

31. Schools

31.1 Introduction

Dunedin's schools are a crucial educational resource for Dunedin. The Schools Zone encompasses all primary and secondary schools within the city, including state schools, state-integrated schools and private schools. The total number of schools managed under the Schools Zone is 72, located across the city.

School sites have traditionally also been used for community use, such as evening activities in school halls. This dual role is likely to increase in the future, as nationally schools are considered as community hubs and may, particularly in more remote communities, be used for services such as libraries, community health provision, social services and community produce markets. School facilities can also be used for conferences, theatre and concert performances, adult education and as community sports facilities. Early childhood education is often associated with schools and has similar environmental effects. The Schools Zone provides for these multiple uses.

Generally, Dunedin's schools are located within or close to residential environments, but can also be found adjacent to recreation and rural zoned land, and within close proximity of commercial areas. Activities on school sites have the potential to generate effects which may adversely affect surrounding land uses, particularly residential areas. The provisions of the Schools Zone have been designed to enable education and community activities, and provide certainty regarding what land use activities can be expected to occur on school sites, while appropriately managing any adverse effects on surrounding land use activities and the transport network.

Several schools have scheduled heritage buildings or structures. These are listed in Appendix A1.1.

State schools are also designated within the Plan (see Appendix A1.4). The conditions on the individual designations may differ from the rules contained within the Schools Zone. Where this is the case, the schools can choose to rely on their designations in relation to new development rather than the provisions within this section.

31.2 Objectives and Policies

Objective 31.2.1	
Dunedin's schools are able to operate efficiently and effectively and provide opportunities for local communities to use school facilities.	
Policy 31.2.1.1	Enable school activity, early childhood education - small scale, training and education activity and student hostels on school sites.
Policy 31.2.1.2	Provide for community use of school facilities and activities that are ancillary to school activity where they are designed and operated in line with Objective 31.2.2 and its policies.
Policy 31.2.1.3	Only allow activities that are not ancillary to school activity where all of the following apply: <ul style="list-style-type: none"> a. the activities are related to or support the school, or have other operational requirements that mean they need to locate in the zone; b. they will support the efficient and effective operation of the school; c. they are not more appropriately located in another zone in line with Objective 2.3.2 and its policies; and d. they are designed and operated in line with Objective 31.2.2 and its policies.
Policy 31.2.1.4	Enable land that is surplus to the needs of the school to transition to the default zone listed in Appendix A9, so that future development that is not related to school activity can be managed in accordance with the objectives and policies of that zone.

Objective 31.2.1

Dunedin's schools are able to operate efficiently and effectively and provide opportunities for local communities to use school facilities.

Policy 31.2.1.5	Only allow subdivision where: a. it is in accordance with the provisions of the default zone listed in Appendix A9; and b. the subdivision does not adversely affect the efficient and effective operation of the school.
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Objective 31.2.2

Land use activities and development necessary for schools to meet the reasonably foreseeable needs of students and staff is enabled, while ensuring development:

- a. achieves a good standard of on-site amenity for students and staff;
- b. maintains or enhances the amenity of the surrounding residential areas, as far as practicable; and
- c. maintains or enhances the residential amenity of surrounding sites.

Policy 31.2.2.1	Require buildings and structures to be of a height and setback from boundaries that ensures: a. there are no more than minor effects on the sunlight access of current and potential future residential buildings and their outdoor living spaces; and b. any adverse effects on neighbourhood amenity are avoided or, if avoidance is not possible, are no more than minor.
Policy 31.2.2.2	Require development to maintain or enhance on-site and neighbourhood amenity by ensuring service areas are not visible from ground level outside the site.
Policy 31.2.2.3	Require fences adjoining roads or public places to be of a height and design that contributes positively to neighbourhood amenity.
Policy 31.2.2.4	Require ancillary signs visible outside the zone to be located and designed to maintain streetscape amenity, including by being of an appropriate size and number to convey information about the name, location and nature of the activity on-site to passing pedestrians and vehicles, and not being oversized or too numerous for that purpose.
Policy 31.2.2.5	Require ancillary commercial activities to be designed, located and operated to primarily serve staff, students and visitors to the school.
Policy 31.2.2.6	Only allow early childhood education - large scale and community and leisure - large scale where it is designed to avoid or, if avoidance is not possible, adequately mitigate adverse effects on the amenity of surrounding residential properties.
Policy 31.2.2.7	Require conference and meeting activity and use of schools' sports fields to be restricted in hours of operation in order to avoid or, if avoidance is not possible, adequately mitigate, noise and other adverse effects on the amenity of surrounding residential properties.

Objective 31.2.3

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

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

Objective 31.2.3

Policy 31.2.3.1	Require earthworks, and associated retaining structures, to be designed and located to avoid adverse effects on the stability of land, buildings, and structures by: <ul style="list-style-type: none"> a. being set back an adequate distance from property boundaries, buildings, structures and cliffs; and b. using a batter gradient that will be stable over time.
Policy 31.2.3.2	Require earthworks and any associated retaining structures to be designed and located to minimise adverse effects on surrounding sites and the wider area, including by: <ul style="list-style-type: none"> a. limiting the scale of earthworks that are provided for as a permitted activity; and b. requiring earthworks to avoid sediment run-off, including onto any property, or into any stormwater pipes, drains, channels or soakage systems.
Policy 31.2.3.3	Only allow earthworks that exceed the scale thresholds (earthworks - large scale) and any associated retaining structures, where all of the following effects will be avoided or, if avoidance is not possible, adequately mitigated: <ul style="list-style-type: none"> a. adverse effects on visual amenity and character; b. adverse effects on the amenity of surrounding properties, including from changes to drainage patterns; and c. adverse effects on the stability of land, buildings, and structures.

Rules

Rule 31.3 Activity Status

Rule 31.3.1 Rule location

The activity status tables in Rule 31.3.3 - 31.3.5 in Rule 31.3.2 specify the activity status of land use activities, development activities, and subdivision activities in the Schools Zone, except rules for the following city-wide activities, which are contained in Part B of the Plan:

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

31.3.2 Activity status introduction

1. The tables in Rules 31.3.3-31.3.5 show the activity status of activities in the Schools Zone and the overlay zones indicated, provided any performance standards shown in the far right column are met.
2. Activities are split into three types: a. land use activities, b. development activities, c. subdivision activities. Within these types, activities are split into categories. The nested tables in Section 1.6 outline the hierarchy of categories, activities and sub-activities.
3. Permitted land use activities do not automatically provide for any related development activities. Therefore, the activity status of any associated development activities should also be checked.
4. Where a new land use activity requires a resource consent, all associated development activities will be considered and assessed as part of the resource consent even if the development otherwise meets the development performance standards listed in the Plan.
5. The nested table in Section 1.6 is intended to be a complete list of activities and categories of activities. For any activity that is not covered by any of the defined activities in the nested table, the activity status will be non-complying if the activity status of "all" or "all other" activities in the most closely related category is non-complying, otherwise it will be discretionary.

