

DISCLAIMER

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Dunedin City Council – Land Information Memorandum

Property Address: 94 North Road Dunedin

Prepared for: Paul Craig Robertson and Amber Louise Robertson

Prepared on: 18-Sep-2026

Property Details:

Property ID	5013086
Address	94 North Road Dunedin
Parcels	LOT 1 DP 1590

Disclaimer:

Issued in accordance with Section 44A of the Local Government Official Information and Meetings Act 1987

Should you require further clarification of any of the information listed in this report, please phone our Customer Services Agency on 03 477 4000.

This Land Information Memoranda (LIM) has been prepared in accordance with Sections 44A, 44B, 44C, and 44D of the Local Government Official Information and Meetings Act 1987. It contains only information obtained from the records held by the Dunedin City Council as at 18-Sep-2026

The Dunedin City Council has not carried out an inspection of the land and/or buildings for the purposes of preparing this LIM. The Dunedin City Council records may not show illegal or unauthorised buildings or works on the land. Accordingly, this report may not necessarily reflect the current status of the property. Examples of situations which affect the property but are not recorded in this report include: unauthorised work not known to Council and breaches of Consents or Licences that are not the subject of a formal Requisition or Notice. The applicant is solely responsible for ensuring that the land or any building or works on the land is suitable for a particular purpose. The applicant should check the Certificate(s) of Title as this report may not include information that is registered on the Certificate(s) of title. The Certificate(s) of title may record further information or obligations relating to the land.

Further information about this property may be available from other agencies such as the Otago Regional Council, Nova Gas, Telecom New Zealand (Chorus) or Delta Utility Services Limited.

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s44A(2)(a) Information identifying any special feature or characteristics of the land

District Plan Hazard Information

Refer to District Plan for Natural Hazards Information *section: s44A (2)(f) Information relating to the use to which the land may be put and any conditions attached to that use.*

Other Natural Hazard Information

Flood Hazards

OVERLAND FLOW PATH

North East Valley Flood Level including 500mm Free Board

Description: The property is identified within the report “Minimum Floor Levels for Flood Vulnerable Areas” which seeks to establish minimum floor levels for flood vulnerable areas across the municipality. Although the report is known to the Dunedin City Council the council has not assessed the report for correctness. the applicant is solely responsible for ensuring that the land is suitable for a particular purpose including development. Recommended Minimum Floor Levels (flood level plus 500mm free board) vary for each property under each different sub area.

GHD. (2015). *Minimum floor levels for flood vulnerable areas*. GHD.

[https://2gp.dunedin.govt.nz/2gp/documents/Section32_Background_Documents/Natural_Hazards/Dunedin%20City%20Council,%20Minimum%20Floor%20Levels%20for%20Flood%20Vulnerable%20Areas%20\(GHD,%20March%202015\).pdf](https://2gp.dunedin.govt.nz/2gp/documents/Section32_Background_Documents/Natural_Hazards/Dunedin%20City%20Council,%20Minimum%20Floor%20Levels%20for%20Flood%20Vulnerable%20Areas%20(GHD,%20March%202015).pdf)

Commissioned by: Dunedin City Council

Purpose: The purpose of this report is to identify minimum floor levels for residential development in flood vulnerable areas of Dunedin City, to ensure that buildings are protected against flooding to an appropriate level of risk.

Scope of report: Flood-prone and low-lying parts of Dunedin City

Reference Number: 12074

WATERWAY

Lindsay Creek floodplain

Description: Lindsay Creek floodplain area.

Goldsmith, M., Williams, J., Payan, J.-L., & Stocker, H. (2014). *Flood hazard of Dunedin's urban streams*. Otago Regional Council.

<https://www.orc.govt.nz/media/1724/flood-hazard-of-dunedins-urban-streams.pdf>

Commissioned by: Otago Regional Council

Purpose: The purpose of this report is to describe the nature and extent of flood hazard from Dunedin's urban streams, to support the development of hazard maps and to provide information to guide land-use planning and floodplain management.

Scope of report: Urban streams within Dunedin City that present a potential flood hazard

Goldsmith, M., Williams, J., Payan, J.-L., & Stocker, H. (2014). *Flood hazard of Dunedin's urban streams*. Otago Regional Council.

<https://www.orc.govt.nz/media/1724/flood-hazard-of-dunedins-urban-streams.pdf>

Commissioned by: Otago Regional Council

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Scope of report: Urban streams within Dunedin City that present a potential flood hazard

Reference Number: 11581

Land Stability Hazards

LAND MOVEMENT

Alluvial Fans - active floodwater-dominated 50000_1998_100m

Description: Active floodwater-dominated. Sheet floods and channel floods carrying sediment are considered possible within the next 100 years. Mapscale:50000. Map Accuracy:1998, accuracy +/-100m, NZMG1949

Reference Number: 10106

Coastal Hazards

No information.

Seismic Hazards

INTENSIFIED SHAKING

Earthquake Possible Amplification 1:25000 Map

Description: This area has been identified as lying within a zone susceptible to amplified shaking in an earthquake and the approximate area of possible amplification of earthquake intensity by 0-1 on MM Scale.

Dunedin City Lifelines Project. (1999). *Dunedin City Lifelines Project Report*. Dunedin City Lifelines Project.

<https://www.civildefence.govt.nz/assets/Uploads/documents/lifelines/dunedin-lifelines-report-1999.pdf>

Commissioned by: Dunedin City Council and Otago Regional Council

Purpose: To assess the vulnerability of Dunedin's lifeline utilities to natural hazards and to develop strategies that reduce risks and strengthen the city's resilience.

Scope of report: The Dunedin City Council area, bounded west by Flagstaff and Three Mile Hill, east by the Otago Harbour entrance, north by Waitati, and south by Brighton.

Reference Number: 10111

Other Natural Hazards

No information.

Otago Regional Council Hazard Information

The Regional Council is required to provide information that it holds on Natural Hazards:

<https://www.orc.govt.nz/managing-our-environment/natural-hazards/otago-natural-hazards-database>

Contaminated Site, Hazardous Substances and Dangerous Goods

Contaminated Site Information

No information.

Historic Dangerous Goods Licence(s)

No information.

Hazardous Substances

No information.

WARNING – Change in legislation and management of hazardous substances

On 1 April 2004, all Dunedin City Council Dangerous Goods Licences expired. From this date they became the responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act 1996.

All new licences for hazardous substances were issued by independent Test Certifiers approved by the EPA. The Council no longer holds current information on the use of hazardous substances at these premises and hazardous substances may be present without the Council's knowledge.

The Council was advised by the EPA in 2016 that Worksafe had taken over responsibility for managing Location Test certificates under the Hazardous Substances and New Organisms Act 1996. The EPA no longer hold any information in relation to Location Test Certificates. If you have any questions, please contact Worksafe.

s44A(2)(b) Information on private and public stormwater and sewerage drains

Drainage

Drainage plans on file are indicative only.

Obtaining your own independent review may be required before commencing drainage works.

Foul Sewer and Waste Water

Drainage Reticulation Plans

A copy of the Dunedin City Council's drainage infrastructure in the vicinity of the subject property is attached. Public foul sewers are shown in red and stormwater sewers in green. All public drainage services are available to receive connections from the property and limited flows of stormwater may also be discharged to the street channel or an approved outfall.

Stormwater/Sewer Separation - Compliant

The Dunedin City Council requires the foul sewer and storm water being discharged from a property to be directed to the separate foul sewer and storm water networks, respectively. This property is in an area where inspections have been undertaken to ensure compliance with this requirement.

This property was certified as complying with Council's requirements for storm water separation at the time of inspection on **31 October 1997**.

No comment is made with regard to this property's compliance with the requirement for storm water separation after the date of inspection.

Public Sewer Sheets

WARNING. Please note that public sewer reticulation sheets are scaled in either Imperial feet or Metric metres. Please check with the Duty Drainage Inspector if in doubt.

Dunedin City Council Private Drainage plans incomplete

WARNING. The Dunedin City Council's private drainage records (plans) prior to 1 January 1993 may be incomplete or not clearly recorded. Owners therefore are advised to carry out work with due care to avoid damage to any private drain not detailed because of the lack of information filed in the Council's records.

s44A(2)(bb) Information Council holds regarding drinking water supply to the land

Water Supply

Urban water supply area – Connected

This property is connected to the Dunedin City Council's urban (on-demand) water supply. Indicative water pressures are available to view at www.dunedin.govt.nz/water-pressure, and flows available to the property can be provided on request. Any change in water use (e.g. for a new commercial activity) requires a new application to be made to the Council. It is recommended that the applicant check the property for the location and suitability of the water service.

Terms and conditions of supply

All new and existing connections to the Dunedin City Council's water supply network are subject to the terms and conditions of the Dunedin City Council Water Bylaw 2011. The bylaw is available to view at www.dunedin.govt.nz/water-bylaw.

Water pressure

Indicative network water pressure to the property is shown on maps available at www.dunedin.govt.nz/water-pressure. Specific detail is available on request.

Water reticulation maps

A copy of the water reticulation map of Dunedin City Council infrastructure in the vicinity of the subject property is attached. These show the location of the water main in the road. It may or may not show the water service to the property. It is recommended that the applicant check the property.

s44A(2)(c) Information relating to any rates owing in relation to the land

Rates Details

Rates Assessment Details

Rate Account	2013086
Address	94 North Road Dunedin
Valuation Number	26770-40300

Latest Valuation Details

Capital Value	\$550,000
Land Value	\$340,000
Value of Improvements	\$210,000
Area (Hectares)	0.042HA
Units of Use	1

Current Rates

Current Rating Year Starting	01-Jul-2026
Dunedin City Council Rates	\$4,059.35

Rates Outstanding for Year \$3,079.45

For further explanation on the rate account, or to enquire about information referred to on this page, please contact Rates Staff between 8:30am and 5:00pm weekdays at the enquiries counter on the Ground floor of the Civic Centre, 50 The Octagon, Dunedin, or by phoning 477 4000.

s44A(2)(d) Consents, Certificates, Notices, Orders or Requisitions affecting the land or any buildings on the land

(da) the information required to be provided to a territorial authority under section 362T(2) of the Building Act 2004:s44A and

(2)(e) Information concerning any Certificate issued by a Building Certifier pursuant to the Building Act 1991 or the Building Act 2004

Building and Drainage Consents

The following consents are recorded for this property:

Status Key:	BC - Building Consent Issued
	CCC - Code Compliance Certificate Issued
CCC Refused/Archived	- Building code compliance could not be confirmed under section 41 of the Building Act 1991 and sections 93, 93(2)(b), and 94 of the Building Act 2004.
Lapsed	- Work has not commenced and no extension of time applied for within 12 months of date of consent issue. Consent is of no further effect

NOTE: This is not a comprehensive list of all building consent statuses

[ABA-1996-338015](#) Building Consent - Alter/Add to Bedroom/Bathroom

Lodgement Date	31-Oct-1996
Decision	Granted
Decision Date	12-Nov-1996
Current Status	CCC Issued
Previous Number	ABA964224
<i>(Applications before 2007)</i>	

[ABA-2023-1574](#) Building Consent - Add Bathroom to Existing Sleepout

Lodgement Date	01-Sep-2023
Decision	Rejected
Decision Date	08-Sep-2023
Current Status	Application Rejected
Previous Number	
<i>(Applications before 2007)</i>	

[ABA-2023-2025](#) Building Consent - Form Bathroom in Sleepout

Lodgement Date	10-Nov-2023
Decision	Withdrawn
Decision Date	09-Jul-2024
Current Status	Withdrawn
Previous Number	
<i>(Applications before 2007)</i>	

Building and Drainage Permits

[H-1986-98680](#) AAB19860175

0570 - Install Mackay Fulvue Heater, (Harridge). The permit was lodged on 21-Apr-1986.

[H-1914-129079](#) AAD19141167

A6241 - Plumbing and Drainage, (Reid). The permit was lodged on 24-Jun-1914.

[H-1932-149286](#) AAD19320392

C6922 - Clear Blocked Drain, No Plan (Jones). The permit was lodged on 10-May-1932.

[H-1985-219628](#) AAD19850913

K7961 - Repair Drainage, No Plan (Harridge). The permit was lodged on 18-Mar-1985.

Non-consented Small Stand-alone Dwellings

There are no SSD applications for this property.

Building Notices

No Building Notices.

Resource Consents

The following Resource Consent(s) are recorded for this property:

[LUC-2024-181](#) - Land Use Consent

Description	Residential activity in the Hazard 2 (flood) overlay, and residential activity breaching density performance standard.
Lodgement Date	22-May-2024
Decision	Granted
Decision Date	04-Jul-2024
Current Status	Consent Issued

Consent Notices

There are no Consent Notices recorded for this property. It is recommended that the applicant check the Record of Title for any notices or covenants that may affect the property.

