

## 26 Harbourside

- **Steamer Basin Character Area – South and South East**
- **Mixed Use Character Area**

### *Introduction*

The Dunedin harbourside area is centred on Steamer Basin and encompasses the area defined by the harbour edge, Wharf Street, Birch Street, French Street and Buller Street. The operations of the Dunedin Port are concentrated to the north of the area, while the railway and Wharf Street/Thomas Burns Street arterial are located to the west. The harbourside has played a significant role in the port and industrial activities of Dunedin over the past 140 years, with many of the original port warehousing buildings still in use and contributing to the character of the area.

Despite its central location, proximity to the City Centre and the harbour edge, the harbourside area has lacked connection to the city centre and public access to the harbour edge is limited. With the concentration of port activities in Port Chalmers and rationalisation of operations at Dunedin Port, Port Otago no longer requires areas in Steamer Basin and surrounds, including warehousing, cargo sheds and berthage. This presents an opportunity to improve and enhance public access to the waterfront, reconnect the heart of the city to the harbour and rejuvenate the harbourside with a mix of land uses, public spaces and amenity areas that maximise its waterfront location and complement the city centre. It will also encourage access to view the indigenous wildlife that frequent the area.

The Harbourside Zone recognises these potential amenity values and attributes, and seeks to encourage a range of compatible activities that will attract people to live, work and visit the harbourside while managing the existing Dunedin Port and industrial activities. With the focus upon the Steamer Basin, provision will be made for a network of public open spaces to connect with the city centre and with recreational opportunities around the harbour edge.

Utilising the existing street pattern and built form, the Harbourside Zone has been categorised into character areas. These areas are intended to develop their own local character that collectively contributes towards the harbourside area as a quality environment that is liveable, safe, accessible and well used. Each character area provides for activities that are compatible in terms of amenity, effects, the resulting built form and the relationship with public space.

## Character Area Descriptions

Development within the Harbourside will be managed through the following Character Areas (extent of which are shown in Appendix 26.3):

- *Steamer Basin Character Area –South and South East* includes the areas adjoining the south side of the Steamer Basin, currently occupied by the slipway, the existing wharf buildings and wharf. The area will be the focus of people activities within harbourside, through an enhanced public realm with quality open spaces along the harbour edge providing a promenade, event spaces and access to maritime activities, pontoons and jetties. The harbour edge is also frequently used by indigenous wildlife and this natural coastal element will be respected. Development will focus upon creating buildings reflecting the port/maritime character, integrated with adjoining public spaces and re-built or re-furnished wharf structures. Public spaces will be located to maximise connections along the harbour edge and visual connections from the city to the water. Activities will include residential, recreation, tourist, entertainment, cafés and bars. The Steamer Basin South East Character Area contains the Slipway Operational Area, which defines the working area around the slipway. While the slipway remains operational, the Slipway Operational Area will not be available for public access or redevelopment.
- The *Mixed Use Character Area* includes the land to the south of Steamer Basin. It is intended that this area will provide for the continued operation of industrial and service activities alongside residential activities that will be managed to ensure they can co-exist, encouraging a live-work environment.

Recognising that redevelopment will take time and to reduce the potential impacts upon existing port and industrial activities, a staged integrated approach will be taken to manage development and activities through the character areas. The first stage will focus upon encouraging development within the Steamer Basin South and Steamer Basin South East Character Areas. Limiting the range of activities that can be undertaken in the first stage in the remaining character area to those that are compatible with existing activities will ensure that the harbourside continues as a working area with existing industrial and port related activities. When the level of development and activities established in the Steamer Basin Character Area has reached the point where it can be sustained as a people orientated area with activities and well-established connections to the harbour, then the second stage can occur. The second stage of development enables the full range of activities provided for within the Mixed Use Character Area to be undertaken.

## 26.1 Significant Resource Management Issues

### Issue 26.1.1

**The Dunedin harbourside area has poor connections between the city centre and water, with limited accessibility for both vehicles and pedestrians.**

*Objectives:* 26.2.1, 26.2.2

*Policies:* 26.3.2, 26.3.4, 26.3.10, 4.3.6

### Explanation

Dunedin's harbourside area is centrally located, close to the central business district, railway, arterial, port and the harbour. Despite this central location, direct pedestrian and vehicle access from the City Centre to the harbourside and port area is restricted by the location of the railway and its shunting facilities, the lack of a rail crossing from Rattray Street and the arterial road along Thomas Burns Street. Within the harbourside, the main public access to the water edge is limited to the western edge of the Steamer Basin area, known as the Cross Wharf. There is also limited access available to parts of other wharf areas.

### Issue 26.1.2

**Improving accessibility to the Dunedin harbourside will create greater public interest and presence in the area, with demand for enhanced recreational opportunities, a wider variety of land uses and improved amenity values.**

*Objectives:* 26.2.1-3

*Policies:* 26.3.1--26.3.4, 26.3.8

### Explanation

With part of the harbourside area released from port operational use, the opportunity exists to improve public access to the harbour and the recreational amenities that it offers. Improving movement between the city centre and the harbourside will increase accessibility to the water for the public in general, which will then increase the desire for people to be attracted to the area. This will generate pressure to provide for a range of activities that support and enhance use of the water edge. There may also be an expectation to improve amenity values associated with capitalising on its attributes as a water front location. Such pressures and expectations should have regard to the use of the area by indigenous wildlife.

### Issue 26.1.3

**The introduction of new land uses that encourage people to visit, work and live in the Dunedin harbourside area may displace or constrain the operations of existing industrial activities and the Dunedin Port, and create impacts upon the vibrancy and vitality of the city centre.**

*Objectives:* 26.2.2, 26.2.3

*Policies:* 26.3.1, 26.3.2, 26.3.5, 26.3.6, 26.3.7, 26.3.11 & 26.3.12

### Issue 26.1.4

**The location and design of buildings and structures along the Steamer Basin harbour edge may restrict or reduce public access and the provision of useable public spaces connected to the waterfront and wharf.**

*Objectives:* 26.2.1, 26.2.5

*Policies:* 26.3.4, 26.3.10, 26.3.11

### Explanation

The Dunedin Port is an important physical resource that contributes towards the social and economic well-being of the City. It is important that the Dunedin Port maintains the ability to operate efficiently. The introduction of people-orientated activities to the harbourside, as a result of improved access, may not necessarily be compatible with existing Dunedin Port and industrial activities that operate in the area. Conflicts may arise with new land uses that are sensitive to noise, have different expectations of amenity, or different traffic patterns and parking demand, which in turn limit's the ability of existing port and industrial activities to operate efficiently.

The provision of an unlimited range of activities, particularly those that are people-orientated, may also have consequential impacts upon the vibrancy and vitality of the city centre.

### Explanation

Public access, use and enjoyment of the Otago Harbour as part of the coast of Dunedin City is important, contributing towards the social and cultural well-being of the community. Adequate provision of useable public spaces, safe linkages and an active interface with adjoining buildings encourages an accessible and enjoyable harbour environment. The location and design of existing wharf buildings currently limits public access, the ability to create a network of public spaces connected to the harbour and the city, and visual connections between city and harbour. The width and condition of the existing wharf structures further restrict their use for people activities in a safe manner.

**Issue 26.1.5**

**The values associated with industrial architectural heritage, maritime history and port development of buildings in the Dunedin harbourside area may be diminished or lost upon redevelopment and the introduction of new land uses.**

*Objectives:* 26.2.4

*Policies:* 26.3.4, 26.3.5, 26.3.8 & 26.3.9

**Issue 26.1.6**

**The historical development and use of the Dunedin harbourside area for industrial and port activities may have contributed to site contamination.**

*Objective:* 26.2.2, 26.2.3

*Policies:* 26.3.2, 26.3.8

**Explanation**

The current building stock within the harbourside represents various building styles and historical events from the past 140 years, many of which are related to port and industrial activities. The width and layout of streets, consistent height of buildings combined with their relationship to the street and adjoining sites, creates a distinctive character. Redevelopment of buildings and the introduction of new land uses in the harbourside could affect these values and their contribution towards the character and the historical connections with the harbourside area.

**Explanation**

With its history of industrial and port related activities, there is potential for the existence of contaminated sites within the harbourside area. Disturbance of contaminated sites can adversely affect site redevelopment and pose a health and safety risk to people.

## 26.2 Objectives

### Objective 26.2.1

**The Dunedin harbourside is easily accessible with strong visual and safe physical connections to the city centre, harbour and surrounding areas.**

*Issues:* 26.1.1, 26.1.2

*Policies:* 26.3.1, 26.3.3

*AER:* 26.10.1, 26.10.2

### Explanation

Greater accessibility to the Steamer Basin and Otago harbour from the city centre, particularly for pedestrians and cyclists, is important for the Dunedin community. Safe and convenient transportation connections and a choice of travel modes from the city centre, the harbour and surrounding areas into the harbourside will attract people into the area, creating and enhancing vibrancy. This will facilitate the desire to connect Rattray Street across the railway to the harbourside. Visual connections, integrating city and harbour, will contribute toward enhanced accessibility.

### Objective 26.2.2

**The Dunedin harbourside area is a vibrant and attractive place to visit, work and live, with public open spaces along the harbour edge creating a high quality waterfront environment.**

*Issues:* 26.1.1-26.1.3

*Policies:* 26.3.1-26.3.4, 26.3.7, 26.3.10, 26.3.12

*AER:* 26.10.2

### Explanation

A high quality environment focused upon the Steamer Basin, is created by development and a range of land uses integrated with a network of public spaces, connected along the harbour edge and to the city centre. Such an environment ensures a vibrant and attractive harbourside where people will want to visit, work and live.

### Objective 26.2.3

**The Dunedin harbourside supports a range of compatible land uses that enable the continued operation of Dunedin Port and complement, but do not compete with, the vibrancy and vitality of the city centre.**

*Issues:* 26.1.3, 26.1.6

*Policies:* 26.3.1, 26.3.2, 26.3.5, 26.3.6, 26.3.10, 26.3.11

*AER:* 26.10.4, 26.10.2

### Explanation

Land uses undertaken in the harbourside have the potential to adversely impact upon one another and upon uses within adjoining areas. Likewise land uses undertaken in the harbourside can be sensitive to the operations of the nearby Dunedin Port and existing industrial uses. The management of such effects will ensure a quality environment with compatible land uses and the continued operation of the Dunedin Port.

With its close proximity to the city centre and improved accessibility, it is important to ensure that the range of land uses at the harbourside will complement activities in the city centre and do not adversely affect the sustainability of the city centre by competing with it.

**Objective 26.2.4**

**The built form of development creates a liveable environment that reflects and enhances the industrial, maritime and port heritage in the Dunedin harbourside.**

*Issues:* 26.1.4, 26.1.5

*Policies:* 26.3.2- 26.3.5, 26.3.9, 26.3.10, 26.3.12

*AER:* 26.10.3, 26.10.2

**Explanation**

The character of the Dunedin harbourside has developed through its industrial and port activities. The enhancement of this character through the retention of existing heritage buildings and the development of new buildings that reflect the values of the harbourside, provide flexibility for land uses and are integrated with public space will contribute towards an environment that is a good place to visit, work and live.

## 26.3 Policies

### Policy 26.3.1

**Provide for a compatible range of activities that establishes a mixed-use environment with opportunities to visit, work and live within the Dunedin harbourside.**

*Objectives:* 26.2.2 & 26.2.3

*Methods:* 4.4.1, 26.4.1, 26.4.5, 26.4.6

### Explanation

The provision of activities that encourage a live, work and visit environment at Dunedin harbourside will contribute to an area that is attractive, vibrant and liveable. The compatibility of activities is important to ensure the success of the mixed-use environment.

### Policy 26.3.2

**Manage the nature, scale and design of development within the Dunedin harbourside area by specifying amenity levels, public open space and built form values within Character Areas identified, as follows:**

- (i) Steamer Basin South
- (ii) Steamer Basin South East
- (iii) Mixed Use

*Objectives:* 26.2.1 - 26.2.4

*Methods:* 4.4.1, 26.4.1, 26.4.3, 26.4.5, 26.4.6 & 26.4.10

### Explanation

The identified Character Areas within the harbourside will enable management of development to reflect the function of each area. This will be achieved through the nature and scale of activities; the desired levels of amenity; compatibility between activities; the intensity of people related activities; pedestrian accessibility; management of effects; and the design and location of buildings. Character areas enable development of their own character that collectively contributes to the quality of the harbourside as a great place.

### Policy 26.3.3

**Identify the location of areas to be provided and maintained for public open space, pedestrian connections and view shafts to vistas of the water.**

*Objectives:* 26.2.1, 26.2.2, 26.2.4

*Methods:* 4.4.1, 26.4.1, 26.4.2-26.4.6, 26.4.10, 26.4.11

### Explanation

Identifying the location of pedestrian connections and areas of public open space clearly establishes and protects areas where physical connections and public access to and along the waterfront can be expected. It also provides structure for public space, which can then be integrated with adjoining development. The view shafts will create visual connections along nominated roads to the water, which can be realised upon redevelopment of existing buildings.



### Policy 26.3.4

**Quality development is encouraged in the Dunedin harbourside area through good urban design that reflects the industrial architectural, maritime and port heritage values of the area.**

*Objectives:* 26.2.1, 26.2.2, 26.2.4

*Methods:* 4.4.1, 26.4.4-26.4.6, 26.4.10

Good urban design encourages and facilitates the making of sustainable, safe and enjoyable places through responsive design in relation to its control. Controlling the design and appearance of new buildings and alterations to existing buildings within the harbourside will ensure that the resulting built form maintains quality and consistency with the values of the area. Good design extends to the interface between the public and private space, which is of particular importance for the main pedestrian and public space areas.

### Policy 26.3.5

**Require residential and commercial residential activities in the Dunedin harbourside area to provide adequate measures, such as acoustic insulation, to mitigate potential noise effects, including high ambient levels, of a mixed-use environment and the Dunedin Port operations.**

*Objectives:* 26.2.3, 21.2.3

*Methods:* 4.4.1, 26.4.5-26.4.8

### Explanation

The existing environment in the harbourside area is adjacent to the working Dunedin Port, and has a high ambient noise level, which is different to that normally expected in a residential area. Requiring acoustic insulation for residential and commercial residential activities will ensure compatibility of activities in a mixed-use environment and mitigate adverse effects of noise. These measures are necessary for the health and well-being of residents and visitors to the Dunedin harbourside. This will also enable the continued efficient operation of existing industrial and Dunedin Port activities.

### Policy 26.3.6

**Require separation between activities involving the use, storage or disposal of hazardous substances and residential and commercial residential activities in the Dunedin harbourside area.**

*Objectives:* 26.2.3, 21.2.3

*Methods:* 4.4.1, 26.4.5-26.4.8

### Explanation

Adequate separation from hazardous substances to residential and commercial residential activities will ensure compatibility, mitigate adverse effects and maintain efficient operation of existing industrial activities. These measures are necessary for the health and well-being of residents and visitors to the Dunedin harbourside.

**Policy 26.3.7**

**Manage the quality of the residential environment in the Dunedin harbourside by requiring minimum standards for density, amenity open space, privacy and adequate access to daylight.**

*Objectives:* 26.2.2, 26.2.3

*Methods:* 4.4.1, 26.4.5-26.4.7

**Policy 26.3.8**

**Encourage adaptive re-use of scheduled heritage buildings through reduced standards for parking and acoustic insulation for noise sensitive activities in the Dunedin harbourside.**

*Objectives:* 26.2.4

*Policy:* 13.3.10

*Methods:* 4.4.1, 26.4.5, 26.4.6, 26.4.9, 26.4.8

**Policy 26.3.9**

**Require refurbishment or redevelopment of the Birch Street wharf structure to be integrated with the design and development of adjacent buildings and activities.**

*Objectives:* 26.2.1, 26.2.2, 26.2.4

*Methods:* 4.4.1, 26.4.1, 26.4.2, 26.4.5, 26.4.6

**Explanation**

The harbourside area is within walking distance of the city centre, providing a desirable choice and location for residential development in a waterfront location, particularly apartments in refurbished or purpose-built buildings. Minimum area standards for habitable rooms, suitable provision for amenity open space and access to daylight will ensure the design of quality residential developments with a suitable level of amenity for occupants.

