

15 February 2022

GK Accommodation Limited
C/- Anderson & Co (Otago) Limited
PO Box 5933
Dunedin 9058

Via email: conrad_a@xtra.co.nz

Dear Conrad

RESOURCE CONSENT APPLICATION:

**LUC-2022-177
1044 BRIGHTON ROAD
BRIGHTON**

The above application to establish a workers' accommodation facility at 1044 Brighton Road, Brighton, was processed on a publicly notified basis in accordance with section 95 of the Resource Management Act 1991. The Consent Hearings Committee, comprised of Councillors Christine Garey (Chairperson) and Steve Walker, heard and considered the application at a hearing on 30 November 2022.

At the end of the public part of the hearing, the Committee, in accordance with section 48(1) of the Local Government Official Information and Meetings Act 1987, resolved to exclude the public.

Following the conclusion of the hearing, a site visit was undertaken by the Hearings Committee during the afternoon of 30 November 2022.

The Committee has **granted** consent to the application on 26 January 2022. The full text of this decision commences below with a consent certificate attached to this letter.

Please note that the processing of this application could not be completed within the time limit prescribed under section 115 of the Resource Management Act 1991. The time limits for the processing of this consent have been extended pursuant to sections 37A(2)(a) and 37A(4)(b)(i) of the Resource Management Act 1991.

The Hearing and Appearances

The applicant was represented by:

Conrad Anderson (Consultant Planner)
John Tainui (on behalf of GK Accommodation Ltd)

Council staff attending were:

Campbell Thomson (Senior Planner/Advisor to Committee), Jane O'Dea (Processing Planner), Tanya Morrison (Environmental Health Officer), Mike Perkins (City Development Engineer), Luke McKinlay

(Urban Designer) and Wendy Collard (Governance Support Officer). Antoni Facey (Consultant Transport Engineer) participated in the hearing via zoom.

Three submitters were present at the hearing.

Colin Weatherall

Simon Laing (on behalf of Otokia Creek and Marsh Habitat Trust and his own personal submission)

Viktoria Kahui (on behalf of Otokia Creek and Marsh Habitat Trust)

Procedural Issues

No procedural issues were raised.

Principal Issues of Contention

The key issues of contention subject of evidence presented to the Committee were as follows:

- Form and density of residential development
- Temporary nature of activity
- Effects on Service Infrastructure
- On-site management of activity
- Social issues and importance of on-site amenities for residents
- Impact on and social cohesion with Brighton Community
- Traffic movement and parking issues
- Pedestrian safety issues
- Effects on the environment of Otokia Creek
- Flood hazards

Summary of Evidence

Introduction from Processing Planner

Ms O'Dea spoke to a summary of her report, giving an overview of the proposal before commenting on the notification of the application and the submissions received.

Ms O'Dea outlined the scope and planning status of the proposal to convert the former Brighton motor camp to workers' accommodation. She noted that the consent sought was originally to comprise 46 one-bedroom portable units with kitchenettes, occupying an area of the site that was approximately 3500m². She noted that the existing dwelling on site would be used as manager accommodation, and the total site area involved in the development was approximately 5200m².

Ms O'Dea commented that thirteen on-site carparks were proposed with 2 parking spaces allocated to mid-sized vans and 2 to smaller vans. 8 parking spaces would be available for residents' private vehicles.

Ms O'Dea commented on her recommendation that consent be declined. She noted concerns from submitters which included environmental issues, parking and amenity of the area. She commented on the amendments that had been provided in the Applicant's Consultant Planner's pre-circulated evidence.

In response to questions from the Committee, Ms O'Dea advised that the changes to the proposal helped address concerns identified in her report but did not change her recommendation. She noted that her outstanding concerns related to the quality of the communal outdoor space. In particular, she noted the use of the main area as a manoeuvring space for fire appliances and other vehicles would mean that there could not be fixed amenities provided at this location, such as outdoor furniture.

In regard to effects on service infrastructure Ms O'Dea indicated the proposed 12 year consent duration would mean the capacity of the network would be regained to meet long term demand. She noted that 3 Waters were a lot more comfortable with the application as a result of the changes proposed by the applicant. She commented on the access to the site due to some of the land being owned by the Crown.

Further questions from the Committee explored the Section 104D considerations, the duration of the consent sought, natural hazards, shared spaces, and changes to visitor accommodation provisions in the 2GP. Ms O'Dea indicated her concern with respect to the Section 104D gateway requirements related to the adverse effects on the environment. She advised that the 12 year timeframe proposed for the consent was generous but acceptable given the 8 – 10 years expected for the hospital project. She indicated the decrease in the number of residential units proposed, reduced the risks from the flood hazards, but the key consideration in terms of these risks is the consent duration. In regard to Council decisions on visitor accommodation as part of Variation 2 of 2GP, she advised that the removal of the 3 month limitation blurs the distinction between visitor accommodation and standard residential activity.

The Applicant's Case

Mr Tainui spoke to the application and commented on the background to the proposal. He commented that their plumbing company had had difficulties in obtaining worker accommodation for projects in the city. He noted that this is a common issue for other projects throughout the country. Mr Tainui advised that he hoped the proposal would offer a service that is needed, and the applicants were wanting to improve what is there now at the subject site.

In response to questions from the Committee, Mr Tainui confirmed the anticipated demand for occupation of the accommodation facility. He explained the context of the requirements of the hospital and other major projects in terms of workers from outside the city. Mr Tainui indicated it was possible that all the accommodation could be required for only one employer, as the hospital project required large numbers of construction and trade staff. He estimated that during phases of the project there could be up to 100 plumbers required and other contractors, with up to 500 people on site. With a project of this scale there were difficulties employing staff within the city, and often overseas workers were brought into the country to meet the need. Often these workers and their families stay within the community. Mr Tainui advised that his firm was currently working on the Mosgiel Pool at the moment and have had to bring employees from outside the city to do the work.

Mr Tainui advised that he was based in Christchurch and clarified his experience in regards to the "fly in fly out" of contract workers. He advised that the demand was for single studio style accommodation with a living area. He expected that there could be a large number of Filipino workers, and commented that they generally live very quietly. He advised that the standard work shift would be 7am to 6pm six days a week. The roster for how long workers were on site would depend on the employer and where they are from. He noted that if the workers were from within NZ or Australia they could do a 10 day on 10 day off work period, but this would also depend on their roles and circumstances.

Mr Tainui responded to further questions from the Committee about certainty of occupation given the tender processes for the hospital project, anticipated traffic movement and management of noise. Mr Tainui advised there had been interest from the main contractors for the hospital, and he expected there would be one employer leasing the accommodation. He noted that the existing dwelling on site would be the on-site manager's house. Mr Tainui commented on his expectations for how the occupation of the site would be managed to ensure a positive impact for the community and employees living at the site.

