

17. Rural Residential Zones

17.1 Introduction

A number of people seek to live in a rural setting and undertake rural activities at a small scale, such as the keeping of livestock. These small-scale rural activities are commonly known as lifestyle farming or hobby farming, and the properties on which they are undertaken are commonly known as lifestyle blocks.

Lifestyle blocks can have an adverse effect on sustainable management by removing rural land from productive use; by inflating rural land values to the detriment of more productive rural activities; or by generating reverse sensitivity effects in the rural environment resulting from people living on smaller blocks of land in proximity to productive rural activities such as farming or forestry; and by resulting in pressure to extend urban public {PO 881.167} infrastructure and services into rural areas. A further issue is that there are a large number of small sites across Dunedin's rural environment which can sometimes be difficult to manage and use.

The rural residential zones have been established in response to these issues, to provide specifically for lifestyle or hobby farming activities **{PO cl.16}** in appropriately located parts of Dunedin's wider rural environment.

Rural residential zones allow for residential activity at a scale consistent with lifestyle or hobby farming, along with those rural and community activities that are consistent with the level of amenity expected by people living in these areas. Non-compatible activities in rural residential zones are discouraged or carefully managed in recognition that these can adversely affect the liveability and amenity of the zones.

Rural residential zones are sometimes located in areas with good quality land and versatile soils, and can contain productive rural activities such as small-scale farming. In order to sustainably manage natural and physical resources, it is important that the productive potential of these areas is maintained.

Some rural residential zones are located in areas of high landscape values, or coastal areas where retention or enhancement of the natural character values of the coast is important. These areas are covered by overlay zones with different rules applying for certain activities, such as buildings, structures and forestry.

Even where not located in landscape or coastal overlays, rural residential zones have their own level of rural or semi-rural character and amenity. Land use activities and development that detract from this character and amenity should be avoided. Rural residential zones can also contain areas of indigenous vegetation and habitat for indigenous species, and are subject to rules managing the clearance of indigenous vegetation. {RR 588.16}

17.1.1 Zone Descriptions

17.1.1.1 Rural Residential 1 Zone

The Rural Residential 1 Zone occurs in a variety of locations, often in proximity to urban areas, that cater for demand for rural residential activity in different parts of Dunedin. The Rural Residential 1 Zone is elevated in some locations and provides a highly visible rural context for nearby residential and urban areas. This applies, in particular, to the Rural Residential 1 Zone at Waitati, Sawyers Bay, Blanket Bay, St Leonards, Chain Hills, Saddle Hill, Blackhead and Scroggs Hill.

In other locations the Rural Residential 1 Zone is less elevated but still provides a rural or semi-rural context to adjacent residential areas, including at Waikouaiti, Abbotsford, Waldronville, Ocean View and Brighton.

The Rural Residential 1 Zone sometimes occurs on river plains, such as at Wingatui, Tirohanga Rd and Middlesmarch. In these cases, the zone has a character that reflects the productive land on which it occurs, with an open pastoral setting. At Wingatui the Rural Residential 1 Zone has a settled and mature character, with mature trees and shelter plantings, and a diverse range of rural uses including hobby farming, horse grazing and horticultural uses.

17.1.1.2 Rural Residential 2 Zone

The Rural Residential 2 Zone typically occurs in coastal locations, or on hill slopes in proximity to urban areas. The Rural Residential 2 Zone recognises existing semi-developed clusters of small rural sites where there is already some rural residential activity, and provides for one residential activity per existing site.

17.2 Objectives and Policies

Objective 17.2.1	
The rural residential zones enable lifestyle blocks, hobby farms and associated residential activities as the appropriate place in the rural environment for these to occur, and provide for a limited range of other compatible activities.	
Policy 17.2.1.1 {RR cl.16¹}	Require residential activity in the rural residential zones to be at a density enables lifestyle and hobby farms. <u>Enable farming, grazing and conservation in the rural residential zones.</u> {RR cl.16}
Policy 17.2.1.2 {RR cl.16¹}	Enable farming, grazing and conservation in the rural residential zones. <u>Require residential activity in the rural residential zones to be at a density that enables lifestyle blocks and hobby farms.</u> {RR cl.16}
Policy 17.2.1.3	Require rural ancillary retail and working from home to be at a scale that: <ol style="list-style-type: none"> is ancillary to, and supportive of, productive rural activities or conservation activity on the same property, and supports objectives 2.3.2 and 2.4.3 and their policies.
Policy 17.2.1.4	Provide for forestry, domestic animal boarding and breeding (not including dogs), community and leisure - small scale, <u>emergency services.</u> {CP 945.40} and veterinary services (<u>large animal practice</u>) {RR cl.16} where the effects can <u>will</u> {PO cl.16} be adequately mitigated in line with objectives 17.2.2, 17.2.3 and 17.2.4 and their policies, and the objectives and policies of any relevant overlay zones.
Policy 17.2.1.5	Only allow rural tourism, rural research, community and leisure - large scale, early childhood education, sport and recreation, and visitor accommodation where the effects can <u>will</u> {PO cl.16} be adequately managed in line with objectives 17.2.2, 17.2.3 and 17.2.4 and their policies, and the objectives and policies of any relevant overlay zones.
Policy 17.2.1.6	Avoid cross lease, company lease and unit title subdivision in the rural residential zones unless it does not result in an increase in development potential beyond that which might be achieved through a general subdivision.
Policy 17.2.1.7 {PO 207.1 and 394.63}	<u>Restrict the tenancy and design of family flats to:</u> {PO 207.1 and 394.63} <ol style="list-style-type: none"> <u>avoid, as far as practicable, the risk they will be used for a separate, non-ancillary, residential activity; and</u> {PO 207.1 and 394.63} <u>avoid, as far as practicable, future pressure to subdivide off family flats.</u> {PO 207.1 and 394.63}

¹ **RR cl.16:** Policy order switched for consistency, to better reflect the 2GP policy hierarchy. The word “blocks” added to Policy 17.2.1.2 to improve clarity and consistency with Objective 17.2.1. These amendments do not change the effect of provisions.

Objective 17.2.2

The potential for conflict between activities within the rural residential zones, and between activities within the rural residential zones and adjoining residential zones, is minimised through measures that ensure: Activities in rural residential zones maintain **{RR 908.3 and 807.35}**

- a. the potential for reverse sensitivity is minimised; and {RR 908.3 and 807.35}
- b. a good level of amenity on surrounding rural residential properties, residential zoned properties and public spaces.

Policy 17.2.2.1	Require residential buildings to be set back an adequate distance from site boundaries to {RR cl.16} minimise, as far as practicable, {PO 906.34 and 308.497} the potential for reverse sensitivity by being set back an adequate distance from effects from {RU 1090.32 and PO 1046.5} : <ol style="list-style-type: none"> a. rural activities such as farming (for example, from noise, dust or odour) site boundaries; {RU 1090.32 and PO 1046.5} and b. existing {PO 1046.5} forestry, factory farming intensive farming {RU 1090.3}, domestic animal boarding and breeding (that includes including {RR cl.16} dogs), mining, and landfills and wind generators – large scale {RR cl.16}¹.
Policy 17.2.2.2	Require buildings that house animals to be set back from site boundaries an adequate distance so that any adverse effects on adjoining residential activities are avoided or, if avoidance is not possible practicable {PO 908.3 and others} , are no more than minor.
Policy 17.2.2.3	Require all new buildings to be located an adequate distance from site boundaries to ensure a good level of amenity for residential activities on adjoining sites.
Policy 17.2.2.4	Require rural ancillary retail and working from home to operate in a way (including hours of operations) that avoids or, if avoidance is not possible practicable {PO 908.3 and others} , adequately mitigates noise or adverse effects on the amenity of surrounding properties.
Policy 17.2.2.5	Only allow rural tourism, rural research, community and leisure - large scale, early childhood education, sport and recreation, veterinary services and visitor accommodation where any adverse effects on the amenity of surrounding rural residential properties are avoided or, if avoidance is not possible practicable {PO 908.3 and others} , adequately mitigated.
Policy 17.2.2.6	Require forestry and tree planting shelterbelts and small woodlots {RU cl.16} to be set back an adequate distance to avoid or minimise, as far as practicable, {PO 308.497} significant effects from shading on residential buildings on surrounding properties.
Policy 17.2.2.7	Only allow forestry where it can will {PO cl. 16} be located and designed to avoid or, if avoidance is not possible practicable {PO 908.3 and others} , adequately mitigate shading, noise, traffic, and other nuisance effects on sensitive activities on surrounding properties.
Policy 17.2.2.8	Require subdivisions to deliver resultant sites that can will {PO cl. 16} achieve a high quality of on-site amenity through being large enough and of a shape that is capable of supporting rural residential development.

¹ **RR cl.16:** As a clause 16 amendment, 'wind generators – large scale' has been added because the activity was omitted in error from the notified policy.

Objective 17.2.3

The character and amenity of the rural residential zones are maintained, elements of which include:

- a. a high presence of natural features such as trees, bush, gully systems and water bodies;
- b. a semi-rural level of development, with a higher proportion of open space and lower density of buildings than in urban areas; and
- c. land maintained and managed for farming, grazing, conservation and rural residential activities.

Policy 17.2.3.1	Require buildings and structures to be set back from boundaries and of a height that maintains the character and visual amenity of the rural residential zones.
Policy 17.2.3.2	Only allow forestry where it will be located, designed, and managed to avoid or, if avoidance is not possible practicable {PO 908.3 and others} , adequately mitigate adverse effects on the character and visual amenity of the rural residential zones.
Policy 17.2.3.3	Only allow rural tourism, rural research –large scale {RR cl.16} , community and leisure - large scale, early childhood education, sport and recreation, veterinary services and visitor accommodation activities where any adverse effects from development on rural residential character and visual amenity will be avoided or, if avoidance is not possible practicable {PO 908.3 and others} , adequately mitigated.
Policy 17.2.3.4	Require ancillary signs to be located and designed to maintain the character of the rural residential zones, including by being of an appropriate size and number to convey information about the name, location and nature of the activity on site to passing pedestrians and vehicles and not being oversized or too numerous for that purpose.
Policy 17.2.3.5	Only allow general subdivision where the subdivision is designed to ensure any associated future land use and development will maintain or enhance the character and amenity of the rural residential zones.

Objective 17.2.4

The productive potential of the rural residential zones for lifestyle blocks or hobby farms is maintained.

Policy 17.2.4.1	Require earthworks in a high class soils mapped area to retain soils on the site.
Policy 17.2.4.2	Only allow land use, development, or subdivision activities that may lead to land use and development in a high class soils mapped area where any adverse effects on high class soils are avoided or, if avoidance is not possible <u>practicable</u> {PO 908.3 and others} , are no more than minor.
Policy 17.2.4.3	Only allow general subdivision where resultant sites are of a shape and size that will enable lifestyle blocks or hobby farms, including the keeping of livestock, and avoid use purely as large lot residential living.
Policy 17.2.4.4	Avoid further general subdivision of sites in the Rural Residential 2 Zone to maintain these sites for larger lifestyle blocks or hobby farms (small holdings) unless it does not result in an increase in residential development potential {RR 307.1 and PO 919.1} .

EW cl.16: As a clause 16 amendment, Objective 17.2.5 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 17.3 Activity Status

17.3.1 Rule location

The activity status tables in rules 17.3.3 to 17.3.5 specify the activity status of land use activities, development activities, and subdivision activities in the rural residential zones and relevant overlay zones, 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}**

17.3.2 Activity status introduction

1. The activity status tables in rules 17.3.3 - 17.3.5 show the activity status of activities in the rural residential zones and the overlay zones indicated, 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 1.6 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 1.6 are intended to be a complete list of activities. However, in the case of an activity that is not covered by any of the activities in the nested tables, the activity status will be non-complying.

Additional activity status rules in hazard overlay zones

6. For the purpose of the hazards provisions, activities are categorised as natural hazards **{NH cl.16}** sensitive activities, natural hazards **{NH cl.16}** potentially sensitive activities or natural hazards **{NH cl.16}** least sensitive activities. The activities that are in each hazards sensitivity category are included in the definitions section and in Section 11.1.
7. In the Hazard 1 (flood) Overlay Zone or the Hazard 2 (flood) Overlay Zone, the activity statuses in Rule 17.3.6 apply for the following activities:
 - a. new **{NH 908.3}** natural hazards **{NH cl.16}** sensitive activities;
 - b. natural hazards **{NH cl.16}** potentially sensitive activities, and
 - c. some new buildings, and additions and alterations to buildings, which create more than 60m² of new

ground floor area {NH. cl.16}

8. Where the activity status in Rule 17.3.6 differs from that in rules 17.3.3 - 17.3.5, the most restrictive activity status always applies.
9. In addition to the rules in Rule 17.3.6, performance standards for development activities within hazard overlay zones are included in rules 17.3.3 - 17.3.5.
10. Activities in a hazard overlay zone must comply with all of the rules in 17.3.3 - 17.3.6.

Performance Standards

11. Performance standards are listed in the far right column of the activity status tables.
12. Performance standards apply to permitted, controlled, and restricted discretionary activities.
13. 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}**.
14. 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.

¹ **NH cl.16:** The content from Table 17.3.6 has been moved to Table 17.3.X, with the exception that column c has been removed, pursuant to clause 16. This was removed as em-dashes are no longer used and the column was unnecessary. All substantive amendments to provisions are show in the new location.



