

29. Otago Museum

29.1 Introduction

Otago Museum first opened to the public in 1868 in the Exchange area south of the Octagon, and mainly displayed a collection of rocks and minerals as its foundation objects. The collection began to grow, and a larger, purpose-built site was needed. The site at the existing address – 419 Great King Street – was selected, with the foundation laid in December 1874. In August of 1877 the new building, designed by architect David Ross, was opened. The Otago Museum H D Skinner Annex (situated on the corner of the Museum Reserve) was opened in July 1879 and operated as the Dunedin North Post Office until the 1960s. It is now part of the Museum.

The management of the Museum was handed wholly to the University through the Otago Museum Act 1877 and was to remain vested in the University for almost 80 years, becoming a teaching museum and housing various University departments. Otago Museum is now managed by a Trust Board, established under the Otago Museum Trust Board Act 1996. The appointing bodies are the Dunedin City Council; the combined District Councils of Central Otago, Clutha and Waitaki; the University of Otago; the Association of Friends of the Otago Museum; the Otago Institute; and Manawhenua (the local Māori community).

The Museum comprises seven galleries, containing exhibits on Tākata Whenua, southern land and people, Otago natural and maritime history and cultures of the Pacific and wider world. The Animal Attic features nearly 3,000 historical specimens, and also within the Museum is the Discovery World Tropical Forest Tūhura Tropical Forest **{MF cl.16}** which contains live butterflies and an the **{MF cl.16}** interactive Discovery World of science Tūhura Otago Community Trust Science Centre **{MF cl.16}**.

The site is was **{MF cl.16}** zoned industrial in the operative plan The Dunedin City District Plan (2006) **{PO cl.16}**. Therefore, the key issue is was **{MF cl.16}** that the operative District Plan **{MF cl.16}** zoning is was **{MF cl.16}** neither efficient nor effective in terms of providing for the facility, enabling it to be further developed or redeveloped in the future, or in terms of managing its effects.

In response to this issue, the Second Generation Plan (2GP) this Plan proposes to apply applies **{MF cl.16}** an 'Otago Museum Zone' to the site. The Otago Museum Zone is tailored to provide for the continued efficient and effective operation of the Museum, while ensuring a reasonable level of amenity for surrounding streets and the Otago Museum Reserve. Entertainment and exhibition, conference, meeting and function, training and education and a range of community activities are provided for in the zone, and the Great King Street façade of the Museum and Otago Museum H D Skinner Annex Dunedin North Post Office (former) are listed as scheduled heritage **{MF cl.16}** buildings.

The zone recognises the existing and foreseeable future uses of the Museum and provides certainty to the community regarding what land use activities can be expected to occur, while managing potential effects and ensuring compatibility with surrounding environments. The Otago Museum Zone is surrounded by Campus and Neighbourhood Centre Suburban Centre **{MF cl.16}** zones.

29.2 Objectives and Policies

Objective 29.2.1	
Otago Museum is able to operate efficiently and effectively.	
Policy 29.2.1.1	Enable entertainment and exhibition activities in the Otago Museum Zone.
Policy 29.2.1.2	Provide for conference, meeting and function, training and education and community activities where they are designed and operated in line with Objective 29.2.2 and its policies.
Policy 29.2.1.3	Only allow activities which are not provided for, where the following apply: <ul style="list-style-type: none"> a. the activities are related to or necessary to support the Otago Museum, or have other operational requirements which mean they need to locate within the zone; b. they will support the efficient and effective operation of Otago Museum; c. they are not more appropriately located in another zone in line with Objective 2.3.2 and its policies; and d. they are designed and operated in line with Objective 29.2.2 and its policies.
Policy 29.2.1.4	Enable land that is surplus to the needs of the Otago Museum to transition to the Campus Zone, so that future development that is not related to the Otago Museum can <u>will</u> {PO cl.16} be managed in accordance with the objectives and policies of this zone.
Policy 29.2.1.5	Only allow subdivision <u>activities</u> {PO cl.16} where: <ul style="list-style-type: none"> a. it is <u>they are</u> {PO cl.16} in accordance with the provisions of the Campus Zone; and b. the subdivision does not adversely affect the efficient and effective operation of Otago Museum.

Objective 29.2.2

Land use activities and development necessary for the continued operation of Otago Museum is enabled, while ensuring it achieves a reasonable level of amenity for surrounding streets and the Otago Museum Reserve.

Policy 29.2.2.1	Require buildings and structures to be of a height that: a. maintains adequate sunlight access to the adjoining Otago Museum Reserve; and b. avoids significant adverse wind effects.
Policy 29.2.2.2	Require outdoor storage areas to be located or screened so they are not visible from ground level of a public place.
Policy 29.2.2.3	Require ancillary signs visible from outside the zone to be located and designed to maintain the amenity of surrounding streets and the Otago Museum Reserve, including by being of an appropriate size and number to convey information to passing pedestrians and motorists, and not being too oversized or numerous for that purpose.
Policy 29.2.2.4	Require landscaping that provides a reasonable level of streetscape amenity along the boundary of parking areas.
Policy 29.2.2.5	Require conference, meeting and function, training and education and community activities to be designed, located and operated to primarily serve staff and visitors to the Otago Museum. {MF 268.5}
Policy 29.2.2.6	Only allow buildings between 25m - 40m in height where they contribute positively to adverse effects on the skyline vista of the city, particularly as viewed from Dunedin's inner hill suburbs across the harbour towards the Otago Peninsula, are minimised as far as practicable through the use of by being of a {MF 308.343 and 308.497} quality and contextually appropriate architectural design.
Policy 29.2.2.7	Only allow buildings over 40m in height where: a. the height is essential to the operation of Otago Museum; and b. the height exceedance is minimal.

EW cl.16: As a clause 16 amendment, Objective 29.2.3 and its policies have been moved to new city-wide section (Section 8A). Any amendments to provisions as a result of submissions are shown there.

