

DUNEDIN CITY DISTRICT PLAN
DISTRICT PLAN CHANGE 7
DUNEDIN HARBOURSIDE

Amendments to District Plan
(incorporating decisions on submissions (February
2009) and amendments as a result of consent
order issued by the Environment Court on 7 March
2012)

Fully operative from 29 May 2012

The **seal** of the **DUNEDIN CITY COUNCIL**
was affixed in the presence of:

Mayor/Councillor

Councillor

May 2012

Resource Management Act (1991)**DUNEDIN CITY DISTRICT PLAN****DISTRICT PLAN CHANGE 7: Rezoning Dunedin Harbourside Area**

(incorporating decisions on submissions (February 2009) and amendments as a result of consent order issued by the Environment Court on 7 March 2012)

Plan Change 7 inserts a new section 26 and makes amendments to existing sections of Volume 1 of the Dunedin City District Plan and amends Volume 2 as summarised on the following table:

VOLUME 1		
Chapter	Provision	Amendment
1 Introduction	1.5.3 Methods of Implementation	Insert new method <i>25 Design Codes</i>
3 Definitions		Add 'Commercial Residential Harbourside Activity'
		Add 'Contaminated Site'
		Add 'Potentially Contaminated Site'
		Add 'Tourist and Entertainment Activity'
		Amend 'Home Occupation'
13 Townscape	Assessment matter in Rule 13.3.7(ii)	Insert new assessment matter as (x) and subsequent renumbering
18 Subdivision	Rules 18.5.1(iv), 18.5.4 and 18.5.6	Amend to include reference to Harbourside Zone
	Rule 18.5.12	Amend to include reference to Harbourside
	Assessment Matters 18.6.1(w)	Amend to include reference to Harbourside Zone
	Assessment Matters 18.6.2	Amend to include reference to Harbourside Zone
19 Signs	Rule 19.5.6b	Insert new rules for 'Signs in Harbourside Zone'
	Rule 19.5.10(iii)	Amend to include reference to Harbourside Zone
	Assessment Matter 19.6	Add new assessment matter <i>19.6.6 Harbourside Zone</i>

VOLUME 1		
Chapter	Provision	Amendment
20 Transportation	Rule 20.5.5(ii)(c)	Amend to include reference to Harbourside Zone
	Assessment Matter 20.6.1 Parking and Loading	Insert new assessment matter (j) to include reference to financial contributions in Harbourside Zone
22 Utilities	Rules 22.5.2(vii)(e), 22.5.2(ix)	Amend to include reference to Harbourside Zone
26 Harbourside		Insert new chapter as attached

VOLUME 2	
Legend for Zone Maps	In the Legend insert 'H Harbourside Zone' under Zones after 'RR Rural Residential Zone'
Schedule 25.1	Add items to schedule
Maps 35 and 49	Amend to include extent of new Harbourside Zone
	Amend to include new Schedule 25.1 items
Map 49	Re-zone area bound by Roberts Street, French Street and Buller Street to Industrial 1

VOLUME 1 AMENDMENTS

Proposed amendments to existing provisions, and proposed new provisions are shown as underlined. Proposed deletions are shown as ~~struck out~~.

Chapter 1 Introduction

The following changes are proposed to Chapter 1 Introduction:

Insert the following two new methods 24 and 25 into 1.5.3 Methods of Implementation as follows:

24 Structure Plans

Note: Method 24 was inserted into the Plan by way of Consent Order C17/2008, 12/02/08.

25 Design Codes

Design codes seek to identify predominant physical patterns and significant features of an area, including heritage values, and encourage ways in which new development can enhance those patterns and features to contribute positively to the character of the area. The design code seeks to encourage high quality buildings, places and spaces. The design code will be used to assess development to achieve good design outcomes.

Chapter 3 Definitions

The following changes are proposed to Chapter 3 Definitions:

Insert the following definitions:

- Commercial Residential - Harbourside Activity** - in the Harbourside Zone means land or buildings which are occupied as a residence on a temporary basis (periods of up to three months continuous occupation during any 12 month period) and includes, backpackers accommodation, homestay facilities for more than five people, motels, hotels, tourist lodges, holiday flats, tourist cabins, motor inns, and accessory buildings or ancillary activities on the same site. This definition includes property held in common ownership where ownership by each owner is limited in duration to less than three months during any twelve-month period.
- Contaminated Site** - means a site at which hazardous substances occur at concentrations above background levels (ambient levels of a contaminant in the local area of the site under consideration) and where assessment indicates it poses, or is likely to pose, an immediate or long-term hazard to human health or the environment.

