

35. Wakari Hospital

35.1 Introduction

Wakari Hospital is Dunedin's second largest hospital. The hospital is situated on Taieri Road, Wakari, and extends over a large, extensively landscaped site, covering an area of approximately eight hectares. The hospital is operated by the Southern District Health Board (SDHB).

The hospital has been at its present site since 1915, and provides approximately 115 beds across a number of wards. The hospital provides mental health services as well as a range of other community health services. It serves as a teaching hospital with strong links to both the University of Otago and Otago Polytechnic and is the base for SDHB management.

Redevelopment of the hospital site is anticipated over the coming years, allowing facilities to be upgraded and added. This may involve construction of new buildings and the redevelopment of existing ones. The site is surrounded by the General Residential 1 Zone which provides for medium density residential living, and is close to the Wakari neighbourhood centre. There is a high level of residential amenity in the area, particularly to the east and west of the site, with land to the north and south being less developed and having significant established vegetation. While the buildings on the Wakari Hospital site are generally larger than would normally be expected in a residential environment, these are contained within a large site which is extensively bordered by trees and vegetation.

The Wakari Hospital Zone enables the provision of essential health services and future development of the site, while appropriately managing adverse effects on the surrounding General Residential 1 Zone and nearby neighbourhood centre.

35.2 Objectives and Policies

Objective 35.2.1	
Wakari Hospital is able to operate efficiently and effectively as a hospital and medical training and research facility.	
Policy 35.2.1.1	Enable hospital activity in the Wakari Hospital Zone.
Policy 35.2.1.2	Provide for activities that are ancillary to hospital activity where they are designed and operated in line with Objective 35.2.2 and its policies.
Policy 35.2.1.3	Only allow activities that are not ancillary to hospital activity where all of the following apply: <ol style="list-style-type: none"> the activities are related to or support Wakari Hospital, or have other operational requirements that mean they need to locate in the zone; they will support the efficient and effective operation of Wakari Hospital; they are not more appropriately located in another zone in line with Objective 2.3.2 and its policies; and they are designed and operated in line with Objective 35.2.2 and its policies.
Policy 35.2.1.4	Enable land that is surplus to the needs of Wakari Hospital to transition to the General Residential 1 Zone, so that future development that is not related to hospital activity can be managed in accordance with the objectives and policies of that zone.
Policy 35.2.1.5	Only allow subdivision where: <ol style="list-style-type: none"> it is in accordance with the provisions of the General Residential 1 Zone; and the subdivision does not adversely affect the efficient and effective operation of Wakari Hospital.

Objective 35.2.2	
Land use activities and development necessary for Wakari Hospital to meet the reasonably foreseeable health needs of the community is enabled, while ensuring development: <ol style="list-style-type: none"> achieves a good standard of on-site amenity for patients, staff and visitors; and maintains or enhances the amenity of the surrounding residential sites and areas, as far as practicable. 	
Policy 35.2.2.1	Require buildings and structures to be of a height and setback from boundaries that ensures: <ol style="list-style-type: none"> there are no more than minor effects on the sunlight access and privacy of current and potential future residential buildings and their outdoor living spaces; and any adverse effects on neighbourhood amenity are avoided or, if avoidance is not possible, are no more than minor.
Policy 35.2.2.2	Require development to maintain or enhance neighbourhood amenity by ensuring service areas are not visible from ground level outside the site.
Policy 35.2.2.3	Require landscaping of the boundary of parking areas where adjacent to a road frontage to screen or soften these areas and ensure a high standard of visual amenity when viewed from the road.
Policy 35.2.2.4	Require fences on road boundaries to be of a height and design that contributes positively to neighbourhood amenity.

Objective 35.2.2

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

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

Policy 35.2.2.5	Require ancillary signs visible from outside the zone to be located and designed to maintain streetscape amenity, including by being of an appropriate size and number to convey information about the name, location and nature of the activity on site to passing pedestrians and vehicles, and not being oversized or too numerous for that purpose.
Policy 35.2.2.6	Require ancillary commercial activities to be designed, located and operated to primarily serve staff, patients and visitors of Wakari Hospital.
Policy 35.2.2.7	Only allow early childhood education - large scale where they are designed to avoid or, if avoidance is not possible, adequately mitigate, adverse effects on the amenity of surrounding residential properties.