Additional activity status rules in hazard overlay zones

6. For the purpose of the hazards provisions, activities are categorised as sensitive activities, potentially sensitive activities or least sensitive activities. The activities that are in each hazards sensitivity category are included in the definitions section and in Section 11.1.
7. In the hazard 1 or hazard 2 overlay zones, the activity statuses in Rule 31.3.6 apply to the following activities:
 - a. new sensitive activities and potentially sensitive activities, and
 - b. some new buildings.
8. Where the activity status in Rule 31.3.6 differs from that in Rule 31.3.3 - 31.3.5, the most restrictive activity status always applies.
9. In addition to the rules in Rule 31.3.6, performance standards for development activities within hazard overlay zones are included in Rule 31.3.3 - 31.3.5.
10. Activities in a hazard overlay zone must comply with all of the rules in 31.3.3 - 31.3.6.

Performance Standards

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

Legend

Acronym	Activity status
—	No change to activity status or not relevant (intersect does not exist)
P	Permitted activity
C	Controlled activity
RD	Restricted Discretionary activity
D	Discretionary activity
NC	Non-complying activity
Acronym	Zone/overlay zone name
Haz1	Hazard 1 Overlay Zones
Haz2	Hazard 2 Overlay Zones
Haz3	Hazard 3 Overlay Zones

31.3.3 Activity status table - land use activities

1.	Performance standards that apply to all land use activities	a. Acoustic insulation (noise sensitive activities) b. Electrical interference c. Light spill d. Noise e. Setback from national grid (sensitive activities) f. Hours of operation	
Major facility activities		Activity status	Performance standards
2.	Schools	P	a. Minimum car parking
3.	All other activities in the major facility activities category	NC	
Community activities		Activity status	Performance standards
4.	Early childhood education - small scale	P	a. Minimum car parking
5.	Early childhood education - large scale	RD	
6.	Community and leisure - small scale	P	

7.	Community and leisure - large scale	RD	
8.	Sport and recreation <i>not involving the use of motorised vehicles</i>	P	
9.	Sport and recreation <i>involving the use of motorised vehicles</i>	D	
10.	Conservation	P	
Commercial activities		Activity status	Performance standards
11.	Training and education	P	
12.	Conference, meeting and function	P	
13.	All other activities in the commercial activities category	NC	
Residential activities		Activity status	Performance standards
14.	Student hostels	P	a. Minimum car parking
15.	All other activities in the residential activities category	NC	
Industrial activities		Activity status	Performance standards
16.	All activities in the industrial activities category	NC	
Rural activities		Activity status	Performance standards
17.	All activities in the rural activities category	NC	

31.3.4 Activity status table - development activities

1.	Performance standards that apply to all development activities		<ul style="list-style-type: none"> a. Maximum site coverage and impermeable surfaces b. Setback from coast and water bodies c. Setback from national grid d. Setback from scheduled tree
2.	Performance standards that apply to all buildings and structures activities		<ul style="list-style-type: none"> a. Boundary setbacks b. Height in relation to boundary c. Maximum height d. Number, location and design of ancillary signs e. Hazard overlay zones development standards
Buildings and structures activities (excluding activities affecting a protected part of a scheduled heritage building or scheduled heritage structure. See rows 5-9)		Activity status	Performance standards
3.	Fences	P	a. Fence height and design

4.	All other buildings and structures activities	P	
Buildings and structures activities that affect a protected part of a scheduled heritage building or scheduled heritage structure		Activity status	Performance standards
5.	Repairs and maintenance or <u>restoration</u>	P	a. Materials and design
6.	Earthquake strengthening <i>where external features only are protected</i>	C	a. Materials and design
7.	All other additions and alterations	RD	
8.	Demolition	NC	
9.	Removal for relocation	RD	
Site development activities		Activity status	Performance standards
10.	Earthworks - small scale	P	a. Earthworks standards
11.	Earthworks - large scale	RD	a. Earthworks standards
12.	Service areas	P	a. Location and screening of service areas
13.	Storage and use of hazardous substances	P	a. Hazardous substances quantity limits and storage requirements
14.	Parking, loading and access	P	a. Parking, loading and access standards
15.	All other site development	P	

31.3.5 Activity status table - subdivision activities

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

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

Activity	a. Haz1	b. Haz2	c. Haz3
1. Potentially sensitive activities permitted in the Schools Zone	D	—	—
2. Potentially sensitive activities not permitted in the Schools Zone	NC	D	—
3. Sensitive activities	NC	D	—
4. In a hazard 1 (land instability) Overlay Zone, new buildings, and additions and alterations to buildings, which create more than 1m ² of new ground floor area	RD	—	—
5. In a hazard 1 or 2 overlay zone, other than the hazard 1 (land instability) Overlay Zone, new buildings, and additions and alterations to buildings, which create more than 60m ² of new ground floor area	—	RD	—

Rule 31.2.7 Transition to default zone

On receipt of written notice from both the owner and operator (if different) of the school to Dunedin City Council in relation to all or part of the land within the part of the Schools Zone in which the school is located, the provisions of the School Zone will no longer apply to that parcel of land and the provisions of the relevant default zone, as indicated in Appendix 31A, will apply in full.

Note 31.3A - Guidance on existing use rights applying to land use activities in hazard overlay zones

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

Note 31.3B - General advice

1. Under the Heritage New Zealand Pouhere Taonga Act 2014 it is an offence to modify or destroy an archaeological site without obtaining an archaeological authority from Heritage New Zealand (HNZ). This is the case regardless of whether the land on which the site is located is designated, or the activity is permitted under the District Plan or Regional Plan, or a resource or building consent has been granted.
2. An archaeological site is defined as any place in New Zealand that was associated with human activity that occurred before 1900 and provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand. This includes the scheduled archaeological sites within the District Plan.
3. Pre-1900 buildings are considered archaeological sites. An archaeological authority must be obtained before demolishing a pre-1900 building or structure.
4. The **archaeological alert layer mapped area** identifies sites and areas that have a strong likelihood of containing archaeological remains, however remains may be present anywhere within the District. If archaeological remains are discovered during any site works, at any location, the Accidental Discovery Protocol (Appendix A8) should be followed.
5. All buildings and structures activities associated with existing major facilities are advised to undertake an assessment of risk from natural hazards and implement any recommended risk mitigation measures.

Note 31.3C - General advice

1. The Ministry of Education holds designations for a large number of schools and early childhood education centres within Dunedin. Details of the designations can be found in Appendix A1.4.

Rule 31.4 Notification

1. Applications for resource consent for the following activities will be considered without the need to obtain a written approval of affected persons and will not be notified in accordance with section 95A or 95B of the Act, unless Council considers special circumstances exist in relation to the application that require public notification:
 1. earthquake strengthening of a scheduled heritage building or scheduled heritage structure where external features only are protected (controlled activity) and that are not listed by Heritage New Zealand; and
 2. contravention of performance standard 13.3.2 'Materials and design' where the building or structure is not listed by Heritage New Zealand.
2. With respect to resource consent applications for the following activities, Heritage New Zealand will be considered an affected person in accordance with section 95B 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; and
 2. activities that contravene performance standard 13.3.2 'Materials and design' where the building or structure is listed by Heritage New Zealand.
3. Applications for resource consent for the following activities will be publicly notified in accordance with section 95A(2) of the RMA:
 1. demolition of a protected part of a scheduled heritage building or scheduled heritage structure.
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 31.5 Land Use Performance Standards

31.5.1 Acoustic Insulation

Any noise sensitive activities in the following areas must comply with Rule 9.3.1.

