

In the Environment Court of New Zealand
Christchurch Registry

I Te Koti Taiao o Aotearoa
Ōtautahi Rohe

ENV-2018-CHC-270

Under	the Resource Management Act 1991 (RMA)
In the matter of	an appeal under clause 14(1) of the First Schedule of the RMA in relation to the proposed Second Generation Dunedin City District Plan (2GP)
Between	University of Otago Appellant
And	Dunedin City Council Respondent

Consent Memorandum

11 September 2020

Group 2c – Campus Zone Provisions	DCC appeal reference numbers 185, 187 & 198 (University of Otago)
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**anderson
lloyd.**

May it please the Court

- 1 This consent memorandum relates to three appeal points as follows:
 - (a) the University of Otago appeal point 185 regarding the definitions of 'Campus' and 'Campus Affiliated Office'; and
 - (b) the University of Otago appeal point 187 regarding providing for all retail and restaurants not just where ancillary to campus activity; and
 - (c) the University of Otago appeal point 198 regarding inclusion of the Campus Zone as a Centre in Objective 2.3.2.

- 2 The University of Otago appeal point 185 sought to:

Replace the definitions of Campus and Campus Affiliated Office with:

Campus:

The use of land and buildings for:

- *Teaching, training, learning and research*
- *Commercial activities, research, development and innovation that support or are supported by teaching, training, learning and research*
- *Associated staff and student facilities and administration activities*
- *Temporary activities and public amenities.*

- 3 The University of Otago appeal point 187 sought to:

- (a) *Make changes to provide for all retail and restaurants not just where ancillary to campus activity by:*

- (i) *Amending Policy 34.2.1.3 by deleting the words "ancillary to Campus"*

"Provide for retail and restaurant ancillary to campus activity where they are designed and operated in line with Objective 34.2.2 and its policies."

- (ii) *Deleting Policy 34.2.1.5 (policy sets out criteria for RD/D activities)*

~~*"Only allow restaurants not ancillary to campus activity, office (other than campus-affiliated office and registered health practitioners) and supported living facilities (other than student hostels) where:*~~

~~*a. they are related to, or are necessary to support campus activity, or have other operational requirements which mean they need to locate in this zone; and*~~

~~*b. they will support the efficient and effective operation of campus activity; and*~~

~~*c. they are not more appropriately located in another zone in line with Objective 2.3.2 and its policies; and*~~

~~d. — they are designed and operated in line with Objective 34.2.2 and its policies.”~~

- (iii) Amending Rule 34.3.3.16 (land use activity status table - Retail and restaurants ancillary to campus) by deleting the words "ancillary to Campus"

~~“Retail and restaurants ancillary to Campus – P- a Location”~~

- (iv) Deleting Rule 34.5.3.1 (location performance standard for retail and restaurants ancillary to campus)

~~“34.5.3 Location~~

~~1. For retail and restaurants ancillary to campus all customer access:~~

~~a. — must be internal to a building; or~~

~~b. — if located with direct external access, this external access must not be orientated to a street frontage, except for emergency only access/egress.”~~

- (b) Amending Policy 2.4.2.3 to include reference to the Campus Zone in paragraph a (allow office / retail in heritage buildings)

“a. enable a wider range of activities to be undertaken in scheduled heritage buildings in the Warehouse Precinct, Campus and the Smith Street and York Place zones);...”

- 4 The University of Otago appeal point 198 sought to:

- (a) Include the Campus Zone as a Centre in Objective 2.3.2

- (b) Amend Policy 2.4.2.3 to include reference to the Campus Zone in paragraph (a).

“a. enable a wider range of activities to be undertaken in scheduled heritage buildings in the Warehouse Precinct, Campus and the Smith Street and York Place zones);...”