Legend

Acronym	Activity-status Meaning {PO cl.16}
±	<u>Additional provisions apply (assessment criteria for activities in the overlay need to be viewed) {PO 490.1 and others}</u>
P	Permitted Activity
C	Controlled Activity
RD	Restricted Discretionary Activity
D	Discretionary Activity
NC	Non-complying Activity
RR	Rural Residential Zones
ONF	Outstanding Natural Feature Overlay Zone
SNL	Significant Natural Landscape Overlay Zone
HNCC	High Natural Coastal Character Overlay Zone
NCC	Natural Coastal Character Overlay Zone
Haz1	Hazard 1 Overlay Zones
Haz2	Hazard 2 Overlay Zones
Haz3	Hazard 3 Overlay Zones
<u>ASBV {NatEnv cl.16}</u>	<u>Areas of Significant Biodiversity Value {Nat Env cl.16}</u>

17.3.3 Activity status table - land use activities

1.	Performance standards that apply to all land use activities					a. Acoustic insulation b. Electrical interference c. Light spill d. Noise e. Setback from n National gGrid (<u>National Grid</u> sensitive activities only) {NH cl.16}
Rural activities		Activity status ¹				Performance standards
		a. RR	b. ONF/ HNCC	c. SNL/ NCC	d. ASBV {NatEnv cl.16²}	
2.	Domestic animal boarding and breeding (not including dogs)	P	NC	P	<u>NC</u> {NatEnv cl.16}	i. Location ii. Minimum car parking {RR cl.16}
3.	Farming	P	P	P	<u>NC</u> {NatEnv cl.16}	
4.	Forestry	RD	NC	RD+	<u>NC</u> {NatEnv cl.16}	i. Forestry and tree planting <u>shelterbelts and small woodlots</u> {RU cl.16} setbacks ii. Tree species
5.	Grazing	P	P	P	<u>NC</u> {NatEnv cl.16}	
6.	Rural ancillary retail	P	P	P	<u>P</u> {NatEnv cl.16}	i. Hours of operation ii. Location iii. Maximum gross floor area iv. Minimum car parking
7.	Rural tourism	D	D	D	<u>D+</u> {NatEnv cl.16}	
8.	Rural research	D	D	D	<u>D+</u> {NatEnv cl.16}	
A.	<u>Landfills</u> {NatEnv 900.109}	NC	<u>NC</u> <u>Pr</u> {NatEnv 900.109}	NC	<u>NC+</u> {NatEnv cl.16}	

B.	Mining { <i>NatEnv</i> 900.109}	NC	NC Pr { <i>NatEnv</i> 900.109}	NC	NC+ { <i>NatEnv</i> cl.16}	
9.	All other activities in the rural activities category	NC	NC	NC	NC+ { <i>NatEnv</i> cl.16}	
Residential activities		a. RR	b. ONF/ HNCC	c. SNL/ NCC	d. ASBV { <i>NatEnv</i> cl.16 ² }	Performance standards
10.	Standard residential	P	NC	P	NC { <i>NatEnv</i> cl.16}	i. Density ii. Minimum car parking {RR cl.16} iii. Separation distances iv. Family flats {PO 876.1, 207.1 and others}
11.	Working from home	P	P	P	P { <i>NatEnv</i> cl.16}	i. Hours of operation ii. Maximum gross floor area
12.	All other activities in the residential activities category	NC	NC	NC	NC+ { <i>NatEnv</i> cl.16}	
Community activities		a. RR	b. ONF/ HNCC	c. SNL/ NCC	d. ASBV { <i>NatEnv</i> cl.16 ² }	Performance standards
13.	Community and leisure - small scale	P	P	P	P { <i>NatEnv</i> cl.16}	i. Minimum car parking
14.	Community and leisure - large scale	D	D	D	D+ { <i>NatEnv</i> cl.16}	
15.	Conservation	P	P	P	P { <i>NatEnv</i> cl.16}	
16.	Early childhood education	D	D	D	NC { <i>NatEnv</i> cl.16}	
17.	Sport and recreation	D	D	D	D+ { <i>NatEnv</i> cl.16}	
Commercial activities		a. RR	b. ONF/ HNCC	c. SNL/ NCC	d. ASBV { <i>NatEnv</i> cl.16 ² }	Performance standards
18.	Ancillary licensed premises	Same status as underlying activity	Same status as underlying activity	Same status as underlying activity	Same status as underlying activity { <i>NatEnv</i> cl.16}	

19.	Stand-alone car parking	P	P	P	<u>P</u> { <i>NatEnv</i> <i>cl.16</i> }	
20.	Veterinary services (large animal practice)	RD	NC	RD	<u>NC</u> { <i>NatEnv</i> <i>cl.16</i> }	
21.	Visitor accommodation	D	NC	D	<u>NC</u> { <i>NatEnv</i> <i>cl.16</i> }	
22.	All other activities in the commercial activities category	NC	NC	NC	<u>NC+</u> { <i>NatEnv</i> <i>cl.16</i> }	
Industrial activities		a. RR	b. ONF/ HNCC	c. SNL/ NCC	<u>d. ASBV</u> { <i>NatEnv</i> <i>cl.16</i> ² }	Performance standards
23.	All activities in the industrial activities category	NC	NC	NC	<u>NC+</u> { <i>NatEnv</i> <i>cl.16</i> }	
Major facility activities		a. RR	b. ONF/ HNCC	c. SNL/ NCC	<u>d. ASBV</u> { <i>NatEnv</i> <i>cl.16</i> ² }	Performance standards
<u>X.</u>	<u>Emergency services {CP 945.40}</u>	<u>NC</u> <u>P</u> { <i>CP</i> <i>945.40</i> }	NC	NC	<u>NC</u> { <i>NatEnv</i> <i>cl.16</i> }	i. <u>Minimum car parking {CP 945.40}</u>
24.	All other activities in the major facility activities category	NC	NC	NC	<u>NC+</u> { <i>NatEnv</i> <i>cl.16</i> }	

¹ **PO 490.1:** Em-dashes are no longer used, and activity status is shown for all overlays (not just those that have additional provisions applying), except where two areas (zones, overlays, mapped areas etc.) do not intersect, in which case N/A is used. A plus symbol has been added to activity statuses that are the same as in the underlying zone but where additional assessment matters apply. See amended legend.

² **NatEnv cl.16:** Areas of Significant Biodiversity Value (ASBVs) intersect with the rural residential zones, but the notified Plan omitted providing a link to the relevant rules for ASBVs. They were included correctly in the rural zones for reference. These rules have been added to clarify the rules that apply in ASBVs where these intersect with rural residential zones. This amendment is considered of minor consequence and made under Clause 16 of the RMA.

17.3.4 Activity status table - development activities

1.	Performance standards that apply to all development activities	<ul style="list-style-type: none"> a. <u>Natural Hazards Performance Standards</u> Hazard overlay zones development standards {NH cl.16} b. Setback from coast and water bodies {NatEnv cl.16} c. Setback from national grid {NU cl.16} d. Setback from scheduled tree
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2.	Performance standards that apply to all buildings and structures activities					<ul style="list-style-type: none"> a. Boundary setbacks b. Maximum height c. Number, location and design of ancillary signs d. Reflectivity (landscape and natural {NatEnv cl.16} coastal character overlays) e. <u>Setback from coast and water bodies</u> {NatEnv cl.16} f. <u>Setback from National Grid</u> {NU cl.16}
Buildings and structures activities (excluding activities affecting a protected part of a scheduled heritage building or scheduled heritage structure. See rows 8-12)		Activity status ^s				Performance standards
		a. RR	b. ONF/ HNCC	c. SNL/ NCC	d. ASBV {NatEnv cl.16⁶}	
3.	New buildings greater than 60m ² <u>footprint</u> {PO cl.16'} on a landscape building platform	P	NC	C	<u>RD</u> {NatEnv cl.16}	i. Fire fighting
4.	New buildings or structures less than or equal to 60m ² <u>footprint</u> {PO cl.16'} or additions and alterations that result in a building or structure that is less than or equal to 60m ² <u>footprint</u> {PO cl.16'}	P	NC	P	<u>P</u> {NatEnv cl.16}	i. Fire fighting

5.	New buildings or structures greater than 60m ² footprint {PO cl.16³} or additions and alterations that result in a building or structure that is greater than 60m ² footprint {PO cl.16³}	P	NC	RD	RD {NatEnv cl.16}	i. Fire fighting
6.	Fences	P	P	P	P {NatEnv cl.16}	
7.	All other buildings and structures activities	P	RD P {NatEnv 360.138}	RD P {NatEnv 360.138}	P {NatEnv cl.16}	
Buildings and structures activities that affect a protected part of a scheduled heritage building or scheduled heritage structure		a. RR	b. ONF/ HNCC	c. SNL/ NCC	d. ASBV {NatEnv cl.16⁶}	Performance standards
8.	Repairs and maintenance or restoration {Her 547.91}	P	P	P	P {NatEnv cl.16}	i. Materials and design
X.	Restoration of a building or structure that has a Heritage New Zealand Category 1 listing as detailed in Appendix A1.1 {Her 547.91}	P C {Her 547.91}	P C {Her 547.91}	P C {Her 547.91}	C {NatEnv cl.16}	i. Materials and design
Y.	Restoration of all other scheduled heritage buildings and structures {Her 547.91}	P	P	P	P {NatEnv cl.16}	i. Materials and design
9.	Earthquake strengthening where external features only are protected	C	C	C	C {NatEnv cl.16}	i. Materials and design
Z.	Signs attached to buildings or structures {Her cl.16⁷}	P	P	P	P {NatEnv cl.16}	
10.	All other additions and alterations	RD	RD	RD	RD {NatEnv cl.16}	
11.	Demolition	NC	NC	NC	NC {NatEnv cl.16}	
12.	Removal for relocation	RD	RD	RD	RD {NatEnv cl.16}	
Site development activities		a. RR	b. ONF/ HNCC	c. SNL / NCC	d. ASBV {NatEnv cl.16⁶}	Performance standards
13.	Earthworks – small scale {EW cl.16³}	P	P	P		i. Earthworks standards

14.	Earthworks – <i>large scale {EW cl.16³}</i>	RD	RD+	RD+		i. Earthworks standards
15.	Outdoor storage	P	P	P	<u>P</u> { <i>NatEnv cl.16</i> }	
16.	Parking, loading and access	P	P	P	<u>P</u> { <i>NatEnv cl.16</i> }	i. Parking, loading and access standards
17.	New or additions to parking areas, or extensions to existing parking areas that result in the creation of <i>{Trans cl.16}</i> 50 or more new parking spaces.	RD	RD	RD	<u>RD</u> { <i>NatEnv cl.16</i> }	i. Parking, loading and access standards
18.	Indigenous vegetation clearance - <i>small scale {NatEnv cl.16³}</i>	P	P in ONF RD in HNCC <i>{NatEnv cl.16}</i>	P in SNL RD in NCC <i>{NatEnv cl.16}</i>	<u>P</u> { <i>NatEnv cl.16</i> }	i. Vegetation clearance standards
<u>18A.</u>	Indigenous vegetation clearance - <i>large scale {NatEnv cl.16³}</i>	RD	RD+ <i>{NatEnv 958.106}</i> in ONF RD <u>NC</u> <i>{NatEnv 958.106}</i> in HNCC	RD in SNL RD+ in NCC	<u>NC</u> { <i>NatEnv cl.16</i> }	i. Vegetation clearance standards
19.	All other vegetation clearance	P	P	P	<u>P</u> { <i>NatEnv cl.16</i> }	i. Vegetation clearance standards
20.	Storage and use of hazardous substances	P	P	P	<u>P</u> { <i>NatEnv cl.16</i> }	i. Hazardous substances quantity limits and storage requirements ii. <u>Setback from coast and water bodies</u> <i>{NatEnv cl.16}</i>

21.	Free-planting <u>Shelterbelts and small woodlots</u> {RU cl.16}	P	RD	P	RD {NatEnv cl.16}	i. Forestry and tree-planting <u>shelterbelts and small woodlots</u> {RU cl.16} setbacks ii. Tree species
22.	All other site development activities	P	P	P	RD {NatEnv cl.16}	

¹ **PO cl.16:** Footprint is included in the rule to improve plan clarity as a minor and inconsequential amendment.

² **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.

³ **NatEnv cl.16:** Indigenous vegetation clearance rules have been reformatted. Indigenous vegetation clearance that was exempt from the notified definition of “indigenous vegetation clearance”, or that was permitted under notified Rule 10.3.2.2 Maximum area of indigenous vegetation clearance, is now provided for as Indigenous Vegetation Clearance – Small Scale. Other indigenous vegetation clearance is now provided for as Indigenous Vegetation Clearance – Large Scale. This does not change the effect of provisions.

⁴ **PO 490.1:** Em-dashes are no longer used, and activity status is shown for all overlays (not just those that have additional provisions applying), except where two areas (zones, overlays, mapped areas etc.) do not intersect, in which case N/A is used. A plus symbol has been added to activity statuses that are the same as in the underlying zone but where additional assessment matters apply. See amended legend.

⁵ **NatEnv cl.16:** Areas of Significant Biodiversity Value (ASBVs) intersect with the rural residential zones, but the notified Plan omitted providing a link to the relevant rules for ASBVs. They were included correctly in the rural zones for reference. These rules have been added to clarify the rules that apply in ASBVs where these intersect with rural residential zones. This amendment is considered of minor consequence and made under Clause 16 of the RMA.

⁷ **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 17.3B.4A - General advice

- 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.
- 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.
- Pre-1900 buildings are considered archaeological sites. An archaeological authority must be obtained before demolishing a pre-1900 building or structure.
- 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.

17.3.5 Activity status table - subdivision activities

Subdivision activities		Activity status ¹				Performance standards
		a. RR	b. ONF/HNCC	c. SNL/NCC	d. ASBV {NatEnv cl.16 ² }	
1.	General subdivision creating resultant sites used solely for the purposes of a Scheduled ASGV- <u>ASBV {NatEnv 958.60}</u> or QEII covenant; or reserve; or access; or network utilities; or road.	RD	RD	RD	RD+ {NatEnv cl.16}	i. Access ii. Esplanade reserves and strips
2.	All other general subdivision in the Rural Residential 1 Zone	RD	RD+	RD+	RD+ {NatEnv cl.16}	i. Access ii. Esplanade reserves and strips iii. Fire fighting iv. Minimum site size v. Service connections vi. Shape
3.	All other general subdivision in the Rural Residential 2 Zone	NC	NC	NC	NC+ {NatEnv cl.16}	
4.	Cross lease, company lease and unit title subdivision	NC	NC	NC	NC+ {NatEnv cl.16}	

¹ **PO 490.1:** Em-dashes are no longer used, and activity status is shown for all overlays (not just those that have additional provisions applying), except where two areas (zones, overlays, mapped areas etc.) do not intersect, in which case N/A is used. A plus symbol has been added to activity statuses that are the same as in the underlying zone but where additional assessment matters apply. See amended legend.

² **NatEnv cl.16:** Areas of Significant Biodiversity Value (ASBVs) intersect with the rural residential zones, but the notified Plan omitted providing a link to the relevant rules for ASBVs. They were included correctly in the rural zones for reference. These rules have been added to clarify the rules that apply in ASBVs where these intersect with rural residential zones. This amendment is considered of minor consequence and made under Clause 16 of the RMA.

Note 17.3.5A - Other RMA considerations {PO 490.4}

- 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.

17.3.6 Change to activity status in Hazard 1, Hazard 2 and Hazard 3 Overlay Zones {NH cl.16¹}

Activity {NH cl.16}		a. Haz1 {NH cl.16}	b. Haz2 {NH cl.16}	c. Haz3 {NH cl.16}
1. {NH cl.16}	Potentially sensitive activities permitted in rural residential zones {NH cl.16}	⌀ {NH cl.16}	⌀ {NH cl.16}	⌀ {NH cl.16}
2. {NH cl.16}	Potentially sensitive activities not permitted in rural residential zones {NH cl.16}	NC {NH cl.16}	⌀ {NH cl.16}	⌀ {NH cl.16}
3. {NH cl.16}	Sensitive activities {NH cl.16}	NC {NH cl.16}	⌀ {NH cl.16}	⌀ {NH cl.16}
4. {NH cl.16}	In a hazard 1 (land instability) Overlay Zone, new buildings, and additions and alterations to buildings, <i>which create more than 1m² of new ground floor area</i> {NH cl.16}	RD {NH cl.16}	RD {NH cl.16}	RD {NH cl.16}
5. {NH cl.16}	In a hazard 1 or 2 overlay zone, other than the hazard 1 (land instability) Overlay Zone, new buildings, and additions and alterations to buildings, <i>which create more than 36m² of new ground floor area</i> {NH cl.16}	RD {NH cl.16}	RD+ {NH cl.16}	RD+ {NH cl.16}

¹ **NH cl.16:** The content from Table 17.3.6 has been moved to Table 17.3.X, with the exception that column c has been removed, pursuant to clause 16. This was removed as em-dashes are no longer used and the column was unnecessary. All substantive amendments to provisions are show in the new location.

17.3.X Activity status in Hazard 1 (flood) Overlay Zone and Hazard 2 (flood) Overlay Zone {NH 637.74 and others}

		Activity status	
Activity		a. Haz1 (flood) {NH 73.4 and others}	b. Haz2 (flood) {NH 73.4 and others}
X.	Natural hazards sensitive activities {NH 634.74}	NC	⌀ RD {NH 634.74 ¹ }
Y.	Natural hazards potentially sensitive activities {NH 634.74}	⌀ NC {NH 634.74 ¹ }	⌀ RD {NH 634.74 ¹ }
4.	In a hazard 1 (land instability) Overlay Zone, new buildings, and additions and alterations to buildings, which create more than 1m ² of new ground floor area {NH 73.4 and others}	RD {NH 73.4 and others}	— {NH 73.4 and others}
5.	In a hazard 1 or 2 overlay zone, other than the hazard 1 (land instability) Overlay Zone, {NH 73.4 and others} New buildings, and additions and alterations to buildings, which create more than 60m ² of new ground floor area	RD	RD

¹ **NH 634.74:** Note that "potentially sensitive activities permitted in rural residential zones" had no additional rules

(shown as an em-dash) under the notified Plan but the distinction between this activity and "potentially sensitive activities not permitted in rural residential zones" which was notified as a discretionary activity) was removed and both activities were changed to restricted discretionary in response to this submission.

