

23. Dunedin Hospital

23.1 Introduction

Dunedin Hospital is the primary medical facility for the Otago and Southland regions, and is situated on Great King Street in Dunedin's central city. The hospital spans two blocks, covering an area of approximately 3 hectares. The hospital is operated by the Southern District Health Board.

The hospital has been at its present site since 1865 and provides 388 beds across a number of wards. It includes a helipad which enables emergency medical services to be provided across the region. The hospital employs over 3,000 staff, providing medical services across all specialties and a broad array of sub-specialties. The hospital also serves as a teaching hospital, with strong links to both the University of Otago and Otago Polytechnic. Ancillary activities associated within the hospital include cafés, a gift shop and a childcare facility.

Significant re-development of the hospital site is anticipated within the next ten years, allowing facilities to be upgraded. This may involve the construction of new buildings and re-development of existing ones.

The site is surrounded by a number of zones, providing for a wide range of different land use activities. To the north and east is the Campus Zone, which provides for activities essential to the functioning of the University of Otago and Otago Polytechnic. To the west is the General Residential 2 Zone. To the west and the south are commercial and **{MF cl.16}** mixed use zones, which provide for a range of commercial activities.

The Dunedin Hospital and its associated activities have the potential to generate effects, particularly on the amenity of the central city. The zone recognises the existing and foreseeable future uses of the Dunedin Hospital site, provides certainty to the community regarding what land use activities can be expected to occur, while appropriately managing potential adverse effects and ensuring compatibility with the surrounding environments.

23.2 Objectives and Policies

Objective 23.2.1	
Dunedin Hospital is able to operate efficiently as a medical training and research facility.	
Policy 23.2.1.1	Enable hospital and community activities in the Dunedin Hospital Zone.
Policy 23.2.1.2	Provide for activities ancillary to hospital activity where they are designed and operated in line with Objective 23.2.2 and its policies.
Policy 23.2.1.3	Only allow activities that are not ancillary to hospital activity where all the following apply: <ol style="list-style-type: none"> the activities are related to or support Dunedin Hospital, or have other operational requirements that mean they need to locate in the zone; they will support the efficient and effective operation of Dunedin Hospital; they are not more appropriately located in another zone in line with Objective 23.2.2 and its policies; and they are designed and operated in line with Objective 23.2.2 and its policies.
Policy 23.2.1.4	Enable land that is surplus to the needs of Dunedin Hospital to transition to the Campus Zone, so that future development that is not related to hospital activity can <u>will</u> {PO cl.16} be managed in accordance with the objectives and policies of that zone.
Policy 23.2.1.5	Only allow subdivision activities where: <ol style="list-style-type: none"> they are in accordance with the provisions of the Campus Zone; and the subdivision does not adversely affect the efficient and effective operation of Dunedin Hospital.

Objective 23.2.2	
Land use activities and development necessary for Dunedin Hospital to meet the reasonably foreseeable health needs of the community is enabled, while ensuring development achieves: <ol style="list-style-type: none"> a reasonable standard of on-site amenity for patients, staff and visitors; and a reasonable level of streetscape amenity. 	
Policy 23.2.2.1	Require development to maintain or enhance streetscape amenity by ensuring: <ol style="list-style-type: none"> an attractive street interface is maintained through landscaping where buildings are not built to the street frontage; an architecturally interesting façade through building modulation and use of glazing; and service areas to be located or screened so they are not visible from ground level of a public place.
Policy 23.2.2.2	Only allow buildings above 20m in height where: <ol style="list-style-type: none"> they contribute positively to effects on the skyline vista of the city, <u>particularly as viewed from Dunedin's inner hill suburbs across the harbour towards the Otago Peninsula, are minimised as far as practicable through the use of</u> by being of a {MF 308.343 and 308.497} quality and contextually appropriate architectural design; and they are designed to minimise as far as practicable adverse effects of shading and wind on pedestrian amenity.

Objective 23.2.2

Land use activities and development necessary for Dunedin Hospital to meet the reasonably foreseeable health needs of the community is enabled, while ensuring development achieves:

- a. a reasonable standard of on-site amenity for patients, staff and visitors; and
- b. a reasonable level of streetscape amenity.