- (c) Delete Policy 34.2.1.4.b

Limit the size of working from home and dairies in the Campus Zone to a size that:

a. is compatible with the character and amenity of the Campus Zone; and

~~*b. — does not detract from the vibrancy and functioning of the centres hierarchy.”*~~

- (d) Delete Policy 34.2.1.5.c

“Only allow restaurants not ancillary to campus activity, office (other than campus-affiliated office and registered health practitioners) and supported living facilities (other than student hostels) where:

- a. *they are related to, or are necessary to support campus activity, or have other operational requirements which mean they need to locate in this zone; and*
- b. *they will support the efficient and effective operation of campus activity; and*
- c. ~~*they are not more appropriately located in another zone in line with Objective 2.3.2 and its policies; and*~~
- d. *they are designed and operated in line with Objective 34.2.2 and its policies.”*

5 There are no s274 parties to these appeals.

6 The parties have agreed the changes to the Plan shown in Appendix A:

7 The rationale for the changes, and the assessment of the changes in terms of section 32, is explained in the attached affidavit of Emma Christmas, a senior policy planner at Dunedin City Council.

8 This is a partial settlement of the appeals. The appeal reference points, topics and status of proceedings for the unresolved University of Otago appeal points are as follows:

- (a) Group 2c Heritage precinct provisions and mapping (215, 236), resolved at mediation
- (b) Group 2c Campus - Campus Zone provisions (190, 196), resolved at mediation
- (c) Group 2c Campus - Campus Zone provisions (191), scheduled for mediation
- (d) Group 3a Commercial – Harbourside Edge Zone (203), resolved at mediation
- (e) Group 3a Amendments to relocatable buildings provisions and reinstatement of minimum floor level provisions (205), not yet scheduled for mediation
- (f) Group 3b Hazardous substances provisions (213), not yet scheduled for mediation
- (g) Group 4a Heritage schedule changes (224), not yet scheduled for mediation
- (h) Group 4a Tree rules (241), not yet scheduled for mediation
- (i) Appeal points 206 and 246 have been withdrawn.

- 9 The agreed changes shown in **Appendix A** and are summarised in the Table below

Change	Provisions being amended to achieve	Consequential changes
1. Provide for some additional ancillary aspects of Campus and training and education (selling learning material) {Uni185}	1. Campus activity definition 2. Training and Education activity definition	None
2. Better provide for student support services as part of campus activity definition {Uni185}	1. Amend Campus definition to indicate range of student support services in definition and clarify that these services can be provided for by other parties (other than University and Otago Polytechnic)	None
3. Provide for training and education as a permitted activity in Campus Zone {Uni185}	1. Amend introduction (34.1) to mention Training and Education (TA) is provided for 2. Amend activity status table Rule 34.3.3 (new row X) to add visitor accommodation as a permitted activity 3. Amend Policy 34.2.1.2 to add TA to activities zone provides for	1. Amendment to Policy 34.2.1.5 to reflect training and education one of the types of office activities that are permitted 2. Echo change to Policy 34.2.1.5 in Rule 34.11.2.1, which paraphrases this policy.
4. Provide for retail ancillary to industry as a permitted activity in Campus Zone {Uni187}	1. Amend introduction (34.1) to mention Retail ancillary to Industry is (RAI) is provided for 2. Add new policy 34.2.1.X 3. Amend Policy 34.2.1.2 to add RAI to activities zone provides for 4. Amend activity status table Rule 34.3.3 (new row Y) to add Retail ancillary to Industry as a permitted activity (was previously included within "all other commercial activities"), subject to performance standard for Maximum Gross Floor Area. 5. Add new performance standard 34.5.4.2 for maximum gross floor area (same as that in 18.5.5.3)	1. Amend 34.9.3.3 to add new guidance for assessing contravention of the maximum gross floor area standard.
5. Amend activity	1. Amend introduction (34.1) to mention Visitor	1. Amendment to 6.11.2.4 (to link to