**Explanation**

Adaptive re-use of heritage buildings that make a significant contribution to the architectural character and interest of the harbourside area is important to ensure their retention. Flexible performance standards for parking and acoustic insulation recognise the site limitations of these buildings, many of which occupy the full extent of the site, while enabling re-use and protection of their heritage values.

**Explanation**

The wharf structure and relationship to the adjoining buildings is essential for ensuring continuous safe public access around Steamer Basin, however due to its use as a working port the current wharf structure is not safe for maximising public access. Development facing onto the wharf will complement and interact with this structure, creating an important people place. In recognition of this important link and the need to improve the wharf structure through rebuilding or refurbishment, it is appropriate that the wharf structure is required prior to commencement of any activities or development adjoining the wharf. The rebuilt or re-furbished wharf structure will also enable anticipated sea level rises to be taken into account.

**Policy 26.3.10**

**Require testing for site contamination and appropriate remediation, where redevelopment in the Dunedin harbourside area disturbs or alters the ground.**

*Objectives:* 26.2.3

*Methods:* 4.4.1, 26.4.2

**Explanation**

Upon change of land use, site redevelopment may require disturbance to foundations and ground. There is potential for contaminants to be released and affect the health and safety of visitors, residents and workers in the area. With the history of industrial and port activities in the harbourside, it is appropriate that sites are tested and remediation is undertaken prior to redevelopment.

**Policy 26.3.11**

**Provide for the calculation and collection of financial contributions in the form of money to offset actual or potential effects of activities not providing on-site car parking within the Dunedin harbourside.**

*Objectives:* 26.2.2

*Methods:* 4.4.1, 26.4.9, 26.4.10

**Explanation**

Some sites within the harbourside are small or have an identified pedestrian frontage where it may be impractical or inappropriate to meet the normal requirement for provision of on-site parking. Providing flexibility to recognise these restrictions through payment of a financial contribution enables development to occur alongside efficient provision of centralised parking facilities in the area.

**Policy 26.3.12**

**Staging of the Dunedin harbourside area will manage the nature and scale of development to ensure the Steamer Basin is a vibrant people orientated place and the effects upon existing industrial and port activities are managed.**

*Objectives:* 26.2.2, 26.2.3

*Methods:* 4.4.1, 26.4.1, 26.4.2, 26.4.8

**Explanation**

Restricting the full range of activities outside of the Steamer Basin South and Steamer Basin South East Character Areas as part of Stage 1 will ensure sustainable integrated development of the harbourside, appropriate monitoring and management of change upon existing industrial and port operations in the area. Stage 2 can be triggered enabling further residential and commercial residential development. This will occur when development of the building footprint within the Steamer Basin has reached a level that will ensure its success as a vibrant and attractive place with people-orientated activities and well-established connections to the harbour.

**Policy 26.3.13**

**Manage the Steamer Basin South East Character Area by:**

- (i) Limiting the scale of commercial office activities and their extent at ground level.**
- (ii) Identifying the extent of the slipway operational area and its activities.**

*Objectives:* 26.2.2, 26.2.3

*Methods:* 4.4.1, 26.4.5, 26.4.6

**Explanation**

The Steamer Basin South East Character Area takes in a large area which includes the terminus of the Birch Street and Kitchener Street wharves and the Slipway Operational Area. The area provides an important focal point and pedestrian destination as part of the Steamer Basin.

To ensure there are opportunities for development of the site as a destination, limited commercial office activity is provided for along with a range of activities consistent with the Steamer Basin South. The limit encourages a mixed use environment to occur and complements other areas of the Harbourside where commercial office activity is also provided for. It will support continuation of the active frontage along the Steamer Basin.

Requiring acoustic insulation for noise sensitive activities will ensure compatibility of activities and the continuing activities of the Slipway Operational Area.

## 26.4 Methods of Implementation

In addition to the zoning and rules, the methods to be used to achieve the objectives and policies identified in this Section include the following:

### Method 26.4.1 Structure Plans

Structure Plans will be used to identify the following elements:

- 1 Key areas of public open space
- 2 View shafts
- 3 Nominated corner building heights
- 4 Building platforms and minimum wharf widths along Steamer Basin
- 5 Important sites or areas where specific provisions are appropriate.

*Policies:* 26.3.1, 26.3.2, 26.3.3, 26.3.10, 26.3.12

### Method 26.4.2 Liaison

Liaise with the Port Operator, the Otago Regional Council and landowners to ensure integrated management of the harbourside land adjoining the port and the coastal marine area.

Liaise with ONTRACK to achieve an appropriate option for a safe crossing at Rattray Street for vehicle and pedestrian connections between the city centre and harbour.

Liaise with Kai Tahu to ensure that development in the harbourside area reflects the cultural, spiritual, historical and traditional association of Kai Tahu with Te Tai O Arai Te Uru (Otago Coastal Marine Area).

Liaise with and provide Otago Regional Council with any contaminated site reports received as a result of site investigations to enable Otago Regional Council to maintain a register outlining details of sites which are contaminated.

*Policies:* 26.3.2, 26.3.3, 26.3.8, 26.3.10, 26.3.12

### Method 26.4.3 Bylaws

Consider the use of bylaws to manage commercial activities undertaken on public open space and legal roads, to promote public safety and avoid nuisance in the Harbourside Area.

*Policies:* 26.3.2 & 26.3.3

### Method 26.4.4 Works Programmes

- (i) The implementation of appropriate streetscape amenity improvements including, street tree planting, widening of footpaths and provision of street furniture where it is appropriate to encourage a safer and more pleasant environment for pedestrians.
- (ii) The provision of appropriate street lighting, which recognises the different requirements of vehicles and pedestrians and promotes safety.

*Policies:* 26.3.3 & 26.3.4

**Method 26.4.5 Design Code**

A design code will provide the principles and criteria for achieving a quality environment in the harbourside. The guide will be used to assess resource consents, guide new development, and provide a framework to enable solutions to achieve a quality environment within the Dunedin harbourside.

*Policies:* 26.3.1 - 26.3.9

**Method 26.4.6 Urban Design Panel**

Council will consider establishing an urban design panel to provide guidance and advice on development proposals in a manner that promotes high quality development of the harbourside area in accordance with established urban design principles expressed in the design code.

*Policies:* 26.3.1 - 26.3.9

**Method 26.4.7 Land Information Memorandum and Reports**

Council will indicate on Land Information Memorandum and Land Information Reports for titles within the Harbourside Zone that the amenity values of the zone are not the same as a conventional residential zone and that the area is one of mixed use including industrial and adjacent port operations.

*Policies:* 26.3.1, 26.3.5 & 26.3.6

**Method 26.4.8 Advice and Education**

Council will provide advice on potential relocation of industrial and service enterprises to other appropriate locations within Dunedin City. Council will also raise awareness of the amenity to be expected in the Harbourside Zone through the provision of information to those considering developing or moving to the zone.

*Policies:* 26.3.1, 26.3.5-26.3.8 & 26.3.12

**Method 26.4.9 Financial Contributions**

Council may accept financial contributions in lieu of required on-site parking upon application where it is desirable. This will enable potential or actual effects to be off-set through a contribution towards provision of public parking facilities in the area.

*Policies:* 26.3.11

**Method 26.4.10 Traffic Management**

Council will prepare, implement and review management plans for traffic in the area to ensure that conflict between activities, and with pedestrians, is minimised and the requirements of users of the transportation network continue to be met. Liaison with road users and landowners will be undertaken as part of managing traffic.

*Policies:* 26.3.2-26.3.4 & 26.3.11

**Method 26.4.11 Designations**

Designations will be used by Council where walkways and squares are required to ensure that the connections are retained between the city centre and the harbour edge.

*Policies:* 26.3.3

## 26.5 Summary Activity Table

The following table is intended as a summary guide to the activities provided for in all Character Areas within the Harbourside Zone and does not form part of the District Plan. Character Areas are shown within Appendix 26.3. All activities are subject to the performance standards specified within the relevant Character Area (26.6-26.7) and the General Harbourside Rules (26.8).

For the purpose of this table:

P	=	Permitted activity
C	=	Controlled activity
DR	=	Discretionary (Restricted) activity
D	=	Discretionary (Unrestricted) activity
NC	=	Non complying activity
NA	=	Not Applicable

\* Except on 2 Birch Street and 6 Birch Street, activities in the Steamer Basin South and South East are subject to wharf construction along Birch Street, excluding Kitchener Street Wharf

# Activities subject to the staging rule

Activity	Harbourside Zone Character Area		
	Steamer Basin South *	Steamer Basin South East	Mixed Use
Additions and alterations to buildings and structures not listed on Schedule 25.1 where the addition or alteration is not visible from a public place or road reserve	P	P	P
Berthing and mooring of ships, including the passenger embarkation and disembarkation.	NC	P	NA
Buildings used solely for car parking purposes.	NC	P	P
Commercial Office Activity in the Steamer Basin South East Character Area with a gross floor area of up to and including 3000m <sup>2</sup> (inclusive of floors below ground level)	NC	P	NC
Commercial Office Activity in the Steamer Basin South East Character Area with a gross floor exceeding 3000m <sup>2</sup> (inclusive of floors below ground level)	NA	NC	NA
Community Support Activity	P	P	P#
Commercial Residential Harbourside Activity	P	P	NC
Commercial Residential Harbourside Activity undertaken within a building listed on Schedule 25.1 that do not comply with Harbourside Zone – General Rule 26.8.8 Noise Insulation.	DR	NA	DR#
Commercial Residential Harbourside Activity that does not comply with Rule 26.8.8 and is not located within a building listed on Schedule 25.1.	NC	NC	NC#
Construction of a rebuilt or refurbished wharf structure along Birch Street	DR	DR	NA
Construction of new buildings and structures (excluding signage), or additions and alterations to buildings and structures not listed on Schedule 25.1 where the additions and alterations are visible from a public place or road reserve.	C	C	C
Industrial Activity that does not require an air discharge consent from the Otago Regional Council.	NC	NC	P
Licensed Premises	P	P	NC
Recreational Activity provided that associated structures do not exceed 200m <sup>2</sup> in gross floor area	P	P	P

Activity	Harbourside Zone Character Area		
	Steamer Basin South *	Steamer Basin South East	Mixed Use
Residential Activity	P	P	P#
Residential Activity undertaken within a building listed on Schedule 25.1 that do not comply with Harbourside Zone – General Rule 26.8.8 Noise Insulation.	DR	NA	NA
Residential Activity that does not comply with Rule 26.8.8 and is not located within a building listed on Schedule 25.1.	NC	NA	NC#
Restaurant Activity	P	P	P#
Retail Activity in conjunction with an industrial activity, industrial tourist activity or service activity	NC	NC	P
25.1 Scheduled buildings – additions, alterations, demolition	Refer to Section 13: Townscape		
Service Activity that does not require an air discharge consent from the Otago Regional Council.	NC	NC	P
Tourist and Entertainment Activity	P	P	NC
In the Slipway Operational Area identified on the Structure Plan in Appendix 26.1.2 only those activities specified in Rules 11.6.1(ii), 11.6.1(iv) and 11.6.1(v) of the Port 2 Zone are permitted provided that the slipway operational infrastructure has not been removed.	NA	P	NA
Any permitted or controlled activity that does not comply with one or two performance standards of permitted activity rule or General Rule 26.8 (exclusive of 26.8.1, 29.9.2, 26.8.8, 26.8.12, 26.8.12 – will vary depending upon character area).	DR	DR	DR
Any permitted or controlled activity that does not comply with three performance standards of permitted activity rule or General Rule 26.8 (exclusive of 26.8.1, 29.9.2, 26.8.8, 26.8.12, 26.8.12 – will vary depending upon character area).	D	D	D
Any permitted activity that does not comply with Structure Plan Rule 26.8.1.	D	D	D
Any activity that does not comply with Staging Rule 26.8.2	NA	NA	NC
Any activity not specifically identified as permitted, controlled or discretionary by the rules in this zone or in the rules of Sections 17 to 22 of this Plan is non-complying.	NC	NC	NC
Any activity to be established prior to a rebuilt or refurbished wharf structure required under Rule 26.6.1 being completed	NC	NC	NA



## 26.6 Steamer Basin (South and South East) Character Area - Rules

**Note to Plan Users:** Refer to Section 13: Townscape for rules relating to buildings listed on Schedule 25.1, including additions, alterations, signage and demolition.

### Rule 26.6.1 Wharf Construction (*Policies 26.3.1, 26.3.2, 26.3.4 & 26.3.9*)

The following activity is discretionary activity (restricted) provided they comply with the performance standards in Rule 26.6.2:

- (i) Construction of a rebuilt or refurbished wharf structure along Birch Street in accordance with the Structure Plan in Appendix 26.1.4, provided the activity complies with Rule 26.6.6(i). For clarity this rule does not apply to the Kitchener Street Wharf. The Council's discretion is restricted to the matters below:
  - (a) Design and external appearance of the wharf structure.
  - (b) Extent to which the proposal is consistent with the Harbourside Design Code in Appendix 26.2.
  - (c) The extent to which the proposal is consistent with a Comprehensive Development Plan.
  - (d) The necessity of the developer to provide a bond to Council to ensure completion of the wharf.
  - (e) The provision of public access over the wharf structure and the necessity to establish an appropriate legal mechanism to ensure public access is maintained.

**Note to Plan Users:** *The current (2007) wharf structure straddles mean high water springs and consent may also be required from the Otago Regional Council.*

#### Non-Notification

Council will consider such applications under Rule 26.6.1(i) without written consent of affected persons, service of applications, or public notification under sections 93 –94D of the Resource Management Act 1991 unless special circumstances exist.

### Rule 26.6.2 Performance Standards for Wharf Construction (*Policy 26.3.4, 26.3.3, 26.3.9*)

The following performance standards apply to discretionary activity (restricted) Rule 26.6.1:

- (i) **Comprehensive Development Plans**
  - (a) Construction of a wharf structure within the Steamer Basin Character Area shall be accompanied by a Comprehensive Development Plan for the relevant Character Area within which the wharf structure is located (South or South East). The Comprehensive Development Plan shall identify the following:
    - (i) The layout of buildings and public spaces.
    - (ii) The location of parking, loading and access areas for the development.

- (iii) The manner in which the land/water interface will be developed. This includes the relationship between buildings and the wharf.
  - (iv) The location of any signage associated with the proposed development.
  - (v) The staging of the development, including construction and, where development occurs in stages, how new segments of wharf will be integrated with existing segments.
- (b) Wharf construction in the Steamer Basin Character Area may proceed in the segments as shown in accordance with the Structure Plan in Appendix 26.1.4.
- (ii) The re-built or refurbished wharf along Birch Street shall be designed to have freeboard of at least 0.33m above the highest recorded tide to take account of predicted sea level rise to the year 2050, where the top finished level of the wharves shall not be less than 102.20m above Otago Metric Datum.
- (iii) The rebuilt or refurbished wharf along Birch Street shall be constructed in accordance with:
  - a) New Zealand Building Code Requirements, with a minimum structural (operational) life of 50 years
  - b) AS 4997-2005 being Guidelines for the design of maritime structures
  - c) AS 3962-2001 being Guidelines for design of marinas.