Note 17.3.6A - Guidance on existing use rights applying to land use activities in hazard overlay zones
Other RMA considerations {RR cl.16}

1. For the purposes of the natural hazards provisions only, with respect to section 10 of the RMA (existing use rights) **{NH 634.81}**, Council will generally consider that a land use activity is similar in character, intensity, and scale where:
 - a. for a residential activity, there is less than 25m² increase in ground floor area of any residential building(s), in any consecutive 10 year period; or
 - b. for a residential activity, a new building is to be used solely as a garage or shed; or
 - c. for all other natural hazards **{NH cl.16}** sensitive activities and natural hazards **{NH cl.16}** potentially sensitive activities, the ground floor area of any buildings increases by less than 100% in any consecutive 10 year period.

Accordingly, these activities will not usually trigger the provisions for natural hazards sensitive activities and natural hazards potentially sensitive activities in Rule 17.3.6. {NH 634.81} However, Council will consider specific circumstances associated with the development and how this affects the character, intensity and scale of the land use activity.

Rule 17.4 Notification

1. Applications for resource consent for the following activities will be considered without the need to obtain a written approval of affected persons and will not be notified in accordance with sections 95A or 95B of the RMA, unless Council considers special circumstances exist in relation to the application that require public notification:
 1. earthquake strengthening of a scheduled heritage building or scheduled heritage structure where external features only are protected (controlled activity) and that are not listed by Heritage New Zealand; and
 2. contravention of the materials and design **{Her cl.16}** performance standard (Rule 13.3.2) 'Materials and design' **{Her cl.16}** where the building or structure is not listed by Heritage New Zealand.
2. With respect to resource consent applications for the following activities, **{RR cl.16}** Heritage New Zealand will be considered an affected person in accordance with section 95B of the RMA where their written approval is not provided with respect to applications for resource consent for the following:
 1. activities that affect a protected part of a scheduled heritage building, scheduled heritage structure, or a scheduled heritage site, that is listed with Heritage New Zealand;
 2. contraventions of the materials and design **{Her cl.16}** performance standard (Rule 13.3.2) 'Materials and design' **{Her cl.16}** where the building or structure is listed by Heritage New Zealand; and
 3. contraventions of the archaeological sites **{Her cl.16}** performance standard (Rule 13.3.3) 'Archaeological sites' **{Her cl.16}**.
3. ~~Applications for resource consent for the following activities will be publicly notified in accordance with section 95A(2) of the RMA: **{Her 308.362}**~~
 1. ~~demolition of a protected part of a scheduled heritage building or scheduled heritage structure: **{Her 308.362}**~~
4. With respect to resource consent applications for the following activities, **{RR cl.16}** Manawhenua will be considered an affected person in accordance with section 95B of the RMA where their written approval is not provided with respect to resource consents applications for the following:
 1. all restricted discretionary activities that list 'effect on cultural values of Manawhenua as a matter for discretion; and
 2. discretionary and non-complying activities in a **wāhi tūpuna mapped area** where the activity is identified as a threat in Appendix A4.
5. With respect to resource consent applications for the following activities, the Department of Conservation will be considered an affected person in accordance with section 95B of the RMA where its written approval is not provided: **{RU 958.109}**
 1. indigenous vegetation clearance - large scale in a scheduled Area of Significant Biodiversity Value; or **{Nat Env cl.16}**
 2. indigenous vegetation clearance - large scale or any discretionary or non-complying activity in a Natural Coastal Character or High Natural Coastal Character overlay zone. **{RU 958.109}**
6. With respect to resource consent applications for the following activities within the **radio transmitters mapped area**, Radio New Zealand Limited will be considered an affected person in accordance with section 95B of the RMA, unless their written approval is provided or discretion is restricted and excludes consideration of reverse sensitivity effects: **{NU 918.25}**
 1. any activities that may be sensitive to electromagnetic interference, noise or visual effects from Radio New Zealand's facilities at 740 Highcliff Road and 35 Karetai Road; and **{NU 918.25}**

2. subdivision that could result in activities of this kind. **{NU 918.25}**
7. With respect to sections 95D(b) and 95E(2)(a) of the RMA, Council will not consider family flats or papakāika as part of the permitted baseline in considering residential density effects in the rural residential zones.
8. ~~In accordance with section 95B of the RMA, where an application is not publicly notified, Council will give limited notification to all affected persons.~~ **{PO cl.16¹}**
9. With respect to resource consent applications for the following activities, the Otago Regional Council will be considered an affected person in accordance with section 95B of the RMA where their written approval is not provided:
 1. activities in the Hazard 1 or 1A **{NH 908.37}** (flood) overlay zones; and
 2. activities in **swale mapped areas.** **{NH cl.16³}**
10. All other activities are subject to the normal tests for notification in accordance with sections 95A-95G of the RMA.

¹ **PO cl.16:** Clause removed as superfluous.

² **NatEnv cl.16:** Areas of Significant Biodiversity Value (ASBVs) intersect with the rural residential zones, but the notified Plan omitted providing a link to the relevant rules for ASBVs. They were included correctly in the rural zones for reference. These rules have been added to clarify the rules that apply in ASBVs where these intersect with rural residential zones. This amendment is considered of minor consequence and made under Clause 16 of the RMA.

³ **NH cl.16:** This rule was notified as Rule 11.8.3 in the Natural Hazards Section but has been transferred to this section for clarify. This does not result in a substantive change to the effect of provisions.

Rule 17.5 Land Use Performance Standards

17.5.1 Acoustic Insulation

Noise sensitive activities in the following areas must comply with Rule 9.3.1.

- a. **port noise controlled {PO cl.16} mapped area;**
- b. within 40m of the Taieri Aerodrome Zone;
- c. within 40m of a state highway;
- d. within 20m of an industrial zone; and
- e. within 70m of a railway line.

17.5.2 Density

1. The maximum density of standard residential activities ~~activity~~ **{PO cl.16}** is as follows:
 - a. In the Rural Residential 1 Zone, the minimum site size per residential activity is 2ha, except:
 - i. ~~a single residential activity is permitted unit may be erected~~ **{RR cl.16}** on an existing site between 1ha and 2ha created before 26 September 2015 as long as all other performance standards can be met; and
 - ii. ~~a single residential activity is permitted unit may be erected~~ **{RR cl.16}** on a site created by Rule 17.7.5.2 as long as all other performance standards can be met.
 - b. In the Rural Residential 1 Zone, multiple standard residential activities are only allowed on a single site where all primary residential buildings (houses) are able to meet all the relevant performance standards if they were ever subdivided into separate sites.
 - c. In the Rural Residential 2 Zone, a maximum of one residential activity per site ~~over of at least~~ 1ha. **{RR 997.35}**
 - d. In all rural residential zones, one family flat is allowed per site in association with a standard residential activity that meets this performance standard for density, ~~provided:~~ **{PO 447.113}**
 - i. ~~the family flat is either attached to or located in the same residential building as the primary residential unit, or is located within 30m of the primary residential building (house), as measured as the closest distance between any wall of the primary residential building and any wall of the family flat; and~~ **{PO cl.16}**
 - ii. ~~the family flat has a maximum gross floor area of 60m².~~ **{PO cl.16}**
2. Standard residential activity that contravenes this performance standard is a non-complying activity, ~~except:~~
~~standard residential activity (family flat) that contravenes Rule 17.5.2.1.d.i or is a restricted discretionary activity.~~ **{PO cl.16}**

¹ **PO cl.16:** As a clause 16 amendment this has been moved to the family flats performance standard

17.5.3 Electrical Interference

Land use activities must comply with Rule 9.3.2.

17.5.4 Hours of Operation

1. For rural ancillary retail, customers must not arrive before 7am or depart after 7pm.
2. For working from home, customers and deliveries must not arrive before 7am or depart after 7pm. This standard does not apply to homestays.
3. Activities that contravene this performance standard are restricted discretionary activities. **{PO cl.16}**

17.5.5 Light Spill

Land use activities must comply with Rule 9.3.5.

17.5.6 Location

1. Domestic animal boarding and breeding (not including dogs) and rural ancillary retail must not be accessed directly from a state highway with a speed limit of 80kmh or over.
2. Activities that contravene this performance standard are restricted discretionary activities.**{PO cl.16}**

17.5.7 Maximum Gross Floor Area

Activity	Maximum gross floor area
1. Rural ancillary retail	60m ²
2. Working from home	100m ² (applies only to area used within buildings)

3. The retailing of plants grown on a site is exempt from the performance standard for maximum gross floor area.
4. Activities that contravene this performance standard are restricted discretionary activities.**{PO cl.16}**

Note 17.5.7A - Other requirements outside of the District Plan

1. Registration must be obtained from DCC Environmental Health Department for any working from home activities activity **{PO cl.16}** which involves food products, hairdressing, beauty therapy or tattooing. Please contact the DCC's Environmental Health Department on 03 477 4000 or visit the DCC website www.dunedin.govt.nz for more information.
2. A licence from DCC's Alcohol Licensing Department may be required for any working from home activities activity **{PO cl.16}** involving the sale or distribution of alcohol. Please contact the DCC on 03 477 4000 or visit the DCC website at www.dunedin.govt.nz for more information.

17.5.8 Minimum Car Parking

1. Land use activities must provide on-site parking spaces as follows:

Activity		Minimum number of on-site parking spaces
a.	Community and leisure – small scale	1 parking space for every 5 persons the facility can accommodate at any one time
b.	Rural ancillary retail	1 on-site parking space per roadside produce stall
c.	Emergency services {CP 945.40}	i. <u>For fire stations: 5 parking spaces per fire engine bay. {CP 945.40}</u> ii. <u>For all other activities: 1 parking space per 100m² gross floor area. {CP 945.40}</u>

2. Activities other than standard residential **{RR cl.16}** must provide mobility parking spaces as follows:

Total number of parking spaces provided		Minimum number of these that must be mobility parking spaces
a.	1 - 20	1 parking space
b.	21 - 50	2 parking spaces
c.	For every additional 50 parking spaces	1 additional parking space

3. For the purpose of calculating minimum car parking:

- where the minimum parking performance standard results in the requirement for a fractional space, any fraction under one half will be disregarded and any fraction of one half or greater will be counted as one space.
- the same parking spaces may be counted for more than one land use activity (i.e. parking spaces may be shared between land use activities), as long as the hours of operation of the land use activities do not overlap.

4. For activities where the minimum car parking performance standard is based on the gross floor area, the following areas will be excluded from the assessment of gross floor area:

- any parking area and associated manoeuvring space, including aisle; and
- any loading area and associated manoeuvring space. **{RR cl.16}**

5. Activities that contravene this performance standard are restricted discretionary activities. **{PO cl.16}**

¹ **RR cl.16:** Rule 17.5.8.4 has been added to clarify how 'gross floor area' is to be interpreted, for the purposes of the minimum car parking performance standard in this zone. This does not change the effect of provisions.

Note 17.5B.8A - Other relevant District Plan provisions

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

17.5.9 Noise

Land use activities must comply with Rule 9.3.6.

17.5.10 Separation Distances **{RU cl.16¹}**

1. New residential buildings must be located at least:
 - a. ~~30m from an existing, lawfully established forestry activity on a separate site;~~
 - b. ~~100m from an existing, lawfully established factory farming activity on a separate site;~~
 - c. ~~100m from an existing, lawfully established domestic animal boarding and breeding activity that includes dogs on a separate site;~~
 - d. ~~100m from an existing, lawfully established mining activity on a separate site;~~
 - e. ~~100m from an existing, lawfully established landfill activity on a separate site; and~~
 - f. ~~100m from existing, lawfully established wind generators – community scale and wind generators – regional scale on a separate site. **{RR cl.16’}**~~
 - a. 30m from an existing, lawfully established forestry activity on a separate site;
 - b. 100m from:
 - i. an existing, lawfully established ~~factory farming~~ intensive farming activity **{RU 1090.3}** on a separate site; and
 - ii. an existing, lawfully established domestic animal boarding and breeding including dogs activity **{RR cl.16}** on a separate site;
 - c. ~~100m~~ 150m **{RU 796.8}** from existing, lawfully established landfills ~~activity **{PO cl.16}**~~ on a separate site;
 - d. ~~100m~~ 250m **{RU 702.4}** from existing, lawfully established ~~wind generators – community scale and wind generators – regional scale~~ wind generators - large scale **{NU 308.122}** on a separate site;
 - e. ~~100m~~ 200m **{CP 458.43 and others}** from an existing, lawfully established mining activity, that does not involve blasting. **{CP458.43 and others}** on a separate site; and
 - f. 500m from an existing, lawfully established mining activity, that involves blasting, on a separate site. **{CP 458.43 and others}**
2. For the purpose of this standard, separation distance is measured from the closest wall of the new residential building to the closest edge of any active **{CP 458.43 and others}** operational area or part of the site being used for one of the activities listed.
3. Activities that contravene this performance standard are restricted discretionary activities. **{PO cl.16}**

¹ **RR cl.16:** This rule has been reformatted to reduce repetition and to re-order the list of existing activities according to the length of the separation distance (except that the two mining-related separation distances are listed consecutively) . This does not change the effect of the rule.

17.5.11 Setback from National Grid

National Grid Sensitive {NH cl.16} activities must comply with Rule 5.6.1.1.

17.5.12 Tree Species

Forestry and tree-planting shelterbelts and small woodlots {RU cl.16} must comply with Rule 10.3.4.

17.5.13 Family Flats {confirmed for addition - 207.1, 876.1 and others}

Rule 17.5.13.1 Family Flats - Tenancy {PO 207.1, 394.63 and others}

- a. Family flats must:
 - i. only be occupied by:
 1. a person or persons related to or dependent on the household that lives in the primary residential unit on the same site; or {PO cl.16}
 2. employed {PO cl.16} on-site, in a paid or voluntary capacity, as a domestic, child-care, farm or conservation worker by the household that lives in the primary residential unit on the same site. {PO 539.3 and 708.2}
 - ii. not be on a different tenancy agreement to the primary residential unit. {PO 207.1 and 394.63}
- b. Standard Residential activity that contravenes this performance standard is a non-complying activity. {PO 207.1 and 394.63}

Rule 17.5.13.2 Family Flat - Design {PO 876.1 and others}

- a. Family flats must:
 - i. not exceed a maximum gross floor area of 60m²; {PO 372.1 and 207.2};
 - ii. be on the same available water and waste infrastructure connection, or the same non-reticulated wastewater disposal system as the primary residential unit; {PO 876.1}
 - iii. be on the same household electricity account; {PO 876.1}
 - iv. share the same vehicle access as the primary residential unit; and {PO cl.16}
 - v. be attached to or located in the same residential building as the primary residential unit, or located within 30m of the primary residential building (house), as measured as the closest distance between any wall of the primary residential building and any wall of the family flat. {PO cl.16}
- b. Standard Residential activity that contravenes this performance standard is a restricted discretionary activity. {PO 876.1}

¹ **PO cl.16:** As a clause 16 amendment this has been moved from the density performance standard

² **PO cl.16:** As a clause 16 amendment this has been moved here from the definition of family flats

Rule 17.6 Development Performance Standards

17.6.1 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.

17.6.2 Fire Fighting

New residential buildings and subdivision activities must comply with Rule 9.3.3.