status of visitor accommodation from NC to RD in Campus Zone {Uni185&187}	accommodation (VA) provided for 2. Amend Policy 34.2.1.2 to add VA to activities zone provides for 3. Amend activity status table Rule 34.3.3 (new row Z) to add visitor accommodation as RD activity (was previously included within “all other commercial activities”), subject to performance standards for Density and Minimum vehicle loading 4. Add new performance standard for Density for VA (new rule 34.5.X with related standard advice note) 5. Add new performance standard for vehicle loading (new Rule 34.5.Y with related standard advice note) 6. Amend Rule 34.10.3 (row 2 and new row X) to add matters of discretion of effects on safety and efficiency of the transportation network, effects on accessibility and effects on surrounding site residential amenity. Linked to this is a new Policy 34.2.2.X (which reflects Policy 15.2.3.4) 7. Add new assessment rule 34.9.3.X to add matter of discretion for minimum vehicle loading	effects on accessibility as matter of discretion) 2. Add new Assessment Rule 34.11.3.X to assess non-compliance with new density standard as a discretionary activity and consequentially amend assessment rule 9.7.4.4 to add reference to the Campus Zone
6. Provide for Retail Hub at the ITS/Student Union complex by rezoning part of the Campus into the surrounding Suburban Centre {Uni187&198}	1. Mapping change – rezone area shown from Campus Zone to Suburban Centre Zone with a new Campus mapped area to allow special provisions for Campus activities in this area as follows: 2. Add Campus as permitted activity (Rule 18.3.3) 3. Exemption to minimum car parking (rule 18.5.6) in line with new NPS-UD 4. Amendment to Maximum and minimum height standard (Rule 18.6.5.2) to retain height limit for the part of Campus mapped area north of Albany Street, with breach of 25-40m as	1. Add new policy 18.2.3.X for discretionary and non-complying height breaches in the Campus mapped area. 2. Amend assessment rule 18.9.4.6 to refer to the new assessment rule for height in the Campus mapped area north of Albany Street. 3. Add new assessment rule 18.9.6.X for restricted discretionary height

	restricted discretionary, and breach of 40m non-complying (and consequential amendments of new Policy 18.2.3.X, amended assessment rule 18.9.4.6, and new assessment rules 18.9.6.X and 18.12.4.X) 5. Amendment to Ancillary signs performance standard (Rule 18.6.13) to retain previous exemption for signs that are ancillary to campus activity that are not visible from outside of the Campus Zone and exemptions for building names (excluding sponsorship names). 6. New matter of discretion 'Effects on the efficient and effective operation of Campus' (Rule 18.10.5.X) for subdivision activities in the Campus mapped area 7. Amend the definition of Campus to include reference to the new Campus mapped area 8. Amend 34.1 Campus Zone introduction to mention the new Campus mapped area	breaches in the Campus mapped area north of Albany Street. 4. Add new assessment rule 18.12.4.X for the assessment of non-complying height breaches in the Campus mapped area north of Albany Street.
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- 10 There is also a supporting affidavit of Dr Anna Louise Johnson the City Development Manager, Dunedin City Council that considers alignment with, and impact of, any changes on the strategic directions' objectives and policies (section 2 objective and policies); and the drafting of the proposed amendments to ensure alignment with the 2GP Style Guide. Dr Johnson confirms that the amendments proposed follow the DCC style guide.

Orders sought

- 11 The parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction, and conform to relevant requirements and objectives of the RMA, including Part 2 and request:
- (a) That the amendments shown in strikethrough and underline in **Appendix A** are made; and
 - (b) That the rest of the appeal remains to be addressed.
- 12 The parties agree that costs should lie where they fall and accordingly no order of costs is sought.

Dated this 11th day of September 2020



University of Otago

Appellant



Michael Garbett

Counsel for the Respondent

Appendix A

Amendments to Definitions

- 13 Amend the definition of Campus as follows:

Campus

The use of land and buildings by the University of Otago or the Otago Polytechnic, in the Campus Zone and in the **Campus mapped area {Uni187, Uni198}**, for the provision of teaching, training, learning, and research. For the sake of clarity, this includes:

- ancillary staff and student facilities and support services, including student and staff support services (examples are student health, well-being, legal, cultural, religious, job-seeking and budgeting services), student union offices, student and staff clubs and organisations (provided by the University of Otago, the Otago Polytechnic or other parties) {Uni185}
- activities shared with the Dunedin Hospital
- administration activities
- amenities for staff and students that would otherwise meet the definition of public amenities; ~~and~~
- temporary activities; and
- sales of any learning materials associated with, or necessary for, any courses offered by the University of Otago or Otago Polytechnic. {Uni185}

Campus is an activity in the major facility activities category.

- 14 Amend the definition of Training and Education as follows:

Training and Education

The use of land or buildings for the purpose of teaching and/or learning a vocation, skill, or subject of interest. This definition includes tertiary education carried out by the University of Otago or Otago Polytechnic outside of the Campus Zone and ancillary sales of any learning material associated with or necessary for the teaching or training offered. {Uni185}.

Examples are:

- language schools
- 'after school' tuition
- hairdressing schools
- other vocational training centres; and
- study centres.