Rules

Rule 29.3 Activity Status

Rule 29.3.1 Rule location

The activity status tables in rules 29.3.3 to 29.3.5 specify the activity status of land use activities, development activities, and subdivision activities in the Otago Museum Zone and relevant overlay zones **{MF cl.16}**, except rules for the following city-wide activities, which are contained in Part B of the Plan:

1. Public Amenities (Section 3)
2. Temporary Activities (Section 4) - note that this section includes provisions that apply to construction **{PO cl.16}**
3. Network Utilities and energy generation **{NU 360.233}** (Section 5)
4. Transportation Activities **{PO cl.16}** (Section 6)
5. Scheduled Trees (Section 7)
6. Natural Hazard Mitigation Activities (Section 8)
7. Earthworks (Section 8A) **{EW cl.16}**

29.3.2 Activity status introduction

1. The activity status **{MF cl.16}** tables in rules 29.3.3 - 29.3.5 show the activity status of activities in the Otago Museum Zone, provided any performance standards shown in the far right column are met.
2. Activities are split into three types: a. land use activities, b. development activities, c. subdivision activities. Within these types, activities are split into categories. The nested tables in Section 1.3 outline the hierarchy of categories, activities and sub-activities.
3. Permitted land use activities do not automatically provide for any related development activities. Therefore, the activity status of any associated development activities should also be checked.
4. Where a new land use activity requires a resource consent, all associated development activities will be considered and assessed as part of the resource consent even if the development otherwise meets the development performance standards listed in the Plan.
5. The nested tables in Section 1.3 **{MF cl.16}** are intended to be a complete list of activities and categories of activities. For any activity that is not covered by any of the defined activities in the nested tables, the activity status will be non-complying if the activity status of "all" or "all other" activities in the most closely related category is non-complying, otherwise it will be discretionary.

Performance Standards

6. Performance standards are listed in the far right column of the activity status tables.
7. Performance standards apply to permitted, controlled, and restricted discretionary activities.
8. If a permitted or controlled activity does not meet one or more performance standards, then the activity status of the activity ~~will become restricted discretionary, unless otherwise indicated by the relevant performance standard is indicated in the relevant performance standard rule.~~ **{PO cl.16}**.
9. If a restricted discretionary activity does not meet one or more performance standards, then the activity status remains restricted discretionary, unless otherwise indicated in the performance standard.

Legend

Acronym	Activity-status Meaning {PO cl.16}
P	Permitted Activity
C	Controlled Activity
RD	Restricted Discretionary Activity
D	Discretionary Activity
NC	Non-complying Activity

29.3.3 Activity status table - land use activities

1.	Performance standards that apply to all land use activities		a. Electrical interference b. Light spill c. Noise d. Minimum car parking
Commercial activities		Activity status	Performance standards
2.	Entertainment and exhibition	P	
3.	Commercial advertising	NC	
4.	Conference, meeting and function	P	
5.	Training and education	P	
X.	<u>Campus-affiliated office</u> {MF 308.5}	D P {MF 308.5}	
6.	All other activities in the commercial activities category	D	
Community activities		Activity status	Performance standards
7.	Community and leisure - small scale	P	
8.	Community and leisure - large scale	RD	
9.	Early childhood education - small scale	P	
10.	Early childhood education - large scale	RD	
11.	All other activities in the community activities category	P	
Major facility activities		Activity status	Performance standards
12.	All activities in the major facility activities category	NC	
Residential activities		Activity status	Performance standards
13.	All activities in the residential activities category	NC	
Industrial activities		Activity status	Performance standards

14.	All activities in the industrial activities category	NC	
Rural activities		Activity status	Performance standards
15.	All activities in the rural activities category	NC	

29.3.4 Activity status table - development activities

1.	Performance standards that apply to all development activities		a. Setback from scheduled tree b. Boundary treatments
2.	Performance standards that apply to all buildings and structures activities		a. Number, design and location of ancillary signs b. Maximum height c. Minimum floor level {NH 917.27, 947.53 and others}
Buildings and structures activities (excluding activities affecting a protected part of a scheduled heritage building or scheduled heritage structure. See rows 5-9)		Activity status	Performance standards
3.	All buildings and additions and alterations to buildings	P {MF cl.16²}	
4.	All other {MF cl.16²} Buildings and structures activities	P	
Buildings and structures activities that affect a protected part of a scheduled heritage building or scheduled heritage structure		Activity status	Performance standards
5.	Repairs and maintenance or restoration {Her 547.91}	P	a. Materials and design
X.	<u>Restoration of a building or structure that has a Heritage New Zealand Category 1 listing as detailed in Appendix A1.1 {Her 547.91}</u>	P C {Her 547.91}	a. Materials and design
Y.	<u>Restoration of all other scheduled heritage buildings and structures {Her 547.91}</u>	P	a. Materials and design
6.	Earthquake strengthening where external features only are protected	C	a. Materials and design
Z.	<u>Signs attached to buildings or structures {Her cl. 16³}</u>	P	
7.	All other additions and alterations	RD	
8.	Demolition	NC	
9.	Removal for relocation	RD	
Site development activities		Activity status	Performance standards
10.	Outdoor storage	P	a. Location and screening of outdoor storage

11.	Parking, loading and access	P	a. Parking, loading and access standards
12.	Storage and use of hazardous substances	P	a. Hazardous substances quantity limits and storage requirements
13.	Earthworks – small scale {EW cl.16}	P	a. Earthworks standards
14.	Earthworks – large scale {EW cl.16}	RD	a. Earthworks standards
15.	All other site development <u>activities</u> {MF cl.16}	P	

¹ **EW cl.16:** As a clause 16 amendment, all earthworks provisions in management and major facility zones have been moved to new city-wide section (Section 8A). Any amendments to provisions as a result of submissions are shown there.

² **MF cl.16:** Removes repetition of activities.

³ **Her cl.16:** Rule restructured as a result of change to definition of additions and alterations and new definition of signs attached to buildings and structures. No substantive change to provisions.