Policy 23.2.2.3	Only allow buildings over 48m in height where: <ul style="list-style-type: none"> a. the height is essential to the operation of hospital activities; and b. the height exceedance is minimal.
Policy 23.2.2.4	Only allow early childhood education - large scale where it will not constrain (have reverse sensitivity effects on) other neighbouring activities.
Policy 23.2.2.5	Require buildings to provide a good level of pedestrian amenity by providing shelter over pedestrian entrances.
Policy 23.2.2.6	Require ancillary signs visible from outside the zone to be located and designed to maintain streetscape amenity, 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.

EW cl.16: As a clause 16 amendment, Objective 23.2.3 and its policies have been moved to new city-wide section (Section 8A). Any amendments to provisions as a result of submissions are shown there.

Rules

Rule 23.3 Activity Status

23.3.1 Rule location

The activity status tables in rules 23.3.3 to 23.3.5 specify the activity status of land use activities, development activities, and subdivision activities in the Dunedin Hospital Zone, 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 **{PO cl.16}** (Section 8)
7. Earthworks (Section 8A) **{EW cl.16}**

23.3.2 Activity status introduction

1. The activity status tables in rules 23.3.3 - 23.3.5 show the activity status of activities in the Dunedin Hospital Zone, provided any performance standards shown in the far right column are met.
2. Activities are split into three types: a. land use activities, b. development activities, c. subdivision activities. Within these types, activities are split into categories. The nested tables in Section 1.3 outline the hierarchy of categories, activities and sub-activities.
3. Permitted land use activities do not automatically provide for any related development activities. Therefore, the activity status of any associated development activities should also be checked.
4. Where a new land use activity requires a resource consent, all associated development activities will be considered and assessed as part of the resource consent even if the development otherwise meets the development performance standards listed in the Plan.
5. The nested tables in Section 1.3 are intended to be a complete list of activities and categories of activities. For any activity that is not covered by any of the defined activities in the nested tables, the activity status will be non-complying if the activity status of "all" or "all other" activities in the most closely related category is non-complying, otherwise it will be discretionary.

Performance Standards

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

Legend

Acronym	Activity status Meaning {PO cl.16}
N/A	No additional provisions apply or not relevant {PO cl.16}
P	Permitted Activity
C	Controlled Activity
RD	Restricted Discretionary Activity
D	Discretionary Activity
NC	Non-complying Activity

23.3.3 Activity status table - land use activities

1.	Performance standards that apply to all land use activities		a. Acoustic insulation (noise sensitive activities) b. Electrical interference c. Light spill d. Noise
Major facilities facility {MF cl.16} activities		Activity status	Performance standards
2.	Hospital	P	a. Minimum car parking
3.	All other activities in the major facility activities category	NC	
Community activities		Activity status	Performance standards
4.	Early childhood education - small scale	P	a. Minimum car parking
5.	Early childhood education - large scale	RD	
6.	Conservation	P	
7.	All other activities in the community activities category	D	
Commercial activities		Activity status	Performance standards
8.	Commercial activities ancillary to hospital	P	
9.	Registered health practitioners	P	
X. {MF 308.304}	Training and education {MF 308.304}	NC P {MF 308.304}	
Y.	Campus-affiliated office {MF 308.5}	NC P {MF 308.5}	
10.	All other activities in the commercial activities category	NC	
Residential activities		Activity status	Performance standards

11.	All activities in the residential activities category	NC	
Industrial activities		Activity status	Performance standards
12.	All activities in the industrial activities category	NC	
Rural activities		Activity status	Performance standards
13.	All activities in the rural activities category	NC	

23.3.4 Activity status table - development activities

1.	Performance standards that apply to all development activities		a. Setback from scheduled tree
2.	Performance standards that apply to all buildings and structures activities		a. Number, design and location of ancillary signs b. Hazard overlay zones development standards {NH 917.27, 360.239 and 961.1} c. Maximum height
Buildings and structures activities		Activity status	Performance standards
3.	All <u>new</u> {PO cl.16} buildings and additions and alterations to buildings	P	a. Boundary treatments and other landscaping b. Minimum glazing and building modulation c. Verandahs
4.	All other buildings and structures <u>activities</u> {MF cl.16}	P	
Site development activities		Activity status	Performance standards
5.	Service areas	P	a. Location and screening of service areas
6.	Parking, loading and access	P	a. Boundary treatments and other landscaping b. Parking, loading and access standards
7.	New <u>or additions to</u> parking areas, or extensions to existing parking areas that result in the creation of {Trans cl.16} 50 or more new parking spaces.	RD	a. Boundary treatments and other landscaping b. Parking, loading and access standards
8.	Storage and use of hazardous substances	P	a. Hazardous substances quantity limits and storage requirements
9.	Earthworks – small scale {EW cl.16'}	P	a. Earthworks standards
10.	Earthworks – large scale {EW cl.16'}	RD	a. Earthworks standards
11.	All other site development activities	P	a. Boundary treatments and other landscaping

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.