This definition excludes activities defined as schools, early childhood education and campus.

Training and education is a sub-activity of office.

Amendments to Section 6 (Transportation)

15 Amend assessment rule 6.11.2.4 as follows:

Activity		Matters of discretion	Guidance on the assessment of resource consents
4.	- Visitor accommodation, including ancillary activities (residential zones, <u>Campus Zone {Uni185, Uni187}</u> and NEC, NECC) - Supported living facilities (residential zones)	a. Effects on accessibility	<i>Relevant objectives and policies:</i> i. Objective 6.2.2 ii. ...

Amendments to Section 9 (Public Health and Safety)

16 Amend assessment rule 9.7.4.4 as follows:

Activity		Guidance on the assessment of resource consents
4.	Density (visitor accommodation) in residential zones <u>and the Campus Zone {Uni185, Uni187}</u>	<i>Relevant objectives and policies (priority considerations):</i> 1. Objective 9.2.1 2. Development will not exceed the current or planned capacity of public water supply and/or wastewater infrastructure or compromise its ability to service any activities permitted within the zone (Policy 9.2.1.1.a). 3. Development will not lead to future pressure for unplanned expansion of public water supply and/or wastewater infrastructure (Policy 9.2.1.1.b).

Amendments to Section 18 (Commercial and Mixed Use Zones)

Section 18.2 Objectives and Policies

17 Add new policy 18.2.3.X as follows:

In the **Campus mapped area** north of Albany Street, only allow buildings and structures over 25m in height where:

- a. the height is essential to the effective and efficient operation of campus activity;
- b. they are designed to minimise as far as practicable adverse effects of shading and wind on pedestrian amenity; and
- c. effects on the skyline vista of the city, particularly as viewed from Dunedin's inner hill suburbs across the harbour towards the Otago Peninsula, are minimised as far as practicable through the use of quality and contextually appropriate architectural design. {Uni187, Uni198}

Section 18.3 Activity Status

18 Amend Rule 18.3.3 (land use activity status table) as follows:

1.	Performance standards that apply to all land use activities	a. Acoustic insulation (noise sensitive activities) b. Electrical interference c. Light spill d. Location e. Noise f. Maximum gross area of centre (NEC, NECC, NEDC and RC only) g. Setback from National Grid (National Grid sensitive activities only)			
Major facility activities		Activity status			Performance standards
		a. CBD	b. PC/SC/RC/NEDC	c. NECC/NEC	
22.	Emergency services	P	P	P	i. Minimum car parking
X.	<u>Campus in the Campus mapped area {Uni187, Uni198}</u>	<u>N/A</u>	<u>P</u>	<u>N/A</u>	

Section 18.5 Land Use Performance Standards

19 Amend Rule 18.5.6.1 (Minimum Car Parking) as follows:

18.5.6 Minimum Car Parking

1. Land use activities (other than in the Campus mapped area) {Uni187, Uni198} must provide on-site parking as follows:

20 Amend Rule 18.6.5.2 (Maximum and Minimum Height) as follows:

18.6.5.2 Maximum and Minimum Height

- a. New buildings and structures, and additions and alterations must comply with the following:

...

viii. Except:

1. ...
2. ...
3. In the **Campus mapped area** north of Albany Street:
 - i. The maximum height for new buildings, new structures and additions and alterations is 12m above ground level at the boundary of the **Campus mapped area** along road frontages, then following a plane rising at an angle of 30 degrees up to a maximum height of 25m.
 - ii. Rooftop structures are exempt from the performance standard for maximum height provided they do not exceed the maximum height limit by more than 5m.
 - iii. Activities that contravene the performance standard for maximum height but are no greater than 40m in height are a restricted discretionary activity.
 - iv. Activities that are over 40m in height are a non-complying activity.