1. within 20m of an industrial zone; and
2. within 70m of a railway line.

31.5.2 Electrical Interference

Land use activities must comply with Rule 9.3.2.

31.5.3 Hours of Operation

1. Conference, meeting and function activity and use of school sports fields must not take place outside the following hours:

Days of week		Hours of operation
a.	Sunday - Thursday	7am - 10.30pm
b.	Friday - Saturday	7am - 12am (midnight)

2. Flood lighting and sportsfield lighting on sites adjoining a residential zone boundary must not operate from 10pm - 6am.

31.5.4 Light Spill

Land use activities must comply with Rule 9.3.5.

31.5.5 Minimum Car Parking

Activity		Minimum number of parking spaces
1.	Schools	<p>a. For the following schools, the minimum number of parking spaces is the number of parking spaces (including any parking spaces reserved for the dropping off and/or picking up of pupils) that were in place on the <u>site</u> on 26th September 2015:</p> <ul style="list-style-type: none"> i. Arthur Street School ii. Columba College iii. George Street Normal School iv. Kaikorai Primary School v. Kavanagh College vi. Otago Boys High School vii. Otago Girls High School viii. St Hilda's Collegiate ix. St Joseph's Cathedral School <p>b. For the schools identified in 31.5.5.1.a, one parking space must be provided for each new classroom added after 26th September 2015.</p> <p>c. For all other schools there is no minimum parking standard.</p>
2.	Student hostels	<ul style="list-style-type: none"> a. hostels with 1 - 10 residents: 1 parking space b. hostels with 11 - 20 residents: 2 parking spaces c. hostels with 21 - 30 residents: 3 parking spaces d. hostels with greater than 30 residents: 3 parking spaces plus 1 additional space for every 10 additional residents (or part thereof)

3. Schools and student hostels must provide mobility parking spaces as follows:

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

4. Required parking spaces may be used for car, cycle or motorcycle parking, except for any required mobility parking spaces, which must be used for mobility car parking.
5. Parking spaces may be shared between land use activities (ie the same parking spaces may be used to fulfil the minimum car parking requirement for more than one land use activity), as long as the hours of operation of the land use activities do not overlap.
6. Where the minimum parking performance standard results in the requirement for a fractional space, any fraction under one half will be disregarded and any fraction of one half or greater will be counted as one space.

Note 31.5A - Other relevant District Plan provisions

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

31.5.6 Noise

Land use activities must comply with Rule 9.3.6.

31.5.7 Setback from National Grid

Sensitive activities must comply with Rule 5.6.1.1.

Rule 31.6 Development Performance Standards

31.6.1 Earthworks Standards

31.6.1.1 Earthworks - small scale thresholds

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

Zone/Area		1. Schools Zone	2. SNL	3. Within 5m of a water body ¹ or MHWS	4. Haz2 & Haz3 (food)	5. Haz2 (land instability)
i.	Maximum change in ground level	1.5m	1.5m	0.5m	—	1m
ii.	Maximum area	—	200m ²	25m ²	—	—
Slope categories		Maximum volume of combined cut and fill				
iii.	Less than or equal to 12°	30m ³ per 100m ² of site	50m ³	1m ³	20m ³ fill	20m ³
iv.	Greater than 12° but less than or equal to 15°	25m ³ per 100m ² of site	50m ³	1m ³	20m ³ fill	20m ³
v.	Greater than 15° but less than or equal to 20°	15m ³ per 100m ² of site	50m ³	1m ³	20m ³ fill	20m ³
vi.	Greater than 20° but less than or equal to 26°	10m ³ per 100m ² of site	50m ³	1m ³	20m ³ fill	20m ³
vii.	Greater than 26° but less than or equal to 35°	0m ³ fill 5m ³ cut per 100m ² of site	0m ³ fill 50m ³ cut	0m ³ fill 1m ³ cut	0m ³ fill	0m ³ fill 20m ³ cut
viii.	Greater than 35°	0m ³	0m ³	0m ³	0m ³	0m ³

- b. Where the part of the site in which the earthworks are located is in more than one slope category, the most restrictive scale threshold applies.
- c. Earthworks *ancillary to network utilities* activities are only required to comply with Rule 31.6.1.1.a.i - maximum change in ground level threshold.
- d. Earthworks *ancillary to the operation, repair, and maintenance of the roading network* are exempt from the performance standard earthworks - small scale thresholds.
- e. Scale thresholds will be calculated as the cumulative total of earthworks on any site in a two calendar-year period.
- f. Earthworks that exceed the earthworks - small scale thresholds are treated as earthworks - large scale, which are a restricted discretionary activity.

¹See Rule 10.3.3 for how setbacks from waterbodies will be measured.

31.6.1.2 Archaeological sites

Earthworks must comply with Rule 13.3.3.

31.6.1.3 Batter gradient

Earthworks must:

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

31.6.1.4 Setback from property boundary, buildings, structures and cliffs

Earthworks over 600mm in height or depth must be set back from: property boundaries, foundations of buildings, structures greater than 10m², and the top or toe of any cliff, the following minimum distances:

- a. Earthworks not supported by retaining walls:
 - i. a distance at least equal to the maximum height of the fill, as measured from the toe of the fill (see Figure 31.6A);
 - ii. a distance at least equal to 1.5 times the maximum depth of the cut, plus 300mm, as measured from the toe of the cut (see Figure 31.6A); and
 - iii. 300mm, as measured from the crest of any cut (see Figure 31.6A).
- b. Retaining walls supporting a cut or fill must be setback a distance at least equal to the height of the retaining walls (see Figure 31.6B), except:
 - i. retaining walls supporting a cut that have been granted building consent are exempt from this standard.
- c. Earthworks *ancillary to network utilities* activities and earthworks *ancillary to the operation, repair, and maintenance of the roading network* are exempt from the setback from property boundary, buildings, structures and cliffs performance standard.

