B. City-wide Activities

3. Public Amenities

3.1 Introduction

Public amenities are structures and facilities established for the convenience, enjoyment, or amenity of the public, such as seating, barbeques, play equipment, and toilets. Public amenities also encompass other features that contribute to our experience or understanding of the environment or events in the area, such as artworks, monuments, memorials, and interpretation panels. They provide for community needs and contribute positively to streetscape amenity and public places, enhancing the use and attractiveness of these areas.

Public amenities have the potential to adversely effect amenity if they are of an inappropriate scale, and in some cases may be slightly controversial by their very nature.

In response to these issues the rules proposed in the Second Generation Plan (2GP) impose limits on scale or requiring consent. In order to enable public amenities to occur while managing effects on the amenity of surrounding sites and other users of public places.

3.2 Objectives and Policies

Objective 3.2.1	
Public amenities contribute positively to community well-being and streetscape amenity, while: a. minimising, as far as practicable, any adverse effects on the amenity of surrounding sites; and b. meeting the relevant objectives and policies for any overlay zone, scheduled site, or mapped area in which they are located.	
Policy 3.2.1.1	Provide for public amenities throughout the city.
Policy 3.2.1.2	Require public amenities to be designed and located to avoid significant adverse effects on the amenity of surrounding sites and streetscape amenity.
Policy 3.2.1.3	Only allow public toilets and public display boards where significant adverse effects on surrounding sites will be avoided.
Policy 3.2.1.4	Only allow public artworks - large scale where: a. it has positive effects for streetscape amenity; and b. significant adverse effects on surrounding sites will be avoided.

Rules

Rule 3.3 Activity Status

3.3.1 Activity status introduction

1. The activity status table in Rule 3.3.2 shows the activity status of public amenities activities across all zones, provided any performance standards shown in the far right column are met. The activities in the public amenities category are listed in the nested table in Section 1.6.
2. Performance standards apply to permitted, and restricted discretionary activities.
3. If a permitted 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.
4. 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
RD	Restricted discretionary activity
Zone key	Zone/overlay name
Res	Residential Zone

3.3.2 Activity status table - public amenities activities

1.	Performance standards that apply to all public amenities activities				a. Buildings and structures located on or above the footpath b. Height in relation to boundary c. Light spill d. Setback from scheduled trees e. Noise f. Hazard overlay zones development standards
Public amenities activities		Activity status			Performance standards
		a. Res	b. All other zones	c. In a heritage precinct or on a scheduled heritage site	
2.	Public artworks - small scale painted on network utilities structures or bus shelters	P	P	—	

3.	All other public artworks - small scale	RD	P	RD (in Residential Heritage Precincts)	
4.	Public artworks - large scale	RD	RD	RD	
5.	Public display boards	RD	RD	RD	i. Maximum dimensions
6.	Public toilets	RD	RD	RD	i. Maximum height
7.	All other public amenities	P	P	—	i. Maximum height ii. Setback from national grid iii. Maximum dimensions

Note 3.3A - Other relevant District Plan provisions

1. Painting of unpainted scheduled heritage buildings and structures, and character-contributing buildings, is defined as additions and alterations to the building, and consent is required. See the additions and alterations rules within each zone.
2. Rule 11.3.1.1 restricts all buildings and structures in a **swale mapped area.**

Note 3.3B - Other requirements outside of the District Plan

1. Permission must be obtained for any public amenities on Dunedin City Council (DCC) land including reserves and roads, please contact 03 477 4000 or visit the DCC website www.dunedin.govt.nz for more information.
2. Permission must be obtained from the New Zealand Transport Agency for the erection of any public amenities within the state highway road reserve.

Note 3.3C - Other requirements outside of the District Plan

1. The Heritage New Zealand Pouhere Taonga Act 2014 makes it unlawful for any person to modify or destroy, or cause to be modified or destroyed, the whole or any part of an archaeological site without the prior authority of Heritage New Zealand. If you wish to do any earthworks that may affect an archaeological site, you must first obtain an authority from Heritage New Zealand before you begin. 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. The Heritage New Zealand Pouhere Taonga Accidental Discovery Protocol (Appendix A8) manages archaeological sites which may be discovered as a result of earthworks. The protocol applies to any area, not just scheduled archaeological sites.

Note 3.3D - Other relevant District Plan provisions

1. Earthworks are managed through the management and major facilities zone sections.

Rule 3.4 Notification

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

Rule 3.5 Performance Standards

3.5.1 Buildings and Structures Located on or Above the Footpath

Public amenities must comply with Rule 6.7.2.

3.5.2 Height

3.5.2.1 Height in relation to boundary

Public amenities must comply with the performance standard for height in relation to boundary of the zone in which they are located.

3.5.2.2 Maximum height

The maximum height of public amenities must not exceed the following above ground level:

Public amenity		Maximum height
a.	Public play equipment	9m
b.	Freestanding flagpoles	9m
c.	Public display boards	2m
d.	Monuments and memorials	5m
e.	All other public amenities	3m

3.5.3 Light Spill

Public amenities must comply with Rule 9.3.5.

3.5.4 Maximum Dimensions

1. For flat public display boards, the maximum area of all display faces is 3m², with no single display face exceeding 1.5m² in area.
2. The maximum diameter for bollards is 1m.
3. For place name signs, the maximum area of the display face is 2m².

3.5.5 Setback from National Grid

Public play equipment and freestanding flagpoles must comply with Rule 5.6.1.1.

3.5.6 Setback from Scheduled Tree

Public amenities must comply with Rule 7.5.2.

3.5.7 Noise

Public amenities must comply with Rule 9.3.6.

3.5.8 Hazard Overlay Zones Development Standards

3.5.8.1 Hazard exclusion area (swale mapped area)

Public amenities must comply with Rule 11.3.1.1.

Rule 3.6 Assessment of Restricted Discretionary Activities (Performance Standard Contraventions)

Rule 3.6.1 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 3.6.2 - 3.6.3:
   a. list the matters Council will restrict its discretion to; and
   b. provide guidance on how consent applications will be assessed, including:
      i. relevant objectives and policies, with respect to s104(1)(b)(vi);
      ii. potential circumstances that may support a consent application;
      iii. general assessment guidance; and
      iv. conditions that may be imposed.

3.6.2 Assessment of all performance standard contraventions		
Performance standard		Guidance on the assessment of resource consents
1.	All performance standard contraventions	*Potential circumstances that may support a consent application include:* a. The degree of non-compliance with the performance standard is minor. b. The need to meet other performance standards, site specific factors including topography, make meeting the standard impracticable. c. Non-compliance with a development performance standard would improve the design of the development in a way that would result in positive effects and better achieve the identified objectives and policies of the Plan. *General assessment guidance:* d. Where more than one standard is contravened, the combined effects of the contraventions should be considered.

3.6.3 Assessment of public amenities performance standard contraventions			
Performance standard		Matters of discretion	Guidance on the assessment of resource consents
1.	Buildings and structures located on or above the footpath	a. Effects on safety and efficiency of the transport network	See Rule 6.9
		a. Effects on health and safety	See Rule 9.4.3.1
2.	• Height in relation to boundary • Maximum dimensions • Maximum height	a. Effects on amenity	*Relevant objectives and policies:* i. Objective 3.2.1 ii. Public amenities are designed and located to avoid significant effects on the amenity of surrounding sites and streetscape amenity (Policy 3.2.1.2). *General assessment guidance:* iii. The public amenity must be designed or located to not impede pedestrian movement, distract drivers, or obstruct sightlines.
3.	Setback from scheduled tree	a. Effects on long term health of tree	See Rule 7.6

Rule 3.7 Assessment of Restricted Discretionary Activities

Rule 3.7.1 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 3.7.2 - 3.7.3:
    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. 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**;
        ii. the matters of discretion are expanded to include the areas of non-compliance with the performance standard;
        iii. the performance standard contravention will be assessed as indicated in Section 3.6; 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**;

ii. the performance standard contravention will be assessed; 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**;

ii. the performance standard contravention will be assessed as indicated in Section 3.8; and

iii. the assessment guidance in this section will also be considered.

3.7.2 Assessment of all public amenities activities		
Activity	Matters of discretion	Guidance on the assessment of resource consents
1. • Public artworks - large scale • Public artworks - small scale (residential zones only)	a. Effects on amenity, and use and enjoyment of public spaces	*Relevant objectives and policies:* i. Objective 3.2.1 ii. Public artwork has positive effects for streetscape amenity (Policy 3.2.1.4.a). iii. Significant adverse effects of public artworks on surrounding sites will be avoided (Policy 3.2.1.4.b). *General assessment guidance:* iv. In assessing the effects on amenity, Council will consider the appropriateness of the location and design, and in particular consider the following matters: 1. Artworks should not overly dominate a public space. 2. Artworks must use colours that are appropriate to the location and purpose of the artwork, with consideration of the context of the artwork. 3. The artworks must be made of robust materials and constructed to meet environmental conditions so they will maintain their physical integrity for the life of the artwork. 4. The artwork must be designed and located to not impede pedestrian movement or create concealment places, or significantly obstruct clear sightlines though public spaces. 5. Artworks must be culturally and socially sensitive so as to be inclusive of the wider community, and not present material that would be offensive or inappropriate. 6. Artworks must be located to avoid creating clutter in public spaces. 7. Illuminated artworks must not distract drivers or create nuisance effects for surrounding sites or other activities on the same site by having appropriate direction, movement, and intensity of light. 8. Artworks must not create sound that would be a nuisance to users of a public space, surrounding sites, or other activities on the same site. 9. Kinetic artworks must not distract drivers or be a nuisance to users of a public space, to surrounding sites, or other activities on the same site, as a result of movement or sound.

3.7.2 Assessment of all public amenities activities			
Activity		Matters of discretion	Guidance on the assessment of resource consents
2.	Public display boards	a. Effects on amenity	*Relevant objectives and policies:* i. Objective 3.2.1 ii. Significant adverse effects of public display boards on surrounding sites are avoided (Policy 3.2.1.3).
3.	Public toilets	a. Effects on amenity	*Relevant objectives and policies:* i. Objective 3.2.1 ii. Significant adverse effects of public toilets on surrounding sites are avoided (Policy 3.2.1.3). *Potential circumstances that may support a consent application include:* iii. Toilets are set back from side and rear boundaries with residential properties by an adequate distance to avoid effects on surrounding sites.

3.7.3 Assessment of restricted discretionary activities in an overlay zone, mapped area or affecting a scheduled item			
Activity		Matters of discretion	Guidance on the assessment of resource consents
1.	In the **ONF, ONL or SNL overlay zones**: • Public artworks - large scale	a. Effects on landscape values	See Rule 10.5
2.	In the **ONCC, HNCC or NCC overlay zones:** • Public artworks - large scale	b. Effects on natural character of the coast	See Rule 10.5
3.	In a **heritage precinct** or on a **scheduled heritage site**: • Public artworks - large scale • Public display boards • Public toilets • Public artworks - small scale in a residential heritage precinct	a. Effects on heritage streetscape and character	See Rule 13.6

Rule 3.8 Assessment of Discretionary Activities

Rule 3.8.1 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. Rule 3.8.2 provides guidance on how a consent application for the listed discretionary activities will be assessed, including:
   a. relevant objectives and policies that will be considered as a priority with respect to s104(1)(b)(vi);
   b. potential circumstances that may support a consent applications;
   c. general assessment guidance, including any effects that will be considered as a priority; and
   d. conditions that may be imposed.

3.8.2 Assessment of discretionary performance standards		
Performance standard		Guidance on the assessment of resource consents
1.	• Light spill - where the limit is exceeded by 25% or less • Noise - where the noise limit is exceeded by less than 5dB LAeq (15 min)	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.

Rule 3.9 Assessment of Non-complying Activities

Rule 3.9.1 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. Rule 3.9.2 provides 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.

3.9.2 Assessment of non-complying performance standards		
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 5dB LAeq (15 min) or more	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.	In a **swale mapped area**: hazard exclusion areas	See Section 11.7 for guidance on the assessment of resource consents in relation to Objective 11.2.1 and effects related to risk from natural hazards.

4. Temporary Activities

4.1 Introduction

Temporary events and uses such as concerts, festivals, parades, and market days occur on a regular basis throughout the city, and primarily in public places. The Plan needs to provide for such activities and recognise the contribution that they make to the social and cultural well-being of communities and to the vitality of the city.

In addition to community focused events, military training exercises, filming, construction, temporary helicopter landings, mobile trading, temporary signage, and temporary disaster management accommodation are also provided for within the Plan with a clear set of parameters to ensure any adverse effects arising from the activities are avoided, remedied or mitigated. Temporary activities incorporate both the activities and structures to facilitate the activities.

While they make a positive contribution, temporary activities can also generate adverse effects on surrounding environments, ; particularly in the form of noise, increased traffic movements and parking requirements. That said, the temporary nature of such activities generally minimises these adverse effects and consequently, many events of short duration are tolerated by parts of the community, while other members enjoy what the event has to offer.

To address these issues, the Second Generation Plan proposes to include objectives, policies and rules to ensure the number, scale and intensity of temporary events and uses does not increase to a level beyond which the effects of the event are more than of a temporary and do not have more than a minor effect.

4.2 Objectives and Policies

Objective 4.2.1	
Temporary activities are enabled while: a. minimising, as far as practicable, any adverse effects on the amenity and character of the zone; b. ensuring any adverse effects on people's health and safety are minimised; and c. meeting the relevant objectives and policies for any overlay zone, scheduled site, or mapped area in which it is located.	
Policy 4.2.1.1	Require temporary activities to be designed and operated to minimise adverse effects on: a. the amenity of surrounding properties; b. people's health and safety; and c. the safety and efficiency of the transport network.
Policy 4.2.1.2	Require temporary signs to be located and designed to minimise adverse effects on: a. streestscape amenity; and b. the safety and efficiency of the transport network.
Policy 4.2.1.3	Only allow temporary events - large scale and filming - large scale where they are located and operated to ensure adverse effects on amenity and the transport network can be avoided or, if avoidance is not possible, adequately mitigated.

Rules

Rule 4.3 Activity Status

4.3.1 Activity status introduction

1. The activity status table in Rule 4.3.2 shows the activity status of temporary activities across all zones, provided any performance standards shown in the far right column are met. The activities in the temporary activities category are listed in the nested table in Section 1.6.
2. Performance standards apply to permitted and restricted discretionary activities.
3. If a permitted 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.
4. 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
RD	Restricted discretionary activity

4.3.2 Activity status table - temporary activities

1.	Performance standards that apply to all temporary activities		a. Development standards b. Light spill c. Hazard overlay zones development standards
Activity		Activity status	Performance standards
		All zones	
2.	Construction	P	a. Noise
3.	Filming - small scale	P	a. Maximum duration and site restoration b. Hours of operation c. Noise
4.	Filming - large scale	RD	a. Maximum duration and site restoration b. Hours of operation c. Noise
5.	Temporary helicopter landings	P	a. Maximum duration and site restoration

6.	Military exercises	P	a. Notice to DCC (military exercises) b. Setbacks (military exercises) c. Noise
7.	Mobile trading, of readily consumable foods in a public place.	P	a. Maximum duration and site restoration
8.	Temporary disaster management accommodation	P	
9.	Temporary events - small scale	P	a. Maximum duration and site restoration b. Hours of operation c. Noise
10.	Temporary events - large scale	RD	a. Maximum duration and site restoration b. Hours of operation c. Noise
11.	Temporary signs	P	a. Number, design and location of temporary signs

Note 4.3A - Other requirements outside the District Plan

1. Permission from the Dunedin City Council (DCC) must be obtained for all temporary activities on DCC land including reserves and roads. Please contact the DCC's Transportation Group or Parks and Recreation Department on 03 477 4000 and ensure all appropriate permissions are received including for:
   a. temporary road closures; and
   b. use of reserves or open space.
2. If food will be sold at an event, it is the responsibility of the event organiser to ensure all food operators have approval from the DCC's Environmental Health Department. Please contact Environmental Health Department on 03 477 4000 or visit the DCC website www.dunedin.govt.nz for more information.
3. Activities that involve the sale or provision of alcohol may require a licence. Please contact the DCC's Alcohol Licensing Department on 03 477 4000 for more information.
4. Building consent may be required for some temporary structures. These must be obtained from DCC. Please contact Council's Building Services Department on 03 477 4000 for more information.
5. A licence is required under the Mobile Trading and Temporary Stall Bylaw 2014 to carry out mobile trading. Permission from the DCC must be obtained for all mobile trading activities on DCC land including reserves and roads. Please contact the DCC's Environmental Health Department on 03 477 4000 or visit the DCC website www.dunedin.govt.nz for more information.
6. In addition to the noise limits specified in this section, noise emissions from temporary events will be subject to complaint based Excessive Noise provisions (sections 326-328) of the Resource Management Act 1991. The DCC's Environmental Health Department or their contractors will be responsible for responding to any noise complaints received by the DCC in relation to an event. To ensure there are no surprises on the day of the event it is recommended you liaise with the Environmental Health Department prior to the event, provide contact details for key personnel and agree on a protocol for responding to noise complaints should they arise. For more information, please contact the DCC on 03 477 4000 or visit the DCC website at www.dunedin.govt.nz.

Note 4.3B - Other relevant District Plan provisions

1. Mobile trading, other than as provided for in Rule 4.3.2.7 is managed as if it were not operating from mobile premises (i.e. the activity status and land use performance standards of the zone in which it is occurring apply)

Note 4.3C - Other relevant District Plan provisions

1. Earthworks are managed through the management and major facilities zone sections.

Rule 4.4 Notification

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

Rule 4.5 Performance Standards

4.5.1 Development Standards

1. Temporary buildings and structures and site development activities associated with temporary activities must meet the maximum height, height in relation to boundaries, setbacks, hazard exclusion areas, vegetation clearance standards, and earthworks performance standards of the zone in which they are located, except:
   a. temporary signs (see Rule 4.5.7);
   b. setbacks from coast or water bodies, provided buildings and structures are set back from the coast or water bodies a minimum of 5m; and
   c. temporary buildings and structures associated with construction are exempt from meeting performance standards for maximum height, height in relation to boundary, and boundary setbacks, provided they are erected for no more than 90 days.
2. Temporary buildings and structures associated with temporary activities may be located on parking areas required to meet the performance standard for minimum car parking, for up to 90 days.

4.5.2 Hours of Operation

Temporary events and filming must not exceed the following hours of operation:

Activity		a. Hours of operation within residential zones or within 100m of a residential zone	b. Hours of operation within all other zones
1.	Temporary events that do not involve amplified noise	All days: 8am - 9pm	Sunday - Thursday: 6am - 10pm Friday and Saturday: 6am - 11pm (or 11.30pm in the CBD Zone)
2.	Temporary events that involve the operation of amplified sound equipment	Sunday - Thursday: 10am - 7pm Friday and Saturday: 10am - 9pm	Sunday - Thursday: 10am - 9pm Friday and Saturday: 10am - 10pm (or 11.30pm in the CBD Zone)
3.	Filming	All days: 8am - 7pm	All days: 7am - 9pm (or 12pm midnight in an industrial zone)

4. Except in all zones the hours of operation for New Years Eve celebrations, including those that involve the operation of amplified sound equipment, is extended until 1am the following morning.

4.5.3 Maximum Duration, Frequency, and Site Restoration

Rule 4.5.3.1 Temporary events and filming

1. Temporary events must not exceed the following maximum durations:

Location		Maximum duration of event
a.	The Oval	10 consecutive days
b.	The Octagon and Museum Reserve	5 consecutive days
c.	All other locations	3 consecutive days

   d. Except, site preparation, which must not occur more than two days before an event; and site clean-up and restoration, which must be completed within two days of the completion of the event.

2. No more than five temporary events may occur on a site within any calendar year, except, temporary events in

public places, churches, and community halls.

3. Filming and temporary events must return sites to their original condition after filming or the temporary event is finished.

Rule 4.5.3.2 Mobile Trading

a. Mobile trading must not operate in any location for a cumulative period exceeding four hours in any 24 hour period, except:
   i. if the activity would otherwise be permitted in the zone;
   ii. if the mobile trading is associated with a temporary event; or
   iii. if the mobile trading is associated with an event occurring as part of a sport and recreation activity or an event occurring in the Recreation Zone or at a major facility, in which case the maximum duration is for a period starting 2 hours before the start of the event until two hours after the event.

Rule 4.5.3.3 Helicopter Landings

a. Helicopter landings must not exceed 10 landings on the same site within any calendar year, except two days of unlimited landings on the same site are allowed within any calendar year.
b. Helicopter landings must only occur during daylight hours.
c. The following activities are exempt from this standard:
   i. helicopter landings for emergencies by police, fire service, ambulance, or for search and rescue; and
   ii. helicopter landings that meet the noise performance standards for the relevant zone.

4.5.4 Noise

4.5.4.1 Construction

a. Construction activity must not exceed the following limits:

Noise limits as measured at: the boundary of any property in residential zones, the notional boundary of any residential building in a rural residential zone, or from 6pm to 7.30am within the notional boundary of any building housing any noise sensitive activities in any other zone		**Noise limits**		
		1. For no more than 14 days of a single construction project	**2. For no more than a further 18 weeks of a single construction project**	**For all other times**
i.	Weekdays 6.30 to 7.30am	a. 65 dB LAeq b. 75 dB Lmax	a. 60 dB LAeq b. 75 dB Lmax	a. 55 dB LAeq b. 75 dB Lmax
ii.	Weekdays 7.30am to 6pm and Saturdays 7.30am to 6pm	a. 80 dB LAeq b. 95 dBLmax	a. 75 dB LAeq b. 90 dB Lmax	a. 70 dB LAeq b. 85 dB Lmax
iii.	Weekdays 6 to 8pm	a. 75 dB LAeq b. 90 dB Lmax	a. 70 dB LAeq b. 85 dB Lmax	a. 65 dB LAeq b. 80 dB Lmax
iv.	Sundays and public holidays 7.30am to 6pm	a. 55 dB LAeq b. 85 dB Lmax	a. 55 dB LAeq b. 85 dB Lmax	a. 55 dB LAeq b. 85 dB Lmax
v.	All other periods not specified above	a. 45 dB LAeq b. 75 dB Lmax	a. 45 dB LAeq b. 75 dB Lmax	a. 45 dB LAeq b. 75 dB Lm

Noise limits as measured at: the boundary of any property in residential zones, the notional boundary of any residential building in a rural residential zone, or from 6pm to 7.30am within the notional boundary of any building housing any noise sensitive activities in any other zone		Noise limits		
		1. For no more than 14 days of a single construction project	2. For no more than a further 18 weeks of a single construction project	For all other times
Time period		1. For no more than 14 days of a single construction project	2. For no more than a further 18 weeks of a single construction project	3.Long-term duration (greater than 20 weeks)
vi.	All days 7.30am to 6pm	80 dB LAeq	75 dB LAeq	70 dB LAeq
vii.	All days 6pm to 7.30am	85 dB LAeq	80 dB LAeq	75 dB LAeq

b. Vibration from construction must not exceed a maximum particle velocity measured on any foundation of an adjacent building on another site, or the same site if different ownership, of 25mm/second for commercial buildings or 10mm/second for buildings housing noise sensitive activities.

c. Activities that contravene this performance standard by less than 5dB LAeq (15 min) are discretionary activities.

d. Activities that contravene this performance standard by 5dB LAeq (15 min) or more are non-complying activities.

Note 4.5A - Copyright information

1. For Rule 4.5.4.1:
   a. From NSZ 6803:1999 Acoustics Construction Noise by permission of Standards New Zealand under licence 001161

4.5.4.2 Temporary events

a. Temporary events must comply with the performance standard for noise of the zone in which they are located or for temporary events in the CBD Zone, the following noise limits:

Time period		Noise limit
i.	Sunday - Thursday: 10am to 10pm	1. 60dB LAeq (15 min) 2. 75dB LAmax
ii.	Friday and Saturday: 10am to 11:30pm	1. 75dB LAeq (15 min) 2. 85dB LAmax

b. Pyrotechnics and firing of a ceremonial cannon are exempt from the performance standards for noise.

4.5.4.3 Filming (small and large scale)

Filming activities must comply with the performance standard for noise of the zone in which they are located.

4.5.4.4 Military exercises

a. Noise from military exercises must not exceed the following limits:
   i. for mobile noise sources, the noise limits for construction activities set out in Rule 4.5.4.1 apply.
   ii. for fixed (stationary) noise sources, the following limits as measured at the notional boundary of a building housing any noise sensitive activities apply:

Time (Monday to Sunday)		Noise level at the notional boundary of a building housing any noise sensitive activities
1.	7am - 7pm	55 dB LAeq (15 min)
2.	7pm - 10pm	50 dB LAeq (15 min)
3.	10pm - 7am	45 dB LAeq (15 min) and 75 dB LAFmax

b. The live firing of weapons and explosive events and the firing of blank ammunition are exempt from this performance standard (see Rule 4.5.6); and

c. Military exercises that contravene this performance standard are a controlled activity.

4.5.5 Notice to DCC (Military Exercises)

1. A noise management plan must be provided to the DCCs Environmental Health Department at least 48 hours prior to the commencement of a military exercise involving weapons firing and/or the use of explosives, detailing:
   a. whether the activity involves live firing and/or the use of explosives, or the firing of blank ammunition;
   b. the location of the activity and the boundaries within which the activity will take place;
   c. the timing and duration of the activity; and
   d. distances to buildings housing noise sensitive activities, the potential effect on these activities, and where there is a potential effect, how property occupants will be notified of the military exercise (e.g. leaflet drop, letters, notice in newspaper)

2. Military exercises that contravene this performance standard are a controlled activity.

4.5.6 Setbacks (Military Exercises)

1. Military exercises involving weapons firing and/or the use of explosives must be set back from the notional boundary of any building housing noise sensitive activities as follows:

Activity type		i. Time (Monday to Sunday)	ii. Minimum setback distance
a.	Live firing of weapons or explosives	7am - 7pm	1500m
b.	Live firing of weapons or explosives	7pm - 7am	4500m
c.	Firing of blank ammunition	7am - 7pm	750m
d.	Firing of blank ammunition	7pm - 7am	2250m

   e. Except where:
      i. peak sound pressure level is below 120 dBC between the hours of 7am and 7pm; and

ii. peak sound pressure level is below 90 dBC between the hours of 7pm and 7am.

f. Activities that contravene this performance standard are controlled activities.

4.5.7 Number, Location and Design of Temporary Signs

4.5.7.1 General

a. Temporary signs visible from a public place must meet all of the following performance standards;

b. Temporary signs must not be illuminated (internally or externally), digital, or projected; and

c. Signs must also comply with:
   i. Rule 6.7.2; and
   ii. Rule 6.7.3, where visible from the road.

4.5.7.2 Election signs

a. Signs must be erected no more than two months prior to election day and must be removed by midnight prior to election day;

b. Signs must not exceed a maximum number of one per site for any candidate or group of candidates for local authority elections, and one per site for any registered political party, independent or non-party affiliated candidate, for parliamentary elections; and

c. Signs must not exceed:
   i. a maximum height of 2m above ground level; and
   ii. a maximum area of 3m² on DCC or New Zealand Transport Agency land within the road reserve; or
   iii. 1m² on all other sites.

4.5.7.3 Temporary event signs

a. Signs must not be erected more than 21 days before an event and must be removed within 3 days of the completion of the event;

b. Signs must be designed such that any names of sponsoring businesses are no more than 50% of the size of the font used for advertising the event;

c. Signs must not exceed:
   i. a maximum height of 2m above ground level;
   ii. a maximum area of:
      1. 3m² on DCC or New Zealand Transport Agency land within the road reserve; or
      2. 1m² on all other sites; and
   iii. for signs outside the road reserve:
      1. only one sign is allowed to be displayed on a property at a time; and
      2. the total display time of all signs must not exceed 30 days in any calendar year.

4.5.7.4 Real estate signs

a. Signs must not exceed the following maximum numbers:
   i. one per property, or
   ii. on sites with a street frontage greater than 500m, one sign for every 500m of frontage; and
   iii. in the CBD, real estate signs in windows and below verandas (including in windows) must not exceed one per real estate agent/company.

b. Open home signs and auction signs are exempt from the maximum number of signs.

c. The maximum display time for real estate signs is:
   i. open home signs must only be displayed for the duration of the open home;
   ii. auction signs must be displayed for no more than 14 days before the auction and 3 days after the auction; or
   iii. all real estate signs must be removed within three days after the sale of the property.

d. The maximum size and location of signs is:
   i. auction signs must not exceed 2m² per display face;
   ii. all other signs must not exceed a maximum area of 1m² per display face and a maximum of two display faces

e. All real estate signs must be located on, or adjacent to, the property to which they relate.

4.5.7.5 Construction signs

a. must not exceed a total area for all signs of 4m² per site;

b. must not be displayed for more than 10 days before commencement of construction and must be removed within three days after the completion of construction; and

c. must be located on the site where the construction activity is occurring.

Note 4.5B - Other requirements outside the District Plan

1. Permission must be obtained from the Dunedin City Council (DCC) for the erection of temporary signs (except real estate signs) on DCC land, including reserves and roads, please contact 03 477 4000 or visit the DCC website www.dunedin.govt.nz for more information.
2. Permission must be obtained from the New Zealand Transport Agency for erection of temporary signs within state highway road reserve.
3. Approved election sign sites where the DCC give approval for the erection of signs are published on the DCC website www.dunedin.govt.nz.

4.5.8 Light Spill

Temporary activities must comply with Rule 9.3.5.

4.5.9 Hazard Overlay Zones Development Standards

4.9.5.1 Hazard exclusion areas (swale mapped area)

Buildings and structures associated with temporary activities must comply with Rule 11.3.1.1.

Rule 4.6 Assessment of Controlled Activities (Performance standard contraventions)

Rule 4.6.1 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 4.6.2:
   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**;
      ii. the matters of discretion are expanded to include the areas of non-compliance with the performance standard;
      iii. the performance standard contravention will be assessed as indicated in Section 4.7; 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**;
      ii. the performance standard contravention will be assessed as indicated in Section 4.9; 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**;
      ii. the performance standard contravention will be assessed as indicated in Section 4.10; and
      iii. the assessment guidance in this section will also be considered.

4.6.2 Assessment of controlled performance standard contraventions			
Performance standard		Matters of control	Guidance on the assessment of resource consents
1.	• Noise (military exercises) • Notice to DCC (military exercises) • Setbacks (military exercises)	a. Effects on surrounding sites' amenity b. Effect on health and safety	*Relevant objectives and policies:* i. Objective 4.2.1 ii. Temporary activities are designed and operated in a way that minimises effects on: 1. the amenity of surrounding properties; and 2. the health and safety of people (policies 4.2.1.1a and b). *Conditions that may be imposed to ensure these outcomes include, but are not limited to:* iii. Higher noise levels may be restricted to short durations during daytime hours or hours agreed with affected neighbours. iv. Potentially affected neighbours to be advised and consulted with prior to the activity taking place. *General assessment guidance:* v. The assessment of an application for military exercises that contravenes the noise (military exercises) performance standard Rule 4.5.4.4 will consider the findings of a noise management plan (see Special Information Requirements - Rule 4.11.1).

Rule 4.7 Assessment of Restricted Discretionary Activities (Performance Standard Contraventions)

Rule 4.7.1 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. Rule 4.7.2:
   a. lists the matters Council will restrict its discretion to; and
   b. provides 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.

4.7.2 Assessment of all performance standard contraventions			
Performance standard		Matters of discretion	Guidance on the assessment of resource consents
1.	All performance standard contraventions		*Potential circumstances that may support a consent application include:* i. The degree of non-compliance with the performance standard is minor. *General assessment guidance:* ii. Where more than one standard is contravened, the combined effects of the contraventions should be considered. iii. In assessing performance standard contraventions, consideration will be given to all relevant assessment guidance in the underlying zone.
2.	Development standards	See relevant zone for assessment of restricted discretionary activities (performance standard contraventions).	
3.	Hours of operation	a. Effects on surrounding sites amenity b. Effects on health and safety	*Relevant objectives and policies:* i. Objective 4.2.1 ii. Temporary activities are designed and operated in a way that minimises effects on: 1. the amenity of surrounding properties; and 2. people's health and safety (policies 4.2.1.1a and b). *Potential circumstances that may support a consent application include:* iii. The extension of hours will not result in unreasonable disturbance from vehicle headlights, vehicle movements, or noise.
4.	Maximum duration, frequency, and site restoration	a. Effects on surrounding sites amenity b. Effects on health and safety	*Relevant objectives and policies:* i. Objective 4.2.1 ii. Temporary activities are designed and operated in a way that minimises effects on: 1. the amenity of surrounding properties; and 2. people's health and safety (Policy 4.2.1.1). *Potential circumstances that may support a consent application include:* iii. The extension of duration or frequency will not result in unreasonable disturbance from extended periods of noise or vehicle movements.

4.7.2 Assessment of all performance standard contraventions			
Performance standard		Matters of discretion	Guidance on the assessment of resource consents
5.	Number, location, and design of temporary signs	a. Effects on neighbourhood character and amenity	*Relevant objectives and policies:* i. Objective 4.2.1 ii. Temporary signs are located and designed to minimise adverse effects on streetscape amenity (Policy 4.2.1.2.a).
		b. Effects on safety and efficiency of the transport network	*Relevant objectives and policies:* i. Objective 4.2.1 ii. Temporary signs are located and designed to minimise adverse effects on the safety and efficiency of the transport network (Policy 4.2.1.2.b). *Potential circumstances that may support a consent application include:* iii. The location of the sign will not obscure sightlines, pedestrians, and cyclists or vehicle access. iv. The relevant road controlling authority has provided approval for the proposed design and location of the sign.
6.	In a **swale mapped area:** hazard exclusion areas	a. Risk from natural hazards	See Rule 11.4

Rule 4.8 Assessment of Restricted Discretionary Activities

Rule 4.8.1 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. Rule 4.8.2:
    a. lists the matters Council will restrict its discretion to; and
    b. provides 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. 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 - See Rule 4.3.1.3) then:
        i. the activity, as a whole, will be treated as **restricted discretionary**;
        ii. the matters of discretion are expanded to include the areas of non-compliance with the performance standard;
        iii. the performance standard contravention will be assessed as indicated in Section 4.7; 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**;
   ii. the performance standard contravention will be assessed as indicated in Section 4.9;
   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**;
   ii. the performance standard contravention will be assessed as indicated in Section 4.10; and
   iii. the assessment guidance in this section will also be considered.