Note 23.3.4A - General advice

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

23.3.5 Activity status table - subdivision activities

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

Note 23.3.5A - Other RMA considerations {PO 490.4}

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

23.3.6 Transition to Campus Zone

On receipt of written notice from both the owner and operator (if different) of Dunedin Hospital to Dunedin City Council in relation to all or part of the land within the Dunedin Hospital Zone, the provisions of the Dunedin Hospital Zone will no longer apply to that parcel of land and the provisions of the Campus Zone will apply in full.

Rule 23.4 Notification

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

Rule 23.5 Land Use Performance Standards

23.5.1 Acoustic Insulation

In-patient areas must comply with Rule 9.3.1.

23.5.2 Electrical Interference

Land use activities must comply with Rule 9.3.2.

23.5.3 Light Spill

Land use activities must comply with Rule 9.3.5.

23.5.4 Minimum Car Parking

1. Hospital activity must provide a minimum of 242 ~~184~~ **{Trans 917.37}** parking spaces, including 6 mobility parking spaces. These must be provided within 250m of the Dunedin Hospital Zone.
2. Early childhood education - small scale: 1 parking space per 5 full time equivalent staff members plus one parking space for parent/guardian use per 6 children the facility is licensed for.
3. Required parking spaces may be used for car, cycle or motorcycle parking, except for any required mobility parking spaces, which must be used for mobility car parking.
4. Activities that contravene this performance standard are restricted discretionary activities.**{PO cl.16}**

Note 23.5.4A - Other relevant District Plan provisions

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

23.5.5 Noise

Land use activities must comply with Rule 9.3.6.

Rule 23.6 Development Performance Standards

23.6.1 Boundary Treatments and Other Landscaping

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

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

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

23.6.3 Hazard Overlay Zones Development Standards {Confirmed for deletion - NH 917.27 and others, NH 360.237 and 961.1}

23.6.3.1 Minimum floor level {NH 917.27, 947.53 and others}

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

23.6.3.2 Relocatable buildings {NH cl.16¹}

New buildings (including residential buildings) to be used for ~~natural hazards~~ **{NH cl.16}** sensitive activities in a Hazard 3 (coastal) Overlay Zone must comply with Rule 11.3.4: **{NH cl.16¹}**

¹ **NH cl.16:** This has been deleted as residential activity is non-complying in this zone.

23.6.4 Hazardous Substances Quantity Limits and Storage Requirements

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

23.6.5 Location and Screening of Service Areas

1. Service areas must be located or screened so that they are not visible at ground level from adjacent: residential activities, residential zoned properties, or public places.
2. Service areas must not encroach into required parking, loading or manoeuvring areas.
3. Activities that contravene this performance standard are restricted discretionary activities.**{PO cl.16}**

23.6.6 Maximum Height

1. The maximum height of new buildings and structures, and additions and alterations, must not exceed 20m above ground level.
2. Rooftop structures are exempt from the performance standard for maximum height, provided they do not exceed the maximum height limit by more than 5m.
3. Activities that contravene the performance standard for maximum height but are no greater than 48m in height are a restricted discretionary activity.
4. Activities that contravene the performance standard for maximum height and are over 48m in height are a discretionary activity.

23.6.7 Minimum Glazing and Building Modulation

1. The minimum building modulation and minimum glazing requirements for any parts of buildings which face (are parallel to) and are visible from the road frontage is as follows:
 - a. minimum distance between building modulation elements 20m; or
 - b. minimum glazing of 20%.
2. The required glazing will be calculated as a percentage of the total wall area (from floor to ceiling) that faces the road frontage and that includes clear glass. In the case of curved walls, the wall area will be calculated as the part of the wall which is 45° either side of a point directly facing (parallel to) the road frontage (see Figure 18.6F)
3. Except that the minimum glazing standard in Rule 23.6.7.1 does not apply to scheduled heritage buildings.
4. Activities that contravene this performance standard are restricted discretionary activities.**{PO cl.16}**

