

Dunedin City Council Land Information Memorandum

97446

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 Section 44A 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 **12 June 2024**

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 Records of Title as this report may not include information that is registered on the Records of Title. The Records 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.

PROPERTY ADDRESS

115 Lynn Street Dunedin

**LIM Applicant
Print Date**

Susan Mary Russell
12-Jun-2024

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PROPERTY DETAILS

Property ID 5017098
Address 115 Lynn Street Dunedin
Parcels LOT 1 DP 379029

Rubbish Day Tuesday

RATES DETAILS

Rate Account 2110921
Address 115 Lynn Street Dunedin
Valuation Number 26950-11501

Latest Valuation Details
Capital Value \$540,000
Land Value \$245,000
Value of Improvements \$295,000
Area (Hectares) 0.0479HA
Units of Use 1

Current Rates
Current Rating Year Starting 01-Jul-2023
Dunedin City Council Rates \$2,803.24

Rates Outstanding for Year \$108.22

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.

BUILDING, PLUMBING AND DRAINAGE

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>

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.

Building and Drainage Information

Private Foul Drains servicing existing buildings

There are Private Foul drains servicing existing buildings on this land.

Drainage plan indicates Private Foul Drain connects to Council Foul Sewer in Street.

Private Stormwater Drains servicing existing buildings

There are Private Stormwater drains servicing existing buildings on this land.

Drainage plan indicates Private Stormwater Drain discharges to Street Channel.

Council Stormwater & Foul Sewer Connections available.

There is Council Stormwater outfalls and Foul Sewer Connections adjacent to this land, to which buildings within this land may connect. A plan of these is attached.

Building and Drainage Consents

The following consents are recorded for this property:

Status Key:	BC	-	Building Consent Issued
	CCC	-	Code Compliance Certificate Issued
	Archived	-	In accordance with section 93(2)(b) of the Building Act, the consent
	/CCC	-	was reviewed for code compliance after two years. Compliance with
	Refused	-	the Building Code could not be established and therefore the Code
		-	Compliance Certificate has been refused.
	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-1998-344025](#) Building Consent - Alter Dwg/Plb & Drge

Lodgement Date	09-Jul-1998
Decision	Granted
Decision Date	17-Aug-1998
Current Status	CCC Issued
Previous Number	ABA982017
<i>(Applications before 2007)</i>	

[ABA-2010-1017](#) Building Consent - Install Fire, Woodsman MkIV, Wetback, Remove Existing Chimney

Lodgement Date 17-May-2010

Decision Granted

Decision Date 11-Jun-2010

Current Status **CCC Issued**

Previous Number

(Applications before 2007)

Building and Drainage Permits

Building Permits were issued prior to the introduction of the Building Act 1992. Code Compliance Certificates were not required or issued for permits.

[H-1927-11950](#) AAB19270173

460 - Erect dwelling (Hanna). The permit was lodged on 29-Nov-1927.

[H-1970-71161](#) AAB19700257

2618 - Construct crossing, No Plan (Mayne). The permit was lodged on 08-Jul-1970.

[H-1983-93016](#) AAB19830403

5666 - Erect garage (Thomson). The permit was lodged on 21-Sep-1983.

[H-1928-145443](#) AAD19280927

C1268 - Plumbing and drainage for new dwelling (Hanna). The permit was lodged on 10-Feb-1928

For further explanation on the current status of any consent, or to enquire about information referred to on this page, please contact Building Control 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.

HAZARDS

SITE HAZARDS

No records were found of land instability, potential erosion, avulsion, falling debris, subsidence, slippage, alluvion or inundation.

The Otago Regional Council has produced a number of reports for the Dunedin City District which outline areas affected by natural hazards including slippage, flooding, subsidence and inundation.

These reports are publicly available and can be accessed here:

<https://www.orc.govt.nz/plans-policies-reports/reports-and-publications/natural-hazards>

These reports do not provide property specific information, and may not describe all natural hazards that affect the land that is the subject of this LIM report. We recommend that in addition to reading these reports, that you seek independent advice about how this property may be affected by natural hazards including natural hazards that are not described in the reports produced by the Otago Regional Council.

Otago Regional Council - Natural Hazards Database

The characteristics of general natural hazards in the vicinity of this property are also available on the Otago Regional Council's Natural Hazards Database.

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

HAZARDOUS SUBSTANCES

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.

Contaminated Site, Hazardous Substances and Dangerous Goods Information

No information

ENVIRONMENTAL HEALTH

No records were found of Environmental Health involvement with this property.

LICENSING

Health Licensing

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

Liquor Licensing

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

CITY PLANNING

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 in 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.

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.

District Plan Information

Dunedin currently has an Operative Dunedin City District Plan, and the Proposed Second Generation Dunedin City District Plan (2GP). Accordingly, both of these plans may affect the development potential of this site and surrounding properties.

As a general principle, rules in the 2GP must be considered along with the rules of the Operative District Plan until such time as the rules of the 2GP become operative, or are treated as operative. The policies and objectives of both plans should also be considered.

The 2GP was publicly notified on Saturday 26 September 2015. The submission period closed on Tuesday 24 November 2015. Decisions on the 2GP were released on Wednesday 7 November 2018. The appeal period closed on Wednesday 19 December 2018. The schedule of appeals can be viewed at <https://www.dunedin.govt.nz/council/district-plan/2nd-generation-district-plan/appeals-received-on-the-2gp>.

You are advised to refer to our website to determine which rules in the 2GP have legal effect or are fully operative, and to determine which rules in the Operative District Plan are now inoperative.

The 2GP is subject to change at any time. Variation 2 (Additional Housing Capacity) to the 2GP was notified on Wednesday 3 February 2021. No rule changes proposed in Variation 2 had legal effect from the date of notification. Rules that did not have submissions in opposition to them are deemed operative.

Please refer to our website for more information on Variation 2 at <https://www.dunedin.govt.nz/council/district-plan/2nd-generation-district-plan/plan-change-dis-2021-1-variation-2>

Further rules will come into legal effect and/or become fully operative at the release of decisions and the resolution of appeals.

You should check with the Council whether any changes have occurred since the date this LIM report was issued. The information provided with this LIM on district plan requirements is applicable as at the date this LIM is issued: there may be changes to the district plan rules following the release of this LIM that may affect this site and surrounding properties.

You should ensure that you consult the information and relevant planning maps in the Operative District Plan which can be found on our website at <https://www.dunedin.govt.nz/council/district-plan/district-plan-2006> and the 2GP which can be found on our website at <https://www.dunedin.govt.nz/council/district-plan/2nd-generation-district-plan> as well as at all Dunedin City Council service centres and libraries.

OPERATIVE DISTRICT PLAN INFORMATION

Zoning

This property is zoned as follows in the District Plan.

Zone

RESIDENTIAL 1

Noise

This property is located in a Noise Area where the noise limits outlined below apply. Rule 21.5.1(i)(b) also specifies a maximum noise limit of 75 dBA Lmax between 9.00 pm on any night and 7.00 am the following day measured at the boundary of the site or within any other site. Note that some activities have a resource consent or existing use rights that allow these limits to be exceeded. Some activities are also exempted from noise limits. Furthermore, the actual limits that apply will also depend on whether this site adjoins a Noise Area Boundary and whether there are Special Audible Characteristics. Refer to Section 21.5 of the District Plan for further details. Every occupier of land is also under a general duty to adopt the best practicable option to ensure that the emission of noise from land does not exceed a reasonable level.

Noise Zone

50Dt/35Nt dBA, 45SP dBA

Road Hierarchy

The roads listed below adjoining this property are classified as either Collector, District Regional or National Roads in the District Plan Roding Hierarchy. All other roads adjoining this property but not listed here are classified as Local Roads. Refer to Section 20 of the District Plan for more information.

Type *NZTA Control*

COLLECTOR Lynn St

SECOND GENERATION PLAN INFORMATION

Zoning

- General Residential 1 (refer Section 15, Residential)

Scheduled Items

- Nil

Overlay Zones

- Nil

Mapped Areas

- Road Classification Hierarchy (main roads within 30m of site)
 - Lynn St is a Collector road

Resource Consents

The following Resource Consents are recorded for this property.

RMA-2005-369648	Resource Management Act (Historical Data)
Description	2 LOT SUBDIVISION
Lodgement Date	18-Nov-2005
Decision	Granted
Decision Date	12-Dec-2005
Current Status	Consent Issued
Consent Stages	
Type	s223 Certificate
Issued Date	25 October 2006
Further Details	
Type	s224 Certificate
Issued Date	25 October 2006
Further Details	
RMA-2005-369649	Resource Management Act (Historical Data)
Description	LAND USE ASSOCIATED WITH 2 LOT SUBDIVISION FOR GARAGE NEXT TO NEW BOUNDARY
Lodgement Date	18-Nov-2005
Decision	Granted
Decision Date	12-Dec-2005
Current Status	Consent Issued
RMA-2006-370684	Resource Management Act (Historical Data)
Description	SECTION 127 REVIEW OF CONSENT CONDITIONS
Lodgement Date	28-Sep-2006
Decision	s127 Upheld
Decision Date	19-Oct-2006
Current Status	Consent Issued
RMA-1995-359228	Resource Management Act (Historical Data)
Description	ERECT UNIT
Lodgement Date	19-Dec-1995
Decision	Granted
Decision Date	29-Jan-1996
Current Status	Consent Issued

RMA-1999-362814	Resource Management Act (Historical Data)
Description	construct second residential dwelling
Lodgement Date	17-Mar-1999
Decision	Granted
Decision Date	01-Apr-1999
Current Status	Consent Issued

RESOURCE CONSENTS WITHIN 50 METRES OF 115 LYNN STREET DUNEDIN

[5016190](#) 114 Lynn Street Dunedin

[RMA-1993-356193](#) Resource Management Act (Historical Data) erect carport (Non-Notified - Non Complying). The outcome was Granted on 06/09/1993.

[5017026](#) 103 Lynn Street Dunedin

[RMA-1985-351627](#) Resource Management Act (Historical Data) DWG ADDN Ownr: CLEARER / App: CLEARER Designer: CLEARER (Non-Notified - Non Complying). The outcome was Granted on 02/04/1985.

[5017030](#) 56 Prospect Bank Dunedin

[RMA-1997-360891](#) Resource Management Act (Historical Data) CREATION OF PEDESTRIAN RIGHTS OF WAY (Other). The outcome was Granted on 26/05/1997.

[5017097](#) 57 Prospect Bank Dunedin

[RMA-1991-353144](#) Resource Management Act (Historical Data) DISPENSATION (Non-Notified - Non Complying).

[5017100](#) 119 Lynn Street Dunedin

[LUC-2010-483](#) Land Use Consent establish an accessory building (garage) that breaches yard rules. This consent has since Lapsed.

[5103010](#) 59 Prospect Bank Dunedin

[RMA-2006-370684](#) Resource Management Act (Historical Data) SECTION 127 REVIEW OF CONSENT CONDITIONS. The outcome was s127 Upheld on 19/10/2006.

[RMA-2005-369649](#) Resource Management Act (Historical Data) LAND USE ASSOCIATED WITH 2 LOT SUBDIVISION FOR GARAGE NEXT TO NEW BOUNDARY (Non-Notified - Restricted Discretionary). The outcome was Granted on 12/12/2005.

[RMA-2005-369648](#) Resource Management Act (Historical Data) 2 LOT SUBDIVISION (Non-Notified - Non Complying). The outcome was Granted on 12/12/2005.

[RMA-1999-362814](#) Resource Management Act (Historical Data) construct second residential dwelling (Non-Notified - Non Complying). The outcome was Granted on 01/04/1999.

[RMA-1995-359228](#) Resource Management Act (Historical Data) ERECT UNIT (Non-Notified - Non Complying). The outcome was Granted on 29/01/1996.

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.

TRANSPORT

No Transport information was found for this property

As of the 24th April 2015, the Transport Group no longer inspects the site as part of a LIM. Only the electronic records since 2002 have been examined for Transport information in relation to the property.

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.

3 WATERS

WATER

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

FOUL SEWER AND WASTE WATER

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 **26th February 1997**.

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

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.