4.8.2 Assessment of restricted discretionary activities

Activity		Matters of discretion	Guidance on the assessment of resource consents
1.	• Filming - large scale • Temporary event - large scale	a. Effects on safety and efficiency of the transport network	*Relevant objectives and policies:* i. Objective 4.2.1 ii. Any adverse effects on the transport network can be avoided or, if avoidance is not possible, adequately mitigated (Policy 4.2.1.3). *Potential circumstances that may support a consent application include:* iii. A traffic management plan has been approved by the DCC (or New Zealand Transport Agency where relevant).
		b. Effects on amenity	*Relevant objectives and policies:* i. Objective 4.2.1 ii. Any adverse effects on amenity can be avoided or, if avoidance is not possible, adequately mitigated (Policy 4.2.1.3).

Rule 4.9 Assessment of Discretionary Activities

Rule 4.9.1 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. Rule 4.9.2 provides guidance on how a consent application for the listed discretionary activities will be assessed, including:
    a. relevant objectives and policies that will be considered as a priority with respect to s104(1)(b)(vi);
    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.

4.9.2 Assessment of all discretionary performance standard contraventions		
Activity		Guidance on the assessment of resource consents
1.	• Noise - where the noise limit is exceeded by less than 5dB LAeq (15 min) • 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.

Rule 4.10 Assessment of Non-complying Activities

Rule 4.10.1 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. Rule 14.10.2 provides 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.

4.10.2 Assessment of non-complying performance standard contraventions		
Performance standard		Guidance on the assessment of resource consents
1.	• Noise - limit is exceeded by 5dB LAeq (15 min) or more • Light spill - where the limit is exceeded by greater than 25%	See Section 9.7 for guidance on the assessment of resource consents in relation to Objective 9.2.2 and the effects related to public health and safety.

Rule 4.11 Special Information Requirements

4.11.1 Noise management plan

All resource consent applications for military exercises which do not comply with Rule 4.5.4.4 must be accompanied by a noise management plan prepared by a suitably qualified expert. The noise management plan must contain:

1. description of the site and activity including times, dates, nature and location of the proposed training activities;
2. a map showing potentially affected noise sensitive activities and predicted peak sound pressure levels for each of these locations and a programme for notification and communication with the occupiers of those sites prior to the activities commencing, including updates during the event;
3. methods to minimise the noise disturbance at sites housing noise sensitive activities; and
4. the method for following up any complaints received during or after the event, and any proposed debriefing meetings with the DCC.

5. Network Utilities and Energy Generation

5.1 Introduction

Network utilities form part of the services and infrastructure that contribute to the efficient functioning of the city, and contribute directly to the well-being and health and safety of people living in Dunedin. Network utilities are important in providing efficient and effective networks of infrastructure, telecommunications and electricity to Dunedin and civil defence operations.

While they are not strictly 'network utilities', the structures and devices used for the purposes of renewable energy generation are increasingly an essential part of the electricity generation network. The New Zealand Government is committed to increasing New Zealand's proportion of renewable energy generation to 90% by 2025. Increasing the proportion of renewable energy generation not only contributes to national targets, but increases the resilience of Dunedin's economy to energy related issues. At a central government level, the National Policy Statement for Renewable Electricity Generation 2011 recognises the significance of renewable energy generation by establishing a national level policy framework for Renewable Electricity Generation activities, and this national level policy has been implemented in this District Plan. Grouped together in this Plan, the category of network utilities activities includes both the technical service infrastructure and energy generation devices.

While network utilities activities enable the efficient and effective operation of infrastructure networks and allow people to provide for their well-being, network utilities structures can have adverse effects on landscape, biodiversity, cultural and heritage values, public health and safety and the amenity of residential areas.

In response to the issues, the Second Generation Plan (2GP) proposes a framework for balancing the necessary establishment, operation, maintenance and upgrading of network utilities with the adverse environmental effects that can occur as a result of these activities. The management of network utilities activities places controls on such aspects as the design, location, scale and size of the structures used in these activities in order to minimise these adverse effects as far as practicable. The degree of restriction on these aspects is determined by the environment in which the particular structures are located and the scale needed to effectively operate and contribute to the network.

The controls in the 2GP will lead to efficient and effective infrastructure networks in Dunedin, and provide for the increased development of electricity from renewable resources.

It is noted that the safe and efficient use and development of network utilities is primarily the responsibility of the utility operator and the proposed provisions seek to enable operators to fulfil those responsibilities. Network utilities should be operated in the most efficient manner possible, while minimising any adverse effects which may occur as a result of their activities.

5.2 Objectives and Policies

Objective 5.2.1	
Network utilities activities, including renewable energy generation activities, are able to operate efficiently and effectively, while minimising, as far as practicable, any adverse effects on the amenity and character of the zone; and, where located in an overlay zone, scheduled site, or mapped area, meeting the relevant objectives and policies for those areas.	
Policy 5.2.1.1	Encourage the use and development of renewable energy generation.
Policy 5.2.1.2	Require development to be designed and located to avoid adverse effects on the safe and efficient operation of national grid infrastructure or, where avoidance is not possible, ensure any adverse effects would be insignificant.
Policy 5.2.1.3	Require sensitive activities, hazardous substances, and earthworks to be set back an adequate distance from the national grid to ensure adverse effects on the health and safety of people are avoided.
Policy 5.2.1.5	Require network utilities structures to be of a scale, size, design and location that enables the provision of network utilities while: a. minimising, as far as practicable, adverse effects on the amenity and character of the zone; b. maintaining a high level of pedestrian amenity in pedestrian street frontages.
Policy 5.2.1.6	Require energy resource investigation devices to be designed, operated and located to minimise, as far as practicable, any adverse effects on amenity.
Policy 5.2.1.7	Require network utilities structures are located, designed, and operated to ensure any risk to health and safety is no more than minor.
Policy 5.2.1.9	Require earthworks to be set back from network utilities an adequate distance to avoid: a. damage to existing network utilities; b. obstruction of access to existing underground network utilities; and c. adverse effects on the health and safety of people.
Policy 5.2.1.10	Avoid regional scale energy generation and biomass generators - stand-alone outside the rural or industrial zones unless there will be no material adverse effects on the amenity of surrounding area.
Policy 5.2.1.11	Only allow network utility structures - large scale, regional scale energy generation in the rural zones, network utilities poles and masts - small scale (other than in the rural, rural residential or industrial zones), community scale energy generation, biomass generators - stand-alone, and biomass energy generation on-site energy generation and energy resource investigation devices (other than in the rural and industrial zones) where the activity is designed and located to avoid any significant adverse effects and minimise adverse effects, as far as practicable, including: a. effects on visual amenity and the character of the zone in which the activity is located; and b. effects on the amenity of any surrounding residential activities.
Policy 5.2.1.12	Only allow new network utilities or additions to existing network utilities in transition overlay zones where network utilities are located to support a logical and efficient future pattern of development.

Rules

Rule 5.3 Activity Status

Rule 5.3.1 Activity Status introduction

1. The activity status table in Rule 5.3.2 shows the activity status of network utilities and energy generation activities across all zones, provided any performance standards shown in the far right column are met. The activities in the network utilities and energy generation category are listed in the nested table in Section 1.6.
2. Performance standards apply to permitted, controlled, and restricted discretionary activities.
3. 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.
4. 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.
5. The following activities are managed through the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulation 2008 (NESTF), although rules in the District Plan may still apply:
   a. telecommunication utilities activities which emit radio-frequency fields;
   b. telecommunication equipment cabinets in the road reserve and noise from these cabinets; and
   c. the installation or replacement of masts and antenna on existing buildings or structures in the road reserve.
6. The operation, maintenance, upgrading, relocation or removal of existing transmission lines which are part of the National Grid are managed through the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (NESETA), unless otherwise stated by a NESETA rule.
7. Any utilities included in the definitions of building utilities or rooftop structures are managed by zone rules and are not considered to be network utilities activities.
8. The activity status of network utilities in the major facilities zones is determined by the default zone of the major facility as listed in Appendix A9, except for the Port, Dunedin International Airport and Campus zones which are included in the 'all other zones' category in Rule 5.3.2.
9. For all transitional overlay zones, the provisions of the proposed (transition) zone apply.

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
RU	Rural Zones
RR	Rural Residential Zones

Acronym	Activity status
CMU	Commercial and Mixed Use Zones
Ind	Industrial Zones
ONL	Outstanding Natural Landscape Overlay Zone
ONF	Outstanding Natural Feature Overlay Zones
SNL	Significant Natural Landscape Overlay Zone
NCC	Natural Coastal Character Overlay Zone
HNCC	High Natural Coastal Character Overlay Zone
ONCC	Outstanding Natural Coastal Character Overlay Zone
HP	Heritage Precinct
SHS	Scheduled Heritage Site
ASCV	Scheduled Area of Significant Conservation Value
UCMA	Urban Conservation Mapped Area
GPA	Ground Protection Area
MHWS	Mean High Water Springs
Haz1	Hazard 1 Overlay Zones
Haz2	Hazard 2 Overlay Zones
NESETA	Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009
NESTF	Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008

5.3.2 Activity status table — Network utilities activities

1.	Performance standards that apply to all network utilities activities	a. Noise b. Reflectivity (network utilities activities in landscape or natural coastal character overlays only) c. Setback from coast and water bodies; d. Setback from national grid e. Setback from ridgeline f. Setback from scheduled tree

New, or additions and alterations to existing, network utilities activities		Activity status				Performance standards
		a. RU, Ind	b. All other zones	c. ONF, HNCC, ONCC	d. SNL, NCC, ONL, ASCV, SHS, HP	
2.	Operation, repair and maintenance of existing network utilities	P	P	—	—	i. Light spill
3.	Realignment, reconfiguration or relocation of existing network utilities	P	P	—	—	i. Location
4.	Underground or internal network utilities	P	P	—	—	i. Technical standards (gas pressure regulating stations and water or energy pipes only)
5.	Amateur radio configurations	P	P	RD	—	i. Amateur radio standards
6.	Irrigation races and open drains	P	P	—	—	
7.	Stormwater detention basins	P	P	—	—	
8.	Network utilities structures - small scale	P	P	RD	—	i. Buildings and structures located on or above the footpath ii. Location iii. Maximum dimensions iv. Maximum height v. Technical standards
9.	Network utilities poles and masts - small scale	P	RD (P in RR)	RD	RD	i. Buildings and structures located on or above the footpath ii. Maximum dimensions iii. Maximum height

10.	Network utilities structures - large scale	RD	RD	NC	D	i. Buildings and structures located on or above the footpath
11.	Standby energy generators	P	P	—	—	
12.	Wind generators - on-site energy generation	P	P	NC	RD	i. On-site energy generation design standards
13.	Hydro generators - on-site energy generation	P	P	NC	RD	i. On-site energy generation design standards ii. Location
14.	Solar panels - on-site energy generation	P	P	NC	RD	i. On-site energy generation design standards
15.	Solar panels - community scale	RD	D	NC	D	
16.	Wind generators - community scale	RD	D	NC	NC	i. Boundary setbacks
17.	Hydro generators - community scale	P	D	NC	D	
18.	Solar panels - regional scale	D	NC	NC	NC	
19.	Wind generators - regional scale	D	NC	NC	NC	
20.	Hydro generators - regional scale	D	NC	NC	NC	
21.	Energy resource investigation devices	P	RD	NC	RD	i. Energy resource investigation standards
22.	Biomass generators - on-site energy generation	P	RD	NC	RD	i. On-site energy generation design standards
23.	Biomass generators - stand-alone	D	NC	NC	NC	

Note 5.3A - Other requirements outside of the District Plan

1. For telecommunication utilities, also refer to the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008 (NESTF). The NESTF are regulations made under the RMA and specify the activity status of activities which involve the emission of radio-frequency fields, installation of telecommunication equipment cabinets in public roads including regulations on noise emissions, and the installation, addition and replacement of mast and antennas on existing structures alongside public roads or in the road reserve. Activities not specified as permitted in the NESTF are managed under the rules in this Plan.
2. For activities on existing high voltage national grid transmission lines also refer to the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (NESETA). The NESETA outlines the activity status, conditions and resource consent requirements for electricity transmission activities undertaken as part of the operation of high voltage national grid transmission lines.
3. For the trimming and pruning of vegetation necessary to protect electricity lines also refer to the Electricity (Hazards from Trees) Regulations 2003.
4. For works within the road reserve a corridor access request may be required by the DCC, see http://www.dunedin.govt.nz/services/roads-and-footpaths/corridor-access-request for further information.
5. Works within the dripline of trees in the road reserve may require approval from the DCC's Parks, Recreation and Aquatics Group Department. For more information, please contact the DCC on 03 477 4000 or visit the DCC website at www.dunedin.govt.nz.

Note 5.3B - General advice

1. Network utilities activities are not subject to the natural hazards rules. However, the establishment of new network utilities, the operation, repair and maintenance of existing network utilities and the realignment, relocation or reconfiguration of existing network utilities should take into account risks associated with natural hazards.

Note 5.3C - Other requirements outside of the District Plan

1. The Heritage New Zealand Pouhere Taonga Act 2014 makes it unlawful for any person to modify or destroy, or cause to be modified or destroyed, the whole or any part of an archaeological site without the prior authority of Heritage New Zealand. If you wish to do any earthworks that may affect an archaeological site, you must first obtain an authority from Heritage New Zealand before you begin. 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. The Heritage New Zealand Pouhere Taonga Accidental Discovery Protocol (Appendix A8) manages archaeological sites which may be discovered as a result of earthworks. The protocol applies to any area, not just scheduled archaeological sites.

Note 5.3D - Other relevant District Plan provisions

1. Earthworks are managed through the management and major facilities zone sections.

Rule 5.4 Notification

1. With respect to resource consent applications for the following activities, Heritage New Zealand will be considered an affected person in accordance with s95B of the RMA where their written approval is not provided:
    1. activities that affect a protected part of a scheduled heritage building, scheduled heritage structure, or a scheduled heritage site, that is listed with Heritage New Zealand.
2. With respect to resource consent applications for the following activities, manawhenua will be considered an affected person in accordance with s95B 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 to the **wāhi tūpuna mapped area** in Appendix A4.
3. With respect to resource consent applications for the following activities, Transpower NZ Limited will be considered an affected person in accordance with s95B of the RMA where their written approval is not provided:
    1. activities that contravene performance standard 5.6.1 'Setback from National Grid'.
4. In accordance with section 95B of the RMA, where an application is not publicly notified, Council will give limited notification to all affected persons.
5. All other activities are subject to the normal tests for notification in accordance with sections 95A-95G of the RMA.

Rule 5.5 Network Utilities Activities Performance Standards

5.5.1 Amateur Radio Standards

5.5.1.1 Antenna and aerials

a. The maximum diameter of amateur radio configurations is:
   i. for aerial elements, 80mm;
   ii. for wire aerials, 115mm;
   iii. for dish antenna, 2m; and
   iv. for panel antenna, 2m, unless than 2m² in area.

b. The maximum length of horizontal high frequency Yagi aerials is:
   i. for elements, 14.9m; and
   ii. for booms, 13m.

c. The maximum height of aerials is 2m above the maximum height of the zone in which the activity is located, except:
   i. one vertical aerial is permitted to a maximum height of 20m, provided there is only one vertical aerial or one support structure (and attached aerials) per site.

d. One pedestal mounted antenna is allowed per site where all of the following are met:
   i. the antenna is pivoted at a maximum of 4m above the ground;
   ii. the maximum diameter of the antenna is 5m; and
   iii. the pedestal and antenna comply with the boundary setbacks and height in relation to boundary performance standards of the zone in which the activity is located.

5.5.1.2 Support Structures

a. There must be no more than six support structures for wire aerials.

b. Only one support structure may be a lattice mast.

c. The maximum height of poles and support structures is the maximum height of the zone in which the activity is located, except:
   i. one support structure may exceed the height of the zone in which the activity is located by a maximum of 2m.

d. The maximum diameter of guy wires is 12mm.

5.5.2 Buildings and Structures Located on or Above the Footpath

Network utilities poles and masts - small scale, network utilities structures - small scale and network utilities structures - large scale must comply with Rule 6.7.2.1.

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5.5.4 Energy Resource Investigation Standards

1. The maximum height of energy resource investigation devices is 80m.
2. Masts and guy wires must be set back from boundaries a distance at least equal to the height of the masts.
3. The anchor points for any guy wires must meet the boundary setback performance standard for the zone in which the activity is located.

4. The maximum number of masts per site is three.
5. The maximum installation period is five years.

5.5.5 Light Spill

The operation, repair and maintenance of existing network utilities must comply with Rule 9.3.5.

5.5.6 Location

1. Network utilities structures - small scale must be located against a building or attached to an existing network utilities pole or mast if:
   a. on a primary of secondary pedestrian street frontage;
   b. within a heritage precinct and visible from an adjoining public place; or
   c. over 0.5m² in area or 500mm in height, located in a coastal landscape overlay, visible from an adjoining public place, and located on the seaward side of a coastal road.
2. Pipes (excluding those considered as building utilities) and lines must be located underground, except:
   a. lines in the rural or rural residential zones;
   b. lines attached to existing network utilities poles and masts;
   c. activities undertaken as part of the operation, repair and maintenance of existing network utilities; and
   d. pipes or lines provided for under NESETA or NESTF.
3. The realignment, reconfiguration or relocation of above-ground pipes and network utilities poles and masts must occur within 3m of the existing location or alignment, except:
   a. national grid support structure managed under NESETA are exempt from this performance standard.
4. In a heritage precinct, hydro generators - on-site energy generation must be located so that they are not visible from any adjoining public place.
5. Network utilities structures - small scale located on outstanding natural features must co-locate against an existing building or with an existing network utility structure.
6. Activities that contravene Rule 5.5.6.5 are a non-complying activity.

5.5.7 Maximum Dimensions

Rule 5.5.7.1 Maximum dimensions: network utilities structures - small scale

a. Small scale network utility structures must comply with the following maximum dimensions:

Activity		1. Res, RR, Rec, ONF, HNCC, ONCC, NCC, SNL, ONL	2. Along primary or secondary street frontages; in heritage precincts; or on a scheduled heritage site, where visible from an adjoining public place	3. All other zones
i.	Volume (when pole-mounted)	0.3m³	0.3m³	0.3m³
ii.	Volume (ground-mounted)	0.4m³	0.4m³	0.4m³
iii.	Maximum area	4m²	0.5m²	4m²
iv.	Diameter of head arrays	0.8m	0.8m	4m
v.	Diameter of dish antenna	1m	1m	1.8m
vi.	Cross-sectional area of aerials	1m²	1m²	1.5m²
vii.	Gross floor area of substations	6.5m²	6.5m²	6.5m²

b. Except dish antenna and aerials in the Dunedin International Airport, industrial zones, and Port Zone are exempt from these performance standards.

c. Network utilities structures - small scale that exceed these thresholds will be treated as network utilities structures - large scale.

Rule 5.5.7.2 Maximum dimensions: Network utilities poles and masts - small scale

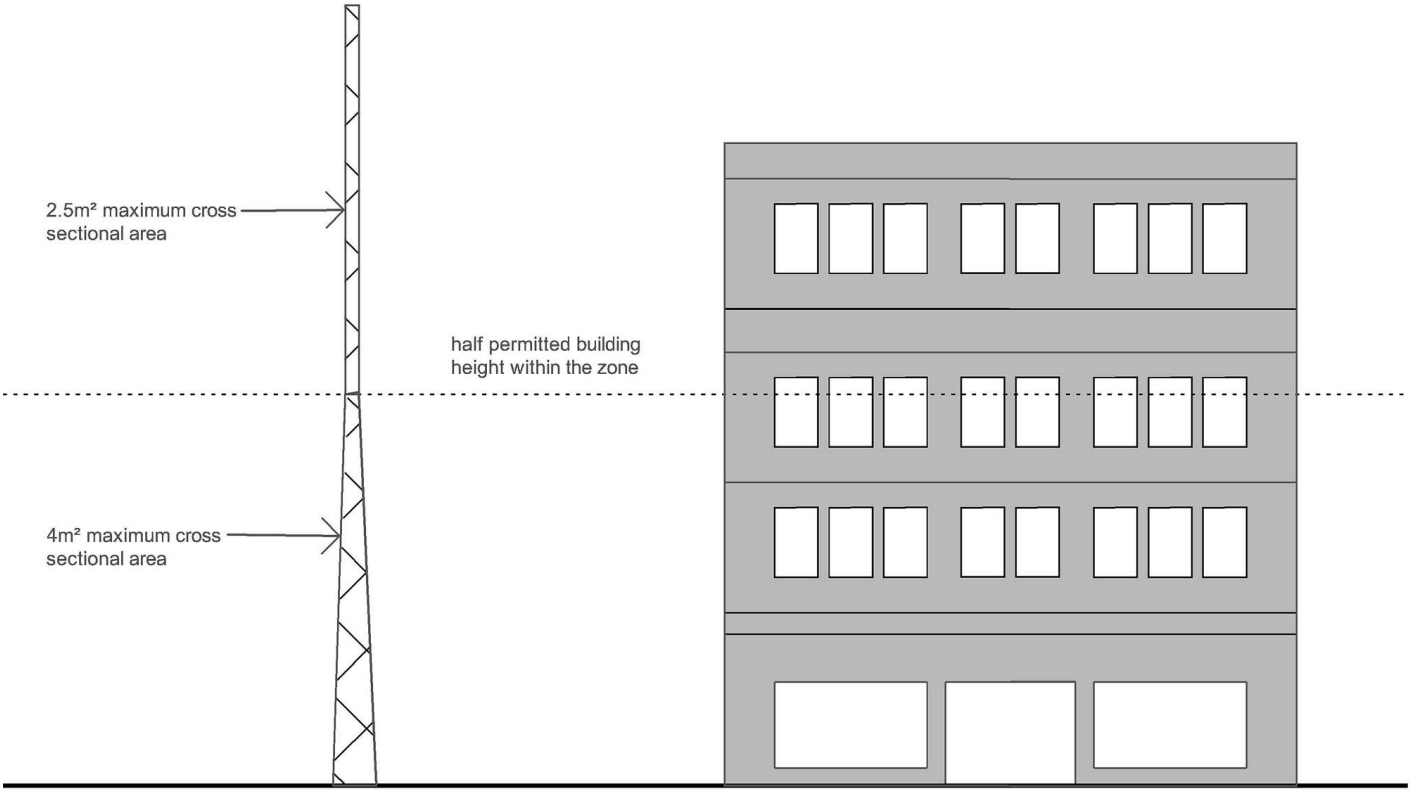
a. The maximum diameter of tubular masts is 0.5m, except tubular masts in the Dunedin International Airport, industrial zones and Port Zone, are exempt from the standard.

b. The maximum cross-sectional area of lattice masts is:
   i. 4m² to the point that is half the maximum height of the zone in which the activity is located, and
   ii. 2.5m² from the point that is half the maximum height of the zone in which the activity is located to the top of the mast (see Figure 5.5A).

c. The maximum cross-sectional area of all other network utilities poles and masts - small scale is 1m².

d. Network utilities poles and masts - small scale that exceed these thresholds will be treated as network utilities structures - large scale.

Figure 5.5A: Cross-sectional area of lattice mast



Note 5.5A - Other requirements outside of the District Plan

1. There may be additional controls specified under the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008, for the installation or replacement of masts and antenna in the road reserve.

5.5.8 Maximum Height

1. Rules 5.5.8.3 - 5.5.8.6 specify the maximum height of network utilities activities in all zones.
2. Except:
   a. network utilities in the Dunedin International Airport and Port zones have no maximum height;
   b. for additions provided for under the NESTF, the maximum height only applies in SNL, ONF, ONL, NCC, HNCC, and ONCC overlay zones; and
   c. for amateur radio configurations, which are managed by Rule 5.5.1.

5.5.8.3 Maximum height: network utilities attached to buildings

a. The maximum height of network utilities structures - small scale including necessary support structures (excluding any attached lightning rods) attached to buildings is:
   i. in residential zones, Recreation Zone, General Residential 1 Transitional Overlay Zone, and all landscape and coastal overlay zones, 2m above the section of building to which the structure is attached; and
   ii. in all other zones, 5m above the section of building to which the structure is attached (see Figure 5.5B).

b. Activities that exceed these thresholds will be treated as network utilities structures - large scale.

5.5.8.4 Maximum height: network utilities attached to existing network utilities poles and masts

a. The maximum height of network utilities structures - small scale (excluding any attached lightning rods) attached to existing network utilities poles and masts is 5m above the height of the existing pole or mast, or 25m, whichever is the lesser (see Figure 5.5C)

b. Activities that exceed these thresholds will be treated as network utilities structures - large scale.

5.5.8.5 Maximum height: 'freestanding' network utilities structures and network utilities poles and masts

a. The maximum height of network utilities poles and masts - small scale (including any attached head arrays, aerials, and dish antenna, but excluding lightning rods) is:
   i. in the rural, rural residential, and industrial zones, 20m; and
   ii. in all other zones, 5m above the maximum height of the zone in which the activity is located (see Figure 5.5D).

b. The maximum height of 'freestanding' network utilities structures - small scale is:
   i. along any primary or secondary street frontage, or in a heritage precinct, or on a scheduled heritage site, where visible from an adjoining public place, 0.5m; and
   ii. in all other zones, 4m (except for roadside cabinets where only the limits of the NESTF apply).

c. Activities that exceed these thresholds will be treated as network utilities structures - large scale.

5.5.8.6 Clearance from navigable water body

a. Network utilities structures (small and large scale) must maintain a minimum clearance between lines and a navigable water body of 10m between the lowest point of the line and highest point of either river bank (see Figure 5.5E)

b. Activities that contravene this performance standard are non-complying activities.

Note 5.5B - Other requirements outside of the District Plan

1. Where for the installation or replacement of masts and antenna in the road reserve, there may be additional controls specified under the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008.

Note 5.5C - Other relevant District Plan provisions

1. See also rules 5.5.7 and 5.5.1.

Figure 5.5B: Height of utilities attached to buildings

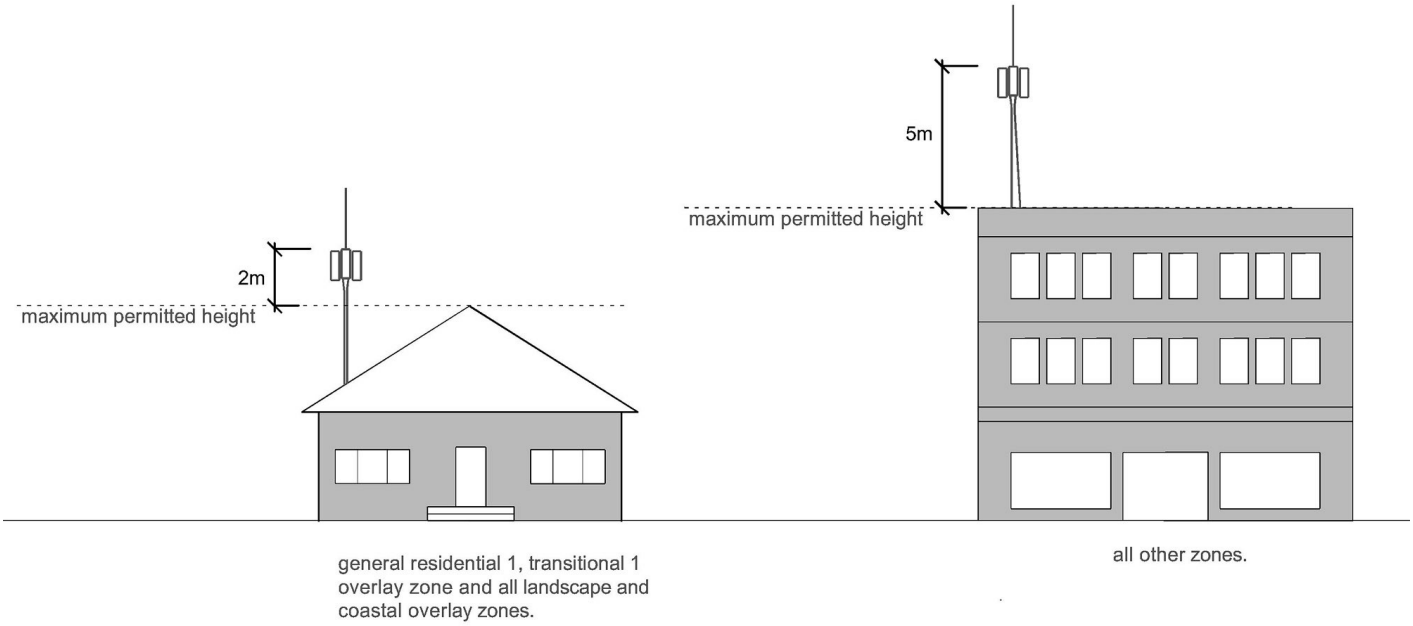


Figure 5.5C: Height of utilities attached to existing poles or masts

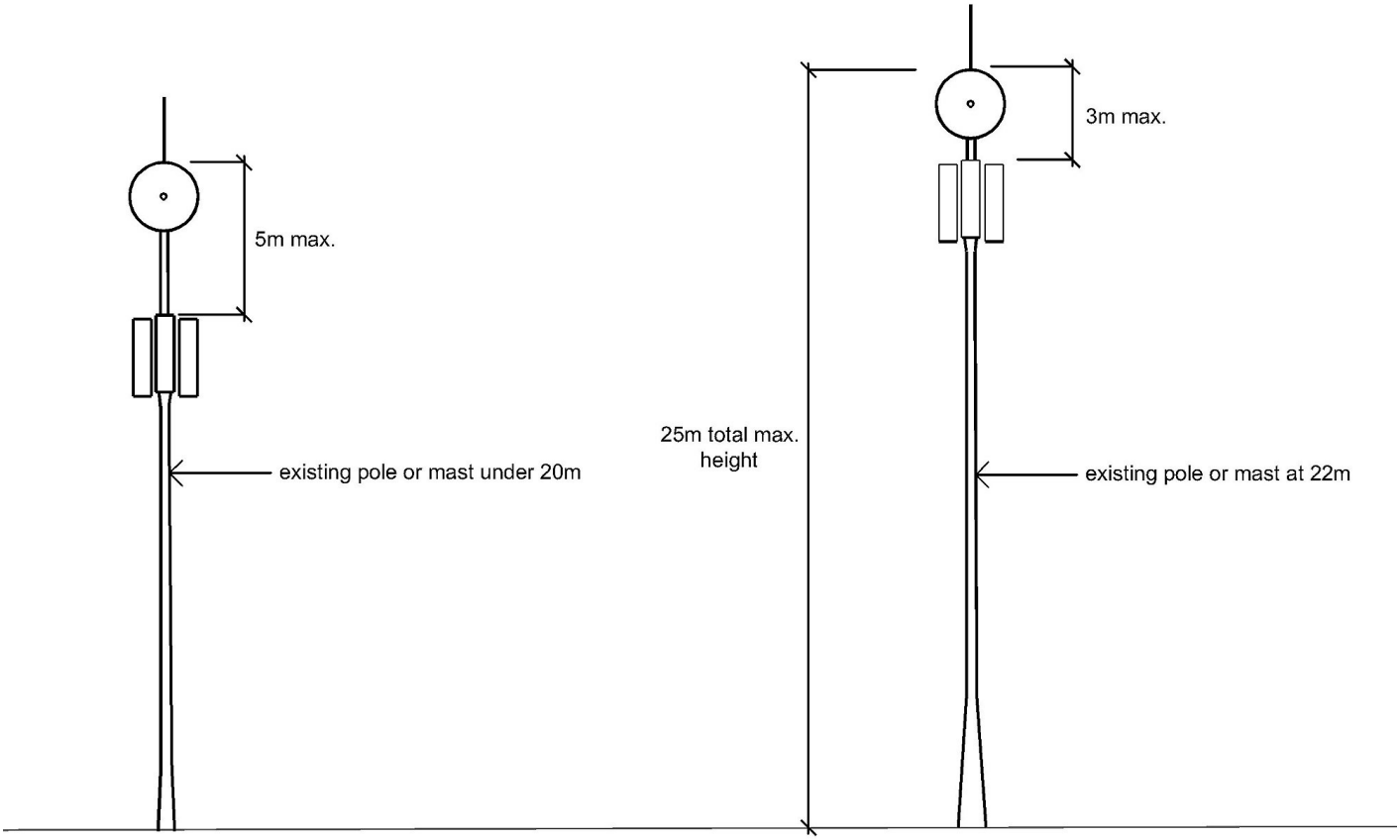


Figure 5.5D: Maximum height of utilities in all zones except the rural, rural residential and industrial zones

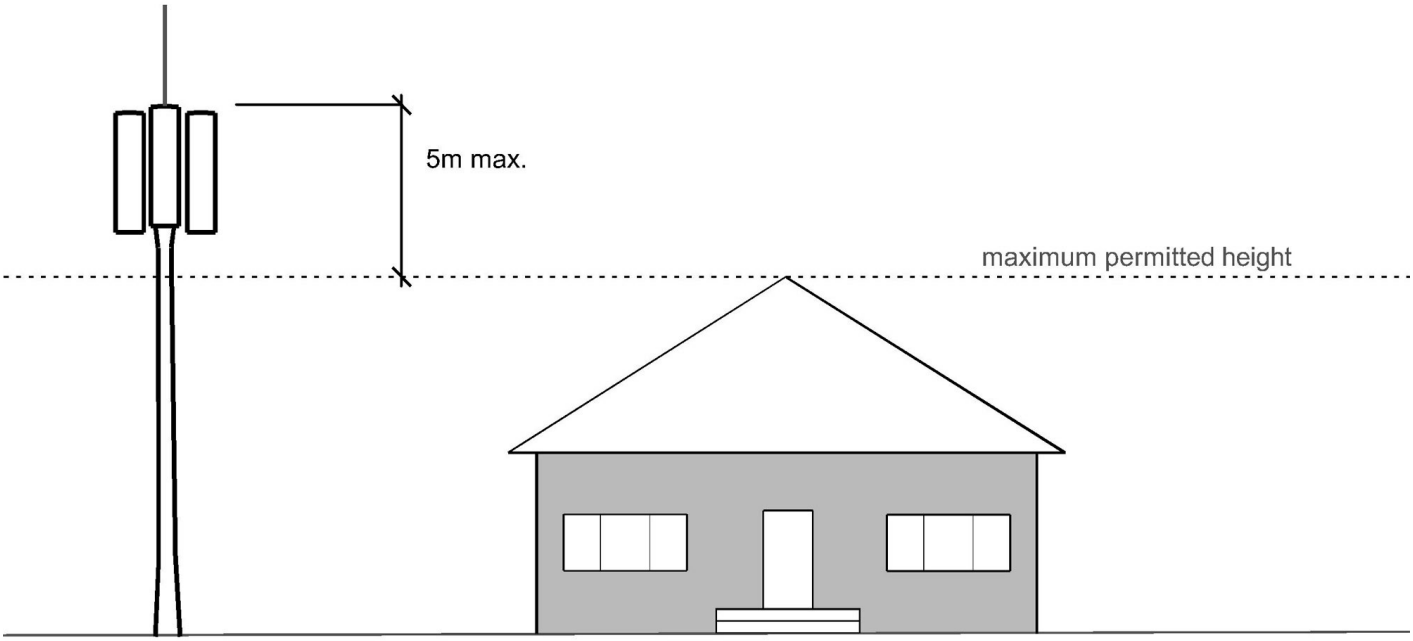
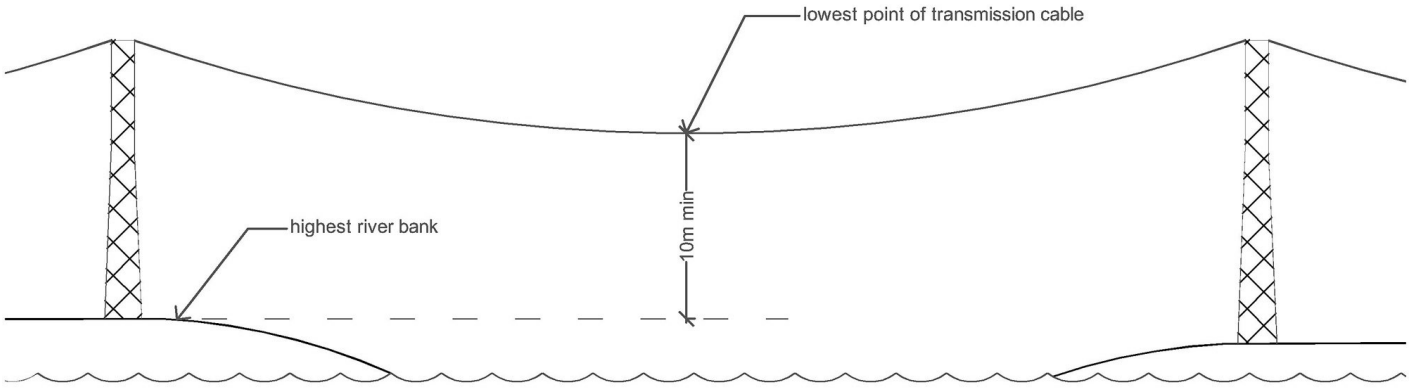


Figure 5.5E: Height above navigable water body



5.5.9 Noise

All network utilities activities must comply with Rule 9.3.6.