Mr Anderson spoke to his pre-circulated evidence and thanked the submitters for their submissions. In particular, he acknowledged information provided on potential issues for fly out fly in workers. He noted key aspects of changes to the proposal in response to submissions, including provisions for management of noise, and ensuring workers had the same room during their contract (i.e. no motelling). He outlined

conditions offered by the applicant, including a restriction on fishing, assistance with plantings of the creek edge and establishment of a windbreak. He noted that the enclosed communal space was to have a cover to allow all year round usage.

Mr Anderson commented on the Planner's report with regard to the changes to the proposal. He noted that the number of residential units had been reduced, planting along the stream had been provided for and a fixed term had been confirmed for the consent duration. Further, he noted the inclusion of enhanced outdoor space, manoeuvring area for fire engines. reduction of the wastewater output and impact on the network capacity. In regard to the site access he advised an easement had been applied for the access over the adjacent land owned by Land Information NZ. He considered there was no reason to expect it would not be granted by LINZ. Nevertheless, if it was not granted, the restriction on the access could be managed by consent conditions.

Mr Anderson commented on the policy matters and statutory considerations. He contended that the proposal is not contrary to the policy direction of the plan and will have positive effects. Overall, he considered that current application represents a good use of the land resource.

In response to questions from the Committee Mr Anderson clarified the research he had investigated on worker accommodation, which was done mostly on mining camps within Australia and isolated areas. He noted that it did highlight some issues which had been addressed in the amended application. He indicated that key things are the provision of single units, to be occupied mostly by workers who work during the day, and provision for a mental health support platform. Further, Mr Anderson commented on other changes in response to submissions, including the provision of a second shared outdoor space between carparks 11 and 12 (adjacent to units 1 and 10). As it was to also serve as a turning space required by Fire and Emergency NZ, he advised that it could be a large open space with no fixed amenities.

Further questions from the Committee explored the site access, outdoor space for units, the community complaint response process, timing of planting, site management and fixtures in the shared outdoor space.

Evidence of Submitters

Mr Laing spoke on behalf of the Otokia Creek and Marsh Habitat Trust's submissions. He provided background to the Trust advising that it was a charitable trust set up to improve the habitat on the Otokia Creek. The Trust's submission was neutral but had changed to support the submission as concerns had been met by the applicant. He indicated a planting strip of sufficient width was required to protect the creek environment and avoid disturbance to wildlife. He advised that the Trust did not want fishing in the creek, as they are re-establishing native fish species within the area.

In response to questions, Mr Laing agreed with the proposed planting timeframe as currently it was too dry to plant. He indicated that the applicant was happy for the Trust to plant the area and/or use the contractors that the Trust use for this purpose. Ms Kahui noted that there would be an operational maintenance cost with the planted areas.

Mr Laing spoke to his personal submission and commented on his knowledge of and experience of living at workers' accommodation. He advised that he had lived in both smaller camps and larger ones for up to 6000 people. He considered that the proposal had come a long way and addressed his main concerns. He commented on the need for a condition addressing security.

Mr Laing commented on the provision for more on-site carparks, and measures to ensure accountability in response to community complaints. He indicated he was satisfied the applicant had responded to the issues regarding worker camp design, and noted it was important to look at the social impact of the camp. He advised from his experience that for best practice the shared spaces and number of units were

important. He commented on the need for a very good shared space, and suggested facilities that may be appropriate. He considered there needed to be permanent outdoor and indoor areas.

The Committee asked a number of questions regarding the importance of space and facilities within the individual units and outdoor space, how the proposal may integrate with the community, and the traffic safety issue. Mr Laing considered that it was important for the units to have very good Wi-Fi and phone connections. In regard to the shared spaces he advised he would like to see a permanent area, with a hard shelter, permanent table and BBQ facilities. He indicated that for the facility to be successful it was important residents are not isolated in their rooms, as they will need to socialise with others and the Brighton community. Mr Laing advised that residents are concerned about the safety of their children. He noted that traffic could be less due to the proposed shared travel plan. However, as the kerbside is not defined, he considered that traffic calming measures were needed at the vehicle entrance.

Mr Weatherall spoke to his submission and provided a background to the physical context, noting the buildings and facilities around the site, including the Brighton Store, Brighton Club, Brighton School and preschool. He commented on the risk factors for the proposal around the vehicle entrance, and the natural hazards which included flooding. His main concern with the safety of the vehicle entrance was for school children getting to and from the school and past the site. He considered management of the site was very important, and that there needed to be a plan to manage traffic, in particular around schools times. He contended that construction activity should only be Monday to Saturday unless there was an urgent need otherwise.

Mr Weatherall explained the context of the waste water pump facility within the site as one of seven established in the 1980's as part of a pressure pump line. He noted that it was critical that Council staff have access to this site 24/7, and he commented on the issue of service capacity, and requirements of FENZ at Brighton. In regard to the proposed conditions of consent, he commented on the provision for community liaison, and the importance of the colour of the units is important for residents of Bath Street overlooking the site. In addition, he commented on the parking and the need for workable solutions, the duration of the consent, and in particular the site access. Mr Weatherall considered practical solutions need to be done in conjunction with applicant and Transportation. Further, he commented on the character of the Brighton community and means by which residents of the proposed facility could be involved with the community.

Council Officers' Evidence

Ms Morrison spoke to the technical advice from Environmental Health, and commented in particular on noise effects, including construction noise. She recommended the offer by the applicant for a noise management plan be accepted and recommended a covenant. She considered that this would go a long way to mitigating or eliminating complaints. Ms Morrison commented on the construction materials of the proposed units and considered that heat pumps/fans would not be required. In response to questions she observed that a typical construction period would be 10 to 20 weeks. In relation to this, Mr Tainui clarified the prefabricated construction of the units and anticipated timeframe for assembly on site. Ms Morrison noted the likely vehicle movement associated with the activity and comparison with and differences to a typical campground. She noted that with respect to noise vehicle movement on site is not covered by legalisation but idling vehicles are.

Mr McKinlay spoke to the Urban Design advice and commented on the pre-circulated evidence by the applicant. He suggested that the planting strip be increased to 2 metres in width and recommended conditions include a planting management plan that would cover timing and maintenance. He commented on the outdoor areas provided in terms of individual units and shared spaces.

Mr McKinlay indicated that his recommendations for the colour of the roofs and the walls pertained to the surfaces that face the creek environment. He noted that if all walls were painted it would improve

the amenity of the site. He suggested clusters of buildings could be different shades of colour that blended within the surrounding area.

Mr Perkins, the City Development Engineer, spoke to the technical advice from 3 Waters. He commented on the importance for 3 Waters assessment that each residential unit is intended to be occupied by one person. In response to questions, Mr Perkins noted improvements to the pump sites are programmed and water saving conditions would be good to have if there is the ability to control.

The Consultant Transport Engineer, Mr Facey, spoke to his memorandum and noted that the proposal was similar to the existing consented activity for a motor camp. He advised that the applicant had offered to do some traffic calming issues, and that there was an agreement with the boat shed operator and the applicant to work on a solution that would work and address the access concerns. A condition could include a traffic management plan for the construction period.