### **Rule 26.6.3 Permitted Activities** (*Policies 26.3.1, 26.3.2, 26.3.4, 26.3.9 26.3.12 & 26.3.13*)

- (i) Subject to completion of a rebuilt or refurbished wharf structure in accordance with Rule 26.6.1 in a segment as shown on Structure Plan in Appendix 26.1.4, the following are permitted activities within that segment (except on Lot 2 DP 9757 (2 Birch Street) and Lot 1 DP 7743 (6 Birch Street)). Activities are then permitted provided they comply with the performance standards in Rule 26.6.4 and the Harbourside Zone General Rules in Rule 26.8.
  - (a) Additions and alterations to buildings and structures not listed on Schedule 25.1 where the addition or alteration is not visible from a public place or road reserve
  - (b) Commercial Office Activity in the Steamer Basin South East Character Area with a gross floor area of up to and including 3000m<sup>2</sup> (inclusive of floors below ground level)
  - (c) Commercial Residential Harbourside Activity
  - (d) Community Support Activity
  - (e) Licensed Premises
  - (f) Recreational Activity provided that associated structures do not exceed 200m<sup>2</sup> in gross floor area.
  - (g) Residential Activity
  - (h) Restaurant Activity
  - (i) Tourist and Entertainment Activity
  - (j) The berthing and mooring of ships, including the passenger embarkation and disembarkation, in the Steamer Basin South East Character Area

- (ii) On Lot 2 DP 9757 (2 Birch Street) and Lot 1 DP 7743 (6 Birch Street) the following activities are permitted provided they comply with the performance standards in Rule 26.6.4 and the Harbourside Zone General Rules in Rule 26.9:
- (a) Additions and alterations to buildings and structures not listed on Schedule 25.1 where the addition or alteration is not visible from a public place or road reserve
  - (b) Commercial Residential Harbourside Activity
  - (c) Community Support Activity
  - (d) Licensed Premises
  - (e) Recreational Activity provided that associated structures do not exceed 200m<sup>2</sup> in gross floor area
  - (f) Residential Activity
  - (g) Restaurant Activity
  - (h) Tourist and Entertainment Activity
- (iii) In the Slipway Operational Area identified on the Structure Plan in Appendix 26.1.2 only those activities specified in Rules 11.6.1(ii), 11.6.1(iv) and 11.6.1(v) of the Port 2 Zone are permitted provided that the slipway operational infrastructure has not been removed. The performance standards in Rule 26.6.4 shall not apply to the above slipway activities.

## **Rule 26.6.4 Performance Standards**

- (i) **Yards** (*Policy 26.3.2 & 26.3.4*)
- (a) **Steamer Basin South Character Area**  
No yards are permitted within the building platforms as shown on the Structure Plan in Appendix 26.1.4.
  - (b) **Steamer Basin South East Character Area**  
Yards are permitted within the building platform as shown on the Structure Plan in Appendix 26.1.4.
- (ii) **Building and Structure Heights** (*Policy 26.3.2 & 26.3.4*)
- (a) **Steamer Basin South and Steamer Basin South East Character Area**
    - (i) **Maximum Height**

(a) On 2 Birch Street and 6 Birch Street	13m
(b) On all other sites	
(i) For up to 75% of the building footprint	15m
(ii) For the balance of the building footprint	13m

Heights shall be measured from the existing wharf level before the rebuilding of the wharf structure.
    - (ii) **Maximum Number of Floors above Ground Level**

(a) On 2 Birch Street and 6 Birch Street	3
(b) On all other sites	

- |       |  |    |
|-------|--|----|
| (i)   | For up to 75% of the building footprint  | 4  |
| (ii)  | For the balance of the building footprint  | 3  |
|       | In calculating the number of floors mezzanine levels and lofts with or without dormers or pop-ups count as full floor levels, i.e. within the three floors.  |    |
| (iii) | <b>Minimum internal ground floor height</b> , measured between the finished ground floor level and the finished first floor level, where the ground floor has a public use (i.e. restaurant, licensed premises, tourist and entertainment activity). | 4m |
- (iii) **Minimum Habitable Room Area for Residential Activities** (*Policy 26.3.7*)  
Refer to Harbourside Zone – General Rule 26.8.11.
- (iv) **Minimum Car Parking** (*Policy 26.3.2*)  
Refer to Harbourside Zone - General Rule 26.8.3.
- (v) **Loading and Access** (*Policy 26.3.2*)  
Refer to Harbourside Zone - General Rule 26.8.4.
- (vi) **Noise, Glare, Lighting and Electrical Interference** (*Policy 26.3.2*)  
Refer to Section 21: Environmental Issues.
- (vii) **Outdoor Storage** (*Policy 26.3.2*)  
Refer to Harbourside Zone - General Rule 26.8.5.
- (viii) **Signs** (*Policy 26.3.2*)  
Refer to Section 19: Signs.
- (ix) **Contaminated and Potentially Contaminated Sites** (*Policy 26.3.10*)  
Refer to Harbourside Zone - General Rule 26.8.6.
- (x) **Hazardous Substances** (*Policy 26.3.6*)  
Refer to Harbourside Zone - General Rule 26.8.7.
- (xi) **Noise Insulation for Residential Activities and Commercial Residential Activities** (*Policy 26.3.5*)  
Refer to Harbourside Zone - General Rule 26.8.8.
- (xii) **Amenity Open Space, Sight Lines and Access for Residential Activities** (*Policy 26.3.7*)  
Refer to Harbourside Zone - General Rule 26.8.9.
- (xiii) **Home Occupations** (*Policy 26.3.1*)  
Refer to Harbourside Zone - General Rule 26.8.10.

**(xiv) Noise Insulation for Commercial Office Activities in the Steamer Basin South East Character Area (Policy 26.3.13)**

Any executive office and meeting room to be used for a Commercial Office Activity shall be acoustically insulated from noise emanating from the external environment to achieve an internal noise level of 40 dBA Leq and 55 L max. The Airborne Sound Insulation provided to insulate these rooms shall achieve a minimum performance standard of  $D_{2m, nTw} + C_{tr} > 40$  dB. This performance standard means the weighted standardised level difference plus traffic noise spectrum adaption term as defined by ISO 140-5 and ISO 717/1.

Compliance with this performance standard shall be achieved by ensuring that the rooms identified above are designed and constructed in accordance with either:

- (a) A construction specification approved as an acceptable solution in the New Zealand Building Code for the provision of Airborne Sound Insulation that is specifically designed to protect against noise from the external environment and that will achieve compliance with the minimum performance standard: or
- (b) An acoustic design certificate signed by a suitably qualified acoustic engineer stating that the design as proposed will achieve compliance with the minimum performance standard.

**(xv) Additional Performance Standards for the Steamer Basin South East Building Platform (Policy 26.3.13)**

In addition to the performance standards in Rule 26.6.4 (i)-(xiv) the following shall apply to buildings and structures in the Steamer Basin South East Character Area building platform shown on Structure Plan 26.1.4:

**(a) Building Platform Coverage**

A maximum of 80% of the building platform shown on Structure Plan 26.1.4 shall be covered in buildings and structures provided that:

- (i) At least 10% of the building platform shall remain available to the public for the purpose of public open space.

**(b) Maximum Total Gross Floor Area**

- (i) The total gross floor area of all buildings and structures collectively within the building platform shown on Structure Plan 26.1.4 shall not exceed 11,000m<sup>2</sup>.
- (ii) No one building within the building platform shall contain more than 60% of the maximum permitted gross floor area (ie. 6600m<sup>2</sup>).

**(c) Commercial Office Activity**

No more than 20% of Commercial Office Activity shall occur on the ground floor area of any one building.

**Rule 26.6.5      Controlled Activities** (*Policies 26.3.2, 26.3.4 & 26.3.9*)

The following activities are controlled provided they comply with Rule 26.6.1 and the relevant performance standards in Rules 26.6.4, 26.6.6 and 26.8.

- (i) Subject to completion of a rebuilt or refurbished wharf structure in accordance with Rule 26.6.2 in a segment as shown on Structure Plan in Appendix 26.1.4, the following activities are controlled activities within that segment (except on Lot 2 DP 9757 (2 Birch Street) and Lot 1 DP 7743 (6 Birch Street)).
  - (a) Construction of new buildings and structures (including signage 4 metres above ground level), or additions and alterations to buildings and structures not listed on Schedule 25.1 where the additions and alterations are visible from a public place or road reserve. Council reserves control over and may set conditions on the matters below:
    - (i) Design and external appearance of buildings.
    - (ii) Site and building layout including parking, vehicle and pedestrian access and manoeuvring and provision of public open space.
    - (iii) The extent to which the proposal is consistent with the Harbourside Design Code in Appendix 26.2.
    - (iv) The extent to which the proposal is consistent with a Comprehensive Development Plan.
    - (v) The staging of construction to avoid significant delays between demolition and construction of structures.
- (ii) The following activities are controlled activities on Lot 2 DP 9757 (2 Birch Street) and Lot 1 DP 7743 (6 Birch Street) provided they comply with the performance standards in Rule 26.6.4 and the Harbourside Zone General Rules in 26.8.
  - (a) Construction of new buildings and structures (including signage 4 metres above ground level), or additions and alterations to buildings and structures not listed on Schedule 25.1 where the additions and alterations are visible from a public place or road reserve. Council reserves control over and may set conditions on the matters below:
    - (i) Design and external appearance of buildings.
    - (ii) Site and building layout including parking, vehicle and pedestrian access and manoeuvring and provision of public open space.
    - (iii) The extent to which the proposal is consistent with the Harbourside Design Code in Appendix 26.2.
    - (iv) The staging of construction to avoid significant delays between demolition and construction of structures.

## **Rule 26.6.6 Performance Standards for Controlled Activities**

In addition to the performance standards in Rule 26.6.4 the following apply to controlled activities:

- (i) Comprehensive Development Plans** (*Policy 26.3.2-26.3.4 & 26.3.9*)

  - (a) Construction and development of any site within the Steamer Basin Character Areas shall be accompanied by a Comprehensive Development Plan for the relevant Character Area within which the development is located (South and South East). The Comprehensive Development Plan shall identify the following:

    - (i) The layout of buildings and public spaces.
    - (ii) The location of parking, loading and access areas for the development.
    - (iii) The manner in which the land/water interface will be developed. This includes the relationship between buildings and the wharf.
    - (iv) The location of any signage associated with the proposed development.
    - (v) The staging of the development, including construction and, where development occurs in stages, how new segments of wharf will be integrated with existing segments.
  - (b) Development of the Steamer Basin Character Area may proceed in the segments as shown in accordance with the Structure Plan in Appendix 26.1.4.
- (ii) Public Promenade and Open Space** (*Policy 26.6.1-26.3.4, 26.3.9*)

  - (a) Steamer Basin South Character Area – excluding 2 Birch Street and 6 Birch Street**

All development in the Steamer Basin South Character Area, excluding Lot 2 DP 9757 (2 Birch Street) and Lot 1 DP 7743 (6 Birch Street), shall provide the following areas for the purpose of harbour edge open space areas and public promenade in accordance with the Structure Plan in Appendix 26.1.2. Harbour edge open space areas and public promenade shall be preserved and available for public use and shall include:

    - (i) Viewshafts/pedestrian access-ways from Birch Street to the harbour edge wharf, including a 10 metre wide pedestrian access way between Birch Street and the harbour edge wharf, at the approximate mid-point of built development to the west of the Kitchener Street view shaft, to the width dimension and location as shown on the Structure Plan in Appendix 26.1.1. Viewshafts shall be provided at ground level through buildings to a minimum height of 7 metres and may be enclosed by clear glazing.
    - (ii) Pedestrian linkage to the existing Cross Wharf esplanade (minimum width 6m) and to the southeast.
  - (b) Steamer Basin South East Character Area**

All development in the Steamer Basin South East Character Area shall provide the following areas for the purpose of harbour edge open space areas and public promenade in accordance with the Structure Plan in Appendix 26.1.2. Harbour edge open space areas and public promenade shall be preserved and available for public use and shall include:

    - (i) Viewshaft from Birch Street to the harbour edge wharf to the width and location shown on the Structure Plan in Appendix 26.1.1. The viewshaft shall be provided at ground level through buildings to a minimum height of 7 metres and may be enclosed by clear glazing. The viewshaft from Birch Street shall not be required if the Otago Regional Council has given effect to designation D214 in Schedule 25.5.

- (ii) The harbour edge open space and public promenade identified on the Structure Plan in Appendix 26.1.2 to be provided within the Slipway Operational Area shall not be available for public use until the slipway operational infrastructure is removed.

**Rule 26.6.7 Discretionary Activities (Restricted)** (*Policies 26.3.1, 26.3.2, 26.3.8, 26.3.9*)

- (i) Subject to completion of a rebuilt or refurbished wharf structure in accordance with Rule 26.6.1 in a segment as shown on Structure Plan in Appendix 26.1.4, the following activities are discretionary activities (restricted) within that segment (except on Lot 2 DP 9757 (2 Birch Street) and Lot 1 DP 7743 (6 Birch Street)).
  - (a) Any permitted or controlled activity that does not comply with one or two performance standards of Rule 26.6.2 or Rule 26.8 (exclusive of 26.8.1, 26.8.2, 26.8.8, 26.8.12 and 26.6.4 (ii)). The Council's discretion is restricted to the standard or standards with which the activity fails to comply, extent to which the proposal is consistent with the Harbourside Design Code in Appendix 26.2 and may set conditions on the above matters.
  - (b) Residential Activities and Commercial Residential Harbourside Activities undertaken within a building listed on Schedule 25.1 that do not comply with Harbourside Zone – General Rule 26.8.8 Noise Insulation. The Council's discretion is restricted to the standard with which the activity fails to comply and assessment matter 26.9.4.
- (ii) The following activities are discretionary activities (restricted) on Lot 2 DP 9757 (2 Birch Street) and Lot 1 DP 7743 (6 Birch Street)).
  - (a) Any permitted or controlled activity that does not comply with one or two performance standards of Rule 26.6.4 or Rule 26.8 (exclusive of 26.8.1, 26.8.2, 26.8.8, 26.8.12). The Council's discretion is restricted to the standard or standards with which the activity fails to comply, extent to which the proposal is consistent with the Harbourside Design Code in Appendix 26.2 and may set conditions on the above matters.
  - (b) Residential Activities and Commercial Residential Harbourside Activities undertaken within a building listed on Schedule 25.1 that do not comply with Harbourside Zone – General Rule 26.8.8 Noise Insulation. The Council's discretion is restricted to the standard with which the activity fails to comply and assessment matter 26.9.4.

**Rule 26.6.8 Discretionary Activities (Unrestricted)** (*Policies 26.3.1-26.3.4, 26.3.9*)

- (i) Subject to completion of a rebuilt or refurbished wharf structure in accordance with Rule 26.6.1 in a segment as shown on Structure Plan in Appendix 26.1.4, the following activities are discretionary activities (unrestricted) within that segment (except on Lot 2 DP 9757 (2 Birch Street) and Lot 1 DP 7743 (6 Birch Street)). In assessing an application for discretionary activities (unrestricted), Council shall have regard but not be limited to the matters identified in section 26.9.
  - (a) Any permitted or controlled activity that does not comply with three or more performance standards of Rule 26.6.4 or Rule 26.8 (exclusive of Rules 26.8.2, 26.8.8, 26.8.12 and 26.6.6(ii)).



- (b) Any activity that does not comply with Harbourside Zone - General Rule 26.8.1 Structure Plan.
- (ii) The following activities are discretionary activities (unrestricted) on Lot 2 DP 9757 (2 Birch Street) and Lot 1 DP 7743 (6 Birch Street)). In assessing an application for discretionary activities (unrestricted), Council shall have regard but not be limited to the matters identified in section 26.9.
  - (a) Any permitted or controlled activity that does not comply with three or more performance standards of Rule 26.6.4 or Rule 26.8 (exclusive of Rules 26.8.2, 26.8.8, 26.8.12).

**Rule 26.6.9 Non-Complying Activities** (*Policies 26.3.1-26.3.4, 26.3.5, 26.3.9, 26.3.12, 26.3.13*)

The following are non-complying activities. In assessing an application for non-complying activities, Council shall have regard but not be limited to the matters identified in section 26.9.

- (i) Any activity to be established prior to a rebuilt or refurbished wharf structure required under Rule 26.6.1 being completed.
- (ii) Any Residential and Commercial Residential Harbourside Activity that does not comply with Harbourside Zone – General Rule 26.8.8 Noise Insulation and is not located within a building listed on Schedule 25.1.
- (iii) Any activity not specifically identified as permitted, controlled or discretionary by the rules in this zone or in the rules of Sections 17 to 22 of this Plan is non-complying. This rule does not apply to activities identified as permitted, controlled or discretionary in the rules of Sections 13 to 16 of the Plan, regardless of where in the zone those activities are undertaken.
- (iv) Commercial Office Activity in the Steamer Basin South East Character Area with a gross floor area exceeding 3000m<sup>2</sup> (inclusive of floors below ground level).

## 26.7 Mixed Use Character Area - Rules

- Notes to Plan Users:**
1. Refer to Section 13: Townscape for rules relating to buildings listed on Schedule 25.1, including additions, alterations, signage and demolition.
  2. Harbourside Zone - General Rule 26.8.2 Staging delays the implementation of some of these provisions.