23.6.8 Number, Design and Location of Ancillary Signs

1. Signs must comply with the following standards, except the following signs are exempt from these standards:
 - a. signs that are not visible from outside the Dunedin Hospital Zone;
 - b. ~~'regulatory signs' (requiring or prohibiting specified actions), 'warning signs' (informing of hazards or of other features requiring a safe response), or 'directional signs' (identifying the location of, or direction to destinations, routes, building entrances and vehicle accesses) signs;~~ and **{CMU 271.18 and others}**
 - c. building names (excluding sponsorship names).
2. Signs located on or **{MF cl.16}** above the footpath must comply with Rule 6.7.2.
3. Signs must comply with Rule 6.7.3 where visible from a road.
4. Signs related to ancillary retail and ancillary restaurants ~~activities~~ **{PO cl.16}** must not be visible outside the Dunedin Hospital Zone.
5. Signs higher than 4m above ground level must only display the business name or major facility name.
6. ~~Signs other than those specified in rules 23.6.8.7 and 23.6.8.8 are not allowed.~~ **{MF cl.16}**
7. Signs that contravene the performance standard for number, location, and design of ancillary signs are

restricted discretionary activities. **{PO cl.16}**

23.6.8.7 Signs attached to buildings

- a. The height, above ground level, at the highest point of any sign, attached to a building is 8m.
- b. Signs must not be attached to roofs.
- c. Signs must not project higher than the lowest point of the roof, except where mounted against a parapet or gable end.
- d. Signs attached flat against a building must:
 - i. not cumulatively exceed 15% of the total wall area (excluding windows) that face the road frontage, or 8m², whichever is lesser; and
 - ii. if attached to a verandah fascia, must not exceed a height of 500mm, or the height of a verandah fascia, whichever is greater.
- e. If attached on the underside of a verandah or protruding from a building façade, must:
 - i. where attached to the façade of a building, have a maximum area per display face of 2m²;
 - ii. where attached to the façade of a building, must not project more than 1.5m from the façade to which it is attached;
 - iii. have a maximum of 2 display faces per sign; and
 - iv. not exceed 1 sign per 15m of road frontage.

23.6.8.8 Freestanding signs

- a. The maximum number of permanently fixed freestanding signs is 1 per 50m of road frontage.
- b. The maximum number of portable freestanding signs within the zone is 2.
- c. The maximum dimensions of freestanding signs are:
 - i. maximum height of 6m for permanently fixed freestanding signs;
 - ii. maximum height of 4m for portable freestanding signs;
 - iii. maximum area of 12m² per display face for permanently fixed freestanding signs;
 - iv. maximum area of 8m² per display face for portable freestanding signs;
 - v. maximum width of 2m; and
 - vi. maximum depth of 400mm **{PO cl.16}**.
- d. Freestanding signs must:
 - i. ~~not obstruct driveways, parking or loading areas~~ **{PO cl.16}**
 - ii. ~~Freestanding signs must be located within the site and cannot be located on the road reserve~~ **{PO cl.16}**

Note 23.6A– 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 23.6.8B - 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.

23.6.9 Parking, Loading and Access Standards

Parking, loading and access must comply with Rule 6.6.

23.6.10 Setback from Scheduled Tree

New buildings and structures, additions and alterations, ~~earthworks~~, **{EW cl.16¹}** 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.

23.6.11 Verandahs

1. New buildings or additions and alterations to the façade of buildings must have a verandah that covers the full width of the main pedestrian entrance.
2. Activities that contravene this performance standard are restricted discretionary activities.**{PO cl.16}**

Rule 23.7 Subdivision Performance Standards

Subdivision activities must comply with Rule 34.7.

Rule 23.8 Assessment of Restricted Discretionary Activities (Performance Standard Contraventions)

Rule 23.8.1 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 23.8.2 - 23.8.5:
 - a. list the matters Council will restrict its discretion to; and
 - b. provide guidance on how consent applications will be assessed, including:
 - i. relevant objectives and policies, with respect to s104(1)(b)(vi);
 - ii. potential circumstances that may support a consent application;
 - iii. general assessment guidance; and
 - iv. conditions that may be imposed.
3. Rules 23.8.2 - 23.8.5 apply as follows: {MF cl.16}
 - a. Rule 23.8.2 applies to all performance standard contraventions;
 - b. Rule 23.8.3 applies to land use performance standard contraventions;
 - c. Rule 23.8.4 applies to development performance standard contraventions; and
 - d. Rule 23.8.5 applies to subdivision performance standard contraventions. {MF cl.16}

