

18. Commercial and Mixed Use Zones

18.1 Introduction

It is important for the economic and social success of Dunedin that it is a vibrant and exciting city. A vibrant city is lively and full of activity, due to a high level of pedestrian activity in the central city and centres and a wide range of activities occurring in these places. Key qualities that contribute to the success of the central city and centres are that there are attractions to encourage people to go there, that they are accessible (easy to get to and around) and that they are safe and enjoyable places to be.

To achieve a vibrant city it is important that Dunedin has an urban form that is accessible, clusters activities into walkable centres and a built form which supports pedestrian activity.

The key resource management issues that are being experienced or are anticipated in the commercial and mixed use zoned areas of Dunedin are:

- The retention and enhancement of the vitality and viability of the Central Business District and Centres is a key resource management issue for Dunedin City. There is a need to provide for a wide range of commercial community, industrial and residential activities, at high densities in the CBD and centres in order to realise the social and economic agglomeration benefits that derive from the co-location of different activities.
- A need to provide a sufficient supply for the projected demand for retail and office space while avoiding an oversupply and decentralisation of activities, which could have adverse effects on the economic viability and vitality of the CBD.
- Different types of retail activity have different effects on the economic viability and vitality of the CBD and centres. For instance, having trade-related and yard based retail in different parts of the city (including some areas currently zoned as Industrial) does not affect the vibrancy of centres in the same manner as general retail does. As such, a highly specific zoning response is necessary.
- While streetscape amenity values vary within the commercial and mixed use zones, land uses and development can have adverse effects on streetscape amenity values and it is important to maintain and enhance the existing amenity of all commercial areas, albeit to different levels.

There is the potential for conflicts to arise between different activities provided for within the commercial and mixed use zones as well as at the edges of the commercial mixed use zones (for instance between residential and noisier activities) and these need to be well managed.

In response to the issues, the Second Generation Plan (2GP) proposes to establish a commercial and mixed use zone, which is the umbrella term used to refer to all thirteen commercial and mixed use zones in the city. These zones provide for a hierarchy of centres, anchored around one Central Business District (CBD), which provides a focus for economic and employment growth, driven by:

- attraction of businesses to these areas based on density of activity in the area and higher visitation;
- opportunities for social interaction, exchange of ideas and business cooperation;
- public investment in public amenities and other infrastructure in the CBD; and
- opportunities for agglomeration benefits from the co-location of activities.

The CBD Zone is supported by six different types of commercial centres within the suburban and rural parts of the city. These zones are collectively known as the Central Business District and centres zones. In order to make sure these areas are attractive places to visit, a wide range of commercial, community and residential activities are provided for in the CBD and centres, with design controls on buildings and structures to ensure a safe and good quality streetscape environment, for people to spend time in, which has a high level of pedestrian amenity.

The centres hierarchy is supported by a group of other commercial and mixed-use zones which either surround the Central Business District or are more separated from the CBD. There are four zones within the CBD edge mixed use zone group, which are the Warehouse Precinct Zone (WP), Princes, Parry and Harrow Zone (PPH), Smith Street and York Place Zone (SSYP) and Harbourside Edge Zone (HE). There are also two zones within the other commercial group of zones, which are the Trade Related Zone (TR) and CBD Edge Commercial Zone (CEC).

These zones have characteristics (including built form, site size, land use activities and location), which make them distinct from each other and from the CBD and centres. A tailored range of land use activities and performance standards are applied to each zone. As such, the range of activities, the types of controls that are applied to development activities (including new buildings and site development) and the expected level of amenity vary between the zones.

Where any of the commercial and mixed use zones adjoin residential or recreation zoned areas, performance standards are applied to these commercial zones to ensure the character and amenity of these more sensitive adjoining environments will be protected.

18.1.1 Zone descriptions

18.1.1.1 Central Business District (CBD) Zone

The Central Business District (CBD) Zone encompasses the central part of the city and extends northwards along George Street to Albany Street. It includes the Octagon and Moray Place, extends south along upper Princes Street to Hope Street, east to include the Dunedin Railway Station and Toitū Otago Settlers Museum and west to the Smith Street York Place (SSYP) Zone. The CBD is the focus for employment, retail, entertainment, leisure, visitor accommodation and art and culture activities

Most of the CBD also has a **primary pedestrian street frontage** or **secondary pedestrian street frontage** overlay applied to it, to ensure the best possible streetscape environment for users, and is covered by a heritage precinct overlay to protect the distinctive character of the area. Performance standards are applied to protect the heritage streetscape character and streetscape character, respectively, of these areas.

18.1.1.2 Centres

A range of different sized commercial centres are spread throughout the urban area of Dunedin and within outlying towns of the wider district. Principal, suburban and rural centres provide hubs for social and economic activity for suburban and rural communities. Principal centres are often former pre-amalgamation town centres and are located at Green Island, Mosgiel, Port Chalmers and South Dunedin. Suburban centres are located at Caversham, Gardens, Mornington and Roslyn, and rural centres are located at Outram, Middlemarch, Waikouaiti and Waitati.

There are also neighbourhood centres, which provide for the day to day needs of individual neighbourhoods, with neighbourhood destinations centres also servicing visitor needs, and neighbourhood convenience centres also servicing the needs of passing motorists. Neighbourhood centres are located at Andersons Bay Terminus, Brighton, Brockville, Corstorphine, Forbury, Helensburgh, Hillside, Larnach, Macandrew Bay, Maori Hill, Musselburgh, the southern part of Andersons Bay Road, the area adjoining the University and Wakari. Neighbourhood convenience centres are located at Kaikorai North, Kaikorai South, North Dunedin and South Mosgiel and neighbourhood destinations centres are located at St Clair and Portobello.

Primary pedestrian street frontage and **secondary pedestrian street frontage** overlays are applied within these centres and the Port Chalmers centre also contains a heritage precinct protecting part of the centre.

18.1.1.3 Warehouse Precinct Zone (WP)

The Warehouse Precinct Zone adjoins the southern part of the CBD Zone and is bounded by Queens Gardens, Bond Street, Police Street and Cumberland Street. The zone provides for a mix of inner-city living, visitor accommodation, conference, meeting and function, entertainment and exhibition, light industrial, restaurant and bulky goods, trade

related and yard based retail activity. General retail and office activity is also provided for, if it occurs in scheduled heritage buildings, in order to encourage their restoration.

The entire zone is within a heritage precinct and has a **secondary pedestrian street frontage** applied to it.

18.1.1.4 Princes, Parry and Harrow Street Zone (PPH)

The Princes, Parry and Harrow Street Zone encompasses the lower part of Princes Street and an area around Parry and Harrow Streets. The PPH Zone provides for a mix of inner-city residential living, training and education, visitor accommodation, industrial, trade and yard based retail activities.

Performance standards applied to this zone reflect the lower expectations for pedestrian amenity.

18.1.1.5 Smith Street York Place Zone (SSYP)

The Smith Street York Place Zone is a small zone adjoining the CBD. The SSYP Zone provides for visitor accommodation, training and education and residential activity in keeping with its existing character. Offices are also provided for where undertaken within scheduled buildings, to encourage their restoration.

Performance standards applied to this zone reflect the residential and commercial character of this zone.

18.1.1.6 Harbourside Edge Zone (HE)

The Harbourside Edge Zone encompasses an area adjoining Birch Street and Kitchener Street and extends to the waterfront. The zone provides for the continuation of the existing industrial activity, while allowing for a transition toward a more mixed use environment by also providing for conference, meeting and function, entertainment and exhibition, restaurant, training and education, visitor accommodation and residential activities. In order to ensure an attractive place to live, work, and visit, new buildings within the HE Zone will be required, through a restricted discretionary resource consent process, to be designed and located to provide a high level of amenity. In addition, a performance standard will require the provision of public pedestrian access to and along the coast.

18.1.1.7 Trade Related Zone (TR)

The Trade Related Zone is an area around Andersons Bay Road which provides for large format food and beverage retail, trade related, and yard based retail as well as other specific categories of activities which generate high traffic volumes and require larger sites than are available within the CBD and centres. These characteristics mean that such retail types are likely to be incompatible with the amenity expectations of the CBD and centres. Performance standards applied to this zone reflect the more car-focused characteristics and the lower expectations for pedestrian amenity of this environment.

18.1.1.8 CBD Edge Commercial Zone (CEC)

The CBD Edge Commercial Zone is an area around Maclaggan, Cumberland and Crawford Streets which provides for specific categories of high traffic generating activities, large format general and food and beverage retail, bulky goods, trade related and yard based retail and visitor accommodation activities which are likely to be incompatible with the pedestrian amenity expectations of the CBD and may require larger sites than those available in the CBD.

18.2 Objectives and Policies

Objective 18.2.1	
Dunedin has a well-structured and economically and socially successful range of commercial and mixed use environments based on: a. the CBD, which is the focus for employment, retail, entertainment, leisure, visitor accommodation, and arts and culture activities; b. vibrant and viable principal, suburban and rural centres, which provide hubs for social and economic activity for rural, suburban and principal communities; c. neighbourhood centres, which provide for the day to day needs of local areas, with destinations centres also servicing visitor needs, and convenience centres also servicing the needs of passing motorists; d. a range of mixed use zones (WP, PPH, SSYP and HE zones) around the edge of the CBD, which provide for a compatible mix of inner-city living, commercial, and light industrial activities; e. an area around Andersons Bay Road (TR Zone), which provides for trade related retail and specific categories of high traffic generators, which are likely to be incompatible with the amenity expectations of the CBD; f. an area around MacLaggan, Cumberland and Crawford Streets (CEC Zone), which provides for specific categories of high traffic generators, large format general retail and bulky goods retail which are likely to be incompatible with the amenity expectations of the CBD and may require larger sites than available in the CBD; and g. an area around Birch and Kitchener Streets and the coast (HE Zone) which provides for the continuation of the existing environment characterized by industrial activity, while allowing for a transition toward a vibrant and attractive place to live, work and visit by also providing for conference, meeting and function, entertainment and exhibition, restaurant, visitor accommodation and residential activities.	
Policy 18.2.1.1	Provide for a wide range of commercial, residential and community activities in the CBD and all centre zones in order to encourage vibrant and viable centres.
Policy 18.2.1.2	Limit general retail and office activities to the CBD Zone and principal, suburban, neighbourhood and rural centres, in order to maintain the vibrancy of existing centres, unless as provided for by Policy 18.2.1.3 or Policy 13.2.1.9.
Policy 18.2.1.3	Avoid retail and office activities outside of the commercial areas where they are provided for unless: a. it is an ancillary and secondary component of a retail or office activity that is undertaken in a scheduled heritage building as provided for by Policy 13.2.1.9 on the same or adjacent site; or b. there is a significant and sustained increase in the amount of retail activity across the city and it can be demonstrated that as a result there is a medium to longer term under-supply of retail land across all the areas where general retail is provided for; or c. in the HE Zone, it is associated with port, industrial or marine related activities operating in the area; or d. in the PPH Zone it is associated with campus activities; or e. in the CEC Zone it is associated with campus or hospital activities.
Policy 18.2.1.4	Provide for food and beverage retail: a. in the CBD and centres; and b. where 1500m² or more in gross floor area, in the CEC and TR zones.
Policy 18.2.1.5	Provide for bulky goods and large format retail in the CEC and WP zones in recognition that often these activities require larger sites than are available in the CBD and centres.

Objective 18.2.1

Policy 18.2.1.6	Provide for trade related and yard based retail to locate in the TR, PPH and CEC zones in recognition that often these activities require a built form that cannot meet the requirements within the CBD and centres, and their location in these areas is unlikely to detract from the vibrancy and vitality of the CBD and centres.
Policy 18.2.1.7	Limit the scale of retail ancillary to industry to a size that: a. is clearly subordinate to and part of the operation of the primary industrial activity; b. does not conflict with Objectives 2.3.2 and 2.4.3; and c. does not create adverse effects on other industrial activities, for example from traffic, parking, or reverse sensitivity effects.
Policy 18.2.1.8	Limit the scale of activities in neighborhood and rural centres to ensure activities: a. are not a destination retail activity designed to attract customers from across suburbs, which are more appropriately located in the CBD or other central city commercial zones; and b. do not dominate the centre and reduce the diversity of different activities that are able to establish there.
Policy 18.2.1.9	Provide for licensed premises where these are ancillary to activities that are provided for in the zone, including: a. bottle shops where food and beverage retail or dairies are provided for; and b. taverns and bars where restaurants are provided for; c. except for in neighbourhood centres (see Policy 18.2.1.10).
Policy 18.2.1.10	Only allow ancillary licensed premises in neighborhood centres, where adverse effects on the character and amenity of adjacent residential activities and the surrounding neighbourhood, can be avoided or, if avoidance is not possible, adequately mitigated.
Policy 18.2.1.11	Provide for hospital activity in the Cumberland Street part of the CEC Zone, to allow for the extension of Dunedin Hospital into this zone.
Policy 18.2.1.12	Limit the gross floor area of dairies in the WP, SSYP, HE, and PPH zones to a size that reflects these activities operating as a local convenience store rather than a destination supermarket.
Policy 18.2.1.13	Only allow food and beverage retail in the WP and PPH zones where the activity is of a size, and designed in a manner, to service the local area and not operate as a destination retailer for other parts of the city.
Policy 18.2.1.14	Avoid industrial activities in the SSYP Zone due to its residential character.
Policy 18.2.1.15	Avoid service stations, restaurant - drive through and yard based retail in the CBD, SSYP, HE and WP zones unless: a. they are designed and located to meet the built form expectations of the zone, as set out in the development activities performance standards; b. any drive-through components will not be accessed or visible from the primary pedestrian street frontage (see Policy 18.2.3.11); and c. there are no, or only insignificant, adverse effects on streetscape and pedestrian amenity from vehicle movements.
Policy 18.2.1.16	Provide for training and education in the CBD, all centres and WP, PPH, SSYP and HE zones to enable tertiary (including campus institutions) and specialist education providers.

Objective 18.2.1

Policy 18.2.1.17	Avoid conference, meeting and function or entertainment and exhibition outside the CBD, WP, HE and main centres (principal, suburban or rural centre) unless: a. it is ancillary to visitor accommodation; or b. it has specific operational requirements that require it to locate outside the CBD, WP, HE or a main centre.
Policy 18.2.1.18	Only allow restaurants outside the CBD, WP, HE and centres where the activity is not of a scale or nature that is more appropriate to locate in the CBD, centres, WP or HE because: a. it is unlikely to contribute to the vibrancy and vitality of those zones; and b. it has specific operational requirements that do not fit with those locations.

Objective 18.2.2

The potential for conflict between activities within the commercial and mixed use zones, including between residential activity and noisier activities, and between activities within the commercial and mixed use zones and sensitive land uses in adjoining residential and recreation zones is minimised through adequate separation distances and other mitigation measures which ensure:

- a. the amenity of adjoining residential and recreation zoned sites is maintained; and
- b. the potential for reverse sensitivity effects from more sensitive land uses (for example residential activities) on other permitted activities in the commercial and mixed use zones is minimised.

Policy 18.2.2.1	Require fencing along property boundaries that adjoin residential or school zoned properties, to be of an adequate height and design to provide screening for the purposes of privacy and security.
Policy 18.2.2.2	Only allow conference, meeting and function, restaurants and entertainment and exhibition ancillary to visitor accommodation in the PPH and SSYP zones where: a. the activities are secondary to the visitor accommodation activity; and b. any adverse effects on the amenity of surrounding residential activities, from noise, anti-social behaviour, or other effects can be avoided or, if avoidance is not possible, adequately mitigated; and c. the potential for reverse sensitivity on any activities that are provided for, such as industrial activities, can be avoided or, if avoidance is not possible, adequately mitigated.
Policy 18.2.2.3	Require development to maintain the amenity of adjoining residential, school and recreation zoned sites by: a. requiring buildings to be of a height in relation to boundaries and setback from side boundaries that maintains a reasonable level of sunlight access to adjoining residential and recreation zoned sites; and b. require fencing along property boundaries which adjoin residential or school zoned properties to provide screening for the purposes of privacy and security.
Policy 18.2.2.4	Only allow restaurants - drive through and service stations in zones that provide for residential activity or on sites adjoining a residential zone, where any adverse effects on the amenity of residential activities can be avoided or, if avoidance is not possible, adequately mitigated.
Policy 18.2.2.5	Avoid crematoriums in all commercial and mixed use zones, that provide for residential activity, because of the potential adverse social and cultural effects on activities that are provided for in these zones.

