

## 34. Campus

### 34.1 Introduction

Tertiary education contributes to the social and cultural well-being of the community and creates significant economic activity in the city. It also gives rise to a range of effects that require management. The tertiary education providers within the Campus Zone are the University of Otago and Otago Polytechnic.

The University of Otago, founded in 1869 and opened in 1871, is New Zealand's oldest university. Otago Polytechnic traces its ancestry back to the Dunedin Technical School, which was established in 1889 and has been operating as the Otago Polytechnic since 1966.

The Campus Zone covers a relatively large area of the inner city, located between Dunedin's central city, Forsyth Barr Stadium, the North Dunedin residential area and the Dunedin Botanic Garden, and includes the campuses of the University of Otago and Otago Polytechnic. Included within the Campus Zone are a range of land use activities collectively known as campus activities which provide for the teaching, training, learning and research; and any ancillary activities associated with the functioning of the University of Otago and Otago Polytechnic.

The key resource management issues that need to be managed through the proposed Campus Zone provisions relate to the economic importance of the tertiary education sector, maintaining and enhancing campus amenity, and addressing traffic and parking. These are further elaborated on as follows:

- Due to its economic importance, the Campus Zone needs to ensure that the University of Otago and Otago Polytechnic can continue to operate efficiently and effectively.
- Development needs to be designed to maintain the accessibility and amenity of the zone as maintaining the quality of the campus environment is vital to attracting staff and students. Also, as the campus borders residential zones on several sides it has the potential to affect the amenity of these areas, particularly in relation to building heights, which could cause shading or overshadowing of private residences.
- Activities associated with the campus institutions generate significant traffic and parking demand from staff, students, and visitors to the campus and places huge pressure on on-street parking resources; thereby competing with the needs of residents and other activities in these areas.

Land use activities provided for in the Campus Zone include lecture theatres, laboratories, libraries, joint venture facilities, administrative services, and staff and student facilities, including student and staff employment, health and well-being support services, student union offices, student and staff clubs and organisations. Outside the Campus Zone, activities carried out by the University of Otago and Otago Polytechnic fall under other defined activities definitions, for example training and education activity.

Sport and recreation, entertainment and exhibition, conference, meeting and function, standard residential are also provided for, as well as a limited range of retail and restaurant activities where they are ancillary to campus activities. Performance standards apply within the Campus Zone which appropriately manage adverse effects within the zone and on the surrounding environment.

## 34.2 Objectives and Policies

<b>Objective 34.2.1</b>	
The Campus Zone enables the University of Otago and the Otago Polytechnic to operate efficiently and effectively as tertiary education and research facilities, while also providing for residential living and a limited range of specified activities that are closely associated to and compatible with these tertiary institutions.	
Policy 34.2.1.1	Enable campus activity within the Campus Zone.
Policy 34.2.1.2	Provide for: <ul style="list-style-type: none"> <li>a. standard residential activity at an inner city residential density, dairies, entertainment and exhibition and conference meeting and function, activities; and</li> <li>b. student hostels, early childhood education, community and leisure, and sport and recreation activities; and</li> <li>c. industry activity;</li> </ul> where the effects of these activities can be adequately managed in line with objective 34.2.2 and its policies.
Policy 34.2.1.3	Provide for retail and restaurant ancillary to campus activity where they are designed and operated in line with Objective 34.2.2 and its policies.
Policy 34.2.1.4	Limit the size of working from home and dairies in the Campus Zone to a size that: <ul style="list-style-type: none"> <li>a. is compatible with the character and amenity of the Campus Zone; and</li> <li>b. does not detract from the vibrancy and functioning of the centres hierarchy.</li> </ul>
Policy 34.2.1.5	Only allow restaurants and office not ancillary to campus activity, where: <ul style="list-style-type: none"> <li>a. they are related to, or are necessary to support campus activity, or have other operational requirements which mean they need to locate in this zone; and</li> <li>b. they will support the efficient and effective operation of campus activities; and</li> <li>c. they are not more appropriately located in another zone in line with Objective 2.3.2 and its policies; and</li> <li>d. they are designed and operated in line with Objective 34.2.2 and its policies.</li> </ul>
Policy 34.2.1.6	Avoid activities that are not compatible with the operation of campus activity or are most appropriately located in another zone.
Policy 34.2.1.7	Only allow subdivision: <ul style="list-style-type: none"> <li>a. if intended and/or capable of being used for standard residential activity, it is in accordance with the objectives, policies and rules of the residential zones; or</li> <li>b. it is necessary for the disposal of surplus land in accordance with Policy 2.3.1.6.</li> </ul>

<b>Objective 34.2.2</b>
Land use, development and subdivision activities maintain or enhance: <ul style="list-style-type: none"> <li>a. the distinctive character and overall amenity of the university and polytechnic campus environments and surrounding streets; and</li> <li>b. the amenity of residential properties and recreation zones located adjacent to the Campus Zone, as far as practicable; and</li> <li>c. on-site amenity of residential activities located in the Campus Zone.</li> </ul>

Policy 34.2.2.1	Require buildings and structures to be of a height, height in relation to boundary, and setback that: a. maintains adequate sunlight access to adjoining sites used for residential activity, or adjoining residential and recreation zoned sites; and b. avoids significant adverse wind effects.
Policy 34.2.2.2	Require outdoor storage to be located and stored in a way that does not result in unreasonable visual amenity effects or create nuisance effects.
Policy 34.2.2.3	Require standard residential activities, including any associated development activities, to meet the relevant policies and objectives and performance standards of the Inner City Residential Zone.
Policy 34.2.2.4	Where on sites not used for standard residential activity, buildings are not built to the street frontage, require landscaping along the street frontage to provide a reasonable level of visual and environmental amenity.
Policy 34.2.2.5	Require fences to be of a height and design that contributes positively to streetscape amenity and the amenity of the Campus Zone.
Policy 34.2.2.6	Require ancillary signs 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 what is necessary for that purpose.
Policy 34.2.2.7	Only allow buildings greater than 40m in height where: a. the height is essential to the operation of campus activities; and b. the height exceedence is minimal.
Policy 34.2.2.8	Only allow buildings greater than 25m in height where they contribute positively to the skyline vista of the city, by being of a quality and contextually appropriate architectural design.

### **Objective 34.2.3**

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

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

Policy 34.2.3.1	Require earthworks, and associated retaining structures, to be designed and located to avoid adverse effects on the stability of land, buildings, and structures by: 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 34.2.3.2	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: 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.

### Objective 34.2.3

Policy 34.2.3.3	<p>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:</p> <ul style="list-style-type: none"> <li>a. adverse effects on visual amenity and character;</li> <li>b. adverse effects on the amenity of surrounding properties, including from changes to drainage patterns; and</li> <li>c. adverse effects on the stability of land, buildings, and structures.</li> </ul>
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## Rules

### Rule 34.3 Activity Status

#### 34.3.1 Rule location

The activity status tables in Rule 34.3.3 - 34.3.5 specify the activity status of land use activities, development activities, and subdivision activities in the Campus 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)

#### 34.3.2 Activity status introduction

1. The tables in Rules 34.3.3 - 34.3.5 show the activity status of activities in the Campus 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.