In regard to traffic calming Mr Facey indicated there was a need to look at the whole situation with road and subject site, before deciding on the need for a pedestrian platform. Recognition needed to be given to this as a short term solution to pedestrian safety, as there was a township development programme intended for Brighton in the future. However, he considered a solution could be achieved in the interim. He suggested a 2 metre wide flat platform for pedestrians at the site entrance may be appropriate.

Processing Planner's Review of Recommendation

Ms O'Dea reviewed her recommendation in light of evidence presented and indicated her assessment would change if amendments were made to the proposal. She noted that the reduction of units had resolved the concerns of 3 Waters, provided all units were one person units, and the access requirements of FENZ were resolved. She commented on the plantings around the site, density of residential activity, consent duration and minimum floor levels.

Ms O'Dea advised that she still had concerns regarding the shared outdoor space proposed and suggested that a change in location may make it better and change her recommendation. Having regard to the advice of Mr Facey, she was satisfied a workable arrangement could be achieved for the access if LINZ do not grant an easement.

Applicants Right of Reply

The applicant's reply was provided in writing and clarified the applicant's position on a revised set of conditions combining recommendations in the planning report with conditions proposed and submitted in evidence during the hearing process. The reply reiterated the positive aspects of the application and asked for consent to be granted.

Statutory and Other Provisions

In accordance with section 104 of the Resource Management Act 1991, the Planner's Report detailed in full the relevant statutory provisions and other provisions the Committee considered. Regard was given to the relevant provisions in the following sections of the Proposed District Plan: 6 Transportation, 9 Public Health and Safety, 10 Natural Environment, 11 Natural Hazards and 15 Residential. Consideration was also given to the status of the operative Dunedin City District Plan provisions having regard to Section 86F of the Act. Regard was also given to the Regional Policy Statement for Otago.

Main Findings on Principal Issues of Contention

The Hearings Committee has considered the evidence heard, the relevant statutory and plan provisions, the principal issues in contention. The main findings on the principal issues have been incorporated within the reasons discussed below.

Decision

The final consideration of the application, which took into account all information presented at the hearing, was held during the public-excluded portion of the hearing. The Committee reached the following decision after considering the application under the statutory framework of the Resource Management Act 1991. In addition, the site visit undertaken during the public-excluded portion of the hearing greatly assisted the Committee's understanding of the physical context of the site, and issues subject of evidence received.

*That pursuant to section 34A(1) and 104B and after having regard to sections 104 and 104D of the Resource Management Act 1991, and the provisions of the Dunedin City District Plan and the Proposed Second Generation Dunedin City District Plan, the Dunedin City Council **grants** consent to a **non-complying activity** to establish a workers accommodation facility on the site at 1044 Brighton Road, Brighton, legally described as Allotment 2 DP2277 (Record of Title OT170/55), subject to conditions imposed under section 108 of the Act, as shown on the attached certificate.*

Reasons for this Decision

1. The Committee recognises that the proposal is an unusual form of residential development within Dunedin. The Committee is mindful of the need for temporary accommodation in the city suitable for the needs of contract workers for major projects, and that the application is proposed as a response to specific requirements of firms that are or may be engaged in the development of the new Dunedin Hospital. The Committee noted that the temporary nature of the activity reflects the timing of the Hospital development, and rationale that makes the subject site appropriate for this proposal.
2. The Committee is satisfied that the proposal represents a good re-use of the subject site, given present state, setting and physical circumstances of the former Brighton motor camp. The Committee considers the proposal represents a development that is commensurate with the environmental constraints of the site, while creating an opportunity for environmental enhancement of the Otokia Creek environment. The Committee considers that close attention to the form and design of the development is likely to enhance the amenity of the site location and contribute to the amenity of the surrounding residential environment.
3. The Committee considers that with appropriate management of the operation of the accommodation facility, the proposal can achieve an environmental outcome that is well integrated with the Brighton community. The Committee consider that this integration will be an essential element to the success of the proposal, and accordingly the on site management is a central focus of many conditions in the decision certificate.
4. The Committee greatly appreciates the constructive dialogue between the applicant and submitters throughout the consent process. The submissions received assisted the Committee in understanding the environmental issues that could arise from the proposal and possible solutions to address them. In turn, the applicant's response to the submissions demonstrated a willingness to work with the community to achieve an outcome that would make the proposal successful, without compromising the environment enjoyed by the present Brighton community. In this manner, the evidence of all parties has therefore guided the Committee towards a positive outcome, that has added value to the hearing process.
5. The Committee considers that the proposed activity, with the amendments offered during the consent process, is consistent with the relevant objectives and policies of the District Plan and with the objectives and policies of the Regional Policy Statement for Otago.

6. The Committee believes that subject to compliance with conditions offered as part of the applicant's evidence and imposed as part of the suite of conditions in the decision certificate, the proposal will not give rise to more than minor adverse environmental effects. These conditions can ensure that potential adverse effects of the proposal will be unlikely to occur or will be adequately mitigated when they do arise.
7. The Committee is satisfied that both gateway tests contained in section 104D of the Resource Management Act 1991 are met. As such, the Committee were, therefore, able to consider the granting of consent to the proposal.
8. The Committee considers that the proposal is a "true exception". It represents a commercial response to a unique set of circumstances in the history of the city, and the availability of a suitable site for the proposed form of accommodation facility that are unlikely to be duplicated elsewhere. It will not threaten the integrity of the District Plan or establish an undesirable precedent for future applications.
9. The Committee concluded that the granting of the consent would be consistent with the purpose of the Resource Management Act 1991 to promote the sustainable management of natural and physical resources.

Right of Appeal

In accordance with section 120 of the Resource Management Act 1991, the applicant and/or any submitter may appeal to the Environment Court against the whole or any part of this decision within 15 working days of the notice of this decision being received.

The address of the Environment Court is:

The Registrar
Environment Court
PO Box 2069
Christchurch Mail Centre
Christchurch 8013

Any appeal must be served on the following persons and organisations:

- The Dunedin City Council.
- The applicant(s).
- Every person who made a submission on the application.

Failure to follow the procedures prescribed in sections 120 and 121 of the Resource Management Act 1991 may invalidate any appeal.

Commencement of Consent

As stated in section 116 of the Resource Management Act 1991, this consent will only commence once the time for lodging appeals against the grant of the consent expires and no appeals have been lodged, or the Environment Court determines the appeals or all appellants withdraw their appeals, unless a determination of the Environment Court states otherwise.

Monitoring

Section 35(2)(d) of the Resource Management Act 1991 requires every council to monitor resource consents that have effect in its region or district. The scale and nature of the activity, the complexity and number of the conditions needed to address the environmental effects and whether the conditions have

been complied with determines the number of monitoring inspections required. Given the nature of your intended site development and land use activity, this consent will require three annual inspections.

