

15.1 Introduction

Dunedin's residential environments are diverse in character and include a variety of housing types ranging from apartments to stand-alone residential buildings. This diversity stems from successive waves of settlement and the prior zoning regimes, and will continue through the approaches proposed in this Plan.

These residential environments are an important resource for the city and contribute to the social, economic, and cultural well-being of people. The types and condition of housing, and the services available to it are important considerations in determining the distribution of resources and providing attractive residential environments. Developing residential environments that maintain and improve people's enjoyment of residential amenity is key.

In achieving this, of importance is the development of an urban form that ensures that Dunedin remains compact, with resilient townships, and sustainably managed urban expansion. The city has a limited amount of residential land, and so to facilitate a more compact form, it needs to be ensured that development is undertaken in a suitable manner. Also, changing demographics, including an aging population and an increase in single person households, has led to a requirement for greater flexibility in the size and type of dwelling options available throughout Dunedin.

Inappropriate land use, subdivision, and development in residential areas can adversely affect the character and amenity of Dunedin's residential environments and is a major concern. Furthermore, commercial activities that do not support the day-to-day living of residents and which detract from residential character and amenity need to be avoided.

In response to these issues, the Plan encourages the development of attractive, safe and compact residential environments through controlling matters including the siting of appropriate activities in residential zones, the design, location and scale of land use activities and buildings, the avoidance of certain activities in sensitive locations, and impacts on the efficiency and affordability of public infrastructure and services.

Many of the provisions for the residential zones are designed to manage the potential for development to adversely affect the amenity and character of streets and neighbourhoods. In some cases, provisions are designed to ensure new houses have a similar character to existing houses; however, in some areas the provisions may allow for houses of a different character in order to support the development of high quality medium density housing. In these areas, which include the Inner City Residential Zone and General Residential 2 Zone, the desired 'future character' includes houses that may be different in style or even size, but that are designed to be attractive and integrate well with surrounding housing. This outcome is achieved through a mixture of performance standards for bulk and location and rules that require consent for larger buildings and multi-unit developments (3 or more units). Resource consents for these developments will consider whether:

- the building design and placement is appropriate for the context of the site, including considering the appropriateness of form (roof pitch, scale, massing, window placement, entrance detailing and/or proportion) and materials
- adequate green space is provided.

Parts of the residential zones are also managed through heritage precincts, which include more controls on new development as well as alterations to existing buildings if they are scheduled heritage buildings or identified character-contributing buildings. Natural Hazard overlays also apply to some parts of residential zones.

In addition to standard residential activities, residential zones also provide for other types of residential activities including supported living facilities in the form of student hostels, rest homes and retirement villages. These activities will often need to be developed in a different form to standard residential activity and the Plan provides for this by managing these activities as a restricted discretionary activity and not applying the density provisions that apply to standard residential activity.

This management approach will result in residential zones that support the needs of residents, provide a range of housing types and sizes; maintain and improve amenity values; enhance streetscapes; maintain and enhance efficient

and affordable water and waste infrastructure networks; enable land use activities that are accessible by a range of travel modes, and contribute to compact living environments.

The various residential zones proposed in this Plan are briefly described below.

15.1.1 Zone descriptions

15.1.1.1 General Residential 1

The General Residential 1 Zone covers the majority of the middle to outer suburban areas of Dunedin and Mosgiel and is often applied when rezoning areas of greenfield land on the urban fringes. Historically, this zone has been characterised by relatively low density suburban development patterns, which arose from a long-standing minimum site size requirement of 500m² and allowance for one dwelling per site. However, as a result of development of the 2GP and its subsequent variation ('Variation 2'), these rules have been amended to enable change in residential character over time to a slightly denser suburban form but with retention of requirements around maximum site coverage and provision of outdoor living space to maintain suburban green space.

Where two units are provided for on sites up to 800m² in size, these are required to either be in the form of a size-limited ancillary residential unit (which cannot be subdivided off) or a duplex to ensure a pattern of development that is consistent with the existing character of the zone. The duplex provisions also encourage efficient use of sites through less wasted space in narrow side yards and provide for more usable outdoor living space in other parts of the site.

The anticipated future character of the General Residential 1 Zone will include:

- stand-alone dwellings, duplexes, and occasionally on larger sites multi-unit attached, 'terrace style' developments up to 9m in height;
- sites generally between 400m² and 800m² in size;
- a greater variety in site sizes encouraged by flexibility in the minimum site size rule;
- small (up to 80m²) ancillary residential units where site sizes allow; and
- larger developments that house supported living facilities (rest homes, retirement villages and student hostels) or social housing where site sizes allow.

In new greenfield areas, the General Residential 1 Zone is generally subject to the **new development mapped area** provisions in order to ensure good urban design outcomes. These provisions are contained in Section 12 and apply in addition to the provisions in this section.

15.1.1.2 General Residential 2

The General Residential 2 Zone covers large areas of the main urban area of Dunedin and Mosgiel in locations that have good accessibility to services and public transport and higher relative demand for housing. It provides for change in the existing urban form to medium density suburban residential living through redevelopment of older and poorer-quality housing stock. This will provide a range of housing choices over time, including well-designed multi-unit developments such as terrace housing and low-rise apartments typically up to 9m in height (generally two-storeys). The rules for this zone vary by location to provide for a higher density of development in areas which have historically been developed to a higher density, and for a lower density of development in areas which are subject to coastal hazards or wastewater or stormwater infrastructure capacity constraints. This is achieved by the application of the following mapped areas:

- **South Dunedin mapped area**
- **wastewater constraint mapped area** (applied in various locations around Dunedin and Mosgiel); and
- **Variation 2 mapped area.**

15.1.1.3 Inner City Residential

The Inner City Residential Zone primarily covers the residential area near the campus and between the town belt and the central business district, being the locations that are closest to Dunedin's main centres of employment or study, and have the greatest accessibility to services and public transport. It provides for existing and new medium density residential living, including through the redevelopment of older and poorer-quality housing stock and the conversion of scheduled heritage buildings to multi-unit apartments. This will provide for an increasing range of housing choices close to the central area of Dunedin over time, including new well-designed multi-unit developments such as terrace housing and low-rise apartments up to 12m in height (three-storeys). Within this zone there are several residential heritage precincts that have additional rules to protect heritage items and to encourage new development to be compatible with heritage values.

15.1.1.4 Low Density Residential

The Low Density Residential Zone is a small subset of the outer Dunedin suburban environment, and has slightly larger sites than the General Residential 1 Zone. It is characterised by a more spacious and open suburban environment with larger stand-alone dwellings and gardens. Sites in this zone may also be developed with an ancillary residential unit to provide additional accommodation.

15.1.1.5 Large Lot Residential 1

The Large Lot Residential 1 Zone includes a small number of residential areas that provide for residential development at a low density due to hazards; slope; the need for onsite stormwater attenuation; the need to protect important biodiversity, water bodies, landscape or natural character values; or other factors that make a standard density of residential development inappropriate. Several areas in this zone are not serviced with wastewater, water supply or stormwater public infrastructure and the large site sizes also provide for on-site wastewater disposal. The zone rules provide for an ancillary residential unit to provide additional accommodation.

15.1.1.6 Large Lot Residential 2

The Large Lot Residential 2 Zone includes a small number of residential areas that provide for residential development at a very low density due to hazards; slope; the need for onsite stormwater attenuation; the need to protect important biodiversity, water bodies, landscape or natural character values; or other factors that make a standard density of residential development inappropriate. Many areas in this zone are not serviced with wastewater, water supply or stormwater public infrastructure. The zone rules provide for an ancillary residential unit to provide additional accommodation.

15.1.1.7 Township and Settlement

The Township and Settlement Zone applies to areas beyond the main urban areas of Dunedin and Mosgiel and includes areas that were once independent settlements, such as Port Chalmers and Portobello. It includes larger residential townships supported by a commercial centre and smaller residential settlements that are not attached to a commercial centre. The existing and intended future characteristics of this zone vary depending on the context. In some cases this zone is applied in areas that are not reticulated with water supply, stormwater or wastewater public infrastructure. Areas that are not reticulated with wastewater public infrastructure are indicated by a '**no DCC reticulated wastewater mapped area**'. In these areas a low density of residential development is required in order to enable on-site wastewater disposal. Where wastewater public infrastructure is provided, the anticipated pattern of development is the same as for the General Residential 1 Zone. The development of ancillary residential units is provided for across this zone.

15.2 Objectives and Policies

Objective 15.2.1	
Residential zones are primarily reserved for residential activities and only provide for a limited number of compatible activities, including: visitor accommodation, community activities, major facility activities, and commercial activities that support the day-to-day needs of residents.	
Policy 15.2.1.1	Provide for a range of residential and community activities, where the effects of these activities will be managed in line with objectives 15.2.2, 15.2.3 and 15.2.4 and their policies.
Policy 15.2.1.2	Provide for a limited range of major facility activities and commercial activities, including dairies, registered health practitioners, training and education, and visitor accommodation, where the effects of these activities will be managed in line with objectives 15.2.3 and 15.2.4, and their policies.
Policy 15.2.1.3	Limit the size of working from home and dairies in residential zones to a size that: <ol style="list-style-type: none"> is compatible with the character and amenity of the residential zone; and does not detract from the vibrancy and functioning of the centres hierarchy.
Policy 15.2.1.4	Require activities ancillary to visitor accommodation to be located and designed to cater to patrons of the primary activity rather than the general public.
Policy 15.2.1.5	Avoid commercial activities, other than those expressly provided for, from locating in residential zones, unless: <ol style="list-style-type: none"> the activity will not detract from the vibrancy and functioning of the centres hierarchy; and the site is adjacent to a centre and it provides a logical extension to a centre; and the centre is at, or very close to, capacity; and the development activities are done in accordance with the performance standards of the street typology (if relevant) of the adjacent centre zoned sites; and the development maximises opportunities for integration with the centre; or if the site is in the Township and Settlement Zone: <ol style="list-style-type: none"> the commercial activity would have significant positive effects in terms of supporting the needs of the community and visitors to the area; and the activity is unable to be located in, or adjacent to, the nearest centre, or no centre exists within the relevant township or settlement; and the location is appropriate for the proposed activity; and any adverse effects from noise, vehicle movements, and on-street parking supply will be avoided or, if avoidance is not practicable, adequately mitigated.
Policy 15.2.1.6	Avoid industrial activities, rural activities, and major facility activities other than those expressly provided for, sport and recreation that involves motor vehicles, and any other activities not compatible with the character and amenity of the residential zone.
Policy 15.2.1.7	Provide for service stations on a strategic road or arterial road where: <ul style="list-style-type: none"> X- a. safe and convenient access to the site for pedestrians and cyclists can be provided; Y- b. there is adequate public infrastructure to service the development or any necessary upgrades to public infrastructure will be provided; Z- c. the service station will not detract from the economic and social vibrancy and viability of any nearby centres; and AA- d. policies 15.2.3.4 and 15.2.4.7 can be achieved.

Objective 15.2.2

Residential activities, development, and subdivision activities provide high quality on-site amenity for residents.

Policy 15.2.2.1	Require residential development to achieve a high quality of on-site amenity by: <ul style="list-style-type: none"> a. providing functional, sunny, and accessible outdoor living spaces that allow enough space for on-site food production, leisure, green space or recreation; b. having adequate separation distances between residential buildings; c. retaining adequate open space uncluttered by buildings; and d. having adequate space available for service areas.
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Objective 15.2.3

Activities in residential zones maintain a good level of amenity on surrounding residential properties and public places.

Policy 15.2.3.1	Require buildings and structures to be of a height and setback from boundaries that ensures there are no more than minor effects on the sunlight access of current and future residential buildings and their outdoor living spaces.
Policy 15.2.3.2	Require working from home, dairies, training and education, and community and leisure - small scale to operate in a way (including hours of operation) that avoids or, if avoidance is not practicable, adequately mitigates, noise or other adverse effects on the amenity of surrounding residential properties.
Policy 15.2.3.3	Require buildings and structures in the Inner City Residential Zone to be of a height and setback from boundaries that: <ul style="list-style-type: none"> a. enables a high quality, medium density form of development; b. is consistent with the existing streetscape character of the zone; and c. avoids or, if avoidance is not practicable, adequately mitigates, adverse effects on sunlight access on outdoor spaces at the rear of adjacent sites.
Policy 15.2.3.4	Only allow schools, emergency services, early childhood education, community and leisure - large scale, sport and recreation, registered health practitioners, training and education, visitor accommodation, supported living facilities, service stations and stand-alone car parking where they are designed and located to avoid or, if avoidance is not practicable, adequately mitigate, adverse effects on the amenity of surrounding residential properties.
Policy 15.2.3.5	Only allow cemeteries where they are designed and located: <ul style="list-style-type: none"> a. to avoid or, if avoidance is not practicable, adequately mitigate, adverse effects on the amenity of surrounding residential properties; and b. to avoid, as far as practicable, the potential for reverse sensitivity.
Policy 15.2.3.6	Avoid sport and recreation that involves motor vehicles unless the adverse effects on the amenity of surrounding properties will be no more than minor.

Objective 15.2.4

Activities maintain or enhance the amenity of the streetscape, and reflect the current or intended future character of the neighbourhood.

Policy 15.2.4.1	Require activities to maintain or enhance streetscape amenity by ensuring: <ul style="list-style-type: none"> a. garages, carports and car parking do not dominate the street; b. there are adequate green space areas free from buildings or hard surfacing; c. buildings' height and boundary setbacks, and scale reflect the existing or intended future residential character; d. shared service areas are not visible from ground level from outside the site; and e. outdoor storage is managed in a way that does not result in unreasonable visual amenity effects or create nuisance effects.
Policy 15.2.4.2	Only allow residential activity that exceeds the permitted density where the built form of any new development, as viewed from public places, reflects the existing residential character or intended future character of the zone as set out in the residential zone descriptions.
Policy 15.2.4.3	Only allow stand-alone ancillary residential units between 60m ² and 80m ² gross floor area where the building is designed and located to ensure that streetscape and neighbourhood amenity is maintained or enhanced.
Policy 15.2.4.4	Require fences to be of a height and design that contributes positively to the streetscape amenity and character of the neighbourhood.
Policy 15.2.4.5	Require ancillary signs to be located and designed to maintain residential 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 15.2.4.6	Only allow subdivision activities where the subdivision is designed to ensure any future land use and development will: <ul style="list-style-type: none"> a. maintain the amenity of the streetscape b. reflect the current or future intended character of the neighbourhood; c. provide for development to occur without unreasonable earthworks or engineering requirements; and d. provide for quality housing.
Policy 15.2.4.7	Only allow schools, emergency services, early childhood education, community and leisure - large scale, sport and recreation, registered health practitioners, training and education, visitor accommodation, supported living facilities, restaurants or retail ancillary to sport and recreation, service stations and stand-alone car parking where they are designed and located to avoid or, if avoidance is not practicable, adequately mitigate, adverse effects on streetscape amenity.
Policy 15.2.4.8	Only allow buildings over 300m ² footprint or multi-unit developments where they are designed to ensure that streetscape and neighbourhood amenity and character is maintained or enhanced.

Rules

Rule 15.3 Activity Status

15.3.1 Rule Location

The activity status tables in rules 15.3.3 to 15.3.6 specify the activity status of land use activities, development activities, and subdivision activities in the residential zones and relevant overlay zones, 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) - note that this section includes provisions that apply to construction
3. Network Utilities (Section 5)
4. Transportation (Section 6)
5. Scheduled Trees (Section 7)
6. Natural Hazard Mitigation Activities (Section 8)
7. Earthworks (Section 8A)

15.3.2 Activity Status Introduction

1. The activity status tables in rules 15.3.3 - 15.3.5 show the activity status of activities in the residential zones 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 1.3 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. Development activities that are lawfully present at the time any relevant rules in this Plan have legal effect are not managed by those rules (the rules do not apply to existing lawfully established development activities).
6. The nested tables in Section 1.3 are intended to be a complete list of activities. However, in the case of an activity that is not covered by any of the activities in the nested tables, the activity status will be non-complying.

Additional activity status rules in hazard overlay zones

7. For the purpose of the hazards provisions, activities are categorised as natural hazards sensitive activities, natural hazards potentially sensitive activities or natural hazards least sensitive activities. The activities that are in each hazards sensitivity category are included in the definitions section and in Section 11.1.
8. In the Hazard 1 (flood) Overlay Zone or the Hazard 2 (flood) Overlay Zone, the activity statuses in Rule 15.3.6 apply to the following activities:
 - a. natural hazards sensitive activities;
 - b. natural hazards potentially sensitive activities; and
 - c. new buildings and additions and alterations to buildings that create within any two calendar-year period more than 36m² of new ground floor area.
9. Where the activity status in Rule 15.3.6 differs from that in rules 15.3.3 - 15.3.5, the most restrictive activity

status always applies.

10. In addition to the rules in Rule 15.3.6, performance standards for development activities within hazard overlay zones are included in Rules 15.3.4.
11. Activities in a hazard overlay zone must comply with all of the rules in rules 15.3.3 - 15.3.6.

Performance Standards

12. Performance standards are listed in the far right column of the activity status tables.
13. Performance standards apply to permitted, controlled, and restricted discretionary activities.
14. If a permitted or controlled activity does not meet one or more performance standards, then the activity status of the activity is indicated in the relevant performance standard rule.
15. 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.

Note 15.3.2A - Other relevant District Plan provisions

1. Activities that are not managed by the District Plan are listed in the introduction to Section 1.3. Activities that are not managed by the District Plan are not subject to any rules within the Plan.

Legend

Acronym	Meaning
P	Permitted Activity
C	Controlled Activity
RD	Restricted Discretionary Activity
D	Discretionary Activity
NC	Non-complying Activity
GR1	General Residential 1 Zone
GR2	General Residential 2 Zone
ICR	Inner City Residential Zone
LDR	Low Density Residential Zone
LLR1	Large Lot Residential 1 Zone
LLR2	Large Lot Residential 2 Zone
TS	Township and Settlement Zone
ASBV	Areas of Significant Biodiversity Value
Haz1	Hazard 1 Overlay Zones
Haz2	Hazard 2 Overlay Zones
Haz3	Hazard 3 Overlay Zones

15.3.3 Land Use Activity Status Table

1.	Performance standards that apply to all land use activities		<ul style="list-style-type: none"> a. Acoustic insulation (noise sensitive activities only) b. NA c. b. Light spill d. c. Noise e. d. Setback from National Grid (National Grid sensitive activities only) f. e. Structure plan mapped area performance standards (where relevant)
Residential activities		Activity status	Performance standards
2.	Supported living facilities	RD	<ul style="list-style-type: none"> a. Minimum mobility car parking b. Outdoor living space c. Service areas
3.	Standard residential	P	<ul style="list-style-type: none"> a. Density b. N/A c. b. Outdoor living space d. c. Service areas e. d. Ancillary residential units
4.	Working from home	P	<ul style="list-style-type: none"> a. Hours of operation b. Maximum gross floor area c. Minimum mobility car parking
Community activities		Activity status	Performance standards
5.	Community and leisure - small scale	P	<ul style="list-style-type: none"> a. Minimum mobility car parking b. Hours of operation
6.	Community and leisure - large scale	RD	<ul style="list-style-type: none"> a. Minimum mobility car parking b. Hours of operation
7.	Conservation	P	
8.	Early childhood education - small scale	RD	<ul style="list-style-type: none"> a. Minimum mobility car parking
9.	Early childhood education - large scale	D	
10.	Sport and recreation that involves motor vehicles	NC	
11.	All other sport and recreation activity	D	
Commercial activities		Activity status	Performance standards
12.	Ancillary licensed premises	Same status as underlying activity	

13.	Dairies	RD	a. Hours of operation b. Maximum gross floor area
14.	Registered health practitioners	D	
15.	Restaurants, or retail, ancillary to sport and recreation	D	
16.	Restaurants, retail, or conference, meeting and function activity, ancillary to visitor accommodation	RD	a. Location
17.	Service stations on a strategic road or arterial road	D	
18.	Service stations, other than on a strategic road or arterial road	NC	
19.	Stand-alone car parking	D	
20.	Training and education	RD	a. Hours of operation b. Minimum mobility car parking
21.	Visitor accommodation in the George Street North residential heritage precinct	P	a. Density
22.	Visitor accommodation, other than in George Street North residential heritage precinct	RD	a. NA b. <u>a.</u> Minimum mobility car parking c. <u>b.</u> Minimum vehicle loading
23.	All other activities in the commercial activities category	NC	
Major facility activities		Activity status	Performance standards
24.	Cemeteries	RD	
25.	Emergency Services	RD	a. Minimum mobility car parking
26.	Schools	D	
27.	All other activities in the major facility activities category	NC	
Rural activities		Activity status	Performance standards
28.	Grazing	P	
29.	Scheduled Mining Activity	P	a. Scheduled Mining Activity
30.	Mining	NC	
31. <u>31</u>	Expansion of scheduled mining activity	NC	
34. <u>32</u>	All other activities in the rural activities category	NC	
Industrial activities		Activity status	Performance standards
32. <u>33</u>	All activities in the industrial activities category	NC	

Note 15.3.3A- General advice

1. Papakāika activity (a sub-activity of standard residential activity) is intended to allow descendants of the original native reserve grantees to live on this land. If papakāika is developed and is subsequently no longer required for the use of Manawhenua in accordance with the papakāika definition, resource consent will be required to allow its use as other residential development. In this situation, the provisions that govern residential activity, including density of residential development, will apply. It is strongly recommended that the use of relocatable buildings is considered for papakāika development in order to avoid potential future problems of being unable to obtain consent for ownership or occupation of dwellings by people other than descendants of the original grantees.
2. Where papakāika is on Māori Land, the provisions of the Te Ture Whenua Māori Act 1993 or subsequent legislation apply.
3. New marae may only be established with the agreement of Manawhenua.

Note ~~15.3.3X~~ 15.3.3B - Other requirements outside of the District Plan

1. Any electrical equipment used for an activity must be designed to meet the New Zealand electromagnetic compatibility (EMC) standards, to ensure there are no effects from electrical interference on surrounding sites. The Radio Spectrum Management (RSM) is the governing body which regulates EMC products in New Zealand and investigates interference to safety services, radiocommunication systems and broadcast services such as radio and television reception.

15.3.4 Development Activity Status Table

1.	Performance standards that apply to all development activities		<ol style="list-style-type: none"> a. Natural Hazards Performance Standards b. Maximum building site coverage and impermeable surfaces c. Setback from scheduled tree d. Structure plan mapped area performance standards (where relevant) Y. e. Service connections - stormwater for development (in a new development mapped area)
2.	Performance standards that apply to all buildings and structures activities		<ol style="list-style-type: none"> a. Boundary setbacks b. Building length c. Firefighting d. Height in relation to boundary e. Maximum height f. Setback from coast and water bodies g. Setback from National Grid AA. h. Setback from Critical Electricity Distribution Infrastructure X. i. Setback from designated rail corridor Y. j. Area of buildings and structures (SNL Overlay Zone) Z. k. Reflectivity (SNL Overlay Zone)
All buildings and structures activities not covered in rows below		Activity status	Performance standards
3.	Signs attached to buildings and structures	P	<ol style="list-style-type: none"> a. Number, location and design of ancillary signs
4.	All other buildings and structures activities not covered in rows 5 to 22 below	P	<ol style="list-style-type: none"> a. Fence height and design b. Number, location and design of ancillary signs
In all locations		Activity status	Performance standards

5.	New buildings and additions and alterations that result in: <ul style="list-style-type: none"> • a building that is greater than 300m² footprint or • a multi-unit development 	RD	
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.	Earthquake strengthening or restoration of a character-contributing building or non-protected part of a scheduled heritage building	P	a. Materials and design
8.	Demolition or removal for relocation of a character-contributing building or non-protected part of a scheduled heritage building	RD	
9.	All other additions and alterations to a character-contributing building or non-protected part of a scheduled heritage building (other than signs attached to buildings and structures)	RD	
10.	Additions and alterations to a non character-contributing building that: <ul style="list-style-type: none"> • increase the footprint of the building by 10m² or more • increase the height of the building by more than 2m; or • replace a pitched roof with a mono pitch roof 	C	
11.	New retaining walls greater than 1m high	RD	
12.	All other new structures that are greater than 2.5m high or have a footprint of 2m ² or more	RD	a. Number, location and design of ancillary signs
Buildings and structures activities that affect a protected part of a scheduled heritage building or scheduled heritage structure		Activity status	Performance standards
13.	Repairs and maintenance	P	
14.	Restoration of a building or structure that has a Heritage New Zealand Pouhere Taonga Category 1 listing (as detailed in Appendix A1.1)	C	
15.	Restoration of all other scheduled heritage buildings and structures	P	
16.	Earthquake strengthening where external features only are protected	C	a. Materials and design
17.	All other additions and alterations (other than signs attached to buildings and structures)	RD	
18.	Demolition	NC	

19.	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
20.	New structures that are greater than 2.5m high or have a footprint of 2m ² or more	RD	a. Number, location and design of ancillary signs
21.	New buildings	RD	
22.	Parking, loading and access	RD	a. Parking, loading and access standards
Site development activities in all areas (except as covered by row 22 above)		Activity status	Performance standards
23.	Parking, loading and access	P	a. Parking, loading and access standards b. Location and screening of car parking
24.	New or additions to parking areas that result in 50 or more new parking spaces.	RD	a. Parking, loading and access standards b. Location and screening of car parking
25.	Storage and use of hazardous substances	P	a. Hazardous substances quantity limits and storage requirements b. Setback from coast and water bodies
26.	Outdoor storage	P	a. Location and screening of outdoor storage
27.	Vegetation clearance	P	a. Vegetation clearance standards
28.	All other site development activities	P	

Note 15.3.4A- General advice

1. An archaeological authority is required under the Heritage New Zealand Pouhere Taonga Act 2014 to modify or destroy an archaeological site. If you wish to do any earthworks that may affect an archaeological site, you must first obtain an authority from Heritage New Zealand Pouhere Taonga. This is the case regardless of whether the site is designated, or the activity is permitted under the District Plan or Regional Plan, or a resource or building consent has been granted.
2. An archaeological site is defined as any place in New Zealand that was associated with human activity that occurred before 1900 and provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand. This includes the scheduled archaeological sites within the District Plan.
3. Pre-1900 buildings are considered archaeological sites. An archaeological authority must be obtained before demolishing a pre-1900 building or structure.
4. The **archaeological alert layer mapped area** identifies sites and areas that have a strong likelihood of containing archaeological remains, however remains may be present anywhere within the District. If archaeological remains are discovered during any site works, at any location, the Accidental Discovery Protocol (Appendix A8) should be followed.

15.3.5 Subdivision Activity Status Table

Subdivision activities		Activity status	Performance standards
1.	Cross lease, company lease and unit title subdivision	RD	a. Access b. Esplanade reserves and strips c. Firefighting d. Service connections e. Shape ✘ f. Setback from National Grid (subdivision activities) ✘ g. Structure plan mapped area performance standards (where relevant) ✘ h. Minimum landscaping
2.	General subdivision	RD	a. Access b. Esplanade reserves and strips c. Firefighting d. Minimum site size e. Service connections f. Shape g. Structure plan mapped area performance standards (where relevant) ✘ h. Setback from National Grid (subdivision activities) ✘ i. Minimum landscaping

Note 15.3.5A - Other RMA considerations

- Under Section 226(1)(e)(ii) of the Resource Management Act 1991, where an existing allotment shown on a survey plan meets all relevant provisions of the district plan and any proposed district plan, the Dunedin City Council must issue a certificate to that effect to enable the Registrar-General of Land to issue a certificate of title for that separate allotment.