Note 29.3.4A - General advice

1. ~~Under the Heritage New Zealand Pouhere Taonga Act 2014 it is an offence to modify or destroy an archaeological site without obtaining an archaeological authority from Heritage New Zealand (HNZ). An archaeological authority is required under the Heritage New Zealand Pouhere Taonga Act 2014 to modify or destroy an archaeological site. If you wish to do any earthworks that may affect an archaeological site, you must first obtain an authority from Heritage New Zealand {Her 547.80}.~~ This is the case regardless of whether the land on which the site is located is **{Her 547.80}** designated, or the activity is permitted under the District Plan or Regional Plan, or a resource or building consent has been granted.
2. An archaeological site is defined as any place in New Zealand that was associated with human activity that occurred before 1900 and provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand. This includes the scheduled archaeological sites within the District Plan.
3. Pre-1900 buildings are considered archaeological sites. An archaeological authority must be obtained before demolishing a pre-1900 building or structure.
4. The **archaeological alert layer mapped area** identifies sites and areas that have a strong likelihood of containing archaeological remains, however remains may be present anywhere within the District. If archaeological remains are discovered during any site works, at any location, the Accidental Discovery Protocol (Appendix A8) should be followed. **{MF cl.16}**

29.3.5 Activity status table - subdivision activities

Subdivision activities		Activity status	Performance standards
1.	Subdivision activities	RD	a. Subdivision performance standards

Note 29.3.5A - Other RMA considerations {PO 490.4}

1. Under Section 226(1)(e)(ii) of the Resource Management Act 1991, where an existing allotment shown on a survey plan meets all relevant provisions of the district plan and any proposed district plan, the Dunedin City Council must issue a certificate to that effect to enable the Registrar-General of Land to issue a certificate of title for that separate allotment.

29.3.6 Transition to Campus Zone

On receipt of written notice from the landowner(s) of the Otago Museum Zone confirming that all or part of the land within the zone is surplus to requirements, the provisions of the Otago Museum Zone will no longer apply to that parcel of land and the provisions of the Campus Zone will apply in full.

Rule 29.4 Notification

1. Activities are subject to the normal tests for notification in accordance with sections 95A-95G of the RMA.

Rule 29.5 Land Use Performance Standards

29.5.1 Electrical Interference

Land use activities must comply with Rule 9.3.2.

29.5.2 Light Spill

Land use activities must comply with Rule 9.3.5.

29.5.3 Minimum Car Parking

1. Otago Museum must provide a minimum of 17 parking spaces, including 1 mobility parking space.
2. Required parking spaces may be used for car, cycle or motorcycle parking, except for any required mobility parking spaces, which must be used for mobility car parking.
3. Parking spaces may be shared between land use activities (i.e. the same parking spaces may be used to fulfil the minimum car parking requirement for more than one land use activity), as long as the hours of operation of the land use activities do not overlap.
4. Activities that contravene this performance standard are restricted discretionary activities.**{PO cl.16}**

Note 29.5.3A - Other relevant District Plan provisions

1. Parking areas must comply with the standards in Section 6.6: Parking, Loading and Access Performance **{MF cl.16}** Standards.

29.5.4 Noise

Land use activities must comply with Rule 9.3.6.

Rule 29.6 Development Performance Standards

29.6.1 Boundary Treatments

1. Where a building is not built to the street frontage, a landscaping area with a minimum width of 1.5m, must be provided along the full length of any road frontage (except for where vehicle access is provided).
2. Landscaping areas must:
 - a. be planted with a mix of trees and shrubs and/or ground cover plants that achieves a total coverage of the ground area in planting (when mature), except for 10% of the area, which may be used for pedestrian paths;
 - b. have an average of one tree for every 5m of frontage;
 - c. not have more than 10% cover in impermeable surfaces (for pedestrian paths);
 - d. be designed to allow surface water run-off from surrounding areas to enter;
 - e. be protected by a physical barrier that prevents cars from ~~accidentally driving into or~~ **{PO 360.213}** damaging plants;
 - f. for required trees, use trees that are at least 1.5m high at the time of planting and capable of growing to a minimum **{PO 360.213}** height of 5m within 10 years of planting;
 - g. be planted prior to occupation ~~or completion~~ of any relevant building(s) or upon completion of site development activities **{MF cl.16}**; and
 - h. be maintained to a high standard, which means trees and under-planting are healthy and areas are regularly cleared of rubbish and weeds.
3. Any road boundary fences provided must be placed on the property side of any required road frontage landscaping required by this rule **{PO 360.213}**.
4. Activities that contravene this performance standard are restricted discretionary activities.**{PO cl.16}**

29.6.2 Earthworks Standards **{Confirmed to be replaced by 8A.5 - EW cl.16¹}**

¹ **EW cl.16:** As a clause 16 amendment, all earthworks provisions in management and major facility zones have been moved to new city-wide section (Section 8A). Any amendments to provisions as a result of submissions are shown there.

29.6.3 Hazardous Substances Quantity Limits and Storage Requirements

The storage and use of hazardous substances must comply with Rule 9.3.4.

29.6.4 Location and Screening of Outdoor Storage

1. Service areas must be located or screened so that they are not visible at ground level from adjacent residential activities, residential zoned properties, or public places.
2. Outdoor storage, including service areas, must not encroach into required parking, loading or landscaping areas.
3. Materials stored outside must be stored in a way that prevents them contaminating any off-site area.
4. Activities that contravene this performance standard are restricted discretionary activities.**{PO cl.16}**

29.6.5 Materials and Design

Repairs and maintenance, restoration and earthquake strengthening ~~that affect the protected part of a scheduled heritage building or structure~~ **{Her cl.16¹}** must comply with Rule 13.3.2.

¹ **Her cl.16:** wording of rule amended as a minor change to be consistent across the plan and reflect Rule 13.3.2.

29.6.6 Maximum Height

1. The maximum height for new buildings and structures, and additions and alterations, must not exceed 25m above ground level.
2. Rooftop structures are exempt from the performance standard for maximum height, provided they do not exceed the maximum height limit by more than 5m.
3. Activities that contravene the performance standard for maximum height but are no greater than 40m in height are a restricted discretionary activity.
4. Activities that are over 40m in height are a discretionary activity.