The City Planning Department sets out the fixed fees charged for monitoring in its schedule of fees. The fee for your scheduled inspections will be included in the invoice for your application.

It should be noted that if additional inspections are required, beyond those scheduled at the time the consent is issued, then there is the ability to apply additional charges to cover the costs of these extra inspections. Often you can reduce the need for additional inspections by complying with the conditions of consent in a timely manner and by ensuring on-going compliance with those conditions. Please ensure that you read the conditions of your consent carefully to establish your obligations when exercising your consents.

Yours faithfully

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

Christine Garey
Chair
Hearings Committee



Consent Type: Land Use Consent

Consent Number: LUC-2022-177

Purpose: to establish a workers accommodation facility.

Location of Activity: 1044 Brighton Road, Brighton.

Legal Description: Allotment 2 DP2277 (Record of Title OT170/55).

Lapse Date: 15 February 2028, unless the consent has been given effect to before this date (refer Condition 1 below regarding the expiry of this consent).

Conditions

Expiry Date

1. *This resource consent will expire after 12 years from the date of issue of this consent. Prior to the expiry date all the units established as part of this resource consent are to be removed, unless a further resource consent is obtained.*

General

2. *The proposed activity must be undertaken in general accordance with the approved plans attached to this certificate as Appendix One, and the information provided with the resource consent application received by the Council on 5 May 2022 and supporting information variously received on 5 July, 27 July and 30 August 2022, as amended by the changes to the proposal set out in the statement of evidence of 15 November 2022, and closing statement dated 21 December 2022, except where modified by the following conditions.*
3. *The proposed accommodation facility is to comprise a maximum of 40 one bedroom residential units, with a separate managers residence (41 residential units in total).*
4. *The consent holder must advise the Council, in writing, of the start date of the works for development of the site for the accommodation facility. The written advice must be provided to Council at least five (5) working days before the works are to commence.*
5. *The facility must have an on-site Manager who resides on the site. The role of the Manager includes: being the first point of contact, community liaison, and to implement and maintain the Site Management Plan.*
6. *The Manager's contact details will be provided to adjacent neighbours, and clearly displayed at the site entrance.*
7. *The individual residential units must not be rented or leased separately.*
8. *The one-bedroom residential units may accommodate a maximum of 1 person, and there is to be no 'motelling' of units (i.e. generally, the units are to be allocated to specific individuals, who can return to the same unit upon returning from leave).*

Site Management Plan.

9. Prior to the implementation of this resource consent, the consent holder shall provide a Site Management Plan for approval by the Resource Consents Manager to rcmonitoring@dcc.govt.nz.

The Site Management Plan must include the following:

- a.) Management Protocols: The following management protocols are to form part of the managers roles/responsibilities:
- The Manager is to be readily contactable by both on-site residents and the general Brighton community. All voicemails and emails are to be acknowledged within 2 days.
 - The Manager is to hold community liaison meetings. The first meeting is to be within 1 month of the Manager starting, then at least every 3 months. After 3 meetings, any further meetings will be at the request of the community, and are to be arranged within 10 working days of a request being made in writing to the Manager. The maximum number of community liaison meetings is to be 4 per calendar year.
 - The Manager is to seek to resolve any matter raised within 14 days, with a reply in writing being sent to the person who raised the matter.
- b.) Resident Protocols: Resident Protocols are to form part of the induction process of all residents, and each individual resident is to sign a copy of the protocols acknowledging they have received, read and understood the Resident Protocols.

The protocols are to include at least the following:

- Measures for mitigating noise from the site and its residents on adjoining residential occupiers;
 - Measures for mitigating noise from within the site on other residents;
 - The procedure for dealing with any disorderly behaviour from residents and their guests;
 - Information about the Council's requirements/expectations regarding use of the local Brighton reserves as set out in the Reserves Management Plan: General Policies;
 - Information about the requirements/expectations in regards to parking of vehicles in the public domain within Brighton, which is to align with the conditions of this resource consent;
 - Visitors are permitted, but only under the following conditions: prior permission has been given by the Manager, the visitors are to sign-in upon arrival (which includes agreeing to abide by the relevant protocols) and sign out upon departure, and visitors are only allowed on the site between 8am and 10pm.
 - Use of vehicles on the site between 10pm and 6am is discouraged.
- c.) General Protocols: are to be documented and include at least the following:
- Security is to include a security camera which records movements at the site entrance 24 hours/day for 7 days/week, with footage stored for at least 14 days.
 - The employer of the people living on-site is to have a staff health policy relevant to staff living away from their normal homes. A copy of which is to be made available to all residents upon their arrival, along with an information booklet that discusses the common challenges faced by workers who are working away from home for an extended period, along with the contact details for agencies that provide support that may be helpful to residents (i.e. agencies that assist with anxiety, stress and other mental health issues).
 - All residents are to have the ability to access internet services, which must be at a reasonable connection speed.
 - Measures to mitigate the effects of noise from established activities on adjoining sites, on residents of the workers' accommodation;

- *Emergency and evacuation procedures to manage events such as fire, flooding and tsunami;*
- *All rubbish and recycling is to be stored onsite, with collection completed within the site.*
- *Procedures for ensuring the site and outdoor amenity areas remain in a tidy condition.*
- *Measures to ensure that unimpeded access to the Council's wastewater pumping station is maintained at all times.*
- *A community notice board is to be erected within the covered shared space. This is to include notices for:*
 - *Contact details for the local doctor and counsellors.*
 - *Contact details for agencies that provide support that may be helpful to residents (i.e. agencies that assist with anxiety, stress and other mental health issues).*
 - *Recreational opportunities in the immediate area.*
 - *A list of local clubs and societies, along with contact details.*
- *A regular unit cleaning service is to be provided.*
- *Use of vehicles on the site between 10pm and 6am is discouraged.*

Noise Management Plan

10. *A noise management plan must be submitted for approval by the Resource Consents Manager via rcmonitoring@dcc.govt.nz. The noise management plan must cover the following matters:*

- *Environmental noise (music, people, parties);*
- *Inner-tenancy noise;*
- *Mechanical noise from any structure/equipment on site, and;*
- *How such noise sources will be managed/mitigated.*

The approved noise management plan must be adhered to on an ongoing basis.