Objective 35.2.3

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 35.2.3.1	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 35.2.3.2	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 35.2.3.3	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 35.3 Activity Status

Rule 35.3.1 Rule location

The activity status tables in Rule 35.3.3 to 35.3.5 specify the activity status of land use activities, development activities and subdivision activities in the Wakari Hospital Zone, except rules for the following city-wide activities, which are contained in Part B of the Plan:

1. Public amenities (Section 3)
2. Temporary activities (Section 4)
3. Network utilities and energy generation (Section 5)
4. Transportation activities (Section 6)
5. Scheduled Trees (Section 7)
6. Natural hazard mitigation activities (Section 8)

35.3.2 Activity status introduction

1. The activity status tables in Rules 35.3.3 - 35.3.5 show the activity status of activities in the Wakari Hospital Zone, provided any performance standards shown in the far right column are met.
2. Activities are split into three types: a. land use activities, b. development activities, c. subdivision activities. Within these types, activities are split into categories. The nested tables in Section 1.6 outline the hierarchy of categories, activities and sub-activities.
3. Permitted land use activities do not automatically provide for any related development activities. Therefore, the activity status of any associated development activities should also be checked.
4. Where a new land use activity requires a resource consent, all associated development activities will be considered and assessed as part of the resource consent even if the development otherwise meets the development performance standards listed in the Plan.
5. The nested table in Section 1.6 is intended to be a complete list of activities and categories of activities. For any activity that is not covered by any of the defined activities in the nested table, the activity status will be non-complying if the activity status of "all" or "all other" activities in the most closely related category is non-complying, otherwise it will be discretionary.

Performance Standards

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

Legend

Acronym	Activity status
—	No additional provisions apply or not relevant

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

35.3.3 Activity status table - land use activities

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

35.3.4 Activity status table - development activities

1.	Performance standards that apply to all development activities		a. Maximum site coverage and impermeable surfaces b. Setback from national grid
2.	Performance standards that apply to all buildings and structures activities		a. Boundary setbacks b. Fire fighting c. Height in relation to boundary d. Maximum height e. Number, location and design of ancillary signs
Buildings and structures activities		Activity status	Performance standards
3.	Fences	P	a. Fence height and design
4.	All other buildings and structures activities	P	
Site development activities		Activity status	Performance standards
5.	Earthworks - small scale	P	a. Earthworks standards
6.	Earthworks - large scale	RD	a. Earthworks standards
7.	Parking, loading and access	P	a. Boundary treatments and other landscaping b. Parking, loading and access standards
8.	New parking areas, or extensions to existing parking areas <i>(that result in the creation of 50 or more new parking spaces.)</i>	RD	a. Boundary treatments and other landscaping b. Parking, loading and access standards
9.	Service areas	P	a. Location and screening of service areas
10.	Storage and use of hazardous substances	P	a. Hazardous substances quantity limits and storage requirements
11.	All other site development activities	P	

35.3.5 Activity status table - subdivision activities

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

35.3.6 Transition to General Residential 1 Zone

On receipt of written notice from both the landowner and operator of Wakari Hospital (if different) to Dunedin City Council in relation to all or part of the land within the Wakari Hospital Zone, the provisions of the Wakari Hospital Zone will no longer apply to that parcel of land and the provisions of the General Residential 1 Zone will apply in full.

Note 35.3A - 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 35.4 Notification

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

Rule 35.5 Land Use Performance Standards

35.5.1 Electrical Interference

Land use activities must comply with Rule 9.3.2.

35.5.2 Light Spill

Land use activities must comply with Rule 9.3.5.

35.5.3 Location

For ancillary commercial activities, customer access must only be available from inside hospital buildings.

35.5.4 Minimum Car Parking

1. Hospital activity must provide a minimum of 600 car parking spaces, including at least 13 mobility parking spaces.
2. Required parking spaces may be used for car, cycle or motorcycle parking, except for any required mobility parking spaces, which must be used for mobility car parking.

Note 35.5A - Other relevant District Plan provisions

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

35.5.5 Noise

Land use activities must comply with Rule 9.3.6.

33.5.6 Setback from National Grid

Sensitive activities must comply with Rule 5.6.1.1.

