

32. Stadium

32.1 Introduction

The Forsyth Barr Stadium is located at Logan Point, immediately south of Logan Park. The area is approximately 5.1ha in size and is located between Anzac Avenue (SH 88), Ravensbourne Road, the Water of the Leith and the main south railway line. The Forsyth Barr Stadium has a capacity for up to 35,000 spectators and provides a venue for international and local sporting events as well as concerts, community events and conferences.

The zone is bordered by the Industrial Zone to the north-east, and **{MF cl.16}** east and south, Princes, Parry and Harrow Street Zone to the west, ~~GBD Edge Zone to the south,~~ **{MF cl.16}** Campus Zone **{MF cl.16}** to the north-west east **{MF cl.16}** and Recreation Zone **{MF cl.16}** to the north. The University of Otago uses the University Plaza building at the western end of the stadium for campus activities activity **{PO cl.16}**. This building, and the plaza area in front of it, are zoned Campus. A large car park services the stadium.

The Forsyth Barr Stadium and its associated activities have the potential for visual, noise and traffic effects that may impact on surrounding land uses. The effects of activities within the area must be carefully managed to ensure that there are no adverse impacts on the rest of the city. Activities permitted within the Stadium Zone are limited to those clearly associated with the operation and function of the stadium, or that make use of the stadium facility itself.

32.2 Objectives and Policies

Objective 32.2.1	
The stadium is able to operate efficiently and effectively.	
Policy 32.2.1.1	Enable major recreation facility activity in the Stadium Zone.
Policy 32.2.1.2	Provide for activities ancillary to major recreation facility activity where they are designed and operated in line with Objective 32.2.2 and its policies.
Policy 32.2.1.3	Only allow activities that are not ancillary to major recreation facility activity where: <ol style="list-style-type: none"> they are related to or support the Forsyth Barr Stadium, or have other operational requirements that mean they need to locate in the zone; they will support the efficient and effective operation of the Forsyth Barr Stadium; they are not more appropriately located in another zone in line with Objective 2.3.2 and its policies; and they are designed and operated in line with Objective 32.2.2 and its policies.
Policy 32.2.1.4	Enable land that is surplus to the needs of the Forsyth Barr Stadium to transition to the Campus Zone (<u>except in the hazard facility mapped area</u>) or Industrial Zone (in the hazard facility mapped area) {MF 906.58}, so that future development that is not related to major recreation facility activity can <u>will</u> {PO cl.16} be managed in accordance with the objectives and policies of that zone.
Policy 32.2.1.5	Only allow subdivision <u>activities</u> {PO cl.16} where: <u>the subdivision does not adversely affect the efficient and effective operation of the Forsyth Barr Stadium.</u> {MF 906.58} <ol style="list-style-type: none"> it is in accordance with the provisions of the Campus Zone; and {MF 906.58} the subdivision does not adversely affect the efficient and effective operation of the Forsyth Barr Stadium. {MF 906.58}
Policy 32.2.1.6	Enable car parking areas to be used for stand-alone car parking when not required for major recreation facility activity.

Objective 32.2.2

Land use activities and development are designed and operated to:

- provide a good standard of on-site amenity for visitors;
- maintain or enhance the amenity of surrounding areas, as far as practicable; and
- avoid adverse effects on people's health and safety.

Policy 32.2.2.1	Require development along Ravensbourne Road (amenity route mapped area) to provide a high level of streetscape amenity by: <ol style="list-style-type: none"> providing landscaping of a height and density adequate to maintain or enhance the amenity of the route; and setting back buildings an adequate distance to allow this landscaping.
Policy 32.2.2.2	Only allow buildings greater than 20m in height where: <u>adverse effects on the skyline vista of the city, particularly as viewed from Dunedin's inner hill suburbs across the harbour towards the Otago Peninsula, are minimised as far as practicable through the use of quality and contextually appropriate architectural design.</u> {MF 308.343 and 308.497} <ol style="list-style-type: none"> they contribute positively to the skyline vista of the city, by being of a quality and contextually appropriate architectural design.; and {MF 308.343 and 308.497} they avoid significant adverse effects on views from Dunedin's inner hill suburbs across the upper harbour toward the Otago Peninsula. {MF 308.343 and 308.497}
Policy 32.2.2.3	Only allow buildings over 47m in height where: <ol style="list-style-type: none"> the height is essential to the operation of the Forsyth Barr Stadium; and the height exceedance is minimal.
Policy 32.2.2.4	Require ancillary signs visible from outside the zone to be located and designed to be {MF cl.16} 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.
Policy 32.2.2.5	Require land use activities to operate, and development to be designed, to ensure that adverse effects from noise on the health of people can <u>will</u> {PO cl.16} be avoided or, if avoidance is not possible <u>practicable</u> {PO 908.3 and others} , are insignificant.
Policy 32.2.2.6	Require ancillary commercial activities to be designed, located and operated to primarily serve staff and visitors to the Forsyth Barr Stadium.
Policy 32.2.2.7	<u>Require the Forsyth Barr Stadium is to have</u> {MF cl.16} predominantly muted colours, to minimise adverse effects on the skyline vista of the city and views across the harbour.