5.5.10 On-site Energy Generation Design Standards

5.5.10.1 Number and design of wind turbines

a. Wind turbines must not use lattice towers.

b. The maximum number of wind turbines per site is two in the rural zones, and one in all other zones.

c. The maximum height of wind turbines is:
   i. in the rural and rural residential zones, 20m;
   ii. in all other zones, 2m above the maximum height of the zone in which the wind turbine is located.

d. Wind turbines must be set back from road and site boundaries a distance equal to the height of the structure.

5.5.10.2 Solar panel design standards

a. The maximum area of solar panels is 200m².

b. In zones where site coverage standards exist, solar panels which are ground mounted must also comply with these standards.

5.5.10.3 Hydro generator design standards

a. The maximum surface area of stored water is 100m².

b. The maximum height of a weir or dam is 1m.

c. The maximum installed capacity of a hydro generator is 500kW.

5.5.10.4 Biomass energy generators - design standards

Biomass energy generators - on-site energy generation must comply with the development standards of the zone in which they are located.

5.5.11 Reflectivity

Wind generators - on-site energy generation in any landscape or natural coastal character overlay zone must comply with Rule 10.3.6.

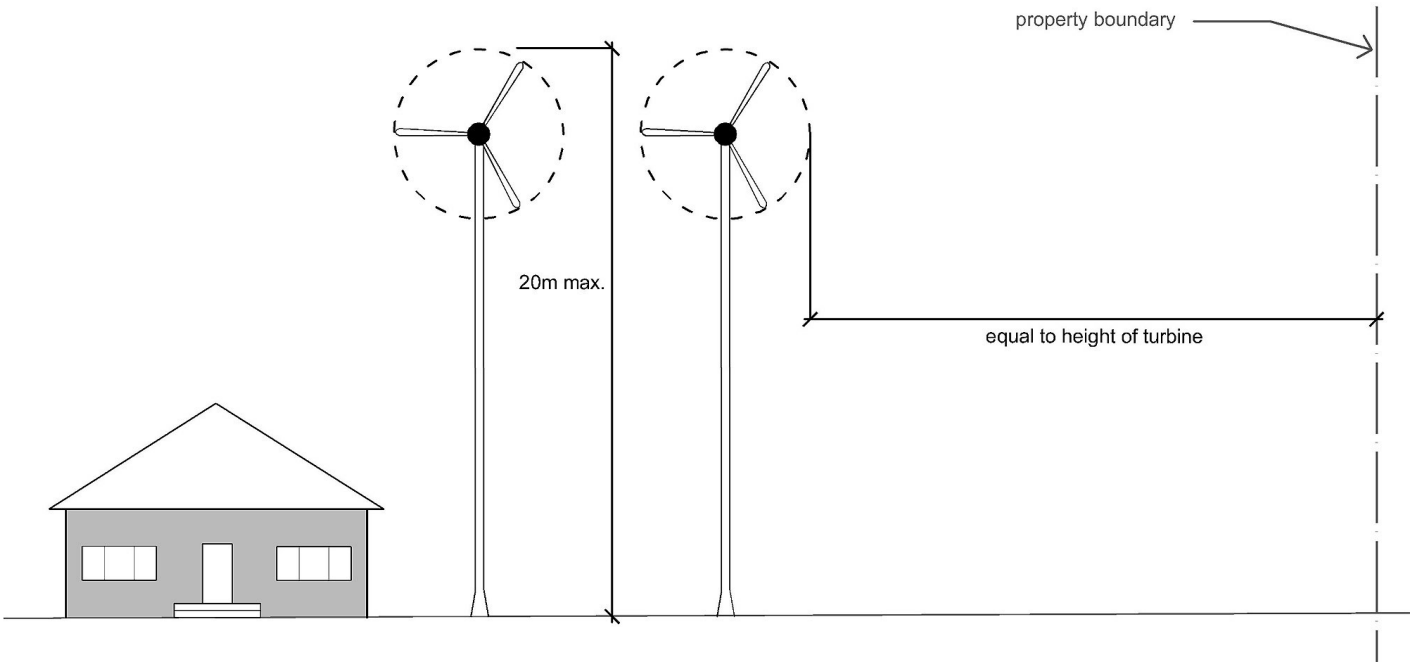
5.5.12 Setbacks

5.5.12.1 Boundary Setbacks

Wind generators - community scale must set back all structures from road and site boundaries a distance equal to the height of the structure.

Note: Boundary setbacks for wind generators - on-site energy generation are managed through Rule 5.5.10.1.

Fig 5.5F: Wind generators setback from boundary



5.5.12.2 Setback from coast and water bodies

Network utilities activities must comply with Rule 10.3.3.

5.5.12.3 Setback from ridgeline

Network utilities structures (all scales) and network utilities poles and masts - small scale must comply with Rule 16.6.11.4.

5.5.12.4 Setback from scheduled tree

Network utilities activities must comply with Rule 7.5.2.

5.5.13 Technical Standards

1. The maximum voltage of overground electricity lines and any associated network utilities is 110kV, or the voltage of existing lines on existing support structures, whichever is greater.
2. The maximum gauge pressure of network utilities for energy transformation, transmission or distribution, including pipes and new underground gas pressure regulating stations is 2000 kilopascals.
3. Activities that contravene the performance standard for maximum gauge pressure are non-complying activities.

Rule 5.6 Setbacks from National Grid and Network Utilities

5.6.1 Setback from National Grid

5.6.1.1 Setback from national grid (sensitive activities, buildings and structures)

a. Sensitive activities, new buildings to be used for sensitive activities, additions and alterations to buildings used for sensitive activities, must be set back at least 12m from national grid transmission lines and national grid substations (see **Figure 5.6A**), except:
   i. additions or alterations that do not increase either the building height or footprint.

b. Other buildings and structures, above-ground network utilities activities, public play equipment, and freestanding flagpoles must be set back at least 10m from any point of a national grid transmission line, except:
   i. network utilities activities within the road reserve or associated with the operation of the national grid.

c. Buildings, structures and above-ground network utilities activities must be set back 12m from a national grid support structure, except fences with a maximum height of 2.5m must be set back 5m from a national grid support structure.

d. All buildings and structures must maintain a minimum vertical clearance of 10m below the lowest point of the national grid transmission line.

e. Activities that contravene the setback from national grid (sensitive activities, buildings and structures) are non-complying activities.

5.6.1.2 Setback from national grid (earthworks)

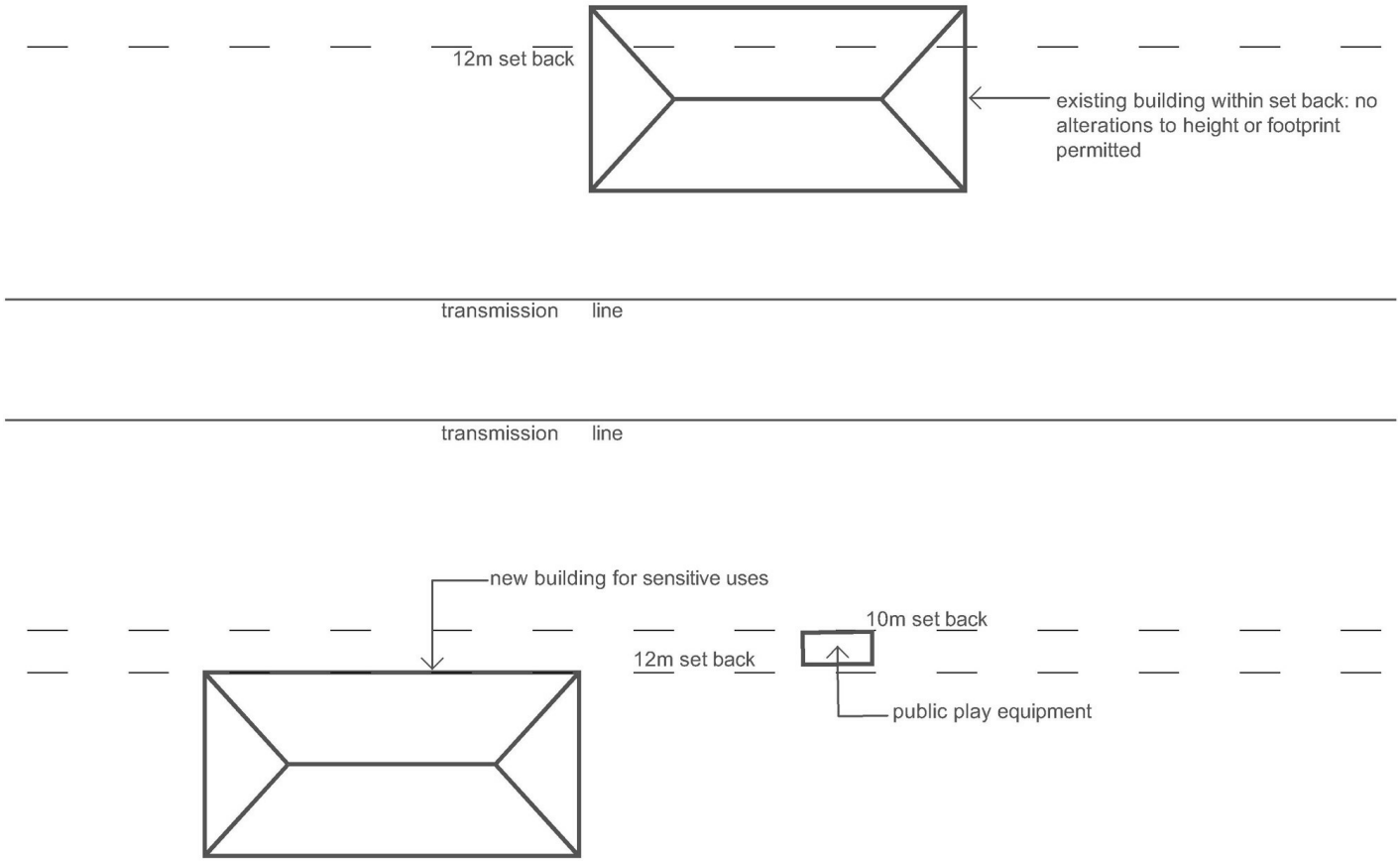
a. Earthworks within 12m of a national grid support structure or transmission line must:
   i. be no greater than 300mm in depth;
   ii. not compromise the stability of any national grid support structure; and
   iii. not breach the ground to conductor clearance distances required by Table 4 of the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) as follows:
   Table 5.6A: Ground to conductor clearance distances

Circuit voltage		Vertical distance to ground			Radial distance
		a. Across or along roads or driveways	b. Any other land traversable by vehicles (including mobile plant) but excluding across or along roads or driveways	c. Any land not traversable by vehicles (including mobile plant) due to its inaccessibility (e.g. topography)	d. In any direction other than vertical on all land
1.	Not exceeding 1 kV and insulated	5.5m	4.0m	2.7m	2.0m
2.	Not exceeding 1 kV	5.5m	5.0m	4.5m	2.0m

Circuit voltage		Vertical distance to ground			Radial distance
		a. Across or along roads or driveways	b. Any other land traversable by vehicles (including mobile plant) but excluding across or along roads or driveways	c. Any land not traversable by vehicles (including mobile plant) due to its inaccessibility (e.g. topography)	d. In any direction other than vertical on all land
3.	Exceeding 1 kV but not exceeding 33 kV	6.5m	5.5m	4.5m	2.0m
4.	Exceeding 33 kV but not exceeding 110 kV	6.5m	6.5m	5.5m	3.0m
5.	Exceeding 110 kV but not exceeding 220 kV	7.5m	7.5m	6.0m	4.5m
6.	Exceeding 220 kV a.c. or d.c.	8.0m	8.0m	6.5m	5.0m

b. Except the following are exempt from 5.6.1.2.a.i:
   i. earthworks for the repair, sealing or resealing of a road, footpath, driveway or farm track;
   ii. earthworks which result in vertical holes less than 500mm in diameter and more than 1.5m from the outer edge of a national grid support structure or stay wire;
   iii. earthworks ancillary to network utilities activities; and
   iv. earthworks ancillary to the operation, repair, and maintenance of the roading network.

Figure 5.6A: National grid setbacks



5.6.2 Setback from Network Utilities

Earthworks must be set back at least 2.5m from any water mains and at least 1.5m from all other network utilities structures, except:

a. earthworks within 12m of a national grid transmission line or support structure, which are managed through rule 5.6.1;

b. earthworks ancillary to network utilities activities; and

c. earthworks ancillary to the operation, repair, and maintenance of the roading network.

Rule 5.7 Assessment of Restricted Discretionary Activities (Performance Standard Contraventions)

Rule 5.7.1 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 5.7.2 - 5.7.3:
   a. list the matters Council will restrict its discretion to; and
   b. provide guidance on how consent applications will be assessed, including:
      i. relevant objectives and policies, with respect to s104(1)(b)(vi);
      ii. potential circumstances that may support a consent application;
      iii. general assessment guidance; and
      iv. conditions that may be imposed.
3. Rules 5.7.2 and 5.7.3 apply to network utilities activities performance standards; Rule 5.7.4 applies to performance standards for setback from national grid and network utilities.

5.7.2 Assessment of all performance standard contraventions		
Performance standard		Guidance on the assessment of resource consents
1.	All performance standards contraventions	*Potential circumstances that may support a consent application include:* a. The degree of non-compliance with the performance standard is minor. b. The need to meet other performance standards, or site specific factors including topography, make meeting the standard impracticable. c. Topography or other site specific factors make the standard irrelevant as the adverse effects that the standard is trying to manage will not occur. d. Non-compliance with a performance standard would improve the design of the network utilities structure in a way that would result in positive effects and better achieve the identified objectives and policies of the Plan. *General assessment guidance:* e. Whether breaching the performance standard is essential to establish or maintain an essential network utility service. f. The potential benefits of the proposed utility, particularly contributions to national energy objectives or renewable energy generation targets.

5.7.3 Assessment of performance standard contraventions (network utilities activities)			
Performance standard		Matters of discretion	Guidance on the assessment of resource consents
1.	Amateur radio standards	a. Effects on character and amenity of zone	*Relevant objectives and policies:* i. Objective 5.2.1 ii. Network utility structures are of a scale, size, design and location that enables the provision of amateur radio configurations while minimising, as far as practicable, adverse effects on the amenity and character of the zone (Policy 5.2.1.5.a). *Potential circumstances which may support a consent application include:* iii. Breach of the performance standard is essential to establish or maintain effective functioning of amateur radio configurations.
2.	Boundary setbacks (wind generators)	a. Effects on character and amenity of zone	*Relevant objectives and policies:* i. Objective 5.2.1 ii. Network utility structures are of a location that enables the provision of network utilities while minimising, as far as practicable, adverse effects on the amenity and character of the zone (Policy 5.2.1.5.a).
		b. Effects on health and safety	*Relevant objectives and policies:* i. Objective 5.2.1 ii. Network utility structures are located, designed and operated in a way that ensures any risk to health and safety is no more than minor (Policy 5.2.1.7). *Potential circumstances which may support a consent application include:* iii. There is no risk that wind turbines may collapse and damage buildings and pose a risk to the health and safety of people.
3.	Buildings and structures located on or above footpath	a. Effects on safety and efficiency of the transport network	See Rule 6.9
		b. Effects on health and safety	See Rule 9.4
4.	Energy resource investigation standards	a. Effects on amenity	*Relevant objectives and policies:* i. Objective 5.2.1 ii. Energy resource investigation devices are designed, operated and located in a way that minimises, as far as practicable, any adverse effects on amenity (Policy 5.2.1.6). *Potential circumstances which may support a consent application include:* iii. The natural landforms of topography (e.g. cliffs, tall trees on-site or on adjacent sites or reserves) provide a backdrop to the device.

5.7.3 Assessment of performance standard contraventions (network utilities activities)			
Performance standard		Matters of discretion	Guidance on the assessment of resource consents
5.	Location	a. Effects on character and amenity of surrounding zones	*Relevant objectives and policies:* i. Objective 5.2.1 ii. Network utility structures are of a location that enables the provision of network utilities while: 1. minimising, as far as practicable, adverse effects on the amenity and character of the zone; and 2. maintaining a high level of pedestrian amenity in pedestrian street frontages (Policy 5.2.1.5). *Potential circumstances which may support a consent application include:* iii. Alternative siting has been considered which would provide the same service without detracting from the streetscape profile or pedestrian accessibility. iv. Ground conditions, topography, or other site constraints make placing pipes underground impracticable.
6.	Location **in a heritage precinct**	a. Effects on heritage streetscape character	
7.	Location **in a pedestrian street frontage**	a. Effects on pedestrian amenity	
8.	On-site energy generation design standards	a. Effects on character and amenity of zone	*Relevant objectives and policies:* i. Objective 5.2.1 ii. Network utilities structures are of a scale, size, design and location that enables the provision of network utilities while minimising, as far as practicable, adverse effects on the amenity and character of the zone (Policy 5.2.1.5). *Potential circumstances which may support a consent application include:* iii. Due to the location of on-site energy generation structures within the site, effects on rural character and visual amenity outside of the site will not be significant. iv. Natural landforms of topography (e.g. cliffs, tall trees on-site or on adjacent sites or reserves) provide a backdrop to the device so increase in contravention has no or only minor effects. v. Sunlight admission to the footpath and street is maintained. vi. The device is consistent with the height of the surrounding properties.
9.	In the **ONL** or **SNL overlay zones**: • Reflectivity	a. Effects on landscape	See Rule 10.4
10.	In the **NCC Overlay Zone**: • Reflectivity	a. Effects on natural character of the coast	See Rule 10.4

5.7.3 Assessment of performance standard contraventions (network utilities activities)			
Performance standard		Matters of discretion	Guidance on the assessment of resource consents
11.	Setback from coast and water bodies	a. Effects on biodiversity 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
12.	Setback from national grid (earthworks)	a. Effects on health and safety	*Relevant objectives and policies:* i. Objective 5.2.1 ii. Earthworks are set back an adequate distance from the national grid to ensure adverse effects on the health and safety of people is avoided (Policy 5.2.1.3) *Potential circumstances which may support a consent application include:* iii. Earthworks do not create a risk of electrical hazard which affects public or individual safety or property.
		b. Effects on efficient and effective operation of network utilities	*Relevant objectives and policies:* i. Objective 5.2.1 ii. Development is designed and located to avoid adverse effects on the safe and efficient operation of national grid infrastructure or, where avoidance is not possible, ensures any adverse effects are insignificant (Policy 5.2.1.2). *Potential circumstances which may support a consent application include:* iii. Earthworks do not compromise the structural integrity of the national grid, or the ability to gain access to national grid infrastructure for maintenance.

5.7.3 Assessment of performance standard contraventions (network utilities activities)			
Performance standard		Matters of discretion	Guidance on the assessment of resource consents
13.	Setback from network utilities (earthworks)	a. Effects on health and safety	*Relevant objectives and policies:* i. Objective 5.2.1 ii. Earthworks, excluding earthworks ancillary utilities, are set back from network utilities an adequate distance to avoid adverse effects on the health and safety of people (Policy 5.2.1.9.c).
		b. Effects on efficient and effective operation of network utilities	*Relevant objectives and policies:* i. Objective 5.2.1 ii. Earthworks are set back from network utilities an adequate distance to avoid adverse effects on: 1. damage to existing network utilities (Policy 5.2.1.9.a); and 2. obstruction of access to existing underground network utilities (Policy 5.2.1.9.b). *Potential circumstances which may support a consent application include:* iii. The network utility owner or operator has provided written approval for the proposed earthworks. iv. Earthworks comply with the NZ Electrical Code of Practice for Electrical Safe Distances 34:2001.
14.	Setback from ridgeline	a. Effects on rural character and visual amenity	See Rule 16.9
15.	Setback from scheduled tree	a. Effects on long term health of tree	See Rule 7.6
16.	Technical Standards	a. Effects on health and safety	*Relevant objectives and policies (priority considerations):* i. Objective 5.2.1 ii. Network utilities structures are located, designed and operated to ensure any risk to health and safety is no more than minor (Policy 5.2.1.7) *Potential circumstances which may support a consent application include:* iii. Breach of the performance standard does not result in a safety risk.

5.7.4 Assessment of performance standard contraventions (setbacks from national grid and network utilities)			
Performance standard		Matters of discretion	Guidance on the assessment of resource consents
1.	Setback from national grid (earthworks)	a. Effects on health and safety	*Relevant objectives and policies:* i. Objective 5.2.1 ii. Earthworks are set back an adequate distance from the national grid to ensure adverse effects on the health and safety of people is avoided (Policy 5.2.1.3) *Potential circumstances which may support a consent application include:* iii. Earthworks do not create a risk of electrical hazard which affects public or individual safety or property.
		b. Effects on efficient and effective operation of network utilities	*Relevant objectives and policies:* i. Objective 5.2.1 ii. Development is designed and located to avoid adverse effects on the safe and efficient operation of national grid infrastructure or, where avoidance is not possible, ensures any adverse effects are insignificant (Policy 5.2.1.2). *Potential circumstances which may support a consent application include:* iii. Earthworks do not compromise the structural integrity of the national grid, or the ability to gain access to national grid infrastructure for maintenance.
2.	Setback from network utilities (earthworks)	a. Effects on health and safety	*Relevant objectives and policies:* i. Objective 5.2.1 ii. Earthworks, excluding earthworks ancillary utilities, are set back from network utilities an adequate distance to avoid adverse effects on the health and safety of people (Policy 5.2.1.9.c).
		b. Effects on efficient and effective operation of network utilities	*Relevant objectives and policies:* i. Objective 5.2.1 ii. Earthworks are set back from network utilities an adequate distance to avoid adverse effects on: 1. damage to existing network utilities (Policy 5.2.1.9.a); and 2. obstruction of access to existing underground network utilities (Policy 5.2.1.9.b). *Potential circumstances which may support a consent application include:* iii. The network utility owner or operator has provided written approval for the proposed earthworks. iv. Earthworks comply with the NZ Electrical Code of Practice for Electrical Safe Distances 34:2001.

Rule 5.8 Assessment of Restricted Discretionary Activities

Rule 5.8.1 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 5.8.2 - 5.8.4:
    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. Rule 5.8.2 applies to network utilities activities generally; Rule 5.8.3 contains additional provisions that apply to network utilities activities in overlay zones, mapped areas, heritage precincts, and on scheduled items.
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 5.7; 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 5.9; 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 5.10; and
        iii. the assessment guidance in this section will also be considered.

5.8.2 Assessment of restricted discretionary network utilities activities			
Activity		Matters of discretion	Guidance on the assessment of resource consents
1.	Network utilities structures - large scale	a. Effects on character and amenity b. Effects on surrounding sites residential amenity c. Effects on streetscape amenity	*Relevant objectives and policies:* i. Objective 5.2.1 ii. Network utilities are designed and located to avoid any significant adverse effects, and minimise adverse effects, as far as practicable, including: 1. effects on visual amenity and the character of the zone in which the activity is located; and 2. effects on the amenity of any surrounding residential activities. (Policy 5.2.1.11). *Potential circumstances that may support a consent application include:* iii. Access to sunlight to the outdoor living space(s) and windows of bedrooms and living areas of nearby dwellings is maintained or any reduction is minor. iv. For utilities attaching to existing masts or buildings, there are other utilities which are of a similar scale. v. The height of the network utility is consistent with surrounding buildings. vi. Natural landforms of topography (e.g. cliffs, tall trees on adjacent reserves) provide a backdrop to the building so increase in height as a result of utility has no or only minor effects. vii. No alternative sites exist which could provide the same coverage with reduced effects on visual amenity. viii. Sunlight admission to the footpath and street is maintained, and there are no significant shadowing effects on residential buildings.

5.8.2 Assessment of restricted discretionary network utilities activities			
Activity		Matters of discretion	Guidance on the assessment of resource consents
2.	Outside the rural and industrial zones: • Energy resource investigation devices • Biomass generators - on-site energy generation Outside the rural, rural residential and industrial zones: • Network utilities poles and masts - small scale	a. Effects on the amenity of surrounding properties b. Effects on streetscape amenity	*Relevant objectives and policies:* i. Objective 5.2.1 ii. Network utilities are designed and located to avoid any significant adverse effects, and minimise adverse effects, as far as practicable, including: 1. effects on visual amenity and the character of the zone in which the activity is located; and 2. effects on the amenity of any surrounding residential activities (Policy 5.2.1.11). *Potential circumstances that may support a consent application include:* iii. The utility structure is designed, located or screen to be as unobtrusive as possible. iv. The visual cohesion of the street is not reduced by the utility structure. v. Sunlight admission to the footpath and street is maintained. vi. The scale, size or design is consistent or compatible with surrounding properties. vii. No alternative siting exists which could provide the same network coverage with reduced effects on amenity. viii. The activity is set back from boundaries an adequate distance to avoid shading or visual effects on adjacent residential properties or public places.
3.	In the rural and industrial zones: • Solar panels - community scale • Wind generators - community scale	a. Effects on the amenity of surrounding properties b. Effects on rural character and amenity	*Relevant objectives and policies:* i. Objective 5.2.1 ii. Network utilities are designed and located to avoid any significant adverse effects, and minimise adverse effects, as far as practicable, including: 1. effects on visual amenity and the character of the zone in which the activity is located; and 2. effects on the amenity of any surrounding residential activities (Policy 5.2.1.11). *Potential circumstances that may support a consent application include:* iii. The structure is not situated on visually prominent rural zoned land. iv. Landscaping is used to screen the structure from public viewpoints. v. The nature of the activity is such that reverse sensitive effects to industrial or port activities will not occur.

5.8.3 Assessment of restricted discretionary network utilities activities in an overlay zone, mapped area, heritage precinct, or scheduled item			
Activity		Matters of discretion	Guidance on the assessment of resource consents
1.	**In the ONF Overlay Zone**: • Amateur radio configurations • Network utilities structures - small scale • Network utilities poles and masts - small scale	a. Effects on landscape values	See Rule 10.5
2.	**In the HNCC or ONCC overlay zones**: • Amateur radio configurations • Network utilities structures - small scale • Network utilities poles and masts - small scale	a. Effects on natural character of the coast	See Rule 10.5
3.	**In a Scheduled ASCV**: • Network utilities poles and masts - small scale • Wind generators - on-site energy generation • Hydro generators - on-site energy generation • Solar panels - on-site energy generation • Energy resource investigation devices • Biomass generators - on-site energy generation	a. Effects on biodiversity	See Rule 10.5
4.	In a **wāhi tūpuna mapped area** where network utilities activities are identified as a threat in Appendix A4	a. Effects on cultural values of manawhenua	See Rule 14.4
5.	**In the SNL or ONL overlay zones**: • Network utilities poles and masts - small scale • Wind generators - on-site energy generation • Hydro generators - on-site energy generation • Solar panels - on-site energy generation • Energy resource investigation devices • Biomass generators - on-site energy generation	a. Effects on landscape values	See Rule 10.5
6.	**In the NCC Overlay Zone**: • Network utilities poles and masts - small scale • Wind generators - on-site energy generation • Hydro generators - on-site energy generation • Solar panels - on-site energy generation • Energy resource investigation devices • Biomass generators - on-site energy generation	a. Effects on natural character of the coast	See Rule 10.5

5.8.3 Assessment of restricted discretionary network utilities activities in an overlay zone, mapped area, heritage precinct, or scheduled item			
Activity		Matters of discretion	Guidance on the assessment of resource consents
7.	All RD activities due to affecting **scheduled heritage sites** • Network utilities poles and masts - small scale • Wind generators - on-site energy generation • Hydro generators - on-site energy generation • Solar panels - on-site energy generation • Energy resource investigation devices • Biomass generators - on-site energy generation	a. Effect on heritage values	See Rule 13.6
8.	All RD activities due to being in a **heritage precinct** • Network utilities poles and masts - small scale • Wind generators - on-site energy generation • Hydro generators - on-site energy generation • Solar panels - on-site energy generation • Energy resource investigation devices • Biomass generators - on-site energy generation	a. Effects on heritage streetscape character	See Rule 13.6

Rule 5.9 Assessment of Discretionary Activities

Rule 5.9.1 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 5.9.2 - 5.9.3 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); and
   b. potential circumstances that may support consent applications;
   c. general assessment guidance, including any effects that will be considered as a priority; and
   d. conditions that may be imposed.

5.9.2 Assessment of discretionary network utilities activities		
Activity		Guidance on the assessment of resource consents
1.	All discretionary activities	*Relevant objectives and policies (priority considerations):* a. Objective 5.2.1 *Potential circumstances that may support a consent application include:* b. The location of proposed network utilities is essential for the effective operation of a network service. *General assessment guidance:* c. The potential benefits of proposed network utilities, particularly contributions to national energy objectives and renewable energy generation targets will be considered. d. Whether network utilities are being conducted in accordance with relevant industry standards will be considered. e. In assessing the significance of effects, consideration will be given to: i. Manawhenua values and the relationship between manawhenua and the natural environment is maintained, including the cultural values and traditions associated with 1. wāhi tūpuna; and: 2. mahika kai (Objective 14.2.1). ii. If located outside a **wāhi tūpuna mapped area**, Kai tahu may advise the Council if it considers that the granting of the consent would affect the integrity of the broader environment within which the wāhi tūpuna is located, or the linkages between wāhi tūpuna. 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.

5.9.2 Assessment of discretionary network utilities activities		
Activity		Guidance on the assessment of resource consents
2.	In the rural or industrial zones: • Solar panels - regional scale • Wind generators - regional scale • Hydro generators - regional scale • Biomass generators - stand-alone	*Relevant objectives and policies (priority considerations):* a. Objective 5.2.1 b. Large scale network utilities are designed and located to avoid any significant adverse effects, and minimise adverse effects, as far as practicable, including: i. effects on visual amenity and the character of the zone in which the activity is located; and ii. effects on the amenity of any surrounding residential activities (Policy 5.2.1.11).
3.	In all zones except the rural or industrial zones: • Solar panels - community scale • Wind generators - community scale • Hydro-generators - community scale	*Relevant objectives and policies (priority considerations):* a. Objective 5.2.1 b. Large scale network utilities are designed and located to avoid any significant adverse effects, and minimise adverse effects, as far as practicable, including: i. effects on visual amenity and the character of the zone in which the activity is located; and ii. effects on the amenity of any surrounding residential activities (Policy 5.2.1.11). *Potential circumstances that may support a consent application include:* c. Landscaping or screening are used to screen the device from surrounding properties. d. The height of network utilities are compatible with the height of surrounding properties.
4.	**In the SNL or ONL overlay zones:** • Network utilities structures - large scale • Solar panels - community scale • Hydro generators - community scale	See Section 10.6 for guidance on the assessment of resource consents in relation to Objective 10.2.5 and effects on landscape values.
5.	**In a scheduled ASCV:** • Network utilities structures - large scale • Solar panels - community scale • Hydro generators - community scale	See Section 10.6 for guidance on the assessment of resource consents in relation to Objective 10.2.1 and effects related to biodiversity.

