

23. Dunedin Hospital

23.1 Introduction

Dunedin Hospital is the primary medical facility for the Otago and Southland regions, and is situated on Great King Street in Dunedin's central city. The hospital spans two blocks, covering an area of approximately 3 hectares. The hospital is operated by the Southern District Health Board.

The hospital has been at its present site since 1865 and provides 388 beds across a number of wards. It includes a helipad which enables emergency medical services to be provided across the region. The hospital employs over 3,000 staff, providing medical services across all specialties and a broad array of sub-specialties. The hospital also serves as a teaching hospital, with strong links to both the University of Otago and Otago Polytechnic. Ancillary activities associated within the hospital include cafés, a gift shop and a childcare facility.

Significant re-development of the hospital site is anticipated within the next ten years, allowing facilities to be upgraded. This may involve the construction of new buildings and re-development of existing ones.

The site is surrounded by a number of zones, providing for a wide range of different land use activities. To the north and east is the Campus Zone, which provides for activities essential to the functioning of the University of Otago and Otago Polytechnic. To the west is General Residential 2 Zone. To the west and the south are commercial mixed use zones, which provide for a range of commercial activities.

The Dunedin Hospital and its associated activities have the potential to generate effects, particularly on the amenity of the central city. The zone recognises the existing and foreseeable future uses of the Dunedin Hospital site, provides certainty to the community regarding what land use activities can be expected to occur, while appropriately managing potential adverse effects and ensuring compatibility with the surrounding environments.

23.2 Objectives and Policies

Objective 23.2.1	
Dunedin Hospital is able to operate efficiently as a medical training and research facility.	
Policy 23.2.1.1	Enable hospital and community activities in the Dunedin Hospital Zone.
Policy 23.2.1.2	Provide for activities ancillary to hospital activity where they are designed and operated in line with Objective 23.2.2 and its policies.
Policy 23.2.1.3	Only allow activities that are not ancillary to hospital activity where all the following apply: <ul style="list-style-type: none"> a. the activities are related to or support Dunedin Hospital, or have other operational requirements that mean they need to locate in the zone; b. they will support the efficient and effective operation of Dunedin Hospital; c. they are not more appropriately located in another zone in line with Objective 23.2.2 and its policies; and d. they are designed and operated in line with Objective 23.2.2 and its policies.
Policy 23.2.1.4	Enable land that is surplus to the needs of Dunedin Hospital to transition to the Campus Zone, so that future development that is not related to hospital activity can be managed in accordance with the objectives and policies of that zone.
Policy 23.2.1.5	Only allow subdivision activities where: <ul style="list-style-type: none"> a. they are in accordance with the provisions of the Campus Zone; and b. the subdivision does not adversely affect the efficient and effective operation of Dunedin Hospital.
Objective 23.2.2	
Land use activities and development necessary for Dunedin Hospital to meet the reasonably foreseeable health needs of the community is enabled, while ensuring development achieves: <ul style="list-style-type: none"> a. a reasonable standard of on-site amenity for patients, staff and visitors; and b. a reasonable level of streetscape amenity. 	
Policy 23.2.2.1	Require development to maintain or enhance streetscape amenity by ensuring: <ul style="list-style-type: none"> a. an attractive street interface is maintained through landscaping where buildings are not built to the street frontage; b. an architecturally interesting façade through building modulation and use of glazing; and c. service areas to be located or screened so they are not visible from ground level of a public place.
Policy 23.2.2.2	Only allow buildings above 20m in height where: <ul style="list-style-type: none"> a. they contribute positively to the skyline vista of the city, by being of a quality and contextually appropriate architectural design; and b. they are designed to minimise as far as practicable adverse effects of shading and wind on pedestrian amenity.
Policy 23.2.2.3	Only allow buildings over 48m in height where: <ul style="list-style-type: none"> a. the height is essential to the operation of hospital activities; and b. the height exceedence is minimal.

Objective 23.2.2

Land use activities and development necessary for Dunedin Hospital to meet the reasonably foreseeable health needs of the community is enabled, while ensuring development achieves:

- a. a reasonable standard of on-site amenity for patients, staff and visitors; and
- b. a reasonable level of streetscape amenity.

Policy 23.2.2.4	Only allow early childhood education - large scale where it will not constrain (have reverse sensitivity effects on) other neighbouring activities.
Policy 23.2.2.5	Require buildings to provide a good level of pedestrian amenity by providing shelter over pedestrian entrances.
Policy 23.2.2.6	Require ancillary signs visible from outside the zone to be located and designed to maintain streetscape amenity, including by being of an appropriate size and number to convey information about the name, location and nature of the activity on-site to passing pedestrians and vehicles, and not being oversized or too numerous for that purpose.