- Potentially Contaminated Site** - means a site that is currently used, or has been previously used, by land uses that are identified in Schedule A: Hazardous Activities and Industries List (HAIL) of the Ministry for the Environment Contaminated Land Management Guidelines (January 2004).
- Tourist and Entertainment Activity** - in the Harbourside Zone means the use of land and buildings for recreation and entertainment, including museums, theatres, art galleries, cinemas, events, ferry terminal building, visitor information centres, interpretation centres and conference facilities, including ancillary services such as booking offices and changing rooms.

Amend the definition for 'home occupation' as follows:

- Home Occupation** - means an occupation, craft or profession whether carried out as a commercial business or not, which:
- (a) is carried on by a member or members of the residential unit on the site and which employs no other person, provided that within the Mixed Use Character Area of the Harbourside Zone up to three people may be employed; and
 - (b) is accessory and secondary to the residential activity on the site.

Chapter 13 Townscape

The following changes are proposed to Chapter 13: Townscape:

Insert the following new Assessment Matter 13.7.3 (ii) (x) and subsequent renumber of existing assessment matters thereafter:

- (x) Where items are located within the Harbourside Zone, the relevant assessment matters listed within 26.9 including the extent to which the proposal is consistent with the Harbourside Design Code in Appendix 26.2.

Chapter 18 Subdivision

The following changes are proposed to Chapter 18: Subdivision:

Insert a new method 18.4.4 into 18.4 Methods of Implementation:

Method 18.4.4 Structure Plans

Note: Method 18.4.4 was inserted into the Plan by way of Consent Order C17/2008, 12/02/08.

Amend Rule 18.5.1(iv) Discretionary Activities (Restricted) as follows:

(iv) Subdivision applications in the following zones where the application complies with Rules 18.5.3 - 18.5.6, 18.5.9, 18.5.10 and 18.5.12:

- Central Activity, Local Activity and Large Scale Retail
- Industry
- Ports
- Campus
- Harbourside

*Amend **Rule 18.5.4** to reflect the provision of a reduced esplanade reserve in Harbourside Zone as follows:*

18.5.4 Water bodies where Esplanade Reserves or Strips will be required ~~the minimum requirement~~

- (i) An esplanade reserve shall be created on the subdivision of any land into lots of less than 4 ha, abutting the:
- Coastal Marine Area, including Blueskin Bay, Hawksbury Lagoon, Hooper's Inlet and Orokonui Estuary
 - Lower Taieri River (being the Taieri River below the Outram Bridge)
 - Water of Leith
 - Kaikorai Stream
 - Silverstream.
- (ii) The esplanade reserve required under Rule 18.5.4(i) shall be of a minimum width of 20 m measured in a landward direction from the line of mean high water springs of the sea, tidal rivers or estuaries, or the bank of any stream or river, except as provided for in Rule 18.5.4(iii).
- (iii) An esplanade reserve of variable width, including less than 20 metres, shall apply in the Harbourside Zone, provided that the public open space areas shown on the Structure Plan in Appendix 26.1.2 and specified in Rule 26.6.2 or Rule 26.6.6(ii) are vested in Council. The esplanade reserve shall include any wharf structure located in a landward direction from the line of mean high water springs. Esplanade reserves can be developed progressively in accordance with the development segments shown on the Structure Plan in Appendix 26.1.4.
- (iv) Subject to Assessment Matter 18.6.1(s), where an allotment of 4 ha or more is to be created, an esplanade strip shall be created where the land abuts the water bodies identified in Rule 18.5.4(i). *[Amended by Consent Order 2/5/02]*

Amend Rule 18.5.6 to insert reference to Harbourside Zone as follows:

Rule 18.5.6 Service Connections

- (a) Every allotment in the:
- Residential 1 - 4 Zones
 - Residential 6 Zones at Braeside, East Taieri, Cove Extension, Mission Cove and Wakari *[amended by C174/2001, C24/2002 and C68/2002]*
 - Industrial Zone

- Port Zones
- Campus Zone
- Activity Zones
- Harbourside Zone

shall have reticulated sewerage infrastructure available within the road providing access or within the allotment.