#### *Performance Standards*

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

## Legend

Acronym	Activity status
—	No additional provisions apply or not relevant
P	Permitted activity

Acronym	Activity status
C	Controlled activity
RD	Restricted discretionary activity
D	Discretionary activity
NC	Non-complying activity

### 34.3.3 Activity status table - land use activities

1.	Performance standards that apply to all land use activities		a. Acoustic insulation (noise sensitive activities) b. Electrical interference c. Light spill d. Noise
Major facility activities		Activity status	Performance standards
2.	Campus	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	RD	a. Minimum car parking
5.	Sport and recreation	P	a. Minimum car parking
6.	Conservation	P	
7.	Community and leisure - small scale	P	a. Minimum car parking
8.	Community and leisure - large scale	RD	a. Minimum car parking
Commercial activities		Activity status	Performance standards
9.	Ancillary licensed premises	Same activity status as underlying activity	
10.	Entertainment and exhibition	P	a. Minimum car parking
11.	Conference, meeting and function	P	a. Minimum car parking
12.	Dairies	P	a. Maximum gross floor area
13.	Office	D	
14.	Retail and restaurant activities ancillary to campus	P	a. Location b. Minimum car parking
15.	Restaurants not ancillary to campus	D	
16.	Retail not ancillary to campus	NC	

17.	Stand-alone car parking	P	
18.	Commercial advertising	NC	
19.	All other activities in the commercial activities category	NC	
Residential activities		Activity status	Performance standards
20.	Standard residential	P	a. Performance standards of the Inner City Residential Zone apply (see Rule 15.3.3) b. Minimum car parking
21.	Student hostels	RD	a. Minimum car parking
22.	Working from home	P	a. Maximum gross floor area b. Minimum car parking
23.	Other supported living facilities	NC	
Industrial Activities		Activity status	Performance standards
24.	Industry	P	a. Location b. Minimum car parking
Rural activities		Activity status	Performance standards
25.	All activities in the rural activities category	NC	

#### 34.3.4 Activity status table - development activities

1.	Performance standards that apply to all development activities		<ul style="list-style-type: none"> <li>a. Boundary treatments and other Landscaping</li> <li>b. Setback from scheduled tree</li> <li>c. Setback from coast and water bodies</li> <li>d. Maximum building site coverage and impermeable surfaces</li> </ul>
2.	Performance standards that apply to all buildings and structures activities		<ul style="list-style-type: none"> <li>a. Boundary setbacks</li> <li>b. Fire fighting</li> <li>c. Height</li> <li>d. Number, location and design of ancillary signs</li> <li>e. Hazard overlay zones development standards</li> </ul>
Buildings and structures activities <b>not</b> in a heritage precinct <b>or</b> in a heritage precinct but <b>not</b> visible from an adjoining public place (excluding activities affecting protected parts of a scheduled heritage building or a scheduled heritage structure - See Lines 18-23)		Activity status	Performance standards



3.	New buildings and additions and alterations to buildings	P	
4.	Fences	P	a. Fence height and design
5.	All other structures	P	
Buildings and structures activities in a heritage precinct that are visible from an adjoining public place		Activity status	Performance standards
6.	New buildings	RD	
7.	Fences	P	a. Fence height and design
8.	Retaining wall <1m high	P	
9.	Repairs and maintenance of a non character-contributing building	P	
10.	Repairs and maintenance of a character-contributing building or non-protected part of a scheduled heritage building	P	a. Materials and design
11.	Earthquake strengthening or <u>restoration</u> of a character-contributing building or non-protected part of a scheduled heritage building	P	a. Materials and design
12.	Demolition or removal for relocation of a character-contributing building or non-protected part of a scheduled heritage building	RD	
13.	All other additions and alterations to a character-contributing building or non-protected part of a scheduled heritage building	RD	
14.	Additions and alterations to a non character-contributing building that involve: <ul style="list-style-type: none"> <li>• an increase in the footprint of 10m<sup>2</sup>; or</li> <li>• an increase in the height of the building by more than 2m; or</li> <li>• the replacement of a pitched roof with a flat roof.</li> </ul>	RD	
15.	All other additions and alterations to non character-contributing buildings.	P	
16.	All other structures up to 2.5m tall and 2m <sup>2</sup> footprint.	P	
17.	All other structures greater than 2.5m tall and 2m <sup>2</sup> footprint	RD	
Buildings and structures activities that affect protected parts of scheduled heritage buildings or scheduled heritage structures		Activity status	Performance standards
18.	Repairs and maintenance	P	a. Materials and design
19.	<u>Restoration</u>	P	a. Materials and design



20.	Earthquake strengthening <i>where external features only are protected</i>	C	a. Materials and design
21.	All other additions and alterations	RD	
22.	Demolition	NC	
23.	Removal for relocation	RD	
Development activities on a scheduled heritage site, where visible from an adjoining public place or a public place within the heritage site		Activity status	Performance standards
24.	Structures no more than 2.5m high or 2m <sup>2</sup> footprint	P	
25.	All other structures	RD	
26.	New buildings	RD	
27.	Parking, loading and access	RD	Parking, loading and access standards
Site development activities all areas (except as covered by rows 24 - 27 above)		Activity status	Performance standards
28.	Outdoor storage	P	a. Location and screening of outdoor storage
29.	Parking, loading and access	P	a. Parking, loading and access standards
30.	Storage and use of hazardous substances	P	a. Hazardous substances quantity limits and storage requirements
31.	Earthworks - small scale	P	a. Earthworks standards
32.	Earthworks - large scale	RD	a. Earthworks standards
33.	All other site development activities	P	

### 34.3.5 Activity status table - subdivision activities

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

### **Note 34.3A - General advice**

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

## **Rule 34.4 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 34.5 Land Use Performance Standards**

### **34.5.1 Acoustic Insulation**

Any noise sensitive activities within 20m of an industrial zone must comply with Rule 9.3.1.

### **34.5.2 Light Spill**

Land use activities must comply with Rule 9.3.5.

### **34.5.3 Location**

1. For retail and restaurants ancillary to campus all customer access:
  - a. must be internal to a building; or
  - b. if located with direct external access, this external access must not be orientated to a street frontage, except for emergency-only access/egress.
2. For all industrial activities that involve machinery or metal work the activity:
  - a. must be located within a part of a building that does not include any doors or windows that open onto a street frontage.

### **34.5.4 Maximum Gross Floor Area**

The maximum gross floor area for working from home and dairies is 50m<sup>2</sup>. For working from home this includes any internal or external area occupied for storage of materials or goods.