Objective 23.2.3

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 23.2.3.1	Require earthworks, and associated retaining structures, to be designed and located to avoid adverse effects on the stability of land, buildings, and structures by: <ul style="list-style-type: none"> a. being set back an adequate distance from property boundaries, buildings, structures and cliffs; and b. using a batter gradient that will be stable over time.
Policy 23.2.3.2	Require earthworks and any associated retaining structures to be designed and located to minimise adverse effects on surrounding sites and the wider area, including by: <ul style="list-style-type: none"> a. limiting the scale of earthworks that are provided for as a permitted activity; and b. requiring earthworks to avoid sediment run-off, including onto any property, or into any stormwater pipes, drains, channels or soakage systems.
Policy 23.2.3.3	Only allow earthworks that exceed the scale thresholds (earthworks - large scale) and any associated retaining structures, where all of the following effects will be avoided or, if avoidance is not possible, adequately mitigated: <ul style="list-style-type: none"> a. adverse effects on visual amenity and character; b. adverse effects on the amenity of surrounding properties, including from changes to drainage patterns; and c. adverse effects on the stability of land, buildings, and structures.

Rules

Rule 23.3 Activity Status

23.3.1 Rule location

The activity status tables in Rules 23.3.3 to 23.3.5 specify the activity status of land use activities, development activities, and subdivision activities in the Dunedin Hospital Zone, except rules for the following city-wide activities, which are contained in Part B of the Plan:

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

23.3.2 Activity status introduction

1. The activity status tables in Rule 23.3.3 - 23.3.5 show the activity status of activities in the Dunedin Hospital Zone, 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 and categories of activities. For any activity that is not covered by any of the defined activities in the nested table, the activity status will be non-complying if the activity status of "all" or "all other" activities in the most closely related category is non-complying, otherwise it will be discretionary.

Performance Standards

6. Performance standards are listed in the far right column of the activity status tables.
7. Performance standards apply to permitted, controlled, and restricted discretionary activities.
8. 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.
9. 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

23.3.3 Activity status table - land use activities

1.	Performance standards that apply to all land use activities		a. Acoustic insulation (noise sensitive activities) b. Electrical interference c. Light spill d. Noise
Major facilities activities		Activity status	Performance standards
2.	Hospital	P	a. Minimum car parking
3.	All other activities in the major facility activities category	NC	
Community activities		Activity status	Performance standards
4.	Early childhood education - small scale	P	a. Minimum car parking
5.	Early childhood education - large scale	RD	
6.	Conservation	P	
7.	All other activities in the community activities category	D	
Commercial activities		Activity status	Performance standards
8.	Commercial activities <i>ancillary to hospital</i>	P	
9.	Registered health practitioners	P	
10.	All other activities in the commercial activities category	NC	
Residential activities		Activity status	Performance standards
11.	All activities in the residential activities category	NC	
Industrial activities		Activity status	Performance standards
12.	All activities in the industrial activities category	NC	
Rural activities		Activity status	Performance standards

13.	All activities in the rural activities category	NC	
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23.3.4 Activity status table - development activities

1.	Performance standards that apply to all development activities		a. Setback from scheduled tree
2.	Performance standards that apply to all buildings and structures activities		a. Number, design and location of ancillary signs b. Hazard overlay zones development standards c. Maximum height
Buildings and structures activities		Activity status	Performance standards
3.	All buildings and additions and alterations to buildings	P	a. Boundary treatments and other landscaping b. Minimum glazing and building modulation c. Verandahs
4.	All other buildings and structures activities	P	
Site development activities		Activity status	Performance standards
5.	Service areas	P	a. Location and screening of service areas
6.	Parking, loading and access	P	a. Boundary treatments and other landscaping b. Parking, loading and access standards
7.	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. Boundary treatments and other landscaping b. Parking, loading and access standards
8.	Storage and use of hazardous substances	P	a. Hazardous substances quantity limits and storage requirements
9.	Earthworks - small scale	P	a. Earthworks standards
10.	Earthworks - large scale	RD	a. Earthworks standards
11.	All other site development	P	a. Boundary treatments and other landscaping

23.3.5 Activity status table - subdivision activities

Subdivision activities		Activity status	Performance standards
1.	Subdivision activities	RD	a. Subdivision performance standards

23.3.6 Transition to Campus Zone

On receipt of written notice from both the owner and operator (if different) of Dunedin Hospital to Dunedin City Council in relation to all or part of the land within the Dunedin Hospital Zone, the provisions of the Dunedin Hospital Zone will no longer apply to that parcel of land and the provisions of the Campus Zone will apply in full.