(b) Every allotment in the:

- Residential 1 - 6 Zones
- Industrial Zone
- Port Zones
- Campus Zone
- Rural Residential Zone
- Activity Zones
- Harbourside Zone

shall have reticulated power and telephone services available within the road providing access or within the allotment.

(c) Every allotment in the:

- Residential 1 - 4 Zones
- Residential 5 Zone at Outram
- Residential 6 Zone at Braeside, East Taieri, Cove Extension, Mission Cove and Wakari [*amended by C174/2001, C24/2002 and C68/2002*]
- Industrial Zone
- Port Zones
- Campus Zone
- Activity Zones
- Harbourside Zone

shall have reticulated stormwater within the allotment, or reticulated stormwater or kerb and channel or watertables available within the road providing access.

(d) Every allotment in the:

- Residential 1 Zone (excluding Middlemarch)
- Residential 2 - 4 Zones
- Residential 5 Zone at Outram and Waitati
- Residential 6 Zone (excluding Momona Airport Village)
- Industrial Zone
- Port Zones
- Campus Zone
- Activity Zones
- Harbourside Zone

shall have a reticulated water supply available within the road providing access or within the allotment.

Insert the following as (c) into Rule 18.5.12 Structure Plans:

Rule 18.5.12 Structure Plans

Subdivision of land subject to a structure plan shall be in accordance with the relevant Structure Plan as follows:

- (a) Mosgiel East – Appendix 8.2 *[Inserted by C17/2008, 12/02/08]*
- (b) Abbotsford – Appendix 8.3 *[Amended by Plan Change 4, 3/03/08]*
- (c) Harbourside – Appendix 26.1

Insert the following introduction line into 18.6 Assessment of Resource Consent Applications:

Note: The introduction line was inserted into the Plan by way of Consent Order C17/2008, 12/02/08.

Amend the following to Assessment Matter 18.6.1(w) relating to the reduction of Esplanade Reserves or Strips as follows:

- (w) Reduction of Esplanade Reserves or Strips:
 - (i) In considering an application seeking to reduce the width of an esplanade reserve or strip, the Council shall have regard to:
 - the objectives and policies of the Regional Plan: Coast
 - the objectives and policies of this District Plan
 - whether an esplanade reserve or esplanade strip of less than 20 m can reasonably achieve the purposes identified in section 229 of the Act
 - for proposed commercial and industrial activities, whether the esplanade reserve or strip is detrimental to security and public safety
 - Policies 6.5.10 and 8.5.3 of the Regional Policy Statement of Otago, and the New Zealand Coastal Policy Statement.
 - (ii) In considering applications in the Harbourside Zone, Council will have regard to:
 - consistency with the variable widths of the esplanade reserve as provided for through the public open space areas on the Structure Plan in Appendix 26.1.4.
 - the necessity to consider appropriate legal mechanisms to ensure maintenance of public access to and along the waterfront.
 - progressive development of esplanade reserves in development segments in accordance with Rule 26.6.6.

Insert the following into Assessment Matter 18.6.2:

18.6.2 Assessment Matters for Subdivision Activities for land identified in Structure Plans *[Inserted by C17/2008, 12/02/08]*

The extent to which the subdivision meets the intent of the structure plan.

- (a) Mosgiel East
 - Structure Plan and Design Assessment Criteria – Appendix 8.2

- (b) Abbotsford [*Amended by Plan Change 4, 3/03/08*]
 - Abbotsford Residential 6 Zone (Grandvista) Structure Plan – Appendix 8.3
- (c) Harbourside
 - Harbourside Structure Plans – Appendices 26.1.1 – 26.1.4

Chapter 19 Signs

The following changes are proposed to Chapter 19 Signs:

Insert the following new rule as Rule 19.5.6b

Rule 19.5.6b Signs Permitted in the Harbourside Zone

(i) General Standards

The following general standards apply to signs within the Harbourside Zone:

- a) Signs are to be located on the site where the activity occurs.
- b) The sign rules are associated with permitted and controlled activities.
- c) Signs are not required to comply with Zone performance standards.
- d) Signs are not to be illuminated by flashing or pulsating lights.
- e) Signs are not to contain rolling or travelling messages.