29.6.7 Minimum Floor Level {Confirmed for deletion - NH 917.27, 947.53 and others}

New buildings (including residential buildings) to be used for natural hazards ~~{NH cl.16}~~ sensitive activities in the Hazard 3 (flood) Overlay Zone must comply with Rule 11.3.3: ~~{NH 917.27, 947.53 and others}~~

29.6.8 Number, Design and Location of Ancillary Signs

29.6.8.1 General

- a. Signs visible from outside the Otago Museum Zone must comply with the following standards, except that ~~{MF cl.16}~~:
 - i. ~~signs not visible from outside the Otago Museum Zone are exempt from these standards; and {MF cl.16}~~
 - ii. ~~signs within the Otago Museum Zone which are required for the purposes of a 'regulatory' (requiring or prohibiting specified actions), 'warning' (informing of hazards or of other features requiring a safe response) or 'directional' (identifying the location of, or direction to, destinations, routes and building entrances) function, are exempt from these standards: regulatory signs, warning signs, or directional signs {CMU 271.18 and others}~~
- b. Signs located on or ~~{PO cl.16}~~¹ above the footpath must comply with Rule 6.7.2.
- c. Signs must comply with Rule 6.7.3 where visible from a road.
- d. Signs must not be illuminated or digital.
- e. Signs higher than 4m above ground level must only display the business name or major facility name.
- f. ~~Signs other than those specified in rules 29.6.8.2 and 29.6.8.3 are not allowed. {MF cl.16}~~
- g. Signs that contravene the performance standard for number, location and design of ancillary signs are restricted discretionary activities. ~~{PO cl.16}~~

¹ **PO cl.16:** Amended to reflect requirements of Rule 6.7.2

29.6.8.2 Signs attached to buildings

- a. The height, above ground level, at the highest point of any sign, attached to a building is 8m.
- b. Signs must not be attached to roofs.
- c. Signs must not project higher than the lowest point of the roof, except where mounted against a parapet or gable end.
- d. Signs attached flat against a building must:
 - i. not cumulatively exceed 15% of the total wall area (excluding windows) that face the road frontage, or 8m², whichever is lesser; and
 - ii. if attached to a verandah fascia, must not exceed a height of 500mm, or the height of a verandah fascia, whichever is greater.
- e. if attached on the underside of a verandah or protruding from a building façade, must:
 - i. have a maximum area per display face of 2m²;
 - ii. where attached to the façade of a building, must not project more than 1.5m from the façade to which it is attached;
 - iii. have a maximum of two display faces per sign; and
 - iv. not exceed one sign per 15m of street frontage.

29.6.8.3 Freestanding signs

- a. The maximum number of permanently fixed freestanding signs is two per site or 1 per 50m of street frontage, whichever is the lesser.
- b. The maximum number of portable freestanding signs is two per site or one per 50m of street frontage, whichever is the lesser.
- c. The maximum dimensions of freestanding signs are:
 - i. maximum height of 6m for permanently fixed freestanding signs;
 - ii. maximum height of 4m for portable freestanding signs;
 - iii. maximum area of 12m² per display face for permanently fixed freestanding signs;
 - iv. maximum area of 8m² per display face for portable freestanding signs;
 - v. maximum width of 2m; and
 - vi. maximum depth of 400mm **{PO cl.16}**.
- d. Portable freestanding signs must only be located in the Otago Museum Reserve and must not be located on the road reserve.
- e. ~~Permanently fixed and portable~~ **{PO cl.16}** Freestanding signs must:
 - i. ~~not obstruct driveways, parking or loading areas; and not obstruct parking, loading and access areas; and~~ **{PO cl.16}**
 - ii. be positioned entirely within the site boundaries.

Note 29.6A – Other relevant District Plan provisions {PO cl.16¹}

1. Commercial advertising is a non-complying land use activity in all zones except the Airport Zone. **{PO cl.16}**
2. See Section 3 Public Amenities for the rules related to public noticeboards. **{PO cl.16}**
3. See Section 4 Temporary Activities for the rules related to temporary signs. **{PO cl.16}**

¹ **PO cl.16:** Deleted as definition of "Signs" amended to clarify how different signs are managed in the Plan.

Note 29.6.8B - Other requirements outside of the District Plan

1. For additional restrictions that may apply to signs, see also: **{PO cl.16}**
 - a. NZ Transport Agency *Traffic Control Devices Manual, Part 3, Advertising Signs and Signs on State Highways Bylaw* {PO cl.16 and Trans 881.137}
 - b. Dunedin City Council Commercial Use of Footpaths Policy.
 - c. Dunedin City Council Roadway Bylaw.
 - d. Dunedin City Council Traffic and Parking Bylaw. {PO cl.16}

29.6.9 Parking, Loading and Access Standards

Parking, loading and access must comply with Rule 6.6.

29.6.10 Setback from Scheduled Tree

~~New buildings and~~ **{MF cl.16}** Structures, additions ~~and~~ or alterations, earthworks **{EW cl.16}**¹ and any site development activities that involve the installation of impermeable surfacing must comply with Rule 7.5.2.

¹ **EW cl.16:** As a clause 16 amendment, reference to earthworks in the setback from scheduled tree standards in all management and major facility zones have been moved to setback standards in the new city-wide section (Rule 8A.5.11). Any amendments to provisions as a result of submissions are shown there.

Rule 29.7 Subdivision Performance Standards

Subdivision activities must comply with Rule 34.7.

Rule 29.8 Assessment of Controlled Activities

Rule 29.8.1 Introduction

1. Controlled activities will be assessed in accordance with section 104 and 104A of the RMA. Council must grant the application and may impose conditions with respect to matters over which it has reserved its control.
2. Rule 29.8.2:
 - a. lists the matters over which Council has reserved its control; and
 - b. provides guidance on how consent applications will be assessed, including:
 - i. relevant objectives and policies, with respect to s104(1)(b)(vi); and
 - ii. conditions that may be imposed.
3. Where a controlled activity does not meet a performance standard the following occurs:
 - a. if the contravention of the performance standard defaults to **restricted discretionary** ~~(which is the case, unless otherwise indicated in the performance standard)~~ **{PO cl.16}** then:
 - i. the activity, as a whole, will be treated as **restricted discretionary**; and
 - ii. the matters of discretion are expanded to include the areas of non-compliance with the performance standard; and
 - iii. the performance standard contravention will be assessed as indicated in Section 29.9; and
 - iv. the matters of control become matters of discretion and will be assessed as indicated in this section.
 - b. if the contravention of the performance standard defaults to **discretionary** then:
 - i. the activity, as a whole, will be treated as **discretionary**; and
 - ii. the performance standard contravention will be assessed as indicated in Section 29.11; and
 - iii. the assessment guidance in this section will also be considered.
 - c. if the contravention of the performance standard defaults to **non-complying** then:
 - i. the activity, as a whole, will be **non-complying**; and
 - ii. the performance standard contravention will be assessed as indicated in Section 29.12; and
 - iii. the assessment guidance in this section will also be considered.