#### **Note 34.5A - Other requirements outside of the District Plan**

1. Consent from DCC Environmental Health Department may be required for any working from home activities that involve dealing with food products.
2. Consent from DCC Liquor Licensing Department may be required for working from home activities that involve the sale or distribution of alcohol.
3. For more information please contact the DCC on 03 477 4000 or visit the DCC's website at [www.dunedin.govt.nz](http://www.dunedin.govt.nz)

### 34.5.5 Minimum Car Parking

Land use activities must provide minimum car parking as follows:

Activity	Minimum car parking rate
1. Campus activity	<p>a. The University of Otago must provide either:</p> <ul style="list-style-type: none"> <li>i. 1 parking space for every 3 FTE staff and 1 parking space for every additional 50 FTE students, if these parking spaces are managed as a licence to hunt or as short term parking, that is monitored to be available for no more than 4 hours; or</li> <li>ii. a minimum of 2200 total parking spaces; and</li> <li>iii. for the purposes of this standard, a conversion between the minimum number of parking spaces in Rule 34.5.5.1.a.i, to the minimum in Rule 34.5.5.1.ii is provided for by counting each new short term or licence to hunt parking space as 1.25 parking spaces until the minimum in Rule 34.5.5.1.a.ii is reached.</li> </ul> <p>b. The Otago Polytechnic must provide either:</p> <ul style="list-style-type: none"> <li>i. 1 parking space for every 3 FTE staff and 1 parking space for every additional 50 FTE students, if these parking spaces are managed as a licence to hunt or as short term parking, that is monitored to be available for no more than 4 hours; or</li> <li>ii. A minimum of 250 parking spaces; and</li> <li>iii. for the purposes of this standard, a conversion between the minimum number of parking spaces in Rule 34.5.5.1.a.i, to the minimum in Rule 34.5.5.1.ii is provided for by counting each new short term or licence to hunt parking space as 1.25 parking spaces until the minimum in Rule 34.5.5.1.a.ii is reached.</li> </ul> <p>c. Parking spaces for campus activity must be provided within 500m of the Campus Zone, and all parking not provided directly by the campus institutions must be provided as dedicated off-street parking for campus activities through a lease agreement.</p>
2. Restaurant activities ancillary to campus	1 parking space per 50m <sup>2</sup> gross floor area
3. Standard residential	<ul style="list-style-type: none"> <li>a. 1 - 5 habitable rooms on a <u>site</u>: 1 parking space</li> <li>b. 6 - 8 habitable rooms on a <u>site</u>: 2 parking space</li> <li>c. Greater than 8 habitable rooms on a <u>site</u>: 2 parking spaces plus 1 space for every 4 habitable rooms (or part thereof)</li> <li>d. Except: <ul style="list-style-type: none"> <li>i. where sites with less than 5 habitable rooms have no existing parking, no additional parking is required for additions that increase the number of habitable rooms to 5 (or fewer), provided no additional residential units are created;</li> <li>ii. where the provision of an on-site parking space for sites with 1-5 habitable rooms would result in the loss of an on-street parking space, no parking space is required.</li> </ul> </li> </ul>

Activity		Minimum car parking rate
4.	Working from home	On-site car parking must be provided for all vehicles associated with the activity
5.	Student hostels	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)
6.	Early childhood education - small scale	1 parking space per 5 full time equivalent staff members plus 1 parking space for parent/guardian use per 6 children the activity is licensed for, to be used for drops off and pick ups
7.	Community and leisure	1 parking space for every 5 persons the facility can accommodate at any one time
8.	Sport and recreation (with a capacity for 20 or more persons at any one time)	1 parking space for every 5 persons the facility can accommodate at any one time
9.	Entertainment and exhibition (with a capacity for 20 or more persons at any one time)	1 parking space for every 5 persons the facility can accommodate at any one time
10.	Industrial activities	1 parking space per 100m <sup>2</sup> gross floor area.
11.	Conference, meeting and function	1 parking space for every 5 persons the facility can accommodate at any one time.

12. For the purpose of this standard, parking spaces will be calculated as follows:
- 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.
  - parking spaces may be shared between land use activities (i.e. the same parking spaces may be used to fulfill 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.

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

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

#### **Note 34.5B - Other relevant District Plan provisions**

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

### **34.5.6 Noise**

Land use activities must comply with Rule 9.3.6.

### **34.5.7 Electrical Interference**

Land use activities must comply with Rule 9.3.2.



## Rule 34.6 Development Performance Standards

### 34.6.1 Boundary Treatments and Other Landscaping

1. For any site or part of a site being developed for anything other than standard residential activity, landscaping must be provided as follows:
  - a. where a building is not built to the street frontage, a landscaping area with a minimum 1.5m width must be provided along the full length of any road frontage (except for where vehicle access is provided), with an average of one tree for every 5m of frontage;
  - b. within any car parking area greater than 200m<sup>2</sup> (excluding loading areas), a minimum of 1m<sup>2</sup> of landscaped area must be provided for every car parking space, with an average of one tree per 10m<sup>2</sup> of landscaping
2. Landscaping
  - a. must be fully and densely planted with trees, shrubs and ground cover plants, with total coverage of the ground area in planting (when mature) required except for 10% of the area, which may be used for pedestrian paths;
  - b. must not have more than 10% cover in permeable surfaces (to allow for pedestrian paths);
  - c. must have a physical barrier (border or curb) that prevents cars from accidentally driving into or damaging plants; and
  - d. as required, use trees that are at least 1.5m height at the time of planting and capable of growing to a height of 5m within 10 years of planting.
3. Planting associated with new buildings or site development must be completed prior to occupation or completion of the relevant building(s) or site development.
4. The landscaping areas must be maintained to a high standard, including keeping areas free of rubbish and weeds, and ensuring trees and under-planting are healthy.
5. Any road boundary fences provided must be placed on the property side of road frontage landscaping.

### 34.6.2 Earthworks Standards

#### 34.6.2.1 Earthworks - small scale thresholds

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

Zone/Area		1. Campus Zone	2.SHS	3. Within 5m of a water body <sup>1</sup> or MHWS	5.Haz3 (flood)
i.	Maximum change in ground level	1.5m	1.0m	0.5	—
ii.	Maximum area	—	50m <sup>2</sup>	25m <sup>2</sup>	—
Slope categories		Maximum volume of combined cut and fill			
iii.	Less than or equal to 12°	30m <sup>3</sup> per 100m <sup>2</sup> of <u>site</u>	10m <sup>3</sup>	1m <sup>3</sup>	20m <sup>3</sup> fill
iv.	Greater than 12° but less than or equal to 15°	25m <sup>3</sup> per 100m <sup>2</sup> of <u>site</u>	10m <sup>3</sup>	1m <sup>3</sup>	20m <sup>3</sup> fill

Zone/Area		1. Campus Zone	2.SHS	3. Within 5m of a water body <sup>1</sup> or MHWS	5.Haz3 (flood)
v.	Greater than 15° but less than or equal to 20°	15m <sup>3</sup> per 100m <sup>2</sup> of <u>site</u>	10m <sup>3</sup>	1m <sup>3</sup>	20m <sup>3</sup> fill
vi.	Greater than 20° but less than or equal to 26°	10m <sup>3</sup> per 100m <sup>2</sup> of <u>site</u>	10m <sup>3</sup>	1m <sup>3</sup>	20m <sup>3</sup> fill
vii.	Greater than 26° but less than or equal to 35°	0m <sup>3</sup> fill 5m <sup>3</sup> cut per 100m <sup>2</sup> of <u>site</u>	0m <sup>3</sup> fill 10m <sup>3</sup> cut	0m <sup>3</sup> fill 1m <sup>3</sup> cut	0m <sup>3</sup> fill
viii.	Greater than 35°	0m <sup>3</sup>	0m <sup>3</sup>	0m <sup>3</sup>	0m <sup>3</sup>

- b. Earthworks *ancillary to network utilities* activities are only required to comply with Rule 34.6.2.1.a.i - maximum change in ground level threshold.
- c. Earthworks *ancillary to the operation, repair, and maintenance of the roading network* are exempt from the performance standard earthworks - small scale thresholds.
- d. These scale thresholds will be calculated as the cumulative total of earthworks on any site in a two calendar-year period.
- e. Earthworks that exceed the earthworks - small scale thresholds are treated as earthworks - large scale, which are a restricted discretionary activity.