Rule 35.6 Development Performance Standards

35.6.1 Boundary Treatments and Other Landscaping

1. Where a parking area is built within 5m of a road frontage, a landscaping area with a minimum 1.5m width must be provided along the full length of the road frontage (except for where vehicle access is provided), with an average of one tree for every 5m of frontage.
2. Landscaping areas must:
 - a. be planted with a mix of trees and shrubs and/or ground cover plants that achieves a total coverage of the ground area in planting (when mature), except for 10% of the area, which may be used for pedestrian paths;
 - b. have an average of one tree for every 5m of frontage;
 - c. not have more than 10% cover in impermeable surfaces (for pedestrian paths);
 - d. be designed to allow surface water run-off from surrounding areas to enter;
 - e. be protected by a physical barrier that prevents cars from accidentally driving into or damaging plants;
 - f. for required trees, use trees that are at least 1.5m high at the time of planting and capable of growing to a height of 5m within 10 years of planting;
 - g. be planted prior to occupation or completion of any relevant building(s) or site development; and
 - h. be maintained to a high standard, which means trees and under-planting are healthy and areas are regularly cleared of rubbish and weeds.
3. Any road boundary fences provided must be placed on the property side of any required road frontage landscaping.

35.6.2 Earthworks Standards

35.6.2.1 Earthworks - small scale thresholds

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

Zone/Area		Waikari Hospital Zone
i.	Maximum change in ground level	1.5m
Slope Categories		Maximum volume of combined cut and fill
ii.	Less than or equal to 12°	30m ³ per 100m ² of <u>site</u>
iii.	Greater than 12° but less than or equal to 15°	25m ³ per 100m ² of <u>site</u>
iv.	Greater than 15° but less than or equal to 20°	15m ³ per 100m ² of <u>site</u>
v.	Greater than 20° but less than or equal to 26°	10m ³ per 100m ² of <u>site</u>
vi.	Greater than 26° but less than or equal to 35°	0m ³ fill 5m ³ cut per 100m ² of <u>site</u>
vii.	Greater than 35°	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 35.6.2.1.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.

35.6.2.2 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).

35.6.2.3 Setback from property boundary, buildings, structures and cliffs

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

- a. Earthworks not supported by retaining walls:
 - i. a distance at least equal to the maximum height of the fill, as measured from the toe of the fill (see Figure 35.6A);
 - 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 35.6A); and
 - iii. 300mm, as measured from the crest of any cut (See Figure 35.6A).
- 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 35.6B), 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 35.6A Unsupported cut and fill (elevation view)