29.8.2 Assessment of all controlled activities

Development activity	Matters of control	Guidance on the assessment of the resource consents
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<p>1. <u>Affecting a scheduled heritage building or a scheduled heritage structure:</u> {Her cl.16}</p> <ul style="list-style-type: none"> • Earthquake strengthening that affects a protected part of a scheduled heritage building or scheduled heritage structure, where external features only are protected. • <u>Restoration of a protected part of a scheduled heritage building or scheduled heritage structure that has a Heritage New Zealand Category 1 listing (as detailed in Appendix A1.1)</u> {Her 547.91} 	<p>a. Effects on heritage values</p>	<p>See Rule 13.4</p>
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Rule 29.9 Assessment of Restricted Discretionary Activities (Performance Standard Contraventions)

Rule 29.9.1 Introduction

1. Restricted discretionary activities will be assessed in accordance with section 104 and 104C of the RMA, meaning only those matters to which Council has restricted its discretion will be considered, and Council may grant or refuse the application, and, if granted, may impose conditions with respect to matters over which it has restricted its discretion.
2. Rules 29.9.2 - 29.9.5:
 - a. list the matters Council will restrict its discretion to; and
 - b. provide guidance on how consent applications will be assessed, including:
 - i. relevant objectives and policies, with respect to s104(1)(b)(vi);
 - ii. potential circumstances that may support a consent application;
 - iii. general assessment guidance; and
 - iv. conditions that may be imposed.
3. Rules 29.9.2 - 29.9.5 apply as follows: {MF cl.16}
 - a. Rule 29.9.2 applies to all performance standard contraventions;
 - b. Rule 29.9.3 applies to land use performance standard contraventions;
 - c. Rule 29.9.4 applies to development performance standard contraventions; and
 - d. Rule 29.9.5 applies to subdivision performance standard contraventions. {MF cl.16}

29.9.2 Assessment of all performance standard contraventions

Performance standard	Guidance on the assessment of resource consents
1. All performance standard contraventions	<p><i>Relevant objectives and policies:</i></p> <p>a. Objective 29.2.1</p> <p><i>Potential circumstances that may support a consent application include:</i></p> <p>b. The degree of non-compliance with the the {MF cl.16} performance standard is minor.</p> <p>c. The need to meet other performance standards, or topography or other site specific factors, make meeting the standard impracticable.</p> <p>d. Topography or other site specific factors make the standard irrelevant as the adverse effects that the standard is trying to manage will not occur.</p> <p>e. Non-compliance with a development performance standard would improve the design of the development in a way that would result in positive effects and better achieve the identified objectives and policies of the Plan.</p> <p><i>General assessment guidance:</i></p> <p>f. Where more than one standard is contravened, the combined effects of the contraventions should be considered.</p> <p>g. In balancing consideration of the objectives and policies related to the maintenance of heritage values or heritage precinct streetscape character and those related to general amenity, greater weight will usually be placed on heritage policies.</p>

29.9.3 Assessment of land use performance standard contraventions

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
1. Electrical interference	a. Effects on health and safety	See Rule 9.4
2. Minimum car parking	<p>a. Effects on the safety and efficiency of the transport network</p> <p><u>b. Effects on accessibility {Trans cl.16}</u></p>	See Rule 6.9

¹ **Trans cl.16:** Under Transportation section assessment rules (Rule 6.9.3.6.a), 'effects on accessibility' is a matter of discretion for contraventions of minimum car parking performance standards. However, this matter of discretion was inadvertently omitted from notified Section 29 assessment rules. The correction of this error, via the addition of Rule 29.9.3.2.b, does not result in a substantive change to the effect of provisions.

29.9.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
1.	Boundary treatments	a. Effects on streetscape amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 29.2.2 ii. Require landscaping that provides a reasonable level of streetscape amenity along the boundary of parking and loading {MF cl.16} areas (Policy 29.2.2.4). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. The landscaping will be effective in breaking up (softening) carparking areas when viewed from the street.
2.	Earthworks standards: • Batter gradient {EW cl.16} ¹	a. Effects on the stability of land, buildings and structures	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 29.2.3 ii. Earthworks and associated retaining structures are designed and located to avoid adverse effects on the stability of land, buildings, and structures by using a batter gradient that will be stable over time (Policy 29.2.3.1.b). <p><i>Conditions that may be imposed include, but are not limited to:</i></p> <ul style="list-style-type: none"> iii. Maximum slopes of cut and fill batters. iv. Time limits for retaining wall installation to avoid leaving a cut slope unsupported for an extended period. v. Temporary shoring requirements to maintain stability before a wall is constructed. vi. Supervision and monitoring requirements for retaining wall construction and standard earthworks construction.
3.	Earthworks standards: • Setback from property boundary, buildings, structures and cliffs {EW cl.16} ¹	a. Effects on the stability of land, buildings and structures	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 29.2.3 ii. Earthworks and associated retaining structures are designed and located to avoid adverse effects on the stability of land, buildings, and structures by being set back an adequate distance from property boundaries, buildings and cliffs (Policy 29.2.3.1.a).
4.	Earthworks standards • Setback from network utilities {EW cl.16} ¹	a. Effects on efficient and effective operation of network utilities b. Effects on health and safety	See Rule 5.7

29.9.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
5.	Earthworks standards: • Sediment control {EW cl.16} ¹	a. Effects on surrounding sites	<i>Relevant objectives and policies:</i> i. Objective 29.2.3 ii. Earthworks and any associated retaining structures are designed and located to minimise adverse effects on surrounding sites and the wider area by managing earthworks to avoid sediment run-off, including on to any property, or into any stormwater pipes, drains, channels or soakage systems, or the coastal marine area {EW 1071.106} (Policy 29.2.3.2.b).
		b. Effects on biodiversity values and natural character of the coast and riparian margins	See Rule 10.4
		c. Effects on the efficiency and/or affordability of infrastructure	See Rule 9.4
6.	Hazardous substances quantity limits and storage requirements	a. Effects on health and safety	See Rule 9.4
		b. Risk from natural hazards {PO cl.16}	See Rule 11.4 {PO cl.16}
7.	Location and screening of outdoor storage	a. Effects on streetscape amenity	<i>Relevant objectives and policies:</i> i. Objective 29.2.2 ii. Require outdoor storage areas, to be located or screened so they are not visible from ground level of a public place (Policy 29.2.2.2). <i>Potential circumstances that may support a consent application include:</i> iii. Screening would restrict accessibility by service vehicles or access to the service area for everyday use. iv. The site layout prevents the outdoor storage areas from being visible from any public place without additional screening being required.