Figure 31.6A Unsupported cut and fill (elevation view)

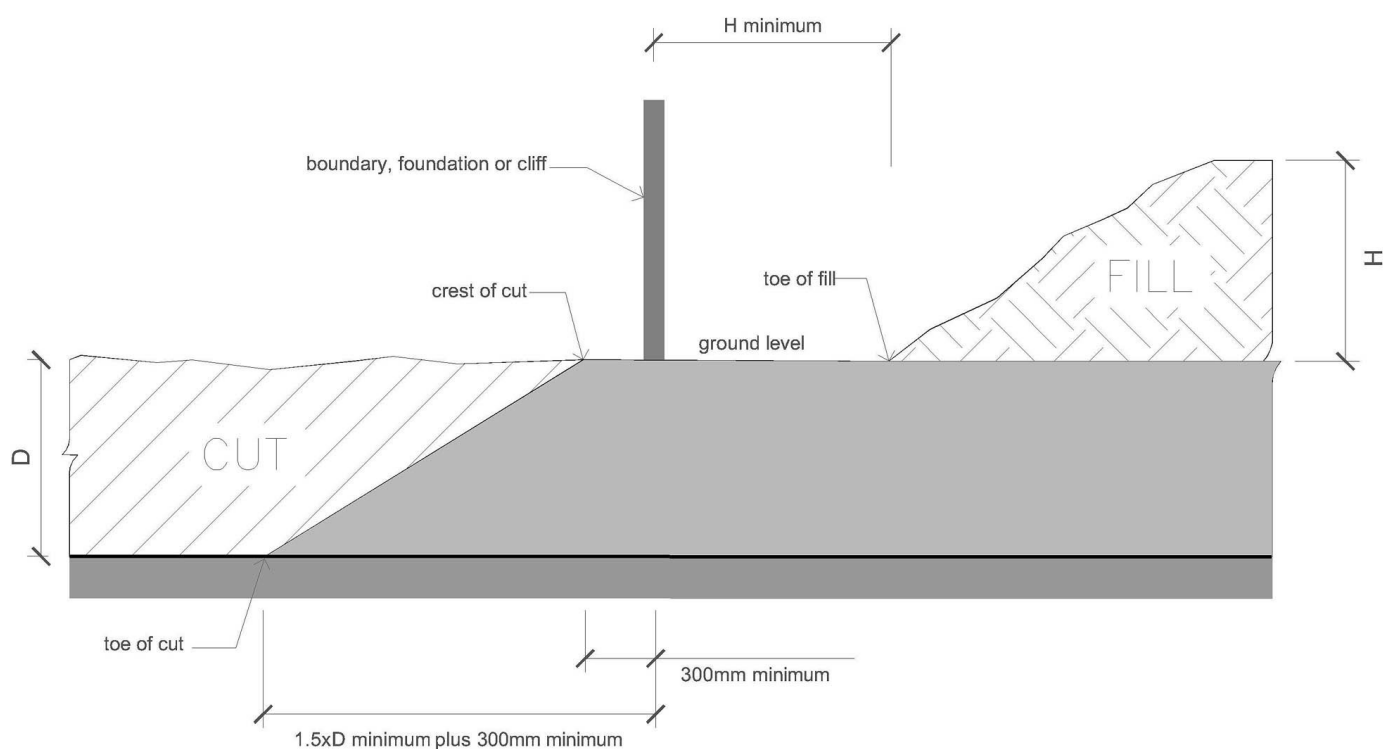
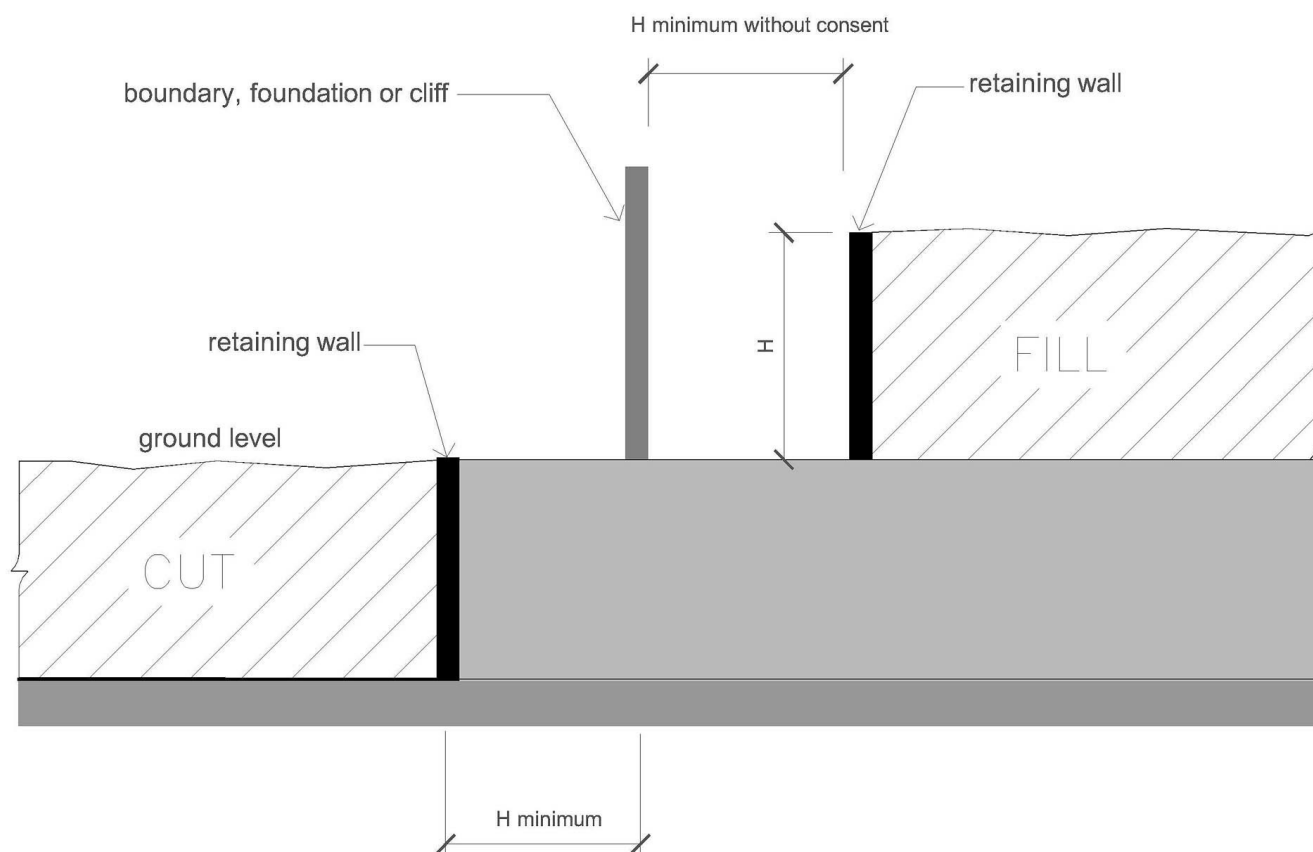


Figure 31.6B Cut and fill supported by retaining walls (elevation view)



31.6.1.5 Setback from national grid (earthworks)

Earthworks must comply with Rule 5.6.1.2.

31.6.1.6 Setback from network utilities

Earthworks must comply with Rule 5.6.2.