(ii) Steamer Basin –South and South East Character Area

The following types of signs are permitted in the Steamer Basin South and South East Character Areas:

- (a) Signs located above a verandah/first floor level, provided that:
 - (i) On each street frontage or building facade, there may be no more than one sign depicting the name of the building or commercial residential activity mounted flat against the facade of the building or one sign mounted at right angles to the facade of the building.
 - (ii) Signs flat against buildings shall have a maximum sign area of 2.16 m² and shall be either:
 - (a) Embossed or otherwise incorporated into the building fabric, or
 - (b) Cut out lettering mounted in relief on the building surface, or
 - (c) Painted directly onto the building surface.
 Signs shall not be sign boards on the building surface.
 - (iii) Signs at right angles to a building facade shall have:
 - (a) A maximum of two display faces per sign.
 - (b) A maximum total area of 4.32 m², with no one display face exceeding 2.16m² in area.
 - (c) No sign shall project out from the facade to which it is attached by more than 1350mm.
 - (iv) No sign may project above the height of the parapet or eave line of the facade on which it is mounted.

- (b) Signs located on the fascia of a verandah, provided that:
 - (i) No sign shall exceed the vertical depth of the verandah on which it is to be placed up to 500 mm.
 - (ii) No sign shall be closer to the kerb line than 500 mm.
 - (c) Signs on the underside of a verandah, provided that:
 - (i) All signs shall be no closer than 500mm to the kerb.
 - (ii) The maximum vertical depth of any sign shall not exceed 500mm.
 - (iii) There shall be a maximum of two display faces per sign.
 - (iv) There shall be a maximum of one sign per 5m of frontage.
 - (d) Signs on building facades that do not have verandahs:
 - (i) The rules for signs above verandahs (Rule 19.5.6 b (i)) shall apply to the portion of the facade which is higher than 3m above ground level.
 - (e) Signs located on building facades below the verandah, or for buildings without verandahs between ground level and 3m above ground level, are permitted in the Steamer Basin South and South East Character Areas.
 - (f) Sandwich board signs, provided that:
 - (i) There is only one sandwich board sign outside each site.
 - (ii) The maximum height is 800mm and the maximum width is 600mm.
- (iii) **Mixed Use Character Area**
- The following types of signs are permitted in the Mixed Use Character Area in the Harbourside Zone provided that:
- (a) On each street frontage or building façade there shall be no more than one sign mounted flat against the face of the buildings, provided that the total area of such signs shall not exceed 5% of the area of the building façade on to which they are painted or attached, or 4m², whichever is the lesser.

Amend Rule 19.5.10 (iii) as follows:

Sandwich board signs, except those in the Central Activity, Local Activity 1 and Harbourside Zones

Insert the following new assessment matter 19.6.6 into 19.6 Assessment of Resource Consent Applications.

19.6.6 Harbourside Zone

- (i) Whether the location, size, colour, lettering or content of the sign will have an adverse effect on the traffic safety on the adjacent road and the navigational safety of vessels in the Steamer Basin area.
- (ii) The extent to which the proposed signage is consistent with the Harbourside Design Code in Appendix 26.2.

Chapter 20 Transportation

The following changes are proposed to Chapter 20 Transportation:

Amend Rule 20.5.5(ii)(c) as follows:

- (b) Parking spaces are to be provided on the site of the activity requiring them, except for those activities in the Harbourside Zone as specified by Rule 26.8.3(i).

Add the following Assessment Matter as (j) to 20.6.1 Parking and Loading Provision

- (j) Within the Harbourside Zone, whether it is appropriate to require, or an applicant may propose, that some or all of the on-site parking spaces, are to be provided by way of a financial contribution in lieu thereof. Any financial contribution shall be determined, paid and used in accordance with the provisions of Harbourside Zone – General Rule 26.8.12.

Chapter 22 Utilities

The following changes are proposed to Chapter 22 Utilities:

Amend Rule 22.5.2(vii) (e) as follows:

No mast shall exceed a height greater than 5 m above the maximum height for buildings in any Rural Zone, the Central Activity Zone, Harbourside Zone or the Large Scale Retail Zone. In calculating height, no account shall be taken of lightning rods, aerials or antennas (except dish antenna).