29.9.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
8.	<u>Affecting a scheduled heritage building or scheduled heritage structure</u> { <i>Her cl.16</i> } • Materials and design	a. Effects on heritage values (work on scheduled heritage buildings or structures) { <i>MF cl.16</i> }	See Rule 13.5
9.	Maximum height (<u>no greater than 40m in height</u>) { <i>MF cl.16</i> }	a. Effects on pedestrian amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 29.2.2 ii. Buildings and structures are of a height that: <ul style="list-style-type: none"> 1. maintains adequate sunlight access to the adjoining Otago Museum Reserve; and 2. avoids significant adverse wind effects (Policy 29.2.2.1). iii. Only allow buildings Buildings between 25m - 40m in height where they contribute positively to the skyline vista of the city, by being of a quality and contextually appropriate architectural design <u>minimise, as far as practicable, adverse effects on the skyline vista of the city, particularly as viewed from Dunedin's inner hill suburbs across the harbour towards the Otago Peninsula, through the use of quality and contextually appropriate architectural design</u> {<i>MF 308.343 and 308.497</i>} (Policy 29.2.2.6). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iv. Sunlight admission to the footpath, street and Otago Museum Reserve is maintained
10.	Minimum floor level (hazard overlays) { <i>NH 917.27, 947.53 and others</i> }	a. Risk from natural hazards	See Rule 11.4

29.9.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
11.	Number, design and location of ancillary signs	a. Effects on streetscape amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 29.2.2 ii. Require ancillary signs visible from outside the zone to be located and designed to maintain the amenity of surrounding streets and the Otago Museum Reserve, including by being of an appropriate size and number to convey information to passing pedestrians and motorists, and not being too oversized or numerous for that purpose (Policy 29.2.2.3). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. An attractive streetscape is maintained. iv. The high amenity of the Otago Museum Reserve is maintained. v. The visual cohesion of the street is maintained by the increase in size or number of signs.
		b. Effects on the safety and efficiency of the transport network	See Rule 6.9
12.	Parking, loading and access standards	a. Effects on the safety and efficiency of the transport network	See Rule 6.9
13.	Setback from scheduled tree	a. Effects on long term health of tree	See Rule 7.6

¹ **EW cl.16:** As a clause 16 amendment, all earthworks provisions in management and major facility zones have been moved to new city-wide section (Section 8A). Any amendments to provisions as a result of submissions are shown there.

29.9.5 Assessment of subdivision performance standard contraventions

Performance standard		Guidance on the assessment of resource consents
1.	Subdivision performance standards	See Rule 34.9

Rule 29.10 Assessment of Restricted Discretionary Activities

Rule 29.10.1 Introduction

1. Restricted discretionary activities will be assessed in accordance with section 104 and 104C of the RMA, meaning only those matters to which Council has restricted its discretion will be considered, and Council may grant or refuse the application, and, if granted, may impose conditions with respect to matters over which it has restricted its discretion.
2. Rules 29.10.2 - 29.10.5:
 - a. list the matters Council will restrict its discretion to; and
 - b. provide guidance on how a consent application will be assessed, including:
 - i. relevant objectives and policies, with respect to s104(1)(b)(vi);
 - ii. potential circumstances that may support a consent application;
 - iii. general assessment guidance; and
 - iv. conditions that may be imposed.
3. Rules 29.10.2 - 29.10.5 apply as follows: {MF cl.16}
 - a. Rule 29.10.2 applies to all restricted discretionary activities;
 - b. Rule 29.10.3 applies to restricted discretionary land use activities;
 - c. Rule 29.10.4 applies to restricted discretionary development activities; and
 - d. Rule 29.10.5 applies to restricted discretionary subdivision activities. {MF cl.16}
4. For all land use activities that require consent, all associated development activities will be considered as part of the resource consent even if the development otherwise meets the development performance standards in the Plan. Conditions on development activities may be used to ~~minimize~~ minimise {cl.16} any adverse effects from the land use activity or create mitigating positive effects.
5. Where a restricted discretionary activity does not meet a performance standard the following occurs:
 - a. if the contravention of the performance standard defaults to **restricted discretionary** ~~(which is the case, unless otherwise indicated in the performance standard)~~ {PO cl.16} then:
 - i. the activity, as a whole, will be treated as **restricted discretionary**; and
 - ii. the matters of discretion are expanded to include the areas of non-compliance with the performance standard; and
 - iii. the performance standard contravention will be assessed as indicated in Section 29.9; and
 - iv. the matters of discretion in this section will be assessed as indicated.
 - b. if the contravention of the performance standard defaults to **discretionary** then:
 - i. the activity, as a whole, will be treated as **discretionary**; and
 - ii. the performance standard contravention will be assessed as indicated in Section 29.11; and
 - iii. the assessment guidance in this section will also be considered.
 - c. if the contravention of the performance standard defaults to **non-complying** then:
 - i. the activity, as a whole, will be **non-complying**; and
 - ii. the performance standard contravention will be assessed as indicated in Section 29.12; and
 - iii. the assessment guidance in this section will also be considered.

29.10.2 Assessment of all restricted discretionary activities

Activity	Guidance on the assessment of resource consents
1. All restricted discretionary activities	a. the degree of non-compliance with the performance standard is minor

29.10.3 Assessment of restricted discretionary land use activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
A. All high trip generators, which include: {Trans cl.16} <ul style="list-style-type: none"> any activities that generate 250 or more vehicle movements a day {Trans cl.16} 	a. Effects on accessibility {Trans cl.16} b. Effects on the safety and efficiency of the transport network {Trans cl.16}	See Rule 6.10 {Trans cl.16}
1. <ul style="list-style-type: none"> Early childhood education - large scale Community and leisure - large scale 	a. Effects on the safety and efficiency of the transport network	See Rule 6.10

¹ **Trans cl.16:** Under Transportation section assessment rules (Rule 6.10.2.7a&b), 'effects on accessibility' and 'effects on safety and efficiency of the transport network' are matters of discretion for high trip generators, which include land use activities that generate 250 or more vehicle movements a day. However, the rule necessary to link to Rule 6.10.2.7 was inadvertently omitted from notified Section 29 assessment rules. The correction of this error, via the addition of Rule 29.10.3.A, does not result in a substantive change to the effect of provisions.