<sup>1</sup>See Rule 10.3.3 for how setbacks from waterbodies will be measured.

### 34.6.2.2 Batter gradient

Earthworks must:

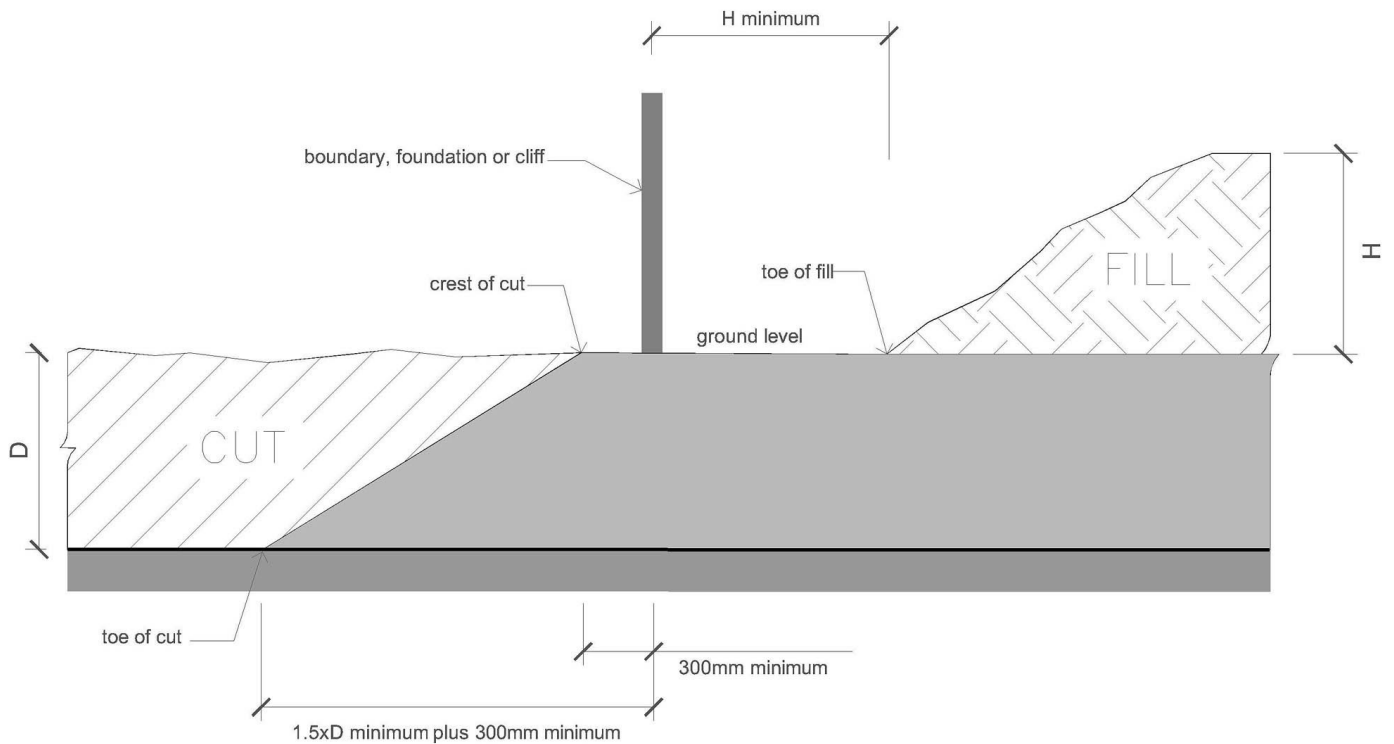
- a. have a maximum cut batter gradient of 1:1 (i.e. rising 1m over a 1m distance); and
- b. have a maximum fill batter gradient of 2:1 (i.e. rising 1m over a 2m distance).

### 34.6.2.3 Setback from property boundary, buildings, structures and cliffs

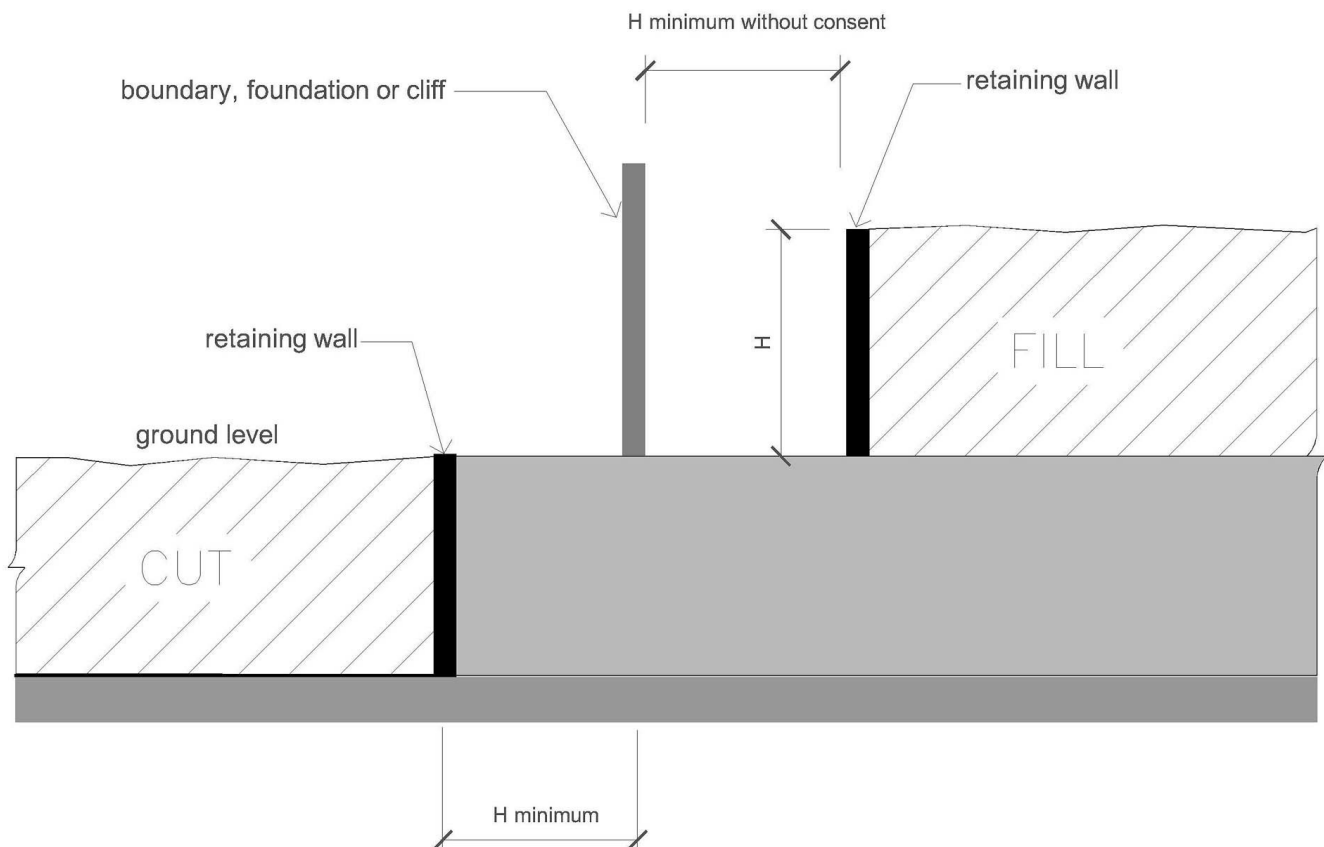
Earthworks over 600mm in height or depth must be set back from: property boundaries, foundations of buildings, structures greater than 10m<sup>2</sup>, and the top or toe of any cliff, the following minimum distances:

- 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 34.6A);
  - 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 34.6A); and
  - iii. 300mm, as measured from the crest of any cut (See Figure 34.6A).
- b. Retaining walls supporting a cut or fill must be set back a distance at least equal to the height of the retaining walls (See Figure 34.6B), 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 34.6A Unsupported cut and fill (elevation view)**



**Figure 34.6B Cut and fill supported by retaining walls (elevation view)**



#### 34.6.2.4 Setback from network utilities

Earthworks must comply with Rule 5.6.2.