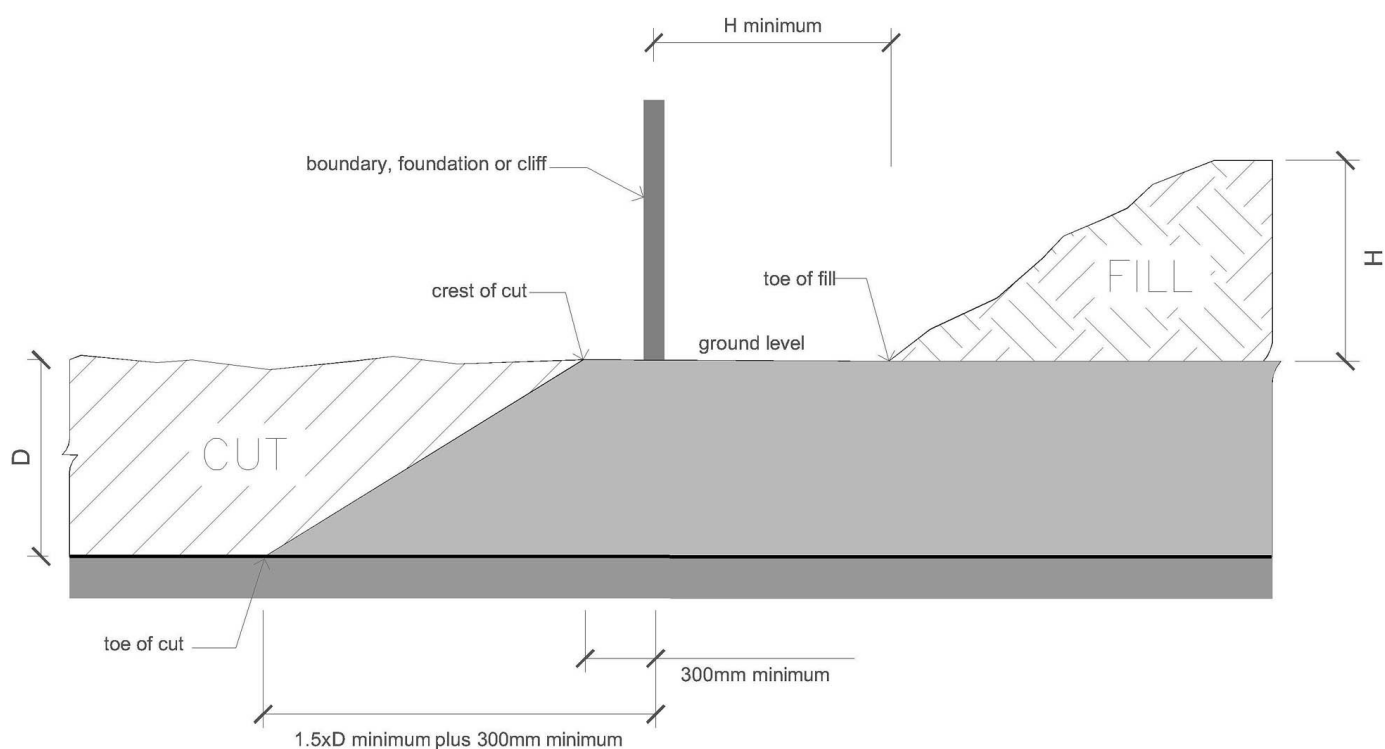
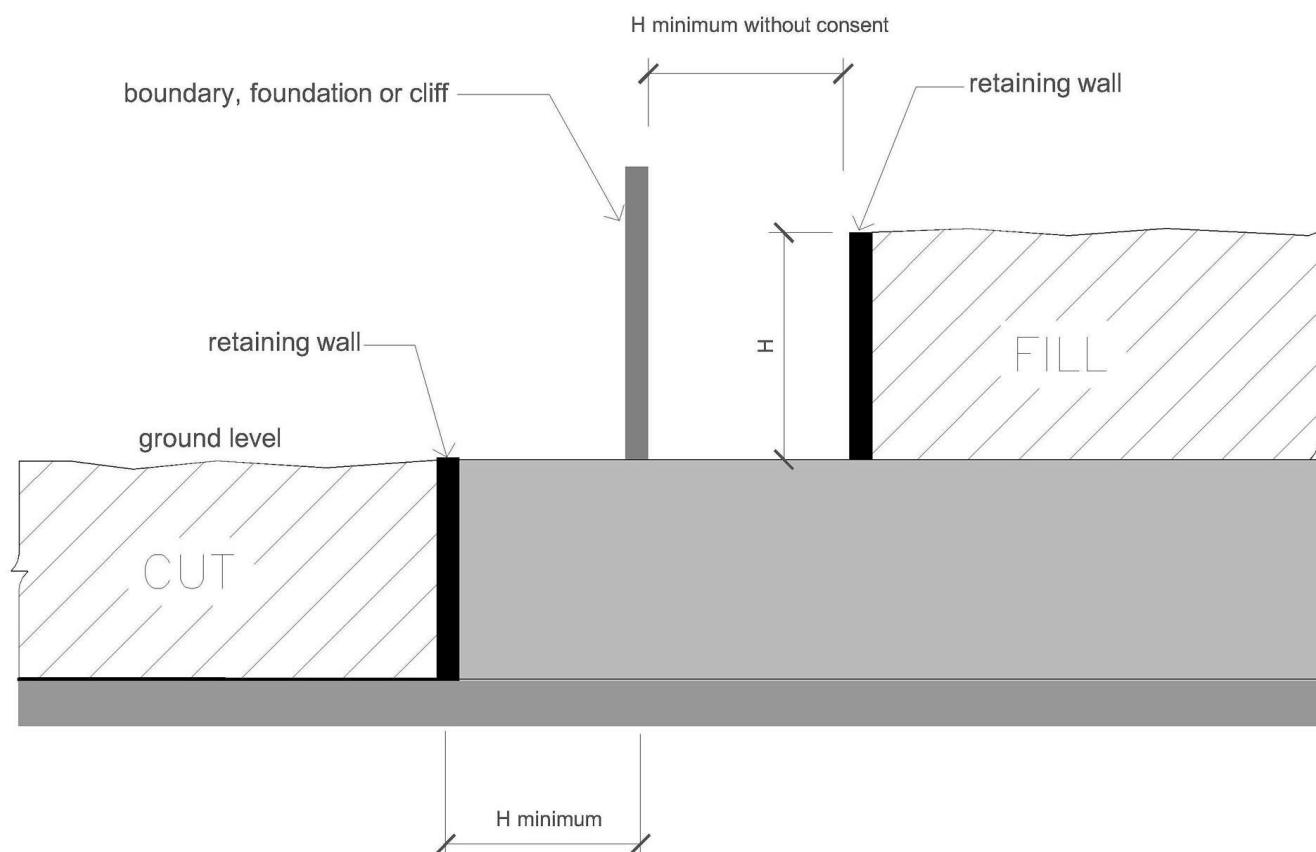


Figure 35.6B Cut and fill supported by retaining walls (elevation view)



35.6.2.4 Setback from national grid (earthworks)

Earthworks must comply with Rule 5.6.1.2.