31.6.1.7 Sediment control

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

Figure 31.6A: Unsupported cut and fill (elevation view)

Figure 31.6B Cut and fill supported by retaining walls (elevation view)

31.6.2 Fence Height and Design

- Fences must not exceed the following height limits, except as provided for below:

Location		Maximum height
a.	Along the road boundary with a state highway	2m
b.	Along all other road boundaries	1.4m
c.	Along a side or rear boundary with a residential zone	1.4m
e.	Along all other side and rear boundaries	2m

- Fences along boundaries include fences that are not exactly on the boundary but are within the boundary setbacks required by Rule 31.6.11.1.
- Where the maximum height of a fence is 1.4m, the height of a fence may be increased to a maximum height of 2m provided that a minimum of 40% of the entire structure is visually permeable (see-through), or the portion above 1.4m height is visually permeable. Visually permeable refers to construction using trellis, lattice, wrought iron, or spaced palings (palings maximum width 100mm, spacing minimum width 25mm) or other materials that provide gaps that can be seen through (see Figure 15.6D and Figure 15.6E).
- The maximum height of a fence on side and rear boundaries (except where adjacent to the recreation zone, or public place), is 2m.
- For the purposes of calculating maximum height, where a fence or wall is erected atop a retaining wall, the height will be calculated as the combined height measured from ground level to the top of the fence or wall.

31.6.3 Hazard Overlay Zones Development Standards

31.6.3.1 Relocatable buildings

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

31.6.3.2 Minimum floor level

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

31.6.3.3 Maximum area of vegetation clearance in the hazard overlay zones

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

31.6.4 Hazardous Substances Quantity Limits and Storage Requirements

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

31.6.5 Height

31.6.5.1 Height in relation to boundary

New buildings and additions or alterations to buildings must not protrude through a plane (see Figure 15.6F) raising at an angle of 45 degrees measured from a point:

- a. 1.3m above ground level at side and rear boundaries, where the neighbouring zone is the Inner City Residential Zone or General Residential 2 Zone;
- b. 2.5m above ground level at the side and rear boundaries where the neighbouring zone is any other residential zone;
- c. except:
 - i. where the neighbouring zone is the Inner City Residential Zone, for any new buildings and additions or alterations to buildings within 13m of the road boundary, the height in relation to boundary will be measured from 6.5m above ground level at side boundaries, provided that all buildings on the remainder of the site are set back from the side boundaries by at least 2m (see Figure 15.6G);
 - ii. on boundaries adjacent to non residential zones, the height in relation to boundary of the adjacent zone applies;
 - iii. where new buildings or additions and alterations are built to a common wall, any part of a building where the height and angle of the roofline are the same as the adjoining building is exempt from this standard; and
 - iv. gable ends and dormers may protrude through the height in relation to boundary plane by a maximum of 1m (see Figure 15.6H).
- d. Rooftop structures are exempt from the performance standard for height in relation to boundary.

31.6.5.2 Maximum height

- a. The maximum height for new buildings and structures, and additions and alterations, must not exceed 12m above ground level.
- b. Rooftop structures are exempt from the performance standard for maximum height provided they do not exceed the maximum height limit by more than one third of that limit.

31.6.6 Location and Screening of Service Areas

1. Service areas must be located or screened so that they are not visible at ground level from adjacent: residential activities, residential zoned properties, or public places.
2. Service areas must not encroach into required parking, loading or manoeuvring areas.

31.6.7 Materials and Design

Repairs and maintenance, restoration and earthquake strengthening in a heritage precinct that are visible from an adjoining public place must comply with Rule 13.3.2.

31.6.8 Maximum Site Coverage and Impermeable Surfaces

The maximum site coverage of buildings and impermeable surfaces is:

Default zone of the school, as indicated in Appendix A9		Maximum site coverage by buildings (% of site)	Maximum total impermeable site coverage (buildings and impermeable surfaces % of site)
1.	General Residential 2 Zone or Inner City Residential Zone	60%	80%
2.	All other zones	40%	70%

31.6.9 Number, Location and Design of Ancillary Signs

31.6.9.1 General

- a. Signs must comply with the following standards, except the following signs are exempt from these standards:
 - i. signs that are not visible from outside the School Zone;
 - ii. 'regulatory' (requiring or prohibiting specified actions), 'warning' (informing of hazards or of other features requiring a safe response), or 'directional' (identifying the location of, or direction to destinations, routes, building entrances, and vehicle accesses) signs; and
 - iii. 'building names' (excluding sponsorship names).
- b. Signs must comply with Rule 6.7.3 where visible from a road.
- c. Signs must not be illuminated or digital.
- d. Signs other than those specified in Rules 31.6.9.2 and 31.6.9.3 are not allowed.

31.6.9.2 Signs attached to buildings

- a. The height above ground level at the highest point of any sign attached to a building is 4m.
- b. Signs must not be attached to roofs.
- c. Signs must not project higher than the lowest point of the roof, except where mounted against a parapet or gable end.
- d. Signs attached to a building must:
 - i. not exceed 1 sign per 30m of road frontage;
 - ii. have a maximum area per display face of 2m²;
 - iii. have a maximum of 2 display faces per sign;
 - iv. where attached to the façade of a building, must not project more than 1m from the façade to which it is attached; and
 - v. if attached to a verandah fascia, must not exceed a height of 500mm, or the height of a verandah fascia, whichever is greater.

31.6.9.3 Freestanding signs

- a. The maximum number of freestanding signs is 2 per 50m of frontage.
- b. The maximum dimensions of freestanding signs are:
 - i. maximum height of 4m;
 - ii. maximum area of 4m²;
 - iii. maximum width of 2m; and
 - iv. maximum depth of 400m.

- c. Freestanding signs must not obstruct driveways, parking or loading areas.
- d. Freestanding signs must be located within the site and cannot be located on the road reserve.

Note 31.6A - Other relevant District Plan provisions

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

Note 31.6B - Other requirements outside of the District Plan

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

31.6.10 Parking, Loading and Access Standards

Parking, loading and access must comply with Rule 6.6.

31.6.11 Setbacks

31.6.11.1 Boundary setbacks

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

Building or structure		Setback from road boundary where default zone is General Residential 2 or Inner City Residential	Setback from road boundary where default zone is any other zone	Setback from other boundaries
a.	Buildings	3m	4.5m	4.5m
b.	Structures greater than 3m tall or 10m ² floor area	3m	4.5m	4.5m

- d. Except:
 - i. fences and ancillary signs are exempt from the performance standard;
 - ii. St.Hilda's Collegiate School adjoining Cobden Street and Heriot Row is exempt from the performance standard; and
 - iii. Kavanagh College adjoining York Place, Tennyson Street, Smith Street or the north side of Rattray Street, is exempt from the performance standard.

31.6.11.2 Setback from coast and water bodies

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

31.6.11.3 Setback from national grid

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

31.6.11.4 Setback from scheduled tree

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

Rule 31.7 Subdivision Performance Standards

Subdivision activities must comply with the subdivision performance standards of the default zone (the default zones are listed in Appendix A9).

