

15. Residential Zones

15.1 Introduction

Dunedin's residential environments are diverse in character and include a range of housing types ranging from apartments to stand-alone residential buildings. This diversity stems from the prior zoning regimes and will continue through the approaches proposed in the Second Generation Plan (2GP).

These residential environments are an important resource for the city and contribute to the social, economic, and cultural well-being of people. The types and condition of housing, and the services available to it are important considerations in determining the distribution of resources and providing attractive residential environments. Developing residential environments that maintain and improve people's enjoyment of residential amenity is key.

In achieving this, of importance is the development of an urban form that ensures that Dunedin remains compact, with resilient townships, and sustainably managed urban expansion. The city has a limited amount of residential land, and so to facilitate a more compact form, it needs to be ensured that development is undertaken in a suitable manner. Also, changing demographics, including an aging population and an increase in single person households, has led to a requirement for greater flexibility in the size and type of dwelling options available throughout Dunedin.

Inappropriate land use, subdivision, and development in residential areas can adversely affect the character and amenity of Dunedin's residential environments and is a major concern. Furthermore, commercial activities that do not support the day-to-day living of residents and which detract from residential character and amenity need to be avoided.

In response to these issues, the 2GP proposes to encourage the development of attractive, safe and compact residential environments through controlling matters including the siting of appropriate activities in residential zones, the design, location and scale of land use activities and buildings, the avoidance of certain activities in sensitive locations, and impacts on the efficiency and affordability of infrastructure, services, and the transport network.

This management approach proposed in the 2GP will result in residential zones that support the needs of residents, provide a range of housing types and sizes; maintain and improve amenity values; enhanced streetscapes; maintain and enhance efficient and affordable water and waste infrastructure networks; enable land use activities that are accessible by a range of travel methods, and contribute to compact living environments.

In addition to the various residential zones, it is noted that hazard and heritage overlays apply to parts of Dunedin's residential environment. The various residential zones proposed in the 2GP are briefly described below.

15.1.1 Zone descriptions

15.1.1.1 General Residential 1

The General Residential 1 Zone covers the city's hill suburbs and valleys of the main urban area of Dunedin and Mosgiel and is characterised by low density suburban residential living.

15.1.1.2 General Residential 2

The General Residential 2 Zone covers defined areas within the city's suburbs of the main urban area of Dunedin and Mosgiel. It is characterised by existing or proposed medium density suburban residential living and provides for a range of housing choices throughout the suburban area. Within this zone, the rules differ between those existing and proposed new medium density areas on recognition of the existing or surrounding built form.

15.1.1.3 Inner City Residential

The Inner City Residential Zone covers the residential area near the campus and between the town belt and the central business district. It is characterised by existing or proposed medium density residential living and provides for a range of housing choices close to the central area of Dunedin. With good access to public transport and facilities this environment supports opportunities for higher densities of development than other areas of the City which also allows for different forms of development. Within this environment particular areas that contain dwellings with high heritage characteristics are identified as residential heritage precincts and will have additional rules to protect heritage values.

15.1.1.4 Low Density Residential

The Low Density Residential Zone is a smaller subset of the main urban Dunedin suburban environment, and has slightly larger sites than the General Residential 1 Zone. It is characterised by a more spacious and open suburban environment.

15.1.1.5 Large Lot Residential 1

The Large Lot Residential 1 Zone includes a small number of residential areas which needed to be developed at a lower density to maintain bush or open areas, or because of land instability issues.

15.1.1.6 Large Lot Residential 2

The Large Lot Residential 2 Zone includes a small number of residential areas that needed to be developed at a lower density, with large sites, either to maintain bush or open areas, because of land instability issues, or to maintain the amenity values of the surrounding area.

15.1.1.7 Township and Settlement

The Township and Settlement Zone is a mix of larger residential settlements supported by a commercial area, and smaller residential areas that are not attached to a commercial centre and are generally located between townships, particularly along the coast. These areas are characterised by low density environments, and provide for further sites where fully serviced by DCC infrastructure, and development on larger sites that are not fully serviced by DCC infrastructure.

15.2 Objectives and Policies

Objective 15.2.1	
Residential zones are primarily reserved for residential activities and only provide for a limited number of compatible activities, including: visitor accommodation, community activities, major facilities, and commercial activities that support the day-to-day needs of residents.	
Policy 15.2.1.1	Provide for a range of residential and community activities, where the effects of these activities can be managed in line with objectives 15.2.2, 15.2.3, 15.2.4, and 15.2.5 and their policies.
Policy 15.2.1.2	Provide for a limited range of commercial activities, including dairies, registered health practitioners, training and education, and visitor accommodation where the effects of these activities can be managed in line with objectives 15.2.3 and 15.2.4, and their policies.
Policy 15.2.1.3	Limit the size of working from home and dairies in residential zones to a size that: <ol style="list-style-type: none"> is compatible with the character and amenity of the residential zone; and does not detract from the vibrancy and functioning of the centres hierarchy.
Policy 15.2.1.4	Require activities ancillary to visitor accommodation to be located and designed to cater to patrons of the primary activity rather than the general public.
Policy 15.2.1.5	Avoid commercial activities, other than those expressly provided for, from locating in residential zones, unless: <ol style="list-style-type: none"> the activity will not detract from the vibrancy and functioning of the centre's hierarchy; and the <u>site</u> is adjacent to a centre and it provides a logical extension to a centre; and the centre is at, or very close to, capacity; and the site development is done in accordance with the performance standards of the street typology (if relevant) of the adjacent centre zoned sites; and the development maximises opportunities for integration with the centre; or if the <u>site</u> is in the township and settlement zone: <ol style="list-style-type: none"> the commercial activity would have significant positive effects in terms of supporting the needs of the community and visitors to the area; and the activity is unable to be located in, or adjacent to, the nearest centre, or no centre exists within the relevant township or settlement; and the location is appropriate for the proposed activity; and any adverse effects from noise, vehicle movements, and on-street parking supply can be avoided or, if avoidance is not possible, adequately mitigated.
Policy 15.2.1.6	Avoid industrial activities, rural activities, and major facilities other than those expressly provided for, sport and recreation that involves motor vehicles, and any other activities not compatible with the character and amenity of the residential zone.

Objective 15.2.2

Residential activities, development, and subdivision activities provide high quality on-site amenity for residents.

Policy 15.2.2.1	Require residential development to achieve a high quality of on-site amenity by: <ol style="list-style-type: none"> providing functional, sunny, and accessible outdoor living spaces that allow enough space for on-site food production, leisure, and recreation; having adequate separation distances between residential buildings; retaining adequate open space uncluttered by buildings; and having adequate space available for service areas.
-----------------	--

Objective 15.2.3

Activities in residential zones maintain a good level of amenity on surrounding residential properties and public spaces.

Policy 15.2.3.1	Require buildings and structures to be of a height and setback from boundaries that ensures there are no more than minor effects on the sunlight access of current and future residential buildings and their outdoor living spaces.
Policy 15.2.3.2	Require working from home, dairies, training and education, and community and leisure - small scale, to operate in a way (including hours of operation), that avoids or, if avoidance is not possible, adequately mitigates, noise or other adverse effects on the amenity of surrounding residential properties.
Policy 15.2.3.3	Require buildings and structures in the inner city residential zone to be of a height and setback from boundaries that: <ol style="list-style-type: none"> enables a high quality, medium density form of development that is consistent with the existing streetscape character of the zone; and ensures a reasonable level of outdoor amenity by minimising adverse effects on sunlight access on outdoor spaces at the rear of sites.
Policy 15.2.3.4	Only allow schools, early childhood education, community and leisure - large scale, sport and recreation, registered health practitioners, training and education, visitor accommodation, supported living facilities and stand-alone car parking where they are designed and located to avoid or, if avoidance is not possible, adequately mitigate, adverse effects on the amenity of surrounding residential properties.
Policy 15.2.3.5	Only allow cemeteries where they are designed and located: <ol style="list-style-type: none"> to avoid or, if avoidance is not possible, adequately mitigate, adverse effects on the amenity of surrounding residential properties; and to avoid reverse sensitivity from surrounding permitted activities.
Policy 15.2.3.6	Avoid sport and recreation that involves motor vehicles unless the adverse effects on the amenity of surrounding properties will be no more than minor.

Objective 15.2.4

Subdivision activities and development maintain or enhance the amenity of the streetscape, and reflect the current or intended future character of the neighbourhood.

Policy 15.2.4.1	Require development to maintain or enhance streetscape amenity by ensuring: <ul style="list-style-type: none"> a. garages, carports and car parking do not dominate the street; b. there are adequate areas free from buildings or hard surfacing; c. buildings' height, boundary setbacks, and scale reflect the existing or intended future residential character; d. shared service areas are not visible from ground level from outside the site; and e. outdoor storage is managed in a way that does not result in unreasonable visual amenity effects or create nuisance effects.
Policy 15.2.4.2	Require residential activity to be at a density that reflects the existing residential character or intended future character of the zone.
Policy 15.2.4.3	Limit the size of family flats to a size that: <ul style="list-style-type: none"> a. reflects their purpose as providing a second residential unit for people related to residents of the main residential unit; and b. minimise any adverse effects on the amenity and character of the neighbourhood.
Policy 15.2.4.4	Require fences to be of a height and design that contributes positively to the streetscape amenity and character of the neighbourhood.
Policy 15.2.4.5	Require ancillary signs to be located and designed to maintain residential amenity including by being of an appropriate size and number to convey information about the name, location and nature of the activity on-site to passing pedestrians and vehicles and not being oversized or too numerous for what is necessary for that purpose.
Policy 15.2.4.6	Only allow subdivision activities where the subdivision is designed to ensure any future land use and development will: <ul style="list-style-type: none"> a. maintain the amenity of the streetscape b. reflect the current or future intended character of the neighbourhood; c. provide for development to occur without unreasonable earthworks or engineering requirements; and d. provide for quality housing.
Policy 15.2.4.7	Only allow schools, early childhood education, community and leisure - large scale, sport and recreation, registered health practitioners, training and education, visitor accommodation, supported living facilities, restaurants or retail ancillary to sport and recreation, and stand-alone car parking where they are designed and located to avoid or, if avoidance is not possible, adequately mitigate, adverse effects on streetscape amenity.

Objective 15.2.5

Earthworks necessary for permitted or approved land use and development are enabled, while avoiding, or adequately mitigating, any adverse effects on:

- a. visual amenity and character;
- b. the stability of land, buildings, and structures; and
- c. surrounding properties.

Policy 15.2.5.1	Require earthworks, and associated retaining structures, to be designed and located to avoid adverse effects on the stability of land, buildings, and structures by: <ul style="list-style-type: none"> a. being set back an adequate distance from property boundaries, buildings, structures and cliffs; and b. using a batter gradient that will be stable over time.
Policy 15.2.5.2	Require earthworks and any associated retaining structures to be designed and located to minimise adverse effects on surrounding sites and the wider area, including by: <ul style="list-style-type: none"> a. limiting the scale of earthworks that are provided for as a permitted activity; and b. requiring earthworks to avoid sediment run-off, including onto any property, or into any stormwater pipes, drains, channels or soakage systems.
Policy 15.2.5.3	Only allow earthworks that exceed the scale thresholds (earthworks - large scale) and any associated retaining structures, where all of the following effects will be avoided or, if avoidance is not possible, adequately mitigated: <ul style="list-style-type: none"> a. adverse effects on visual amenity and character; b. adverse effects on the amenity of surrounding properties, including from changes to drainage patterns; and c. adverse effects on the stability of land, buildings, and structures.

Rules

Rule 15.3 Activity Status

15.3.1 Rule location

The activity status tables in Rules 15.3.3 to 15.3.6 specify the activity status of land use activities, development activities, and subdivision activities in the residential zones and relevant overlay zones, except rules for the following city-wide activities, which are contained in Part B of the Plan:

1. Public Amenities (Section 3)
2. Temporary Activities (Section 4)
3. Network Utilities and Energy Generation (Section 5)
4. Transportation Activities (Section 6)
5. Scheduled Trees (Section 7)
6. Natural Hazard Mitigation (Section 8)

15.3.2 Activity status introduction

1. The activity status tables in Rules 15.3.3 - 15.3.5 show the activity status of activities in the residential zones and the overlay zones indicated, provided any performance standards shown in the far right column are met.
2. Activities are split into three types: a. land use activities, b. development activities, c. subdivision activities. Within these types, activities are split into categories. The nested tables in Section 1.6 outline the hierarchy of categories, activities and sub-activities.
3. Permitted land use activities do not automatically provide for any related development activities. Therefore, the activity status of any associated development activities should also be checked.
4. Where a new land use activity requires a resource consent, all associated development activities will be considered and assessed as part of the resource consent even if the development otherwise meets the development performance standards listed in the Plan.
5. The nested table in Section 1.6 is intended to be a complete list of activities. However, in the case of an activity that is not covered by any of the activities in the nested table, the activity status will be non-complying.

Additional activity status rules in hazard overlay zones

6. For the purpose of the hazards provisions, activities are categorised as sensitive activities, potentially sensitive activities or least sensitive activities. The activities that are in each hazards sensitivity category are included in the definitions section and in Section 11.1.
7. In hazard 1 or hazard 2 overlay zones, the activity status rules in 15.3.6 apply to the following activities:
 - a. new sensitive activities and potentially sensitive activities, and
 - b. some new buildings.
8. Where the activity status in Rule 15.3.6 differs from that in Rules 15.3.3 - 15.3.5, the most restrictive activity status always applies.
9. In addition to the rules in Rule 15.3.6, performance standards for development activities within hazard overlay zones are included in Rules 15.3.4.
10. Activities in a hazard overlay zone must comply with all of the rules in Rules 15.3.3 - 15.3.6.

Performance Standards

11. Performance standards are listed in the far right column of the activity status tables.

12. Performance standards apply to permitted, controlled, and restricted discretionary activities.
13. If a permitted or controlled activity does not meet one or more performance standards, then the activity status of the activity will become restricted discretionary, unless otherwise indicated by the relevant performance standard rule.
14. If a restricted discretionary activity does not meet one or more performance standards, then the activity status remains restricted discretionary, unless otherwise indicated in the performance standard.

Legend

Acronym	Activity status
—	No additional provisions apply or not relevant
P	Permitted activity
C	Controlled activity
RD	Restricted discretionary activity
D	Discretionary activity
NC	Non-complying activity
Acronym	Zone/overlay zone name
GR1	General Residential 1 Zone
GR2	General Residential 2 Zone
ICR	Inner City Residential Zone
LDR	Low Density Residential Zone
LLR1	Large Lot Residential 1 Zone
LLR2	Large Lot Residential 2 Zone
TS	Township and Settlement Zone
RHP	Residential Heritage Precinct
ASCV	Scheduled Area of Significant Conservation Value
Haz1	Hazard 1 Overlay Zones
Haz2	Hazard 2 Overlay Zones
Haz3	Hazard 3 Overlay Zones

15.3.3 Activity status table - land use activities

1.	Performance standards that apply to all land use activities		a. Acoustic insulation (noise sensitive activities only) b. Electrical interference c. Light spill d. Noise e. Setback from national grid (sensitive activities only)
Residential activities		Activity status	Performance standards
2.	Supported living facilities	RD	a. Minimum car parking b. Outdoor living space c. Service areas
3.	Standard residential	P	a. Density b. Minimum car parking c. Outdoor living space d. Service areas
4.	Working from home	P	a. Hours of operation b. Maximum gross floor area c. Minimum car parking
Community activities		Activity status	Performance standards
5.	Community and leisure - small scale	P	a. Minimum car parking b. Hours of operation
6.	Community and leisure - large scale	RD	a. Minimum car parking b. Hours of operation
7.	Conservation	P	
8.	Early childhood education - small scale	RD	a. Minimum car parking
9.	Early childhood education - large scale	D	
10.	Sport and recreation that involves motor vehicles	NC	
11.	All other sport and recreation activities	D	
Commercial activities		Activity status	Performance standards
12.	Ancillary licensed premises	Same status as underlying activity	
13.	Dairies	RD	a. Hours of operation b. Maximum gross floor area
14.	Registered health practitioners	D	

15.	Restaurants, or retail, ancillary to sport and recreation	D	
16.	Restaurants, retail, or conference, meeting and function activity, ancillary to visitor accommodation	RD	a. Location
17.	Stand-alone car parking	D	
18.	Training and education	RD	a. Hours of operation b. Minimum car parking
19.	Visitor accommodation in the George Street North Residential Heritage Precinct	P	a. Density b. Minimum car parking
20.	Visitor accommodation, other than in George Street North Residential Heritage Precinct	RD	a. Density b. Minimum car parking c. Minimum vehicle loading
21.	All other activities in the commercial activities category	NC	
Major facility activities		Activity status	Performance standards
22.	Cemeteries	RD	
23.	Schools	D	
24.	All other activities in the major facility activities category	NC	
Rural activities		Activity status	Performance standards
25.	Grazing	P	
26.	All other activities in the rural activities category	NC	
Industrial activities		Activity status	Performance standards
27.	All activities in the industrial activities category	NC	

15.3.4 Activity status table - development activities

1.	Performance standards that apply to all development activities		<ul style="list-style-type: none"> a. Hazard overlay zones development standards b. Maximum building site coverage and impermeable surfaces c. Setback from coast and water bodies d. Setback from national grid e. Setback from scheduled tree f. Structure plans
2.	Performance standards that apply to all buildings and structures activities		<ul style="list-style-type: none"> a. Boundary setbacks b. Building length c. Fire fighting d. Height in relation to boundary e. Maximum height f. Number, location and design of ancillary signs
Buildings and structures activities not in a residential heritage precinct or in a residential heritage precinct but not visible from an adjoining public place (excluding activities affecting a protected part of a scheduled heritage building or scheduled heritage structure - See rows 19-24)		Activity status	Performance standards
3.	New buildings, and additions and alterations to buildings, that result in a building that is less than or equal to 300m ²	P	
4.	New buildings, and additions and alterations that result in a building, that is greater than 300m ²	RD	
5.	Fences	P	a. Fence height and design
6.	All other structures	P	
Buildings and structures activities in a residential heritage precinct that are visible from an adjoining public place		Activity status	Performance standards
7.	New buildings	RD	
8.	Repair and maintenance of a non character-contributing building	P	
9.	Repair and maintenance of a character-contributing building or non-protected part of a scheduled heritage building	P	a. Materials and design
10.	Earthquake strengthening or <u>restoration</u> of a character-contributing building or non-protected parts of a scheduled heritage building	P	a. Materials and design

11.	Demolition or removal for relocation of a character-contributing building or non-protected part of a scheduled heritage building	RD	
12.	Additions and alterations to a character-contributing building or non-protected part of a scheduled heritage building (other than earthquake strengthening or <u>restoration</u>)	RD	
13.	Additions and alterations to a non character-contributing building that involve: a. an increase in the footprint of more than 10m ² ; or b. an increase in the height of the building by more than 2m; or c. the replacement of a pitched roof with a flat roof.	RD	
14.	All other additions and alterations to non character-contributing buildings	P	
15.	Fences	P	a. Fence height and design
16.	Retaining walls less than 1m high	P	
17.	All other structures up to 2.5m high and 2m ² footprint	P	
18.	Structures greater than 2.5m high and 2m ² footprint	RD	
Buildings and structures activities that affect a protected part of a scheduled heritage building or scheduled heritage structure		Activity status	Performance standards
19.	Repairs and maintenance	P	a. Materials and design
20.	<u>Restoration</u>	P	a. Materials and design
21.	Earthquake strengthening (where external features only are protected)	C	a. Materials and design
22.	All other additions and alterations	RD	
23.	Demolition	NC	
24.	Removal for relocation	RD	
Development activities on a scheduled heritage site, where visible from an adjoining public place or a public place within the heritage site		Activity status	Performance standards
25.	Structures no more than 2.5m high or 2m ² footprint	P	
26.	All other structures	RD	
27.	New buildings	RD	
28.	Parking, loading and access	RD	a. Parking, loading and access standards
Site development activities in all areas (except as covered by rows 25-28 above)		Activity status	Performance standards

29.	Earthworks - small scale	P	a. Earthworks standards
30.	Earthworks - large scale	RD	a. Earthworks standards
31.	Parking, loading and access	P	a. Parking, loading and access standards b. Location and screening of car parking
32.	New parking areas, or extensions to existing parking areas <i>(that result in the creation of 50 or more new parking spaces.)</i>	RD	a. Parking, loading and access standards b. Location and screening of car parking
33.	Storage and use of hazardous substances	P	a. Hazardous substances quantity limits and storage requirements
34.	Outdoor storage	P	a. Location and screening of outdoor storage
35.	Vegetation clearance	P	a. Vegetation clearance standards (UCMA and hazard overlay zones)
36.	All other site development activities	P	

15.3.5 Activity status table - subdivision activities

Subdivision activities		Activity status	Performance standards
1.	Cross lease, company lease and unit title subdivision	RD	a. Access b. Esplanade reserves and strips c. Fire fighting d. Service connections e. Shape
2.	Subdivision activities in structure plan areas	RD	a. Structure plans b. Service connections
3.	General subdivision	RD	a. Access b. Esplanade reserves and strips c. Fire fighting d. Minimum site size e. Service connections f. Shape

15.3.6 Change to activity status in Hazard 1, Hazard 2 and Hazard 3 Overlay Zones

Activity	a. Haz1	b. Haz2	c. Haz3
1. Potentially sensitive activities permitted in residential zone	D	—	—
2. Potentially sensitive activities not permitted in residential zone	NC	D	—
3. Sensitive activities	NC	D	—
4. In a hazard 1 (land instability) Overlay Zone, new buildings, and additions and alterations to buildings, which create more than 1m ² of new ground floor area	RD	—	—
5. In a hazard 1 or 2 overlay zone, other than the hazard 1 (land instability) Overlay Zone, new buildings, and additions and alterations to buildings, which create more than 36m ² of new ground floor area	RD	RD	—

Note 15.3A - Guidance on existing use rights applying to land use activities in hazard overlay zones

- For the purposes of the natural hazards provisions only, with respect to section 10 of the RMA, Council will generally consider that a land use activity is similar in character, intensity, and scale where:
 - for a residential activity, there is less than 25m² increase in ground floor area of any residential building(s), in any consecutive 10 year period; or
 - for a residential activity, a new building is to be used solely as a garage or shed; or
 - for all other sensitive activities and potentially sensitive activities, the ground floor area of any buildings increases by less than 100% in any consecutive 10 year period.
- However, Council will consider specific circumstances associated with the development and how this affects the character, intensity and scale of the land use activity.