5.9.2 Assessment of discretionary network utilities activities		
Activity		Guidance on the assessment of resource consents
6.	**In the NCC Overlay Zone:** • Network utilities structures - large scale • Solar panels - community scale • Hydro generators - community scale	See Section 10.6 for guidance on the assessment of resource consents in relation to Objective 10.2.3 and effects related to the natural character of the coast.
7.	**On a scheduled heritage site:** • Network utilities structures - large scale • Solar panels - community scale • Hydro generators - community scale	See Rule 13.7 for guidance on the assessment of resource consents in relation to Objective 13.2.2 and effects on heritage values.
8.	**In a heritage precinct:** • Network utilities structures - large scale • Solar panels - community scale • Hydro generators - community scale	See Rule 13.7 for guidance on the assessment of resource consents in relation to Objective 13.2.3 and effects on heritage values.
9.	All discretionary activities identified as a threat in a **wāhi tūpuna mapped area** in Appendix A4	See Section 14.5 for guidance on the assessment of resource consents in relation to Objective 14.2.1 and effects on the cultural values of manawhenua.
10.	In a **hazard overlay zone**: • Network utilities structures - large scale • Solar panels - community scale • Hydro generators - community scale	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.

5.9.3 Assessment of discretionary performance standard contraventions		
Performance standard		Guidance on the assessment of resource consents
1.	Noise - where the limit is exceeded by up to 5dB LAeq (15min)	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.	Light spill - where the limit is exceeded by 25% or less	

Rule 5.10 Assessment of Non-complying Activities

Rule 5.10.1 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 5.10.2 - 5.10.4 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.

5.10.2 Assessment of all non-complying network utilities activities	
Activity	Guidance on the assessment of resource consents
1. All non-complying activities	*Relevant objectives and policies (priority considerations):* a. Objective 2.2.2, 2.7.1, 5.2.1 *General assessment guidance:* b. In assessing the significance of effects, consideration will be given to: i. 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; iii. any effects otherwise managed through performance standards and consistent with all relevant objectives and policies for the zone; iv. Manawhenua values and the relationship between manawhenua and the natural environment is maintained, including the cultural values and traditions associated with; 1. wāhi tūpuna; and 2. mahika kai (Objective 14.2.1). v. If located outside a **wāhi tūpuna mapped area**, Kai tahu may advise the Council if it considers that the granting of the consent would affect the integrity of the broader environment within which the wāhi tūpuna is located, or the linkages between wāhi tūpuna c. Council will consider: i. the potential benefits of proposed network utilities activities, particularly contributions to national energy objectives or renewable energy generation targets; ii. whether relevant industry standards are being complied with. d. 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.

5.10.3 Assessment of non-complying network utilities activities		
Activity		Guidance on the assessment of resource consents
1.	In all zones except the rural or industrial zones: • Biomass generators - stand-alone • Hydro generators - regional scale • Solar panels - regional scale • Wind generators - regional scale	*Relevant objectives and policies (priority considerations):* a. Objectives 5.2.1 b. There will be no material adverse effects on the amenity of surrounding area (Policy 5.2.1.10).
2.	**In the HNCC or ONCC overlay zones**: • Biomass generators - all scales • Energy resource investigation devices • Hydro generators - all scales • Solar panels - all scales • Network utilities structures - large scale • Wind generators - all scales	See Section 10.7 for guidance on the assessment of resource consents in relation to Objective 10.2.3 and effects related to the natural character of the coast.
4.	**In the ONF, SNL or ONL overlay zones**: • Biomass generators - stand-alone • Hydro generators - regional scale • Solar panels - regional scale • Wind generators - community scale • Wind generators - regional scale	See Section 10.7 for guidance on the assessment of resource consents in relation to Objective 10.2.5 and effects on landscape values.
	In a scheduled ASCV • Biomass generators - stand-alone • Hydro generators - regional scale • Solar panels - regional scale • Wind generators - community scale • Wind generators - regional scale	See Section 10.6 for guidance on the assessment of resource consents in relation to Objective 10.2.1 and effects related to biodiversity.
5.	All non-complying activities identified as a threat in a **wāhi tūpuna mapped area** in Appendix A4	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.
6.	**On a scheduled heritage site or in a heritage precinct:** • Biomass generators - stand-alone • Hydro generators - regional scale • Solar panels - regional scale • Wind generators - community scale • Wind generators - regional scale	See Rule 13.8 for guidance on the assessment of resource consents in relation to Objective 13.2.3 and effects on heritage values.

5.10.4 Assessment of non-complying performance standard contraventions		
Performance standard		Guidance on the assessment of resource consents
1.	• Maximum height - Clearance from navigable water body (Rule 5.5.8.6) • Technical standards - Maximum gauge pressure (Rule 5.5.10.2)	*Relevant objectives and policies (priority considerations):* a. Objective 5.2.1 b. Policy 5.2.1.7 *Potential circumstances which may support a consent application include:* c. Non-compliance with the performance standard does not result in a safety risk.
2.	Light spill - where the limit is exceeded by greater than 25%	See Section 9.7 for guidance on the assessment of resource consents in relation to Objective 9.2.2 and effects on health.
3.	Location - co-location on an ONF (Rule 5.5.6.5)	See Section 10.7 for guidance on the assessment of resource consents in relation to Objective 10.2.5 and effects on landscape values.
4.	Noise - where the limit is exceeded by 5bD LAeq (15 min) or more Noise from wind turbines used for on-site energy generation	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.
5.	• Setback from national grid (sensitive activities, buildings, and structures) (Rule 5.6.1.1) • Hazardous substances quantity limits and storage requirements (Rule 9.3.4.2)	*Relevant objectives and policies (priority considerations):* a. Objective 5.2.1 b. Sensitive activities and hazardous substances are set back an adequate distance from the national grid to ensure adverse effects on the health and safety of people are avoided or are insignificant (Policy 5.2.1.3). *Potential circumstances that may support a consent application include:* c. Written approval is obtained from the owner and/or operator of the national grid line. d. The ability to operate, maintain, upgrade and develop the national transmission network, including access to the national grid infrastructure, is not impeded. e. The proposal complies with New Zealand Electrical Code of Practices for Electrical Safe Distances (NZECP34:2001). f. The design and layout of the subdivision enables appropriate separation distances between national grid infrastructure and land use and development.

6. Transportation

6.1 Introduction

The transport network provides for the movement of people and goods, and is essential to the accessibility and functioning of the city. The establishment and use of an integrated transport network connects the city with other centres and countries and within the city provides for the safe and efficient movement of all travel methods. The network includes any state highway and local road, cycleway, footpath or shared path on and off roads and public transport routes and stops.

Responsible land use planning (such as enabling dense residential development in close proximity to local services and/ or the city centre) encourages development patterns that support a variety of travel methods, including walking cycling, and public transport.

The establishment, maintenance and use of transportation infrastructure such as roads, railways, and carparking areas can cause adverse effects on the surrounding environment; reducing amenity where the use of land for vehicle parking has become dominant and conflicting with the retention of heritage values and the promotion of good quality urban design. Such adverse effects need to be balanced with the practical transportation needs of the city.

In response to the issues, the Second Generation Plan (2GP) contains objectives, policies, and rules to manage issues relating to all travel modes, across all zones, with the intention of providing an integrated transport network that supports sustainable development and growth. A road classification system is used to group roads into categories, thereby enabling some of the rules in the 2GP to apply only to those roads in a particular category. The classification reflects not only the transportation function of a road but also its role in creating a ‘sense of place’ and its contribution to the surrounding environment; taking into account the surrounding land use and the role the road plays in contributing to the amenity values, identity, and quality of the public space of the adjoining area.

The proposed transportation provisions apply across the whole plan and are triggered by activities undertaken in management zones and major facilities, with parking and loading requirements sitting in the relevant zones as performance standards. There are also specific transportation activities relating to the maintenance and development of transportation infrastructure.

It is also noted that access to a range of travel methods such as public transport services, cycleways, and pedestrian walkways is a key factor in reducing private vehicle use and associated demand for car parking. These matters sit outside the provisions of the District Plan but are integral to reducing demand in terms of parking and encouraging use of alternative methods of transport.

6.2 Objectives and Policies

Objective 6.2.1	
Transport infrastructure is designed and located to ensure the safety and efficiency of the transport network for all travel methods while: a. minimising, as far as practicable, any adverse effects on the amenity and character of the zone; and b. meeting the relevant objectives and policies for any overlay zone, scheduled site, or mapped area in which it is located.	
Policy 6.2.1.1	Enable the operation, repair and maintenance of the roading network.
Policy 6.2.1.2	Require road signs to be designed and located to avoid or, if avoidance is not possible, adequately mitigate adverse effects on the safety and efficiency of the transport network for all travel methods.
Policy 6.2.1.3	Only allow new roads or additions or alterations to existing roads where: a. the road is designed to provide for the needs of all users, as appropriate for the surrounding environment and **road classification hierarchy mapped area** b. the location and design of the road: i. minimises adverse effects on surrounding residential or other sensitive activities, including severance effects, changes to drainage patterns, and vibration, noise, glare and fumes from vehicle movements; ii. maintains or enhances the safety and efficiency of the overall transport network; and iii. minimises adverse effects on water bodies or the coast, areas of indigenous vegetation or other areas important for biodiversity, or identified landscape or natural character of the coast values.
Policy 6.2.1.4	Only allow passenger transportation hubs where they are located and designed to: a. allow for convenient connections with other travel methods; b. ensure the safety of users; c. maintain or enhance the safety and efficiency of the overall transport network; and d. maintain or enhance the amenity of the surrounding environment.
Policy 6.2.1.5	Only allow heliports where they are located and designed to: a. ensure the safety of users; b. maintain the amenity of the surrounding environment; and c. maintain or enhance the safety and efficiency of the overall transport network.

Objective 6.2.2	
Land use activities are accessible by a range of travel methods.	
Policy 6.2.2.1	Require land use activities whose parking demand either cannot be met by the public parking supply, or would significantly affect the availability of that supply for surrounding activities to provide car parking either on or near the site at an amount that is adequate to: a. avoid excessive pressure on publicly available parking in the vicinity of the site (including on-street parking and off-street facilities); b. avoid or, if avoidance is not possible, adequately mitigate adverse effects on the availability of public parking in the vicinity of the site (including on-street parking and off-street facilities); and c. ensure accessibility for (as relevant) residents, visitors, customers, staff and students who have limited mobility, including disabled people, the elderly and people travelling with young children.
Policy 6.2.2.2	Enable the sharing of parking areas by different land use activities, where adequate accessibility for all users is maintained.
Policy 6.2.2.3	Only allow visitor accommodation and supported living facilities to locate on sites where customers and residents will have convenient walking access to centres, or frequent public transport services; access to other appropriate transport services; and/or an appropriate range of on-site services or facilities.

Objective 6.2.3	
Land use, development and subdivision activities maintain the safety and efficiency of the transport network for all travel methods.	
Policy 6.2.3.1	Require ancillary signs to be located and designed to avoid or, if avoidance is not possible, adequately mitigate adverse effects on the safety and efficiency of the transport network.
Policy 6.2.3.2	Require tree planting and forestry to be set back a sufficient distance from roads to avoid road safety hazards caused by shading leading to ice formation.
Policy 6.2.3.3	Require land use activities to provide adequate vehicle loading and manoeuvring space to support their operations and to avoid or, if avoidance is not possible, adequately mitigate adverse effects on the safety and efficiency of the transport network.
Policy 6.2.3.4	Require land use activities to provide the amount of car parking space necessary to ensure that any overspill parking effects that could adversely affect the safety and efficiency of the transport network are avoided or, if avoidance is not possible, adequately mitigated.
Policy 6.2.3.5	Only allow domestic animal boarding and breeding, rural ancillary retail and rural tourism to be accessed directly from a state highway with a speed limit of 80kmh or over where any adverse effects on the safety and efficiency of the state highway can be avoided or, if avoidance is not possible, adequately mitigated.
Policy 6.2.3.6	Only allow early childhood education and dairies where adequate short-term parking, and dropping off and picking up facilities are available, either on-site or on-street, to: a. allow for people to safely enter or exit vehicles; and b. maintain the safety and efficiency of the frontage road.
Policy 6.2.3.7	Only allow emergency services where the operational needs of the activity can be met in a way that maintains the safety and efficiency of the transport network.

Objective 6.2.3	
Land use, development and subdivision activities maintain the safety and efficiency of the transport network for all travel methods.	
Policy 6.2.3.8	Only allow high trip generating activities where they are designed and located to avoid or, if avoidance is not possible, adequately mitigate adverse effects on the safety and efficiency of the transport network.
Policy 6.2.3.9	Only allow land use, development, or subdivision activities that may lead to land use or development, where there are no significant effects on the safety and efficiency of the transport network.
Policy 6.2.3.10	Require garages and carports to be set back an adequate distance from the road boundary to allow pedestrians and cyclists to see vehicles exiting before they cross the footpath, and to minimise the risk to pedestrians and cyclists from garage doors opening over the footpath.
Policy 6.2.3.11	Require buildings and structures located on or above the footpath to provide for the safe movement of vehicles, pedestrians and cyclists.
Policy 6.2.3.12	Only allow subdivision activities that involve new roads where roads are designed to: a. provide for the safe and efficient movement of vehicles, pedestrians and cyclists within the subdivision; b. provide adequate connections to surrounding areas, particularly for buses, pedestrians, and cyclists; and c. use materials that provide good urban design outcomes and provide good value with respect to on-going costs to ratepayers for maintenance if the roads are to be vested in Council.
Policy 6.2.3.13	Require subdivisions to be designed to ensure that any required vehicle access can be provided in a way that will maintain the safety and efficiency of the adjoining road and wider transport network.

Objective 6.2.4	
Parking areas, loading areas and vehicle accesses are designed and located to: a. provide for the safe and efficient operation of both the parking or loading area and the transport network; b. facilitate the safe and efficient functioning of the transport network and connectivity for all travel methods.	
Policy 6.2.4.1	Require parking and loading areas, including associated manoeuvring and queuing areas, to be designed to ensure: a. the safety of pedestrians travelling on footpaths and travelling through parking areas; b. that vehicle parking and loading can be carried out safely and efficiently; c. that any adverse effects on the safe and efficient functioning of the transport network is avoided, or if avoidance is not possible, would be no more than minor; d. the safe and convenient access to and from parking and loading areas for vehicles, pedestrians and cyclists; and e. that mud, stone, gravel or other materials are unlikely to be carried onto hard surface public roads or footpaths.

Objective 6.2.4	
Parking areas, loading areas and vehicle accesses are designed and located to: a. provide for the safe and efficient operation of both the parking or loading area and the transport network; b. facilitate the safe and efficient functioning of the transport network and connectivity for all travel methods.	
Policy 6.2.4.2	Require all driveways to be designed to ensure: a. the surfacing and gradient of the driveway allows it to be used safely and efficiently; b. that mud, stone, gravel or other materials are unlikely to be carried onto hard surface public roads or footpaths. c. the width of the driveway is sufficient to allow the type and number of vehicles likely to be using it to do so safely and efficiently; and d. sufficient distance is provided between shared driveways and dwellings.
Policy 6.2.4.3	Avoid new loading areas that require access over a Primary Pedestrian Street Frontage, unless any adverse effects on pedestrian safety and ease of movement would be insignificant.
Policy 6.2.4.4	Require vehicle accesses to be limited in number and width, in order to avoid or, if avoidance is not possible, adequately mitigate adverse effects on: a. pedestrian safety and ease of movement; and b. the safety and efficiency of the transport network.
Policy 6.2.4.5	Require new vehicle accesses to be located a sufficient distance from intersections to avoid or, if avoidance is not possible, adequately mitigate adverse effects on safety and efficiency due to: a. vehicles queuing to enter the crossing hindering the efficient functioning of the intersection; and b. confusion over whether indicating vehicles are seeking to turn at the crossing or the intersection creating safety problems.
Policy 6.2.4.6	Require sufficient visibility to be available at vehicle crossings to minimise the likelihood of unsafe vehicle manoeuvres.
Policy 6.2.4.7	Require vehicle accesses onto state highways in the rural zones, rural residential zones and all strategic roads as identified in the road classification hierarchy mapped area to be designed to: a. safely accommodate the type and number of vehicles likely to be using the access; and b. avoid or, if avoidance is not possible, adequately mitigate adverse effects on the safety and efficiency of the frontage road.

Rules

Rule 6.3 Activity Status

6.3.1 Activity status introduction

1. The activity status table in Rule 6.3.2 shows the activity status of transportation activities across all zones, provided any performance standards shown in the far right column are met. The activities in the transportation category are listed in the nested table in Section 1.6.
2. Performance standards apply to permitted, controlled, and restricted discretionary activities.
3. 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.
4. 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

Zone key	Zone/overlay zone name
—	No additional provisions apply or not relevant
P	Permitted activity
C	Controlled activity
RD	Restricted discretionary activity
D	Discretionary activity
NC	Non-complying activity

6.3.2 Activity status of transportation activities

Activity		Activity status	Performance standards
1.	Operation, repair and maintenance of the roading network	P	a. Design and location - road signs b. Vehicle access design and location
2.	New roads or additions or alterations to existing roads	D	
3.	New roads or additions or alterations to existing roads, where part of an approved subdivision consent	RD	a. Design and location - road signs b. Vehicle access design and location c. Setback from scheduled tree
4.	Passenger transportation hubs	D	
5.	Heliports	D	

Note 6.3A - Other requirements outside of the District Plan

1. The Heritage New Zealand Pouhere Taonga Act 2014 makes it unlawful for any person to modify or destroy, or cause to be modified or destroyed, the whole or any part of an archaeological site without the prior authority of Heritage New Zealand. If you wish to do any earthworks that may affect an archaeological site, you must first obtain an authority from Heritage New Zealand before you begin. 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. The Heritage New Zealand Pouhere Taonga Accidental Discovery Protocol (Appendix A8) manages archaeological sites which may be discovered as a result of earthworks. The protocol applies to any area, not just scheduled archaeological sites.

Note 6.3B - Other relevant District Plan provisions

1. Earthworks are managed through the management and major facilities zone sections.

Rule 6.4 Notification

1. Applications for resource consent for high trip generating activities will be publicly notified in accordance with s95A(2) of the RMA, including the following activities:
    1. service stations, including additions or alterations that create additional fuel pumps;
    2. restaurant - drive through, including additions or alterations that create additional drive through windows;
    3. early childhood education - large scale;
    4. schools; and
    5. quarrying (defined as part of mining).
2. The NZ Transport Agency will be considered an affected person in accordance with s95B of the RMA where their written approval is not provided with respect to the following applications for resource consent:
    1. high trip generating activities on state highways;
    2. any new vehicle accesses onto state highways; and
    3. a subdivision that proposes to have access onto a state highway.
3. With respect to resource consent applications for the following activities, manawhenua will be considered an affected person in accordance with s95B 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 to the **wāhi tūpuna mapped area** in Appendix A4.
4. In accordance with section 95B of the RMA, where an application is not publicly notified, Council will give limited notification to all affected persons.
5. All other activities are subject to the normal tests for notification in accordance with sections 95A-95G of the RMA.

Rule 6.5 Transportation Activities Performance Standards

6.5.1 Design and Location - Road Signs

1. Any road sign overhanging the footpath must, at its lowest point, be at least 2.6m above the footpath directly beneath the sign.
2. Road signs must not obstruct the carriageway.
3. The maximum area of road signs providing directional information is 0.25m². For road signs providing regulatory or warning information, there is no maximum area.
4. Road signs providing directional information must not be of a design or form that resembles signs providing regulatory or warning information.
5. Road signs providing directional information must not limit the visibility of road signs providing regulatory or warning information.
6. Road signs must not replicate the colours or shapes used for traffic control devices.

6.5.2 Setback from Scheduled Tree

New roads or additions or alterations to existing roads must comply with Rule 7.5.2.

Rule 6.6 Parking, Loading and Access Performance Standards

6.6.1 Car Parking Design

6.6.1.1 Minimum parking space dimensions

a. Parking spaces provided for residential activities must have the following minimum dimensions, to allow for 85th percentile design motor vehicles (**Figure 6.14H**):

1. Parking angle		2. Stall width	3. Aisle width	4. Stall depth
i.	90º	2.5m	5.8m	5m
ii.	60º	2.5m	4.9m	5m
iii.	45º	2.5m	3.9m	5m
iv.	30º	2.5m	3.1m	5m
v.	0º (parallel) - on one side	2.3m	3.3m (one-way aisle width) 6.3m (two-way aisle width)	6m
vi.	0º (parallel) - on both sides	2.3m	6.6m	6m

b. Parking spaces provided for all other activities must have the following minimum dimensions, to allow for 99th percentile design motor vehicles (**Figure 6.14F**):

1. Parking angle		2. Stall width	3. Aisle width	4. Stall depth
i.	90º	2.5m	6.2m	5m
ii.	60º	2.5m	5.1m	5m
iii.	45º	2.5m	4.2m	5m
iv.	30º	2.5m	3.45m	5m
v.	0º (parallel) - on one side	2.3m	3.3m (one-way aisle width) 6.3m (two-way aisle width)	6m

1. Parking angle		2. Stall width	3. Aisle width	4. Stall depth
vi.	0º (parallel) - on both sides	2.3m	6.6m	6m

c. Except:
   i. For angle parking at 30º, 45º and 60º on one side, with parallel parking on the other, the minimum aisle width is 6.3m.
   ii. Where parking spaces are bounded by permanent obstructions higher than 150mm (such as walls, fences or columns):
      1. The minimum stall widths must be increased by 300mm where there is a permanent obstruction on one side of the parking space and by 600mm where there is a permanent obstruction on both sides of the parking space, in the case of angled parking spaces.
      2. The minimum stall depth must be increased by 300mm if one end of the parking space is obstructed or by 600mm if both ends are obstructed and the parallel parking spaces must be located at least 300mm clear of permanent obstructions, in the case of parallel parking spaces.
   iii. For aisles bounded on one side by a permanent obstruction, the minimum aisle width must be increased by at least 300mm.
   iv. At blind aisles (i.e. parking aisles that are closed at one end), the aisle must be extended at least 1m beyond the last parking space and the last parking space must be widened by at least 300mm if it is bounded by a wall or fence.

d. Blind aisles must be designed so that it is possible for cars to turn around at the closed end of the aisle and drive out forwards.

e. Parking aisles used in off-street parking must be designed as follows.
   i. Parking aisles for 90º parking must be designed for two-way movement even though one-way movement may need to be imposed in some instances.
   ii. Parking aisles for 30º, 45º and 60º parking must be one-way, except where parallel parking is allowed on one side.
   iii. Mobility parking spaces must be provided at a parking angle of 90º and must provide a stall width of 3.6m.

f. Any activity that provides 50 or more parking spaces is considered to be high trip generating activities and are subject to Rule 6.10.

6.6.1.2 Minimum manoeuvring space dimensions for parking areas

a. Parking areas must provide manoeuvring space that ensures a motor vehicle is not required to reverse onto or off the site in any of the following circumstances:
   i. the site is directly accessed from a motorway, strategic, arterial, urban high density corridor, commercial centre street or collector, as per the **road classification hierarchy mapped area**;
   ii. the parking area provides for five or more non-residential activities;
   iii. the parking area provides for five or more parking spaces that share a common access; and/or
   iv. the activity is on a rear site.

b. The manoeuvring space required under Rule 6.6.1.2.a must be designed to accommodate the following vehicle sizes:
   i. for non-residential activities: 99th percentile design motor vehicle (**Figure 6.14F**)
   ii. for residential activities: 85th percentile design motor vehicle (**Figure 6.14H**).

c. The manoeuvring space required under Rule 6.6.1.2.a must be of an adequate size to avoid the need for:
   i. a turntable;
   ii. the vehicle specified in Rule 6.6.1.2.b.i to undertake more than one reverse manoeuvre when manoeuvring into or out of any required parking space; and
   iii. the vehicle specified in Rule 6.6.1.2.b.ii to undertake more than two reverse manoeuvres when manoeuvring into or out of any required parking space.

d. The manoeuvring space required under Rule 6.6.1.2.a may include any right of way that the site on which the manoeuvring is taking place is legally entitled to use.

6.6.1.3 Minimum queuing space for parking areas

a. The minimum on-site queuing space for vehicles entering or exiting parking areas is:

Number of parking spaces		Minimum queuing space length
i.	5-20	6m
ii.	21-50	12m
iii.	51-100	18m
iv.	101 +	24m

   v. Where the parking area has more than one access, the required queuing space may be divided proportionally between the accesses, in accordance with the proportion of traffic volume (number of vehicle movements per access per day) to reserved by each access.
   vi. Queuing space length is measured from the road boundary to the nearest vehicle control point or point where conflict with vehicles already on the site may arise.

6.6.1.4 Gradient of parking areas

The gradient of parking areas provided for any activity other than standard residential must not exceed 1 in 20 in any one direction.

6.6.1.5 Surfacing and marking of parking areas

Parking areas (including associated access and manoeuvring areas) provided for any activity other than standard residential, must:

a. be designed to ensure that water will not pool on the surface of the parking area, and will enter an appropriate stormwater drain effectively;
b. be hard surfaced;
c. have individual parking spaces permanently marked; and
d. where there are five or more parking spaces in total provided in the parking area, mobility parking spaces must be permanently marked to reserve them for the use of people with mobility parking permits.

6.6.1.6 Lighting of parking areas

Parking areas must be illuminated to a minimum maintained level of 2 lux, with high uniformity, during the hours of operation, if all of the following circumstances apply:

a. the parking area is provided for any activity other than standard residential;
b. the parking area is designed to accommodate 4 or more vehicles; and
c. the parking area will be used at night.

6.6.1.7 Access to parking areas

a. Required parking spaces must be designed to allow vehicles using the spaces to enter and exit the site without the need to move a vehicle occupying any other parking or vehicle loading space on the site.

b. Parking areas must be accessed from a clearly defined vehicle crossing and the remainder of the parking area must be designed to be physically separated from, and inaccessible from, the road.

c. Except, Rule 6.6.1.7.a does not apply to cases in which no more than two parking spaces are required for single residential unit.

Note 6.6A - Copyright information

1. Rule 6.6.1.1.a and 6.6.1.1.b:
   a. Dimensions for all parking spaces have been calculated in accordance with Clause 2.4 of AS/NZS 2890.1:2004 with the permission of Standards New Zealand under Copyright Licence 000753.
2. Rule 6.6.1.1.c:
   a. These clarifications and additions to the minimum parking space dimensions set out in Rules 6.6.1.2.a and 6.6.1.2.b have been reproduced from AS/NZS 2890.1:2004 with the permission of Standards New Zealand under Copyright Licence 000753. Some modifications have been applied.

6.6.2 Vehicle Loading Design

6.6.2.1 Minimum manoeuvring space dimensions for loading areas

a. Sufficient manoeuvring space must be provided to ensure that no vehicle accessing a vehicle loading area is required to reverse either onto or off a motorway, strategic, arterial, urban high density corridor, commercial centre street or collector, as identified in the **road classification hierarchy mapped area.**

b. In the Industrial Port Zone and the Major Facility Zone: port, loading areas must be designed and located to avoid the need for vehicles to reverse either onto or off any road. Refer turning circles 8m Rigid Truck (**Figure 6.14J**); B-train (**Figure 6.14K**); Coach (**Figure 6.14L**).

c. Vehicles must not be required to undertake more than one reverse manoeuvre when manoeuvring out of any required loading space. Refer turning circles 8m Rigid Truck (**Figure 6.14J**); B-train (**Figure 6.14K**); Coach (**Figure 6.14L**).

d. Parking spaces and loading spaces may be serviced in whole or in part by a common manoeuvring area.

6.6.2.2 Gradient of loading areas

The gradient of loading areas must not exceed 1 in 20 in any one direction.

6.6.2.3: Surfacing and marking of loading areas

Loading areas, including associated access and manoeuvring areas, must:

a. be hard surfaced;

b. be designed to ensure that if impermeable surfacting is used, water will not pool on the surface of the parking area, will enter an appropriate stormwater drain effectively; and

c. be permanently marked.

6.6.2.4 Lighting of loading areas

Loading areas, including associated access and manoeuvring areas, that are used at night must be illuminated to a minimum maintained level of 2 lux, with high uniformity, during the hours of operation.

6.6.2.5 Access to loading areas

a. Required vehicle loading spaces must be designed to allow vehicles using the spaces to enter and exit the site without the need to move a vehicle occupying any other parking or vehicle loading space on the site.

b. New vehicle loading areas must not be accessed from a **primary pedestrian street frontage.**

c. Loading areas that do not comply with Rule 6.6.2.5.b are non-complying activities.

6.6.3 Vehicle Access Design and Location

6.6.3.1 Maximum number of vehicle crossings

a. The maximum number of vehicle crossings permitted on each road frontage of any site is:

Frontage length		1. Local and Industrial	2. Collector	3. Arterial (less than 100km/hr) and Urban High Density Corridor	4. Strategic
i.	0m - 18m	1	1	1	1
ii.	18m - 60m	2	1	1	1
iii.	60m - 100m	3	2	1	1
iv.	100m - 200m	3	3	2	1
v.	200m or greater	3	3	2	

b. No new vehicle crossings are permitted onto a Commercial Centre Street.

Note 6.6B: Other relevant Plan provisions

1. New vehicle crossings are not allowed on a **primary pedestrian street frontage** (see Rule 18.6.15.b).

6.6.3.2 Minimum sight distance from a vehicle crossing

a. The minimum sight distance from a new vehicle crossing onto any state highway:

Speed (km/h)		Sight distance (m)
i.	50	113
ii.	60	140
iii.	70	170
iv.	80	203
v.	90	240
vi.	100	282

b. The minimum sight distance from a new vehicle crossing onto any road other than a state highway:

Speed (km/h)		Sight distance (m)
i.	50	55
ii.	60	73
iii.	70	92
iv.	80	114

Speed (km/h)		Sight distance (m)
v.	90	139
vi.	100	165

c. Sight distances are measured from the points shown on Figure 6.14M.

d. In the rural and rural residential zones, vehicle accesses must contain clear sight triangles, as shown in Figure 6.14M. The clear sight triangle must be on the road side of any gate and visibility must not be obstructed by fences, structures, vegetation or any barrier above a height of 800mm.

6.6.3.3 Minimum sight distance from a vehicle crossing

a. The minimum sight distance from a new vehicle crossing onto any road other than a state highway:

Speed (km/h)		Sight distance (m)
i.	50	55
ii.	60	73
iii.	70	92
iv.	80	114
v.	90	139
vi.	100	165

b. Sight distances are measured from the points shown on Figure 6.14M.

c. In the rural and rural residential zones, vehicle accesses must contain clear sight triangles, as shown in Figure 6.14M. The clear sight triangle must be on the road side of any gate and visibility must not be obstructed by fences, structures, vegetation or any barrier above a height of 800mm.

Note 6.6C - Copyright information

1. Rule 6.6.6.3:
   a. Minimum sight distances from new vehicle crossings are calculated in accordance with Austroads Approach Sight Distance (ASD) values

6.6.3.4 Minimum distances of new vehicle crossing from intersections

a. The minimum distance of a new vehicle crossing from intersections on roads where the speed limit is less than 70kmh is as follows:

Frontage road		Intersecting road type		
		1. Arterial, urban high density corridor and commercial centre street	**2. Collector**	**3. Local**
i	Arterial, urban high density corridor and commercial centre streets	30m	30m	30m
ii.	Collector	20m	20m	10m
iii.	Local	20m	15m	10m

b. The minimum distance of a new vehicle crossing from intersections on roads where the speed limit is 70 - 90 kmh is as follows:

Frontage road		Intersecting road type		
		1. Arterial, urban high density corridor and commercial centre street	**2. Collector**	**3. Local**
i.	Arterial, urban high density corridor and commercial centre streets	100m	100m	100m
ii.	Collector and local	45m	45m	

c. Except, one vehicle crossing only may be constructed to provide access to the site, in the position that most nearly complies with Rules 6.6.3.5.a and 6.6.3.5.b.

d. The minimum distance of a new vehicle crossing from intersections on roads where the speed limit is greater than 90 kmh is as follows:

Frontage road		Intersecting road type		
		1. Strategic and Arterial, urban high density corridor and commercial centre street	**2. Collector**	**3. Local**
i.	Strategic and Arterial (includes urban high density corridor and commercial centre streets)	200m	200m	200m
ii.	Collector and Local	60m	60m	60m

e. The minimum distance of a new vehicle crossing from intersections on state highways is as follows:

Posted speed of state highway	Minimum distance between access and nearest intersection (on state highway)	Minimum distance between local authority road access and intersection with a state highway

i.	Less than 70km	30m	20m
ii.	70 - 89 km	100m	45m
iii.	Greater than 90 km	200m	60m

f. Distances will be measured as shown in **Figure 6.14Q.**

6.6.3.5 Standard of vehicle accesses onto state highways

a. Vehicle accesses onto state highways in the rural and rural residential zones must comply with the following:

1. Volume of traffic using vehicle access (ecm per day)		**2. Volume of traffic using state highway (volume per day)**	**Vehicle access design and sealing**	
			3. less than 1 movement per day of a vehicle weighing over 3.5 tonnes	**4. more than 1 movement per day of a vehicle weighing over 3.5 tonnes**
i.	1 - 30	less than 10, 000	(**see Figure 6.14N**)	(**see Figure 6.14O**)
ii.		more than 10, 000	(**see Figure 6.14O**)	(**see Figure 6.14O**)
iii.	31 - 100	less than 10, 000	(**see Figure 6.14O**)	(**see Figure 6.14P**)
iv.		more than 10, 000	(**see Figure 6.14P**)	(**see Figure 6.14P**)

b. Equivalent car movement (ecm) is calculated as follows:
   i. one car moving to and from a property equals 2 ecm;
   ii. one truck moving to and from a property equals 6 ecm; and
   iii. one truck and trailer moving to and from a property equals 10 ecm.

6.6.3.6 Surfacing of vehicle driveways

a. Vehicle driveways that adjoin a legal road that is hard surfaced, must be constructed with a hard surface for a minimum distance of 5m from the edge of the road.

b. In all zones other than the rural and rural residential zones, the full length of any driveway that serves 2 or more residential properties must be hard surfaced.

6.6.3.7 Gradient of vehicle driveways

a. The maximum change in gradient without transition for vehicle driveways is 1 in 8 for summit grade changes or 1 in 6.7 for sag grade changes.

b. The gradient of the first 5.0 metres measured from the road boundary into the site must be no greater than 1 in 8.