EW cl.16: As a clause 16 amendment, Objective 32.2.3 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 32.3 Activity Status

Rule 32.3.1 Rule location

The activity status tables in rules 32.3.3 to 32.3.5 specify the activity status of land use activities, development activities, and subdivision activities in the Stadium 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 (Section 8)
7. Earthworks (Section 8A) **{EW cl.16}**

Rule 32.3.2 Activity status introduction

1. The activity status **{MF cl.16}** tables in rules 32.3.3 - 32.3.5 show the activity status of activities in the Stadium Zone 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 1.3 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}
P	Permitted Activity
C	Controlled Activity
RD	Restricted Discretionary Activity
D	Discretionary Activity
NC	Non-complying Activity

32.3.3 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 facility activities		Activity status	Performance standards
2.	Major recreation facility	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	NC	
5.	All other activities in the community activities category	P	a. <u>Location (hazard facility mapped area) {PHS 906.1}</u>
Commercial activities		Activity status	Performance standards
6.	Commercial activities ancillary to major recreation facility activity	P	a. Location
7.	Visitor accommodation	D	
8.	Office	D	
9.	Stand-alone car parking	P	
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	
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32.3.4 Activity status table - development activities

1.	Performance standards that apply to all development activities {MF cl.16}		a. Setback from coast and water bodies {NatEnv cl.16}
2.	Performance standards that apply to all buildings and structures activities		a. Building design b. Number, location and design of ancillary signs c. Maximum height d. Hazard overlay zones development standards {NH 917.27, 360.239 and 691.1} e. <u>Setback from coast and water bodies</u> {NatEnv cl.16}
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 setbacks
4.	All other buildings and structures activities	P	
Site development activities		Activity status	Performance standards
5.	Earthworks – small-scale {EW cl.16¹}	P	a. Earthworks standards
6.	Earthworks – large-scale {EW cl.16¹}	RD	a. Earthworks standards
7.	Parking, loading and access	P	a. Parking, loading and access standards b. Boundary treatments and other landscaping
8.	New or additions to 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
9.	Storage and use of hazardous substances	P	a. Hazardous substances quantity limits and storage requirements b. <u>Setback from coast and water bodies</u> {NatEnv cl.16}
10.	Vegetation clearance	P	
11.	All other site development activities	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.

Note 32.3.4A - 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 Dunedin. If archaeological remains are discovered during any site works, at any location, the Accidental Discovery Protocol (Appendix A8) should be followed.

32.3.5 Activity status table - subdivision activities

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

Note 32.3.5A - 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.

Rule 32.3.6 Transition to Campus Zone or Industrial Zone {MF 906.58}

1. On receipt of written notice from both the landowner and operator of Forsyth Barr Stadium (if different) to Dunedin City Council confirming that all or part of the land within the Stadium Zone is surplus to Forsyth Barr Stadium requirements, the provisions of the Stadium Zone will no longer apply to that parcel of land and the provisions of the following zones **Campus Zone {MF 906.58}** will apply in full:
 - a. to those parts of the Stadium Zone that are outside the **hazard facility mapped area**, the Campus Zone will apply {MF 906.58}
 - b. to those parts of the Stadium Zone that are inside the **hazard facility mapped area**, the Industrial Zone will apply {MF 906.58}

Rule 32.4 Notification

1. With respect to resource consent applications for the following activities, Manawhenua will be considered an affected person in accordance with section 95B of the RMA where their written approval is not provided: {MW 1071.2}
 1. all restricted discretionary activities that list 'effect on cultural values of Manawhenua' as a matter for discretion; and {MW 1071.2}
 2. discretionary and non-complying activities in a wāhi tūpuna mapped area where the activity is identified as a threat in Appendix A4. {MW 1071.2}
2. All other activities are subject to the normal tests for notification in accordance with sections 95A-95G of the RMA.

Rule 32.5 Land Use Performance Standards

32.5.1 Acoustic Insulation

Noise sensitive activities in the Stadium Zone must comply with Rule 9.3.1.

32.5.2 Electrical Interference

Land use activities must comply with Rule 9.3.2.

32.5.3 Light Spill

Land use activities must comply with Rule 9.3.5.

32.5.4 Location

1. For commercial activities ancillary to major recreation facility activity, customer access must only be available from inside the stadium buildings.
2. Activities that contravene this performance standard are restricted discretionary activities.{PO cl.16}

32.5.5 Minimum Car Parking

1. Major recreation facility activity must provide a minimum of 163 parking spaces, including 5 mobility parking spaces.
2. Activities that contravene this performance standard are restricted discretionary activities.{PO cl.16}

Note 32.5.5A - 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.