Alcohol Licensing

There are no records of any Alcohol Licences for this property.

Health Licensing

There are no records of any Health Licences for this property.

s44A(2)(ea) Information notified under Section 124 of the Weathertight Homes Resolution Services Act 2006

No information.

s44A (2)(f) Information relating to the use to which the land may be put and any conditions attached to that use

District Plan

This property is subject to the Operative Dunedin City Second Generation District Plan 2026 (2GP), which became fully operative on 17 June 2026. The 2GP, including planning maps, is available on the Dunedin City Council website <https://www.dunedin.govt.nz/council/district-plan/2nd-generation-district-plan> and at all Dunedin City Council service centres and libraries.

SECOND GENERATION DISTRICT PLAN INFORMATION

Zoning

- General Residential 2 (refer Section 15, Residential)

Scheduled Items

- Nil

Overlay Zones

- Hazard 2 (flood) Overlay Zone

Mapped Areas

- Wastewater Constraint Mapped Area
 - Name: North East Valley
- Road Classification Hierarchy (main roads within 30m of site)
 - North Rd is an Urban High Density Corridor road

District Plan Map

The District Plan map is available [online here](#). Instructions on how to use the map are [available here](#).

You can also access the District Plan map and instructions by visiting the Dunedin City Council 2GP Website at:

<https://www.dunedin.govt.nz/council/district-plan/2nd-generation-district-plan>

s44A(2)(g) Information regarding the land which has been notified to Council by another statutory organisation

No information.

s44A(2)(h) Information regarding the land which has been notified to Council by any network utility operator pursuant to the Building Act 1991 or Building Act 2004

No information.

Section 44A(3) Information concerning the land as the authority considers, at its discretion, to be relevant.

Building Information

Minimum Floor Levels

Clause E1.3.2 of the New Zealand Building Code requires that surface water, resulting from an event having a 2% probability of occurring annually, shall not enter buildings. This requirement applies to Housing, Communal Housing, Communal Residential and Communal non-residential buildings. For guidance when establishing minimum floor levels please refer to : <https://www.dunedin.govt.nz/services/building-services/minimum-floor-levels> and for links to specific areas:

<https://www.dunedin.govt.nz/services/building-services/minimum-floor-levels/mfl-guidance>

For further explanation on the current status of any building consent, or to enquire about information referred to in this section, please contact Building Services Staff between 8:30am and 5:00pm weekdays at the enquiries counter on the Ground floor of the Civic Centre, 50 The Octagon, Dunedin, or by phoning 477 4000.

Planning

Resource Consents within 50m of 94 North Road Dunedin

[5013079 14 Chambers Street Dunedin](#)

[RMA-2006-370607](#) Resource Management Act (Historical Data) LEITH LINDSAY FLOOD PROTECTION CONSULTANTS SCHEME - LINDSAY CREEK - LOWER LINDSAY SECTION. The outcome was Granted on 31/08/2007.

5013080 10 Chambers Street Dunedin

[RMA-2006-370607](#) Resource Management Act (Historical Data) LEITH LINDSAY FLOOD PROTECTION CONSULTANTS SCHEME - LINDSAY CREEK - LOWER LINDSAY SECTION. The outcome was Granted on 31/08/2007.

5013088 90 North Road Dunedin

[LUC-2021-606](#) Land Use Consent the conversion of the existing sleepout into a second residential unit with an outdoor living area breach for the existing residential unit onsite. The outcome was Granted on 17/11/2021.

5013091 11 Glendining Avenue Dunedin

[LUC-2018-133/A](#) Land Use Consent s127 variation of condition 1 of LUC-2018-133 - land use consent for the construction of a new dwelling. The outcome was s127 Upheld on 03/10/2018.

[LUC-2018-133](#) Land Use Consent land use consent for the construction of a new dwelling. The outcome was Granted on 10/04/2018.

5013092 13 Glendining Avenue Dunedin

[RMA-2006-370607](#) Resource Management Act (Historical Data) LEITH LINDSAY FLOOD PROTECTION CONSULTANTS SCHEME - LINDSAY CREEK - LOWER LINDSAY SECTION. The outcome was Granted on 31/08/2007.

5013170 5 Chambers Street Dunedin

[LUC-2013-46](#) Land Use Consent extend operating hours for preschool activities. The outcome was Granted on 01/03/2013.

[RMA-2003-366256](#) Resource Management Act (Historical Data) RELOCATE SCHOOL OFFICE INTO EXISTING RESIDENTIAL BUILDING (Non-Notified - Unrestricted Discretionary). The outcome was Granted on 29/01/2003.

5013171 7 Chambers Street Dunedin

[LUC-2017-55](#) Land Use Consent land use consent to earthquake strengthen the Glenavon Methodist Church. The outcome was Granted on 10/03/2017.

[LUC-2013-46](#) Land Use Consent extend operating hours for preschool activities. The outcome was Granted on 01/03/2013.

[LUC-2008-89](#) Land Use Consent Tree maintenance or emergency works on a significant tree T302 (Tawhairaunui). The outcome was Granted on 21/02/2008.

[RMA-2006-370607](#) Resource Management Act (Historical Data) LEITH LINDSAY FLOOD PROTECTION CONSULTANTS SCHEME - LINDSAY CREEK - LOWER LINDSAY SECTION. The outcome was Granted on 31/08/2007.

[RMA-1998-362164](#) Resource Management Act (Historical Data) expansion of montessori childrens house into glenaven methodist church building (Other). The outcome was Granted on 13/08/1998.

[RMA-2001-364708](#) Resource Management Act (Historical Data) ERECT A MURAL (Non-Notified - Unrestricted Discretionary). The outcome was Granted on 12/04/2001.

[RMA-1997-360924](#) Resource Management Act (Historical Data) ESTABLISH PRESCHOOL (Non-Notified - Unrestricted Discretionary). The outcome was Granted on 23/06/1997.

5014075 89 North Road Dunedin

[RMA-2001-365084](#) Resource Management Act (Historical Data) REMOVE SIGNIFICANT TREE (Non-Notified - Unrestricted Discretionary). The outcome was Granted on 28/09/2001.

[RMA-2000-363716](#) Resource Management Act (Historical Data) TO REMOVE A TREE AT 89 NORTH RD (Non-Notified - Unrestricted Discretionary). The outcome was Granted on 13/01/2000.

[RMA-1995-358664](#) Resource Management Act (Historical Data) ALTER AND TIDY UP HALL (Non-Notified - Restricted Discretionary). The outcome was Granted on 07/09/1995.

[5014135 99 North Road Dunedin](#)

[LUC-2019-378](#) Land Use Consent to establish a dwelling within a Hazard 2 (flood) overlay zone that breaches density, side boundary setback, building length, location of car parking and vehicle access location rules. The outcome was Granted on 05/11/2019.

[RMA-1998-361870](#) Resource Management Act (Historical Data) EXTENSION OF TIME FOR RMA 960076 UNDER SECTION 125 (1)(B) OF RMA... Hazards Comments: (Non-Notified - Non Complying). The outcome was Granted on 05/07/1999.

[RMA-1996-359309](#) Resource Management Act (Historical Data) ERECT TWO UNITS (Non-Notified - Non Complying). The outcome was Granted on 14/03/1996.

[5014136 101 North Road Dunedin](#)

[LUC-2016-4/B](#) Land Use Consent The establishment of a sleep-out and an extension to an existing dwelling creating breaches of the side yard, height plane angle, coverage and eave protrusion requirements. The outcome was s127 Upheld on 04/03/2022.

[LUC-2016-4/A](#) Land Use Consent variation of condition 1 of LUC-2016-4, to alter the proposal and allow for the extension of the verandah along the entire northeastern side of the dwelling, to provide better shelter. The outcome was s127 Upheld on 23/11/2016.

[LUC-2016-4](#) Land Use Consent establishment of a sleep-out and an extension to an existing dwelling. The outcome was Granted on 05/02/2016.

[RMA-1996-359309](#) Resource Management Act (Historical Data) ERECT TWO UNITS (Non-Notified - Non Complying). The outcome was Granted on 14/03/1996.

[5044531 20 Buccleugh Street Dunedin](#)

[RMA-1994-356557](#) Resource Management Act (Historical Data) UPDATE TO CROSS LEASE PLAN FOR FLAT A Ownr:PATERSON PITTS BOX 1083 DUNEDIN (Non-Notified - Non Complying). The outcome was Granted on 25/08/1994.

[5044532 105 North Road Dunedin](#)

[RMA-1990-352552](#) Resource Management Act (Historical Data) ER OF TWO (SIDE YARD DISPENSATION - DISP 1056) Ownr:KENNEDY / App: PATERSON/P (Non-Notified - Non Complying). The outcome was Granted on 19/07/1989.

[5110012 9 Chambers Street Dunedin](#)

[LUC-2013-46](#) Land Use Consent extend operating hours for preschool activities. The outcome was Granted on 01/03/2013.

[RMA-2006-370607](#) Resource Management Act (Historical Data) LEITH LINDSAY FLOOD PROTECTION CONSULTANTS SCHEME - LINDSAY CREEK - LOWER LINDSAY SECTION. The outcome was Granted on 31/08/2007.

[5110047 7 Chambers Street Dunedin](#)

[RMA-2006-370607](#) Resource Management Act (Historical Data) LEITH LINDSAY FLOOD PROTECTION CONSULTANTS SCHEME - LINDSAY CREEK - LOWER LINDSAY SECTION. The outcome was Granted on 31/08/2007.

5116520 14 Glendining Avenue Dunedin

RMA-2006-370607 Resource Management Act (Historical Data) LEITH LINDSAY FLOOD PROTECTION CONSULTANTS SCHEME - LINDSAY CREEK - LOWER LINDSAY SECTION. The outcome was Granted on 31/08/2007.

The information provided with this LIM on District Plan requirements and resource consents has been verified by City Planning in relation to the subject property only. All information included in relation to other land surrounding the site is indicative.

Accuracy of Boundaries

Knowing the true location of the property boundaries on the ground is important in determining what can be carried out on the land under the District Plan and in determining whether the current activity complies with the District Plan or any resource consent. Please note that the Council's aerial photographs may not accurately depict the extent of the property. The Record of Title for the site should be checked in the first instance. A surveyor may need to be consulted to establish the true location of the title boundaries on the ground.

Access to Site

The legality of any access to the site is important in determining what can be carried out on the land under the District Plan and in determining whether the current activity complies with the District Plan or any resource consent. It is recommended that the Record of Title and/or a lawyer be consulted regarding the legality of any legal and/or physical access to the site (and the maintenance thereof).

Heritage New Zealand Pouhere Taonga Act 2014

The Heritage New Zealand Pouhere Taonga Act 2014 applies in addition to any protection provided to a building or site by the District Plan. The Heritage New Zealand Pouhere Taonga Act 2014 makes it unlawful for any person to destroy, or modify the whole or any part of an archaeological site, whether or not the land on which the site is located is designated, or a resource or building consent has been issued, without the prior authority of Heritage New Zealand. The Heritage New Zealand Pouhere Taonga Act 2014 defines an archaeological site as a place associated with pre-1900 activity, where there may be evidence relating to the history of New Zealand. Pre-1900 buildings are considered archaeological sites under the Heritage New Zealand Pouhere Taonga Act 2014 and are also often associated with subsurface archaeological remains that provide evidence of pre-existing use of the site. Council records may not necessarily identify the precise date upon which an existing building was constructed. Contact the Dunedin office of Heritage New Zealand for further information: infodeepsouth@heritage.org.nz; 03 477 9871.

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

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 came into force on 1 January 2012. The National Environmental Standard applies to any piece of land on which an activity or industry described in the current edition of the Hazardous Activities and Industries List (HAIL) is being undertaken, has been undertaken or is more likely than not to have been undertaken. (The current edition of the HAIL is available on the Ministry for the Environment website at www.mfe.govt.nz.) Activities on HAIL sites may need to comply with permitted activity conditions specified in the National Environmental Standard and/or might require resource consent. (The Otago Regional Council should also be consulted for any rules it might have in regards to the use or development of contaminated sites.)

If a person wishes to establish whether a piece of land has had hazardous activities or industries conducted on it, and thus whether activities on that land are controlled by the National Environmental Standard, then the person must pay for a review of the information about the land held by the Council, or pay for a suitably qualified and experienced practitioner to undertake a preliminary site inspection. Formal confirmation from the Council that resource consent is not required under the National Environmental Standard can only be given through a certificate of compliance application.

If you would like a copy of any Resource Consent decision or advice on the current status and relevance of any planning matter referred to in the LIM, enquiries may be made at the Planning Enquiries desk on the Ground Floor of the Civic Centre, 50 The Octagon, or by phoning 477 4000 and asking for the Duty Planner. Planners are available at the Planning Enquiries desk to answer your enquiries between 8:30am and 5:00pm weekdays.