Note 15.3B - General advice

- Papakāika activity is intended to allow descendants of the original Native Reserve grantees to live on this land. If papakāika is developed and is subsequently no longer required for the use of manawhenua in accordance with the papakāika definition, resource consent will be required to allow its use as other residential development. In this situation, the provisions that govern residential activity, including density of residential development, will apply. It is strongly recommended that the use of relocatable buildings is considered for papakāika development in order to avoid potential future problems of being unable to obtain consent for ownership or occupation of dwellings by people other than descendants of the original grantees.
- Where papakāika is on Māori Land, the provisions of the Te Ture Whenua Māori Act 1993 or subsequent legislation apply.
- New marae can only be established with the agreement of manawhenua.

Note 15.3C - General advice

- Under the Heritage New Zealand Pouhere Taonga Act 2014 it is an offence to modify or destroy an archaeological site without obtaining an archaeological authority from Heritage New Zealand (HNZ). This is the case regardless of whether the land on which the site is located is designated, or the activity is permitted under the District Plan or Regional Plan, or a resource or building consent has been granted.
- An archaeological site is defined as any place in New Zealand that was associated with human activity that occurred before 1900 and provides or may provide, through investigation by archaeological methods, evidence relating to the

history of New Zealand. This includes the scheduled archaeological sites within the District Plan.

3. Pre-1900 buildings are considered archaeological sites. An archaeological authority must be obtained before demolishing a pre-1900 building or structure.
4. The **archaeological alert layer mapped area** identifies sites and areas that have a strong likelihood of containing archaeological remains, however remains may be present anywhere within the District. If archaeological remains are discovered during any site works, at any location, the Accidental Discovery Protocol (Appendix A8) should be followed.

Rule 15.4 Notification

1. Applications for resource consent for the following activities will be considered without the need to obtain a written approval of affected persons and will not be notified in accordance with section 95A or section 95B of the Act, unless Council considers special circumstances exist in relation to the application that require public notification:
 1. earthquake strengthening of a scheduled heritage building or scheduled heritage structure where external features only are protected (controlled activity) and that are not listed by Heritage New Zealand;
 2. contravention of performance standard 13.3.2 'Materials and design' where the building or structure is not listed by Heritage New Zealand; and
 3. In the **Holyhead Street structure plan**, subdivision activities in accordance with the **Holyhead Street structure plan** and notations.
2. Applications for resource consent for the following activities will be publicly notified in accordance with section 95A(2) of the RMA:
 1. demolition of a protected part of a scheduled heritage building or scheduled heritage structure.
3. With respect to resource consent applications, Heritage New Zealand will be considered an affected person in accordance with section 95B of the RMA where their written approval is not provided for the following:
 1. activities that affect a protected part of a scheduled heritage building, scheduled heritage structure, or a scheduled heritage site, that is listed with Heritage New Zealand;
 2. contraventions of performance standard 13.3.2 'Materials and design' where the building or structure is listed by Heritage New Zealand; and
 3. contravention of performance standard 13.3.3 'Archaeological sites'.
4. With respect to resource consent applications for the following activities, manawhenua will be considered an affected person in accordance with section 95B of the RMA where their written approval is not provided:
 1. cemeteries;
 2. all restricted discretionary activities that list 'effect on cultural values of manawhenua' as a matter for discretion; and
 3. discretionary and non-complying activities in a **wāhi tūpuna mapped area** where the activity is identified as a threat in Appendix A4.
5. With respect to sections 95D(b) and 95E(2)(a) of the RMA, Council will not consider family flats as part of the permitted baseline in considering residential density effects in the residential zones.
6. In accordance with section 95B of the RMA, where an application is not publicly notified, Council will give limited notification to all affected persons.
7. All other activities are subject to the normal tests for notification in accordance with sections 95A-95G of the RMA.

Rule 15.5 Land Use Performance Standards

15.5.1 Acoustic Insulation

Noise sensitive activities in the following areas must comply with Rule 9.3.1:

1. **port noise control mapped area;**
2. **airport noise outer control mapped area;**
3. **airport noise inner control mapped area;**
4. within 40m of the Taieri Aerodrome Zone;
5. within 40m of a state highway;
6. within 20m of an industrial zone; and
7. within 70m of a railway line.

15.5.2 Density

1. Residential activities must not exceed the density limits set out in Table 15.5.2.A, except:
 - a. A single residential unit may be erected on an existing site (created before 26 September 2015) of any size not in a **no DCC reticulated wastewater mapped area** provided all other performance standards are met.
 - b. Within the **East Taieri structure plan**, up to 20% of the land used for residential purposes with in the region marked "Area A", may be developed at a density of one residential unit per 300m².
2. For the purposes of this standard:
 - a. the calculation of habitable rooms includes rooms in family flats and sleep outs;
 - b. the calculation of minimum site area excludes access legs provided for rear sites; and
 - c. the calculation of maximum development potential only applies in the Inner City Residential and General Residential 2 Zones, and for determining whether a family flat can be developed in other zones.
3. In the General Residential 2 Zone, more than one residential unit must not be built on sites smaller than 400m².
4. In the Inner City Residential Zone, more than one residential unit must not be built on sites smaller than 200m².
5. Family flats must not exceed 60m² and must be ancillary to a primary residential unit on the same site.
6. More than one residential building (other than a family flat) may only be built on a site if all residential buildings are able to meet all the following performance standards if they were ever subdivided onto separate sites:
 - a. site coverage;
 - b. height in relation to boundary;
 - c. setbacks; and
 - d. access.

Table 15.5.2.A

Zone		i. Minimum site area for a residential unit (excluding family flats)	ii. Maximum development potential per site	iii. Number of family flats permitted per site
a.	General Residential 1 Zone	1 per 500m ²	1 habitable room per 100m ²	1
b.	General Residential 2 Zone not within an infrastructure constraint mapped area or the South Dunedin mapped area	N/A	1 habitable room per 45m ²	0
c.	General Residential 2 Zone within an infrastructure constraint mapped area	N/A	1 habitable room per 100m ²	0
d.	General Residential 2 Zone within the South Dunedin mapped area	N/A	1 habitable room per 60m ²	0
e.	Inner City Residential Zone	N/A	1 habitable room per 45m ²	0
f.	Low Density Residential Zone	1 per 750m ²	1 habitable room per 150m ²	1
g.	Large Lot Residential Zone 1	1 per 2000m ²	1 habitable room per 400m ²	1
h.	Large Lot Residential Zone 2	1 per 3500m ²	1 habitable room per 700m ²	1
i.	Township and Settlement Zone not within the no DCC reticulated wastewater mapped area	1 per 500m ²	1 habitable room per 100m ²	1
j.	Township and Settlement Zone within the no DCC reticulated wastewater mapped area	1 per 1000m ²	1 habitable room per 200m ²	1

7. Residential activity that contravenes the performance standard for density is a non-complying activity, except:
 - a. papakāika that contravenes the performance standards for density is a restricted discretionary activity;
 - b. standard residential in the General Residential 2 Zone (**infrastructure constraint mapped area**) that contravenes the performance standards for maximum development potential per site is a restricted discretionary activity, provided the maximum development potential per site of the activity proposed does not exceed 1 habitable room per 45m²;
 - c. contravention of Rule 15.5.2.6 is a restricted discretionary activity; and
 - d. residential activity on an existing site not in a **no DCC reticulated wastewater mapped area** is a restricted discretionary activity
8. Visitor accommodation must have a maximum of one visitor accommodation unit per 80m² of site area. Visitor accommodation that contravenes this standard is a non-complying activity.

15.5.3 Electrical Interference

Land use activities must comply with Rule 9.3.2.

15.5.4 Blank Page

This page has no content

15.5.5 Hours of Operation

Activity	Hours of operation
1. Working from home (excluding homestay)	7am - 7pm
2. Dairies	6am - 10pm
3. Sport and recreation, and community and leisure	Sunday - Thursday: 6am - 10.30pm Friday - Saturday: 6am - 12am (midnight)
4. Training and education	8am - 8pm

5. Working from home hours of operation do not apply to activities that:
 - a. are located entirely within a building; and
 - b. do not involve machinery operation, visitors, customers, or deliveries.
6. Flood lighting and sportsfield lighting on sites adjoining a residential zone must not operate from 10pm - 7am.
7. Special church celebrations, including Christmas midnight mass, are exempt for this standard, provided they occur no more than 3 times in a calendar year.

15.5.6 Light Spill

Land use activities must comply with Rule 9.3.5.

15.5.7 Location

For restaurants, retail, or conference, meeting and function activities ancillary to visitor accommodation, all customer pedestrian access must not be orientated to the street frontage.

15.5.8 Maximum Gross Floor Area

Activity	Maximum gross floor area
1. Working from home	50m ² (includes any internal or external area occupied for storage of materials or goods)
2. Dairies	50m ²

3. Working from home or dairies that contravene the performance standard for maximum gross floor area are non-complying activities.

Note 15.5A - Other requirements outside of the District Plan

1. Registration must be obtained from the DCC's Environmental Health Department for any working from home activities which involve food products, hairdressing, beauty therapy or tattooing. Please contact the DCC's Environmental Health Department on 03 477 4000 or visit the DCC website www.dunedin.govt.nz for more information.
2. Approval from DCC's Alcohol Licensing Department may be required for working from home activities that involve the sale or distribution of alcohol. Please contact the DCC on 03 477 4000 or visit the DCC website www.dunedin.govt.nz for more information.

15.5.9 Minimum Car Parking

Land use activities must provide the on-site car parking as follows:

Activity	Minimum car parking rate
1. Standard residential in Inner City Residential Zone	a. 1 - 5 habitable rooms on a site: 1 parking space b. 6 - 8 habitable rooms on a site: 2 parking space c. Greater than 8 habitable rooms on a site: 2 parking spaces plus 1 space for every 4 habitable rooms (or part thereof) d. Except: i. where sites with less than 5 habitable rooms have no existing parking, no additional parking is required for additions that increase the number of habitable rooms to 5 (or fewer), provided no additional residential units are created; ii. where the provision of an on-site parking space for sites with 1-5 habitable rooms would result in the loss of an on-street parking space, no parking space is required.
2. Standard residential in all other residential zones	a. 1 - 4 habitable rooms: 1 parking space b. 5 or more habitable rooms: 2 parking spaces
3. Working from home	On-site car parking must be provided for all vehicles associated with the activity
4. Supported living facilities	a. Student hostels i. hostels with 1 - 10 residents: 1 parking spaces ii. hostels with 11 - 20 residents: 2 parking spaces iii. hostels with 21 - 30 residents: 3 parking spaces iv. hostels with greater than 30 residents: 3 parking spaces plus 1 additional space for every 10 additional residents (or part thereof) b. Rest homes i. 1 parking space for every 3 beds. c. Retirement villages i. 1 parking space for every residential unit, and 1 parking space for every 3 beds for any rest home type component of the retirement village.
5. Community and leisure	1 parking space for every 5 persons the facility can accommodate at any one time
6. Visitor accommodation (other than in George Street North Residential Heritage Precinct)	1. 1 parking space per 3 guest rooms, where the activity is based upon guest rooms (e.g. hotels); 2. 1 parking space per visitor accommodation unit, where the activity is based on units (e.g. motels); and 3. 1 parking space per visitor accommodation unit on a campground.
7. Early childhood education - small scale	1 parking space per 2 full time equivalent staff members plus one parking space for parent/guardian use per 6 children the facility is licensed for.
8. Training and education	1 parking space per 30m ² of gross floor area.

9. Activities other than standard residential must provide mobility parking spaces as follows:

Total number of parking spaces provided		Minimum number of these that must be mobility parking spaces
a.	1 - 20	1 parking space
b.	21 - 50	2 parking spaces
c.	For every additional 50 parking spaces	1 additional parking space

10. Required parking spaces may be used for car, cycle or motorcycle parking, except for any required mobility parking spaces, which must be used for accessible car parking.
11. Parking spaces may be shared between land use activities (i.e. the same parking spaces may be used to fulfil the minimum car parking requirement for more than one land use activity), as long as the hours of operation of the land use activities do not overlap.
12. Residential and office activities (excluding registered health practitioners) undertaken entirely within a scheduled heritage building do not need to provide any additional car parking other than what is already on-site and may remove any car parking that does not meet the performance standards for location of car parking.
13. For the purposes of calculating minimum car parking:
 - a. Where the minimum car parking performance standard results in the requirement for a fractional space, any fraction under one half will be disregarded and any fraction of one half or greater will be counted as one space.
 - b. Parking loading and access areas within a building will be excluded from the assessment of gross floor area for the purpose of calculating the minimum car parking requirement.

Note 15.5B - Other relevant District Plan provisions

1. Parking areas must comply with the standards in Section 6.6: Parking, Loading and Access Performance Standards.

15.5.10 Minimum Vehicle Loading

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

Activity	Minimum vehicle loading rate
1. Visitor accommodation with more than 50 visitor accommodation units (except in relation to scheduled heritage buildings in the George Street North Residential Heritage Precinct)	1 loading space to accommodate the turning circle of a coach, as shown on Figure 6.14L

Note 15.5C - 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 Performance Standards.

15.5.11 Noise

Land use activities must comply with Rule 9.3.6.

15.5.12 Outdoor Living Space

1. Standard residential and supported living facilities that offer individual residential units must provide a minimum of outdoor living space per residential unit as follows:

Number of habitable rooms in unit		i. Ground level units in ICR, GR2, campus zone, and retirement villages in all residential zones	ii. Ground level units in all other zones (excluding retirement villages)	iii. Minimum area of outdoor living space provided as decks, balconies or roof terraces for first floor and above units
a.	1	15m ²	25m ²	6m ²
b.	2	15m ²	25m ²	10m ²
c.	3	20m ²	35m ²	10m ²
d.	More than 3 habitable rooms	20m ² + 5m ² per additional habitable room over 3 habitable rooms	35m ² + 5m ² per additional habitable room over 3 habitable rooms	10m ²

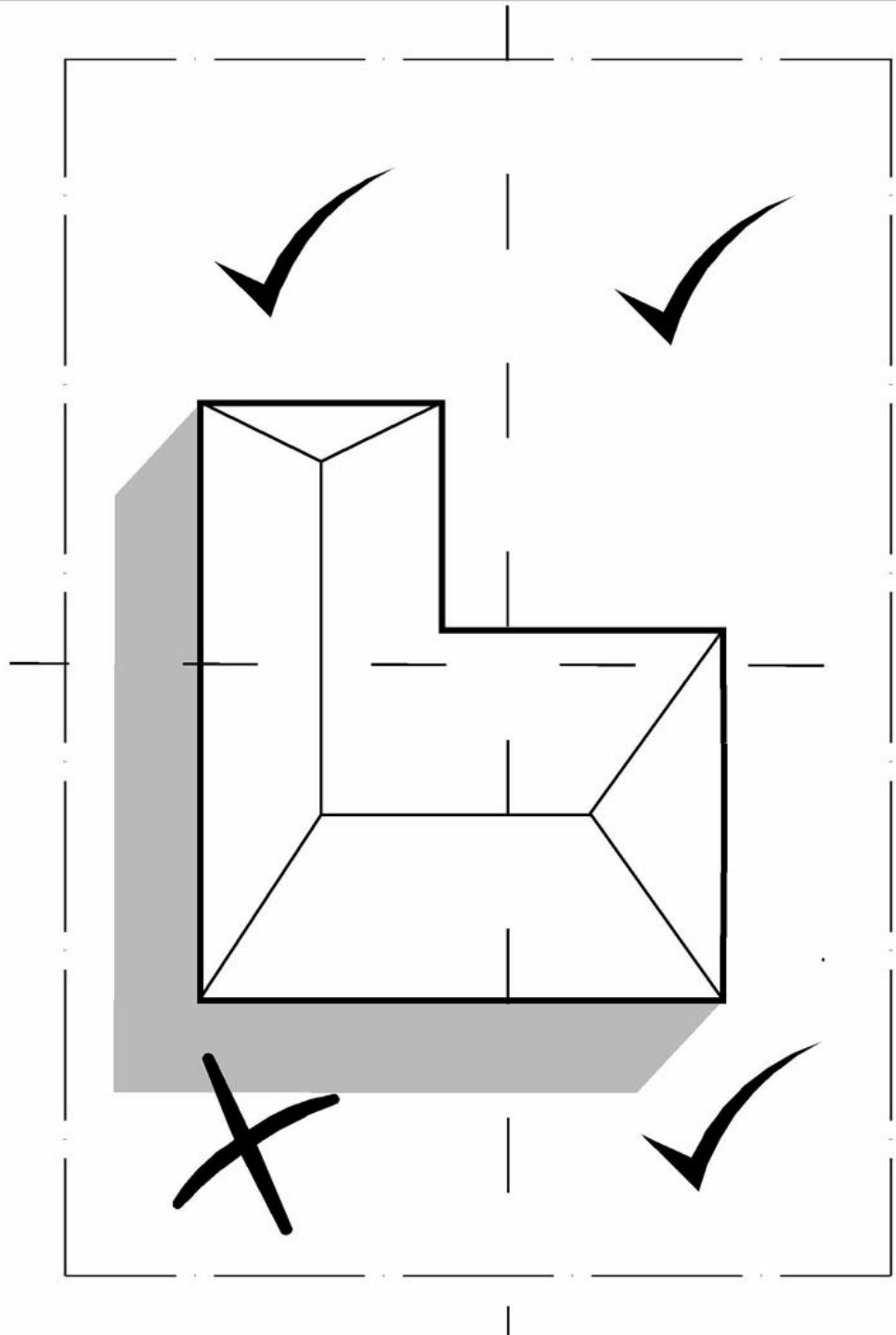
- e. For the purposes of this standard, family flats will only count toward the total number of habitable rooms on a site and will not be calculated as a separate residential unit requiring additional outdoor living space to that provided for the primary residential unit, as long as the family flat has direct access to at least 25m² of outdoor living space.
2. Outdoor living space for residential units must be for the exclusive use of the individual residential unit, except shared outdoor living space may be provided for residential units located above ground floor (first floor and above units) and for family flats.
3. For supported living facilities, such as rest homes or student hostels, which only provide bedrooms or beds for residents (not residential units), shared outdoor living space must be provided as follows:

Type of room	Minimum area of outdoor living space per bedroom
a. Individual bedrooms	5m ²
b. Bedrooms/hospital rooms/dorms designed to accommodate 2 or more residents	10m ²

4. Shared outdoor living space may be provided as a mixture of ground level green space, balconies, decks or terraces, provided at least 60% is at ground level, and each space is at least 20m².
5. Where a facility provides a mixture of residential units and bed/bedroom only options, such as a retirement village, the outdoor living space must comply with the respective standards above based on the amount of each type of accommodation.
6. Outdoor living space must:
 - a. be clear of buildings and structures, except for pools, building eaves, pergolas, decks and terraces;
 - b. be located on the northern, eastern or western sides of residential buildings as per Figure 15.5A;
 - c. be directly accessible from a principal living area, except if provided as shared outdoor living space.;
 - d. have an average vertical grade not exceeding 1:12 degrees (vertical:horizontal) in any direction;
 - e. if provided at ground level, have dimensions no less than 3m, or if provided as a deck or roof terrace, have dimensions no less than 1.8m;

- f. must be usable for its intended purpose and not used for vehicle parking, manoeuvring, driveways, or pedestrian accessways to other residential units or properties, or other uses; and
- g. include at least one area of no smaller than 15m².

Figure 15.5A: Location of outdoor living space



15.5.13 Service Areas

Residential activity with 3 or more residential units on a site must provide service areas with a minimum area of 2.5m² per residential unit. Service area requirements are in addition to outdoor living space requirements.

15.5.14 Setback from National Grid

Sensitive activities must comply with Rule 5.6.1.1.