23.8.2 Assessment of all performance standard contraventions	
Performance standard	Guidance on the assessment of resource consents
1. All performance standard contraventions	<p><i>Relevant objectives and policies:</i></p> <p>a. Objective 23.2.1</p> <p><i>Potential circumstances that may support a consent application include:</i></p> <p>b. The degree of non-compliance with the performance standard is minor</p> <p>c. The need to meet other performance standards, or site specific factors, make meeting the standard impracticable.</p> <p>d. Topography or other site specific factors make the standard irrelevant as the adverse effects that the standard is trying to manage will not occur.</p> <p>e. Non-compliance with a development performance standard would improve the design of the development in a way that would result in positive effects and better achieve the identified objectives and policies of the Plan.</p> <p><i>General assessment guidance:</i></p> <p>f. Where more than one standard is contravened, the combined effects of the contraventions should be considered.</p>

23.8.3 Assessment of land use performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
1.	Electrical interference	a. Effects on health and safety	See Rule 9.4
2.	Minimum car parking	a. Effects on the safety and efficiency of the transport network b. Effects on accessibility	See Rule 6.9

23.8.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
1.	Boundary treatments and other landscaping	a. Effects on streetscape amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 23.2.2 ii. Development maintains or enhances {MF cl.16} streetscape amenity is maintained or enhanced by maintaining by ensuring {MF cl.16} an attractive street interface through landscaping where buildings are not built to the street frontage (Policy 23.2.2.1.a).
2.	<p>Earthworks standards:</p> <ul style="list-style-type: none"> • Batter gradient {EW cl.16}¹ 	a. Effects on the stability of land, buildings and structures	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 23.2.3 ii. Earthworks and associated retaining structures are designed and located to avoid adverse effects on the stability of land, buildings, and structures by using a batter gradient that will be stable over time (Policy 23.2.3.1.b). <p><i>Conditions that may be imposed include, but are not limited to:</i></p> <ul style="list-style-type: none"> iii. Maximum slopes of cut and fill batters. iv. Time limits for retaining wall installation to avoid leaving a cut slope unsupported for an extended period. v. Temporary shoring requirements to maintain stability before a wall is constructed. vi. Supervision and monitoring requirements for retaining wall construction and standard earthworks construction.

23.8.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
3.	Earthworks standards: • Setback from property boundary, buildings, structure and cliffs {EW cl.16} ¹	a. Effects on the stability of land, buildings and structures	<i>Relevant objectives and policies:</i> i. Objective 23.2.3 ii. Earthwork 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 23.2.3.1.a).
4.	Earthworks standards: • Setback from network utilities {EW cl.16} ¹	a. Effects on efficient and effective operation of network utilities b. Effects on health and safety	See Rule 5.7
5.	Earthworks standards: • Sediment control {EW cl.16} ¹	a. Effects on surrounding sites b. Effects on biodiversity values and natural character of the coast and riparian margins c. Effects on the efficiency and/or affordability of infrastructure	<i>Relevant objectives and policies:</i> i. Objective 23.2.3 ii. Earthworks and any associated retaining structures are designed and located to minimise adverse effects on surrounding sites and the wider area by managing earthworks to avoid sediment run-off, including on to any property, or into any stormwater pipes, drains, channels or soakage systems, <u>or the coastal marine area {EW 1071.106}</u> (Policy 23.2.3.2.b). See Rule 10.4 See Rule 9.4

23.8.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
6.	Hazard overlay zones development standards: <ul style="list-style-type: none"> Minimum floor level {NH 917.27, 947.53 and others} Relocatable buildings {NH cl.16³} 	a. Risk from natural hazards	See Rule 11.4
7.	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}
8.	Location and screening of service areas	a. Effects on streetscape amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 23.2.2 ii. <u>Development maintains or enhances streetscape {MF cl.16³} amenity is maintained or enhanced by locating or screening by ensuring {MF cl.16³} service areas are located or screened {MF cl.16³} so they are not visible from ground level of a public place (Policy 23.2.2.1.c).</u> <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. Screening would unduly restrict the usability of the site.
9.	Maximum height (buildings no greater than 48m in height) {MF cl.16}	a. Effects on streetscape amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 23.2.2 ii. <u>Buildings contribute positively to the skyline vista of the city, by being of a quality and contextually appropriate architectural design Buildings greater than 20m in height minimise as far as practicable adverse effects on the skyline vista of the city, particularly as viewed from Dunedin's inner hill suburbs across the harbour towards the Otago Peninsula, through the use of quality and contextually appropriate architectural design {MF 308.343 and 308.497} (Policy 23.2.2.2.a).</u>
		b. Effects on pedestrian amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 23.2.2 ii. Buildings are designed to minimise as far as practicable adverse effects of shading and wind on pedestrian amenity (Policy 23.2.2.2.b).