6.6.3.8 Minimum distance between driveways and dwelling

Where a driveway serves more than one residential building, the driveway must be set back a minimum of 1m from any residential building see (**Figures 6.14D and 6.14E**)

6.6.3.9 Width of vehicle driveways

a. The minimum width of vehicle driveway is as follows:

All zones except rural and rural residential zones		1. Number of residential units served	2. Minimum legal width	3. Maximum width	4. Minimum formed width
i.	Residential activities	1-6	4.5m	6m	3m
ii.		7 +	6.5m	9m	i. 3.5m for a vehicle that adjoins a 'local road'. ii. 5m for a vehicle adjoins any other road
iii.	All other activities	All	6m	9m	5m
Rural and rural residential zones					
iv.	Residential activities	1-3<	4m	6m	3.5m
v.		4 +	6m	6m	5m
vi.	All other activities	All	6m	9m	5m

Note 6.6D - General advice

1. Approval for any work in a road, including the establishment of access to properties, must be obtained from the relevant road controlling authority. Under section 317 of the Local Government Act 1974, the Dunedin City Council is the road controlling authority for all in roads in the city, with the following exceptions:
   a. state highways are under the control of the NZ Transport Agency (NZTA), unless the NZTA has delegated control to the Dunedin City Council.
   b. government roads are under the control of the Minister of Transport.
2. In addition, under section 51 (2) of the Government Roading Powers Act 1989, the written permission of the NZTA must be obtained prior to the commencement of any work on any state highway. Early consultation with the NZTA should be undertaken for subdivision or development proposals adjacent to, or seeking access to, state highways.
3. Where the state highway has been declared a *limited access road,* approval from the NZ Transport Agency is required for new accesses or changes to existing accesses. The objective of this control is to protect the operation of state highway from uncontrolled property access that can affect the safety, efficiency, functionality and level of service of the state highway. Limited access roads are most commonly in areas with a heightened development pressure. The NZ Transport Agency should be consulted initially with respect to development along limited access roads.
4. Vehicle accesses must comply with the fire safety requirements of the New Zealand Building Code. See Acceptable Solution C/AS1 Part 8: Fire Fighting of New Zealand Building Code Compliance Document C Fire Safety, which sets out vehicle access dimensions and design to allow access for fire fighting. Under this acceptable solution, a minimum access width of 4m is required to within 18m of at least one side of each building, except that when a building is sprinklered and has a fire riser main installed, access need only be to within 18m of the inlets to these systems. There are additional requirements for buildings containing 'SC and SD purpose groups' as defined in the compliance document. Examples of such buildings include hospitals, care institutions and prisons.
5. Maximum grade changes without transition set out in Rule 6.6.3.7 are reproduced from AS/NZS 2890.1:2004 Parking facilities - Off-street car parking under Copyright Licence 000753.

Rule 6.7 General Performance Standards

Rule 6.7.1 Service Station Standards

1. Pumps must be located at least 7m from the road boundary and 12m from the midpoint of any vehicle crossing.
2. Service stations must provide 3 queuing spaces per pump and/or car wash.
3. Queuing spaces must not obstruct any footpath, cycleway or vehicle access.

Rule 6.7.2 Buildings and Structures Located on or Above the Footpath

1. Public amenities, network utilities poles and masts - small scale, and network utility structures (small and large scale), temporary signs and portable freestanding signs located on public footpaths must provide a minimum width of unobstructed area for pedestrian movement as follows:
    a. 3m in the Central Business District (CBD) Zone; and
    b. 1.5m in all other zones.
2. Public amenities, temporary signs and portable freestanding signs located on public footpaths must:
    a. be located in line with any other permanent or temporary obstruction present on the footpath at that location, otherwise at the kerb edge of the footpath; and
    b. not be located within 2.0m of an intersection or pedestrian crossing location; and
    c. not be located at the kerb directly adjacent to a bus top, taxi stand, mobility parking or an Authorised Vehicles Only parking space; and
    d. signs must not be painted, drawn, chalked or otherwise created on the surface of any footpath.
3. Signs that overhang a footpath must:
    a. be 2.5m above the footpath at their lowest point;
    b. hang perpendicular to the footpath;
    c. not extend past the edge of any verandah; and
    d. be a minimum of at least 500mm from the road's edge
4. Ancillary signs, temporary signs, and public amenities, must not:
    a. obstruct the visibility of any traffic control device; and
    b. compromise sight lines from road intersections and vehicle crossings.

Rule 6.7.3 Signs Visible from Roads

1. The minimum letter height of signs designed to be read by passing motorists must be:
    a. 120 mm where the speed limit is less than 70km per hour; and
    b. 160mm where the speed limit is greater than 70km per hour.
2. No sign shall be of a design or form such that it resembles or conflicts with traffic signs.
3. Illuminated and digital signs must:
    a. have the sign's light source shielded so that its glare does not extend beyond the sign;
    b. have all floodlights or concealed lighting directed solely on the sign;
    c. not use images that are flashing or animated;
    d. have a minimum display time of 10 seconds per image; and
    e. have a maximum luminance (cd/m²) of:

i. 2000 where the sign has an illuminated area of up to 0.5m²;
ii. 1600 where the sign has an illuminated area of above 0.5m² to 2m²;
iii. 1200 where the sign has an illuminated area of above 2m² to 5m²;
iv. 1000 where the sign has an illuminated area of above 5m² to 10m²; and
v. 800 where the sign has an illuminated area above 10m².

Rule 6.8 Subdivision Performance Standards

6.8.1 Access

a. Every resultant site must have legal and physical access (a vehicle access) to a formed road, except if:
   i. the resultant site is being created for reserve or as a result of a road closure; or
   ii. minimum car parking is not required by the relevant Plan provisions, in which case only legal access to a formed road is required.

b. Vehicle accesses required by Rule 6.8.1.1 must be located and constructed in accordance with Rule 6.6.3.

Note 6.8A - Other requirements outside of the District Plan

1. For subdivisions that will access a state highway, approval from the New Zealand Transport Agency will be required.

Rule 6.9 Assessment of Restricted Discretionary Activities (Performance Standard Contraventions)

Rule 6.9.1 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 6.9.2 - 6.9.6:
   a. list the matters Council will restrict its discretion to; and
   b. provide guidance on how consent applications will be assessed, including:
      i. relevant objectives and policies, with respect to s104(1)(b)(vi);
      ii. potential circumstances that may support a consent application;
      iii. general assessment guidance; and
      iv. conditions that may be imposed.
3. Rules 6.9.3 apply to performance standards located in the management and major facility zones; Rule 6.9.4 applies to performance standards for transportation activities; Rule 6.9.5 applies to performance standards for parking, loading and access standards; Rule 6.9.6 applies to general performance standards.

6.9.2 Assessment of all performance standard contraventions	
Performance standard	Guidance on the assessment of resource consents
1. All performance standard contraventions	*Potential circumstances that may support a consent application include:* a. The degree of non-compliance with the performance standard is minor. b. The need to meet other performance standards, site specific factors including topography, make meeting the standard impracticable. c. Non-compliance with a development performance standard would improve the design of the development in a way that would result in positive effects and better achieve the identified objectives and policies of the Plan. *General assessment guidance:* d. Where more than one standard is contravened, the combined effects of the contraventions should be considered.

6.9.3 Assessment of performance standard contraventions (performance standards located in zones)		
Performance standard	Matters of discretion	Guidance on the assessment of resource consents
1. Access (subdivision)	a. Effects on accessibility	*Relevant objectives and policies:* i. Objective 6.2.3 ii. Subdivisions are designed to ensure that any required vehicle access can be provided in a way that will maintain the safety and efficiency of adjoining roads and the wider transport network (Policy 6.2.3.13).

6.9.3 Assessment of performance standard contraventions (performance standards located in zones)			
Performance standard		Matters of discretion	Guidance on the assessment of resource consents
2.	Boundary setbacks (Rule 15.6.14.1.ix.3)	a. Effects on health and safety	*Relevant objectives and policies:* i. Objective 6.2.3 ii. Garages and carports are set back from the road boundary an adequate distance to allow pedestrians and cyclists to see vehicles exiting before they cross the footpath, and to minimise the risk to pedestrians and cyclists from garage doors opening over the footpath (Policy 6.2.3.10).
3.	Density (Papakāika) in residential zones	a. Effects on safety and efficiency of the transport network	*Relevant objectives and policies:* i. Objective 6.2.3 ii. Land use or development has no significant effects on the safety and efficiency of the transport network (Policy 6.2.3.14).
4.	Forestry and tree planting setbacks	a. Effects on safety and efficiency of the transport network	*Relevant objectives and policies:* i. Objective 6.2.3 ii. Tree planting and forestry are set back a sufficient distance from all roads with a posted speed environment of greater than 50km/hr to avoid road safety hazards caused by shading leading to ice formation (Policy 6.2.3.2).
5.	Location • domestic animal boarding and breeding • rural ancillary retail • rural tourism	a. Effects on safety and efficiency of the transport network	*Relevant objectives and policies:* i. Objective 6.2.3 ii. Any adverse effects on the safety and efficiency of the state highway can be avoided or, if avoidance is not possible, adequately mitigated (Policy 6.2.3.5) *Potential circumstances that may support a consent application include:* iii. There are relatively low traffic volumes and/or vehicle speeds on the stretch of the state highway that the site is accessed from.
6.	Minimum car parking	a. Effects on accessibility	*Relevant objectives and policies:* i. Objective 6.2.2 ii. Land use activities whose parking demand cannot be met by the public parking supply or would significantly affect the availability of that supply for surrounding activities: 1. provide car parking either on or near the site at an amount that is adequate to avoid excessive pressure on publicly available parking in the vicinity of the site (including on-street parking and off-street facilities); 2. avoid or, if avoidance is not possible, adequately mitigate adverse effects on the availability of public parking for existing or permitted activities; and 3. ensure accessibility for (as relevant) residents, visitors, customers, staff and students who have limited mobility, including disabled people, the elderly and people travelling with young children (Policy 6.2.2.1).

6.9.3 Assessment of performance standard contraventions (performance standards located in zones)		
Performance standard	Matters of discretion	Guidance on the assessment of resource consents
		Potential circumstances that may support a consent application iii. The establishment of required car parking would result in a net loss in the availability of on-street parking in the vicinity of the site. iv. The applicant proposes to use the same space on-site to fulfil both minimum car parking and minimum vehicle loading requirements, and can demonstrate that this space will be managed so that both the parking and loading demands of the land use activity will be met. v. The proposed activity is taking place on an existing site that does not have a vehicle access and one or more of the following circumstances apply: 1. it is not practicable to create a vehicle access that would comply with Rule 6.6.3.5 because the site is located on or near an intersection; 2. it is not practicable to create a vehicle access that would comply with Rule 6.6.3.8 because the site is located on or near a steep slope or cliff; 3. it is not practicable to create a vehicle access that would comply with Rule 6.6.3.11 because the site has no frontage to a legal road, and any existing access way is not wide enough to meet Rule 6.6.3.9. vi. The applicant is proposing to provide a sufficient number of parking spaces to meet the minimum car parking performance standard, but some or all of these parking spaces are to be provided on a site other than the site on which the land use activity is taking place, and all of the following conditions are met: 1. all required mobility parking spaces will be provided on the same site as the land use activity; 2. all required parking spaces are within 250m of the site on which the land use activity is taking place; 3. all required parking spaces are legally available to users of the land use activity via binding long term agreement; and 4. there are/will be adequate safe pedestrian crossing points for pedestrians moving between the parking area and the site, if there are roads to cross. vii. The applicant is able to demonstrate that, due to current usage rates of public parking in the vicinity of the site, the parking demand of the activity will not result in parking occupancy within 250m of the site exceeding 80% average daily occupancy (9am to 5pm) in residential zones, or 85% average daily occupancy in all other zones (excluding rural and rural residential), after the activity is established (see Special Information Requirements - Rule 6.13.1).

6.9.3 Assessment of performance standard contraventions (performance standards located in zones)		
Performance standard	Matters of discretion	Guidance on the assessment of resource consents
		viii. If parking spaces shared with other land use activities are not exclusively available to the activity during its hours of operation, the applicant is able to demonstrate that the shared parking spaces will meet the parking demand generated by users of the activity. ix. The establishment of required car parking would require significant earthworks that would cause land instability or result in costs that were disproportionate to the total value of the development. x. The establishment of required car parking would unavoidably result in significant adverse effects on: 1. the safety or efficiency of the transport network; 2. streetscape amenity; or 3. heritage values. xi. In balancing consideration of accessibility (Objective 6.2.2) with consideration of significant adverse effects on other values, Council will generally prefer to avoid significant adverse effects on land instability, heritage, streetscape amenity and the safety and efficiency of the transport network, in accordance with Objectives 6.2.3 (safety and efficiency of the transport network), 13.3.1 to 13.3.3 (scheduled heritage items), 7.2.1 (significant trees), and 15.2.3 (heritage streetscape character) and 15.2.4 (streetscape amenity).
	b. Effects on safety and efficiency of the transport network	*Relevant objectives and policies:* i. Objective 6.2.3 ii. The amount of car parking space necessary to ensure that any overspill parking effects that could adversely affect the safety and efficiency of the transport network are avoided or, if avoidance is not possible, adequate mitigation is provided (Policy 6.2.3.4). *Potential circumstances that may support a consent application include:* iii. The parking demand likely to be generated by the activity means the number of parking spaces provided will be sufficient to avoid overspill parking. iv. Although the activity may result in the need for the parking of vehicles on-street, this is unlikely to result in adverse effects on the safety and/or efficiency of the transport network.

6.9.3 Assessment of performance standard contraventions (performance standards located in zones)			
Performance standard		Matters of discretion	Guidance on the assessment of resource consents
7.	Minimum vehicle loading	a. Effects on safety and efficiency of the transport network	*Relevant objectives and policies:* i. Objective 6.2.3 ii. Adequate vehicle loading space is provided to support the activity's operations and to avoid or, if avoidance is not possible, mitigate adverse effects on the safety and efficiency of the transport network (Policy 6.2.3.3). *Potential circumstances that may support a consent application include:* iii. Adequate additional loading space is available on an adjacent or nearby site via binding long-term agreement. iv. Although the activity may result in the need for the loading of vehicles on-street, this is unlikely to result in adverse effects on the safety and/or efficiency of the transport network. v. The applicant proposes to use the same space on-site to fulfil both minimum car parking and minimum vehicle loading requirements, and can demonstrate that this space will be managed so that both the parking and loading demands of the land use activity will be met.
8.	Number, location and design of ancillary signs	a. Effects on safety and efficiency of the transport network	*Relevant objectives and policies:* i. Objective 6.2.3 ii. Ancillary signs are located and designed to avoid or, if avoidance is not possible, adequately mitigate adverse effects on the safety and efficiency of the transport network (Policy 6.2.3.1). *Potential circumstances that may support consent application include:* iii. The location of the sign will not obstruct or obscure sightlines, pedestrian and cycling or vehicle access.

6.9.4 Assessment of transportation activities performance standard contraventions			
Performance standard		Matters of discretion	Guidance on the assessment of resource consents
1.	Design and location - road signs	a. Effects on safety and efficiency of the transport network	*Relevant objectives and policies:* i. Objective 6.2.1 ii. Road signs are designed and located to avoid or, if avoidance is not possible, adequately mitigate adverse effects on the safety and efficiency of the transport network (Policy 6.2.1.2). *Potential circumstances that may support a consent application include:* iii. The relevant road controlling authority has provided approval for the proposed design and location of the sign. iv. Overhanging signs positioned less than 2.6m above the footpath are considered unlikely to adversely affect pedestrian safety or connectivity, due for example to low volumes of pedestrians on the footpath or the presence of existing structures that limit pedestrian movement in the vicinity of the proposed sign.
2.	Setback from scheduled tree	a. Effects on long term health of tree	See Rule 7.6

6.9.5 Assessment of parking, loading and access standards performance standards contraventions			
Performance standard		Matters of discretion	Guidance on the assessment of resource consents
1.	Car parking design (Minimum parking space dimensions)	a. Effects on safety and efficiency of the transport network	*Relevant objectives and policies:* i. Objective 6.2.4 ii. Vehicle parking can be carried out safely and efficiently (Policy 6.2.4.1b). *Potential circumstances that may support a consent application include:* iii. The proposed parking spaces are of a sufficient size to accommodate the vehicles likely to be using them.

6.9.5 Assessment of parking, loading and access standards performance standards contraventions			
Performance standard		Matters of discretion	Guidance on the assessment of resource consents
2.	Car parking design (Minimum manoeuvring space dimensions for parking areas)	a. Effects on safety and efficiency of the transport network	*Relevant objectives and policies:* i. Objective 6.2.4 ii. Vehicle parking can be carried out safely and efficiently (Policy 6.2.4.1b). iii. Any adverse effects on the safe and efficient functioning of the transport network are avoided or would be no more than minor (Policy 6.2.4.1b). *Potential circumstances that may support a consent application include:* iv. The proposed manoeuvring area will accommodate the vehicles likely to be using it. v. Volumes of traffic, cyclists and pedestrians using the frontage road are low and likely to remain low. vi. The parking area is unlikely to be used by heavy vehicles. vii. The peak hours of use of the loading area will not coincide with peak flows or vehicle queues on the frontage road. viii. Drivers of reversing vehicles can both see, and be seen by, pedestrians, cyclists and drivers of other vehicles. ix. Visibility of, and/or visibility from, reversing vehicles will be increased by altering vegetation, fencing and/or other structures.
3.	Car parking design (Minimum queuing space for parking areas)	a. Effects on safety and efficiency of the transport network	*Relevant objectives and policies:* i. Objective 6.2.4 ii. Vehicle parking can be carried out safely and efficiently (Policy 6.2.4.1b). iii. Any adverse effects on the safe and efficient functioning of the transport network are avoided, or if avoidance is not possible, would be no more than minor (Policy 6.2.4.1c). *Potential circumstances that may support a consent application include:* iv. The proposed queuing space is adequate for the numbers of vehicles considered likely to be using the parking area on a regular basis. v. Volumes of pedestrian, cycle and vehicle traffic using the frontage road are low. vi. The parking area is unlikely to be used by heavy vehicles. vii. The peak hours of use of the parking area will not coincide with peak flows or vehicle queues on the frontage road.

6.9.5 Assessment of parking, loading and access standards performance standards contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
4.	• Car parking design (access to parking areas) • Car parking design (gradient of parking areas) • Car parking design (lighting of parking areas) • Car parking design (minimum manoeuvring space dimensions for parking areas) • Car parking design (minimum queuing space for parking areas) • Car parking design (minimum parking space dimensions) • Car parking design (surfacing and marking of parking areas) • Vehicle loading design (access to loading area -Rule 6.6.2.5.a) • Vehicle loading design (gradient of loading areas) • Vehicle loading design (lighting of loading areas) • Vehicle loading design (minimum manoeuvring space dimensions for loading areas) • Vehicle loading design (surfacing and marking of parking areas)	a. Effects on safety and efficiency of the transport network and parking and loading areas	*Relevant objectives and policies:* i. Objective 6.2.4 ii. Parking and loading areas, including associated manoeuvring and queuing areas, are designed to ensure: 1. the safety of pedestrians travelling on footpaths and travelling through parking areas; 2. that vehicle parking and loading can be carried out safely and efficiently; 3. that any adverse effects on the safe and efficient functioning of the transport network is avoided, or if avoidance is not possible, would be no more than minor; 4. the safe and convenient access to and from parking and loading areas for vehicles, pedestrians and cyclists; and 5. that mud, stone, gravel or other materials are unlikely to be carried onto hard surface public roads or footpaths (Policy 6.2.4.1). *Potential circumstances that may support a consent application include:* i. For non-compliance with the gradient and surfacing standards: there is little likelihood of mud, stone, gravel or other material being carried onto public roads or footpaths due to the topography of the site or materials used. ii. For non-compliance with the lighting standards: 1. the parking or loading area will not be used frequently during the hours of darkness; or 2. other light sources in the area give adequate light to provide security and/or visibility for users of the parking or loading area and its surrounds iii. For non-compliance with access standards: 1. Volumes of pedestrian, cycle and vehicle traffic using the frontage road are low and likely to remain low. 2. The peak hours of use of the loading area will not coincide with peak flows or vehicle queues on the frontage road. 3. Drivers of reversing vehicles can both see, and be seen by, pedestrians, cyclists and drivers of other vehicles. 4. Visibility of, and/or visibility from, reversing vehicles will be increased by altering vegetation, fencing and/or other structures.

6.9.5 Assessment of parking, loading and access standards performance standards contraventions			
Performance standard		Matters of discretion	Guidance on the assessment of resource consents
5.	• Vehicle access design and location (gradient of vehicle driveways) • Vehicle access design and location (surfacing of driveways)	a. Effects on safety and efficiency of the transport network and parking, loading and access areas	*Relevant objectives and policies:* i. Objective 6.2.4 ii. Driveways are designed to ensure: 1. the surfacing and gradient of the driveway allows it to be used safely and efficiently; 2. that mud, stone, gravel or other materials are unlikely to be carried onto hard surface public roads or footpaths; 3. the width of the driveway is sufficient to allow the type and number of vehicles likely to be using it to do so safely and efficiently; and 4. sufficient distance is provided between shared driveways and dwellings (Policy 6.2.4.2).
6.	Vehicle access design and location (Maximum number of vehicle accesses)	a. Effects on safety and efficiency of the transport network	*Relevant objectives and policies:* i. Objective 6.2.4 ii. Vehicle accesses are limited in number and width, in order to avoid or, if avoidance is not possible, adequately mitigate adverse effects on pedestrian safety and ease of movement and the safety and efficiency of the transport network (Policy 6.2.4.4). *General assessment guidance:* iii. Estimates of future pedestrian traffic should take into account the location of the road in relation to the strategic pedestrian network, local centres and schools, and existing and permitted activities in the surrounding area that have the potential to increase pedestrian numbers with priority given to provisions for pedestrian safety and connectivity. *Potential circumstances that may support a consent application include:* iv. The current and likely future volume of pedestrian, cycle and vehicle traffic using the frontage road is low. v. Potential adverse effects from the additional vehicle crossing(s) are minimal due to the physical form of the road, for example the presence of a solid median to prevent right hand turns.

6.9.5 Assessment of parking, loading and access standards performance standards contraventions			
Performance standard		Matters of discretion	Guidance on the assessment of resource consents
7.	Vehicle access design and location (Minimum sight distance from vehicle crossing)	a. Effects on safety and efficiency of the transport network	*Relevant objectives and policies:* i. Objective 6.2 ii. Sufficient visibility is available at vehicle crossing to minimise the likelihood of unsafe vehicle manoeuvres (Policy 6.2.4.6). *Potential circumstances that may support a consent application include:* iii. The speed and/or volume of traffic using the frontage road is low. iv. The volume of traffic that will be using the vehicle crossing is low. v. The peak hours of use of the vehicle access will not coincide with peak flows on the frontage road. vi. The addition of acceleration, deceleration or solid medians will adequately mitigate potential adverse effects on the safe and efficient functioning of the transport network. vii. The New Zealand Transport Agency have given their approval for the proposed reduced sight distance in relation to state highways.
8.	Vehicle access design and location (Minimum distances of new vehicle crossings from intersections)	a. Effects on safety and efficiency of the transport network	*Relevant objectives and policies:* i. Objective 6.2.4 ii. Vehicle crossings are located a sufficient distance from intersections to avoid or, if avoidance is not possible, adequately mitigate adverse effects on the safety and efficiency of the intersection caused by vehicles queuing and/or creating confusion over whether indicating vehicles are seeking to turn at the crossing or the intersection (Policy 6.2.4.5). *Potential circumstances that may support a consent application include:* iii. The volume of traffic using the frontage road is low. iv. The volume of traffic that will be using the vehicle crossing is low. v. Potential adverse effects will be adequately mitigated by the physical form of the road. vi. Potential adverse effects will be adequately mitigated by traffic controls at the intersection.

6.9.5 Assessment of parking, loading and access standards performance standards contraventions			
Performance standard		Matters of discretion	Guidance on the assessment of resource consents
9.	Vehicle access design and location (Vehicle accesses onto state highways)	a. Effects on safety and efficiency of the transport network	*Relevant objectives and policies:* i. Objective 6.2.4 ii. Require vehicle accesses onto state highways in the rural zones and rural residential zones, and all strategic roads as identified in the Road Classification Hierarchy in Appendix 6A to be designed to safely accommodate the type and number of vehicles likely to be using the access and avoid or, if avoidance is not possible, adequately mitigate adverse effects on the safety and efficiency of the frontage road (Policy 6.2.4.7). *Potential circumstances that may support a consent application include:* iii. The NZ Transport Agency have given their approval for the proposed vehicle access design in relation to state highways.
10.	• Vehicle access design and location (gradient of vehicle driveways) • Vehicle access design and location (minimum distance between driveways and dwelling) • Vehicle access design and location (surfacing of vehicle driveways) • Vehicle access design and location (width of driveways)	a. Effects on safety and efficiency of the transport network	*Relevant objectives and policies:* i. Objective 6.2.4 ii. Driveways are designed to ensure: a. the surfacing and gradient of the driveway allows it to be used safely and efficiently; b. that mud, stone, gravel or other materials are unlikely to be carried onto hard surface public roads or footpaths. c. the width of the driveway is sufficient to allow the type and number of vehicles likely to be using it to do so safely and efficiently; and d. sufficient distance is provided between shared driveways and dwellings (Policy 6.2.4.2).

6.9.6 Assessment of general performance standards contraventions			
Performance standard		Matters of discretion	Guidance on the assessment of resource consents
1.	Buildings and structures located on or above the footpath	a. Effects on safety and efficiency of the transport network	*Relevant objectives and policies:* i. Objective 6.2.3 ii. Buildings and structures located on or above the footpath to are located and designed to provide for the safe movement of vehicles, pedestrians and cyclists (Policy 6.2.3.11).
		a. Effects on health and safety	See Rule 9.4.3.1

6.9.6 Assessment of general performance standards contraventions			
Performance standard		Matters of discretion	Guidance on the assessment of resource consents
2.	Service station design	a. Effects on safety and efficiency of the transport network	*Relevant objectives and policies:* i. Objective 6.2.3 ii. Service stations are designed to avoid or, if avoidance is not possible, adequately mitigate adverse effects on the safety and efficiency of the transport network (Policy 6.2.3.9).
3.	Signs visible from roads	a. Effects on safety and efficiency of the transport network	*Relevant objectives and policies:* i. Objective 6.2.3 ii. Require ancillary signs to be located and designed to avoid or, if avoidance is not possible, adequately mitigate adverse effects on the safety and efficiency of the transport network (Policy 6.2.3.1). iii. Require buildings and structures located on or above the footpath to provide for the safe movement of vehicles, pedestrians and cyclists (Policy 6.2.3.11).

Rule 6.10 Assessment of Restricted Discretionary Activities

Rule 6.10.1 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. Rule 6.10.2:
    a. lists the matters Council will restrict its discretion to; and
    b. provides 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. 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 6.9; 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 6.11; 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 6.12; and
        iii. the assessment guidance in this section will also be considered.

6.10.2 Assessment of restricted discretionary activities (activities located in zones)		
Activity	Matters of discretion	Guidance on the assessment of resource consents
1. • Ancillary Licensed Premises (Rec) • Campgrounds (Rec) • Cemeteries (Rural, Rec) • Community and leisure - large scale (Rec, Schools, Campus) • Conference, meeting and function (PPH, SSYP) • Crematoriums (Rural) • Domestic animal boarding and breeding (Rural) • Entertainment and Exhibition (PPH, SSYP) • Factory Farming (Rural) • Forestry (Rural residential) • Stand alone car parking (Rec) • Veterinary services - large animal practice (Rural, Rural Residential)	a. Effects on the safety and efficiency of the transport network	*Relevant objectives and policies:* i. Objective 6.2.3 ii. Only allow land use, development, or subdivision activities that may lead to land use or development, where there are no significant effects on the safety and efficiency of the transport network (Policy 6.2.3.9)

6.10.2 Assessment of restricted discretionary activities (activities located in zones)			
Activity		Matters of discretion	Guidance on the assessment of resource consents
2.	RD activities where no minimum parking performance standards is specified	a. Effects on accessibility	*Relevant objectives and policies:* i. Objective 6.2.2 ii. Where parking demand either cannot be met by the public parking supply, or would significantly affect the availability of that supply for surrounding activities the activity will provide car parking either on or near the site at an amount that is adequate to: 1. avoid excessive pressure on publicly available parking in the vicinity of the site (including on-street parking and off-street facilities); 2. avoid or, if avoidance is not possible, adequately mitigate adverse effects on the availability of public parking in the vicinity of the site (including on-street parking and off-street facilities); and 3. ensure accessibility for (as relevant) residents, visitors, customers, staff and students who have limited mobility, including disabled people, the elderly and people travelling with young children (Policy 6.2.2.1). iii. Enable the sharing of car parking areas by different land use activities, where adequate accessibility for all users is maintained. (Policy 6.2.2.2). iv. The parking demand likely to be generated by the activity means the proposed number of parking spaces will be sufficient. v. Although the activity may result in the need for the parking of vehicles on-street, this is unlikely to result in adverse effects on the safety and/or efficiency of the transport network.
		b. Effects on the safety and efficiency of the transport network	*Relevant objectives and policies:* i. Objective 6.2.3 ii. Land use activities to provide adequate vehicle loading and manoeuvring space to support their operations and to avoid or, if avoidance is not possible, adequately mitigate adverse effects on the safety and efficiency of the transport network (Policy 6.2.3.3) iii. The activity provides the amount of car parking space necessary to ensure that any overspill parking effects that could adversely affect the safety and efficiency of the transport network are avoided or, if avoidance is not possible, adequately mitigated (Policy 6.2.3.4)

6.10.2 Assessment of restricted discretionary activities (activities located in zones)			
Activity		Matters of discretion	Guidance on the assessment of resource consents
3.	RD activities where no minimum vehicle loading performance standard is specified		*Relevant objectives and policies:* i. Objective 6.2.3 ii. Land use activities to provide adequate vehicle loading and manoeuvring space to support their operations and to avoid or, if avoidance is not possible, adequately mitigate adverse effects on the safety and efficiency of the transport network (Policy 6.2.3.3)
4.	• Visitor accommodation, including ancillary (residential zones and NEC, NECC) • Supported living facilities (residential zones and neighbourhood centres) • Student Hostels (Campus)	a. Effects on accessibility	*Relevant objectives and policies:* i. Objective 6.2.2 ii. Visitor accommodation and supported living facilities are located on sites where customers and residents will have convenient walking access to centres, frequent public transport services, other appropriate transport services, and/or an appropriate range of on-site services or facilities (Policy 6.2.2.3). *General assessment guidance:* iii. Convenient walking access is to be determined taking into account the anticipated mobility levels of the intended customers or residents of the activity. *Possible circumstances that may support a consent application include:* iv. Examples of services and facilities required where supported living facilities are not within walking distance of a centre or frequent public transport services are medical series, personal services such as hairdressers, retail services such as dairies or café , and sport and leisure activities.
		b. Effects on the safety and efficiency of the transport network	*Relevant objectives and policies:* i. Objective 6.2.3 ii. Visitor accommodation and supported living facilities provide the amount of car parking space necessary to ensure that any overspill parking effects that could adversely affect the safety and efficiency of the transport network are avoided or, if avoidance is not possible, adequately mitigated (Policy 6.2.3.4). *Possible circumstances that may support a consent application include:* iii. The parking demand likely to be generated by the activity means the proposed number of parking spaces will be sufficient. iv. Although the activity may result in the need for the parking of vehicles on-street, this is unlikely to result in adverse effects on the safety and/or efficiency of the transport network.

6.10.2 Assessment of restricted discretionary activities (activities located in zones)			
Activity		Matters of discretion	Guidance on the assessment of resource consents
5.	• Early childhood education - small scale (Rec, Res) • Early childhood education - large scale (Dunedin Hospital, Moana Pool, Otago Museum, Schools, Campus, Wakari Hospital) • Dairies (Residential zone) • (all zones except commercial and mixed use zones)	a. Effects on the safety and efficiency of the transport network	*Relevant objectives and policies:* i. Objective 6.2.3 ii. Adequate short-term parking, and dropping off and picking up facilities are available, either on-site or on-street, to: 1. allow for people to safely enter or exit vehicles; and 2. maintain the safety and efficiency of the frontage road (Policy 6.2.3.6) *General assessment guidance*: iii. In assessing the safety of short-term parking and dropping off and picking up facilities, Council will consider the speed and volume of traffic and width of the road; and for early childhood education, particular regard will be given to whether children can enter and exit vehicles safely
6.	Emergency services (commercial mixed use zones, industrial zones, Taieri Aerodrome)	a. Effects on the safety and efficiency of the transport network.	*Relevant objectives and policies:* i. Objective 6.2.3 ii. The operational needs of the activity can be met in a way that maintain the safety and efficiency of the transport network (Policy 6.2.3.7).
7.	All RD high trip generating activities, including: • Early childhood education - large scale • Service stations • New parking areas, or extension to existing parking areas, that create 50 or	a. Effects on the safety and efficiency of the transport network	*Relevant objectives and policies:* i. Objective 6.2.3 ii. The activity will maintain the safety and efficiency of the adjoining road and wider transport network (Policy 6.2.3.8). *General assessment guidance:* iii. The assessment will consider the findings of an Integrated Transport Assessment (see Special Information Requirements - Rule 6.13.2).
		b. Effects on accessibility	*Relevant objectives and policies:* i. Objective 6.2.2, ii. Only allow high trip generating activities where the activity will maintain the safety and efficiency of the adjoining road and wider transport network (Policy 6.2.3.8).

