From: Lynne Adamson

Subject: Official Information Response

Date: Friday, 23 September 2016 10:58:04 a.m.

Attachments: Response Attachment file.pdf

image001.png

Dear Sue

I refer to your email dated 15 August 2016 requesting information on the 2GP zoning change to Graeme property at Waitati. You have also requested correspondence concerning his request to change from rural to township zoning and the DCC's Rezoning Request – 2GP reports from phase 1 and 2 considerations.

Your request has been considered under the Local Government Official Information and Meetings Act (1987). The following will provide some clarity to the process undertaken regarding the rezoning requests:

- As part of the 2GP Review, DCC advertised a rezoning request process.
- Graeme Bennett sent in his application.
- This successfully passed the Phase 1 assessment.
- It was then assessed by DCC's Water and Waste, and Transportation Planning departments.
- The rezoning request failed the Phase 2 assessment.
- The applicant arranged for a site visit.
- Reconsideration of the application resulted in some land being rezoned in the 2GP.
- Mr met with Michael Bathgate and myself on 12 October 2015 post 2GP Notification to discuss the 2GP.

We have attached all the correspondence relating to the request to change the zoning as follows:

- Second Generation District Plan Rezone Requests 13 November 2013
- Record of site visit re rezoning request
 18 March 2015
- 2GP Rezoning Requests Waitati Transportation 13 June 2014
- Rezoning Request 2GP
- Meeting –
 16 April 2015
- Correspondence 16 December 2014
- Email 9 March 2015 please note this had the letter attached
- Rezoning Requests Report dated June 2015 as this sets out the process

The email addresses have been redacted to protect personal privacy under Section 7(2) (a) of the Act.

You have the right to seek a review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

If you wish to discuss this further, please contact me.

Kind Regards

Lynne

Lynne Adamson Governance Support Officer
Dunedin City Council/Kaunihera-a-rohe o Otepoti

50 The Octagon, Dunedin; P O Box 5045, Moray Place, Dunedin 9058, New Zealand Telephone: 03 477 4000; DDI: 03 474 3431; Fax: 03 474 3488 Email: Lynne.Adamson@dcc.govt.nz









TO: City Development

FROM: Sarah Connolly, Transportation Planning Manager

DATE: 13 June 2014

SUBJECT: 2GP REZONING REQUESTS – WAITATI - TRANSPORTATION

Further to our meeting of 13th June 2014, Transportation (Planning and Operations) provide comment on the remaining two (Waitati) rezoning requests.

Sarah Connolly

Table 1: Rezone Request Impacts on Transport Network

Site	Hierarchy	Current Network				Network Implications			Transportation
	Description	Structure	Capacity (Level of Service)		Safety	Safety Access to Network	Travel Implications	Mode Options	Recommendation / Information Requirements
			Local	Area					
Waitati Rezone request: Residential 5 & large lot residential	Local road 2 lanes 50 kph speed	Pavement rehabilitation work programmed for 2013/14 to deal with existing traffic. Possible deferral to 2014/15. Unlikely to cope with construction traffic Likely to cope with increased residential traffic Possible sea level rise causing inundation of main access.	No LOS effects	Existing pressure on SH during morning peak, expected deterioration in LOS at north end of city 10-15 years. This development will put added pressure on these intersections.	Low corridor crash risk	Options onto formed (Doctors Point Road) and unformed roads	Limited local shops and services	Limited bus service No pedestrian or cycle facility	We are concerned that these developments will increase the number of people who rely on private motor vehicle transport to access Dunedin, adding to congestion at the north end of the city / SH1 and increasing parking pressure in the city by creating car dependent communities. Employment options within the local area are limited, access to essential goods and services would primarily be in Dunedin (e.g. jobs, health, supermarkets, education, etc). It is possible that more residents in this area will increase the viability of local shops and also the bus service, however the size of the lots prohibits easy walk/cycle access due to the low densities involved. We recognise Waitati has a well organised community that is concerned about resilience, but wanted to raise our concerns with further development in this area. Reducing the need for single occupant car trips through careful land use planning is something that transport planning are keen to see.
Rezone request: Residential 5	Local road 2 lanes 50 kph speed	Pavement rehabilitation work programmed for 2013/14 to deal with existing traffic. Possible deferral to 2014/15. Unlikely to cope with construction traffic Likely to cope with increased residential traffic Possible sea level rise causing inundation of main access.	No LOS effects	Existing pressure on SH during morning peak, expected deterioration in LOS at north end of city 10-15 years. This development will put added pressure on these intersections	Low corridor crash risk Proximity to railway line may increase risk	Options onto Doctors Point Road.	Limited local shops and services	Limited bus service No pedestrian or cycle facility	



Dear Mr

Second Generation District Plan Outcome to Rezoning Request

As part of our consultation on the second generation Dunedin City District Plan (2GP) you made a request to us for the rezoning of parts of the sites at:



to be rezoned from the current Rural zoning to Residential 5 and Large Lot.

