

12. Transitional Provisions

12.1 Introduction

Future urban land may be required over the timeframe of the Second Generation Plan (2GP) in order to respond to population and business growth.

In response to this issue, the strategic directions chapter of the 2GP outlines the objectives and policies that guide when and where urban expansion should occur, including the criteria that were used to identify the transitional areas. The strategic directions are based on the Dunedin Spatial Plan's goal of being a compact city with resilient townships, and the objectives and policies contained within.

A number of preferred areas for transition to or between urban uses are identified in the 2GP, and rules included which provide for their transition/re-zoning if and when they are required due to a shortage of land available in existing zoned areas. Such areas include:

1. areas for future General Residential 1 zoning, which have been identified in a General Residential 1 Transition Overlay Zone (GR1TZ);
2. areas for future Industrial zoning, which have been identified in an Industrial Transition Overlay Zone (IndTZ); and
3. areas for future Harbourside Edge zoning, which have been identified in a Harbourside Edge Transition Overlay Zone (HETZ).

The transition of land is being managed through requiring a resolution of the Council (meaning the elected body) which:

1. for transition to residential zoning, considers:
 1. the need for land (using a five year forward projection) based on current capacity information and other relevant evidence on changes in the land market; and
 2. the general housing market including trends in land values;
2. for all transitional zones, considers:
 1. the availability of infrastructure; and
 2. the design and staging of the development.

12.2 Objectives and Policies

Objective 12.2.1

Land within the General Residential 1 Transition Overlay Zone is able to be released and developed in a coordinated way as General Residential 1 land, when there is a need for additional residential land to accommodate growth.

Policy 12.2.1.1	<p>In the General Residential 1 Transition Overlay Zone (GR1TZ) provide for land to transition from rural or rural residential zoned land to General Residential 1 zoned land through a resolution by the Council when all of the following are met:</p> <ol style="list-style-type: none"> the Council is satisfied that the amount and location of land reflects both: <ol style="list-style-type: none"> an appropriate amount of land based on projected land needs in the catchment for a five year period; and an appropriate location based on a logical staging of development from the point of infrastructure provision; and the Council is satisfied that the design of the proposed development as outlined in a structure plan or other development plan, appropriate for the scale of development, will meet the relevant objectives and policies of this Plan; and the average market value of residential properties (as measured by Quotable Value) has not decreased in the residential catchment area in the last, not less than three-monthly, assessment cycle; and in the relevant residential catchment area either: <ol style="list-style-type: none"> the residential capacity falls below 50 sites (see Appendix 12A for catchment areas and Appendix 12B for methodology for calculating capacity); or there is other evidence that there is significant land shortage in the residential catchment area. for priority 2 GR1TZ land, a minimum of 70% in area of priority 1 General Residential 1 Overlay Zone (GR1TZ) land has been released, and adjoining priority 1 GR1TZ land has been subdivided into residential sized sites.
Policy 12.2.1.2	Avoid land use activities that may inhibit future use of General Residential 1 Transition Overlay Zone (GR1TZ) land for residential activity, including mining and landfill activity, or other rural activities that might create contaminated land.
Policy 12.2.1.3	Only allow forestry and factory farming in the General Residential 1 Transition Overlay Zone (GR1TZ) where these activities will not inhibit future use of the land for residential activity.
Policy 12.2.1.4	<p>Only allow subdivision where:</p> <ol style="list-style-type: none"> after land has been released by a resolution of Council, it is in accordance with the objectives and policies of the General Residential 1 Zone; or prior to land being released, the subdivision will not undermine or inhibit the future development of the area as residential land.

Objective 12.2.2

Land within the Harbourside Edge Transition Overlay Zone is able to be released and developed in a coordinated way as Harbourside Edge zoned land when there is a need for additional land to accommodate growth.