{Uni187, Uni198}

- 21 Amend Rule 18.6.13.1 (Number, Location and Design of Ancillary Signs - General) as follows:

18.6.13 Number, Location and Design of Ancillary Signs

18.6.13.1 General

- a. Signs must comply with the following standards, except the following signs are exempt from these standards:
 - i. signs that are ancillary to campus activity that are not visible from outside of the **Campus mapped area**;
 - ii regulatory signs, warning signs, or directional signs; and
 - iii building names signs (excluding sponsorship names) in the **Campus mapped area**
- ~~a. Signs visible from a public place must meet all of the following performance standards:~~
- ~~b. i Rule 6.7.2 where Signs located on or above the footpath must comply with Rule 6.7.2.~~
- ~~c. ii Signs must comply with Rule 6.7.3 where visible from a road.~~
- ~~d. iii Signs must not be flashing within heritage precincts or the Harbourside Edge Zone or where visible from road reserves adjoining pedestrian street frontage mapped areas and must not be illuminated or digital within heritage precincts.~~
- ~~e. iv Signs higher than 4m above ground level must only display the business name.~~
- ~~f. v Signs must comply with Rules 18.6.13.2-18.6.13.6 (where relevant).~~

- ~~g. b~~ Signs related to restaurants ancillary to food and beverage retail 1,500m² or more in gross floor area, or trade related retail, in the Trade Related Zone must not be externally facing (i.e. must not be visible from a public place).
- ~~c. — Except regulatory signs, directional signs and warning signs that do not exceed 0.25m² are exempt from these standards.~~
- ~~h. d~~ Signs that contravene the performance standard for number, location and design of ancillary signs are restricted discretionary activities. **{Uni185, Uni 187}**

Section 18.9 Assessment of Restricted Discretionary Activities (performance standard contraventions)

22 Amend Rule 18.9.4.6 as follows:

6.	Height (Rule 18.6.5.2) - maximum and minimum height <u>(except as covered under 18.9.6.X below)</u> {Uni 187, Uni198}	a. Effects on streetscape amenity
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23 Add new assessment rule 18.9.6.X as follows:

18.9.6 Assessment of restricted discretionary performance standard contraventions in a pedestrian street frontage mapped area, overlay zone, mapped area, heritage precinct, or affecting a scheduled item			
Performance standard	Matters of discretion	Guidance on the assessment of resource consents	
X. <u>In the Campus mapped area north of Albany Street:</u>	<u>a. Effects on pedestrian amenity</u>	<u>Relevant objectives and policies:</u> i. <u>Objective 18.2.3</u> ii. <u>Buildings and structures minimise as far as practicable adverse effects of shading and wind on pedestrian amenity (Policy 18.2.3.X.b).</u>	
	<u>b. Effects on the efficient and effective operation of Campus</u>	<u>Relevant objectives and policies:</u> i. <u>Objective 18.2.3</u> ii. <u>Height is essential to the effective and efficient operation of campus activity (Policy 18.2.3.X.a).</u> <u>Related strategic directions</u> iii <u>Objective 2.3.1, Policy 2.3.1.4</u>	
	<u>c. Effects on views across Otago harbour</u>	<u>Relevant objectives and policies:</u> i. <u>Objective 18.2.3</u> ii. <u>Buildings and structures minimise as far as practicable adverse effects on</u>	

18.9.6 Assessment of restricted discretionary performance standard contraventions in a pedestrian street frontage mapped area, overlay zone, mapped area, heritage precinct, or affecting a scheduled item

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
		the skyline vista of the city, particularly as viewed from Dunedin's inner hill suburbs across the harbour towards the Otago through the use of quality and contextually appropriate architectural design (Policy 18.2.3.X.c). {Uni187, Uni198}

Section 18.10 Assessment of Restricted Discretionary Activities

24 Amend assessment rule 18.10.5 as follows:

18.10.5 Assessment of restricted discretionary activities in an overlay zone, mapped area, heritage precinct or affecting a scheduled item			
Activity		Matters of discretion	Guidance on the assessment of resource consents
X.	<u>In the Campus mapped area north of Albany Street:</u> <u>All subdivision activities</u> {Uni187, Uni198}	a. Effects on the efficient and effective operation of Campus	See Rule 34.10.5.1
		b. Effects on the efficiency and affordability of infrastructure	See Rule 9.6

Section 18.12 Assessment of Non-complying Activities

25 Amend rule 18.12.4 (assessment of non-complying development activities) as follows:

18.12.4 Assessment of non-complying development activities	
Activity	Guidance on the assessment of resource consents

18.12.4 Assessment of non-complying development activities

Activity	Guidance on the assessment of resource consents
X. <u>In the Campus mapped area north of Albany Street: Maximum and Minimum Height (Rule 18.6.5.2.a.viii.3)</u>	<u>Relevant objectives and policies (priority considerations):</u> a. Objective 18.2.2, Policy 18.2.3.X <u>Related strategic directions</u> a. Objective 2.3.1, Policy 2.3.1.6 b. Objective 2.4.1, Policy 2.4.1.5 {Uni187, Uni198}