35.6.2.5 Setback from network utilities

Earthworks must comply with Rule 5.6.2.

35.6.2.6 Sediment control

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

Figure 35.6A: Unsupported cut and fill (elevation view)

Figure 35.6B: Cut and fill supported by retaining walls (elevation view)

35.6.3 Fence Height and Design

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

Location		Maximum height
a.	Along all other road boundaries	1.4m
b.	Along a side or rear boundary with a residential zone	1.4m
c.	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 35.6.10.1.
- 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 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).
- 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.

35.6.4 Hazardous Substances Quantity Limits and Storage Requirements

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

35.6.5 Height

35.6.5.1 Height in relation to boundary

Buildings and structures adjoining the residential zone must not protrude through a plane rising at an angle of 45 degrees measured from a starting point of 2.5 m vertically above ground level at the zone boundary (see Figure 15.6F), except:

- rooftop structures are exempt from the performance standard for height in relation to boundary;
- a gable end or dormer may project beyond the plane where it is:
 - no greater than 1m in height measured parallel to the nearest adjacent boundary; and/or
 - no greater than 1m in depth measured horizontally at 90 degrees to the nearest adjacent boundary.

35.6.5.2 Maximum height

- maximum height for new buildings and structures, and additions and alterations, must not exceed 22m 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 5m.
- c. Buildings and structures must not exceed 10m in height within 20m of a residential zone, a recreation zone or a school.

35.6.6 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.

35.6.7 Maximum Site Coverage and Impermeable Surfaces

- 1. The maximum site coverage of buildings (% of the site) is 40%; and
- 2. The maximum total impermeable surface site coverage (buildings and impermeable surfaces % of the site) is 70%.

35.6.8 Number, Location and Design of Ancillary Signs

35.6.8.1 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 Wakari Hospital 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 related to ancillary retail and ancillary restaurant activities must not be visible outside the Wakari Hospital Zone.
- 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 35.6.8.2 and 35.6.8.3 are not allowed.

35.6.8.2 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 one sign per building;
 - ii. have a maximum area per display face of 2m²;
 - iii. have a maximum of two 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.

35.6.8.3 Freestanding signs

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

Note 35.6A - 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 35.6B - 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

35.6.9 Parking, Loading and Access Standards

Parking, loading and access must comply with Rule 6.6.

35.6.10 Setbacks

35.6.10.1 Boundary setbacks

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

Building	Setback from road boundary	Setback from other boundary
a. Buildings, structures and additions and alterations not exceeding 3m in height and 6m in length (measured parallel to the boundary)	4.5m	1m
b. Buildings, structures and additions and alterations not exceeding 9m in height or 250m ² GFA	4.5m	4.5m
c. Other buildings and structures	10m	10m

- d. Except fences and ancillary signs are exempt from the performance standard.
- e. All public entrances to buildings must be located at least 10m from a boundary with the General Residential 1

Zone.

35.6.10.2 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.

35.6.11 Fire Fighting

All new residential and subdivision activities must comply with Rule 9.3.3.

Rule 35.7 Subdivision Performance Standards

Subdivision activities must comply with performance standards for the General Residential 1 Zone within Rule 15.7.

Rule 35.8 Assessment of Restricted Discretionary Activities (Performance Standard Contraventions)

Rule 35.8.1 Introduction

1. Restricted discretionary activities will be assessed in accordance with section 104 and 104C of the RMA, meaning only those matters to which Council has restricted its discretion will be considered, and Council may grant or refuse the application, and, if granted, may impose conditions with respect to matters over which it has restricted its discretion.
2. Rules 35.8.2 - 32.8.5:
 - a. list the matters Council will restrict its discretion to; and
 - b. provide guidance on how consent applications will be assessed, including:
 - i. relevant objectives and policies, with respect to s104(1)(b)(vi);
 - ii. potential circumstances that may support a consent application;
 - iii. general assessment guidance; and
 - iv. conditions that may be imposed.