3 Waters

Information Regarding Watercourses

The controlling authority for all water and waterbodies in Dunedin City is the Otago Regional Council. The Regional Plan: Water addresses water take and use, diversions, damming, discharges and bed alteration under the Resource Management Act 1991. They are also responsible for the Flood Protection Management Bylaw 2012.

The controlling authority for watercourses in relation to stormwater drainage, and removal of obstructions in accordance with Local Government Act 1974 is the Dunedin City Council. The Council also issues building and resource consents for certain works around watercourses.

Not all watercourses within Dunedin City are recorded or known to the Council, therefore it is recommended that the applicant inspect the property for watercourses.

For further information on watercourses it is recommended the applicant read the Watercourse Information Sheet. A copy of this document is available on request or for download from the Dunedin City Council website www.dunedin.govt.nz.

Environmental Health

Noise complaints have been received by Environmental Health from the property in the past. Should the property be purchased for rental purposes then noise and rubbish control is considered the landlords responsibility and in the event of any such offences could be liable to a fine.

Transport

DCC Transport has carried out a desktop inspection of this property and found the following:

Encroachment on road reserve – privately owned vegetation over footpath.

It appears that the hedge at this property's frontage on 94 North Road is encroaching on the footpath. Private vegetation is required to be maintained so that it does not interfere with footpath users or extend over your property boundary. Council accepts this situation but accepts no liability. Maintenance is the responsibility of the property owner. The Council may require this to be addressed in the future.

Vehicle crossing - no vehicle access.

This property appears to have no vehicle access, pedestrian access only.

Private stormwater lateral.

Private stormwater laterals collect stormwater from private properties guttering and runs under the footpath to the kerb and channel on the roadside. The stormwater laterals are private pipes and are the responsibility of the landowner who they service, the repair and maintenance of these pipe's rests solely with the property owner. As the landowner you must maintain your stormwater lateral to ensure that it doesn't become a safety hazard for pedestrians or other road users.

For further explanations on property owner obligations in regard to local road encroachments, vehicle entrances, vegetation management or retaining structures please refer to the Dunedin City Council website at <http://www.dunedin.govt.nz/services/roads-and-footpaths> or contact Transport on 477 4000.

For properties abutting the state highway, Waka Kotahi NZ Transport Agency is the Road Controlling Authority.

Glossary of Terms and Abbreviations

The following are abbreviations and terms that may appear as a part of a LIM.

Consent, Permit, Licence & Complaint types

AAB	DCC Building permit
AAD	DCC Drainage permit
AAG	Green Island drainage permit
AAH	Hyde permit
AAK	St Kilda permit
AAM	Mosgiel permit
AAP	Port Chalmers permit
AAS	Silverpeaks permit
AAT	Maniototo permit
AMD	Amendment to a Building Consent
BCC	Building Compliance Certificate - Sale and Supply of Alcohol Act
CER	Certifier
DGL	Dangerous Goods Licensing
ENV	Health complaint
HTH	Health licence
LIQ	Alcohol licence
NTR	Notice to Rectify
POL	Planning Other Legislation
RMA	Resource Management Act - Resource consent
RMC	Resource consent complaint

Terms used in Permits & Consents

ALT	Alteration
ADD	Addition
BD D/C	Board drain in common
BLD	Building
BLDNG	Building
BT	Boundary trap
B/T	Boiler tube
CCC	Code Compliance Certificate
DAP	Drainage from adjacent property
DGE	Drainage
DIC	Drain in common
DR	Drainage
DWG	Dwelling
FS	Foul sewer
HEA	Heater
ICC	Interim Code Compliance
MH	Manhole
PL	Plumbing
PLB	Plumbing
PTE	Private
SIS	Sewer in section

WC Water course
WT Water table
SW Stormwater

General terms

RDMS Records and Document Management System

Appendices



Photographic Map

Scale at A4:

1:750

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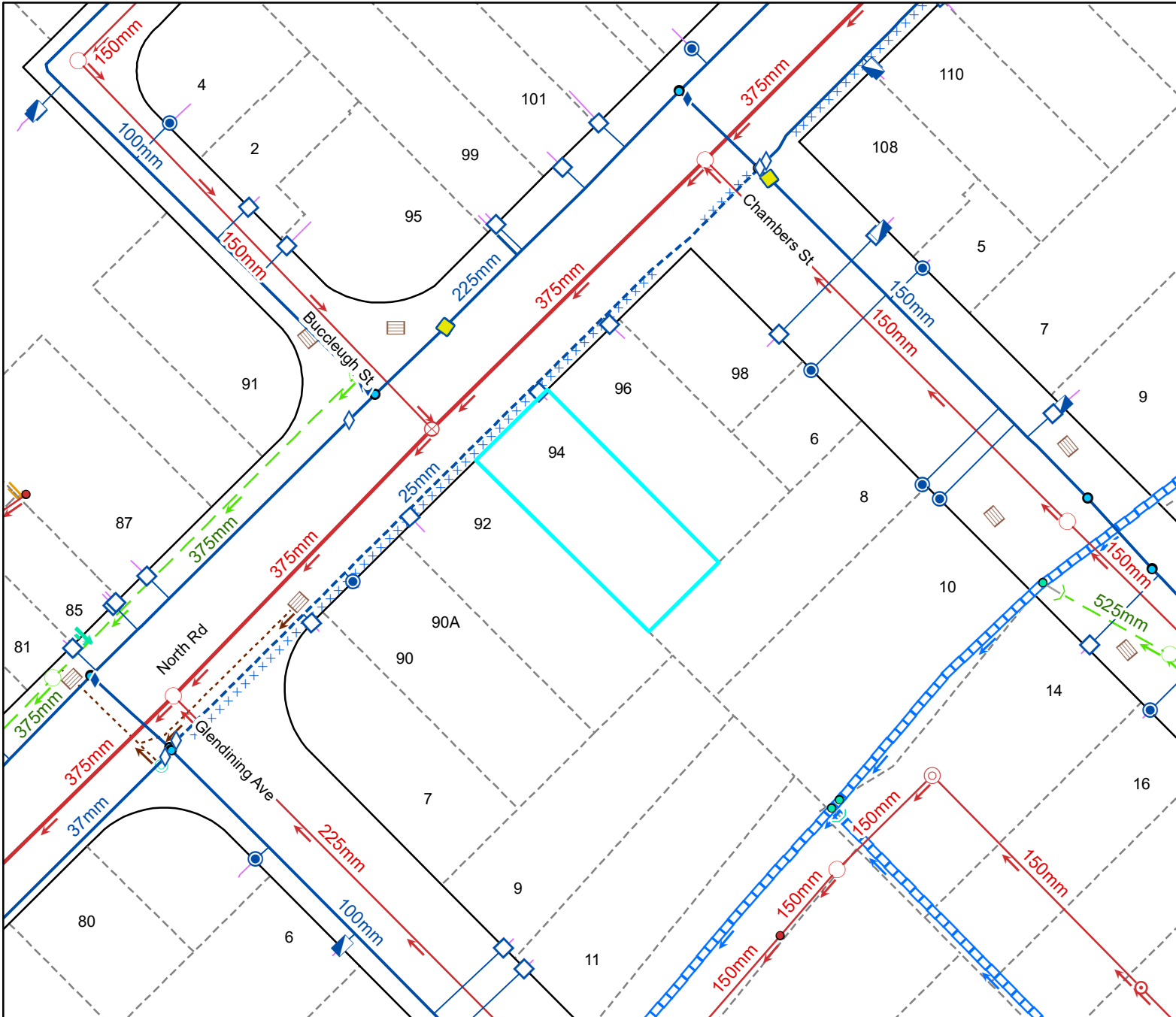
PARCEL LINES CAN VARY FROM
LEGAL PARCEL BOUNDARES

This map is for illustration purposes only
and is not accurate to surveying, engineering
or orthophotographic standards. Every effort
has been made to ensure correctness and
timeliness of the information presented.

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Legend

Water Supply

- Manifold Box
 - Water Meter
 - Toby
 - Meter without manifold box
 - Retic Flow Meter
 - Combination Meter
 - Manifold Box With Restrictor
 - Water Valve - Zone
 - NR Non Return Valve
 - Water Valve - Gate
 - Water Valve - Sluice
 - Water Hydrant
 - Water Backflow Preventor - RPZ
 - NR Water Non-Return Valve
 - Water Pump Station
 - Water Bore
 - Water Treatment Plant
 - Water Storage Tank
 - Supply Main
 - Trunk Main
 - Disused
 - Reticulation
 - Rider
 - Scour
 - Water Service Lateral
 - Water Fire Service Lateral
 - Water Critical Service Lateral
 - Water Zone Boundary
 - Water Reservoir
 - Redundant Water Main
- NOTE: Private water services have the same symbols as those above, however they are coloured pink.

Foul Sewerage

- Standard Manhole
 - Valve Chamber (pressurised)
 - Boundary Kit
 - NR Non-Return Valve
 - Pump Station Domestic
 - Drop Manhole
 - Inspection Manhole
 - Inspection Opening
 - Lamphole
 - Outlet
 - Pump Station
 - Treatment Plant
 - Vent
 - Foul Sewer Node
 - Foul Drains in Common (public)
 - Sewer
 - Trunk Sewer
 - Vent Line
 - Rising Main
 - Redundant Foul Sewer Pipe
- NOTE: Private foul drains have the same symbols as those above, however they are coloured orange.

Stormwater

- SW Bubble-up Tank
 - SW Drop Manhole
 - SW Insp Chamber and Grating Inlet
 - SW Inspection Manhole
 - SW Inspection Opening
 - SW Lamphole
 - SW Mudtank Inlet
 - SW Outlet
 - SW Pipe Inlet
 - SW Pressure Manhole
 - SW Standard Manhole
 - SW Stormwater Node
 - Roading Bubble-Up Tank
 - Roading Mudtank
 - Stormwater Main
 - Stormwater Trunk Main
 - DCC Open Channel
 - Piped WC
 - Open WC
 - Culvert
 - Stormwater Mudtank Pipe
 - Redundant Stormwater Main
 - SW Sump
 - SW Pump Station
- NOTE: Private stormwater drains have the same symbols as those above, however they are coloured light green.

General

- DCC Water & Waste Structure
- Railway Centreline
- Parcel
- Hydro
- Strata
- Road/Rail
- Motorway Parcels
- Easment (where recorded)

Full legend can be viewed at <https://www.dunedin.govt.nz/council-online/webmaps/waterservices>



Council Water & Drainage Services

Information shown is the best available at the time of publishing. The accuracy and completeness of This information is variable. Private assets are typically not mapped. Recent changes may not be reflected. Verify on site before commencing work. For all enquiries phone 03 477 4000.

Scale at A4:
1:750

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8:02:34 PM



PARCEL LINES CAN VARY FROM LEGAL PARCELS BOUNDARIES This map is for illustration purposes only and is not accurate to surveying, engineering or orthophotographic standards. Every effort has been made to ensure correctness and timeliness of the information presented.