Policy 12.2.2.1	<p>In the Harbourside Edge Transition Overlay Zone (HETZ), provide for land to transition from industrial zoned land to Harbourside Edge zoned land through a resolution by the Council when all of the following are met:</p> <ul style="list-style-type: none"> a. the Council is satisfied that the amount and location of land reflects both: <ul style="list-style-type: none"> i. an appropriate amount of land based on projected land needs for a five year period; and ii. an appropriate location based on a logical staging of development from the point of infrastructure provision; and b. the Council is satisfied that the design of the proposed development as outlined in a development plan, appropriate for the scale of development, will meet the relevant objectives and policies of this Plan; and c. either: <ul style="list-style-type: none"> i. at least 70% of the sites, including any proposed sites that are still in the process of subdivision, have been re-developed; or ii. there is other compelling evidence that there is significant shortage of Harbourside Edge zoned land;
Policy 12.2.2.2	<p>Only allow subdivision where:</p> <ul style="list-style-type: none"> a. after land has been released by a resolution of Council, it is in accordance with the objectives and policies of the Harbourside Edge Zone; or b. prior to land being released, the subdivision will not undermine or inhibit the future development of the area as Harbourside Edge-zoned land.

Objective 12.2.3

Land within the Industrial Transition Overlay Zone is able to be released and developed in a coordinated way as industrial zoned land when there is a need for additional land to accommodate growth.

Policy 12.2.3.1	<p>In the Industrial Transition Overlay Zone (IndTZ), provide for land to transition from rural zoned land to industrial zoned land through a resolution by the Council when all of the following are met:</p> <ul style="list-style-type: none"> a. the Council is satisfied that the amount and location of land reflects a logical staging of development from the point of infrastructure provision; and <ul style="list-style-type: none"> i. there is sufficient existing or planned and approved transport, wastewater and stormwater infrastructure capacity to accommodate industrial development; and b. the Council is satisfied that the design of the proposed development, as outlined in a development plan appropriate for the scale of development, will meet the relevant objectives and policies of this Plan.
Policy 12.2.3.2	<p>Only allow subdivision where:</p> <ul style="list-style-type: none"> a. after land has been released by a resolution of Council, it is in accordance with the objectives and policies of the industrial zone; or b. prior to land being released, the subdivision will not undermine or inhibit the future development of the area as Industrial-zoned land.

12.3 Rules for Transitional Overlay Zones

Rule 12.3.1 Release of General Residential 1 Transition Overlay Zone land

1. In a General Residential 1 Transition Overlay Zone (GR1TZ), the provisions of the General Residential 1 Zone will apply to any part of that zone that is "released" through a resolution of the Council to that effect.
2. The Council must only resolve to release land in a General Residential 1 Transition Overlay Zone (GR1TZ) once:
 - a. the Council is satisfied that the amount and location of land reflects both:
 - i. an appropriate amount of land based on projected land needs in the catchment for a five year period; and
 - ii. an appropriate location based on a logical staging of development from the point of infrastructure provision; and
 - b. the Council is satisfied that the design of the proposed development as outlined in a structure plan or other development plan, appropriate for the scale of development, will meet the relevant objectives and policies of this Plan; and
 - c. the average market value of residential properties (as measured by Quotable Value) has not decreased city wide or in the **GR1TZ Overlay Catchment** area in the last assessment cycle; and
 - d. in the relevant **GR1TZ Overlay Catchment** area, either:
 - i. the residential capacity falls below 50 sites (see Appendix 12A for **GR1TZ Overlay Catchment** area and Appendix 12B for methodology for calculating capacity); or
 - ii. there is other evidence that there is significant land shortage in the residential catchment area; and
 - e. for priority 2 GR1TZ land, a minimum of 70% in area of priority 1 GR1TZ Overlay Zone (GR1TZ) land in the **GR1TZ Overlay Catchment** area has been released, and adjoining priority 1 GR1TZ land has been subdivided into residential sized sites.

Rule 12.3.2 Release of Harbourside Edge Transition Overlay Zone land

1. In a Harbourside Edge Transition Overlay Zone (HETZ), the provisions of the Harbourside Edge Zone will apply to any part of that zone that is "released" through a resolution of the Council to that effect.
2. The Council must only resolve to release land in a Harbourside Edge Transition Overlay Zone once:
 - a. the Council is satisfied that the amount and location of land reflects both:
 - i. an appropriate amount of land based on projected land needs for a five year period; and
 - ii. an appropriate location based on a logical staging of development from the point of infrastructure provision; and
 - b. the Council is satisfied that the design of the proposed development as outlined in a development plan, appropriate for the scale of development, will meet the relevant objectives and policies of this Plan; and
 - c. either:
 - i. at least 70% of the sites, including any proposed sites that are still in the process of subdivision, have been re-developed; or
 - ii. there is other compelling evidence that there is significant shortage of Harbourside Edge zoned land.