Note ~~15.3.5A~~ **15.3.5B** - Other relevant District Plan provisions

- Additional matters of discretion apply to the subdivision of land within a **Critical Electricity Distribution Infrastructure Corridor mapped area**. These are set out in Rule 15.11.5.
- Additional matters of discretion apply to the subdivision of land within a **National Grid Subdivision Corridor mapped area**. These are set out in Rule 15.11.5.

15.3.6 Activity Status in Hazard 1 (Flood) Overlay Zone and Hazard 2 (Flood) Overlay Zone

Activity	Activity status	
	a. Haz1 (flood)	b. Haz2 (flood)
Land Use Activities		

Activity		Activity status	
		a. Haz1 (flood)	b. Haz2 (flood)
1.	Natural hazards sensitive activities	NC	RD
2.	Natural hazards potentially sensitive activities	NC	RD
Development Activities			
3.	New buildings and additions and alterations to buildings that create within any two calendar-year period more than 36m ² of new ground floor area	RD	RD

Note 15.3.6A - Other RMA considerations

- × **1.** Section 10 of the RMA (existing use rights) provides for land to be used in a manner that contravenes a rule in a district plan if the use was lawfully established before the rule became operative or the proposed plan was notified, and the effects of the use are the same or similar in character, intensity and scale to those which existed before the rule became operative or the proposed plan was notified.
- 2. Accordingly, activities that are shown to have effects that are the same or similar in character, intensity and scale to those which existed before the rule became operative or the proposed plan was notified will not usually trigger the provisions for natural hazards sensitive activities and natural hazards potentially sensitive activities in Rule 15.3.6. However, Council will consider specific circumstances associated with the development and how this affects the character, intensity and scale of effects from the land use activity.

Note 15.3.6B - Other requirements outside the District Plan

1. Clause E1 – Surface water of the New Zealand Building Code (Building Regulations 1992, Schedule 1) contains requirements regarding buildings and sitework (including earthworks) in relation to managing surface water and effects on other property.
2. Buildings and structures that will divert water may require resource consent under the Otago Regional Plan: Water.
3. If buildings and structures affect the flow of water, this effect is also subject to the common law principle of natural servitude.

Rule 15.4 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 section 95B of the RMA, 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 Pouhere Taonga;
 2. contravention of the materials and design performance standard (Rule 13.3.2) where the building or structure is not listed by Heritage New Zealand Pouhere Taonga;
 3. In the Holyhead Street **structure plan mapped area**, subdivision activities in accordance with Rule 45.7A **15.8.6** Holyhead Street **structure plan mapped area** performance standards; and
 - × **4.** social housing.
2. With respect to resource consent applications, Heritage New Zealand Pouhere Taonga will be considered an affected person in accordance with section 95B of the RMA where its written approval is not provided for the following:

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 Pouhere Taonga;
 2. contravention of the materials and design performance standard (Rule 13.3.2) where the building or structure is listed by Heritage New Zealand Pouhere Taonga; and
 3. contravention of the archaeological sites performance standard (Rule 13.3.3).
3. With respect to resource consent applications for the following activities, Manawhenua will be considered an affected person in accordance with section 95B of the RMA where their written approval is not provided:
1. cemeteries;
 2. all restricted discretionary activities that list 'effect on cultural values of Manawhenua' as a matter for discretion; and
 3. discretionary and non-complying activities in a **wāhi tūpuna mapped area** where the activity is identified as a threat in Appendix A4.
4. With respect to sections 95D(b) and 95E(2)(a) of the RMA, Council will not consider:
- ✗ **1.** ancillary residential units as part of the permitted baseline in considering residential density effects in the residential zones; and
 - ✗ **2.** potential permitted new buildings or structures or compliance with the maximum building site coverage and impermeable surfaces performance standard (Rule 15.6.10) as part of the permitted baseline in considering the effects of subdivision activities on stormwater management in the residential zones.
5. With respect to resource consent applications for the following activities, the Otago Regional Council will be considered an affected person in accordance with section 95B of the RMA where its written approval is not provided:
1. activities in the hazard 1 or hazard 1A (flood) overlay zones;
 2. activities in **swale mapped areas**; and
- ✗ **3.** activities in a **new development mapped area** where an integrated stormwater management plan is required to be submitted with a resource consent application in accordance with Rule 9.9.X
- Z- **6.** With respect to resource consent applications in a **new development mapped area** that include a new or modified integrated stormwater management plan or details for a stormwater management system as required by Rule 9.9.X, any owners of land within the area to which the proposed plan or system relates (who are not the applicant) will be considered an affected person in accordance with section 95B of the RMA where their written approval is not provided.
- 6- **7.** All other activities are subject to the normal tests for notification in accordance with sections 95A-95G of the RMA.

Rule 15.5 Land Use Performance Standards

15.5.1 Acoustic Insulation

Noise sensitive activities in the following areas must comply with Rule 9.3.1:

1. **port noise control mapped area**;
2. **airport noise outer control mapped area**;
3. **airport noise inner control mapped area**;
4. within 40m of the Taieri Aerodrome Zone;
5. within 40m of a state highway;
6. within 20m of an industrial zone; and

7. within 70m of a railway line.

15.5.2 Density

1. Standard residential activities in any location and visitor accommodation in the George Street North residential heritage precinct (or any combination of the two on a single site) must not exceed the following density limits:

Zone		i. Minimum site area for a residential unit (excluding ancillary residential units)	ii. Maximum development potential per site
a.	General Residential 1 Zone	1 per 400m ² or 2 per 500m ² where in the form of a duplex	1 habitable room per 100m ²
b.	General Residential 2 Zone not within a wastewater constraint mapped area or the South Dunedin mapped area	N/A	1 habitable room per 45m ²
c.	General Residential 2 Zone within a wastewater constraint mapped area	N/A	1 habitable room per 100m ²
d.	General Residential 2 Zone within the South Dunedin mapped area	N/A	1 habitable room per 60m ²
e.	Inner City Residential Zone	N/A	1 habitable room per 45m ²
f.	Low Density Residential Zone	1 per 750m ²	1 habitable room per 150m ²
g.	Large Lot Residential 1 Zone	1 per 2000m ²	1 habitable room per 400m ²
h.	Large Lot Residential 2 Zone	1 per 3500m ²	1 habitable room per 700m ²
i.	Township and Settlement Zone not within a no DCC reticulated wastewater mapped area	1 per 400m ² or 2 per 500m ² where in the form of a duplex	1 habitable room per 100m ²
j.	Township and Settlement Zone within a no DCC reticulated wastewater mapped area	1 per 1000m ²	1 habitable room per 200m ²

- k. except in all zones, other than the GR2 and ICR zones,
 i. a single residential unit may be erected on a site of any size.
 ii. *[now clause 2 below]*

- 2.** One ancillary residential unit is allowed per site in association with a primary residential unit where all of the following criteria are met:

- ⊖. **a.** the maximum development potential per site is not exceeded;
 ✕. **b.** the site size meets the minimum site size performance standard in Rule 15.7.4; and
 ✕. **c.** it does not result in more than two residential units on the site, including the ancillary residential unit.

- ~~2.~~ **3.** For the purposes of this standard all of the following apply:
- a. the calculation of habitable rooms includes rooms in ancillary residential units and sleep outs;
 - b. the calculation of minimum site area includes access legs provided for rear sites; and
 - c. the calculation of maximum development potential applies to all of the following:
 - ~~✗.~~ **i.** visitor accommodation in the George Street North residential heritage precinct;
 - ~~✗.~~ **ii.** standard residential activity in the Inner City Residential and General Residential 2 Zones; and
 - ~~✗.~~ **iii.** standard residential activity outside the Inner City Residential and General Residential 2 Zones only for determining whether an ancillary residential unit or second unit in the form of a duplex, can be developed.
- ~~3.~~ **4.** More than one residential building (other than an ancillary residential unit) may only be built on a site if all residential buildings are able to meet all of the following performance standards if they were ever subdivided into separate sites:
- a. site coverage;
 - b. height in relation to boundary;
 - c. setbacks; and
 - d. access.
- ~~4.~~ **5.** Standard residential activity that contravenes the performance standard for density in any of the following ways is a restricted discretionary activity:
- a. papakāika that contravenes the performance standards for density;
 - b. standard residential in the General Residential 2 Zone (**wastewater constraint mapped area**) that contravenes the performance standards for maximum development potential per site (Rule 15.5.2.1.c.ii), provided the maximum development potential per site of the activity proposed does not exceed 1 habitable room per 45m²;
 - c. contravention of Rule ~~15.5.2.3~~ **15.5.2.4** (bulk and location performance standards for multiple residential buildings on the same site);
 - ~~✗.~~ **d.** standard residential in the ICR Zone that contravenes the performance standard for maximum development potential per site (Rule 15.5.2.1.e.ii), provided the maximum development potential per site of the activity proposed does not exceed 1 habitable room per 30m²; or
 - ~~✗.~~ **e.** social housing in the General Residential 1 and Township and Settlement zones (except in a **no DCC reticulated wastewater mapped area**) where it meets the density standard for General Residential 2.
- 6.** Standard residential activity that contravenes the performance standard for density in any way not set out in Rule 15.5.2.5 is a non-complying activity.
- ~~5.~~ **7.** Visitor accommodation in the George Street North residential heritage precinct that contravenes the performance standard for density is a discretionary activity.

Note 15.5.2A - General advice

1. Maximum development potential may not be achievable on all sites as site size, shape, topography, and design will all influence development potential.
2. Applications for restricted discretionary contraventions of the density performance standard in wastewater serviced areas may be declined where pre-existing constraints in the public wastewater network are yet to be resolved (see Policy 9.2.1.1A). Anyone considering applying for a contravention of the density performance standard is strongly advised to have an early pre-application discussion with DCC 3 Waters (i.e. prior to developing design proposals), irrespective of the activity status of the density contravention.

15.5.4 Hours of Operation

Activity	Hours of operation
1. Working from home (excluding homestay)	7.00am - 7.00pm
2. Dairies	6.00am - 10.00pm
3. Community and leisure	Sunday - Thursday: 6.00am - 10.30pm Friday - Saturday: 6.00am - 12.00am (midnight)
4. Training and education	8.00am - 8.00pm

5. Working from home hours of operation do not apply to activities that:
 - a. are located entirely within a building; and
 - b. do not involve machinery operation, visitors, customers, or deliveries.
6. Special church celebrations, including Christmas midnight mass, are exempt for this standard, provided they occur no more than 3 times in a calendar year.
7. Activities that contravene the performance standard for hours of operation are restricted discretionary activities.

15.5.5 Light Spill

Land use activities must comply with Rule 9.3.5.

15.5.6 Location

1. For restaurants, retail, or conference, meeting and function ancillary to visitor accommodation, all customer pedestrian access must not be orientated to the street frontage.
2. Land use activities that contravene the performance standard for location are restricted discretionary activities.

15.5.7 Maximum Gross Floor Area

Activity	Maximum gross floor area
1. Working from home	50m ² (includes any internal or external area occupied for storage of materials or goods)
2. Dairies	50m ²

3. Working from home or dairies that contravene the performance standard for maximum gross floor area are discretionary activities.

Note 15.5.7A - Other requirements outside of the District Plan

1. Registration must be obtained from the DCC's Environmental Health Department for any working from home activity which involves food products, hairdressing, beauty therapy or tattooing. Please contact the DCC's Environmental Health Department on 03 477 4000 or visit the DCC website www.dunedin.govt.nz for more information.
2. Approval from DCC's Alcohol Licensing Department may be required for working from home activity that involves the sale or distribution of alcohol. Please contact the DCC on 03 477 4000 or visit the DCC website www.dunedin.govt.nz for more information.

15.5.8 Minimum Mobility Car Parking

Activity	Minimum car parking rate
1- 9. Removed to comply with the National Policy Statement on Urban Development 2020 requirement to remove minimum car parking requirements. Rule numbering to be corrected at a later date.	TO BE REMOVED

40. **1.** Land use activities must provide on-site 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

41. ~~NA.~~

42. **2.** Parking spaces may be shared between land use activities (i.e. the same parking spaces may be used to fulfil the minimum mobility 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.

43. **3.** Residential and office activities (excluding registered health practitioners) undertaken entirely within a scheduled heritage building do not need to provide any additional mobility car parking other than what is already on-site and may remove any car parking that does not meet the performance standards for location of car parking.

44. ~~NA.~~

45. ~~NA.~~

46. **4.** Activities that contravene this performance standard are restricted discretionary activities.

Note 15.5.8A - Other relevant District Plan provisions

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

15.5.9 Minimum Vehicle Loading

1. Land use activities must provide on-site vehicle loading as follows:

Activity	Minimum vehicle loading
a. Visitor accommodation with more than 50 visitor accommodation units (except in relation to scheduled heritage buildings in the George Street North Residential Heritage Precinct)	1 loading space to accommodate the turning circle of a coach (See Appendix 6B, Figure 6B.12).

2. Activities that contravene this performance standard are restricted discretionary activities.

Note 15.5.9A - Other relevant District Plan provisions

1. Vehicle loading must comply with the vehicle loading design performance standards in Section 6.6: Parking, Loading and Access Standards.

15.5.10 Noise

Land use activities must comply with Rule 9.3.6.

15.5.11 Outdoor Living Space

15.5.11.1 Minimum area of outdoor living space for standard residential activity

- a. Standard residential activity must provide a minimum of outdoor living space per residential unit as follows:

Number of habitable rooms in unit	1. Ground level units in ICR, GR2, and campus zones	2. Ground level units in all other zones	3. Units not at ground level
i. 1	15m ²	25m ²	6m ²
ii. 2	15m ²	25m ²	10m ²
iii. 3	20m ²	35m ²	10m ²
iv. More than 3 habitable rooms	20m ² + 5m ² per additional habitable room over 3 habitable rooms	35m ² + 5m ² per additional habitable room over 3 habitable rooms	10m ²

- v. Except: ancillary residential units that have direct access to at least 25m² of outdoor living space provided for the primary residential unit do not need to provide additional outdoor living space.
- vi. Required outdoor living space for residential units must be for the exclusive use of the individual residential unit, however, for the sake of clarity, this does not require that the area to be fenced or otherwise partitioned from another unit's outdoor living space.
- b. Activities that contravene this performance standard are restricted discretionary activities.

15.5.11.2 Minimum area of outdoor living space for supported living facilities

- a. Supported living facilities that offer individual residential units, must provide a minimum area of outdoor living space per residential unit as follows:

Number of habitable rooms in unit		Minimum area
i.	1-2	15m ²
ii.	3	20m ²
iii.	More than 3 habitable rooms	20m ² + 5m ² per additional habitable room over 3 habitable rooms

- b. Required outdoor living space for individual residential units must be for the exclusive use of the residential unit, however for the sake of clarity, this does not require that the area to be fenced or otherwise partitioned from another unit's outdoor living space.
- c. For supported living facilities, such as rest homes or student hostels, which only provide bedrooms or beds for residents (not residential units), shared outdoor living space must be provided as follows:

Type of room		Minimum area of outdoor living space per bedroom
i.	Single occupancy bedrooms	5m ²
ii.	Multiple occupancy bedrooms/hospital rooms/dorms (rooms used to accommodate 2 or more residents)	10m ²

- d. Shared outdoor living space may be provided as a mixture of ground level balcony, decks or terrace spaces, provided at least 60% is at ground level, and each space is at least 20m².
- e. Where a facility provides a mixture of residential units and bed/bedroom only options, such as a retirement village, the outdoor living space must comply with the respective standards above based on the amount of each type of accommodation.
- f. Activities that contravene this performance standard are restricted discretionary activities.

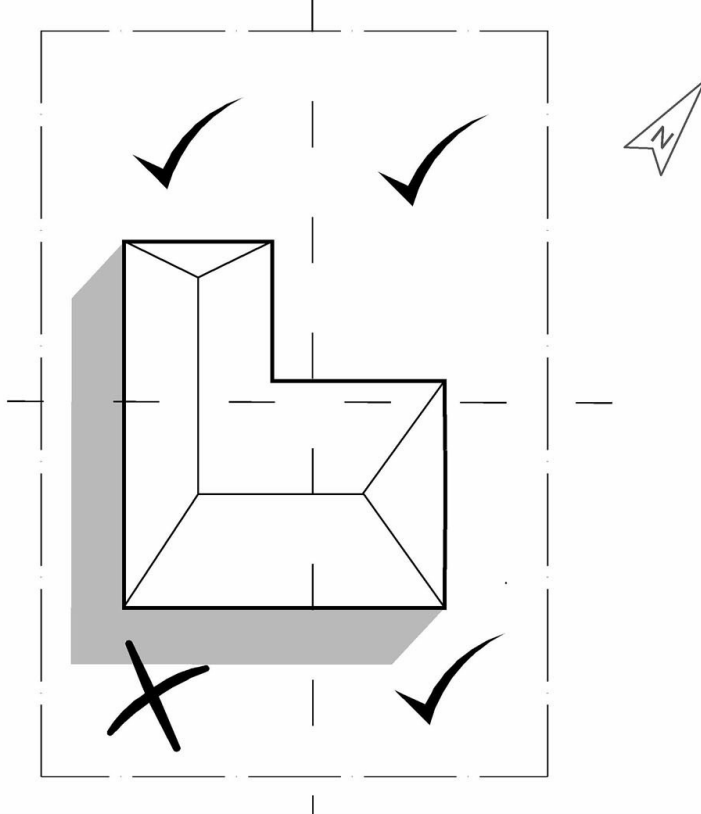
15.5.11.3 Quality and location of outdoor living space for all residential activities

- a. Outdoor living space provided at ground level must:
- be clear of buildings and structures, except for pools, building eaves, pergolas, decks and terraces;
 - have an average vertical grade not exceeding 1:12 (vertical:horizontal) in any direction;
 - have dimensions no less than 3m;
 - be usable for its intended purpose and not used for vehicle parking, manoeuvring, driveways, or pedestrian accessways to other residential units or properties, or other uses; and
 - include at least one continuous area no smaller than 15m².
- b. Outdoor living space provided not at ground level must:
- if provided as a deck, balcony, or roof terrace, have dimensions no less than 1.8m.
- c. All outdoor living space must:
- be located on the northern, eastern or western sides of residential buildings as per Figure 15.5.11.3A; and
 - be directly accessible from a principal living area, except if provided as shared outdoor living space for

supported living facilities.

- d. Activities that contravene this performance standard are restricted discretionary activities.

Figure 15.5.11.3A: Location of outdoor living space



15.5.12 Service Areas

1. Residential activity with 3 or more residential units on a site must provide service areas with a minimum area of 2.5m² per residential unit. Service area requirements are in addition to outdoor living space requirements.
2. Activities that contravene this performance standard are restricted discretionary activities.

15.5.13 Setback from National Grid

National Grid sensitive activities must comply with Rule 5.6.1.1.

15.5.14 Ancillary Residential Units

~~15.5.14.2~~ 15.5.14.1 Ancillary Residential Units - Design

- a. Ancillary residential units must: not exceed a maximum gross floor area of 60m².
 - i. ~~not exceed a maximum gross floor area of 60m².~~
 - ii. NA
 - iii. NA
 - iv. NA
- ~~X.~~ **b.** Ancillary residential units that are within the same residential building as a primary residential unit are exempt from this standard.
- ~~b.~~ **c.** Standard residential activity that contravenes this performance standard but does not exceed a maximum gross floor area of 80m² is a restricted discretionary activity.

Note 15.5.14A - General advice

1. Residential units over 80m² gross floor area do not meet the definition of ancillary residential units and are considered primary residential units.

15.5.15 Scheduled Mining Activity

15.5.15.1

Fairfield Sandpit No. 1 must meet the performance standards listed below.

15.5.15.2

If Fairfield Sandpit No. 1 contravenes any of these standards it will be considered expansion of scheduled mining activity and will be subject to the rules that apply to that activity in Rule 15.3.

15.5.15.3 Maximum annual extraction

- ~~a.~~ **F**airfield Sandpit No. 1 must not exceed a maximum annual limit of 10,000 tonnes.

15.5.15.4 Operating limits

- a. Fairfield Sandpit No. 1:
 - i. may only operate: Monday to Friday 6.00am to 8.00pm and Saturday 7.00am to 5.00pm;
 - ii. must not use blasting;
 - iii. must not undertake aggregate processing; and
 - iv. must not quarry within 15m of any adjoining property boundary which is used for residential purposes.

15.5.15.5 Noise

Fairfield Sand Pit No. 1 must comply with Rule 9.3.6, subject to the following:

- a. an adjustment of minus 5 dBA for noise emissions having special audible characteristics; and
- b. noise level readings for the purpose of determining compliance with the noise conditions must be provided by the quarry operator for two hours, at times representative of the operation and at which maximum noise levels can be assessed. For continuous operations, readings must take place at 12 monthly intervals; for intermittent operations readings must be provided at the time of every subsequent operation of the site.

15.5.15.6 Landscaping and rehabilitation

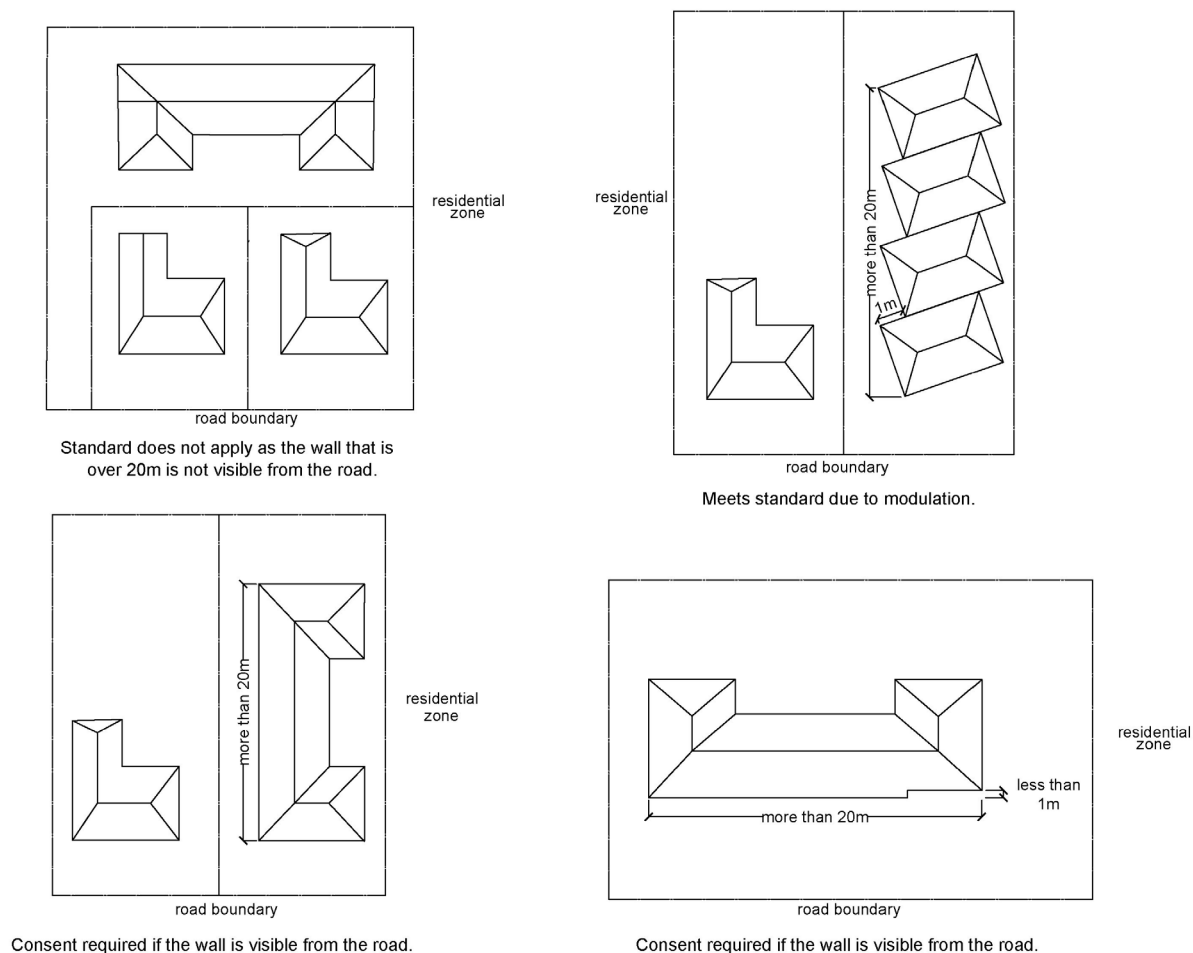
- a. Fairfield Sand Pit No. 1 must undertake a programme of screen planting designed to mitigate adverse visual effects as viewed from adjacent residential areas, road and other viewing areas, and a programme of landscaping to encourage the revegetation of areas that are no longer being mined. The programmes must ensure that:
 - i. all planting is in accordance with a landscape plan prepared by a qualified landscape architect;
 - ii. all vegetation established as part of this programme is maintained in a healthy state at all times;
 - iii. where practical, existing screening vegetation within 15m of any adjoining property boundary which is used for residential purposes will be retained; and
 - iv. the site is rehabilitated to an appearance and character similar to that of the surrounding environment.
- b. Fairfield Sand Pit No. 1 must ensure the edge of the quarried area is designed and certified by a suitably qualified geotechnical engineer to ensure that the edge will not adversely affect any adjoining property boundary.

Rule 15.6 Development Performance Standards

15.6.1 Building Length

1. New buildings and additions and alterations to buildings must not result in any wall with a continuous length that is greater than 20m, if the wall is visible, in full or in part, from an adjoining public place.
2. For the purposes of this rule, the length of walls will be measured parallel to the boundary of the site.
3. For the purposes of this rule, a 'continuous length' will be measured as follows for walls that modulate: where modulation involves a step-back of 1 metre or more in depth it will be counted as a new wall, but where modulation is less than 1 metre in depth it will be considered a continuous length.
4. New buildings and additions and alterations that contravene this standard are restricted discretionary activities.

Figure 15.6.1A: Building length



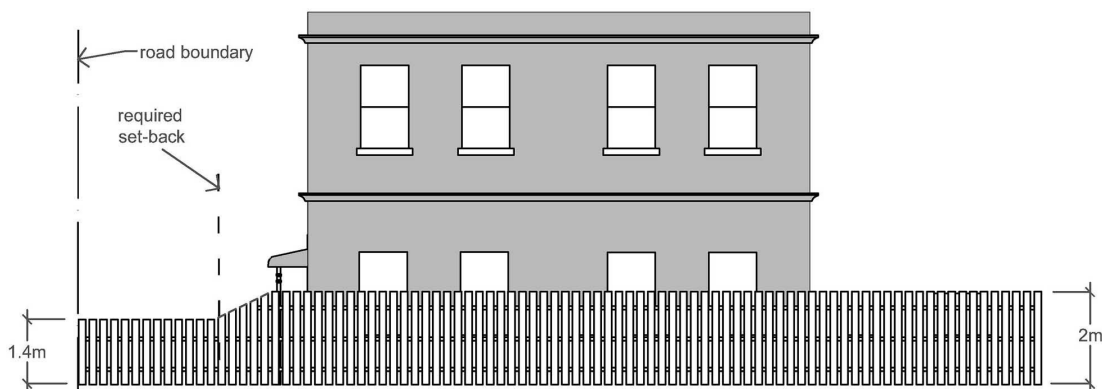
15.6.2 Fence Height and Design

15.6.2.1 Maximum Height

- a. The maximum height of fences along boundaries (including within the boundary setbacks required by Rule 15.6.13) is 2m, except:
 - i. for sites within a residential heritage precinct, fences along the part of a side boundary that is within the road boundary setback required by Rule 15.6.13 (see Figure 15.6.2.1A) the maximum height is 1.4m.