### Rule 26.7.1 Permitted Activities *(Policy 26.3.1, 26.3.2, 26.3.12)*

The following are permitted activities within the Mixed Use Character Area provided they comply with the performance standards in Rule 26.7.2 and the Harbourside Zone - General Rules in Rule 26.8.

- Additions and alterations to buildings and structures not listed on Schedule 25.1 where the addition or alteration is not visible from a public place.
- Buildings used solely for car parking purposes.
- Community Support Activity.
- Industrial Activity that does not require an air discharge consent from the Otago Regional Council.
- Industrial Tourist Activity.
- Recreational Activity provided that associated structures do not exceed 200m<sup>2</sup> in gross floor area.
- Residential Activity
- Retail Activity in conjunction with an industrial activity, industrial tourist activity or service activity provided that:
  - The retail activity is complementary to and an integral part of the industrial, industrial tourist activity or service activity.
  - The maximum area of gross floor space for retail activities shall not exceed 10% of the total floor space of the premises.
- Service Activity that does not require an air discharge consent from the Otago Regional Council.

### Rule 26.7.2 Performance Standards

- Yards** *(Policy 26.3.2, 26.3.4)*
  - No front yards are permitted.
  - No side yards are permitted except for the purpose of vehicle access to the rear of the site or for underground parking provided that:
    - Any access shall have a maximum width of 4 metres.
    - Any access shall not provide access to multiple dwelling units that sit perpendicular to the street.
    - Any access may be built over by upper floors.
- Building and Structure Heights** *(Policy 26.3.2, 26.3.4)*
  - Minimum Height** 9m
  - Maximum Height**
    - On all sites 13m
  - Maximum Number of Floors above Ground Level**
    - On all sites 3

In calculating the number of floors mezzanine levels count as full floor levels.

- (i) **Minimum Habitable Room Area for Residential Activities** (*Policy 26.3.7*)  
Refer to Harbourside Zone – General Rule 26.8.11.
- (ii) **Minimum Car Parking** (*Policy 26.3.2*)  
Refer to Harbourside Zone - General Rule 26.8.3.
- (iii) **Loading and Access** (*Policy 26.3.2*)  
Refer to Harbourside Zone - General Rule 26.8.4.
- (iv) **Noise, Glare, Lighting and Electrical Interference** (*Policy 26.3.2*)  
Refer to Section 21: Environmental Issues.
- (vi) **Outdoor Storage** (*Policy 26.3.2*)  
Refer to Harbourside Zone - General Rule 26.8.5.
- (vii) **Signs** (*Policy 26.3.2*)  
Refer to Section 19: Signs.
- (viii) **Contaminated and Potentially Contaminated Sites** (*Policy 26.3.10*)  
Refer to Harbourside Zone - General Rule 26.8.6.
- (ix) **Hazardous Substances** (*Policy 26.3.6*)  
Refer to Harbourside Zone - General Rule 26.8.7.
- (x) **Noise Insulation for Residential Activities** (*Policy 26.3.5*)  
Refer to Harbourside Zone - General Rule 26.8.8.
- (xi) **Amenity Open Space, Sight Lines and Access for Residential Activities** (*Policy 26.3.7*)  
Refer to Harbourside Zone - General Rule 26.8.9
- (xii) **Home Occupations** (*Policy 26.3.1*)  
Refer to Harbourside Zone - General Rule 26.8.10

**Rule 26.7.3      Controlled Activities** (*Policy 26.3.2 & 26.3.4*)

The following activities are controlled provided they comply with Rule 26.7.1 and the relevant performance standards in Rules 26.7.2 and 26.8:

- (i) Construction of new buildings and structures (including signage 4 metres above ground level), or additions and alterations to buildings and structures not listed on Schedule 25.1 where the additions and alterations are visible from a public place or road reserve. The Council reserves control over and may set conditions on the matters below:
  - (a) Design and external appearance of buildings.
  - (b) Site and building layout including parking, vehicle and pedestrian access and manoeuvring.
  - (c) The extent to which the proposal is consistent with the Harbourside Design Code in Appendix 26.2.
  - (d) The staging of construction to avoid significant delays between demolition and construction of structures.

**Rule 26.7.4      Discretionary Activities (Restricted)** (*Policy 26.3.1, 26.3.2, 26.3.8, 26.3.12*)

The following activities are discretionary activities (restricted):

- (i) Any permitted or controlled activity that does not comply with one or two performance standards of Rule 26.7.2 or Rule 26.8 (exclusive of 26.8.1, 26.8.2 and 26.8.8). The Council's discretion is restricted to the standard or standards with which the activity fails to comply, the relevant matters in 26.9, including the extent to which the proposal is consistent with the Harbourside Design Code in Appendix 26.2 and may set conditions on the above matters.
- (ii) Residential Activities undertaken within a building listed on Schedule 25.1 that do not comply with Harbourside Zone – General Rule 26.8.8 Noise Insulation. The Council's discretion is restricted to the standard with which the activity fails to comply and assessment matter 26.9.4.

**Rule 26.7.5      Discretionary Activities (Unrestricted)** (*Policy 26.3.1, 26.3.2*)

The following activities are discretionary activities (unrestricted). In assessing an application for discretionary activities (unrestricted), Council shall have regard but not be limited to the matters identified in 26.9.

- (i) Any permitted or controlled activity that does not comply with three or more performance standards of Rule 26.7.2 or Rule 26.8 (exclusive of Rule 26.8.8).
- (ii) Any activity that does not comply with Harbourside Zone - General Rule 26.8.1 Structure Plan.

**Rule 26.7.6 Non-Complying Activities** (*Policy 26.3.1, 26.3.2, 26.3.5, 26.3.12*)

The following are non-complying activities:

- (i) Any activity that does not comply with Harbourside Zone - General Rule 26.8.2 Staging.
- (ii) Any activity not specifically identified as permitted, controlled or discretionary by the rules in this zone or in the rules of Sections 17 to 22 of this Plan is non-complying. This rule does not apply to activities identified as permitted, controlled or discretionary in the rules of Sections 13 to 16 of the Plan, regardless of where in the zone those activities are undertaken.
- (iii) Any Residential Activity that does not comply with Harbourside Zone – General Rule 26.8.8 Noise Insulation and is not located within a building listed on Schedule 25.1.

## 26.8 Harbourside Zone – General Rules

The General Rules apply to all Character Areas within the Harbourside Zone.

### **Rule 26.8.1 Structure Plan** (Policy 26.3.2, 26.3.3, 26.3.9, 26.3.12)

All development and subdivision within the Harbourside Zone shall be in accordance with Structure Plans in Appendix 26.1.

### **Rule 26.8.2 Staging** (Policy 26.3.1, 26.3.2, 26.3.12)

(i) The following activities, being:

- (a) Residential Activity and Community Support Activities, and buildings for these purposes, in the Mixed Use Character Area

may proceed under the provisions of Rules 26.6 and 26.7, and buildings for these purposes, provided that the Steamer Basin South and South East Character Areas is, by Council survey, deemed to have 70% of the building footprints of the Steamer Basin South and South East Character Areas as shown on the Structure Plan in Appendix 26.1.4 occupied with activities that are established under Rules 26.6.3 and 26.6.5 to 26.6.9.

**Note to Plan Users:** Other permitted, controlled or discretionary activities in the Mixed Use Character Area shall comply with Rules 26.7.2.

### **Rule 26.8.3 Minimum Car Parking** (Policy 26.3.2, 26.3.8 & 26.3.11)

(i) On-site car parking shall comply with the performance standards in Section 20 (Transportation) and shall be provided in accordance with Table 26.8.3, except that on-site car parking is not required for:

- (a) Restaurant and Licensed Premises established along the Steamer Basin South and Steamer Basin South East Character Area.
- (b) Activities undertaken within buildings listed on Schedule 25.1.

(ii) Where on-site car parking as required by Rule 26.8.3(i) and Table 26.8.3 is not complied with it is deemed to be a performance standard that can not be complied with under the relevant Character Area standards. As part of any assessment, consideration will be given to financial contributions in accordance with Rule 26.8.12.

**Table 26.8.3 Minimum Car Parking**

Activity	Parking Spaces Required
<b>Commercial Office</b>	2.8 parking spaces per 100m <sup>2</sup> of gross floor area.
<b>Commercial Residential Harbourside Activity</b>	<ul style="list-style-type: none"> <li>(i) Unit Type construction, for example motels: 1 car park per unit</li> <li>(ii) Guest room type construction, for example hotels: <ul style="list-style-type: none"> <li>(a) 1 car park per 3 guest rooms to 60 guests rooms; thereafter 1 car park per 5 guest rooms, and</li> <li>(b) 1 coach car park per 50 guest rooms, and</li> </ul> </li> <li>(iii) Staff requirements of 1 car park per 20 guest rooms.</li> </ul>
<b>Community Support Activity</b>	<p>On-site car parking is not required except for health care facilities, which shall be provided for on the following basis:</p> <ul style="list-style-type: none"> <li>(a) 3 car parks per professional staff member or 2 car parks per consulting room, whichever is the greater.</li> <li>(b) Staff requirement of 1 car park per professional staff member.</li> <li>(c) 1 car park per 2 other staff or 1 car park per consulting room, whichever is the greater.</li> </ul>
<b>Industrial and Service Activities</b>	<ul style="list-style-type: none"> <li>(i) Staff requirement as follows: <ul style="list-style-type: none"> <li>(a) Up to 99m<sup>2</sup> gross floor area: 2 car parks</li> <li>(b) 100m<sup>2</sup> - 149m<sup>2</sup> gross floor area: 3 car parks</li> <li>(c) 150m<sup>2</sup> - 249m<sup>2</sup> gross floor area: 4 car parks</li> <li>(d) 250m<sup>2</sup>-400m<sup>2</sup> gross floor area: 5 car parks</li> <li>(e) Over 400m<sup>2</sup> gross floor area: 5 car parks plus 1 car park for each additional 200m<sup>2</sup> gross floor area in excess of the initial of 400m<sup>2</sup> gross floor area.</li> </ul> </li> <li>(ii) Visitor requirement of an additional 20% (1 car park minimum).</li> </ul>
<b>Industrial Tourist Activity</b>	<ul style="list-style-type: none"> <li>(i) 1 car park per 3 people the activity can accommodate over a 30 minute period of operation.</li> <li>(ii) 1 coach parking space per 50 people the activity can accommodate over a 30 minute period of operation.</li> </ul>
<b>Recreational, Tourist and Entertainment Activities</b>	<ul style="list-style-type: none"> <li>(i) Outdoor: 1 car park per 750 m<sup>2</sup>.</li> <li>(ii) Indoor: 1 car park per 20 m<sup>2</sup> public floor area or 1 car park per 10 people the facility can accommodate, whichever is the greater, and Staff requirement of an additional 10%.</li> </ul>
<b>Residential Activity</b>	<ul style="list-style-type: none"> <li>(i) 1 car park per residential unit up to and including 4 habitable rooms</li> <li>(ii) 2 car parks per residential unit greater than 4 habitable rooms and up to 7 habitable rooms</li> <li>(iii) 1 additional car park for every 2 additional habitable rooms in excess of 7 habitable rooms.</li> <li>(iv) 2 additional car parks for a residential unit where staff provide for between 13 and 18 residents inclusive.</li> </ul>
<b>Restaurant Activity, Licensed Premises</b>	13.5 car parks per 100m <sup>2</sup> of gross floor area.

**Rule 26.8.4 Loading and Access** (*Policy 26.3.2*)

- (i) For the following activities loading and access shall comply with the performance standards in Section 20: Transportation.
- (a) Industrial Activity and Service Activity with building gross floor area 50m<sup>2</sup> or less.  
Loading spaces shall be provided for on the following basis:  
*Minimum Size:* 6 m long x 3.5 m wide x 2.6 m high.  
*Manoeuvre Area:* To accommodate a 90 percentile design car as shown in Appendix 20C.
- (b) Commercial Residential Harbourside Activity, Industrial Activity and Service Activity with building gross floor area greater than 50m<sup>2</sup> but less than 2500m<sup>2</sup>.  
Loading spaces shall be provided for on the following basis:  
*Minimum Size:* 8 m long x 3.5 m wide x 3.8 m high.  
*Manoeuvre Area:* To accommodate an 8 metre truck as shown in Appendix 20D.
- (c) Industrial Activity and Service Activity with building gross floor area 2500m<sup>2</sup> or greater.  
Loading spaces shall be provided for on the following basis:  
*Minimum Size:* 20 m long x 3.5 m wide x 4.4 m high.  
*Manoeuvre Area:* To accommodate a B Train truck as shown in Appendix 20E.
- (ii) For activities not specified in Rule 26.8.4(i) there are no loading requirements. Access requirements shall comply with the performance standards of Section 20: Transportation.

**Rule 26.8.5 Outdoor Storage** (*Policy 26.3.2*)

All materials, which are stored outside a building for any purpose other than display or sale, shall be screened from view from adjoining properties and from any road. The screening is not required if the wall of a building or structure has the same or similar effect. Materials shall not escape and contaminate any off-site area.

**Rule 26.8.6 Contaminated and Potentially Contaminated Sites** (*Policy 26.3.10*)

All sites must be investigated and certified based on composite sampling of the site by an appropriately qualified person as not contaminated except where:

- (i) The activity is restricted to re-use of an existing building with no change to the foundations or flooring of the building and there is no outdoor space.

**Note to Plan Users:** Consent may also be required from Otago Regional Council if any activity requires the disturbance of contaminated land or the ongoing discharge of contaminants to water, land or air.



**Rule 26.8.7 Hazardous Substances** (*Policy 26.3.1, 26.3.2, 26.3.6*)

- (i) All activities shall comply with the requirements of Section 17: Hazards and Hazardous Substances.
- (ii) Residential Activity and Commercial Residential Harbourside Activity shall not be established in buildings that include other activities, if those activities exceed the hazardous substances thresholds for Residential Activities in Table 17.1 and Table 17.2.
- (iii) Residential Activity and Commercial Residential Harbourside Activity shall not be established in buildings that are contiguous with a building used for other activities, if those activities exceed the hazardous substances thresholds for Residential Activities in Table 17.1 and Table 17.2, except where appropriate firewall separation is provided between the buildings.
- (iv) Any activities established in buildings which include Residential Activity and Commercial Residential Harbourside Activity shall comply with the hazardous substances thresholds for Residential Activities in Table 17.1 and Table 17.2 except where appropriate firewall separation is provided between the floors/walls or buildings.
- (v) Any activities established in buildings which are contiguous with a building used for Residential Activity and Commercial Residential Harbourside Activity, shall comply with the hazardous substances thresholds for Residential Activities in Table 17.1 and Table 17.2, except where appropriate firewall separation is provided between the buildings.

**Rule 26.8.8 Noise Insulation for Residential and Commercial Residential Harbourside Activities** (*Policy 26.3.1, 26.3.2, 26.3.5*)

- (i) Any kitchen, dining area, living room, study or bedroom in a building to be used for a Residential Activity or Commercial Residential Harbourside Activity shall be acoustically insulated from noise emanating from the external environment. The Airborne Sound Insulation provided to insulate these rooms shall achieve a minimum performance standard of  $D_{2m, nTw} + C_{tr} > 30$  dB. This performance standard means the weighted standardised level difference plus traffic noise spectrum adaption term as defined by ISO 140-5 and ISO 717/1. Compliance with this performance standard shall be achieved by ensuring that the rooms identified above are designed and constructed in accordance with either:
  - (a) A construction specification approved as an acceptable solution in the New Zealand Building Code for the provision of Airborne Sound Insulation that is specifically designed to protect against noise from the external environment and that will achieve compliance with the minimum performance standard; or
  - (b) An acoustic design certificate signed by a suitably qualified acoustic engineer stating that the design as proposed will achieve compliance with the minimum performance standard.