32.5.6 Noise

Rule 32.5.6.1 Noise

- a. Land use activities must comply with Rule 9.3.6, except stadium noise events (see Rule 32.5.6.2).

Rule 32.5.6.2 Stadium Noise Events

- a. Stadium noise events must not exceed 75 dB LAeq (15 min) or 80 dB LAFmax measured at the **stadium noise mapped area**.

- b. The maximum number of stadium noise events allowed within the following noise ranges is:

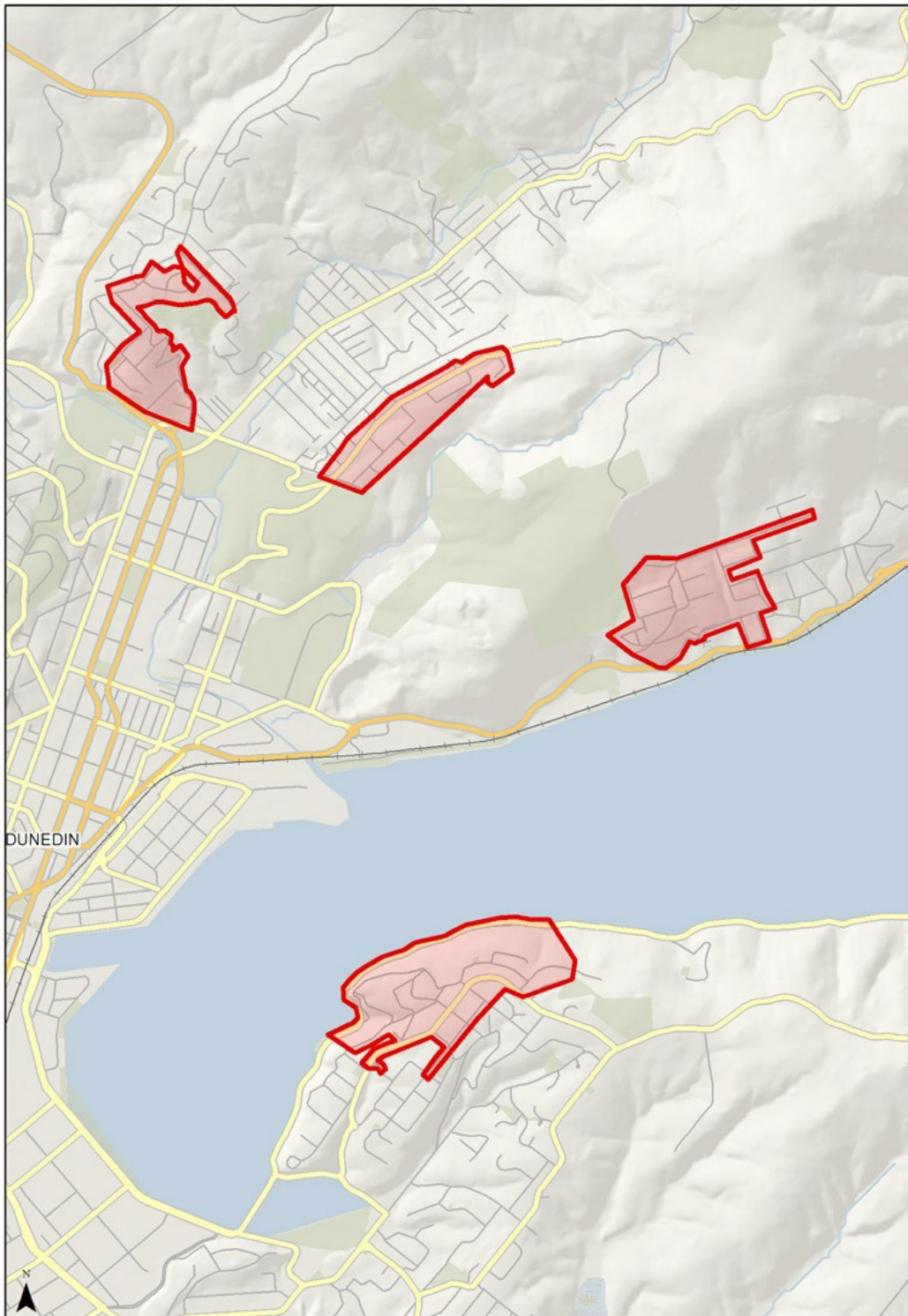
Noise measured at the boundary of the stadium noise mapped area		Maximum number of events per calendar year
i.	Between 65 dB LAeq (15 min) and up to 75 dB LAeq (15 min); or up to 80 dB LAF max	3
ii.	Between 55 dB LAeq (15 min) and up to 65 dB LAeq (15 min); or up to 75 dB LAF max	12 events
iii.	Up to 55 dB LAeq (15 min)	n/a