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

APPENDIX

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
- ABA Application Building Act 1991
- AMD Amendment to a Building Consent
- BC Building Consent
- BCC Building Compliance Certificate - Sale of Liquor Act
- BCM Building Complaint
- CER Certifier
- COA Certificate of Acceptance
- DGL Dangerous Goods Licensing
- ENV Health complaint
- HTH Health licence
- LIQ Liquor licence
- NTF Notice to Fix
- NTR Notice to Rectify
- PIM Project Information Memorandum
- POL Planning Other Legislation
- RMA Resource Management Act - Resource consent
- RMC Resource consent complaint
- WOF Building Warrant of Fitness

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



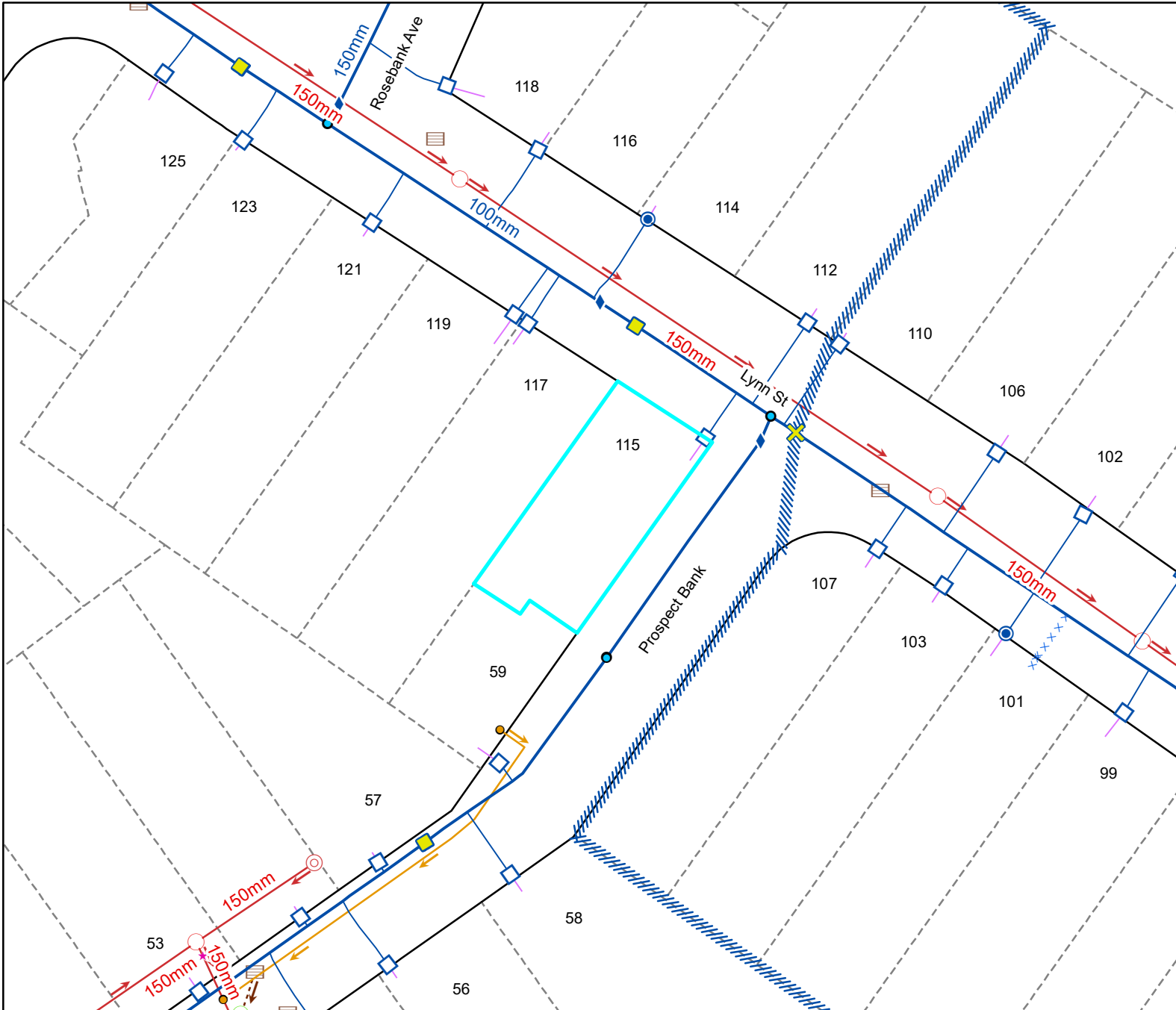
Photographic Map

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PARCEL LINES CAN VARY FROM
LEGAL PARCEL BOUNDARIES
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has been made to ensure correctness and
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Legend

Water Supply

	Manifold Box		Water Non-Return Valve
	Water Meter		Water Pump Station
	Toby		Water Bore
	Meter without manifold box		Water Treatment Plant
	Retic Flow Meter		Water Storage Tank
	Combination Meter		Supply Main
	Manifold Box With Restrictor		Trunk Main
	Water Valve - Zone		Disused
	Non Return Valve		Reticulation
	Water Valve - Gate		Scour
	Water Valve - Sluice		Water Service Lateral
	Water Hydrant		Water Fire Service Lateral
	Water Backflow Preventor - RPZ		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		Pump Station
	Valve Chamber (pressurised)		Treatment Plant
	Boundary Kit		Vent
	Non-Return Valve		Foul Sewer Node
	Pump Station Domestic		Foul Drains in Common (public)
	Drop Manhole		Sewer
	Inspection Manhole		Trunk Sewer
	Inspection Opening		Vent Line
	Lamphole		Rising Main
	Outlet		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		Roading Bubble-Up Tank
	SW Drop Manhole		Roading Mudtank
	SW Insp Chamber and Grating Inlet		Stormwater Main
	SW Inspection Manhole		Stormwater Trunk Main
	SW Inspection Opening		DCC Open Channel
	SW Lamphole		Piped WC
	SW Mudtank Inlet		Open WC
	SW Outlet		Culvert
	SW Pipe Inlet		Stormwater Mudtank Pipe
	SW Pressure Manhole		Redundant Stormwater Main
	SW Standard Manhole		SW Sump
	SW Stormwater Node		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		Parcel		Road/Rail
	Railway Centreline		Hydro		Motorway Parcels
			Strata		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.

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PARCEL LINES CAN VARY FROM LEGAL PARCEL BOUNDARIES
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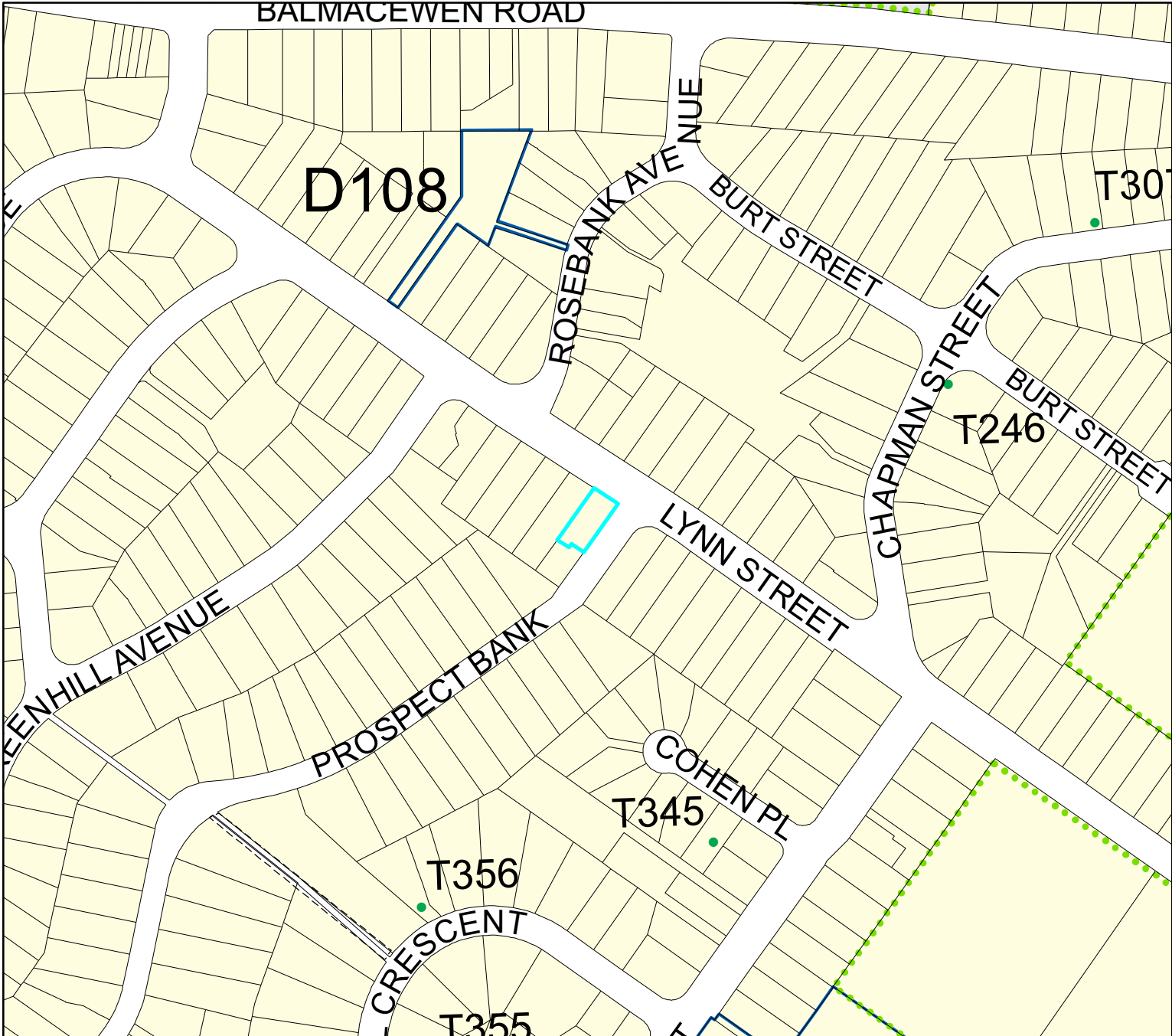
Second Generation District Plan

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Legend

- Significant Trees
 - ◆ Transpower Structure
 - Transpower Lines
 - Heritage Structure
 - Heritage Facade
 - ✕ DP Archaeological Sites
 - - - Airport Fan Designation 274 bdy
 - Port Height Restrictions
 - DP Designations
 - Urban Landscape Conservation Area
 - DP Taiari Aerodrome
 - Restricted Water Supply Area
 - Ground Water Protection Zone A
 - Ground Water Protection Zone B
 - Public Roads not Legal
 - Unformed Legal Road
- Port & Airport Noise**
- XXXX Air Noise Boundary
 - XXXX Airport Outer Control Boundary
 - XXXX Outer Port Control Boundary
 - XXXX Port Noise Boundary
- Esplanade Requirement**
- ◆◆◆ Esplanade Reserve Required
 - ◆◆◆◆ Esplanade Strip Required
- Landscape Management Boundary**
- outside boundary
 - boundary between areas
 - prominence boundary
- Townscape**
- Townscape and Heritage Precinct Boundary - Internal
 - Townscape and Heritage Precinct Boundary
- Pedestrian Frontage**
- Identified Pedestrian Crossing
 - Verandah Required
- Areas of Significant Conservation Value boundary**
- ASCV Boundary
 - ASCV Boundary - Internal
 - Areas of Significant Conservation Value (Estuarine edge)
 - Areas of Significant Conservation Value (Wetland)

Zones

 	R1 - Residential 1 Zone
 	R2 - Residential 2 Zone
 	R3 - Residential 3 Zone
 	R4 - Residential 4 Zone
 	R5 - Residential 5 Zone
 	R6 - Residential 6 Zone
 	R6A
 	Campus Zone
 	Airport Zone
 	Stadium Zone
 	CA - Central Activity Zone
 	LSR - Large Scale Retail Zone
 	LA1 - Local Activity Zone 1
 	LA2 - Local Activity Zone 2
 	In1 - Industrial 1 Zone
 	In2 or SD - Industrial 2 or Special Development Zone
 	Port 1 Zone
 	Port 2 Zone
 	RR - Rural Residential Zone
 	Rural Zone
 	H - Harbourside

Most detail not shown at scales smaller than 1:25,000
 Optimal scale range is 1:2000 - 1:5000
 This Planning Map is indicative.

The official Planning Maps are compiled within the District Plan (Volume 2). This map is a representation of the official maps. However, due to the ability to display these maps at different scales, and the dynamic nature of the underlying cadastre, some inconsistencies or misalignment of data may be depicted which is not visible on the official maps. Consult Dunedin City Council for any clarification.