23.8.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
10.	Minimum glazing and building modulation	a. Effects on streetscape amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 23.2.2 ii. Development maintains or enhances streetscape amenity by ensuring an architecturally interesting façade through building modulation and use of glazing (Policy 23.2.2.1.b).
11.	Number, location and design of ancillary signs	a. Effects on streetscape amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 23.2.2 ii. Ancillary signs visible from outside the zone are located and designed to maintain streetscape amenity, 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 23.2.2.6). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. An attractive streetscape is maintained.
		b. Effects on the safety and efficiency of the transport network	See Rule 6.9
12.	Parking, loading and access standards	a. Effects on the safety and efficiency of the transport network	See Rule 6.9
13.	Setback from scheduled tree	a. Effects on long term health of tree	See Rule 7.6
14.	Verandahs	a. Effects on streetscape amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 23.2.2 ii. Buildings provide a good level of pedestrian amenity by providing shelter over pedestrian entrances (Policy 23.2.2.5). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. The design and location of the building, and/or design of the verandah, allows for appropriate shelter of pedestrians from the weather.

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

² **MF cl.16:** Amendment made for greater consistency with policy.

³ **NH cl.16:** This has been deleted as residential activity is non-complying in this zone.

23.8.5 Assessment of subdivision performance standard contraventions

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

Rule 23.9 Assessment of Restricted Discretionary Activities

Rule 23.9.1 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 23.9.2 - 23.9.4:
 - 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 23.9.2 - 23.9.4 apply as follows: {MF cl.16}
 - a. Rule 23.9.2 applies to restricted discretionary land use activities;
 - b. Rule 23.9.3 applies to restricted discretionary development activities; and
 - c. Rule 23.9.4 applies to restricted discretionary subdivision activities. {MF cl.16}
4. For all land use activities that require consent, all associated development activities will be considered as part of the resource consent even if the development otherwise meets the development performance standards in the Plan. Conditions on development activities may be used to 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 23.8; 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 23.10; 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 23.11; and
 - iii. the assessment guidance in this section will also be considered.

23.9.2 Assessment of restricted discretionary land use activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
<p>A. <u>All high trip generators, which include:</u> {Trans cl.16¹}</p> <ul style="list-style-type: none"> any activities that generate 250 or more vehicle movements a day {Trans cl.16} 	<p>a. <u>Effects on accessibility</u> {Trans cl.16}</p> <p>b. <u>Effects on the safety and efficiency of the transport network</u> {Trans cl.16}</p>	<p>See Rule 6.10 {Trans cl.16}</p>
<p>1. Early childhood education - large scale</p>	<p>a. Effects on the safety and efficiency of the transport network</p> <p>b. Effects on ability of commercial activities to operate <u>Reverse sensitivity effects</u> {PO 1046.5}</p>	<p>See Rule 6.10</p> <p><i>Relevant objectives and policies:</i></p> <p>i. <u>Reverse sensitivity will be avoided as far as practicable</u> Early childhood education – large scale does not constrain (have reverse sensitivity effects on) neighbouring activities {PO 1046.5} (Policy 23.2.2.4).</p>

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 23 assessment rules. The correction of this error, via the addition of Rule 23.9.2.A, does not result in a substantive change to the effect of provisions.

23.9.3 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 Dunedin Hospital Zone) {EW cl.16'}	<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 23.2.3 ii. Adverse effects on visual amenity and character will be avoided or, if avoidance is not possible, adequately mitigated (Policy 23.2.3.3.a). iii. Adverse effects on the amenity of surrounding properties, including from changes to drainage patterns, will be avoided or, if avoidance is not possible, adequately mitigated (Policy 23.2.3.3.b). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iv. There is no, or only minimal, alteration to the natural landform. v. Any cut or fill will be restored or treated to resemble natural landforms. vi. The earthworks will not remove or impact upon existing vegetation or landscaping. <p><i>Conditions that may be imposed include, but are not limited to:</i></p> <ul style="list-style-type: none"> vii. Measures to minimise visual effects, e.g. requirements for revegetation and/or landscaping. viii. Maximum slopes of cut and fill batters. ix. Measures to divert surface water and rain away from, or prevent from discharging over, batter faces and other areas of bare earth. x. Measures to ensure there are no adverse effects from changes to drainage patterns on surrounding properties. xi. Requirement to de-compact soils; to take other remedial action to ensure the natural absorption capacity of the soils is not reduced; or to use other mitigation measures to ensure the overall absorption of rain water on-site is not diminished.