- b. For the purposes of calculating maximum height, where a fence 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.
- c. Activities that contravene this performance standard are restricted discretionary activities.

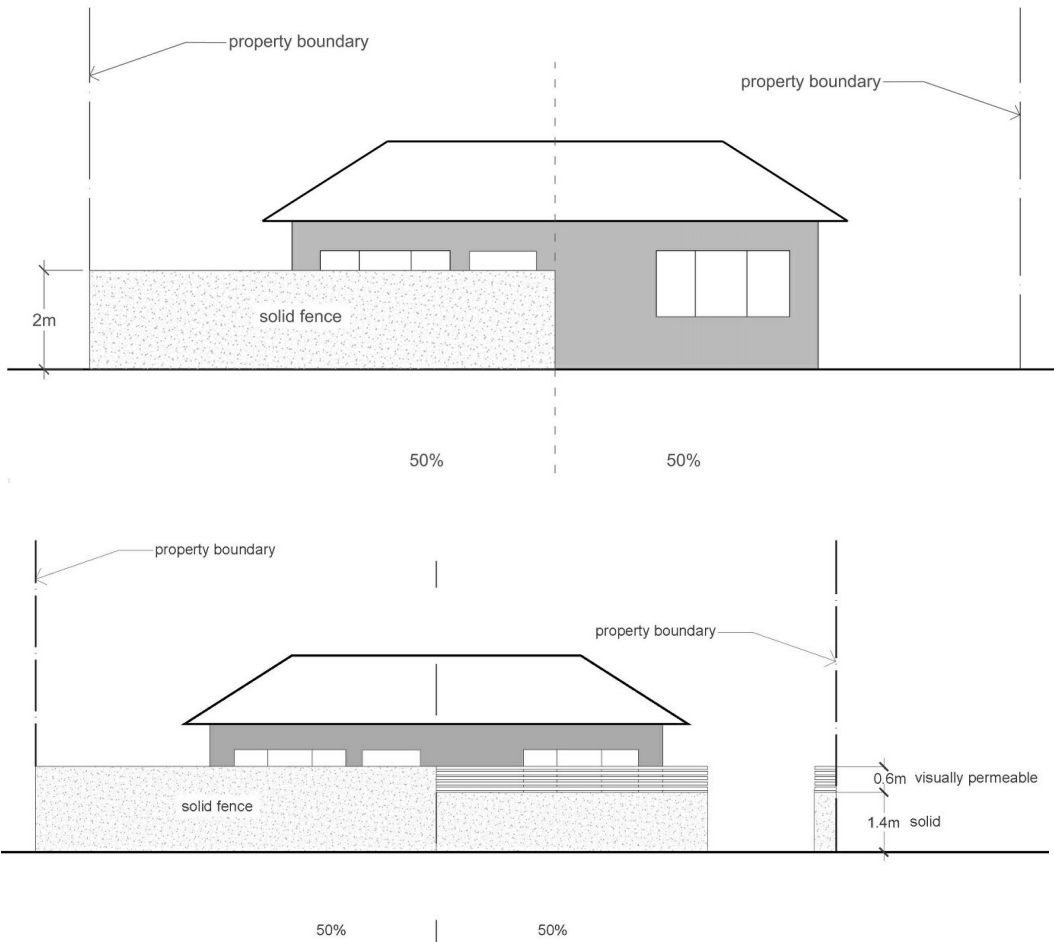
Figure 15.6.2.1A: Side boundary fences in heritage precincts



15.6.2.2 Visual Permeability

- a. Fences along road boundaries or boundaries adjoining a reserve (including within the boundary setbacks required by Rule 15.6.13) must be constructed to a length and/or height that maintains visual permeability for 50% of the length of the boundary measured at a height of 1.4m above ground level (see Figure 15.6.2.2A).
- b. The following fences are exempt from this requirement:
 - i. fences along the road boundary of a state highway;
 - ii. fences required to meet Rule 15.6.8 (Location and Screening of Outdoor Storage) or to otherwise screen service areas; and
 - iii. boundaries with a reserve that is not in the Recreation Zone or a residential zone.
- c. Fences that contravene this performance standard are restricted discretionary activities.

Figure 15.6.2.2A: Examples of fencing that meet Rule 15.6.2.2 Visual Permeability



15.6.3 Firefighting

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

15.6.4 Natural Hazards Performance Standards

15.6.4.1 Hazard exclusion areas (swale mapped area)

New buildings, new structures, and additions and alterations located in a **swale mapped area** must comply with Rule 11.3.1.1.

15.6.4.2 Maximum area of vegetation clearance in the hazard overlay zones

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

15.6.4.3 Relocatable buildings

New buildings containing residential activity on the ground floor in the Hazard 3 (coastal) Overlay Zone must comply with Rule 11.3.3.

15.6.4.4 Outdoor storage

Outdoor storage in the Hazard 1 (flood) Overlay Zone must comply with Rule 11.3.4.

15.6.5 Hazardous Substances Quantity Limits and Storage Requirements

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

15.6.6 Height

Note 15.6.6A - General advice

1. The permitted height of buildings and structures is controlled by both the maximum height standard and height in relation to boundary standard. The absolute maximum height specified in the 'maximum height performance standard' may not be achievable on all sites due to site dimensions and topography.
2. ~~NA~~
- X. **2** The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation to transmission lines. Compliance with this code is mandatory. Compliance with this plan does not ensure compliance with NZECP 34:2001.

15.6.6.1 Height in relation to boundary

- a. On all side and rear boundaries that adjoin a site with a residential zone or a Residential Transition Overlay Zone, new buildings and additions and alterations to buildings must not protrude through the following planes:
 - i. in the General Residential 1 Zone, a plane rising at an angle of 45 degrees measured from a point 2.5m above ground level at the boundary; or for parts of the site where the width of the site as measured at right angles to the side or rear boundaries is under 16m (see Figure 15.6.6.1G), or that have a slope angle of 6 degrees or more and where the ground level at the nearest boundary is lower than the existing ground level of the building platform (see Figure 15.6.6.1H), through a plane rising at an angle of 55 degrees from a point 2.5m above ground level at the boundary.
 - ii. in the Inner City Residential Zone, a plane rising at an angle of 45 degrees measured from a point 3m above ground level at the boundary (see Figure 15.6.6.1B); or for parts of the site where the width of the site as measured at right angles to the side or rear boundaries is under 16m (see Figure 15.6.6.1G), or that have a slope angle of 6 degrees or more and where the ground level at the nearest boundary is lower than the existing ground level of the building platform (see Figure 15.6.6.1H), through

a plane rising at an angle of 55 degrees from a point 3m above ground level at the boundary.

- iii. in the General Residential 2 Zone, a plane rising at an angle of 55 degrees measured from a point 3m above ground level at the boundary (see Figure 15.6.6.1A);
 - iv. in all other residential zones, a plane rising at an angle of 45 degrees measured from a point 2.5m above ground level at the boundary (see Figure 15.6.6.1C)
 - v. except:
 - 1. in the Inner City Residential Zone, for any new buildings and additions or alterations to buildings within 16m of the road boundary, the height in relation to boundary will be measured from 6.5m above ground level at side boundaries, provided that all buildings on the remainder of the site are set back from the side boundaries by at least 2m (see Figure 15.6.6.1D);
 - 2. where new buildings or additions and alterations are built to a common wall, any part of a building where the height and angle of the roofline are the same as the adjoining building is exempt from this standard (see Figure 15.6.6.1E);
 - 3. gable ends and dormers may protrude through the height in relation to boundary plane by a maximum of 2m (see Figure 15.6.6.1F); and
 - 4. rooftop structures are exempt from the performance standard for height in relation to boundary.
- b. Activities that contravene this performance standard are restricted discretionary activities.

Figure 15.6.6.1A: General Residential 2 Zone

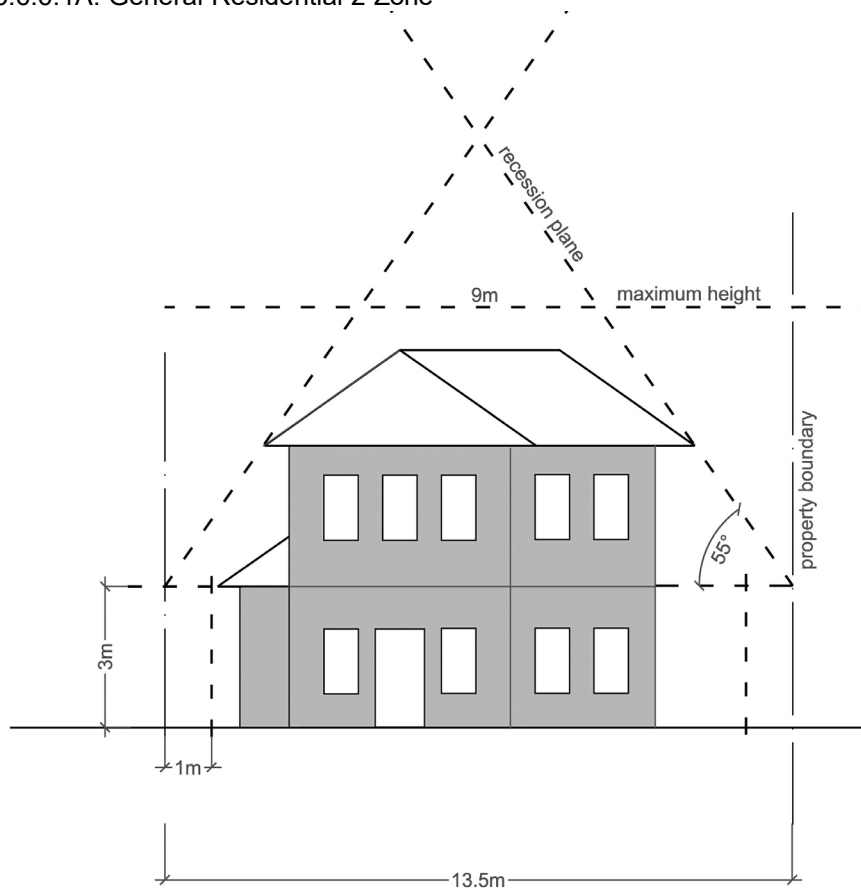


Figure 15.6.6.1B: Inner City Residential Zone

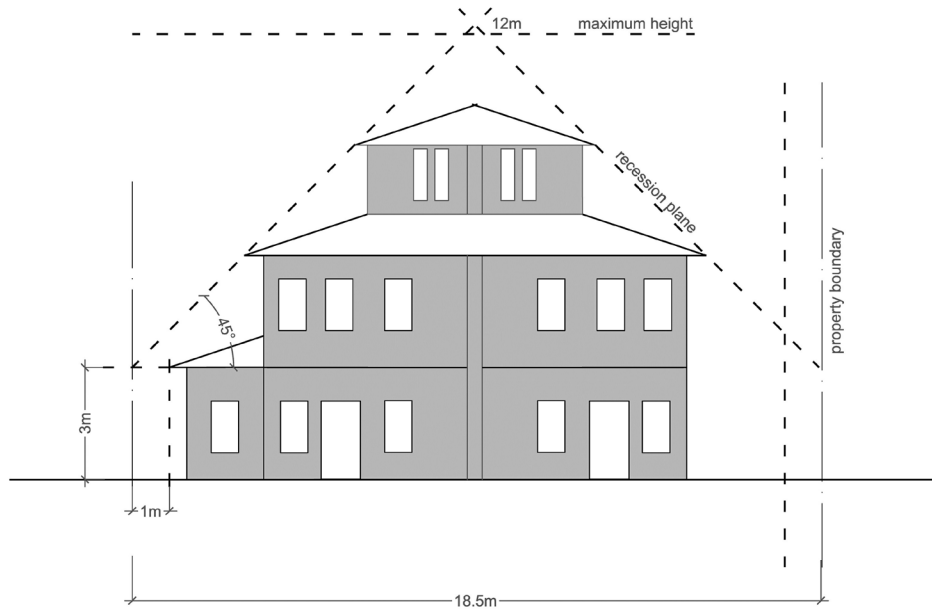


Figure 15.6.6.1C: All other residential zones

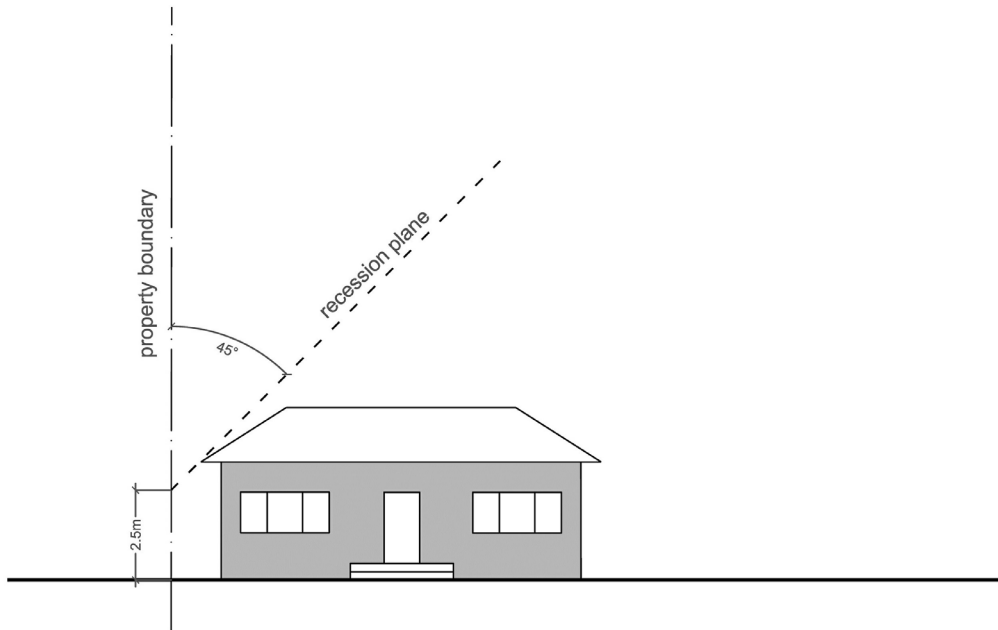


Figure 15.6.6.1D: Inner City Residential Zone height in relation to boundary special provision

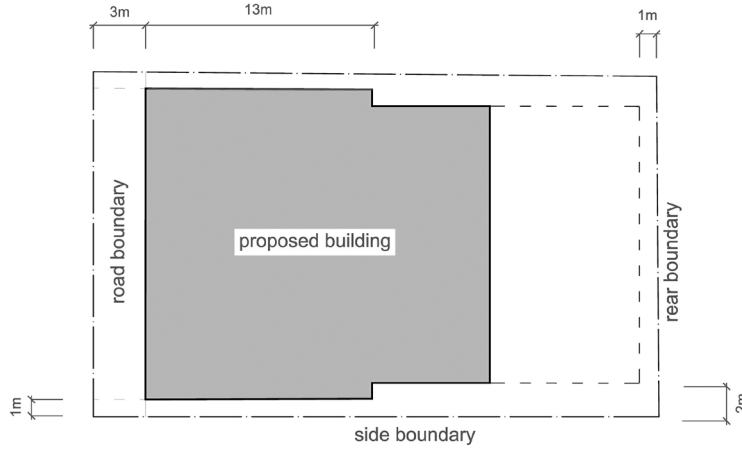


Figure 15.6.6.1E: Roof line mirror image where shared wall

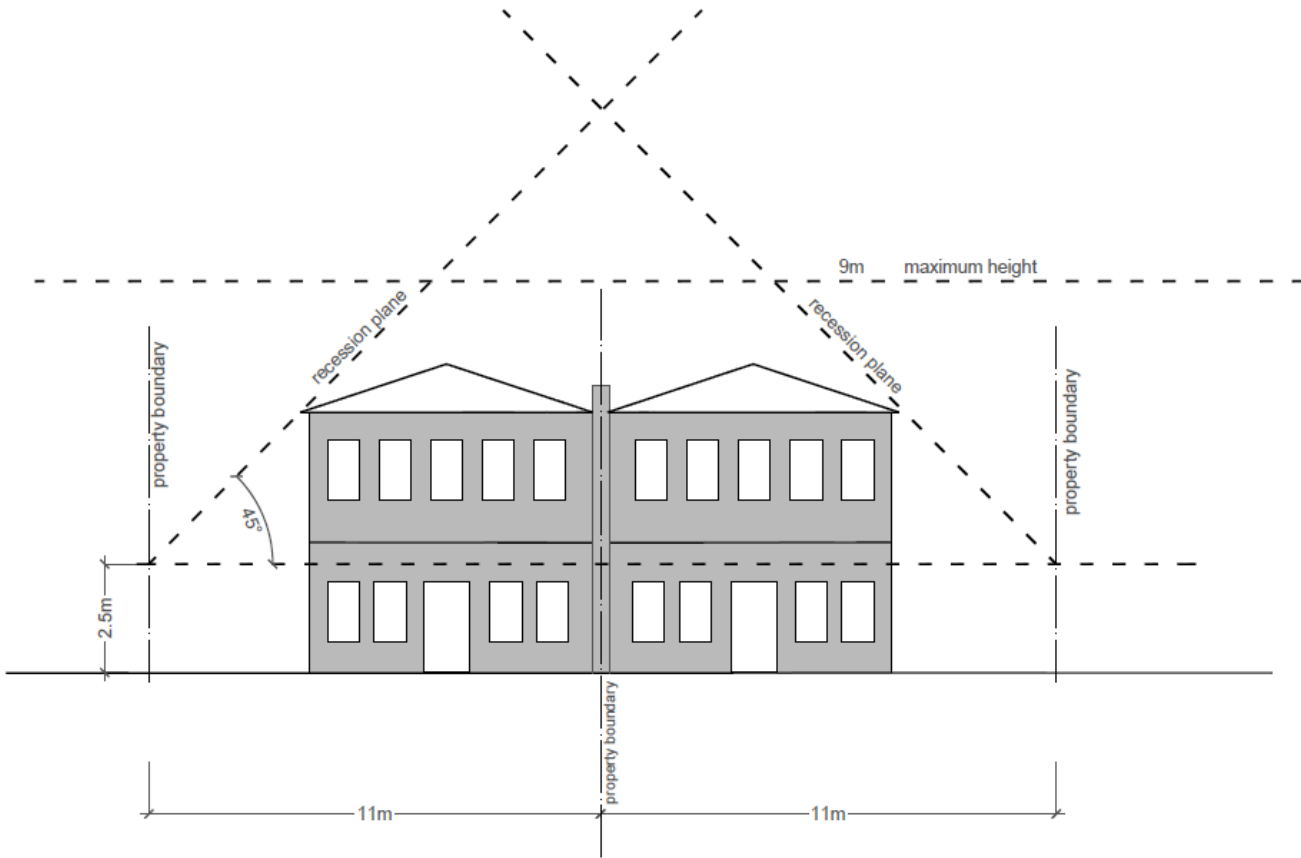


Figure 15.6.6.1F: Gable ends and dormers protruding through height plane

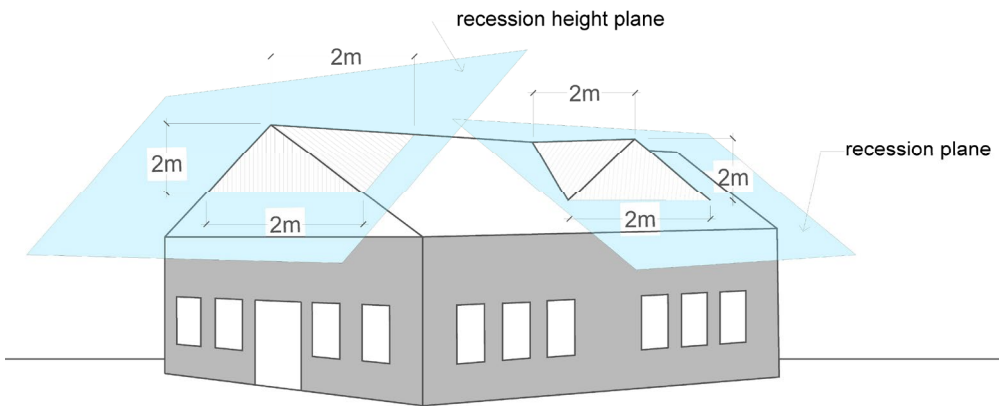


Figure 15.6.6.1G: Site width exception rule

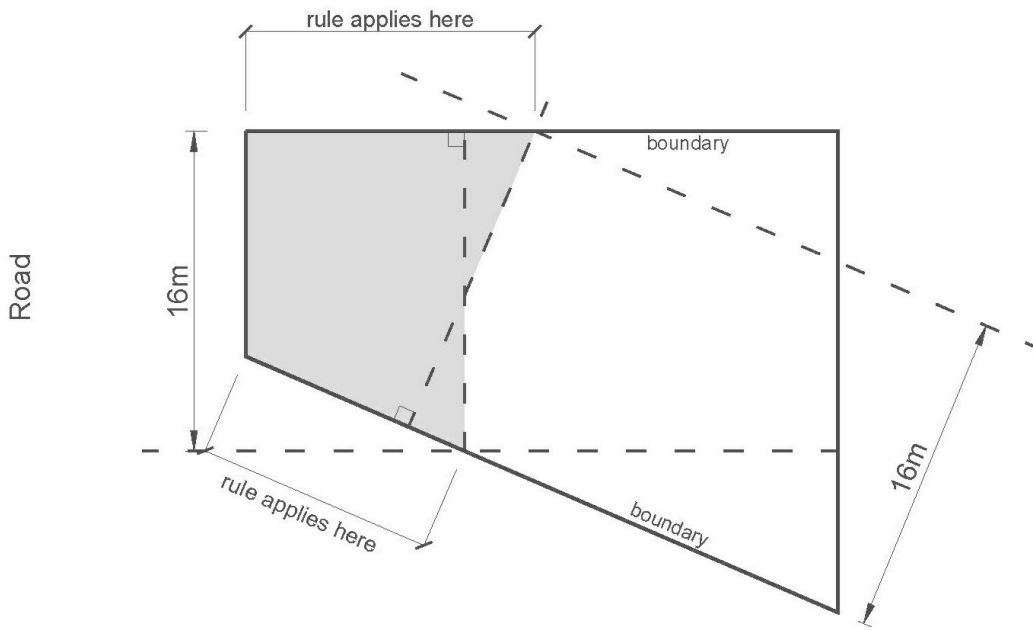
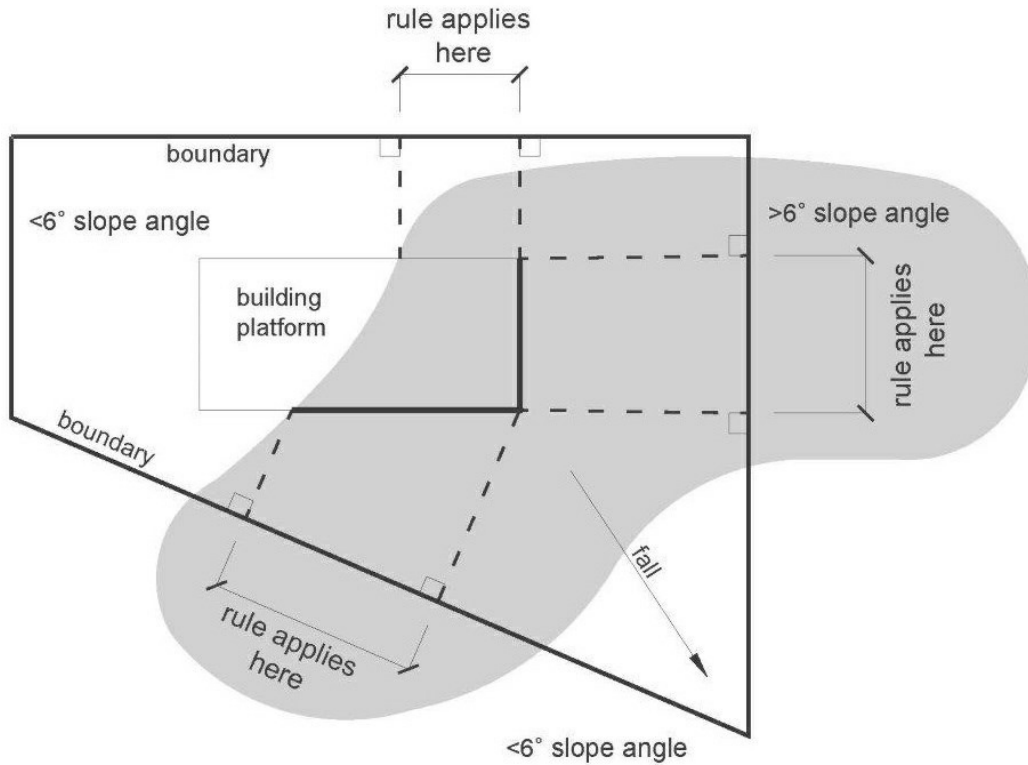


Figure 15.6.6.1H: Sloping site exception rule



15.6.6.2 Maximum height

- a. New buildings, new structures, and additions and alterations must not exceed the following maximum height above ground level:

		1. Maximum height in the Inner City Residential Zone	2. Maximum height in all other residential zones
i.	Ancillary residential units (stand-alone building)	N/A	3m from ground level to the bottom of the eaves
ii.	Garages and carports in road boundary setback	3m from ground level to the bottom of the eaves	3m from ground level to the bottom of the eaves
iii.	All other new buildings, new structures, and additions and alterations within setbacks from boundaries, except as provided for in Rule 15.6.13.1	2m	2m
iv.	All other new buildings, new structures, and additions and alterations	12m	9m

- v. Except:
1. rooftop structures are exempt from the performance standard for height provided they do not exceed the maximum height limit for all other buildings and structures by more than one third of that limit.
 2. within the **Huriawa height restriction mapped area** (see Figure 15.6.6.2A):

1. new buildings and additions and alterations to buildings on sites between Rockal Street and Kilda Street must not protrude through a horizontal plane 4.5m above ground level at the Sulisker Street boundary of the site;
 2. new buildings and additions and alterations to buildings on sites between Rona Street and Rockal Street must not exceed 4.5m.
- ✘. **3.** within the Pukehiki Township and Settlement Zone, and the **Chelivode Street Structure Plan mapped area**, new buildings, new structures, and additions and alterations located within a Significant Natural Landscape Overlay Zone must not exceed 5m above ground level.
- b. New buildings, new structures, and additions and alterations must not protrude through the height restriction for the Taieri Aerodrome approach and take-off fans shown on the **Taieri Aerodrome flight fan mapped area**.
 - c. Activities that contravene this performance standard are restricted discretionary activities.

Figure 15.6.6.2A: Huriawa height restriction mapped area



15.6.7 Location and Screening of Car Parking

1. In all residential areas, parking, loading and access areas and garages and carports must not occupy more than 50% of the area of the front yard that is part of the road boundary setback required by Rule 15.6.13.
2. In residential heritage precincts, parking areas must not be visible from an adjoining public place, unless they are set back a minimum of 4m from the road boundary.
3. Activities that contravene this performance standard are restricted discretionary activities.

15.6.8 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 sites, or public places.
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.
4. Activities that contravene this performance standard are restricted discretionary activities.

15.6.9 Materials and Design

Earthquake strengthening must comply with Rule 13.3.2.

