

In the Environment Court of New Zealand
Christchurch Registry

I Te Koti Taiao o Aotearoa
Ōtautahi Rohe

Under	the Resource Management Act 1991 (RMA)
In the matter of	appeals under clause 14(1) of the First Schedule of the RMA in relation to the proposed Second Generation Dunedin City District Plan (2GP)
Between	Grant Maxwell Motion (ENV-2018-CHC-250) William John Morrison (ENV-2018-CHC-257) Appellants
And	Dunedin City Council Respondent

Affidavit of Dr Anna Louise Johnson

Affirmed 28 February 2020

Respondent's solicitors:

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**anderson
lloyd.**

I, **Dr Anna Louise Johnson** of Dunedin, City Development Manager, hereby solemnly and sincerely affirm:

- 1 I am the City Development Manager at the Dunedin City Council (DCC).
- 2 I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014. This evidence has been prepared in accordance with it and I agree to comply with it. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.
- 3 I hold the qualifications of Bachelor of Science, political science and environmental studies received from the University of Oregon, Postgraduate Certification (Ecology) received from Otago University and PhD received from the Otago University (Thesis title: Public Involvement in Environmental Impact Assessment: An examination of public involvement in the resource consents process of the Resource Management Act 1991).
- 4 I have over 18 years' experience in the areas of RMA planning, growth planning, community engagement, and planning research, including 11 years as City Development Manager at Dunedin City Council.
- 5 I have been asked to review the affidavit prepared by Emma Christmas and specifically consider the alignment with and impact of the amendments on the strategic directions' objectives and policies (section 2 objectives and policies).

Strategic directions

- 6 I agree that the relevant strategic directions objectives and policies against which to assess the changes are those identified in Ms Christmas' affidavit, that is Objectives 2.6.2 and 2.2.4, and the criteria for the assessment of residential zoning contained in Policy 2.6.2.1 and 2.2.4.1 that sit under these objectives.
- 7 I note that amendments include changes which are, in effect, a new method (allowing self-serviced development at a large lot scale, with a requirement to provide for future intensification once services are available). Therefore, the strategic directions policies do not outline this method directly. However, the changes still fit broadly within the existing strategic directions framework, and therefore, I do not believe that the changes agreed require any immediate amendments to the 2GP strategic directions to reflect this 'new' method. The changes also do not impact the current horizontal or vertical alignment of the provisions.
- 8 I understand that it is likely that this method will be expanded upon and be more explicitly incorporated into the strategic directions policies through changes to be included in Variation 2 to the 2GP. I agree this is the more appropriate time to make

changes to the strategic direction to outline the (broader) use of this method as a means of addressing the scenario that exists for these sites (e.g. sites that meet the criteria for 'general' residential zoning (and where this is preferred to use good residential land efficiently) but where the infrastructure network has capacity issues which mean that connections cannot be immediately provided, therefore, a zoning that allows site sizes to support on-site waste water servicing is required in the meantime.

Style Guide

- 9 I was also asked to review the changes in terms of the drafting protocols included in the *2GP Style Guide April 2019 – incorporating change made through 2GP decisions* https://www.dunedin.govt.nz/_data/assets/pdf_file/0007/715867/2GP-Style-Guide.pdf (discussed in my affidavit of 16 April 2019).
- 10 I have reviewed the proposed amendments to the 2GP included in the **attached** consent memos:
 - (a) Grant Maxwell Motion ENV-2018-CHC-250 dated 20 February 2020 (Rezoning of property at 307 Wakari Road and inclusion of Wakari Road Structure Plan Mapped Area performance standards); and
 - (b) William John Morrison ENV-2018-CHC-257 dated 20 February 2020 (Rezoning of property at 312 Wakari Road and inclusion of Wakari Road Structure Plan Mapped Area performance standards).
- 11 I note the Style Guide does not include specific guidance around 'structure plan mapped area performance standards' because of the variable nature of these standards, which are written to deal with site-specific matters.
- 12 However, the style guide does provide general guidance around drafting language and rule numbering.
- 13 I note that there is a minor error in the drafting included in the consent memorandum in that the numbering of the rules do not follow the numbering protocol of 1.1.1.1.a.i.1. They should read:

15.8.14 Wakari Road Structure Plan Mapped Area Performance Standards

- a. 1. The layout of any subdivision within the Wakari Road Structure Plan Mapped Area must be designed to not preclude further subdivision to a General Residential 1 density in future.
- b. 2. Sites must be developed in a way that enables future connection of all dwellings to reticulated wastewater if the land is rezoned to General Residential 1 in future and reticulated wastewater becomes available

(including by way of laying pipes along roads and accessways where necessary).

e. 3. In the case of conflict with performance standards 15.5 to 15.7, the rules in this performance standard apply.

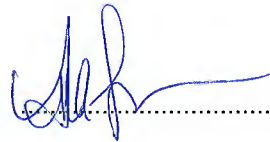
d. 4. Activities that contravene this performance standard are a non-complying activity.

14 The numbering applied to the Figure is also incorrect, it should read:

15.8.14A Wakari Road Structure Plan Mapped Area Performance Standards

15 I recommend that this be noted to be changed in the final consent order.

Affirmed at Dunedin)
By **Dr Anna Louise Johnson**)
this 28th February 2020)
before me:)



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A Solicitor of the High Court of New Zealand

Ashleigh Nicole Mitchell-Craig
Solicitor
Dunedin