Objective 18.2.2

Policy 18.2.2.6	Avoid early childhood education and residential in the CEC and TR zones, and visitor accommodation in the TR Zone, because of the overall low amenity of these zones and the potential reverse sensitivity effects on the operation of activities that are provided for in these zones.
Policy 18.2.2.7	Only allow community and leisure - large scale and visitor accommodation in neighborhood centres (other than neighborhood destination centres) where the adverse effects on the amenity of surrounding residential activities can be avoided or, if avoidance is not possible, adequately mitigated.
Policy 18.2.2.8	Only allow early childhood education in locations where their establishment will not constrain (have reverse sensitivity effects on) activities that are provided for in the commercial and mixed use zone.
Policy 18.2.2.9	Only allow ancillary licensed premises in the NECC and NEC where the adverse effects on the amenity of adjacent residential activities and the surrounding neighbourhood can be avoided or, if avoidance is not possible, adequately mitigated.

Objective 18.2.3

Land use and development maintains or enhances the amenity of the streetscape, including the visual and environmental amenity for pedestrians along identified pedestrian street frontages.

Policy 18.2.3.1	Require development to maintain or enhance streetscape amenity in all commercial and mixed use zones, by ensuring: a. an attractive street interface is maintained, through landscaping where buildings are not built to the street frontage; b. large parking areas, which are visible from the street, are visually broken up with internal landscaping, which also provides for rainwater absorption; c. service areas and outdoor storage areas associated with industrial or other activities are not visible from ground level of a public place; d. building height reflects the general heights of the block; and e. an architecturally interesting façade through building modulation and use of glazing.
Policy 18.2.3.2	Require buildings along a primary pedestrian street frontage to be located, designed and operated to provide a high level of pedestrian amenity by: a. providing a continual frontage of buildings along the street, apart from pedestrian alleyways; b. providing a clear and direct visual connection between the street and the building interior; c. providing a direct physical connection to the building interior through clearly identified pedestrian entrances on the highest order pedestrian street frontage; d. providing shelter for pedestrians on footpaths, in the form of a verandah; e. being of a height that maintains existing sunlight access to footpaths and public open spaces; f. providing an architecturally interesting façade and human scale design, through building modulation and consistent alignment of windows; g. being designed to have commercial activities at the ground floor, with an adequate ground floor to ceiling height to accommodate these activities; and h. providing customer-facing activities on the ground floor.

Objective 18.2.3

Land use and development maintains or enhances the amenity of the streetscape, including the visual and environmental amenity for pedestrians along identified pedestrian street frontages.

Policy 18.2.3.3	Require buildings in a secondary pedestrian street frontage to provide a good level of pedestrian amenity by: a. providing a regular frontage of buildings along the street, with limited interruptions for vehicle accesses; b. providing a clear and direct visual connection between the street and the building interior; c. providing an architecturally interesting façade and human scale design, through building modulation and consistent alignment of windows; and d. providing shelter for pedestrians at pedestrian entrances.
Policy 18.2.3.4	Require new buildings and additions and alterations to buildings in the Harbourside Edge Zone to be designed and located to provide a high level of amenity by: a. being built to the street frontage along the entire length of Birch Street, and for no less than 60% of the street frontage on Kitchener Street; b. including appropriate building modulation, window alignment, use of glazing, floor height, colour, architectural detail to provide visual interest and a human-scale design; c. being of a design that is coherent, appropriate to the setting and history of the area, and provides a positive relationship to both the street and the harbour; and d. having active edges with strong visual and physical connections from the street to the inside of buildings.
Policy 18.2.3.5	Require development in the Harbourside Edge Zone to be designed and located to provide a high level of amenity by: a. requiring public pedestrian access to and along the coast that is attractive, safe, durable, and readily accessible to the public; b. ensuring the design and location of on-site car parking does not compromise streetscape or harbour amenity; and c. ensuring building and site development incorporates the principles of CPTED.
Policy 18.2.3.6	Require fences visible from public places to be designed to maintain or enhance streetscape amenity.
Policy 18.2.3.7	Limit the size and number of ancillary signs to ensure they are able to convey information about the name, location and nature of the business to passing pedestrians and vehicles while not being oversized or too numerous for that purpose.
Policy 18.2.3.8	Require car parking (including stand-alone car parking) in a primary pedestrian street frontage to be located behind or within buildings with a customer-facing function (for example retail) adjoining the street.
Policy 18.2.3.9	Avoid land use activities (including stand-alone car parking) that require buildings or <u>site</u> design that is incompatible with: a. the high level of pedestrian streetscape amenity expected for the location in a primary pedestrian street frontage and secondary pedestrian street frontage; and b. the higher level of urban neighbourhood amenity anticipated in the HE, SSYP and WP zones.

Objective 18.2.3

Land use and development maintains or enhances the amenity of the streetscape, including the visual and environmental amenity for pedestrians along identified pedestrian street frontages.

Policy 18.2.3.10	Require industrial activities to avoid or, if avoidance is not possible, adequately mitigate any adverse effects on streetscape amenity, by locating any part of the industrial operation that involves machinery or metal work within a part of a building that does not include any doors or windows that open to a primary pedestrian street frontage or secondary pedestrian street frontage.
Policy 18.2.3.11	Only allow restaurant - drive through and service stations alongside a primary pedestrian street frontage or secondary pedestrian street frontage, where the drive-through component will not be visible or accessed from these pedestrian street frontages.

Objective 18.2.4

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 18.2.4.1	Require earthworks, and associated retaining structures, to be designed and located to avoid adverse effects on the stability of land, buildings, and structures by: 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 18.2.4.2	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: 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 18.2.4.3	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: 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

18.3 Activity Status

18.3.1: Rule location

Activity status tables 18.3.3 to 18.3.7 specify the activity status of land use activities, development activities, and subdivision activities in the commercial and mixed use 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 activities (Section 8)

18.3.2 Activity status introduction

1. The activity status tables in Rules 18.3.3 to 18.3.7 show the activity status of activities in the commercial and mixed use 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 statuses in Rule 18.3.8 apply to the following activities:
 - a. new sensitive activities, and
 - b. some new buildings.
8. Where the activity status in Rule 18.3.8 differs from that in Rule 18.3.3 - 18.3.7, the most restrictive activity status always applies.
9. In addition to the rules in Rule 18.3.8, performance standards for development activities within hazard overlay zones are included in Rules 18.3.3 - 18.3.7.
10. Activities in a hazard overlay zone must comply with all of the rules in 18.3.3 - 18.3.7.

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
Central Business District and centres zones (centres hierarchy)	
CBD	Central Business District Zone
PC	Principal Centre Zone
SC	Suburban Centre Zone
RC	Rural Centre Zone
NEC	Neighbourhood Centre Zone
NECC	Neighbourhood Convenience Centre Zone
NEDC	Neighbourhood Destination Centre Zone
CBD edge mixed use zones	
WP	Warehouse Precinct Zone
PPH	Princes, Parry & Harrow Street Zone
SSYP	Smith Street and York Place Zone
HE	Harbourside Edge Zone
Other commercial zones	
TR	Trade Related Zone
CEC	CBD Edge Commercial Zone
Pedestrian street frontages mapped areas	
PPF	Primary Pedestrian Street Frontage

Acronym	Activity status
SPF	Secondary Pedestrian Street Frontage
Hazard overlay zones	
Haz1	Hazard 1 Overlay Zones
Haz2	Hazard 2 Overlay Zones
Haz3	Hazard 3 Overlay Zones

18.3.3 Activity status table - land use activities (Central Business District and Centres)

1.	Performance standards that apply to all land use activities	a. Acoustic insulation (noise sensitive activities) b. Electrical interference c. Light spill d. Location e. Noise f. Maximum gross floor area (NEC, NECC, NEDC and RC only) g. Setback from national grid (sensitive activities only)			
Commercial activities		Activity status			Performance standards
		a. CBD	b. PC/SC/RC/NEDC	c. NECC/NEC	
2.	Ancillary licensed premises	Same activity status as underlying activity		D	
3.	Conference, meeting and function	P	P	NC	i. Minimum car parking
4.	Commercial advertising	NC	NC	NC	
5.	Entertainment and exhibition	P	P	NC	i. Minimum car parking
6.	Office	P	P	P	i. Minimum car parking (registered health practitioners)
7.	Retail (except yard based retail)	P	P	P	i. Minimum car parking ii. Minimum vehicle loading
8.	Yard based retail	NC	P	P	i. Minimum car parking ii. Minimum vehicle loading (centres)
9.	Restaurants	P	P	P	
10.	Restaurant - drive through	NC	D	D	
11.	Service stations	NC	D	D	i. Service station standards.
12.	Stand-alone car parking	P	P	P	

13.	Visitor accommodation	P	P	RD	i. Minimum car parking ii. Minimum vehicle loading
Community activities		a. CBD	b. PC/SC/ RC/NEDC	c. NECC/ NEC	Performance standards
14.	Community and leisure - small scale	P	P	P	i. Minimum car parking
15.	Community and leisure - large scale	P	P	RD	i. Minimum car parking
16.	Conservation	P	P	P	
17.	Early childhood education	RD	RD	RD	i. Minimum car parking
18.	Sport and Recreation	P	P	P	i. Minimum car parking
Residential activities		a. CBD	b. PC/SC/ RC/NEDC	c. NECC/ NEC	Performance standards
19.	All activities in the residential activities category	P	P	P	i. Minimum car parking ii. Location
Industrial activities		a. CBD	b. PC/SC/ RC/NEDC	c. NECC/ NEC	Performance standards
20.	All activities in the industrial activities category	P	P	P	i. Location
Major facility activities		a. CBD	b. PC/SC/ RC/NEDC	c. NECC/ NEC	Performance standards
21.	Emergency services	RD	RD	RD	
22.	All other activities in the major facility activities category	NC	NC	NC	
Rural activities		a. CBD	b. PC/SC/ RC/NEDC	c. NECC/ NEC	Performance standards
23.	All activities in the rural activities category	NC	NC	NC	

18.3.4 Activity status table - land use activities (CBD edge mixed use zones)

1.	Performance standards that apply to all land use activities					a. Acoustic insulation (noise sensitive activities) b. Electrical interference c. Light spill d. Location e. Noise f. Setback from national grid (sensitive activities only)
Commercial activities		Activity status				Performance standards
		a. WP	b. PPH	c. SSYP	d. HE	
2.	Ancillary licensed premises	Same activity status as underlying activity				
3.	Bulky goods retail	P	NC	NC	NC	i. Minimum vehicle loading (WP)
4.	Conference, meeting and function	P	NC	NC	P	i. Minimum car parking (HE)
5.	Commercial advertising	NC	NC	NC	NC	
6.	Dairies	P	P	P	P	i. Maximum gross floor area
7.	Entertainment and exhibition	P	NC	NC	P	i. Minimum car parking (HE)
8.	Food and beverage retail	D	D	NC	NC	
9.	General retail (<i>in a scheduled heritage building</i>)	P	NC	NC	NC	i. Minimum car parking (WP) ii. Minimum vehicle loading (WP)
10.	General retail (<i>not in a scheduled building and less than 1500m² in gross floor area</i>)	NC	NC	NC	NC	
11.	General retail (<i>not in a scheduled building and 1500m² or more in gross floor area</i>)	P	NC	NC	NC	i. Minimum car parking ii. Minimum vehicle loading (WP only)
12.	Training and education	P	P	P	P	
13.	Office (<i>in a scheduled heritage building</i>)	P	NC	P	NC	
14.	Office (<i>not in a scheduled heritage building</i>)	NC	NC	NC	NC	
15.	Restaurants	P	D	D	P	i. Minimum car parking (HE)
16.	Restaurant - drive through	NC	D	NC	NC	
17.	Retail ancillary to industry	P	P	NC	P	i. Maximum gross floor area
18.	Service stations	NC	D	NC	NC	i. Service station standards

19.	Stand-alone car parking	P	P	P	P	
20.	Trade related retail	P	P	NC	NC	i. Minimum car parking (PPH) ii. Minimum vehicle loading (WP & PPH)
21.	Visitor accommodation	P	P	P	P	i. Minimum car parking ii. Acoustic insulation (new visitor accommodation activities in the WP and PPH zones only) iii. Minimum vehicle loading (WP & HE)
22.	Conference, meeting and function and entertainment and exhibition ancillary to visitor accommodation	P	RD	RD	P	i. Minimum car parking
23.	Yard based retail	NC	P	NC	NC	i. Minimum car parking (PPH) ii. Minimum vehicle loading (PPH)
Community activities		a. WP	b. PPH	c. SSYP	d. HE	Performance standards
24.	Community and leisure - small scale	P	P	P	P	i. Minimum car parking
25.	Community and leisure - large scale	P	P	P	P	i. Minimum car parking
26.	Conservation	P	P	P	P	
27.	Early childhood education	RD	RD	RD	RD	i. Minimum car parking (SSYP)
28.	Sport and recreation	P	P	P	P	i. Minimum car parking
Residential activities		a. WP	b. PPH	c. SSYP	d. HE	Performance standards
29.	All activities in the residential activities category	P	P	P	P	i. Minimum car parking ii. Location
Industrial activities		a. WP	b. PPH	c. SSYP	d. HE	Performance standards
30.	All activities in the industrial activities category	P	P	NC	P	i. Minimum car parking (PPH & HE) ii. Minimum vehicle loading (PPH & HE)
Major facility activities		a. WP	b. PPH	c. SSYP	d. HE	Performance standards
31.	Emergency services	RD	RD	RD	RD	
32.	All other activities in the major facility activities category	NC	NC	NC	NC	
Rural activities		a. WP	b. PPH	c. SSYP	d. HE	Performance standards
33.	All activities in the rural activities category	NC	NC	NC	NC	

18.3.5 Activity status table - land use activities (Trade Related Zone and CBD Edge Commercial Zone)

1.	Performance standards that apply to all land use activities	a. Acoustic insulation (noise sensitive activities) b. Electrical interference c. Light spill d. Noise e. Setback from national grid (sensitive activities only)		
Commercial activities		Activity status		Performance standards
		a. CEC	b. TR	
2.	Ancillary licensed premises	Same as activity status as underlying activity		
3.	Bulky goods retail	P	NC	i. Minimum car parking (CEC) ii. Minimum vehicle loading (CEC)
4.	Conference, meeting and function	NC	NC	
5.	Commercial advertising	NC	NC	
6.	Dairies	P	P	
7.	Entertainment and exhibition	NC	NC	
8.	Food and beverage retail (less than 1500m² in gross floor area)	NC	NC	
9.	Food and beverage retail (1500m² or more in gross floor area)	P	P	i. Minimum car parking ii. Minimum vehicle loading
10.	Office	NC	NC	
11.	General retail (less than 1500m² in gross floor area)	NC	NC	
12.	General retail (1500m² or more in gross floor area)	P	NC	i. Minimum car parking (CEC) ii. Minimum vehicle loading (CEC)
13.	Restaurants	D	D	
14.	Restaurant - drive through	RD	RD	
15.	Retail ancillary to industry	P	P	i. Maximum gross floor area
16.	Service stations	RD	RD	i. Service station standards
17.	Stand-alone car parking	P	P	
18.	Trade related retail	P	P	i. Minimum car parking (TR) ii. Minimum vehicle loading

19.	Visitor accommodation	P	NC	i. Minimum car parking (CEC) ii. Minimum vehicle loading (CEC)
20.	Yard based retail	P	P	i. Minimum car parking
Community activities		a. CEC	b. TR	Performance standards
21.	Early childhood education	NC	NC	
22.	Community and leisure - small scale	P	P	i. Minimum car parking
23.	Community and leisure - large scale	P	P	i. Minimum car parking
24.	Conservation	P	P	
25.	Sport and recreation	P	P	i. Minimum car parking
Residential activities		a. CEC	b. TR	Performance standards
26.	All activities in the residential activities category	NC	NC	
Industrial activities		a. CEC	b. TR	Performance standards
27.	All activities in the industrial activities category	P	P	i. Minimum car parking ii. Minimum vehicle loading
Major facility activities		a. CEC	b. TR	Performance standards
28.	Emergency services	RD	RD	
29.	All other activities in the major facility activities category	NC	NC	
Rural activities		a. CEC	b. TR	Performance standards
30.	All activities in the rural activities category	NC	NC	