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DUNEDIN DRAINAGE AND SEWERAGE BOARD

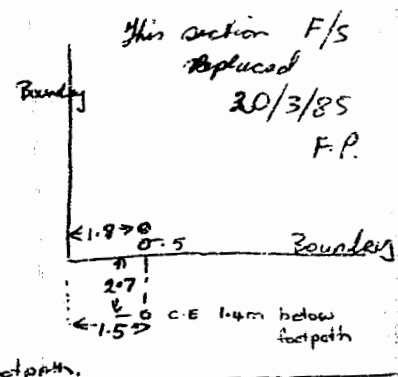
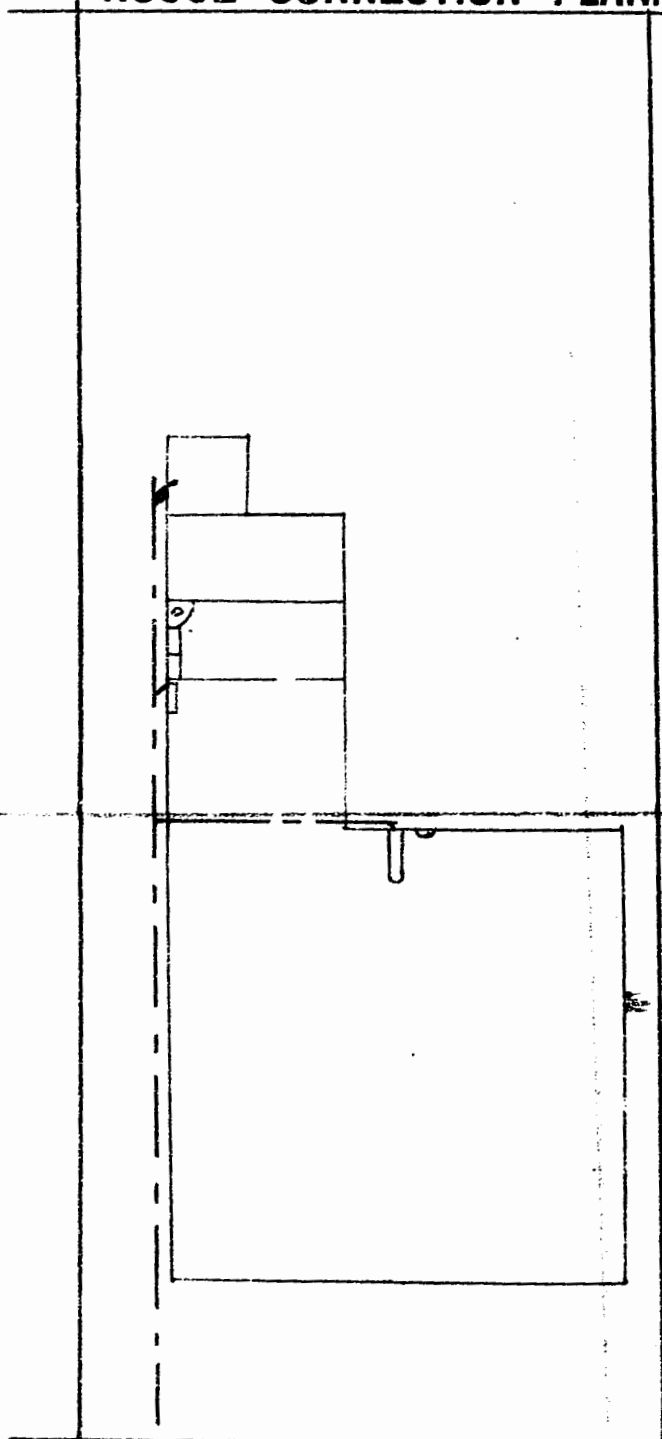
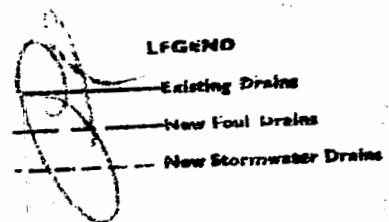
APPLICATION No. **A/6247**

DATE **June 2nd 1944**

HOUSE CONNECTION PLAN.

SCALE: $\frac{1}{4}$ in to a Foot.

NEW SEWAGE DRAINS: RED
STORM WATER: DOTTED BLACK
OLD DRAINS: FULL BLACK



NORTH RD.

Sewer very deep.

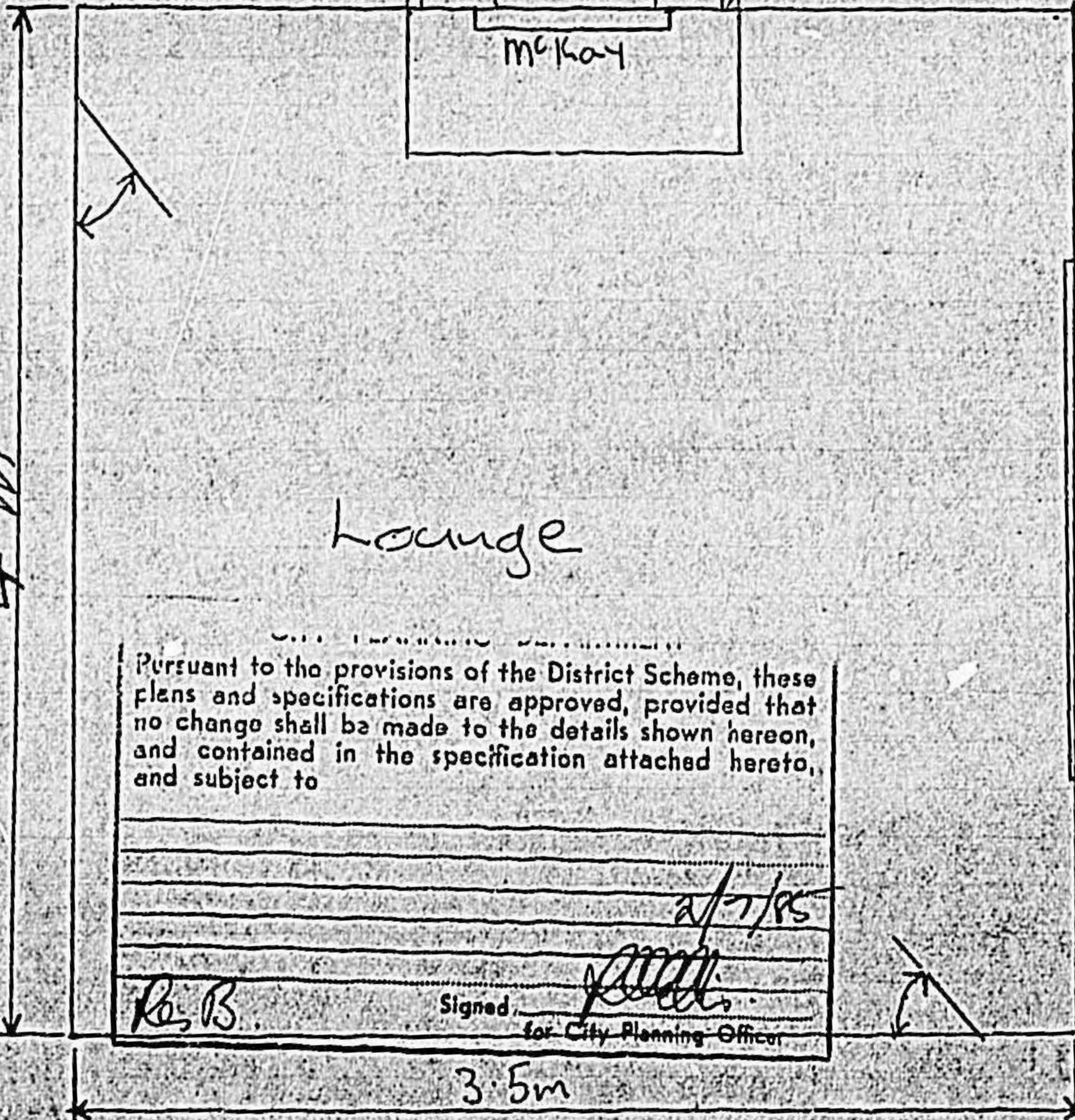
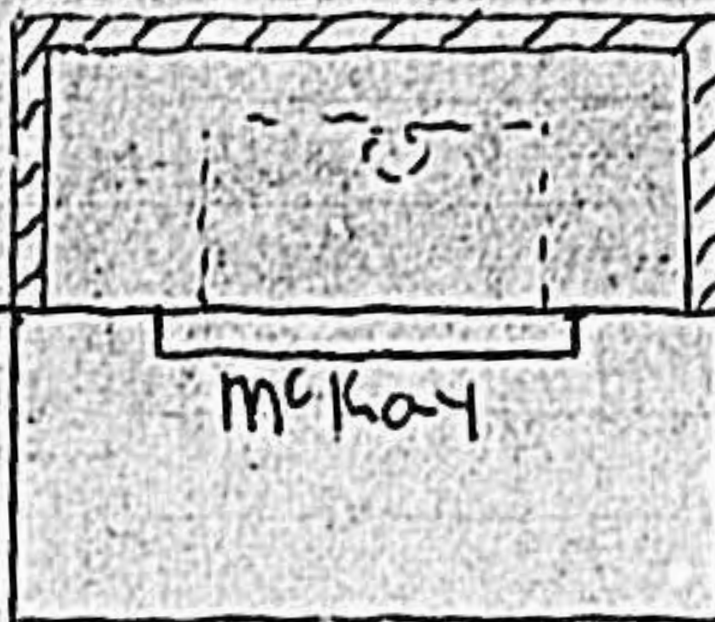
Owner **M. Reid**
Street **Waverley Rd. No 50.**
Locality **N. E. Valley**

Block **Glennview Glenview**
Section **F**
Allotment

Signature of Drainer **A. J. White**

100

Mr Harridge
94 North Rd.
N.E.U.



Pursuant to the provisions of the District Scheme, these plans and specifications are approved, provided that no change shall be made to the details shown hereon, and contained in the specification attached hereto, and subject to

R.B.

Signed

for City Planning Officer

2/7/85

0570

Installation
Rel. N.Z. Standard

Lower Surround

Insulator

Optional Heat Transfer Duct

It is necessary to have not less than 225mm (9 inches) thickness of brick or 150mm (6 inches) of concrete on all walls.



CODE COMPLIANCE CERTIFICATE

DCCBCA-F4-07B-v1.0

Section 95, Building Act 2004

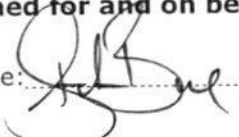
CCC No:	ABA964224	Telephone No:	03 477 4000
APPLICANT		PROJECT	
P L Day C/O Gareth Harper 603 George Street DUNEDIN		Work Type: Additions & Alterations	
PROJECT LOCATION		Intended Use/Description of Work:	
94 North Road Dunedin		Alter/Add To Bedroom/Bathroom	
LEGAL DESCRIPTION		Intended Life:	
Legal Description: LOT 1 DP 1590 Valuation Roll No: 26770-40300 Building Name: N/A		Indefinite, not less than 50 years.	

The building consent authority named above is satisfied, on reasonable grounds, that:

- (a) The building work complies with the Building Consent, and
- (b) The specified systems in the building are capable of performing to the performance standards set out in the Building Consent.

☐ Compliance Schedule attached

Signed for and on behalf of the Council:

Name: 

Position: AUTHORISED OFFICER

Date: 6 May 2008

BUILDING CONSENT

Section 35, Building Act 1991

ISSUED BY:



DUNEDIN CITY COUNCIL

50 THE OCTAGON, BOX 5045, DUNEDIN, NEW ZEALAND. TELEPHONE: (03) 477-4000. FACSIMILE: (03) 474-3594

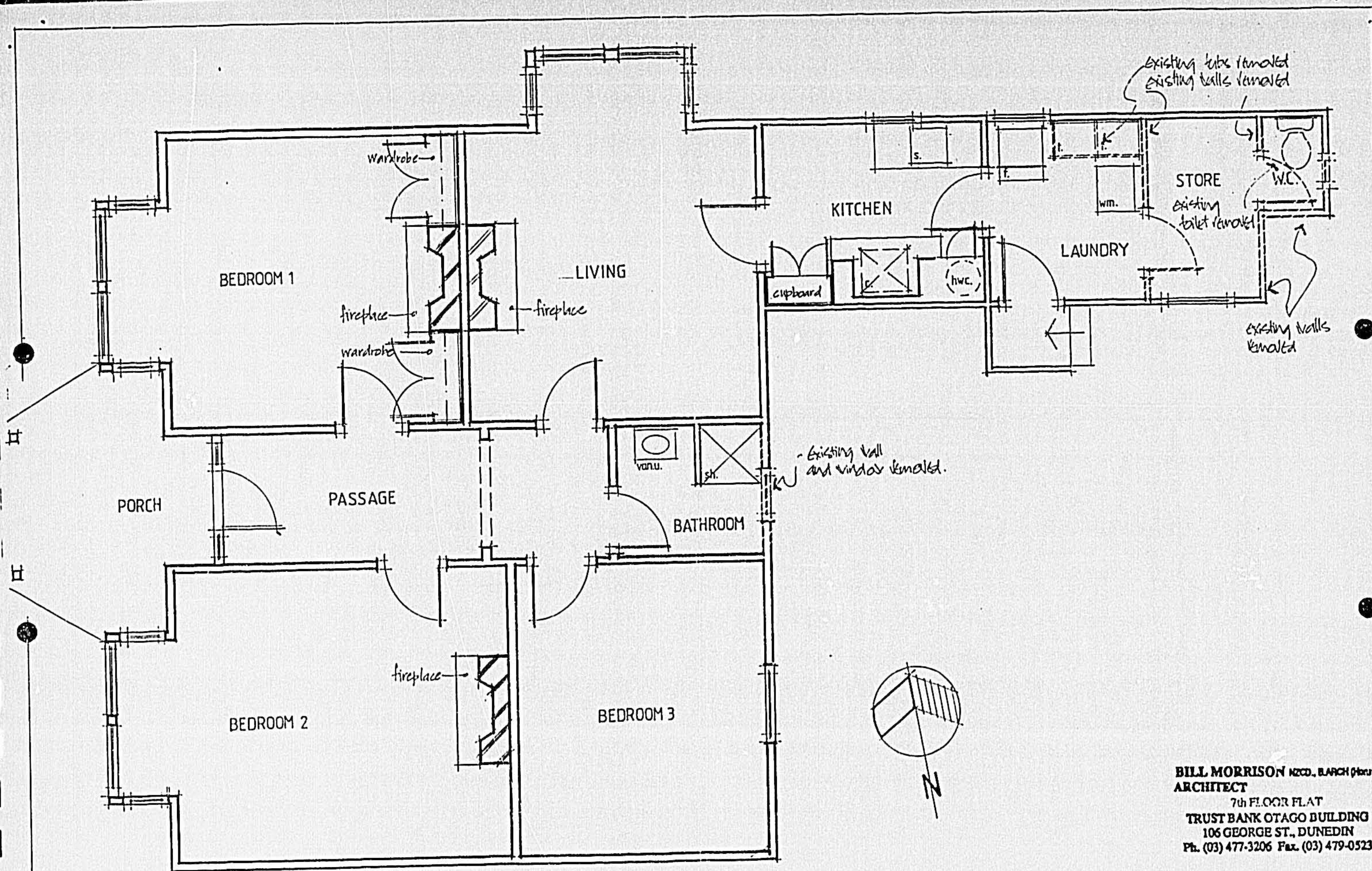
Telephone No:	474-3525	Consent No:	ABA 964224	Reference No:	5013086
---------------	----------	-------------	------------	---------------	---------

(Insert a cross in each applicable box. Attach relevant documents).