35.8.2 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 performance standard is minor. b. The need to meet other performance standards or 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. <p><i>General assessment guidance:</i></p> <ol style="list-style-type: none"> e. Where more than one standard is contravened, the combined effects of the contraventions should be considered.

35.8.3 Assessment of land use performance standard contraventions

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

35.8.3 Assessment of land use performance standard contraventions

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 hierarchy	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 35.2.2 ii. Ancillary commercial activities are designed, located and operated primarily to serve staff, patients and visitors of Wakari Hospital (Policy 35.2.2.6). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. The location of customer access is unlikely to result in the attraction of external customers, resulting in the ancillary activity becoming a stand-alone activity.
3. Minimum car parking	a. Effects on the safety and efficiency of the transport network	See Rule 6.9

35.8.4 Assessment of development standard contraventions

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
1. <ul style="list-style-type: none"> • Boundary setbacks • Height in relation to boundary • Maximum height 	a. Effects on the amenity of surrounding sites	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 35.2.2 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 and privacy of current and potential future residential buildings and their outdoor living spaces (Policy 35.2.2.1.a). <p><i>In assessing the application council will consider:</i></p> <ul style="list-style-type: none"> iii. Existing sunlight access to neighbouring properties iv. Cumulative effects from incremental development.
	b. Effects on neighbourhood amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 35.2.2 ii. Buildings and structures are of a height and setback from boundaries that ensures adverse effects on neighbourhood amenity are avoided or, if avoidance is not possible, are no more than minor (Policy 35.2.2.1.b).

35.8.4 Assessment of development standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
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"> i. Objective 35.2.2 ii. Landscaping screens or softens the boundary of parking areas and ensures a high standard of visual amenity when viewed from the road (Policy 35.2.2.3). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. Alternative landscaping or other screening will be effective in screening or softening car parking areas when viewed from the road.
3.	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 35.2.3 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 35.2.3.1.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.
4.	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 35.2.3 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, structures and cliffs (Policy 35.2.3.1.a).
5.	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

35.8.4 Assessment of development standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
6.	Earthworks standards: • Sediment control	a. Effects on surrounding sites	<i>Relevant objectives and policies:</i> i. Objective 35.2.3 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 35.2.3.2.b).
		b. Effects on efficiency and/or affordability of infrastructure	See Rule 9.4
		c. Effects on biodiversity values and natural character of riparian margins and the coast	See Rule 10.4
7.	Fence height and design	a. Effects on health and safety	See Rule 9.4
		b. Effects on neighbourhood amenity	<i>Relevant objectives and policies:</i> i. Objective 35.2.2 ii. Fences on road boundaries are of a height and design that contribute positively to neighbourhood amenity (Policy 35.2.2.4). <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. An attractive interface with the streetscape is achieved. v. The fence will be screened by landscaping.
8.	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

35.8.4 Assessment of development standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
9.	Location and screening of service areas	a. Effects on neighbourhood amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 35.2.2 ii. Development maintains or enhances neighbourhood amenity by ensuring service areas are not visible from ground level outside the <u>site</u> (Policy 35.2.2.2). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. Screening would unduly restrict the usability of the service area. iv. The site layout prevents the service area from being visible from any public place without additional screening being required.
10.	Maximum building site coverage and impermeable surfaces	a. Effects on the efficiency and / or affordability of infrastructure	See Rule 9.4
11.	Number, location and design of ancillary signs	a. Effects on neighbourhood amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 35.2.2 ii. Ancillary signs visible from outside the zone are 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 that purpose (Policy 35.2.2.5).
		b. Effects on safety and efficiency of the transport network	See Rule 6.9
12.	Parking, loading and access standards	a. Effects on safety and efficiency of the transport network	See Rule 6.9

35.8.5 Assessment of subdivision performance standard contraventions

Performance standard		Guidance on the assessment of resource consents
1.	Subdivision performance standards	See Rule 15.9