(ii) **Ventilation**

The internal noise limit in Rule 26.8.8(i) above shall be met simultaneously with the following ventilation requirements:

Either:

- (a) Fan assisted mechanical ventilation system(s) in lieu of air conditioning capable of:
  - (i) Providing at least 15 air changes of outdoor air per hour in the principal living room of each building and five air changes of outdoor air per hour in the other rooms insulated in accordance with Rule 26.8.8(i) above of each building, in each case with all external doors and windows of the building closed with the exception of such windows in non-habitable rooms that need to be ajar to provide air relief paths; and
  - (ii) Enabling the rate of airflow to be controlled across the range, from the maximum airflow capacity down to 0.5 air changes (plus or minus 0.1) of outdoor air per hour in all rooms insulated in accordance with Rule 26.8.8(i) above; and
  - (iii) Limiting internal pressure to not more than 30 Pascals above ambient air pressure; and
  - (iv) Being individually switched on and off by the building occupants, in the case of each system; and
  - (v) Creating no more than Leq 30 dBA in the bedrooms and no more than Leq 40 dBA in the other rooms insulated in accordance with Rule 26.8.8(i) above, and no more than Leq 40 dBA in any hallway, in each building. Noise levels from the mechanical system(s) shall be measured at least 1 metre away from any diffuser.

**Or:**

- (b) Air conditioning plus mechanical outdoor air ventilation capable of:
  - (i) Providing internal temperatures in rooms insulated in accordance with Rule 26.8.8(i) above not greater than 25 degrees Celsius at 5% ambient design conditions as published by the National Institute of Water and Atmospheric Research ("NIWA") (NIWA, Design Temperatures for Air Conditioning (degrees Celsius), Data Period 1991-2000), with all external doors and windows of the habitable rooms closed; and
  - (ii) Providing 7.5 litres per second per person in all rooms insulated in accordance with Rule 26.8.8(i) above; and
  - (iii) Being individually switched on and off by the building occupants; and
  - (iv) Creating no more than Leq 30 dBA in the bedrooms and no more than Leq 40 dBA in the other rooms insulated in accordance with Rule 26.8.8(i) above and, no more than Leq 40 in any hallway, in each building. Noise levels from the mechanical system(s) shall be measured at least 1 metre away from any diffuser; and

- (v) Providing a mechanical kitchen extractor fan ducted directly to the outside to serve any cooking hob, if such extractor fan is not already installed and in sound working order.

Compliance with this performance standard shall be achieved by a ventilation design certificate signed by a suitably qualified ventilation engineer stating that the design as proposed will achieve compliance with the minimum performance standard. This certificate shall be submitted with the relevant application for resource consent or building consent.

(iii) **No Complaints Covenant**

Any building used for Residential Activity or Commercial Residential Harbourside Activity shall have registered on its Title a restriction in the form;

Owners or Occupiers shall not complain about any lawfully emitted noise or odour from activities occurring in the vicinity.

Owners shall draw this restriction to the attention of any tenants.

*Note: Monitoring and enforcement of this obligation is the responsibility of the Dunedin City Council.*

**Rule 26.8.9      Amenity Open Space, Sight Lines and Access for Residential Activities** *(Policy 26.3.7)*

(i) **Amenity Open Space**

Every residential unit shall provide amenity open space in accordance with the following:

- (a) Each residential unit located at ground floor level (or where its main living area is at ground floor level) shall provide an area of open space. The open space area shall:
  - (i) Be a minimum area of 24m<sup>2</sup> and be capable of containing a 4m diameter circle.
  - (ii) Not be obstructed by buildings, parking spaces, shared vehicle access or manoeuvring areas.
  - (iii) Be directly accessible from the main living room of the residential unit.
  - (iv) Be located to the north, east or west of the residential unit.
- (b) Each residential unit located above ground floor level shall provide an area of open space comprising either an unenclosed balcony, deck, garden, or terrace which shall:
  - (i) Be a minimum area of 6m<sup>2</sup> and be capable of containing a 2m diameter circle.
  - (ii) Be provided:
    - (a) In the form of individual balconies and decks, directly accessible from the main living area, and for the sole use of an individual residential unit;

**Or:**

    - (b) In the form of two or more shared outdoor living spaces located at ground level, with a minimum area of 12m<sup>2</sup> per unit capable of containing a 4m diameter circle, and accessible from, and overlooked by a majority of the residential units served;

- (c) In the Steamer Basin South East Character Area, balconies shall not have an easterly aspect directly facing the Slipway Operational Area identified on Structure Plan 26.1.2, provided this rule shall no longer apply when the slipway infrastructure is removed.
- (ii) **Sight Lines**  
No habitable room in a residential unit shall have a line of sight to a habitable room in another separate residential unit where the distance between the two is 10 metres or less.
- (iii) **Residential Access**
  - (a) The principal access to residential units shall not be either
    - (i) provided from shared balconies or
    - (ii) directly into the main living area.

#### **Rule 26.8.10 Home Occupations** (*Policy 26.3.1*)

The maximum floor area of a home occupation shall be 50m<sup>2</sup>.

#### **Rule 26.8.11 Minimum Habitable Room Area for Residential Activities** (*Policy 26.3.7*)

Residential activities shall have a minimum floor area per habitable room as follows:

- (a) Up to two habitable rooms – 35m<sup>2</sup> gross floor area per habitable room.
- (b) Three or more habitable rooms – 30m<sup>2</sup> gross floor area per habitable room.

#### **Rule 26.8.12 Financial Contributions In Lieu of Parking** (*Policy 26.3.11*)

##### **(i) Circumstances when financial contributions may be taken**

The Council may require, or an applicant may propose, that some or all of the on-site parking spaces, required to be provided under Rule 26.8.3 in connection with a proposed activity or development, 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 this section as part of assessment of a resource consent.

##### **(ii) Determination of the amount of the financial contribution**

The maximum amount of any financial contribution payable pursuant to Rule 26.8.3 shall be a sum calculated according to the following formula:

$$[(a) \times (b) \times (c)] + [(a) \times (d)] + \text{GST}$$

Where:

- (a) = the number of car parking spaces required under Rule 26.8.3
- (b) = the average value of 1m<sup>2</sup> of land shall be determined by an independent registered valuer and published annually in the Council's Community Plan/Annual Plan.
- (c) = 25 (nominal area in square metres required for each car parking space plus manoeuvring area).

- (d) = The current cost of construction of 25m<sup>2</sup> of car parking area to a permanent asphaltic, concrete or concrete surface, including earthworks, pavement, kerbing, draining and marking.

All inputs in the calculation of a parking financial contribution under this rule shall be exclusive of Goods and Services Tax (GST). All financial contributions are subject to GST under the Goods and Services Tax Act 1985.

(iii) **Purposes for which financial contributions will be used**

- (a) Any financial contributions received pursuant to this rule shall be used by the Council towards financing the cost of providing, upgrading, extending or purchasing surplus capacity in public parking facilities in the general locality of the land to which the application refers.
- (b) The Council may, at its discretion, use such financial contributions to:
- 1 Provide public parking on Council owned land or buildings, including street parking;
  - 2 Secure parking within private developments or private land that will be available for public use; or
  - 3 Lease long term privately owned parking spaces to provide for parking requirements associated with a development; or
  - 4 Repay loans for public parking already provided; or
  - 5 Enter into joint ventures for the provision of public parking.
- (c) The Council shall not accept financial contributions for the provision by the Council of parking for the exclusive use of any party.
- (d) The Council will achieve the above in accordance with its parking works programmes as set out in its Community Plan/Annual Plan and it shall be under no obligation to provide parking at a time or in a manner other than in accordance with its Community Plan/Annual Plan. Parking works programmes are subject to availability of funding through the Annual Plan process.

(iv) **Refund of financial contribution previously paid**

Where, after this section became operative, a financial contribution in lieu of parking has been paid and it becomes clear to the Council that it will not utilise that financial contribution in the reasonably foreseeable future, the Council shall consider a request for the refund of part or all of the contribution, plus accrued interest on the amount refunded, to the party who made that contribution or the party's successor.

## **26.9 Assessment of Resource Consent Applications - Discretionary and Non-Complying Activities**

In assessing any application, in addition to the matters contained in the Fourth Schedule of the Act, the Council will have regard to, but not be restricted by, the following matters and may impose conditions concerning such matters:

### **26.9.1 Sustainability**

The objectives and policies of the Sustainability Section.

### **26.9.2 Manawhenua**

The objectives and policies of the Manawhenua Section.

### **26.9.3 Character, Amenity Values, Bulk and Location, Design and Appearance of Buildings and Structures**

- (i) The extent to which the proposal is consistent with the principles and criteria of the Harbourside Design Code in Appendix 26.2.
- (ii) The relevant assessment matters in Rule 13.7.3 where there are buildings and structures listed on Schedule 25.1.
- (iii) The bulk and location of buildings associated with the proposed activity and their effects on the amenity values including architectural values of the environment in which they are located.
- (iv) The potential effects of shade and wind on public open spaces and road reserves from the bulk and location of buildings.
- (v) The impact on amenity values within the Harbourside Zone generally.
- (vi) Whether the proposal will detract from the form and character of the Harbourside Zone and be appropriate in terms of scale and function as defined on the Structure Plan in Appendix 26.1.1.
- (vii) The extent to which landscaping of on-site car parking maintains amenity.
- (viii) Whether Crime Prevention Through Environmental Design (CPTED) principles have been taken into account in the site configuration, in particular:
  - (a) Whether the building provides passive surveillance of the street.
  - (b) Whether the site layout avoids opportunities for entrapment.
  - (c) Whether there is clear identification of private space and appropriate access control is provided to private internal areas of the site.
  - (d) Whether external lighting is sufficient to ensure good visibility in areas accessible to public at all times.

#### **26.9.4 Acoustic Insulation for Residential and Commercial Residential Harbourside Activities**

- (i) Whether the development will lead to an unacceptable internal noise environment or insufficient ventilation of sleeping areas, compromising the health and amenity of occupants, if the insulation performance standard is not met.
- (ii) The extent to which it is practical to insulate or provide supplementary ventilation to the standard specified in Rule 26.8.8, without compromising the heritage significance and fabric of the building.
- (iii) Whether the location of the Residential or Commercial Residential Harbourside Activity is such that insulation and/or supplementary ventilation are not necessary to ensure an acceptable internal noise environment.
- (iv) The orientation of rooms that are subject to acoustic insulation requirement is such that insulation and/or supplementary ventilation are not necessary to ensure an acceptable internal noise environment.

#### **26.9.5 Noise, Glare, Lighting and Electrical Interference**

Refer to the Environmental Issues Section.

#### **26.9.6 Odour and Dust**

Whether the proposal will generate levels of air discharges, including dust, which would potentially detract from the existing character and amenity values of the Harbourside Zone.

#### **26.9.7 Cumulative Effects**

The actual or potential cumulative effects on the environment as a result of allowing the activity.

#### **26.9.8 Safety**

The need to restrict access by the public to areas adjoining the coast to protect public health and safety.

#### **26.9.9 Archaeological Sites**

The effect that the activity will have on any archaeological site.

#### **26.9.10 Hazards and Hazardous Substances**

- (i) Whether or not the application relates to a site that the Council has good cause to suspect may be prone to a natural or technological hazard.
- (ii) The objectives, policies and assessment matters of the Hazards and Hazardous Substances Section.

**26.9.11 Transportation, including parking**

- (i) The objectives, policies and assessment matters of the Transportation Section.
- (ii) Whether the proposal will adversely affect the safety and efficiency of traffic and pedestrian movement within the Harbourside Zone.
- (iii) Extent to which any parking not provided within a building will impact upon the character and amenity of the relevant Character Area and wider harbourside, the relationship to any nearby pedestrian orientated areas and any measures to mitigate the visual impact.

**26.9.12 Development Contrary to the Staging Rule 26.8.2**

- (i) Whether there are no further opportunities for residential development within the Stage One area of the Harbourside Zone.
- (ii) The extent to which the design and operation of the proposal avoids, remedies or mitigates the potential for complaints by residential occupants regarding the environmental effects of established businesses in the vicinity.
- (iii) The extent to which the proposal is consistent with the Harbourside Design Code in Appendix 26.2.
- (iv) The extent to which adequate provision is made for parking, access and manoeuvring, including compatibility and needs of existing activities.

**26.9.13 Impact on Port Operations**

- (i) The proximity of the activity to the port operational area.
- (ii) The extent to which the proposed activity impacts on the efficient operation of the port.

**26.9.14 Habitable Room, Amenity Open Space, Sight Lines and Access for Residential Activities**

- (i) Whether the design of the residential unit makes adequate alternative provision for amenity open space for residents, including the practicality and usability of the space.
- (ii) Whether the gross floor area per habitable room provides a design that achieves a suitable level of internal amenity for the occupants, including consideration of adequate ventilation and the functioning of the residential unit.
- (iii) Where redevelopment of an existing building is involved, the practicalities of complying with the required performance standards and whether alternative provision achieves a design that maintains a high level of internal and external amenity for occupants.
- (iv) Whether the design and location of the adjoining building or structure, or other measure can mitigate a direct line of sight between habitable rooms.
- (v) The extent to which the proposal is consistent with the principles and criteria of the Harbourside Design Code in Appendix 26.2.



**26.9.15 Development Undertaken Prior to Wharf Construction in the Steamer Basin**

- (i) The extent to which it is demonstrated that the proposed development needs to be undertaken prior to construction of the wharf.
- (ii) The impact of the proposal upon the elements within the Harbourside Structure Plans in Appendix 26.1, provision of public access and principles of the Harbourside Design Code in Appendix 26.2.
- (iii) The integration of the proposal with construction of the wharf and whether it will impede or compromise construction.
- (iv) The staging and timing of the development in relation to the construction of the wharf.

**26.9.16 Variation from the Structure Plans in Appendix 26.1**

- (i) The degree to which the proposal varies from or is inconsistent with the structure plan.
- (ii) Whether variation with one or more elements of the structure plan(s) compromises the ability to effectively deliver other elements of the structure plan(s).
- (iii) Whether the proposal will continue to promote quality integrated development of buildings with public spaces.
- (iv) Where the provision of public space is affected by the variation, whether there is a suitable alternative to provision of such space, including connections to other spaces.
- (v) Where viewshafts are affected, whether there is a suitable alternative location available to ensure visibility of the water from the areas nominated on the structure plan and provision of alternative public access.

**26.9.17 Commercial Office Activity Exceeding 3000m<sup>2</sup> in Steamer Basin South East Character Area**

- (i) The applicant shall demonstrate:
  - (a) The need to exceed 3000m<sup>2</sup> gross floor area for Commercial Office Activity in the Steamer Basin South East Character Area and the impact upon the ability to establish other activities in the building platform.
  - (b) The impact of the additional commercial office floor space on the ability to create a mixed use environment in the Harbourside Zone.
  - (c) Whether the activity is new or relocated commercial office floor space.
  - (d) The extent to which there are adverse effects on the retailing and commercial office sector of the Central Business District, which might affect the vitality and vibrancy of the City Centre.
  - (e) Every executive office and meeting room to be used for a Commercial Office Activity shall be acoustically insulated from noise emanating from the external environment to the standard specified in Rule 26.6.4 (xiv).

## ***26.10 Anticipated Environmental Results***

The anticipated environmental results are:

### **26.10.1**

Public access to the Dunedin harbourside is improved for pedestrians and vehicles, with increased recreational use of the area focused along the water edge.

*Objectives:* 26.2.1

### **26.10.2**

The Dunedin harbourside is an attractive quality environment.

*Objectives:* 26.2.1, 26.2.2, 26.2.4

### **26.10.3**

No loss of scheduled buildings within the Harbourside Zone.

*Objectives:* 26.2.4

### **26.10.4**

All scheduled buildings in the Harbourside Zone are actively used.