APPLICANT	PROJECT
Name: DAY, PHILLIP LLOYD	All ☒
Mailing Address: C/O TIMOTHY AXNSLEY, 76 WANGANUI AVE, PONSONBY, AUCKLAND	Stage No of an intended stages
PROJECT LOCATION	New Building ☐
Street Address: 94 NORTH ROAD	Alteration ☒
LEGAL DESCRIPTION	Intended Use(s) in detail: ALTER/ADD TO DWG
Property Number: 5013086	Intended Life:
Valuation Roll No: 26770 40300	Indefinite, not less than 50 years ☒
Legal Description: LOT 1 DP 1590	Specified as years
	Demolition ☐
	Estimated Value: \$5000
COUNCIL CHARGES	Signed for and on behalf of the Council:
The balance of Council's charges payable on uplifting of this building consent, in accordance with the tax invoice are:	Name:
Total: \$	Position: AUTHORISED OFFICER
ALL FEES ARE GST INCLUSIVE	Date: 12/11/1996

This building consent is a consent under the Building Act 1991 to undertake building work in accordance with the attached plans and specifications so as to comply with the provisions of the building code. It does not affect any duty or responsibility under any other Act nor permit any breach of any other Act.

This building consent is issued subject to the conditions specified in the attached pages headed "Conditions of Building Consent No....."



BILL MORRISON NZCO., ARCH (Hons).
ARCHITECT
 7th FLOOR FLAT
 TRUST BANK OTAGO BUILDING
 106 GEORGE ST., DUNEDIN
 Ph. (03) 477-3206 Fax. (03) 479-0523

DRAWING TITLE.

EXISTING FLOOR PLAN

JOB TITLE.

PROPOSED ADDITIONS TO #91 N.E.V. RD, DUNEDIN.

DRAWN BY.

K.WIJETUNGA

DATE.

DEC. 1993

SCALE.

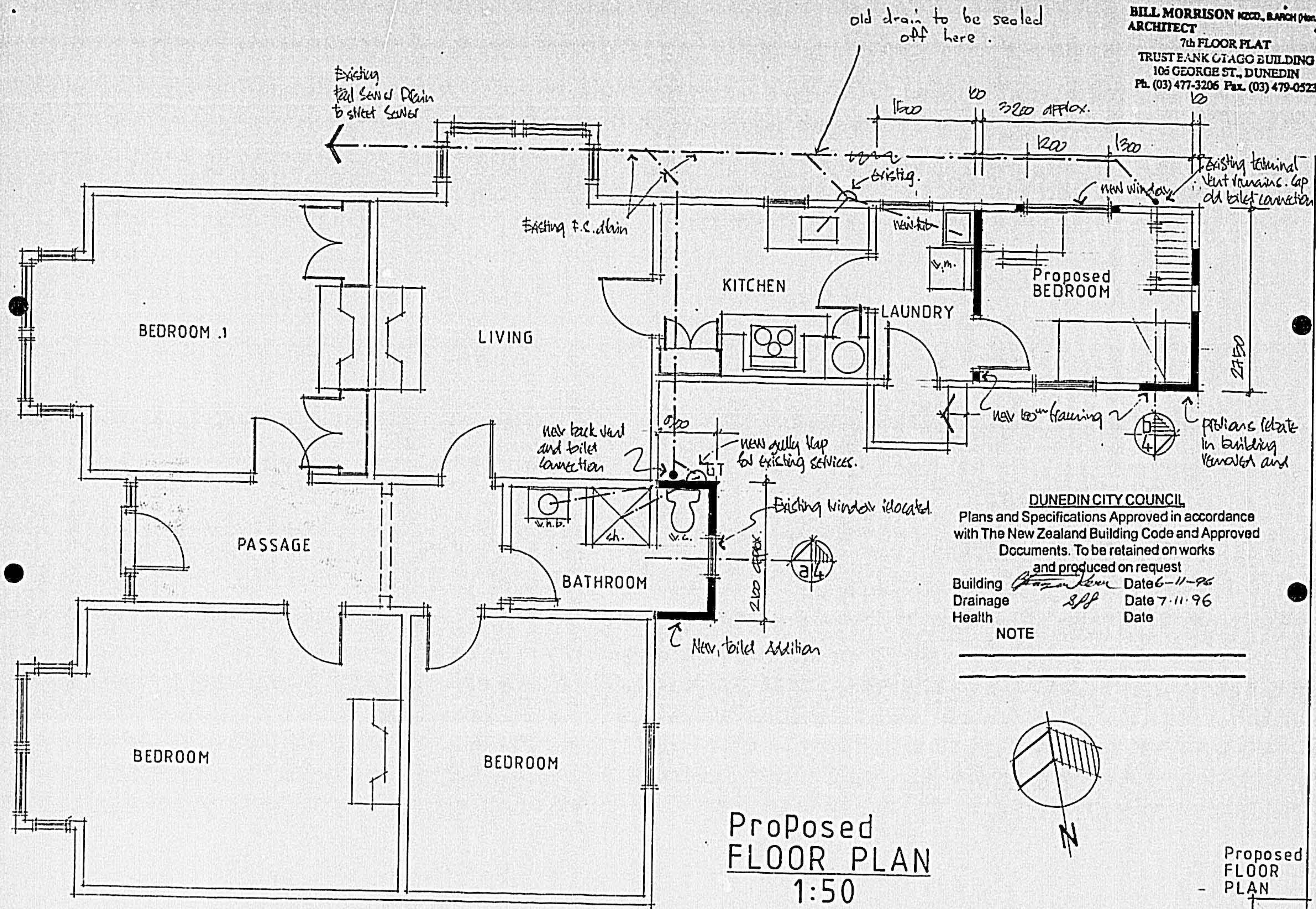
1:50

REVISION.

DWG NO.

1

BILL MORRISON NZCC, RARCH (plans),
ARCHITECT
 7th FLOOR FLAT
 TRUST BANK OTAGO BUILDING
 105 GEORGE ST., DUNEDIN
 Ph. (03) 477-3206 Fax. (03) 479-0523



DUNEDIN CITY COUNCIL
 Plans and Specifications Approved in accordance
 with The New Zealand Building Code and Approved
 Documents. To be retained on works
 and produced on request
 Building *[Signature]* Date 6-11-96
 Drainage *[Signature]* Date 7-11-96
 Health *[Signature]* Date

NOTE

**Proposed
 FLOOR PLAN
 1:50**

Proposed
 FLOOR
 PLAN

ARCH (plans),
 BUILDING
 DUNEDIN
 479-0523

AT
BUILDING
UNEDIN
(03) 479-0523

- terminal -
- airways. Cap
- function

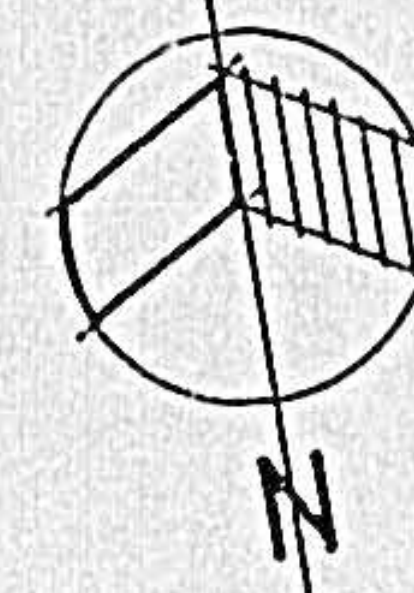
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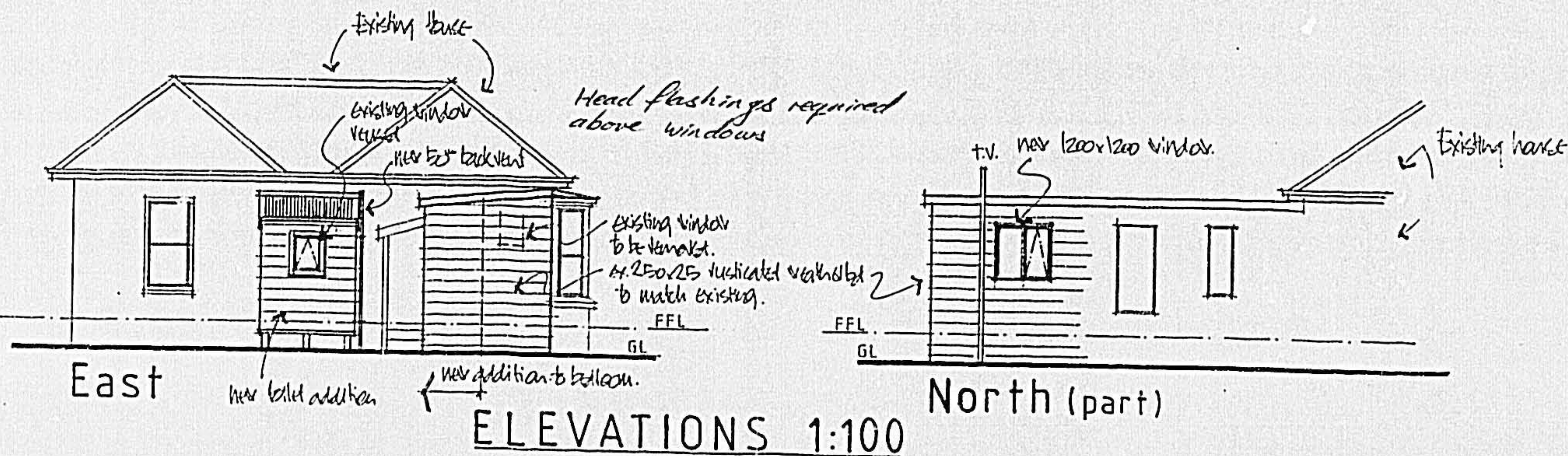
WILL MORRISON, INC., ARCHITECT
714 MOORE STREET, N.W.
TRUST BUILDING
106 GEORGE ST., DUNEDIN
N.Z. (09) 477-5206 Ext. (03) 479-0523

LEGAL DESCRIPTION
Lot 1.
DP. 15070
Vol Ref. 26770 - 403.