Rule 31.8 Assessment of Controlled Activities

Rule 31.8.1 Introduction

1. Controlled activities will be assessed in accordance with section 104 and 104A of the RMA. Council must grant the application and may impose conditions with respect to matters over which it has reserved its control.
2. Rule 31.8.2:
 - a. lists the matters over which Council has reserved its control; and
 - b. provides guidance on how consent applications will be assessed, including:
 - i. relevant objectives and policies, with respect to s104(1)(b)(vi); and
 - ii. conditions that may be imposed.
3. Where a controlled activity does not meet a performance standard the following occurs:
 - a. if the contravention of the performance standard defaults to **restricted discretionary** (which is the case, unless otherwise indicated in the performance standard) then:
 - i. the activity, as a whole, will be treated as **restricted discretionary**; and
 - ii. the matters of discretion are expanded to include the areas of non-compliance with the performance standard; and
 - iii. the performance standard contravention will be assessed as indicated in Section 31.9; and
 - iv. the matters of control become matters of discretion and will be assessed as indicated in this section.
 - b. if the contravention of the performance standard defaults to **discretionary** then:
 - i. the activity, as a whole, will be treated as **discretionary**; and
 - ii. the performance standard contravention will be assessed as indicated in Section 31.11; 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 31.12; and
 - iii. the assessment guidance in this section will also be considered.

31.8.2 Assessment of all controlled activities

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

Rule 31.9 Assessment of Restricted Discretionary Activities (Performance Standard Contraventions)

Rule 31.9.1 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 31.9.2 - 31.9.5:
 - a. list the matters Council will restrict its discretion to; and
 - b. provide guidance on how consent applications will be assessed, including:
 - i. relevant objectives and policies, with respect to s104(1)(b)(vi);
 - ii. potential circumstances that may support a consent application;
 - iii. general assessment guidance; and
 - iv. conditions that may be imposed.

31.9.2 Assessment of all performance standard contraventions

Performance standard		Guidance on the assessment of resource consents
1.	Performance standard contraventions	<p><i>Potential circumstances that may support a consent application include:</i></p> <ol style="list-style-type: none"> a. The degree of non-compliance with the the performance standard is minor. b. The need to meet other performance standards, or other site specific factors, 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 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. e. The schools are able to operate efficiently and effectively. <p><i>General assessment guidance:</i></p> <ol style="list-style-type: none"> f. Where more than one standard is contravened, the combined effects of the contraventions should be considered. g. In balancing consideration of the objectives and policies related to the maintenance of heritage values and those related to general amenity, greater weight will usually be placed on heritage policies

31.9.3 Assessment of land use performance standard contraventions

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
1. Electrical interference	a. Effects on health and safety	See Rule 9.4

31.9.3 Assessment of land use performance standard contraventions

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
2. Hours of operation	a. Effects on surrounding sites' residential amenity	<p><i>Relevant objectives and policies:</i></p> <p>i. Objective 31.2.2</p> <p>ii. Conference and meeting activity and use of schools' sports fields avoids or, if avoidance is not possible, adequately mitigates, noise and other adverse effects on the amenity of surrounding residential properties (Policy 31.2.2.7).</p> <p><i>Potential circumstances that may support a consent application include:</i></p> <p>iii. The extension of hours will not result in unreasonable nuisance from vehicle movements or other noise.</p>
3. Minimum car parking	a. Effects on the safety and efficiency of the transport network	See Rule 6.9
	b. Effects on accessibility	

31.9.4 Assessment of development performance standard contraventions

Performance standard	Matters of discretion	Guidance on the assessment of resources consents
1. <ul style="list-style-type: none"> Boundary setbacks Height in relation to boundary Maximum height 	a. Effects on amenity of surrounding sites	<p><i>Relevant objectives and policies:</i></p> <p>i. Objective 31.2.2</p> <p>ii. Buildings and structures are of a height and setback from boundaries that ensures there are no more than minor effects on the sunlight access of current and potential future residential buildings and their outdoor living spaces (Policy 31.2.2.1.a).</p> <p><i>Potential circumstances that may support a consent application include:</i></p> <p>iii. Residential buildings on neighbouring sites receive adequate natural light and privacy.</p>
	b. Effects on neighbourhood amenity	<p><i>Relevant objectives and policies:</i></p> <p>i. Objective 31.2.2</p> <p>ii. Adverse effects on neighbourhood amenity are avoided or if avoidance is not possible, are mitigated so that they are no more than minor (Policy 31.2.2.1.b).</p> <p><i>Potential circumstances that may support a consent application include:</i></p> <p>iii. The boundary setback is consistent with the setbacks of adjoining properties.</p> <p>iv. Landscaping or fences screen or soften the visual effects of buildings.</p>

31.9.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resources consents
2.	Earthworks standards: <ul style="list-style-type: none"> Batter gradient 	a. Effects on the stability of land, buildings and structures	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 31.2.3 ii. Earthworks and associated retaining structures are designed and located to avoid adverse effects on the stability of land, buildings, and structures by using a batter gradient that will be stable over time (Policy 31.2.3.1.b). <p><i>Conditions that may be imposed include, but are not limited to:</i></p> <ul style="list-style-type: none"> iii. Maximum slopes of cut and fill batters. iv. Time limits for retaining wall installation to avoid leaving a cut slope unsupported for an extended period. v. Temporary shoring requirements to maintain stability before a wall is constructed. vi. Supervision and monitoring requirements for retaining wall construction and standard earthworks construction.
3.	Earthworks standards: <ul style="list-style-type: none"> Setback from property boundary, buildings, structures and cliffs 	a. Effects on the stability of land, buildings and structures	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 31.2.3 ii. Earthworks and associated retaining structures are designed and located to avoid adverse effects on the stability of land, buildings, and structures by being set back an adequate distance from property boundaries, buildings and cliffs (Policy 31.2.3.1.a).
4.	Earthworks standards: <ul style="list-style-type: none"> Setback from national grid Setback from network utilities 	a. Effects on efficient and effective operation of network utilities b. Effects on health and safety	See Rule 5.7

31.9.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resources consents
5.	Earthworks standards: • Sediment control	a. Effects on surrounding sites	<i>Relevant objectives and policies:</i> i. Objective 31.2.3 ii. Earthworks and any associated retaining structures are designed and located to minimise adverse effects on surrounding sites and the wider area by managing earthworks to avoid sediment run-off, including on to any property, or into any stormwater pipes, drains, channels or soakage systems (Policy 31.2.3.2.b).
		b. Effects on biodiversity and natural character values of riparian margins and coast	See Rule 10.4
		c. Effects on the efficiency and/or affordability of infrastructure	See Rule 9.4
6.	Fence height and design	a. Effects on neighbourhood amenity	<i>Relevant objectives and policies:</i> i. Objective 31.2.2 ii. Fences are of a height and design that contribute positively to neighbourhood amenity (Policy 31.2.2.3). <i>Potential circumstances that may support a consent application include:</i> iii. The increased height or reduced visual permeability is necessary to meet protection requirements, to provide security, minimise noise effects from a busy road or activity, or for public well-being. iv. The fence design maintains an attractive interface with the street. v. The fence will be screened by landscaping.
		b. Effects on health and safety	See Rule 9.4
7.	Hazardous substances quantity limits and storage requirements	a. Effects on health and safety	See Rule 9.4
		b. Risk from natural hazards	See Rule 11.4
8.	Location and screening of service areas	a. Effects on neighbourhood amenity	<i>Relevant objectives and policies:</i> i. Objective 31.2.2 ii. Development maintains or enhances neighbourhood amenity by ensuring service areas are not visible from ground level outside the site (Policy 31.2.2.2).