- c. Stadium noise events must not commence before 10.00am or finish after 12.00am (midnight) for events between 1 November and the end of February, or after 11.00pm for events between 1 March and 31 October. For clarity, the event may exceed four hours, but the period during which any noise is produced that exceeds the noise limits in Rule 9.3.6 must not exceed four hours.
- d. Stadium noise events must comply with the following restrictions:
- There must be no more than two stadium noise events in any one seven-day period, except for two weeks of the year which may have a maximum of four stadium noise events in any one seven-day period; and
 - There must be no more than two stadium noise events that exceed 55 dBA Leq (15 min) within any Sunday to Thursday period inclusive; and
 - Stadium noise events that exceed 55 dBA Leq (15 min) must not be held on consecutive days within any Sunday to Thursday period inclusive; and
 - There must be no more than two stadium noise events that exceed 55 dBA Leq (15 min) on consecutive days.
- e. The Forsyth Barr Stadium must either:
- have a permanent sound system that is commissioned and calibrated to achieve compliance with the above noise standards during stadium noise events, and with the noise standards specified in Rule 9.3.6 at all other times; or
 - for stadium noise events where a non-calibrated sound system is used, monitor and regulate the noise to ensure compliance with the noise standards specified above.
- f. Sound checks involving amplified music which exceed the noise limits specified in Rule 9.3.6 must be between the hours of 9.00am and 7.30pm and a maximum of two hours total duration per day. Sound checks must not exceed the noise limits specified in Rule 32.5.6.2.a.
- g. Stadium noise events expected to exceed 65dB LAeq (15 min) or 75 dB LAFmax must be publicised by:
- an advertisement in both the Otago Daily Times newspaper and Star community newspaper no more than 10 days prior to the event; or
 - a leaflet drop to the **stadium noise leaflet drop mapped area** no more than 10 days prior to the

event.

- h. A noise management plan must be provided to the DCC's Environmental Health Department at least 48 hours prior to all stadium noise events detailing:
 - i. the name and contact details of a noise management contact person who will be present at the stadium noise event; and
 - ii. methods by which noise will be managed to ensure it does not exceed the noise levels in Rule 32.5.6.2.a and b.
- i. Activities that exceed the noise limits in 32.5.6.2.a are a non-complying activity.
- j. Activities that contravene all other parts of this rule are a discretionary activity.

Figure 32.5A: {MF cl.16} Stadium Noise Leaflet Drop Mapped Area



32.5.7 Location (hazard facility mapped area) {Confirmed for addition - PHS 906.1}

Activities must comply with Rule 9.3.8. {PHS 906.1}

Rule 32.6 Development Performance Standards

32.6.1 Boundary Treatments and Other Landscaping

1. Along the Ravensbourne Road frontage (**amenity route mapped area**), where a building is not built to the 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). 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.
2. 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}**.
3. Activities that contravene this performance standard are restricted discretionary activities.**{PO cl.16}**

32.6.2 Building Design

1. The Forsyth Barr Stadium must be at least 75% grey tones. Up to 25% of each façade may be any colour, but no one block of colour ~~can~~ may **{PO cl.16}** occupy more than 5% of the façade.
2. Activities that contravene this performance standard are restricted discretionary activities.**{PO cl.16}**

32.6.3 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.

32.6.4 Hazard Overlay Zones Development Standards {Confirmed for deletion - NH 917.27, 360.239 and 961.1}

32.6.4.3 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}**

32.6.4.4 Relocatable buildings {NH cl.16¹}

New buildings (including residential buildings) to be used for sensitive activities in the 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.

32.6.5 Hazardous Substances Quantity Limits and Storage Requirements

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

32.6.6 Maximum Height

1. The maximum height for new buildings and structures, and additions and alterations is 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 47m in height are a restricted discretionary activity.
4. Activities that contravene the performance standard for maximum height and are over 47m in height are a discretionary activity.

32.6.7 Number, Location and Design of Ancillary Signs

32.6.7.1 General

- a. Signs must comply with the following standards, except the following signs are exempt from these standards:
 - i. signs that are not visible from outside the Stadium Zone;
 - ii. '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}**
 - iii. building names (excluding sponsorship names).
- b. Signs located on or **{PO cl.16¹}** above the footpath must comply with Rule 6.7.2.
- c. Signs must comply with Rule 6.7.3 where visible from a road.
- d. Signs related to commercial activities ancillary to a major recreation facility activity **{MF cl.16}** must not be visible from outside the Stadium Zone.
- e. Signs higher than 4m above ground level must only display the major facility name.
- f. ~~Signs other than those specified in rules 32.6.7.2 and 32.6.7.3 are not allowed.~~ **{MF cl.16}**
- g. Signs must be set back a minimum of 100 metres from the State Highway 88/Ravensbourne Road roundabout. **{MF 881.157}**
- h. Signs that contravene the performance standard for number, location and design of ancillary signs are

restricted discretionary activities.{PO cl.16}

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

32.6.7.2 Signs attached to buildings

- a. Signs must not be attached to roofs.
- b. Signs must not project higher than the lowest point of the roof, except where mounted against a parapet or gable end.
- c. Signs attached flat against a building must:
 - i. not exceed one sign per road frontage; and
 - ii. not exceed a display face area of 160m² per sign.
- d. If attached on the underside of a verandah or protruding from a building façade, signs must:
 - i. where attached to the façade of a building, not protrude more than 1.5m from the façade;
 - ii. have a maximum area per display face of 2m²;
 - iii. have a maximum of 2 display faces; and
 - iv. not exceed 1 sign per 30m of street frontage.