Note 23.3A - General advice

1. 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.
2. An archaeological site is defined as any place in New Zealand that was associated with human activity that occurred before 1900 and provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand. This includes the scheduled archaeological sites within the District Plan.
3. Pre-1900 buildings are considered archaeological sites. An archaeological authority must be obtained before demolishing a pre-1900 building or structure.
4. The **archaeological alert layer mapped area** identifies sites and areas that have a strong likelihood of containing archaeological remains, however remains may be present anywhere within the District. If archaeological remains are discovered during any site works, at any location, the Accidental Discovery Protocol (Appendix A8) should be followed.

Rule 23.4 Notification

1. Activities are subject to the normal tests for notification in accordance with sections 95A to 95G of the RMA.

Rule 23.5 Land Use Performance Standards

23.5.1 Acoustic Insulation

In-patient areas must comply with Rule 9.3.1.

23.5.2 Electrical Interference

Land use activities must comply with Rule 9.3.2.

23.6.3 Light Spill

Land use activities must comply with Rule 9.3.5.

23.5.4 Minimum Car Parking

1. Hospital activity must provide a minimum of 212 parking spaces, including 6 mobility parking spaces. These must be provided within 250m of the Dunedin Hospital Zone.
2. Early childhood education - small scale: 1 parking space per 5 full time equivalent staff members plus one parking space for parent/guardian use per 6 children the facility is licensed for.
3. Required parking spaces may be used for car, cycle or motorcycle parking, except for any required mobility parking spaces, which must be used for mobility car parking.

Note 23.5A - Other relevant District Plan provisions

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

23.5.5 Noise

Land use activities must comply with Rule 9.3.6.

Rule 23.6 Development Performance Standards

23.6.1 Boundary Treatments and Other Landscaping

1. Where a building is not built within 5m of a road frontage, a landscaping area with a minimum width of 1.5m must be provided along the full length of the road frontage (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.

23.6.2 Earthworks Standards

23.6.2.1 Earthworks - small scale thresholds

- a. Earthworks must not exceed the following scale thresholds to be considered earthworks - small scale.

Zone/Area		1. Dunedin Hospital Zone
i.	Maximum change in ground level	1.5m
ii.	Maximum volume of combined cut and fill	30m ³ per 100m ² of site

- b. Earthworks *ancillary to network utilities* activities are only required to comply with Rule 23.6.2.1.a.i - maximum change in ground level threshold.
- c. Earthworks *ancillary to the operation, repair, and maintenance of the roading network* are exempt from the performance standard earthworks - small scale thresholds.
- d. Scale thresholds will be calculated as the cumulative total of earthworks on any site in a two calendar-year period.
- e. Earthworks that exceed the earthworks - small scale thresholds are treated as earthworks - large scale, which are a restricted discretionary activity.

23.6.2.2 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).

23.6.2.3 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 23.6A);
 - 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 23.6A); and
 - iii. 300mm, as measured from the crest of any cut (see Figure 23.6A).
- b. Retaining walls supporting a cut or fill must be setback a distance at least equal to the height of the retaining walls (see Figure 23.6B), 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 23.6A Unsupported cut and fill (elevation view)