Further to the recent conversation between yourself and Michael Bathgate, this letter is to inform you that we have now fully considered your request and will not be recommending the rezoning of your property when the 2GP is notified in August 2015.

The reasons for arriving at this recommendation are outlined below:

- The visual prominence of the sites, with concerns over any precedent created by extending residential zoning up the hillside.
- There is other land proposed for residential development in the Waitati area that is less visually prominent.
- There is currently undeveloped Residential 5 land at **Exercise** that could be developed first.
- There are some concerns over the effects on the transportation network of increased development at Doctors Point.

I understand that Michael Bathgate will be contacting you in January 2015 to arrange a site visit, at which point we will have the opportunity to discuss these points further.

Despite your rezoning request being unsuccessful at this stage, there are a number of options available to you with respect to changing the future use of your property. These include:

• Application for resource consent to establish activities which are not otherwise provided for as of right by the zoning of your property.

Use this reference if you contact us:	
Letter «Letter_Ref» -	- 2GP Re-zoning Request Outcome

- Application for a private plan change, which would enable consideration of a change to the zone in a more formalised process.
- Submission on the zoning of your property as part of the 2GP notification process which is schedule for August 2015. During this period, you may also submit on any other aspects of the proposed 2GP.

For more information on the District Plan review generally, please see www.dunedin.govt.nz/2GP. If you would like to receive on-going updates on the second generation District Plan, including notification dates, via our City Development electronic newsletter, please email planning.contacts@dcc.govt.nz and ask to be subscribed.

If you have any questions, please contact Michael Bathgate (Policy Planner) on 474 3701, or phone the DCC on 477 4000 or email districtplan@dcc.govt.nz and quote the reference at the bottom of this letter.

Please note that the City Planning office will be closed for the Christmas period from 25 December 2014 – 2 January 2015, inclusive.

Yours sincerely

Anna Johnson

City Development Manager

CITY PLANNING

Meeting re Rezoning of	

16 April 2015

Present: Anna, Paul, Michael

Agreed – rezone to large lot residential (3,500m2) as per G revised plan, with conditions around retention of trees. Maybe also condition around height of development in terms of maximum contour up hill (as per proposal). Conditions may be best covered by inclusion in structure plan.

Undeveloped Res 5 land to be subject to FUDZ trigger for development, based on uptake and development of both this land and nearby Opiki development. The trigger to be based on issue of building consents, not sale of sites or completion of dwellings.

MB to write to Graeme to inform him of revised rezoning decision.

Lynne Adamson

Michael Bathgate From:

Thursday, 18 August 2016 02:49 p.m. Sent:

Paul Freeland To:

Subject:

Attachments:

From: Michael Bathgate

Sent: Monday, 9 March 2015 5:16 p.m.

To:

Subject: .docx

Hi Graeme

Firstly apologies for not making contact sooner. Attached please find a copy of the letter you were sent in December. I'll have a look and see if there's any other relevant documentation, but the letter sets out the rationale for the decision not to propose rezoning of your property at this stage, as well as outlining the options for you moving forward.

I'll be back in touch shortly to discuss a site visit once I've talked to other relevant people here who may be involved.

kind regards Michael Bathgate

Michael Bathgate Policy Planner, City Development **Dunedin City Council**

50 The Octagon, Dunedin; P O Box 5045, Moray Place, Dunedin 9058, New Zealand

Telephone: 03 474 3701; Fax: 03 474 3451

Email: michael.bathgate@dcc.govt.nz

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Lynne Adamson

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Michael Bathgate Policy Planner, City Development **Dunedin City Council**

50 The Octagon, Dunedin; P O Box 5045, Moray Place, Dunedin 9058, New Zealand

Telephone: 03 474 3701; Fax: 03 474 3451

Email: michael.bathgate@dcc.govt.nz

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RECORD OF SITE VISIT RE REZONING REQUEST, DOCTORS POINT ROAD.