NORTH ROAD

SITE PLAN 1:100

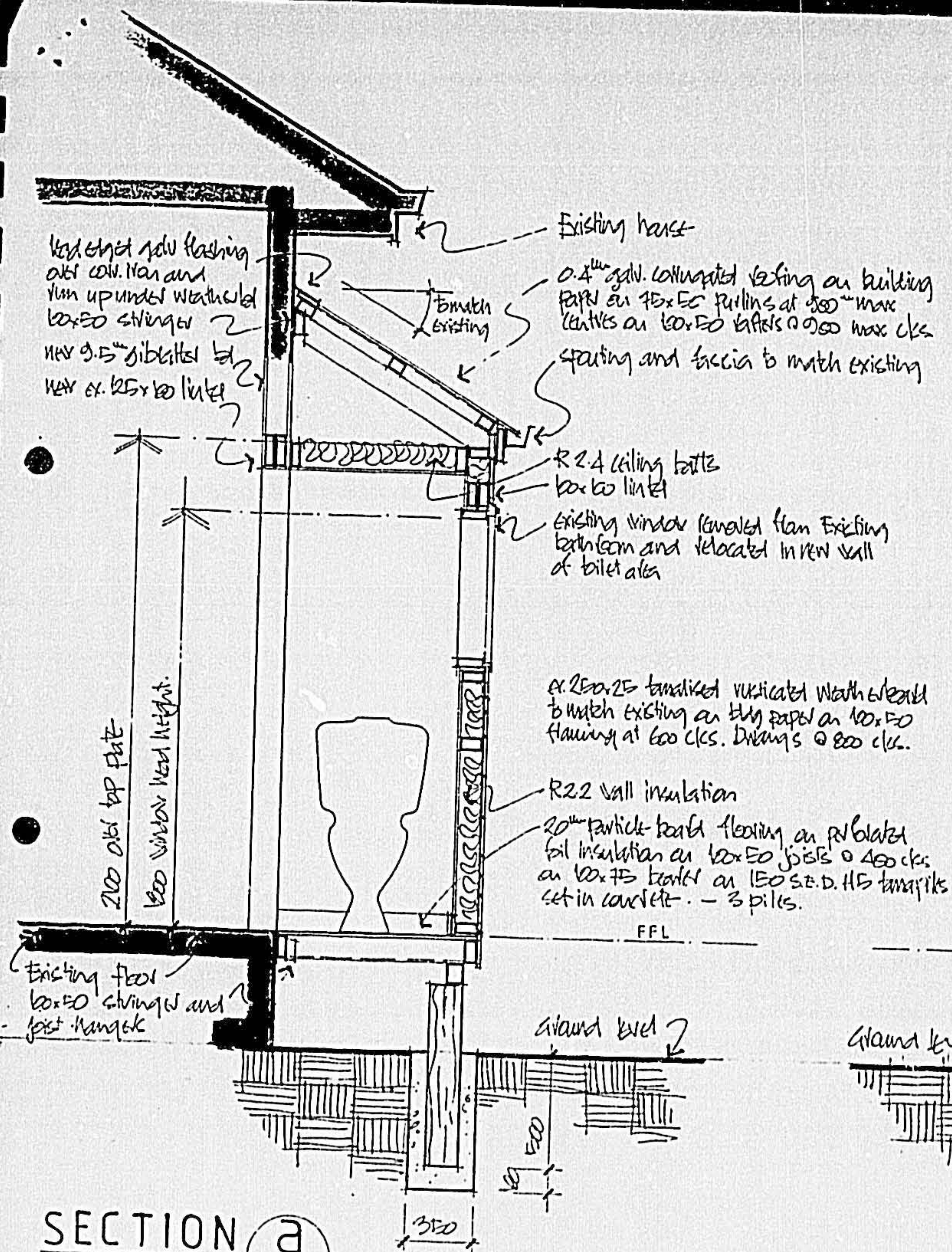


SITE PLAN
ELEVATION

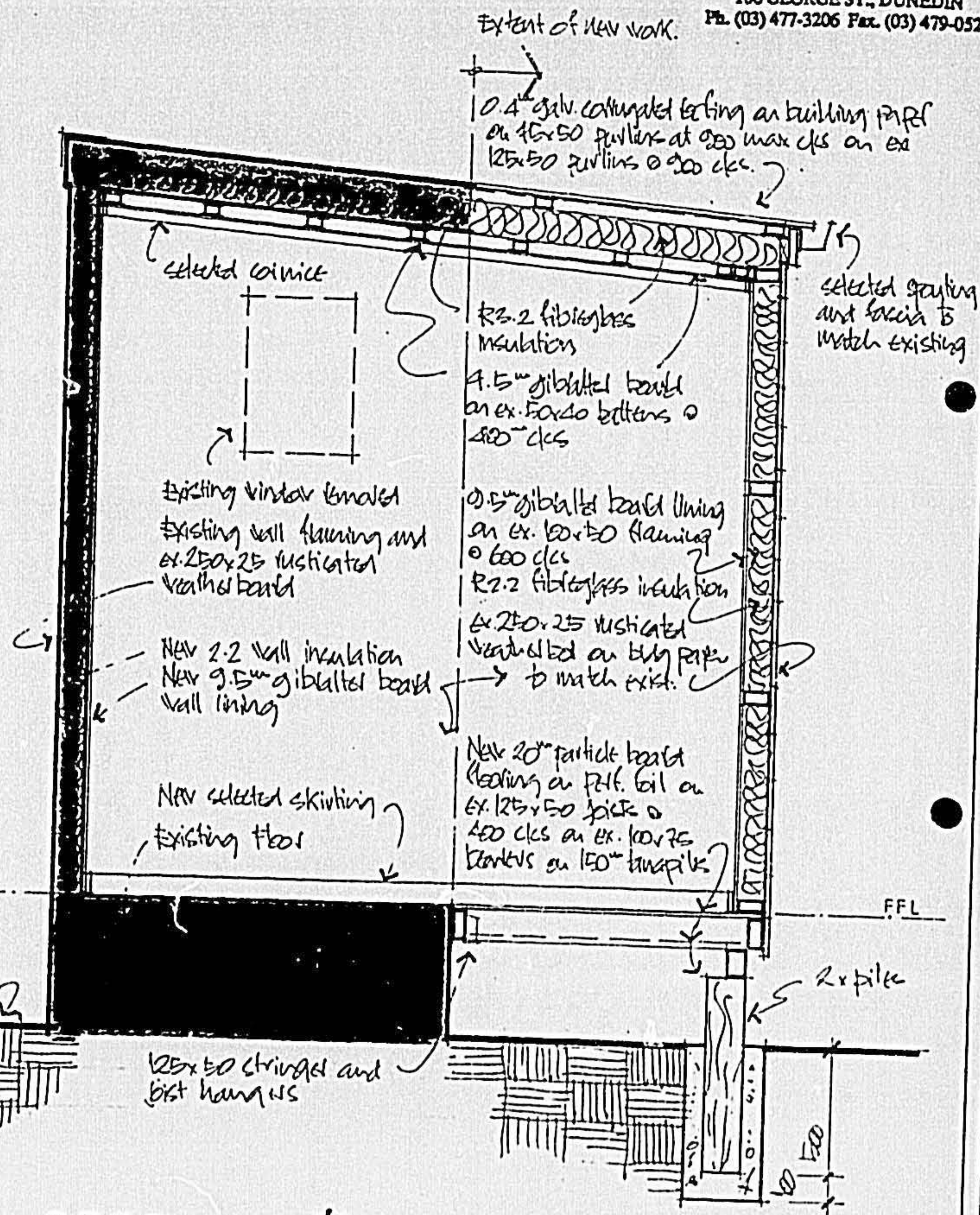
11

BILL MORRISON ARCHITECT
 7th FLOOR FLAT
 TRUST BANK OTAGO BUILDING
 106 GEORGE ST., DUNEDIN
 Ph. (03) 477-3206 Fax. (03) 479-0523

BILL MORRISON ARCHITECT
 7th FLOOR FLAT
 TRUST BANK OTAGO BUILDING
 106 GEORGE ST., DUNEDIN
 Ph. (03) 477-3206 Fax. (03) 479-0523



SECTION a
 1:20



SECTION b
 1:20

SECTIONS
 4

4 July 2024

Amber Robertson
C/- Boffa Miskell
PO Box 110, Christchurch 8140

Via email: Katrina.roos@boffamiskell.co.nz

Dear Amber

RESOURCE CONSENT APPLICATION:

**LUC-2024-181
94 NORTH RD
DUNEDIN**

Your application for resource consent was processed on a non-notified basis in accordance with sections 95A to 95G of the Resource Management Act 1991. The application was considered by a Senior Planner, under delegated authority, on 4 July 2024.

The Council has granted consent to the application with conditions. The assessment of the application, including the reasons for the decision, is set out in the report attached to this letter. The consent certificate is attached to the rear of this letter.

The consent certificate outlines the conditions that apply to your proposal. Please ensure that you have read and understand all of the consent conditions.

You may object to this decision or any condition within 15 working days of the decision being received, by applying in writing to the Dunedin City Council at the following address:

Senior Planner - Enquiries
Dunedin City Council
PO Box 5045
Dunedin 9054

You may request that the objection be considered by a hearings commissioner. The Council will then delegate its functions, powers and duties to an independent hearings commissioner to consider and decide the objection. Please note that you may be required to pay for the full costs of the independent hearings commissioner.

Alternatively, there may be appeal rights to the Environment Court. Please refer to section 120 of the Resource Management Act 1991. It is recommended that you consult a lawyer if you are considering this option.

You will be contacted in due course if you are due a partial refund or you have to pay additional costs for the processing of your application.

Please feel free to contact me if you have any questions.

Yours faithfully

A handwritten signature in grey ink, appearing to be 'JO'DEA', written in a cursive style.

Jane O'Dea
Associate Senior Planner

APPLICATION LUC-2024-181: 94 NORTH RD, DUNEDIN

Department: Resource Consents

BACKGROUND

It is understood that the sleepout was constructed as exempt building work. Building consent was then sought to install a bathroom in the building (ABA-2023-2025). At this point the building consent application was checked by planning, and the applicant was advised that resource consent is required for a breach of density and residential activity within the Hazard 2 (flood) overlay.

DESCRIPTION OF ACTIVITY

The subject site is located on the south-east side of North Rd. Lindsay Creek lies 30m to the south-east of the site's rear boundary, and is contained within a concrete channel.

The application describes the site and existing land use as follows:

The application site measures 420m² and is a level site containing a four-bedroom Edwardian weatherboard villa with bay windows and a rear extension for the kitchen/laundry. In the rear garden a two-bedroom sleepout with bathroom has recently been constructed. The site is being used for student rental accommodation during the academic year and is generally vacant between mid-November and mid-February.

The site does not provide for off-street parking and there is no vehicle access. Garden vegetation includes a front boundary hedge and lawns. There are close board fences on the side and rear boundaries.

To clarify, while the sleepout has been constructed, the bathroom has not yet been installed.

According to building consent records, and as indicated in the application, the existing house contains one bathroom, one kitchen and a laundry.

Retrospective resource consent is sought for a sleepout that has recently been built on the site. This building contains two bedrooms and a storage room and is a single level structure separate from the main house with a floor area of 26m². As mentioned earlier, the applicant has applied for building consent to install a bathroom in the storage room (ABA-2023-2025). The applicant proposes to retain six habitable rooms on the property including the sleepout, with *augier* conditions of consent limiting the occupancy of the property to six persons maximum. During the processing of the consent further discussions with the applicant have resulted in their acceptance of a condition of consent restricting any further wastewater generating facilities being installed within the site.

The subject site is legally described as Allotment 1 DP 1590 (held in Record of Title OT130/53).

REASONS FOR APPLICATION

Dunedin currently has two district plans: the Operative Dunedin City District Plan 2006 (the "Operative District Plan", and the Proposed Second Generation Dunedin City District Plan (the "Proposed 2GP"). Until the Proposed 2GP is made fully operative, both district plans need to be considered in determining the activity status and deciding what aspects of the activity require resource consent.

The activity status of the application is fixed by the provisions in place when the application was first lodged, pursuant to section 88A of the Resource Management Act 1991. However, it is the provisions of both district plans in force at the time of the decision that must be had regard to when assessing the application.

Operative District Plan

In this case the relevant rules of the Operative Plan are considered to have been superseded by the Proposed 2GP wherein the provisions related to this application are considered to be beyond challenge. Therefore, no assessment of the proposal under the Operative Plan has been undertaken.

Proposed 2GP

The subject site is zoned General Residential 2 and is subject to the following overlays:

- Northeast valley Wastewater Constrain Mapped Area
- Hazard 2 (flood) overlay

The Proposed 2GP was notified on 26 September 2015, and some Proposed 2GP rules had immediate legal effect from this date. Some rules became fully operative following the close of submissions, where no submissions were received. Additional rules came into legal effect upon the release of decisions. Those additional rules become fully operative if no appeals are lodged or once any appeals have been resolved.

The proposal falls under the definition of 'standard residential activity,' and 'natural hazards sensitive activities.' Under the Proposed 2GP, activities have both a land use activity and a development activity component.

Land Use Activity

The application breaches the allowable density of habitable rooms, as set out in Rule 15.5.2 of the 2GP. 1 habitable room per 100m² of site area is allowed, which would provide for 4 habitable rooms. The proposal involves 6 habitable rooms (4 in the main house, and 2 in the sleepout). This aspect is a restricted discretionary activity in accordance with Rule 15.5.2.5.b, which provides for a density within a wastewater constraint mapped area of 1 habitable room per 45m², as a restricted discretionary activity. Council's discretion is restricted to: 'effects on efficiency and affordability of infrastructure.'

Residential use of the sleepout also requires consent under Rule 15.3.6.1 for a 'natural hazards sensitive' activity in the Hazard 2 (flood) overlay. Council's discretion is restricted to: 'risk from natural hazards.'

Development Activity

There are no breaches of development rules or performance standards.

National Environmental Standards

There are no National Environmental Standards relevant to this application.