Amendments to Section 34

Section 34.1

26 Amend section 34.1 Introduction paragraphs 5 & 6 as follows:

Land use activities provided for in the Campus Zone include lecture theatres, laboratories, libraries, joint venture facilities, administrative services, and staff and student facilities, including student and staff employment, health and well-being support services, student union offices, student and staff clubs and organisations. Outside the Campus Zone, activities carried out by the University of Otago and Otago Polytechnic ~~fall under~~ are provided for through other defined activities definitions, for example training and education activity, as well as in the **Campus mapped area**. The **Campus mapped area** extends across an area of the University of Otago Campus that is included in the Suburban Centre Zone that extends along Albany Street to enable the University of Otago's student services and retail hub in the Information Services Building/University Union complex. **{Uni187, Uni198}**

Within the Campus Zone, ~~s~~port and recreation, entertainment and exhibition, training and education, **{Uni185}** conference, meeting and function, standard residential, visitor accommodation **{Uni185&187}** and campus -affiliated office activities are also provided for, as well as a limited range of retail activity and restaurants where they are ancillary to campus activities, and retail ancillary to industry **{Uni187}**. Performance standards apply within the Campus Zone which appropriately manage adverse effects within the zone and on the surrounding environment.

Section 34.2 Objectives and Policies

27 Amend Policy 34.2.1.2 as follows:

Provide for:

- a. standard residential activity at an inner-city residential density, dairies, entertainment and exhibition and conference, meeting and function, training and education **{Uni185}**, activities; and
- b. visitor accommodation, **{Uni185&187}** student hostels, early childhood education, community and leisure, and sport and recreation activities; and

- c. industry activity and retail ancillary to industry **{Uni187}**;
where the effects of these activities will be adequately managed in line with Objective 34.2.2 and its policies.

28 Amend Policy 34.2.1.5 as follows:

Only allow restaurants not ancillary to campus activity, office (other than campus-affiliated office, ~~and~~ registered health practitioners and training and education **{Uni185}**) and supported living facilities (other than student hostels) where:

- a. they are related to, or are necessary to support campus activity, or have other operational requirements which mean they need to locate in this zone; and
- b. they will support the efficient and effective operation of campus activity; and
- c. they are not more appropriately located in another zone in line with Objective 2.3.2 and its policies; and
- d. they are designed and operated in line with Objective 34.2.2 and its policies.

29 Add new policy 34.2.1.X as follows:

Limit the scale of retail ancillary to industry to a size that:

- a. is clearly subordinate to and part of the operation of the primary industry activity;
- b. does not conflict with objectives 2.3.2 and 2.4.3; and
- c. does not create adverse effects on other industrial activities, for example from traffic, parking, or reverse sensitivity. **{Uni187}**

30 Add new Policy 34.2.2.X as follows:

Policy 34.2.2.X

Only allow visitor accommodation where it is designed and located to avoid or, if avoidance is not practicable, adequately mitigate, adverse effects on the amenity of surrounding residential properties. **{Uni185, Uni187}**

Section 34.3 Activity Status

31 Amend Rule 34.3.3 (Land Use Activity Status Table) as follows:

1.	Performance standards that apply to all land use activities	- Acoustic insulation (noise sensitive activities) - Electrical interference - Light spill - Noise
	Commercial activities	Activity status
9.	...	Performance standards

14.	Registered health practitioners	P	a. Minimum car parking
X.	<u>Training and education {Uni185}</u>	P	
15.	All other office activity	D	
Y.	<u>Retail ancillary to industry {Uni187}</u>	P	a. Maximum gross floor area {Uni187}
16.	...		
20.	Commercial advertising	NC	
Z.	<u>Visitor accommodation {Uni185, Uni187}</u>	RD	a. Density b. Minimum vehicle loading {Uni185, Uni187}

Section 34.5 Land Use Performance Standards

32 Amend Rule 34.5.4 (Maximum Gross Floor Area) as follows:

34.5.4.1 Maximum gross floor area of working from home and dairies {Uni187}

- a. The maximum gross floor area for working from home and dairies is 50m². For working from home this includes any internal or external area occupied for storage of materials or goods.
- b. Activities that contravene this performance standard are restricted discretionary activities.