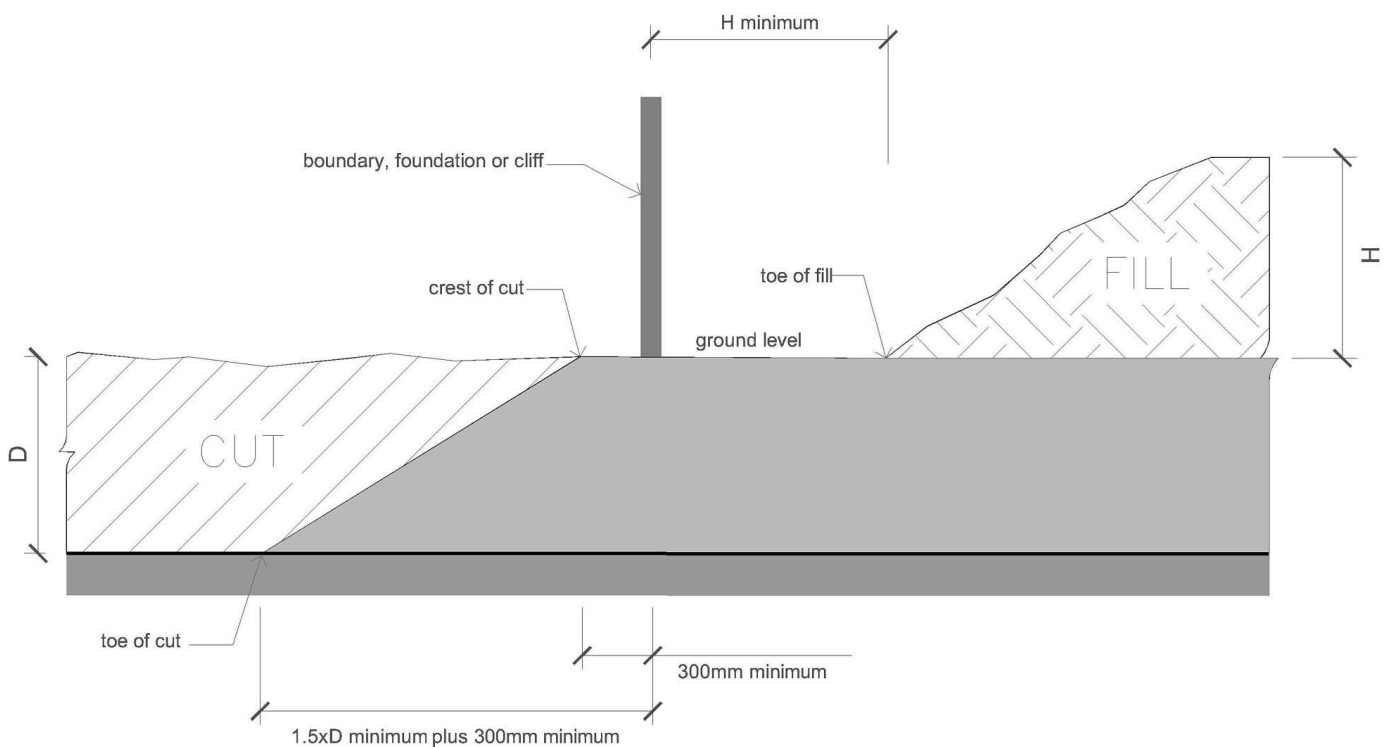
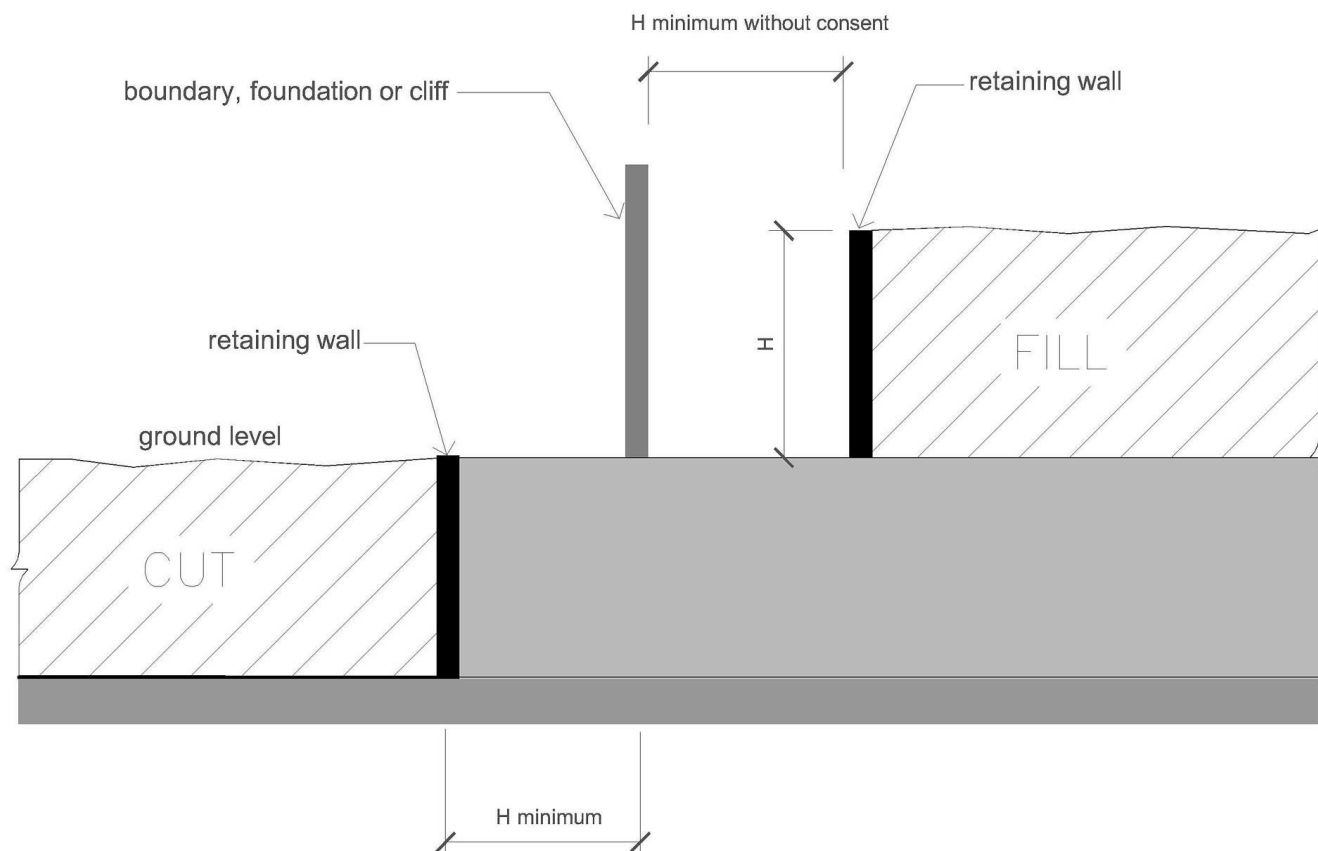


Figure 23.6B Cut and fill supported by retaining walls (elevation view)



23.6.2.4 Setback from network utilities

Earthworks must comply with Rule 5.6.2.