6.10.2 Assessment of restricted discretionary activities (activities located in zones)		
Activity	Matters of discretion	Guidance on the assessment of resource consents
more new parking spaces (all zones)		*General assessment guidance:* iii. In assessing the effects on the safety and efficiency of the transport network, Council will consider: 1. the effects of the physical works on safety on the frontage road. 2. the effects of the physical works on congestion on the frontage road. 3. the effects of the physical works on pedestrian and cycle connectivity and safety. 4. the capital and maintenance costs of the physical work. 5. Council will generally only consider new public infrastructure (e.g. traffic signals, round abouts etc.) as acceptable when there are no other practicable design solutions. 6. The assessment of high trip generating activities will consider the findings of an Integrated Transport Assessment (see Special Information Requirements - Rule 6.13.2), including the likely parking demand of the land use activity and the availability of public parking in the vicinity of the site. 7. In assessing the appropriateness of the location, Council will consider the road classification of roads where vehicle access is proposed (see Appendix 6A) and, in general, according to that classification, local roads are not appropriate locations for high trip generating activities. *Possible circumstances that may support a consent application include:* iv. Traffic entering and exiting the site does not cause adverse safety or congestion effects on any frontage road. v. The vehicle movements generated by the activity do not result in overall traffic volume on any frontage road exceeding the capacity of that road. vi. There is safe and convenient access to and within the site for pedestrians. vii. The frontage road has adequate on-road queuing space. viii. The activity is located on a frontage road with capacity to absorb the additional vehicle movements associated with the activity. ix. Travel planning interventions are proposed to reduce the number of vehicle movements generated by the activity. x. Provision of facilities for people accessing the site by a variety of travel methods (for example dedicated carpool parking, changing rooms, secure bike storage). xi. There is frequent public transport services within 200m of the

6.10.2 Assessment of restricted discretionary activities (activities located in zones)			
Activity		Matters of discretion	Guidance on the assessment of resource consents
			site. xii. Physical works will be used where appropriate (including left in, left out vehicle access; turning bays; traffic signals and roundabouts) xiii. Customer or visitor car parking is designed to ensure that vehicles travel at safe speeds within it (for example by using speed bumps and advisory signage).
8.	All subdivision activities (all zones)	a. Effects on the safety and efficiency of the transport network.	*Relevant objectives and policies:* i. Objective 6.2.3 ii. There are no significant effects on the safety and efficiency of the transport network (Policy 6.2.3.14). *Conditions that may be imposed:* iii. Easements including on/off-site for pedestrian/vehicle access. *Design considerations that may support a consent application include:* iv. Shared driveways are low speed environments, and where appropriate provide for the storage of rubbish and recycling bins. v. In the commercial mixed use and industrial zones, connections are proposed to link parking areas and provide vehicle access behind buildings to minimise the need for new vehicle accesses. vi. The location and gradient of any new intersection or access, ensures the safety and efficiency of the transport network. vii. The design of any driveways is appropriate, with respect to the length and potential number of private units to be served.

6.10.2 Assessment of restricted discretionary activities (activities located in zones)			
Activity		Matters of discretion	Guidance on the assessment of resource consents
9.	Subdivision activities that include a new road	a. Effects on the safety and efficiency of the transport network	*Relevant objectives and policies:* i. Objective 6.2.3 ii. Subdivisions that involve new roads ensure that the roads are designed to: 1. provide for the safe and efficient movement of vehicles, pedestrians and cyclists within the subdivision; and 2. provide adequate connections to surrounding areas, particularly for buses, pedestrians, and cyclists; and 3. use materials that provide good urban design outcomes and provide good value with respect to ongoing costs to ratepayers for maintenance if the roads are to be vested in Council (6.2.3.12). *General assessment guidance:* iii. In assessing the transport network design, Council will make reference to the Dunedin City Council Code of Subdivision and Development 2010 and/or the most recent NZS 4404. iv. In assessing the effects on the safety and efficiency of the transport network, Council will consider any changes to traffic volumes on other parts of the network as a result of the subdivision. *Conditions that may be imposed:* v. Easements including on/off-site for pedestrian/vehicle access. vi. The standard of pedestrian and/or cycle paths required. vii. The standard of street lighting or private access lighting required. *Design considerations that may support a consent application include:* viii. Road networks use a permeable 'grid' network design that connects to surrounding streets and/or enables future connections to un-developed areas, except where this is not possible because of natural features or the surrounding patterns of development. Where cul-de-sacs must be provided, pedestrian and cycling links to surrounding roads are provided, if physically possible. ix. The design provides for all parking, loading and access standards to be met. x. Appropriate construction standards, materials, design palettes, and products are employed with consideration of both the on-going maintenance costs to ratepayers and appropriate character and amenity standards. xi. The design provides safe and convenient access for pedestrians and cyclists or other active modes to any public places, including the CMA, water bodies or reserves.

Rule 6.11 Assessment of Discretionary Activities

Rule 6.11.1 Introduction

1. Discretionary activities will be assessed in accordance with section 104 and 104B of the RMA meaning Council may grant or refuse the application, and, if granted, may impose conditions.
2. Rules 6.11.2 and 6.11.3 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 applications;
   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.

6.11.2 Assessment of discretionary activities in management and major facilities zones		
Activity		Guidance on the assessment of resource consents
1.	All high trip generating activities, including the following specific land use activities: • Schools • Restaurant - Drive through • Early childhood education - large scale • Service stations • Mining (Quarries)	Same as for Rule 6.10.2.7
2.	All other discretionary activities	*Relevant objectives and policies:* i. Objective 6.2.3 ii. Only allow land use, development, or subdivision activities that may lead to land use or development, where there are no significant effects on the safety and efficiency of the transport network (Policy 6.2.3.9)

6.11.3 Assessment of discretionary transportation activities	
Activity	Guidance on the assessment of resource consents
1. All discretionary transportation activities	*Relevant objectives and policies (priority considerations):* a. See Section 9.6 for guidance on the assessment of discretionary resource consents in relation to Objective 9.2.2 and effects related to public health and safety. b. See Section 10.6 for guidance on the assessment of discretionary resource consents in relation to Objective 10.2.1 and Objective 2.2.3. c. Where in a **ONCC, HNCC or NCC overlay zone**, see Section 10.6 for guidance on the assessment of resource consents in relation to Objective 10.2.3 and effects related to the natural character of the coast. d. Where in a **ONF, ONL or SNL overlay zone**, see Section 10.6 for guidance on the assessment of resource consents in relation to Objective 10.2.5 and effects on landscape values. e. Where on **a heritage site** see Section 13.7 for guidance on the assessment of resource consents in relation to objectives 13.2.2 and 13.2.3 and effects on heritage values. *General assessment guidance:* f. In assessing the significance of effects, consideration will be given to: i. Manawhenua values and the relationship between manawhenua and the natural environment is maintained, including the cultural values and traditions associated with: 1. wāhi tūpuna; and 2. mahika kai (Objective 14.2.1). ii. If located outside a **wāhi tūpuna mapped area**, Kai Tahu may advise the Council if it considers that the granting of the consent would affect the integrity of the broader environment within which the wāhi tūpuna is located, or the linkages between wāhi tūpuna. g. 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.

6.11.3 Assessment of discretionary transportation activities		
Activity		Guidance on the assessment of resource consents
2.	New roads or additions or alterations to existing roads	*Relevant objectives and policies (priority considerations):* a. Objective 6.2.1 b. Only allow new roads or additions or alterations to existing roads, where: i. the road is designed to provide for the needs of all users, as appropriate for the surrounding environment and **road classification hierarchy mapped area**; and ii. the location and design of the road: 1. minimises adverse effects on surrounding residential or other sensitive activities, including severance effects, changes to drainage patterns, and vibration, noise, glare and fumes from vehicle movements; and 2. maintains or enhances the safety and efficiency of the overall transport network; and 3. minimises adverse effects on water bodies or the coast, areas of indigenous vegetation or other areas important for biodiversity, or identified landscape or natural character of the coast values (Policy 6.2.1.3). c. Where in a **wāhi tūpuna mapped area**, see Section 14.5 for guidance on the assessment of resource consents in relation to Objective 14.2.1 and effects on the cultural values of manawhenua.
3.	Passenger transportation hubs	*Relevant objectives and policies (priority considerations):* a. Objective 6.2.1 b. Passenger transportation hubs are located and designed to: i. allow for convenient connections with other travel methods; ii. ensure the safety of users; iii. maintain or enhance the safety and efficiency of the overall transport network; and iv. maintain or enhance the amenity of the surrounding environment (Policy 6.2.1.4).
4.	Heliports	Heliports are located and designed to: a. ensure the safety of users; b. maintain the amenity of the surrounding environment; and c. maintain or enhance the safety and efficiency of the overall transport network (Policy 6.2.1.5).

Rule 6.12 Assessment of Non-complying Activities

Rule 6.12.1 Introduction

1. Non-complying activities will be assessed in accordance with section 104, 104B and 104D of the RMA meaning Council may grant or refuse the application, and, if granted, may impose conditions.
2. Rules 6.12.2 - 6.12.3 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.

6.12.2 Assessment of all non-complying activities	
Activity	Guidance on the assessment of resource consents
1. All non-complying activities	*Relevant objectives and policies (priority considerations):* a. Objectives 6.2.2, 6.2.3, 6.2.4 *General assessment guidance:* b. 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 precedent being set by the granting of a resource consent. c. In assessing activities that are non-complying due to being in an overlay zone, mapped area, in a scheduled site, or affecting a scheduled item, that otherwise require resource consent, the assessment guidance provided in relation to the underlying activity status will also be considered.

6.12.3 Assessment of non-complying performance standard contraventions	
Activity	Guidance on the assessment of resource consents
1. In a **primary pedestrian street frontage**: • Access to loading areas (Rule 6.6.2.5.b)	*Relevant objectives and policies (priority considerations):* a. Objective 6.2.4 b. Adverse effects on pedestrian safety and ease of movement would be insignificant (Policy 6.2.4.3).

Rule 6.13 Special Information Requirements

6.13.1 Parking demand information

When land use activities do not meet performance standards for minimum car parking, Council may require that the following information to demonstrate the likely parking demand of the activity and potential effects of that demand on publicly available parking near the site:

a. Current usage rates (% usage) of all publicly available on- and off-street parking spaces within 250m of the site.

b. The accessibility of the site in terms of public transport, cyclists and pedestrians.

c. The predicted transport behaviour of users of the activity, including the numbers of users who will access the activity by private vehicle, carpool, public transport, cycle or foot; and any travel plan provided by the applicant, which sets out targets for increased proportions of users accessing the activity by carpool, public transport, cycle or foot, and a detailed implementation plan for actions to achieve those targets.

6.13.2 Integrated transport assessment

Resource consent applications for all high trip generating activities must include an Integrated Transport Assessment (ITA) unless, having considered the specific circumstances of the activity and site, Council determines that an ITA is unnecessary. The information requirements for an ITA are set out in the table below. The level of detail and analysis provided in each section of the ITA should reflect the scale and complexity of the proposed activity and the context of the site and its surrounding environment.

Item	Details to be included
Description of baseline conditions	Description of the site's existing characteristics, any existing land use(s), the trip generation of existing land use(s), the existing transport environment including transport networks, safety, vehicle parking, accessibility by public transport, cycle and foot.
Description of the proposal	Description of the proposed land use, proposed vehicle and pedestrian access arrangements, proposed vehicle parking, proposed vehicle loading, proposed cycle parking, any other facilities proposed to improve access by any transport mode.
Travel characteristics	Estimated trip generation for all modes.
Planned transport infrastructure changes	Description of any planned upgrades to the transport network near the site that may be relevant to the activity.
Accessibility of the activity	Explanation of how accessible the activity will be for each mode, including the following information: • How will the predicted demand for vehicle parking, vehicle loading, pedestrians and cycle parking be met? What facilities will there be on or near the site for users of each mode? • How safe will it be for each mode to access the site? • What facilities will be provided on-site for pedestrians to safely walk within the site ? • Details of the demand predicted to be placed on public vehicle and cycle parking facilities (on- and off-street), and an assessment of the capacity of public facilities to absorb that demand.

Assessment of effects on accessibility and on the transport network	Explanation of how the activity will support Objective 6.2.2 and relevant associated policies, in relation to the accessibility of the land use activity by a range of travel modes Explanation of how the activity will support Objective 6.2.3 and Policy 6.2.3.8, in relation to effects on the safety and efficiency of the transport network for all modes.
Mitigation and options to influence travel choice	Description of measures that are proposed to mitigate effects on accessibility, safety and effects on the transport network.
Summary	Summary of the main aspects of the transport assessment.

Rule 6.14 Transportation Figures

Figure 6.14A On-site car parking dimensions

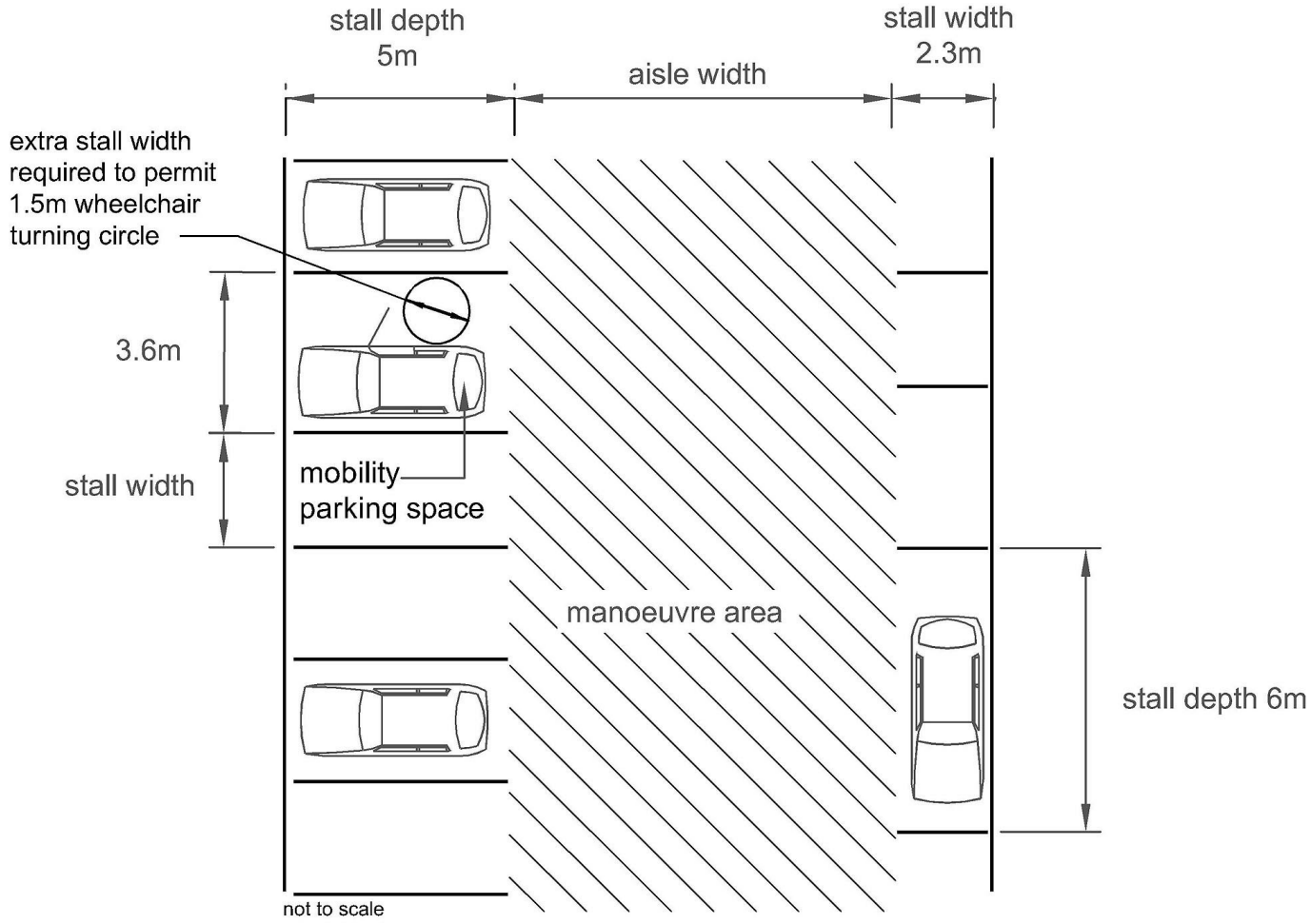


Figure 6.14B Typical parking layout 85th percentile vehicles

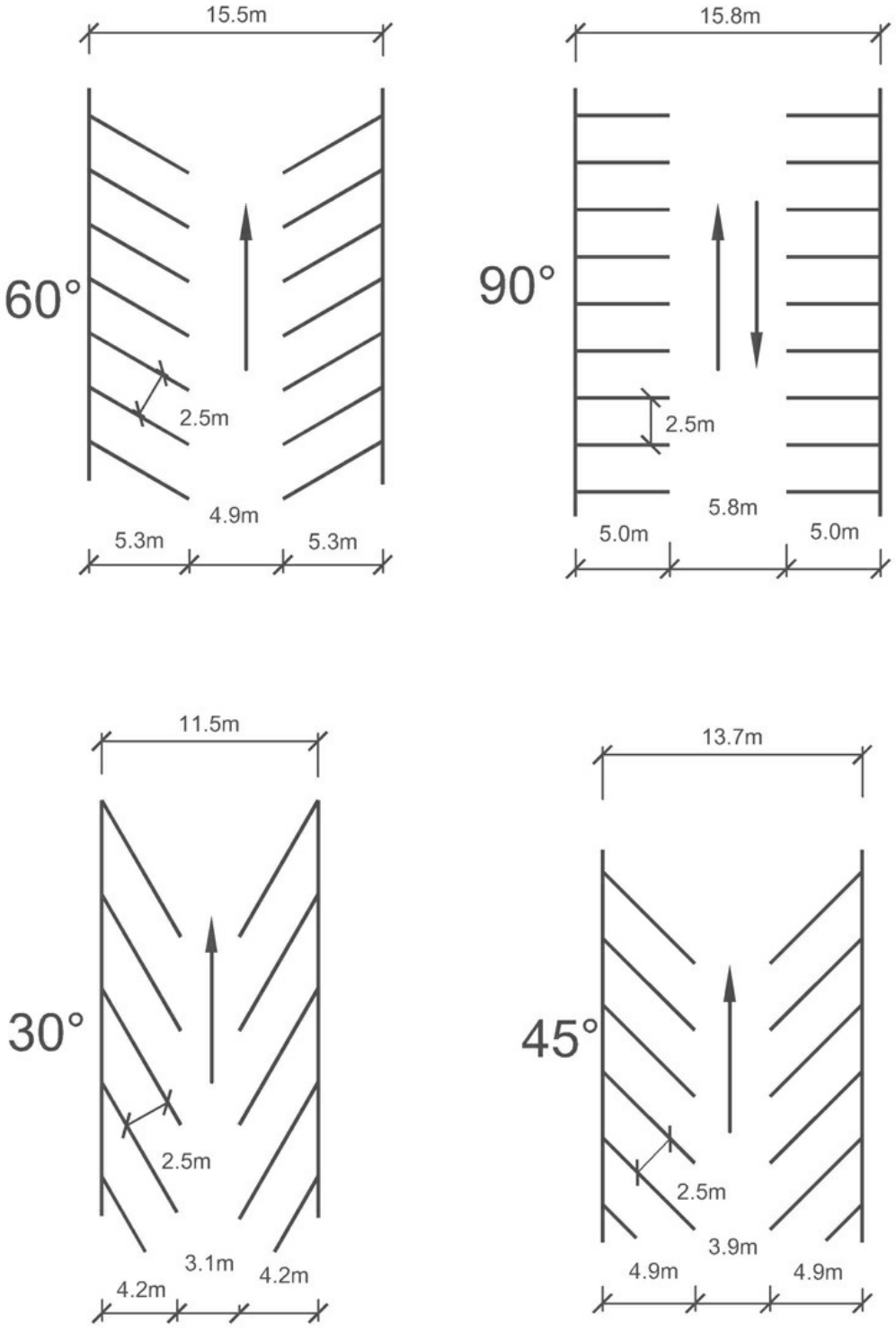


Figure 6.14C Typical parking layout 99th percentile vehicles

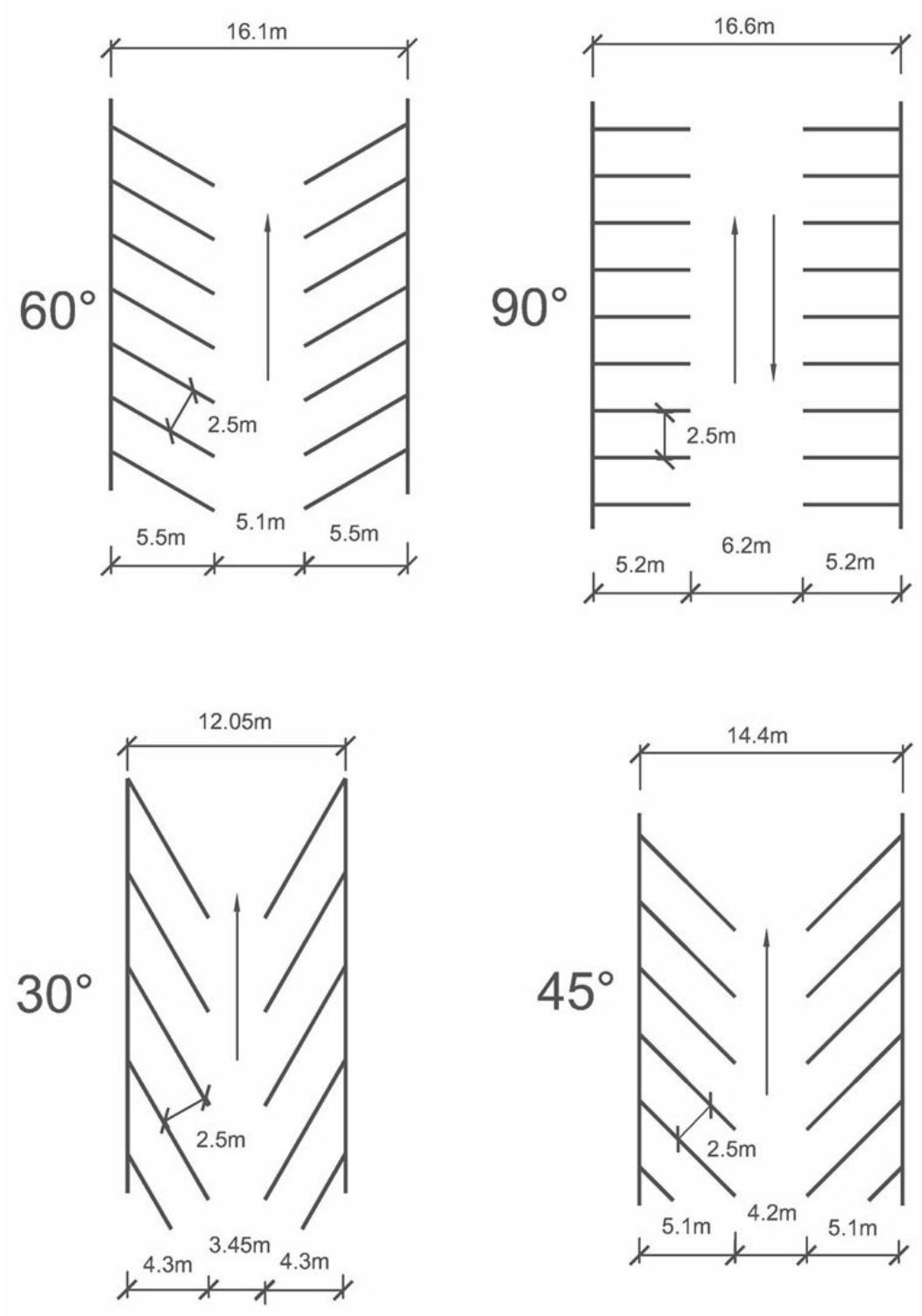


Figure 6.14D Minimum separation distance between residential unit and vehicle access

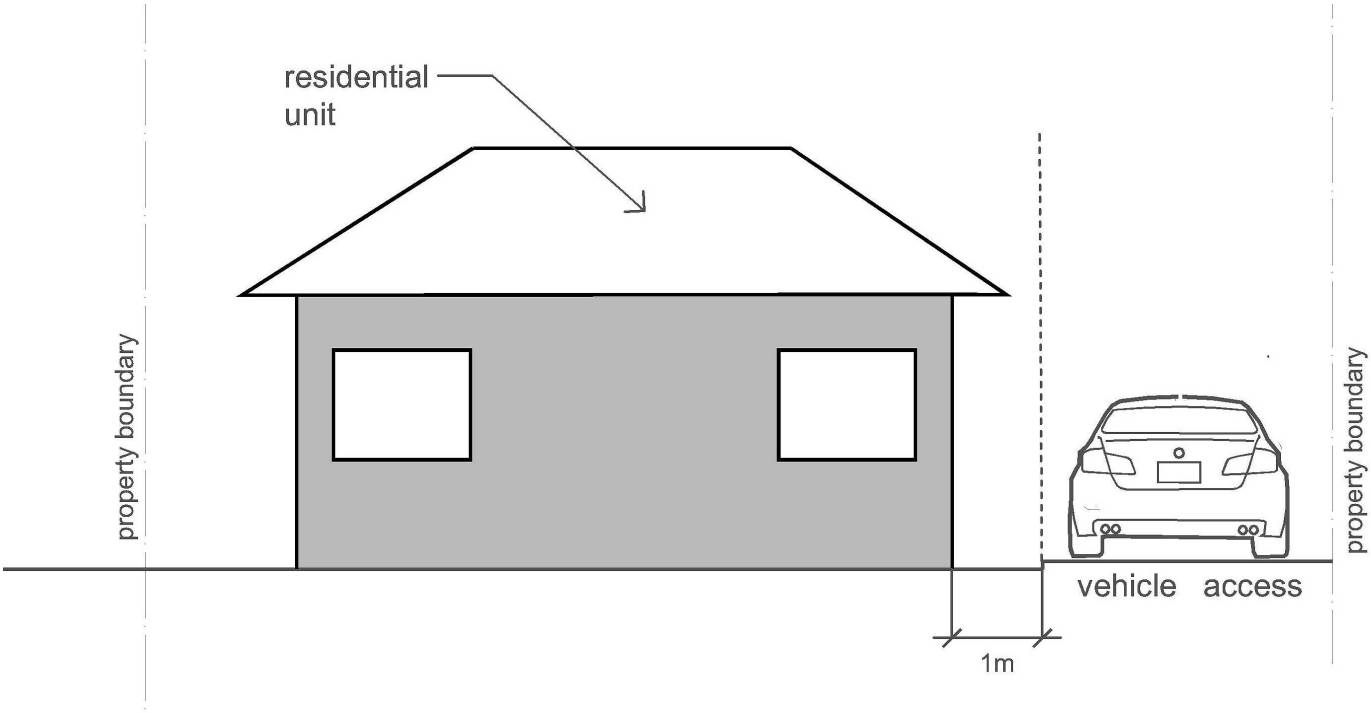
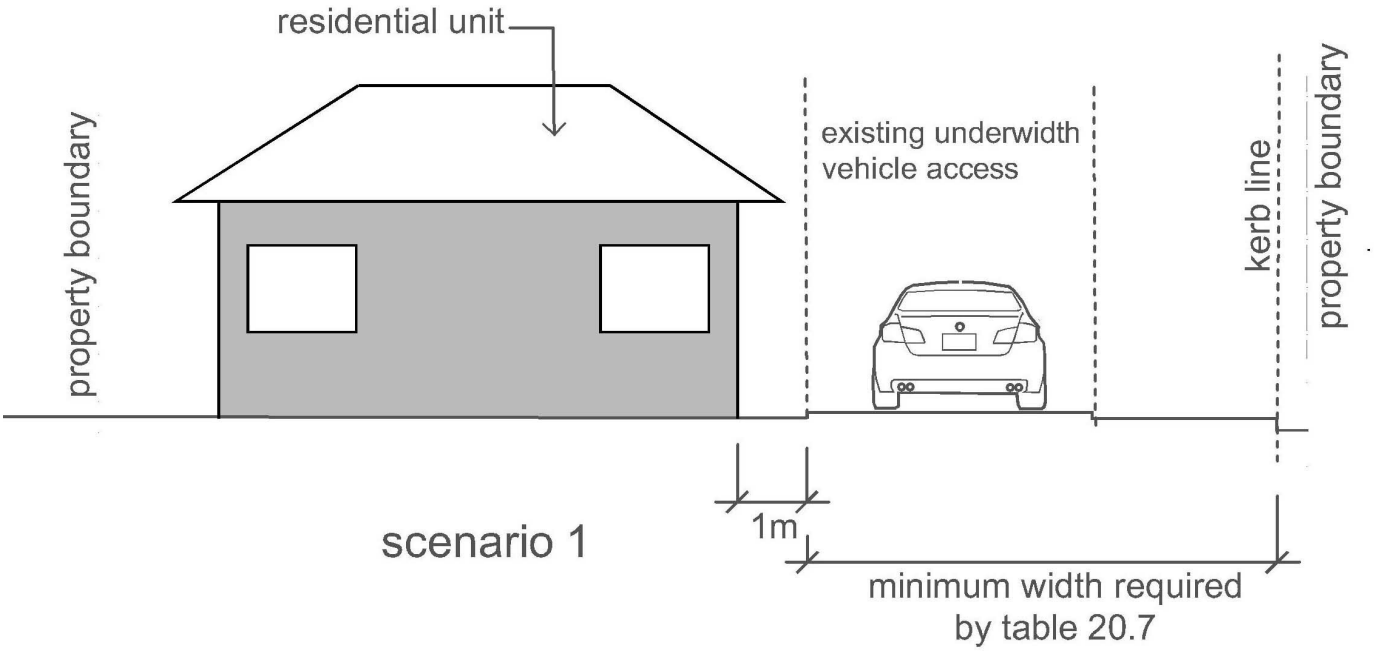


Figure 6.14E Minimum separation distance between new residential unit and existing under-width vehicle access: possible scenarios



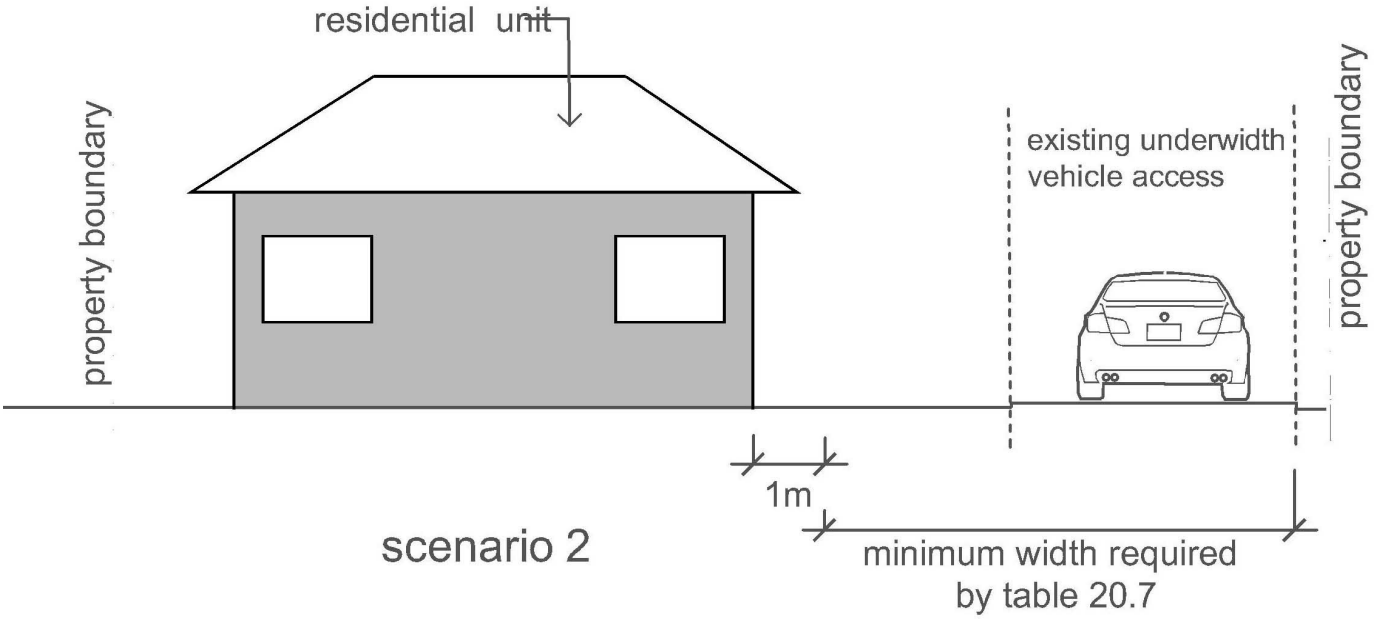


Figure 6.14F 99th percentile vehicle dimensions

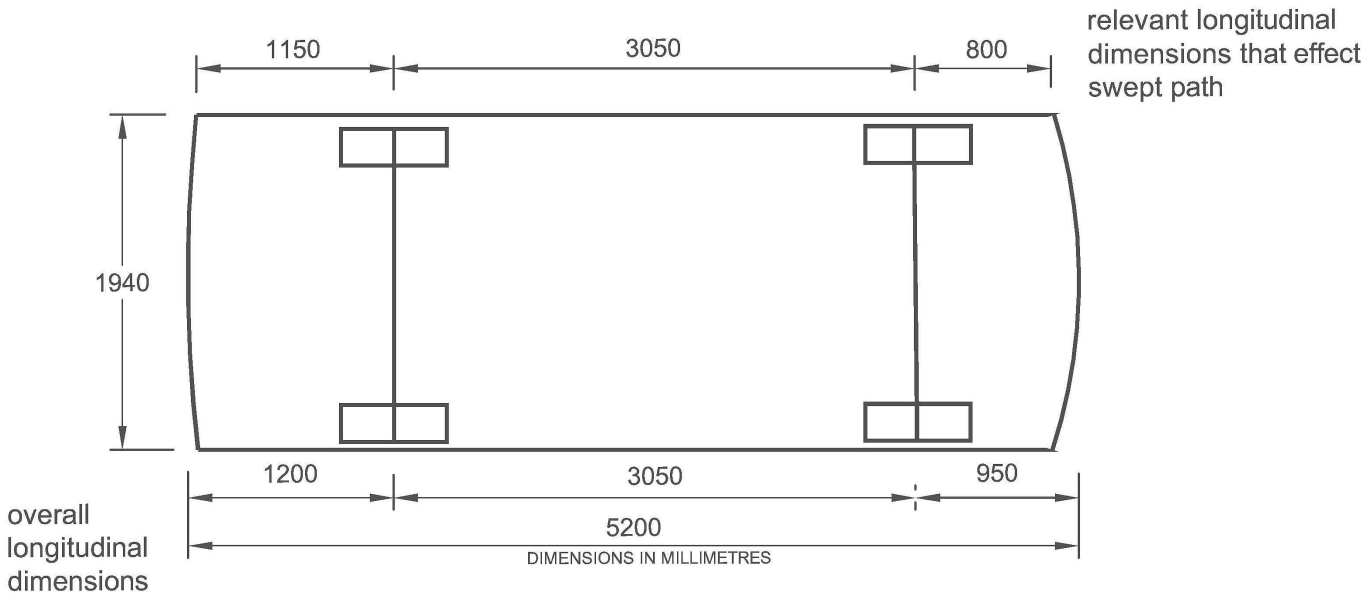
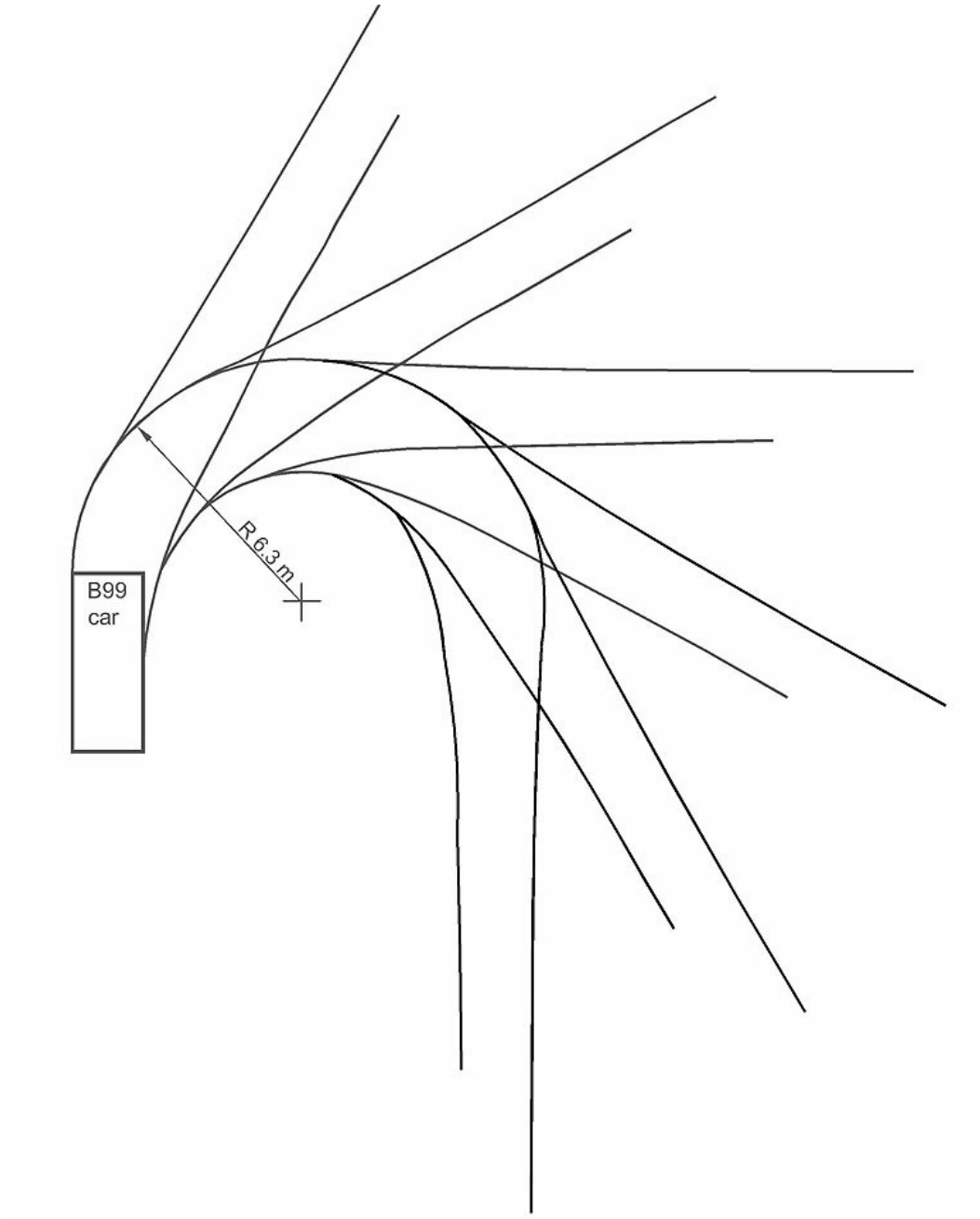