17.6.3 Natural Hazards Performance Standards {Was "Hazard Overlay Zones Development Standards" - NH cl.16}

17.6.3.1 Hazard exclusion areas

~~Development activities~~ New buildings and structures and additions and alterations **{NH cl.16¹}** located in a **swale mapped area** must comply with Rule 11.3.1.1.

¹ **NH cl.16:** Rule reworded to be consistent with Rule 11.3.1.

17.6.3.2 Maximum area of vegetation clearance in the hazard overlay zones

Vegetation clearance in the Hazard 1 or 2 (land instability) overlay zones must comply with Rule 11.3.2.

~~17.6.3.3 Minimum floor level {NH 917.27, NH 947.53 and others}~~

~~New buildings (including residential buildings) to be used for sensitive activities in the Hazard 1 (flood), Hazard 2 (flood), Hazard 3 (flood) or Hazard 3 (coastal) overlay zones must comply with Rule 11.3.3. {NH 917.27, NH 947.53 and others}~~

17.6.3.4 Relocatable buildings

~~New buildings (including residential buildings) to be used for sensitive activities~~ containing residential activity on the ground floor **{NH 360.239 and NH 961.1}** in the Hazard 3 (coastal) Overlay Zone must comply with Rule 11.3.4.

17.6.3.5 Outdoor storage {was 'Outdoor storage standard' - NH cl.16}

Outdoor storage in the Hazard 1 (flood) Overlay Zone must comply with Rule 11.3.5.

17.6.4 Hazardous Substances Quantity Limits and Storage Requirements

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

17.6.5 Materials and Design

Repairs and maintenance, restoration and earthquake strengthening must comply with Rule 13.3.2.

17.6.6 Maximum Height

1. New buildings and structures, and additions and alterations, must not exceed a maximum height above ground level as follows:

Activity		i. Rural residential zone	ii. Landscape and natural {NatEnv cl.16} coastal character overlay zones
a.	Roadside produce stall	3.5m	3.5m
b.	All other buildings and structures	10m	5m

- c. Rooftop structures are exempt from the performance standard for height provided they do not exceed the maximum height limit for all other buildings and structures by more than one third of that limit.
 - d. Buildings or structures must not protrude through the height restriction for the Taieri Aerodrome approach and take-off fans shown on the **Taieri Aerodrome flight fan mapped area**.
2. Activities that contravene this performance standard are restricted discretionary activities.**{PO cl.16}**

17.6.7 Number, Location and Design of Ancillary Signs

17.6.7.1 General

- a. A maximum of one sign attached to a building and one freestanding sign is allowed per site, except:
 - i. only one sign may be located in any part of a site in an ONF, SNL, HNCC or NCC overlay zone.
- b. Signs visible from a public place must meet all of the following performance standards, except that regulatory signs, directional signs and warning signs that do not exceed 0.25m² are exempt from these standards. **{CMU 271.18}**.
- c. ~~Signs must be ancillary signs.~~ **{PO cl.16}**
- d. Signs must comply with Rule 6.7.3 where visible from a road.
- e. Signs must not be illuminated or digital.
- f. 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:** Deleted as definition of “Signs” amended to clarify how different signs are managed in the Plan.

17.6.7.2 Signs attached to buildings

- a. The maximum height above ground level, at the highest point of any sign, is 4m, except:
 - i. the maximum height is 2m in an ONF, SNL, HNCC or NCC overlay zone.
- b. Signs must not be attached to roofs.
- c. Signs must not project higher than the lowest point of the roof, except as mounted flat against a parapet or gable end.
- d. The maximum area of signs, per display face, is 1m², except:
 - i. the maximum area of signs, per display face, is 0.6m² in an ONF or HNCC overlay zone.
- e. In an ONF or HNCC overlay zone the sign must only provide information about the values of the overlay zone (refer Appendices A3 and A5).

17.6.7.3 Freestanding signs

- a. The maximum dimensions of freestanding signs are:
 - i. maximum height of 4m, except:
 1. 2m in an ONF, SNL, HNCC or NCC overlay zone;
 - ii. maximum area of 2m² per display face, except:
 1. 0.6m² per display face in an ONF or HNCC overlay zone; and
 2. 1m² per display face in an SNL or NCC overlay zone;
 - iii. maximum of 2 display faces per sign;
 - iv. maximum width of 2m, except:
 1. 1m in an ONF, SNL, HNCC or NCC overlay zone; and
 - v. maximum depth of 400mm.
- b. Freestanding signs must:
 - i. not obstruct parking, loading or access areas; and
 - ii. be positioned entirely within site boundaries.
- c. In an ONF or HNCC overlay zone the sign must only provide information about the values of the overlay zone (refer Appendices A3 and A5).

Note 17.6A - 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 17.6B.7A - Other requirements outside of the District Plan

1. For additional restrictions that may apply to signs, see also:
 - a. ~~New Zealand NZ {Trans 881.17}~~ Transport Agency *Traffic Control Devices Manual, Part 3, Advertising Signs and Signs on State Highways Bylaw {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

17.6.8 Parking, Loading and Access Standards

Parking, loading and access must comply with Rule 6.6.

17.6.9 Reflectivity

New buildings and structures (except fences), and additions and alterations, in any landscape or ~~natural~~ coastal {NatEnv cl.16} character overlay zone must comply with Rule 10.3.6.

17.6.10 Setbacks

17.6.10.1 Boundary setbacks

- a. Buildings New buildings **{RR cl.16}** and structures, and additions and alterations, must be set back from boundaries as follows:

Activity		1. Minimum setback from road boundary	2. Minimum setback from side and rear boundaries with sites held in separate ownership
i.	<u>Residential buildings</u> <u>Building used for residential activity</u> {RR cl.16} (See Figure 17.6A) {RR cl.16}	12m	10m
ii.	<u>Non-residential buildings</u> <u>Other building</u> {RR cl.16} housing animals (See Figure 17.6B) {RR cl.16}	12m	<ol style="list-style-type: none"> 1. <u>Buildings with a maximum height of up to 7m above ground level:</u> {RR 312.10} 15m 2. <u>Buildings with a maximum height that is over 7m above ground level:</u> The greater of either 15m or twice the maximum height of the building {RR 312.10}
iii.	<u>Non-residential buildings</u> <u>Other building</u> {RR cl.16} not housing animals (See Figure 17.6C) {RR cl.16}	12m	<ol style="list-style-type: none"> 1. <u>Buildings with a maximum height of up to 7m above ground level:</u> {RR 312.10} 6m 2. <u>Buildings with a maximum height that is over 7m above ground level:</u> Twice the maximum height of the building {RR 312.10}
iv.	Roadside produce stall	No requirement	6m
v.	All other structures	No requirement	No requirement

- b. Activities that contravene this performance standard are restricted discretionary activities.**{PO cl.16}**

Figure 17.6A Setbacks for residential buildings {RU cl.16}

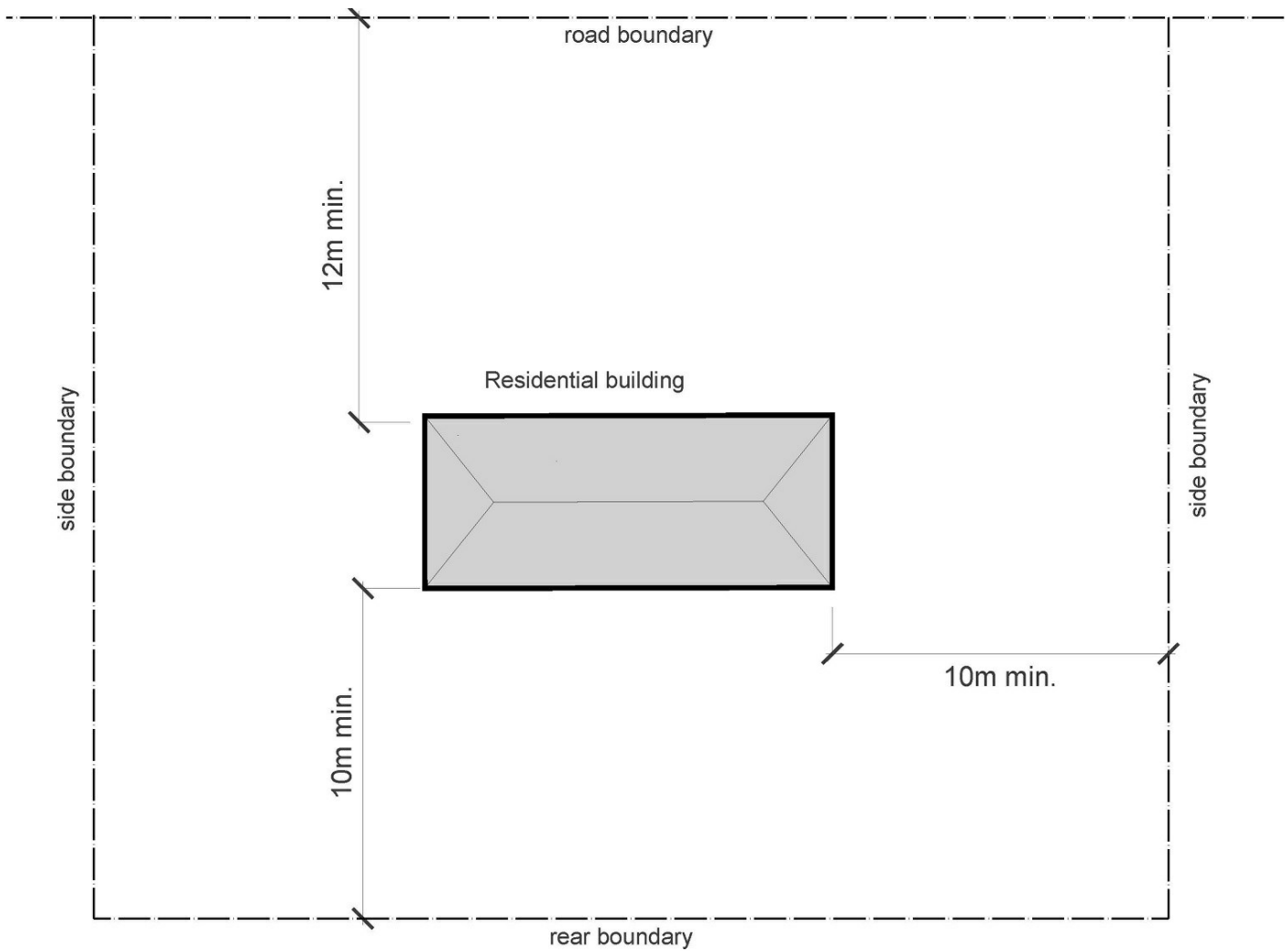


Figure 17.6B Setbacks for non-residential buildings housing animals {RU cl.16}

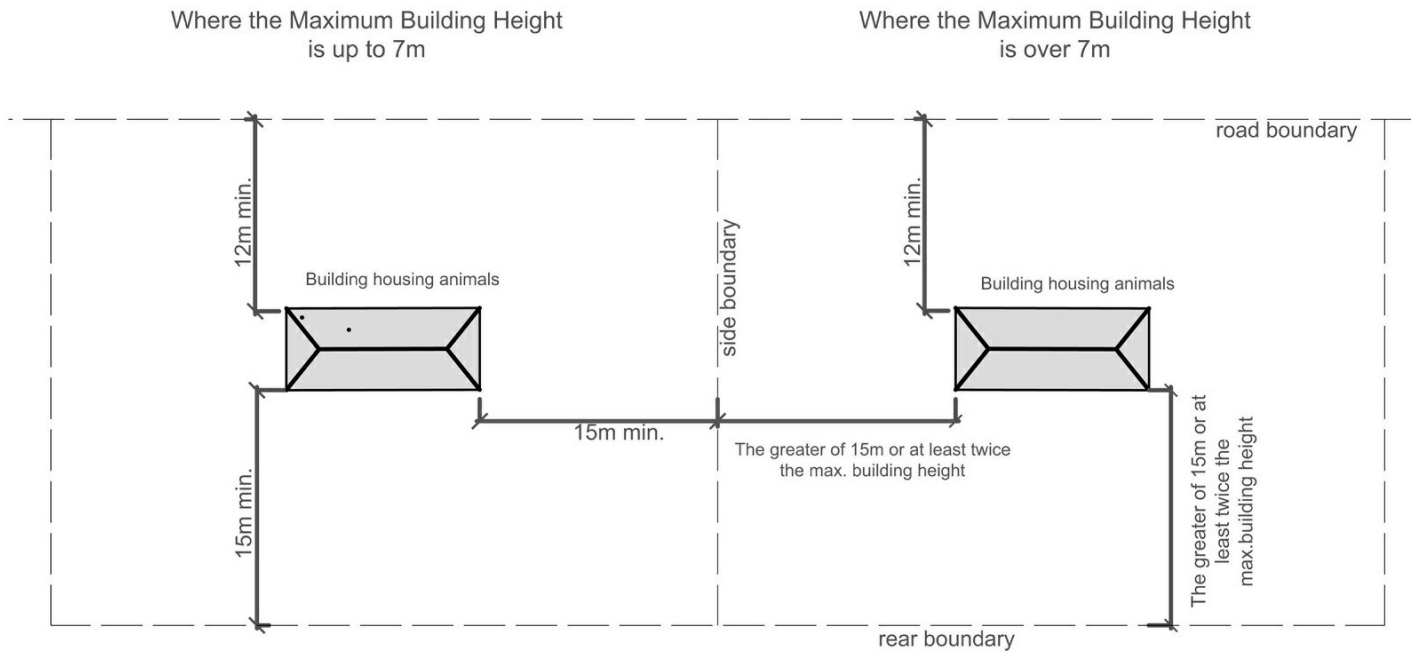
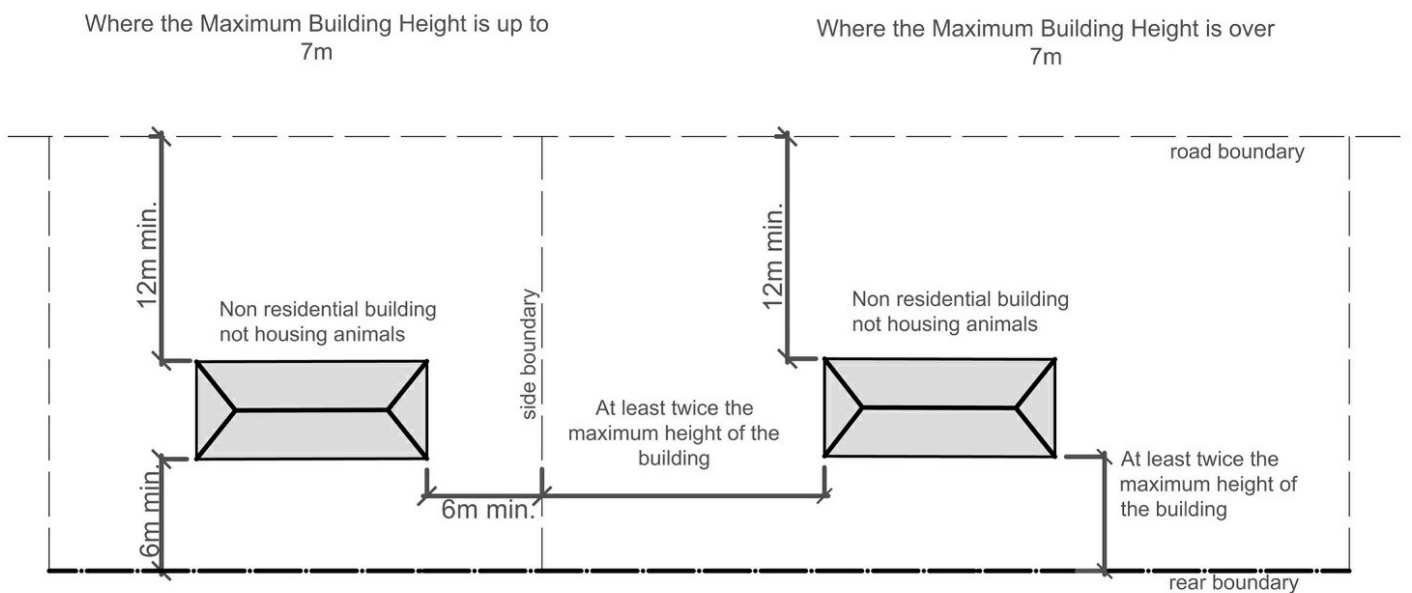


Figure 17.6C Setbacks for non-residential buildings not housing animals {RU cl.16}



17.6.10.2 Forestry and ~~tree-planting shelterbelts and small woodlots~~ **{RU cl.16}** setbacks

- a. Trees associated with forestry activity:
 - i. must not be planted within 30m of the boundary of any residential zone;
 - ii. must not be planted within 40m of a residential building where the building exists at the time of planting;
 - iii. must not shade a motorway or a strategic, arterial or collector road between 10am and 2pm on the shortest day of the year; and
 - iv. must not be planted within 10m of the boundary of the designated rail corridor. **{Trans 322.42}**
- b. Trees associated with ~~tree-planting shelterbelts and small woodlots~~ **{RU cl.16}**:
 - i. must be set back, or managed so that they maintain, a minimum distance of their own height from any residential building on an adjoining site, where the building exists at the time of planting;
 - ii. must not shade a motorway or a strategic, arterial or collector road between 10am and 2pm on the shortest day of the year; and
 - iii. must not be planted within 10m of the boundary of the designated rail corridor. **{Trans 322.42}**
- c. Activities that contravene this performance standard are restricted discretionary activities.**{PO cl.16}**

17.6.10.4 Setback from scheduled tree

New buildings and structures, additions and 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.