Date/Time:
18th March 2015, 2pm.
Site Visit Attendees:
Paul Freeland
Michael Bathgate
Barry Knox
(Graeme landowner)
Property Viewed:

Notes Recorded:

The request for a site visit came to the Policy Planners. Mr owns steep land adjacent to his dwelling on the south side of Blueskin Bay which is currently below the Landscape Management Area (Flagstaff/Mt Cargill LCA) and zoned Rural. He wishes to investigate the proposal to rezone some of this land to Residential prior to notification of 2GP.

We viewed the site – the area Mr wishes to rezone is currently in trees, some exotic (half grown pines, mostly, and some eucalypts) with an undercover of native vegetation, including manuka. He noted he has some R5 zoned land below his house which is in pasture, but which he doesn't want to develop for residential use as yet. He would prefer to look at the steeper, vegetated land further east, as this currently is not productive for other than forestry which can potentially degrade visual amenity at the time of felling. He envisages development of dwellings surrounded by the native vegetation which would be promoted (pines removed) and each section would probably be sold with attached "rubbish" land which would retain a lot of the existing natural character.

Paul Freeland said that with respect to possible residential development, the 2GP plan would endeavour to avoid sporadic urban development over a wide area which may cause strain on existing infrastructure and reduce rural and landscape character. He suggested that if a rezoning was considered, one element of it would very likely be a requirement to develop one area before another. In simple terms, would Mr be prepared to forgo residential development on his existing R5 areas until the proposed area for rezoning was developed to near the intended capacity? Mr seemed receptive to this idea.

Another part of the site visit was further to the north east near Mr son's new house. The proposed rezoned land would be between this and his own dwelling. This area is reasonably elevated, and although we didn't view it from the state highway across the bay, it is likely that the area would be widely visible.

Actions:

- Paul and Michael asked Mr to write down some of the thoughts he had expressed about his proposed development and forward them to the planners.
 (This should include reference to what would be done with existing planting, proposed property density, and ideas for access off Pilots Point Road).
- The policy Planners would consider the proposal in the light of this information, and what had been discussed on the site visit.

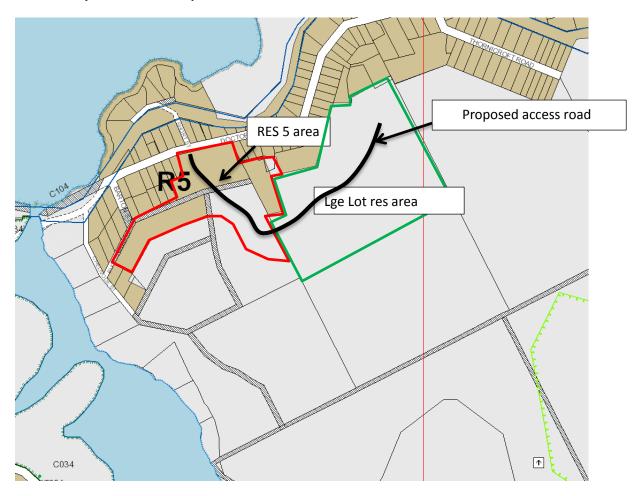
In terms of landscape effects on the proposed Heyward Point Significant Landscape (HPSL), which would cover the land higher up the slope from Mr proposed development area, I noted:

- Elevation is a critical element for any development proposed here. Extending discreet dwellings along the proposed area, linking with existing dwellings already in bush, should not significantly threaten the recognised landscape values of the area. However, further up, where there is not much built development, much greater care needs to be taken.
- o The proposal to promote native planting around new dwellings is a positive.
- Coming down to specific design details, the siting of dwellings, use of subdued and recessive colours, and construction utilising "more natural" materials are all elements to be encouraged if a rezoning proposal is promoted.