34.5.4.2 Maximum gross floor area of retail ancillary to industry

- a. Retail ancillary to industry must not occupy more than 10% of the gross floor area of the industry activity.
- b. Activities that contravene this performance standard are restricted discretionary activities. {Uni187}

33 Add new land use performance standard 34.5.X Density and new Note 34.5.XA – General Advice as follows:

34.5.X Density {Uni185, Uni 187}

1. Visitor accommodation in the Campus Zone must not exceed a maximum development potential per site of 1 habitable room per 45m².
2. Visitor accommodation that contravenes the performance standard for density is a discretionary activity.

Note 34.5.XA - General advice {Uni185, Uni187}

1. Maximum development potential may not be achievable on all sites as site size, shape, topography, and design will all influence development potential.

- 34 Add new land use performance standard 34.5.Y Minimum Vehicle Loading and new Note 34.5.YA – Other relevant District Plan provisions as follows:

34.5.Y Minimum Vehicle Loading {Uni185, Uni187}

1. Land use activities must provide on-site vehicle loading as follows:

<u>Activity</u>		<u>Minimum vehicle loading</u>
a.	<u>Visitor accommodation with more than 50 visitor accommodation units</u>	<u>1 loading space to accommodate the turning circle of a coach (See Appendix 6B, Figure 6B.12).</u>

2. Activities that contravene this performance standard are restricted discretionary activities.

Note 34.5.YA - Other relevant District Plan provisions

1. Vehicle loading must comply with the vehicle loading design performance standards in Section 6.6: Parking, Loading and Access Standards.

Section 34.9 Assessment of Restricted Discretionary Activities (Performance Standard Contraventions)

- 35 Amend Assessment Rule 34.9.3 as follows:

Activity		Matters of discretion	Guidance on the assessment of resource consents
X.	<u>Maximum gross floor area (retail ancillary to industry)</u> <u>{Uni187}</u>	a. <u>Effects on the vibrancy, and economic and social success of CBD and centres</u> b. <u>Effects on ability of other industrial activities to operate</u>	<u>Relevant objectives and policies:</u> <u>Objective 34.2.1</u> <u>The size of retail ancillary to industry:</u> <u>is clearly subordinate to and part of the operation of the primary industry activity;</u> <u>does not conflict with objectives 2.3.2 and 2.4.3 ; and</u> <u>does not create adverse effects on other industrial activities, for example from traffic, parking, or reverse sensitivity (Policy 34.2.1.X)</u>

36 Add new Assessment Rule 34.9.3.X as follows:

Activity		Matters of discretion	Guidance on the assessment of resource consents
X.	<u>Minimum vehicle loading</u> <i>{Uni185, Uni187}</i>	<u>a. Effects on the safety and efficiency of the transport network</u>	<u>See Rule 6.10</u> <i>{Uni185, Uni187}</i>

Section 34.10 Assessment of Restricted Discretionary Activities

37 Amend Assessment Rule 34.10.3.2 as follows:

Activity		Matters of discretion	Guidance on the assessment of resource consents
2.	• Early childhood education • Community and leisure - large scale • <u>Visitor accommodation</u> <i>{Uni185, Uni187}</i>	a. Effects on the safety and efficiency of the transport network	See Rule 6.11

38 Add new Assessment Rule 34.10.3.X as follows:

Activity		Matters of discretion	Guidance on the assessment of resource consents

X.	<u>Visitor accommodation</u> {Uni185, Uni 187}	a. <u>Effects on surrounding sites' residential amenity</u>	<u>Relevant objectives and policies:</u> i. <u>Objective 34.2.2.</u> ii. <u>Visitor accommodation is designed and located to avoid or, if avoidance is not practicable, adequately mitigate, adverse effects on the amenity of surrounding residential properties (Policy 34.2.2.X).</u> <u>Potential circumstances that may support a consent application include:</u> iii. <u>Communal outdoor gathering areas are located or screened to minimise effects on adjacent residential properties.</u>
		b. <u>Effects on accessibility</u>	<u>See Rule 6.11</u>