Operative District Plan Map

Scale at A4:
 1:3,000
 7/06/2024
 8:02:02 PM

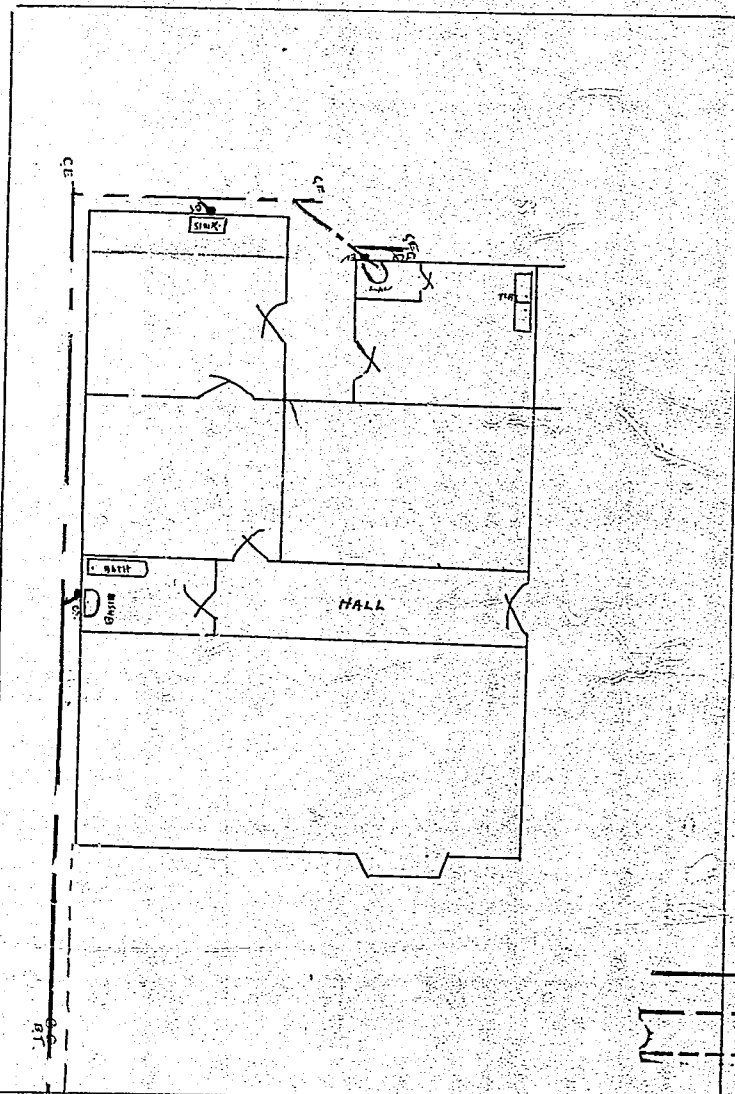


PARCEL LINES CAN VARY FROM LEGAL PARCEL BOUNDARIES
 This map is for illustration purposes only and is not accurate to surveying, engineering or orthophotographic standards. Every effort has been made to ensure correctness and timeliness of the information presented.

HOUSE CONNECTION PLAN.

SCALE $\frac{1}{8}$ in. to a foot.

NEW SEWERAGE DRAINS: RED
STORMWATER: DOTTED BLACK
OLD DRAINS: FULL BLACK



LEGEND

- Existing Drains
- - - New Foul Drains
- · · New Stormwater Drains

Owner Hasson

Block 112 U 73

Street Byron

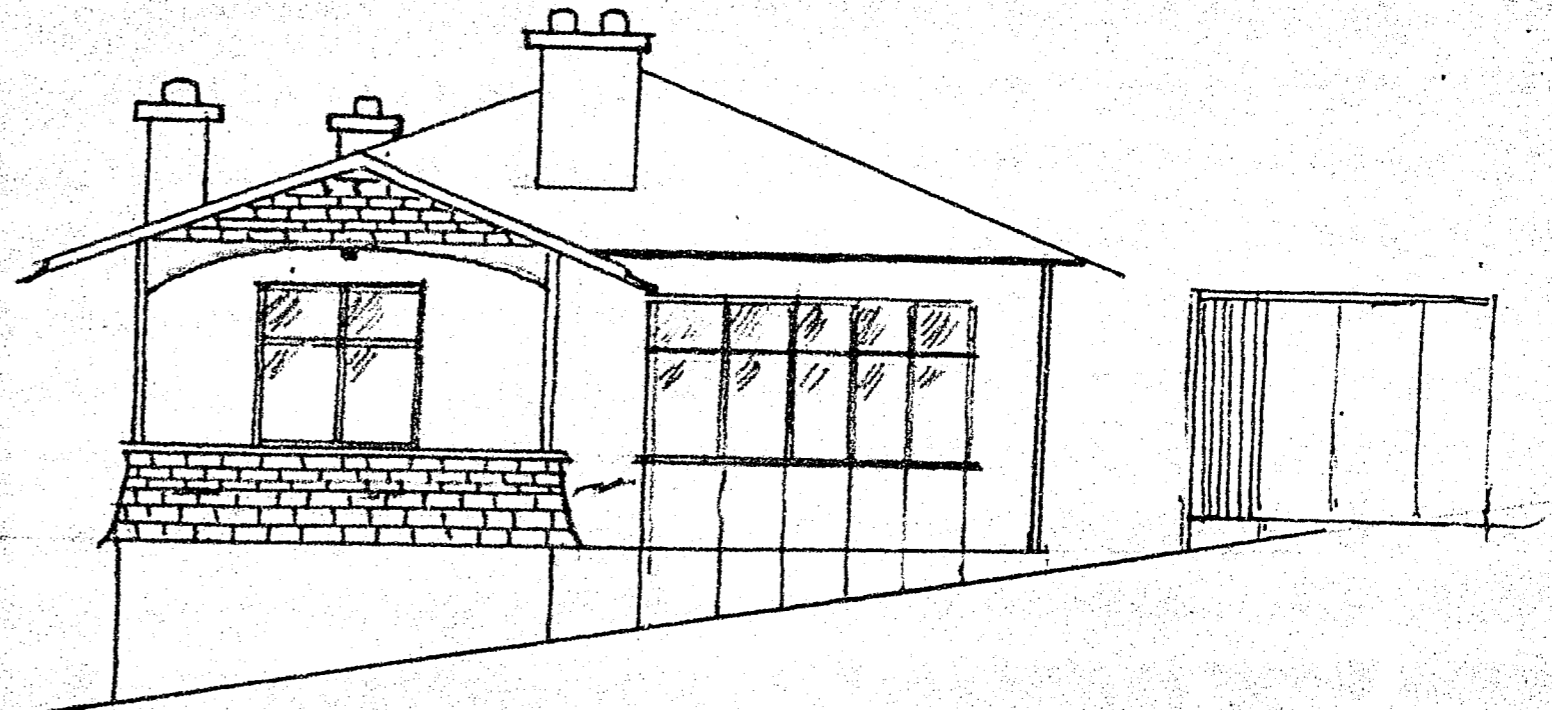
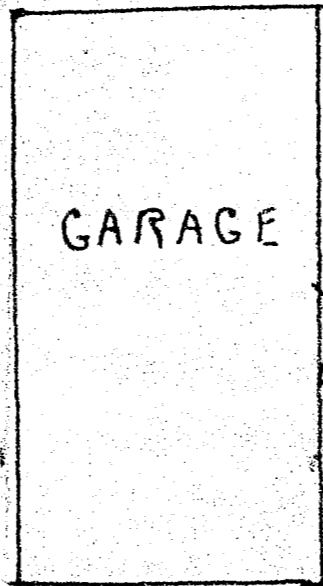
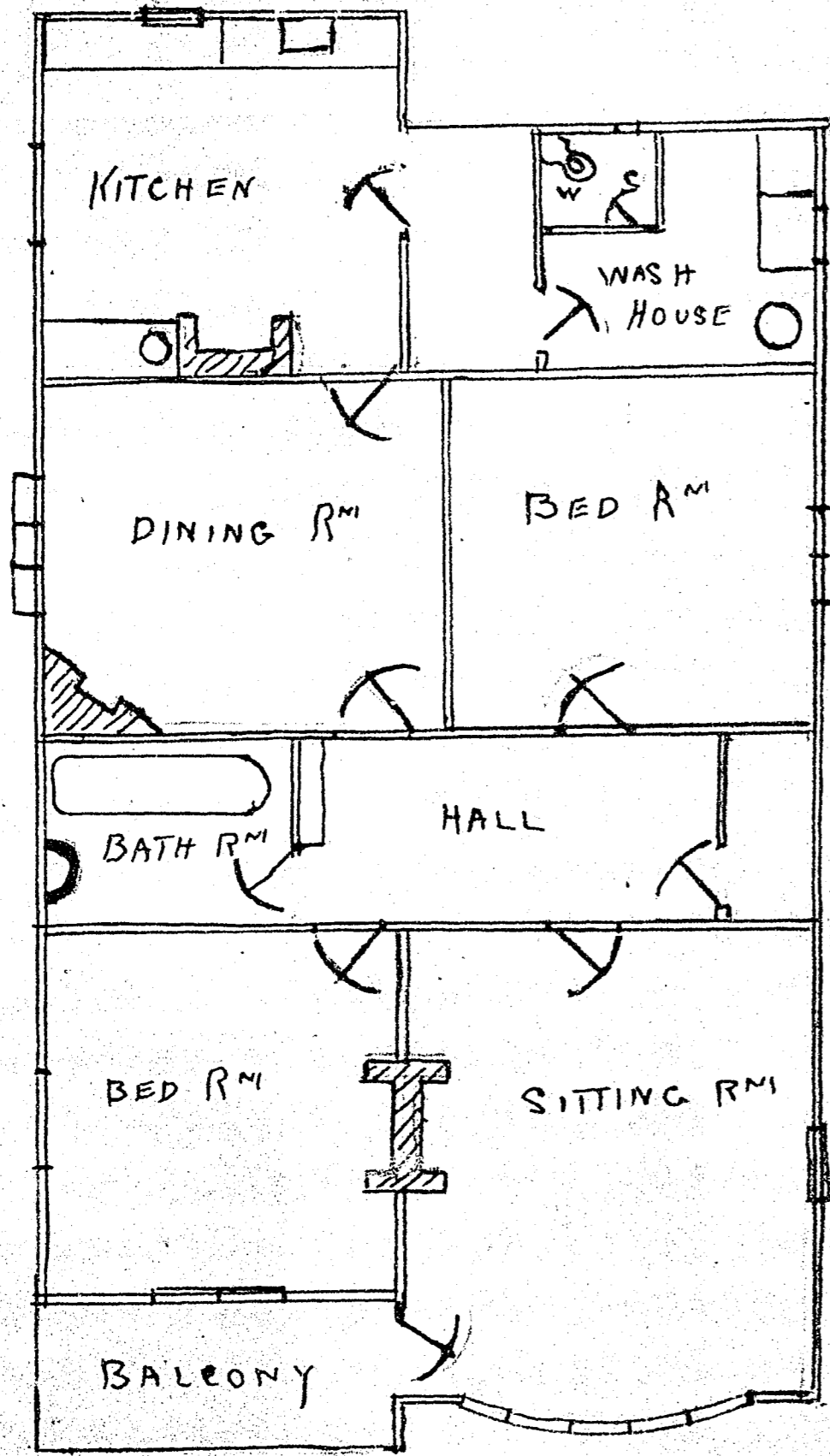
Section 10 4 P 6 17/12/19

Locality Starkovs

Allotment

Signature of Drainer Hammett Ferguson

PROPOSED DWELLING
for M^R H. HANNA



FRONT ELEVATION

Scale 1/8"

allot 10 of subdivision
of Sects. 15, 17, 19.
Block III, Upper Railway Dist.
Lynn Street

Sewer in Lynn St.
opposite the factory.

28/11/27.
H.D.

SKYLINE GARAGES

manufactured by Skyline Buildings Ltd,
64 A Wall's Rd, Penrose, Auckland. Ph. 598 821

CITY PLANNING DEPARTMENT

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

14/9/83

Signed *W.M. Kincaid*
for City Planning Officer

Res 1/Res A

1:200

DUNEDIN CITY CORPORATION
COPY OF APPROVED PLAN
OR SPECIFICATION
TO BE RETAINED ON WORKS
AND PRODUCED ON REQUEST
OF BUILDING INSPECTOR.