29.10.4 Assessment of restricted discretionary development activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
1. Activities affecting a <u>scheduled heritage building</u> or <u>scheduled heritage structure</u>: {Her cl.16} <ul style="list-style-type: none"> All other Additions and alterations that affect a <u>protected part of a scheduled heritage building or scheduled heritage structure</u> {MF cl.16} Removal for relocation of buildings and structures activities that affect a protected part of a scheduled heritage building or scheduled heritage structure {Her cl.16} 	a. Effects on heritage values	See Rule 13.6

29.10.4 Assessment of restricted discretionary development activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
<p>2. Earthworks – large scale (that exceed the scale thresholds for the Otago Museum Zone) {EW cl.16} ¹</p>	<p>a. Effects on visual amenity and character</p> <p>b. Effects on the amenity of surrounding properties</p>	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 29.2.3 ii. Adverse effects on visual amenity and character will be avoided or, if avoidance is not possible, adequately mitigated (Policy 29.2.3.3.a). iii. Adverse effects on the amenity of surrounding properties, including from changes to drainage patterns, will be avoided or, if avoidance is not possible, adequately mitigated (Policy 29.2.3.3.b). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iv. There is no, or only minimal, alteration to the natural landform. v. Any cut or fill will be restored or treated to resemble natural landforms. vi. The earthworks will not remove or effect existing vegetation or landscaping. <p><i>Conditions that may be imposed include, but are not limited to:</i></p> <ul style="list-style-type: none"> vii. Measures to minimise visual effects, e.g. requirements for revegetation and/or landscaping. viii. Maximum slopes of cut and fill batters. ix. Measures to divert surface water and rain away from, or prevent from discharging over, batter faces and other areas of bare earth. x. Measures to ensure there are no adverse effects from changes to drainage patterns on surrounding properties. xi. Requirement to de-compact soils; to take other remedial action to ensure the natural absorption capacity of the soils is not reduced; or to use other mitigation measures to ensure the overall absorption of rain water on-site is not diminished.

29.10.4 Assessment of restricted discretionary development activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
	c. Effects on the stability of land, buildings, and structures	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 29.2.3 ii. Adverse effects on the stability of land, buildings, and structures will be avoided or, if avoidance is not possible, adequately mitigated (Policy 29.2.3.3.c). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. A geotechnical report confirms the existing ground is suitably stable for the proposed works, and proposed works will not create instability risks for surrounding land, buildings, or structures (see Special Information Requirements – Rule 29.13.1). iv. Excavation, fill and retaining structures will be designed, and the work undertaken, in accordance with best practice engineering standards
3. Earthworks – large scale (that exceed scale thresholds for a hazard (flood) overlay zone {EW cl.16} ¹	a. Risk from natural hazards	See Rule 11.5
4. Parking, loading and access which creates 50 or more new parking spaces {Trans cl.16}	a. Effects on the safety and efficiency of transport network {Trans cl.16}	See Rule 6.10 {Trans cl.16}

¹ **EW cl.16:** As a clause 16 amendment, all earthworks provisions in management and major facility zones have been moved to new city-wide section (Section 8A). Any amendments to provisions as a result of submissions are shown there.

² **Trans cl. 16:** Parking, loading and access which creates 50 or more new parking spaces is not an activity managed under this zone and its inclusion in the assessment of restricted discretionary development activities was done so erroneously.

29.10.5 Assessment of restricted discretionary subdivision activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
1. Subdivision	<p>a. Effects on the efficient and effective operation of Otago Museum</p> <p>See Rule 34.10</p>	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objectives 29.2.1, 2.3.1 ii. Subdivision does not adversely affect the efficient and effective operation of Otago Museum (Policy 29.2.1.5.b).

Rule 29.11 Assessment of Discretionary Activities

Rule 29.11.1 Introduction

1. Discretionary activities will be assessed in accordance with section 104 and 104B of the RMA meaning Council may grant or refuse the application, and, if granted, may impose conditions.
2. Rules 29.11.2 and 29.11.3 provide guidance on how a consent application for the listed discretionary activities will be assessed, including:
 - a. relevant objectives and policies that will be considered as a priority with respect to s104(1)(b)(vi);
 - b. potential circumstances that may support a consent application;
 - c. general assessment guidance, including any effects that will be considered as a priority; and
 - d. conditions that may be imposed.
3. Rules 29.11.2 and 29.11.3 apply as follows: {MF cl.16}
 - a. Rule 29.11.2 applies to discretionary activities; and
 - b. Rule 29.11.3 applies to discretionary performance standard contraventions. {MF cl.16}
4. For all land use activities that require consent, all associated development activities will be considered as part of the resource consent even if the development otherwise meets the development performance standards in this Plan. Conditions on development activities may be used to minimise any adverse effects from the land use activity or create mitigating positive effects.

29.11.2 Assessment of discretionary activities

Activity	Guidance on the assessment of resource consents
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<p>1. <u>All discretionary land use activities which include: {MF cl.16}</u></p> <ul style="list-style-type: none"> Commercial activities (except conference, meeting and function, entertainment and exhibition, <u>campus-affiliated office</u>, {MF 308.5} <u>commercial advertising</u> {MF cl.16} and training and education) 	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ol style="list-style-type: none"> Objectives 2.3.1, 2.3.3 Objective 29.2.1 Activities that are not provided for: <ol style="list-style-type: none"> are related to or necessary to support the Otago Museum, or have other operational requirements that mean they need to locate in the zone; support the efficient and effective operation of Otago Museum; are not more appropriately located in another zone in line with Objective 2.3.2 and its policies; and are designed and operated in line with Objective 29.2.2 and its policies (Policy 29.2.1.3). <p><i>Potential circumstances that may support a consent application include:</i></p> <ol style="list-style-type: none"> For discretionary land use activities, whether any associated development activities meet relevant development performance standards, or are otherwise consistent with relevant objectives and policies for development (see Rule 29.9 for <u>assessment of {MF cl.16}</u> performance standard contraventions). All relevant land use performance standards are met, including noise and light spill standards. <p><i>General assessment guidance:</i></p> <ol style="list-style-type: none"> In assessing the significance of effects, consideration will be given to: <ol style="list-style-type: none"> short to long term effects, including effects in combination with other activities; and the potential for cumulative adverse effects arising from similar activities occurring as a result of a precedent being set by the granting of a resource consent. In assessing activities that are discretionary due to being in an overlay zone, mapped area, in a scheduled site, or affecting a scheduled item, that otherwise require resource consent, the assessment guidance provided in relation to the underlying activity status will also be considered. {MF cl.16¹} <p><i>Relevant guidance from other sections (priority considerations):</i></p> <ol style="list-style-type: none"> <u>See Section 6.11 for guidance on the assessment of resource consents in relation to objectives 6.2.2 and 6.2.3, and effects related to accessibility and the safety and efficiency of the transport network and its affordability to the public. {Trans cl.16¹}</u> <u>See Section 9.6 for guidance on the assessment of resource consents in relation to Objective 9.2.2 and effects on health and safety. {PHS cl.16}</u> <u>See Section 14.5 for guidance on the assessment of resource consents in relation to Objective 14.2.1 and effects on cultural values of Manawhenua. {MW 1071.3}</u>
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¹ **Trans cl.16:** This amendment adds a cross-reference to relevant assessment rules in the transportation section,