Figure 6.14G 99th percentile vehicle turning circle



LEGEND:

= Denotes the B99 base dimension swept path

Recommended clearances (300mm) must be added to each side of the tracking curve
NOTE: This is minimum radius turn for a B99 vehicle

Figure 6.14H 85th percentile vehicle dimensions

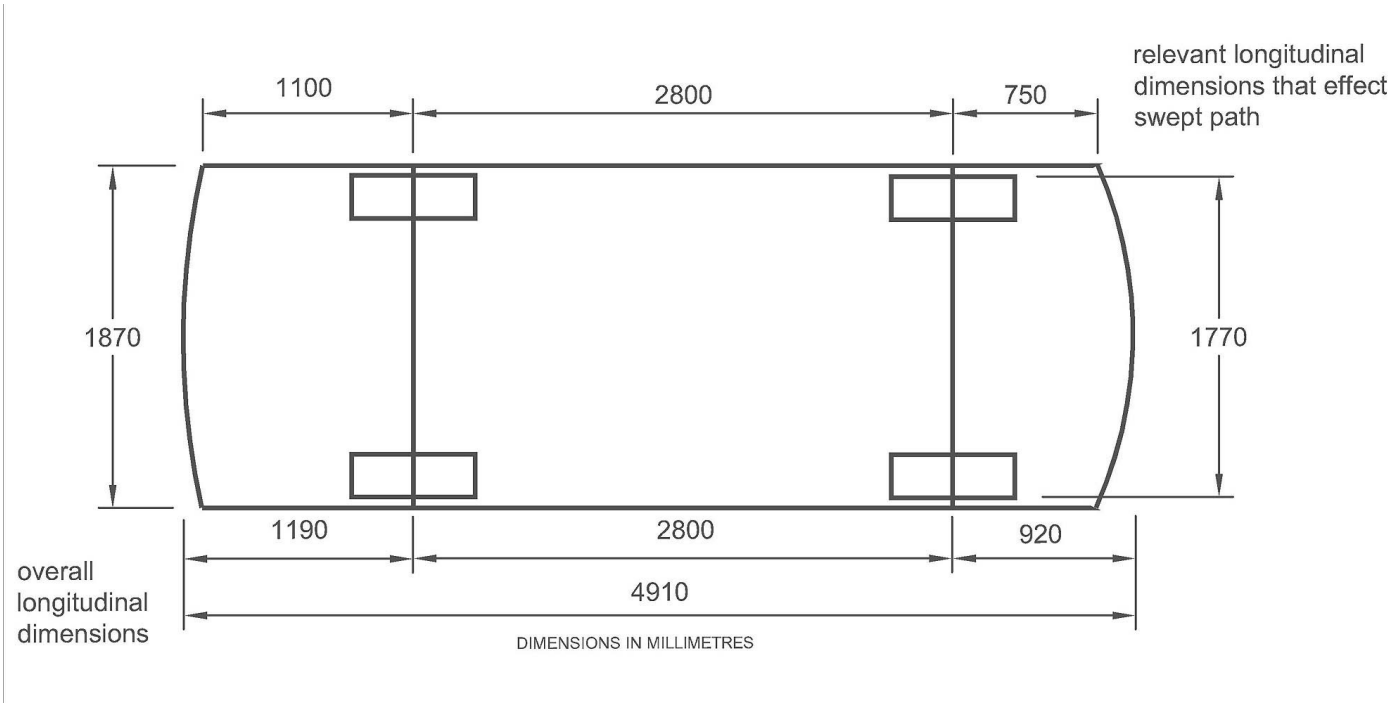
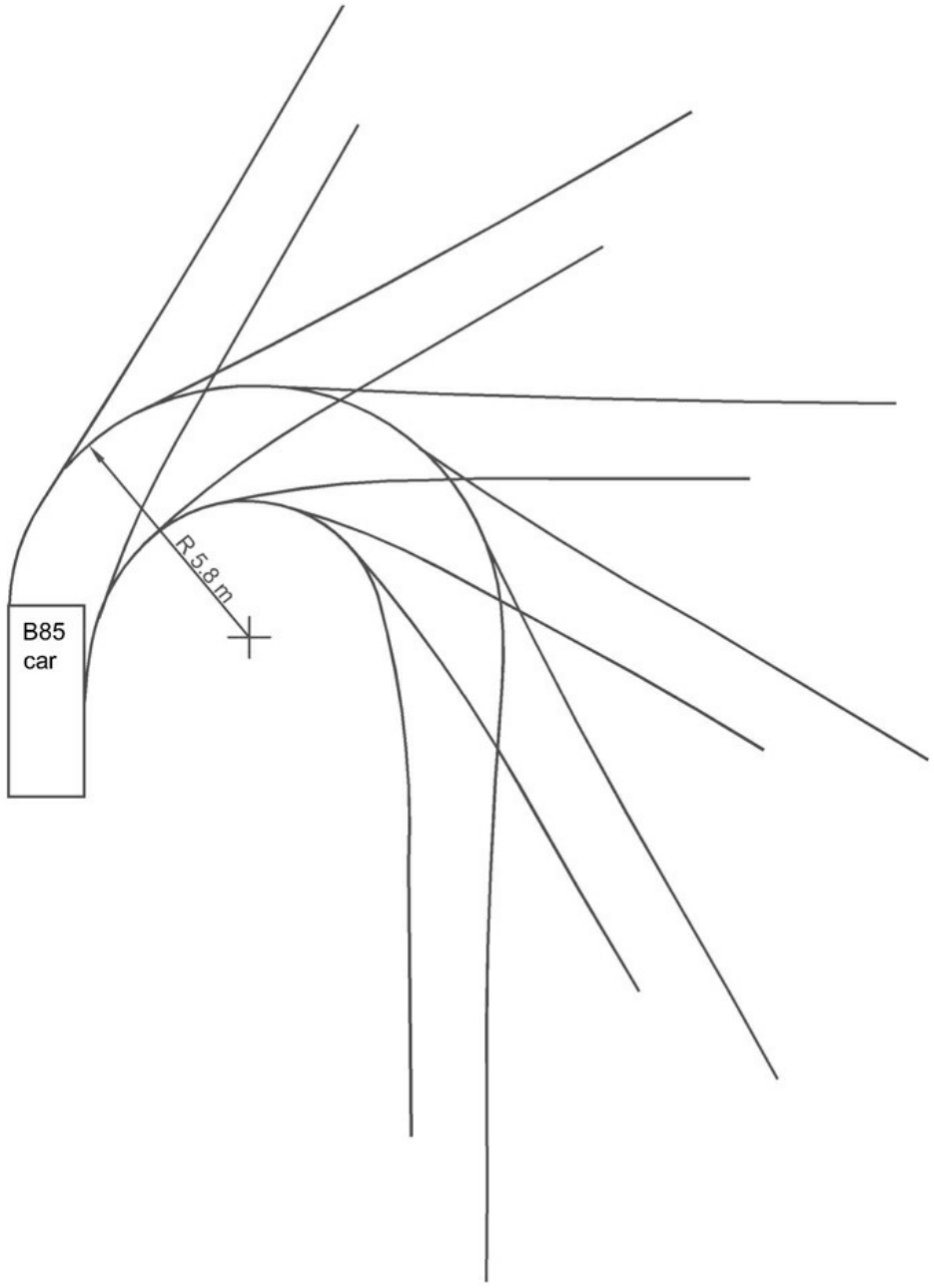


Figure 6.14I 85th percentile vehicle turning circle



LEGEND:

= Denotes the B85 base dimension swept path

Recommended clearances (300mm) must be added to each side of the tracking curve
NOTE: This is minimum radius turn for a B85 vehicle

Figure 6.14J 8m rigid truck turning circle

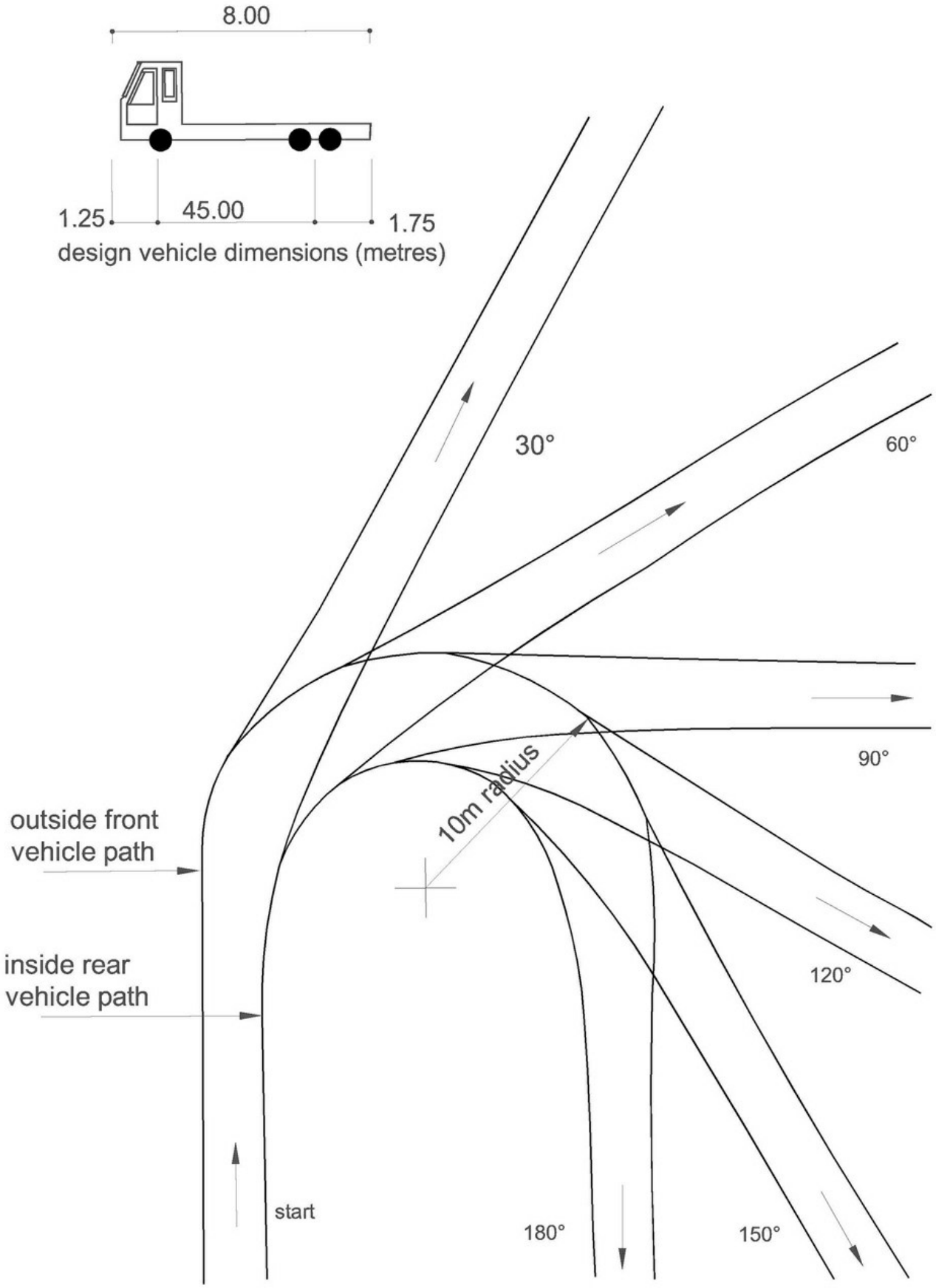


Figure 6.14K B-train truck turning circle

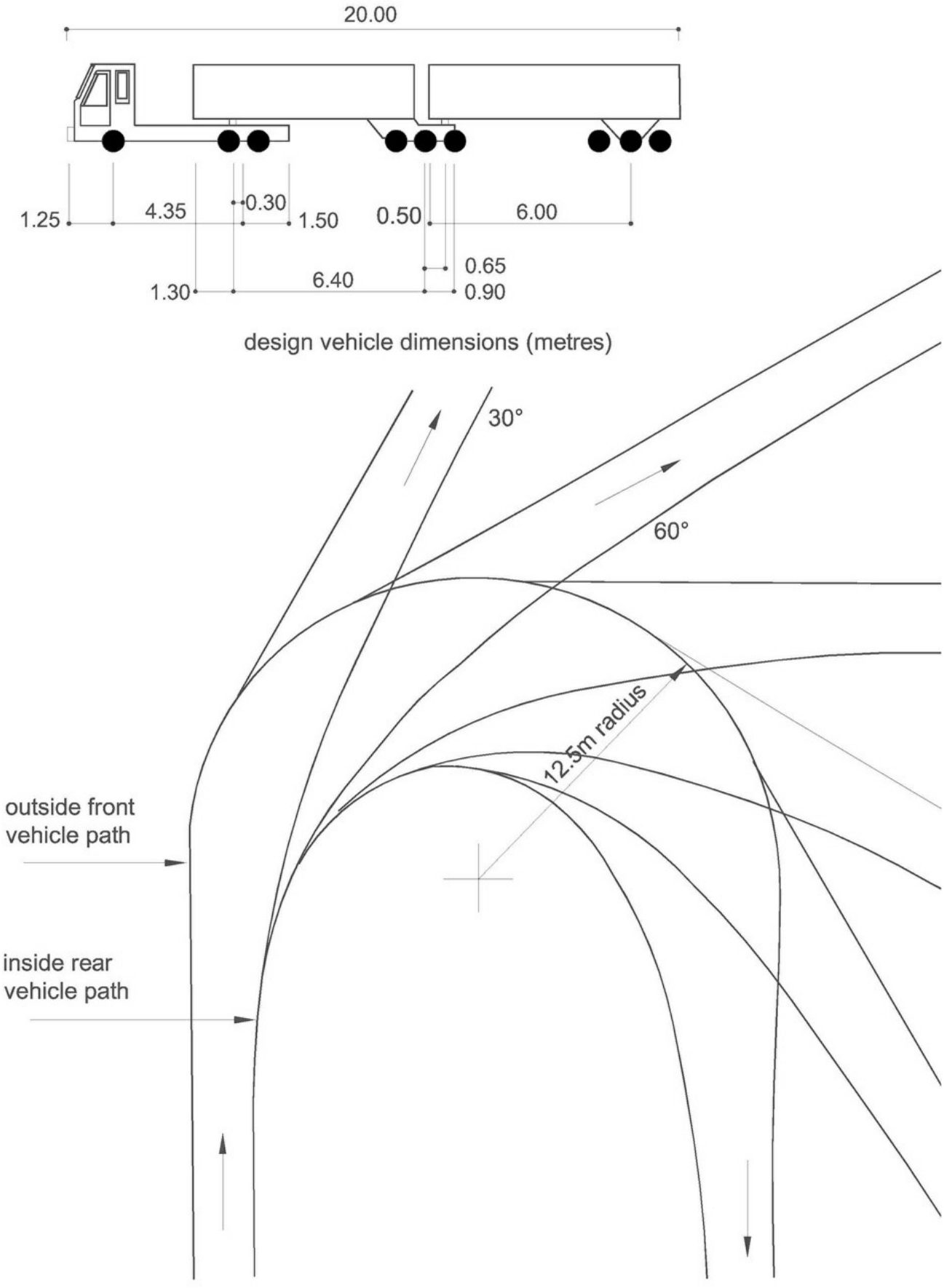


Figure 6.14L Coach turning circle

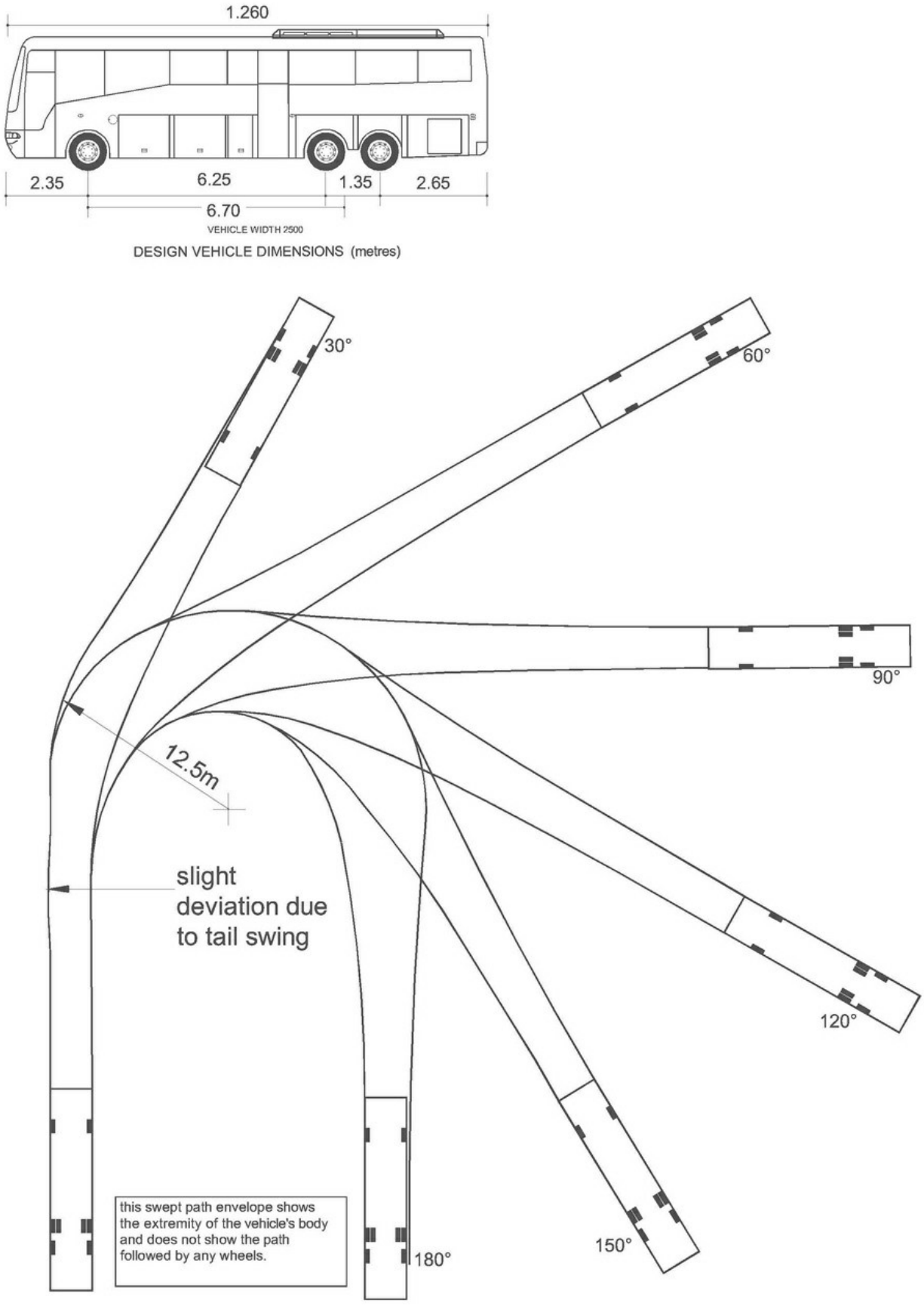
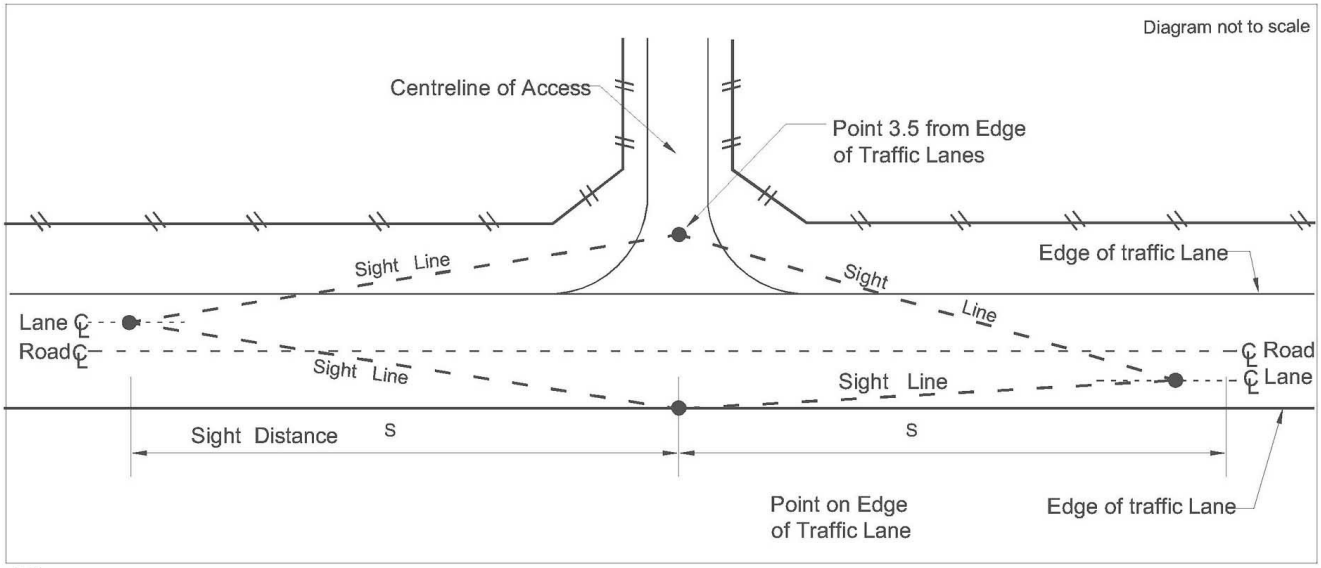


Figure 6.14M Method for determining sight distance

Method to Determine Sight Distance at Property Accesses



Notes:

1. Sight distances shall be measured to and from a height of 1.15m above the existing road surface and the proposed road surface level of the side road or access.
2. There are to be no obstructions to visibility inside the area bounded by site lines.

Figure 6.14N Access sealing diagram

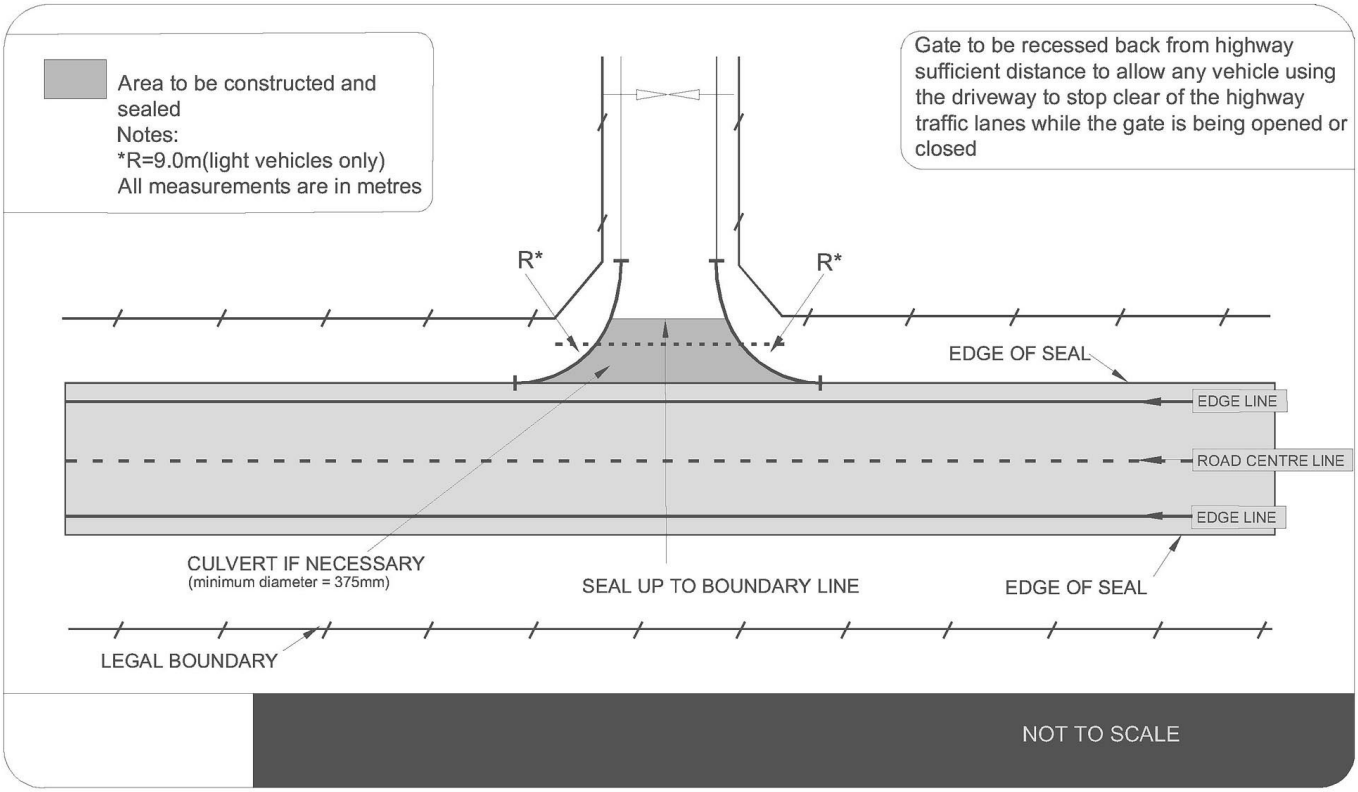


Figure 6.140 Access sealing with localised widening

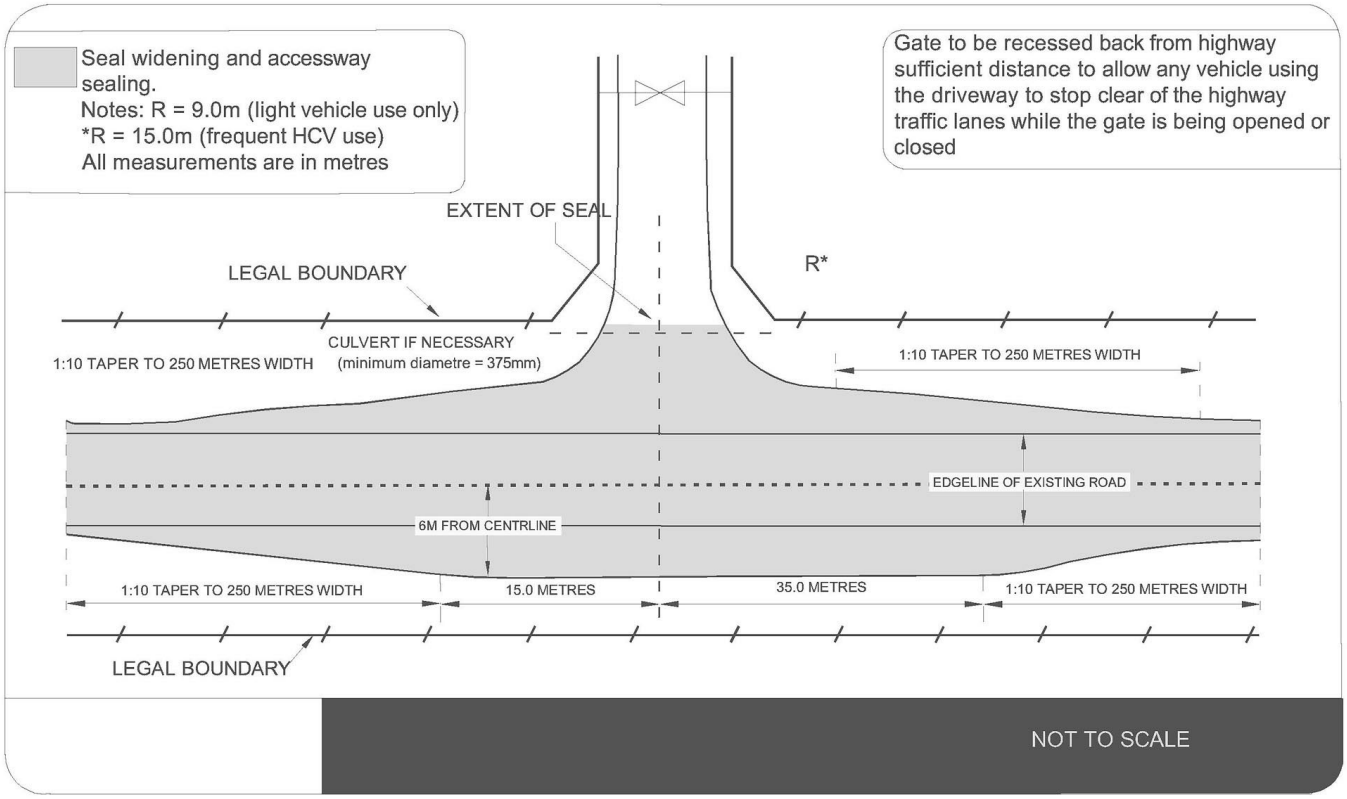


Figure 6.14P Access sealing with full seal widening

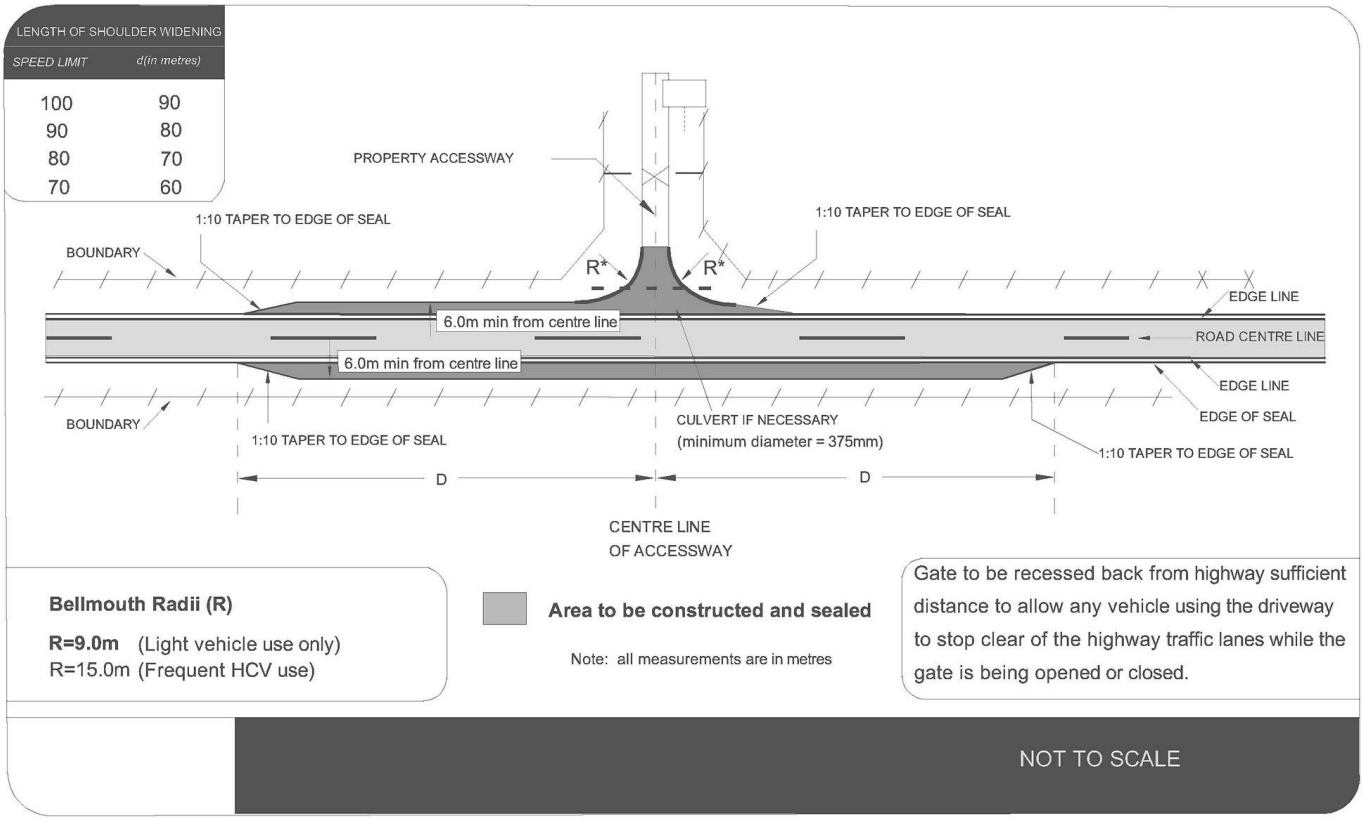


Figure 6.14Q Method to determine miminum sight distance between vehicle crossing and intersection