15.6.10 Maximum Building Site Coverage and Impermeable Surfaces

1. Development activities must not exceed the following maximum building site coverage limits:

Zone		i. Maximum building site coverage: buildings and structures with a footprint greater than 10m ² (% of site)	ii. Maximum building site coverage: buildings and structures and any impermeable surfaces (% of site)
a.	General Residential 1 Zone	40%	70%
b.	General Residential 2 Zone not within the Variation 2 mapped area	50%	80%
✗ c.	General Residential 2 Zone within the Variation 2 mapped area	50%	70%
e d.	Inner City Residential Zone	60%	80%
d e.	Low Density Residential Zone	35%	65%
e f.	Large Lot Residential 1 and 2 Zones	30%	50%
f. g.	Township and Settlement Zone not within a no DCC reticulated wastewater mapped area	40%	70%
g h.	Township and Settlement Zone within a no DCC reticulated wastewater mapped area	30%	50%

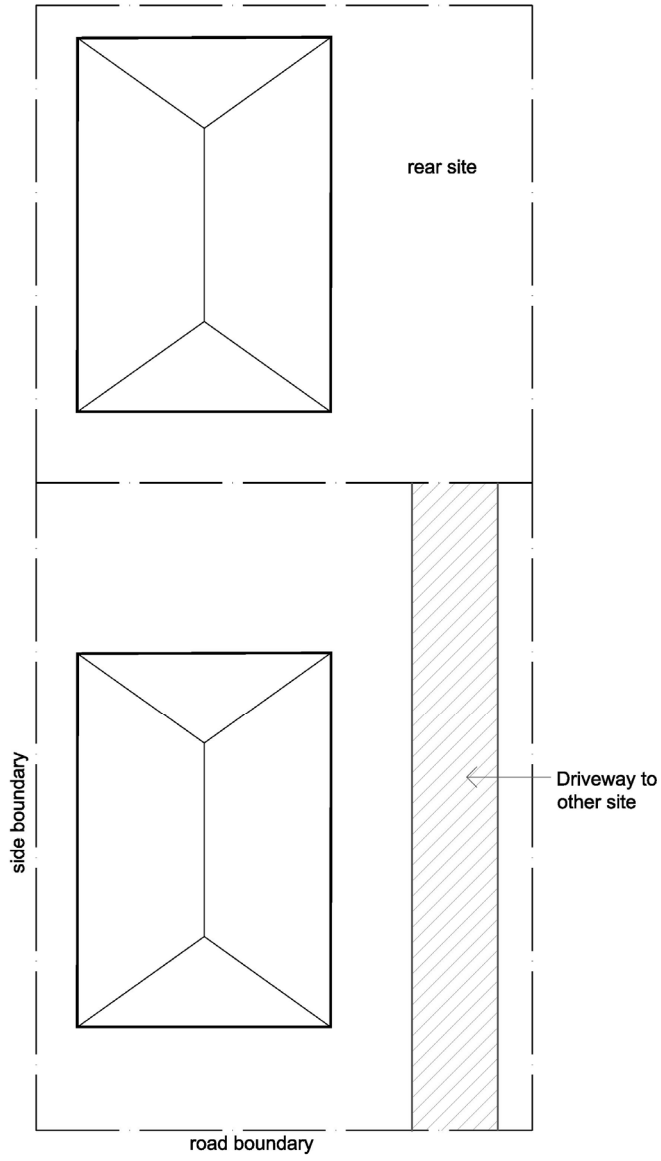
2. Any driveway that provides access to another site and access leg for rear sites will be excluded from the calculation of total site area for the purpose of calculating site coverage in column i but included in the calculation of site coverage in column ii (See Figure 15.6.10A).
- ✗ **3.** In the Variation 2 mapped area, any new development which will result in a new residential building with one or more new residential units must provide 20% of the site area or 30m² (whichever is the greater) as minimum landscaping that is to be located and landscaped in a way that meets the following requirements:
 - a. every site (or comprehensive multi-unit development proposed for fee simple subdivision) larger than 250m² must include a minimum of 1 tree per 250m² of site area from the Appendix 10A.3 Important Native Tree List or the DCC Native Planting Guide – Dunedin Hillslopes Forest Species List (DCC, 2021). The required tree/s must be:
 - i. at least 2m high at the time of planting and capable of growing to a minimum of 3m high; and

- ii. set back a minimum of 2.5m from all boundaries;
 - b. where the site adjoins a road, at least 50% of the land within the road boundary setback must be planted with trees, shrubs or groundcover species that are native to New Zealand (it may not be managed as lawn) except where more than 50% of the land within the road boundary setback is occupied by driveways, buildings or impermeable surfaces that were lawfully established prior to 31 May 2022, 75% of the remaining area of permeable surface within the road boundary setback must be planted with trees, shrubs or groundcover species that are native to New Zealand (it may not be managed as lawn); and
 - c. all trees and landscaping required by this rule must be maintained and if dead, diseased or damaged, must be replaced.
 - d. For the sake of clarity:
 - i. the area required to meet Rule ~~15.6.10.X~~ **15.6.10.3** will not count towards the maximum area of impermeable surfaces in Rule 15.6.10.1; and
 - ii. existing native plants that meet the requirements of this rule will be counted towards meeting the rule (mature native trees that are retained on site do not need to meet the setback for boundaries).
3. **4.** Activities that contravene this performance standard are restricted discretionary activities.

Note ~~15.6.10.X~~ **15.6.10A - Other requirements outside of the District Plan**

1. Clause E1 - Surface Water of the New Zealand Building Code (Building Regulations 1992, Schedule 1) contains requirements regarding buildings and sitework in relation to managing surface water and effects on other property.
2. Buildings and structures that will divert water may require resource consent under the Otago Regional Plan: Water.
3. Discharge of stormwater to any Otago Regional Council scheduled drain or overland flow path is managed by the Otago Regional Council Flood Protection Management Bylaw 2012.
4. If buildings and structures affect the flow of water, this effect is also subject to the common law principle of natural servitude.
5. Part 4 of the Dunedin Code of Subdivision and Development 2010 ('Code of Subdivision') requires that design and construction of stormwater systems be undertaken in accordance with NZS 4404:2004 (now replaced by NZS 4404:2010), except as amended by the Code of Subdivision. This includes a requirement that stormwater systems be provided so that any new development results in an insignificant increase of runoff wherever possible (Clause 4.2.8).

Figure 15.6.10A: Site coverage calculation



15.6.11 Number, Location and Design of Ancillary Signs

15.6.11.1 General

- a. Signs visible from a public place must meet all of the following performance standards, except that regulatory signs, directional signs and warning signs that do not exceed 0.25m² are exempt from these standards.
- b. Signs must also comply with:
 - i. Rule 6.7.2 where located on or above the footpath; and
 - ii. Rule 6.7.3 where visible from a road.
- c. Signs must not be illuminated or digital, except signs ancillary to visitor accommodation in the George Street North Residential Heritage Precinct and North Ground Residential Precinct.
- d. Signs that contravene the performance standard for number, location and design of ancillary signs are restricted discretionary activities.

15.6.11.2 All signs in residential zones

- a. Signs must not be attached to roofs.
- b. Signs must not project higher than the lowest point of the roof, except as mounted flat against a parapet or gable end.
- c. Signs must have a maximum of 2 display faces per sign.
- d. Where attached to a building, signs must not protrude from a building façade by more than 1m.

15.6.11.3 All signs (ancillary to residential activities)

- a. Maximum one sign per site, either attached to a building, freestanding or attached to a fence or retaining wall.
- b. The height, above ground level, at the highest point of any sign:
 - i. attached to a residential building, is 4m; and
 - ii. where attached to a fence, retaining wall or freestanding, is 2m.
- c. Signs must have a maximum area of 0.6m² per display face.
- d. Portable freestanding signs must not be located on the road reserve.

15.6.11.4 All signs (ancillary to dairies)

- a. The height, above ground level, at the highest point of any sign attached to a building is 6m.
- b. Signs attached to a verandah fascia must not exceed a height of 0.5m, or the height of a verandah fascia, whichever is greater.
- c. The maximum area of walls up to 4m above ground level, or the bottom of a verandah, whichever is the lesser that signs may occupy is 50%.
- d. One sign with a maximum display face of 2m² is allowed per building between 4 and 6m in height above ground level.
- e. Signs attached at right angles to the façade of a building (including attached to the underside of a verandah), must not exceed:
 - i. a maximum of 2 signs per site; and
 - ii. a maximum area per display face of 1.5m²
- f. Portable freestanding signs on footpaths outside dairies must not exceed:
 - i. a maximum height of 0.9m above ground level;
 - ii. a maximum width of 0.6m; and

- iii. a maximum of 1 portable freestanding sign per street frontage of dairy.

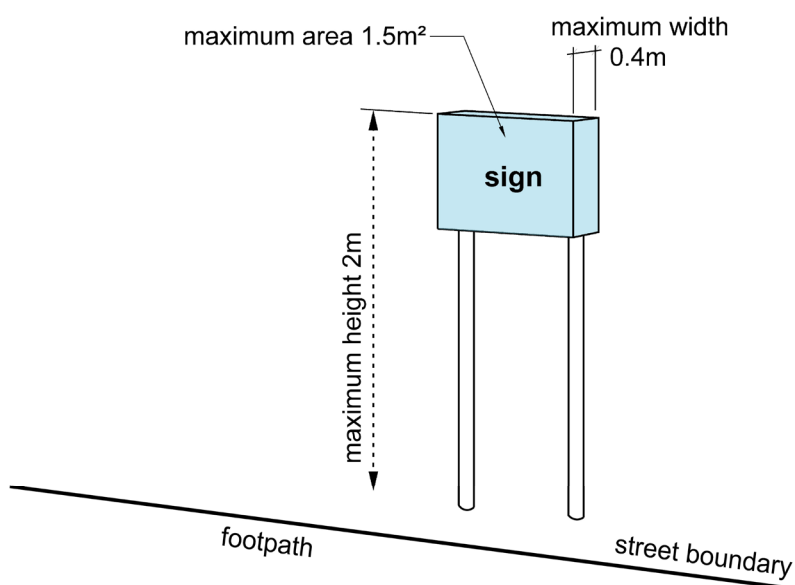
15.6.11.5 Signs attached to buildings (ancillary to commercial activities and community activities)

- a. Maximum 1 sign per site attached to a building.
- b. The height, above ground level, at the highest point of any sign, attached to a building is 4m.
- c. Signs must have a maximum area per display face of 1.5m², except signs ancillary to visitor accommodation may have a maximum area of 2m² per display face in the George Street North Residential Heritage Precinct and North Ground Residential Precinct.

15.6.11.6 Freestanding signs (ancillary to commercial activities and community activities)

- a. Maximum of 1 permanently fixed freestanding sign or 1 portable freestanding sign per site.
- b. Freestanding signs must be positioned entirely within site boundaries.
- c. The maximum dimensions of freestanding signs are:
 - i. maximum height of 2m above ground level;
 - ii. maximum area of 1.5m² per display face, except signs ancillary to visitor accommodation may have a maximum area of 2m² per display face in the George Street North Residential Heritage Precinct and North Ground Residential Heritage Precinct; and
 - iii. maximum depth of 0.4m.

Figure 15.6.11.6A: Freestanding signs (ancillary to commercial activities and community activities)



Note 15.6.11A - Other requirements outside of the District Plan

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

d. Dunedin City Council Traffic and Parking Bylaw.

15.6.12 Parking, Loading and Access Standards

Parking, loading and access must comply with Rule 6.6.

15.6.13 Setbacks

15.6.13.1 Boundary setbacks

- a. New buildings, new structures, and additions and alterations, must have a minimum set back from boundaries, as follows:

Zone	1. Setback from any road boundary	2. Setback from side and rear boundaries	3. Setback from boundary with right of way
i. General Residential 1 Zone	4.5m	2m	1m
ii. General Residential 2 Zone (except for Gardens, Mornington, Mosgiel, South Dunedin, and Caversham mapped areas)	4.5m	2m	1m
iii. General Residential 2 Zone (Gardens, Mornington, Mosgiel, South Dunedin, and Caversham mapped areas)	3m	1m	1m
iv. Inner City Residential Zone	3m	1m	1m
v. Low Density Residential Zone	4.5m	2m	1m
vi. Large Lot Residential 1 and 2 Zones	4.5m	4m	1m
vii. Township and Settlement Zone	4.5m	2m	1m

viii. Except:

- where residential buildings are located on a site between two sites (including corner sites) with residential buildings that do not meet the standard for setback from the road boundary, then the minimum setback may be reduced to the depth of the larger of the two existing setbacks, as shown in Figure 15.6.13.1A¹;
- where buildings are built to the boundary and share a common wall no setback is required for the length of the buildings where joined (see Figure 15.6.13.1B);
- the setback from any road boundary may be reduced to 0.5m for garages (stand-alone and attached) and carports no greater than 4.5m in width (as measured parallel to the road boundary) that have their entry facing the road and that meet Rule 15.6.6.2.a.ii (maximum height);
- the setback from the side and rear boundary may be reduced to 1m for garages (stand-alone and attached) and carports that are no greater than 6m in length (as measured parallel to the boundary) and that meet Rule 15.6.6.2.a.ii (maximum height);
- decks less than 0.5m above ground level, signs attached to buildings and structures, and buildings or structures less than 10m² in footprint and 2m in height, and all fences are exempt from this standard;
- eaves, gutters and downpipes less than 3m above ground level may project over a required setback provided that they project by no more than 25% of the width of the required setback;

and

7. for new buildings or additions and alterations to buildings in the Inner City Residential Zone being built in accordance with Rule 15.6.6.1.a.v.1 (alternate height in relation to boundary performance standard) where a 2m minimum setback is required in accordance with that rule.

b. Activities that contravene this performance standard are restricted discretionary activities.

¹ Note: for the purposes of this rule 'existing setbacks' will be measured from the main part of residential buildings and will not include any garages or carports, or other parts of buildings that occupy less than 50% of the building frontage (within the setback), e.g. bay windows, porches, steps, or decks (See Figure 15.6.13.1C). Where the main part of an existing building is not parallel to the road boundary (e.g. not consistently the same distance from the road boundary), the nearest point of the building from the boundary will be used to determine the existing setback.

Note 15.6.13.1A - Other requirements outside the District Plan

1. Buildings less than 10m² in floor area and closer than 1m to a site boundary must comply with clauses C1 – C6 of the New Zealand Building Code. Please contact Dunedin City Council, Building Services Unit, on 477 4000 for further information.

Figure 15.6.13.1A: Setback from road boundary consistent with neighbour

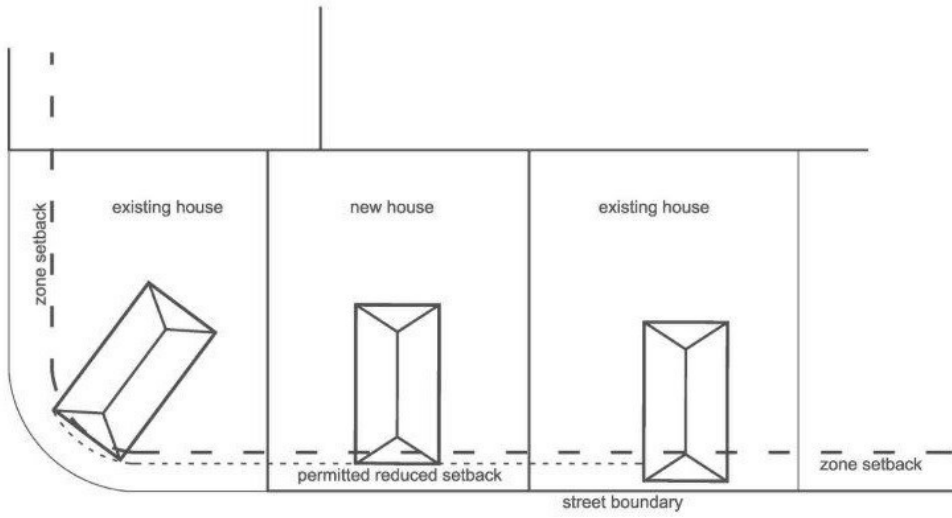


Figure 15.6.13.1B: Setbacks for buildings sharing common wall

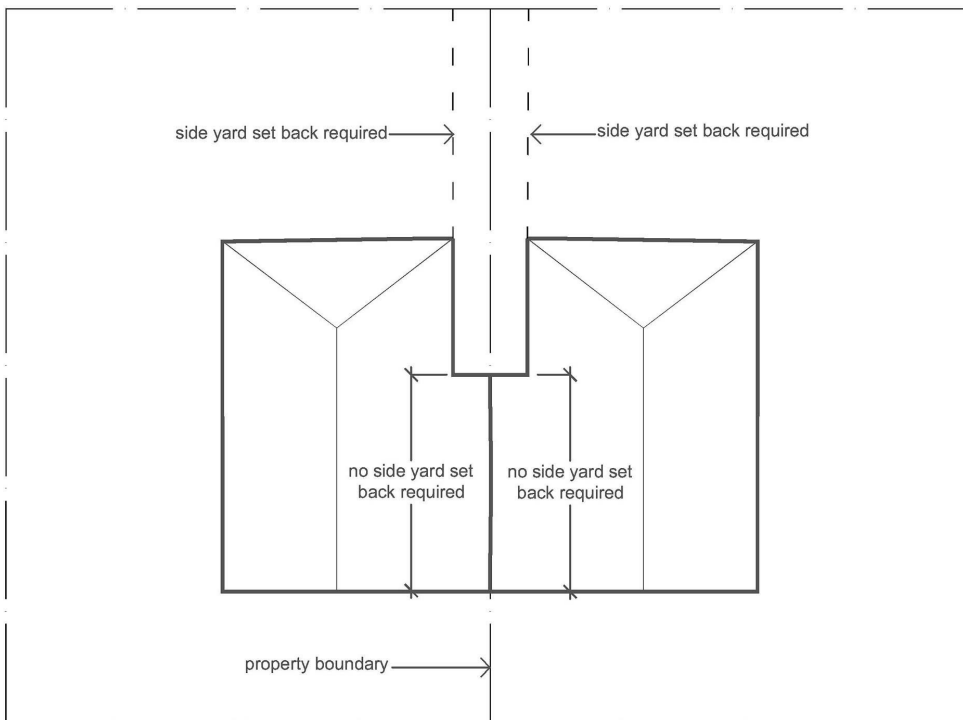
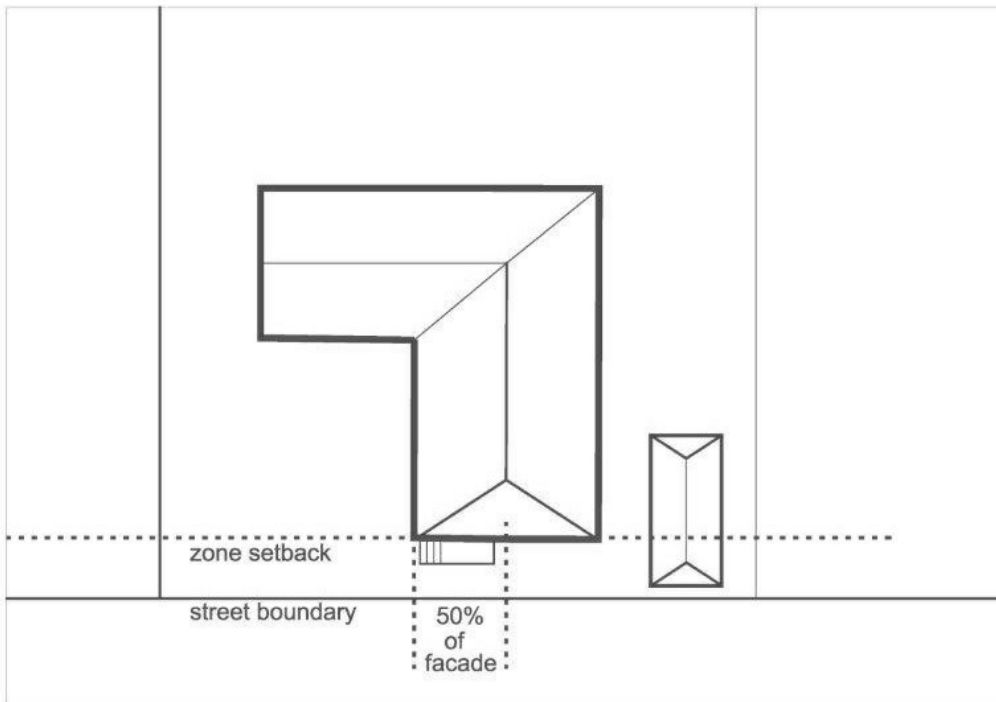


Figure 15.6.13.1C: Determining existing setbacks



15.6.13.2 Setback from scheduled tree

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

15.6.13.3 Setback from coast and water bodies

New buildings, new structures, additions and alterations, and storage and use of hazardous substances must comply with Rule 10.3.3.

15.6.13.4 Setback from National Grid

New buildings, new structures, and additions and alterations must comply with Rule 5.6.1.1.

~~15.6.13.Y~~ **15.6.13.5** Setback from Critical Electricity Distribution Infrastructure

New buildings, new structures, and additions and alterations must comply with Rule 5.6.X.1.

~~15.6.13.X~~ **15.6.13.6** Setback from designated rail corridor

New buildings, new structures, and additions and alterations must comply with Rule 6.7.4.

15.6.14 Vegetation Clearance Standards

15.6.14.1 - Maximum area of vegetation clearance (UBMA)

Vegetation clearance in an **urban biodiversity mapped area** (UBMA) must comply with Rule 10.3.2.4.

15.6.14.2 - Maximum area of vegetation clearance in a hazard overlay zone

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

~~15.6.X~~ **15.6.15 Service Connections - Stormwater for Development**

In a **new development mapped area**, all development that creates an impermeable surface must comply with Rule 9.3.7.AA.

~~15.6.Y~~ **15.6.16 Area of Buildings and Structures**

- 4- In the Significant Natural Landscape (SNL) Overlay Zone, new buildings, new structures, and additions and alterations must comply with Rule 10.3.5.X.

~~15.6.Z~~ **15.6.17 Reflectivity**

- 4- New buildings, new structures (except fences), and additions and alterations in a Significant Natural Landscape (SNL) Overlay Zone must comply with Rule 10.3.6.

Rule 15.7 Subdivision Performance Standards

15.7.1 Access

Subdivision activities must comply with Rule 6.8.1.

15.7.2 Esplanade Reserves and Strips

Subdivision activities must comply with Rule 10.3.1.

15.7.3 Firefighting

Subdivision activities must comply with Rule 9.3.3.

15.7.4 Minimum Site Size

1. The minimum site size for new resultant sites is:

Zone	Minimum site size
a. General Residential 1 Zone	400m ²
b. General Residential 2 Zone 1- i. not within a wastewater constraint mapped area ; or 2- ii. within the wastewater constraint mapped area (Mosgiel)	300m ²
c. General Residential 2 Zone within a wastewater constraint mapped area , except for the wastewater constraint mapped area (Mosgiel)	400m ²
d. Inner City Residential Zone	200m ²
e. Low Density Residential Zone	750m ²
f. Large Lot Residential Zone 1	2000m ²
g. Large Lot Residential Zone 2	3500m ²
h. Township and Settlement Zone not within a no DCC reticulated wastewater mapped area	400m ²
i. Township and Settlement Zone within a no DCC reticulated wastewater mapped area	1000m ²

- j. except any of the following are exempt from the minimum site size:

- i. resultant sites created and used solely for any of the following purposes:

1. Scheduled ASBV or QEII covenant;
2. reserve;
3. access;
4. utility; or
5. road; or

✗ **ii.** a resultant site in any residential zone (except within a **no DCC reticulated wastewater mapped area**) where both of the following apply:

1. it will contain at least one residential building for which a code compliance certificate or building permit has been issued (that was not established as a family flat or ancillary residential unit) prior to certification of the survey plan pursuant to section 223 of the RMA; and
2. it is of a size and shape that means the residential building is able to meet all the relevant land use and development performance standards as if it was new.

- ✗ **2.** Minimum site size includes access legs for subdivision of sites up to 1200m² in the General Residential 1 Zone and Township and Settlement Zone (not within a **no DCC reticulated wastewater mapped area**) and for subdivision of all sites in other zones, but excludes access legs in all other cases.

- ~~2.~~ **3.** General subdivision that contravenes the performance standard for minimum site size in any of the following ways is a restricted discretionary activity:

- ✗ **a.** subdivision as described in Rule 15.7.4.1.j.X.1 **15.7.4.1.j.ii.1** that does not meet the conditions in Rule 15.7.4.1.j.X.2 **15.7.4.1.j.ii.2**;

- ✗ **b.** a subdivision of a proposed multi-unit development which has an approved land use consent but the development has not been established, or land use consent is sought under Rule 15.3.4.5 concurrently with the subdivision application, and the standard residential activity complies with the density performance standard (Rule 15.5.2); or
- ✗ **a.** **c.** a subdivision where all of the following apply:
 - i. any resultant site is below the minimum site size but not less than 75% of the minimum site size;
 - ii. the average of the site sizes (excluding any sites that will be used solely for road, access, utility or reserve) meets the minimum site size in Rule 15.7.4.1;
 - iii. the subdivision does not result in any resultant site being of a size that could be further subdivided in accordance with the minimum site size performance standards, except as provided for in Rule ~~15.7.4.1.j~~ **15.7.4.1.j.ii**; and
 - iv. all resultant sites that are below the minimum site size (excluding any sites that will be used solely for road, access, utility or reserve) are large enough to contain a building platform of at least 7m by 10m that meets the performance standards of this Plan including, but not limited to:
 - 1. outdoor living space;
 - 2. minimum mobility car parking;
 - 3. setbacks from boundaries, water bodies, significant trees, National Grid transmission lines;
 - 4. esplanade reserves and strips; and
 - 5. maximum building site coverage and impermeable surfaces.
- ~~b.~~ NA
- ~~c.~~ NA
- 4.** General subdivision that contravenes the performance standard for minimum site size in any way not set out in Rule 15.7.4.3 is a non-complying activity.

Note 15.7.4A - Other relevant District Plan provisions

1. Note that Rule 15.3.4.3 requires restricted discretionary resource consent for new buildings and additions and alterations that result in a multi-unit development. Landowners undertaking subdivision may wish to apply for subdivision and land use consent simultaneously if three or more units are proposed in a development.

15.7.5 Connections

Subdivision activities must comply with Rule 9.3.7.

15.7.6 Shape

1. 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 7m by 10m that meets the performance standards of this Plan including, but not limited to:
 - a. outdoor living space;
 - ~~b.~~ NA;
 - ~~e.~~ **b.** setbacks from boundaries, water bodies, scheduled trees; and
 - ~~d.~~ **c.** esplanade reserves or strips.
2. Building platforms must have a slope of 12° (1:4.7 or 21%) or less and must:
 - a. not contain scheduled heritage buildings or scheduled heritage structures; or
 - b. not contain right-of-way easements.

3. For unreticulated areas, resultant sites must provide for a wastewater disposal area to be located at least 50m from any water body and Mean High Water Springs.
4. Sites created and used solely for the following purposes are exempt from the shape standard:
 - a. Scheduled ASBV or QEII covenant;
 - b. reserve;
 - c. access;
 - d. network utility; or
 - e. road.
5. Subdivision activities that do not meet this standard are restricted discretionary activities.

~~15.7.X~~ **15.7.7 Setback from National Grid (Subdivision Activities)**

Subdivision activities must comply with Rule 5.6.1.X.