17.6.10.5 Setback from ~~n~~National ~~g~~Grid

New buildings and structures, and additions and alterations, ~~and earthworks~~ **{EW cl.16}**¹ must comply with Rules 5.6.1.1. ~~and 5.6.1.2~~ **{EW cl.16}**¹

¹ **EW cl.16:** As a clause 16 amendment, reference to earthworks in the setback from National Grid standards in all management and major facility zones have been moved to setback standards in the new city-wide section (Rule 8A.5.5). Any amendments to provisions as a result of submissions are shown there.

17.6.10.6 Setback from coast and water bodies

New buildings and structures, additions and alterations, ~~earthworks—large scale,~~ **{EW cl.16}**¹ and storage and use of hazardous substances must comply with Rule 10.3.3.

¹ **EW cl.16:** As a clause 16 amendment, reference to earthworks in the setback from coast and water bodies standards in all management and major facility zones have been moved to setback standards in the new city-wide section (Rule 8A.5.10). Any amendments to provisions as a result of submissions are shown there.

17.6.11 Vegetation Clearance Standards

17.6.11.1 Maximum area of vegetation clearance (~~UCMA UBMA~~ **{NatEnv 958.60}**)

Vegetation clearance in an **urban conservation biodiversity** **{NatEnv 958.60}** mapped area must comply with Rule 10.3.2.1.

~~17.6.11.2 Maximum area of indigenous vegetation clearance~~ **{NatEnv cl.16¹}**

~~Indigenous vegetation clearance must comply with Rule 10.3.2.2:~~ **{NatEnv cl.16}**¹

17.6.11.2 Indigenous vegetation clearance – small scale thresholds {*NatEnv cl.16*}

Indigenous vegetation clearance – small scale must comply with Rule 10.3.2.A. {*NatEnv cl.16*}

¹ **NatEnv cl.16:** Indigenous vegetation clearance rules have been reformatted. As a result, notified Rule 10.3.2.2 has been replaced by new Rule 10.3.2.A. Therefore, a consequential amendment is needed here to delete Rule 17.6.11.2 and add new Rule 17.6.11.2, in order to link to the reformatted provisions. This does not change the effect of provisions.

17.6.11.3 Protected areas (vegetation clearance) {*NatEnv cl.16*}

Vegetation clearance and indigenous vegetation clearance must comply with Rule 10.3.2.3.

17.6.11.4 Protected species (indigenous vegetation clearance)

Indigenous vegetation clearance must comply with Rule 10.3.2.4.

17.6.11.5 Maximum area of vegetation clearance in the hazard overlay zones

Vegetation clearance in the hazard 1 (land instability) overlay zone and hazard 2 (land instability) overlay zone must comply with Rule 11.3.2.

Rule 17.7 Subdivision Performance Standards

17.7.1 Access

General subdivision must comply with Rule 6.8.1.

17.7.2 Esplanade Reserves and Strips

General subdivision must comply with Rule 10.3.1.

17.7.3 Fire Fighting

General subdivision must comply with Rule 9.3.3.

17.7.4 Service Connections

General subdivision must comply with Rule 9.3.7.

17.7.5 Minimum Site Size

1. The minimum site size for new resultant sites in the Rural Residential 1 Zone is 2ha.
2. Subdivisions activities **{PO cl.16}** that contravene ~~do not comply with~~ **{Trans cl.16}** this standard are non-complying, except in the following circumstances where the subdivision is discretionary:
 - a. all resultant sites are at least 75% of the minimum site size; and
 - b. a minimum of 50% of the resultant sites are not less than the minimum site size; and
 - c. the average area of the resultant sites is not less than the minimum site size.

17.7.6 Shape

1. Each resultant site that is intended to be developed must be of a size and shape that is large enough to contain a building platform of at least 8m by 15m that meets the performance standards of this Plan including but not limited to:
 - a. minimum car parking;
 - b. all setbacks from boundaries, water bodies, and **{NU 806.11}** scheduled trees, ~~and national grid~~ **{NU 806.11}**.
2. Building platforms must have a slope of 12° (1:4.7 or 21%) or less and must ~~not contain~~ **{NU 806.11}**:
 - a. not contain **{NU 806.11}** esplanade reserves or strips;
 - b. not contain **{NU 806.11}** scheduled heritage buildings or structures; or
 - c. not contain **{NU 806.11}** right-of-way easements.
 - d. be located at least 12m from the outer edge of a National Grid support structure or centreline of an overhead National Grid transmission line. **{NU806.11}**
3. For unreticulated areas, resultant sites must provide for a waste disposal area to be located at least 50m from any water body and Mean High Water Springs. **{PHS 1071.56}**
4. Sites created and used solely for the following purposes are exempt from the shape standard:
 - a. Scheduled ASCV ASBV **{NatEnv 958.60}** or QEII covenant;
 - b. reserve;
 - c. access;
 - d. network utility; or
 - e. road.

5. Subdivision activities that do not meet this standard are restricted discretionary activities, except that subdivision activities that do not meet Rule 17.7.6.2.d are non-complying activities. {NU806.11}

Rule 17.8 Assessment of Controlled Activities

Rule 17.8.1 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 17.8.2:
 - 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 17.9; 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 17.11; 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 17.12; and
 - iii. the assessment guidance in this section will also be considered.

17.8.2 Assessment of controlled activities

Activity	Matters of control	Guidance on the assessment of resource consents
<p>1. <u>Affecting a scheduled heritage building or a scheduled heritage structure: {Her cl.16}</u></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) {Her 547.91}</u> 	a. Effects on heritage values	See Rule 13.4
<p>2. In the NCC Overlay Zone:</p> <ul style="list-style-type: none"> • New buildings greater than 60m² footprint {PO cl.16¹} on a landscape building platform 	a. Size, design and appearance of buildings	See Rule 10.3A
<p>3. In the SNL Overlay Zone:</p> <ul style="list-style-type: none"> • New buildings greater than 60m² footprint {PO cl.16¹} on a landscape building platform 	a. Size, design and appearance of buildings	See Rule 10.3A

¹ **PO cl.16:** Footprint is included in the rule to improve plan clarity as a minor and inconsequential amendment.

Rule 17.9 Assessment of Restricted Discretionary Activities (Performance Standard Contraventions)

Rule 17.9.1 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 17.9.2 - 17.9.6:
 - 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 17.9.2 - 17.9.5 17.9.6 apply as follows: ~~to performance standards in the Rural Residential Zones; Rule 17.9.6 contains additional provisions that apply to performance standards in overlay zones and mapped areas.~~
{RR cl.16}
 - a. Rule 17.9.2 applies to all performance standard contraventions;
 - b. Rule 17.9.3 applies to land use performance standard contraventions;
 - c. Rule 17.9.4 applies to development performance standard contraventions;
 - d. Rule 17.9.5 applies to subdivision performance standard contraventions; and
 - e. Rule 17.9.6 applies to performance standard contraventions in an overlay zone, mapped area or affecting a scheduled item. {RR cl.16}

17.9.2 Assessment of all performance standard contraventions

Performance standard	Guidance on the assessment of resource consents
<p>1. Performance standard contraventions</p>	<p><i>Potential circumstances or mitigation measures {RR cl.16} that may support a consent application include:</i></p> <ul style="list-style-type: none"> a. The degree of non-compliance with the performance standard is minor. b. The need to meet other performance standards, or site specific factors including topography, make meeting the standard impracticable. c. The nature of activities on surrounding sites, topography of the site and/or surrounding sites, or other site specific factors make the standard irrelevant as the adverse effects that the standard is trying to manage will not occur. d. In any landscape overlay zone, the development incorporates key design elements as set out in Appendix A3. 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><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> f. Where more than one standard is contravened, the combined effects of the contraventions should be considered g. In any landscape overlay zone, the assessment will consider the landscape values outlined in Appendix A3. h. In any natural {NatEnv cl.16} coastal character overlay zone, the assessment will consider the natural character values outlined in Appendix A5.

17.9.3 Assessment of land use performance standard contraventions

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
1. Density (family flats - design) {PO 207.1 and 394.63}	a. Effects on rural residential character and visual amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objectives 17.2.1, and {PO 207.1 and others} 17.2.3 ii. The character and visual amenity of the rural residential zones is maintained (Policy 17.2.3.1). iii. <u>The design of family flats avoids, as far as practicable, the risk they will be used for a separate, non-ancillary, residential activity and future pressure to subdivide off family flats.</u> (Policy 17.2.1.7) {PO 207.1 and 394.63} <p><i>Potential circumstances or mitigation measures {RR cl.16} that may support a consent application include:</i></p> <ul style="list-style-type: none"> iv. For contravention of maximum gross floor area, the family flat shares the same residential building as the primary residential unit. v. <u>The For family flats in separate buildings to the primary dwelling, the {PO cl.16} design of the family flat matches the design of the primary residential unit.</u> vi. <u>Landscaping For family flats in separate buildings to the primary dwelling, landscaping {PO cl.16} or other forms of screening will be used to reduce the visibility of the family flat.</u> vii. <u>The For family flats in separate buildings to the primary dwelling, the {PO cl.16} family flat will not be easily viewed from outside the site.</u> viii. The size of the residential unit will not create future pressure or expectation for it to be subdivided or be consented to operate as a second residential activity on site
2. Electrical interference	a. Effects on health and safety	See Rule 9.4
3. Hours of operation	a. Effects on amenity of surrounding properties	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 17.2.2 ii. Rural ancillary retail and working from home operate in a way (including hours of operations) that avoids or, if avoidance is not possible practicable {PO 908.3 and others}, adequately mitigates noise or adverse effects on the amenity of surrounding properties (Policy 17.2.2.4).
4. Location	a. Effects on the safety and efficiency of the transport network	See Rule 6.9

17.9.3 Assessment of land use performance standard contraventions

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
5. Maximum gross floor area	a. Effects on the <u>vibrancy and economic and social success of the CBD and centres/retail distribution</u> {RR cl.16}	<i>Relevant objectives and policies:</i> i. Objectives 2.3.2, 2.4.3, policies 2.3.2.2 and 2.4.3.4 ii. Objective 17.2.1 iii. Rural ancillary retail and working from home are at a scale that is ancillary to and supportive of productive rural activities or conservation on the same property (Policy 17.2.1.3.a).
6. Minimum car parking	a. Effects on the safety and efficiency of the transport network b. Effects on <u>accessibility</u> {Trans cl.16¹}	See Rule 6.9
7. Separation distances	a. Reverse sensitivity effects	<i>Relevant objectives and policies:</i> i. Objective 17.2.2 ii. Residential buildings are set back an adequate distance from {RR cl.16} existing {PO 1046.5} minimise, as far as practicable, {PO 906.34 and 308.497} the potential for reverse sensitivity {PO 1046.5} by being set back an adequate distance from {RR cl.16} forestry, factory farming intensive farming {RU 1090.3} , domestic animal boarding and breeding (including dogs), mining, and landfills and wind generators - large scale {RR cl.16} to minimise the potential for reverse sensitivity effects {PO 1046.5} (Policy 17.2.2.1.b). <i>Potential circumstances or mitigation measures {RR cl.16} that may support a consent application include:</i> iii. For non-compliance with separation distance from forestry, the new residential activity is located to the north of the forestry activity.
8. Tree species	a. Effects on biodiversity values {NatEnv 958.60} b. Effects on natural character of the coast {NatEnv 900.144} c. Effects on landscape values {NatEnv 900.144}	See Rule 10.4

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 17 assessment rules. The correction of this error, via the addition of

Rule 17.9.3.6.b, does not result in a substantive change to the effect of provisions.

17.9.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
1.	Boundary setbacks	a. Effects on on-site amenity, effects {RR cl.16} on amenity of surrounding properties	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 17.2.2 ii. Buildings that house animals are set back from site boundaries an adequate distance to ensure adverse effects on adjoining residential activities are avoided or, if avoidance is not possible practicable {PO 908.3 and others}, are no more than minor (Policy 17.2.2.2). iii. New buildings are located an adequate distance from site boundaries to ensure a good level of amenity for residential activities on adjoining sites (Policy 17.2.2.3). <p><i>Potential circumstances or mitigation measures {RR cl.16} that may support a consent application include:</i></p> <ul style="list-style-type: none"> iv. Screening or landscaping will be used in the development to ensure a good level of amenity for residential activities on adjoining sites. v. Where a building used to house animals contravenes the boundary setback standard, the type and/or number of animals or the frequency of housing them mean that the potential for adverse effects from noise, odour or dust on sensitive activities on adjoining sites will be avoided or minimised.
		b. Reverse sensitivity effects	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 17.2.2 ii. Residential buildings are set back an adequate distance from site boundaries to {RR cl.16} minimise, as far as practicable, {PO 906.34 and 308.497} the potential for reverse sensitivity effects from rural activities {RU 1090.32 and PO 1046.5} by being set back an adequate distance from site boundaries {RR cl.16} (Policy 17.2.2.1.a). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. Screening or landscaping will ensure potential for reverse sensitivity effects {PO 1046.5} is minimised as far as practicable {PO 906.34 and 308.497}.

17.9.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
		c. Effects on rural residential character and visual amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 17.2.3 ii. Buildings and structures are set back from site boundaries to maintain the character and visual amenity of the rural residential zones (Policy 17.2.3.1). <p><i>Potential circumstances or mitigation measures {RR cl.16} that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. Landscaping or other forms of screening will be used to reduce the visibility of buildings or structures. iv. Colours and materials used in the development will blend in with the character of the surrounding rural residential environment, with natural finishes and low levels of reflectivity. v. The proposed building or structure will not obstruct any important views from public viewpoints, or cause significant obstruction of views from dwellings on surrounding sites. vi. The proposed building platform is low lying in relation to surrounding sites and roads and the proposed building will not be easily viewed from outside the site. vii. There are already existing buildings on the site in breach of the same setback. viii. There would be positive effects from maintaining open space through the clustering of buildings on the site.
2.	<p>Earthworks standards:</p> <ul style="list-style-type: none"> • Batter gradient {EW cl.16²} 	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 17.2.6 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 17.2.6.1.b).
3.	<p>Earthworks standards:</p> <ul style="list-style-type: none"> • Setback from property boundary, buildings, structures and cliffs {EW cl.16²} 	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 17.2.6 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 17.2.6.1.a).