#### 34.6.2.5 Sediment control

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

### 34.6.3 Fence Height and Design

1. 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
d.	Along all other side and rear boundaries	2m

2. Fences along boundaries include fences that are not exactly on the boundary but are within the boundary setbacks required by Rule 20.6.12.1.
3. Where the maximum height of a fence is 1.4m, the height of a fence may be increased to a maximum height of 2m provided that a minimum of 40% of the entire structure is visually permeable (see-through), or the portion above 1.4m height is visually permeable. Visually permeable refers to construction using trellis, lattice, wrought iron, or spaced palings (palings maximum width 150mm, spacing minimum width 25mm) or other materials that provide gaps that can be seen-through (see Figure 15.6D and Figure 15.6E).
4. 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.

### 34.6.4 Fire Fighting

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

### 34.6.5 Hazard Overlay Zones Development Standards

#### 34.6.5.1 Minimum floor level

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

#### 34.6.5.2 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.

### 34.6.6 Hazardous Substances Quantity Limits and Storage Requirements

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

### 34.6.7 Height

#### 34.6.7.1 Height in relation to boundary

- a. On a site used for a standard residential activity new buildings and additions or alterations to buildings must not protrude through a plane (**see** Figure 15.6F) raising at an angle of 45 degrees measured from a point:
  - i. 3m above ground level at side and rear boundaries, except:



1. for any new buildings and additions or alterations to buildings within 13m of a road boundary, the height in relation to boundary will be measured from 6.5m above ground level at side boundaries, provided that all buildings on the remainder of the site are set back from the side boundaries by at least 2m (**see** Figure 15.6G);
  2. where a new residential building (not a sleep out) is being built on a site where another residential building already exists, the height plane angle will be measured at a line midway between the two residential buildings;
  3. on boundaries adjacent to another zone, the height in relation to boundary of the adjacent zone applies; and
  4. where new buildings or additions or 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.
- b. At the boundary of the Campus Zone along road frontages, all other buildings or structures must not protrude through a plane rising at an angle of 30 degrees from a starting point 12m vertically above ground level measured at the boundary of the Campus Zone, except:
- i. gable ends or dormers may protrude through the height in relation to boundary angle by a maximum of 1m (**see** Figure 15.6H); and
  - ii. rooftop structures are exempt from the performance standard for height in relation to boundary.

#### 34.6.7.2 Maximum height

- a. The maximum height for new buildings and structures, and additions and alterations, must not exceed 12m above ground level:
  - i. at the boundary of the Campus Zone along road frontages;
  - ii. if they are a residential building (excluding student hostels); and
  - iii. anywhere within the **Leith Street height mapped area**.
- b. The maximum height of all other new buildings and structures, and additions and alterations, must not exceed 25m above ground level.
- c. Rooftop structures are exempt from the performance standard for maximum height, provided they do not exceed the maximum height limit by more than 5m.
- d. Activities that contravene the performance standard for maximum height but are no greater than 40m in height are a restricted discretionary activity.
- e. Activities that are over 40m in height are a discretionary activity.



## Leith Street Height Mapped Area



### 34.6.8 Location and Screening of Outdoor Storage

1. Shared service areas provided for 3 or more residential units must be located or screened so they are not visible at ground level from residential activities within the site, residential activities on adjacent site, or public place.
2. Outdoor storage, including service areas, must not encroach into required parking, loading, manoeuvring, or outdoor living areas.

3. Materials stored outside must be stored in a way that prevents them contaminating any off-site area.

### **34.6.9 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.

### **34.6.10 Number, Location and Design of Ancillary Signs**

#### **34.6.10.1 General**

- a. Signs must comply with the following standards, except the following signs are exempt from these standards:
  - i. signs that are ancillary to campus activity that are not visible from outside of the Campus 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 located on or above the footpath must comply with Rule 6.7.2.
- c. Signs must comply with Rule 6.7.3 where visible from a road.
- d. Signs must not be illuminated or digital.
- e. Signs other than those specified in Rules 34.6.10.2 and 34.6.10.3 are not allowed.

#### **34.6.10.2 Signs attached to buildings**

- a. The height, above ground level, at the highest point of any sign, is 4m.
- b. Maximum of one sign attached to a building per site for a non-campus activity.
- c. Maximum of one sign per public entrance of a building used for campus activities.
- d. Signs must not be attached to roofs.
- e. Signs must not project higher than the lowest point of the roof, except as mounted flat against a parapet or gable end.
- f. Signs attached flat to a verandah fascia, must not exceed a height of 500mm, or the height of a verandah fascia, whichever is greater.
- g. Signs attached flat to a building must have a maximum area of 3m<sup>2</sup> per display face.
- h. Where attached on the underside of a verandah or attached protruding from a façade of a building, signs must:
  - i. where attached to the façade of a building, not protrude from a building façade by more than 1.5m;
  - ii. not exceed an area of 2m<sup>2</sup> per display face; and
  - iii. not exceed 2 display faces per sign.

#### **34.6.10.3 Freestanding signs**

- a. Maximum of one freestanding sign per building.
- b. The maximum dimensions of freestanding signs are:
  - i. maximum height of 4m;
  - ii. maximum area of 3m<sup>2</sup> per display face;
  - iii. maximum of 2 display faces per sign;
  - iv. maximum width of 2m; and
  - v. maximum depth of 400mm.



- 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, except:
  - i. portable freestanding signs, must only be located on a footpath outside non-campus activities where a premise is located on the upper floor and does not have ground floor street frontage; and
  - ii. must not exceed one portable sign per premise, except;
    - 1. where a site has street frontage of 30m or more, a maximum of 1 sign per 15m of street frontage.
- e. The maximum dimensions of portable freestanding signs are:
  - i. maximum height of 900mm; and
  - ii. maximum width of 600mm.
- f. Portable freestanding signs on footpaths must be a minimum of 5m apart from any other portable sign.

#### **Note 34.6A - Other relevant District Plan provisions**

- 1. Commercial advertising is a non-complying land use activity in all zones except the Dunedin International 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 34.6B - Other requirements outside of the District Plan**

For additional restrictions that may apply to signs, see also:

- 1. New Zealand Transport Agency, Traffic Control Devices Manual, Part 3, Advertising Signs
- 2. Dunedin City Council Commercial Use of Footpaths Policy
- 3. Dunedin City Council Roading Bylaw
- 4. Dunedin City Council Traffic and Parking Bylaw

### **34.6.11 Parking, Loading and Access Standards**

Parking, loading and access must comply with Rule 6.6.