23.6.2.5 Sediment control

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

23.6.3 Hazard Overlay Zones Development Standards

23.6.3.1 Minimum floor level

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

23.6.3.2 Relocatable buildings

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

23.6.4 Hazardous Substances Quantity Limits and Storage Requirements

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

23.6.5 Location and Screening of Service Areas

1. 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.

2. Service areas must not encroach into required parking, loading or manoeuvring areas.

23.6.6 Maximum Height

1. The maximum height of new buildings and structures, and additions and alterations, must not exceed 20m above ground level.
2. Rooftop structures are exempt from the performance standard for maximum height, provided they do not exceed the maximum height limit by more than 5m.
3. Activities that contravene the performance standard for maximum height but are no greater than 48m in height are a restricted discretionary activity.
4. Activities that contravene the performance standard for maximum height and are over 48m in height are a discretionary activity.

23.6.7 Minimum Glazing and Building Modulation

1. The minimum building modulation and minimum glazing requirements for any parts of buildings which face (are parallel to) and are visible from the road frontage is as follows:
 - a. minimum distance between building modulation elements 20m; or
 - b. minimum glazing of 20%.
2. The required glazing will be calculated as a percentage of the total wall area (from floor to ceiling) that faces the road 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 road frontage (see Figure 18.6F)
3. Except that the minimum glazing standard in Rule 23.6.7.1 does not apply to scheduled heritage buildings.

23.6.8 Number, Design and Location of Ancillary Signs

1. Signs must comply with the following standards, except the following signs are exempt from these standards:
 - a. signs that are not visible from outside the Dunedin Hospital Zone;
 - b. 'regulatory' (requiring or prohibiting specified actions), 'warning' (informing of hazards or of other features requiring a safe response), or 'directional' (identifying the location of, or direction to destinations, routes, building entrances, and vehicle accesses) signs; and
 - c. 'building names' (excluding sponsorship names).
2. Signs located above the footpath must comply with Rule 6.7.2.
3. Signs must comply with Rule 6.7.3 where visible from a road.
4. Signs related to ancillary retail and ancillary restaurant activities must not be visible outside the Dunedin Hospital Zone.
5. Signs higher than 4m above ground level must only display the business name or major facility name.
6. Signs other than those specified in Rules 23.6.8.7 and 23.6.8.8 are not allowed .

23.6.8.7 Signs attached to buildings

- a. The height, above ground level, at the highest point of any sign, attached to a building is 8m.
- 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 attached flat against a building must:
 - i. not cumulatively exceed 15% of the total wall area (excluding windows) that face the road frontage, or 8m², whichever is lesser; and
 - ii. if attached to a verandah fascia, must not exceed a height of 500mm, or the height of a verandah fascia, whichever is greater.
- e. If attached on the underside of a verandah or protruding from a building façade, must:
 - i. where attached to the façade of a building, have a maximum area per display face of 2m²;
 - ii. where attached to the façade of a building, must not project more than 1.5m from the façade to which it is attached;
 - iii. have a maximum of 2 display faces per sign; and
 - iv. not exceed 1 sign per 15m of road frontage.

23.6.8.8 Freestanding signs

- a. The maximum number of permanently fixed freestanding signs is 1 per 50m of road frontage.
- b. The maximum number of portable freestanding signs within the zone is 2.
- c. The maximum dimensions of freestanding signs are:
 - i. maximum height of 6m for permanently fixed freestanding signs;
 - ii. maximum height of 4m for portable freestanding signs;
 - iii. maximum area of 12m² per display face for permanently fixed freestanding signs;
 - iv. maximum area of 8m² per display face for portable freestanding signs;
 - v. maximum width of 2m; and
 - vi. maximum depth of 400mm.
- d. Freestanding signs, must not obstruct driveways, parking or loading areas.
- e. Freestanding signs must be located within the site and cannot be located on the road reserve.

Note 23.6A - Other relevant District Plan provisions

1. Commercial advertising is a non-complying land use activity in all zones except 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.

Note 23.6B - Other requirements outside of the District Plan

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 Roadway Bylaw.
 - d. Dunedin City Council Traffic and Parking Bylaw.