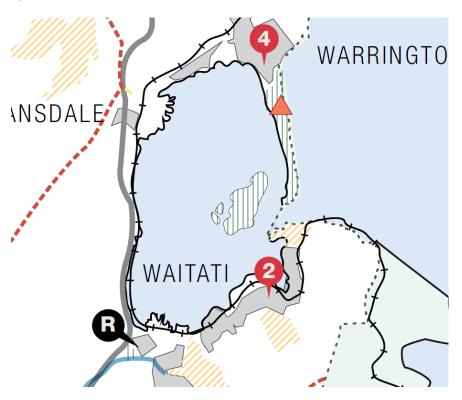
Barry Knox, Landscape Architect

REZONING REQUEST - 2GP				
Phase 1 - Initial Consideration				
Property Address			Wait	ati
Property ID				
Site Area		o sites, being 158.4	4546 HA, and 26.5l	na
Current Zoning	Rural and Res 5			
Requested Alternative Zoning		f site to residential		
Historical Zoning	section of the Tra	dential C and partly nsitional District Pl	an	
2Gp Preferred Option Zone		tlements– although e in suitable areas.		ome residential
Consistency with Spatial Plan	Yes and No.			
Current Use	The site currently contains a single residential dwelling and pastoral farmland. Regrowth pines have also established in the location of forme forestry and some natives have been planted.			
Historic Use	Rural			
Consent History	• RMA – 2003 –	- 3 lot subdivision (formerly part of sit	:e)
Known hazards / heritage /	• Nil	,		
infrastructure / other constraints				
Surrounding Land Uses & Pattern	The site is a visually prominent, hill slopes located on the southern edge of Blueskin Bay. The site is located on the southern side of Road above the existing residential areas. Residential 5 zone land is located on both sides of Road also the lower parts of the subject site.			
Reasons for rezoning request	The requester seeks rezoning to allow for residential development, both			
(including any known intended use)	res 5 type and large lot residential (3000-3500m²).			
Reasons for or against possible zone change	Large parts of the site are already zoned for residential use. The requester seeks to extend this alongside a new access road whi provide access to the proposed area of large lot residential.			road which would
		a of large lot res is mately 25 allotmen		na. This would
		area would allow f pprox. 20 allotmen		
	Similar to the other large request at Drs Point in that a number of matters need to be addressed in relation to whether this is the best for this land, and possible effects. These include: infrastructure casewage treatment, landscape character, possible hazards (geotech contaminants), stormwater run-off, road network, etc.			
	My opinion is that the requested R5 area pushes too far up the hill, and this site combined with Willowridge's block will result in a significant increase in dwelling numbers at Waitati.			
Recommendation				
Suitable for Phase 2 Analysis	Yes		No	
Additional comments	. 53		1	1

Dunedin City District Plan Map



Spatial Plan



Aerial Photograph





Rezoning Requests Report

Report prepared by City Development team, Dunedin City Council

1.0 Introduction

As part of the development of the Second Generation Dunedin City District Plan (2GP), the Dunedin City Council (DCC) invited rezoning requests from property owners on the zoning of individual sites. This process generally related to instances where a landowner believed that their property should be zoned for a different purpose in the 2GP than its current zoning in the operative District Plan.

In total, 92 rezoning requests were submitted to Council as part of this process.

In addition to the requests submitted by private landowners, City Development staff reviewed the Rural Urban Fence (RUF), which is generally the zone boundary between the rural zone and other 'urban' zones (including rural residential zone). This process started in 2008, as part of the initial review of the Rural Section of the District Plan, and was also considered as part of the development of the Spatial Plan.

A total of 158 sites were identified for rezoning through this process.

2.0 Methodology

Requests for feedback on the zoning of individual sites were first accepted during the 2GP 'Issues and Options' consultation phase. This feedback generally related to instances where landowners believed their properties should be zoned for a different purpose to that which it is currently zoned for.

Rezoning requests were accepted throughout the Preferred Options phase and up until the 25th October 2013. The approach to analysing these requests included the development of an assessment template to assist with a property-by-property evaluation over two separate phases. The Phase One analysis was a high level determination regarding the suitability of the request, while Phase Two involved a far more detailed and site specific assessment of the potential merits of each rezoning request.

2.1 Phase One Assessment

The Phase One analysis involved an initial assessment of each individual rezoning request to determine whether or not they warranted more in-depth analysis. Generally speaking, this assessment involved a high level desk top exercise that assessed a variety of issues, including site characteristics, development history, and alignment with zone characteristics, policies, and provisions based on the following criteria:

Phase One Criteria

- 1. Consistency with the strategic direction, and objectives and policies of the Spatial Plan for Dunedin:
- 2. Current and historical use and development of the site, including a review of the resource consent history;
- 3. The compatibility of the rezoning request with the surrounding zoning and land uses;
- 4. Any known hazards, heritage sites, infrastructural or contamination issues relating to the site.
- 5. Any other known development constraints; and
- 6. Assessment against proposed 2GP zoning.

At the conclusion of the Phase One assessment, applicants were informed as to whether their rezoning request had 'passed' the first stage of assessment and warranted further analysis or, alternatively, that the request had failed the Phase One tests.