18.3.6 Activity status table - development activities

1.	Performance standards that apply to all development activities		a. Boundary treatments and other landscaping b. Hazard overlay zones development standards c. Setback from coast and water bodies d. Setback from national grid e. Setback from scheduled tree f. Standards Harbourside Edge Zone (HE Zone only)
2.	Performance standards that apply to all buildings and structures activities		a. Fire fighting b. Height in relation to boundary c. Maximum height d. Number, location and design of ancillary signs
3.	Performance standards that apply to all new buildings and additions and alterations to buildings		a. Minimum glazing and building modulation b. Minimum ground floor to ceiling height c. Pedestrian entrances d. Verandahs
New buildings and additions and alterations to buildings within the Harbourside Edge Zone		Activity status	Performance standards
4.	New buildings and additions and alterations to buildings not visible from an adjoining public place or the harbour	P	
5.	New buildings and additions and alterations to buildings that are visible from an adjoining public place, or the harbour	RD	
Buildings and structures activities not in a heritage precinct, or in a heritage precinct but not visible from an adjoining public place (excluding activities affecting a protected part of a scheduled heritage building or a scheduled heritage structure - see rows 20-25)		Activity status	Performance standards
6.	New buildings and additions and alterations to buildings	P	a. Parking, loading and access standards (buildings that contain car parks only)
7.	Fences	P	a. Fence height and design
8.	All other structures	P	
Buildings and structures activities in a heritage precinct that are visible from an adjoining public place		Activity status	Performance standards

9.	New buildings	RD	a. Parking, loading and access standards (buildings that contain car parks only) b. Building colour
10.	Repair and maintenance of a non character-contributing building	P	
11.	Repair and maintenance of a character-contributing building or non-protected part of a scheduled heritage building	P	a. Materials and design b. Building colour
12.	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 b. Building colour
13.	Demolition or removal for relocation of: a. a character-contributing building; b. a non-protected part of a scheduled heritage building; or c. a non character-contributing building that adjoins the road frontage.	RD	
14.	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	a. Building colour
15.	Additions and alterations to a non character-contributing building which involve: a. an increase in the footprint to the front or side of the building of more than 10m ² ; or b. an increase in the height of the building by more than 2m.	RD	a. Building colour
16.	All other additions and alterations to non character-contributing buildings	P	a. Building colour
17.	Fences	P	a. Fence height and design
18.	All other structures up to 2.5m tall and 2m ² floor area	P	
19.	Structures greater than 2.5m tall and 2m ² floor area	RD	
Buildings and structures activities that affect a protected part of a scheduled heritage building or scheduled heritage structure		Activity status	Performance standards
20.	Repairs and maintenance	P	a. Materials and design
21.	<u>Restoration</u>	P	a. Materials and design
22.	Earthquake strengthening (where external features only are protected)	C	a. Materials and design

23.	All other additions and alterations	RD	
24.	Demolition	NC	
25.	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
26.	Structures no more than 2.5m high or 2m ² footprint	P	
27.	All other structures	RD	
28.	New buildings	RD	
29.	Parking, loading and access	RD	a. Parking, loading and access standards
Site development activities in all areas (except as covered by rows 26-29 above)		Activity status	Performance standards
30.	Earthworks - small scale	P	a. Earthworks standards
31.	Earthworks - large scale	RD	a. Earthworks standards
32.	Parking, loading and access	P	a. Parking, loading and access standards
33.	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. Location and screening of parking b. Parking, loading and access standards
34.	Outdoor storage	P	a. Location and screening of outdoor storage
35.	Vegetation clearance	P	
36.	Storage and use of hazardous substances	P	a. Hazardous substances quantity limits and storage requirements
37.	All other site development activities	P	a. Location and screening of car parking

18.3.7 Activity status table - subdivision activities

Subdivision activities		Activity status (all CMU zones)	Performance standards
1.	Subdivision activities	RD	a. Access b. Esplanade reserves and strips c. Fire fighting d. Service connections e. Shape

18.3.8 Activity status table - 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 commercial and mixed use zones	D	—	—
2. Potentially sensitive activities not permitted in commercial and mixed use zones	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 60m ² of new ground floor area	—	RD	—

Note 18.3A - 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 18.3B - 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.
- Pre-1900 buildings are considered archaeological sites. An archaeological authority must be obtained before demolishing a pre-1900 building or structure.
- 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.

18.4 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; and
 2. contravention of performance standard 13.3.2 'Materials and design' where the building or structure is not listed by Heritage New Zealand.
2. 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; and
 2. contraventions of performance standard 13.3.2 'Materials and design' where the building or structure is listed by Heritage New Zealand.
3. 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;
 2. new driveways from a **primary pedestrian street frontage** (PPF);
 3. contraventions of performance standard '18.6.18.3 to 18.6.18.6 'Standards Habourside Edge'; and
 4. It is likely that applications for the following performance standard contraventions will be publicly notified:
 1. acoustic insulation;
 2. light spill;
 3. noise; and
 4. setback from national grid.
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. all restricted discretionary activities that list 'effect on cultural values of manawhenua' as a matter for discretion; and
 2. 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 retail as a permitted activity in scheduled heritage buildings as part of the permitted baseline in considering the effects of discretionary or non-complying activities in the Warehouse Precinct Zone.
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.

18.5 Land Use Performance Standards

18.5.1 Acoustic Insulation

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

1. within 20m of an industrial zone;
2. within 70m of a railway line;
3. within 40m of a state highway;
4. Central Business District (CBD) Zone;
5. Warehouse Precinct (WP) Zone;
6. Harbourside Edge (HE) Zone; and
7. Princes, Parry and Harrow Street (PPH) Zone.

18.5.2 Electrical Interference

Land use activities must comply with Rule 9.3.2.

18.5.3 Light Spill

Land use activities must comply with Rule 9.3.5.

18.5.4 Location

18.5.4.1 Location of activities within pedestrian street frontages

- a. In a **primary pedestrian street frontage**, activities on the ground floor facing the street frontage, must be retail, restaurants, or entertainment and exhibition, except for entrances, lobbies and accessways that service activities on upper floors.
- b. In a **secondary pedestrian street frontage**, residential activities must not occupy the ground floor of buildings facing the street frontage.

18.5.4.2 Location of industrial activities

Within all commercial and mixed use zones, except trade related and CBD edge commercial zones, any part of an industrial activity that involves machinery or metal work must be located within a part of a building that does not include any doors or windows that open to a **primary pedestrian street frontage** or **secondary pedestrian street frontage**.

18.5.4.3 Location of restaurant drive-through and service stations

- a. Restaurant - drive through and service stations must not have vehicle access from a **primary pedestrian street frontage**.
- b. Activities that contravene this performance standard are a non-complying activity.

18.5.5 Maximum Gross Floor Area

18.5.5.1 Maximum gross area

An individual land use activity must not occupy more than 50% of the gross area of a neighbourhood or rural centre.

18.5.5.2 Maximum gross floor area of dairies

The maximum gross floor area for dairies is 200m² (includes any area occupied for storage).

18.5.5.3 Maximum gross floor area of retail ancillary to industry

Retail ancillary to industry must not occupy more than 10% of the gross floor area of the industrial activity.

18.5.6 Minimum Car Parking

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

Activity		Minimum parking rate
Commercial activities		
1.	All Retail (<i>1500m² or more in gross public floor area</i>)	In CBD and CEC zones: 1 parking space per 25m ² of gross public floor area
2.	All Retail (<i>500m² or more in gross public floor area</i>)	In centres and WP zones: 1 parking space per 25m ² of gross public floor area
3.	Bulky goods retail	In CEC: 1 parking space per 50m ² gross public floor area
4.	Conference, meeting and function	In centres zones and HE zone: 1 parking space for every 5 persons the facility can accommodate at any one time
5.	Entertainment and exhibition (<i>capacity for greater than 20 persons at any one time</i>)	In centres zones and HE zone: 1 parking space for every 5 persons the facility can accommodate at any one time
6.	Food and beverage retail (<i>1500m² or more in gross public floor area</i>)	In TR zone: 1 parking space per 20m ² gross public floor area
7.	Registered health practitioners	In centres zones: 2 parking spaces for every registered health practitioner
8.	Restaurants	In HE zone: 1 parking space per 30m ² of gross public floor area
9.	Trade related retail	In PPH and TR zones: 1 parking space per 75m ² of gross floor area
10.	Yard based retail	In PPH and TR zones: a. 1 parking space per 100m ² gross public floor area (inside buildings) b. 1 parking space per 400m ² of outdoor display area
11.	Visitor accommodation	a. In CBD, centres, WP, PPH, SSYP, CEC and HE zones: 1 parking space per 6 visitor accommodation units, where the activity is based on guest rooms (e.g. hotels) b. In CBD, centres, WP, PPH, SSYP, CEC and HE zones: 1 parking space per 3 visitor accommodation units, where the activity is based upon units (e.g. motels)
Community activities		
12.	Community and leisure	In centres, PPH, SSYP, CEC, TRZ and HE zones: 1 parking space for every 5 persons the facility can accommodate at any one time
13.	Early childhood education - small scale	In CBD, centres and SSYP zones: a. 1 parking space per 5 full time equivalent staff members, and; b. 1 parking space for parent/guardian use per 6 children the activity is licensed for

Activity		Minimum parking rate
14.	Sport and recreation (<i>with capacity for greater than 20 persons at any one time</i>)	In centres, PPH, SSYP, CEC, TRZ and HE zones: 1 parking space for every 5 persons the facility can accommodate at one time
Residential activities		
15.	Rest homes	In centres, SSYP, PPH and HE zones: 1 parking space for every 3 beds
16.	Retirement villages	In centres, SSYP, PPH and HE zones: 1 parking space for every residential unit
17.	Standard residential	In centres, HE, PPH and SSYP zones: a. 1 - 5 habitable rooms on a site: 1 parking space b. 6 - 8 habitable rooms on a site: 1 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; and 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.
18.	Student hostels	In centres, HE, PPH and SSYP zones: a. hostels with 1 - 10 residents: 1 parking space b. hostels with 11 - 20 residents: 2 parking spaces c. hostels with 21 - 30 residents: 3 parking spaces d. hostels with greater than 30 residents: 3 parking spaces plus 1 additional space for every 10 additional residents (or part thereof)
Industrial activities		
19.	Industry	a. In HE, CEC and PPH zones: 1 parking space per 100m ² gross floor area for activities b. In TR zone: 1 parking space per 75m ² gross floor area

20. 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

21. Required parking spaces may be used for car, cycle or motorcycle parking, except for any required mobility parking spaces.
22. 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 standard for location of car parking.
23. Parking spaces may be shared between land use activities (i.e. the same parking spaces may be used to fulfill the minimum parking requirement for more than one land use activity), as long as the hours of operation of the land use activities do not overlap.
24. 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.
25. For activities where the minimum car parking performance standard is based on the gross floor area of a building, the following areas within the building will be excluded from the assessment of gross floor area, for the purpose of calculating the minimum car parking requirement: any parking area and associated manoeuvring space, including parking aisle and any loading area.

Note 18.5A - Other relevant District Plan provisions

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

18.5.7 Minimum Vehicle Loading

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

Zone		Activities	Minimum vehicle loading rate
1.	CBD and centres zones	a. Retail activity (<i>except yard based retail</i>)	i. On sites which gain direct vehicular access to strategic roads, arterial roads and urban high density corridors or have a gross floor area of 500m ² or more: 1 loading space, to accommodate an 8m rigid truck (See Rule 6.14, Figure 6.14J)
		b. Visitor accommodation	i. Visitor accommodation based on guest rooms (eg hotels) for 50 or more guest rooms: 1 loading space, to accommodate a coach (See Rule 6.14, Figure 6.14J)
2.	Centres zones	a. Yard based retail	i. On sites which gain direct vehicular access to strategic roads, arterial roads and urban high density corridors, or have a gross floor area of 500m ² or more: 1 loading space, to accommodate an 8m rigid truck (See Rule 6.14, Figure 6.14J).



Zone		Activities	Minimum vehicle loading rate
3.	Warehouse Precinct	a. General retail <i>(in a scheduled heritage building)</i>	i. On sites which gain direct vehicular access to strategic roads, arterial roads and urban high density corridors or have a gross floor area of 500m ² or more: 1 loading space, to accommodate an 8m rigid truck (See Rule 6.14, Figure 6.14J)
		b. General retail <i>(not in a scheduled heritage building and 1500m² or more in gross floor area)</i>	
		c. Trade related retail	
		d. Food and beverage retail	
		e. Visitor accommodation	i. Visitor accommodation based on guest rooms (eg hotels) for 50 or more guest rooms: 1 loading space, to accommodate a coach (See Rule 6.14, Figure 6.14J)
		f. Bulky goods retail	i. Activities with a gross floor area of less than 1000m ² : 1 loading space, to accommodate an 8m rigid truck (See Rule 6.14, Figure 6.14J); ii. Activities with a gross floor area of 1000m ² or more: 1 loading space, to accommodate a B Train Truck (See Rule 6.14, Figure 6.14J).
4.	CBD Edge Commercial	a. General retail <i>(1500m² or more in gross floor area),</i>	i. On sites which gain direct vehicular access to strategic roads, arterial roads and urban high density corridors: 1 loading space, to accommodate an 8m rigid truck (See Rule 6.14, Figure 6.14J)
		b. Trade related retail	
		c. Industry	
		d. Food and beverage retail <i>(1500m² or more in gross floor area).</i>	
		e. Visitor accommodation	i. Visitor accommodation based on guest rooms (eg hotels) for 50 or more guest rooms: 1 loading space, to accommodate a coach (See Rule 6.14, Figure 6.14J)
		f. Bulky goods retail	i. Activities with a gross floor area of less than 1000m ² : 1 loading space, to accommodate an 8m rigid truck (See Rule 6.14, Figure 6.14J); ii. Activities with a gross floor area of 1000m ² or more: 1 loading space, to accommodate a B Train Truck (See Rule 6.14, Figure 6.14J).

Zone		Activities	Minimum vehicle loading rate
5.	Princes, Parry and Harrow Street Zone	a. Trade related retail	i. On sites which gain direct vehicular access to strategic roads, arterial roads and urban high density corridors, or have a gross floor area of 500m ² or more: 1 loading space, to accommodate an 8m rigid truck (See Rule 6.14, Figure 6.14J).
		b. Yard based retail	
		c. Industry	
6.	Harbourside Edge Zone	a. Industry	i. 1 loading space, to accommodate an 8m rigid truck (See Rule 6.14, Figure 6.14J).
		b. Visitor accommodation	i. Visitor accommodation based on guest rooms (eg hotels) for 50 or more guest rooms: 1 loading space, to accommodate a coach (See Rule 6.14, Figure 6.14J)
7.	Trade related zones	a. Trade related retail	i. On sites which gain direct vehicular access to strategic roads, arterial roads and urban high density corridors, with a gross floor area of 500m ² or more: 1 loading space, to accommodate an 8m rigid truck (See Rule 6.14, Figure 6.14J) ii. Activities with a gross floor area of less than 1000m ² : 1 loading space, to accommodate an 8m rigid truck (See Rule 6.14, Figure 6.14J) iii. Activities with a gross floor area of 1000m ² or more: 1 loading space, to accommodate an B Train Truck (See Rule 6.14, Figure 6.14J)
		b. Food and beverage retail (1500m ² or more in gross floor area)	
		c. Industry	

8. Required vehicle loading must be designed and constructed to comply with Rule 6.6.2.

18.5.8 Noise

Land use activities must comply with Rule 9.3.6.

18.5.9 Service Station Standards

Service stations must comply with Rule 6.7.1.

18.5.10 Setback from National Grid

Sensitive activities must comply with Rule 5.6.1.1.