17.9.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
4.	Earthworks standards: <ul style="list-style-type: none"> Setback from national grid Setback from network utilities {EW cl.16} 	a. Effects on efficient and effective operation of network utilities	See Rule 5.7
		b. Effects on health and safety	
5.	Earthworks standards: <ul style="list-style-type: none"> Sediment control {EW cl.16} 	a. Effects on surrounding sites	<i>Relevant objectives and policies:</i> i. Objective 17.2.6 ii. Earthworks and any associated retaining structures are designed and located to minimise adverse effects on surrounding sites and the wider area by avoiding 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 17.2.6.2.b).
		b. Effects on biodiversity values and natural character of riparian margins and the coast	See Rule 10.4
		c. Effects on the efficiency and/or affordability of infrastructure	See Rule 9.4
6.	Earthworks standards: <ul style="list-style-type: none"> NZ Environmental Code of Practice for Plantation Forestry {EW cl.16} 	a. Degree of compliance with New Zealand Code of Practice for Plantation Forestry	<i>Relevant objectives and policies:</i> i. Objective 17.2.6 ii. Earthworks ancillary to forestry are carried out in accordance with industry best practice guidelines (Policy 17.2.6.4).
7.	Fire fighting	a. Effects on health and safety	See Rule 9.4
8.	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}

17.9.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
9.	Forestry and tree planting shelterbelts and small woodlots {RU cl.16} setbacks	a. Effects on amenity of surrounding properties	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 17.2.2 ii. Forestry and tree planting shelterbelts and small woodlots {RU cl.16} are set back an adequate distance to avoid or minimise, as far as practicable, {PO 308.497} significant effects from shading on residential buildings on surrounding properties (Policy 17.2.2.6). iii. Forestry is located and designed to avoid or, if avoidance is not possible practicable {PO 908.3 and others}, adequately mitigate shading, noise, traffic and other nuisance effects on surrounding properties (Policy 17.2.2.7). <p><i>Potential circumstances or mitigation measures {RR cl.16} that may support a consent application include:</i></p> <ul style="list-style-type: none"> iv. The area to be planted is to the south of any adjoining residential zone or residential buildings on an adjoining site. v. Slope or orientation or other topographical aspects of the sites involved mean that there will be no shading of residential buildings on an adjoining site.
		b. Effects on health and safety	See Rule 9.4
		c. Effects on the safety and efficiency of the transport network	See Rule 6.9
10.	Maximum height	a. Effects on rural residential character and visual amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 17.2.3 ii. Buildings and structures are of a height that maintains the character and visual amenity of the rural residential zones (Policy 17.2.3.1). <p><i>Potential circumstances or mitigation measures {RU cl.16} that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. As for Rule 17.9.4.1.c.iii-vi iv. The terrain provides an adequate backdrop to the proposed building or structure and mitigates any adverse visual effects from the building or structure.

17.9.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
11.	Number, location and design of ancillary signs	a. Effects on rural residential character and visual amenity	<i>Relevant objectives and policies:</i> i. Objective 17.2.3 ii. Ancillary signs are located and designed to maintain the character of the rural residential zones, including by being of an appropriate size and number to convey information about the name, location and nature of the activity on site to passing pedestrians and vehicles and not being oversized or too numerous for that purpose (Pol 17.2.3.4).
		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 coast and water bodies	a. Effects on biodiversity values and natural character of riparian margins and the coast	See Rule 10.4
		b. Effects on public access	
		c. Risk from natural hazards	See Rule 11.4
14.	Setback from scheduled tree	a. Effects on long term health of tree	See Rule 7.6
15.	Vegetation clearance standards: <ul style="list-style-type: none"> Maximum area of indigenous vegetation clearance {<i>NatEnv cl.16</i>³} Protected species (<u>indigenous vegetation clearance</u>) {<i>NatEnv cl.16</i>} 	a. Effects on biodiversity <u>values</u> { <i>NatEnv 958.60</i> }	See Rule 10.4

17.9.4 Assessment of development performance standard contraventions

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
16. Vegetation clearance standards: <ul style="list-style-type: none"> Protected areas (<u>vegetation clearance</u>) {NatEnv cl.16} 	a. Effects on biodiversity values and natural character of the coast and riparian margins	See Rule 10.4

¹ **RR cl.16:** Matter of discretion removed as not relevant to assessment of this performance standard.

² **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.

³ **NatEnv cl.16:** Indigenous vegetation clearance rules have been reformatted. Indigenous vegetation clearance that would contravene notified Rule 10.3.2.2 Maximum area of indigenous vegetation clearance is now provided for as Indigenous Vegetation Clearance – Large Scale. This does not change the effect of provisions.

17.9.5 Assessment of subdivision performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
1.	Access	a. Effects on accessibility	See Rule 6.9
2.	Esplanade reserves and strips	a. Effects on biodiversity values and the natural character of the coast and riparian margins	See Rule 10.4
		b. Effects on public access	
3.	Fire fighting	a. Effects on health and safety	See Rule 9.4
4.	Service connections	a. Effects on efficiency and affordability of infrastructure	See Rule 9.4

17.9.5 Assessment of subdivision performance standard contraventions

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
5. Shape	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> a. Objective 2.4.1 b. Subdivision is designed to ensure any future land use or development is able to meet the performance standards in the zone, <u>or where in a structure plan mapped area, reflects the requirements of the structure plan mapped area performance standards {ULS cl.16}</u>, unless: <ul style="list-style-type: none"> i. a resource consent is approved for a development that does not meet the performance standard and the subdivision is intended for and capable of providing for that approved development; or ii. the resultant site is required for: <ul style="list-style-type: none"> 1. Scheduled ASCV ASBV or {NatEnv 958.60} QEII covenant; or 2. reserve; or 3. access; or 4. utility; or 5. road (Policy 2.4.1.8). <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> c. Non-compliance with the performance standard for shape will be assessed based on which performance standard(s) the shape of the resultant site does not provide for compliance with. See matters of discretion and assessment rules in relation to performance standard contraventions for: <ul style="list-style-type: none"> i. minimum car parking; ii. boundary setbacks; iii. setbacks from water bodies; iv. setback from scheduled tree; and v. setback from nNational gGrid. vi. earthworks standards (building platform slope): {RR cl.16} d. <u>For contravention of the building platform slope part of the shape performance standard (Rule 17.7.6.2), see the matters of discretion and assessment rules in relation to earthworks - large scale (Rule 8A.7.2.1). {RR cl.16}</u> <p><i>Conditions that may be imposed include:</i></p> <ul style="list-style-type: none"> e. A building platform registered against the certificate of title by way of a consent notice. f. Restrictions or conditions, including by way of consent notice, on land use or development activities allowed on the site. g. A building platform may be required to be registered against the title by way of consent notice. 	

17.9.6 Assessment of performance standard contraventions in an overlay zone, mapped area or affecting a scheduled item

Activity		Matters of discretion	Guidance on the assessment of resource consents
1.	<p>In a hazard overlay zone or swale mapped area {NH cl.16}:</p> <ul style="list-style-type: none"> • Hazard overlay zones development standards • <u>Maximum area of vegetation clearance in the hazard overlay zones (Hazard 1 or 2 (land instability) overlay zones)</u> • <u>Relocatable buildings (Hazard 3 (coastal) Overlay Zone)</u> • <u>Outdoor Storage (Hazard 1 (flood) Overlay Zone) {NH cl.16}</u> • <u>Hazardous substances quantity limits and storage requirements {PO cl.16}</u> 	a. Risk from natural hazards	See Rule 11.4
2.	<p>In the SNL Overlay Zone:</p> <ul style="list-style-type: none"> • Maximum height • Reflectivity 	a. Effects on landscape values	See Rule 10.4
3.	<p>In the SNL or ONF overlay zones:</p> <ul style="list-style-type: none"> • Number, location and design of ancillary signs 	a. Effects on landscape values	See Rule 10.4
4.	<p>In the NCC or HNCC overlay zones:</p> <ul style="list-style-type: none"> • Number, location and design of ancillary signs 	a. Effects on natural character of the coast	See Rule 10.4
5.	<p>In the NCC Overlay Zone:</p> <ul style="list-style-type: none"> • Maximum height • Reflectivity 	a. Effects on natural character of the coast	See Rule 10.4
6.	<p>In an urban conservation biodiversity mapped area: {NatEnv 958.60}</p> <ul style="list-style-type: none"> • Vegetation clearance standards: Maximum area of vegetation clearance (<u>UBMA</u>) {NatEnv cl.16} 	a. Effects on biodiversity <u>values</u> {NatEnv 958.60}	See Rule 10.4

17.9.6 Assessment of performance standard contraventions in an overlay zone, mapped area or affecting a scheduled item

Activity		Matters of discretion	Guidance on the assessment of resource consents
7.	In the Taieri Aerodrome flight fan mapped area : <ul style="list-style-type: none"> Maximum height (Rule 17.6.6.4 17.6.5.1.d {RR cl.16}) 	a. Effects on <u>health and safety</u> operation of Taieri Aerodrome {PHS cl.16}	See Rule 9.4
8.	In a high class soils mapped area : <ul style="list-style-type: none"> Earthworks standards (removal of high class soils) {EW cl.16} 	a. Maintenance of high class soils resource	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 17.2.4 ii. Earthworks in a high class soils mapped area retain soils on the site (Policy 17.2.4.1): <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. The development will involve a productive rural activity. iv. The site design will minimise the effect of the activity on the high class soils contained on the site. v. The soils are being removed to enhance the productivity of another site.
9.	Affecting a scheduled heritage item building or scheduled heritage structure {Her cl.16}: <ul style="list-style-type: none"> Materials and design 	a. Effects on heritage values (work on scheduled heritage buildings/structures){RR cl.16}	See Rule 13.5
10. {MW 1071.16}	In a wāhi tūpuna mapped area : {MW 1071.16} <ul style="list-style-type: none"> Maximum height {MW 1071.3} Setback from coast and water bodies {MW 1071.16} Esplanade reserves and strips {MW 1071.16} Vegetation clearance standards: Protected areas (vegetation clearance), Protected species (indigenous vegetation clearance) {MW 1071.3} 	a. Effects on cultural values of Manawhenua {MW 1071.16}	See Rule 14.3 {MW 1071.16}

¹ **NH cl. 16:** The standards do not include provisions which apply in a **swale mapped area**.

² **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.

Rule 17.10 Assessment of Restricted Discretionary Activities

Rule 17.10.1 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 17.10.2 - 17.10.5:
 - 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 17.10.2 - 17.10.5 apply as follows: 17.10.4 apply to activities in the Rural Residential Zones; Rule 17.10.5 contains additional provisions that apply to activities in overlay zones, mapped areas, and on scheduled items. {RR cl.16}~~
 - a. Rule 17.10.2 applies to restricted discretionary land use activities;
 - b. Rule 17.10.3 applies to restricted discretionary development activities;
 - c. Rule 17.10.4 applies to restricted discretionary subdivision activities; and
 - d. Rule 17.10.5 applies to restricted discretionary activities in an overlay zone, mapped area or affecting a scheduled item. {RR 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 minimise 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 17.9; 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 17.11; 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 17.12; and
 - iii. the assessment guidance in this section will also be considered.

6. With respect to section 104(2) of the RMA, Council will not consider family flats or papakāika as part of the permitted baseline in considering residential density effects in the rural residential zones.

17.10.2 Assessment of restricted discretionary land use activities

Land use activities	Matters of discretion	Guidance on the assessment of resource consents
3. Development associated with restricted discretionary land use activities <u>All restricted discretionary land use activities in the rural residential zones that also involve development activities {RR cl.16}</u>	a. Effects on rural residential character and visual amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 17.2.3 ii. Any adverse effects from development on rural residential character and visual amenity will be avoided or, if avoidance is not possible <u>practicable {PO 908.3 and others}</u>, adequately mitigated (Policy 17.2.3.3). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. Landscaping or other forms of screening will be used to reduce the visibility of development from surrounding properties and public viewpoints. iv. Signage and entranceways are in character with the surrounding environment.
A. <u>All high trip generators, which include: {Trans cl.16}</u>	a. Effects on accessibility {Trans cl.16}	See Rule 6.10 {Trans cl.16}
• <u>any activities that generate 250 or more vehicle movements a day {Trans cl.16}</u>	b. Effects on the safety and efficiency of the transport network {Trans cl.16}	

17.10.2 Assessment of restricted discretionary land use activities

Land use activities		Matters of discretion	Guidance on the assessment of resource consents
1.	Forestry	a. Effects on amenity of surrounding properties	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 17.2.2 ii. Forestry is located and designed to avoid or, if avoidance is not possible practicable {PO 908.3 and others}, adequately mitigate shading, noise, traffic and other nuisance effects on surrounding properties (Policy 17.2.2.7).
		b. Effects on rural residential character and visual amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 17.2.3 ii. Forestry is located, designed and managed to avoid or, if avoidance is not possible practicable {PO 908.3 and others}, adequately mitigate adverse effects on the character and visual amenity of the rural residential zones (Policy 17.2.3.2). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. The forestry is located on land that is not visually prominent. iv. The forestry is of a size and on-site location that will lessen visual effects. v. Screen planting with other species will be used to reduce visual effects.
		c. Effects on the safety and efficiency of the transport network	See Rule 6.10
2.	Veterinary services (large animal practice)	a. Effects on amenity of surrounding properties	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 17.2.2 ii. Any adverse effects on the amenity of surrounding rural residential properties are avoided or, if avoidance is not possible practicable {PO 908.3 and others}, are adequately mitigated (Policy 17.2.2.5). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. The activity is set back a sufficient distance from its own boundaries to mitigate adverse effects on surrounding residential activities.
		b. 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 17 assessment rules. The correction of this error,

via the addition of Rule 17.10.2.A, does not result in a substantive change to the effect of provisions.

17.10.3 Assessment of restricted discretionary development activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
1. Earthworks – large-scale (that exceed the scale thresholds for the rural residential zones) {EW cl.16} ¹	<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 17.2.5 ii. Adverse effects on visual amenity and character will be avoided or, if avoidance is not possible, adequately mitigated (Policy 17.2.5.3.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 17.2.5.3.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 include:</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.

17.10.3 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 17.2.5 ii. Adverse effects on the stability of land, buildings, and structures will be avoided or, if avoidance is not possible, adequately mitigated (Policy 17.2.6.5.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 17.13.1). iv. Excavation, fill and retaining structures will be designed, and the work undertaken, in accordance with best practice engineering standards. <p><i>Conditions that may be imposed include, but are not limited to:</i></p> <ul style="list-style-type: none"> v. Maximum slopes of cut and fill batters. vi. Time limits for retaining wall installation to avoid leaving a cut slope unsupported for an extended period. vii. Temporary shoring requirements to maintain stability before a wall is constructed. viii. Supervision and monitoring requirements for retaining wall construction and standard earthworks construction.
2. Earthworks – large scale (that exceed scale thresholds within 5m of a water body or MHWS) {EW cl.16} ¹	<p>a. Effects on biodiversity and natural character of riparian margins and the coast</p> <p>b. Effects on public access</p>	See Rule 10.5

17.10.3 Assessment of restricted discretionary development activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
3. <u>High trip generators:</u> {Trans cl.16³} <ul style="list-style-type: none"> • New <u>or additions to parking areas</u>, <u>or extensions to existing parking areas</u> that result in the creation of 50 or more new parking spaces {Trans cl.16} 	a. Effects on the safety and efficiency of the transport network b. Effects on accessibility	See Rule 6.10
4. <u>Indigenous vegetation clearance – large scale</u> {NatEnv cl.16²}	a. Effects on biodiversity values {NatEnv cl.16}	See Rule 10.5 {NatEnv 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 **NatEnv cl.16:** Indigenous vegetation clearance rules have been reformatted. Indigenous vegetation clearance that would contravene notified Rule 10.3.2.2 Maximum area of indigenous vegetation clearance is now provided for as Indigenous Vegetation Clearance – Large Scale. This does not change the effect of provisions.