23.9.3 Assessment of restricted discretionary development activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
	e. 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 23.2.3 ii. Adverse effects on the stability of land, buildings, and structures will be avoided or, if avoidance is not possible, adequately mitigated (Policy 23.2.3.3.c). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. A geotechnical report confirms the existing ground is suitably stable for the proposed works, and proposed works will not create instability risks for surrounding land, buildings, or structures (see Special Information Requirements - Rule 23.12.1). iv. Excavation, fill and retaining structures will be designed, and the work undertaken, in accordance with best practice engineering standards
2. <u>High trip generators:</u> {Trans cl.16²} • New or additions to parking areas, or extensions to existing parking areas that result in the creation of 50 or more new parking spaces {Trans cl.16}	<p>a. Effects on the safety and efficiency of the transport network</p> <p>b. Effects on accessibility {Trans cl.16}</p>	See Rule 6.10

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

² **Trans cl.16:** 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.

23.9.4 Assessment of restricted discretionary subdivision activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
1. Subdivision activities	a. Effects on the efficient and effective operation of Dunedin Hospital	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 2.3.1 ii. Objective 23.2.1 iii. Subdivision activities do not adversely affect the efficient and effective operation of Dunedin Hospital (Policy 23.2.1.5.b).
	See Rule 34.10	

Rule 23.10 Assessment of Discretionary Activities

Rule 23.10.1 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 23.10.2 and 23.10.3 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 23.10.2 and 23.10.3 apply as follows: {MF cl.16}
 - a. Rule 23.10.2 applies to all discretionary activities; and
 - b. Rule 23.10.3 applies to discretionary performance standard contraventions. {MF cl.16}
4. For all land use activities that require consent, all associated development activities will be considered as part of the resource consent even if the development otherwise meets the development performance standards in this Plan. Conditions on development activities may be used to minimise any adverse effects from the land use activity or create mitigating positive effects.

23.10.2 Assessment of all discretionary activities

Activity	Guidance on the assessment of resource consents
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<p>1. All discretionary <u>land use</u> activities – including listed below: {PO cl.16}</p> <ul style="list-style-type: none"> all activities in the community activities category except early childhood education and conservation activities listed below {PO cl.16} 	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ol style="list-style-type: none"> Objective 2.3.1 Objective 23.2.1 Activities that are ancillary to hospital activity are designed and operated in line with Objective 23.2.2 and its policies (Policy 23.2.1.2). Activities that are not ancillary to hospital activity: <ol style="list-style-type: none"> are related to or support the Dunedin Hospital, or have other operational requirements that mean they need to locate in the zone; support the efficient and effective operation of Dunedin Hospital; are not more appropriately located in another zone in line with Objective 2.3.2 and its policies; and are designed and operated in line with Objective 23.2.2 and its policies (Policy 23.2.1.3). <p><i>Potential circumstances that may support a consent application include:</i></p> <ol style="list-style-type: none"> For discretionary land use activities, whether any associated development activities meet relevant development performance standards, or are otherwise consistent with relevant objectives and policies for development. All relevant land use performance standards are met, including noise and light spill standards. <p><i>General assessment guidance:</i></p> <ol style="list-style-type: none"> In assessing the significance of effects, consideration will be given to: <ol style="list-style-type: none"> short to long term effects, including effects in combination with other activities; and the potential for cumulative adverse effects arising from similar activities occurring as a result of a precedent being set by the granting of a resource consent. In assessing activities that are discretionary due to being in an overlay zone, mapped area, in a scheduled site, or affecting a scheduled item, that otherwise require resource consent, the assessment guidance provided in relation to the underlying activity status will also be considered. {MF cl.16²} <p><i>Relevant guidance from other sections (priority considerations):</i></p> <ol style="list-style-type: none"> <u>See Section 6.11 for guidance on the assessment of resource consents in relation to objectives 6.2.2 and 6.2.3, and effects related to accessibility and the safety and efficiency of the transport network and its affordability to the public.</u> {Trans cl.16¹} <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} <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</u> {MW 1071.3}
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¹ **Trans cl.16:** This amendment adds a cross-reference to relevant assessment rules in the transportation section, for all discretionary activities. This does not change the effect of provisions.