18.6 Development Performance Standards

18.6.1 Boundary Treatments and Other Landscaping

1. A landscaping area with a minimum width of 1.5m must be provided along the full length of any street frontage boundary that does not have a building within 1.5m of that boundary (except for where vehicle access is provided).
2. Landscaping areas must:
 - a. be planted with a mix of trees and shrubs and/or ground cover plants that achieves a total coverage of the ground area in planting (when mature), except for 10% of the area, which may be used for pedestrian paths;
 - b. have an average of one tree for every 5m of frontage;
 - c. not have more than 10% cover in impermeable surfaces (for pedestrian paths);
 - d. be designed to allow surface water run-off from surrounding areas to enter;
 - e. be protected by a physical barrier that prevents cars from accidentally driving into or damaging plants;
 - f. for required trees, use trees that are at least 1.5m high at the time of planting and capable of growing to a height of 5m within 10 years of planting;
 - g. be planted prior to occupation or completion of any relevant building(s) or site development; and
 - h. be maintained to a high standard, which means trees and under-planting are healthy and areas are regularly cleared of rubbish and weeds.
3. Any road boundary fences provided must be placed on the property side of any required road frontage landscaping.
4. Within any parking areas greater than 200m² (excluding loading areas), a minimum of 1m² of additional landscaped area must be provided for every parking space, with an average of one tree per 10m² of landscaping. This standard does not apply to sites used for yard based retail or sites with a street frontage of 12m or less.
5. Fencing must be provided along any boundaries which adjoin a residential or school zoned property (excluding roads). Fencing must:
 - a. be constructed from solid timber paling; and
 - b. have vertical palings which are butted together; and
 - c. only have palings visible from the residential zone; and
 - d. be a minimum of 1.8m high.

Note 18.6A - Other requirements outside of the District Plan

1. The Dunedin City Council Commercial Use of Footpaths Policy applies to all objects placed on the footpath or suspended over it up to a height of 2.6m. Contact customer services on 03 477 4000 or visit the DCC website www.dunedin.govt.nz for more information.

18.6.2 Building Colour

New buildings, additions or alterations to buildings, repairs and maintenance and earthquake strengthening must comply with Rule 13.3.1.

18.6.3 Earthworks Standards

18.6.3.1 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. Commercial mixed use zones	2. 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 5m ³ cut	0m ³ fill 20m ³ cut	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 18.6.3.1.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 waterbodies will be measured.

18.6.3.2 Archaeological sites

Earthworks must comply with Rule 13.3.3.

18.6.3.3 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).

18.6.3.4 Setback from property boundary, buildings, structures and cliffs

Earthworks over 600mm 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 18.6A);
 - 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 18.6A); and
 - iii. 300mm, as measured from the crest of any cut (see Figure 18.6A).
- b. Retaining walls supporting a cut or fill must be set back a distance at least equal to the height of the retaining walls (see Figure 18.6B), 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 18.6A: Unsupported cut and fill (elevation view)

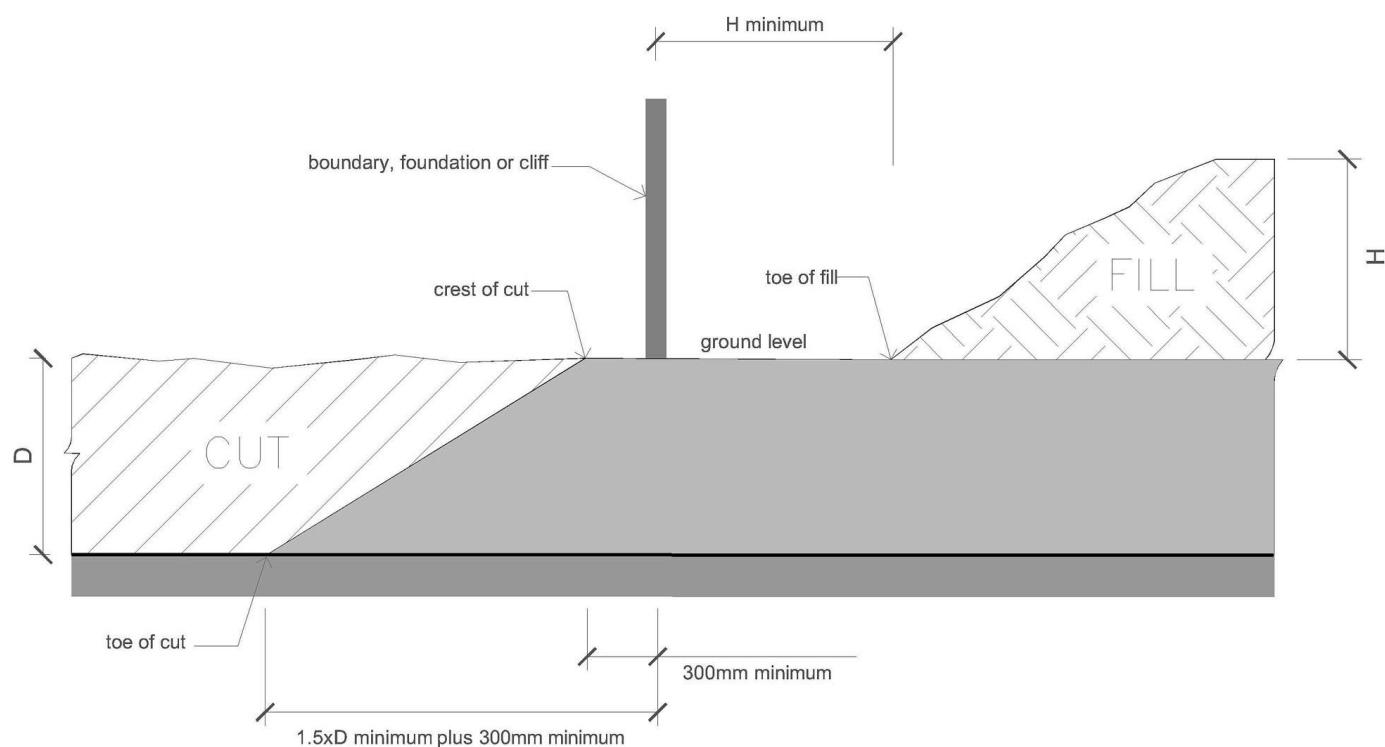
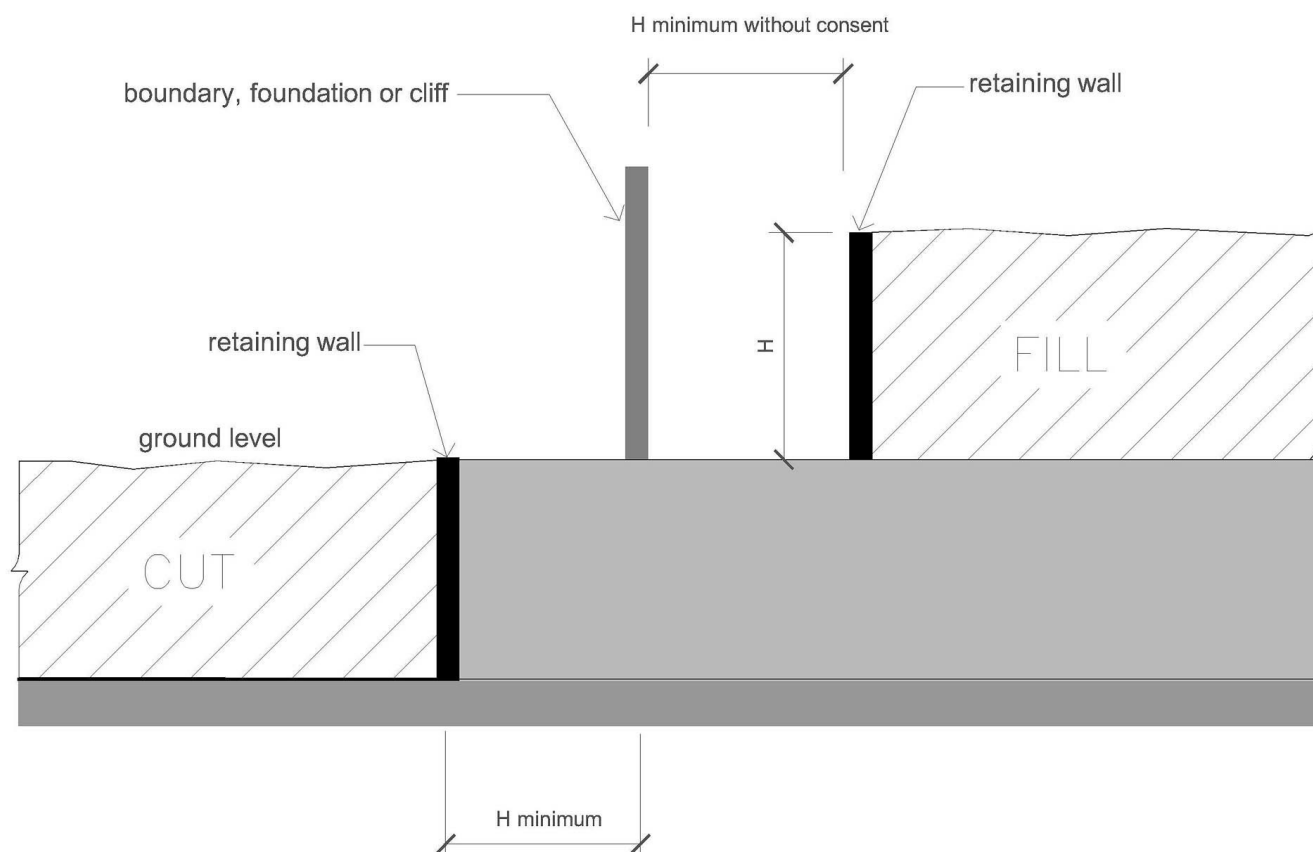


Figure 18.6B Cut and fill supported by retaining walls (elevation view)



18.6.3.5 Setback from national grid (earthworks)

Earthworks must comply with Rule 5.6.1.2.

18.6.3.6 Setback from network utilities

Earthworks must comply with Rule 5.6.2.

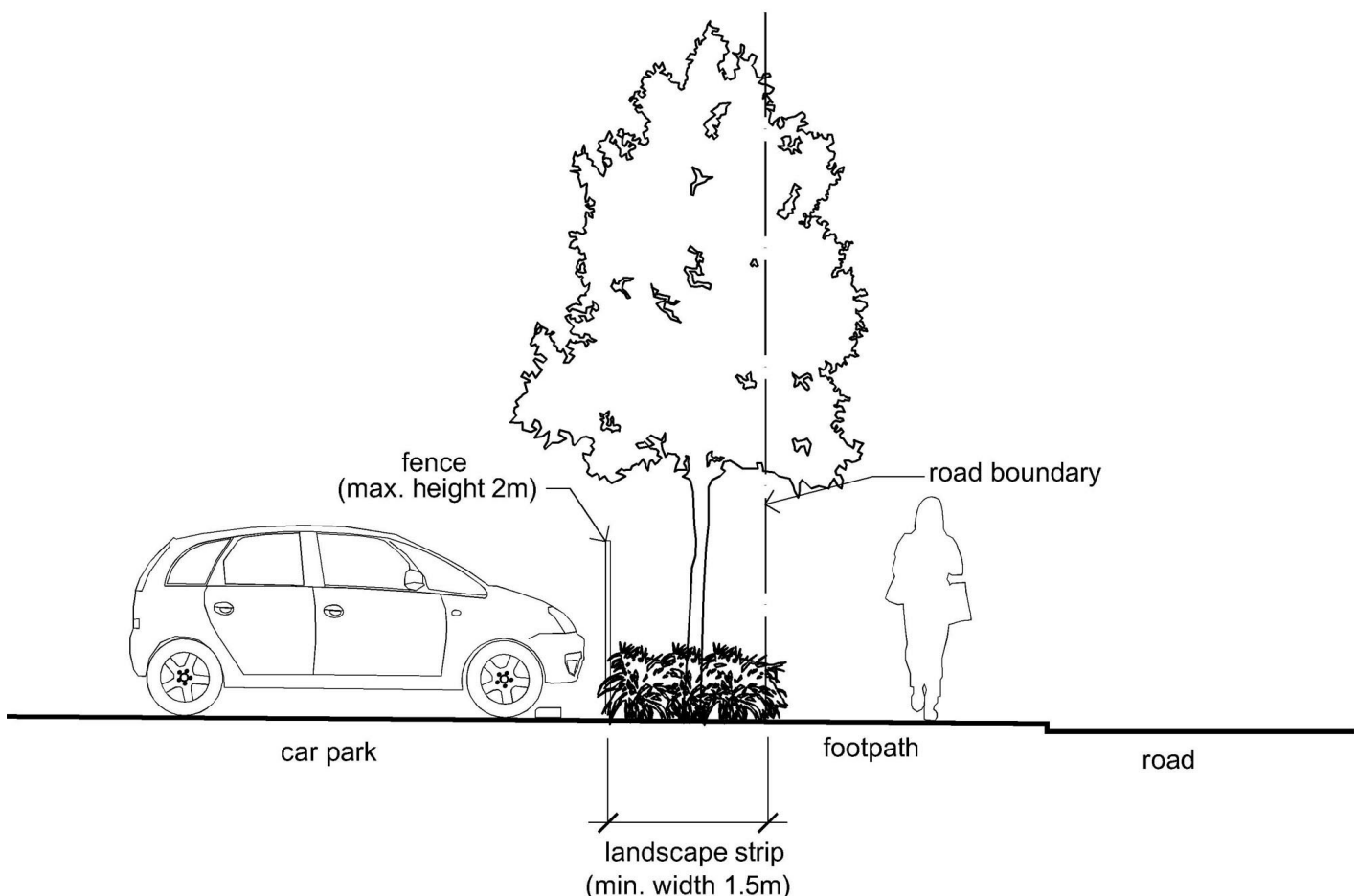
18.6.3.7 Sediment control

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

18.6.4 Fence Height and Design

1. The maximum height of a fence, free-standing wall, or gate is 2m along any side boundary or within 10m of the front boundary, unless completely screened from public view by buildings or established landscaping. 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, from the external side of the boundary.
2. Where landscaping is required by Rule 18.6.1, fences must be set back from the road an adequate distance to allow the landscaping to be located between the fence and the road (see Figure 18.6C).

Figure 18.6C Street frontage landscaping and fencing



18.6.5 Fire Fighting

New residential buildings and subdivision activities must comply with Rule 9.3.3.

18.6.6 Height

18.6.6.1 Height in relation to boundary

- a. New buildings and additions and alterations to buildings must not protrude through a plane (see Figure 18.6D) raising at an angle of 45 degrees measured from a point:
 - i. 3m above ground level at the side or rear boundary with a Inner City Residential or General Residential 2 zone;
 - ii. 2.5m above ground level at the side or rear boundary with all other residential zones or the Recreation Zone;
 - iii. except:
 1. 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, may protrude through the height in relation to boundary plane.
 2. gable ends and dormers may protrude through the height in relation to boundary plane by a maximum of 1m (see Figure 18.6E).
 - iv. Rooftop structures are exempt from the performance standard for height in relation to boundary.