2.2 Phase Two Assessment

Rezoning requests considered suitable for further and more in-depth analysis were evaluated on a number of further criteria. Where relevant, these included consideration by other Council departments, particularly Water and Waste Services, and Transportation. Additionally, the rezoning requests were analysed with respect to the preferred options natural hazards consultation data. This approach was more 'fine grain' and considered both the criteria from the Phase One analysis and the following Phase Two criteria:

Phase Two Criteria

- 1. Land Stability Assessment
 - a. Identification of any land stability issues
 - b. Site suitably for proposed rezoning
- 2. Natural Hazards Assessment
 - a. Natural hazard risk assessment for site and surrounding area.
 - b. Analysis of proposed rezoning against proposed rules for development in hazard risk overlays.
- 3. Where relevant, a transportation assessment undertaken by Council's Transportation department.
 - a. Any known capacity or safety issues
 - b. Details of any planned upgrades or improvements to the local road network
 - c. Assessment of any relevant transportation strategies
 - d. Assessment of the ability of the road network to accommodate the zone change, and any anticipated resulting development.
 - e. Any likely limitations, issues or improvements needed to accommodate rezoning
- 4. Where relevant, an assessment by Council's Water and Waste Services team.
 - a. Overview of catchment details, existing stormwater drainage, and treatment services.
 - b. Issues, capacity information, and upgrade potential of stormwater, wastewater and water supply networks with regard to rezoning.

Once this information had been collected and analysed with respect of each rezoning request, each property was evaluated with respect to the above criteria.

The proposed 2GP zoning was also revisited to provide an updated assessment of this with relation to the rezoning requests. The request was also evaluated against concurrent 2GP processes, in particular:

- Transitional Zones where a rural site was in a potential transitional zone (potentially transitioning to residential or industrial use) this was considered as part of the Phase 2 assessment; and
- Rural Residential 2 Zone the small rural sites cluster analysis used to build the Rural Residential 2 Zone was also taken into account where sites subject to a rezoning request intersected with identified clusters.

Reasons for and against each possible rezoning were recorded, utilising Phase 2 criteria as a guide. After considering all relevant information a conclusion was reached on whether the property should be proposed for rezoning in the 2GP.

Landowners were contacted by letter (and phone in the case of unsuccessful requesters) in December 2014 following the conclusion of the Phase Two assessments, advising them whether their requested zone changes were being recommended for inclusion in the 2GP and why this decision was made.

2.3 Site Visits and Ground Truthing

Those rezoning requests which passed both phases of assessment were either recommended for inclusion in the 2GP or rejected as inappropriate. In some cases, site visits were deemed necessary, as desktop information could not provide a definitive answer as to the suitability of the rezoning request. In these cases, members of the City Development team familiar with the rezoning request process visited the particular sites, in consultation with the request submitter. Site visits ensured that where some uncertainty existed regarding a rezoning, these uncertainties could be discussed with the requester and the site's suitability assessed in person by staff.

3.0 Results

3.1 Phase One Assessment

Of the 92 rezoning requests that were submitted within the defined period, 55 'passed' the Phase One criteria. A summary of the proposed zone changes is included in Table 1 below:

Table 1. Phase One Rezonings: Number of sites to/from zones

To (Number of Sites)		From		
Rural Residential 13		Rural	13	
Rural	1	Residential	1	
Residential	30	Rural Rural Residential Other Residential Industrial	24 4 1 1	
Industrial	6	Rural Other Industrial Residential	2 2 2	
Centres/Local Activity	5	Industrial Residential Large Scale Retail	2 2 1	

RUF rezonings were not considered in Phase One, as these sites had essentially already been through an assessment similar to both the Phase One and Two assessments during the revision of Dunedin's RUF, and generally represented a regularisation of existing use.

3.2 Phase Two Assessment

The 55 requests that passed the Phase One assessment were then assessed against the key Phase Two criteria and any other matters deemed relevant for the particular site. Of the successful Phase One requests, 51 passed and 4 did not pass the Phase Two criteria. As a result of the completed assessments, the following requests are proposed to be included in the 2GP.

Table 2. Breakdown of Phase One and Phase Two Requests

Requested Zone	Number of total requests	Number failed Phase One assessment	Number passed Phase One assessment	Number passed Phase Two assessment
Rural Residential	28	15	13	14
Rural	1	0	1	1
Residential	44	14	30	27
Industrial	8	2	6	4
Centres	7	2	5	4
Other	4	4	N/A	N/A

The table above reflects only whether a rezoning request passed the assessment. In some circumstances the requested rezoning is for a zone that has been superseded, or for which planning staff have determined alternative zonings that better align with the particular properties. Note that one site shifted from a Residential request to a Rural Residential request.