Rule 15.6 Development Performance Standards

15.6.1 Building Length

New buildings and additions and alterations must not result in a building with a dimension (building length) that is greater than 20m along the boundary with a road or a residential-zoned property, except along any length where the building shares the wall with the adjacent building.

15.6.2 Earthworks Standards

15.6.2.1 Earthworks - small scale thresholds

- a. Earthworks must not exceed the following scale thresholds to be considered earthworks - small scale. Where earthworks are located in one or more of the overlay zones or mapped areas indicated, the most restrictive scale threshold applies for the purposes of determining activity status. Resource consents will be assessed against all scale thresholds that are contravened.

Zone/Area		1. Residential zones	2. UCMA, SHS	3. Within 5m of a water body ¹ or MHWS	4. Haz1 (flood)	5. Haz2, Haz3 (flood)	6. Haz1, Haz2 (land instability)
i.	Change in ground level	1.5m	1.0m	0.5m	—	—	1.0m
ii.	Maximum area	—	50m ²	25m ²	—	—	—
Slope categories		Maximum volume of combined cut and fill					
iii.	Less than or equal to 12°	30m ³ per 100m ² of site	10m ³	1m ³	0m ³ fill	20m ³ fill	10m ³ (Haz1) 20m ³ (Haz2)
iv.	Greater than 12° but less than or equal to 15°	25m ³ per 100m ² of site	10m ³	1m ³	0m ³ fill	20m ³ fill	10m ³ (Haz1) 20m ³ (Haz2)
v.	Greater than 15° but less than or equal to 20°	15m ³ per 100m ² of site	10m ³	1m ³	0m ³ fill	20m ³ fill	10m ³ (Haz1) 20m ³ (Haz2)
vi.	Greater than 20° but less than or equal to 26°	10m ³ per 100m ² of site	10m ³	1m ³	0m ³ fill	20m ³ fill	10m ³ (Haz1) 20m ³ (Haz2)
vii.	Greater than 26° but less than or equal to 35°	0m ³ fill 5m ³ cut per 100m ² of site	0m ³ fill 10m ³ cut	0m ³ fill 1m ³ cut	0m ³ fill	0m ³ fill	0m ³ fill 10m ³ cut (Haz1) 20m ³ cut (Haz2)
viii.	Greater than 35°	0m ³	0m ³	0m ³	0m ³	0m ³	0m ³

- ix. Where in a **swale mapped area** the maximum volume of combined cut and fill is 0m³.
- b. Where the part of the site in which the earthworks are located is in more than one slope category, the most

restrictive scale threshold applies.

- c. Scale thresholds will be calculated as the cumulative total of earthworks on any site in a two calendar-year period.
- d. Earthworks *ancillary to network utilities* activities are only required to comply with Rule 15.6.2.1.a.i - change in ground level threshold.
- e. Earthworks *ancillary to the operation, repair, and maintenance of the roading network* are exempt from the performance standard earthworks - small scale thresholds.
- f. Earthworks that exceed the earthworks - small scale thresholds are treated as earthworks - large scale, which are a restricted discretionary activity.

¹See Rule 10.3.3 for how setbacks from a water body will be measured.

15.6.2.2 Archaeological sites

Earthworks must comply with Rule 13.3.3.

15.6.2.3 Batter gradient

Earthworks must:

- a. have a maximum cut batter gradient of 1:1 (i.e. rising 1m over a 1m distance); and
- b. have a maximum fill batter gradient of 2:1 (i.e. rising 1m over a 2m distance).

15.6.2.4 Setback from property boundary, buildings, structures and cliffs

Earthworks over 400mm in height or depth must be set back from: property boundaries, foundations of buildings, structures greater than 10m², and the top or toe of any cliff, the following minimum distances:

- a. Earthworks not supported by retaining walls:
 - i. a distance at least equal to the maximum height of the fill, as measured from the toe of the fill (see Figure 15.6A);
 - ii. a distance at least equal to 1.5 times the maximum depth of the cut, plus 300mm, as measured from the toe of the cut (see Figure 15.6A); and
 - iii. 300mm, as measured from the crest of any cut (see Figure 15.6A).
- b. Retaining walls supporting a cut or fill must be setback a distance at least equal to the height of the retaining walls (See Figure 15.6B), except:
 - i. retaining walls supporting a cut that have been granted building consent are exempt from this standard.
- c. Earthworks *ancillary to network utilities* activities and earthworks *ancillary to the operation, repair, and maintenance of the roading network* are exempt from the setback from property boundary, buildings, structures and cliffs performance standard.

Figure 15.6A: Unsupported cut and fill (elevation view)

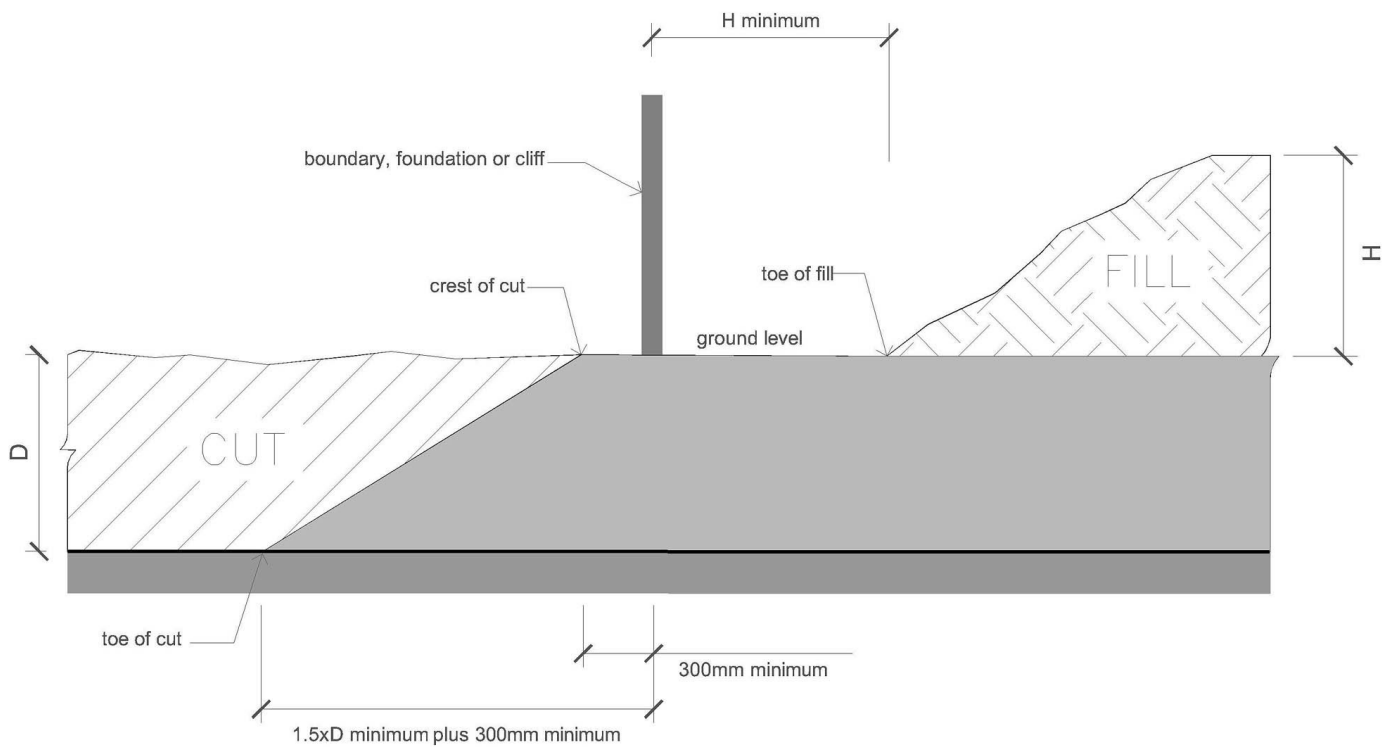
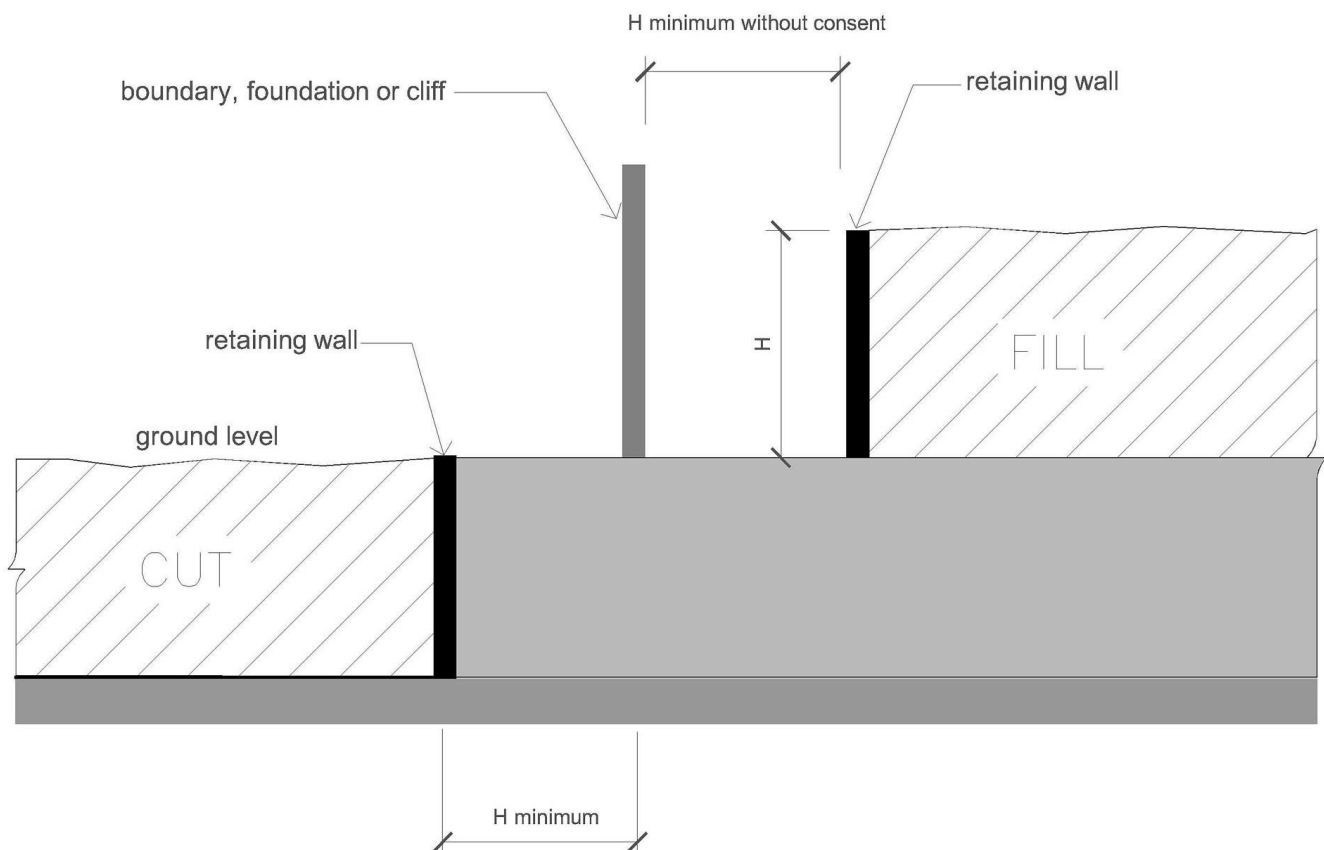


Figure 15.6B Cut and fill supported by retaining walls (elevation view)



15.6.2.5 Setback from national grid (earthworks)

Earthworks must comply with Rule 5.6.1.2.

15.6.2.6 Setback from network utilities

Earthworks must comply with Rule 5.6.2.

15.6.2.7 Sediment control

Earthworks must be undertaken in a way that prevents sediment entering water bodies, stormwater networks or going across property boundaries.

15.6.3 Fence Height and Design

- Fences must not exceed the following height limits (except as provided for in 15.6.3.3 below):

Location		Maximum height
a.	Along the road boundary with a state highway	2m
b.	Along all other road boundaries	1.4m
c.	Along a side or rear boundary with a reserve in the recreation zone or residential zone.	1.4m
d.	For sites within a residential heritage precinct, along the part of a side boundary that is within the road boundary setback required by Rule 15.6.14 (see Figure 15.6C)	1.4m
e.	Along all other side and rear boundaries	2m
f.	Between residential buildings on a site	2m

- Fences along boundaries include fences that are not exactly on the boundary but are within the boundary setbacks required by Rule 15.6.14.
- Where the maximum height of a fence is 1.4m, the height of a fence may be increased to a maximum height of 2m provided that a minimum of 40% of the entire structure is visually permeable (see-through), or the portion above 1.4m height is visually permeable. Visually permeable refers to construction using trellis, lattice, wrought iron, or spaced palings (palings maximum width 150mm, spacing minimum width 25mm) or other materials that provide gaps that can be seen-through (see Figure 15.6D and Figure 15.6E).
- For the purposes of calculating maximum height, where a fence or wall is erected atop a retaining wall, the height will be calculated as the combined height measured from ground level to the top of the fence or wall.

Figure 15.6C: Side boundary fences in heritage precincts

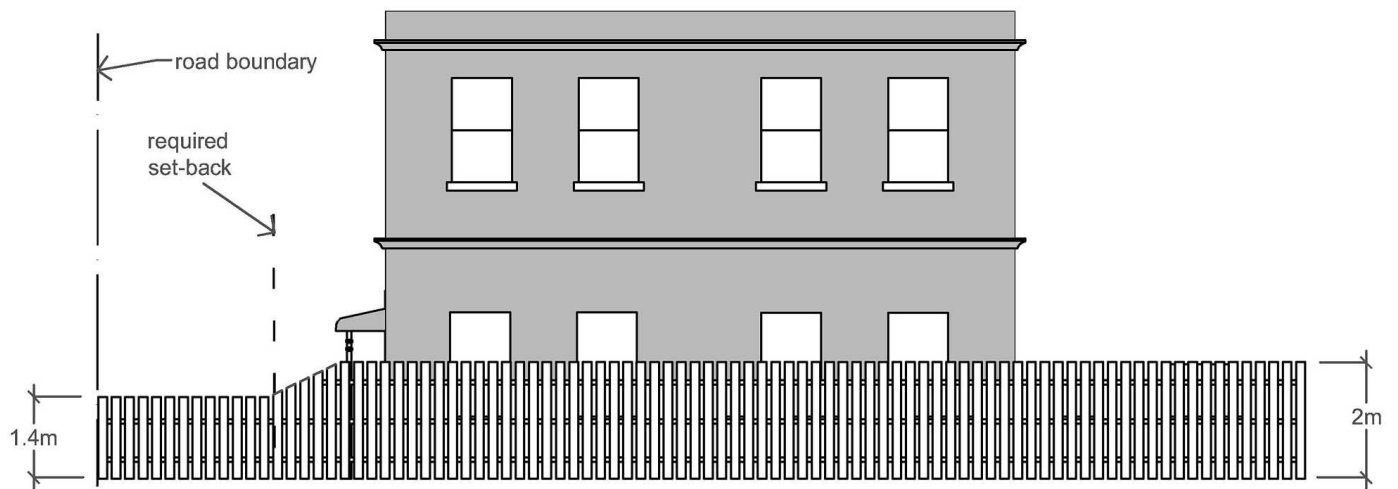


Figure 15.6D: Example of visually permeable fencing

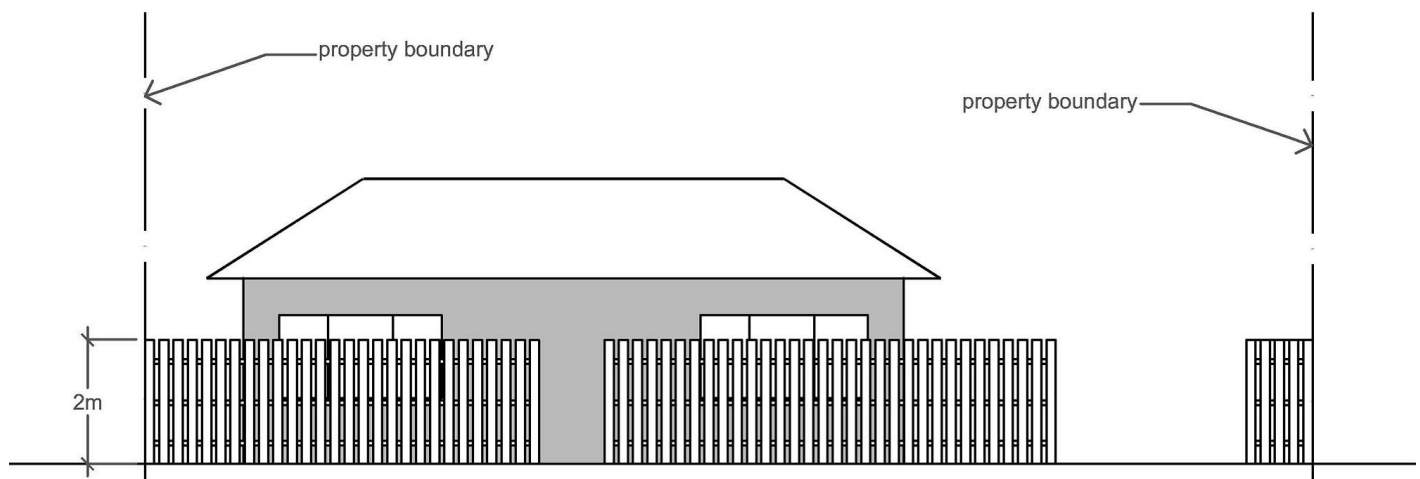
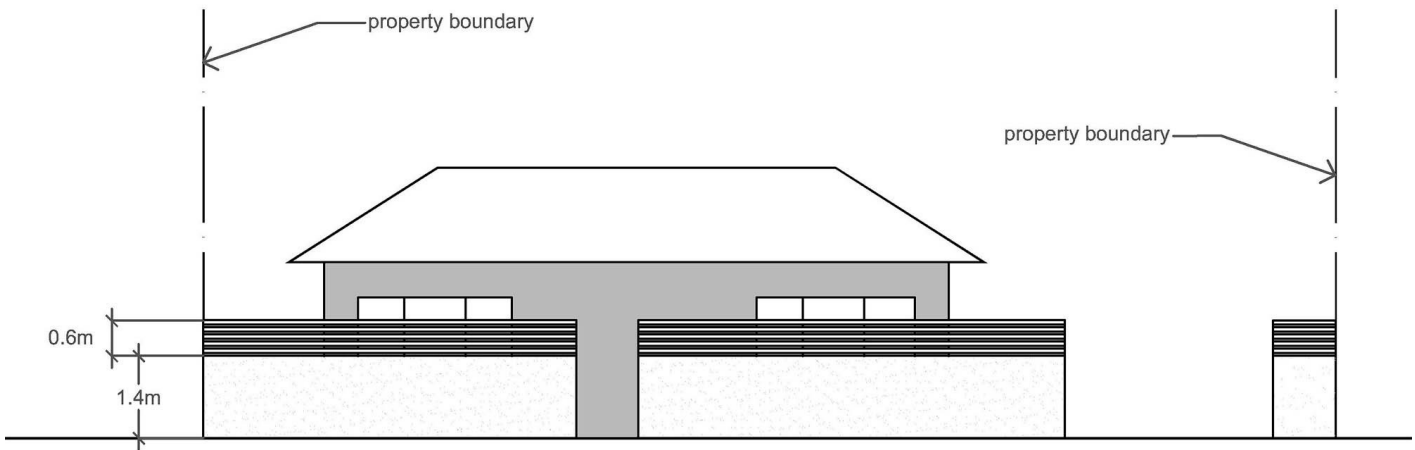


Figure 15.6E: Example of visually permeable fencing



15.6.4 Fire Fighting

All new residential buildings and subdivision activities must comply with Rule 9.3.3.

15.6.5 Hazard Overlay Zones Development Standards

15.6.5.1 Hazard exclusion area (swale mapped area)

Development activities located in a **swale mapped area** must comply with Rule 11.3.1.1.

15.6.5.2 Maximum area of vegetation clearance in the hazard overlay zones

Vegetation clearance in the Hazard 1 or 2 (land instability) Overlay Zones must comply with Rule 11.3.2.

15.6.5.3 Minimum floor level

New buildings (including residential buildings) to be used for sensitive activities in the Hazard 1 (flood), Hazard 2 (flood), Hazard 3 (flood) or Hazard 3 (coastal) Overlay Zones must comply with Rule 11.3.3.

15.6.5.4 Relocatable buildings

New buildings (including residential buildings) to be used for sensitive activities in the Hazard 3 (coastal) Overlay Zone must comply with Rule 11.3.4.

15.6.5.5 Outdoor storage standard

Outdoor storage in the Hazard 1 (flood) Overlay Zone must comply with Rule 11.3.5.