Transportation

11. *Traffic calming measures (comprising an appropriate raised surface or suitable alternative) must be installed at the street entrance of the site to ensure the safety of pedestrians from vehicles entering and leaving the site.*
12. *The surface of all parking, associated access and manoeuvring areas must be formed, hard surfaced and adequately drained for their entirety, and parking spaces permanently marked in accordance with the application plans.*
11. *Parking spaces must be clearly marked and no parking may take place outside these designated parking areas. Outdoor amenity spaces may not be used for vehicle parking.*
12. *The largest passenger vehicle used on the site must have a seating capacity no larger than 21 seats.*
13. *The car parks must be permanently marked and must comply with the minimum dimensions stipulated in Rule 6.6.1 of the 2GP District Plan.*
14. *Sufficient manoeuvring space must be provided on the site to prevent vehicles, including service vehicles such as rubbish collection vehicles, reversing directly onto or off Brighton Road. The area must be large enough so that an 85th percentile design motor car is only required to make one reversing movement when manoeuvring.*
15. *Tracking curves demonstrating that a for a 21 seat van can turn around on site must be provided at building consent stage.*

16. *The applicant must supply confirmation of adequate access consistent with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 at building consent stage.*
17. *Any damage to any part of the footpath or road formation as a result of the demolition or construction works must be reinstated at the applicant's cost.*
18. *Shared transportation to and from the site for employment is to be provided.*
19. *Residents may not park private vehicles off-site on streets and public spaces within the mapped area attached to this certificate as Appendix Two.*
20. *Within 7 days of the proposal being implemented (and then yearly), letters will be delivered to all properties within the mapped area in Appendix Two informing them that site residents are not to utilise off-site parking within streets and public spaces within this areas, and if any resident has a concern relating to the use of on street parking, then they are to contact the site manager, with the site manager details being provided.*
21. *The applicant must provide confirmation for the Council's records that Land Information New Zealand agrees to the ongoing use of the portion of 1046 Brighton Rd that currently forms part of the access to the site, or in the event that LINZ does not provide such approval, further details of the operation of the narrower access and a management plan for any issues this creates such as emergency vehicle access, rubbish collection access, must be provided for approval to rcmonitoring@dcc.govt.nz at least 10 working days prior to the implementation of the activity authorised by this consent.*
22. *Pursuant to section 128 of the Resource Management Act, the transportation requirements of this consent may be reviewed one year after the commencement of the activity, and annually thereafter, to ensure any adverse effects on the transportation network and are sufficiently managed. This condition relates to, but is not necessarily restricted to the following components:*
 - *Traffic movement using the site access*
 - *Pedestrian Safety at the vehicle entrance*
 - *Management of overspill parking including the need for additional on-site parking to be provided, or a formal off-site parking area to be arranged/leased by the operator.*

Rubbish Collection

23. *Waste collection and recycling must be undertaken privately (with all skips or bulk bins delivered and collected by a commercial operator) and must be undertaken entirely within the site.*
24. *No household rubbish from the site may be deposited at any Council reserves or public rubbish bins.*
25. *Pursuant to section 128 of the Resource Management Act, the waste management requirements of this consent may be reviewed one year after the commencement of the activity, and annually thereafter, to ensure any adverse effects on the local public reserves and transportation network and are sufficiently managed.*

Laundry

26. *Any laundry associated with bedding is to be taken off site for washing.*

Covered Outdoor Space

27. *The semi-enclosed area to be used as a covered recreation area must be modified, and rebuilt if necessary, to ensure a fully covered, enclosed and heated area that is fit for purpose is provided, that will be suitable for use throughout the year and in all weather conditions.*

Landscaping

28. *At least 10 working days prior to construction commencing, details of the proposed finished colour/s of the residential units, in particular, all unit walls and roof surfaces that face toward the Ōtokia Creek and surrounding residential properties along Bath Street, shall be submitted to rcmonitoring@dcc.govt.nz for approval by the Council's Resource Consents Manager. The colours must be visually recessive with a light reflectance value of less than 30%.*
29. *At least 10 working days prior to construction commencing, a landscape plan shall be submitted to rcmonitoring@dcc.govt.nz for approval by the Council's Resource Consents Manager. The landscape plan must include the following:*
- a.) Details of all proposed riparian planting, including the proposed plant species, plant sizes at time of planting, plant locations, plant spacings, and timing of planting. Any areas of riparian planting of less than 2m, as shown on the site plans attached to this decision, must be increased to at least 2m in width.*
 - b.) Details of any existing trees and shrubs at the edge of the creek that are proposed for removal. Preference should be given to retaining existing trees where possible due to their amenity value and the screening they provide, however consideration will be given to removing individual non-native trees if this is necessary to improve the viability of new riparian planting.*
 - c.) A programme of establishment and post establishment protection and maintenance (weed removal, pest management, replacement of dead/poorly performing plants)*
 - d.) The location of all proposed internal native tree planting. At least 1 tree for every 4 units shall be distributed throughout the development. Trees in containers are acceptable if containers have a volume of at least 0.75m³. Minimum height of trees to be 2.5m. In the case of trees in containers, this height can be measured from ground level.*
 - e.) The location of all areas to be grassed and the location of an all-weather pedestrian path (paved or gravel) to all units.*
 - f.) The location of the proposed service area. This area must be entirely screened by fencing and located as remotely as possible from the residential units and outdoor amenity spaces.*
 - g.) A detailed design for the shared outdoor amenity area adjacent to units 1 and 10 including planting or trees in containers, and fencing to define the area as an amenity space and demarcate it from adjoining parking spaces; surfacing; details and location of furniture, BBQ's and sporting equipment. Trees in containers shall be in addition to the 1 tree for every 4 units mentioned under 29d.) above.*

The approved landscape plan must be implemented prior to occupation of the units, except planting which may be undertaken as per the timeframe set out in condition 30, and must thereafter be adhered to on an ongoing basis.³

30. *The planting as detailed on the landscape plan must be implemented within the first planting season (May to September) following the establishment of the units on the site.*
31. *All planting must be maintained thereafter in accordance with the management plan submitted with the approved landscape plan for the life of the consented activity (12 years).*
32. *Any dead, diseased, or damaged planting must be replaced by the consent holder within the following planting season (extending from 1 April to 30 September) with plants of the same species.*
33. *Once the riparian planting has been completed, a small windbreak must be erected on the landward side of the riparian planting and maintained for a period of 2 years unless the Ōtokia Creek and Marsh Habitat Trust agrees to its removal earlier than this. The purpose of this condition is to assist with the establishment of the plantings by avoiding trampling.*

Fishing

34. Residents may not fish from the site into the adjacent waterway. The purpose of this condition is to maintain recovering populations of freshwater species within the creek.

Construction Phase

35. A Traffic Management Plan must be submitted to and approved by Dunedin City Council, prior to the commencement of any construction works, including traffic control works for any works within the road reserve. Traffic shall be managed in accordance with the approved plan.
36. With regard to construction activity, this shall be limited to the times set out below and shall be designed and conducted to comply with the following noise limits as per New Zealand Standard NZS 6803:1999 Acoustics – Construction noise:

Time of Week	Time Period	Leq (dBA)	Lmax (dBA)
Weekdays	0630-0730	60	75
	0730-1800	75	90
	1800-2000	70	85
	2000-0630	45	75
Saturdays	0630-0730	45	75
	0730-1800	75	90
	1800-2000	45	75
	2000-0630	45	75
Sundays and public holidays	0630-0730	45	75
	0730-1800	55	85
	1800-2000	45	75
	2000-0630	45	75

Sound levels must be measured and assessed in accordance with the provisions of NZS 6803:1999 Acoustics – Construction noise.