~~15.7.Y~~ **15.7.8 Minimum Landscaping**

1. In the **Variation 2 mapped area**, any resultant site which contains an existing residential building with one or more residential units must provide 20% of the site area or 30m² (whichever is the greater) as minimum landscaping that is to be located and landscaped in a way that meets the following requirements:
 - a. every resultant site larger than 250m² must include a minimum of 1 tree per 250m² of site area from the Appendix 10A.3 Important Native Tree List or the DCC Native Planting Guide – Dunedin Hillslopes Forest Species List (DCC, 2021). The required tree/s must be:
 - i. at least 2m high at the time of planting and capable of growing to a minimum of 3m high; and
 - ii. setback a minimum of 2.5m from all boundaries;
 - b. where the site adjoins a road, at least 50% of the land within the road boundary setback must be planted with trees, shrubs or groundcover species that are native to New Zealand (it may not be managed as lawn) except, where more than 50% of the land within the road boundary setback is occupied by driveways, buildings or impermeable surfaces that were lawfully established prior to 31 May 2022, 75% of the remaining area of permeable surface within the road boundary setback must be planted with trees, shrubs or groundcover species that are native to New Zealand (it may not be managed as lawn); and
 - c. all trees and landscaping required by this rule must be maintained and if dead, diseased or damaged, must be replaced.
- ~~1~~ **2**. For the sake of clarity, existing native plants that meet the requirements of this rule will be counted towards meeting the rule (mature native trees that are retained on site do not need to meet the setback for boundaries).
- ~~2~~ **3**. Activities that contravene this performance standard are restricted discretionary activities.

Rule 15.8 Structure Plan Mapped Area Rules

15.8.1 Introduction

1. In addition to the performance standards in 15.5, 15.6 and 15.7, activities in a structure plan mapped area must meet the area-specific performance standards below. Where a performance standard in this section specifically provides an exemption or alternative performance standard to a standard in 15.5, 15.6 or 15.7, the standard in this section supersedes that standard unless otherwise indicated.
2. In addition to the notification requirements in Rule 15.4, activities in a structure plan mapped area must meet any area-specific notification requirements below. Where a notification requirement in this section specifically provides an exemption or alternative requirement to a requirement in 15.4, the requirement in this section

supersedes that requirement unless otherwise indicated.

3. In addition to the special information requirements in Rule 15.14, activities in a structure plan mapped area must meet any area-specific information requirements below. Where an information requirement in this section specifically provides an alternative information requirement to a requirement in 15.14, the requirement in this section supersedes that requirement unless otherwise indicated.
4. In addition to the assessment guidance in 15.9, 15.10, 15.11, 15.12, 15.13, activities in a structure plan mapped area must meet any area-specific assessment guidance below. Where assessment guidance in this section specifically provides an alternative assessment guidance to assessment guidance in 15.9, 15.10, 15.11, 15.12, 15.13, the assessment guidance in this section supersedes that requirement unless otherwise indicated.

15.8.3 East Taieri Structure Plan Mapped Area Rules

15.8.3.1 Subdivision

- a. Transport network
 - i. Access links to Gladstone Road, Riccarton Road, and Cemetery Road must be provided for full development of the site to occur.
 - ii. The legal road width of a collector road must be a minimum of 20m wide, including footpaths 2m wide, and cycle lanes 1.5m wide.
 - iii. The legal road width of a local road must be a minimum of 16m wide, including footpaths a minimum 1.5m wide.
- b. Reserve
 - i. A 4000m² recreation reserve must be provided within the region marked 'Area A' on the structure plan. The reserve is to have road frontages of at least 20m, and the detailed location of this reserve must be shown in a resource consent application for subdivision of land in the area and vest in Council accordingly.

15.8.3.2 Density

Up to 20% of the land used for residential purposes within the region marked "Area A", may be developed at a density of one residential unit per 300m².

15.8.3.3 Development requirements or conditions of subdivision consent

- a. Stormwater network
 - i. On-site stormwater systems (retention/detention and secondary flowpaths, etc.) must be designed for 1 in 100 (1%) annual exceedance probability event. A stormwater retention/detention pond to service the **East Taieri structure plan mapped area** (see Figure 15.8.3A) must be established in the general location of the area marked "detention area" on the structure plan and developed to the satisfaction of Council.
 - ii. Local stormwater reticulation systems must be designed for a 1 in 10 (10%) annual exceedance probability event.
 - iii. Development within the 'specified floor level' area shown on the structure plan is to be designed to adequately address potential flooding issues, with finished floor levels for dwellings above the 1:50 year flood level in accordance with the NZ Building Code.
- b. Reserve
 - i. The reserve must have a consistent boundary treatment where it adjoins residential properties, installed by the developer prior to vesting in Council. The reserve must be flattened and grassed to a standard that can be cut with a ride-on mower, and free of buildings, tree stumps, or other obstacles, prior to

vesting in Council.

15.8.3.4 Special information requirements

- a. Subdivision applications must include an Integrated Traffic Assessment (ITA) (refer Rule 6.14.2).
- b. Subdivision applications must include information outlining:
 - i. the techniques to be used to manage stormwater, and the location and extent to which these techniques are accommodated on-site; and
 - ii. how the integrity of the stormwater mitigation and management measures will not be compromised during and after subdivision; and
 - iii. a maintenance plan for stormwater infrastructure, including actions to be taken to ensure the on-going management and maintenance of on-site mitigation measures and the responsibilities for this; and
 - iv. design details highlighting the adequacy of the proposed measures and identifying areas of greatest risk; and
 - v. how subdivision within the 'specified floor level' area shown on the structure plan is to be designed to adequately address potential flooding issues.

15.8.3.5

In the case of conflict with performance standards 15.5 to 15.7 the rules in this performance standard apply.

15.8.3.6

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

Figure 15.8.3A: East Taieri structure plan



15.8.4 Formby Street Structure Plan Mapped Area Rules

15.8.4.1 Subdivision

- a. Wastewater network
 - i. Proprietary wastewater treatment facility must be established in the area marked "wastewater treatment area" on the Formby Street structure plan (see Figure 15.8.4A).
- b. Transport network
 - i. A public pedestrian accessway with a minimum width of 1.5m must be established along the "possible 1.5m footpath" line marked on the Formby Street structure plan (see Figure 15.8.4A).
 - ii. The legal road width of the two cul-de-sacs must be at least 16m, with a footpath on at least one side of each of the cul-de-sacs.
- c. New buildings, new structures, and additions and alterations, on lots 1-10 must have a minimum set back from the side or rear boundary (as relevant) on the eastern site boundary, of 10m.
- d. The maximum height for new buildings, new structures, and additions and alterations above ground level on lots 1-10 is 6m.

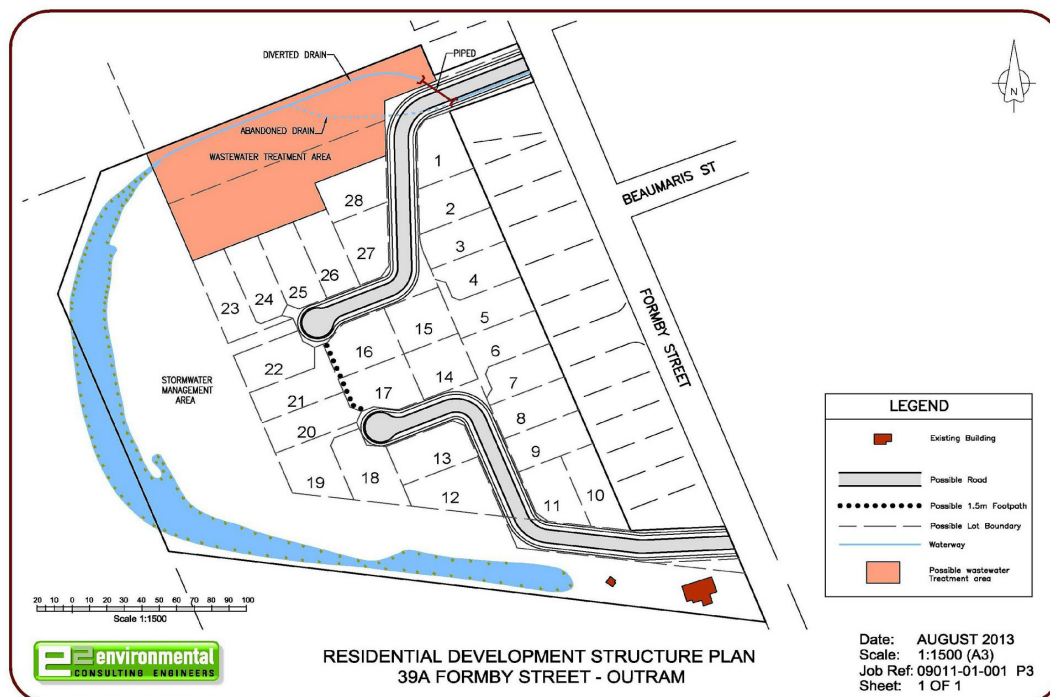
15.8.4.2

In the case of conflict with performance standards 15.5 to 15.7, the rules in this performance standard apply.

15.8.4.3

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

Figure 15.8.4A: Formby Street structure plan



15.8.5 Mosgiel East Structure Plan Mapped Area Rules

15.8.5.1 Subdivision

- a. Transport network
 - i. Access points for roads must be provided as indicated in the Mosgiel East structure plan (see Figure 15.8.5A).
 - ii. The legal width of a collector road must be a minimum of 20m wide, including footpaths of a minimum 2m wide, and cycle lanes 1.5m wide.
 - iii. The legal width of a local road must be a minimum of 16m wide, including footpaths a minimum 1.5m wide.
- b. Stormwater network
 - i. The rate of stormwater discharge to the Silverstream must remain equal to or less than that of pre-development up to the 1 in 100 (1%) annual exceedance probability event.

15.8.5.2 Development requirement or condition of subdivision consent

- a. Stormwater network
 - i. Local stormwater reticulation systems must be designed for a 1 in 10 (10%) annual exceedance probability event.
 - ii. On-site stormwater systems (retention/detention and secondary flowpaths, etc.) must be designed for 1 in 100 (1%) annual exceedance probability event. Stormwater retention/detention measures must be provided on-site as part of the overall development.
 - iii. There must be no individual discharge of stormwater to the Silverstream or Owhiro Stream.

15.8.5.3 Special information requirements

- a. Subdivision and land use applications must include information outlining:
 - i. the techniques to be used to manage stormwater and the extent to which these techniques are

accommodated on-site; and

- ii. how the integrity of the stormwater mitigation and management measures will not be compromised during and after a subdivision; and
- iii. a maintenance plan for stormwater infrastructure, including actions to be taken to ensure the on-going management and maintenance of on-site mitigation measures and the responsibilities for this; and
- iv. design details highlighting the adequacy of the proposed measures and identifying areas of greatest risk.

15.8.5.4

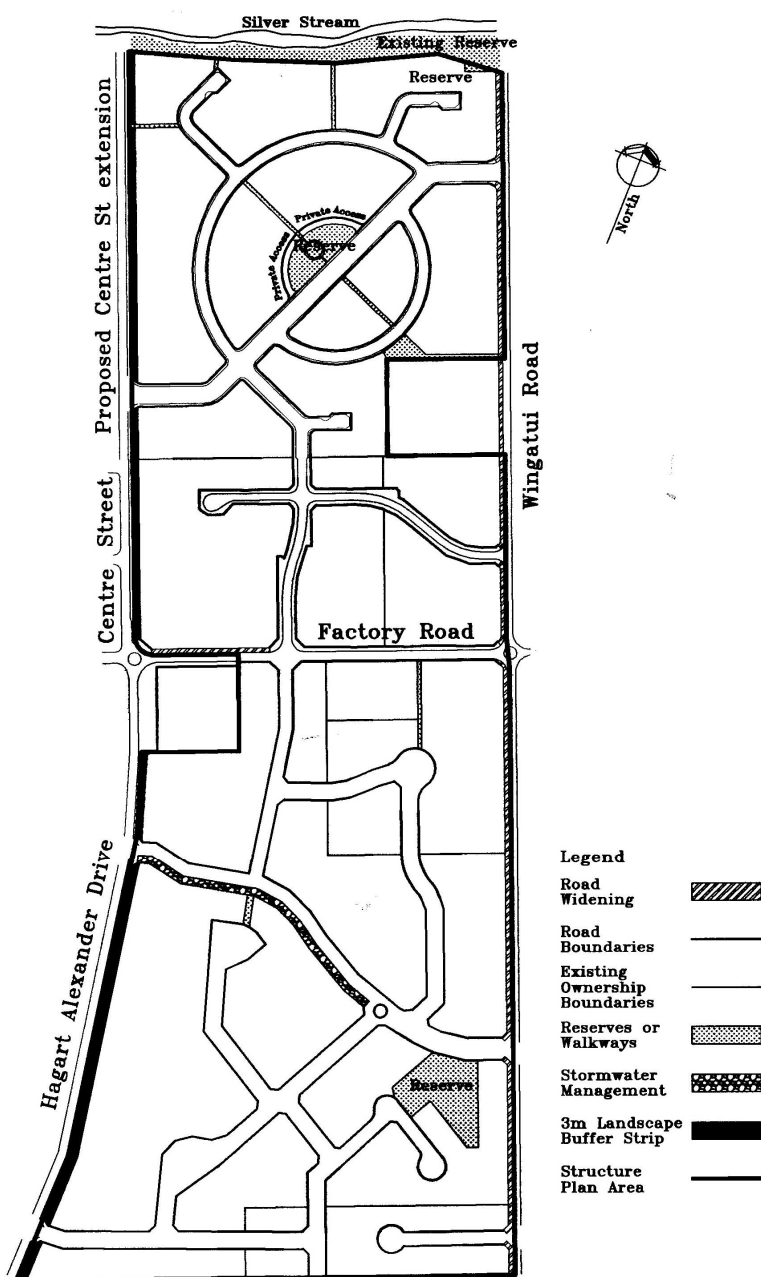
In the case of conflict with performance standards 15.5 to 15.7, the rules in this performance standard apply.

15.8.5.5

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

Figure 15.8.5A: Mosgiel East structure plan

MOSGIEL EAST STRUCTURE PLAN



15.8.6 Holyhead Street Structure Plan Mapped Area Rules

15.8.6.1 Subdivision

- a. Staging: the subdivision may be staged with the first stage comprising some or all of lots 1-8 (inclusive), 17, 18, 24, 25 and 30 as shown on the Holyhead Street structure plan (see Figure 15.8.6A).
- b. Vehicle access to the resultant sites must be as follows:
 - i. lots 1-4 from Montfort Street (State Highway 87);
 - ii. lots 5-7 from Montfort Street (State Highway 87) via access Lot 30;
 - iii. lots 8, 24, and 25 initially from Montfort Street (State Highway 87) via access Lot 30, but from Holyhead Street via Lot 29 once Lot 29 is formed; and

- iv. all other lots via Holyhead Street directly, or Holyhead Street via Lot 29.

15.8.6.2 Development requirement or condition of subdivision consent

a. Vehicle access

- i. Lot 29 must be formed as an access road either once all of lots 1-8 (inclusive), 24 and 25 have residential development established on them, or before any residential development is established on any of lots 9-16 (inclusive) or any of lots 19-23 (inclusive).

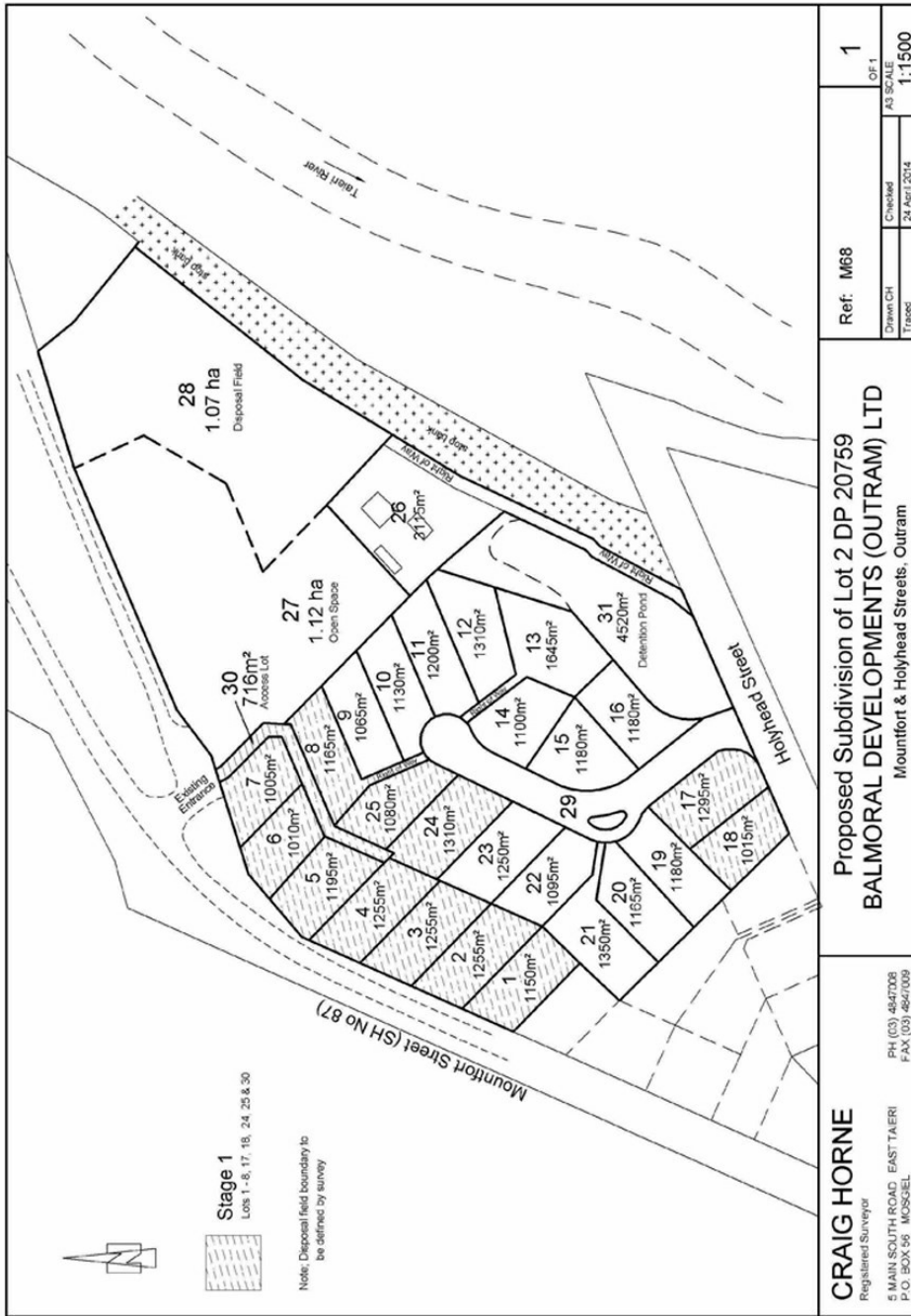
15.8.6.3

In the case of conflict with performance standards 15.5 to 15.7, the rules in this performance standard apply.

15.8.6.4

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

Figure 15.8.6A: Holyhead Street structure plan



15.8.7 Patmos Avenue Structure Plan Mapped Area Rules

15.8.7.1 Development performance standards

- a. Timing of construction
 - i. Construction of dwellings must not take place until all roading, stormwater, wastewater, and water supply infrastructure is in place for that stage of the development, and connections to future stages and adjoining sites (if required) are provided for.
 - ii. Activities that contravene this performance standard are non-complying activities.
- b. Vegetation clearance
 - i. Indigenous vegetation clearance must not occur in the area of indigenous vegetation marked “Restricted development area (biodiversity)” in Figure 15.8.7A, except for indigenous vegetation clearance that is:
 1. part of conservation activity involving vegetation clearance and replacement with indigenous species;
 2. clearance for the maintenance of fences (including gates);
 3. clearance for the maintenance (but not extension) of existing network utilities, irrigation infrastructure, tracks, drains, structures, roads, or firebreaks;
 4. clearance that is consistent with or provided for as part of a conservation management strategy, conservation management plan, reserve management plan or covenant established under the Conservation Act 1987 or any other Act specified in the First Schedule of the Conservation Act 1987;
 5. clearance that is required to remove material infected by unwanted organisms as declared by Ministry for Primary Industries’ Chief Technical Officer, or to respond to an emergency declared by the Minister for Primary Industries under the Biosecurity Act 1993;
 6. clearance of a pest plant listed in Appendix 10B to Section 10 of the Plan; and
 7. clearance that is necessary to maintain the flow of water free from obstruction or for natural hazard mitigation activities.
 - ii. Vegetation clearance must not damage any protected tree identified in Figure 15.8.7A (two Hall's totara and one rimu).
 - iii. Activities that contravene this performance standard are non-complying activities.
- c. Setback from protected trees
 - i. The three protected tree specimens identified in Figure 15.8.7A (two Hall's totara and one rimu) must not be damaged through any site development activities.
 - ii. Buildings and structures must not be located under the dripline or within a distance from the trunk equivalent to half the height of the tree, whichever is the greater.
 - iii. Vehicle tracks, driveways and other site development activities and earthworks must not occur under the dripline or within a distance from the trunk equivalent to half the height of the tree, whichever is the greater.
 - iv. Activities that contravene this performance standard are non-complying activities.

15.8.7.2 Subdivision performance standards

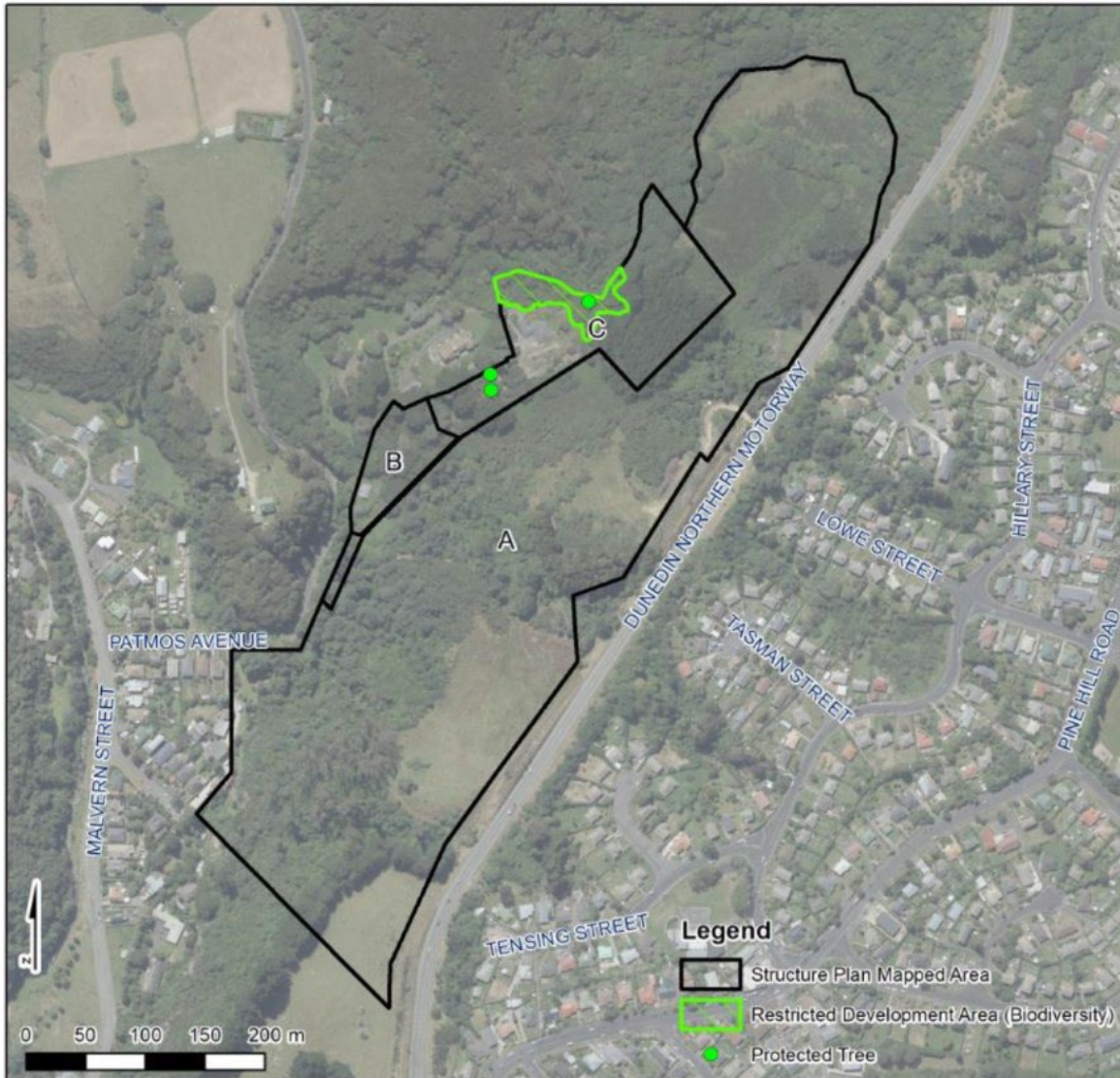
- a. Access
 - i. Access for vehicles must not be provided through the part of 28 Patmos Avenue that is outside the **Patmos Avenue structure plan mapped area** (see Figure 15.8.7A).

- ii. No more than six resultant sites in the **structure plan mapped area** may access Patmos Avenue via the right of way through PT LOT 3 DP 3151.
 - iii. Activities that contravene this performance standard are non-complying activities.
 - iv. For the sake of clarity, this performance standard is additional to Rule 6.6.3.
- b. Minimum site size
- i. The minimum site size for new resultant sites in the areas marked A and C on the Patmos Avenue structure plan (see Figure 15.8.7A) is 1000m².
 - ii. The minimum site size for new resultant sites in the area marked B on the Patmos Avenue structure plan (see Figure 15.8.7A) is 2000m².
 - iii. Activities that contravene this performance standard are non-complying activities.

Note ~~15.8.7.3A~~ 15.8.7.2A – General advice

- a. **1.** The number of sites that are able to access the **structure plan mapped area** via the right of way through PT LOT 3 DP 3151 has been capped at six resultant sites in order to manage effects on the scheduled heritage building at 16 Patmos Avenue (B425, Bishopgrove (ex Bible College)). Assessment of a subdivision application may result in a greater level of restriction on access for vehicles across this right of way.

Figure 15.8.7A: Patmos Avenue structure plan



15.8.8 Torquay Street Structure Plan Mapped Area Rules

1. 'Lot 100' as shown in the Torquay Street structure plan (see Figure 15.8.8A) may not be subdivided from the residential dwelling marked 'existing dwelling'.
2. No dwelling may be constructed in Areas A or B as shown on the Torquay Street structure plan (see Figure 15.8.8A).
3. Construction of dwellings must not take place until:
 - a. all roading, stormwater, wastewater and water supply infrastructure is in place for that stage of the development, and connections to future stages, and adjoining sites, are provided for; and
 - b. the public pathway shown in the Torquay Street structure plan (see Figure 15.8.8A) is constructed.
4. In the case of conflict with performance standards 15.5 to 15.7, the rules in this performance standard apply.
5. Activities that contravene this performance standard are non-complying activities.

Figure 15.8.8A: Torquay Street structure plan



SECOND GENERATION DISTRICT PLAN



Layout of residential areas and roading are indicative.

15.8.9 Emerson Street Structure Plan Mapped Area Rules

1. The layout of any subdivision must include provision for vehicle access to Mulford Park recreation reserve for maintenance purposes.
2. The layout of any subdivision must provide for roading access to 18 Roy Crescent.
3. Construction of dwellings must not take place until all roading, stormwater, wastewater and water supply infrastructure is in place for that stage of the development, and connections to future stages, and adjoining sites, are provided for.
4. In the case of conflict with performance standards 15.5 to 15.7, the rules in this performance standard apply.
5. Activities that contravene this performance standard are non-complying activities.