³ **Trans cl.16:** A reference to 'high trip generators' has been added here, to clarify that this activity is assessed as a high trip generator under Transportation section rules. This does not result in a substantive change to the effect of provisions.

17.10.4 Assessment of restricted discretionary subdivision activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
1. General subdivision	a. Effects on on-site amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 17.2.2 ii. Subdivisions deliver sites that achieve a high quality of on-site amenity through being large enough and of a shape that is capable of supporting rural residential development (Policy 17.2.2.8).
	b. Effects on rural residential character and visual amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 17.2.3 ii. Subdivisions are designed to ensure any associated future land use and development will maintain or enhance the character and visual amenity of the rural residential zones (Policy 17.2.3.5). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. Sites are designed to respond to the topography and characteristics of the land and surrounding environment; iv. Building platforms are located to respond to land form and avoid significant visual effects; v. Driveways, network utilities and services are designed and located to minimise the need for significant earthworks.
	c. Effects on long term maintenance of rural land for productive rural activities	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 17.2.4 ii. Subdivisions are designed to ensure sites are of shape and size that enable lifestyle blocks or hobby farms, including the keeping of livestock, and avoid sites that will be used <u>purely</u> {RR cl.16} as large lot residential living (Policy 17.2.4.3).
	d. Effects on biodiversity values and natural character of riparian margins and the coast	See Rule 10.5
	e. Effects on areas of indigenous vegetation and the habitats of indigenous fauna {NatEnv 958.60}	
	f. Effects on public access	

17.10.4 Assessment of restricted discretionary subdivision activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
	g. Effects on health and safety	See Rule 9.5
	h. Effects on affordability/ <u>and</u> {RR cl.16} efficiency of infrastructure	
	i. Effects on the safety and efficiency of the transport network	See Rule 6.10
	j. Risk from natural hazards	See Rule 11.5

17.10.5 Assessment of restricted discretionary activities in an overlay zone, mapped area or affecting a scheduled item

Activity	Matters of discretion	Guidance on the assessment of resource consents
1. In the ONF Overlay Zone : <ul style="list-style-type: none"> • All other buildings and structures activities {NatEnv 360.138} • <u>Indigenous vegetation clearance - large scale</u> {NatEnv 958.106} • Tree planting Shelterbelts and small woodlots {RU cl.16} • Earthworks – large scale (that exceed scale thresholds for an ONF) {EW cl.16'} • General subdivision 	a. Effects on landscape values	See Rule 10.5
2. In the SNL Overlay Zone : <ul style="list-style-type: none"> • Forestry • New buildings or structures greater than 60m² footprint, or additions and alterations that result in a building or structure that is greater than 60m² <u>footprint</u> {PO cl.16'} • All other buildings and structures activities {NatEnv 360.138} • Earthworks – large scale (that exceed the scale thresholds for an SNL) {EW cl.16'} • General subdivision 	a. Effects on landscape values	See Rule 10.5

17.10.5 Assessment of restricted discretionary activities in an overlay zone, mapped area or affecting a scheduled item

Activity	Matters of discretion	Guidance on the assessment of resource consents
<p>3. In the HNCC Overlay Zone:</p> <ul style="list-style-type: none"> • All other buildings and structures activities {NatEnv 360.138} • Indigenous vegetation clearance {NatEnv 958.106} • Tree planting Shelterbelts and small woodlots {RU cl.16} • Earthworks – large scale (that exceed scale thresholds for an HNCC) {EW cl.16'} • General subdivision 	<p>a. Effects on natural character of the coast</p>	<p>See Rule 10.5</p>
<p>4. In the NCC Overlay Zone:</p> <ul style="list-style-type: none"> • Forestry • New buildings or {RR cl.16} structures greater than 60m² footprint, {RR cl.16} or additions and alterations that result in a building or structure that is greater than {RR cl.16} 60m² footprint {PO cl.16'} and over {RR cl.16} • All other buildings and structures activities {NatEnv 360.138} • Indigenous vegetation clearance - large scale {NatEnv cl.16} • Earthworks – large scale (that exceed scale thresholds for an NCC) {EW cl.16'} • General subdivision 	<p>a. Effects on natural character of the coast</p>	<p>See Rule 10.5</p>
<p>5. In a wāhi tūpuna mapped area where activity is identified as a threat:</p> <ul style="list-style-type: none"> • New buildings and structures • Earthworks – large scale {EW cl.16'} • General subdivision • Forestry • Indigenous vegetation clearance - large scale {NatEnv cl.16} • Tree planting Shelterbelts and small woodlots {RU cl.16} 	<p>a. Effects on cultural values of Manawhenua</p>	<p>See Rule 14.4</p>

17.10.5 Assessment of restricted discretionary activities in an overlay zone, mapped area or affecting a scheduled item

Activity		Matters of discretion	Guidance on the assessment of resource consents
6.	<p>Activities that affect affecting a scheduled heritage building, or scheduled heritage structure or scheduled heritage site {Her cl.16}:</p> <ul style="list-style-type: none"> • All other {Her cl.16} Additions and alterations that affect a protected part of a scheduled heritage building or scheduled heritage structure • Removal for relocation • General <u>All subdivision activities on sites containing a scheduled heritage building or scheduled heritage structure</u> {Her cl.16} 	a. Effects {PHS cl.16} on heritage values	See Rule 13.6
7.	<p>In a hazard overlay zone all hazard overlay zones, swale mapped areas and dune system mapped areas {NH949.25, NH634.69 and NH cl.16}:</p> <ul style="list-style-type: none"> • General subdivision in a hazard 3 (coastal) overlay zone {NH949.25, NH634.69 and NH cl.16} • Earthworks – large scale (that exceed the scale threshold for a hazard overlay zone or swale mapped area) {EW cl.16} 	a. Risk from natural hazards	See Rule 11.5
10.	<p>In a Hazard 1 (land instability) Overlay Zone (see Rule 17.3.6):</p> <ul style="list-style-type: none"> • New buildings, and additions and alterations to buildings, which create more than 1m² of new ground floor area {NH 73.4 and others} 	a. Risk from natural hazards {NH 73.4 and others}	See Rule 11.5 {NH 73.4 and others}
9.	<p>In a hazard 1 or 2 (flood) {NH 73.4 and others} overlay zone other than the hazard 1 (land instability) Overlay Zone {NH 73.4 and others} (see Rule 17.3.6):</p> <ul style="list-style-type: none"> • New buildings, and additions and alterations to buildings, which create more than 60m² of new ground floor area 	a. Risk from natural hazards	See Rule 11.5
8. {NH cl.16}	<p>In a geologically sensitive mapped area (GSA): {NH cl.16}</p> <ul style="list-style-type: none"> • Earthworks – large scale (that exceed underlying zone scale thresholds) {NH cl.16} 	a. Risk from natural hazards {NH cl.16}	See Rule 11.5 {NH cl.16}

17.10.5 Assessment of restricted discretionary activities in an overlay zone, mapped area or affecting a scheduled item

Activity		Matters of discretion	Guidance on the assessment of resource consents
11.	In a GPA : <ul style="list-style-type: none"> Earthworks – large scale (that exceed scale thresholds for a GPA) {EW cl.16'} 	a. Effects on health and safety	See Rule 9.5
12.	In an UCMA : <ul style="list-style-type: none"> Earthworks – large scale (that exceed scale thresholds for a UCMA) {EW cl.16'} 	a. Effects on biodiversity	See Rule 10.5
13.	In the Hazard 2 (flood) Overlay Zone : {NH 634.74} <ul style="list-style-type: none"> Natural hazards {NH cl.16} sensitive activities {NH 634.74} Natural hazards {NH cl.16} potentially sensitive activities {NH 634.74} 	a. Risk from natural hazards {NH 634.74}	See Rule 11.5 {NH 634.74}
14. {NU 806.11}	In the National Grid Corridor mapped area : {NU806.11} <ul style="list-style-type: none"> All subdivision activities {NU 806.11} 	a. Effects on health and safety {NU806.11} b. Reverse sensitivity effects {NU806.11} c. Effects on efficient and effective operation of network utilities {NU806.11}	See Rule 5.8 {NU 806.11}
15.	In an ASBV : {NatEnv cl.16³} <ul style="list-style-type: none"> New buildings or structures greater than 60m² footprint, or additions and alterations that result in a building or structure that is greater than 60m² footprint {NatEnv cl.16} General subdivision {NatEnv cl.16} Shelterbelts and small woodlots {NatEnv cl.16} Site development activities (except for outdoor storage, parking, loading and access, vegetation clearance, storage and use of hazardous substances) {NatEnv cl.16} 	a. Effects on biodiversity values {NatEnv cl.16}	See Rule 10.5 {NatEnv cl.16}

17.10.5 Assessment of restricted discretionary activities in an overlay zone, mapped area or affecting a scheduled item

Activity		Matters of discretion	Guidance on the assessment of resource consents
16.	<p><u>In the radio transmitters mapped area:</u> {NU 918.25}</p> <ul style="list-style-type: none"> • <u>General subdivision</u> {NU 918.25} 	<p><u>a. Reverse sensitivity effects</u> {NU 918.25}</p>	<p><u>See Rule 5.8</u> {NU 918.25}</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 **PO cl.16:** Footprint is included in the rule to improve plan clarity as a minor and inconsequential amendment.

³ **NatEnv cl.16:** Areas of Significant Biodiversity Value (ASBVs) intersect with the rural residential zones, but the notified Plan omitted providing a link to the relevant rules for ASBVs. They were included correctly in the rural zones for reference. These rules have been added to clarify the rules that apply in ASBVs where these intersect with rural residential zones. This amendment is considered of minor consequence and made under Clause 16 of the RMA.

⁴ **NH cl.16:** As a clause 16 amendment, geologically sensitive areas are not part of this Plan, and are included in the data map for information purposes only.

Rule 17.11 Assessment of Discretionary Activities

Rule 17.11.1 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 17.11.2 - 17.11.3 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 17.11.2 - 17.11.3 apply as follows: **{RR cl.16}**
 - a. Rule 17.11.2 applies to discretionary land use activities; and **{RR cl.16}**
 - b. Rule 17.11.3 applies to discretionary performance standard contraventions. **{RR cl.16}**
4. With respect to section 104(2) of the RMA, Council will not consider family flats or papakāika as part of the permitted baseline in considering residential density effects in the rural residential zones.
5. 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.

17.11.2 Assessment of discretionary land use activities ~~{was 'Assessment of discretionary activities' - RR cl.16}~~

Activity	Guidance on the assessment of resource consents
1. All discretionary activities {RR cl.16}	a. 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. {RR cl.16}
2. <ul style="list-style-type: none"> • Rural tourism • Rural research • Community and leisure - large scale • Early childhood education • Sport and recreation • Visitor accommodation 	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ol style="list-style-type: none"> a. Objectives 17.2.2, 17.2.3, 17.2.4 b. Any adverse effects on the amenity of surrounding rural residential properties are avoided or, if avoidance is not possible <u>practicable</u> {PO 908.3 and others}, are adequately mitigated (Policy 17.2.2.5). c. Any adverse effects on rural residential character and visual amenity are avoided or, if avoidance is not possible <u>practicable</u> {PO 908.3 and others}, are adequately mitigated (Policy 17.2.3.3). d. Where in a high class soils mapped area, adverse effects on high class soils are avoided or, if avoidance is not possible <u>practicable</u> {PO 908.3 and others}, adverse effects are no more than minor (Policy 17.2.4.2). <p><i>General assessment guidance:</i></p> <ol style="list-style-type: none"> e. In assessing effects on amenity, Council will consider the effects of

17.11.2 Assessment of discretionary land use activities {was 'Assessment of discretionary activities' - RR cl.16}

Activity	Guidance on the assessment of resource consents
	<p>vehicle movements on the site as well as any significant changes to the number or nature of vehicle movements on the adjoining road.</p> <p>f. 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 minimise any adverse effects from the land use activity or create mitigating positive effects. {RR cl.16³}</p> <p><i>Potential circumstances or mitigation measures {RR cl.16} that may support a consent application include:</i></p> <p>g. The activity is set back a sufficient distance from its own boundaries and existing sensitive activities on surrounding sites.</p> <p>h. Development activities meet relevant performance standards.</p> <p>i. Development is not situated on visually prominent land.</p> <p>j. The form, scale and materials used in buildings and structures are compatible with the character and visual amenity of the rural residential zones.</p> <p>k. Colours and materials used in development are chosen to blend in with the rural residential setting and minimise reflectivity.</p> <p>l. Landscaping or other forms of screening are used to reduce the visibility of development from surrounding properties and public viewpoints.</p> <p><i>Conditions that may be imposed include:</i></p> <p>m. Restriction on hours of operation</p> <p>n. Controls on on-site lighting</p> <p>o. A requirement for screening of storage areas</p> <p>p. A requirement to control dust</p> <p>q. Provision of car parking areas</p> <p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>r. 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 transportation network <u>and its affordability to the public</u> {Trans 881.63}.</p> <p>s. <u>In an ASBV, see section 10.6 for guidance on the assessment of resource consents in relation to Objective 10.2.1 and effects related to biodiversity values.</u> {Nat Env cl.16³}</p> <p>t. <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</u> {PHS cl.16}</p> <p>u. <u>For activities that may have effects on biodiversity values, see Section</u></p>

17.11.2 Assessment of discretionary land use activities {was 'Assessment of discretionary activities' - RR cl.16}

Activity	Guidance on the assessment of resource consents
	<p><u>10.6 for guidance on the assessment of resource consents in relation to Objective 10.2.1. {NatEnv 900.35}</u></p> <p>v. <u>For activities adjacent to water bodies and the coast, see Section 10.6 for guidance on the assessment of resource consents in relation to Objective 10.2.2. {NatEnv 900.38}</u></p> <p>w. <u>For activities taking place within the radio transmitters mapped area, see Section 5.9 for guidance on the assessment of resource consents in relation to management of reverse sensitivity effects on Radio New Zealand's facilities at 740 Highcliff Road and 35 Karetai Road. {NU 918.25}</u></p> <p>x. <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></p>
<p>3. In the hazard 1 overlay zones (see Rule 17.3.6): {NH634.74}</p> <ul style="list-style-type: none"> Potentially sensitive activities permitted in rural residential zones {NH634.74} 	<p>See Section 11.6 for guidance on the assessment of resource consents in relation to Objective 11.2.1 and effects related to the risk from natural hazards: {NH634.74}</p>
<p>4. In the hazard 2 overlay zones (see Rule 17.3.6): {NH634.74}</p> <ul style="list-style-type: none"> Potentially sensitive activities not permitted in rural residential zones {NH634.74} Sensitive activities {NH634.74} 	<p>See Section 11.6 for guidance on the assessment of resource consents in relation to Objective 11.2.1 and effects related to the risk from natural hazards: {NH634.74}</p>

¹ **NatEnv cl.16:** Areas of Significant Biodiversity Value (ASBVs) intersect with the rural residential zones, but the notified Plan omitted providing a link to the relevant rules for ASBVs. They were included correctly in the rural zones for reference. These rules have been added to clarify the rules that apply in ASBVs where these intersect with rural residential zones. This amendment is considered of minor consequence and made under Clause 16 of the RMA.