Rule 35.9 Assessment of Restricted Discretionary Activities

Rule 35.9.1 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 35.9.2 - 35.9.4:
 - a. list the matters Council will restrict its discretion to; and
 - b. provide guidance on how a consent application will be assessed, including:
 - i. relevant objectives and policies, with respect to s104(1)(b)(vi);
 - ii. potential circumstances that may support a consent application;
 - iii. general assessment guidance; and
 - iv. conditions that may be imposed.
3. For all land use activities that require consent, all associated development activities will be considered as part of the resource consent even if the development otherwise meets the development performance standards in the Plan. Conditions on development activities may be used to minimise any adverse effects from the land use activity or create mitigating positive effects.
4. Where a restricted discretionary activity does not meet a performance standard the following occurs:
 - a. if the contravention of the performance standard defaults to **restricted discretionary** (which is the case, unless otherwise indicated in the performance standard) then:
 - i. the activity, as a whole, will be treated as **restricted discretionary**; and
 - ii. the matters of discretion are expanded to include the areas of non-compliance with the performance standard; and
 - iii. the performance standard contravention will be assessed as indicated in Section 35.8; and
 - iv. the matters of discretion in this section will be assessed as indicated.
 - b. if the contravention of the performance standard defaults to **discretionary** then:
 - i. the activity, as a whole, will be treated as **discretionary**; and
 - ii. the performance standard contravention will be assessed as indicated in Section 35.10; and
 - iii. the assessment guidance in this section will also be considered.
 - c. if the contravention of the performance standard defaults to **non-complying** then:
 - i. the activity, as a whole, will be **non-complying**; and
 - ii. the performance standard contravention will be assessed as indicated in Section 35.11; and
 - iii. the assessment guidance in this section will also be considered.

35.9.2 Assessment of restricted discretionary land use activities

Activity		Matters of discretion	Guidance on the assessment of resource consents
1.	Early childhood education - large scale	a. Effects on 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 35.2.2 ii. Early childhood education - large scale is designed to avoid or, if avoidance is not possible, adequately mitigate, adverse effects on the amenity of surrounding residential properties (Policy 35.2.2.7).

35.9.3 Assessment of restricted discretionary development activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
1. Earthworks - large scale (that exceed the scale thresholds for the Wakari Hospital 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 35.2.3 ii. Adverse effects on visual amenity and character will be avoided or, if avoidance is not possible, adequately mitigated (Policy 35.2.3.3.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 35.2.3.3.b). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iv. There is no, or only minimal, alteration to the natural landform. v. Any cut or fill will be restored or treated to resemble natural landforms. vi. The earthworks will not remove or impact upon existing vegetation or landscaping. <p><i>Conditions that may be imposed include, but are not limited to:</i></p> <ul style="list-style-type: none"> vii. Measures to minimise visual effects, e.g. requirements for revegetation and/or landscaping. viii. Maximum slopes of cut and fill batters. ix. Measures to divert surface water and rain away from, or prevent from discharging over, batter faces and other areas of bare earth. x. Measures to ensure there are no adverse effects from changes to drainage patterns on surrounding properties. xi. Requirement to de-compact soils; to take other remedial action to ensure the natural absorption capacity of the soils is not reduced; or to use other mitigation measures to ensure the overall absorption of rain water on the <u>site</u> is not diminished.

35.9.3 Assessment of restricted discretionary development activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
	c. Effects on the stability of land, buildings, and structures	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 35.2.3 ii. Adverse effects on the stability of land, buildings, and structures will be avoided or, if avoidance is not possible, adequately mitigated (Policy 35.2.3.3.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 35.12.1). iv. Excavation, fill and retaining structures will be designed, and the work undertaken, in accordance with best practice engineering standards.
2. New parking areas, or extensions to existing parking areas (<i>that result in the creation of 50 or more new parking spaces.</i>)	a. Effects on the safety and efficiency of transport network	See Rule 6.10

35.9.4 Assessment of restricted discretionary subdivision activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
1. Subdivision activities	a. Effects on efficient and effective operation of Wakari Hospital	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 35.2.1 ii. Objective 2.3.1 iii. Subdivision does not adversely affect the efficient and effective operation of Wakari Hospital (Policy 35.2.1.5.b).
	See Rule 15.10	

Rule 35.10 Assessment of Discretionary Activities

Rule 35.10.1 Introduction

1. Discretionary activities will be assessed in accordance with section 104 and 104B of the RMA meaning Council may grant or refuse the application, and, if granted, may impose conditions.
2. Rules 35.10.2 - 35.10.3 provide guidance on how a consent application for the listed discretionary activities will be assessed, including:
 - a. relevant objectives and policies that will be considered as a priority with respect to s104(1)(b)(vi);
 - b. potential circumstances that may support a consent application;
 - c. general assessment guidance, including any effects that will be considered as a priority; and
 - d. conditions that may be imposed.
3. For all land use activities that require consent, all associated development activities will be considered as part of the resource consent even if the development otherwise meets the development performance standards in this Plan. Conditions on development activities may be used to minimise any adverse effects from the land use activity or create mitigating positive effects.