DATE 21.9.83

R. J. Jennings CITY ENGINEER

New garage to
replace existing

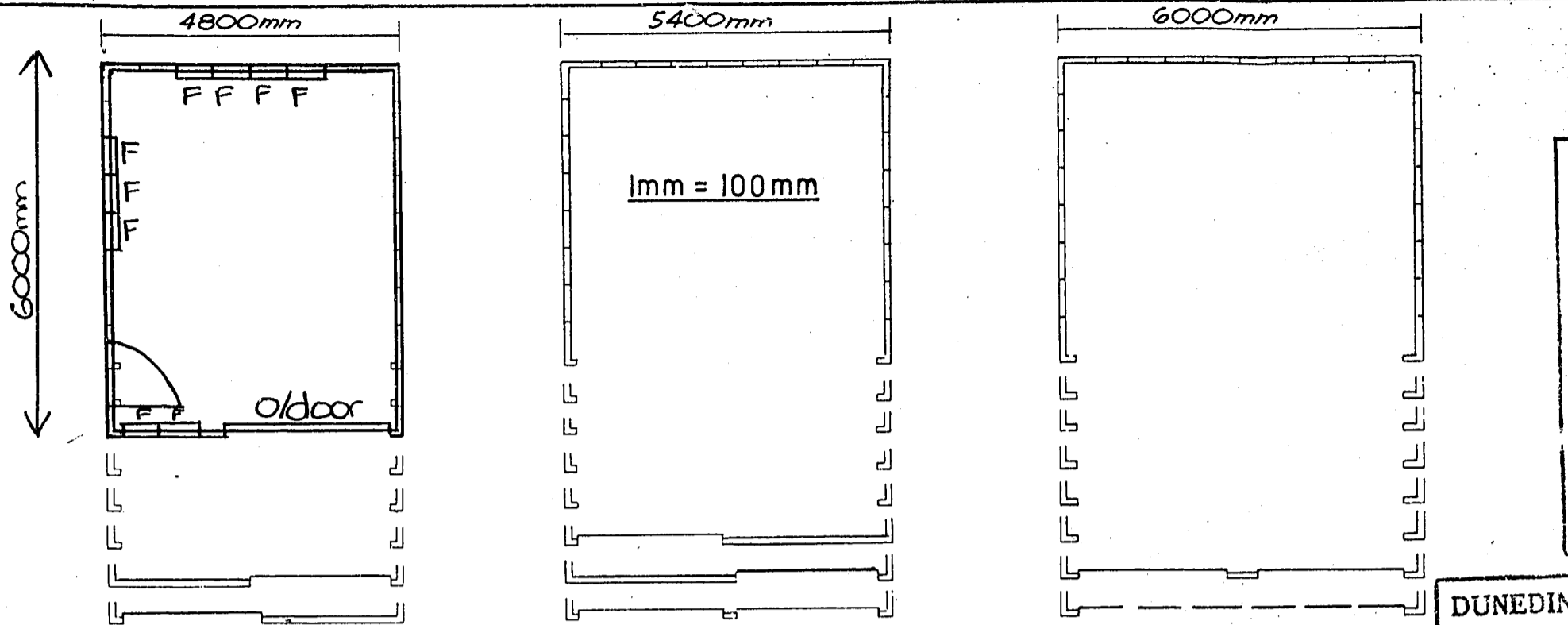
House

Lynn Street

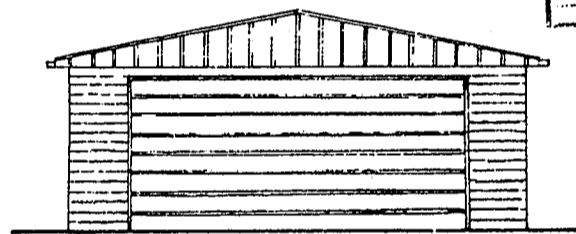
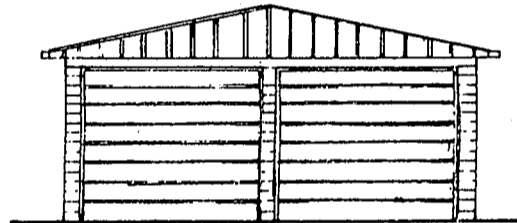
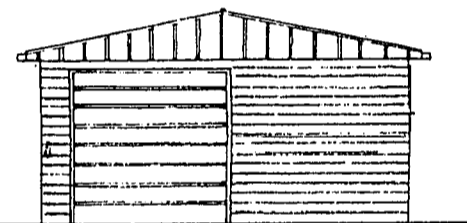
This permit is issued subject to the
additional conditions shown on the
back hereof.

SITE PLAN 1mm = 200mm.

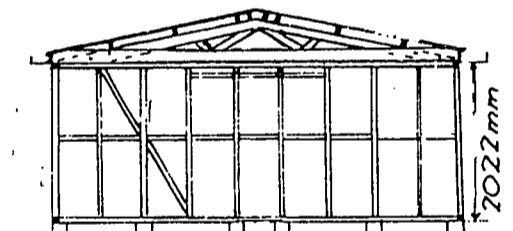
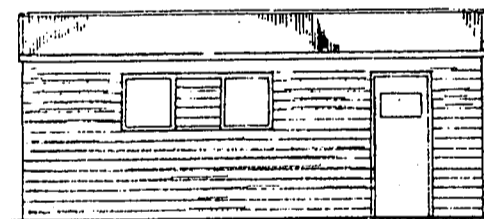
5666



SLAB: 100mm thick with edges thickened to 300mm &
reinforced with 12Øm.s.rods.

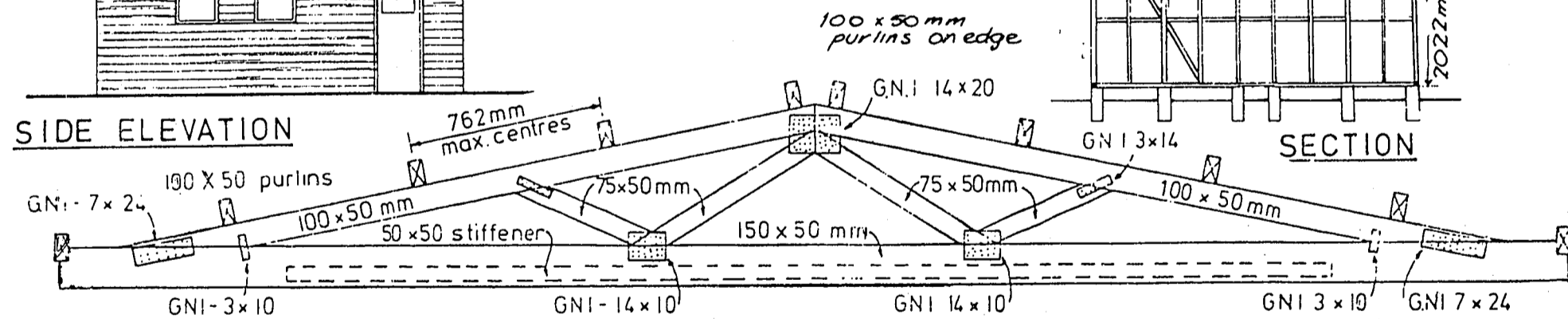


ELEVATION



SIDE ELEVATION

SECTION



DETAIL OF 6000mm TRUSS

AUTOMATED BUILDING COMPONENTS (NZ) LTD.
DESIGN CERTIFICATE No. 4239

SCALE 1:25mm

Trusses for 5400mm and 4800mm exactly the same but scaled down to suit.

- SPECIFICATIONS:**
- Foundations:** 200 x 150mm concrete piles at 1200mm & 600mm centres under studs or continuous concrete dwarf walls or complete floors
 - Dampcourse:** 2 ply d.p.c. under all plates
 - Framing:** All timber is borac treated machine gauged radiata. All framing is housed i.e. studs checked into plates & nogs checked into studs. Studs at 600mm centres top and bottom plates and nogs - 100 x 50mm.
 - Wall Braces:** 75 x 50mm cut on edge
 - Door Beams:** Minimum 150 x 50mm with minimum of 13mm check in at each end
 - Roof trusses and purlins:** as per detail drawing placed over studs at 1800mm and 2400mm centres to suit.
 - Dragon ties:** 75 x 50mm at 45° over top plate to each corner.
 - Roofing:** 26g. galv. corr. iron single sheets. **Ridging:** 26g. galv. lead edged. **Walls:** 26g galv. metal weatherboards.
 - Sputing:** 24g. galv. iron gutters fixed ea. side. **Downpipes:** 75 x 50mm galv. iron. **Doors:** 24g. or 26g. metal doors on overhead gear or galv. roller doors.

GARAGE, SHED at 115 Lynn Street, Dunedin for Mr. M. Thomson

CITY ENGINEER'S OFFICE

Required level at Street Boundary Any entrance or fence shall be at a level of Existing level of path and

constructed to the same grade as the adjoining street.

Vehicle Crossing-Fee / Deposit Existing

Special Conditions \$25 Deposit for reinstatement

J. Millar For City Engineer Date 21/9/83

NOTE This endorsement overrules any levels or instructions shown on the plan.

A separate application to the Drainage Board for plumbing and/or drainage work is required. Such work shall comply fully with the Plumbers, Gasfitters and Drainlayers Act 1976, Plumbers, Gasfitters and Drainlayers Regulations 1977, Drainage and Plumbing Regulations 1978, and the Board's By-laws.

Stormwater to be discharged to STREET CHANNEL

PLUS ANY SETBACK DRIVEWAY

J. Mack 20-9-83

CODE COMPLIANCE CERTIFICATE

Section 43(3), Building Act 1991

ISSUED BY:



Telephone No:	477-4000	CCC No:	ABA 982017	Reference No:	5017098
---------------	----------	---------	------------	---------------	---------

COPY

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

PROJECT LOCATION	PROJECT
Name and Mailing Address: RUSSELL, DAVID GRAY C/O DARUNESLI TRUST P O BOX 6010 DUNEDIN 9030	All <input checked="" type="checkbox"/> Stage Noof an intendedstages New Building <input type="checkbox"/> Alteration <input checked="" type="checkbox"/>
LEGAL DESCRIPTION Property Number: 5017098 Valuation Roll No: 26950 11500 Street Address: 115 LYNN STREET, DUNEDIN 9001 Legal Description: LOT 1 DP 24904	Intended Use(s) in detail: ALTER DWG/PLB & DRGE Intended Life: indefinite, not less than 50 years <input checked="" type="checkbox"/> Specified as years Demolition <input type="checkbox"/>

This is:

- A final code compliance issued in respect of all of the building work under the above building consent.
- An interim code compliance certificate in respect of part only, as specified in the attached particulars, of the building work under the above building consent.
- This certificate is issued subject to the conditions specified in the attached page(s) headed "Conditions of Code Compliance Certificate No:....." (being this certificate).

The Council charges payable on the uplifting of this code compliance, in accordance with the attached details are: \$
Receipt No:

Signed for and on behalf of the Council:

Name: *[Signature]*

Position: AUTHORISED OFFICER

Date: 30/06/2002

BUILDING CONSENT



Section 35, Building Act 1991

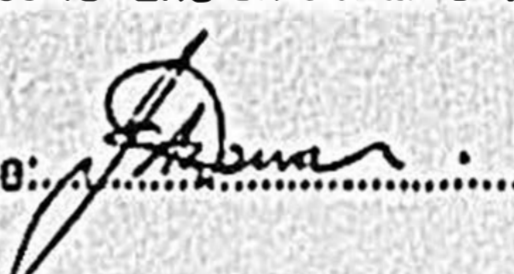
ISSUED BY:

DUNEDIN CITY COUNCIL

50 THE OCTAGON. P.O. BOX 5245, DUNEDIN 9031, NEW ZEALAND. TELEPHONE: (03) 477-4000. FACSIMILE: (03) 474-3594

Telephone No:	477-4000	Consent No:	ABA 982017	Reference No:	5017098
---------------	----------	-------------	------------	---------------	---------

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

APPLICANT	PROJECT
Name: RUSSELL, DAVID GRAY C/O DARUNESLI TRUST P O BOX 6016 DUNEDIN 9030	All <input checked="" type="checkbox"/> Stage No of an intendedstages
PROJECT LOCATION	New Building <input type="checkbox"/> Alteration <input checked="" type="checkbox"/>
Street Address: 115 LYNN STREET, DUNEDIN 9001	Intended Use(s) in detail: ALTER DWG/PLB & DRRGE
LEGAL DESCRIPTION	Intended Life:
Property Number: 5017098 Valuation Roll No: 26950 11500 Legal Description: LOT 1 DP 24904	Indefinite, not less than 50 years <input checked="" type="checkbox"/> Specified as years Demolition <input type="checkbox"/>
COUNCIL CHARGES	Signed for and on behalf of the Council:
The balance of Council's charges payable on uplitting of this building consent, in accordance with the tax invoice are: Total: \$	Name:  Position: AUTHORISED OFFICER Date: 17/08/1998
ALL FEES ARE GST INCLUSIVE	

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....."

