be adequately drained for its full duration. The remainder of the accessway must comprise an all-weather surface and be adequately drained for its full duration.*
11. *The existing vehicle crossing must be upgraded to a maximum width of 9.0m and constructed in accordance with the DCC 'Industrial Vehicle Entrance Specification'.*

Conditions to be met during operation of the industrial activity

12. *Works, including construction, deliveries and relocation of the completed dwellings, must be limited to between 7.00am and 7.00pm, Monday to Friday (inclusive). No work may occur outside of these times, or on public holidays.*

13. Noise emitted from the site must not exceed the following limits, when measured from the notional boundary of noise sensitive activities:

7.00am to 7.00pm	7.00pm to 10.00pm	10.00pm to 7.00am
55 dB LAeq (15 min)	50 B LAeq (15 min)	1. 40 dB LAeq (15 min); and 2. 70 dB LAFmax

Note: For the purpose of this condition, if it is not possible to measure noise levels at the boundary, noise levels will be measured at the closest practical point within the boundary. Noise must be measured in accordance with 'NZS 6801:2008 - Acoustics - Measurement of environmental sound', and assessed in accordance with 'NZS 6802:2008 Acoustics - Environmental noise'.

12. Light spill measured 1.5m above ground level at the boundary of the subject site must not exceed 1 Lux between 10:00pm and 7:00am.
13. Light spill measured at the boundary of any site used for residential purposes between 7:00am and 10:00pm must not exceed 3 Lux, except this standard does not apply to light spill from the headlights of motor vehicles.
14. Lights must be cut-off or fully shielded; and directed away from roads and adjacent properties.
15. Any damage to any part of the Allanton Road formation as a result of the industrial activities being undertaken must be reinstated to the satisfaction of the DCC, at the consent holder's expense.

Advice Notes

Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011

1. While the part of the site to be used for the proposal has not been identified as having had HAIL activity undertaken on it, HAIL activities are known to have occurred on the wider site. If, during site works, soils are found to have visible staining, odours and/or other conditions that indicate soil contamination, work should cease until a suitably qualified and experienced practitioner has assessed the matter and advised of the appropriate remediation and/or disposal options for these soils.

Signage

2. Any variation from the signage detailed in the application, or additional signage, is likely to require a further resource consent.

Earthworks

3. The following documents are recommended as best practice guidelines for managing erosion and sediment-laden run-off:

- a) The Erosion and Sediment control Toolbox for Canterbury found on the ECan website link <http://esc Canterbury.co.nz>
- b) Dunedin City Council “Silt and Sediment Control for Smaller Sites” (information brochure).

Transport

- 4. A traffic management plan (“TMP”) prepared by a suitable qualified and experienced person will be required if activities associated with moving completed relocatable dwellings off-site affect the normal operating conditions of the transport network. The TMP will need to be approved by DCC Transport, prior to those activities commencing.
- 5. The constructed dwellings to be transported from the site might be over dimension, in which case a permit from Waka Kotahi for over dimension/overweight transport will be required prior to their transport.