Amend row 4 of the table in Rule 22.5.2(ix) as follows:

Central Activity, <u>Harbourside</u> and Large Scale Retail Zones:	1.8 m	1.5m ²
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Chapter 26 Harbourside

Insert new section as attached

VOLUME 2 AMENDMENTS

Legend for Zone Maps

Insert 'H Harbourside Zone' under Zones after RR Rural Residential Zone

Schedule 25.1: Townscape and Heritage Buildings and Structures

Include the buildings identified below on Schedule 25.1:

Site Number	Map Number	Item	Address	Legal Description	HPT Reg No	HPT Category	Protection Required & Comments
B754	49	Greg & Co Building (former)	21 Fryatt Street	Lot 5 Deeds Plan 423			Façade and bulk appearance to Fryatt Street
B755	49	Wharf Hotel	25-27 Fryatt Street	Lot 1 DP 10210 & Lot 4 Deeds Plan 423			Facade and bulk appearance to Fryatt Street
B756	49	Waterside Workers Building (former)	57 Fryatt Street	Lot 2 DP 21823			Façade and bulk appearance to Fryatt Street
B757	49	Wilson & Canham Ltd Warehouse (former)	63-65 Fryatt Street	Lots 1 & 2 DP 300344			Façade and bulk appearance to Fryatt Street
B758	49	Waterfront Industry Commission Building (former)	27 Willis Street	Lot 1 DP 21823			Entire External Building Envelope
B759	49	The Iron & Steel Company of NZ Ltd Store (former)	39 Willis Street	Lot 1 DP 7678			Façade and bulk appearance to Willis Street
B760	35	The Evening Star Store (former)	68 Willis Street	Section 39, 40 and 41 Block LXIII DP 1900 Town of Dunedin			Entire external building envelope
B761	35	The Otago Daily Times Warehouse	34 Mason Street	Section 12 DP 1900			Entire external building envelope
B762	35	Farra Bros. Offices	10 Tewsley Street	Section 5 DP 1900 Block LXIII Town of Dunedin			Façades and bulk appearance to Tewsley & Creswell Streets
B763	49	Seafarers Centre (former)	2 Birch Street	Lot 2 DP 9757 with & part subject to Right of Way over Lot 1 DP 9757			Entire external building envelope
B765	49	Farra Dunedin Engineering Co	Cnr Fryatt & Fish Streets	Part Section 12 Block L II (CT 288/71, 67/233)			Bulk appearance as viewed from the Fryatt/Fish Street corner.

Site Number	Map Number	Item	Address	Legal Description	HPT Reg No	HPT Category	Protection Required & Comments
B766	35, 49	Dunedin Engineering & Steel	24 Willis Street	Part Section 1 Block L II (CT 67/233)			The single storey Art Deco office building facing Thomas Burns Street – entire external building envelope
B767	35, 49	Dunedin Engineering & Steel	24 Willis Street	Sections 2- 6 Block L II (CT 288/11)			The building along Willis Street - bulk appearance as viewed from Willis Street
B768	49	Sargood, Son & Ewen (Radcliffe Shoes)	20 – 32 Willis Street	Sections 1 to 3 Block LZ II			The two storied section occupying the Fairley/Willis Street corner – bulk appearance
B769	49	Sargood, Son & Ewen	36 Cresswell Street	Section 6 Block LX II			Entire external building envelope
B770	35	Farra Bros Workshop	43 Cresswell Street	Sections 6 & 7 DP 1900			Facades and bulk appearance to Cresswell Street
B771	35	Tucker Box	14 Mason Street	Section 53 Block LX II (CT 318/217)			Entire external building envelope
B772	49	Turner Bros Offices	55 Fryatt Street	Lot 1 DP 26374			Bulk appearance as viewed from the Fryatt/Fish Street corner
B773a, B773b & B773c	49	Stone walls and railway abutment	1A and 1B Roberts Street, 2 Birch Street, 8 Wharf Street	Section 36 Block LXI SO 19010 Town of Dunedin, Lot 5 DP 22285, Lot 2 DP 9757, Lot 10 DP 15162			Entire structures

Planning Maps

Amend Maps 35 and 49 as shown on the following attached maps.