15.6.6 Hazardous Substances Quantity Limits and Storage Requirements

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

15.6.7 Height

15.6.7.1 Height in relation to boundary

- a. New buildings and additions or alterations to buildings must not protrude through a plane (see Figure 15.6F) raising at an angle of 45 degrees measured from a point:
 - i. 3m above ground level at side and rear boundaries, in the Inner City Residential Zone and General Residential 2 Zones;

- ii. 2.5m above ground level at the side and rear boundaries in all other residential zones,
- iii. except:
 - 1. in the Inner City Residential Zone, for any new buildings and additions or alterations to buildings within 13m of the road boundary, the height in relation to boundary will be measured from 6.5m above ground level at side boundaries, provided that all buildings on the remainder of the site are set back from the side boundaries by at least 2m (see Figure 15.6G);
 - 2. on boundaries adjacent to non residential zones, the height in relation to boundary of the adjacent zone applies;
 - 3. where new buildings or additions and alterations are built to a common wall, any part of a building where the height and angle of the roofline are the same as the adjoining building is exempt from this standard; and
 - 4. gable ends and dormers may protrude through the height in relation to boundary plane by a maximum of 1m (see Figure 15.6H).
- iv. Rooftop structures are exempt from the performance standard for height in relation to boundary.

15.6.7.2 Maximum height

The maximum height for new buildings and structures, and additions and alterations above ground level is:

	i. Maximum height in the Inner City Residential Zone	ii. Maximum height in all other residential zones
a. Family flat (stand-alone building)	Not provided for	4.5m
b. Garages and carports in road boundary setback	3.3m	3.3m
c. All other buildings and structures within setbacks from boundaries, except as provided for in Rule 15.6.14.1	2m	2m
d. Within Lots 1-10 of the Formby Street Structure Plan (see Appendix 15B)	—	6m
e. Within the Huriawa height restriction mapped area (see mapped area below)	—	4.5m
f. All other buildings and structures	12m	9m

- g. Except, rooftop structures are exempt from the performance standard for height provided they do not exceed the maximum height limit for all other buildings and structures by more than one third of that limit.
- h. Buildings or structures must not protrude through the height restriction for the Taieri Aerodrome Approach and Take-off Fans shown on the **Taieri Aerodrome Flight Fan mapped area**.

Figure 15.6F: Height in relation to boundary

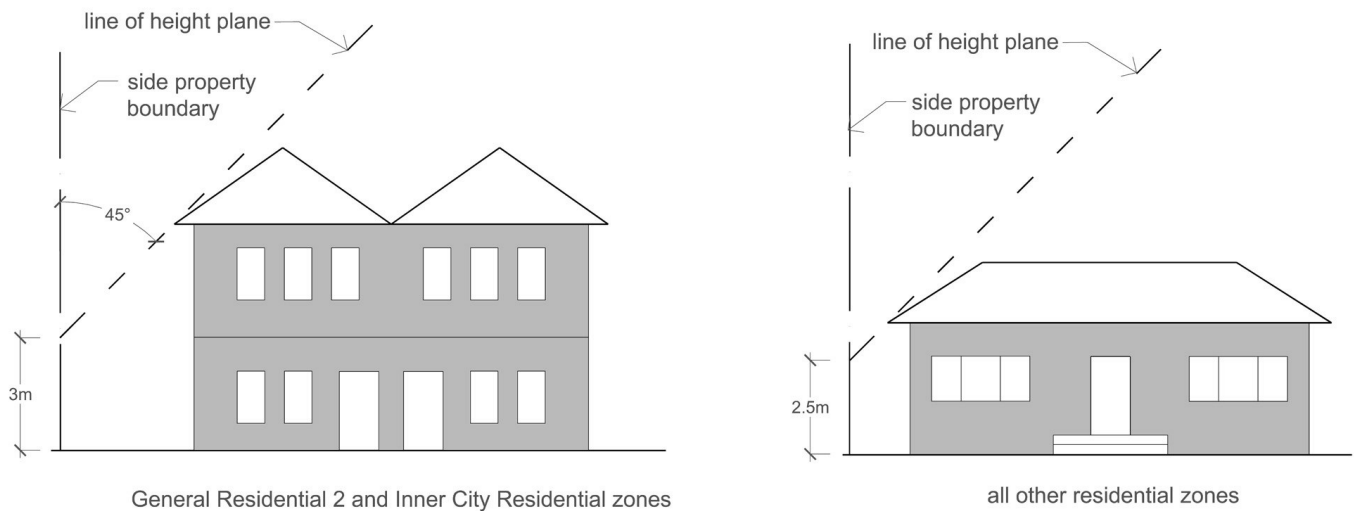


Figure 15.6G: Inner city residential zone height in relation to boundary special provision

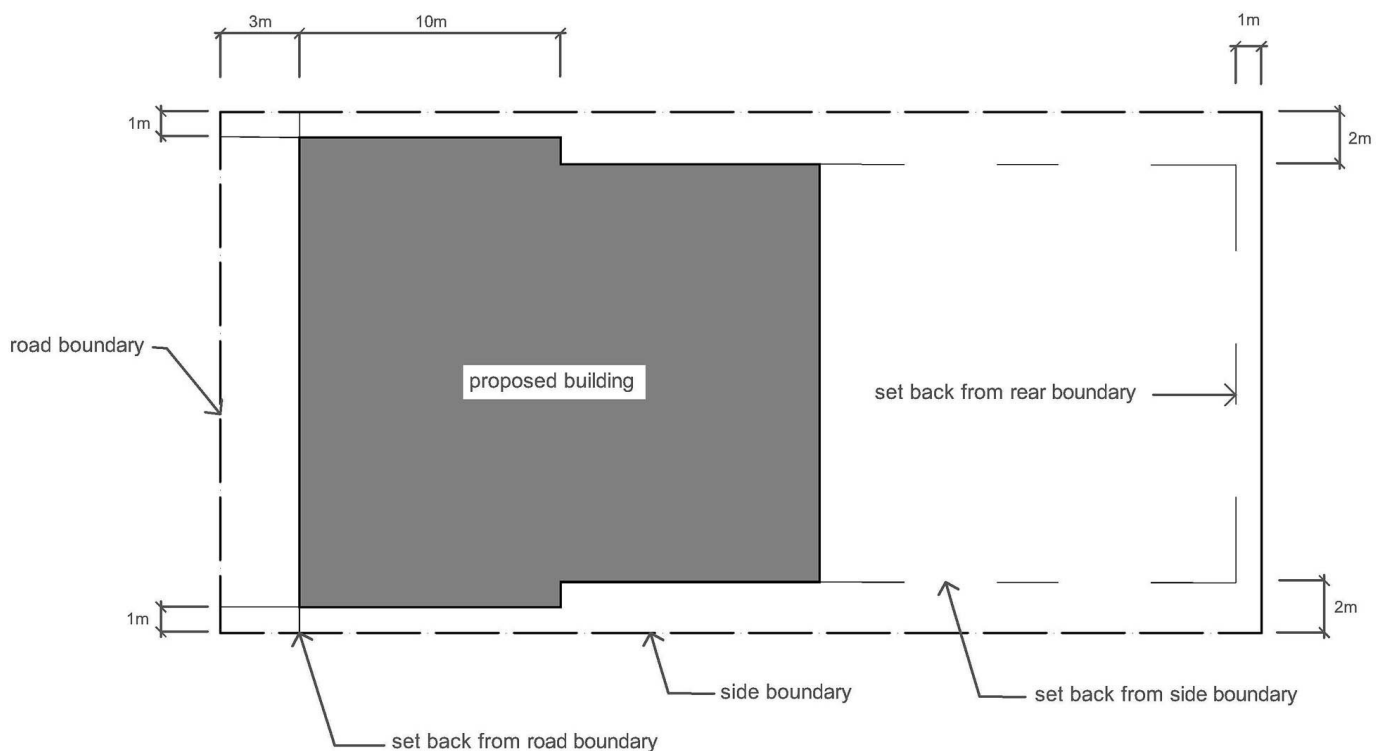
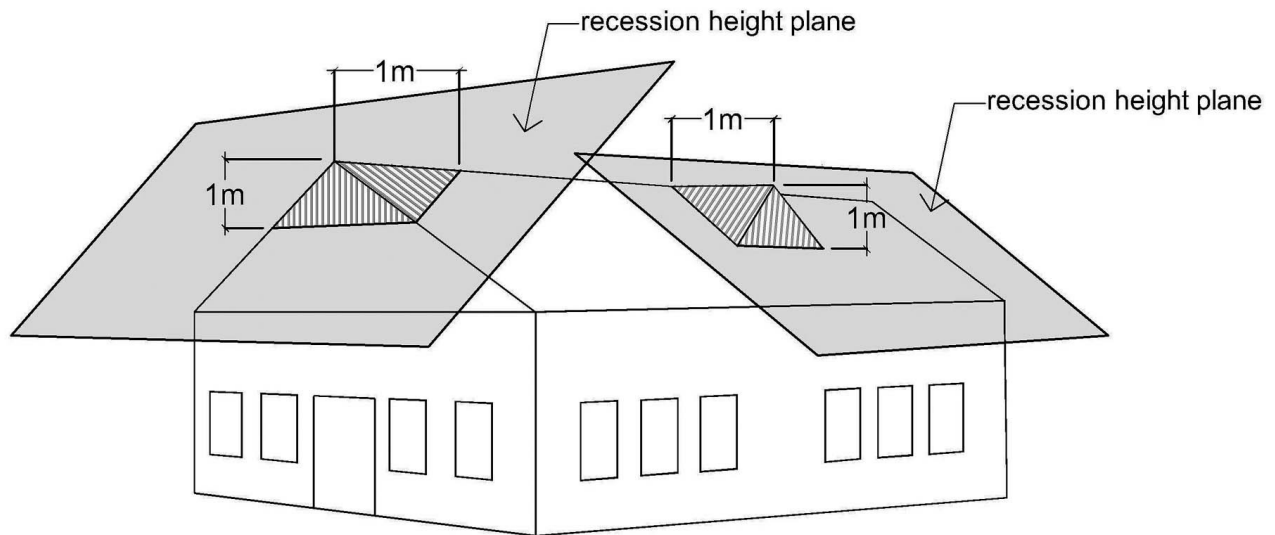


Figure 15.6H: Gable ends and dormers protruding through height plane



Huriawa Height Restriction Mapped Area



15.6.8 Location and Screening of Car Parking

1. In residential heritage precincts, parking areas must not be visible from an adjoining public place, unless they are set back a minimum of 4m from the road boundary.
2. In all other residential areas, parking, loading and access areas and garages and carports must not occupy more than 50% of the area of the front yard that is part of the road boundary setback required by Rule 15.6.14.

15.6.9 Location and Screening of Outdoor Storage

1. Shared service areas provided for 3 or more residential units must be located or screened so they are not visible at ground level from residential activities within the site, residential activities on adjacent sites, or public places.
2. Outdoor storage, including service areas, must not encroach into required parking, loading, manoeuvring, or outdoor living areas.
3. Materials stored outside must be stored in a way that prevents them contaminating any off-site area.
4. Outdoor storage in the Hazard 1 (flood) Overlay Zone must comply with Rule 11.3.5.

15.6.10 Materials and Design

Repairs and maintenance, restoration and earthquake strengthening must comply with Rule 13.3.2.

15.6.11 Maximum Building Site Coverage and Impermeable Surfaces

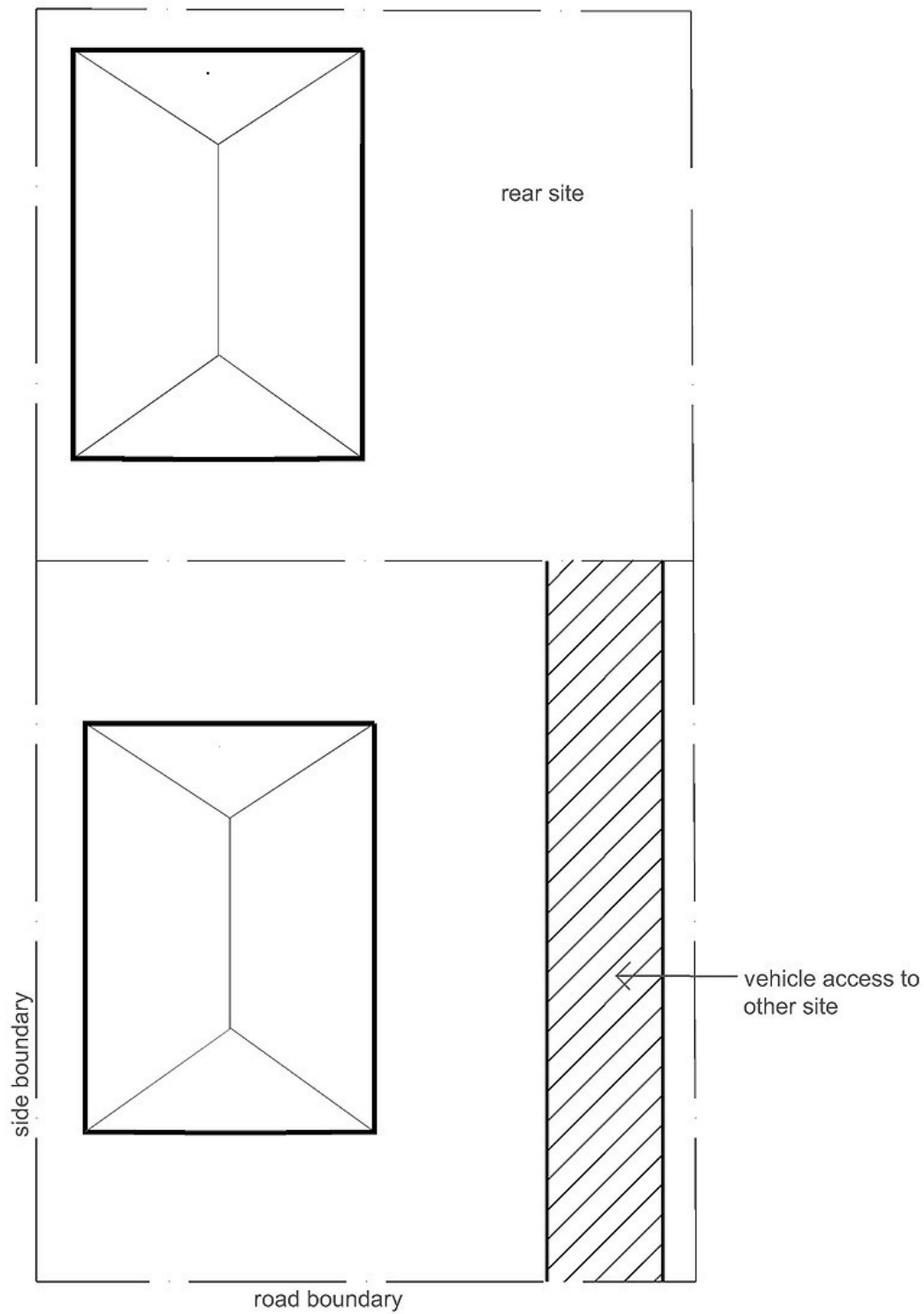
1. Development activities must not result in the maximum site coverage limits in Table 15.6.11A being exceeded.
2. Column i gives maximum site coverage, as a percentage of the site, for buildings and structures with a footprint greater than 10m².
3. Column ii gives the maximum site coverage, as a percentage of the site, for buildings, structures with a footprint greater than 10m², and any impermeable surfaces.

Table 15.6.11A

Zone		i. Maximum site coverage: buildings and structures with a footprint greater than 10m ² (% of site)	ii. Maximum site coverage: buildings and structures and any impermeable surfaces (% of site)
a.	General Residential 1 Zone	40%	70%
b.	General Residential 2 Zone	50%	80%
c.	Inner City Residential Zone	60%	80%
d.	Low Density Residential Zone	35%	65%
e.	Large Lot Residential 1 and 2 Zones	30%	50%
f.	Township and Settlement Zone	40%	70%
g.	Township and Settlement Zone in a no DCC reticulated wastewater mapped area	30%	50%

4. For the purpose of this standard, the footprint area of buildings is measured from the external side of walls and excludes any eaves or spouting.
5. Any vehicle access that provides access to another site and access leg for rear sites will be excluded from the calculation of total site area for the purpose of calculating site coverage in column i but included in the calculation of site coverage in column ii (see Figure 15.6I).

Figure 15.6l: Site coverage calculation



15.6.12 Number, Location and Design of Ancillary Signs

15.6.12.1 General

- a. Signs visible from a public place must meet all of the following performance standards.
- b. Signs must also comply with:
 - i. Rule 6.7.2 where located on or above the footpath outside dairies; and
 - ii. Rule 6.7.3 where visible from a road.
- c. Signs must be ancillary signs.
- d. Signs must not be illuminated or digital.

15.6.12.2 All signs in residential zone

- a. Signs must not be attached to roofs.
- b. Signs must not project higher than the lowest point of the roof, except as mounted flat against a parapet or gable end.
- c. Signs must have a maximum of 2 display faces per sign.
- d. Where attached to a building, signs must not protrude from a building façade by more than 1m.

15.6.12.3 All signs (ancillary to residential activities)

- a. Maximum one sign per site, either attached to a building, freestanding or attached to a fence or retaining wall.
- b. The height, above ground level, at the highest point of any sign:
 - i. attached to a residential building, is 4m; and
 - ii. where attached to a fence, retaining wall or freestanding, is 2m.
- c. Signs must have a maximum area of 0.6m² per display face.
- d. Portable freestanding signs must not be located on the road reserve.

15.6.12.4 All signs (ancillary to dairies)

- a. The height, above ground level, at the highest point of any sign attached to a building is 6m.
- b. Signs attached to a verandah fascia must not exceed a height of 0.5m, or the height of a verandah fascia, whichever is greater.
- c. The maximum area of walls up to 4m above ground level, or the bottom of a verandah, whichever is the lesser that signs may occupy is 50%.
- d. One sign with a maximum display face of 2m² is allowed per building between 4 and 6m in height above ground level.
- e. Signs attached at right angles to the façade of a building (including attached to the underside of a verandah), must not exceed:
 - i. a maximum of 2 signs per site; and
 - ii. a maximum area per display face of 1.5m²
- f. Portable freestanding signs on footpaths outside dairies must not exceed:
 - i. a maximum height of 0.9m above ground level;
 - ii. a maximum width of 0.6m; and
 - iii. a maximum of 1 portable freestanding sign per street frontage of dairy.

15.6.12.5 Signs attached to buildings (ancillary to other commercial activities and community activities)

- Maximum 1 sign per site attached to a building.
- The height, above ground level, at the highest point of any sign, attached to a building is 4m.
- Signs must have a maximum area per display face of 1.5m².

15.6.12.6 Freestanding signs (ancillary to commercial activities and community activities)

- Maximum of 1 permanently fixed freestanding sign or 1 portable freestanding sign per site.
- Freestanding signs must be positioned entirely within site boundaries.
- The maximum dimensions of freestanding signs are:
 - maximum height of 2m;
 - maximum area of 1.5m² per display face;
 - maximum width of 0.6m; and
 - maximum depth of 0.4m.

Note 15.6A - Other relevant District Plan provisions

- Commercial advertising is a non-complying land use activity in all zones except the Airport Zone.
- See Section 3 Public Amenities for the rules related to public noticeboards.
- See Section 4 Temporary Activities for the rules related to temporary signs.

Note 15.6B - Other requirements outside of the District Plan

- For additional restrictions that may apply to signs, see also:
 - New Zealand Transport Agency, Traffic Control Devices Manual, Part 3, Advertising Signs.
 - Dunedin City Council Commercial Use of Footpaths Policy.
 - Dunedin City Council Roadway Bylaw.
 - Dunedin City Council Traffic and Parking Bylaw.

15.6.13 Parking, Loading and Access Standards

Parking, loading and access must comply with Rule 6.6.

15.6.14 Setbacks

15.6.14.1 Boundary setbacks

- New buildings and structures, and additions and alterations, must be set back from boundaries as follows:

Zone		1. Setback from any road boundary	2. Setback from side and rear boundaries	3. Setback from boundary with right of way
i.	General Residential 1 Zone	4.5m	2m	1m
ii.	General Residential 2 Zone (except for Gardens, Mornington, Mosgiel, South Dunedin, and Caversham mapped areas)	4.5m	2m	1m



Zone		1. Setback from any road boundary	2. Setback from side and rear boundaries	3. Setback from boundary with right of way
iii.	General Residential 2 Zone (Gardens, Mornington, Mosgiel, South Dunedin, and Caversham mapped areas)	3m	1m	1m
iv.	Inner City Residential Zone	3m	1m	1m
v.	Low Density Residential Zone	4.5m	2m	1m
vi.	Large Lot Residential 1 and 2 Zones	4.5m	4m	1m
vii.	Township and Settlement Zone (except as for Formby Street Structure Plan)	4.5m	2m	1m
viii.	In the Formby Street Structure Plan , on the side or rear boundary (as relevant) on the eastern site boundary of Lots 1-10 (as shown on the Formby Street Structure Plan)	4.5m	10m	1m

ix. Except:

1. where residential buildings are located on a site between two sites with residential buildings that do not meet the standard for setback from the road boundary, then the minimum setback may be reduced to the depth of the larger of the two existing setbacks, as shown in Figure 15.6J. Existing setbacks will be measured from the main part of residential buildings and will exclude any garages or carports within the setback from the road boundary;
2. where buildings are built to the boundary and share a common wall no setback is required for the length of the buildings where joined (see Figure 15.6K);
3. in all areas, except Large Lot Residential Zones, for stand-alone and attached garages and carports that: have their entry facing the road **and** are no greater than 4m high and 4.5m in width (measured as parallel to the road boundary), the setback is reduced to 0.5m from the road boundary or 1m from the edge of any formed footpath or cycleway (whichever is greatest);
4. the setback from the side and rear boundary for stand-alone and attached garages and carports no greater than 3.3m high and 6m in length (measured as parallel to the boundary) is reduced to 1m; and
5. decks less than 0.5m above ground level, structures less than 2m² in floor area and 2m in height, and all fences are exempt from this standard.