Figure 15.8.9A: Emerson Street structure plan



15.8.10 North Road Structure Plan Mapped Area Rules

~~15.8.10.1~~ **15.8.10.1** Development performance standards

- a. Timing of construction
 - i. Construction of dwellings must not take place until all roading, stormwater, wastewater and water

supply infrastructure is in place for that stage of the development, and connections to future stages, and adjoining sites, are provided for.

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

b. Vegetation clearance

- i. Indigenous vegetation clearance must not occur in the area of indigenous vegetation marked “Restricted development area (biodiversity)” in Figure 45.8.10X **15.8.10A**.
- ii. The following types of indigenous vegetation clearance are exempt from Rule 45.8.10.Y.b.i **15.8.10.1.b.i**, indigenous vegetation clearance that is:
 1. part of conservation activity involving vegetation clearance and replacement with indigenous species;
 2. clearance for the maintenance of fences (including gates), provided:
 1. any fence posts are located outside of the dripline of mature indigenous trees listed in Appendix 10A.3; and
 2. the erection of new fences does not damage:
 1. specimens of threatened plant species listed in Appendix 10A.1;
 2. important breeding, refuge, feeding or resting sites for indigenous fauna listed in Appendix 10A.2; or
 3. mature indigenous trees listed in Appendix 10A.3.
 3. clearance for the maintenance (but not extension) of existing network utilities, irrigation infrastructure, tracks, drains, structures, roads, or firebreaks;
 4. clearance that is consistent with or provided for as part of a conservation management strategy, conservation management plan, reserve management plan or covenant established under the Conservation Act 1987 or any other Act specified in the First Schedule of the Conservation Act 1987;
 5. clearance that is required to remove material infected by unwanted organisms as declared by Ministry for Primary Industries’ Chief Technical Officer, or to respond to an emergency declared by the Minister for Primary Industries under the Biosecurity Act 1993;
 6. clearance of a pest plant listed in Appendix 10B to Section 10 of the Plan;
 7. clearance that is necessary to maintain the flow of water free from obstruction or for natural hazard mitigation activities;
 8. clearance of non-indigenous plant species and replanting within 3 months with indigenous or non-indigenous plant species, not on the pest plant list in Appendix 10B to Section 10 of the Plan, that will attain at least the same height and coverage as the plants that have been cleared.

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

~~45.8.10.Z~~ **15.8.10.2** Subdivision performance standards

a. Access

i. Subdivision activities must provide for the following:

- i. **1.** A road to connect Norwood Street and North Road.
- ii. **2.** A minimum of two roading connection points from the structure plan mapped area onto North Road. Note: additional connections may be required, subject to the results of the Integrated Transport Assessment referred to at Rule 45.8.10.AA.b **15.8.10.3.b**.
- iii. **3.** The Norwood Street legal road corridor must be widened along the full length of the frontage of the

structure plan mapped area onto Norwood Street, to a minimum of 16m and both sides of this section of Norwood Street must be upgraded in accordance with Table 3.1R of the Dunedin Code of Subdivision and Development.

- iv. **4.** A footpath must be constructed along the entire length of the frontage of the structure plan mapped area onto North Road (including a linkage across the frontages of 633 and 649 North Road). This footpath may be constructed in stages but must match the development of the subdivision along North Road at all times.
- v. **ii.** Subdivision activities that contravene this performance standard are non-complying activities.

~~15.8.10.AA~~ **15.8.10.3** Special information requirements

a. Natural hazards

- i. Applications for subdivision activities within the structure plan mapped area must include a geotechnical investigation report by a suitably qualified geotechnical consultant. This assessment should examine the ground stability over the whole mapped area and identify areas suitable for residential development and, if required, suitable building platforms. This assessment must be prepared and submitted to Council for approval prior to, or as part of, the resource consent application for the first stage of any subdivision.

ii. For the sake of clarity, the standard assessment matters in Rule 11.5.2 still apply.

b. Transportation

- i. Prior to any subdivision of the structure plan mapped area, an Integrated Transport Assessment (ITA) for the whole mapped area must be prepared and submitted to Council for approval prior to, or as part of, the resource consent application for the first stage. The ITA must include, but is not limited to, the following matters (see further information on the content of ITAs in Rule 6.14.2):
 1. The appropriate number and location of intersections onto North Road. This will also need to assess the sight distances at any new intersections to ensure compliance with Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections (www.austroads.com.au).
 2. An assessment of driveway locations (existing and new), including proximity to intersections.
 3. An assessment of streetlighting on North Road.
 4. An assessment of the full length of Norwood Street and whether any improvements are deemed necessary to support the development for all modes of transportation, in addition to those specified in Rule ~~15.8.10.Z.a.iii~~ **15.8.10.2.a.i.3**. This may include footpath extensions and/or installation of safe crossing points. This assessment will also need to include the intersection of North Road and Norwood Street.
 5. Consideration of internal roading design, layout, and connection points to the existing transportation network for all modes of transport (including cyclists) in accordance with the Dunedin Code of Subdivision and Development 2010.
 6. Consideration of appropriate design measures to encourage traffic generated by the subdivision to use North Road rather than Norwood Street.
 7. Consideration of potential linkages to Cottle Street and if these are appropriate.

ii. For the sake of clarity, the standard assessment matters in Rule 6.11.2 still apply.

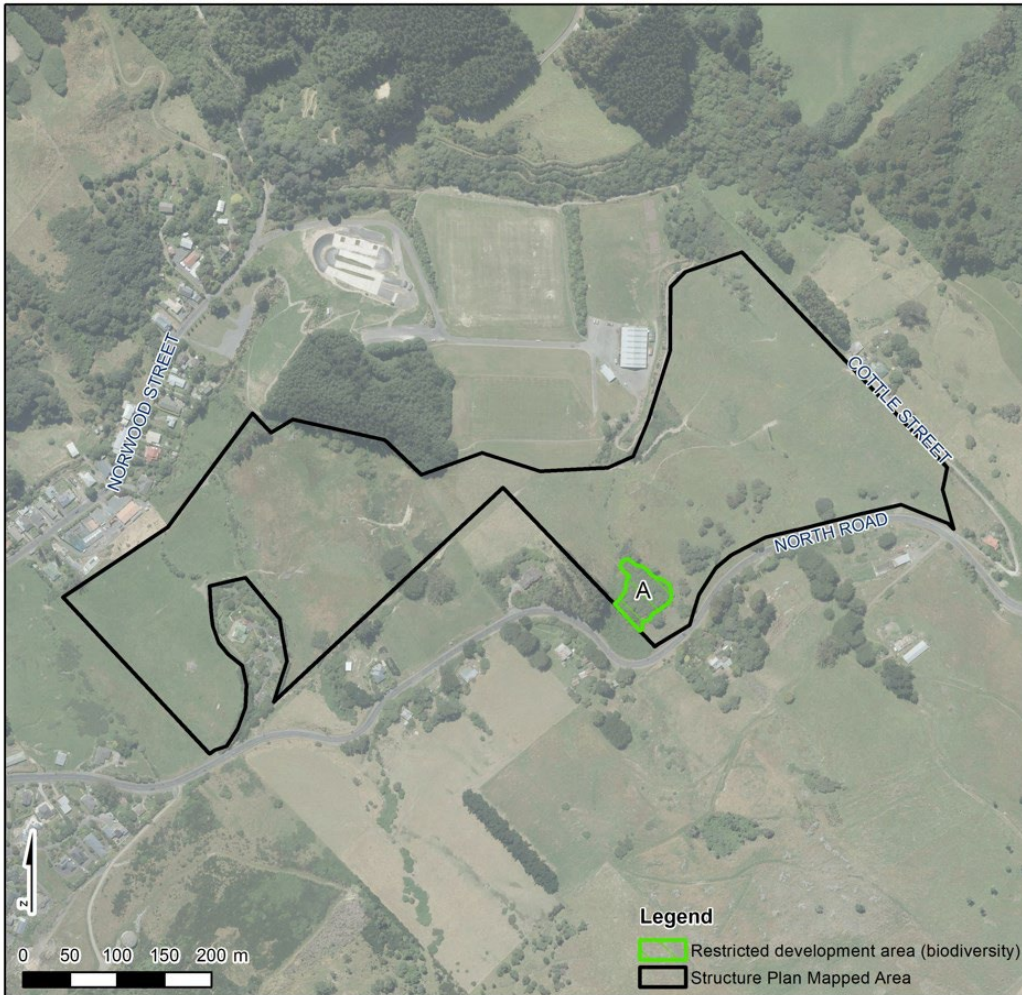
c. Amenity tree planting and public amenities

- i. Prior to any subdivision application of the structure plan mapped area, the applicant must provide a proposal, which covers the whole mapped area, for areas of amenity tree planting (including, but not limited to, street trees) and public amenities. This proposal must be prepared and submitted to Council for approval prior to, or as part of, the resource consent application for the first stage of any

subdivision.

- ii.** For the sake of clarity, the standard assessment matters in Rule 15.11.4 still apply.

Figure 15.8.10X-10A: North Road structure plan



15.8.11 Bradford Structure Plan Mapped Area Rules

1. The layout of any subdivision must provide for:
 - a. pedestrian access from Glenelg Street through to Bradford School; and
 - b. vehicle access between Ronay Street and Bradford Street.
2. Construction of dwellings must not take place until all roading, stormwater, wastewater and water supply infrastructure is in place for that stage of the development, and connections to future stages, and adjoining sites, are provided for.
3. In the case of conflict with performance standards 15.5 to 15.7, the rules in this performance standard apply.
4. Activities that contravene this performance standard are non-complying activities.

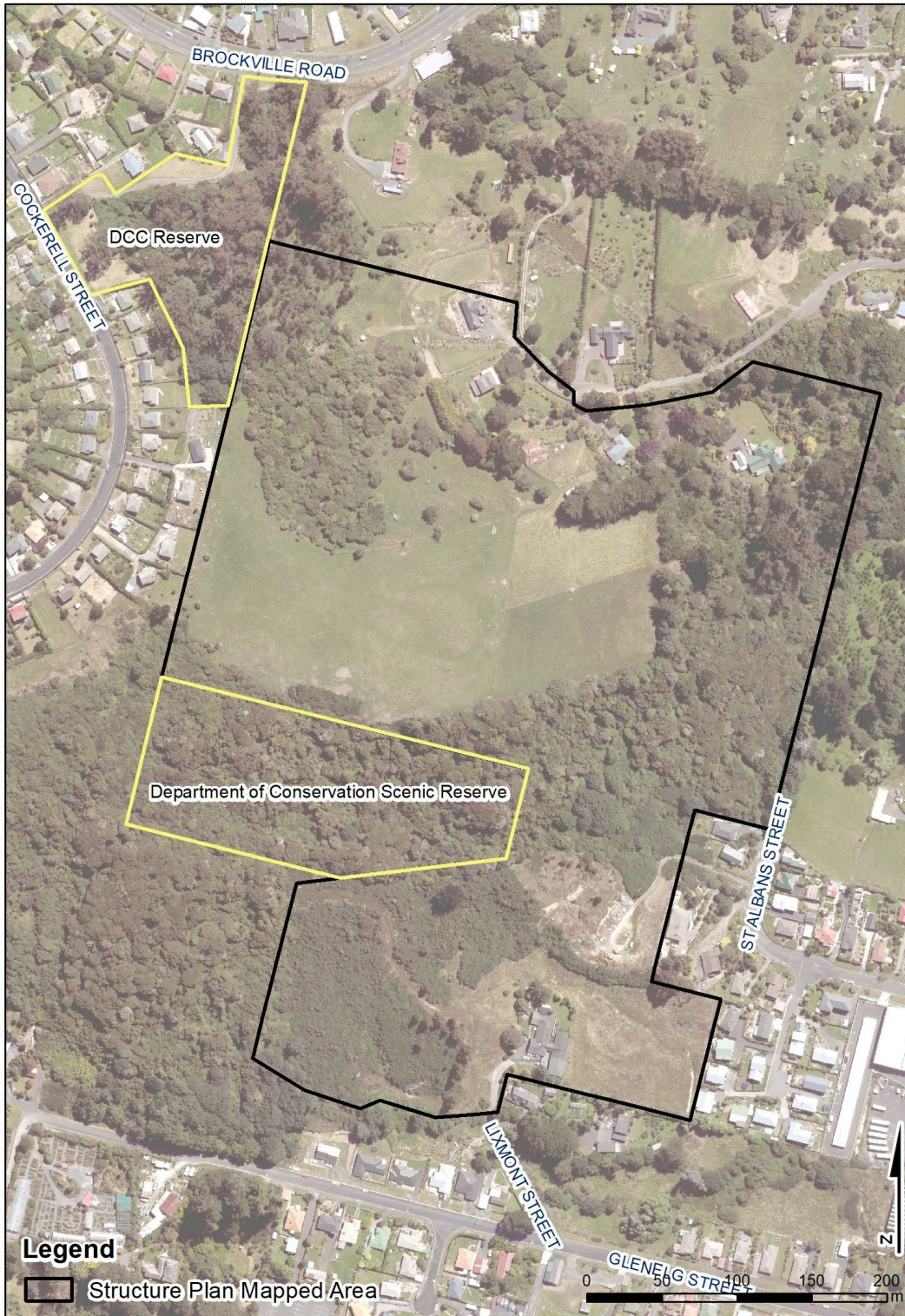
Figure 15.8.11A: Bradford structure plan



15.8.12 St Albans Street Structure Plan Mapped Area Rules

1. The layout of any subdivision must provide for:
 - a. pedestrian access to the Department of Conservation reserve at PT Sec 121 Lixmont Street;
 - b. pedestrian access to the DCC Reserve at 79 Cockerell Street, to enable access to Brockville Road; and
 - c. vehicle access between Lixmont Street, St Albans Street and Etrick Street.
2. Construction of dwellings must not take place until all roading, stormwater, wastewater and water supply infrastructure is in place for that stage of the development and connections to future stages, and adjoining sites, are provided for.
3. In the case of conflict with performance standards 15.5 to 15.7, the rules in this performance standard apply.
4. Activities that contravene this performance standard are non-complying activities.

Figure 15.8.12A: St Albans Street structure plan



15.8.13 Westacott Heights Structure Plan Mapped Area Rules

1. All sites in Area Z on the Westacott Heights structure plan (see Figure 15.8.13A) must have access via a road or private way (shared driveway) from Taieri Road.
2. All sites in Area Y on the Westacott Heights structure plan (see Figure 15.8.13A) must have access via a road or private way (shared driveway) from Dalziel Road, except that a site with a boundary adjoining Dalziel Road

may access directly onto Dalziel Road.

- ✖ **3.** All sites in Area X on the Westacott Heights structure plan (see Figure 15.8.13A) must have access via a road or private way (shared driveway) from Taieri Road by 21 October 2023 but until then may have access only via a road or private way (shared driveway) from Dalziel Road.
- ✗ **4.** Within the hatched area on the Westacott Heights structure plan (see Figure 15.8.13A) (Lot 2 DP 534910), a maximum of seven sites with a minimum site size of 1800m² are allowed.
- ✗ **5.** Only one site, apart from the access allotment, may have a boundary adjoining Dalziel Road, and that site must have a minimum frontage onto Macleod Avenue of 47.5m, as shown as A-B on the Westacott Heights structure plan (see Figure 15.8.13A).
- **6.** Construction of dwellings must not take place until all roading, stormwater, wastewater and water supply infrastructure is in place for that stage of the development and connections to future stages, and adjoining sites, are provided for.
- 4- **7.** In the case of conflict with performance standards 15.5 to 15.7, the rules in this performance standard apply.
- 5- **8.** Activities that contravene this performance standard are non-complying activities.

Figure 15.8.13A: Westacott Heights structure plan



15.8.14 Helensburgh Structure Plan Mapped Area Rules

15.8.14.1 Land use performance standards

a. Density

- i. In 'Area A' of the **structure plan mapped area**, Rule 15.5.2.1.a is replaced by the following rule:

Zone	1. Minimum site area for a residential unit (excluding ancillary residential units)	2. Maximum development potential per site
a- 1. Helensburgh structure plan mapped area, Area A	1000m ²	1 habitable room per 150m ²

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

15.8.14.2 Subdivision performance standards

a. Access

- i. In addition to the requirements set out in Rule 6.8.1, each resultant site must have direct or indirect (e.g. leg-in) access to an internal roading network that serves the whole **structure plan mapped area** and provides for all sites to have access through the **structure plan mapped area** to a minimum of two road connection points from the **structure plan mapped area** directly or indirectly (e.g. via **Honeystone Street structure plan mapped area**) to Wakari Road.

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

b. Minimum site size

- i. In 'Area A' of the **structure plan mapped area**, Rule 15.7.4.1.a is replaced by the following rule:

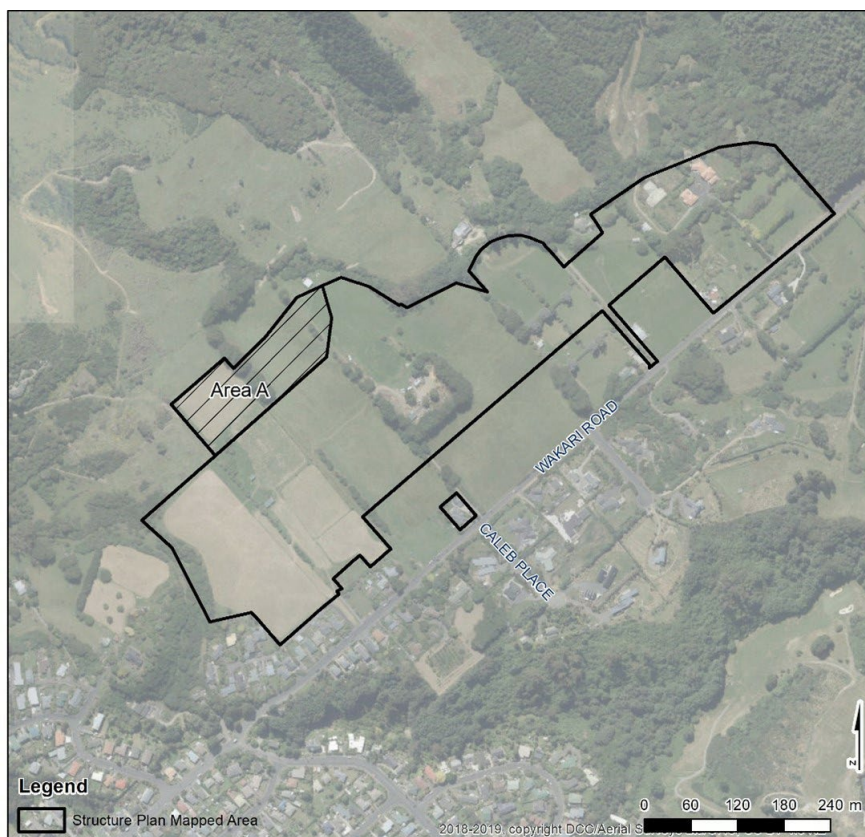
Zone	Minimum site size
a- 1. Helensburgh structure plan mapped area, Area A	1000m ²

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

15.8.14.3 Assessment guidance

- a. For activities that contravene the density or minimum site size performance standard, Council will consider effects on the adjacent Flagstaff-Mt Cargill SNL (Objective 10.2.5), including having an appropriate transition between urban development and the SNL.

Figure 15.8.14A: Helensburgh structure plan



15.8.Z 15.8.15 Kaikorai Valley Road Structure Plan Mapped Area Rules

15.8.Z.1 15.8.15.1 Natural Hazards

- a. Applications for subdivision activities in the area shown hatched red on the Kaikorai Valley Road structure plan and labelled 'Restricted Development Area (Hazard)' (see Figure 15.8.ZA 15.8.15A) must include a comprehensive geotechnical investigation report by a suitably qualified geotechnical consultant. The geotechnical report must examine the ground stability over the entire area and identify areas suitable for residential development and, if required, suitable building platforms.
- b. Until such time that new certificates of title for allotments have been issued in accordance with Rule 15.8.Z.1.a 15.8.15.1.a above, residential activities, buildings and structures activities, new roads or additions or alterations to existing roads, and earthworks must not be located in the area shown hatched red on the Kaikorai Valley Road structure plan and labelled 'Restricted Development Area (Hazard)'.

15.8.Z.2

- c. In the case of conflict with performance standards 15.5 to 15.7, the rules in this performance standard apply.

15.8.Z.3

- d. Activities that contravene this performance standard are discretionary activities.

15.8.Z.4 15.8.15.2 Access

- a. The layout of any subdivision must not provide any through road connection for motor vehicles between Kaikorai Valley Road and Northview Crescent.
- b. In the case of conflict with performance standards 15.5 to 15.7, the rules in this performance standard apply.

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

Figure 15.8.ZA **15A**: Kaikorai Valley Road structure plan



15.8.AA 15.8.16 Honeystone Street Structure Plan Mapped Area Rules

15.8.AA.1 15.8.16.1 Development performance standards

a. Vegetation clearance

- i. Vegetation clearance must not occur within 5m of the water body that is identified on the Honeystone Street structure plan and labelled 'Water Body' (see Figure 15.8.AAA **15.8.16A**), except for:
 1. vegetation clearance that is necessary for the construction of a crossing point for a single accessway to the part of the **structure plan mapped area** that is on the northern side of the water body; and
 2. if a connection to the adjacent **Helensburgh structure plan mapped area** is required, vegetation clearance that is necessary for the construction of a crossing point for a road into the **Helensburgh structure plan mapped area**.

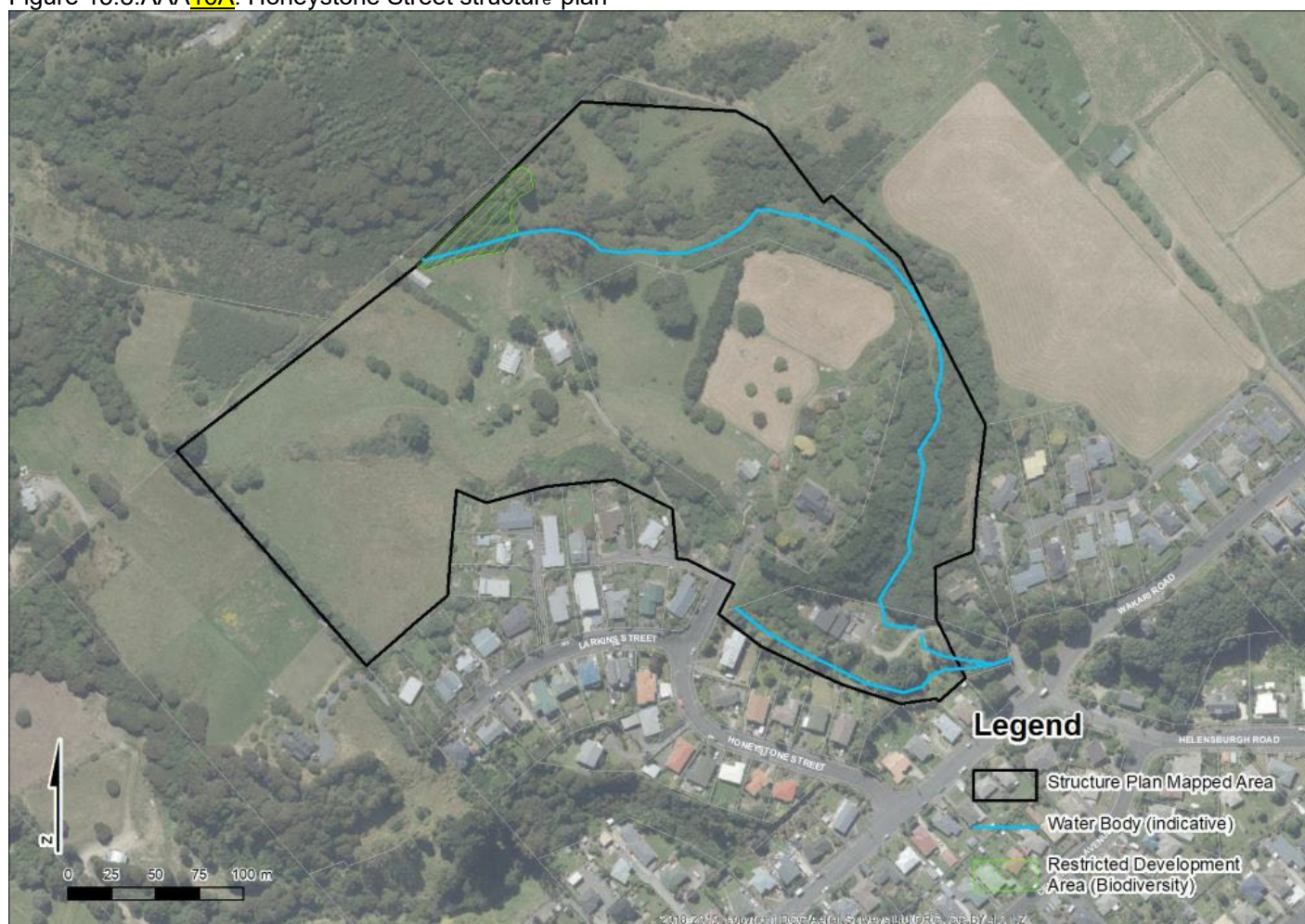
Note the location of the water body on the map is indicative only. The setback must be measured from the bank of the water body at the point of its annual fullest flow or annual highest level without overtopping its bank (see Figure 10.3.3A and Figure 10.3.3B under Rule 10.3.3 Setback from Coast and Water Bodies).

- ii. Indigenous vegetation clearance must not occur within the area shown hatched green on the **Honeystone Street structure plan** and labelled 'Restricted Development Area (Biodiversity)'.
 - iii. The following types of indigenous vegetation clearance are exempt from rules **15.8.AA.1.a.i 15.8.16.1.a.i** and **15.8.AA.1.a.ii 15.8.16.1.a.ii**:
 1. clearance that is part of conservation activity involving vegetation clearance and replacement with indigenous species;
 2. clearance for the maintenance of fences (including gates);

3. clearance for the maintenance (but not extension) of existing network utilities, irrigation infrastructure, tracks, drains, structures, roads, or firebreaks;
4. clearance that is consistent with or provided for as part of a conservation management strategy, conservation management plan, reserve management plan or covenant established under the Conservation Act 1987 or any other Act specified in the First Schedule of the Conservation Act 1987;
5. clearance that is required to remove material infected by unwanted organisms as declared by the Ministry for Primary Industries' Chief Technical Officer, or to respond to an emergency declared by the Minister for Primary Industries under the Biosecurity Act 1993;
6. clearance of a pest plant listed in Appendix 10B to Section 10 of the Plan;
7. clearance that is necessary to maintain the flow of water free from obstruction or for natural hazard mitigation activities; and
8. clearance of non-indigenous plant species and replanting within 3 months with indigenous or non-indigenous plant species, not on the pest plant list in Appendix 10B to Section 10 of the Plan, that will attain at least the same height and coverage as the plants that have been cleared.