31.9.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resources consents
9.	Materials and design	a. Effects on heritage values	See Rule 13.5
10.	Maximum building site coverage and impermeable surfaces	a. Effects on efficiency and affordability of infrastructure	See Rule 9.4
11.	Hazard overlay zones development standards: <ul style="list-style-type: none"> • Minimum floor level • Relocatable buildings • Maximum area of vegetation clearance in the hazard overlay zones 	a. Risk from natural hazards	See Rule 11.4
12.	Number, location and design of ancillary signs	a. Effects on neighbourhood amenity	<i>Relevant objectives and policies:</i> <ul style="list-style-type: none"> i. Objective 31.2.2 ii. Ancillary signs are located and designed to maintain or enhance streetscape amenity, including by being of an appropriate size and number to convey information about the name, location and nature of the activity on site to passing pedestrians and vehicles, and not being oversized or too numerous for that purpose (Policy 31.2.2.4).
		b. Effects on safety and efficiency of the transport network	See Rule 6.9
13.	Setback from coast and water bodies	a. Effects on biodiversity values and natural character of the coast and riparian margins	See Rule 10.4
		b. Effects on public access	See Rule 10.4
		c. Risk from natural hazards	See Rule 11.4
14.	Setback from scheduled tree	a. Effects on long term health of tree	See Rule 7.6

31.9.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resources consents
15.	Parking, loading and access standards	a. Effects on the safety and efficiency of the transport network	See Rule 6.9

31.9.5 Assessment of subdivision performance standard contraventions

Performance standard		Guidance on the assessment of resource consents
1.	Subdivision performance standards	See the subdivision standards of the default zone (the default zones are listed in Appendix A9).

Rule 31.10 Assessment of Restricted Discretionary Activities

Rule 31.10.1 Introduction

1. Restricted discretionary activities will be assessed in accordance with section 104 and 104C of the RMA, meaning only those matters to which Council has restricted its discretion will be considered, and Council may grant or refuse the application, and, if granted, may impose conditions with respect to matters over which it has restricted its discretion.
2. Rules 31.10.2 - 31.10.4:
 - a. list the matters Council will restrict its discretion to; and
 - b. provide guidance on how a consent application will be assessed, including:
 - i. relevant objectives and policies, with respect to s104(1)(b)(vi);
 - ii. potential circumstances that may support a consent application;
 - iii. general assessment guidance; and
 - iv. conditions that may be imposed.
3. For all land use activities that require consent, all associated development activities will be considered as part of the resource consent even if the development otherwise meets the development performance standards in the Plan. Conditions on development activities may be used to minimise any adverse effects from the land use activity or create mitigating positive effects.
4. Where a restricted discretionary activity does not meet a performance standard the following occurs:
 - a. if the contravention of the performance standard defaults to **restricted discretionary** (which is the case, unless otherwise indicated in the performance standard) then:
 - i. the activity, as a whole, will be treated as **restricted discretionary**; and
 - ii. the matters of discretion are expanded to include the areas of non-compliance with the performance standard; and
 - iii. the performance standard contravention will be assessed as indicated in Section 31.9; 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 31.11; 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 31.12; and
 - iii. the assessment guidance in this section will also be considered.

31.10.2 Assessment of restricted discretionary land use activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
1. <ul style="list-style-type: none"> Community and leisure - large scale Early childhood education - large scale 	a. Effects on safety and efficiency of the transport network	See Rule 6.10
	b. Effects on accessibility	
	c. Effects on surrounding sites' residential amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 31.2.2 ii. Early childhood education - large scale and community and leisure - large scale is designed to avoid or, if avoidance is not possible, adequately mitigate, adverse effects on the amenity of surrounding residential properties (Policy 31.2.2.6).

31.10.3 Assessment of restricted discretionary development activities

	Matters of discretion	Guidance on the assessment of resource consents
1. In the Hazard 1 (land instability) Overlay Zone (see Rule 31.3.6): <ul style="list-style-type: none"> New buildings, and additions and alterations to buildings, which create more than 1m² of new ground floor area 	a. Risk from natural hazards	See Rule 11.5
2. In a hazard 1 or 2 overlay zone , other than the Hazard 1 (land instability) Overlay Zone (see Rule 31.3.6): <ul style="list-style-type: none"> New buildings, and additions and alterations to buildings, which create more than 60m² of new ground floor area 	a. Risk from natural hazards	See Rule 11.5

31.10.3 Assessment of restricted discretionary development activities

	Matters of discretion	Guidance on the assessment of resource consents
3. <ul style="list-style-type: none"> • All other additions and alterations that affect a protected part of a scheduled heritage building or scheduled heritage structure • Removal for relocation of a scheduled heritage building or scheduled heritage structure 	a. Effects on heritage values	See Rule 13.6

31.10.3 Assessment of restricted discretionary development activities

		Matters of discretion	Guidance on the assessment of resource consents
4.	Earthworks - large scale (that exceed the scale thresholds for the Schools Zone)	<p>a. Effects on visual amenity and character</p> <p>b. Effects on the amenity of surrounding properties</p>	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 31.2.3 ii. Adverse effects on visual amenity and character will be avoided or, if avoidance is not possible, adequately mitigated (Policy 31.2.3.3.a). iii. Adverse effects on the amenity of surrounding properties, including from changes to drainage patterns, will be avoided or, if avoidance is not possible, adequately mitigated (Policy 31.2.3.3.b). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iv. There is no, or only minimal, alteration to the natural landform. v. Any cut or fill will be restored or treated to resemble natural landforms. vi. The earthworks will not remove or effect existing vegetation or landscaping. <p><i>Conditions that may be imposed include, but are not limited to:</i></p> <ul style="list-style-type: none"> vii. Measures to minimise visual effects, e.g. requirements for revegetation and/or landscaping. viii. Maximum slopes of cut and fill batters. ix. Measures to divert surface water and rain away from, or prevent from discharging over, batter faces and other areas of bare earth. x. Measures to ensure there are no adverse effects from changes to drainage patterns on surrounding properties. xi. Requirement to de-compact soils; to take other remedial action to ensure the natural absorption capacity of the soils is not reduced; or to use other mitigation measures to ensure the overall absorption of rain water on site is not diminished.