Figure 18.6D: Height in relation to boundary

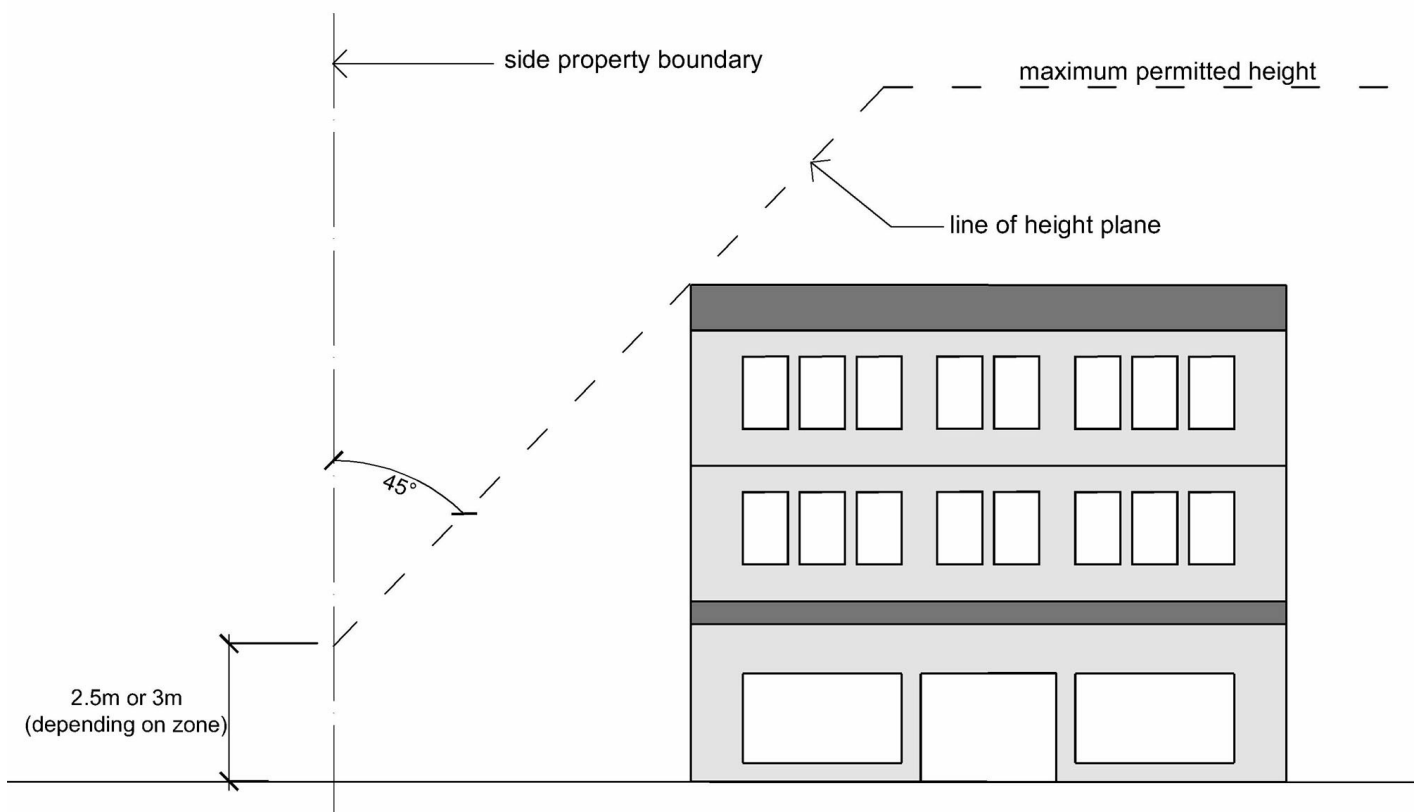
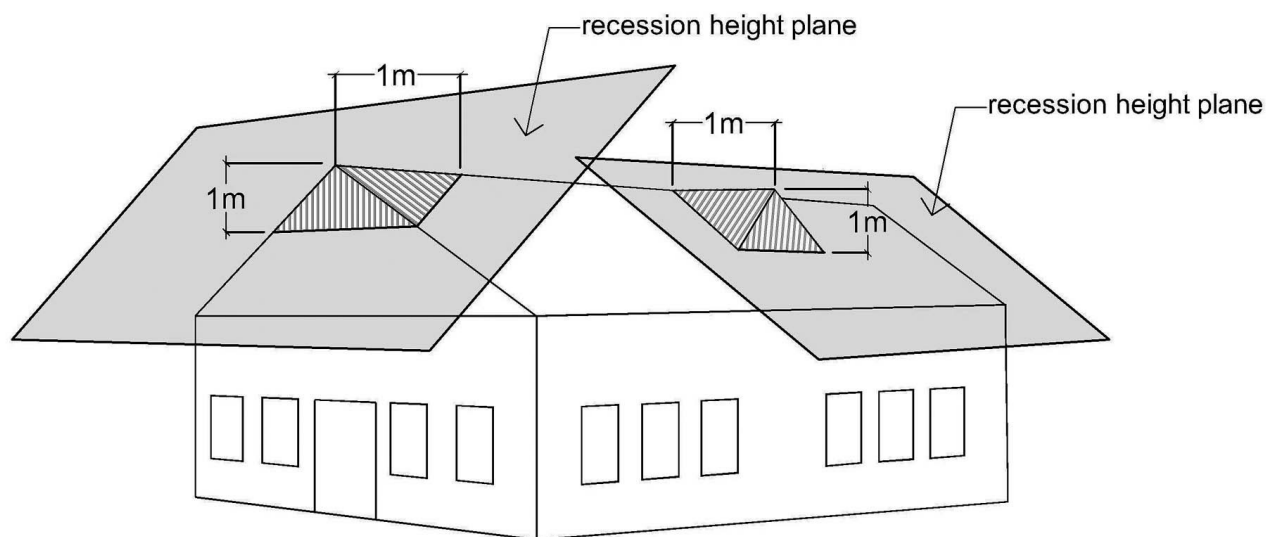


Figure 18.6E: Height in relation to boundary



18.6.6.2 Height

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

Zone/Centre		1. Minimum height of buildings (above ground level)	2. Minimum number of storeys for buildings (above ground level)	3. Maximum height of buildings and structures (above ground level)	4. Maximum number of storeys for buildings (above ground)
a.	Central Business District Zone (CBD)				
	i. On sites which adjoin George Street	8m	2 storeys	12m	3 storeys
	ii. On sites which do not adjoin George Street	8m	2 storeys	16m	4 storeys
b.	Warehouse Precinct Zone	8m	2 storeys	16m	4 storeys
c.	Princes, Parry and Harrow Street Zone				
	i. On sites located in the PPH Zone height mapped area	6m	1 storey	20m	—
	ii. On sites located outside the PPH Zone height mapped area	6m	1 storey	12m	—
d.	CBD Edge Commercial Zone	6m	1 storey	16m	—
e.	Smith Street and York Place Zone	8m	2 storeys	12m	3 storeys
f.	Trade Related Zone	—	—	16m	—

Zone/Centre		1. Minimum height of buildings (above ground level)	2. Minimum number of storeys for buildings (above ground level)	3. Maximum height of buildings and structures (above ground level)	4. Maximum number of storeys for buildings (above ground)
g.	Centres	6m	1 storey	12m	3 storeys

i. Except:

- i. Additions to scheduled heritage buildings and character-contributing buildings may exceed the maximum height limit within the Central Business District and centre and CBD Edge Mixed Use zones, as long as that addition is:
 1. set back a minimum of 6m from the street frontage façade of the building;
 2. set back a minimum of 6m from the façade of the building which adjoins a residential or recreation zoned site; and
 3. a maximum height of 4m above the maximum height of an existing building.
- ii. 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 or 5m, whichever is the lesser.

PPH Zone Height mapped area



18.6.7 Hazard Overlay Zones Development Standards

18.6.7.1 Hazard exclusion area (swale mapped area)

Development activities in the Rural Centre Zone located in a **swale mapped area** must comply with Rule 11.3.1.1.

18.6.7.2 Maximum area of vegetation clearance in the hazard overlay zones

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

18.6.7.3 Minimum floor level

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

18.6.7.4 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.

18.6.8 Hazardous Substances Quantity Limits and Storage Requirements

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

18.6.9 Location and Screening of Car Parking

1. Any parking areas (including stand-alone car parking) on a site within a heritage precinct (except View Street Heritage Precinct) or that contains a **primary pedestrian street frontage**, must locate behind or within a building that meets Rule 18.5.4.1.
2. In all other locations, any parking areas (including stand-alone car parking) on a site must be either located behind or within a building, or separated from the street frontage by a minimum 1.5m wide landscaping strip that meets Rule 18.6.1.
3. Parking areas that contravene this performance standard are a non-complying activity.

18.6.10 Location and Screening of Outdoor Storage

1. Outdoor storage of raw materials associated with industrial activities must be located or screened so it is not visible from ground level of a public place or a residential or recreation zoned property.
2. Service areas must be located or screened so that they are not visible at ground level from adjacent: residential activities, residential zoned properties, or public places.
3. Outdoor storage, including service areas, must not encroach into required parking, loading or landscaping areas.
4. Materials stored outside must be stored in a way that prevents them contaminating any off-site area.

18.6.11 Materials and Design

Repairs and maintenance, restoration, and earthquake strengthening that affect the protected part of a scheduled heritage building or structure, or if in a heritage precinct that are visible from an adjoining public place, must comply with Rule 13.3.2.

18.6.12 Minimum Glazing and Building Modulation

Buildings which face street frontage

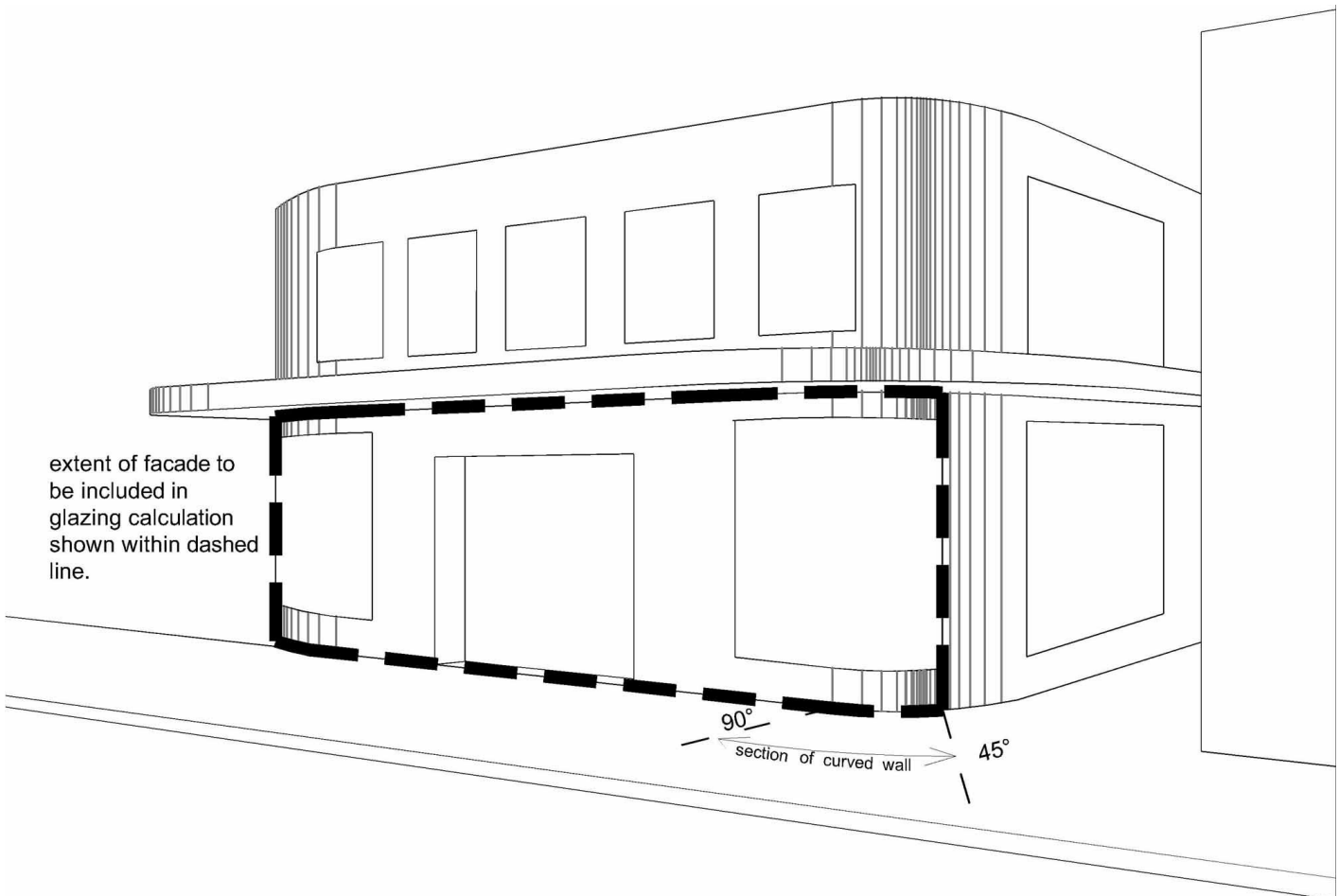
1. The minimum building modulation and minimum glazing requirements for any parts of a new building or additions and alterations to a building which face, and are visible from, the following street frontages, is as

follows:

Street frontage		i. Floor level		ii. Maximum distance between building modulation elements	iii. Minimum glazing
a.	Primary pedestrian street frontage	1.	Ground floor	10m	60%
		2.	Upper floors	10m	30%
b.	Secondary pedestrian street frontage	1.	Ground floor	15m	30%
		2.	Upper floors	15m	20%
c.	Other street frontage	1.	All floors	20m, or	20%

2. The required glazing will be calculated as a percentage of the total wall area (from floor to ceiling) that faces the street frontage and that includes clear glass. In the case of curved walls, the wall area will be calculated as the part of the wall which is 45° either side of a point directly facing (parallel to) the street frontage (see Figure 18.6F).
3. Ground floor glazing within the **primary pedestrian street frontage** must be clear (unobstructed from signage, glass frosting or other materials attached to the glazing that prevents glazing being visually permeable) for a minimum of 50% of the glazed area.
4. This standard does not apply to scheduled heritage buildings or within the Trade Related Zone.

Figure 18.6F: Extent of building façade included in minimum glazing calculation



18.6.13 Minimum Ground Floor to Ceiling Height

New buildings and additions and alterations to buildings adjacent to a **primary pedestrian street frontage** must have a minimum ground floor to ceiling height of 4m for a minimum depth of 6m from the front of the building along the **primary pedestrian street frontage**.

18.6.14 Number, Location and Design of Ancillary Signs

18.6.14.1 General

- a. Signs visible from a public place must meet all of the following performance standards.
- b. Signs located on or above the footpath must comply with:
 - i. Rule 6.7.2 where located on or above the footpath; and
 - ii. Rule 6.7.3 where visible from the road.
- c. Signs must be ancillary signs.
- d. Signs must not be illuminated or digital within pedestrian street frontages, heritage precincts and the Harbourside Edge Zone.
- e. Signs higher than 4m above ground level must only display the business name.

18.6.14.2 Signs attached to buildings

- a. The height, above ground level, at the highest point of any sign, attached to a building is:
 - i. 4m within pedestrian street frontages, heritage precincts and the Harbourside Edge Zone; and

- ii. 8m in all other locations.
- b. Signs must not be attached to roofs.
- c. Signs must not project higher than the lowest point of the roof, except where mounted against a parapet or gable end.
- d. Signs must be made of a solid material and may not be in the form of a flag, banner or other type of fabric sign in the pedestrian street frontages, heritage precincts and the Harbourside Edge Zone.

18.6.14.3 Signs attached flat against buildings (including verandah fascia)

- a. The maximum area of walls facing the street that signs may occupy (excluding signs in windows) is:
 - i. 50% of the area up to 4m or the bottom of a verandah, whichever is the lesser, in pedestrian street frontages, heritage precincts and the Harbourside Edge Zone; and
 - ii. 15% or 8m², whichever is the lesser, in all other locations.
- b. Signs attached to a verandah fascia must not exceed a height of 500mm, or the height of a verandah fascia, whichever is greater.

18.6.14.4 Signs attached at a right angle to the façade of a building (including attached to the underside of a verandah)

- a. Signs must not exceed:
 - i. a maximum of 1 per 5m of street frontage, in pedestrian street frontages, heritage precinct or in the Harbourside Edge Zone;
 - ii. a maximum of 1 per 15m of street frontage, for a site with a single premise, or 1 per 7.5m, for a site with multiple premises; and
 - iii. in all locations, a total of 3 signs per building.
- b. Signs must have a maximum of 2 display faces.
- c. Signs must have a maximum area per display face of:
 - i. 1.5m² in pedestrian street frontages, heritage precinct or in the Harbourside Edge Zone; and
 - ii. 2m² in all other locations.
- d. Signs must not protrude from a façade more than:
 - i. 1m in pedestrian street frontages, heritage precinct or in the Harbourside Edge Zone; and
 - ii. 1.5m in all other locations.