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

Figure 15.8.AAA **16A**: Honeystone Street structure plan



15.8.AB 15.8.17 Main South Road, Concord Structure Plan Mapped Area Rules

15.8.AB.1 15.8.17.1 Development performance standards

a. Vegetation clearance

- i. Vegetation clearance must not occur within 5m of the water body that is identified on the Main South Road, Concord structure plan and labelled 'Water Body' (see Figure 45.8.ABA.15.8.17A). Note the location of the water body on the map is indicative only. The setback must be measured perpendicular from the bank of the water body at the point of its annual fullest flow or annual highest level without overtopping its bank (see Figure 10.3.3A and Figure 10.3.3B under Rule 10.3.3 Setback from Coast and Water Bodies).
- ii. The following types of vegetation clearance are exempt from Rule 45.8.AB.1.a.i 15.8.17.1.a.i:
 1. clearance that is part of conservation activity involving vegetation clearance and replacement with indigenous species;
 2. clearance for the maintenance of fences (including gates);
 3. clearance for the maintenance (but not extension) of existing network utilities, irrigation infrastructure, tracks, drains, structures, roads, or firebreaks;
 4. clearance that is consistent with or provided for as part of a conservation management strategy, conservation management plan, reserve management plan or covenant established under the Conservation Act 1987 or any other Act specified in the First Schedule of the Conservation Act 1987;
 5. clearance that is required to remove material infected by unwanted organisms as declared by the Ministry for Primary Industries' Chief Technical Officer, or to respond to an emergency declared by the Minister for Primary Industries under the Biosecurity Act 1993;
 6. clearance of a pest plant listed in Appendix 10B to Section 10 of the Plan;
 7. clearance that is necessary to maintain the flow of water free from obstruction or for natural hazard mitigation activities; and
 8. clearance of non-indigenous plant species and replanting within 3 months with indigenous or non-indigenous plant species, not on the pest plant list in Appendix 10B to Section 10 of the Plan, that will attain at least the same height and coverage as the plants that have been cleared.
- iii. Activities that contravene this performance standard are non-complying activities.

~~15.8.AB.2~~ 15.8.17.2 Additional matter of discretion (acoustic assessment)

- a. In addition to the matters of discretion for subdivision consents in Rule 15.11.4, the following matter of discretion applies for subdivision activities.

Activity		Matters of discretion	Guidance for the assessment of resource consents
i.	Subdivision activities	1. Effects on health and safety	<p><i>Relevant objectives and policies:</i></p> <p>1. Objective 9.2.2.</p> <p><i>General assessment guidance:</i></p> <p>2. Council will consider the acoustic assessment required by Rule 15.8.AB.3.a.i 15.8.17.3.a.i.</p>

~~15.8.AB.3~~ 15.8.17.3 Special information requirements

- a. Acoustic assessment
- i. Applications for subdivision must include an acoustic assessment for the whole **structure plan mapped area**, unless such an assessment has already been approved as part of an earlier subdivision consent. This acoustic assessment should identify any "no build" areas where residential activity must not take place, and any "noise sensitive effects area" where additional mitigation requirements above those required under Rule 9.3.1 are necessary. The acoustic assessment should identify what

additional mitigations are required to be implemented in the “noise sensitive effects area”. The acoustic assessment should include consultation with Waka Kotahi. See assessment guidance in Rule 15.8.AB.2.a **15.8.17.2.a**.

Figure 15.8.ABA**17A**: Main South Road, Concord structure plan



15.8.AD 15.8.18 Doctors Point Road Structure Plan Mapped Area Rules

1. The performance standards in Rule 15.8.AD **15.8.18** apply to all parts of the Doctors Point Road structure plan mapped area, including land zoned Large Lot Residential 1 and land zoned Rural Residential 2.

Note 15.8.ADA 15.8.18A - General advice

1. Rural Residential 2 Zoning applies to part of the **Doctors Point Road structure plan mapped area** in order to maintain the protection that the rules associated with this zoning apply to the scheduled Area of Significant Biodiversity Value and the Natural Coastal Character Overlay Zone that cover parts of the mapped area.

15.8.AD.1 15.8.18.2 Land use performance standards

- a. Density

- i. Standard residential activities must not exceed a density of one residential activity per site (note that Rule ~~15.8.AD.2.b~~ **15.8.18.3.b** limits the maximum number of sites in the **structure plan mapped area**), except that:
 - 1. one family flat is allowed per site in association with a standard residential activity, provided that the number of habitable rooms across both the primary residential activity and the family flat does not exceed one habitable room per 400m² of site area.
 - ii. Activities that contravene this performance standard are non-complying activities.
 - iii. For the sake of clarity, this performance standard supersedes Rule 15.5.2.
- b. Service connections
- i. All activities must discharge any wastewater to the communal wastewater system required by Rule ~~15.8.AD.2.c~~ **15.8.18.3.c**, except that residential activities that were established before 1 July 2021 may continue to use any individual wastewater systems established before 1 July 2021
 - ii. Activities that contravene this performance standard are non-complying activities.
- c. Family flats
- i. Family flats must:
 - 1. only be occupied by a person or persons:
 - 1. related to or dependent on the household that lives in the primary residential unit on the same site: or
 - 2. employed on-site, in a paid or voluntary capacity, as a domestic, child-care, farm or conservation worker by the household that lives in the primary residential unit on the same site.
 - 2. not be on a different tenancy agreement to the primary residential unit.
 - ii. Family flats must:
 - 1. not exceed a maximum gross floor area of 60m²;
 - 2. be on the same available water and waste infrastructure connection, or the same non-reticulated wastewater disposal system as the primary residential unit;
 - 3. be on the same household electricity account;
 - 4. share the same driveway as the primary residential unit; and
 - 5. be attached to or located in the same residential building as the primary residential unit, or located within 30m of the primary residential building (house), as measured as the closest distance between any wall of the primary residential building and any wall of the family flat.
 - iii. Standard residential activities that contravene this performance standard are non-complying activities.
 - iv. For the sake of clarity, this performance standard supersedes Rule 15.5.14.

~~15.8.AD.2~~ **15.8.18.3** Subdivision performance standards

- a. Access
 - i. Subdivision activities must provide suitably designed and formed public walking access through the mapped area, in general alignment with the route marked in blue on Figure ~~15.8.ADA~~ **15.8.18A**.
 - ii. Legal access to fulfil clause i above must be created, and accessways must be formed, prior to the issuing of the section 224c certificate for the subdivision.
 - iii. Subdivision activities that do not meet this standard are non-complying activities.
 - iv. For the sake of clarity, this performance standard is additional to Rule 6.8.1.

- b. Minimum site size
- i. The minimum site size for new resultant sites is 1650m²
 - ii. The maximum number of resultant sites within the **structure plan mapped area** is 33.
 - iii. Resultant sites created and used solely for the following purposes are exempt from both clause i and clause ii of this performance standard:
 1. scheduled ASBV or QEII covenant;
 2. reserve;
 3. access;
 4. utility; or
 5. road
 - iv. Activities that contravene this performance standard are non-complying activities.
 - v. For the sake of clarity, this performance standard supersedes Rule 15.7.4.
- c. Shape
- i. Each resultant site that does not contain a residential building that was established before 1 July 2021 must provide for a building platform outside of the areas mapped as ASBV and NCC.
 - ii. Resultant sites created and used solely for the following purposes are exempt from the shape standard:
 1. scheduled ASBV or QEII covenant;
 2. reserve;
 3. access;
 4. network utilities; or
 5. road.
 - iii. Subdivision activities that contravene this performance standard are non-complying activities.
 - iv. For the sake of clarity, this performance standard applies in addition to Rule 15.7.6.
- d. Wastewater infrastructure
- i. Subdivision activities must provide, if not already present, a communal wastewater system that is designed to facilitate connection to a public wastewater network.
 - ii. The communal wastewater system must be installed, and ready to allow connections, prior to the issuing of the section 224c certificate for the subdivision.
 - iii. The communal wastewater system must include the following components:
 1. a UV treatment module designed to minimise the risk of any pathogens passing out of the system;
 2. nitrogen and phosphorous attenuation modules that reduce their concentration prior to any discharge to the ground of treated wastewater; and
 3. a telemetric monitoring system that is capable of distributing an instantaneous alert in the event of infrastructure failure or accidental discharge to the Otago Regional Council, Dunedin City Council and Southern Clams Ltd.
 - iv. The communal wastewater system must be installed and operated in accordance with a legal instrument that:
 1. is registered in favour of Dunedin City Council; and
 2. gives ownership and management responsibilities to a residents' association, which all lot

owners (with the exception of any owners of lots that use individual wastewater systems permitted under Rule 15.8.AD.1.b.i 15.8.18.2.b.i) must be members of, and which will be responsible for ensuring that the system is appropriately monitored, serviced, maintained and operated, in accordance with the manufacturer's specifications.

- v. Activities that contravene this performance standard are non-complying activities.
- vi. For the sake of clarity, this performance standard is in addition to the requirements of Rule 9.3.7.

Note 15.8.AD.2A 15.8.18.3A - Other requirements outside the District Plan

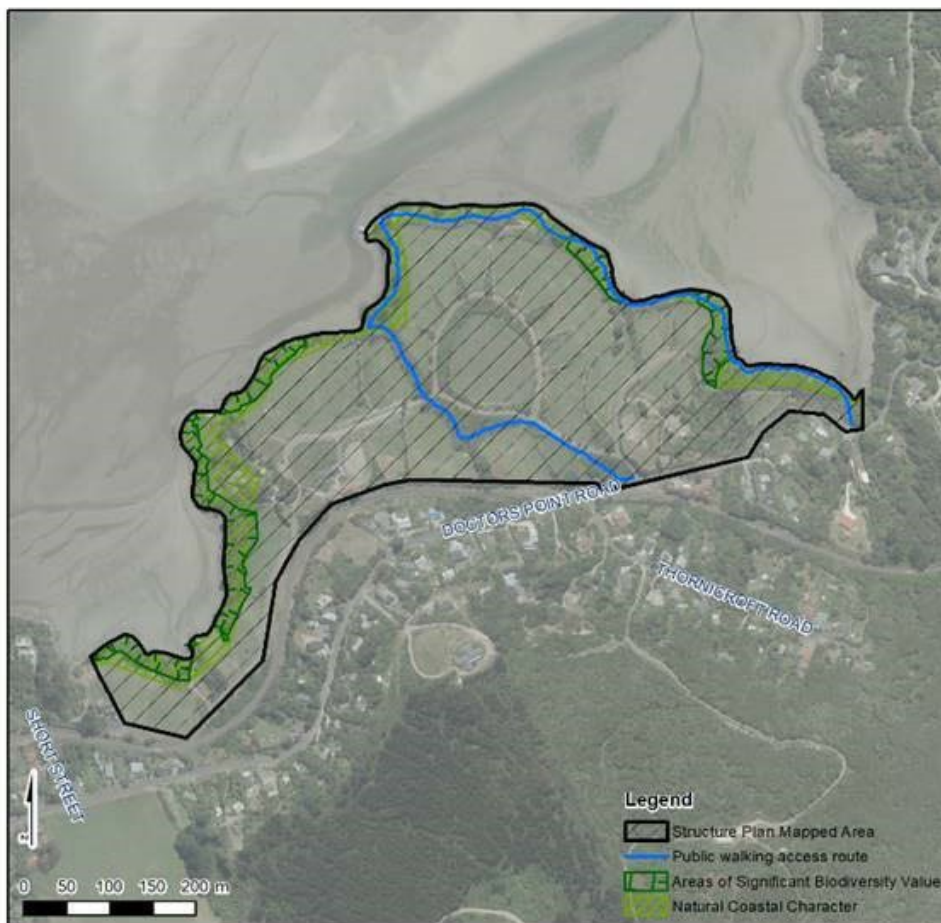
- a. 1. Under the Regional Plan: Water, resource consent will be needed from the Otago Regional Council for any discharge of wastewater to water or land.

~~15.8.AD.3~~ 15.8.18.4 Special information requirements

- a. Prior to any subdivision of the **structure plan mapped area**, a stormwater management plan for the whole **structure plan mapped area** must be prepared, which addresses the following matters.
 - i. How the design and operation of the stormwater infrastructure will ensure that there will be no increase in the peak post-development stormwater discharge rate (taking into account climate change) relative to pre-development as a result of additional impermeable or semi-impermeable surfaces expected over the **structure plan mapped area** or through modification of the site's natural drainage regime. This includes ensuring that at post-development stage there is no increase in peak stormwater discharge rates from the **structure plan mapped area** as a result of the development from the **structure plan mapped area** during the 'critical duration' rainfall events and any modified flows will not create adverse effects from stormwater discharge.
 - ii. How the stormwater management system will address stormwater quality in order to manage impacts on the quality of the receiving water. The management plan must include the design and location of stormwater quality treatment that demonstrates:
 - 1. the expected quality of stormwater leaving the specified system; and
 - 2. its treatment of at least the 'first flush' volume (90th percentile daily rainfall depth) or flow rate (90th percentile rainfall intensity) in accordance with best practice techniques for at least 75% Total Suspended Solids (TSS) removal on a long-term average basis.
 - iii. How the integrity of the stormwater mitigation and management measures will not be compromised during and after subdivision (for example ensuring that open drains that form part of the system will not be blocked or altered).
 - iv. The plan to ensure effective management of erosion and sedimentation on the site during earthworks and as the site is developed, including any measures that will be taken and devices to be installed, where necessary, to:
 - 1. divert clean runoff away from disturbed ground;
 - 2. control and contain stormwater run-off;
 - 3. avoid sediment laden run-off from the site'; and
 - 4. protect existing drainage infrastructure sumps and drains from sediment run-off.
- b. In addressing the above, consideration should be given to the use of low-impact (or water-sensitive) design features including but not limited to:
 - i. grassed/landscaped swales and other vegetation areas;
 - ii. avoidance of formed gutters;
 - iii. infiltration trenches/bio-retention systems;

- iv. storage ponds/wetlands/sediment ponds;
- v. rainwater tanks- harvesting and reuse;
- vi. rain gardens, rooftop greening and planting;
- vii. porous surface treatments; and
- viii. consideration of the existing natural topography and the natural course of water flow (overland flow paths) through the design of the subdivision.

Figure 15.8.ADA.18A: Doctors Point Road structure plan



15.8.AE.1 15.8.19 Ayr Street Structure Plan Mapped Area Rules

15.8.AE.2 15.8.19.1 Development performance standards

- a. Water saving devices
 - i. Residential buildings must be designed to install water saving devices, including low-flow shower heads, 6/3 dual flush toilets and aerated sink mixers.
 - ii. Activities that contravene this performance standard are non-complying activities.

15.8.AE.3 15.8.19.2 Special information requirements

- a. Integrated Transport Assessment
- i. Prior to any subdivision of the **structure plan mapped area**, an Integrated Transport Assessment (ITA) for the whole mapped area must be prepared. ITAs must include, but are not limited to, the following matters (see further information on the content of ITAs in Rule 6.14.2):
 1. An assessment of the effects of subdivision on the safety and efficiency of the existing transport network, which identifies any transport infrastructural improvements deemed necessary to ensure adverse effects on the safety and efficiency of the transport network, for all modes, are appropriately addressed in accordance with Objective 6.2.3 and Policy 6.2.3.8.
 2. Consideration of internal roading design, layout, and connection points to the existing transportation network for all modes of transport in accordance with the Dunedin Code of Subdivision and Development 2010.

Note ~~15.8.AE.3A~~ 15.8.19.2A - General advice

1. Where the results of an Integrated Transportation Assessment required by Rule ~~15.8.AE.3~~ 15.8.19.2 demonstrate the need for either:
 - a. transportation infrastructure upgrades outside of the site; or
 - b. transportation infrastructure built to a higher specification because of the need to provide for new growth areas or improve level of service for existing areas.

The responsibility and funding for these upgrades will be negotiated between all landowners and the DCC. Where necessary, the DCC will appoint an independent facilitator or mediator to assist in these negotiations.
2. The DCC requires those persons undertaking development to pay a fair, equitable, and proportionate portion of the costs of capital expenditure to service growth.
3. DCC's contribution to any off-site upgrades or delivery of higher specification for infrastructure will be based on an assessment of the public vs private benefit of the upgrade. This means that in principle the landowner(s) of the **structure plan mapped area** and/or **new development mapped area** will only be required to pay that portion of the costs of the upgrades that is necessary to address the effects of or needs of their proposed development area. The balance of the costs will generally be funded through development contribution charges as set out in the DCC's Development Contributions Policy (10 year plan 2021-2031), which details the charges on a per equivalent household unit by area of benefit basis.
4. It is further noted that the completion of these upgrades prior to s224 certification or at a certain point in time agreed to in a condition of consent may be required.

~~15.8.AF~~ 15.8.20 Riccarton Road East Structure Plan Mapped Area Rules

~~15.8.AF.1~~ 15.8.20.1 Subdivision

- a. Subdivision activities must provide vehicle access, in the form of a legal road, to Riccarton Road East from 49 Riccarton Road East.
- b. No more than four sites may have direct or indirect vehicle access to Elizabeth Avenue.
- c. In the case of conflict with performance standards 15.5 to 15.7, the rules in this performance standard apply.
- d. Activities that contravene this performance standard are non-complying activities.

Figure 15.8.AFA ~~20A~~: Riccarton Road East structure plan



15.8.AH 15.8.21 South East Mosgiel Structure Plan Mapped Area Rules

15.8.AH.1 15.8.21.1 Application of this performance standard

- a. This performance standard does not apply to land within the South East Mosgiel structure plan mapped area until such time as the RTZ applying to the part of the land under consideration has been released in accordance with Rule 12.3.4.1.

15.8.AH.2 15.8.21.2 Subdivision performance standards

- a. Roading connections
 - i. Subdivision activities in the **South East Mosgiel structure plan mapped area** must enable and provide for access through the **structure plan mapped area** for, pedestrians, cyclists and vehicles, such that all sites within the **structure plan mapped area** will or can have (after future stages are completed):
 1. a minimum of four external road connections from the **structure plan mapped area** to: Owhiro Avenue, Hagart-Alexander Drive, Wingatui Road and the Highland Park subdivision (Lochinvar Street or Armadale Street); and
 2. a minimum of one road connection between Hagart-Alexander Drive and Wingatui Road that will include an alignment and space for buses to travel and stop; and
 3. a design which provides for a potential second road connection to Wingatui Road should the current rural residentially zoned land between the **structure plan mapped area** and Wingatui Road be rezoned in future.
 - ii. Subdivision activities that do not meet this performance standard are non-complying activities.

15.8.AH.3 15.8.21.3 Special information requirements

- a. Geotechnical investigation report
 - i. Applications for subdivision activities, multi-unit development or supported living facilities must include a

geotechnical investigation report prepared by a suitably qualified geotechnical consultant. The geotechnical report must examine the ground stability over the entire area and identify areas suitable for building platforms, considering the risk to people, buildings and associated infrastructure from earthquake, including from the Titri Fault shown crossing the **structure plan mapped area**, as described in the GNS Science Consultancy Report 2020\88, dated April 2021. Applications that are in accordance with a previously prepared geotechnical report will generally be exempt from this requirement, unless newer hazards information is available that may make the previous assessment incomplete.

~~15.8.AH.4~~ **15.8.21.4** Assessment guidance

- a. In addition to assessment guidance for subdivision provided in rules 15.11.4 and 6.11.2 the following guidance is provided for the assessment of subdivision activities within the **South East Mosgiel structure plan mapped area**.

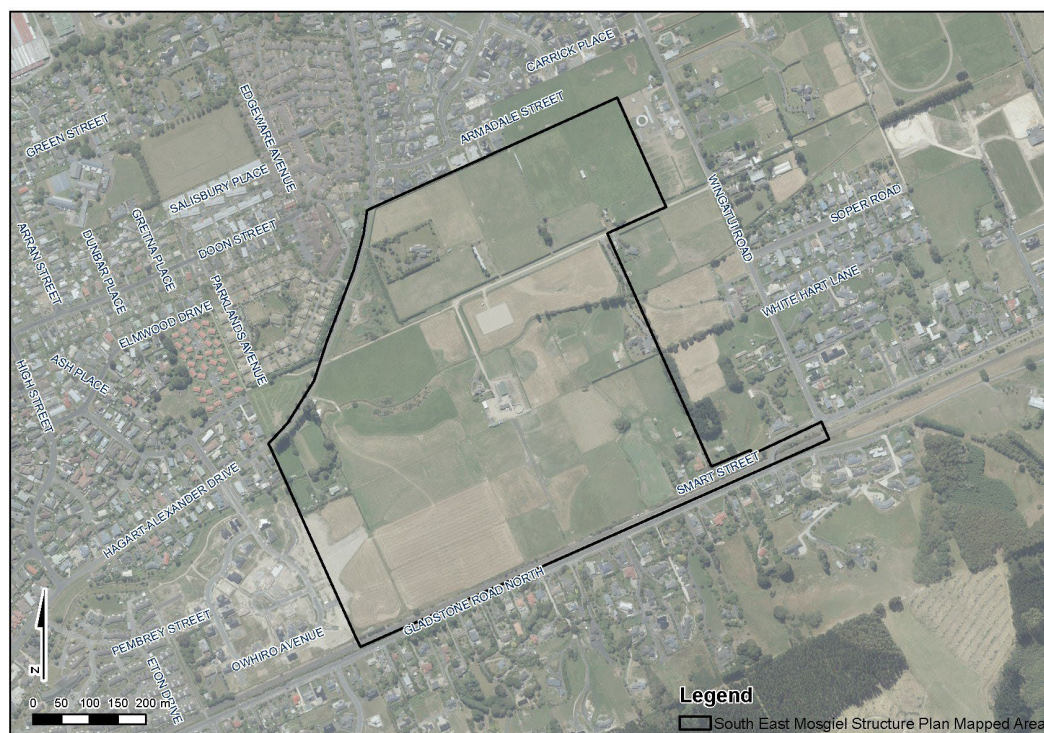
General assessment guidance

- b. In assessing effects on the safety and efficiency of the transport network, Council will consider the Integrated Transport Assessment (ITA) submitted with the application to release the land, but may also require additional transportation assessment information if necessary to assess the potential effects of any subdivision or land use application.
- c. In assessing effects on risk from natural hazards, Council will consider the geotechnical investigation report submitted with the application (as required by Rule ~~15.8.AH.3~~ **15.8.21.3**).
- d. In assessing the requirements for the provision of amenity planting, public amenities and recreation spaces in a **new development mapped area** (Rule 12.X.2.5.b and Rule 12.X.2.5.c), Council will consider the open space and amenity planting plan required by Rule 12.3.4.1.b.iii.

Conditions that may be imposed include:

- e. A requirement that, prior to the vesting in DCC of the roads linking to Owhiro Avenue, Hagart-Alexander Drive, Wingatui Road and the Highland Park subdivision (Lochinvar Street or Armadale Street), these roads are constructed to a suitable standard commensurate with their intended use, in accordance with the Dunedin Code of Subdivision and Development 2010 or New Zealand Standard 4404:2010.
- f. A requirement that any required upgrades identified by the ITA be completed prior to a particular stage in the subdivision.
- g. Requirements for water saving devices including but not limited to, low-flow shower heads, 6/3 dual flush toilets and aerated sink mixers to be required through an appropriate legal mechanism.

Figure ~~15.8.AH.21A~~ **15.8.21A**: South East Mosgiel structure plan



15.8.A1 15.8.22 Henderson Street Structure Plan Mapped Area Rules

15.8.A1.2 15.8.22.1 Notification

- a. With respect to resource consent applications in the **structure plan mapped area** that include a new or modified integrated stormwater management plan or details for a stormwater management system as required by Rule 15.8.A1.4.c 15.8.22.3.c, any owners of land within the area to which the proposed plan or system relates and the Otago Regional Council will be considered an affected person in accordance with section 95B of the RMA where their written approval is not provided.

15.8.A1.3 15.8.22.2 Subdivision performance standards

- a. Access
 - i. Subdivision activities must establish, if not already present, a legal road linking Soper Road and Henderson Street.
 - ii. This road must be vested in the DCC as Road prior to the issuing of the section 224c certificates for any resultant sites.
 - iii. Activities that contravene this performance standard are non-complying activities.
 - iv. For the sake of clarity, this performance standard is additional to Rule 6.8.1.
- b. Stormwater easement
 - i. Subdivision activities must establish, if not already present, a 4m wide easement along the western boundary of 41 Soper Road in favour of DCC for stormwater conveyance and associated infrastructure.
 - ii. Activities that contravene this performance standard are non-complying activities.