115 LYNN ST

DUSSELL

(DUNESCU TRUST)

TO BE ALTERED.

(F.F.L. 269.44)
existing dwelling

(slab 268.51)
existing garage

~~DELETED~~

new residence

- 100mmØ Hovaflo fold drain at ground floor level refer to section a-a.
- 250x250x250 deep conc. sump with 6mm gal'd m.s. lid & 100mm dia Upvc outlet under slab.
- New timber deck refer to specification Appendix for details.
- Existing garage to be removed (conc. Pad remains).
- Existing Rata tree remains.
- 125 x 125 H3 post fixed to 6mm gal'd. steel bracket cast into slab with 2-M12 gal'd. bolts.
- Batter to 45° ready for terracing. (Terracing not in contract).
- Selected Cobblestone paving to path, steps & driveway with ex 100 x 25 H3 edging.
- New concrete 3000mm wide domestic street crossing.
- Everdrain 250x250 Rainwater Pit set flush with surrounding paving and discharging into field drain.
- 100mm dia. Stormwater Drain to discharge into street channel.
- Foul Sewage sump & pumping system with outlet taken to the Foul Sewer in Prospect Bank (refer to specification for outlet size).
- 100mmØ Hovaflo fold drain in crushed metal.
- 100mmØ Hovaflo fold drain from base of batter.

b-b
3

a-a
3

unexcavated **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
Drainage
Health

Date 11-8-98
Date
Date

NOTE

(Not with the Consent.)

~~DELETED~~

Top of batter

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

Residential A (Dunedin) Signed [Signature]
Form Residential A (proposed) Dated 10/10/98

Amended Plan and/or Specification [Signature]

by [Signature]
Date 5/8/98

garage
slab level = 264.7m

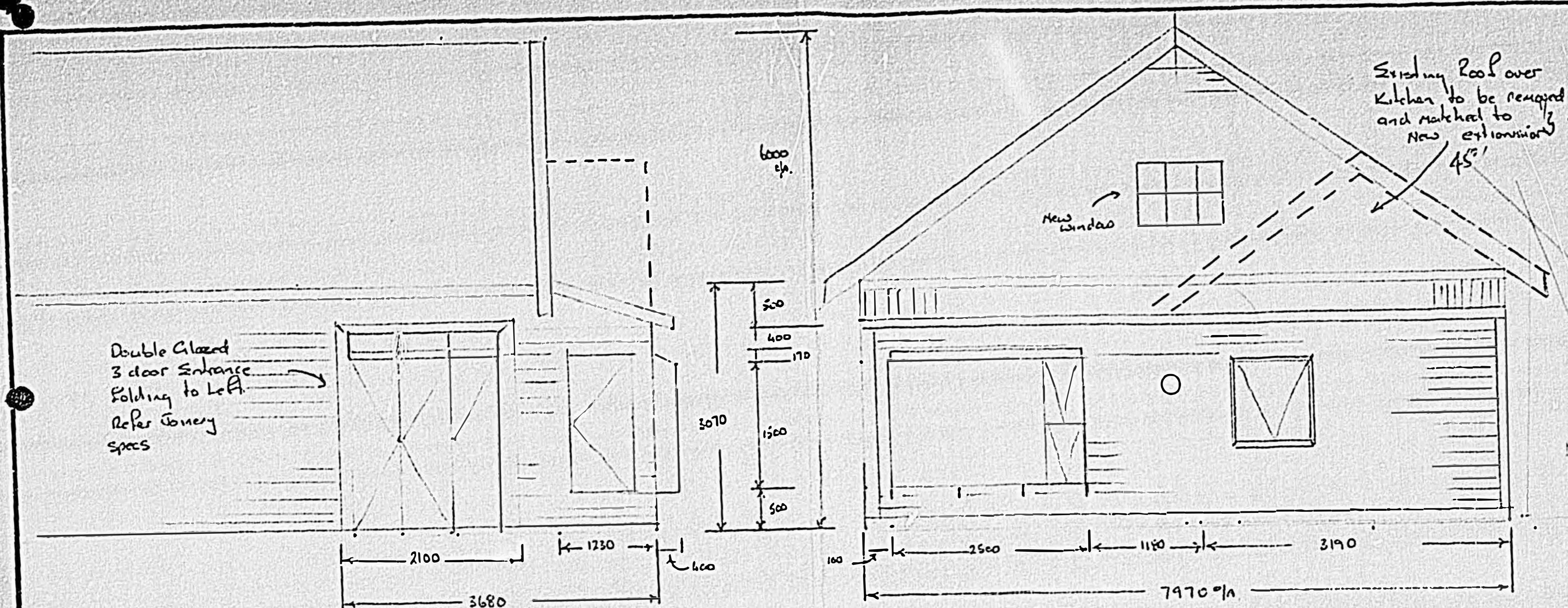
100 900 100 2900
100 1000

98/2017.

site/drainage plan

basement floor plan

46% site coverage excluding garage shown to be removed.



Double Glazed
3 door Entrance
Folding to Left.
Refer Joinery
Specs

Existing Roof over
Kitchen to be removed
and matched to
New extension
45°

WEST WALL

SOUTH WALL

98-2017

MILTON KEYNES CITY COUNCIL
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

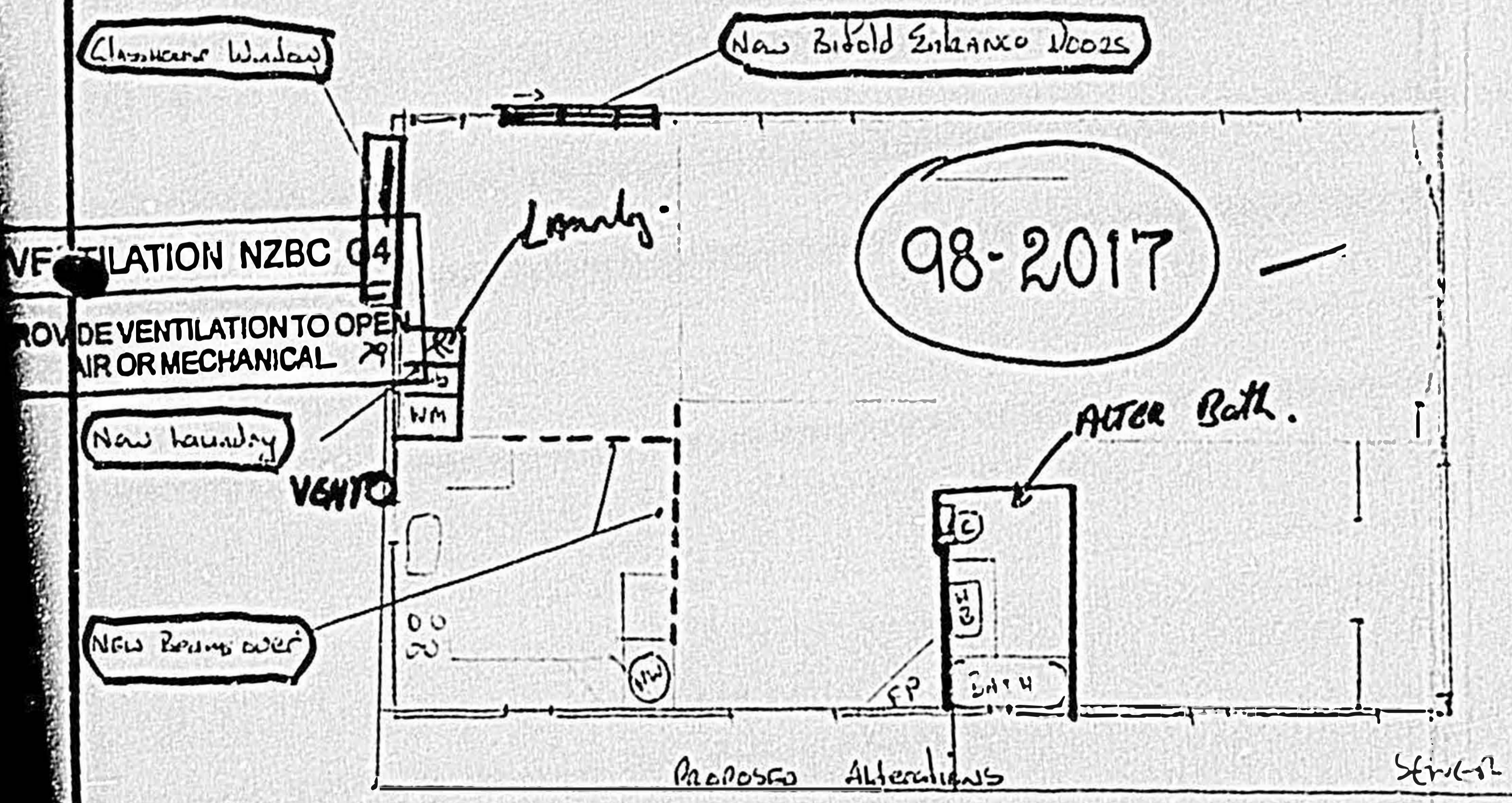
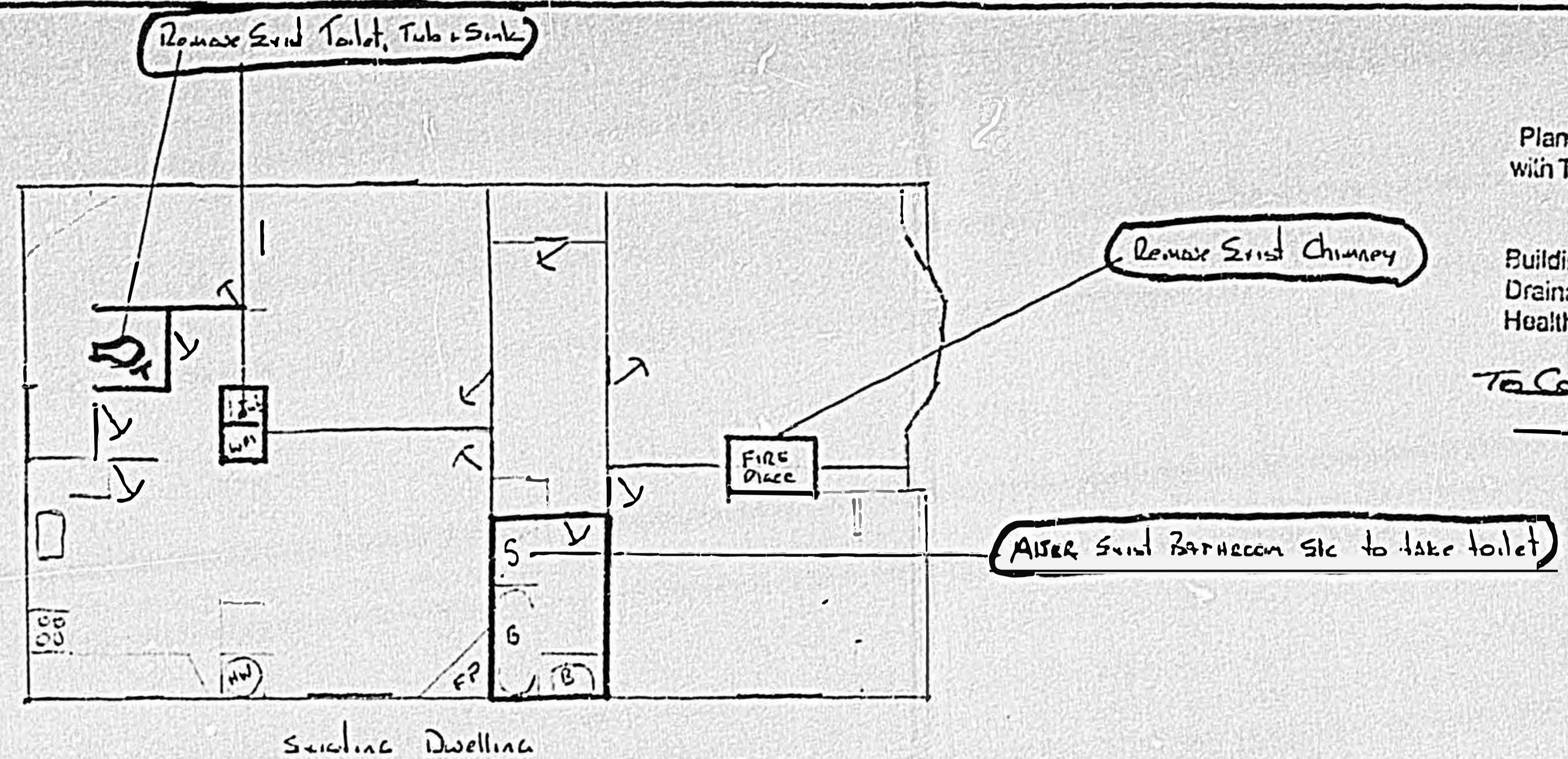
Residential 1
200 Residential 1

Signed: [Signature]
Date: 10/2/78

DRAWN BY	DRAWING No	Russell Res 115 Lyn St Proposed New Extension ST11 WEST corner	EXCEL	V. GOOD	GOOD	FAIR	POOR
DATE	SCALE		LINE QUALITY				
			INTERPRETATION				
			ACCURACY				
			LAYOUT				

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 *EL* Date 11-8-98.
 Drainage *AL* Date 17-7-98
 Health Date

NOTE
 To Comply with the NZ Building Code.