18.6.14.5 Portable freestanding signs on footpaths

- a. Portable freestanding signs on footpaths are only allowed for premises that have no ground floor street frontage (other than entranceways) in:
 - i. pedestrian street frontages, heritage precinct or in the Harbourside Edge Zone; and
 - ii. CBD and centres (outside pedestrian street frontages and heritage precincts) and the PPH and CEC zones.
- b. Portable freestanding signs on footpaths must not exceed:
 - i. a maximum height of 900mm above ground level; and
 - ii. a maximum width of 600mm.
- c. Portable freestanding signs on footpaths must be spaced at least 5m from any other portable sign.
- d. Portable freestanding signs on footpaths must not exceed 1 sign per site, except where a site has a street

frontage of 30m or more, then a maximum of 1 sign per 15m of street frontage.

- e. In the Trade Related Zone, portable signs on footpaths are not allowed.

18.6.14.6 Freestanding signs

- a. The maximum number of freestanding signs is:
 - i. 1 per site in pedestrian street frontages, heritage precincts or the Harbourside Edge Zone; and
 - ii. 2 per site or 1 per 50m of street frontage, whichever is the lesser, for freestanding signs, and 1 per 15m of street frontage for portable freestanding signs in all other locations.
- b. The maximum dimensions of freestanding signs are:
 - i. In pedestrian street frontages, heritage precincts or the Harbourside Edge Zone:
 1. maximum height of 4m;
 2. maximum area of 3m² per display face;
 3. maximum width of 2m; and
 4. maximum depth of 400mm.
 - ii. In trade related zones:
 1. maximum height of 8m for permanently fixed freestanding signs;
 2. maximum height of 4m for portable freestanding signs;
 3. maximum area of 16m² per display face for permanently fixed freestanding signs;
 4. maximum area of 8m² per display face for portable freestanding signs;
 5. maximum width of 2m; and
 6. maximum depth of 400mm.
 - iii. In all other locations:
 1. maximum height of 6m for permanently fixed freestanding signs;
 2. maximum height of 4m for portable freestanding signs;
 3. maximum area of 12m² per display face for permanently fixed freestanding signs;
 4. maximum area of 8m² per display face for portable freestanding signs;
 5. maximum width of 2m; and
 6. maximum depth of 400mm.
- c. Freestanding signs must:
 - i. not obstruct parking or manoeuvring areas; and
 - ii. be positioned entirely within site boundaries, except:
 1. flag signs within the CBD and centres zones (outside pedestrian street frontages and heritage precincts) and within PPH, CEC and TR zones, may project a maximum of 1.5m over a footpath if the flag sign is located at least 2.5m, at its lowest point, above the footpath.

Figure 18.6G: Signs in pedestrian street frontages, heritage precincts and Harbourside Edge Zone

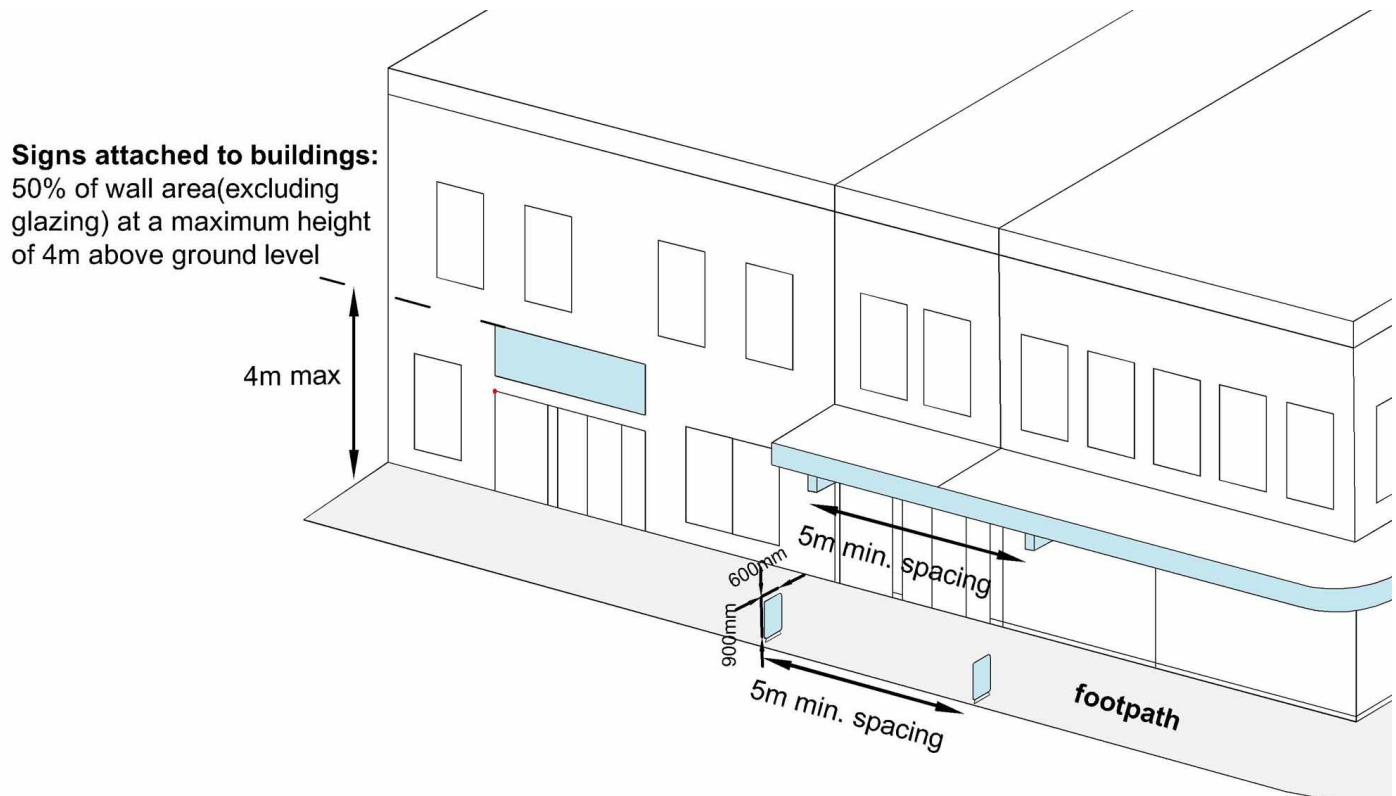
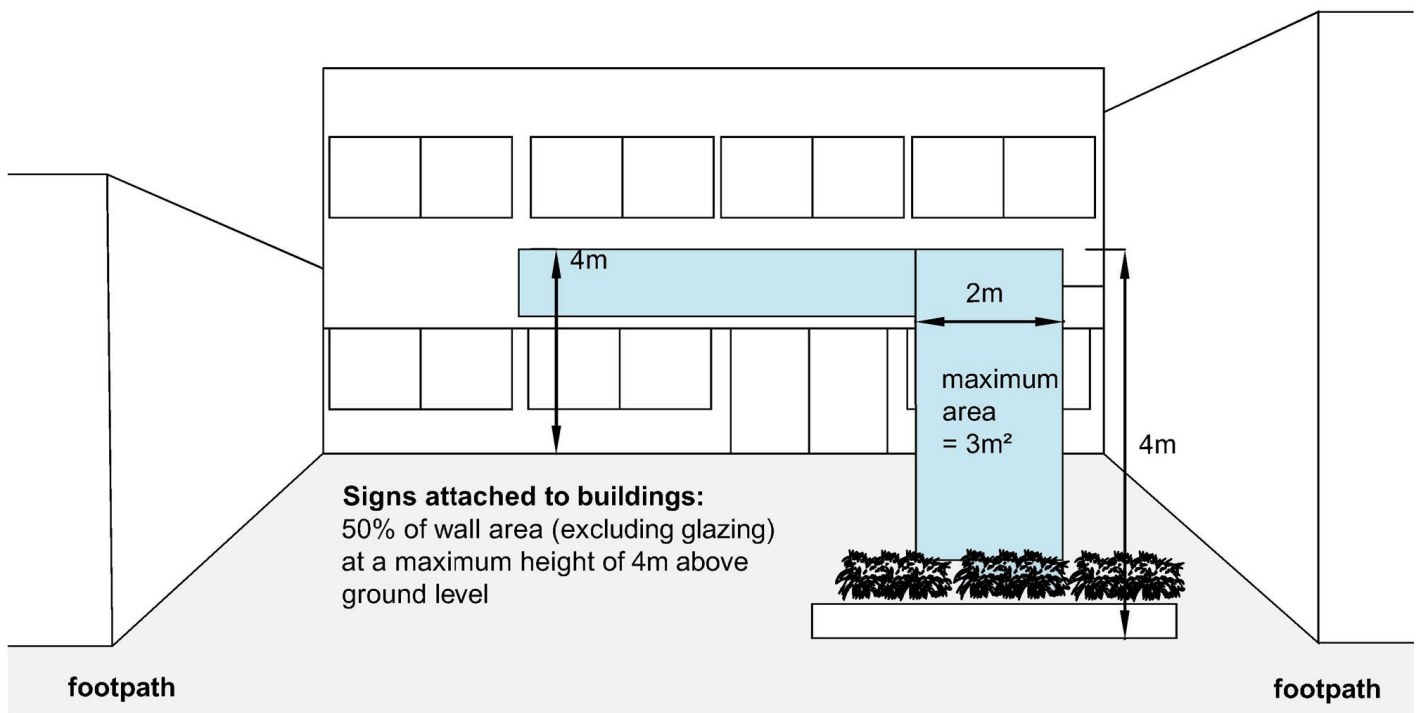


Figure 18.6H: Signs in pedestrian street frontages, heritage precincts and Harbourside Edge Zone



Signs attached to buildings:
15% of wall area (excluding glazing) at a maximum height of 8m above ground level

2m

8m

4m

8m

15m min. spacing

15m min. spacing

footpath

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

1. For additional restrictions that may apply to signs, see also:
 - a. New Zealand Transport Agency - Traffic control devices manual - Part 3 Advertising signs
 - b. Dunedin City Council Commercial Use of Footpaths Policy
 - c. Dunedin City Council Roading Bylaw
 - d. Dunedin City Council Traffic and Parking Bylaw
2. Contact customer services on 477 4000 or go to www.dunedin.govt.nz for further information.

- Parking, loading and access must comply with Rule 6.6.
- New vehicle accesses are not allowed on any **primary pedestrian street frontage**.
- Contravention of performance standard 18.6.15b is a non-complying activity.

18.6.16 Pedestrian Entrances

For new buildings and additions and alterations to buildings built adjacent to a **primary pedestrian street frontage** or **secondary pedestrian street frontage**:

- a. the principal pedestrian entrance must be located on the pedestrian street frontage; and
- b. if a building is adjacent to both a **primary pedestrian street frontage** and a **secondary pedestrian street frontage**, the principal pedestrian entrance must be located on the **primary pedestrian street frontage**.

18.6.17 Setbacks

18.6.17.1 Setback from road boundaries

- a. New buildings and additions and alterations to buildings must be built within 400mm of any road boundary that is a **primary pedestrian street frontage**, for the entire length of the **primary pedestrian street frontage**, except:
 - i. a setback of up to 1.5m for a maximum width of 3m may be provided to allow for a recessed pedestrian entrance; and
 - ii. a gap adjacent to the side boundary of up to 3m may be provided to allow for a publicly-accessible pedestrian connection from the street, to an existing or proposed public walkway, road, reserve or other public place (see Figure 18.6J).
- b. New buildings or additions and alterations to buildings must be built within 400mm of any road boundary that is a **secondary pedestrian street frontage** for 60% of the length of the **secondary pedestrian street frontage**, except a setback of up to 1.5m for a maximum width of 3m may be provided to allow for a recessed pedestrian entrance.
- c. On a **secondary pedestrian street frontage**, any part of a building that is not built within 400mm of the street frontage, must be set back a minimum of 1.5m from the street frontage in order to meet Rule 18.6.1.

18.6.17.2: Setback from boundaries of residential or recreation zoned sites

Along any boundaries that adjoin a residential or recreation zone, all new buildings or additions and alterations to buildings must have a minimum boundary setback of 3m.

18.6.17.3: 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.

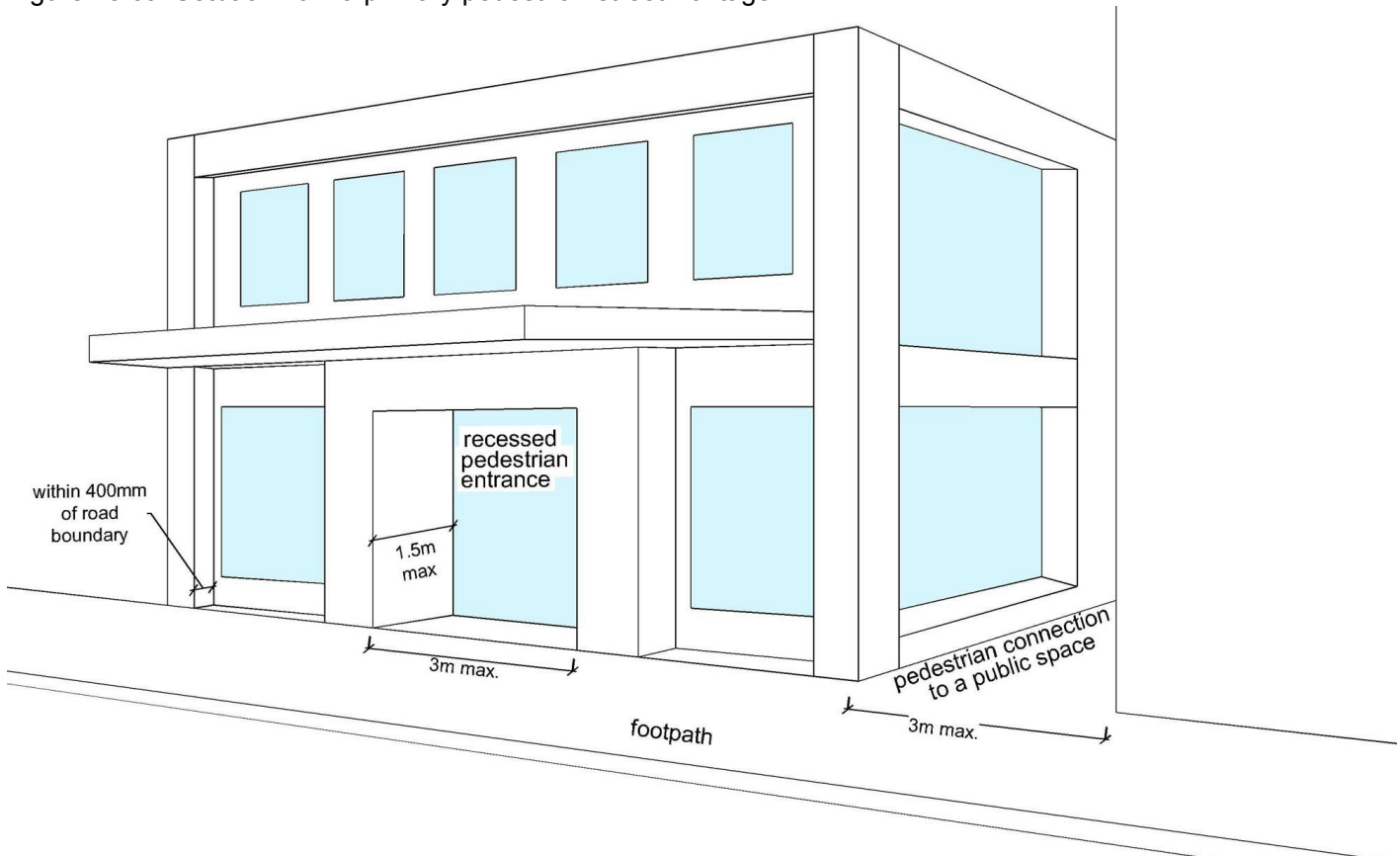
18.6.17.4: Setback from coast and water bodies

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

18.6.17.5 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.