Overall Status

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

In this case, the rules all have the same activity status. The proposal is therefore a **restricted discretionary** activity.

WRITTEN APPROVALS AND EFFECTS ASSESSMENT

Affected Persons

No affected persons forms were submitted with the application. No person or party is considered to be adversely affected by the activity. This is because the environmental effects of the proposal are internalised within the site boundaries, or relate to wider effects such as risk from natural hazards, rather than effects on any particular person or property.

Effects on the Environment

Permitted Baseline

Under sections 95D(b) and 104(2) of the Resource Management Act 1991, the Council may disregard an adverse effect of the activity on the environment if the district plan or a national environmental standard permits an activity with that effect. This is the permitted baseline.

In this case there is no permitted baseline for residential activity on the site because all residential activity requires consent in the Hazard 2 (flood) overlay zone.

If that were not the case then a habitable room density of 1 habitable room per 100m² of site area would be allowed, which would provide for 4 habitable rooms on the site.

It is considered that this is the appropriate baseline against which the activity should be considered. As a result, it is the effects arising from the proposal, beyond the permitted baseline, that are the crucial elements for consideration.

Receiving Environment

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

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

For the subject site, the existing and reasonably foreseeable receiving environment comprises a typical residential property containing an early 20th century villa; and the newly built sleepout.

For adjacent land, the existing and reasonably foreseeable receiving environment comprises low density residential activity, interspersed with some examples of higher density flats. There are also schools, a residential college, and a church in the vicinity.

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

Assessment Matters/Rules

Consideration is required of the relevant assessment rules in the Proposed 2GP, along with the matters in any relevant national environmental standard. This assessment is limited to the matters to which the Council's discretion has been restricted. No regard has been given to any trade competition or any effects of trade competition.

1. Effects on efficiency and affordability of infrastructure

The applicant proposes to retain six habitable rooms on the property including the sleepout with *augier* conditions of consent limiting the occupancy of the property to six maximum. The application notes that *generally, the house is empty over the summer months, but the property is rented on a twelve month lease.*

Six tenants are less than what could currently be achieved if the sleepout did not exist, as three of the existing rooms are doubles and could reasonably be let to two persons/couples as is not uncommon for student rentals, or rentals supporting shift workers. This enables a reasonable maximum occupancy of seven people at present in the existing house.

The application also included commentary from Jeremy Rees, a civil engineer at Bonisch Consultants, in respect of the impact on the wastewater network of a maximum of six tenants across six habitable rooms, a kitchen and two bathrooms compared to the scenario of seven tenants across four habitable rooms within the main house, a kitchen and a single bathroom. Mr Rees commented as follows:

As you note, if there can be 7 people in the property at the moment, then the wastewater design flow, as per the DCC Code of Practice for Subdivision, Section 5.3.5.1 (a) is 1,890 l/day, i.e., 270 l/p/day x 7 people.

The addition of a new bathroom, and assuming no change in the number of people at the property, does not change the design wastewater flow for the property, as it is still based on 270 l/p/day.

(Potential further information)

The Code of Practice goes onto provide guidance on the typical number people per household, which states "Population density shall be based on proposed use but in no circumstance provide for less than a minimum of 45 persons per hectare or 3 persons per household for the urban area.". So while typically wastewater systems are designed on 3 people per dwelling, the existing situation where your client is able to have 7 people reside in the house still meets this design guidance, as it is a minimum of 3 per household for design purposes.

The consenting of the sleepout will not result in an increase in demand on the constrained wastewater network provided the number of tenants does not exceed the permitted baseline of seven tenants across four habitable rooms. In this case, the tenant restriction offered is six tenants maximum split between six bedrooms.

3 Waters provided the following (abridged) comments on the application:

Density Assessment

...

3 Waters does not support this alternative proposal the applicant has provided. It ... fails to sufficiently address 3 Waters concerns regarding the wastewater constraint. The proposed consent notices would require Council to actively monitor the sites compliance, rather than just address the matter as previously agreed. There are also concerns that regarding the sites wastewater production assessment, which has incorrectly assessed that the 2 addition bedrooms and an addition bathroom would have no impact on DCC's wastewater network. Aside from the fact that 2 additional bedrooms will encourage a greater occupation of the residence, adding another bathroom will increase the peak wastewater flow leaving the site, further exacerbating issues within DCC's wastewater infrastructure as noted in the modelling assessment below.

Modelling - Assessment of effects on 3 Waters infrastructure

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

Development beyond that anticipated by the District Plan may:

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

Where there are capacity issues in the water network, water may not be able to be physically supplied, and the proposed development could cause pressure losses to existing customers. Where there are capacity issues in the drainage network, downstream wastewater and/or stormwater surcharge and flooding will be exacerbated.

The wastewater network within North Road is noted to be at or above capacity and is surcharged in 1-10 year rainfall events. Adding further load or increasing peak flow from a development will further exacerbate these issues. Any development that is above the permitted density within this wastewater catchment will result in a more than minor effect on DCC's reticulated wastewater network.

Due to the proposed density standard contravention and the existing issues with DCC's reticulated wastewater network, 3 Waters do not support this development.

In addition to 3 Waters' concerns, there were also more general concerns with the proposed approach of relying on tenancy agreements to monitor the number of occupants, given that Council ultimately has no ability to enforce compliance with a tenancy agreement.

While habitable rooms are the key mechanism by which the 2GP seeks to manage density, the installation of services is also a critical factor in determining the consequential effects on infrastructure. Following further discussion, the applicant has agreed to a condition of consent requiring that no further wastewater generating facilities be installed within the site (house or sleepout). This will go some way to addressing the infrastructure effects 3 Waters is concerned about, by drawing out the peak flow of wastewater from the property. I consider this will also indirectly act as a mechanism to limit occupant numbers. Furthermore, this is a condition the Council can effectively monitor and enforce.

I consider that the proposed combination of measures now proposed will provide adequate mitigation of the effects of the density breach on Council infrastructure. In combination with a restriction on any further wastewater generating facilities being installed within the site, I consider the maximum occupancy and monitoring condition to provide sufficient certainty about tenant numbers, whereas these measures alone would not have been sufficient.

2. Risk from natural hazards

The site is located within a Hazard 2 (flood) overlay, within which, the Proposed 2GP assesses residential activity as restricted discretionary activities. Council's discretion is restricted to the risk from natural hazards, taking account of section 6(h) of the Act. Section 6(h) of the Act requires the

Council to recognise and provide for the management of significant risks from natural hazards, as a matter of national importance.

The assessment of the risk from natural hazards requires a combined assessment of:

- (a) *the likelihood of natural hazards occurring (whether individually or in combination); and*
- (b) *the material damage to land in respect of which the consent is sought, other land, or structures that would result from natural hazards; and*
- (c) *any likely subsequent use of the land in respect of which the consent is sought that would accelerate, worsen, or result in material damage of the kind referred to in paragraph (b).*

The application states that:

The distance from the creek, which is contained within a deep concrete channel, is approximately 40 metres. The volume of earthworks to enable the sleepout complies with the permitted activity standard for the Hazard 2 overlay, being less than 40m³, and the contour of the land has not been altered. The structure has a finished floor level 225mm above ground level and complies with all bulk and location standards. It is not considered that the sleepout will have any effect on the existing flood hazard despite being a natural hazards sensitive activity.

The proposal involves a modest new building of 26m² being used for residential activity for a limited number of occupants within the Hazard 2 (flood) overlay zone. It is considered that this is a reasonable and appropriate land use given that the site is zoned General Residential 2, which allows for residential activity (and at higher densities than in the General Residential 1 zone). It is therefore considered that being a residential activity, the proposal could be said to have a functional need to locate in a residential zone, and is an anticipated land use provided design measures are implemented to avoid risk from natural hazards, or ensure that risk is no more than low.

The usual method of dealing with risk from flood hazard is through the imposition of minimum floor levels at Building Consent stage. However in this case no building consent was obtained for the building. The building services minimum floor level map indicates an appropriate minimum floor level of 124.50 OMD. In this case the application states that the building's finished floor level is 225mm above ground level on the site. While the site itself has not been surveyed, the applicant has provided the following information:

I have asked our GIS team to check LiDAR data for the site. The closest reading is 80m south of the site closer to Lindsay's Creek. This gives a reasonable estimate as the ground is largely level from the creek edge/wall to 94 North Rd ... The nearest LiDAR level is 23.527 in NZVD2016. Converted to OMD this is 125.827m OMD. The sleepout is 225mm above approximately 125.827m OMD.

Based on the above information, the building's floor level would comply with the DCC minimum floor level map; and this would be expected to provide a degree of flood hazard mitigation.

Using the 'risk guidance' in Table 11.1.2.A of the 2GP. I have assessed the level of risk from natural hazards as 'low.' This is based on a judgement that the consequences of a natural hazard event, namely flooding, would be minor. 'Minor' is defined in the 2GP as:

- limited property damage that may be repairable without access to insurance, such as cracks in walls or wet foundations;
- minor, non-life threatening injuries;
- localised (rather than district-wide) economic impact; and
- restricted site access to a site for no more than 2 days due to flood waters, but where safe access is still possible on foot.

The Hazard 2 flood is identified as a 'moderate' risk zone. Combining the likelihood and consequences gives an outcome of 'low risk.'

Overall, I consider that risk from natural hazards is 'low risk' when assessed against the guidance contained in Tables 11.1.2.A Risk Guidance of the 2GP; and further mitigated by the elevated floor level of the building.

Based on the above assessment, it is not considered necessary for the proposal to be referred to the Council's consultant engineer for comment.

3. Cumulative Effects

It is clear from 3 Waters' comments above that due to the existing capacity constraints in the The effects from this proposal are not considered to add to the existing effects on the subject site or on adjoining sites such that the cumulative effects are more than minor.

NOTIFICATION ASSESSMENT

Public Notification

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

Step 1: Mandatory public notification in certain circumstances

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

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

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

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

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

Step 4: Public notification in special circumstances

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

Limited Notification

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

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

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

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

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

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

- The application does not involve a boundary activity.
- There are no persons where the activity's adverse effects on the person are minor or more than minor (but are not less than minor).

Step 4: Further notification in special circumstances

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

SUBSTANTIVE DECISION ASSESSMENT**Effects**

In accordance with section 104(1)(a) of the Resource Management Act 1991, the actual and potential adverse effects associated with the proposed activity have been assessed and outlined above. It is considered that the adverse effects on the environment arising from the proposal are no more than minor.

Offsetting or Compensation Measures

In accordance with section 104(1)(ab) of the Resource Management Act 1991, there are no offsetting or compensation measures proposed or agreed to by the applicant that need consideration.

Objectives and Policies

The Proposed 2GP is now at an advanced stage. The zoning and rules of relevance to this application are operative, and the objectives and policies are not subject to appeal. Therefore, while regard has been had to the objectives and policies of the Operative District Plan, these are not discussed further in this report because no weight has been given to them, and full weight has been given to the objectives and policies of the Proposed 2GP. The relevant objectives and policies of the Proposed 2GP are discussed below.

Proposed 2GP

The proposal is considered to be consistent with the following Proposed 2GP objectives and policies:

- **Objective 9.2.1 and Policy 9.2.1.2 (Public Health and Safety)**
These seek to ensure that land use and development activities maintain or enhance the efficiency and affordability of public water supply, wastewater and stormwater infrastructure, including by ensuring activities will not exceed the current or planned capacity of infrastructure.
- **Policy 11.2.1.13 (Hazards)**
This seeks to only allow subdivision where the risk from natural hazards, including any future development, will be avoided or no more than low.
- **Objective 15.2.4 and Policy 15.2.4.2 (Residential Zones)**

These seek to ensure that residential activities maintain or enhance the streetscape and reflect the current or intended future character of the neighbourhood. Residential activity exceeding the permitted density must ensure that any new built development, as viewed from the street, reflects the existing or intended character of the neighbourhood.

Objectives and Policies Assessment

Full weight has been given to the objectives and policies of the Proposed 2GP which are deemed to be operative. I consider that the effects are in line with the Plan's expectations for the zone and the objectives and policies support the granting of consent.

Other Matters

Having regard to section 104(1)(c) of the Resource Management Act 1991, no other matters are considered relevant.

Part 2

Based on the findings above, it is evident that the proposal would satisfy Part 2 of the Resource Management Act 1991. Granting of consent would promote the sustainable management of Dunedin's natural and physical resources.

RECOMMENDATION

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

1. This application be processed on a non-notified basis, pursuant to sections 95A and 95B of the Resource Management Act 1991.
2. The Council grant consent to the proposed activity under delegated authority, in accordance with sections 104 and 104C of the Resource Management Act 1991.



Jane O'Dea
Associate Senior Planner

Date: 4 July 2024

DECISION

I have read both the notification assessment and substantive decision assessment in this report. I agree with both recommendations above.