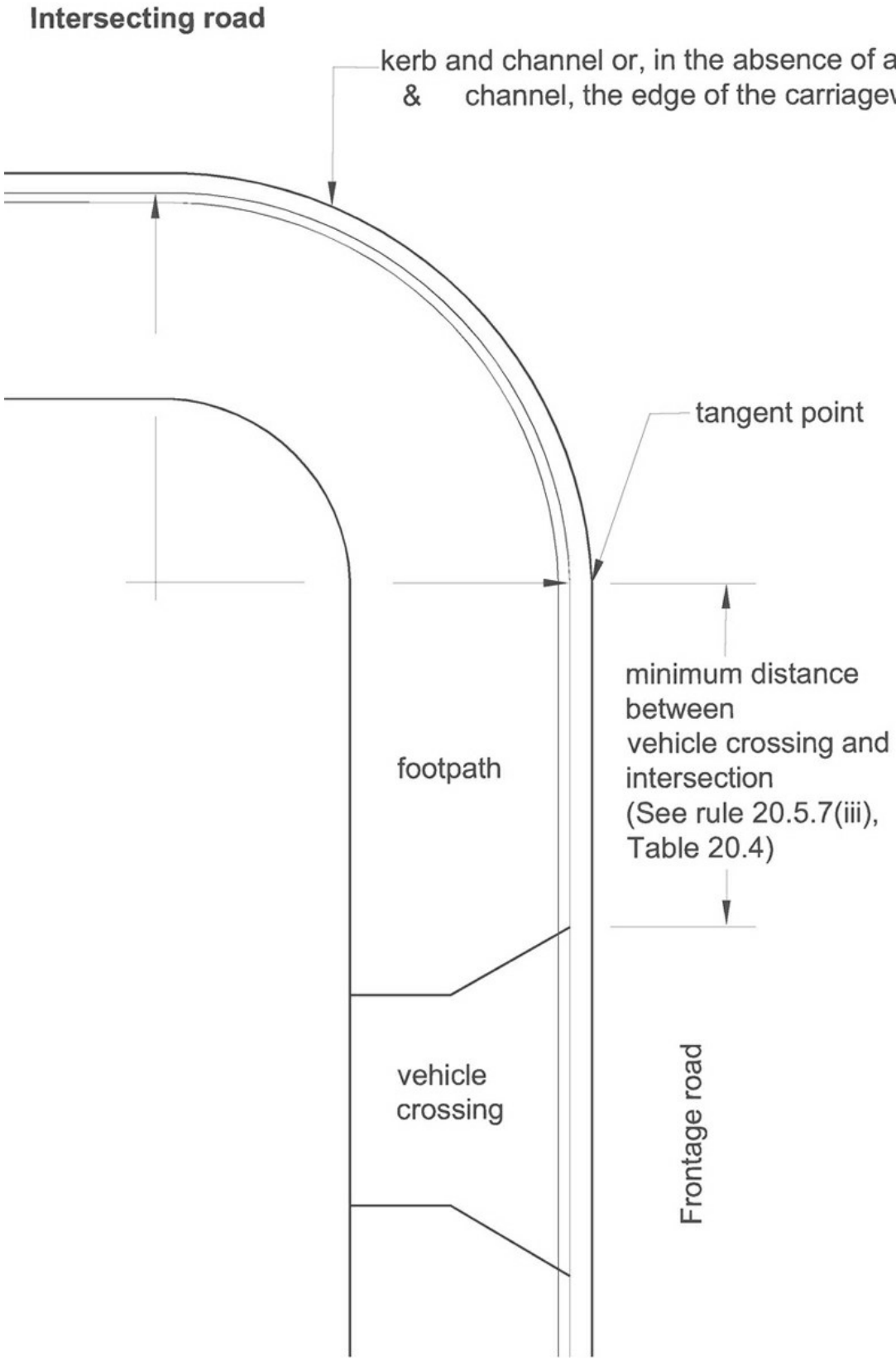
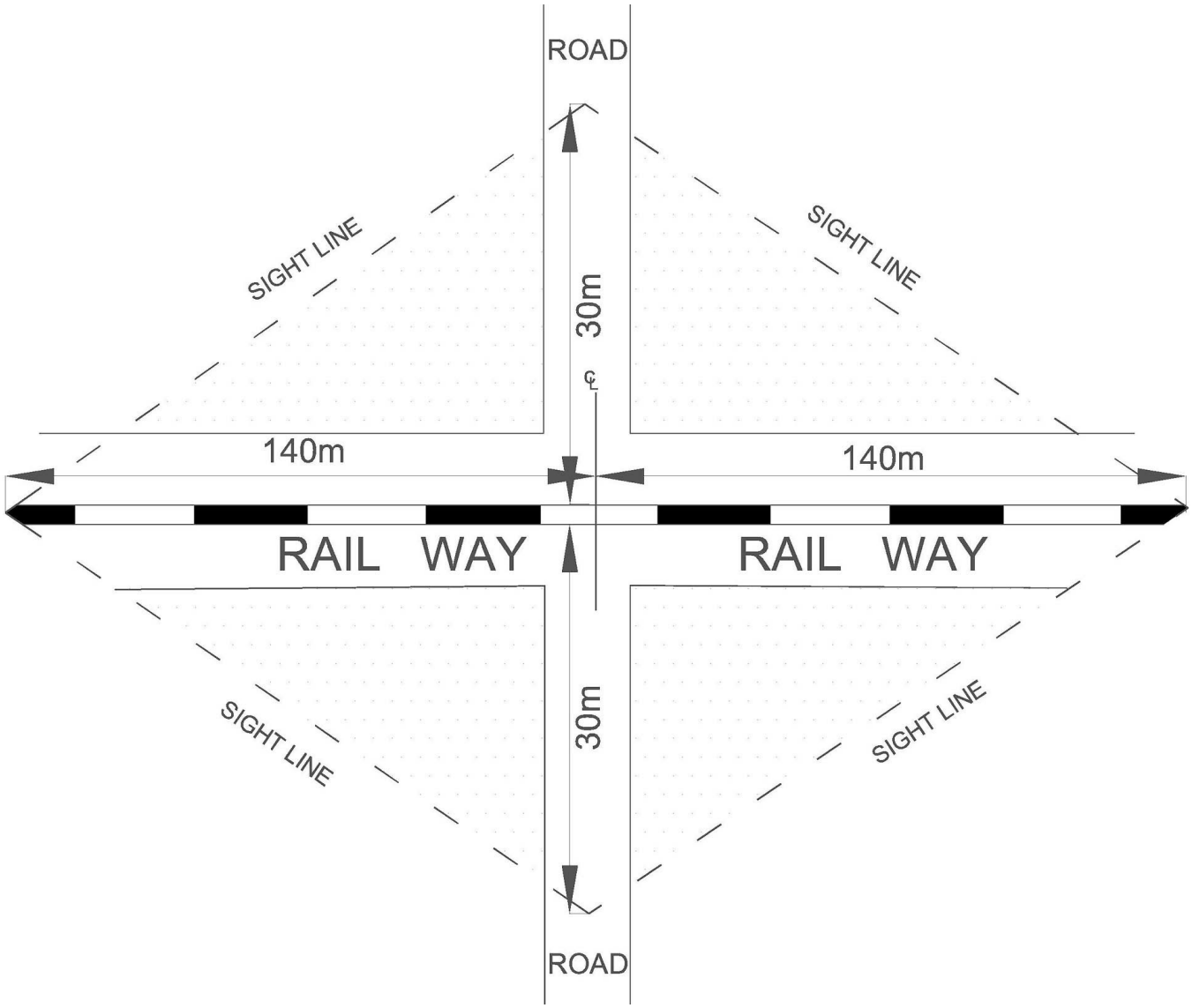


Figure 6.14R Railway level crossing sight line restrictions



Appendices

Appendix 6A. Road Classification Hierarchy

6A.1 Description of the Road Classification Hierarchy

The Road Classification Hierarchy is used to distinguish roads into categories, as some of the rules in the District Plan only apply to some of the roads in a particular category.

The classification reflects not only the transport function of a road but also the place function or its contribution to the surrounding environment, taking into account the surrounding land use, and the role the road plays in contributing to the amenity values, identity and public space of the adjoining area.

6A.2 Road Classification

Classification	Description
Motorway	Any New Zealand Transport Agency classified motorway. High speed routes where movement is the sole purpose. Pedestrians and cyclists are generally prohibited and property access is limited and controlled.
Strategic	High capacity roads (including State Highways) that form part of the national and/or regional network. They provided through movement for freight, tourists and vehicular traffic and connect main centres, outlying settlements and goods to market. Strategic roads are constructed and managed to high standards to ensure they operate safely and efficiently. In urban areas, these roads may also support local transport, various methods of transport and a mixed land use environment. Provision will be made for pedestrians in urban areas, and where provided, cycle facilities should be physically separated from traffic. Public transport may operate on these roads but stops may be limited.
Arterial	Roads that connect, distribute and collect within and between residential, rural, commercial and industrial area; as well as providing property access. In urban areas, these roads may support a range of travel methods including frequent public transport services and considerable pedestrian and cycle activity. On-street parking may be limited in favour of providing for public transport and cyclists. In rural areas, arterials may carry moderate volume of general traffic, including a higher percentage of heavy vehicles serving key sites of primary industry. They may also support some residential development, however, it is inappropriate that arterials in rural meet the same standards that apply in the urban context such as kerb and channel gutters and street lighting.
Urban High Density Corridor	High use arterials in an increasingly densely developed, high place environment. These corridors typically support a combination of moderate to high traffic volumes; moderate to high pedestrian volumes; frequent bus services; the Strategic Cycle Network; freight movements; medium-density residential land use; and commercial or tertiary education activity. Through traffic must be catered for, however it is expected that the form and speed of the corridor will evolve to support the integration of the transport corridor function with adjacent land use. On-street parking will generally be provided where space allows but priority will be given to public transport, cycle and pedestrian infrastructure over parking where space is limited.

Classification	Description
Commercial Centre Streets	Roads located within Principle, Suburban, Destination, Neighbourhood and rural activity centres as well as our CBD and Warehouse Precinct zone. It is expected that the form of these streets will evolve to support a complementary integration of the transport corridor function with adjacent land use. The design elements of these streets will be more conducive to a high level of pedestrian activity, supporting active frontages and high-quality public spaces. The highest level of safety, connectivity, accessibility and amenity for pedestrian, cyclists and public transport users should be provided on these streets. Where parking is provided in urban areas, it will increasingly be provided off- street rather than on-street, and toward the periphery of the centre.
Collector	Roads in local neighbourhoods that collect and distribute local traffic. Collectors provide a local through movement function as well as access to property. In urban areas, collectors may support some public transport services with frequent stopping points. Considerable pedestrian and cycle activity should be expected, hence the road layout should be designated to discourage speed.
Local	Roads that are not intended to act as a main through route for motorised vehicle traffic but primarily provides for property access. These roads can be different in nature depending on the land use environments they serve. In residential environments, layout and design discourages speed as the intention is to provide an environment that supports safe and balance access for cars, pedestrians and cyclists. Some local roads may support a bus route.
Industrial	Roads whose primary role is to provide access to significant industrial sites. Sufficient width needs to be maintained for the manoeuvring of larger and heavier vehicles. Footpaths and on-street parking will generally be provided but where necessary, space will be prioritised for the manoeuvring needs of heavy vehicles. Speeds may be managed to a level consistent with safe on-street manoeuvring and height levels of property access for heavy vehicles should be provided. Parking will generally be controlled to serve the primary purpose of industrial access. Some industrial roads may support alternative cycle routes.

7. Scheduled Trees

7.1 Introduction

As well as enhancing the landscape, trees also help to reduce noise, provide shelter and habitats for birds and other animals; assist with the avoidance of natural hazards such as landslips and erosion; and provide ‘natural’ impact and contrast with the built elements of the environment. Trees are living, dynamic organisms that provide an identity and presence. Certain trees may also have value as botanical specimens or have historical or other cultural significance.

Trees are of particular importance in urban areas where they are the largest, most significant natural elements in the landscape at the level of the street environment and they provide a sense of scale and setting. The most visually attractive urban areas of the city are those where trees make a substantial visual impact. However, in populated urban areas, trees are often also perceived to have negative impacts, usually by those living adjacent to such trees who are concerned about shading and safety.

The importance of trees is not restricted to urban areas and it is recognised that trees also play an important role in rural areas in terms of protecting rural amenity through improving soil and slope stability.

Without protection important trees could be damaged or removed without an opportunity for the effects of the modification or removal being evaluated or alternative options explored.

In response to the issues, the Second Generation Plan (2GP) proposes to protect significant trees; promote the retention of trees; and promote new plantings in recognition of their important role in enhancing the urban environment while providing for individual landowners who may need to modify or remove trees that are no longer

suitable in their location.

Using the ‘Standard Tree Evaluation Method’ (STEM), the schedule in the operative District Plan was audited in 2012 as part of the 2GP review of the District Plan to ensure that the list of protected trees is current, having been through a robust selection criteria.

The listing of a tree as a Scheduled Tree means that resource consent approval is required to prune the tree (with anything other than hand-operated pruning shears or secateurs), to remove a listed tree, or undertake construction work/earthworks within the drip-line of a tree.

7.2 Objectives and Policies

Objective 7.2.1	
The contribution made by significant trees to the visual landscape and history of neighbourhoods is maintained.	
Policy 7.2.1.1	Enable the removal of a scheduled tree where they are certified as being dead or in terminal decline by a suitably qualified arborist or where subject to an order for removal in terms of section 333 of the Property Law Act 2007.
Policy 7.2.1.2	Avoid the removal of a scheduled tree (except as provided for in Policy 7.2.1.1) unless: a. there is a significant risk to personal/public safety or property; or b. the tree is shading existing residential buildings to the point that access to sunlight is significantly compromised; or c. the removal of the tree is necessary to avoid significant adverse effects on public infrastructure; and d. these adverse effects cannot be reasonably mitigated through pruning and the effects outweigh the loss of amenity from the removal of the tree.
Policy 7.2.1.3	Only allow the modification of a scheduled tree where: a. the work is undertaken in accordance with best arboricultural practice, by a suitably qualified arborist and will maintain or improve the health of the tree; b. any adverse effects from the modification of the tree on amenity values are avoided or, if avoidance is not possible, no more than minor; and c. the modification is necessary to improve the health of the tree or to mitigate adverse effects of the tree on safety, sunlight access, or damage to property or infrastructure.
Policy 7.2.1.4	Require earthworks, network utilities activities, new roads and additions and alterations to roads, buildings, structures, and site development that involves the laying of an impermeable surface, to be set back from a scheduled tree an adequate distance to avoid: a. damage to the scheduled tree; and b. potential future adverse effects caused by the tree on amenity values, structural integrity of buildings or infrastructure, or safety that may lead to future demand to remove the tree.

Rules

Rule 7.3 Activity Status

7.3.1 Activity Status Introduction

1. The activity status table in Rule 7.3.2 shows the activity status of scheduled tree activities across all zones, provided any performance standards shown in the far right column are met.
2. Performance standards apply to permitted, controlled, and restricted discretionary activities.
3. 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.
4. 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

Zone key	Zone/overlay zone name
—	No additional provisions apply or not relevant
P	Permitted activity
C	Controlled activity
RD	Restricted discretionary activity
D	Discretionary activity
NC	Non-complying activity

7.3.2 Activity status table - scheduled trees

Activity		Activity status	Performance standards
1.	Removal of a scheduled tree that is: dead, in terminal decline or with extreme failure, or subject to a court order for removal	RD	
2.	Modification of a scheduled tree	RD	a. Best arboricultural practice
3.	Removal and any other work on a scheduled tree that will lead to the death or terminal decline of a scheduled tree	NC	

Note 7.3A - Other relevant District Plan provisions

1. Earthworks are managed through the management and major facilities zone sections.

Rule 7.4 Notification

1. Applications for resource consent for the following activities will be publicly notified in accordance with section 95A of the RMA:
    1. Removal and any other work on a scheduled tree that will lead to the death or terminal decline of a scheduled tree, except where:
        a. the tree is dead or in terminal decline;
        b. and the application is accompanied by written documentation by a suitably qualified arborist to this effect.
2. All other activities are subject to the normal tests for notification in accordance with sections 95A-95G of the RMA.

Rule 7.5 Performance Standards

7.5.1 Best Arboricultural Practice

1. Work is undertaken by a suitably qualified arborist using best arboricultural practice.
2. Modification of a scheduled tree that contravenes the performance standard for best arboricultural practice is a non-complying activity.

Note 7.5A - General advice

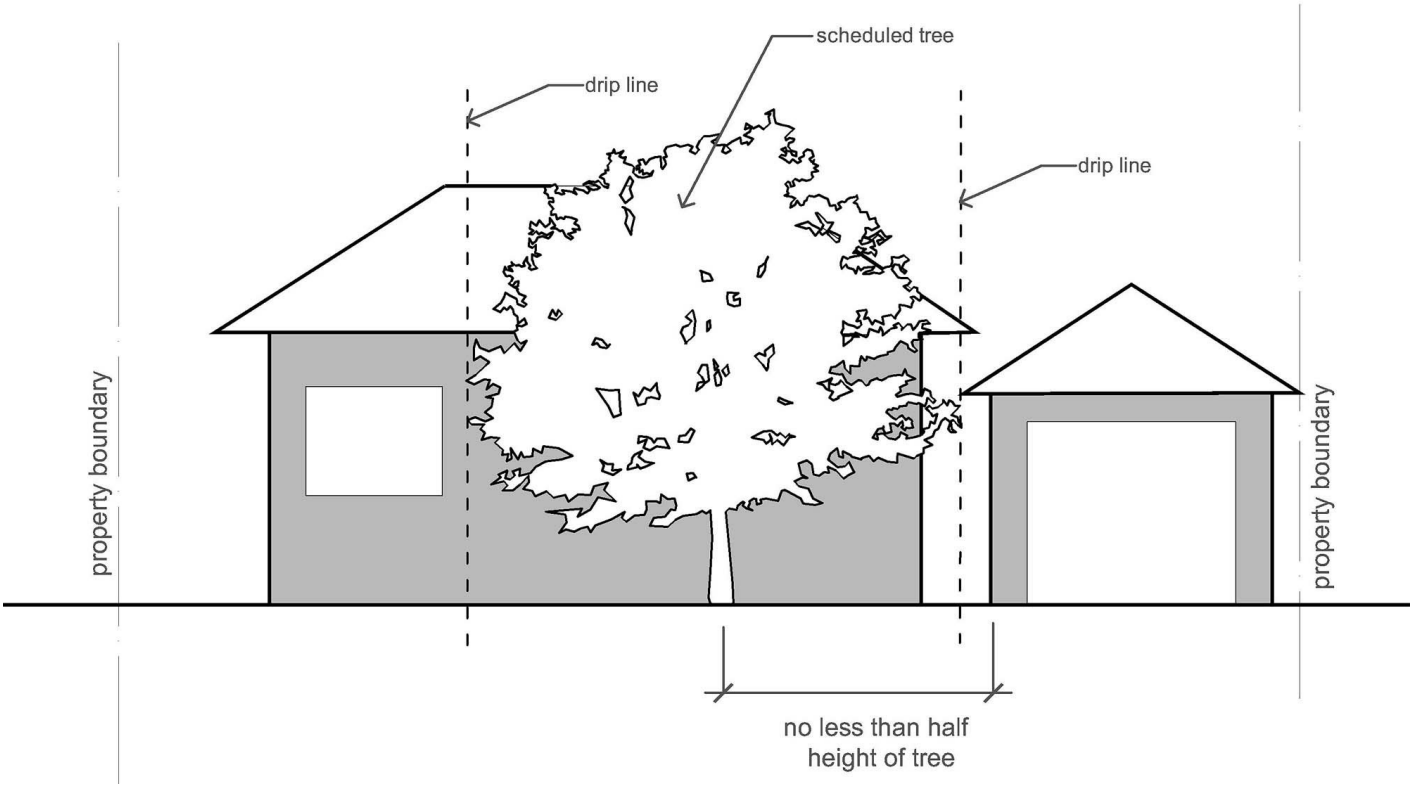
1. An application for the modification of a scheduled tree that does not meet the performance standard for best arboricultural practice will be assessed as equivalent to an application to remove a scheduled tree.

7.5.2 Setback from Scheduled Tree

The following activities must not take place under the dripline of a scheduled tree, or within a distance from the trunk equivalent to half the height of the tree, whichever is the greater (See Figure 7.5A):

1. new buildings and structures, or additions or alterations;
2. public amenities;
3. earthworks;
4. new roads or additions or alteration to roads;
5. network utilities activities; and
6. site development activities that involve the installation of impermeable surfacing.

Figure 7.5A: Setback from a scheduled tree



Rule 7.6 Assessment of Restricted Discretionary Activities (Performance Standard Contraventions)

Rule 7.6.1 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. Rule 7.6.2:
   a. lists the matters Council will restrict its discretion to; and
   b. provides 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.

7.6.2 Assessment of performance standard contraventions			
Performance standard		Matters of discretion	Guidance on the assessment of resource consents
1.	Setback from scheduled tree	a. Effects on long term health of tree	*Relevant objectives and policies:* i. Objective 7.2.1 ii. Earthworks, new roads and additions and alterations to roads, network utilities activities, buildings, structures, and site development which involves the laying of an impermeable surface, are setback from a scheduled tree an adequate distance to avoid: 1. damage to the scheduled tree; and 2. potential future adverse effects caused by the tree on amenity values, structural integrity of buildings or infrastructure, or safety that may lead to future demand to remove the tree (Policy 7.2.1.4). *General assessment guidance:* i. In assessing effects on the scheduled tree, any consequential amenity effects from pressure to remove tree and tree removal will also be assessed.

Rule 7.7 Assessment of Restricted Discretionary Activities

Rule 7.7.1 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. Rule 7.7.2:
    a. lists the matters Council will restrict its discretion to; and
    b. provides 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 minimize 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 Rule 7.6; 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; 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 Rule 7.8; and
        iii. the assessment guidance in this section will also be considered.

7.7.2 Assessment of restricted discretionary activities			
Activity		Matters of discretion	Guidance on the assessment of resource consents
1.	Modification of a scheduled tree	a. Effects on long term health of tree	*Relevant objectives and policies:* i. Objective 7.2.1 ii. The work is undertaken in accordance with best arboricultural practice and will maintain or improve the health of the tree (Policy 7.2.1.3.a). *General assessment guidance:* iii. The assessment of the long term health of the tree in relation to modification will consider the report from a suitably qualified arborist (see Special Information Requirements - Rule 7.9).
		b. Adverse effects on amenity	*Relevant objectives and policies:* i. Objective 7.2.1 ii. Any adverse effects from the modification of the tree on amenity values are avoided or, if avoidance is not possible, no more than minor (Policy 7.2.1.3.b). *General assessment guidance:* iii. In assessing adverse effects on amenity values, Council will consider the information held in the STEM assessment for the tree. iv. The assessment of the long term health of the tree in relation to modification will consider the a report from a suitably qualified arborist (see Special Information Requirements - Rule 7.9).
		c. Positive effects of tree modification	*Relevant objectives and policies:* i. Objective 7.2.1 ii. The modification is necessary to improve the health of the tree to mitigate adverse effects of the tree on safety, sunlight access, or damage to property or infrastructure (Policy 7.2.1.3.c). *General assessment guidance:* iii. The assessment of the long term health of the tree in relation to modification will consider the a report from a suitably qualified arborist (see Special Information Requirements - Rule 7.9).
2.	Removal of a scheduled tree that is: dead; in terminal decline or with extreme failure; or subject to a court order for removal.	a. Adverse effects on amenity	*Relevant objectives and policies:* i. Objective 7.2.1 ii. Removal of a scheduled tree is enabled where it is certified as being dead or in terminal decline by a suitably qualified arborist or where subject to an order for removal in terms of section 333 of the Property Law Act 2007 (Policy 7.2.1.1). *General assessment guidance:* iii. The assessment of the long term health of the tree in relation to modification will consider the a report from a suitably qualified arborist (see Special Information Requirements - Rule 7.9).

Rule 7.8 Assessment of Non-complying Activities

Rule 7.8.1 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. Rule 7.8.2 provides 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.

7.8.2 Assessment of non-complying activities	
Activity	Guidance on the assessment of resource consents
1. • Removal and any other work on a scheduled tree that will lead to the death or terminal decline of a scheduled tree • Modification of a scheduled tree that does not meet the performance standard for best arboricultural practice	*Relevant objectives and policies (priority considerations)* a. Objectives 7.2.1, 2.4.1 b. Policy 2.4.1.2 c. Avoid the removal of a scheduled tree (except as provided for in Policy 7.2.1.1) unless: i. there is a significant risk to personal/public safety or property; or ii. the tree is shading existing residential buildings to the point that access to sunlight is significantly compromised; or iii. the removal of the tree is necessary to avoid significant adverse effects on public infrastructure; and iv. these adverse effects cannot be reasonably mitigated through pruning and the effects outweigh the loss of amenity from the removal of the tree (Policy 7.2.1.2).

Rule 7.9 Special Information Requirements

7.9.1 Arborist documentation

1. Any application for the removal of a scheduled tree due to the tree being dead or in terminal decline must provide written documentation by a suitably qualified arborist to this effect.
2. Any application for the modification of a scheduled tree must provide written documentation by a suitably qualified arborist that the modification will be in accordance with good arboricultural practice, and will not lead to the death or terminal decline of the scheduled tree.
3. Any application for the removal of a scheduled tree due to a court order must include a copy of that court order.

8. Natural Hazard Mitigation

8.1 Introduction

Natural hazard mitigation activities include structures and earthworks and the repair, maintenance and emergency activities that are necessary to manage or reduce the risk and effects of natural hazards. Mitigation works do not entirely remove the risk from natural hazards, and the works themselves can cause adverse effects that require careful management, for example effects on biodiversity through the removal of vegetation. Also, in some instances, natural hazard mitigation activities have the potential to create, exacerbate, or transfer risk.

There are many existing natural hazard mitigation works in Dunedin, particularly on the Taieri Plains, for example floodbanks and spillways; many of which are public works and some of which are privately owned. Existing works sometimes require maintenance and alterations, and there can be requirements for new or emergency works.

The Second Generation Plan manages the effects of natural hazard mitigation activities, including on the amenity and character of surrounding areas where mitigation works are proposed, through the consent process unless the works are repair, maintenance or emergency activities.

8.2 Objectives and Policies

Objective 8.2.1	
Natural hazard mitigation activities are enabled where they are the most effective and appropriate way of avoiding or mitigating the risks of natural hazards, and are designed and located to: a. minimise, as far as practicable, any adverse effects on the amenity and character of the zone; and b. meet the objectives and policies of the Plan related to all relevant overlay zones or mapped areas and any scheduled heritage item.	
Policy 8.2.1.1	Enable the repair and maintenance of hazard mitigation structures and earthworks features.
Policy 8.2.1.2	Only allow hazard mitigation earthworks and hazard mitigation structures where there are no significant effects on the amenity and character of the surrounding area.
Policy 8.2.1.3	Enable emergency natural hazard mitigation where necessary during a natural hazard event to provide immediate protection to life or property.

Rules

Rule 8.3 Activity Status

8.3.1 Activity status introduction

1. The activity status table in Rule 8.3.2 shows the activity status of natural hazard mitigation activities across all zones, provided any performance standards shown in the far right column are met. The activities in the natural hazard mitigation category are listed in the nested table in Section 1.6.
2. Performance standards apply to permitted, controlled and restricted discretionary activities.
3. 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.
4. 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
ONCC	Outstanding Natural Coastal Character Overlay Zone
HNCC	High Natural Coastal Character Overlay Zone
NCC	Natural Coastal Character Overlay Zone
ONF	Outstanding Natural Feature Overlay Zone
ONL	Outstanding Natural Landscape Overlay Zone
SNL	Significant Natural Landscape Overlay Zone

8.3.2 Activity status table - Natural hazard mitigation activities

Activity		All zones and overlays
1.	Emergency natural hazard mitigation	P
2.	Repair and maintenance of hazard mitigation earthworks features or structures	P
3.	Hazard mitigation earthworks	D
4.	Hazard mitigation structures	D

Note 8.3A - Other relevant District Plan provisions

1. Vegetation clearance and replanting are managed as site development activities in zones.
2. Tree planting for land instability mitigation is managed as an activity in zones.

Note 8.3B - General advice

1. Activities located below the level of mean high water springs are managed by the Otago Regional Council.
2. Land based activities involving, or in close proximity to, defences against water are managed by the following Otago Regional Council mechanisms:
   a. Regional Plan: Water for Otago
   b. Otago Regional Council Flood Protection Management Bylaw; and
   c. Otago Regional Council designations in this District Plan.
3. Activities within the coastal marine area are managed via the Regional Plan: Coast for Otago.

Note 8.3C - Other requirements outside of the District Plan

1. The Heritage New Zealand Pouhere Taonga Act 2014 makes it unlawful for any person to modify or destroy, or cause to be modified or destroyed, the whole or any part of an archaeological site without the prior authority of Heritage New Zealand. If you wish to do any earthworks that may affect an archaeological site, you must first obtain an authority from Heritage New Zealand before you begin. 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. The Heritage New Zealand Pouhere Taonga Accidental Discovery Protocol (Appendix A8) manages archaeological sites which may be discovered as a result of earthworks. The protocol applies to any area, not just scheduled archaeological sites.

Note 8.3D - Other relevant District Plan provisions

1. Earthworks are managed through the management and major facilities zone sections.

Rule 8.4 Notification

1. 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. discretionary and non-complying activities in a **wāhi tūpuna mapped area** where the activity is identified as a threat to the **wāhi tūpuna mapped area** in Appendix A4.
2. Otago Regional Council will be considered an affected person in accordance with section 95B of the RMA where their written approval is not provided with respect to applications for resource consent in the following locations:
    1. Hazard 1 (flood) Overlay Zone; and
    2. **swale mapped areas**.
3. In accordance with section 95(B) of the RMA, where an application is not publicly notified, Council will give limited notification of an application to all affected persons.
4. All other activities are subject to the normal tests for notification in accordance with sections 95A-95G of the RMA.

Rule 8.5 Assessment of Discretionary Activities

Rule 8.5.1 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 with respect to matters over which it has restricted its discretion.
2. Rule 8.5.2 provides guidance on how a consent application will be assessed, including:
    a. relevant objectives and policies, with respect to s104(1)(b)(vi);
    b. potential circumstances that may support a consent application;
    c. general assessment guidance; and
    d. conditions that may be imposed.

8.5.2 Assessment of discretionary natural hazard mitigation activities	
Activity	Guidance on the assessment of resource consents
1. • Hazard mitigation earthworks • Hazard mitigation structures	*Relevant objectives and policies:* a. Objective 8.2.1 b. There are no significant effects on the amenity and character of the surrounding area (Policy 8.2.1.2). c. See Section 10.6 for guidance on the assessment of resource consents in relation to Objective 10.2.2 and effects on biodiversity and natural character of riparian margins and the coast. d. See Section 10.6 for guidance on the assessment of resource consents in relation to Objective 10.2.4 and effects on public access. e. See Section 11.6 for guidance on the assessment of resource consents in relation to Objective 11.2.1 and effects related to the risks from natural hazards f. Where in a **wāhi tūpuna mapped area**, see Section 14.5 for guidance on the assessment of resource consents in relation to Objective 14.2.1 and effects on the cultural values of manawhenua. g. Where in a **ONCC, HNCC or NCC overlay zone**, see Section 10.6 for guidance on the assessment of resource consents in relation to Objective 10.2.3 and effects related to the natural character of the coast. h. Where in a **ONF, ONL or SNL overlay zone**, see Section 10.6 for guidance on the assessment of resource consents in relation to Objective 10.2.5 and effects on landscape values. i. Where on a **heritage precinct or on a heritage site** see Section 13.7 for guidance on the assessment of resource consents in relation to objectives 13.2.2 and 13.2.3 and effects on heritage values. General assessment guidance: j. In assessing the significance of effects, consideration will be given to: i. Manawhenua values and the relationship between manawhenua and the natural environment is maintained, including the cultural values and traditions associated with: 1. wāhi tūpuna; and 2. mahika kai (Objective 14.2.1). ii. If located outside a **wāhi tūpuna mapped area**, Kai Tahu may advise the Council if it considers that the granting of the consent would affect the integrity of the broader environment within which the wāhi tūpuna is located, or the linkages between wāhi tūpuna k. 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.