### **34.6.13 Maximum Building Site Coverage and Impermeable Surfaces**

Development activities must comply with Rule 15.6.11.

### 34.6.12 Setbacks

#### 34.6.12.1 Boundary setbacks

- a. Buildings and structures used for, or intended to be used for, standard residential activity must have a minimum setback from boundaries as follows:

Location of boundary		Distance
i.	Setback from road boundary	3m
ii.	Setback from side and rear boundaries	1m
iii.	Setback from boundary with right of way	1m

- b. All other buildings and structures must have a minimum setback of 3m from the boundary of a site used for a residential activity or the boundary of a residential zone.
- c. Except fences and ancillary signs are exempt from the performance standard.

#### 34.6.12.2 Setback from scheduled tree

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

#### 34.6.12.3 Setback from coast and water bodies

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

## Rule 34.7 Subdivision Performance Standards

### 34.7.1 Access

Subdivision activities must comply with Rule 6.8.1.

### 34.7.2 Esplanade Reserves and Strips

Subdivision activities must comply with Rule 10.3.1.

### 34.7.3 Fire Fighting

Subdivision activities must comply with Rule 9.3.3.

### 34.7.4 Service Connections

Subdivision activities must comply with Rule 9.3.7.

### 34.7.5 Shape

- Each resultant site that is intended to be developed must be of a size and shape that is large enough to contain a building platform of at least 100m<sup>2</sup> that meets the performance standards of this Plan including, but not limited to:
  - minimum car parking;
  - setbacks from boundaries, water bodies, scheduled trees, national grid; and
  - esplanade reserves or strips.
- Building platforms must have a slope of 12° (1:4.7 or 21%) or less and must not contain:
  - scheduled heritage buildings or structures; or
  - right-of-way easements.

3. For unreticulated areas, resultant sites must provide for a waste disposal area to be located at least 50m from any water body.
4. Sites created and used solely for the following purposes are exempt from the shape standard:
  - a. Scheduled ASCV or QEII covenant;
  - b. reserve;
  - c. access;
  - d. network utility; or
  - e. road.

## Rule 34.8 Assessment of Controlled Activities

### Rule 34.8.1 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 34.8.2:
  - 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 34.9; 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 34.11; 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 34.12; and
    - iii. the assessment guidance in this section will also be considered.

### 34.8.2 Assessment of controlled development activities

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

## **Rule 34.9 Assessment of Restricted Discretionary Activities (Performance Standard Contraventions)**

### **Rule 34.9.1 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 34.9.2 - 34.9.5:
  - 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.

### **34.9.2 Assessment of all performance standard contraventions**

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

### **34.9.3 Assessment of land use performance standards**

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

### 34.9.3 Assessment of land use performance standards

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
2. Location	a. Effects on the vibrancy and economic and social success of the CBD and centres	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 34.2.1</li> <li>ii. Retail and restaurant activity ancillary to campus activity are designed and operated in line with Objective 34.2.2 and its policies (Policy 34.2.1.3).</li> </ul> <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> <li>iii. The ancillary activity is designed and managed so as to be unlikely to attract the general public.</li> <li>iv. There will be no external advertising on the street or facing the street, for the ancillary activity.</li> </ul>
3. Maximum gross floor area	<p>a. Effects on the vibrancy and economic and social success of the CBD and centres</p> <p>b. Effects on the amenity of the Campus Zone</p>	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 34.2.1</li> <li>ii. Working from home and dairies are a size that is compatible with the character and amenity of the Campus Zone; and does not detract from the vibrancy and functioning of the centres hierarchy (Policy 34.2.1.4).</li> </ul> <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> <li>iii. The activity is related to or necessary to support campus activities, or have other locational requirements which mean they need to locate in this zone.</li> <li>iv. The activity will not have adverse effects on the amenity of surrounding residential properties or zones.</li> </ul>
4. Minimum car parking	a. Effects on the safety and efficiency of the transport network	See Rule 6.9

#### 34.9.4 Assessment of development performance standards

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
1.	<ul style="list-style-type: none"> <li>Boundary setbacks</li> <li>Maximum Height</li> <li>Height in relation to boundary</li> </ul>	a. Effects on surrounding sites residential amenity. Effects on the character and amenity of sensitive surrounding sites	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 34.2.2</li> <li>ii. Buildings and structures are of a height, height in relation to boundary, and setback that maintains adequate sunlight access to adjoining sites used for residential activity, or adjoining residential and recreation zoned sites; and avoids significant adverse wind effects (Policy 34.2.2.1).</li> <li>iii. Buildings greater than 25m in height contribute positively to the skyline vista of the city, by being of a quality and contextually appropriate architectural design (Policy 34.2.2.8).</li> </ul> <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> <li>iv. The height, or height in relation to boundary, is consistent with surrounding properties.</li> </ul>
2.	Boundary treatments and other landscaping	a. Effects on streetscape amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 34.2.2</li> <li>ii. Landscaping will provide a reasonable level of visual and environmental amenity (Policy 34.2.2.4).</li> </ul> <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> <li>iii. An alternative design will lead to better outcomes for streetscape amenity.</li> </ul>
3.	Earthworks standards: <ul style="list-style-type: none"> <li>Batter gradient</li> </ul>	a. Effects on the stability of land, buildings and structures	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 34.2.3</li> <li>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 34.2.3.1.b).</li> </ul> <p><i>Conditions that may be imposed include, but are not limited to:</i></p> <ul style="list-style-type: none"> <li>iii. Maximum slopes of cut and fill batters.</li> <li>iv. Time limits for retaining wall installation to avoid leaving a cut slope unsupported for an extended period.</li> <li>v. Temporary shoring requirements to maintain stability before a wall is constructed.</li> <li>vi. Supervision and monitoring requirements for retaining wall construction and standard earthworks construction.</li> </ul>



#### 34.9.4 Assessment of development performance standards

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
4.	Earthworks standards: • Setback from property boundary, buildings, structures and cliffs	a. Effects on the stability of land, buildings and structures	<i>Relevant objectives and policies:</i> i. Objective 34.2.3 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 34.2.3.1.a).
5.	Earthworks standards: • Setback from network utilities	a. Effects on efficient and effective operation of network utilities b. Effects on health and safety	See Rule 5.7
6.	Earthworks standards: • Sediment control	a. Effects on surrounding sites b. Effects on biodiversity values and natural character of the coast and riparian margins c. Effects on the efficiency and/or affordability of infrastructure	<i>Relevant objectives and policies:</i> i. Objective 34.2.3 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 34.2.3.2.b).  See Rule 10.4  See Rule 9.4

#### 34.9.4 Assessment of development performance standards

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
7.	Fence height and design	a. Effects on streetscape amenity	<p><i>Relevant objectives and policies:</i></p> <p>i. Objective 34.2.2</p> <p>ii. Fences will be of a height and design that contributes positively to streetscape amenity and the amenity of the Campus Zone (Policy 34.2.2.5).</p> <p><i>Potential circumstances that may support a consent application include:</i></p> <p>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.</p> <p>iv. An attractive interface with the street is maintained.</p> <p>v. The fence will be screened by landscaping.</p>
		b. Effects on the amenity of the campus	
		c. Effects on health and safety	See Rule 9.4
8.	Fire fighting	a. Effects on health and safety	See Rule 9.4
9.	Hazard overlay zones development standards: <ul style="list-style-type: none"> <li>• Minimum floor level</li> <li>• Relocatable buildings</li> </ul>	a. Risk from natural hazards	See Rule 11.4
10.	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
11.	Location and screening of outdoor storage	a. Effects on streetscape amenity	<p><i>Relevant objectives and policies:</i></p> <p>i. Objective 34.2.2</p> <p>ii. Outdoor storage is located and stored in a way that does not result in unreasonable visual amenity effects or create nuisance effects(Policy 34.2.2.2).</p>
		b. Effects on the amenity of the campus	