32.6.7.3 Freestanding signs

- a. The maximum number of freestanding signs is:
 - i. 1 per 50m of street frontage.
- b. The maximum area of freestanding signs is 1m², except one sign is allowed with the following maximum dimensions:
 - i. maximum height of 8m; and
 - ii. maximum area of 16m².
- c. Freestanding signs must:
 - i. ~~be positioned entirely within site boundaries and cannot be located on the road reserve; and not obstruct parking, loading and access areas; and~~ {PO cl.16}
 - ii. ~~not obstruct driveways, parking or loading areas; be positioned entirely within the site boundaries.~~ {PO cl.16}

Note 32.6A - 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 32.6.7B - Other requirements outside of the District Plan

For additional restrictions that may apply to signs, see also:

1. 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}*.
2. Dunedin City Council Commercial Use of Footpaths Policy.
3. Dunedin City Council Roding Bylaw.
4. Dunedin City Council Traffic and Parking Bylaw.

32.6.8 Parking, Loading and Access Standards

Parking, loading and access must comply with Rule 6.6.

32.6.9 Setbacks

32.6.9.1 Boundary setbacks

- a. New buildings and structures, and additions and alterations to buildings and structures, must have a minimum set back from Ravensbourne Road (**amenity route mapped area**) of 10.5m.
- b. Fences and ancillary signs are exempt from this standard.
- c. Activities that contravene this performance standard are restricted discretionary activities.**{PO cl.16}**

32.6.9.2 Setback from coast and water bodies

New buildings and structures, additions and alterations, ~~earthworks—large scale,~~ **{EW cl.16}** 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 has 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.

Rule 32.7 Subdivision Performance Standards

Subdivision activities must comply with Rule 34.7 outside the hazard facility mapped area and Rule 19.7 within the hazard facility mapped area {MF 906.58}.

Rule 32.8 Assessment of Restricted Discretionary Activities (Performance Standard Contraventions)

Rule 32.8.1 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 32.8.2 - 32.8.5:
 - 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 32.8.2 - 32.8.5 apply as follows: {MF cl.16}
 - a. Rule 32.8.2 applies to all performance standard contraventions;
 - b. Rule 32.8.3 applies to land use performance standard contraventions;
 - c. Rule 32.8.4 applies to development performance standard contraventions; and
 - d. Rule 32.8.5 applies to subdivision performance standard contraventions. {MF cl.16}

32.8.2 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> <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 other site specific factors including topography, make meeting the standard impracticable. c. 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"> d. Where more than one standard is contravened, the combined effects of the contraventions should be considered.

32.8.3 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. Location	a. Effects on the vibrancy, and economic and social success of the CBD and centres hierarchy {MF cl.16}	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 32.2.1 ii. Ancillary commercial activities are designed, located and operated to primarily serve staff and visitors to the <u>Forsyth Barr</u> {MF cl.16} Stadium (Policy 32.2.2.6).
3. Minimum car parking	a. Effects on accessibility b. Effects on the safety and efficiency of the transport network	See Rule 6.9

32.8.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
1.	Boundary setbacks	a. Effects on neighbourhood amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 32.2.2 ii. Buildings are set back an adequate distance from Ravensbourne Road (amenity route mapped area) <u>Development along Ravensbourne Road (amenity route mapped area) provides a high level of streetscape amenity by setting back buildings an adequate distance {MF cl.16²}</u> to allow landscaping (Policy 32.2.2.1.b).
2.	Boundary treatments and other landscaping	a. Effects on neighbourhood amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 32.2.2 ii. Development along Ravensbourne Road (amenity route mapped area) provides a high level of streetscape amenity by providing landscaping of a height and density adequate to maintain or enhance the amenity of the route (Policy 32.2.2.1.a).
3.	Building design	a. Effect on neighbourhood amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 32.2.2 ii. The Forsyth Barr Stadium is predominantly muted colours, to minimise adverse effects on the skyline vista of the city and views across the harbour (Policy 32.2.2.7).
4.	Earthworks standards: • Batter gradient {EW cl.16} ¹	a. Effects on the stability of land, buildings and structures	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 32.2.3 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 32.2.3.1.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.