Section 34.11 Assessment of Discretionary Activities

39 Amend Assessment Rule 34.11.2.1 as follows:

Activity	Guidance on the assessment of resources consents
1. - Office (other than campus- affiliated office and registered health practitioners) - Restaurants not ancillary to campus - Supported living facilities (other than student hostels)	<u>Relevant objectives and policies (priority considerations):</u> a. Objective 2.3.1 b. Objective 34.2.1 c. Restaurants not ancillary to campus activity, office (other than campus affiliated office, and registered health practitioners <u>and training and education {Uni185}</u>) and supported living facilities (other than student hostels): i. ...

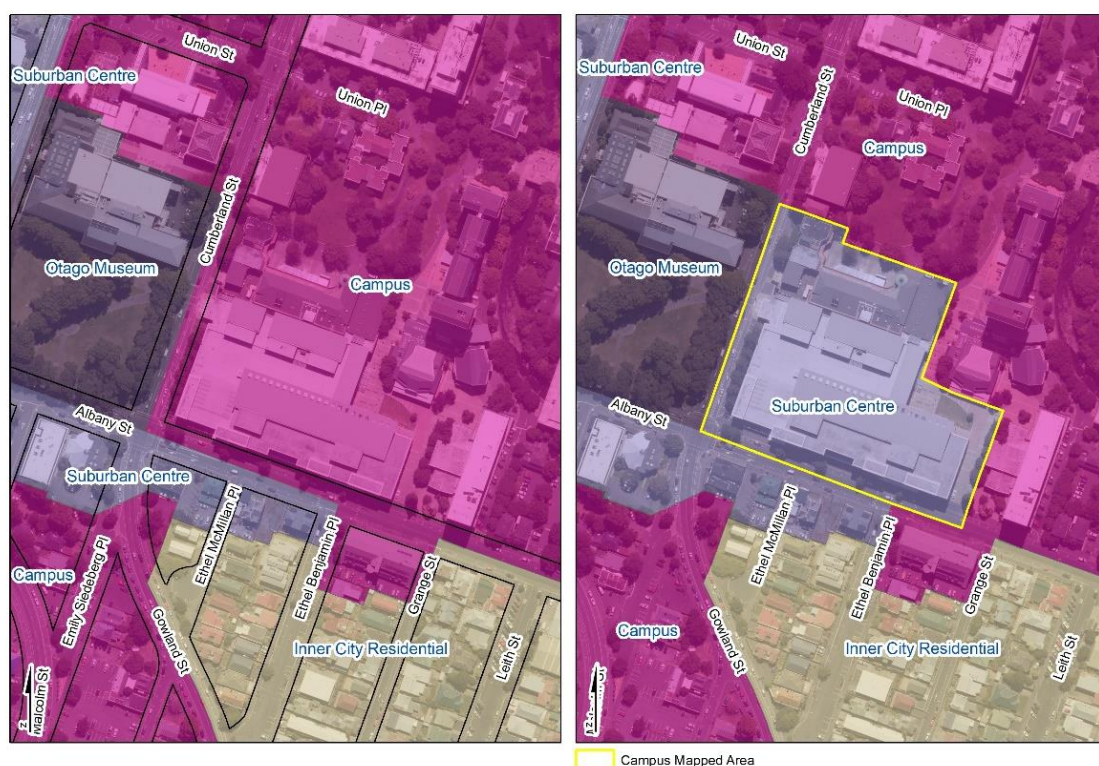
40 Add new Assessment Rule 34.11.3.X as follows:

Performance standard	Guidance on the assessment of resource consents

X.	Density {Uni185, Uni187}	Objective 34.2.2 and Policy 34.2.X <u>Relevant guidance from other sections (priority considerations):</u> a. See Section 9.7 for guidance on the assessment of resource consents in relation to Objective 9.2.1 and effects related to the efficiency and affordability of infrastructure.
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Amendments to Planning Map

- 41 Rezone the area edged yellow from Campus to Suburban Centre zoning, and add a new overlay called “**Campus mapped area**” to the same area. {Uni187, Uni198}



- 42 Make any consequential changes to Plan numbering as required. Minor referencing and style changes may also be made for consistency with the 2GP formatting.