Figure 15.6J: Setback from road boundary consistent with neighbour

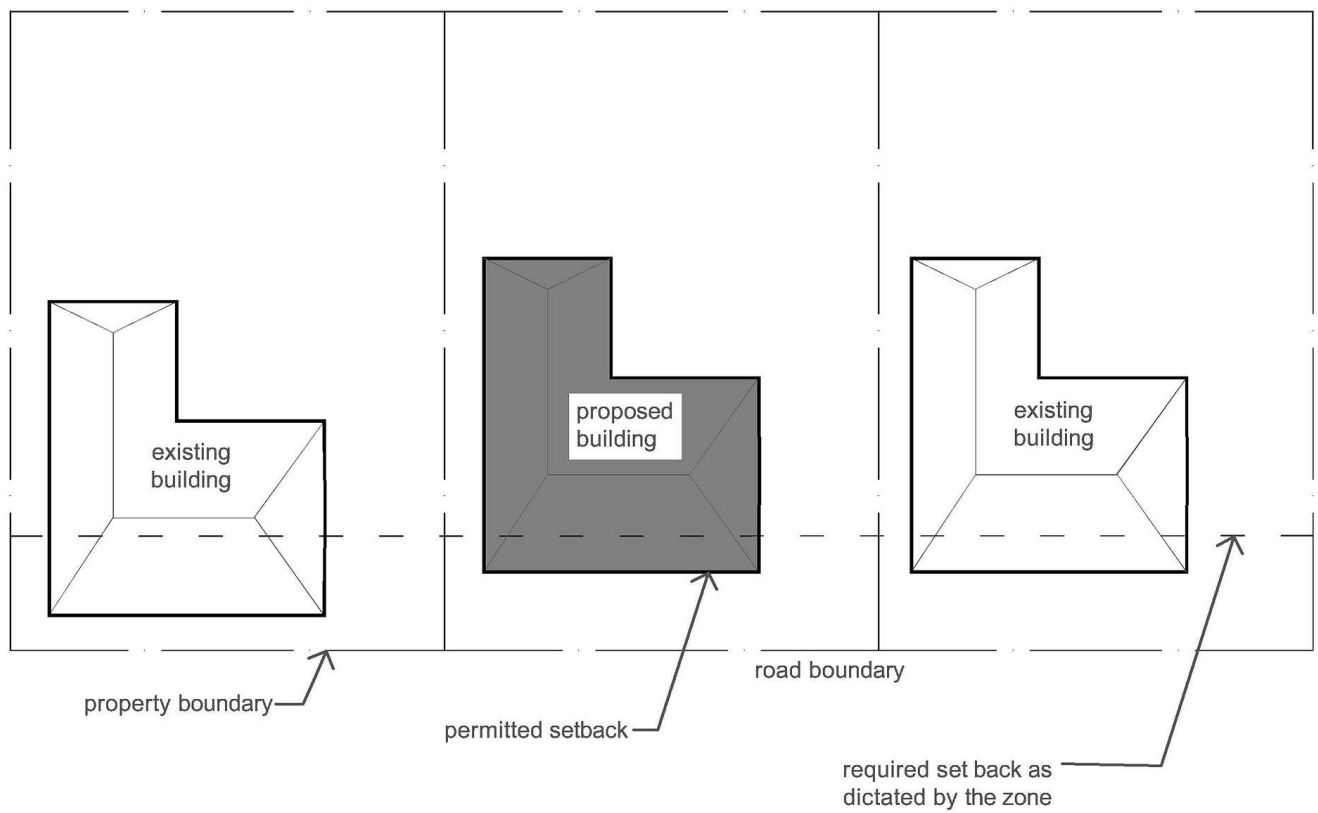
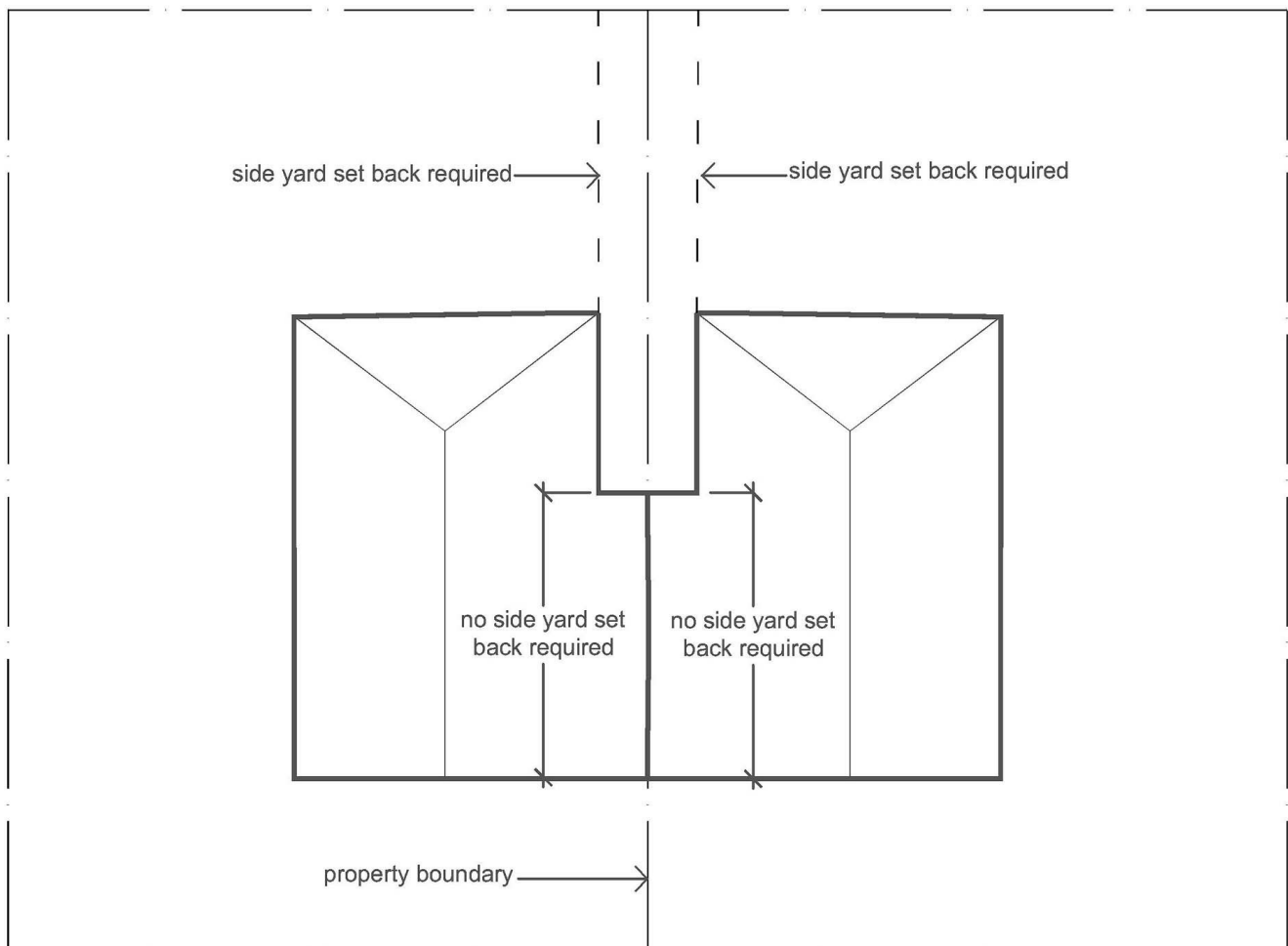


Figure 15.6K: Setbacks for buildings sharing common wall



15.6.14.2 Setback from scheduled tree

New buildings and structures, additions and alterations, earthworks, and any site development activities that involve the installation of impermeable surfacing must comply with Rule 7.5.2.

15.6.14.3 Setback from coast and water bodies

New buildings and structures, additions and alterations, earthworks - large scale, and storage and use of hazardous substances must comply with Rule 10.3.3.

15.6.14.4 Setback from national grid

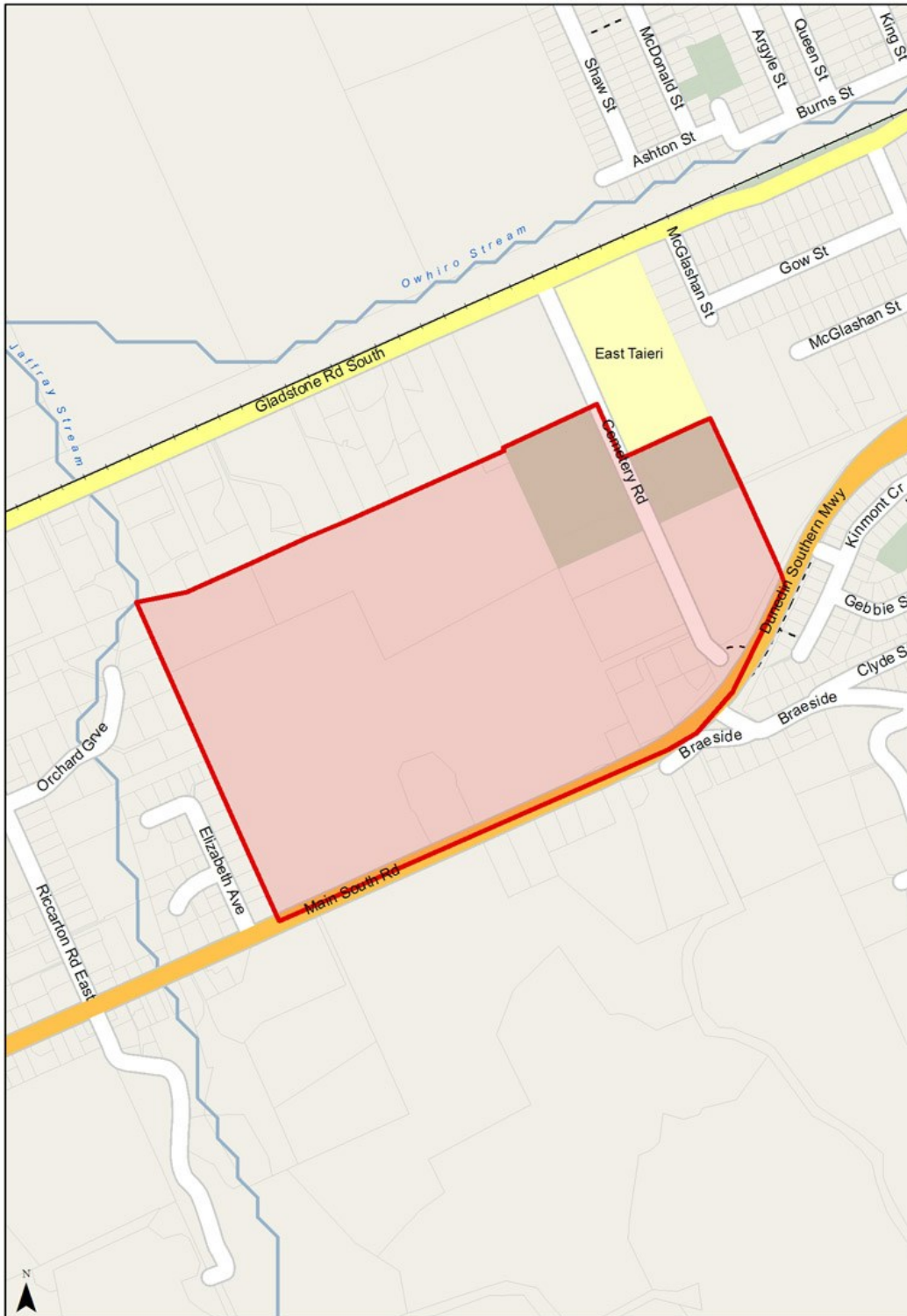
New buildings and structures, additions and alterations, and earthworks must comply with Rules 5.6.1.1 and 5.6.1.2.

15.6.15 Structure Plans

1. Development activities must be designed and located to ensure all of the requirements of the following structure plans can be met:
 - a. **East Taieri Structure Plan** (see Appendix 15A);
 - b. **Formby Street Structure Plan** (see Appendix 15B);
 - c. **Mosgiel East Structure Plan** (see Appendix 15C); and
 - d. **Holyhead Street Structure Plan** (see Appendix 15D).

2. Development that contravenes the performance standard for structure plans is a non-complying activity.

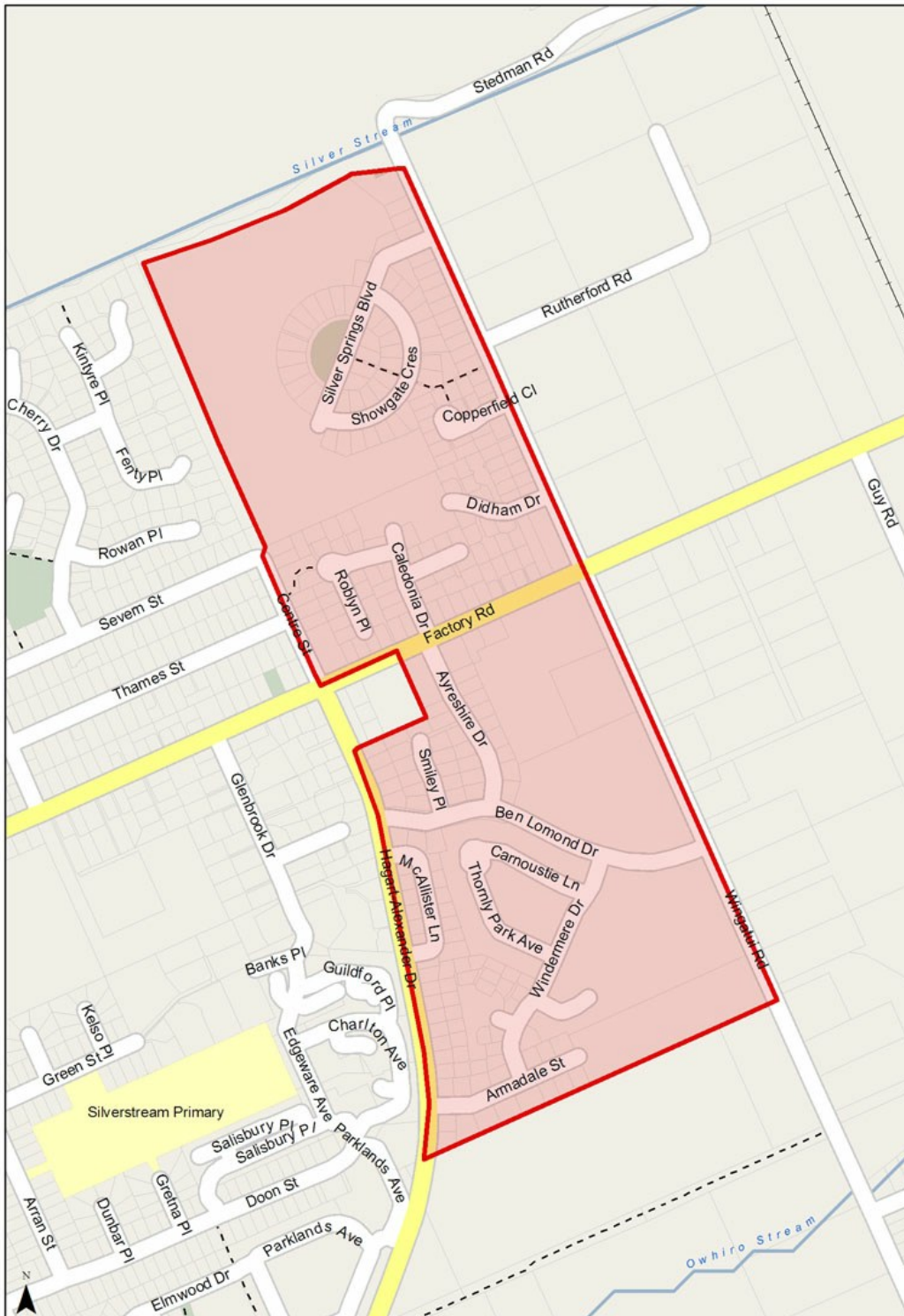
East Taieri Structure Plan Mapped Area



Formby Street Structure Plan Mapped Area



Mosgiel East Structure Plan Mapped Area



Holyhead Street Structure Plan Mapped Area



15.6.16 Vegetation Clearance Standards

1. Vegetation clearance in an **urban conservation mapped area** (UCMA) must comply with Rule 10.3.2.1.
2. Vegetation clearance in the Hazard 1 (land instability) or Hazard 2 (land instability) Overlay Zone must comply with Rule 11.3.2.

Rule 15.7 Subdivision Performance Standards

15.7.1 Access

Subdivision activities must comply with Rule 6.8.1.

15.7.2 Esplanade Reserves and Strips

Subdivision activities must comply with Rule 10.3.1.

15.7.3 Fire Fighting

Subdivision activities must comply with Rule 9.3.3.

15.7.4 Minimum Site Size

1. The minimum site sizes for new resultant sites is:

Zone		Minimum site size
a.	General Residential 1 Zone	500m ²
b.	General Residential 2 Zone <ul style="list-style-type: none"> • not within an infrastructure constraint mapped area; • or within the Mosgiel infrastructure constraint mapped area. 	300m ²
c.	General Residential 2 Zone within an infrastructure constraint mapped area , except for the Mosgiel infrastructure constraint mapped area	500m ²
d.	Inner City Residential Zone	200m ²
e.	Low Density Residential Zone	750m ²
f.	Large Lot Residential 1 Zone	2000m ²
g.	Large Lot Residential 2 Zone	3500m ²
h.	Township and Settlement Zone	500m ²
i.	Township and Settlement Zone (no DCC reticulated wastewater mapped area)	1000m ²

- Except resultant sites created and used solely for the following purposes are exempt from the minimum site size:
 - i. Scheduled ASCV or QEII covenant;
 - ii. reserve;
 - iii. access;
 - iv. utility; or
 - v. road.
2. General subdivision that does not comply with the standard for minimum site size is non-complying, except in the following circumstances where the subdivision is restricted discretionary:

1. a three-site subdivision where one resultant site is below the minimum site size and the average of the site sizes meets the minimum site size performance standard; and
2. the subdivision does not result in any resultant site being of a size that could be further subdivided in accordance with the minimum site size performance standards; and
3. the undersized resultant site is large enough to contain a building platform of at least 7m by 10m that meets the performance standards of this Plan including, but not limited to:
 1. outdoor living space;
 2. minimum car parking space;
 3. setbacks from boundaries, water bodies, significant trees, national grid transmission lines; and
 4. esplanade reserves and strips.

15.7.5 Service Connections

Subdivision activities must comply with Rule 9.3.7.

15.7.6 Shape

1. Each resultant site that is intended to be developed must be of a size and shape that is large enough to contain a building platform of at least 7m by 10m that meets the performance standards of this Plan including, but not limited to:
 - a. outdoor living space;
 - b. minimum car parking;
 - c. setbacks from boundaries, water bodies, scheduled trees, national grid; and
 - d. esplanade reserves or strips.
2. Building platforms must have a slope of 12° (1:4.7 or 21%) or less and must not contain:
 - a. scheduled heritage buildings or structures; or
 - b. right-of-way easements.
3. For unreticulated areas, resultant sites must provide for a waste disposal area to be located at least 50m from any water body.
4. Sites created and used solely for the following purposes are exempt from the shape standard:
 - a. Scheduled ASCV or QEII covenant;
 - b. reserve;
 - c. access;
 - d. network utility; or
 - e. road.

15.7.7 Structure Plans

1. Subdivision of land subject to a Structure Plan must be in accordance with the relevant Structure Plan as follows:
 - a. **East Taieri Structure Plan** (Appendix 15A);
 - b. **Formby Street Structure Plan** (Appendix 15B);
 - c. **Mosgiel East Structure Plan** (Appendix 15C); or
 - d. **Holyhead Street Structure Plan** (Appendix 15D).
2. Subdivision not in accordance with an approved Structure Plan is a non-complying activity.