12.3.3 Release of Industrial Transition Overlay Zone land

1. In a Industrial Transition Overlay Zone (IndTZ), the provisions of the Industrial Zone will apply to any part of

that zone that is "released" through a resolution of the Council to that effect.

2. The Council must only resolve to release land in a Industrial Transition Overlay Zone once:
 - a. the Council is satisfied that the amount and location of land reflects both:
 - i. an appropriate location based on a logical staging of development from the point of infrastructure provision; and
 - ii. any necessary public infrastructure is available, including any necessary infrastructure upgrades are completed or a programme of upgrades is agreed between the Council and the developer; and
 - b. the Council is satisfied that the design of the proposed development as outlined in a development plan, appropriate for the scale of development, will meet the relevant objectives and policies of this Plan.

Rule 12.3.4 Information requirements Transition Overlay Zones

Subdivision in a Transition Overlay Zone must have a structure plan or other development plan that shows, as a minimum, the following:

1. allotments;
2. stages of development;
3. roads; and
4. public infrastructure.

Rule 12.3.5 Assessment of Discretionary Activities

1. Discretionary activities will be assessed in accordance with section 104 and 104B of the RMA meaning Council may grant or refuse the application, and, if granted, may impose conditions.
2. Rule 12.3.5.3 provides guidance on how a consent application for the listed discretionary activities will be assessed, including:
 - a. relevant objectives and policies that will be considered as a priority with respect to s104(1)(b)(vi); and
 - b. general assessment guidance, including any effects that will be considered as a priority.

12.3.5.3 Assessment of discretionary activities in a Transition overlay zone

Activity	Guidance on the assessment of resource consents
a. In a General Residential 1 Transition Overlay Zone (GR1TZ) : <ul style="list-style-type: none"> • Factory Farming • Forestry 	<p><i>Relevant objectives and policies:</i></p> <ol style="list-style-type: none"> a. Objective 12.2.1 b. Forestry and factory farming are only allowed in the General Residential 1 Transition Overlay Zone (GR1TZ) where these activities will not inhibit future use of the land for residential activity (Policy 12.2.1.3) <p><i>General assessment guidance:</i></p> <ol style="list-style-type: none"> c. Council will consider the location and scale of the activity in assessing the likelihood that the activity may render the site, or any surrounding sites that are zoned as GR1TZ land, unable to be developed as General Residential 1 Zone land when required.

Rule 12.3.6 Assessment of Non-complying Activities

1. Non-complying activities will be assessed in accordance with section 104, 104B and 104D of the RMA meaning Council may grant or refuse the application, and, if granted, may impose conditions.

2. Rule 12.3.6.3 provides guidance on how a consent application for the listed non-complying activities will be assessed, including:
- relevant objectives and policies that will be considered as a priority with respect to s104(1)(b)(vi); and
 - general assessment guidance, including any effects that will be considered as a priority.