² **RR cl.16:** Rule 17.11.2.1 removed as unnecessary because there are no activities that are discretionary due to being in an overlay zone, mapped area, in a scheduled site, or affecting a scheduled item.

³ **RR cl.16:** Rule 17.11.2.2.f duplicates Rule 17.11.1.5 and therefore is unnecessary.

17.11.3 Assessment of discretionary performance standard contraventions

Performance standard	Guidance on the assessment of resource consents
<p>1.</p> <ul style="list-style-type: none"> • Acoustic insulation • Noise - where the limit is exceeded by up to <u>less than</u> {PHS cl.16} 5dB LAeq (15min) • Light spill - where the limit is exceeded by 25% or less 	<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. Minimum site size (Rule 17.7.5.2)</p>	<p><i>Potential circumstances or mitigation measures {RR cl.16} that may support a consent application:</i></p> <p>a. The parent site contains significant topographical features such as water bodies or human-made features such as roads or rail corridors which make meeting the minimum site size impractical.</p> <p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>b. See Section 9.6 for guidance on the assessment of resource consents in relation to Objective 9.2.1 and effects related to the efficiency and affordability of infrastructure.</p>

Rule 17.12 Assessment of Non-complying Activities

Rule 17.12.1 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 17.12.2 - 17.12.6 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 17.12.2 - 17.12.6 apply as follows: {RR cl.16}
 - a. Rule 17.12.2 applies to all non-complying activities;
 - b. Rule 17.12.3 applies to non-complying land use activities;
 - c. Rule 17.12.4 applies to non-complying development activities;
 - d. Rule 17.12.5 applies to non-complying subdivision activities; and
 - e. Rule 17.12.6 applies to non-complying performance standard contraventions. {RR cl.16}
4. With respect to section 104(2) of the RMA, Council will not consider family flats or papakāika as part of the permitted baseline in considering residential density effects in the rural residential zones.
5. 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.

17.12.2 Assessment of all non-complying activities

Activity	Guidance on the assessment of resource consents
<p>1. All non-complying activities, including but not limited to the activities listed below {PO cl.16}</p>	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> a. Objectives 17.2.1, 17.2.2, 17.2.3, 17.2.4 b. The activity is consistent with the strategic directions. including but not limited to: <ul style="list-style-type: none"> i. Objective 2.2.4 ii. Objective 2.7.1 <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> c. In assessing activities that are non-complying 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. <p><i>Relevant guidance from other sections (priority considerations):</i></p> <ul style="list-style-type: none"> d. <u>For activities taking place within the radio transmitters mapped area, see Section 5.10 for guidance on the assessment of resource consents in relation to management of reverse sensitivity effects on Radio New Zealand's facilities at 740 Highcliff Road and 35 Karetai Road. {NU 918.25}</u> e. <u>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'}</u> f. <u>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}</u> g. <u>For activities that may have effects on biodiversity values, see Section 10.7 for guidance on the assessment of resource consents in relation to Objective 10.2.1. {NatEnv 900.35}</u> h. <u>For activities adjacent to water bodies and the coast, see Section 10.7 for guidance on the assessment of resource consents in relation to Objective 10.2.2. {NatEnv 900.38}</u>

17.12.3 Assessment of non-complying land use activities

Activity	Guidance on the assessment of resource consents
1. Commercial advertising	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> a. Objective 2.4.1 b. Policy 2.4.1.6.c
2. <ul style="list-style-type: none"> • Cemeteries • Crematoriums • Landfills 	<p><i>Relevant guidance from other sections (priority considerations):</i></p> <ul style="list-style-type: none"> a. See Section 14.6 for guidance on the assessment of resource consents in relation to Objective 14.2.1 and effects on the cultural values of Manawhenua.
3. In the ONF or HNCC overlay zones : <ul style="list-style-type: none"> • Domestic animal boarding and breeding (not including dogs) • Forestry • Standard residential • Veterinary services - large animal practice • Visitor accommodation • <u>Emergency services</u> {CP 945.40} 	<p><i>Relevant guidance from other sections (priority considerations):</i></p> <ul style="list-style-type: none"> a. See Section 10.7 for guidance on the assessment of resource consents in relation to objectives 10.2.3 and 10.2.5 and effects related to natural character of the coast and landscape values.
4. In the hazard 1 (flood) {NH 73.4 and others} overlay zones (see Rule 17.3.6): <ul style="list-style-type: none"> • <u>Natural hazards</u> Potentially {NH cl.16} sensitive activities not permitted in rural residential zones. {NH 634.74} • <u>Natural hazards</u> Sensitive {NH cl.16} activities 	<p><i>Relevant guidance from other sections (priority considerations):</i></p> <ul style="list-style-type: none"> a. See Section 11.7 for guidance on the assessment of resource consents in relation to Objective 11.2.1 and effects related to the risk from natural hazards.
5. In a wāhi tūpuna mapped area : <ul style="list-style-type: none"> • Forestry • Mining 	<p><i>Relevant guidance from other sections (priority considerations):</i></p> <ul style="list-style-type: none"> a. See Section 14.6 for guidance on the assessment of resource consents in relation to Objective 14.2.1 and effects on the cultural values of Manawhenua.

17.12.3 Assessment of non-complying land use activities

Activity	Guidance on the assessment of resource consents
<p>6. In an ASBV: <i>{NatEnv cl.16}</i>¹</p> <ul style="list-style-type: none"> • <u>Rural activities (except for rural ancillary retail, rural tourism and rural research)</u> <i>{NatEnv cl.16}</i> • <u>Residential activities (except for working from home)</u> <i>{NatEnv cl.16}</i> • <u>Early childhood education</u> <i>{NatEnv cl.16}</i> • <u>Commercial activities (except for stand-alone car parking)</u> <i>{NatEnv cl.16}</i> • <u>Industrial activities</u> <i>{NatEnv cl.16}</i> • <u>Major facility activities</u> <i>{NatEnv cl.16}</i> 	<p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>a. <u>See Section 10.7 for guidance on the assessment of resource consents in relation to Objective 10.2.1 and the effects related to biodiversity values.</u> <i>{NatEnv cl.16}</i></p>
<p>7. In the SNL or NCC overlay zones:</p> <ul style="list-style-type: none"> • <u>Emergency services</u> <i>{RR cl.16}</i> 	<p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>a. <u>See Section 10.7 for guidance on the assessment of resource consents in relation to Objectives 10.2.3 and 10.2.5 and effects related to natural character of the coast and landscape values.</u> <i>{RR cl.16}</i></p>

¹ **NatEnv cl.16:** Areas of Significant Biodiversity Value (ASBVs) intersect with the rural residential zones, but the notified Plan omitted providing a link to the relevant rules for ASBVs. They were included correctly in the rural zones for reference. These rules have been added to clarify the rules that apply in ASBVs where these intersect with rural residential zones. This amendment is considered of minor consequence and made under Clause 16 of the RMA.

17.12.4 Assessment of non-complying development activities

Activity	Guidance on the assessment of resource consents
1. Demolition of a protected part of a scheduled heritage building or scheduled heritage structure	<p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>a. See Section 13.8 for guidance on the assessment of resource consents in relation to Objective 13.2.1 and effects on heritage values.</p>
2. In the ONF or HNCC overlay zones: <ul style="list-style-type: none"> • New buildings or structures • Additions and alterations • <u>Indigenous vegetation clearance – large scale (HNCC overlay zone)</u> {NatEnv 958.106} 	<p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>a. See Section 10.7 for guidance on the assessment of resource consents in relation to Objectives 10.2.3 and 10.2.5 and effects related to natural character of the coast and landscape values.</p>
3. In a wāhi tūpuna mapped area: <ul style="list-style-type: none"> • New buildings or structures • Earthworks ancillary to forestry {EW cl.16¹} • <u>Additions and alterations</u> {MW 1071.3} 	<p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>a. 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.</p>
4. In an ASBV: {NatEnv cl.16²} <ul style="list-style-type: none"> • <u>Indigenous vegetation clearance – large scale</u> {NatEnv cl.16} 	<p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>a. See Section 10.7 for guidance on the assessment of resource consents in relation to Objective 10.2.1 and the effects related to biodiversity values. {NatEnv cl.16}</p>
5. In a dune system mapped area: <ul style="list-style-type: none"> • <u>Hazard exclusion areas</u> {NH cl.16} 	<p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>a. See Section 11.7 for guidance on the assessment of resource consents in relation to Objective 11.2.1 and effects related to the risk from natural hazards. {NH 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 **NatEnv cl.16:** Areas of Significant Biodiversity Value (ASBVs) intersect with the rural residential zones, but the notified Plan omitted providing a link to the relevant rules for ASBVs. They were included correctly in the rural zones for reference. These rules have been added to clarify the rules that apply in ASBVs where these intersect with rural residential zones. This amendment is considered of minor consequence and made under Clause 16 of the RMA.

17.12.5 Assessment of non-complying subdivision activities

Activity	Guidance on the assessment of resource consents
1. All other general subdivision in the Rural Residential 2 Zone	<p><i>Relevant objectives and policies (priority considerations):</i></p> <p>a. Objective 17.2.2 17.2.4 {RR cl.16}</p> <p>b. Further {RR cl.16} General subdivision of sites in the Rural Residential 2 Zone is avoided to maintain these sites for larger lifestyle blocks or hobby farms (small holdings) <u>unless it does not result in an increase in residential development potential</u> (Policy 17.2.4.4). {RR 301.1 and PO 919.1}</p>
2. Cross lease, company lease and unit title subdivision	<p><i>Relevant objectives and policies (priority considerations):</i></p> <p>a. Objective 17.2.1</p> <p>b. Cross lease, company lease and unit title subdivision is avoided in the rural residential zones unless it does not result in an increase in development potential beyond that which might be achieved through a general subdivision (Policy 17.2.1.6).</p>
<p>3. In an ASBV: {NatEnv cl.16}</p> <ul style="list-style-type: none"> • <u>All other general subdivision in the Rural Residential 2 Zone {NatEnv cl.16}</u> • <u>Cross lease, company lease and unit title subdivision {NatEnv cl.16}</u> 	<p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>a. <u>See Section 10.7 for guidance on the assessment of resource consents in relation to Objective 10.2.1 and the effects related to biodiversity values. {NatEnv cl.16}</u></p>

¹ **NatEnv cl.16:** Areas of Significant Biodiversity Value (ASBVs) intersect with the rural residential zones, but the notified Plan omitted providing a link to the relevant rules for ASBVs. They were included correctly in the rural zones for reference. These rules have been added to clarify the rules that apply in ASBVs where these intersect with rural residential zones. This amendment is considered of minor consequence and made under Clause 16 of the RMA.

17.12.6 Assessment of non-complying performance standard contraventions

Performance standard	Guidance on the assessment of resource consents
1. Density	<p><i>Relevant objectives and policies (priority considerations):</i></p> <p>a. Objective 2.6.1, Policy 2.6.1.4</p> <p>b. Objective 17.2.1</p> <p>c. Residential activity in the rural residential zone is at a density that enables lifestyle blocks {RR cl.16} and hobby farms (Policy 17.2.1.1 <u>Policy 17.2.1.2 {RR cl.16}</u>).</p> <p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>d. See Section 9.7 for guidance on the assessment of resource consents in relation to Objective 9.2.1 and effects related to the efficiency and affordability of infrastructure.</p>

17.12.6 Assessment of non-complying performance standard contraventions

Performance standard		Guidance on the assessment of resource consents
2.	Setback from National Grid	<p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>a. See Section 5.10 for guidance on the assessment of resource consents in relation to Objective 5.2.4 <u>5.2.2 {NU 918.29}</u> and effects related to the efficient and effective operation of network utilities, and public health and safety</p>
3.	<ul style="list-style-type: none"> Light spill - where the limit is exceeded by greater than 25% Noise - where the limit is exceeded by 5bD LAeq (15 min) or more Hazardous substances quantity limits and storage requirements (Rule 9.3.4.2) 	<p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>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.</p>
4.	Hazard exclusion areas (hazard overlays)	<p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>a. See Section 11.7 for guidance on the assessment of resource consents in relation to Objective 11.2.1 and effects related to the risk from natural hazards.</p>
5.	Minimum site size	<p><i>Relevant objectives and policies (priority considerations):</i></p> <p>a. Objectives 2.2.4 and 2.6.1</p> <p>b. Policies 2.2.4.4 and 2.6.1.4</p> <p>c. Objectives 17.2.2, 17.2.3, 17.2.4</p> <p>d. Policies 17.2.2.8, 17.2.3.5, 17.2.4.2, 17.2.4.3</p> <p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>e. See Section 9.7 for guidance on the assessment of resource consents in relation to Objective 9.2.1 and effects related to the efficiency and affordability of infrastructure.</p>
6.	Archaeological sites (earthworks) {EW cl.16} ¹	See Section 13.8 for guidance on the assessment of resource consents in relation to Objective 13.2.4 and effects related to the inappropriate development and use in Dunedin's archaeological sites.
7. {PO 447.113 and others}	<u>Family flats - Tenancy {PO 207.1 and 394.63}</u>	<p><i>Relevant objectives and policies (priority considerations): {PO 207.1 and 394.63}</i></p> <p>a. <u>Strategic Directions: Objective 2.6.1, Policy 2.6.1.2 {PO207.1 and 394.63}</u></p> <p>b. <u>Objective 17.2.1 {PO 207.1 and 394.63}</u></p> <p>c. <u>The tenancy of family flats avoids, as far as practicable, the risk they will be used for a separate, non-ancillary residential activity and future pressure to subdivide off family flats (Policy 17.2.1.7) {PO 207.1 and 394.63}</u></p>

17.12.6 Assessment of non-complying performance standard contraventions

Performance standard		Guidance on the assessment of resource consents
8. {NU 806.11}	<u>Shape (Rule 17.7.6.2.d) - setback of building platforms from National Grid {NU 806.11}</u>	<i>Relevant guidance from other sections (priority considerations):</i> a. See Section 5.10 for guidance on the assessment of resource consents in relation to Objective 5.2.2 and effects related to the <u>efficient and effective operation of network utilities, and reverse sensitivity.</u> {NU 806.11}
9. {NatEnv 900.77}	<u>In an ASBV:</u> • <u>Tree species {NatEnv 900.77}</u>	<i>Relevant guidance from other sections (priority considerations):</i> a. See Section 10.7 for guidance on the assessment of resource consents in relation to Objective 10.2.1 and the effects related to <u>biodiversity values.</u> {NatEnv 900.77}
10. {NatEnv 900.77}	<u>In the ONF Zone:</u> • <u>Tree species {NatEnv 900.77}</u>	<i>Relevant guidance from other sections (priority considerations):</i> a. See Section 10.7 for guidance on the assessment of resource consents in relation to Objective 10.2.5 and the effects related to <u>landscape values.</u> {NatEnv 900.77}
11. {NatEnv 900.77}	<u>In the HNCC and NCC overlay zones:</u> • <u>Tree species {NatEnv 900.77}</u>	<i>Relevant guidance from other sections (priority considerations):</i> a. See Section 10.7 for guidance on the assessment of resource consents in relation to Objective 10.2.3 and the effects related to <u>natural character of the coast.</u> {NatEnv 900.77}

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.

Rule 17.13 Special Information Requirements

EW cl.16: As a clause 16 amendment, Rule 17.13.1 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.