32.8.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
5.	Earthworks standards: • Setback from property boundary, buildings, structures and cliffs {EW cl.16} ¹	a. Effects on the stability of land, buildings and structures	<i>Relevant objectives and policies:</i> i. Objective 32.2.3 ii. Earthworks and associated retaining structures are designed and located to avoid adverse effects on the stability of land, buildings, and structures by being set back an adequate distance from property boundaries, buildings and cliffs (Policy 32.2.3.1.a).
6.	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
7.	Earthworks standards: • Sediment control {EW cl.16} ¹	a. Effects on surrounding sites b. Effects on biodiversity and natural character values of riparian margins and coast c. Effects on the efficiency and/or affordability of infrastructure	<i>Relevant objectives and policies:</i> i. Objective 32.2.3 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 32.2.3.2.b). See Rule 10.4 See Rule 9.4
8.	Hazardous substances quantity limits and storage requirements	a. Effects on health and safety b. Risk from natural hazards {PO cl.16}	See Rule 9.4 See Rule 11.4 {PO cl.16}

32.8.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
9.	Maximum height (buildings no greater than 47m in height) {MFcl.16}	a. Effects {MF cl.16} on streetscape amenity	<p><i>Relevant objectives and policies:</i></p> <p>i. Objective 32.2.2</p> <p>ii. Buildings greater than 20m in height contribute positively to the skyline vista of the city, by being of a quality and contextually appropriate architectural design, and avoid significant adverse effects on views from Dunedin's inner hill suburbs across the upper harbour toward the Otago Peninsula 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 32.2.2.2).</p>
10.	<p>Hazard overlay zones development standards: {NH 917.27, 360.239 and 901.1}</p> <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 {NH 917.27, 360.239 and 901.1}	See Rule 11.4 {NH 917.27, 360.239 and 901.1}
11.	Number, location and design of ancillary signs	<p>a. Effects on amenity of surrounding area.</p> <p>b. Effects on the safety and efficiency of the transport network.</p>	<p><i>Relevant objectives and policies:</i></p> <p>i. Objective 32.2.2</p> <p>ii. Ancillary signs visible from outside the zone are 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 (Policy 32.2.2.4).</p> <p>See Rule 6.9</p>

32.8.4 Assessment of development performance standard contraventions

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
12. Setback from coast and water bodies	a. Effects on public access	See Rule 10.4
	b. Effects on biodiversity values and natural character of the coast and {MF cl.16} riparian margins and the coast {MF cl.16}	
	c. Risk from natural hazards	See Rule 11.4
	d. In a wāhi tupuna mapped area , effects on cultural values of Manawhenua {MW 1071.16}	See Rule 14.3 {MW 1071.16}
13. Parking, loading and access standards	a. Effects on the safety and efficiency of the transport network	See Rule 6.9

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 to align with policy wording.

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

32.8.5 Assessment of subdivision performance standard contraventions

Performance standard	Guidance on the assessment of resource consents
1. Subdivision performance standards	See Rule 34.9 <u>outside the hazard facility mapped area and Rule 19.9 within the hazard facility mapped area {MF 906.58}.</u>

Rule 32.9 Assessment of Restricted Discretionary Activities

Rule 32.9.1 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 32.9.2 - 32.9.3 list:
 - a. 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 32.9.2 - 32.9.3 apply as follows: {MF cl.16}
 - a. Rule 32.9.2 applies to restricted discretionary development activities; and
 - b. Rule 32.9.3 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 32.8; 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 32.10; 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 32.11; and
 - iii. the assessment guidance in this section will also be considered.

32.9.2 Assessment of restricted discretionary development activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
1. Earthworks – large scale (that exceed scale thresholds for the Stadium 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 32.2.3 ii. Adverse effects on visual amenity and character will be avoided or, if avoidance is not possible, adequately mitigated (Policy 32.2.3.3.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 32.2.3.3.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. Measures to divert surface water and rain away from, or prevent from discharging over, batter faces and other areas of bare earth. ix. Measures to ensure there are no adverse effects from changes to drainage patterns on surrounding properties. x. 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.

32.9.2 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 32.2.3 ii. Adverse effects on the stability of land, buildings, and structures will be avoided or, if avoidance is not possible, adequately mitigated (Policy 32.2.3.3.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 32.12.1). iv. Excavation, fill and retaining structures will be designed, and the work undertaken, in accordance with best practice engineering standards.
2. Earthworks – large scale (that exceed scale thresholds within 5m of a water body or MHWS) {EW cl.16'}	a. Effects on biodiversity and natural character of riparian margins and the coast b. Effects on public access	See Rule 10.5
3. Earthworks – large scale (that exceed scale thresholds for a hazard (flood) overlay zone) {EW cl.16'}	a. Risk from natural hazards	See Rule 11.5
4. <u>High trip generators:</u> {Trans cl.16'} <ul style="list-style-type: none"> • 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} 	a. Effects on the safety and efficiency of the transport network b. Effects on accessibility {Trans cl.16}	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.