Table 3 shows which zones proposed in the 2GP each of the successful rezoning requests have been allocated to, as compared to their current zoning.

Table 3. Phase Two Rezonings: To/From Which Zones

Table 5. Fliase Two Rezollings. To/TTolli Willen Zolles					
To (Proposed 2GP zon	ing)	From			
Rural Residential	13	Rural Residential 6	13 1		
Rural	1	Residential	1		
General Residential	8	Industrial Rural Residential Rural	1 3 17		
Medium Density Residential	1	Rural	1		
Townships and Settlements	6	Rural	5		
Centres	4	Large Scale Retail Industrial Residential Rural	1 1 1 1		
Industrial	4	Rural Residential	3 1		

Note that some of the sites that were unsuccessful at Phase One and/or Phase Two may also be rezoned through the Transitional Zones or Rural Residential 2 Zones processes described above.

3.3 Rural Urban Fence Rezoning

In addition to the rezoning request process, staff started a process in 2008 to review the zone boundary between the rural zone and other 'urban' zones (including rural residential). This process was also revisited as part of the Spatial Plan but has never been implemented through a plan change.

The RUF review process focused on areas along zone boundaries, and tried to identify places where the zone boundary should be adjusted to include sites within a zone that better reflects their existing land use and site size.

The RUF process was included in the rezonings (request) process as part of the 2GP process. The RUF-identified sites were subject to review against the Phase Two criteria and their suitability was discussed between planning staff. As a result of the assessment and these discussions, the following rezonings are proposed to be included in the 2GP.

Table 4. Breakdown of successful RUF-identified rezonings

Proposed Rezoning	Number of RUF identified	Number of sites that passed Phase
Proposed Rezonling	sites	2 assessment
Rural Residential	85	85
Residential	51	51
Industrial	1	1
Centres/Local Activity	21	21

Table 5. RUF Rezonings: To/From which zones

То		From		
Rural Residential	85	Rural	85	
Residential	51	Rural	48	
		Residential 5	3	
Industrial	1	Rural	1	
Centres/Local Activity	21	Residential	3	
·		Rural	18	

The sites which were identified and successful through the RUF rezoning process were contacted in February 2015 and advised of the proposed rezoning for their properties.

4.0 Conclusion

The rezoning request process was conducted as part of the development of the 2GP, to identify sites where a different zoning to that under the operative District Plan might be more appropriate. This process built on earlier RUF and Spatial Plan processes for identifying such sites.

Conducting the rezoning request process was considered to be a proactive approach to identifying and assessing such sites ahead of notification of the 2GP. It offered an early and relatively cost-effective opportunity for landowners to make the case for rezoning of their sites.



Memorandum

TO: City Planning - Resource Consents

FROM: Asset Strategy Team Leader (Acting) Water and Waste Services

DATE: 13 November 2013

SUBJECT: SECOND GENERATION DISTRICT PLAN REZONE REQUESTS

Water and Waste Services have considered the rezoning requests raised during the development of Second Generation District Plan (2GDP).

Table 1 (attached) outlines the capacity of each 3 Waters Network to accommodate each proposed rezone site. A positive response in the Current Network State columns indicates that services are available at the boundary and wider network constraints are not foreseeable. Any negative response indicates there is a network deficiency requiring management or intervention to enable an acceptable level of service to be provided to the applicant, or the development would negatively impact existing customers.

The remaining three columns indicate any network upgrade option to mitigate the any network deficiencies, which party would be liable for the cost of the works, and any other relevant commentary.

The information in the table summarises a more detailed technical hydraulic modelling report. This report is available on request.

Tom Dyer

ASSET STRATEGY TEAM LEADER (ACTING)

Table 1: Rezone Application Impacts on 3 Waters Services

	Current Network State					
Site	Wastewater Network Capacity Available at Boundary?	Water Network Capacity Available at Boundary?	Stormwater Network Capacity Available at Boundary?	Option to Resolve Capacity Deficiency	Comments	WWS Infrastructure Recommendation
Waitati	No public infrastructure	No	No public infrastructure	A portion of 2km of public water pipe	Partially out of Water Zone Boundary	Rezoning request acceptable to WWS. Installation of 2km of public water pipe at developers + developer + council cost (split to be determined) is required.