35.10.2 Assessment of all discretionary activities

Activity	Guidance on the assessment of resource consents
<p>1. All discretionary activities including:</p> <ul style="list-style-type: none"> all other activities in the community activities category all activities in the residential activities category activities listed below 	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ol style="list-style-type: none"> Objective 2.3.1 Objective 35.2.1 Activities that are ancillary to hospital activity are designed and operated in line with Objective 35.2.2 and its policies (Policy 35.2.1.2). Activities that are not ancillary to hospital activity: <ol style="list-style-type: none"> are related to or support the Wakari Hospital, or have other operational requirements that mean they need to locate in the zone; support the efficient and effective operation of Wakari Hospital; are not more appropriately located in another zone in line with Objective 2.3.2 and its policies; and are designed and operated in line with Objective 35.2.2 and its policies (Policy 35.2.1.3). <p><i>Potential circumstances that may support a consent application include:</i></p> <ol style="list-style-type: none"> 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. All relevant land use performance standards are met, including noise and light spill standards. <p><i>General assessment guidance</i></p> <ol style="list-style-type: none"> In assessing the significance of effects, consideration will be given to: <ol style="list-style-type: none"> short to long term effects, including effects in combination with other activities; and 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. 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.

35.10.3 Assessment of discretionary performance standard contraventions

Performance standard	Guidance on the assessment of resource consents
<p>1. Noise - where the limit is exceeded by up to 5dB LAeq (15min)</p> <ul style="list-style-type: none"> Light spill - where the limit is exceeded by 25% or less 	<p>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.</p>

Rule 35.11 Assessment of Non-complying Activities

Rule 35.11.1 Introduction

1. Non-complying activities will be assessed in accordance with section 104, 104B and 104D of the RMA meaning Council may grant or refuse the application, and, if granted, may impose conditions.
2. Rules 35.11.2 - 35.11.4 provide guidance on how a consent application for the listed non-complying activities will be assessed, including:
 - a. relevant objectives and policies that will be considered as a priority with respect to s104(1)(b)(vi); and
 - b. general assessment guidance, including any effects that will be considered as a priority.
3. For all land use activities that require consent, all associated development activities will be considered as part of the resource consent even if the development otherwise meets the development performance standards in this Plan. Conditions on development activities may be used to minimise any adverse effects from the land use activity or create mitigating positive effects.

35.11.2 Assessment of all non-complying activities

Activity	Guidance on the assessment of resource consents
<ol style="list-style-type: none"> 1. All non-complying land use activities including: <ul style="list-style-type: none"> • all other activities in the major facilities activities category; • all other activities in the commercial activities category; • all activities in the industrial activities category; • all activities in the rural activities category; and • activities listed below 	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ol style="list-style-type: none"> a. Objective 2.3.1 b. Objective 35.2.1 c. Activities not ancillary to hospital activity: <ol style="list-style-type: none"> i. are related to or support Wakari Hospital, or have other operation requirements that mean they need to locate in the zone; ii. support the efficient and effective operation of Wakari Hospital; 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 35.2.2 and its policies (Policy 35.2.1.3). <p><i>General assessment guidance:</i></p> <ol style="list-style-type: none"> d. In assessing the significance of effects consideration will be given to: <ol style="list-style-type: none"> i. both short and long term effects, including effects in combination with other activities; and ii. the potential for cumulative adverse effects arising from similar activities occurring as a result of a precedent being set by the granting of a resource consent. e. 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.

35.11.3 Assessment of non-complying land use activities

Activity		Guidance on the assessment of resource consents
1.	Commercial advertising	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> a. Objective 2.4.1 b. Policy 2.4.1.6.c

35.11.4 Assessment of non-complying performance standard contraventions

Performance standard		Guidance on the assessment of resource consents
1.	<ul style="list-style-type: none"> • Light spill - where the limit is exceeded by greater than 25% • Noise - where the limit is exceeded by 5dB LAeq (15 min) or more • Hazardous substances quantity limits and storage requirements (Rule 9.3.4.2) 	See Section 9.7 for guidance on the assessment of resource consents in relation to Objective 9.2.3 and effects related to public health and safety.
2.	Setback from national grid	See Section 5.10 for guidance on the assessment of resource consents in relation to Objective 5.2.1 and effects related to the efficient and effective operation of network utilities, and public health and safety.

Rule 35.12 Special Information Requirements

35.12.1 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.