Figure 18.6J: Setback from a primary pedestrian street frontage



18.6.18 Standards Harbourside Edge

1. Buildings must be built to within 400mm of the road boundary along Birch and Kitchener streets, except for any setbacks required to allow pedestrian entrances.
2. Buildings must:
 - a. along Birch Street have a minimum height of 6m and maximum height of 20m
 - b. along Kitchener Street have a minimum height of 6m and a maximum height of 16m.
3. Buildings must be designed to provide free and unfettered public access (via pedestrian accessways) through sites from Birch and Kitchener streets to the public walkway required in Rule 18.6.18.5. The public accessways:
 - a. must be within 5m of the locations shown green in the **harbourside edge public walkway and access mapped area**.
 - b. must be available, for public use at a minimum, between the hours of 8am and 10pm; and
 - c. may be either external or internal to (through) buildings.
4. Buildings must be setback from the harbour edge an adequate distance to provide for the public walkway required by Rule 18.6.18.5.
5. Prior to the occupation of any new building, a public walkway of a minimum width of 5m must be constructed either:
 - a. along the wharf, if it is upgraded to a safe standard; or
 - b. along the land immediately adjacent to the harbour.
6. The public walkway required by Rule 18.6.18.5 must:



- a. be for the length shown red in the **harbourside edge public walkway and access mapped area**;
 - b. be free of buildings or structures;
 - c. not be used by vehicles;
 - d. be constructed with an asphalt finish or of the same materials as the adjoining sections of walkway, if already constructed; and
 - e. be lit to the Lighting for roads and public spaces AS/NZS 1158.3.1:2005, P4 Standard.
7. Activities that contravene rules 18.6.18.1 and 18.6.18.2 are a discretionary activity.
 8. Activities that contravene rules 18.6.18.3 to 18.6.18.6 are a non-complying activity.

Harbourside Edge Public Walkway and Access mapped area



18.6.19 Verandahs

1. Buildings along a **primary pedestrian street frontage** must have a verandah that:
 - a. extends the full length of building frontage along the primary pedestrian frontage and adjoins its neighbours (except across any existing vehicle access) to provide continuous pedestrian cover of the footpath;
 - b. has a maximum depth of 3m or is no closer than 500mm from the adjacent kerb (whichever is the lesser);



- c. the bottom of which, is between 3m and 4m above the footpath;
 - d. has a fascia that is no higher than 500mm;
 - e. provides under lighting unless the building provides lighting of the footpath under the verandah; and
 - f. on corner sites, continues around the corner for the full length of the **primary pedestrian street frontage**.
2. Along a **secondary pedestrian street frontage**, except within the Warehouse Industrial Commercial Heritage Precinct, buildings must have a verandah that covers the full width of the main pedestrian entrance.
3. Scheduled heritage buildings that do not have an existing verandah are exempt from this standard.

18.7 Subdivision Performance Standards

18.7.1 Access

Subdivision activities must comply with Rule 6.8.1.

18.7.2 Esplanade Reserves and Strips

Subdivision activities must comply with Rule 10.3.1.

18.7.3 Fire Fighting

Subdivision activities must comply with Rule 9.3.3.

18.7.4 Service Connections

Subdivision activities must comply with Rule 9.3.7.

18.7.5 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 100m² that meets the performance standards of this Plan including, but not limited to:
 - a. minimum car parking;
 - b. setbacks from boundaries, water bodies, scheduled trees, national grid; and
 - c. 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.

Rule 18.8 Assessment of Controlled Activities

Rule 18.8.1 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 18.8.2:
 - 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 18.9; 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 18.11; 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 18.12; and
 - iii. the assessment guidance in this section will also be considered.

18.8.2 Assessment of controlled development 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 18.9 Assessment of Restricted Discretionary Activities (Performance Standard Contraventions)

Rule 18.9.1 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 18.9.2 - 18.9.6:
 1. list the matters Council will restrict its discretion to; and
 2. provide guidance on how consent applications will be assessed, including:
 1. relevant objectives and policies, with respect to s104(1)(b)(vi);
 2. potential circumstances that may support a consent application;
 3. general assessment guidance; and
 4. conditions that may be imposed.
3. Rules 18.9.2 - 18.9.5 apply to performance standards in the commercial and mixed use zones; Rule 18.9.6 contains additional provisions that apply to performance standards in pedestrian street frontages, overlay zones, heritage precincts, and affecting a scheduled item.

18.9.2 Assessment of all performance standard contraventions

Performance standard		Guidance on the assessment of resource consents
1.	Performance standard contraventions	<i>Potential circumstances that may support a consent application include:</i> a. The degree of non-compliance with the performance standard is minor. b. Topography or other site specific factors make the standard irrelevant as the adverse effects that the standard is trying to manage will not occur. 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. d. There are positive effects on heritage values related to better site design outcomes achieved through not meeting the performance standards. <i>General assessment criteria:</i> e. Where more than one standard is contravened, the combined effects of the contraventions should be considered. f. 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 usually be placed on heritage policies.

18.9.3 Assessment of land use performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
1.	Electrical Interference	a. Effects on health and safety	See Rule 9.4
2.	Maximum gross floor area (Rule 18.5.5.1)	a. Effects on the vibrancy, and economic and social success of CBD and centres	<i>Relevant objectives and policies:</i> i. Objective 18.2.1 ii. Activities in neighbourhood and rural centres: 1. are not destination retail activities designed to attract customers from across suburbs, which are more appropriately located in the CBD or other central city commercial zones, and 2. do not dominate the centre and reduce the diversity of different activities that are able to establish within the centre (Policy 18.2.1.8).

18.9.3 Assessment of land use performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
3.	Maximum gross floor area of dairies	a. Effects on the vibrancy, and economic and social success of CBD and centres	<i>Relevant objectives and policies:</i> i. Objective 18.2.1 ii. Dairies in the WP, SSYP, HE, and PPH zones are of a size that ensures they operate as a convenience store rather than a destination supermarket (Policy 18.2.1.12). <i>Potential circumstances that may support a consent application include:</i> iii. The dairy serves the local neighbourhood and primarily sells day-to-day convenience food, beverage and house consumables, for example milk and bread.
4.	Maximum gross floor area of retail ancillary to industry	a. Effects on the vibrancy, and economic and social success of CBD and centres b. Effects on ability of other commercial and industrial activities to operate	<i>Relevant objectives and policies:</i> i. Objective 18.2.1 ii. The scale of retail ancillary to industry: 1. is clearly subordinate to and part of the operation of the primary industrial activity; and 2. does not conflict with Objectives 2.3.2 and 2.4.3; and 3. does not create adverse effects on other industrial activities, for example from traffic, parking, or reverse sensitivity effects (Policy 18.2.1.7).
5.	Minimum car parking	a. Effects on accessibility b. Effects on the safety and efficiency of the transport network	See Rule 6.9
6.	• Minimum vehicle loading • Service station standards	a. Effects on the safety and efficiency of the transport network	See Rule 6.9

18.9.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
1.	Boundary treatments and other landscaping	a. Effects on streetscape amenity	<i>Relevant objectives and policies:</i> i. Objective 18.2.3 ii. Development maintains or enhances streetscape amenity by ensuring: 1. an attractive street interface is maintained, through landscaping, where buildings are not built to the street frontage (Policy 18.2.3.1.a); and 2. large parking areas, which are visible from the street, are visually broken up with internal landscaping, which also provides for rainwater absorption (Policy 18.2.3.1.b).
2.	• Boundary treatments and other landscaping • Height in relation to boundary • Setback from residential and recreation zoned sites	a. Effects on amenity of sites in adjoining residential or recreation zones	<i>Relevant objectives and policies:</i> i. Objective 18.2.2 ii. Development maintains the amenity of adjoining residential, schools and recreation zoned sites by having: 1. buildings of a height in relation to boundaries and setback from side boundaries that maintains a reasonable level of sunlight access to adjoining residential and recreation zoned sites; and 2. fencing along property boundaries which adjoin residential or school zoned properties to provide screening for the purposes of privacy and security (Policy 18.2.2.3). <i>Potential circumstances that may support a consent application include:</i> iii. Access to sunlight to the outdoor living space(s) and windows of bedrooms and living areas of nearby residential buildings is maintained or any reduction is minor. iv. Access to sunlight on surrounding recreation areas is maintained or any reduction is minor. v. A reasonable level of privacy is maintained for the windows, doors, and decks of any residential and visitor accommodation on surrounding residential zoned sites.
3.	Earthworks standards: • Batter gradient	a. Effects on the stability of land, buildings and structures	<i>Relevant objectives and policies:</i> i. Objective 18.2.4 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 18.2.4.1.b).

18.9.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
4.	Earthworks standards: • Setback from property boundary, buildings, structures and cliffs	a. Effects on the stability of land, buildings and structures	<i>Relevant objectives and policies:</i> i. Objective 18.2.4 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, structures and cliffs (Policy 18.2.4.1.a).
5.	Earthworks standards: • 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
6.	Earthworks standards: • Sediment control	a. Effects on surrounding sites b. Effects on biodiversity values and natural character of riparian margins and the coast c. Effects on the efficiency and/or affordability of infrastructure	<i>Relevant objectives and policies:</i> i. Objective 18.2.4 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 18.2.4.2.b). See Rule 10.4 See Rule 9.4
7.	Fence height and design	a. Effects on streetscape amenity	<i>Relevant objectives and policies:</i> i. Objective 18.2.3 ii. Fences visible from public places are designed to maintain or enhance streetscape amenity (Policy 18.2.3.6).
8.	Fire fighting	a. Effects on health and safety	See Rule 9.4
9.	Hazardous substances quantity limits and storage requirements	a. Effects on health and safety b. Risk from natural hazards	See Rule 9.4 See Rule 11.4

18.9.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
10.	Height	a. Effects on streetscape amenity	<i>Relevant objectives and policies:</i> i. Objective 2.4.3 ii. Objective 18.2.3 iii. Development maintains or enhances streetscape amenity by ensuring building height reflects the general heights of the block (Policy 18.2.3.1.d).
11.	Location and screening of outdoor storage	a. Effects on streetscape amenity	<i>Relevant objectives and policies:</i> i. Objective 18.2.3 ii. Development maintains or enhances streetscape amenity by ensuring service areas and outdoor storage areas associated with industrial or other activities are not visible from ground level of a public place (Policy 18.2.3.1.c).
12.	Minimum glazing and building modulation	a. Effects on streetscape amenity	<i>Relevant objectives and policies:</i> i. Objective 18.2.3 ii. Development maintains or enhances streetscape amenity by ensuring an architecturally interesting façade through building modulation and use of glazing (Policy 18.2.3.1.e).
13.	Number, location and design of ancillary signs	a. Effects on streetscape amenity	<i>Relevant objectives and policies:</i> i. Objective 18.2.3 ii. Ancillary signs convey information about the name, location and nature of the business to passing pedestrians and vehicles while not being oversized or too numerous for that purpose (Policy 18.2.3.7). <i>Potential circumstances that may support a consent application include:</i> iii. An attractive streetscape is maintained. iv. The visual cohesion of the street is not reduced by the increase in size or number of signs.
		b. Effects on the safety and efficiency of the transport network	See Rule 6.9
14.	Parking, loading and access standards	a. Effects on accessibility	See Rule 6.9
		b. Effects on the safety and efficiency of the transport network	

18.9.4 Assessment of development performance standard contraventions

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
15. 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
16. Setback from scheduled tree	a. Effects on long term health of tree	See Rule 7.6

18.9.5 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 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. Service connections	a. Effects on efficiency and affordability of infrastructure	See Rule 9.4

18.9.5 Assessment of subdivision performance standard contraventions

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
5. Shape	<i>Relevant objectives and policies:</i> - Objective 2.4.1 - Subdivisions are designed to ensure any future land use or development of the resultant site 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: - 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 - the resultant site is required for: - Scheduled ASCV; QEII covenant; or - reserve; or - access; or - utility; or - road (Policy 2.4.1.8). <i>General assessment guidance:</i> - 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: - minimum car parking; - boundary setbacks; - setback from scheduled tree; - earthworks standards (building platform slope); - setbacks from water bodies; and - setback from national grid. <i>Conditions that may be imposed:</i> - Restrictions or conditions, including by way of consent notice, on land use or development activities allowed on the site. - A building platform may be required to be registered against the title by way of consent notice.	

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

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
1. Affecting a scheduled heritage item : Materials and design	a. Effects on heritage values	See Rule 13.5

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

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
2.	In a hazard overlay zone or swale mapped area : Hazard overlay zones development standards	a. Risk from natural hazards	See Rule 11.4
3.	In a heritage precinct : - Boundary setbacks - Building colour - Fence height and design - Materials and design - Height - Location and screening of car parking - Number, location and design of ancillary signs	a. Effects on heritage streetscape character	See Rule 13.5
4.	In a pedestrian street frontage : Location of industrial activities	a. Effects on streetscape amenity	<i>Relevant objectives and policies:</i> i. Objective 18.2.3 ii. Industrial activities avoid or, if avoidance is not possible, adequately mitigate any adverse effects on streetscape amenity by locating any part of the industrial operation that involves machinery or metal work within a part of a building that does not include any doors or windows that open to a primary pedestrian street frontage or secondary pedestrian street frontage (Policy 18.2.3.10).

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

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
5. In a primary pedestrian street frontage: • Location of activities within pedestrian street frontages • height • minimum glazing and building modulation • minimum ground floor to ceiling height • pedestrian entrances • setback from road boundaries • verandahs	a. Effects on streetscape amenity	<i>Relevant objectives and policies:</i> - Objective 18.2.3 - Buildings along a primary pedestrian street frontage are located, designed and operated to provide a high level of pedestrian amenity by: - providing a continual frontage of buildings along the street, apart from pedestrian alleyways; - providing a clear and direct visual connection between the street and the building interior; - providing a direct physical connection to the building interior through clearly identified pedestrian entrances on the highest order pedestrian street frontage; - providing shelter for pedestrians on footpaths, in the form of a verandah; - being of a height that maintains existing sunlight access to footpaths and public open spaces; - providing an architecturally interesting façade and human scale design, through building modulation and consistent alignment of windows; - being designed to have commercial activities at the ground floor, with an adequate ground floor to ceiling height to accommodate these activities; and - providing customer-facing activities on the ground floor (Policy 18.2.3.2). <i>Potential circumstances that may support a consent application include:</i> - The length of the total building frontage that will not meet this standard is short and the context of the building means any effects on streetscape amenity will be no more than minor. - It is proposed to only lease the space for a limited period of time, and the consent will be time-limited. <i>Conditions that may be imposed include:</i> - Time limit on consent.

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

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
6. In a secondary pedestrian street frontage: • Location of activities within pedestrian street frontages • Pedestrian entrances • Minimum glazing and building modulation • Setback from road boundaries • Verandahs	a. Effects on streetscape amenity	<i>Relevant objectives and policies:</i> - Objective 18.2.3 - Buildings provide a good level of pedestrian amenity by: - providing a regular frontage of buildings along the street, with limited interruptions for vehicle accesses; - providing a clear and direct visual connection between the street and the building interior; - providing an architecturally interesting façade and human scale design, through building modulation and consistent alignment of windows; and - providing shelter for pedestrians at pedestrian entrances (Policy 18.2.3.3). <i>Potential circumstances that may support a consent application include:</i> - The design and size of the verandah still allows for the shelter of pedestrians from the weather. - The activities proposed at ground floor have a customer-facing function. - The length of the total building frontage that will not meet this standard is short and the context of the building means any effects on streetscape amenity will be no more than minor. - It is proposed to only lease the space for a limited period of time, and the consent will be time-limited. <i>Conditions that may be imposed include:</i> - Time limit on consent.

Rule 18.10 Assessment of Restricted Discretionary Activities

Rule 18.10.1 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 18.10.2 - 18.10.5:
 - 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 18.10.2 - 18.10.4 apply to activities in the commercial and mixed use zones; Rule 18.10.5 contains additional provisions that apply to activities in an overlay zone, mapped area, heritage precinct, and affecting a scheduled item.
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 18.9; 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 18.11; 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 18.12; and
 - iii. the assessment guidance in this section will also be considered.