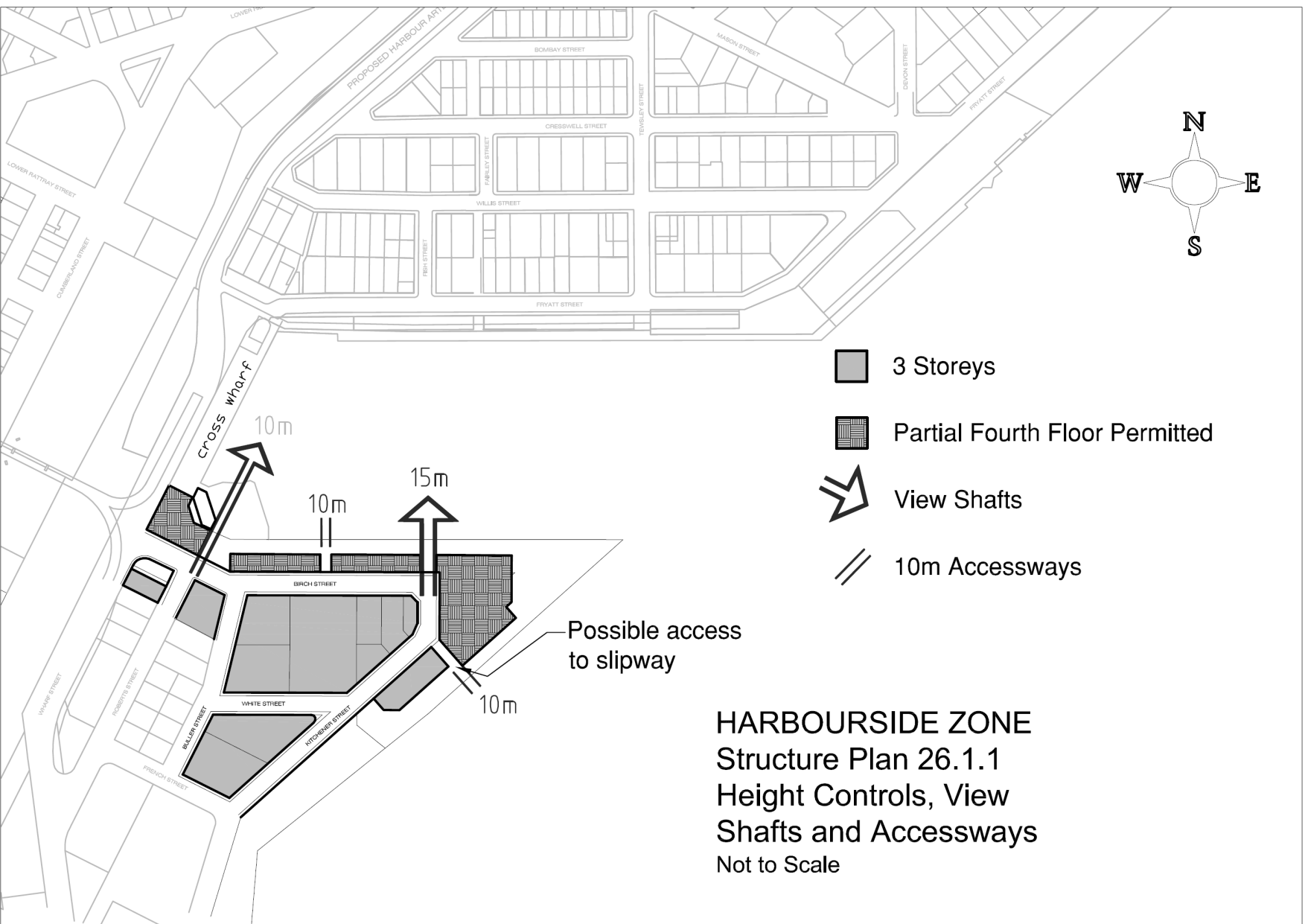
*Objectives:* 26.2.4

### **26.10.5**

No legitimate complaints about the operations of port, industrial or service activities from residents and operators within the Harbourside Zone.

*Objectives:* 26.2.3

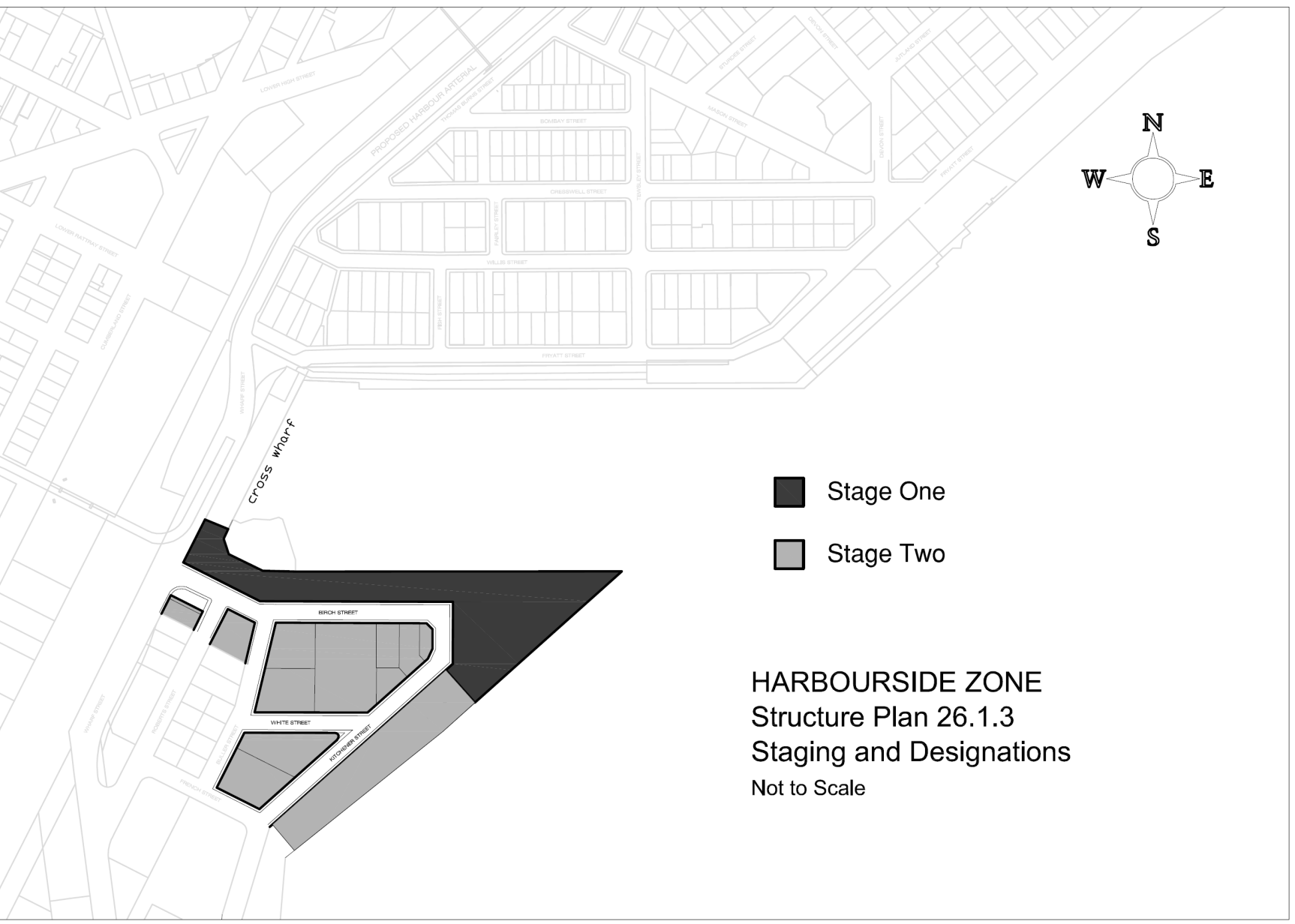
# Appendix 26.1.1: Harbourside Structure Plan



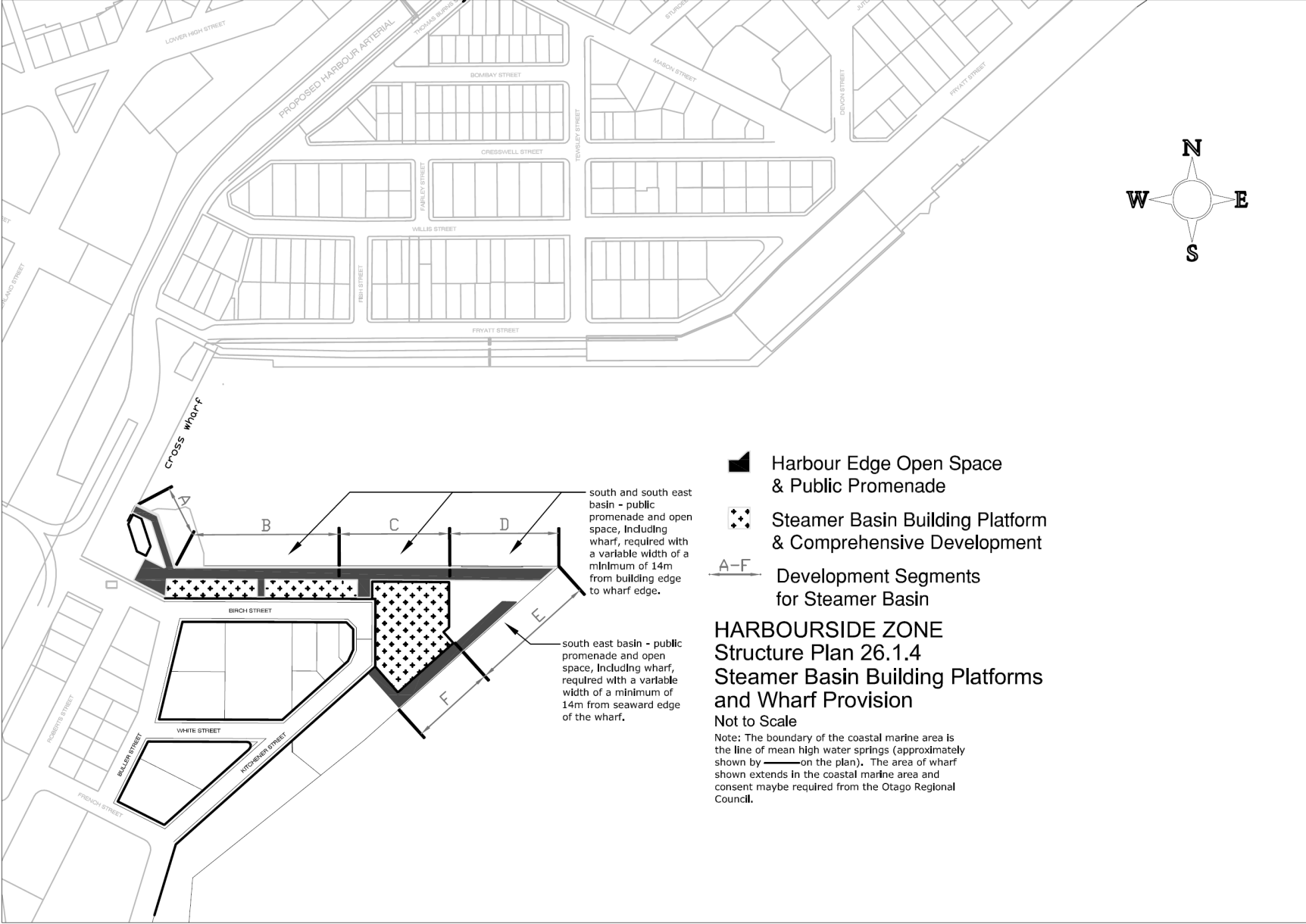
# Appendix 26.1.2: Harbourside Structure Plan



## Appendix 26.1.3: Harbourside Structure Plan



# Appendix 26.1.4: Harbourside Structure Plan



## Appendix 26.2: Harbourside Design Code

# Introduction

The Dunedin Harbourside has been identified as an area of significant potential for redevelopment within Dunedin City. The vision for the harbourside area is that of a people-focused mixed-use environment, where enhanced public access to the harbour edge is the stimulus to a vibrant and thriving place to visit, work and live in.

### Purpose of Design Code

As the harbourside area redevelops, new activities will be introduced to the harbourside area, which over time will affect its look and character. This Design Code is intended as a tool to manage and influence the outcome of changes to the built form and character of harbourside, consistent with the identified character areas to create a quality environment. The intention of the Design Code is to optimise the quality of the Harbourside Zone urban environment and encourage adaptive re-use and development that will enhance the area as a vibrant people-oriented place.

The illustrations in the code are intended to support the text by explaining principles. They are not intended to represent actual design solutions.

### Relationship to District Plan

The design code forms part of the District Plan and is the basis for design assessment of controlled, discretionary (restricted or unrestricted) and non-complying activities within the Harbourside Zone. The rules establish the minimum performance standards for development while the design code will guide the qualitative outcomes.

Applicants are required to demonstrate a commitment to maintaining and extending the present and/or intended character of the Harbourside Zone. Provided that this intention is supported and the design code is followed, designers have a degree of flexibility in the preparation of development proposals.

# Structure of Design Code

This document begins with an urban character description of the harbourside area and sets out the principles of urban design upon which ongoing development is to be based. It then establishes the design criteria for new development and alterations, including design criteria specific to each identified character area. Finally, it sets out the design criteria specific to residential buildings and harbour edge public open space and wharf structures.

## Definition of public space

The wharf area in the harbourside area is currently in private ownership with limited public access based upon working wharf areas. As the area is developed for activities that move away from a working wharf area to a recreational and people oriented place, any space to which the public has generally unrestricted access in effect becomes public. These areas are marked on the Structure Plan in Appendix 26.1.2 as public open space.

It is intended that public open space forms an integral part of the urban form and as development occurs these areas will be set aside and retained as public open space. These spaces will be vested in public ownership upon subdivision.

Public space, or the public realm, refers to all areas to which the public has access – including streets and accessways, pedestrian routes, squares and wharves that are part of a private development.

## Character Area Boundaries





# Urban Character Descriptions

The opportunity for the public to access the harbour edge is a primary focus of the harbourside vision.

Central to this is Steamer Basin, traditionally the heart of the working port and the City's early gateway for both trade and new immigrants. This inlet forms the closest part of the Otago Harbour to Dunedin's city centre and its proximity offers the best opportunity for the public to access and enjoy the water's edge and the indigenous wildlife that uses the harbour in the inner city. Creating and maintaining a high quality active public water edge will attract businesses, visitors and residents to the area and in so doing enhance its vibrancy and spur further development in adjoining areas.

Integral to the development of a cohesive harbour edge character is the development that occurs in the **South and South East Steamer Basin Character Areas**.

Traditionally the hub of port activities, the wharf sheds performed an intermediary function between land and sea transport. In doing so they also formed a barrier to public access to the wharves. With the shift in function towards recreational use and redevelopment of the Steamer Basin, improved public access will be encouraged by activities that facilitate public use at ground floor level, and by a series of view shafts through the wharf-side buildings creating direct public pedestrian access connecting Birch Street to the water's edge.

The Slipway Operational Area operates on the south eastern end of the Steamer Basin at the terminus of the Birch Street and Kitchener Street wharves in the Steamer Basin South East. The slipway extends over a large open area which is generally free of built structures. The area provides an important focal point for the Steamer Basin. In the long-term, should the slipway cease to operate, parts of Birch Street and Kitchener Street wharves previously utilised by the slipway will provide an important public open space at the point and pedestrian linkages between the Steamer Basin along Kitchener Street. The Slipway Operational Area extends beyond the area actually occupied for slipway activities and overlaps with the adjoining building platform to provide flexibility in design for use of the balance of the site. While operational, the slipway may be accessed along the Kitchener Street wharf which will be of a sufficient width to facilitate sharing with other users of the space.

# Urban Character Descriptions

The buildings along the Steamer Basin South and Steamer Basin South East frame the edges to the Steamer Basin and play a major role in defining its character. Building footprints for new development adhere to the narrow strip of land traditionally occupied by wharf sheds, between the wharves and the streets that run parallel to them. The design code guides the creation and enhancement of this character, and encourages a high level of public interaction between the ground floor level activities and the wharves alongside them.

It is intended that new development reflects and enhances the port/maritime heritage of this location, and that this character is maintained and carried through to redevelopment of the wharves. The rules and criteria are designed to create buildings in the same location as the wharf sheds and of a similar mass. In order to allow greater visibility of the water from Birch Street, additional gaps between the buildings are allowed and extensive use of glazing is encouraged.

The harbour edge is divided into a series of development segments with developers required to refurbish or rebuild the wharves to a prescribed standard concurrently with the development of the buildings alongside them in each segment. The majority of the wharf structures are located in the coastal marine area, which falls within the jurisdiction of the Otago Regional Council. To establish a cohesive urban design for the harbour edge area, it is essential that both the wharf design is integral with the design of the wharf edge buildings, and that the wharf segments collectively create a continuous and cohesive harbourside promenade where a variety of opportunities are created for public interaction with the water's edge.

The remaining character area of harbourside is the **Mixed Use Character Area**, occupying the flat reclaimed area behind the Steamer Basin South Character Area.