115 Lynn St. Dunedin

Lynn S

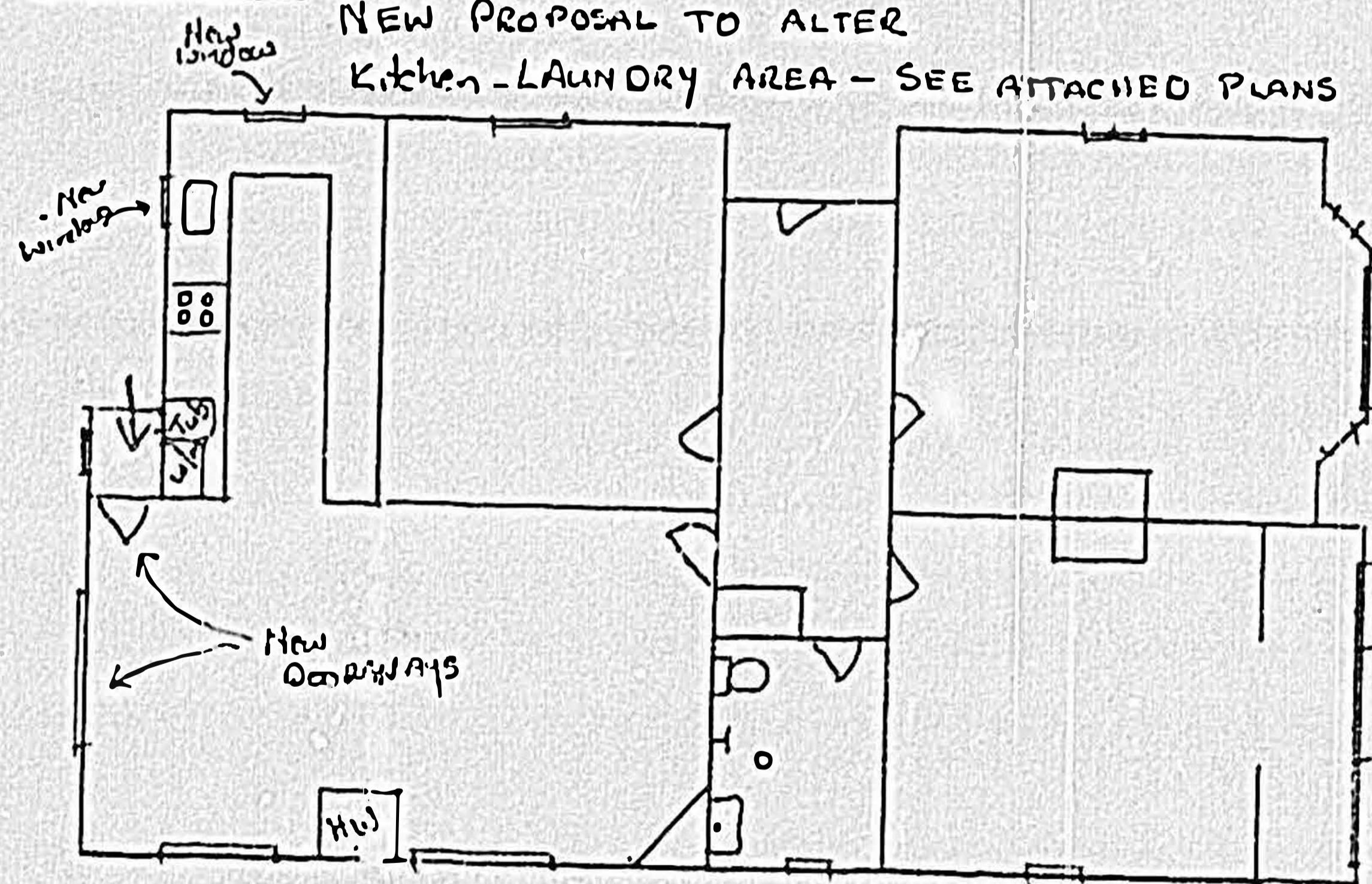
DRAWN BY	DRAWING No.	Russell Res 115 Lynn St.	EXCEL	V GOOD	GOOD	FAIR	POOR
DATE	SCALE		LINE QUALITY	INTERPRETATION	ACCURACY	LAYOUT	

EXISTING DWELLING



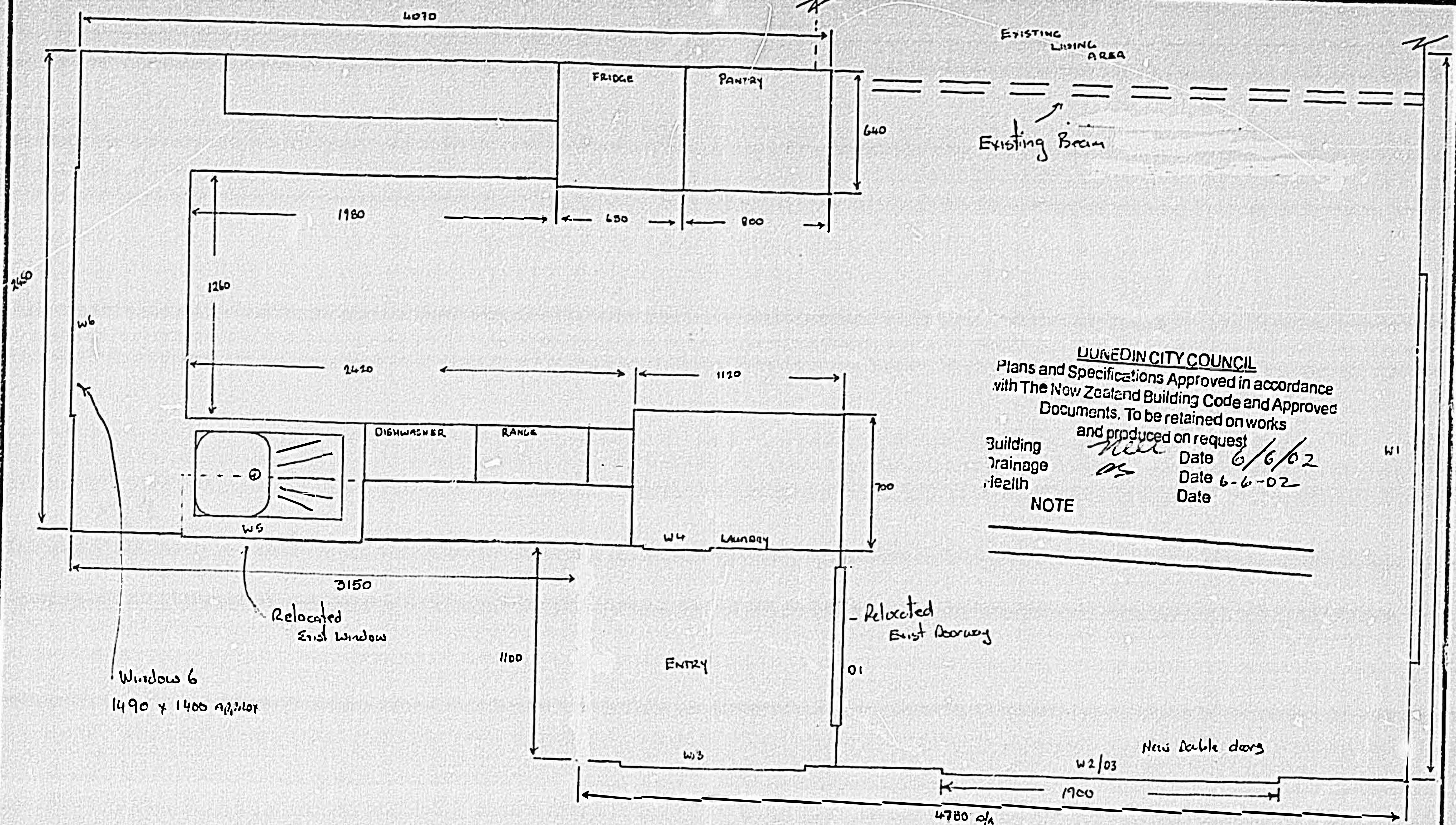
Bathroom Detail ALTERNATIVE. REFER 98-2017 11/8/98
SEE ATTACHED PLAN 4/02 REVISIONS

NEW PROPOSAL TO ALTER
Kitchen - LAUNDRY AREA - SEE ATTACHED PLANS



PROPOSED FINISHED LAYOUT

RUSSELL RESIDENCE
115 LYNN ST WAKARI



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 *Nil* Date 6/6/02
 Drainage *as* Date 6-6-02
 Health Date

NOTE

PROPOSED KITCHEN LAYOUT
 D.G. RUSSELL 115 LYNN ST



DUNEDIN CITY COUNCIL

Kaunihera-a-rohe o Otepoti

50 The Octagon, PO Box 5045, Moray Place
Dunedin 9058, New Zealand
Telephone: 03 477 4000, Fax: 03 474 3488
Email: dcc@dcc.govt.nz
www.dunedin.govt.nz

CODE COMPLIANCE CERTIFICATE

DCCBCA-F4-07-v2.0

Section 95, Building Act 2004

CCC NO:	ABA-2010-1017	Telephone No:	03 477 4000
APPLICANT		PROJECT	
G Platt 115 Lynn Street Dunedin 9010		Work Type: Alterations/Repairs	
PROJECT LOCATION		Intended Use/Description of Work:	
115 Lynn Street Dunedin		Install Fire, Woodsman MkIV, Wetback, Remove Existing Chimney	
LEGAL DESCRIPTION		Intended Life:	
Legal Description: LOT 1 DP 379029		Indefinite, not less than 50 years.	
Valuation Roll No: 26950-11501		This CCC also applies to the following Amended Consents:	
Building Name: N/A		N/A	

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:

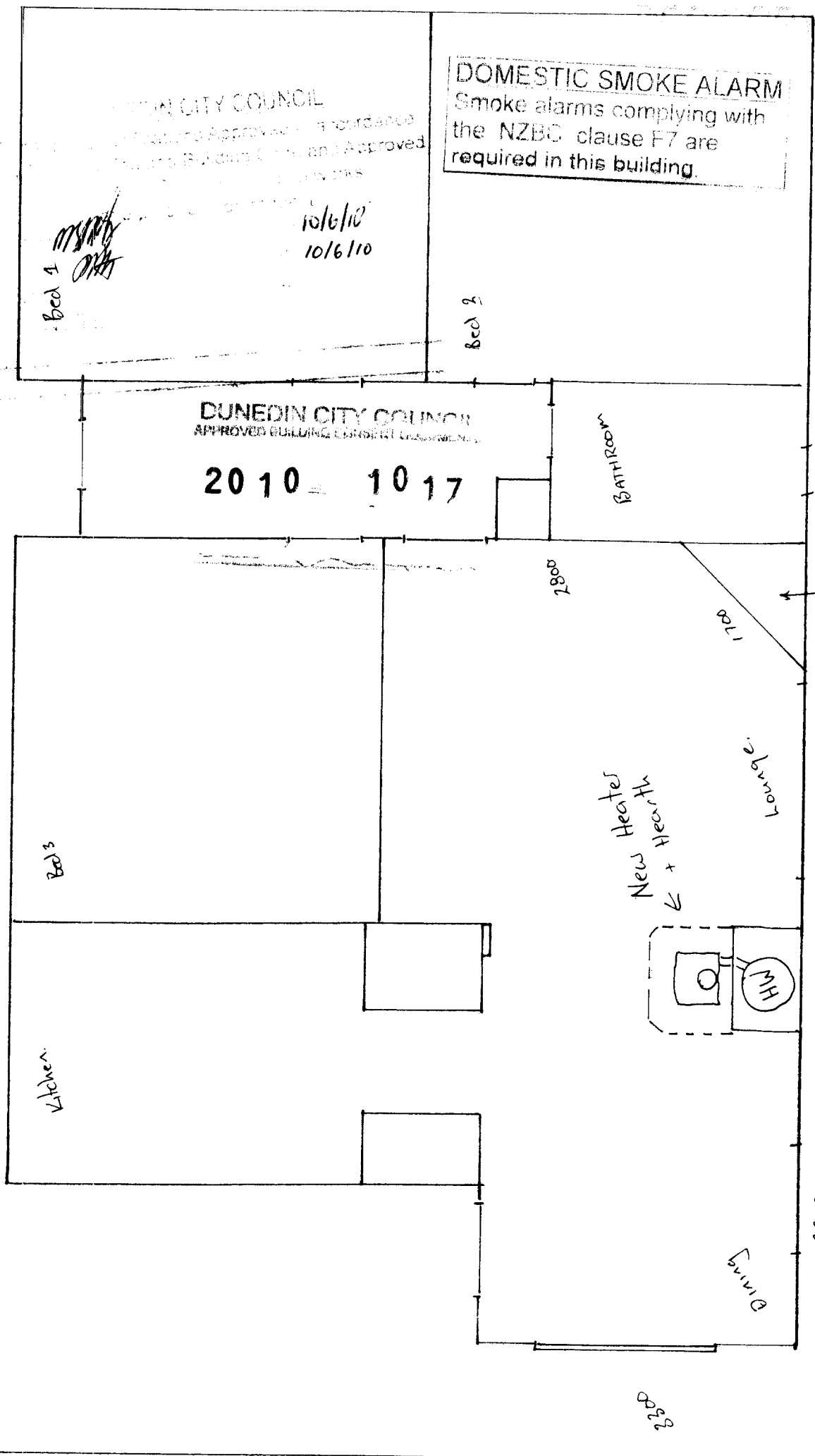
TEAM LEADER INSPECTIONS

Date: 7 September 2011

G Plath S M Russell

1:50 g.c.

Dwelling: 115 Lynn St WAKARI



Reference: RMA 20060922, 5017098, 149292
Enquiries to: Stephanie Prole

19 October 2006

D.G. Hatfield & Associates
PO Box 235
DUNEDIN

Attention: Gary Bates

Dear Gary

RESOURCE CONSENT APPLICATION: RMA 20060922
115 & 115A LYNN STREET
DUNEDIN

Your application for a variation to Resource Consent RMA20051061, lodged pursuant to Section 127 of the Resource Management Act 1991, was processed on a non-notified basis in accordance with Sections 93 and 94 of the Resource Management Act 1991. A Senior Planner considered the application under delegated authority on 19 October 2006.

I advise that the Council has **granted** consent to the application. The full text of the decision commences on page 3. The consent must be given effect to within five years, in accordance with section 125 of the Resource Management Act.

DESCRIPTION OF ACTIVITY

Resource consent RMA 20051061 (subdivision) and RMA20061062 (land use) were issued on 13 December 2005 for the subdivision of the site and retention of the existing accessory building at the properties at 115 and 115A Lynn Street, Dunedin. A reserves contribution was required as a condition of consent for the additional site to be created, and was calculated at \$3000.00 (inclusive of GST).

The applicant has requested a variation to this condition of this consent, to reflect the calculations used in Council's Development Contributions policy implemented on 3rd July 2006, which requires a financial contribution of \$331.83 plus GST per additional site.

REASONS FOR APPLICATION

Section 127 of the Resource Management Act 1991 states:

(1) The holder of a resource consent may apply to a consent authority for a change or cancellation of a condition of the consent subject to the following:

- a. The holder of a subdivision consent must apply under this section for a change or cancellation of the consent before the deposit of the survey plan (and must apply under section 221 for a variation or cancellation of a consent notice after the deposit of the survey plan); and*
- b. No holder of any consent may apply for a change or cancellation of a condition on the duration of the consent.*

(2) Repealed.

(3) Sections 88 to 121 apply, with all necessary modifications, as if –

- (a) The application were an application for a resource consent for a discretionary activity; and*

(b) The references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.

(4) For the purposes of determining who is adversely affected by the change or cancellation, the local authority must consider, in particular, every person who-

(a) Made a submission on the original consent application; and

(b) May be affected by the change or cancellation.

Application for Sections 223 and 224(c) was submitted on 28 September 2006, however this certification has not occurred, nor has the plan been deposited. Accordingly, the Council is able to consider the application under section 127(1)(a) of the Resource Management Act 1991.

As stated in section 127(3)(a) of the Resource Management Act 1991, the application is a **discretionary activity**.

EFFECTS ASSESSMENT

Affected Persons

The original application was processed on a non-notified basis, and no persons were considered adversely affected by the subdivision.

The proposed variation to the reserves contribution will not increase the effects on the environment nor give rise to additional adverse effects on the environment, beyond those considered as part of the original consent. As such, I do not consider that any additional affected party approvals are required as a result of this variation.

Effects on the Environment

The change in condition has been sought due to Council's shift in policy for the levying of reserves contributions for new developments.

Council's practice at the time the consent was granted, was to levy the reserves contribution pursuant to the transitional provisions contained in Section 407 of the Resource Management Act 1991, which required a financial contribution for reserves on subdivisions that created additional lot(s). The contribution was calculated at a maximum of 7.5% of the land value of the additional lots created.

Council has now implemented a Development Contribution Policy under the Local Government Act 2002 effective from 3 July 2006. The new policy represents a substantial shift in the way reserves contributions are calculated, and requires a flat fee payment of \$331.83 (excluding GST) for each additional allotment. This policy lies outside of the resource consent process.

Prior to the formal implementation of this policy in July, Council applied the recommended contributions on an interim basis, when setting resource consent conditions, as these contributions were considered to reflect a 'fair and reasonable' assessment of the City's requirements. Council is required to consider such a 'fair and reasonable' test, when setting conditions on resource consents, and such a test is also relevant in considering this current request. Whilst the variation requested represents a decrease in contribution of \$2626.69, it is not considered to give rise to additional adverse effects on the environment from the subdivision, and it will reflect Councils' best assessment of reserves contribution resulting from current growth estimates.

It is also noted that the applicant could achieve the same result as requested, by reapplying for, and being granted new subdivision consent for the same proposal.

CONSENT DECISION – RMA 20060922 – (CHANGE OF CONDITIONS FOR RESOURCE CONSENT RMA 20051061)

That pursuant to sections 34A and 127(1) of the Resource Management Act 1991 and after having regard to section 104 of the Act, the Dunedin City Council **upholds** the request for the change of conditions of resource consent decision RMA 20050605, by varying condition 3(b).

The amended conditions of RMA 20051061 shall now read as follows:

Subdivision Consent RMA 20051061.

That pursuant to section 34A(1) and 104B and after having regard to Part II matters and sections 104 and 104D of the Resource Management Act 1991 the Dunedin City Council **grants** consent to a **non-complying** activity being the subdivision of the land at 115 Lynn Street, Dunedin, being the land legally described as Lot 1 DP 24904 (CT16D/942) and subject to the following conditions imposed under sections 108 and 220 of the Act:

- (1) The proposal shall be undertaken generally in accordance with plan titled 'Plan of proposed subdivision of Lot 1 DP24909, Plan No. 6731/1 dated Sept 2005' and the details submitted with the application RMA20051061 and RMA20051063 received by Council on 17th November 2005 except where modified by the following conditions of consent.
- 2 Prior to certification of the survey plan pursuant to section 223 of the Resource Management Act 1991, the applicant shall ensure the following:
 - a. Easements for all private drainage and access created or reserved as required shall be included on a Memorandum of Easements shown on the face of the Plan.
 - b. If a requirement for any easements for services is incurred during the survey then those easements shall be granted or reserved and included in a Memorandum of Easements.
- 3 Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the applicant shall complete the following:
 - a. The vehicle access to Lot 2 is to be hard surfaced and adequately drained from the edge of the footpath to the front of the garage to a width at least equal to the width of the garage door.
 - b. A reserves contribution of ~~\$3,000.00~~ \$373.31 (GST inclusive) shall be paid.
~~This has been calculated as follows:~~
$$7.5\% \times \$40,000 = \$3,000 \text{ (Total including GST)}$$

Land Use Consent RMA20051062

That pursuant to section 34A(1) and 104C and after having regard to section 104 of the Resource Management Act 1991, the Dunedin City Council grants consent to the **discretionary (restricted) activity** being the being the continued occupation of an accessory building i.e. garage within the side and rear yards on land at Lot 1 115 Lynn Street, being the land legally described as Lot 1 DP 24904 (CT16D/942) subject to the following condition imposed under section 108 of the Act:

1. The proposal shall be undertaken generally in accordance with the details submitted with the application RMA20051063 received by Council on 17th November 2005.

The advice notices included in the decision on RMA 20050605 remain unchanged.

REASONS FOR DECISION

Any actual or potential effects on the environment of allowing this variation will be no more than minor for the following reasons:

1. The variation is not considered to give rise to additional adverse effects on the environment, beyond those considered as part of the original consent. Therefore, no parties are considered affected by the variation.
2. The variation will not impact upon the objectives and policies of the District Plan.
3. The request is consistent with the provisions in the current Development Contribution Policy.

Yours faithfully



Stephanie Prole
PLANNER

Reference: RMA20051061 and 1062/5017098 & 5103010/147345
Enquiries to: Grant Finn
Direct Phone: 474 3489

13th December 2005

DG Hatfield & Ass.
PO Box 235
DUNEDIN

Dear Cassino

RESOURCE CONSENT APPLICATION: **RMA20051061 (subdivision)**
RMA20051062 (land use)
115 & 115A LYNN STREET
DUNEDIN

Your application for resource consent to subdivide the site at 115 and 115A Lynn Street, Dunedin, and land use consent for the retention of an existing accessory building within the side and rear yards on proposed Lot 1 was processed on a non-notified basis in accordance with section 93 and 94 of the Resource Management Act 1991. A Senior Planner – Consents considered the application under delegated authority on 12th December 2005.

I advise that the Council has **granted** consent to the application. The full text of the decision commences on page 3. The consent must be given effect to within five years, in accordance with section 125 of the Resource Management Act.

DESCRIPTION OF ACTIVITY

Resource consent is sought to subdivide the land at 115 and 115A Lynn Street, Dunedin. The subdivision includes the creation of the following lots:

- Lot 1 with an area of 445m²
- Lot 2 with an area of 347m².

A residential dwelling is contained within each of the proposed lots and each has existing frontage and access arrangements with Lynn Street (Lot 1) and Prospect Bank (Lot 2). Proposed Lot 1 also contains an accessory building. Land use consent is being sought for the retention of the existing garage, as it is located within 2.0m of the respective side and rear yards.

The site is elevated above the road, is flat throughout, is legally described in Lot 1 DP 24904 (CT 16D/942) and has a total land area of 792m².

DISTRICT PLAN PROVISIONS

The site is zoned **Residential 1** in the Dunedin City District Plan.

Subdivision.

Subdivision in the Residential 1 Zone is a discretionary (restricted) activity provided that the resulting sites comply with the Zone's minimum site area of 500m² and minimum frontage of 3.5 metres – Rules 8.7.2(xii)(a) and (b) respectively. Both new allotments will meet the minimum frontage requirements however the lots are less than the prescribed 500m². The subdivision is therefore **non-complying** activity in accordance with Rule 18.5.2.

Land Use.

Residential activity at a density of not less than 500m² or on an existing site of any size is a permitted activity subject to performance criteria set out in Rule 8.7.2.

Accessory buildings to residential activities are permitted under Rule 8.7.1 provided the structures comply with the performance criteria set out in Rule 8.7.2.

The accessory building fails to comply with the following rules:

- Rule 8.7.2(i)(a), which requires a side and rear yard of 2.0m. Side and rear yards of 1.0m are proposed.

In accordance with Rule 8.7.4(i), a permitted activity that fails to comply with the conditions contained within Rule 8.7.2 is considered to be a **discretionary (restricted) activity**. The Council's discretion is restricted to the condition with which the activity fails to comply.

EFFECTS ASSESSMENT

Affected Persons

No affected party consent forms were submitted in support of the activity. It is considered that the effects of the activity are currently in existence and have been previously established through resource consent RMA990208 that was granted on the 1st April 1999 for the establishment of residential unit on proposed Lot 2. In addition, the proposed boundaries represent the existing occupation.

A search of Council records evidences that building consent ABA 963031 for the construction of the second dwelling has since lapsed. Discussions with Building Control Officer - Mr. P Gillespie indicate that this does not represent an issue as the building consent can be re-activated at any stage.