37. Should the consent holder cease, abandon, or stop work on site for a period longer than 6 weeks, the consent holder must first take adequate preventative and remedial measures to control sediment discharge/run-off and dust emissions, and must thereafter maintain these measures for so long as necessary to prevent sediment discharge or dust emission from the site. All such measures must be of a type and to a standard which are to the satisfaction of the Resource Consent Manager.
38. At the completion of any earthworks (or earlier, if conditions allow) any exposed areas remaining must be immediately adequately tip-soiled and vegetated (e.g. hydro-seeded) as soon as possible to limit sediment mobilisation.
39. All measures (including dampening of loose soil) must be undertaken to ensure that dust, resulting from the proposed earthworks, does not escape the property boundary, including during the transportation of material off the site.
40. No soil disturbance or soil shifting, unloading, loading shall take place if wind speed is higher than 14 metres per second if the soil is dry and prone to becoming airborne, unless a dust suppressant is applied.
41. To ensure effective management of erosion and sedimentation on the site, measures shall be taken and devices shall be installed where necessary to:
- Divert clean run-off away from disturbed ground
 - Control and contain stormwater run-off; and
 - Avoid sediment laden run-off from the site.

42. *Any fill material to be introduced to the site must comprise clean fill only.*
43. *As-built records of the final extent and thickness of any un-engineered fill must be recorded and provided to the Council for its records.*

Water Services

44. *An RPZ boundary backflow prevention device shall be installed on the water connection, to the satisfaction of the 3 Waters.*

Stormwater

45. *A Stormwater Management Plan (SWMP) must be provided to and approved by 3 Waters prior to construction commencing.*
46. *Any modifications to stormwater flow or new culverts must be designed by an appropriately qualified person/s and ensure that overland stormwater flows are not interrupted and not increase any adverse effects from local ponding during storm rainfall events.*
47. *Any modification to the site must not increase any adverse ponding effects on neighbouring lots as a result of the work.*

Wastewater Services

48. *New wastewater services must be installed.*

Low flow devices

49. *The consent holder must implement water saving devices, including but not limited to, low-flow shower heads, 6/3 dual flush toilets and aerated sink mixers. The purpose of this condition is to reduce water consumption and therefore the volume of wastewater generated.*

Earthworks in proximity to Council water and wastewater infrastructure:

50. *No earthworks may be undertaken within 1.5m of any Council-owned network utility structure within the site, such as wastewater pipes, unless approval has been obtained from 3 Waters.*
51. *The applicant must provide site plans and cross-sections showing the proximity of the works to the Dunedin City Council owned wastewater and stormwater pipes within this property. No works may go ahead until these plans have approval from the 3 Waters Subdivision Engineer.*
52. *Where earthworks would be undertaken within 2.5m of any Dunedin City Council wastewater pipe within the property, pre-construction CCTV filming must be undertaken. The CCTV report must be submitted to the 3 Waters Subdivision Engineer as soon as it is received. No work may be carried out until the filming has been approved by the 3 Waters Subdivision Engineer.*
53. *Where earthworks would be undertaken within 2.5m of any Dunedin City Council wastewater pipe within the property, post-construction CCTV filming must be undertaken. The CCTV report must be submitted to the 3 Waters Subdivision Engineer as soon as it is received.*

Accidental Discovery Protocol

54. *If the consent holder:*

- (a) *discovers koiwi tangata (human skeletal remains), waahi taoka (resources of importance), waahi tapu (places or features of special significance) or other Maori artefact material, the consent holder must without delay:*

- (i) *notify the Consent Authority, Tangata whenua and Heritage New Zealand and in the case of skeletal remains, the New Zealand Police.*
- (ii) *stop work within the immediate vicinity of the discovery to allow a site inspection by Heritage New Zealand and the appropriate runanga and their advisors, who must determine whether the discovery is likely to be extensive, if a thorough site investigation is required, and whether an Archaeological Authority is required.*

Site work must recommence following consultation with the Consent Authority, Heritage New Zealand, Tangata whenua, and in the case of skeletal remains, the New Zealand Police, provided that any relevant statutory permissions have been obtained.

- (b) *discovers any feature or archaeological material that predates 1900, or heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder must without delay:*

- (i) *stop work within the immediate vicinity of the discovery or disturbance; and*
- (ii) *advise the Consent Authority, Heritage New Zealand, and in the case of Maori features or materials, the Tangata whenua, and if required, must make an application for an Archaeological Authority pursuant to the Historic Places Act 1993; and*
- (iii) *arrange for a suitably qualified archaeologist to undertake a survey of the site.*

Site work must recommence following consultation with the Consent Authority.

Advice Notes

Light spill

1. This consent does not authorize any exceedance of the light spill standard set out in Rule 9.3.5 of the Proposed 2GP. The consent holder is advised that light spill must comply with this rule or further resource consent will be required.

Construction Noise and Vibration

2. This consent does not authorise any exceedance of the noise and vibration standards set out in Rule 4.5.4.1 of the Proposed 2GP (copied below). The consent holder is advised that construction noise and vibration must comply with Rule 4.5.4.1 of the Proposed 2GP or further resource consent will be required.

Earthworks

3. This consent does not authorise any breaches of the earthworks rules set out in section 8A of the Proposed 2GP. Any breach of earthworks rules will require further resource consent.

Code of Subdivision & Development

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

Water services

5. Detail of the water supply application process can be found at <http://www.dunedin.govt.nz/services/water-supply/new-water-connections>
6. Installation of a boundary backflow prevention device requires a building consent, or an exemption from a building consent. Further information is available at <http://www.dunedin.govt.nz/services/water-supply/backflow>
7. All aspects relating to the availability of water for fire-fighting should be in accordance with SNZ PAS 4509:2008, being the Fire Service Code of Practice for Fire Fighting Water Supplies, unless otherwise approved by the New Zealand Fire Service.

Erosion and sediment control

8. The following documents are recommended as best practice guidelines for managing erosion and sediment-laden run-off:
 - The Erosion & Sediment control Toolbox for Canterbury found on the ECan website link CRC Erosion & Sediment Control Toolbox <http://esccanterbury.co.nz>
 - Dunedin City Council "Silt and Sediment Control for Smaller Sites" (information brochure).

Minimum floor levels

9. The consent holder is advised that minimum Floor Levels will be set at building consent stage. Please contact Dunedin City Council Building Services for guidance about likely minimum floor levels for the development.

Note: It is anticipated that service connections may be required to be above ground to address issues of resilience, and the need for future disconnection when the accommodation is removed from the site.

Noise management

10. Noise between occupiers in this large accommodation site is dealt by the landlord under the Residential Tenancies Act 1986.
11. Noise control is considered the landlord's responsibility and in the event of any such offences could be liable to a fine.