As the area develops, the Harbourside Zone rules anticipate a move away from the predominant single storey port/industrial sheds to facilitate mixed use buildings of up to three, and in some cases four, stories in height. In many cases, however, the existing building fabric makes a positive contribution to the streetscape and character of the area. The design criteria of this design code encourage creative solutions that retain character buildings, amidst complementary additions and new infill buildings.

# Urban Character Descriptions

On the south side of the Steamer Basin the **Mixed Use Character Area** includes the blocks south of Birch Street and north of French Street, where buildings are more modern industrial buildings with open yards.

Cumulatively the mix of styles and forms in the Mixed Use Character Area creates a distinctive streetscape character. Industrial features such as exposed brick and concrete surfaces contribute to a robust industrial quality, and new development is required to complement this. Allowance is made for residential and commercial activities to be introduced alongside the traditional industrial and service uses.

Improving accessibility from the inner city to the Steamer Basin and pedestrian permeability within the harbourside is regarded as vital step towards creating a sustainable mixed-use environment. The harbourside vision envisages that Mason Street will eventually be linked to the Steamer Basin by new pedestrian streets/walkways to improve connectivity. The more westerly of these creates a direct link between the railway footbridge and the harbour edge, and will be a key pedestrian link from the city centre to the Steamer Basin.

In addition to the harbour edge wharf/promenade, other new public spaces are encouraged.

A waterfront square at the junction of the Steamer Basin and the Cross Wharf would form a widening in the harbour edge promenade at the closest point to the centre of the city. The absence of contiguous harbour edge development platform here ensures good year round solar penetration. The final design of this space could provide for public gatherings, street theatre and other outdoor performance as well as varied options for the public to engage with the water's edge. The opportunity could be taken to create a new link from Willis Street to the waterfront between Fish Street and Tewsley Street. This could be aligned with Fairley Street or could be nearer to the centre of the block. Through the block links may also occur within buildings (arcades) or through private courtyards, where access can be controlled.

# Principles

Development within harbourside is based on the following key urban design principles. All applications are required to demonstrate how these principles are achieved.

## Design Coherence

A new building or public space should have its own design coherence and integrity. Rather than an ad-hoc assemblage of forms and materials to meet rules or guidelines, each development should demonstrate its own inherent design integrity and coherence that integrates and optimises all relevant design criteria.



*Coherent corner site, mixed use*

Design coherence should not however detract from a building's relationship to its context.

Additions to existing buildings should be sympathetic with the expression of the original building. Where additions are made to scheduled heritage buildings the design and integrity of the original building must be respected.

However it is neither necessary nor desirable to replicate the style and appearance of heritage buildings or other existing buildings. Such techniques can undermine the integrity and authenticity of both the original building and the streetscape context. New façades can be innovative and reflect contemporary culture and technology while still relating to their context by such means as reflecting the vertical and horizontal articulation and rhythm of neighbouring buildings, or sympathetic contrast in materials or form.

The harbour edge, including the refurbished wharves and associated areas, over time, is to become a continuous public promenade. It must therefore exhibit a high level of overall design coherence and integrity in terms of architectural detail, spatial transitions and materials and fixtures, as its various segments are refurbished or rebuilt in independent stages. Particular importance is therefore placed on the first segments developed, as these will set the tone for future segments.

# Principles

## Relationship to Context

All development should consider and respect the local context, including both the local streetscape and the broader neighbourhood. The aim is to recognise the unique qualities and sense of place of the harbourside setting, and respond to and enhance these qualities in new development and alterations.

In the harbourside area, the sense of place and character is derived from a combination of the harbour edge setting, a strong historical pattern of building orientation and alignment, and robust port industrial buildings and structures. As the areas changes towards a wider



*Frvatt Street North*

mix of use, a more intimate rhythm and scale to the built form is anticipated. The challenge is to compliment and enhance the traditional character by such means as the use of similarly robust materials, reference to traditional forms or features and the retention of key elements of existing built fabric.

Developments in prominent locations, or accommodating activities of public significance, should consider the context of the city. Public significance is determined in terms of social and cultural relevance to the broader community of the activity. Buildings located along the harbour edge, should consider the visual prominence of the location and the impact on vantage points from across the Harbour.

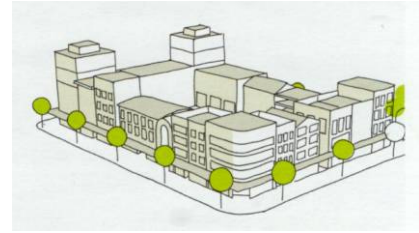


*Robust traditional character*

# Principles

## Perimeter Block Layout

The historical development pattern in the harbourside area has tended towards buildings occupying entire sites. This has created a perimeter block layout with buildings fronting the street edge, and with no side yards between buildings.



*The Block*

This has proven efficient and effective for port/industrial uses and is also most suitable for a vibrant mixed-use, pedestrian focused environment. The perimeter block layout serves to clearly define and reinforce the street and public space layout and creates an uninterrupted street frontage optimal for a pedestrian-friendly active edge condition.

To reinforce the perimeter block layout, new development should be built at full height to the edge of the street (or other public space such as a wharf, square or pedestrian lane) across the full width of the site. Large or random edge setbacks should be avoided. The



*The Core*

complex shapes or prominent location of particular sites may be recognised and expressed through a limited set back from the street edge. This must maintain the general pattern and coherence of street edge definition, and create a positive open space that demonstrably contributes to the wider system of public space.

Private and shared open amenity space is aggregated in the core of the blocks creating sheltered courtyards that provide natural light and ventilation amenity to the buildings.

Deep sites with narrow frontages are not readily adapted to perimeter block layout and where such sites exist amalgamation of titles or joint ventures incorporating neighbouring sites are recommended.

# Principles

## Active Edges

Buildings lining the edges of streets and other public spaces contribute towards the character, quality and attractiveness of the street or public space. Collectively they define the setting for the activities that take place there.



*Active identified pedestrian frontage*

Active edges are established by a strong emphasis on both visual and physical connections at the public-private interface, generally the street side façade of a building at ground floor level. Such active building edges provide a sense of occupancy and natural surveillance and contribute towards the visual interest and safety required to attract passers-

by and in doing so, enhance the vitality of the adjacent public spaces.

This principle is essential in streets with identified pedestrian frontages, where people orientated activities are encouraged. It is also important for frontages to other streets, wharves, squares, view shafts and pedestrian walkways. Where residential use occurs at ground floor level, the visual and physical connections between public and private realms needs to be more subtle in order to retain natural surveillance (eyes on the street) over the street, while attaining an acceptable level of privacy for the residents.

Distinctive entrances to buildings along a street frontage add to streetscape character and invite public interaction. Residential entrances onto the street should incorporate devices such as canopies, overhangs or recesses to create transition zone between public and private zones.

Large areas of blank wall, parking forecourts, or multiple vehicle accessways are discouraged along active edges where they inhibit pedestrian engagement and interaction.

# Principles

## Building Scale and Rhythm

As the harbourside area is redeveloped the underlying rules will over time result in a relatively high level of consistency in terms of the bulk and scale of the built environment. It is vital that a rich and varied range of expression tempers this consistency.

In the Steamer Basin Character Areas, the total development footprint is required to be expressed as a minimum number of contiguous, distinctly expressed, buildings.

For each of the remaining character areas within harbourside an overall maximum width of street frontage per building is recommended in the design criteria section of this code, beyond which single developments are required to express a façade as two (or more) separate architectural entities.



*Rhythm and scale on George Street*

These measures enable the retention (or formation) of a prevailing rhythm and intimacy to the streetscape without any one building becoming overly dominant, and reduce the likelihood of a single architectural gesture being overly repeated.

Vertical and horizontal modulation with façades allows for further articulation and expression. Careful alignment of the horizontal bands across a building can enable a new building to pick up the grain of a traditional street without mimicking the form.



*Vertical and horizontal articulation*

For perimeter block development, the street façade is the primary element of the building as seen from the public realm. As new buildings extend to the new height limits they will in some instances stand out above their neighbours. In addition, a number of corner sites have been identified where an extra storey is permitted in order to accentuate the corners and add variation to the overall bulk and scale of the urban blocks. It is important to give attention to all façades visible from public places. Design of the roof, often considered the fifth elevation to a building, should also be considered in this respect.



# Principles

## Building Scale and Rhythm (continued)

All harbourside character areas have a prescribed maximum height as well as a prescribed maximum number of floors. The purpose of this is to provide the designer latitude for the expression of roof form, and scope to easily accommodate and conceal mechanical services. In no circumstances should additional floors be crammed into the overall maximum height permitted.

## Appropriate Parking and Servicing

As the harbourside area makes a transition from port industrial activities to a mixed-use environment there will be a change in demand for parking. Onsite parking is often inactive and unattractive and an undesirable activity at ground level where visible from public spaces. It is also undesirable within buildings along their ground level frontages to public places.

Where on-site parking is required or provided, it should not conflict with or compromise the quality of the street edge, or the status of the main pedestrian entry to the building. Parking should be located at the rear of buildings, below ground, or in some cases at first or second floor level within buildings. Under no circumstances should onsite parking be provided in parking forecourts between buildings and the street or public space. Parking should also be avoided at ground floor level along street or public space frontages within buildings.

***Note:** Semi basement parking (a half level below ground) is often very compatible with residential uses directly above in that the extra half level up creates a desirable interface between street and residence.*

The main entrances to buildings should always address the street and not parking courtyards in the centre of blocks.

Carparking is not generally regarded as an appropriate use for a heritage building, however there are a number of warehouse and industrial buildings in the harbourside that could be adapted for parking. As options for parking within Steamer Basin character areas are very limited, arrangements may need to be made for meeting onsite parking needs in other nearby locations outside the Steamer Basin character areas.

# Principles

## Personal Safety

Safety is an essential element of successful open spaces and can be supported by adopting the principles of Crime Prevention Through Environmental Design (CPTED).

Key components include:

- Active building edges where a sense of security is provided by way of natural passive surveillance over public space.
- A mix of uses at sufficient density to ensure that streets and other public spaces are well used throughout the day and evening.
- A clear delineation between public spaces that are open to the public, and on-site communal spaces that are private or semi private, particularly in residential developments. The former should be open to all, the latter access-controlled to maintain safety and security. Any through site links should be designed to have a reasonable proportion of active edge.
- Effective night-time lighting with the emphasis on clearly lighting the main pedestrian routes and spaces with multiple low level light sources. This avoids the intensity and glare produced by fewer brighter light sources which can make it harder to see into darker zones of contrast further from the light source. Light spill from shop front windows can enhance the attractiveness and safety of the street edge, when shop keepers are encouraged to keep their lights on throughout all hours of darkness.
- Avoid dark recesses or shrubs, low trees or larger objects, which offer refuge and concealment for undesirable activities.
- Provide escape routes to all publicly accessible spaces to allow exit from any potential threat.
- Avoid grilles and 'jail bars' for lock up to shops and other ground level premises. Security facilities should ideally be an unimposing and integrated part of the shop front design.

# Harbourside Design Criteria

The following design criteria apply the design principles to all Character Areas and all development:

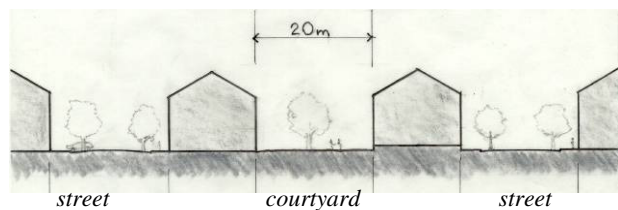
## HDC 1: Site Layout

### *Steamer Basin Character Areas - General Criteria*

- Buildings should be built to the front edges of both the street and the wharf, as defined by the building platforms shown on Structure Plan in Appendix 26.1.4, with third and forth levels permitted to span over, and frame, identified view shafts between building platforms.
- Identified view shafts should provide 24-hour public access through buildings at ground level to connect Birch Street and the harbour edge wharf promenade.
- Distinctive building frontages (as opposed to backs) should address both the street and wharf sides of the buildings.

### *Mixed Use- General Criteria*

- Buildings shall occupy the full width of their site at full height at the street frontage.
- Buildings feature public fronts addressing the street and private backs with private open space(s) for residential and other uses aggregated in the centre of the block
- Buildings are aligned with the street edge.



- Back to back distances between buildings containing residential and commercial activities across rear courtyards should be not less than 20m (excluding balconies/decks/terraces up to 3m in depth). In order to achieve this separation distance new residential and commercial development should be a minimum of 10m from rear boundaries.

## HDC 1: Site Layout (continued)

- Vehicle access, where permitted, should be kept to the minimum dimension while serving the maximum number of vehicles.
- Building over vehicle access lanes is encouraged at upper floor levels so as to create a gateway through the building as opposed to a gap between buildings.

## HDC 2: Built Form

### General Criteria for New Buildings

- The expression of form and character of harbour edge buildings should be sympathetic with the port and harbour edge context.



- Façades visible from streets and other public places, including wharves, should be varied in rhythm and modulation to break down the impact of the bulk and scale of the built form.



*Varied rhythm and modulation*

- Windows, excepting those at ground floor level along identified pedestrian frontages, should generally have a vertical dimension greater than the horizontal dimension – a recommended ratio is between 1.5:1 and 2:1.
- Windows should be set in from the façade to express the thickness of the wall and articulate the façade or have facings built out to achieve a similar effect.
- For each character area the rules define maximum height both in terms of metres and a maximum number of floors. The maximum number of floors should not be exceeded with any additional height available intended to allow for the expression of roof forms and concealment of mechanical plant.

**HDC 2: Built Form (continued)*****Steamer Basin South***

- Development over the entire Steamer Basin South Character Area should be expressed as a minimum of four distinct buildings (the 'buildings' may adjoin but are required to appear as architecturally distinct).
- Three storeys are permitted over the full floor plate up to a maximum height of 13m. A fourth storey is permitted over 75% of the floor plate up to a maximum height of 15m.
- The visual impact of the fourth floor should be broken up through techniques such as stepping in from the main building façade line; incorporating the fourth floor into the roof element; or introducing capping elements to the roofline.

***Steamer Basin South East***

- Development over the Steamer Basin South East Character Area should be expressed as one or more distinct buildings (the 'buildings' may adjoin but are required to appear as architecturally distinct).
- No one building should contain more than 60% of the maximum gross floor area for the building platform.
- Three storeys are permitted over the full floor plate up to a maximum height of 13m. A fourth storey is permitted over 75% of the floor plate up to a maximum height of 15m.
- Buildings should not exceed 80% coverage of the building platform making provision for 10% area dedicated to public accessible space.

**HDC 2: Built Form (continued)*****Mixed Use***

- For sites wider than 30m, buildings should be expressed as two or more distinct architectural entities of between 15 and 30m in width.

***Industrial Activities***

The following building form / site layout features are anticipated for new industrial development:

- Buildings fronting up to street boundaries for their entire street frontage.
- Visual engagement with the street at ground level by way of display windows or office windows.
- Main entrances directly to the street.
- Acknowledgement of scale and rhythm of streetscape to building as seen from street.
- Service yards and on-site outdoor parking located behind buildings.
- Access to rear service yards and rear parking through gateways in the street front building wall, as opposed to down lanes that create gaps in the street elevation.
- Containment of the visual and acoustic effects of the activity within the site by such means as high perimeter walls on shared boundaries with suitable level acoustic insulation in relation to the activity proposed.

### HDC 3: Additions and alterations to existing buildings

(Note to Plan Users: refer to Section 13 townscape for rules relating to buildings listed on Schedule 25.1, including additions and alterations)



*Sympathetic contrast*

- expression or reinforcement of the vertical hierarchy of 'base, middle and top', where relevant to the existing building.
- sympathetic contrast to existing forms and materials where appropriate.
- Respecting existing fenestration

A coherent relationship with the existing structure should be established by such means as:

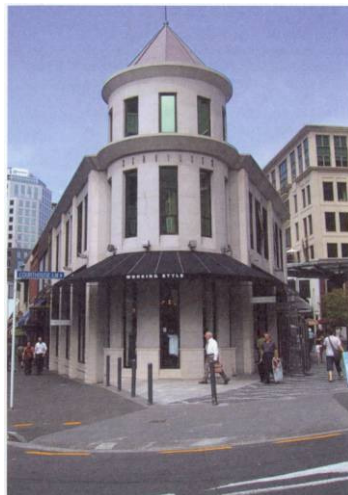
- common alignments, particularly vertical alignments of load bearing elements and centre lines of openings.
- use of common materials textures and colours.
- expression of common modules or elements of similar dimension and proportion.