Under delegated authority on behalf of the Dunedin City Council, I accordingly approve the granting of resource consent to the proposal:

Pursuant to Part 2 and sections 34A(1), 104 and 104C of the Resource Management Act 1991, and the provisions of the Operative Dunedin City District Plan 2006 and the Proposed Second Generation Dunedin

*City District Plan, the Dunedin City Council **grants** consent to a **restricted discretionary activity** being residential activity in the Hazard 2 (flood) overlay, and residential activity breaching density performance standard on the site at 94 North Rd, Dunedin, legally described as Allotment 1 DP 1590 (Record of Title OT130/53), subject to the conditions imposed under section 108 of the Act, as shown on the attached certificate.*



Senior Planner
Jeremy Grey

Date: 4 July 2024

Consent Type: Land Use Consent

Consent Number: LUC-2024-181

Purpose: Residential activity in the Hazard 2 (flood) overlay, and residential activity breaching density performance standard.

Location of Activity: 94 North Rd, Dunedin.

Legal Description: Allotment 1 DP 1590 (Record of Title OT130/53).

Lapse Date: 4 July 2029, unless the consent has been given effect to before this date.

Conditions:

- 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 22 May 2024, and further information received on 3 July 2024, except where modified by the following conditions.*
- The consent holder/property owner must ensure that the property at 94 North Road, Dunedin is limited to a maximum of six tenants.*
- The consent holder must submit to Council annually a copy of tenancy agreement/s confirming compliance with condition 2 to rcmonitoring@dcc.govt.nz. This information must be supplied in the month of January each year.*
- Conditions 2 and 3 shall not apply if the property is used as a single-family household for no more than four persons. If this is the case, evidence of this such as a copy of the tenancy agreement or alternative written confirmation must be provided to rcmonitoring@dcc.govt.nz.*
- No additional wastewater generating facilities, such as showers, toilets and kitchens, may be installed within the site.*

Advice Notes:

General

- 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.
- Resource consents are not personal property. The ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.
- It is the responsibility of any party exercising this consent to comply with any conditions imposed on the resource consent prior to and during (as applicable) exercising the resource consent. Failure to

comply with the conditions may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.

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

Issued at Dunedin on 4 July 2024

A handwritten signature in black ink, appearing to be 'JO'DEA', written in a cursive style.

Jane O'Dea
Associate Senior Planner

Appendix One: Approved Plan/s for LUC-2024-181 (scanned image(s), not to scale)

PA

Perspective
Architecture

New Bathroom to Existing Sleepout
for Amber Robertson 94 North Road, Dunedin

100524	A - Resource Consent	Drawn By	C GABY	Scale	1:50 @ A3
Date	Revisions				

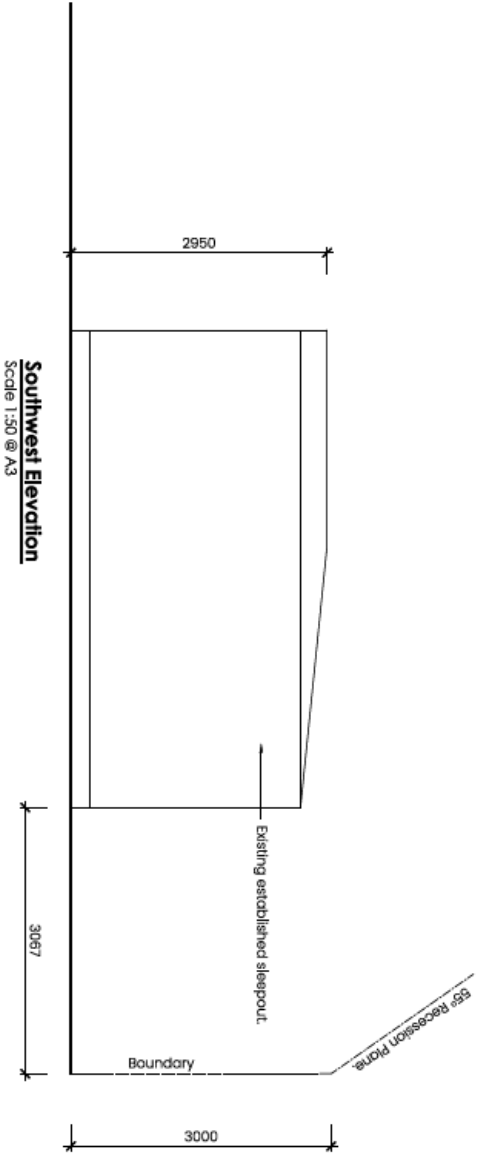
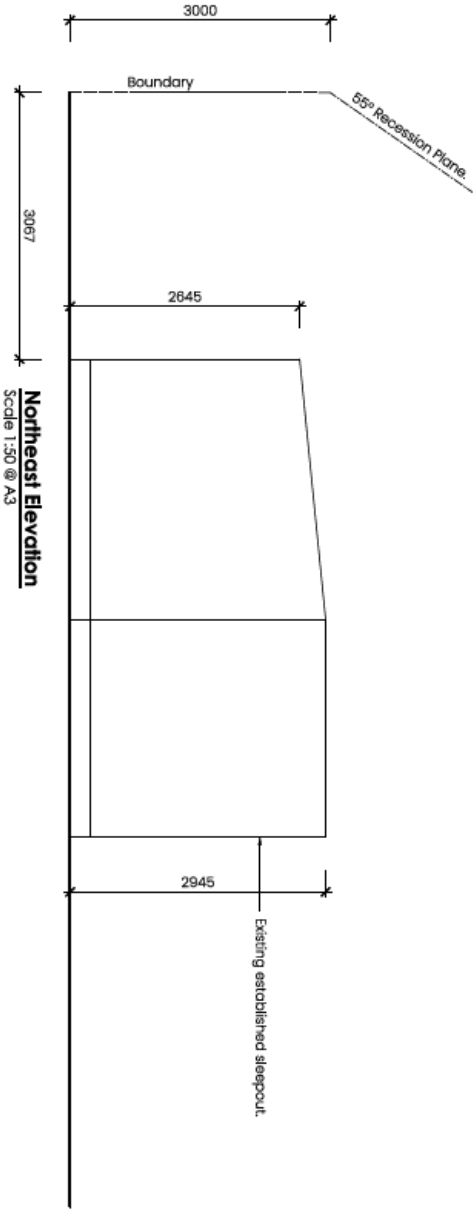
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2023-033

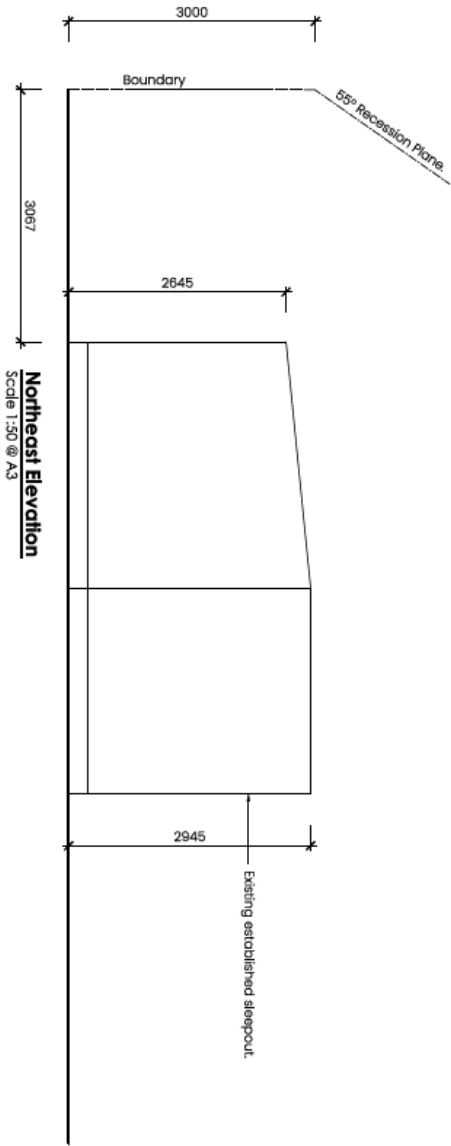
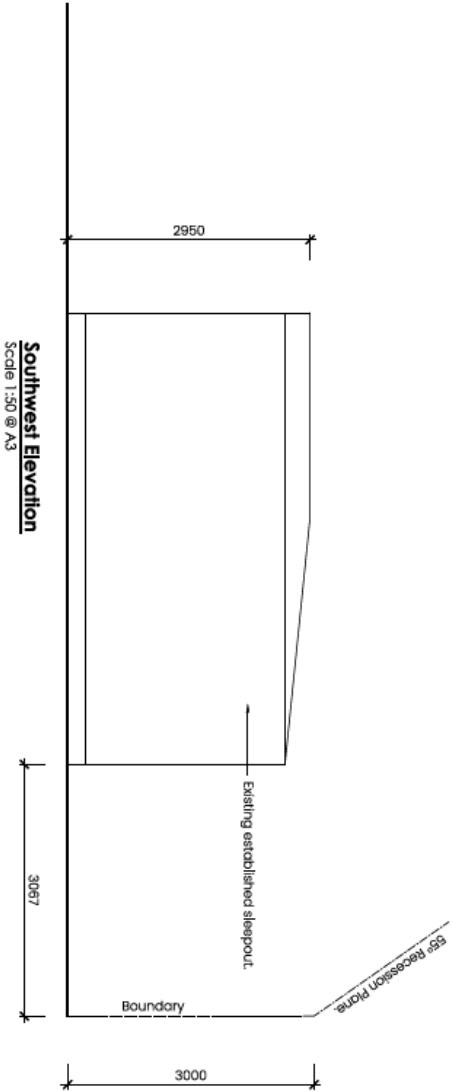
Street Title
Elevations

Date
01/11/2023

Street No.
05

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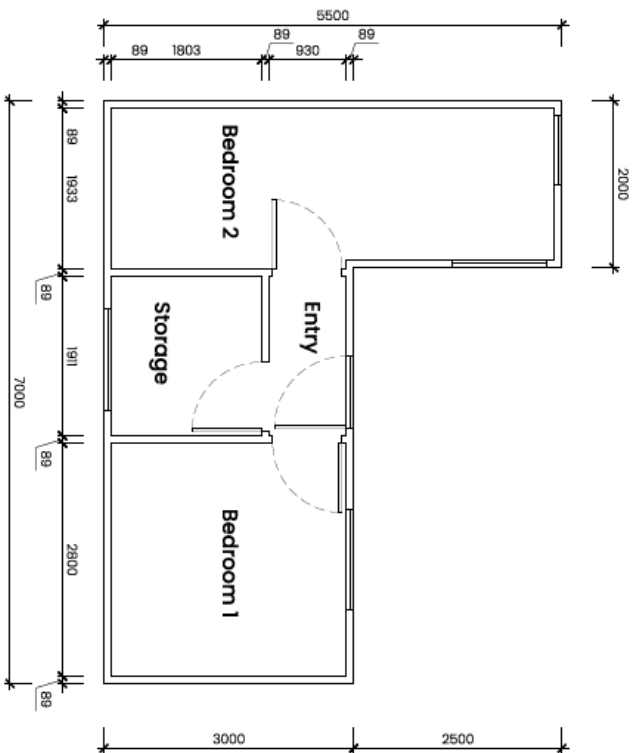




New Bathroom to Existing Sleepout for Amber Robertson 94 North Road, Dunedin

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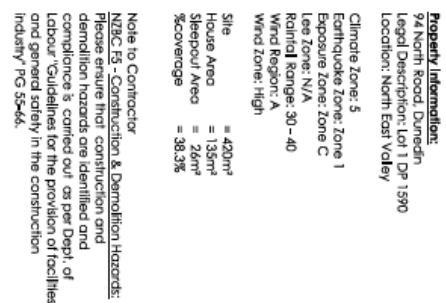
Sheet Title		Contract No.	
Elevations		2023-033	
Date	Revisions	Date	Sheet No.
10/03/24	A - Resource Consent	01/11/2023	06
Drawn By		Scale	
C GABY		1:50 @ A3	



New Bathroom to Existing Sleepout for Amber Robertson 94 North Road, Dunedin

Sheet Title		Contract No.	
Existing Floor Plan		2023-033	
Date	08/11/23	Drawn By	C GABY
Revisions	A - Building Consent	Scale	1:50 @ A3
		Date	01/11/2023
		Sheet No.	02

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Site Area = 420m^2
 Grossed area = $176\text{m}^2 \rightarrow 42\%$
 Paved area = $92\text{m}^2 \rightarrow 21\%$
 Earthworks to Sleepout!
 $26\text{m}^2 \times 0.5\text{m} = 13\text{m}^3$ removed from site.