Transportation

12. It is advised that in the event of any future development on the site, Transport would assess provisions for access, parking and manoeuvring at the time of resource consent/building consent application.

Watercourses

14. Any work within a watercourse (including piping) or discharge of stormwater to the watercourse must comply with the requirements of the Regional Plan: Water, and with any building consent requirements for related structures. It is recommended that the applicant contacts the Otago Regional Council (ORC) to discuss permitted rules in regards to the watercourse, and whether regional council consent is required.

The property owner is responsible for:

- Ensuring that there are no obstructions or impediments in the watercourse which may inhibit the flow of water.
- Ensuring that any grates or outlets within the property are kept clear of debris at all times.
- Any work undertaken in relation to a watercourse must comply with the Regional Plan: Water.

More information on watercourses can be found at:
http://www.dunedin.govt.nz/data/assets/pdf_file/0008/338552/Watercourse-Information-2014v2.pdf

General

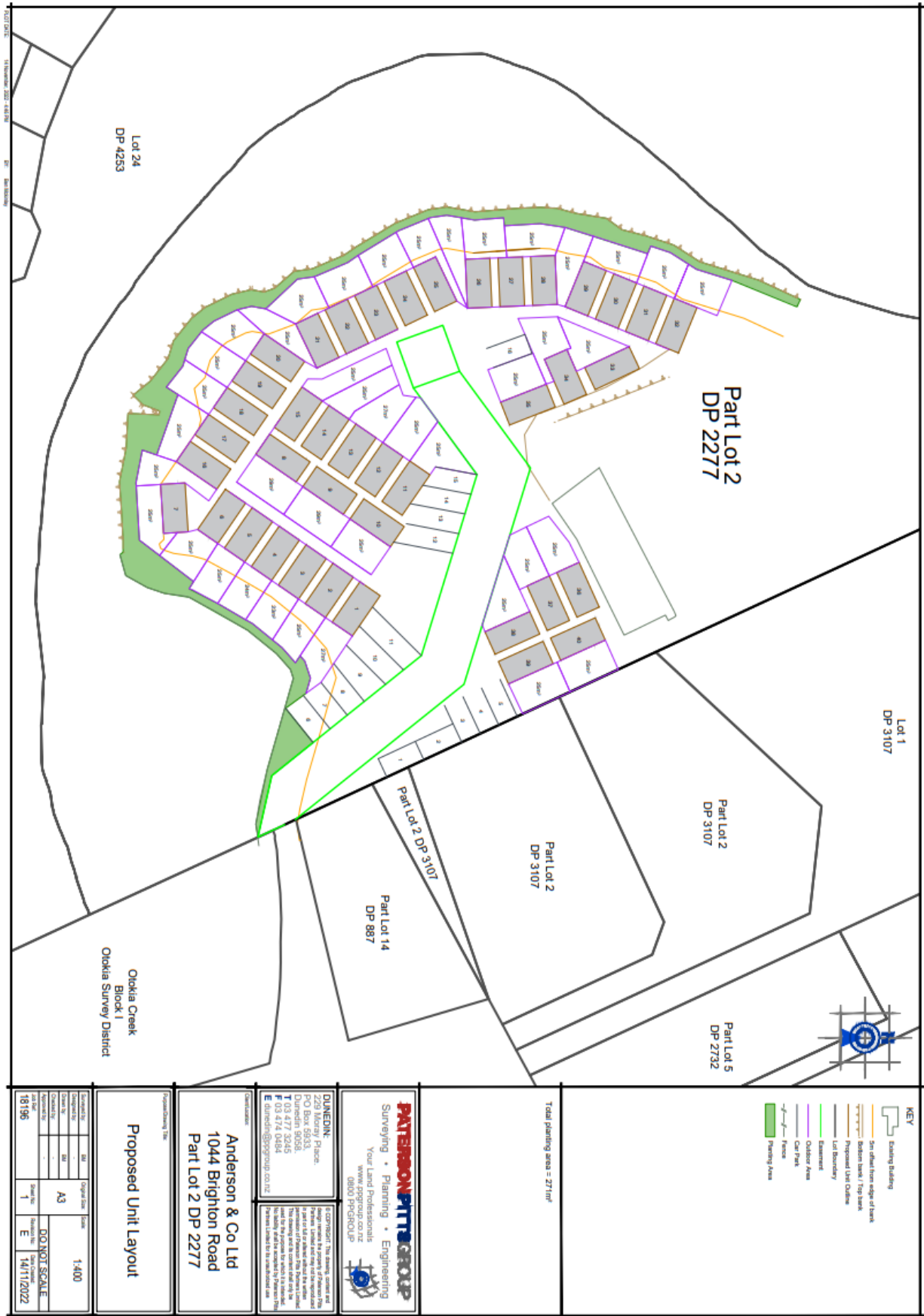
1. Please check with the Council's Building Control Office, Development Services, to determine the building consent requirements for the development.
2. In addition to the conditions of a resource consent, the Resource Management Act 1991 establishes through sections 16 and 17 a duty for all persons to avoid unreasonable noise, and to avoid, remedy or mitigate any adverse effect created from an activity they undertake.
3. Resource consents are not personal property. This consent attaches to the land to which it relates, and consequently the ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.
4. It is the consent holder's responsibility to comply with any conditions imposed on their resource consent prior to and during (as applicable) exercising the resource consent. Failure to comply with the conditions may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.
5. Unless otherwise specified all conditions should be complied with within 12 months of the consent having been given effect to.
6. Buildings built before 1900 or sites which were in use before that time are considered archaeological sites under the Historic Places Act 1993. Before disturbing an archaeological site, or to check whether a site is an archaeological site, the consent holder is advised to discuss their proposal with the New Zealand Historic Places Trust.