*Retention of existing built fabric*

Additions and alterations to existing buildings containing industrial activities should adhere to the building form/site layout features outlined in HDC 2: Built Form – Industrial Activities and design principles where appropriate whilst still maintaining function and practicality of the building.

### HDC 4: Corner Sites

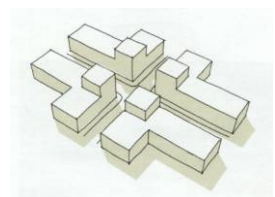


*Vertical emphasis and wrap around elements*

A corner site provides an opportunity to reinforce the street corner and add definition and emphasis to the streetscape. The role is recognised with selected corner sites (identified in the Structure Plan in Appendix 26.1.1) that provide for one additional storey.

Strong corner definition can be achieved by such means as:

- Giving greater emphasis to the vertical dimension.
- Feature elements including pediments, parapets, awnings or verandahs that wrap the corner.
- Mirrored features on opposite corners.



*Mirrored corners*

## HDC 5: Active Edges

Principal factors that contribute to achieving a high quality active edge for frontages where retail, restaurant and tourist related activities occur at ground floor level include:

- The frequency, location and design of entrances and windows at ground level. The proportion of ground level windows and openings should be generally well above 50% of the ground floor façade area.
- The continuity of the built frontage so as to avoid gaps between buildings and across footpaths for vehicle crossings or deep set backs for storage or parking.
- The provision of extra ceiling height at ground floor level to admit more light and create more volume to street edge premises.



*Active frontages with retail at ground level*

- The provision of entrance recesses that allow for ease of access and space to pause outside the main flow of pedestrian traffic while adding visual and spatial relief to the building frontage.

**Note:** Avoid narrow and deep recesses where poor sight lines make them vulnerable to undesirable behaviour. **Rule of thumb:** Entrance recess depth should not exceed width.

- Ease of transition between public and private space with no noticeable level change between the street and ground floorlevel activities.



## HDC 5: Active Edges (continued)

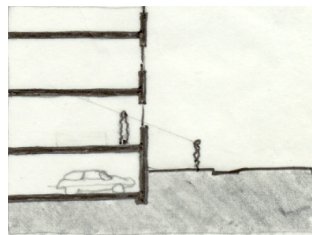
Factors that contribute to achieving a high quality active edge for areas that allow residential use at ground floor level include:



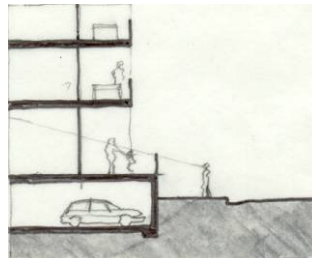
*Residential active frontage*

- Distinctive entrances that form suitable transition spaces between public and private areas. Separate entrances from the street to each ground floor level dwelling unit, or a shared entrance directly from the street to a grouping of upper level apartments, are recommended. Entrances may be set back into the building frontages to provide shelter at street level or entrance canopies or overhangs may encroach over the footpath. Entrances should not lead directly into the main living space.
- Outdoor spaces such as terraces and balconies facing the street and upper level windows from living areas facing the street to contribute to the sense of occupation, activity and surveillance.

**Rule of thumb:** *Where residential unit fronts the street, organise unit layout to provide a living, dining or kitchen area overlooking the street.*



*No Setback: Ground level privacy*



*Setback: Ground level privacy*

- The continuity of the built frontage so as to avoid gaps between buildings and across footpaths for vehicle crossings or deep set backs for storage or parking.
- Minimal widths for vehicle access ways through building frontages while providing for the maximum number of vehicles per access way.
- Where buildings are required to be built up to the street frontage, window sill levels for ground level residential units should not be less than 1800mm above ground level, whether the floor level is built at ground level or raised 1m above ground level.
- Where buildings are setback from the street, a rise in height from street level to open amenity space (between 600mm and 1200mm) is recommended in conjunction with a low fence, screen or hedge (600mm to 1000mm) along the edge of the amenity space fronting the street.

**Note:** *The provisions of the above two bullet points are to enable natural surveillance over the street while retaining suitable privacy for the residents. Where these provisions cannot be met in such cases as adaptive re-use of existing buildings as apartments, proposals will be assessed in terms of alternative methods proposed to ensure adequate privacy, natural light and views for residents while establishing passive surveillance over the public realm.*

**HDC 5: Active Edges (continued)*****Steamer Basin Character Areas***

Where the ground floor has a public use such as restaurant, café or hotel lobby facing the street or waterside, glazing and entrances shall generally have a surface coverage of above 40% of the ground level façade.

**HDC 6: Colours**

- Colours should be compatible with the harbourside context, with more subdued colours favoured over bright and primary colours.
- Colour schemes should compliment the architectural articulation of the building.
- Corporate colours should be modified where they don't achieve the above criteria.

**HDC 7: Materials**

- Cladding and construction materials shall be robust and durable so as to stand up to the port maritime environment and reflect the robustness of the traditional harbourside buildings.
- On upper floors, the frontages should be predominantly solid with voids for windows to reflect traditional fenestration patterns, as opposed to predominantly glazed walls.

**HDC 8: Signage**

- A single building name sign per façade may be incorporated into the building fabric above ground floor level. Such a sign should be integral with the fabric of the building and should not take the form of a signboard mounted onto a building.
- Placement and design of signage should respect and complement the architectural detailing and modulation of the building.
- Cut out lettering or relief signage is preferred to sign boards mounted onto building surfaces.
- Signage above ground floor level should be backlit or spotlit as opposed to being illuminated.

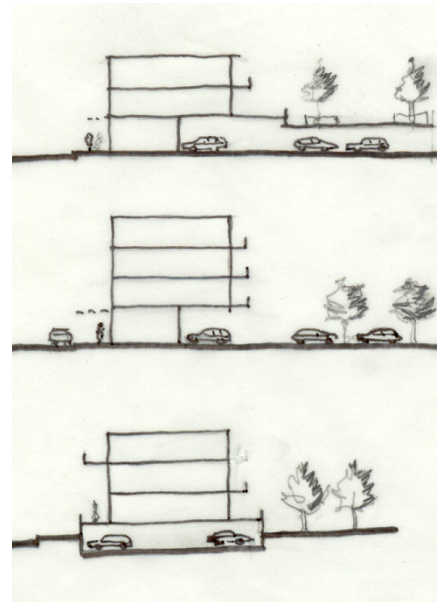


*Name incorporated into building fabric*

# Harbourside Design Criteria

## HDC 9: Car Parking

- Where car parking is provided on-site it should not impact on requirements for active edges or identified pedestrian frontages at ground floor. Acceptable solutions include:
  - Basement or semi-basement carparking
  - Parking at first floor level
  - Alternative arrangements to provide parking on a nearby site.
- On-site car parks should not occur between the street (or other public space) and the building frontage.
- Car parks should not occur on vacant front lots and buildings should not be demolished to create parking lots.



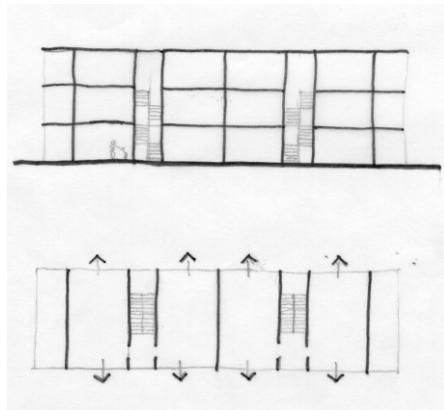
*Covered ground level, courtyard and semi-basement parking*

- Semi basement parking extending up to 1200mm above ground is acceptable at street frontages.

**RDC 1: Site layout**

The following site layout features are encouraged:

- Layouts where dwelling units address the street, with ground level dwelling units having individual entrances onto the street and upper level units having shared accessways with entrances direct to the street.
- A clear statement of entry (whether to individual units or to a shared lobby) as transition space between public and private realms.
- Visual diversity and variation to façades particularly where visible from the street.
- Emphasis on vertical circulation as opposed to shared horizontal corridors, with lobbies at each level providing access to ideally 2, and not more than 4, units.



*Vertical circulation*

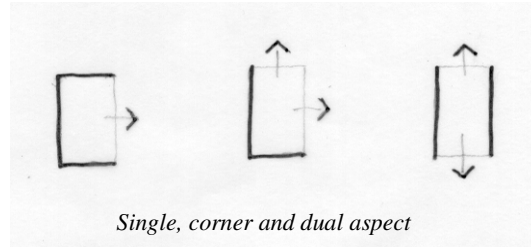
- Individual entrances directly to ground level/street for units located partially or entirely on ground floor level.
- Building depth generally between 9 and 14m.
- Shared or communal open space aggregated at the rear of buildings, in the centre of blocks.
- Buildings with fronts facing fronts (ideally across the street) and backs facing backs of neighbouring buildings.
- A minimum separation distance between the back of one building and the back of another of 20m. This excludes any balconies that project beyond the building edge.
- Landscaping incorporated into any communal open amenity space and outdoor on-site carparking.
- Optimum solar orientation to living spaces within units.
- Provision of secure weatherproof storage, including bicycle parking, easily accessible from ground level.
- Adequate and discrete/screened space for refuse and recycling storage (often best integrated with on-site parking provision).
- Minimising the number and width of vehicle access points and carefully integrating them into the streetscape where they occur.

The following building / site layout features should be avoided:

- Access to dwellings from lengthy access lanes perpendicular to the street.
- Access to apartments via long internal corridors or external circulation balconies.
- Shared internal corridors of less than 1.4m in width.
- Parking in shared amenity open space courtyards.
- Refuse and recycling storage near shared or communal entries.
- High blank walls screening dwelling units or their private open spaces from the street or other public space.

## RDC 2: Residential Unit/Apartment Layout

The following unit layout features are encouraged:



- Dual or corner aspect unit layouts to achieve cross ventilation and optimal day lighting.
- A living, kitchen or dining area overlooking the street to promote good passive surveillance.
- Ground floor dwelling units with a floor level of a minimum 1m above street level and windowsills a minimum of 1.8m above ground level.
- The use of passive and/or active solar design techniques and other design mechanisms to encourage energy efficiency.
- The internal layout and design of the residential unit/apartment should take into account the existence of non-residential activities on the adjoining site or building and the potential impacts upon the internal living environment.

The following unit layout features should be avoided:

- Habitable rooms that rely on daylight and outlook through a living area (except in cases where the bedroom is at a mezzanine level).
- Single aspect layouts where the apartment depth/maximum distance from windows exceeds 8m.
- Main entrances/front doors directly into living areas.

# Residential Design Criteria

## RDC 3: Private/Shared open amenity

- Each dwelling unit at ground floor (or where the main living area is at ground floor) shall have a private open amenity space in accordance with the following:
  - a minimum area of 24m<sup>2</sup> and be capable of containing a 4m diameter circle.
  - not obstructed by buildings, parking spaces, shared vehicle access or manoeuvring areas.
  - directly accessible from the main living room of the residential unit.
  - located to the north, east or west of the residential unit.
- Each dwelling unit above ground floor shall have either:
  - a primary open amenity space of 6m<sup>2</sup> in the form of a deck or terraced areas with direct access to a living area, or
  - access to a shared communal space at ground or roof level of 12m<sup>2</sup> per dwelling unit.
- For dwelling units with two or more bedrooms, decks as primary open amenity space are to have a minimum depth of 2m and a minimum area of 6m<sup>2</sup>
- For studio apartments and one bedroom dwelling units, decks as primary outdoor amenity space are to have a minimum depth of 1.6m and a minimum area of 2.5m<sup>2</sup>.
- Private open amenity spaces should be screened from adjoining private open amenity spaces for the full adjoining depth.
- In designing the location of amenity open space, consideration should be given to activities and their operations occurring on adjoining sites and the opportunities to mitigate any potential impact upon enjoyment of the amenity open space where relevant.

# Harbour Edge Public Open Space & Wharf Structure Design Criteria

## HDC 1: Harbour Edge Public Open Space

The development of public open space will be assessed in terms of the standard of the following characteristics:

- Facilitation of continuous access along the Steamer Basin harbour edge.
- Integration of the wharf, buildings and activities to create an area for public interaction.
- Interaction between ground floor activities within buildings and public open spaces, including the wharf.
- The ability to undertake a wide and varied range of opportunities for the public to interface with water's edge, such as pontoons, marinas, small boat moorings and kayak launching, broad steps or terracing into the water.
- Creation of spaces that facilitate shelter from prevailing winds by such means as level changes and transparent screens.

## HDC 2 – Wharf Design

The development or refurbishment of wharves will be assessed in terms of the following characteristics and standards:

- In the Steamer Basin South and South East Character Areas, a minimum wharf width of 14m of which up to 6m on the landward side can be leased for commercial purposes.
- For that part of the Kitchener Street Wharf in the Steamer Basin South East Character Area a minimum wharf width of 14m from the water edge of the wharf applies. This area should be maintained clear of buildings to provide access for pedestrians and possible access to the Slipway Operational Area while it is operational.
- In the Steamer Basin South, a maximum width of 4.2m of the redeveloped or refurbished wharf may be used for ground level residential open amenity provided that this occurs landward of the sea wall and that the floor level of the residential area is a minimum of 800mm above the public wharf level.
- The ability to facilitate a wide and varied range of opportunities for the public to interface with the water edge such as pontoons, marinas, small boat moorings and kayak launching, broad steps or terracing into the water.
- The cohesiveness of design with the building alongside it, both visually and physically, so as to foster interaction with ground floor use.
- The cohesiveness of the design of each segment of wharf with adjoining sections including materials fixtures and design detail.

**Nb.** Where a segment of wharf is contiguous to another segment that has been previously rebuilt/refurbished, the new segment will be evaluated in terms of the extent to which it integrates visually and materially with the contiguous segment.

# Harbour Edge Public Open Space & Wharf Structure Design Criteria

## HDC 2: Wharf Design (continued)

- The durability and robustness of surface materials and suitability for range of non-motorised activities including strolling, cycling, roller-blading, wheelchairs and pushchairs.
- The provision of wharf fixtures including wharf edge railing, fendering, bollards lighting, seating, and surface materials designed to compliment the port/maritime ambience required of the wharf side buildings.
- The provision of wharf fixtures including wharf edge railing, fendering, bollards lighting, seating, and surface materials of suitably robust and durable construction for the harbour edge environment.
- The suitability for berthage of recreational vessels.

**Note: 1.** All wharves are required to be free of structures and obstructions above wharf level such as kiosks or ticket booths, with the exception of the Tewsley Street pontoon/breakwater where one minor building is anticipated.

**2.** The current (2006) wharf structure straddles mean high water springs and therefore any use of the structure as esplanade falls partially outside the jurisdiction of the Dunedin City Council.

- The quality and durability of the wharf construction.
- Design and construction of wharf shall incorporate the following:
  - New Zealand Building Code Requirements, with a minimum structural (operational) life of 50 years.
  - AS 4997-2005 being the Guidelines for Maritime Structures.
  - AS 3962-2001 being the Guidelines for Design of Marinas.

## HDC 3: Harbour Edge Wharf and Open Space Lighting

The provision of wharf and open space lighting will be assessed in terms of the following characteristics and standards:

- An optimal standard of components for a marine environment.
- The provision of even, moderate levels of lighting at ground level of between 150 and 200 lux on average, achieved by multiple light sources, avoiding intense glare with zones of relative darkness and obscurity. This should not however prevent special feature lighting to objects and features at higher level.
- White light sources are preferred to yellow low-pressure sodium sources.
- Light stands should be designed with a height, frequency and field of light, which does not intrude into residential or commercial windows and create large shadows or areas affected by glare. In general light stands should be spaced at not greater than 10m intervals with the light source not higher than 4.5m above wharf level.
- The contribution to ambient light levels from within shop fronts combined with either open grille shutters or toughened glass both as a safety measure and a means of contributing towards the ambient light levels in public spaces.



## Appendix 26.3: Harbourside Character Areas