23.6.9 Parking, Loading and Access Standards

Parking, loading and access must comply with Rule 6.6.

23.6.10 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.

23.6.11 Verandahs

New buildings or additions and alterations to the façade of buildings must have a verandah that covers the full width of the main pedestrian entrance.

Rule 23.7 Subdivision Performance Standards

Subdivision activities must comply with Rule 34.7.

Rule 23.8 Assessment of Restricted Discretionary Activities (Performance Standard Contraventions)

Rule 23.8.1 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 23.8.2 - 23.8.5:
 - a. list the matters Council will restrict its discretion to; and
 - b. provide guidance on how consent applications will be assessed, including:
 - i. relevant objectives and policies, with respect to s104(1)(b)(vi);
 - ii. potential circumstances that may support a consent application;
 - iii. general assessment guidance; and
 - iv. conditions that may be imposed.

23.8.2 Assessment of all performance standard contraventions		
Performance standard		Guidance on the assessment of resource consents
1.	Performance standard contraventions	<p><i>Relevant objectives and policies:</i></p> <p>a. Objective 23.2.1</p> <p><i>Potential circumstances that may support a consent application include:</i></p> <p>b. The degree of non-compliance with the performance standard is minor</p> <p>c. The need to meet other performance standards, or <u>site</u> specific factors, make meeting the standard impracticable.</p> <p>d. Topography or other <u>site</u> specific factors make the standard irrelevant as the adverse effects that the standard is trying to manage will not occur.</p> <p>e. Non-compliance with a development performance standard would improve the design of the development in a way that would result in positive effects and better achieve the identified objectives and policies of the Plan.</p> <p><i>General assessment guidance:</i></p> <p>f. Where more than one standard is contravened, the combined effects of the contraventions should be considered.</p>

23.8.3 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

23.8.3 Assessment of land use performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
2.	Minimum car parking	a. Effects on the safety and efficiency of the transport network	See Rule 6.9
		b. Effects on accessibility	

23.8.4 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	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 23.2.2 ii. Streetscape amenity is maintained or enhanced by maintaining an attractive street interface through landscaping where buildings are not built to the street frontage (Policy 23.2.2.1.a).
2.	Earthworks standards: <ul style="list-style-type: none"> • Batter gradient 	a. Effects on the stability of land, buildings and structures	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 23.2.3 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 23.2.3.1.b). <p><i>Conditions that may be imposed include, but are not limited to:</i></p> <ul style="list-style-type: none"> iii. Maximum slopes of cut and fill batters. iv. Time limits for retaining wall installation to avoid leaving a cut slope unsupported for an extended period. v. Temporary shoring requirements to maintain stability before a wall is constructed. vi. Supervision and monitoring requirements for retaining wall construction and standard earthworks construction.
3.	Earthworks standards: <ul style="list-style-type: none"> • Setback from property boundary, buildings, structure and cliffs 	a. Effects on the stability of land, buildings and structures	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 23.2.3 ii. Earthwork and associated retaining structures are designed and located to avoid adverse effects on the stability of land, buildings, and structures by being set back an adequate distance from property boundaries, buildings and cliffs (Policy 23.2.3.1.a).

23.8.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
4.	Earthworks standards: <ul style="list-style-type: none"> Setback from network utilities 	a. Effects on efficient and effective operation of network utilities	See Rule 5.7
		b. Effects on health and safety	
5.	Earthworks standards: <ul style="list-style-type: none"> Sediment control 	a. Effects on surrounding sites	<i>Relevant objectives and policies:</i> i. Objective 23.2.3 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 23.2.3.2.b).
		b. Effects on biodiversity values and natural character of the coast and riparian margins	See Rule 10.4
		c. Effects on the efficiency and/or affordability of infrastructure	See Rule 9.4
6.	Hazard overlay zones development standards: <ul style="list-style-type: none"> Minimum floor level Relocatable buildings 	a. Risk from natural hazards	See Rule 11.4
7.	Hazardous substances quantity limits and storage requirements	a. Effects on health and safety	See Rule 9.4
		b. Risk from natural hazards	See Rule 11.4