32.9.3 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 the stadium	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objectives 32.2.1, 2.3.1 ii. Subdivision <u>activities</u> {MF cl.16} do not adversely affect the efficient and effective operation of the stadium (Policy 32.2.1.5).
	See Rule 34.10 <u>outside the hazard facility mapped area</u> and Rule 19.10 <u>inside the hazard facility mapped area</u> {MF 906.58} .	

Rule 32.10 Assessment of Discretionary Activities

Rule 32.10.1 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 32.10.2 - 32.10.3 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 32.10.2 - 32.10.3 apply as follows: {MF cl.16}
 - a. Rule 32.10.2 applies to discretionary activities; and
 - b. Rule 32.10.3 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.

32.10.2 Assessment of discretionary activities

Activity	Guidance on the assessment of resource consents
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<p>1. All discretionary activities <u>which include:</u></p> <ul style="list-style-type: none"> • <u>Visitor accommodation</u> • <u>Office</u> {MF cl.16} 	<p><i>General assessment guidance:</i></p> <p>a. In assessing the significance of effects, consideration will be given to:</p> <ul style="list-style-type: none"> i. short to long term effects, including effects in combination with other activities; and 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. <p>b. Objective 32.2.1</p> <p>c. <u>Only allow</u> {MF cl.16} Activities that are not ancillary to major recreation facility activity <u>where</u> {MF cl.16}:</p> <ul style="list-style-type: none"> i. <u>they</u> {MF cl.16} are related to or support the Forsyth Barr Stadium, or have other operational requirements that mean they need to locate in the zone; ii. <u>they</u> {MF cl.16} will support the efficient and effective operation of the Forsyth Barr Stadium; iii. <u>they</u> {MF cl.16} are not more appropriately located in another zone in line with Objective 2.3.2 and its policies; and iv. <u>they</u> {MF cl.16} are designed and operated in line with Objective 32.2.2 and its policies (Policy 32.2.1.3). <p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>d. <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.16'}</p> <p>e. <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>f. <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}</p>
<p>X. In a hazard facility mapped area:</p> <ul style="list-style-type: none"> • <u>Training and education</u> • <u>Registered health practitioners</u> • <u>Visitor accommodation</u> {PHS 906.1} 	<p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>a. <u>See Section 9.6 for guidance on the assessment of resource consents in relation to Objective 9.2.2 and Policy 9.2.2.15 and the risks to people from an emergency event occurring at a hazard facility.</u> {PHS 906.1}</p>

32.10.2 Assessment of discretionary activities

Activity	Guidance on the assessment of resource consents
2. Visitor accommodation {MF cl.16}	<p>Relevant guidance from other sections (priority considerations): {Trans cl.16}</p> <p>a. See Section 6.11 for guidance on the assessment of resource consents in relation to Objective 6.2.2 and 6.2.3 and effects related to accessibility and the safety and efficiency of the transport network {MF cl.16²}</p> <hr/> <p>Relevant guidance from other sections (priority considerations):</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. {MF cl.16}</p>

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.

32.10.3 Assessment of discretionary performance standard contraventions

Activity	Guidance on the assessment of resource consents
<p>1. • Acoustic insulation</p> <p>• Noise - where the limits in Rule 32.5.7.1 <u>9.3.6</u> {MF cl.16} are exceeded by up to <u>less than</u> {PHS cl.16} 5dB LAeq (15min)</p> <p>• Light spill - where the limit is exceeded by 25% or less</p>	<p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>a. See Section 9.6 for guidance on the assessment of resource consents in relation to Objective 9.2.2 and effects related to public health.</p>
<p>2. <u>Stadium Noise Events</u> –where the limits in Rule 35.5.7.2.b to 35.5.7.2.h are not complied with (except where limits in Rule 32.5.6.2.a are exceeded) {MF cl.16}</p>	<p><i>Relevant objectives and policies:</i></p> <p>a. Objectives 32.2.1, <u>32.2.2</u> and {MF cl.16} 9.2.2</p> <p>b. Major recreation facility is enabled (Policy 32.2.1.1). {MF cl.16}</p> <p>c. Activities are designed and operated to ensure that adverse effects from noise on the health of people can <u>will</u> {PO cl.16} be avoided or, if avoidance is not possible <u>practicable</u> {PO 908.3 and others}, are insignificant (Policy/policies {MF cl.16} 9.2.2.1 and 32.2.2.5 {MF cl.16}).</p>
<p>3. Maximum height (buildings greater than 47m in height)</p>	<p><i>Relevant objectives and policies (priority considerations):</i></p> <p>a. Objective 2.4.1, Policy 2.4.1.4</p> <p>b. Objective 32.2.2</p> <p>c. Only allow {MF cl.16} Buildings over 47m in height where {MF cl.16}:</p> <p>i. the height is <u>are</u> {MF cl.16} essential to the operation of the Forsyth Barr Stadium; and</p> <p>ii. the height exceedance is minimal (Policy 32.2.2.3).</p> <p>d. Buildings contribute positively to the skyline vista of the city, by being of a quality and contextually appropriate architectural design <u>minimise, as far as practicable, adverse effects on the skyline vista of the city, particularly as viewed from Dunedin's inner hill suburbs across the harbour towards the Otago Peninsula, through the use of quality and contextually appropriate architectural design.</u> {MF 308.343 and 308.497} (Policy 32.2.2.2-a).</p> <p>e. Buildings avoid significant adverse effects on views from Dunedin's inner hill suburbs across the upper harbour toward the Otago Peninsula (Policy 32.2.2.2-b). {MF 308.343 and 308.497}</p>
<p>4. <u>Location (hazard facility mapped area)</u> {PHS 906.1}</p>	<p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>a. See Section 9.6 for guidance on the assessment of resource consents in relation to Objective 9.2.2 and Policy 9.2.2.15 and the risks to people from an emergency event occurring at a hazard facility. {PHS 906.1}</p>