18.10.2 Assessment of all restricted discretionary land use activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
1. All high trip generating activities, including: • Restaurants drive-through (CEC, TR) • Service stations (CEC, TR) • Emergency services (CEC, TR, CBD, centres, WP, PPH, SSYP, HE) • Early childhood education - large scale (CBD, centres, WP, PPH, SSYP, HE)	a. Effects on the safety and efficiency of transport network b. Effects on accessibility	See Rule 6.10
2. Early childhood education (CBD, centres, WP, PPH, SSYP, HE)	a. Effects on ability of commercial activities to operate	<i>Relevant objectives and policies:</i> i. Objective 18.2.2 ii. Early childhood education are located where they will not constrain (have reverse sensitivity effects on) activities which are provided for in the commercial and mixed use zone (Policy 18.2.2.8). <i>Potential circumstances that may support a consent application include:</i> iii. Performance standards for development activities are met. iv. Outdoor play areas are protected from external noise through acoustic fencing or other building design measures that reduce the noise received in play areas.

18.10.2 Assessment of all restricted discretionary land use activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
3. - Conference, meeting and function (PPH, SSYP) - Entertainment and exhibition ancillary to visitor accommodation (PPH, SSYP)	a. Effects on the vibrancy and economic and social success of the CBD and centres.	<i>Relevant objectives and policies (priority considerations):</i> - Objective 18.2.2 - The activities are secondary to the visitor accommodation activity (Policy 18.2.2.2.a).
	b. Effects on residential amenity	<i>Relevant objectives and policies (priority considerations):</i> - Objective 18.2.2 - Any adverse effects on the amenity of surrounding residential activities, from noise, anti-social behaviour, or other effects can be avoided or, if avoidance is not possible, adequately mitigated (Policy 18.2.2.2.b). <i>Potential circumstances that may support a consent application</i> - Performance standards for development activities are met. - The scale and nature of the activity including the number of people involved in the activity, hours of operation means that effects can be avoided, or if avoidance is not possible, adequately mitigated.
	c. Potential for reverse sensitivity effects	<i>Relevant objectives and policies (priority considerations):</i> - Objective 18.2.2 - The potential for reverse sensitivity on any activities that are provided for, such as industrial activities, can be avoided or, if avoidance is not possible, adequately mitigated (Policy 18.2.2.2.c).
	d. Effects on the safety and efficiency of the transport network	See Rule 6.10
4. - Visitor accommodation (NEC and NECC) - Community and leisure - large scale (NEC and NECC)	a. Effects on residential amenity	<i>Relevant objectives and policies:</i> - Objective 18.2.2 - Any adverse activities on the amenity of surrounding residential activities are avoided or, if avoidance is not possible, adequately mitigated (Policy 18.2.2.7). <i>Potential circumstances that may support a consent application include:</i> - Communal outdoor living / gathering areas are located or screened from surrounding properties. - Performance standards for development activities are met.

18.10.3 Assessment of all restricted discretionary development activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
1. New buildings and additions and alterations to buildings in the Harbourside Edge Zone	a. Effects on streetscape amenity	<i>Relevant objectives and policies:</i> i. Objective 18.2.3 ii. New buildings and additions and alterations to buildings in the Harbourside Edge Zone are designed and located to provide a high level of amenity by: 1. being built to the street frontage along the entire length of Birch Street, and for no less than 60% of the street frontage on Kitchener Street; 2. including appropriate building modulation, window alignment, use of glazing, floor height, colour, architectural detail to provide visual interest and a human-scale design; 3. being of a design that is coherent, appropriate to the setting and history of the area, and provides a positive relationship to both the street and the harbour; and 4. having active edges with strong visual and physical connections from the street to the inside of buildings (Policy 18.2.3.4). <i>Conditions that may be imposed include:</i> Council may place condition on aspects of building design including: 1. entry and exit points for pedestrians; 2. building materials; 3. architectural detail; 4. building modulation; 5. colour; and 6. window type and placement.
2. New parking areas, or extensions to existing parking areas (<i>that result in the creation of 50 or more new parking spaces.</i>)	a. Effects on the safety and efficiency of the transport network	See Rule 6.10

18.10.3 Assessment of all 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 commercial mixed use zones)	a. Effects on visual amenity and character b. Effects on the amenity of surrounding properties	<i>Relevant objectives and policies:</i> i. Objective 18.2.4 ii. Adverse effects on visual amenity and character will be avoided or, if avoidance is not possible, adequately mitigated (Policy 18.2.4.3.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 18.2.4.3.b). <i>Potential circumstances that may support a consent application include:</i> 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 impact upon existing vegetation or landscaping. <i>Conditions that may be imposed include, but are not limited to:</i> 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.

18.10.3 Assessment of all 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	<i>Relevant objectives and policies:</i> i. Objective 18.2.4 ii. Adverse effects on the stability of land, buildings, and structures will be avoided or, if avoidance is not possible, adequately mitigated (Policy 18.2.4.3.c). <i>Potential circumstances that may support a consent application include:</i> 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 18.13.1). iv. Excavation, fill and retaining structures will be designed, and the work undertaken, in accordance with best practice engineering standards. <i>Conditions that may be imposed include, but are not limited to:</i> 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)	a. Effects on biodiversity and natural character of riparian margins and the coast b. Effects on public access	See Rule 10.5

18.10.4 Assessment of all restricted discretionary subdivision activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
1. Subdivision activities	a. Effects on the safety and efficiency of the transport network b. Risk from natural hazards	See Rule 6.10 See Rule 11.5

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

Activity	Matters of discretion	Guidance on the assessment of resource consents
1. In a heritage precinct : All RD activities due to being in a heritage precinct	a. Effects on heritage streetscape character	See Rule 13.6
2. Activities affecting a scheduled heritage item : - All RD activities due to affecting a scheduled heritage building, scheduled heritage structure, or scheduled heritage site - Earthworks - large scale (that exceed scale thresholds for a SHS) - Subdivision activities	a. Effects on heritage values	See Rule 13.6
3. In a hazard overlay zone : - 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) - Subdivision activities in a hazard 3 (Coastal) Overlay Zone	a. Risk from natural hazards	See Rule 11.5
4. In the Hazard 1 (land instability) Overlay Zone (see Rule 18.3.8): New buildings, and additions and alteration to buildings, which create more than 1m² of new ground floor area	a. Risk from natural hazards	See Rule 11.5
5. In the hazard 1 or 2 overlay zones , other than the hazard 1 (land instability) Overlay Zone (see Rule 18.3.8): New buildings, and additions and alteration to buildings, which create more than 60m² of new ground floor area	a. Risk from natural hazards	See Rule 11.5
6. In a geologically sensitive mapped area (GSA) : Earthworks - large scale (that exceed underlying zone scale thresholds)	a. Risk from natural hazards	See Rule 11.5

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

Activity	Matters of discretion	Guidance on the assessment of resource consents
7. In a wāhi tūpuna mapped area: • Earthworks - large scale (that exceed the scale thresholds for the commercial mixed use zones)	a. Effects on cultural values of manawhenua	See Rule 14.4

Rule 18.11 Assessment of Discretionary Activities

Rule 18.11.1 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. With respect to section 104(2) of the RMA, Council will not consider retail as a permitted activity in scheduled heritage buildings as part of the permitted baseline in considering the effects of discretionary activities in the Warehouse Precinct Zone.
3. Rules 18.11.2 - 18.11.5 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.
4. Rules 18.11.2 - 18.11.4 apply to activities in the commercial and mixed use zones; Rule 18.11.5 contains additional provisions that apply to activities in an overlay zone.
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.

18.11.2 Assessment of discretionary activities

Activity	Guidance on the assessment of resource consents
1. All discretionary activities	<i>Relevant objectives and policies (priority considerations):</i> a. The activity does not detract from, or preferably contributes to, the strategic directions objectives, including, but not limited to, those related to: i. Objective 2.3.2, Policies 2.3.2.1 - 2.3.2.4 ii. Objective 2.4.3, Policies 2.4.3.1 - 2.4.3.4 iii. Objective 14.2.1 iv. Objective 18.2.3 v. Avoid land use activities (including stand-alone car parking) that require buildings or site design that is incompatible with: 1. the level of pedestrian streetscape amenity expected for the location in a primary pedestrian street frontage and secondary pedestrian street frontage 2. the higher level of urban neighbourhood amenity anticipated in the HE, SSYP and WP zones (18.2.3.9). <i>Potential circumstances that may support a consent application:</i> b. For discretionary land use activities, whether any associated buildings or structures meet relevant development performance standards, or otherwise achieve the relevant policies for development (see Rules 18.8. for performance standard contraventions). c. All relevant land use performance standards are met, including noise and light spill standards. <i>General assessment guidance:</i> d. In assessing the significance of effects, consideration will be given to: i. both short and long term effects, including effects in combination with other activities; and ii. the potential for cumulative adverse effects arising from similar activities occurring as a result of a precedent being set by the granting of a resource consent. e. 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. f. 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.

18.11.3 Assessment of discretionary land use activities

Activity	Guidance on the assessment of resource consents
1. Ancillary licensed premises (NEC/NECC)	<i>Relevant objectives and policies (priority considerations):</i> a. Objective 18.2.1 b. Adverse effects on the character and amenity of adjacent residential activities and the surrounding neighbourhood are avoided or, if avoidance is not possible, adequately mitigated (Policy 18.2.1.10). <i>Potential circumstances that may support a consent application:</i> c. The scale and nature of the activity, including hours of operation, whether the activity has an on and/or off license, is appropriate for a neighbourhood centre and will reduce the potential for any adverse effects.
2. Restaurants (PPH, SSYP, CEC, TR)	<i>Relevant objectives and policies (priority considerations):</i> a. Objective 18.2.1 b. The activity is not of a scale or nature that is more appropriate to locate in the CBD, centres, WP or HE because: i. it is unlikely to contribute to the vibrancy and vitality of those zones; and ii. it has specific operational requirements that do not fit with those locations (Policy 18.2.1.18). <i>Potential circumstances that may support a consent application include:</i> c. The restaurant is a take-away only restaurant that requires easily accessible short term parking.
3. Food and beverage retail (WP and PPH)	<i>Relevant objectives and policies (priority considerations):</i> a. Objective 18.2.1 b. Food and beverage retail in the WP and PPH zones is of a size, and designed in a manner, to serve the local area and not operate as a destination retailer for other parts of the city (Policy 18.2.1.13).
4. Restaurant - drive through and service stations (PPH and Centres)	<i>Relevant objectives and policies (priority considerations):</i> a. Objective 18.2.2 b. Objective 18.2.3 c. Adverse effects on the amenity of residential activities are avoided or, if avoidance is not possible, adequately mitigated (Policy 18.2.2.4). d. The drive-through component of restaurant - drive through and service stations will not be visible or accessed from a pedestrian street frontage (Policy 18.2.3.11).
5. Development associated with discretionary land use activities	<i>Relevant objectives and policies (priority considerations):</i> a. Objective 18.2.3 b. Policies 18.2.3.1 - 18.2.3.7

18.11.4 Assessment of discretionary performance standard contraventions

Performance standard	Guidance on the assessment of resource consents
1. Acoustic insulation	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.
2. - 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.
3. Standards Harbourside Edge: - Rule 18.6.18.1 - Rule 18.6.18.2	<i>Relevant objectives and policies (priority considerations):</i> a. Objective 18.2.3 b. New buildings and additions and alterations to buildings in the Harbourside Edge Zone are designed and located to provide a high level of amenity by: i. being built to the street frontage along the entire length of Birch Street, and for no less than 60% of the street frontage on Kitchener Street; ii. including appropriate building modulation, window alignment, use of glazing, floor height, colour, architectural detail to provide visual interest and a human-scale design; iii. being of a design that is coherent, appropriate to the setting and history of the area, and provides a positive relationship to both the street and the harbour; and iv. having active edges with strong visual and physical connections from the street to the inside of buildings (Policy 18.2.3.4).

18.11.5 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 18.3.8): Potentially sensitive activities permitted in commercial and mixed use 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 18.3.8): - Potentially sensitive activities not permitted in commercial and mixed use 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 18.12 Assessment of Non-complying Activities

Rule 18.12.1 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. With respect to section 104(2), Council will not consider retail as a permitted activity in scheduled heritage buildings as part of the permitted baseline in considering the effects of non-complying activities in the Warehouse Precinct Zone.
3. Rules 18.12.2 - 18.12.5 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.
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.

18.12.2 Assessment of non-complying activities

Activity	Guidance on the assessment of resource consents
1. All non-complying activities	<i>Relevant objectives and policies (priority considerations):</i> a. The activity does not detract from, or preferably contributes to, the strategic directions objectives, including, but not limited to, those related to: i. Objective 2.3.2, Policies 2.3.2.1 - 2.3.2.4 ii. Objective 2.4.3, Policies 2.4.3.1 - 2.4.3.4 b. The relationship between manawhenua and the natural environment is maintained, including the cultural values and traditions associated with: i. wāhi tūpuna; and ii. the customary use of mahika kai (Objective 14.2.1) c. The activity supports the purpose of the zone as outlined in Objective 2.3.2 and Objective 18.2.1. d. The proposed activities will achieve Objectives 18.2.1, 18.2.2, 18.2.3 & 18.2.4. <i>General assessment guidance:</i> e. In assessing the significance of effects, consideration will be given to: i. both short and 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 granting of a resource consent. f. 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.

18.12.3 Assessment of non-complying land use activities

Activity	Guidance on the assessment of resource consents
1. Commercial advertising	<i>Relevant objectives and policies (priority considerations):</i> a. Objective 2.4.1 b. Policy 2.4.1.6.c
2. Crematoriums	<i>Relevant objectives and policies (priority considerations):</i> a. Objective 18.2.2, Policy 18.2.2.5 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.

18.12.3 Assessment of non-complying land use activities

Activity	Guidance on the assessment of resource consents
3. Office and retail outside of CBD and centres, where non-complying	<i>Relevant objectives and policies (priority considerations):</i> a. Objective 2.3.2 b. Objective 18.2.1, Policy 18.2.1.3
4. Industry in SSYP	<i>Relevant objectives and policies (priority considerations):</i> a. Objective 18.2.1, Policy 18.2.1.14
5. Service stations, restaurant drive-through, yard-based retail in CBD, WP, SSYP and HE zones.	<i>Relevant objectives and policies (priority considerations):</i> a. Objective 18.2.1, Policy 18.2.1.15 b. Objective 18.2.3, Policy 18.2.3.11 (along pedestrian frontages)
6. Conference, meeting and function, entertainment and exhibition outside of CBD and centres	<i>Relevant objectives and policies (priority considerations):</i> a. Objective 18.2.1, Policy 18.2.1.17
7. • Early childhood education and residential activities (CEC and TR) • Visitor accommodation (TR)	<i>Relevant objectives and policies (priority considerations):</i> a. Objective 18.2.2, Policy 18.2.2.6
8. • Cemeteries • Landfills	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.
9. Yard-based retail (CBD, SSYP, HE)	<i>Relevant objectives and policies (priority considerations):</i> a. Objective 18.2.1, Policy 18.2.1.3

18.12.4 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.
2. New driveways from a primary pedestrian street frontage (PPF). See Rule 18.6.15.	<i>Relevant objectives and policies (priority considerations):</i> a. Objective 18.2.3 b. Policy 18.2.3.2 and 18.2.3.9
3. In the hazard 1 overlay zones (see Rule 18.3.8): • Potentially sensitive activities not permitted in commercial and mixed use 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.

18.12.5 Assessment of non-complying performance standard contraventions

Performance standard	Guidance on the assessment of resource consents
1. • Light spill - where the limit is exceeded by greater than 25% • Noise - where the limit is exceeded by 5bD 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.
2. 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.
3. Location and screening of car parking	<i>Relevant objectives and policies (priority considerations):</i> a. Objective 18.2.3 b. Policies 18.2.3.8 and 18.2.3.9
4. Standards Harbourside Edge Zone (Rule 18.6.18.3 to Rule 18.6.18.6)	<i>Relevant objectives and policies (priority considerations):</i> a. Objective 18.2.3 b. Policy 18.2.3.5
5. Archaeological sites (earthworks)	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.
6. Location of restaurant drive-through and service stations (Rule 18.5.4.3)	<i>Relevant objectives and policies (priority considerations):</i> a. Objective 18.2.1 b. Policy 18.2.1.15
7. In a primary pedestrian street frontage : • Access to loading areas (Rule 6.6.2.5.b)	See Rule 6.12

Rule 18.13 Special Information Requirements

18.13.1 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.