#### 34.9.4 Assessment of development performance standards

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
12.	Materials and design	a. Effect on heritage values (scheduled heritage buildings and scheduled heritage structures)	See Rule 13.5
		b. Effect on heritage streetscape character (where in a Heritage precinct)	
13.	Maximum building site coverage and impermeable surfaces	a. Effects on neighbourhood residential character and amenity	See Rule 15.9
		b. Effects on on-site amenity for residents	
14.	Number, location and design of ancillary signs	a. Effects on safety and efficiency of the transport network	See Rule 6.9
		b. Effects on streetscape amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 34.2.2.</li> <li>ii. Require ancillary signs 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 the <u>site</u> to passing pedestrians and vehicles and not being oversized or too numerous for what is necessary for that purpose(Policy 34.2.2.6).</li> </ul>
15.	<p>In a <b>heritage precinct</b>:</p> <ul style="list-style-type: none"> <li>• Fence height and design</li> <li>• Materials and design</li> <li>• Height (Maximum height)</li> <li>• Height in relation to boundary</li> </ul>	a. Effects on heritage streetscape character	See Rule 13.5
16.	Parking, loading and access standards	a. Effects on safety and efficiency of the transport network	See Rule 6.9

#### 34.9.4 Assessment of development performance standards

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
17.	Setback from a scheduled tree	a. Effects on a scheduled tree	See Rule 7.6
18.	Setback from coast and water bodies	a. Effects on biodiversity and natural character	See Rule 10.4
		b. Effects on public access	See Rule 10.4
		c. Risk from natural hazards	See Rule 11.4

#### 34.9.5 Assessment of subdivision performance standard contraventions

Performance standard		Matters of discretion	Guide on the assessment of resource consents
1.	Access	a. Effects on accessibility	See Rule 6.9
2.	Esplanade reserves and strips	a. Effects on biodiversity and natural character values of riparian margins and the coast.	See Rule 10.4
		b. Effects on public access	
3.	Fire fighting	a. Effects on health and safety	See Rule 9.4
4.	Service connections	a. Effects on efficiency and affordability of infrastructure	

### 34.9.5 Assessment of subdivision performance standard contraventions

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

## **Rule 34.10 Assessment of Restricted Discretionary Activities**

### **Rule 34.10.1 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 34.10.2 - 34.10.5:
  - a. list the matters Council will restrict its discretion to; and
  - b. provide guidance on how a consent application will be assessed, including:
    - i. relevant objectives and policies, with respect to s104(1)(b)(vi);
    - ii. potential circumstances that may support a consent application;
    - iii. general assessment guidance; and
    - iv. conditions that may be imposed.
3. 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 34.9; 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 34.11; 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 34.12; and
    - iii. the assessment guidance in this section will also be considered.

### 34.10.2 Assessment of all restricted discretionary activities

Activity	Guidance on the assessment of resource consents
1. All restricted discretionary activities	<p><i>Potential circumstances that may support a consent application include:</i></p> <ol style="list-style-type: none"> <li>The degree of non-compliance with the performance standard is minor.</li> <li>The need to meet other performance standards, site specific factors including topography, make meeting the standard impracticable.</li> <li>Topography or other site specific factors make the standard irrelevant as the adverse effects that the standard is trying to manage will not occur.</li> <li>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.</li> <li>For restricted discretionary land use activities, whether any associated buildings or structures meet relevant development performance standards, or otherwise achieve the relevant policies for development (see Rule 34.9 for performance standard contraventions).</li> </ol> <p><i>General assessment guidance:</i></p> <ol style="list-style-type: none"> <li>Where more than one standard is contravened, the combined effects of the contraventions should be considered.</li> <li>In balancing consideration of the objectives and policies related to the maintenance of heritage values or heritage precinct streetscape character and those related to general amenity, greater weight will usually be placed on heritage policies.</li> </ol>

### 34.10.3 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"> <li>Early childhood education</li> <li>Community and Leisure - large scale</li> </ul>	a. Effects on safety and efficiency of transport network.	See Rule 6.10
2. Student hostels	a. Effects on safety and efficiency of transport network.	See Rule 6.10
	b. Effects on efficiency and/or affordability of infrastructure	See Rule 9.5



#### 34.10.4 Assessment of restricted discretionary development activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
1. In a <b>heritage precinct</b> : <ul style="list-style-type: none"> <li>• All RD activities due to being in a heritage precinct</li> </ul>	a. Effects on heritage streetscape character	See Rule 13.6

#### 34.10.4 Assessment of restricted discretionary development activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
2. Earthworks - large scale (that exceed the scale thresholds for the Campus Zone)	a. Effects on visual amenity and character	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 34.2.3</li> <li>ii. Adverse effects on visual amenity and character will be avoided or, if avoidance is not possible, adequately mitigated (Policy 34.2.3.3.a).</li> <li>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 34.2.3.3.b).</li> </ul> <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> <li>iv. There is no, or only minimal, alteration to the natural landform.</li> <li>v. Any cut or fill will be restored or treated to resemble natural landforms.</li> <li>vi. The earthworks will not remove or effect existing vegetation or landscaping.</li> </ul> <p><i>Conditions that may be imposed include, but are not limited to:</i></p> <ul style="list-style-type: none"> <li>vii. Measures to minimise visual effects, e.g. requirements for revegetation and/or landscaping.</li> <li>viii. Maximum slopes of cut and fill batters.</li> <li>ix. Measures to divert surface water and rain away from, or prevent from discharging over, batter faces and other areas of bare earth.</li> <li>x. Measures to ensure there are no adverse effects from changes to drainage patterns on surrounding properties.</li> <li>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 the <u>site</u> is not diminished.</li> </ul>
	b. Effects on the amenity of surrounding properties	
	c. Effects on the stability of land, buildings, and structures	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 34.2.3</li> <li>ii. Adverse effects on the stability of land, buildings, and structures will be avoided or, if avoidance is not possible, adequately mitigated (Policy 34.2.3.3.c).</li> </ul> <p><i>Potential circumstances that may support a consent application:</i></p> <ul style="list-style-type: none"> <li>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 34.13.1).</li> <li>iv. Excavation, fill and retaining structures will be designed, and the work undertaken, in accordance with best practice engineering standards</li> </ul>

#### 34.10.4 Assessment of restricted discretionary development activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
3. Earthworks - large scale (that exceed scale thresholds for a SHS)	a. Effects on heritage values	See Rule 13.6
4. Earthworks - large scale (that exceed scale thresholds within 5m of a water body or MHWS)	a. Effects on biodiversity and natural character of riparian margins and the coast	See Rule 10.5
	b. Effects on public access	
5. Earthworks - large scale (that exceed scale thresholds for a hazard (flood) overlay zone)	a. Risk from natural hazards	See Rule 11.5
6. Activities affecting a <b>scheduled heritage item</b> : <ul style="list-style-type: none"> <li>• All RD activities due to affecting a scheduled heritage building, scheduled heritage structure, or scheduled heritage site</li> <li>• Earthworks - large scale (that exceed scale thresholds for a SHS)</li> <li>• Subdivision activities</li> </ul>	a. Effect on heritage values	See Rule 13.6