Rule 15.8 Assessment of Controlled Activities

Rule 15.8.1 Introduction

1. Controlled activities will be assessed in accordance with section 104 and 104A of the RMA. Council must grant the application and may impose conditions with respect to matters over which it has reserved its control.
2. Rule 15.8.2:
 - a. lists the matters over which Council has reserved its control; and
 - b. provides guidance on how consent applications will be assessed, including:
 - i. relevant objectives and policies, with respect to s104(1)(b)(vi); and
 - ii. conditions that may be imposed.
3. Where a controlled activity does not meet a performance standard the following occurs:
 - a. if the contravention of the performance standard defaults to **restricted discretionary** (which is the case, unless otherwise indicated in the performance standard) then:
 - i. the activity, as a whole, will be treated as **restricted discretionary**; and
 - ii. the matters of discretion are expanded to include the areas of non-compliance with the performance standard; and
 - iii. the performance standard contravention will be assessed as indicated in Section 15.9; and
 - iv. the matters of control become matters of discretion and will be assessed as indicated in this section.
 - b. if the contravention of the performance standard defaults to **discretionary** then:
 - i. the activity, as a whole, will be treated as **discretionary**; and
 - ii. the performance standard contravention will be assessed as indicated in Section 15.11; and
 - iii. the assessment guidance in this section will also be considered.
 - c. if the contravention of the performance standard defaults to **non-complying** then:
 - i. the activity, as a whole, will be **non-complying**; and
 - ii. the performance standard contravention will be assessed as indicated in Section 15.12; and
 - iii. the assessment guidance in this section will also be considered.

15.8.2 Assessment of controlled activities

Activity	Matters of control	Guidance on the assessment of resource consents
1. Earthquake strengthening that affects a protected part of a scheduled heritage building or scheduled heritage structure, where external features only are protected.	a. Effects on heritage values	See Rule 13.4

Rule 15.9 Assessment of Restricted Discretionary Activities (Performance Standard Contraventions)

Rule 15.9.1 Introduction

1. Restricted discretionary activities will be assessed in accordance with section 104 and 104C of the RMA, meaning only those matters to which Council has restricted its discretion will be considered, and Council may grant or refuse the application, and, if granted, may impose conditions with respect to matters over which it has restricted its discretion.
2. Rules 15.9.2 - 15.9.6:
 - a. list the matters Council will restrict its discretion to; and
 - b. provide guidance on how consent applications will be assessed, including:
 - i. relevant objectives and policies, with respect to s104(1)(b)(vi);
 - ii. potential circumstances that may support a consent application;
 - iii. general assessment guidance; and
 - iv. conditions that may be imposed.
3. Rules 15.9.2 - 15.9.5 apply to performance standards in the residential zones; Rule 15.9.6 contains additional provisions that apply to performance standards in overlay zones, mapped areas, heritage precincts and on scheduled items.

15.9.2 Assessment of all performance standard contraventions

Performance standard	Guidance on the assessment of resource consents
1. All performance standard contraventions	<p><i>Potential circumstances that may support a consent application include:</i></p> <ol style="list-style-type: none"> a. The degree of non-compliance with the performance standard is minor. b. The need to meet other performance standards or topography, or other site specific factors, make meeting the standard impracticable. c. Non-compliance with a development performance standard would improve the design of the development in a way that would result in positive effects and better achieve the identified objectives and policies of the Plan. <p><i>General assessment guidance:</i></p> <ol style="list-style-type: none"> d. Where more than one standard is contravened, the combined effects of the contraventions should be considered. e. In balancing consideration of the objectives and policies related to the maintenance of heritage values or heritage precinct streetscape character and those related to general amenity, greater weight will be usually placed on heritage policies.

15.9.3 Assessment of land use performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
1.	Density - Rule 15.5.2.6	a. Effects on on-site amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.2 ii. Residential development achieves high quality on-site amenity for residents (Policy 15.2.2.1). <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> iii. Non-compliance with Rule 15.5.2.6 will be assessed based on which performance standard(s) the second residential building does not provide for compliance with, if subdivided in future. See assessment rules in relation to performance standard contraventions for: <ul style="list-style-type: none"> 1. site coverage; 2. height in relation to boundary; 3. setbacks; and 4. access.
2.	Density - Papakāika	a. Effects on cultural values of manawhenua	See Rule 14.3
		b. Effects on health and safety	See Rule 9.4
		c. Effects on the safety and efficiency of the transport network	See Rule 6.9
3.	Density - standard residential in General Residential 2 Zone infrastructure constraint mapped area	a. Effects on efficiency and/or affordability of infrastructure	See Rule 9.4
4.	Residential activity on an existing site not in a no DCC reticulated wastewater mapped area	a. Effects on health and safety	See Rule 9.4
5.	Electrical interference	a. Effects on health and safety	See Rule 9.4

15.9.3 Assessment of land use performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
6.	Hours of operation	a. Effects on surrounding sites' residential amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.3 ii. Working from home, dairies, training of education, and community and leisure operate in a way (including hours of operation), that avoids or, if avoidance is not possible, adequately mitigates, effects on the amenity of surrounding properties (Policy 15.2.3.2). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. The extension of hours will not result in unreasonable disturbance from vehicle headlights, deliveries/pick-ups, vehicle movements, or other noise.
7.	Location	a. Effects on the vibrancy and economic and social success of the CBD and centres.	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.1 ii. Activities ancillary to visitor accommodation are located and designed to cater to patrons of the primary activity rather than the general public (Policy 15.2.1.4). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. The ancillary activity is designed and managed so as to be unlikely to attract external customers. iv. There will be no external advertising on buildings facing the street, for the ancillary activity.
8.	Minimum car parking	a. Effects on accessibility	See Rule 6.9
9.	Minimum vehicle loading	a. Effects on the safety and efficiency of the transport network	See Rule 6.9
10.	Outdoor living space	a. Effects on on-site amenity for residents	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.2 ii. Residential development achieves high quality on-site amenity by providing functional, sunny, and accessible outdoor living spaces that allow enough space for on-site food production, leisure, and recreation (Policy 15.2.2.1.a). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. The property is within a short walking distance from public green space.

15.9.3 Assessment of land use performance standard contraventions

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
11. Service areas	a. Effects on on-site amenity for residents	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.2 ii. Adequate space is available for service areas (Policy 15.2.2.1.d).

15.9.4 Assessment of development performance standard contraventions

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
1. Boundary setback	a. Effects on surrounding sites' residential amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.3 ii. Buildings and structures are of a height and setback from boundaries that ensures no more than minor effects on the sunlight access of current and future residential buildings and their outdoor amenity spaces (Policy 15.2.3.1). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. Residential buildings on neighbouring sites receive adequate natural light and privacy.
	b. Effects on neighbourhood residential character and amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.4 ii. Development maintains or enhances streetscape amenity by ensuring buildings' height, boundary setbacks, and scale reflect existing or intended future residential character (Policy 15.2.4.1.c). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. The boundary setback is consistent with surrounding properties. iv. Landscaping or fences screen or soften the visual effects of buildings. v. The building is designed to integrate with residential buildings on the site and contribute to residential character and amenity e.g. similar materials to residential buildings, and roof pitch.
2. Boundary setback (Rule 15.6.14.1.ix.3)	a. Effects on health and safety	See Rule 6.9

15.9.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
3.	Building length	a. Effects on neighbourhood residential character and amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.4 ii. Development maintains or enhances streetscape amenity by ensuring buildings' scale reflect existing or intended future residential character (Policy 15.2.4.1.c). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. The bulk of the building is broken up by: <ul style="list-style-type: none"> 1. varying building elevations; 2. setting parts of the building back; 3. using different textures; 4. architectural features; or 5. other forms of building modulation. iv. The visual impact of the building length is screened and softened by landscaping, fencing, or other screening, which provides an attractive interface for surrounding properties. v. The building is set back from boundaries an adequate distance to avoid shading or visual effects on adjacent residential properties or public places. vi. Topography of the site mitigates the effects of the building scale on adjacent residential properties or public places.
4.	Earthworks standards: <ul style="list-style-type: none"> • Batter gradient 	a. Effects on the stability of land, buildings and structures	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.5 ii. Earthworks and associated retaining structures are designed and located to avoid adverse effects on the stability of land, buildings, and structures by using a batter gradient that will be stable over time (Policy 15.2.5.1.b).
5.	Earthworks standards: <ul style="list-style-type: none"> • Setback from property boundary, buildings, structures and cliffs 	a. Effects on the stability of land, buildings and structures	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.5 ii. Earthworks and associated retaining structures are designed and located to avoid adverse effects on the stability of land, buildings, and structures by being set back an adequate distance from property boundaries, buildings and cliffs (Policy 15.2.5.1.a).
6.	Earthworks standards: <ul style="list-style-type: none"> • Setback from national grid • Setback from network utilities 	a. Effects on efficient and effective operation of network utilities b. Effects on health and safety	See Rule 5.7

15.9.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
7.	Earthworks standards: • Sediment control	a. Effects on surrounding sites	<i>Relevant objectives and policies:</i> i. Objective 15.2.5 ii. Earthworks and any associated retaining structures are designed and located to minimise adverse effects on surrounding sites and the wider area by managing earthworks to avoid sediment run-off, including on to any property, or into any stormwater pipes, drains, channels or soakage systems (Policy 15.2.5.2.b).
		b. Effects on biodiversity values and natural character of the riparian margins and the coast	See Rule 10.4
		c. Effects on efficiency and/or affordability of infrastructure	See Rule 9.4
8.	Fence height and design	a. Effects on health and safety	See Rule 9.4
		b. Effects on neighbourhood residential character and amenity	<i>Relevant objectives and policies:</i> i. Objective 15.2.4 ii. Fences are of a height and design that contributes positively to the streetscape amenity and character of the neighbourhood (Policy 15.2.4.4). <i>Potential circumstances that may support a consent application include:</i> iii. The increased height or reduced visual permeability is necessary to meet protection requirements, to provide security, minimise noise effects from a busy road or activity, or for public well-being. iv. An attractive interface with the street is achieved. v. The fence will be screened by landscaping.
9.	Fire fighting	a. Effects on health and safety	See Rule 9.4
10.	Hazardous substances quantity limits and storage requirements	a. Effects on health and safety	See Rule 9.4

15.9.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
11.	<ul style="list-style-type: none"> Maximum height Height in relation to boundary 	a. Effects on surrounding sites' residential amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.3 ii. Buildings and structures are of a height and setback from boundaries that ensures no more than minor effects on the sunlight access of current and future residential buildings and their outdoor living spaces (Policy 15.2.3.1).
		b. Effects on neighbourhood residential character and amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.4 ii. Development maintains or enhances streetscape amenity by ensuring buildings' height, boundary setbacks, and scale reflect existing or intended future residential character (Policy 15.2.4.1.c). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. The height and/or height in relation to boundary is consistent with surrounding properties. iv. Landscaping or fences screen or soften the visual effects of buildings. v. Natural landforms or topography (e.g. cliffs, tall trees on adjacent reserves) provide a backdrop to the building.
12.	Location and screening of car parking	a. Effects on neighbourhood residential character and amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.4, 6.2.1 ii. Garages, carports, and car parking do not dominate the street (Policy 15.2.4.1a). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. Landscaping or other features soften the impact of these activities.
13.	Location and screening of outdoor storage	a. Effects on neighbourhood residential character and amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.4 ii. Development maintains or enhances streetscape amenity by ensuring shared service areas are not visible from ground level from outside the site (Policy 15.2.4.1.d). iii. Development maintains or enhances streetscape amenity by ensuring outdoor storage is managed in a way that does not result in unreasonable visual amenity effects or create nuisance effects (Policy 15.2.4.1.e).

15.9.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
14.	Maximum building site coverage and impermeable surfaces	a. Effects on on-site amenity for residents	<i>Relevant objectives and policies:</i> i. Objective 15.2.2 ii. Residential development achieves high quality on-site amenity by retaining adequate open space uncluttered by buildings (Policy 15.2.2.1.c).
		b. Effects on neighbourhood residential character and amenity	<i>Relevant objectives and policies:</i> i. Objective 15.2.4 ii. Development maintains or enhances streetscape amenity and by ensuring there are adequate areas free from buildings or hard surfacing (Policy 15.2.4.1.b).
		c. Effects on efficiency and/or affordability of infrastructure	See Rule 9.4
15.	Number, location and design of ancillary signs	a. Effects on neighbourhood residential character and amenity	<i>Relevant objectives and policies:</i> i. Objective 15.2.4 ii. Ancillary signs are located and designed to maintain residential amenity by being of an appropriate size and number to convey information about the name, location and nature of the activity or site to passing pedestrians and vehicles and not oversized or too numerous for what is necessary for that purpose (Policy 15.2.4.5).
		b. Effects on the safety and efficiency of the transport network	See Rule 6.9
16.	Parking, loading and access standards	a. Effects on the safety and efficiency of the transport network	See Rule 6.9
17.	Setback from coast and water bodies	a. Effects on biodiversity values and natural character of riparian margins and the coast	See Rule 10.4
		b. Effects on public access	
		c. Risk from natural hazards	See Rule 11.4
18.	Setback from scheduled tree	a. Effects on long term health of tree	See Rule 7.6

15.9.5 Assessment of subdivision performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
1.	Access	a. Effects on accessibility	See Rule 6.9
2.	Esplanade reserves and strips	a. Effects on biodiversity values and the natural character of riparian margins and the coast	See Rule 10.4
		b. Effects on public access	
3.	Fire fighting	a. Effects on health and safety	See Rule 9.4
4.	Minimum site size (three-site subdivision where one resultant site is below the minimum site size - Rule 15.7.4.2)	a. Effects on neighbourhood residential character and amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 2.4.1 ii. Resultant sites are of a size: <ul style="list-style-type: none"> 1. that provides for compliance of all relevant land use and development performance standards; and 2. where in a structure plan area, reflects the requirements of the structure plan (Policy 2.4.1.8). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. the adjustment of site boundaries is necessary to achieve: <ul style="list-style-type: none"> 1. a more balanced division of site sizes relative to an existing residential buildings size, location or access requirements; 2. better alignment with topographical or other site development constraints; or 3. the protection of heritage items, significant trees, indigenous vegetation, or waterways on a site.
5.	Service connections	a. Effects on efficiency and/or affordability of infrastructure	See Rule 9.4

15.9.5 Assessment of subdivision performance standard contraventions

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
6. Shape	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> a. Objective 2.4.1 b. Subdivision is designed to ensure any future land use or development is able to meet the performance standards in the zone, or where in a structure plan area, reflects the requirements of the structure plan, unless: <ul style="list-style-type: none"> i. a resource consent is approved for a development that does not meet the performance standard and the subdivision is intended for and capable of providing for that approved development; or ii. the resultant site is required for: <ul style="list-style-type: none"> 1. Scheduled ASCV; QEII covenant; or 2. reserve; or 3. access; or 4. utility; or 5. road (Policy 2.4.1.8). <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> c. Non-compliance with the performance standard for shape will be assessed based on which performance standard(s) the shape of the resultant site does not provide for compliance with. See matters of discretion and assessment rules in relation to performance standard contraventions for: <ul style="list-style-type: none"> i. outdoor living space; ii. minimum car parking; iii. boundary setbacks; iv. setbacks from water bodies; v. setback from scheduled tree; vi. setback from national grid; and vii. earthworks standards (building platform slope). <p><i>Conditions that may be imposed:</i></p> <ul style="list-style-type: none"> d. Restrictions or conditions, including by way of consent notice, on land use or development activities allowed on the site. e. A building platform may be required to be registered against the title by way of consent notice. 	

15.9.6 Assessment of restricted discretionary performance standard contraventions in an overlay zone, mapped area, heritage precinct or affecting a scheduled heritage item

Activity	Matters of discretion	Guidance on the assessment of resource consents
1. In a hazard overlay zone or swale mapped area : <ul style="list-style-type: none"> • Hazard overlay zones development standards • Hazardous substances quantity limits and storage requirements 	a. Risk from natural hazards	See Rule 11.4
2. In an urban conservation mapped area : <ul style="list-style-type: none"> • Vegetation clearance standards 	a. Effects on biodiversity	See Rule 10.4
3. In a Huriawa height restriction mapped area : <ul style="list-style-type: none"> • Maximum height 	a. Effects on cultural values of manawhenua	See Rule 14.3
4. In a heritage precinct : <ul style="list-style-type: none"> • Fence height and design • Materials and design • Maximum height • Height in relation to boundary 	a. Effects on heritage streetscape character	See Rule 13.5
5. In a wāhi tūpuna mapped area : <ul style="list-style-type: none"> • Esplanade reserves and strips • Setback from coast and water bodies 	a. Effects on cultural values of manawhenua	See Rule 14.3
6. Affecting a scheduled heritage item : <ul style="list-style-type: none"> • Materials and design 	a. Effects on heritage values	See Rule 13.5
7. In the Taieri Aerodrome Flight Fan mapped area : Maximum height (Rule 5.6.7.2.h)	a. Effects on operation of Taieri Aerodrome	See Rule 9.4

Rule 15.10 Assessment of Restricted Discretionary Activities

Rule 15.10.1 Introduction

1. Restricted discretionary activities will be assessed in accordance with section 104 and 104C of the RMA, meaning only those matters to which Council has restricted its discretion will be considered, and Council may grant or refuse the application, and, if granted, may impose conditions with respect to matters over which it has restricted its discretion.
2. Rules 15.10.2 - 15.10.5:
 - a. list the matters Council will restrict its discretion to; and
 - b. provide guidance on how a consent application will be assessed, including:
 - i. relevant objectives and policies, with respect to s104(1)(b)(vi);
 - ii. potential circumstances that may support a consent application;
 - iii. general assessment guidance; and
 - iv. conditions that may be imposed.
3. Rules 15.10.2 - 15.10.4 apply to activities in the residential zones; Rule 15.10.5 contains additional provisions that apply to activities in overlay zones, mapped areas, heritage precincts and on scheduled items.
4. For all land use activities that require consent, all associated development activities will be considered as part of the resource consent even if the development otherwise meets the development performance standards in the Plan. Conditions on development activities may be used to minimise any adverse effects from the land use activity or create mitigating positive effects.
5. Where a restricted discretionary activity does not meet a performance standard the following occurs:
 - a. if the contravention of the performance standard defaults to **restricted discretionary** (which is the case, unless otherwise indicated in the performance standard) then:
 - i. the activity, as a whole, will be treated as **restricted discretionary**; and
 - ii. the matters of discretion are expanded to include the areas of non-compliance with the performance standard; and
 - iii. the performance standard contravention will be assessed as indicated in Section 15.9; and
 - iv. the matters of discretion in this section will be assessed as indicated.
 - b. if the contravention of the performance standard defaults to **discretionary** then:
 - i. the activity, as a whole, will be treated as **discretionary**; and
 - ii. the performance standard contravention will be assessed as indicated in Section 15.11; and
 - iii. the assessment guidance in this section will also be considered.
 - c. if the contravention of the performance standard defaults to **non-complying** then:
 - i. the activity, as a whole, will be **non-complying**; and
 - ii. the performance standard contravention will be assessed as indicated in Section 15.12; and
 - iii. the assessment guidance in this section will also be considered.
6. With respect to section 104(2), Council will not consider family flats as part of the permitted baseline in considering residential density effects in the residential zones.