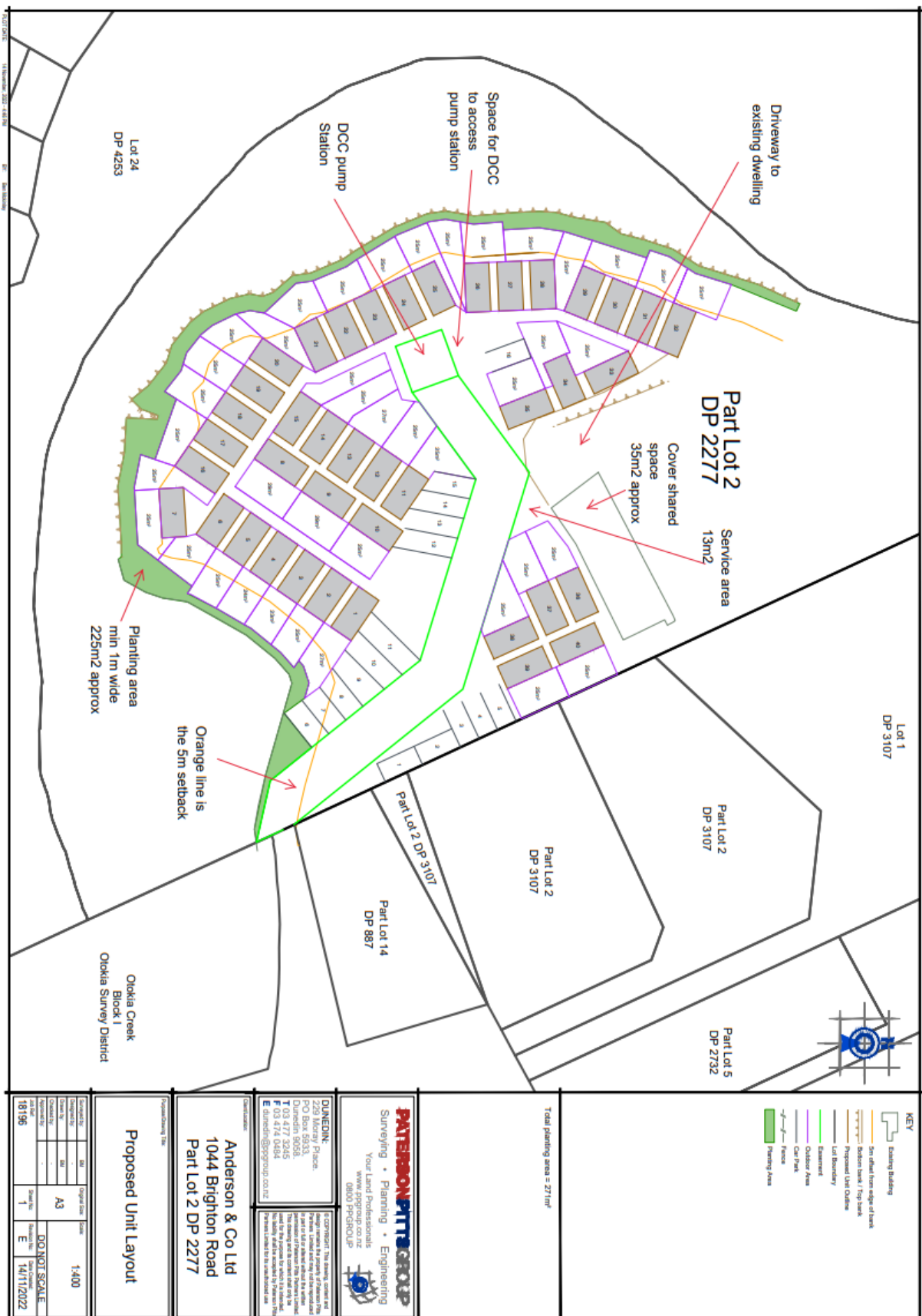
Issued at Dunedin on x February 2022

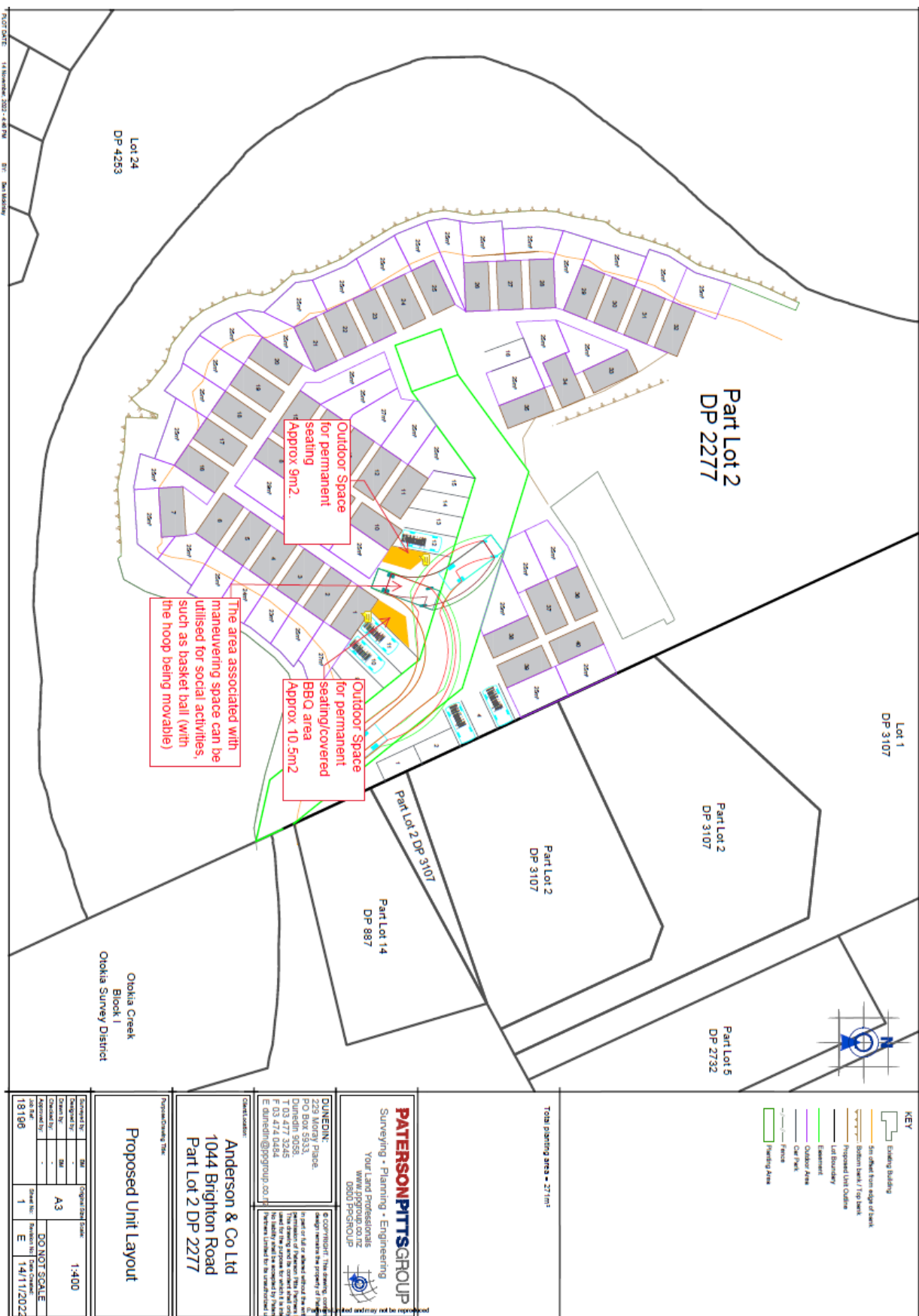


Christine Garey
Chair
Hearings Committee

Appendix One: Approved Plans for LUC-2022-177 (scanned images, not to scale)







**Appendix Two: Plan of Mapped Area where off site car parking by residents
is not to occur**