### 34.10.5 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 Campus	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 34.2.1</li> <li>ii. Subdivision is only allowed: <ul style="list-style-type: none"> <li>1. if intended and/or capable of being used for standard residential activity, it is in accordance with the objectives, policies and rules of the residential zones; or</li> <li>2. it is necessary for the disposal of surplus land in accordance with Policy 2.3.1.6 (Policy 34.2.1.7).</li> </ul> </li> </ul>
		b. Effects on a scheduled tree	See Rule 7.7
		c. Effects on the transport network	See Rule 6.10
		d. Effects on the efficiency and affordability of infrastructure	See Rule 9.5
		e. Effects on heritage values (scheduled heritage sites)	See Rule 13.6
		f. Risk from natural hazards	See Rule 11.5
		g. Effects on public access	See Rule 10.5
		h. Effects on biodiversity and natural character of riparian margins and the coast	

## **Rule 34.11 Assessment of Discretionary Activities**

### **Rule 34.11.1 Assessment of Discretionary Activities - 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 34.11.2 - 34.11.4 provide guidance on how a consent application for the listed discretionary activities will be assessed, including:
  - a. relevant objectives and policies that will be considered as a priority with respect to s104(1)(b)(vi);
  - b. potential circumstances that may support a consent applications;
  - c. general assessment guidance, including any effects that will be considered as a priority; and
  - d. conditions that may be imposed.
3. 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.

### 34.11.2 Assessment of discretionary land use activities

Activity	Guidance on the assessment of resources consents
<p>1. • Office</p> <p>• Restaurants not ancillary to campus</p>	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> <li>a. Objective 2.3.1</li> <li>b. Objective 34.2.1</li> <li>c. Restaurants and office not ancillary to campus activity are only allowed where: <ul style="list-style-type: none"> <li>i. they are related to, or are necessary to support campus activity, or have other operational requirements which mean they need to locate in this zone; and</li> <li>ii. they will support the efficient and effective operation of campus activities; and</li> <li>iii. they are not more appropriately located in another zone in line with Objective 2.3.2 and its policies; and</li> <li>iv. they are designed and operated in line with Objective 34.2.2 and its policies (Policy 34.2.1.5).</li> </ul> </li> </ul> <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> <li>d. For discretionary land use activities, whether any associated buildings or structures meet relevant development performance standards, or otherwise achieve the relevant policies for development (see Rule 34.9 numbers for performance standard contraventions).</li> <li>e. All relevant land use performance standards are met, including noise and light spill standards.</li> <li>f. The location of the activity in the Campus Zone is unlikely to create a precedent effect for similar activities to locate in the Campus Zone which would be more appropriately located in another zone.</li> </ul> <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> <li>g. In assessing the significance of effects, consideration will be given to: <ul style="list-style-type: none"> <li>i. both short and long term effects, including effects in combination with other activities.</li> <li>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.</li> </ul> </li> <li>h. In assessing activities that are discretionary due to being in an overlay zone, mapped area, in a scheduled site, or affecting a scheduled item, that otherwise require resource consent, the assessment guidance provided in relation to the underlying activity status will also be considered.</li> </ul>

### 34.11.3 Assessment of discretionary development activities

Activity	Guidance on the assessment of resource consents
1. Development associated with discretionary activities	<p><i>Relevant objectives and considerations (priority considerations):</i></p> <ul style="list-style-type: none"> <li>a. Objective 34.2.2</li> <li>b. The buildings and site design are consistent with the relevant performance standards (Policies 34.2.2.1 - 34.2.2.8).</li> </ul>

### 34.11.4 Assessment of discretionary performance standard contraventions

Performance standard	Guidance on the assessment of resource consents
1. <ul style="list-style-type: none"> <li>• Acoustic insulation;</li> <li>• Noise - where the limit is exceeded by up to 5dB LAeq (15min)</li> <li>• Light spill - where the limit is exceeded by 25% or less</li> </ul>	See Section 9.6 for guidance on the assessment of resource consents in relation to Objective 9.2.2 and the effects related to public health and safety.
2. Maximum height (buildings over 40m in height)	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> <li>a. Objective 34.2.2</li> <li>b. Buildings over 40m in height are only allowed where: <ul style="list-style-type: none"> <li>i. the height is essential to operation of campus activities; and</li> <li>ii. the height exceedence is minimal (Policy 34.2.2.7).</li> </ul> </li> <li>c. Buildings greater than 25m in height are only allowed where they contribute positively to the skyline vista of the city, by being of a quality and contextually appropriate architectural design (Policy 34.2.2.8).</li> </ul>



## **Rule 34.12 Assessment of Non-complying Activities**

### **Rule 34.12.1 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 34.122.2 and 34.12.3 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.
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.

### 34.12.2 Assessment of all non-complying activities

Activity	Guidance on the assessment of resource consents
<p>1. All non-complying activities</p>	<p><i>Relevant objectives and policies (priority considerations):</i></p> <p>a. The activity does not detract from, or preferably contributes to, the strategic directions objectives, including, but not limited to, those related to:</p> <p>Dunedin has a hierarchy of vibrant centres anchored around one Central Business District (CBD), which provides a focus for economic and employment growth, driven by:</p> <ol style="list-style-type: none"> <li>1. attraction of businesses to these areas based on the high level of amenity and density of activity in the area;</li> <li>2. opportunities for social interaction, exchange of ideas and business cooperation;</li> <li>3. public investment in public amenities and other infrastructure in the CBD; and</li> <li>4. opportunities for agglomeration benefits from the co-location of activities (Objective 2.3.2).</li> </ol> <p>b. The activity is compatible with the operation of campus activity and is not most appropriately located in another zone (Policy 34.2.1.6).</p> <p><i>Potential circumstances that may support a consent application include:</i></p> <p>c. There are significant positive effects on the efficient and effective operation of a tertiary institution from the activity.</p> <p>d. There is no potential for cumulative effects to arise from precedence.</p> <p>e. The location of the activity in the Campus Zone will not have adverse effects on the vibrancy and viability of commercial and mixed use zones.</p> <p><i>General assessment guidance:</i></p> <p>f. In assessing the significance of effects consideration will be given to:</p> <ol style="list-style-type: none"> <li>i. both short and long term effects, including effects in combination with other activities; and</li> <li>ii. the potential for cumulative adverse effects arising from similar activities occurring as a result of a precedent being set by the granting of resource consent.</li> </ol> <p>g. In assessing activities that are non-complying due to being in an overlay zone, mapped area, in a scheduled site, or affecting a scheduled item, that otherwise require resource consent, the assessment guidance provided in relation to the underlying activity status will also be considered.</p>
<p>2. Commercial advertising in all zones</p>	<p><i>Relevant objectives and policies (priority considerations):</i></p> <p>a. Objective 2.4.1</p> <p>b. Policy 2.4.1.6.c</p>

### 34.12.2 Assessment of all non-complying activities

Activity	Guidance on the assessment of resource consents
3. 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.

### 34.12.3 Assessment of non-complying performance standard contraventions

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

## **Rule 34.13 Special Information Requirements**

### **34.13.1 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.