31.10.3 Assessment of restricted discretionary development activities

		Matters of discretion	Guidance on the assessment of resource consents
		c. Effects on the stability of land, buildings, and structures	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 31.2.3 ii. Adverse effects on the stability of land, buildings, and structures will be avoided or, if avoidance is not possible, adequately mitigated (Policy 31.2.3.3.c). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. A geotechnical report confirms the existing ground is suitably stable for the proposed works, and proposed works will not create instability risks for surrounding land, buildings, or structures (see Special Information Requirements - Rule 31.13.1). iv. Excavation, fill and retaining structures will be designed, and the work undertaken, in accordance with best practice engineering standards.
		d. Where in a wāhi tūpuna mapped area , effects on cultural values of manawhenua	See Rule 14.4
5.	Earthworks - large scale (that exceed scale thresholds for a SNL)	a. Effects on landscape values	See Rule 16.10
6.	Earthworks - large scale (that exceed scale thresholds within 5m of a water body or MHWS)	a. Effects on biodiversity and natural character of riparian margins and the coast	See Rule 10.5
		b. Effects on public access	

31.10.3 Assessment of restricted discretionary development activities

	Matters of discretion	Guidance on the assessment of resource consents
7. <ul style="list-style-type: none"> Earthworks - large scale (that exceed scale thresholds for a hazard (land instability) overlay zone) Earthworks - large scale (that exceed scale thresholds for a hazard (flood) overlay zone) 	a. Risk from natural hazards	See Rule 11.5
8. In a geologically sensitive mapped area (GSA) : <ul style="list-style-type: none"> Earthworks - large scale (that exceed underlying zone scale thresholds) 	a. Risk from natural hazards	See Rule 11.5

31.10.4 Assessment of restricted discretionary subdivision activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
1. All subdivision activities	a. Effects on the efficient and effective operation of the school	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 31.2.1, 2.3.1 ii. Subdivision does not adversely affect the efficient and effective operation of the school (Policy 31.2.1.5.b).
	See the subdivision restricted discretionary assessment rule of the default zone (default zones are listed in Appendix A9).	

Rule 31.11 Assessment of Discretionary Activities

Rule 31.11.1 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 31.11.2 - 31.11.4 provide guidance on how a consent application for the listed discretionary activities will be assessed, including:
 - a. relevant objectives and policies that will be considered as a priority with respect to s104(1)(b)(vi); and
 - 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.

31.11.2 Assessment of all discretionary activities

Activity	Guidance on the assessment of resource consents
<p>1. All discretionary activities including:</p> <ul style="list-style-type: none"> • sport and recreation involving the use of motorised vehicles • activities listed below 	<p><i>Relevant objectives and policies (priority considerations):</i></p> <p>a. Objective 2.3.1, 31.2.1</p> <p>b. Activities that are not ancillary to schools activity:</p> <ul style="list-style-type: none"> i. are related to or support the school, or have other operation requirements that mean they need to locate in the zone; ii. support the efficient and effective operation of school; iii. are not more appropriately located in another zone in line with Objective 2.3.2 and its policies; and iv. are designed and operated in line with Objective 31.2.2 and its policies (Policy 31.2.1.3). <p><i>Potential circumstances that may support a consent application include:</i></p> <p>c. For discretionary land use activities, whether any associated development activities meet relevant development performance standards, or are otherwise consistent with relevant objectives and policies for development.</p> <p>d. All relevant land use performance standards are met, including noise and light spill standards.</p> <p><i>General assessment guidance:</i></p> <p>e. In assessing the significance of effects, consideration will be given to:</p> <ul style="list-style-type: none"> i. short to long term effects, including effects in combination with other activities; and ii. the potential for cumulative adverse effects arising from similar activities occurring as a result of a precedent being set by the granting of a resource consent. <p>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.</p>

31.11.3 Assessment of discretionary land use activities

Activity	Guidance on the assessment of resource consents
<p>1. In the hazard 1 overlay zones (see Rule 31.3.6):</p> <ul style="list-style-type: none"> • Potentially sensitive activities permitted in the Schools Zone 	<p>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.</p>
<p>2. In the hazard 2 overlay zones (see Rule 31.3.6):</p> <ul style="list-style-type: none"> • Potentially sensitive activities not permitted in the Schools Zone • Sensitive activities 	<p>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.</p>

31.11.4 Assessment of discretionary performance standard contraventions

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

Rule 31.12 Assessment of Non-complying Activities

Rule 31.12.1 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 31.12.2 - 31.12.5 provide guidance on how a consent application for the listed non-complying activities will be assessed, including:
 - a. relevant objectives and policies that will be considered as a priority with respect to s104(1)(b)(vi); and
 - b. general assessment guidance, including any effects that will be considered as a priority.
3. 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.

31.12.2 Assessment of all non-complying activities	
Activity	Guidance on the assessment of resources consents
1. All non-complying activities	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ol style="list-style-type: none"> a. Objective 2.3.1, 14.2.1, 31.2.1 b. Activities not ancillary to school activity: <ol style="list-style-type: none"> i. are related to or support the school, or have other operation requirements that mean they need to locate in the zone; ii. support the efficient and effective operation of the school; iii. are not more appropriately located in another zone in line with Objective 2.3.2 and its policies; and iv. they are designed and operated in line with Objective 31.2.2 and its policies (Policy 31.2.1.3). <p><i>General assessment guidance:</i></p> <ol style="list-style-type: none"> c. In assessing the significance of effects consideration will be given to: <ol style="list-style-type: none"> i. both short and long term effects, including effects in combination with other activities; and ii. the potential for cumulative adverse effects arising from similar activities occurring as a result of a precedent being set by the granting of a resource consent. 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.

31.12.3 Assessment of non-complying land use activities

Activity	Guidance on the assessment of resource consents
1. <ul style="list-style-type: none"> • Cemeteries • Crematoriums • Landfills 	See Section 14.6 for guidance on the assessment of resource consents in relation to Objective 14.2.1 and effects on the cultural values of manawhenua.
2. Commercial advertising in all zones	<i>Relevant objectives and policies (priority considerations):</i> <ol style="list-style-type: none"> a. Objective 2.4.1 b. Policy 2.4.1.6.c
3. In the hazard 1 overlay zones (see Rule 31.3.6): <ul style="list-style-type: none"> • Potentially sensitive activities not permitted in the Schools Zone • Sensitive activities 	See Section 11.7 for guidance on the assessment of resource consents in relation to Objective 11.2.1 and effects related to the risk from natural hazards.

31.12.4 Assessment of non-complying development activities

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

31.12.5 Assessment of non-complying performance standard contraventions

Performance standard	Guidance on the assessment of resource consents
1. Archaeological sites (earthworks)	See Section 13.8 for guidance on the assessment of resource consents in relation to Objective 13.2.4 and effects related to the inappropriate development and use in Dunedin's archaeological sites.
2. <ul style="list-style-type: none"> • Light spill - where the limit is exceeded by greater than 25% • Noise - where the limit is exceeded by 5dB LAeq (15 min) or more • Hazardous substances quantity limits and storage requirements (Rule 9.3.4.2) 	See Section 9.7 for guidance on the assessment of resource consents in relation to Objective 9.2.2 and effects related to public health and safety.
3. Setback from national grid	See Section 5.10 for guidance on the assessment of resource consents in relation to Objective 5.2.1 and effects related to the efficient and effective operation of network utilities and public health and safety.

Rule 31.13 Special Information Requirements

31.13.1 Geotechnical investigation report

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