15.10.2 Assessment of restricted discretionary land use activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
----------	-----------------------	---

1. All RD land use activities, including: <ul style="list-style-type: none"> • early childhood education - small scale • visitor accommodation (including ancillary activities), • activities listed below 	a. Effects on accessibility	See Rule 6.10
	b. Effects on the safety and efficiency of the transport network	
	c. Effects on surrounding sites' residential amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.3 ii. Activities are designed to avoid or, if avoidance is not possible, adequately mitigate, adverse effects on the amenity of surrounding residential properties (Policy 15.2.3.4). <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> iii. In assessing the effects on amenity, Council will: <ul style="list-style-type: none"> 1. consider the effects of vehicle movements on the site as well as any significant changes to the number and nature of vehicle movements on the adjoining road, and the appropriateness of higher levels of vehicle movements based on the Road Classification Hierarchy in Appendix 6A; 2. consider for visitor accommodation and supported living facilities whether communal outdoor gathering areas are located or screened to be minimise effects on adjacent residential properties; and 3. consider the relevant policies for development activities, including policies 15.2.3.1, 15.2.3.3, 15.2.4.1. <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iv. Performance standards for development activities are met. <p><i>Conditions that may be imposed include:</i></p> <ul style="list-style-type: none"> v. Conditions on signage, lighting, hours of operation. vi. Delivery time restrictions. vii. Requirements for fencing or landscaping of car parking areas to minimise adverse visual and nuisance effects from lighting and/or vehicle headlights on surrounding properties. viii. For early childhood education centres: <ul style="list-style-type: none"> 1. acoustic insulation, acoustic fencing, low noise surfaces for play areas, or other such treatments; and 2. use of a noise management plan. ix. For campgrounds: <ul style="list-style-type: none"> 1. Limits on the scale of the activity. 2. Location of dump stations (for disposal of waste from motor homes) away from boundaries with residential properties. 3. Restrictions on location and hours of operation of generators to minimise any effects from noise on neighbours. 4. Road upgrades necessary to handle the amount and type of

15.10.2 Assessment of restricted discretionary land use activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
		<p>vehicles anticipated.</p> <p>5. Location, screening, or acoustic fencing of communal outdoor living/ gathering areas.</p>
	d. Effects on streetscape amenity and character	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> i. Objective 15.2.4 ii. Activities are designed and located to avoid or, if avoidance is not possible, adequately mitigate, adverse effects on streetscape amenity (Policy 15.2.4.7). <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> iii. In assessing the effects on amenity, Council will: <ul style="list-style-type: none"> 1. consider the effects of vehicle movements on the site as well as any significant changes to the number and nature of vehicle movements on the adjoining road, and the appropriateness of higher levels of vehicle movements based on the Road Classification Hierarchy in Appendix 6A; and 2. consider the relevant policies for development activities, including Policies 15.2.3.1, 15.2.3.3, 15.2.4.1. <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iv. Performance standards for development activities are met.
2. Cemeteries	a. Effects on surrounding sites' residential amenity.	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.3 ii. Cemeteries are designed and located to avoid or, if avoidance is not possible, adequately mitigate, adverse effects on the amenity of surrounding sites and avoid reverse sensitivity from surrounding permitted (Policy 15.2.3.5). <p><i>General assessment guidance/Conditions that may be imposed include:</i></p> <ul style="list-style-type: none"> iii. In assessing the effects on amenity Council will consider the location of graves being a suitable distance away from boundaries and any screening or landscaping proposed. These aspects may be included as conditions of consent.
	b. Effects on cultural values of manawhenua	See Rule 14.4

15.10.2 Assessment of restricted discretionary land use activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
3. Restaurants, retail, conference, meeting and function <i>ancillary to visitor accommodation</i>	a. Effects on the vibrancy and economic and social success of CBD and centres	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.1 ii. Activities ancillary to visitor accommodation are located and designed to cater to patrons of the primary activity rather than the general public (Policy 15.2.1.4). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. The ancillary activity is designed and managed so as to be unlikely to attract external customers. iv. There will be no external advertising on buildings facing the street, for the ancillary activity. v. Communal outdoor gathering areas are located or screened to be minimise effects on adjacent residential properties. <p><i>Conditions that may be imposed include:</i></p> <ul style="list-style-type: none"> vi. Entrances to be located internally to the visitor accommodation. vii. No signs related to the ancillary activity to be visible from a public place.
4. Supported living facilities	a. Effects on efficiency and/or affordability of infrastructure	See Rule 9.5

15.10.3 Assessment of restricted discretionary development activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
<p>1. New buildings or additions and alterations to buildings that result in a building that is greater than 300m²</p>	<p>a. Effects on streetscape amenity and character</p>	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.4 ii. Development maintains or enhances streetscape amenity by ensuring buildings' height, boundary setbacks, and scale reflect the existing or intended future residential character (Policy 15.2.4.1.c). <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> iii. In assessing the effects on amenity Council will consider whether building design reflects, and is conducive with, the residential scale. The cumulative effect of buildings on the streetscape amenity will also be considered. <p><i>Conditions that may be imposed include:</i></p> <ul style="list-style-type: none"> iv. Requirements for design features to break up the bulk of the building, for example by varying building elevations, by setting parts of the building back, use of different textures, by the use of architectural features, or modulation. v. The visual effects of the building is screened and softened by landscaping, fencing, or other screening, which provides an attractive interface with the street. vi. The building is set back from boundaries adequate distance to avoid shading or visual effects on adjacent residential properties or public places. vii. Topography of the site mitigates the effects of the building scale on adjacent residential properties or public places.
<p>2. New parking areas, or extensions to existing parking areas (<i>that result in the creation of 50 or more new parking spaces.</i>)</p>	<p>a. Effects on the safety and efficiency of the transport network</p>	<p>See Rule 6.10</p>

15.10.3 Assessment of restricted discretionary development activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
3. Earthworks - large scale (that exceed the scale thresholds for the residential zones)	<p>a. Effects on visual amenity and character</p> <p>b. Effects on the amenity of surrounding properties</p>	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.5 ii. Adverse effects on visual amenity and character will be avoided or, if avoidance is not possible, adequately mitigated (Policy 15.2.5.3.a). iii. Adverse effects on the amenity of surrounding properties, including from changes to drainage patterns, will be avoided or, if avoidance is not possible, adequately mitigated (Policy 15.2.5.3.b). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iv. There is no, or only minimal, alteration to the natural landform. v. Any cut or fill will be restored or treated to resemble natural landforms. vi. The earthworks will not remove or effect existing vegetation or landscaping. <p><i>Conditions that may be imposed include, but are not limited to:</i></p> <ul style="list-style-type: none"> vii. Measures to minimise visual effects, e.g. requirements for revegetation and/or landscaping. viii. Maximum slopes of cut and fill batters. ix. Measures to divert surface water and rain away from, or prevent from discharging over, batter faces and other areas of bare earth. x. Measures to ensure there are no adverse effects from changes to drainage patterns on surrounding properties. xi. Requirement to de-compact soils; to take other remedial action to ensure the natural absorption capacity of the soils is not reduced; or to use other mitigation measures to ensure the overall absorption of rain water on-site is not diminished.

15.10.3 Assessment of restricted discretionary development activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
	c. Effects on the stability of land, buildings, and structures	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.5 ii. Adverse effects on the stability of land, buildings, and structures will be avoided or, if avoidance is not possible, adequately mitigated (Policy 15.2.5.3.c). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. A geotechnical report confirms the existing ground is suitably stable for the proposed works, and proposed works will not create instability risks for surrounding land, buildings, or structures (see Special Information Requirements - Rule 15.13.1). iv. Excavation, fill and retaining structures will be designed, and the work undertaken, in accordance with best practice engineering standards. <p><i>Conditions that may be imposed include, but are not limited to:</i></p> <ul style="list-style-type: none"> v. Maximum slopes of cut and fill batters. vi. Time limits for retaining wall installation to avoid leaving a cut slope unsupported for an extended period. vii. Temporary shoring requirements to maintain stability before a wall is constructed. viii. Supervision and monitoring requirements for retaining wall construction and standard earthworks construction.
4. Earthworks - large scale (that exceed scale thresholds within 5m of a water body or MHWS)	<p>a. Effects on biodiversity and natural character of riparian margins and the coast</p> <p>b. Effects on public access</p>	See Rule 10.5

Table 15.10.4 Assessment of restricted discretionary subdivision activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
1. All subdivision activities	a. Effects on neighbourhood residential character and amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.4 ii. Subdivision is designed to ensure any future land use and development will: <ul style="list-style-type: none"> 1. maintain the amenity of the streetscape; 2. maintain or compliment the character of the neighbourhood; 3. provide for development to occur without unreasonable earthworks or engineering requirements; and 4. provide for quality housing (Policy 15.2.4.6). <p><i>Design considerations that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. The layout of the subdivision takes into account solar orientation and is designed to ensure future development will facilitate a high level of passive solar gain. <p><i>Conditions that may be imposed include:</i></p> <ul style="list-style-type: none"> iv. Building platforms registered against the title by way of consent notice.
	b. Risk from natural hazards	See Rule 11.5
	c. Effects on efficiency and/or affordability of infrastructure	See Rule 9.5
	d. Effects on the safety and efficiency of the transport network	See Rule 6.10
2. All subdivision activities that involve a new road	a. Effects on the safety and efficiency of the transport network	

15.10.5 Assessment of restricted discretionary activities in an overlay zone, mapped area, heritage precinct or affecting a scheduled heritage item

Activity	Matters of discretion	Guidance on the assessment of resource consents
1. In a hazard overlay zone : <ul style="list-style-type: none"> • Earthworks - large scale (that exceed scale thresholds for a hazard (land instability) overlay zone) • Earthworks - large scale (that exceed scale thresholds for a hazard (flood) overlay zone) • Earthworks - large scale (that exceed scale thresholds for a swale mapped area) 	a. Risk from natural hazards	See Rule 11.5
2. In the Hazard 1 (land instability) Overlay Zone (see Rule 15.3.6): <ul style="list-style-type: none"> • New buildings, and additions and alterations to buildings, which create more than 1m² of new ground floor area 	a. Risk from natural hazards	See Rule 11.5
3. In a hazard 1 or 2 overlay zone , other than the hazard 1 (land instability) Overlay Zone (see Rule 15.3.6): <ul style="list-style-type: none"> • New buildings, and additions and alteration to buildings, which create more than 36m² of new ground floor area 	a. Risk from natural hazards	See Rule 11.5
4. In the Hazard 3 (coastal) Overlay Zone <ul style="list-style-type: none"> • All subdivision activities 	a. Risk from natural hazard	See Rule 11.5
5. In a geologically sensitive mapped area (GSA) : <ul style="list-style-type: none"> • Earthworks - large scale (that exceed underlying zone scale thresholds) 	a. Risk from natural hazards	See Rule 11.5
6. In a UCMA : <ul style="list-style-type: none"> • Earthworks - large scale (that exceed the scale thresholds for a UCMA) • All subdivision activities 	a. Effects on biodiversity	See Rule 10.5
7. In a heritage precinct : <ul style="list-style-type: none"> • All RD activities due to being in a heritage precinct 	a. Effects on heritage streetscape character	See Rule 13.6

15.10.5 Assessment of restricted discretionary activities in an overlay zone, mapped area, heritage precinct or affecting a scheduled heritage item

Activity	Matters of discretion	Guidance on the assessment of resource consents
<p>8. On a scheduled heritage site:</p> <ul style="list-style-type: none"> • Earthworks - large scale (that exceed the scale thresholds for a SHS) • New buildings and all other structures on a scheduled heritage site, where visible from an adjoining public place or a public place within a heritage site • Parking, loading and access on a scheduled heritage site, where visible from an adjoining public place or a public place within a heritage site • All subdivision activities 	<p>a. Effects on heritage values</p>	<p>See Rule 13.6</p>
<p>9. Affecting a scheduled heritage building or a scheduled heritage structure:</p> <ul style="list-style-type: none"> • All other additions and alterations • Removal for relocation • All subdivision activities 	<p>a. Effects on heritage values</p>	<p>See Rule 13.6</p>
<p>10. In a wāhi tūpuna mapped area:</p> <ul style="list-style-type: none"> • All subdivision activities • Earthworks - large scale (that exceed the scale thresholds for the residential zones) 	<p>a. Effects on cultural values of manawhenua</p>	<p>See Rule 14.4</p>

Rule 15.11 Assessment of Discretionary Activities

Rule 15.11.1 Introduction

1. Discretionary activities will be assessed in accordance with section 104 and 104B of the RMA meaning Council may grant or refuse the application, and, if granted, may impose conditions.
2. Rules 15.11.2 - 15.11.4 provide guidance on how a consent application for the listed discretionary activities will be assessed, including:
 - a. relevant objectives and policies that will be considered as a priority with respect to s104(1)(b)(vi);
 - b. potential circumstances that may support a consent applications;
 - c. general assessment guidance, including any effects that will be considered as a priority; and
 - d. conditions that may be imposed.
3. With respect to section 104(2), Council will not consider family flats as part of the permitted baseline in considering residential density effects in the residential zones.
4. Rules 15.11.2 - 15.11.3 apply to activities in the residential zones; Rule 15.11.4 contains additional provisions that apply to activities in overlay zones.
5. For all land use activities that require consent, all associated development activities will be considered as part of the resource consent even if the development otherwise meets the development performance standards in this Plan. Conditions on development activities may be used to minimise any adverse effects from the land use activity or create mitigating positive effects.

15.11.2 Assessment of discretionary activities

Activity	Guidance on the assessment of resource consents
1. All discretionary activities	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ol style="list-style-type: none"> a. See Section 6.11 for guidance on the assessment of resource consents in relation to Objective 6.2.2 and 6.2.3 and effects related to accessibility and the safety and efficiency of the transport network. <p><i>General assessment guidance</i></p> <ol style="list-style-type: none"> b. In assessing activities that are discretionary due to being in an overlay zone, mapped area, in a scheduled site, or affecting a scheduled item, that otherwise require resource consent, the assessment guidance provided in relation to the underlying activity status will also be considered.

15.11.2 Assessment of discretionary activities

Activity	Guidance on the assessment of resource consents
<p>2. Registered health practitioners</p>	<p><i>Relevant objectives and policies (priority considerations)</i></p> <ul style="list-style-type: none"> a. Objective 15.2.3 b. Registered health practitioners are designed to avoid, or if avoidance is not possible, adequately mitigate, adverse effects on the amenity of surrounding residential properties (Policy 15.2.3.4). <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> c. In assessing the effects on amenity, Council will consider the effects of vehicle movements on the site as well as any significant changes to the number and nature of vehicle movement on the adjoining road, with consideration of the Road Hierarchy in Appendix 6A. <p><i>Potential circumstance that may support a consent application include</i></p> <ul style="list-style-type: none"> d. The scale of the facilities is appropriate to the residential environment, providing for a small number of registered health practitioners, rather than a medical centre, which should be located in a centre. <p><i>Conditions that may be imposed include:</i></p> <ul style="list-style-type: none"> e. Delivery/pick up time restrictions. f. Landscaping to minimise amenity effects of lighting, vehicle headlights, or parking areas on surrounding properties. g. Number of registered practitioners to be employed.
<p>3. • Early childhood education - large scale • Schools</p>	<p><i>Relevant objectives and policies (priority considerations)</i></p> <ul style="list-style-type: none"> a. Objective 15.2.3 b. Schools and early childhood education are designed and located to avoid or, if avoidance is not possible, adequately mitigate, adverse effects on the amenity of surrounding residential properties (Policy 15.2.3.4). <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> c. In assessing the effects on amenity Council will consider whether buildings and outdoor areas are designed and located to reduce noise emissions. <p><i>Conditions that may be imposed include:</i></p> <ul style="list-style-type: none"> d. Delivery time restrictions e. Landscaping to minimise amenity effects of lighting, vehicle headlights or parking areas on surrounding properties. f. Mitigation measures to minimise noise such as insulation, acoustic fencing, low noise surfaces for play areas, or other such treatments. g. A noise management plan may be required.

15.11.2 Assessment of discretionary activities

Activity	Guidance on the assessment of resource consents
<p>4. Sport and recreation (not involving the use of motor vehicles)</p>	<p><i>Relevant objectives and policies (priority considerations)</i></p> <ul style="list-style-type: none"> a. Objective 15.2.3 b. Sport and recreation is designed and located to avoid or, if avoidance is not possible, adequately mitigate, adverse effects on the amenity of surrounding residential properties(Policy 15.2.3.4). <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> c. In assessing the effects on amenity Council will consider whether buildings and outdoor areas are designed and located to reduce noise emissions. d. Amount of parking proposed is appropriate for the activity and will not result in impacts or parking pressure on the surrounding residential environment. e. Hours of operation proposed are appropriate for the residential environment. f. The scale of the facilities is appropriate to the residential environment. <p><i>Conditions that may be imposed include:</i></p> <ul style="list-style-type: none"> g. Landscaping to minimise amenity effects of lighting, vehicle headlights or parking areas on surrounding properties. h. Hours of operation. i. Car parking requirements.
<p>5. Stand-alone car parking</p>	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> a. Objective 15.2.3 b. Stand-alone car parking is of a scale and is designed and operated in a way that avoids, or if avoidance is not possible, adequately mitigates, adverse effects on the amenity of surrounding residential properties (Policy 15.2.3.4). <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> c. In assessing the effects on the amenity of surrounding residential properties, Council will consider the effects of vehicle movements on the site as well as any significant changes to the number and nature of vehicle movement on the adjoining road, with consideration of the Road Hierarchy in Appendix 6A. <p><i>Conditions that may be imposed include:</i></p> <ul style="list-style-type: none"> d. Requirements for fencing or landscaping of car parking areas to minimise adverse visual or nuisance effects from lighting and/ or vehicle headlights on surrounding properties.

15.11.2 Assessment of discretionary activities

Activity	Guidance on the assessment of resource consents
6. Restaurants or retail <i>ancillary to sport and recreation</i>	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ol style="list-style-type: none"> Objective 15.2.4 Sport and recreation facilities are designed and operated in a way that avoids, or if avoidance is not possible, adequately mitigates, adverse effects on streetscape amenity(Policy 15.2.4.7). <p><i>General assessment guidance:</i></p> <ol style="list-style-type: none"> The ancillary activity is designed and managed so as to be unlikely to attract external customers. There will be no external advertising on buildings facing the street, for the ancillary activity.

15.11.3 Assessment of discretionary performance standard contraventions

Performance standard	Guidance on the assessment of resource consents
1. <ul style="list-style-type: none"> Acoustic insulation Noise - where the limit is exceeded by less than 5dB LAeq (15min) Light spill - where the limit is exceeded by 25% or less 	See Section 9.6 for guidance on the assessment of resource consents in relation to Objective 9.2.2 and effects related to public health and safety.

15.11.4 Assessment of discretionary activities in an overlay zone

Activity	Guidance on the assessment of resource consents
1. In the hazard 1 overlay zones (see Rule 15.3.6): <ul style="list-style-type: none"> Potentially sensitive activities permitted in residential zones 	See Section 11.6 for guidance on the assessment of resource consents in relation to Objective 11.2.1 and effects related to the risk from natural hazards.
2. In the hazard 2 overlay zones (see Rule 15.3.6): <ul style="list-style-type: none"> Potentially sensitive activities not permitted in residential zones Sensitive activities 	See Section 11.6 for guidance on the assessment of resource consents in relation to Objective 11.2.1 and effects related to the risk from natural hazards.

Rule 15.12 Assessment of Non-complying Activities

Rule 15.12.1 Introduction

1. Non-complying activities will be assessed in accordance with section 104, 104B and 104D of the RMA meaning Council may grant or refuse the application, and, if granted, may impose conditions.
2. Rules 15.12.2 - 15.12.5 provide guidance on how a consent application for the listed non-complying activities will be assessed, including:
 - a. relevant objectives and policies that will be considered as a priority with respect to s104(1)(b)(vi); and
 - b. general assessment guidance, including any effects that will be considered as a priority.
3. With respect to section 104(2), Council will not consider family flats as part of the permitted baseline in considering residential density effects in the residential zones.
4. For all land use activities that require consent, all associated development activities will be considered as part of the resource consent even if the development otherwise meets the development performance standards in this Plan. Conditions on development activities may be used to minimise any adverse effects from the land use activity or create mitigating positive effects.

15.12.2 Assessment of all non-complying activities

Activity	Guidance on the assessment of resource consents
1. All non-complying activities	<p><i>Relevant objectives and policies (priority considerations):</i></p> <p>a. Objective 15.2.1</p> <p><i>General assessment guidance:</i></p> <p>b. In assessing the significance of effects, consideration will be given to:</p> <ol style="list-style-type: none"> i. short to long term effects, including effects in combination with other activities ii. the potential for cumulative adverse effects arising from similar activities occurring as a result of a precedent being set by the grant of resource consent. iii. any effects otherwise managed through performance standards and consistent with all relevant objectives and policies for the zone. iv. Manawhenua values and the relationship between manawhenua and the natural environment is maintained, including the cultural values and traditions associated with: <ol style="list-style-type: none"> 1. wāhi tūpuna; and 2. the customary use of mahuik kai (Objective 14.2.1). v. If located outside a wāhi tūpuna mapped area, Kai Tahu may advise the Council if it considers that the granting of the consent would affect the integrity of the broader environment within which the wāhi tūpuna is located, or the linkages between wāhi tūpuna <p>c. In assessing activities that are non-complying due to being in an overlay zone, mapped area, in a scheduled site, or affecting a scheduled item, that otherwise require resource consent, the assessment guidance provided in relation to the underlying activity status will also be considered.</p>

15.12.3 Assessment of non-complying land use activities

Activity	Guidance on the assessment of resource consents
1. Sport and recreation that involves motor vehicles	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> a. Objectives 15.2.1, 2.2.6 b. Policies 15.2.1.6, 2.2.6.2.f
2. Commercial advertising	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> a. Objective 2.4.1 b. Policy 2.4.1.6.c
3. All non-complying commercial activities	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> a. Objective 15.2.1 b. Strategic Directions - Objectives 2.4.3, 2.3.2 c. Commercial activities, other than those expressly provided for, are avoided from locating in residential zones, unless: <ul style="list-style-type: none"> i. the activity will not detract from the vibrancy and functioning of the centre's hierarchy; and ii. the site is adjacent to a centre and it provides a logical extension to a centre; and iii. the centre is at, or very close to, capacity; and iv. the site development is done in accordance with the performance standards of the street typology (if relevant) of the adjacent centre zoned sites; and v. the development maximises opportunities for integration with the centre; or vi. if the site is in the Township and Settlement Zone: <ul style="list-style-type: none"> 1. the commercial activity would have significant positive effects in terms of supporting the needs of the community and visitors to the area; and 2. the activity is unable to be located in, or adjacent to, the nearest centre, or no centre exists within the relevant township or settlement; and 3. the location is appropriate for the proposed activity; and 4. any adverse effects from noise, vehicle movements, and on-street parking supply can be avoided or, if avoidance is not possible, adequately mitigated (Policy 15.2.1.5).
4. <ul style="list-style-type: none"> • Crematoriums • Landfills 	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> a. Objective 15.2.1, Policy 15.2.1.6 b. See Section 14.6 for guidance on the assessment of resource consents in relation to Objective 14.2.1 and effects on the cultural values of manawhenua

15.12.3 Assessment of non-complying land use activities

Activity	Guidance on the assessment of resource consents
5. <ul style="list-style-type: none"> All major facility activities (excluding crematoriums, cemeteries and schools) All rural activities (excluding grazing and landfills) All industrial activities 	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ol style="list-style-type: none"> Objective 15.2.1 Policy 15.2.1.6 Where in a wāhi tūpuna mapped area, see Section 14.6 for guidance on the assessment of resource consents in relation to Objective 14.2.1 and effects on cultural values of manawhenua
6. In the hazard 1 overlay zones (see Rule 15.3.6): <ul style="list-style-type: none"> Potentially sensitive activities not permitted in residential zones Sensitive activities 	See Section 11.7 for guidance on the assessment of resource consents in relation to Objective 11.2.1 and effects related to the risk from natural hazards.