23.8.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
8.	Location and screening of service areas	a. Effects on streetscape amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 23.2.2 ii. Streetscape amenity is maintained or enhanced by locating or screening service areas so they are not visible from ground level of a public place (Policy 23.2.2.1.c). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. Screening would unduly restrict the usability of the site.
9.	Maximum height	a. Effects on streetscape amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 23.2.2 ii. Buildings contribute positively to the skyline vista of the city, by being of a quality and contextually appropriate architectural design (Policy 23.2.2.2.a).
		b. Effects on pedestrian amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 23.2.2 ii. Buildings are designed to minimise as far as practicable adverse effects of shading and wind on pedestrian amenity (Policy 23.2.2.2.b).
10.	Minimum glazing and building modulation	a. Effects on streetscape amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 23.2.2 ii. Development maintains or enhances streetscape amenity by ensuring an architecturally interesting façade through building modulation and use of glazing (Policy 23.2.2.1.b).
11.	Number, location and design of ancillary signs	a. Effects on streetscape amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 23.2.2 ii. Ancillary signs visible from outside the zone are located and designed to maintain streetscape amenity, by being of an appropriate size and number to convey information about the name, location and nature of the activity on-site to passing pedestrians and vehicles, and not being oversized or too numerous for that purpose (Policy 23.2.2.6). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. An attractive streetscape is maintained.
		b. Effects on the safety and efficiency of the transport network	See Rule 6.9
12.	Parking, loading and access standards	a. Effects on the safety and efficiency of the transport network	See Rule 6.9

23.8.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
13.	Setback from scheduled tree	a. Effects on long term health of tree	See Rule 7.6
14.	Verandahs	a. Effects on streetscape amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 23.2.2 ii. Buildings provide a good level of pedestrian amenity by providing shelter over pedestrian entrances (Policy 23.2.2.5). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. The design and location of the building, and/or design of the verandah, allows for appropriate shelter of pedestrians from the weather.

23.8.5 Assessment of subdivision performance standard contraventions

Performance standard		Guidance on the assessment of resource consents
1.	Subdivision performance standards	See Rule 34.9

Rule 23.9 Assessment of Restricted Discretionary Activities

Rule 23.9.1 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 23.9.2 - 23.9.4:
 - 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. 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.
4. 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 23.8; 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 23.10; 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 23.11; and
 - iii. the assessment guidance in this section will also be considered.

23.9.2 Assessment of restricted discretionary land use activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
1. Early childhood education - large scale	a. Effects on the safety and efficiency of the transport network	See Rule 6.10
	b. Effects on ability of commercial activities to operate	<p><i>Relevant objectives and policies:</i></p> <p>i. Early childhood education - large scale does not constrain (have reverse sensitivity effects on) neighbouring activities (Policy 23.2.2.4).</p>

23.9.3 Assessment of restricted discretionary development activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
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<p>1. Earthworks - large scale (that exceed the scale thresholds for the Dunedin Hospital Zone)</p>	<p>a. Effects on visual amenity and character</p> <p>b. Effects on the amenity of surrounding properties</p>	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 23.2.3 ii. Adverse effects on visual amenity and character will be avoided or, if avoidance is not possible, adequately mitigated (Policy 23.2.3.3.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 23.2.3.3.b). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iv. There is no, or only minimal, alteration to the natural landform. v. Any cut or fill will be restored or treated to resemble natural landforms. vi. The earthworks will not remove or impact upon existing vegetation or landscaping. <p><i>Conditions that may be imposed include, but are not limited to:</i></p> <ul style="list-style-type: none"> vii. Measures to minimise visual effects, e.g. requirements for revegetation and/or landscaping. viii. Maximum slopes of cut and fill batters. ix. Measures to divert surface water and rain away from, or prevent from discharging over, batter faces and other areas of bare earth. x. Measures to ensure there are no adverse effects from changes to drainage patterns on surrounding properties. xi. Requirement to de-compact soils; to take other remedial action to ensure the natural absorption capacity of the soils is not reduced; or to use other mitigation measures to ensure the overall absorption of rain water on-site is not diminished.
	<p>c. Effects on the stability of land, buildings, and structures</p>	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 23.2.3 ii. Adverse effects on the stability of land, buildings, and structures will be avoided or, if avoidance is not possible, adequately mitigated (Policy 23.2.3.3.c). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. A geotechnical report confirms the existing ground is suitably stable for the proposed works, and proposed works will not create instability risks for surrounding land, buildings, or structures (see Special Information Requirements - Rule 23.12.1). iv. Excavation, fill and retaining structures will be designed, and the work undertaken, in accordance with best practice engineering standards

23.9.3 Assessment of restricted discretionary development activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
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 transport network	See Rule 6.10

23.9.4 Assessment of restricted discretionary subdivision activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
1. Subdivision activities	a. Effects on the efficient and effective operation of Dunedin Hospital	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 2.3.1 ii. Objective 23.2.1 iii. Subdivision activities do not adversely affect the efficient and effective operation of Dunedin Hospital (Policy 23.2.1.5.b).
	See Rule 34.10	

Rule 23.10 Assessment of Discretionary Activities

Rule 23.10.1 Introduction

1. Discretionary activities will be assessed in accordance with section 104 and 104B of the RMA meaning Council may grant or refuse the application, and, if granted, may impose conditions.
2. Rules 23.10.2 and 23.10.3 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 application;
 - c. general assessment guidance, including any effects that will be considered as a priority; and
 - d. conditions that may be imposed.
3. 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.