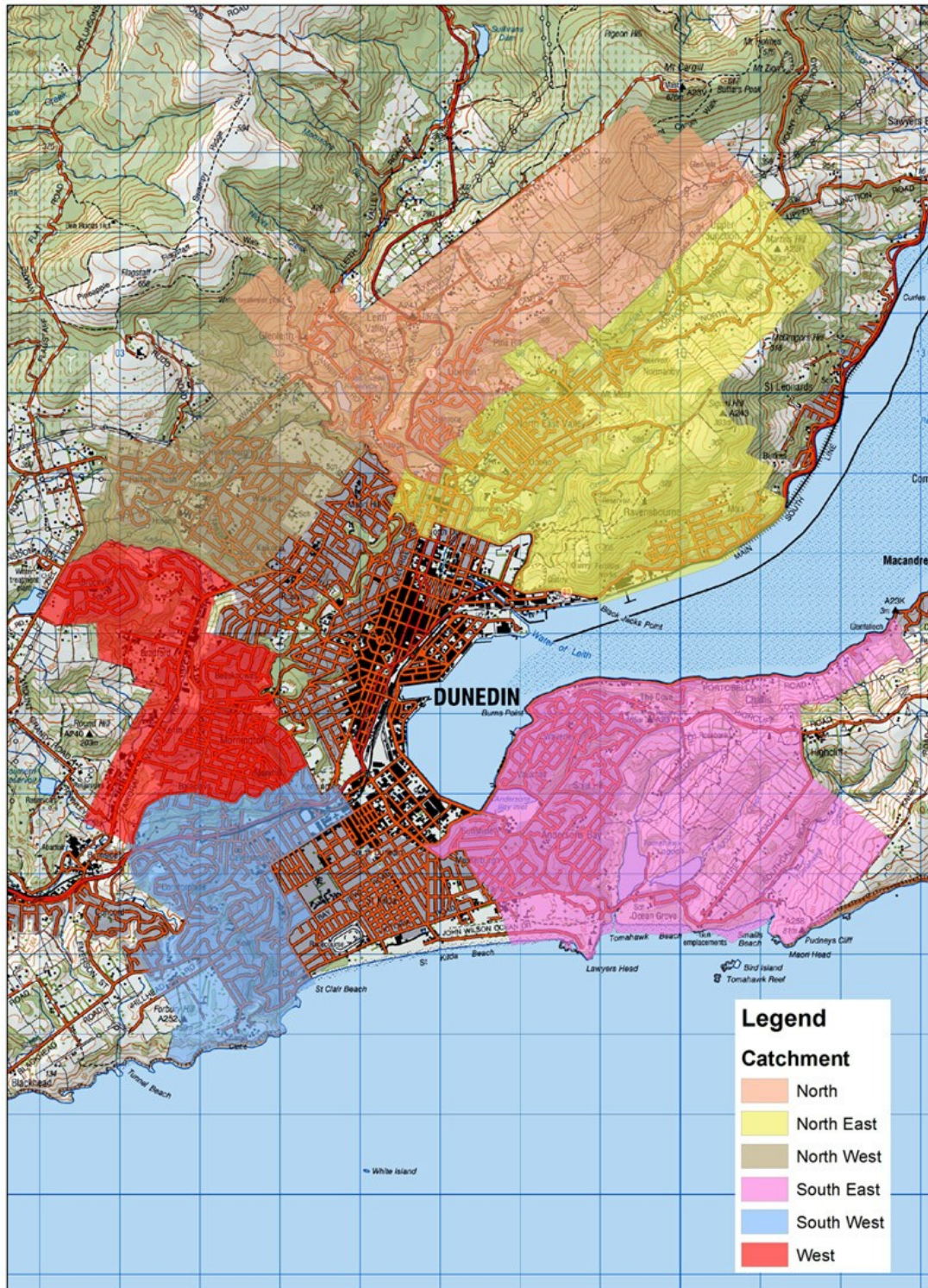
12.3.6.3 Assessment of discretionary activities in a Transition overlay zone

Activity	Guidance on the assessment of resource consents
<p>a. In a General Residential 1 Transition Overlay Zone:</p> <ul style="list-style-type: none"> • Mining • Landfill 	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ol style="list-style-type: none"> Objective 12.2.1 Land use activities that may inhibit future use of General Residential 1 Transition Overlay Zone land for residential activity are avoided, including mining and landfill activity, or other rural activities that might create contaminated land (Policy 12.2.1.2). <p><i>General assessment guidance:</i></p> <ol style="list-style-type: none"> Council will consider the location and scale of the activity in assessing the likelihood that the activity may render the site, or any surrounding sites that are zoned as GR1TZ land, unable to be developed as General Residential 1 Zone land when required.

Appendices

Appendix 12A

General Residential 1 Transition Overlay Zone Catchments



Appendix 12B

General Residential 1 Transition Overlay Capacity Methodology

1. The methodology for determining the residential capacity of a General Residential 1 Transition Overlay Zone (GR1TZ) catchment is firstly to remove land in public ownership, and land with an area divided by perimeter ratio of less than 3, from the land to be considered. From the balance of the residential zoned land in the relevant General Residential 1 Transition Overlay Zone (GR1TZ) catchment, the residential capacity is the sum of the following:
 - a. The total number of vacant sites with an area between 100 and 1000m², and less than 10 years old; and
 - b. For vacant sites with an area between 100 and 1000m², and 10 years or older, 80% of the total number of sites; and
 - c. For vacant sites with an area of 1000m² or more, and 5 years or older, 10% of the number of potential sites (total land area divided by 700); and
 - d. For vacant sites with an area of 1000m² or more, and less than 5 years old, the total number of potential sites (total land area divided by 700); and
 - e. For occupied sites with an area of 1000m² or more, 2% of the total number of potential sites (total land area less any existing residential development, divided by 700).