15.12.4 Assessment of non-complying development activities

Activity	Guidance on the assessment of resource consents
1. Demolition of a protected part of a scheduled heritage building or scheduled heritage structure	See Section 13.8 for guidance on the assessment of resource consents in relation to Objective 13.2.1 and effects on heritage values.

15.12.5 Assessment of non-complying performance standard contraventions

Performance standard	Guidance on the assessment of resource consents
1. Density	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ol style="list-style-type: none"> Strategic Directions - Objectives 2.7.1 (Policies 2.7.1.1, 2.7.1.3), 2.4.2 (Policy 2.4.1.5) Objective 15.2.4, Policy 15.2.4.2, Policy 15.2.4.3 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.
2. <ul style="list-style-type: none"> Light spill - where the limit is exceeded by greater than 25% Noise - where the limit is exceeded by 5dB LAeq (15 min) or more Hazardous substances quantity limits and storage requirements (Rule 9.3.4.2) 	See Section 9.7 for guidance on the assessment of resource consents in relation to Objective 9.2.2 and effects related to public health and safety.
3. Setback from national grid	See Section 5.10 for guidance on the assessment of resource consents in relation to Objective 5.2.1 and effects related to the efficient and effective operation of network utilities, and public health and safety.

15.12.5 Assessment of non-complying performance standard contraventions

Performance standard	Guidance on the assessment of resource consents
4. Maximum gross floor area for working from home and dairies	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> a. Objectives 15.2.1, 2.4.3 b. The size of working from home and dairies is compatible with the character and amenity of the residential zones (Policy 15.2.1.3.a). c. The size of working from home and dairies does not detract from the vibrancy and functioning of the centres hierarchy (Policy 15.2.1.3.b). d. The degree of non-compliance with the performance standard is minor. e. Policy 2.4.3.4
5. Minimum site size	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> a. Objectives 15.2.4, 9.2.1 b. 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.
6. Structure plans	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> a. Strategic Directions - Objective 2.4.1, Policy 2.4.1.8
7. Archaeological sites (earthworks)	<p>See Section 13.8 for guidance on the assessment of resource consents in relation to Objective 13.2.4 and effects related to the inappropriate development and use in Dunedin's archaeological sites.</p>

Rule 15.13 Special Information Requirements

15.13.1 Geotechnical investigation report

1. A geotechnical investigation report may be requested by Council for earthworks of a large scale and/or where the earthworks are proposed:
 - a. on a site with a slope angle between 15° (3.7h:1v slope ratio, or 27% slope grade) and 26° (2h:1v slope ratio, or 50% slope grade);
 - b. on a site identified as hazard-prone in Council's Hazard Information Management System; or
 - c. on any other site that the Council, with good cause, suspects to be hazard-prone.
2. A geotechnical investigation report must be provided for earthworks on all sites with a slope greater than a 26° angle (2h:1v slope ratio, or 50% slope grade).
3. All requested geotechnical investigation reports must be prepared by a suitably qualified expert who is experienced in the practice of geotechnical engineering and registered under the Chartered Professional Engineers Act of New Zealand 2002 and who has professional indemnity insurance.
4. The geotechnical investigation report must address the following factors:
 - a. special design or construction requirements;
 - b. special foundation requirements;
 - c. services;
 - d. access;
 - e. effluent disposal;
 - f. non-engineered fills; and
 - g. a statement of professional opinion as to the suitability of the land for the proposed development.

15.13.2 Papakāika - ownership and occupation

For papakāika activity, proof that both the owner and occupier of the land fall into one of the classes listed in the definition of papakāika is required. Proof can be obtained from the Māori Land Court or the Ngāi Tahu Whakapapa Unit.

Appendices

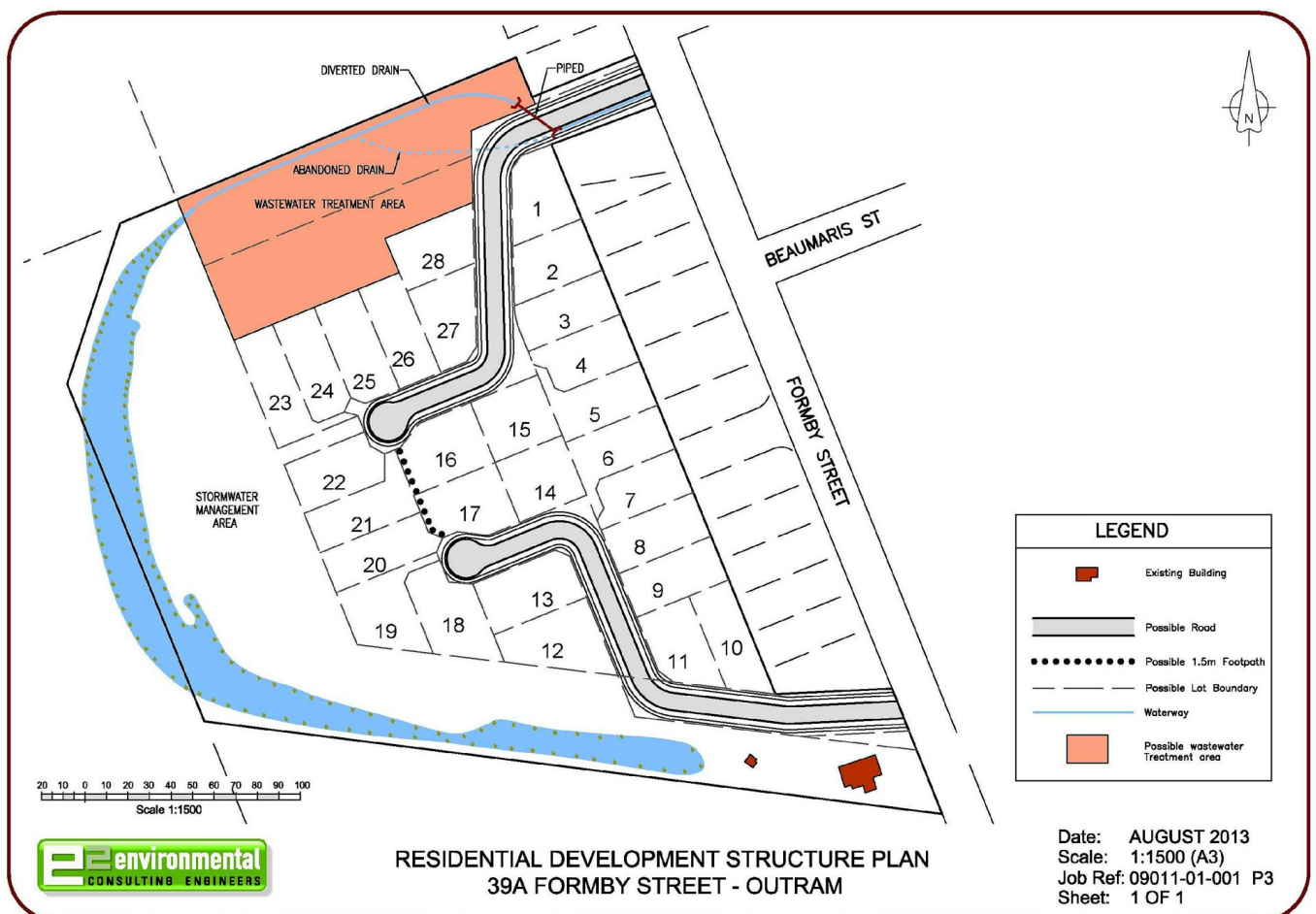
Appendix 15B. Formby Street Structure Plan

Additional performance standards

15B.1 Subdivision

1. Wastewater network
 - a. Proprietary wastewater treatment facility must be established in the area marked "wastewater treatment area" on the structure plan.
2. Transport network
 - a. A public pedestrian accessway with a minimum width of 1.5m must be established along the "possible 1.5m footpath" line marked on the structure plan.
 - b. The legal road width of the two cul-de-sacs must be at least 16m, with a footpath on at least one side of each of the cul-de-sacs.

Figure 15B: Formby Street Structure Plan



Appendix 15A. East Taieri Structure Plan and Notations

Additional performance standards

15A.1 Subdivision

1. *Transport network*
 - a. Access links to Gladstone Rd, Riccarton Rd, and Cemetery Rd must be provided for full development of the site to occur.
 - b. The legal road width of collector roads must be a minimum of 20m wide, including footpaths 2m wide, and cycle lanes 1.5m wide.
 - c. The legal road width of local roads must be a minimum of 16m wide, including footpaths a minimum 1.5m wide.
2. Reserve
 - a. A 4000m² recreation reserve must be provided within the region marked 'Area A' on the structure plan. The reserve is to have road frontages of at least 20m, and the detailed location of this reserve must be shown in a resource consent application for subdivision of land in the area and vest in Council accordingly.

15A.2 Development requirements or conditions of subdivision consent

1. Stormwater network
 - a. On-site stormwater systems (retention/detention and secondary flowpaths, etc.) must be designed for 1 in 100 (1%) annual exceedance probability event. A stormwater retention/detention pond to service the structure plan area must be established in the general location of the area marked "detention area" on the structure plan and developed to the satisfaction of Council.
 - b. Local stormwater reticulation systems must be designed for a 1 in 10 (10%) annual exceedance probability event.
 - c. Development within the 'specified floor level' area shown on the structure plan is to be designed to adequately address potential flooding issues, with finished floor levels equal to or greater than the floor level shown on the **Flood Minimum Floor Level mapped area**, or if not shown on that map, at least 500mm above ground level.
2. Reserve
 - a. The reserve must have a consistent boundary treatment where it adjoins residential properties, installed by the developer prior to vesting in Council. The reserve must be flattened and grassed to a standard that can be cut with a ride-on mower, and free of buildings, tree stumps, or other obstacles, prior to vesting in Council.

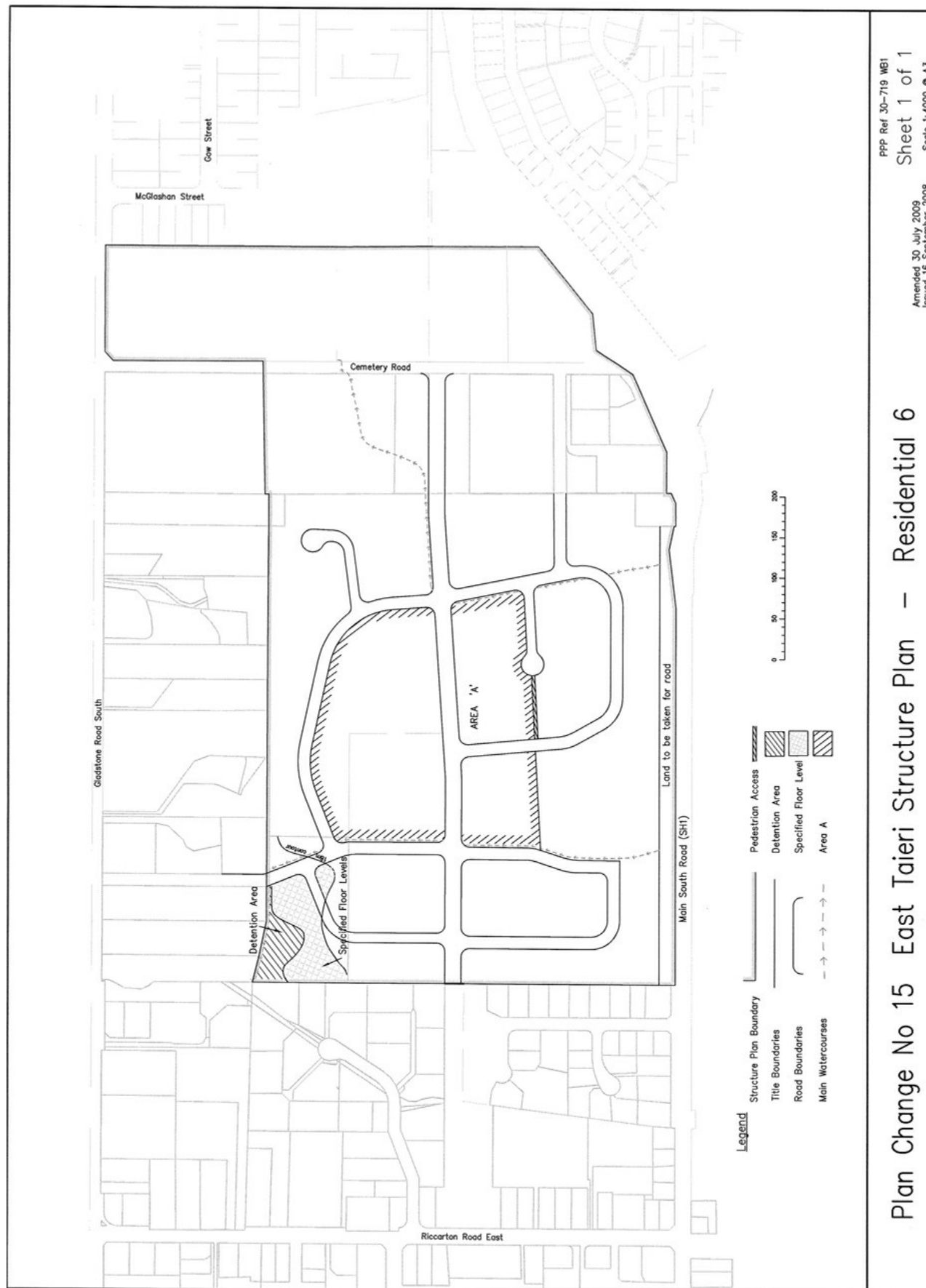
15A.3 Information requirements

1. Subdivision applications must include an Integrated Traffic Assessment (ITA) (refer Rule 6.13.2).
2. Subdivision applications must include information outlining:
 - a. the techniques to be used to manage stormwater, and the location and extent to which these techniques are accommodated on-site; and
 - b. how the integrity of the stormwater mitigation and management measures will not be compromised during and after subdivision; and
 - c. a maintenance plan for stormwater infrastructure, including actions to be taken to ensure the on-going management and maintenance of on-site mitigation measures and the responsibilities for this; and
 - d. design details highlighting the adequacy of the proposed measures and identifying areas of greatest risk; and



- e. how subdivision within the 'specified floor level' area shown on the structure plan is to be designed to adequately address potential flooding issues.

Figure 15A: East Taieri Structure Plan



Appendix 15C. Mosgiel East Structure Plan and Notations

Additional performance standards

15C.1 Subdivision

1. Transport network
 1. Access points for roads must be provided as indicated in the Mosgiel East Structure Plan.
 2. The legal width of collector roads must be a minimum of 20m wide, including footpaths of a minimum 2m wide, and cycle lanes 1.5m wide.
 3. The legal width of local roads must be a minimum of 16m wide, including footpaths a minimum 1.5m wide.
2. Stormwater network
 1. The rate of stormwater discharge to the Silverstream must remain equal to or less than that of pre-development up to the 1 in 100 (1%) annual exceedance probability event.

15C.2 Development requirement or condition of subdivision consent

1. Stormwater network
 - a. Local stormwater reticulation systems must be designed for a 1 in 10 (10%) annual exceedance probability event.
 - b. On-site stormwater systems (retention/detention and secondary flowpaths, etc.) must be designed for 1 in 100 (1%) annual exceedance probability event. Stormwater retention/detention measures must be provided on-site as part of the overall development.
 - c. There must be no individual discharge of stormwater to the Silverstream or Owhiro Stream.

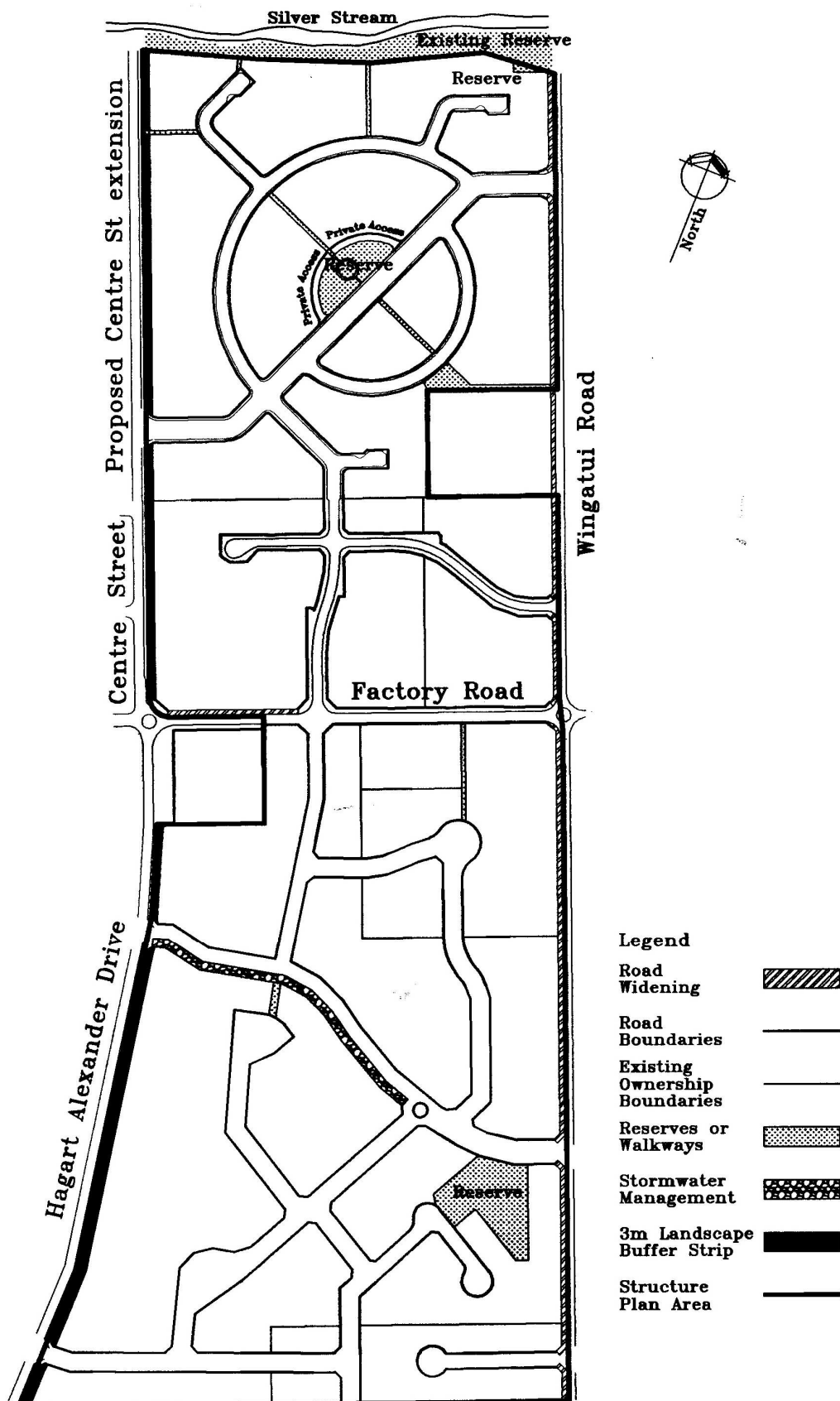
15C.3 Information requirements

1. Subdivision and land use applications must include information outlining:
 1. the techniques to be used to manage stormwater and the extent to which these techniques are accommodated on-site; and
 2. how the integrity of the stormwater mitigation and management measures will not be compromised during and after a subdivision; and
 3. a maintenance plan for stormwater infrastructure, including actions to be taken to ensure the on-going management and maintenance of on-site mitigation measures and the responsibilities for this; and
 4. design details highlighting the adequacy of the proposed measures and identifying areas of greatest risk.

Figure 15C: Mosgiel East Structure Plan



MOSGIEL EAST STRUCTURE PLAN



Appendix 15D. Holyhead Street Structure Plan

Additional performance standards

15D.1 Subdivision

1. Staging: the subdivision may be staged with the first stage comprising some or all of lots 1-8 (inclusive), 17, 18, 24, 25 and 30 as shown on the structure plan.
2. Vehicle access to the resultant sites must be as follows:
 - a. Lots 1-4 from Montfort Street (State Highway 87);
 - b. Lots 5-7 from Montfort Street (State Highway 87) via access Lot 30;
 - c. Lots, 8, 24, and 25 initially from Montfort Street (State Highway 87) via access Lot 30, but from Holyhead Street via lot 29 once Lot 29 is formed; and
 - d. All other lots via Holyhead Street directly, or Holyhead Street via Lot 29.

15D.2 Development requirement or condition of subdivision consent

1. Vehicle access
 - a. Lot 29 must be formed as an access road either once all of Lots 1-8 (inclusive), 24 and 25 have residential development established on them, or before any residential development is established on any of Lots 9-16 (inclusive) or any of Lots 19-23 (inclusive).

Figure 15D: Holyhead Street Structure Plan