² **MF cl.16:** Rule 23.10.2.1.h 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.

23.10.3 Assessment of discretionary performance standard contraventions	
Performance standard	Guidance on the assessment of resource consents
1. <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 	<i>Relevant guidance from other sections (priority considerations):</i> <ol style="list-style-type: none"> 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.
2. Maximum height (buildings over 48m in height)	<i>Relevant objectives and policies (priority considerations):</i> <ol style="list-style-type: none"> Objective 23.2.2 Buildings over 48m in height are only allowed where: <ol style="list-style-type: none"> the height is essential to the operation of hospital activities; and the height exceedance is minimal (Policy 23.2.2.3). Buildings <u>minimise, as far as practicable, adverse effects on contribute positively to the skyline vista of the city, particularly as viewed from Dunedin's inner hill suburbs across the harbour towards the Otago Peninsula, through the use of by being of a quality and contextually appropriate architectural design</u> {MF 308.343} (Policy 23.2.2.2.a). Buildings are designed to minimise as far as practicable adverse effects of shading and wind on pedestrian amenity (Policy 23.2.2.2.b).

Rule 23.11 Assessment of Non-complying Activities

Rule 23.11.1 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 23.11.2 - 23.11.4 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 23.11.2 and 23.11.4 apply as follows: {MF cl.16}
 - a. Rule 23.11.2 applies to non-complying land use activities; and
 - b. Rule 23.11.4 applies to non-complying performance standard contraventions {MF cl.16}
4. For all land use activities that require consent, all associated development activities will be considered as part of the resource consent even if the development otherwise meets the development performance standards in this Plan. Conditions on development activities may be used to minimise any adverse effects from the land use activity or create mitigating positive effects.

23.11.2 Assessment of all {MF cl.16} non-complying land use activities

Activity	Guidance on the assessment of resource consents
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1.	All non-complying <u>land use</u> activities including these <u>but not limited to the activities</u> {PO cl.16} listed below:	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> a. Objective 2.3.1 b. Objective 23.2.1 c. Activities not ancillary to hospital activity: <ul style="list-style-type: none"> i. are related to or support Dunedin Hospital, or have other operational requirements that mean they need to locate in the zone; ii. support the efficient and effective operation of Dunedin Hospital; iii. are not more appropriately located in another zone in line with Objective 2.3.2 and its policies; and iv. are designed and operated in line with Objective 23.2.2 and its policies (Policy 21.2.1.3). <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> d. In assessing the significance of effects consideration will be given to: <ul style="list-style-type: none"> i. both short and long term effects, including effects in combination with other activities; ii. the potential for cumulative adverse effects arising from similar activities occurring as a result of a precedent being set by the granting of a resource consent; and iii. any effects otherwise managed through performance standards and consistent with all relevant objectives and policies for the zone. e. 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"> f. <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> g. <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> h. <u>See Section 14.6 for guidance on the assessment of resource consents in relation to Objective 14.2.1 and effects on cultural values of Manawhenua {MW 1071.3}</u>
2. {MF cl.16}	Commercial advertising in all zones {PO cl.16}	<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

¹ **Trans cl.16:** This amendment adds a cross-reference to relevant assessment rules in the transportation section,

for all non-complying activities. This does not change the effect of provisions.

² **MF cl.16:** As a clause 16 amendment this line has been moved from Table 23.11.3. This is not a substantive change to provisions.

23.11.3 Assessment of non-complying land use activities {MF cl.16'}	
Activity {MF cl.16}	Guidance on the assessment of resource consents {MF cl.16}
1. Commercial advertising in all zones {MF cl.16}	<p><i>Relevant objectives and policies (priority considerations): {MF cl.16}</i></p> <p>a. Objective 2.4.1 {MF cl.16}</p> <p>b. Policy 2.4.1.6.e {MF cl.16}</p>

¹ **MF cl.16:** As a clause 16 amendment the content of this table has been moved to Table 23.11.2. This is not a substantive change to provisions.

23.11.4 Assessment of non-complying performance standard contraventions	
Performance standard	Guidance on the assessment of resource consents
1. <ul style="list-style-type: none"> • Light spill - where the limit is exceeded by greater than 25% • Noise - where the limit is exceeded by 5dB LAeq (15 min) or more • 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>

Rule 23.12 Special Information Requirements {Confirmed to be deleted - EW cl.16}

EW cl.16: As a clause 16 amendment, Rule 23.12.1 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.