The building that has been erected on proposed Lot 2 is consistent in terms of scale and design with the drawings that were submitted in support of RMA990208.

Effects on the Environment

The following assessment of effects on the environment has been carried out in accordance with section 104(1) of the Resource Management Act 1991. It addresses those assessment matters listed in Section 8.13 of the District Plan considered relevant to the proposed activity, and is carried out on the basis that the environment is characterised by medium-low density residential housing on single fully serviced allotments.

Any actual or potential effects on the environment of allowing this proposal to proceed will be no more than minor for the following reasons:

1. Sustainability (8.13.1, 18.6.1(b), 18.6.1(d, j))

The proposal is in part consistent with the objectives and policies of the Sustainability section of the District Plan. Whilst the subdivision does not comply with the minimum requirements for the zone in terms of density, it is anticipated that any effects were likely to be those anticipated by the Residential 1 zone and the granting of subsequent resource consent for residential activity in 1999. As the subdivision will physically result in the creation of a new site, the amenity values and character of the residential area and existing occupation will be maintained. In addition, the proposal does not require any extensions to Council's infrastructure services as these are currently in existence.

2. Bulk and Location, Amenity Values (8.13.3, 8.13.5)

The existing dwellings are afforded with yards, which comply with the requirements of Rule 8.7.2. The accessory building (proposed Lot 1) is located within 2.0m of the respective side and rear yards, which is contrary to Rule 8.7.2(i)(a).

Land use consent is being sought for this element of non-compliance. As the applicant is the owner of proposed Lots 1 and 2 and the boundaries between the Lots respects the existing occupation, it is considered that the effects of the activity are currently established and will not extend beyond the boundaries of the site.

3. Cumulative effects (8.13.13)

The residential use of the allotments is currently in existence and has been established via the issue of Building and Resource consent. Whilst the proposed lots do not comply with the minimum requirements in terms of density, it is not considered that the existing residential occupation will result in adverse effects beyond those anticipated by the District Plan.

4. Water supply and effluent disposal (8.13.10, 18.6.1(i,o))

Council's Water and Waste Services Business Unit has considered the proposal. The Consents Officer, Water and Waste Services, advises that:

Each new lot has existing dwellings, which are both fully served for wastewater, storm water and water supply. No additional services are required for this proposal.

5. Hazards (8.13.7, 17.6.1, 17.6.2, 17.6.6, 17.6.9, 18.6.1(b, s))

Reference to Council's Hazard Register identifies that the subject land is not affected by any known hazards.

As a result, Council's consultant engineers, Montgomery Watson Harza (MWH), were not informed of the application.

6. Transportation (8.13.7, 18.6.1(c, l), 20.6.5, 20.6.7, 20.6.8 & 20.6.10)

The proposed lots have frontage and access to Lynn Street and Prospect Bank both of which are sealed and Council maintained roads.

The Technical Engineer, Transportation Planning, has visited the site and considered the application. Her comments follow:

The site is on the corner of Lynn Street and Prospect Bank. Lynn Street is a 'Collector Road' and Prospect Bank is a 'Local Roads' in the District Plan's Rooding Hierarchy.

There are two existing dwellings on the site. Proposed Lot 1 contains the original dwelling on an allotment of 445m², which has 15 metres of frontage to Lynn Street and 27 metres to Prospect Bank. Proposed Lot 2 contains a recently constructed dwelling on 347m² and has 25 metres of frontage to Prospect Bank. The construction of the second dwelling was approved under resource consent RMA990208.

No changes are proposed to the existing vehicle accesses. There is a garage at the southern end of Lot 1; however, this building is not accessible by vehicles due to the terraced ground levels, which are linked by pedestrian steps. There is a hard surfaced vehicle run-in on the site, approximately 8.5 metres long, which provides on-site parking for one vehicle. There is no on-site manoeuvring so vehicles are required to reverse onto or off a 'Collector Road', which is not permitted by the District Plan. However, as this is an existing situation and the proposal will not increase the intensity of the behaviour, existing use rights are likely to apply and it is therefore acceptable in this instance. There is an existing vehicle crossing serving the run-in.

There is a double garage incorporated within the dwelling on Lot 2. There is an existing vehicle crossing serving the access to the garage. The 2.5-metre long access between the garage and the footpath is presently metalled. The District Plan requires all vehicle accesses to be hard surfaced for at least 5 metres from the edge of the footpath and adequately drained. As existing use rights do not apply to this unsealed driveway it should be a condition of consent that the access be hard surfaced and adequately drained. This will ensure compliance with the Subdivision section's requirement for accesses to be in accordance with the Transportation section.

Transportation Planning considers the effects of the proposal to be no more than minor and subject to the imposition of the following condition on the consent, if granted:

- 1. The vehicle access to Lot 2 shall be hard surfaced and adequately drained from the edge of the footpath to the front of the garage to a width at least equal to the width of the garage door.*

Also, they advise that the following advice note should be attached:

- 1. The portion of any vehicle access between the property boundary and the edge of the carriageway is on road reserve and must therefore be constructed to the Council's standards. The Council's Rooding Department must be contacted to determine the appropriate standard.*

7. Lot size, dimension and physical limitations (18.6.1(j, p))

The subdivision design is practical as the configuration of the proposed lots respects the existing residential occupation. Both lots are afforded with favourable orientations and have considerable areas of north facing amenity open space. Which contributes to the overall amenity. Given the residential occupation, there is no potential for further residential development within the respective sites.

8. Reserves contribution

A reserves contribution is payable on this subdivision, due to the creation of one additional buildable allotment.

A consent condition has been imposed requiring a reserves contribution to be paid. This is a financial contribution that goes toward the upgrade and development of new parks, reserves and recreational facilities within the entire Dunedin City Council boundaries. The reserves contribution is levied on any subdivision that creates a new buildable residential allotment. Council will take 7.5% of the value of the land under section 407 of the Local Government Act or the value of 130m² of each lot created (based on case law).

On the basis of the above, the 2 methods provide the following results:

(a) 7.50% value of new lot = \$3,000 per lot.

(a) Value of 130m²

This has been calculated as follows:

$$\frac{130\text{m}^2}{\text{Avg. Land Area}} \times \text{Land Value} \times \text{No. of Additional Lots} = \text{Total Contribution}$$
$$\frac{130\text{m}^2}{347\text{m}^2} \times 40\,000 \times 1 = \$14985-00$$

Council has used its discretion in this case to take the lower of these two figures. The total reserves contribution for this proposal is \$3,000 (including GST).

9. Summary

Overall, any adverse effects on the environment arising from the proposal will be no more than minor. Whilst the proposal fails to comply with the minimum standards for subdivision in the District Plan as they relate to density, given the existing residential occupation of the site it is considered that any adverse effects arising from the proposal will be no greater than those anticipated by the Residential 1 zoning of the Plan.

CONSENT DECISION

Subdivision Consent RMA 20051061.

*That pursuant to section 34A(1) and 104B and after having regard to Part II matters and sections 104 and 104D of the Resource Management Act 1991 the Dunedin City Council **grants** consent to a **non-complying** activity being the subdivision of the land at 115 Lynn Street, Dunedin, being the land legally described as Lot 1 DP 24904 (CT16D/942) and subject to the following conditions imposed under sections 108 and 220 of the Act:*

1 *The proposal shall be undertaken generally in accordance with plan titled 'Plan of proposed subdivision of Lot 1 DP24909, Plan No. 6731/1 dated Sept 2005' and the details submitted with the application RMA20051061 and RMA20051063 received by Council on 17th November 2005 except where modified by the following conditions of consent.*

2 *Prior to certification of the survey plan pursuant to section 223 of the Resource Management Act 1991, the applicant shall ensure the following:*

- a. *Easements for all private drainage and access created or reserved as required shall be included on a Memorandum of Easements shown on the face of the Plan.*
 - b. *If a requirement for any easements for services is incurred during the survey then those easements shall be granted or reserved and included in a Memorandum of Easements.*
- 3 *Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the applicant shall complete the following:*
- a. *The vehicle access to Lot 2 is to be hard surfaced and adequately drained from the edge of the footpath to the front of the garage to a width at least equal to the width of the garage door.*
 - b. *A reserves contribution of \$3,000.00 (GST inclusive) shall be paid. This has been calculated as follows:*

$$7.5 \% \times \$40,000 = \$3,000 \text{ (Total including GST)}$$

Land Use Consent RMA20051062

*That pursuant to section 34A(1) and 104C and after having regard to section 104 of the Resource Management Act 1991, the Dunedin City Council grants consent to the **discretionary (restricted) activity** being the being the continued occupation of an accessory building i.e. garage within the side and rear yards on land at Lot 1 115 Lynn Street, being the land legally described as Lot 1 DP 24904 (CT16D/942) subject to the following condition imposed under section 108 of the Act:*

1. *The proposal shall be undertaken generally in accordance with the details submitted with the application RMA20051063 received by Council on 17th November 2005.*

ADVICE NOTES

1. In addition to the conditions of a resource consent, the Resource Management Act 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. A similar responsibility exists under the Health Act 1956.
2. The portion of any vehicle access between the property boundary and the edge of the carriageway is on road reserve and must therefore be constructed to the Council's standards. The Council's Roading Department must be contacted to determine the appropriate standard.

REASONS

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 are outlined above. It is considered that the proposed activity will have no more than minor adverse effects on the environment.

District Plan – Objectives and Policies

In accordance with section 104(1)(b) of the Resource Management Act 1991, the objectives and policies of the District Plan were taken into account in assessing the application.

The is considered to be consistent with the following objectives and policies:

Sustainability Section (Part 4)

- **Objective 4.2.1 and Policies 4.3.1 and 4.3.10** seek to maintain and enhance amenity values and ensure development is considered in a holistic manner.

Transportation Section (Part 20)

- **Objective 20.2.2 and Policy 20.3.4** seek to ensure that land use activities are undertaken in a manner, which avoids, remedies, or mitigates adverse effects on the transportation network.

Subdivision Section (Part 18)

- **Objective 18.2.1** seeks to ensure that subdivision takes place in a coordinated and sustainable manner.
- **Objective 18.2.6** seeks to ensure that any adverse effects from subdivision and subsequent land use activities are avoided, remedied or mitigated.
- **Objective 18.2.7 and Policy 18.3.7** aim to ensure that subdividers provide the necessary infrastructure within subdivisions to avoid, remedy, or mitigate adverse effects of the land use at no cost to the community.

Section 104D

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

In my opinion, the proposed subdivision of 115 Lynn Street, Dunedin has effects which are no more than minor and are not contrary to the objectives and policies of the District Plan, and therefore Council can exercise its discretion under Section 104D to grant consent subject to the recommended conditions.

Other Matters

Recent case law has suggested that in order to grant consent to a non-complying activity, the application needs to be a 'true exception', otherwise in terms of precedent effects, the integrity of the Plan could be undermined.

In this instance, the proposal is non-complying, as proposed Lots 1 and 2 do not have the minimum density as prescribed by Rule 8.7.2(xii).

The proposed Lots exceed the minimum density as prescribed by In addition, residential activity within the newly created lots is permitted subject to compliance with performance criteria at Rule 8.7.2. It should be noted however that both lots contain residential dwellings and that within the zone there are a number of sites 'of any size.' Council would however not entertain the granting of subdivision in this instance of the sites were vacant as this would challenge the integrity of the residential 1 zone. The fact that the sites are developed is exceptional.

Part II Matters

The proposed activity has also been assessed in terms of Part II matters of the Resource Management Act 1991. For the reasons outlined above, the proposed activity is considered consistent with section 5(2)(c); "Avoiding, remedying, or mitigating any adverse effects of activities on the environment", section 7(c) "The maintenance and enhancement of amenity values" and section 7(f) "The maintenance and enhancement of the quality of the environment."

COMPLIANCE WITH CONDITIONS

It is the applicant's responsibility to comply with any conditions imposed on this 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.

DURATION OF CONSENT

This consent shall expire after a period of 5 years from the date of this decision unless the consent has been given effect to during this time. This period may be extended on application to the Council pursuant to Section 125 of the Resource Management Act 1991.

RIGHTS OF OBJECTION

In accordance with section 357 of the Resource Management Act 1991, the consent holder 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:

The Chief Executive
Dunedin City Council
P O Box 5045
DUNEDIN

Attention: Senior Planner – Enquiries 1st Floor

Yours faithfully

A handwritten signature in black ink, appearing to be 'Grant Finn', with a small dot at the end of the signature.

Grant Finn
PLANNER