Rule 32.11 Assessment of Non-complying Activities

Rule 32.11.1 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 ~~32.10.2 – 32.10.4~~ 32.11.2 - 32.11.4 **{MF cl.16}** 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 32.11.2 - 32.11.4 apply as follows: {MF cl.16}
 - a. Rule 32.11.2 applies to non-complying land use activities; and
 - b. Rule 32.11.4 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.

32.11.2 Assessment of non-complying land use activities

Activity	Guidance on the assessment of resource consents
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<p>1. All non-complying land use activities</p>	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> a. Objectives 2.3.1, 2.3.3 b. <u>Policy 2.3.3.2 {MF cl.16'}</u> c. Objective 32.2.1 d. Activities that are not ancillary to major recreation facility activity: <ul style="list-style-type: none"> i. are related to or support the Forsyth Barr Stadium, or have other operational requirements that mean they need to locate in the zone; ii. will support the efficient and effective operation of the Forsyth Barr Stadium; 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 32.2.2 and its policies (Policy 32.2.1.3). e. Forsyth Barr Stadium is: <ul style="list-style-type: none"> i. able to continue to operate efficiently and effectively, while minimising as far as practical any adverse effects on surrounding areas; and ii. protected from activities that may lead to reverse sensitivity issues; and iii. allowed the transition of land to a default zone where the land is no longer required for major facility use (Policy 2.3.3.2): {MF cl.16'} <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> f. 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. g. 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"> h. <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> i. <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>
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32.11.2 Assessment of non-complying land use activities

Activity	Guidance on the assessment of resource consents
X. <u>Commercial advertising</u> { MF cl.16³ }	<i>Relevant objectives and policies (priority considerations):</i> { MF cl.16³ } a. <u>Objective 2.4.1</u> { MF cl.16³ } b. <u>Policy 2.4.1.6.c</u> { MF cl.16³ }
Y. <u>In a hazard facility mapped area:</u> { MF cl.16³ } <ul style="list-style-type: none"> • <u>Early childhood education</u> • <u>Entertainment and exhibition</u> • <u>Residential</u> • <u>Major facility activities (other than a major recreation facility)</u> {PHS 906.1} 	<i>Relevant guidance from other sections (priority considerations):</i> { MF cl.16³ } a. <u>See Section 9.7 for guidance on the assessment of resource consents in relation to Objective 9.2.2 and Policy 9.2.2.15 and the risks to people from an emergency event occurring at a hazard facility.</u> { PHS 906.1 }

¹ **MF cl.16:** Removed summary of Policy 2.3.3.2 and instead just reference policy

² **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.

³ **MF cl.16:** As a clause 16 amendment this content has been moved from Rule 32.11.3. This is not a substantive change to provisions.

32.11.3 Assessment of non-complying land use activities {**MF cl.16¹**}

Activity { MF cl.16¹ }	Guidance on the assessment of resource consents { MF cl.16¹ }
4. <u>Commercial advertising</u> { MF cl.16¹ }	<i>Relevant objectives and policies (priority considerations):</i> { MF cl.16¹ } a. Objective 2.4.1 b. <u>Policy 2.4.1.6.e</u> { MF cl.16¹ }

¹ **MF cl.16:** As a clause 16 amendment this content has been moved to Rule 32.11.2. This is not a substantive change to provisions.

32.11.4 Assessment of non-complying performance standard contraventions

Performance standard	Guidance on assessment of resource consents
<p>1.</p> <ul style="list-style-type: none"> • Light spill - where the limit is exceeded by greater than 25% • Noise - where the limit in Rule 32.5.6.1 9.3.6 {MF cl.16} is exceeded by 5dB LAeq (15 min) or more • Noise <u>Stadium Noise Events</u> {MF cl.16} - where the limit in Rule 32.5.6.2.a is exceeded • 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.</p>

Rule 32.12 Special Information Requirements {Confirmed to be deleted - EW cl.16}

EW cl.16: As a clause 16 amendment, Rule 32.12.1 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.