for all discretionary activities. This does not change the effect of provisions.

² **MF cl.16:** Not relevant.

29.11.3 Assessment of discretionary performance standard contraventions	
Performance standard	Guidance on the assessment of resource consents
<p>1. • Noise - where the limit is exceeded by up to <u>less than</u> {PHS cl.16} 5dB LAeq (15min)</p> <p>• Light spill - where the limit is exceeded by 25% or less</p>	<p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>a. See Section 9.6 for guidance on the assessment of resource consents in relation to Objective 9.2.2 and effects related to public health and safety.</p>
<p>2. Maximum height (buildings over 40m in height)</p>	<p><i>Relevant objectives and policies:</i></p> <p>a. Objective 29.2.2</p> <p>b. Buildings and structures are of a height that:</p> <ol style="list-style-type: none"> maintains adequate sunlight access to the adjoining Otago Museum Reserve; and avoids significant adverse wind effect (Policy 29.2.2.1). <p>c. Only allow buildings over 40m in height where:</p> <ol style="list-style-type: none"> the height is essential to the operation of Otago Museum; and the height exceedance is minimal (Policy 29.2.2.7) <p>Potential circumstances that may support a consent application include:</p> <p>d. Sunlight admission to the footpath, street and Otago Museum Reserve is maintained</p>

Rule 29.12 Assessment of Non-complying Activities

Rule 29.12.1 Introduction

1. Non-complying activities will be assessed in accordance with section 104, 104B and 104D of the RMA meaning Council may grant or refuse the application, and, if granted, may impose conditions.
2. Rules 29.12.2 and 29.12.3 provide guidance on how a consent application for the listed non-complying activities will be assessed, including:
 - a. relevant objectives and policies that will be considered as a priority with respect to s104(1)(b)(vi); and
 - b. general assessment guidance, including any effects that will be considered as a priority.
3. Rules 29.12.2 and 29.12.3 apply as follows: **{MF cl.16}**
 - a. Rule 29.12.2 applies to non-complying activities; and
 - b. Rule 29.12.3 applies to non-complying performance standard contraventions. **{MF cl.16}**
4. For all land use activities that require consent, all associated development activities will be considered as part of the resource consent even if the development otherwise meets the development performance standards in this Plan. Conditions on development activities may be used to minimise any adverse effects from the land use activity or create mitigating positive effects.

29.12.2 Assessment of non-complying activities

Activity	Guidance on the assessment of resource consents
1. All non-complying activities including all activities in but not limited to activities listed below {MF cl.16} : <ul style="list-style-type: none"> the major facilities activities category the residential activities category the industrial activities category the rural activities category {MF cl.16} 	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ol style="list-style-type: none"> a. Objectives 2.3.1, 2.3.3 b. Objective 29.2.1 c. Activities that are not provided for are only allowed where they: <ol style="list-style-type: none"> i. are related to or necessary to support the Otago Museum; ii. have other operational requirements which mean they need to locate within the zone; iii. will support the efficient and effective operation of Otago Museum; iv. are not more appropriately located in another zone in line with Objective 2.3.2 and its policies; and v. are designed and operated in line with Objective 29.2.2 and its policies. (Policy 29.2.1.3). <p><i>Relevant guidance from other sections (priority considerations):</i></p> <ol style="list-style-type: none"> d. See Section 6.12 for guidance on the assessment of resource consents in relation to objectives 6.2.2 and 6.2.3, and effects related to accessibility and the safety and efficiency of the transport network and its affordability to the public. {Trans cl.16} e. See Section 9.7 for guidance on the assessment of resource consents in relation to Objective 9.2.2 and effects on health and safety. {PHS cl.16} f. See Section 14.6 for guidance on the assessment of resource consents in relation to Objective 14.2.1 and effects on cultural values of Manawhenua. {MW 1071.3}

29.12.2 Assessment of non-complying activities

Activity	Guidance on the assessment of resource consents
2. Commercial advertising in all zones {PO cl.16}	<i>Relevant objectives and policies (priority considerations):</i> a. Objective 2.4.1 b. Policy 2.4.1.6.c
3. Demolition of a protected part of a scheduled heritage building or scheduled heritage structure	<i>Relevant guidance from other sections (priority considerations):</i> a. See Section 13.8 for guidance on the assessment of resource consents in relation to Objective 13.2.1 and effects related to heritage values.

¹ **Trans cl.16:** This amendment adds a cross-reference to relevant assessment rules in the transportation section, for all non-complying activities. This does not change the effect of provisions.

29.12.3 Assessment of non-complying performance standard contraventions

Performance standard	Guidance on the assessment of resource consents
1. <ul style="list-style-type: none"> • Light spill - where the limit is exceeded by greater than 25% • Noise - where the limit is exceeded by 5dB LAeq (15 min) or more 	<i>Relevant guidance from other sections (priority considerations):</i> a. See Section 9.7 for guidance on the assessment of resource consents in relation to Objective 9.2.2 and effects related to public health and safety.

Rule 29.13 Special Information Requirements {Confirmed to be deleted - EW cl.16}

EW cl.16: As a clause 16 amendment, Rule 29.13.1 Geotechnical investigation report has been moved to new city-wide section (Section 8A). Any amendments to provisions as a result of submissions are shown there.