23.10.2 Assessment of all discretionary activities

Activity	Guidance on the assessment of resource consents
<p>1. All discretionary activities, including:</p> <ul style="list-style-type: none"> all activities in the community activities category except early childhood education and conservation activities listed below 	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> a. Objective 2.3.1 b. Objective 23.2.1 c. Activities that are ancillary to hospital activity are designed and operated in line with Objective 23.2.2 and its policies (Policy 23.2.1.2). d. Activities that are not ancillary to hospital activity: <ul style="list-style-type: none"> i. are related to or support the Dunedin Hospital, or have other operational requirements that mean they need to locate in the zone; ii. support the efficient and effective operation of Dunedin Hospital; iii. are not more appropriately located in another zone in line with Objective 2.3.2 and its policies; and iv. are designed and operated in line with Objective 23.2.2 and its policies (Policy 23.2.1.3). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> e. For discretionary land use activities, whether any associated development activities meet relevant development performance standards, or are otherwise consistent with relevant objectives and policies for development. f. All relevant land use performance standards are met, including noise and light spill standards. <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> g. In assessing the significance of effects, consideration will be given to: <ul style="list-style-type: none"> i. short to 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. h. 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.

23.10.3 Assessment of discretionary performance standard contraventions

Performance standard	Guidance on the assessment of resource consents
1. <ul style="list-style-type: none"> • Acoustic insulation • Noise - where the limit is exceeded by up to 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.
2. Maximum height (buildings over 48m in height)	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> a. Objective 23.2.2 b. Buildings over 48m in height are only allowed where: <ul style="list-style-type: none"> i. the height is essential to the operation of hospital activities; and ii. the height exceedence is minimal (Policy 23.2.2.3). c. Buildings contribute positively to the skyline vista of the city, by being of a quality and contextually appropriate architectural design (Policy 23.2.2.2.a). d. Buildings are designed to minimise as far as practicable adverse effects of shading and wind on pedestrian amenity (Policy 23.2.2.2.b).

Rule 23.11 Assessment of Non-complying Activities

Rule 23.11.1 Introduction

1. Non-complying activities will be assessed in accordance with section 104, 104B and 104D of the RMA meaning Council may grant or refuse the application, and, if granted, may impose conditions.
2. Rules 23.11.2 - 23.11.4 provide guidance on how a consent application for the listed non-complying activities will be assessed, including:
 - a. relevant objectives and policies that will be considered as a priority with respect to s104(1)(b)(vi); and
 - b. general assessment guidance, including any effects that will be considered as a priority.
3. 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.

23.11.2 Assessment of all non-complying land use activities

Activity	Guidance on the assessment of resource consents
<ol style="list-style-type: none"> 1. All non-complying activities including those listed below 	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ol style="list-style-type: none"> a. Objective 2.3.1 b. Objective 23.2.1 c. Activities not ancillary to hospital activity: <ol style="list-style-type: none"> i. are related to or support Dunedin Hospital, or have other operational requirements that mean they need to locate in the zone; ii. support the efficient and effective operation of Dunedin Hospital; iii. are not more appropriately located in another zone in line with Objective 2.3.2 and its policies; and iv. are designed and operated in line with Objective 23.2.2 and its policies (Policy 21.2.1.3). <p><i>General assessment guidance:</i></p> <ol style="list-style-type: none"> d. In assessing the significance of effects consideration will be given to: <ol style="list-style-type: none"> 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; and iii. any effects otherwise managed through performance standards and consistent with all relevant objectives and policies for the zone. e. 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.

23.11.3 Assessment of non-complying land use activities

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

23.11.4 Assessment of non-complying performance standard contraventions

Performance standard	Guidance on the assessment of resource consents
1. <ul style="list-style-type: none"> • Light spill - where the limit is exceeded by greater than 25% • Noise - where the limit is exceeded by 5dB LAeq (15 min) or more • Hazardous substances quantity limits and storage requirements (Rule 9.3.4.2) 	See Section 9.7 for guidance on the assessment of resource consents in relation to Objective 9.2.2 and effects related to public health and safety.

Rule 23.12 Special Information Requirements

23.12.1 Geotechnical investigation report

- A geotechnical investigation report may be requested by Council for earthworks of a large scale and/or where the earthworks are proposed:
 - 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);
 - on a site identified as hazard-prone in Council's Hazard Information Management System; or
 - on any other site that the Council, with good cause, suspects to be hazard-prone.
- 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).
- 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.
- The geotechnical investigation report must address the following factors:
 - special design or construction requirements;
 - special foundation requirements;
 - services;
 - access;
 - effluent disposal;
 - non-engineered fills; and
 - a statement of professional opinion as to the suitability of the land for the proposed development.