~~15.8.A1.4~~ **15.8.22.3** Special information requirements

- a. Integrated transport assessment
 - i. Applications for subdivision activities must include an Integrated Transport Assessment (ITA) for the whole **structure plan mapped area**, unless such a plan has already been approved as part of an earlier subdivision consent. ITAs must include, but are not limited to, the following matters (see further information on the content of ITAs in Rule 6.14.2):
 1. An assessment of the effects of subdivision on the safety and efficiency of the existing transport network, which identifies any transport infrastructural improvements deemed necessary to ensure adverse effects on the safety and efficiency of the transport network, for all modes, are appropriately addressed in accordance with Objective 6.2.3 and Policy 6.2.3.8.
 2. Consideration of internal roading design, layout, and connection points to the existing transportation network for all modes of transport in accordance with the Dunedin Code of Subdivision and Development 2010 or NZS 4404:2010.
- b. Geotechnical investigation report
 - i. Applications for subdivision activities, multi-unit development or supported living facilities must include a geotechnical investigation report prepared by a suitably qualified geotechnical consultant, unless such a plan has already been approved as part of an earlier subdivision or land use consent. The geotechnical report must examine the ground stability over the entire area and identify areas suitable for building platforms, taking into account the risk to people, buildings and associated infrastructure from earthquake, with particular consideration of the Titri Fault shown crossing the **structure plan mapped area**, as described in the GNS Science Consultancy Report 2020\88, dated April 2021.
- c. Stormwater management
 - i. Applications for subdivision activities, multi-unit development or supported living facilities within the **structure plan mapped area** must include a proposed integrated stormwater management plan that addresses the whole area and is prepared in accordance with clauses iii – v of this rule, unless an earlier approved subdivision or land use consent includes such a plan, prepared in accordance with this rule.
 - ii. Where an integrated stormwater management plan has already been provided as part of an earlier approved subdivision or land use consent, but did not include design details for stormwater management systems for any part of the **structure plan mapped area**, applications for activities set out in clause (i) must provide those details in accordance with clauses (iv) and (v) of this rule in a way that is consistent with the integrated stormwater management plan approved as part of the earlier consent.
 - iii. The integrated stormwater management plan must:
 1. Demonstrate how Policy 9.2.1.Y will be achieved.
 2. Provide details in accordance with clause iv of this rule of all stormwater management systems for the hydrologically connected parts of the **structure plan mapped area** and details of how those systems will be installed in full or in planned stages prior to development. The stormwater infrastructure must be designed to be resilient
 3. Ensure that stormwater will be managed for both the current climatic conditions and climatic conditions based on climate change projections.
 4. Take account of the loss of storage capacity of the undeveloped land.
 5. Ensure that:
 1. there is no increase in the peak stormwater discharge rate from the **structure plan mapped area** into the stormwater public infrastructure, or into a private, Otago Regional Council, or natural/informal stormwater system or overland flow path (at any point)

- between pre-development to post-development based on the assessment required in clause (iii)(10); or
2. where this is not practicable, any adverse effects from an increase in discharge on the stormwater system are no more than minor.
 3. For the sake of clarity, the stormwater management plan does not need to avoid volume increases.
6. Include stormwater detention infrastructure that is designed to temporarily store and release flows from a generated 1% annual exceedance probability (AEP) rainfall event, such that peak pre-development flows are not exceeded in the post-development condition.
 7. Demonstrate that secondary flows at the **structure plan mapped area's** upstream and downstream boundaries are not changed or adversely affected.
 8. Include the use of low-impact (or water-sensitive) design features, which may include features such as:
 1. grassed/landscaped swales and other vegetation areas;
 2. infiltration trenches/bio-retention systems;
 3. storage ponds/wetlands/sediment ponds;
 4. rainwater tanks harvesting and reuse;
 5. rain gardens, rooftop greening and planting;
 6. porous surface treatments; and
 7. consideration of the existing natural topography and the natural course of water flow (overland flow paths) through the design of the subdivision.
 9. Consider whether stormwater management areas can be integrated into reserves and recreation spaces.
 10. Include an assessment of the difference between pre-development peak flows and post-development peak flows (with and without mitigation) over a range of event durations, taking into account the maximum impermeable surfaces permitted in the District Plan zone for the **structure plan mapped area** (and including any other development restrictions resulting from any other rules in the District Plan or legal instruments registered on the title(s) for the **structure plan mapped area**). This assessment must meet the following criteria:
 1. The assessment of pre-development and post-development flows and detention volumes must be based on the 10% and the 1% annual exceedance probability (AEP) rainfall events, covering durations from the mapped area's own critical duration to the critical duration of the catchment upstream of the point of discharge (unless agreed otherwise with the DCC, for example where direct discharge to the coastal environment is feasible). For the purposes of this requirement, 'critical duration' means the duration of rainfall event likely to cause the highest peak flows or water levels.
 2. The assessment must take account of climate change, using the climate adjustment rainfall sourced from HIRDS version 4 using RCP 8.5 2081-2100 values (or an alternative source approved by DCC).
 3. The assessment must include a risk based assessment to determine to what extent measures (if any) are needed to manage flows downstream of the **structure plan mapped area**.
- iv. Applications must include the following design details for proposed stormwater management systems.
1. the design and location of 'primary infrastructure' ('primary infrastructure' includes both open and



- closed conduits and must be designed to contain the flows generated by the 10% AEP rainfall event);
2. the design and location of 'secondary flow paths', with and without blockage of the primary stormwater system, through the development to the downstream boundary. 'Secondary flow paths' means the flow path over which surface water will flow if the primary flow path becomes overloaded or inoperative and consists of overland flow paths with sufficient capacity to transfer the flows generated by rainfall events up to the 1% AEP event. Secondary flow paths shall be clearly identified, and where possible aligned with natural flow paths and located on public land. If located in private property, 1% AEP secondary flows should be through primary infrastructure unless protected by an easement;
 3. to the design features that will enable safe operation in super-design conditions (for a 0.5% AEP rainfall event, but a greater rainfall event can be used if the applicant chooses to do so). Safe operation means without catastrophic, rapid or structural failure. This is to ensure that the proposed stormwater management system has a fail-safe mechanism. This does not mean the stormwater management system is to be designed to retain the volume of stormwater for a 0.5% AEP rainfall event;
 4. the location and design details of stormwater management systems, including detention infrastructure required to meet clause c.iii.6 above;
 5. how the integrity of the stormwater mitigation and management system will not be compromised during and after subdivision (for example ensuring that open drains that form part of the system will not be blocked or altered);
 6. how erosion and sedimentation will be managed effectively within the structure plan mapped area during earthworks and as the structure plan mapped area is developed, by taking measures and installing devices, where necessary, to:
 1. divert clean runoff away from disturbed ground;
 2. control and contain stormwater run-off;
 3. avoid sediment laden run-off from the mapped area; and
 4. protect existing drainage infrastructure sumps and drains from sediment run-off; and
 7. the design and location of stormwater quality treatment that demonstrates the expected quality of stormwater leaving the specified system and its treatment of at least the 'first flush' volume (90th percentile daily rainfall depth) or flow rate (90th percentile rainfall intensity) in accordance with best practice techniques for at least 75% Total Suspended Solids (TSS) removal on a long-term average basis;
 8. if a stormwater management system cannot practicably be designed to meet one or more of clauses 3 to 7 above in relation to additional stormwater discharge, an assessment of the broader catchment to determine whether design solutions external to the mapped area are available to manage the additional stormwater discharges as a result of the development on the mapped area;
 9. how the stormwater management system will not create or exacerbate adverse effects that are more than minor outside the **structure plan mapped area**. This includes consideration of cumulative effects; and
 10. where any proposed stormwater management system is intended to vest as public infrastructure, the design must incorporate an adjustable outlet mechanism such that the present day peak discharge flow rate from the **structure plan mapped area** is not exceeded as a result of the development but that the outlet can be progressively adjusted for future climate change discharge rates up to the fully developed stormwater management system design capacity.

- v. The integrated stormwater management plan, and the design of the integrated stormwater management systems, must be prepared by a chartered professional engineer or other suitably qualified person who has (or can call on) experience in hydrology, hydraulics, stormwater design, flood risk management and construction management.

Note ~~15.8.A1.4A~~ 15.8.22.3A - General advice

- a- **1.** Where the results of an Integrated Transportation Assessment required by Rule ~~15.8.A1.4.a~~ 15.8.22.3.a demonstrate the need for either:
 - i. **a.** Transportation Infrastructure upgrades outside of the site; or
 - ii. **b.** Transportation infrastructure built to a higher specification because of the need to provide for new growth areas or improve level of service for existing areas;
 the responsibility and funding for these upgrades will be negotiated between all landowners and the DCC. Where necessary, the DCC will appoint an independent facilitator or mediator to assist in these negotiations.
- b- **2.** Where the stormwater management plan required by Rule ~~15.8.A1.4.c~~ 15.8.22.3.c involves the construction of infrastructure across sites owned by more than one landowner, the responsibility and funding for these upgrades will be negotiated between all landowners and, if necessary (e.g. in cases where infrastructure is to be built to a higher specification because of the need to provide for new growth areas or improve level of service for existing areas), the DCC. Where necessary, the DCC will appoint an independent facilitator or mediator to assist in these negotiations.
- e- **3.** In the case of both transportation and stormwater infrastructure:
 - i. **a.** The DCC will require those persons undertaking development to pay a fair, equitable, and proportionate amount of the costs of capital expenditure to service growth.
 - ii. **b.** DCC's contribution to any off-site upgrades or delivery of higher specification for infrastructure will be based on an assessment of the public vs private benefit of the upgrade. This means that in principle the landowner(s) of the **structure plan mapped area** and/or new development mapped area will only be required to pay that portion of the costs of the upgrades that is necessary to address the effects of or needs of their proposed development area. The balance of the costs will generally be funded through development contribution charges as set out in the DCC's Development Contributions Policy (10 year plan 2021-2031), which details the charges on a per equivalent household unit by area of benefit basis.
 - iii. **c.** It is further noted that the completion of these upgrades prior to s224 certification or at a certain point in time agreed to in a condition of consent may be required.

~~15.8.A1.5~~ **15.8.22.4** Assessment guidance

- a. In addition to assessment guidance for subdivision provided in Rule 15.11.4, the following guidance is provided for the assessment of subdivision activities within the **Henderson Street structure plan mapped area**.

General assessment guidance:

- b. In assessing effects on the safety and efficiency of the transport network, Council will consider the Integrated Transport Assessment (ITA) submitted with the application (as required by Rule ~~15.8.A1.4.a~~ 15.8.22.3.a), including whether upgrades to transportation infrastructure are required to enable the development provided for in the **structure plan mapped area**.
- c. In assessing effects on risk from natural hazards, Council will consider the geotechnical investigation report submitted with the application (as required by Rule ~~15.8.A1.4.b~~ 15.8.22.3.b).
- d. In assessing (as relevant) effects on efficiency and affordability of infrastructure, effects of stormwater from future development and/or effectiveness and efficiency of stormwater management, and taking into account climate change, Council, will consider:
 - i. the proposed stormwater management plan submitted with the application (as required by Rule ~~15.8.A1.4.c~~ 15.8.22.3.c);
 - ii. any consequential effects that might arise, including, but not limited to:
 - 1. effects on personal safety;

2. risks from surface water flooding;
3. risks to property from inundation;
4. risks to the ability of Council to meet its consent conditions for public infrastructure, which could lead to effects on freshwater quality and ecosystem health; and
5. risks to the integrity and function of existing public infrastructure

iii. the need for water saving devices or other methods to manage demand on water supply

Conditions that may be imposed include:

- e. A requirement for the stormwater management system to be installed prior to certification of the survey plan pursuant to section 224c of the RMA.
- f. A requirement for easements, covenants, consent notices, or bonds to ensure future development will be in accordance with the stormwater management plan.
- g. A requirement for the stormwater management system to be vested in the DCC, with necessary easements and a maintenance or defect period agreement in place prior to vesting.
- h. A requirement that, prior to the vesting in DCC of the road linking Soper Road and Henderson Street, the road is constructed to a suitable standard commensurate with its intended use, in accordance with the Dunedin Code of Subdivision and Development 2010 or New Zealand Standard 4404:2010.
- i. A requirement that any required upgrades identified by the ITA be completed prior to a particular stage in the subdivision.
- j. Conditions requiring water saving devices including but not limited to, low-flow shower heads, 6/3 dual flush toilets and aerated sink mixers.

Figure 15.8.AIA22A: Henderson Street structure plan



15.8.AJ.1 15.8.23 Chelivode Street Structure Plan Mapped Area Rules

- a. **1.** Except where otherwise specified, the performance standards in Rule 15.8.AJ.1 **15.8.23** apply to all parts of the **Chelivode Street structure plan mapped area**, including land zoned Township and Settlement and land zoned Large Lot Residential 2.

15.8.AJ.1 15.8.23.2 Land use performance standards

- a. Density
- i. Standard residential activities in the **Chelivode Street structure plan mapped area** must not exceed the following density limits:

Zone		i. 1. Minimum site area for a residential unit (including ancillary residential units)	ii. 2. Maximum development potential per site
a. 1.	Large Lot Residential 2 Zone	1 per 3500m ²	1 habitable room per 700m ²
b. 2.	Township and Settlement Zone within a no DCC reticulated wastewater mapped area	1 per 1000m ²	1 habitable room per 200m ²

- ii. For the purposes of this standard:
1. the calculation of habitable rooms includes rooms in sleep outs;
 2. the calculation of minimum site area includes access legs provided for rear sites; and
 3. the calculation of maximum development potential applies to standard residential activity for determining whether a second unit in a single residential building or in the form of a duplex, can be developed.
- iii. More than one residential building may only be built on a site if all residential buildings are able to meet all the following performance standards if they were ever subdivided into separate sites:
1. site coverage;
 2. height in relation to boundary;
 3. setbacks; and
 4. access.
- iv. Standard residential activity that contravenes the performance standard for density is a non-complying activity, except contravention of the following standards only is a restricted discretionary activity:
1. contravention of Rule 15.5.2.3 **15.5.2.4** (bulk and location performance standard for multiple residential buildings on the same site).
- b. Service connections
- i. All activities in the part of the **structure plan mapped area** that is zoned Large Lot Residential 2 must self-service for water supply.
 - ii. All activities in all parts of the **structure plan mapped area** must discharge any wastewater to the communal wastewater system required by Rule 15.8.AJ.3.b **15.8.23.4.b**.
 - iii. Activities that contravene this performance standard are non-complying activities.

15.8.AJ.2 15.8.23.3 Development performance standards

- a. Activities within the Significant Natural Landscape Overlay Zone

- i. New buildings, new structures, and additions and alterations associated with residential activities, but excluding fencing, must be located outside the Pūrākaunui and Ōrokonui Significant Natural Landscape Overlay Zone.
- ii. Activities that contravene this performance standard are non-complying activities.
- iii. For the sake of clarity, this performance standard applies in addition to Rule 15.6.6.2, Rule ~~15.6.Y~~ **15.6.16** and Rule ~~15.6.Z~~ **15.6.17** for new buildings, new structures, and additions and alterations within the Pūrākaunui and Ōrokonui Significant Natural Landscape Overlay Zone.

~~15.8.AJ.3~~ **15.8.23.4** Subdivision performance standards

a. Access

- i. Subdivision activities must provide a suitably designed and formed internal road network connecting to Doctors Point Road.
- ii. This road must be vested with the Council as part of the section 223 certification for the subdivision (or the relevant stage of subdivision if subdivision is staged).
- iii. In addition to the roading connection to Doctors Point Road, subdivision activities must provide a cycle and pedestrian accessway for public use between the new roading within the **structure plan mapped area** and Chelivode Street (via Buckingham Street or Mixbury Street, which is the paper road that runs parallel to Buckingham Street, to the south-east). Where not already legal road or road to vest, the land of the accessway must have adequate legal provision for public use (including over balance land for staged subdivisions) created as part of the section 223 certification for the subdivision.
- iv. The accessway described in Rule ~~15.8.AJ.3.a.iii~~ **15.8.23.4.a.iii** above must be designed to be able to be used by emergency vehicles but otherwise closed to vehicle access.
- v. Activities that do not meet this standard are non-complying activities.
- vi. For the sake of clarity, this performance standard is additional to Rule 6.8.1.

b. Wastewater infrastructure

- i. Subdivision activities must provide, if not already present, a communal wastewater system that is designed to facilitate connection to a public wastewater network.
- ii. The communal wastewater system must be installed, and ready to allow connections, prior to the issuing of the section 224c certificate for the subdivision.
- iii. The communal wastewater system must include the following components:
 1. a UV treatment module designed to minimise the risk of any pathogens passing out of the system;
 2. nitrogen and phosphorous attenuation modules that reduce their concentration prior to any discharge to the ground of treated wastewater; and
 3. a telemetric monitoring system that is capable of distributing an instantaneous alert in the event of infrastructure failure or accidental discharge to the Otago Regional Council and the Dunedin City Council.
- iv. The communal wastewater system must be installed and operated in accordance with a legal instrument that:
 1. is registered in favour of Dunedin City Council; and
 2. gives ownership and management responsibilities to a residents' association, which all lot

owners must be members of, and which will be responsible for ensuring that the system is appropriately monitored, serviced, maintained and operated, in accordance with the manufacturer's specifications.

- v. Activities that contravene this performance standard are non-complying activities.
- vi. For the sake of clarity, this performance standard is additional to Rule 9.3.7.

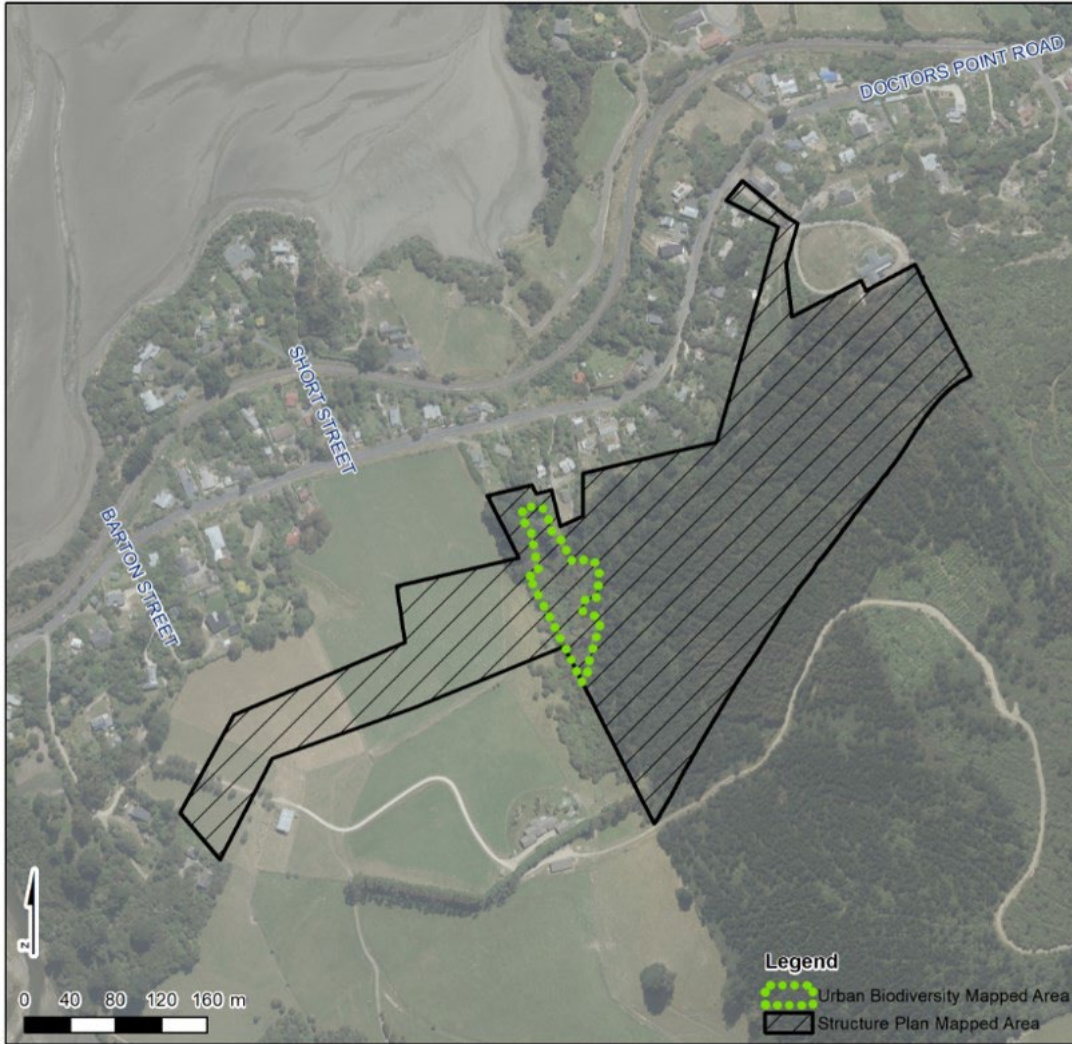
Note ~~15.8.AJ.3X~~ 15.8.23.4A – Other requirements outside of the District Plan

1. Under the Regional Plan: Water, resource consent may be needed from the Otago Regional Council for any discharge of wastewater to water or land.
2. The area zoned Township and Settlement will be serviced under the restricted water supply scheme only.

~~15.8.AJ.4~~ 15.8.23.5 Special information requirements

- a. Planting plan to enhance amenity values
 - i. Applications for subdivision activities within the **structure plan mapped area** must include a proposal, which covers the whole mapped area, for a planting plan to enhance the amenity values of the site, unless such a plan has already been approved as part of an earlier subdivision consent.
 - ii. For the sake of clarity, the standard assessment guidance in Rule 15.11.4.1 still applies.
- b. Natural hazards
 - i. Applications for subdivision activities within the **structure plan mapped area** must include a geotechnical investigation report by a suitably qualified person (usually a geotechnical engineer), unless such a plan has already been approved as part of an earlier subdivision consent. This assessment should examine the ground stability over the whole mapped area and identify areas suitable for residential development and, if required, suitable building platforms.
 - ii. For the sake of clarity, the standard assessment guidance in Rule 11.5.2.5 still applies.

Figure 15.8.AJ.23A: Chelivode Street Structure Plan Mapped Area



15.8.AM Main Road, Fairfield Structure Plan Mapped Area Rules

15.8.AM.1 Additional matter of discretion (acoustic assessment)

- a. In addition to the matters of discretion for subdivision consents in Rule 15.11.4, the following matter of discretion applies for subdivision activities in the **structure plan mapped area**:

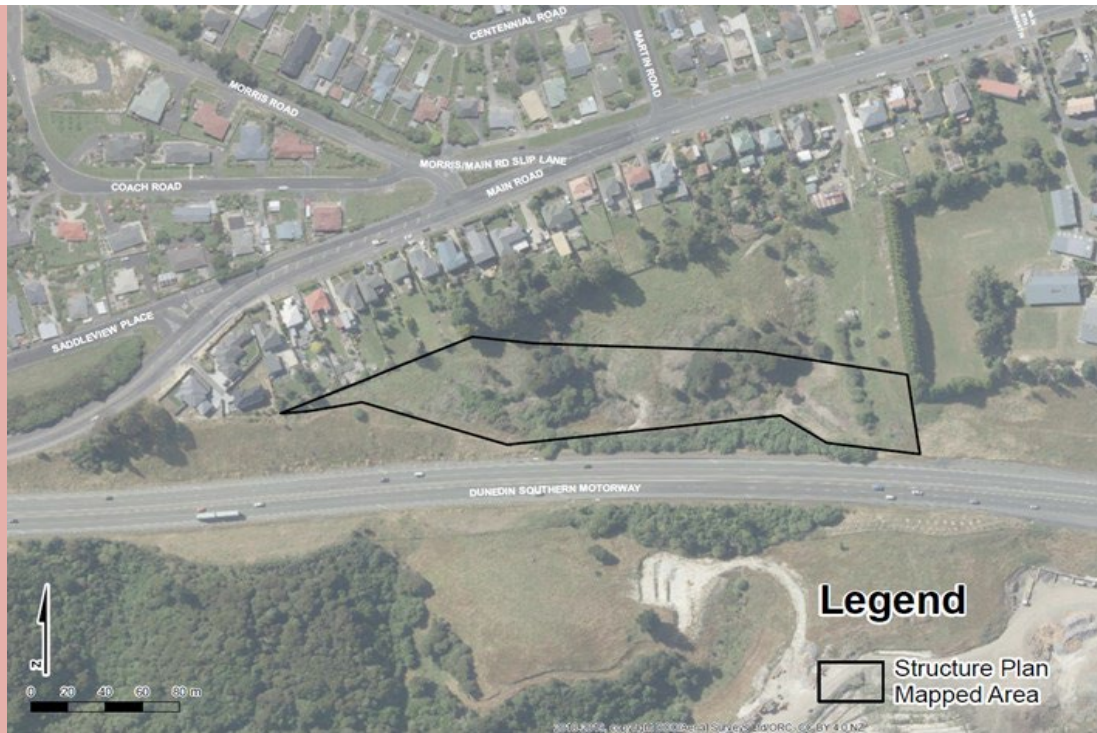
Activity	Matters of discretion	Guidance for the assessment of resource consents
i. Subdivision activities	1. Effects on health and safety	<p><i>Relevant objectives and policies:</i></p> <p>1. Objective 9.2.2.</p> <p><i>General assessment guidance:</i></p> <p>2. Council will consider the acoustic assessment required by Rule 15.8.AM.2.a.i.</p>

{Variation 2 appeal}

15.8.AM.2 Special information requirements

- a. Acoustic assessment
- i. Applications for subdivision must include an acoustic assessment for the whole **structure plan mapped area**, unless such an assessment has already been approved as part of an earlier subdivision consent. This acoustic assessment should identify any “no build” areas where residential activity must not take place, and any “noise sensitive effects area” where additional mitigation requirements above those required under Rule 9.3.1 are necessary. The acoustic assessment should identify what additional mitigations are required to be implemented in the “noise sensitive effects area”. The acoustic assessment should include consultation with Waka Kotahi. See assessment guidance in Rule 15.8.AM.1.a. **{Variation 2 appeal}**

Figure 15.8.AMA: Main Road, Fairfield structure plan



{Variation 2 appeal}

15.8.AN Wattie Fox Lane Structure Plan Mapped Area Rules

15.8.AN.1 Subdivision performance standards

- a. Access
 - i. In addition to the requirements set out in Rule 6.8.1, each resultant site must have direct or indirect (e.g. leg-in) access to an internal roading network that serves the whole **structure plan mapped area** and provides for all sites to have access through the **structure plan mapped area** to a minimum of two road connection points from the **structure plan mapped area** to Barr Street, Kaikorai Valley Road or Mornington Road.
 - ii. Activities that contravene this performance standard are non-complying activities. **{Variation 2 appeal}**

15.8.AN.2 Assessment guidance

- a. In assessing the matters in Rule 6.11.2, Council will consider the Integrated Transport Assessment submitted with the application (as required by Rule 15.8.AN.3). **{Variation 2 appeal}**

15.8.AN.3 Special information requirements

- a. Integrated Transport Assessment
 - i. Applications for subdivision activities must provide an Integrated Transport Assessment unless one has already been provided and accepted as part of an earlier subdivision consent. **{Variation 2 appeal}**

Figure 15.8.ANX: Wattie Fox Lane structure plan



{Variation 2 appeal}

~~15.8.A0~~ **15.8.26** The Cove Structure Plan Mapped Area Rules

~~15.8.A0.1~~ **15.8.26.1** Subdivision performance standards

- a. Maximum number of sites
 - i. Subdivision activities must not create more than nine resultant sites within the **structure plan mapped area**.
 - ii. The sites must be of a size, shape and location that enables all relevant performance standards to be met, including but not limited to, the minimum site size in Rule 15.7.4.
 - iii. One of the sites must be a 'balance lot' that includes, in a single record of title, the remaining land from the parent title that is within the RR2 Zone. The balance lot must include at least 500m² of land within the **structure plan mapped area**.
 - iv. For the purposes of Rules 15.5.2 and 17.5.2.c, the balance lot must be treated as a single site (meaning that despite the balance lot having a split zoning, that site must not be treated as two sites for the purposes of determining the number of residential activities provided for).
 - v. Resultant sites created and used solely for the following purposes are exempt from this performance standard:
 1. Scheduled ASBV or QEII covenant;
 2. reserve;
 3. access;
 4. utility; or
 5. road.
 - vi. Activities that contravene this performance standard are non-complying activities, except that non-compliance with another performance standard rule, required by clause ii, has the same status as listed

in that rule.

- b. Service connections (water supply)
- i. In addition to the requirements in Rule 9.3.7.Y, subdivision activities within the **structure plan mapped area** must provide the following properties with connections to the public water supply network to the boundary of those sites, unless this has already been provided through a previous subdivision application:
 1. Lot 21 DP 5628 and Lot 23 DP 5628 (currently 335 Portobello Road);
 2. Lot 1 DP 5628 (currently 338 Portobello Road);
 3. Lot 2 DP 5628 (currently 339 Portobello Road);
 4. Lot 3 DP 5628 (currently 340 Portobello Road);
 5. Lot 4 DP 5628 (currently 341 Portobello Road);
 6. Lot 5 DP 5628 (currently 342 Portobello Road); and
 7. Lot 6 DP 5628, Lot 7 DP 5628, and Lot 1 DP 26993 (currently 343 Portobello Road).
 - ii. Activities that contravene this performance standard are non-complying activities.

~~15.8.AO.2~~ **15.8.26.2** Assessment guidance

- a. In assessing the matters in Rule 6.11.2, Council will consider the Integrated Transport Assessment submitted with the application (as required by Rule ~~15.8.AO.3~~ **15.8.26.3**).

~~15.8.AO.3~~ **15.8.26.3** Special information requirements

- a. Integrated Transport Assessment
 - i. Applications for subdivision activities must provide an Integrated Transport Assessment unless one has already been provided and accepted as part of an earlier subdivision consent. This must consider upgrades to provide appropriate access to all properties that are or will be accessed from Weller Street.

Figure 15.8.AOA**26A**: The Cove structure plan



15.8.AP Gloucester Street Structure Plan Mapped Area Rules

15.8.AP.1 Subdivision performance standards

- a. Access
 - i. Unless already provided for as part of an earlier subdivision, subdivision activities must provide for, at a minimum, a legal accessway of a suitable width to be used for pedestrian access that connects Gloucester Street with Tomahawk Road. This accessway must be vested in Council as accessway.
 - ii. Subdivision activities that do not meet this standard are non-complying activities.
- b. Esplanade reserves and strips
 - i. Subdivision activities must provide an esplanade reserve with a minimum width of 15m along the property boundary labelled C in Figure 15.8.APA.
 - ii. Subdivision activities that do not meet this performance standard are restricted discretionary activities and will be assessed in accordance with Rule 10.5.3.2.
- c. Maximum number of sites
 - i. The maximum number of resultant residential sites within the part of the **structure plan mapped area** labelled A is eight.
 - ii. The maximum number of resultant residential sites within the part of the **structure plan mapped area** labelled B is one.
 - iii. Resultant sites created and used solely for the following purposes are exempt from this performance standard:
 1. Scheduled ASBV or QEII covenant;
 2. reserve;
 3. access;

- 4. utility; or
- 5. road.
- iv. The balance lot resulting from any subdivision of residential sites in land parcel Pt Lot 1 DP 2138 or land parcel Pt Lot 2 DP2138 must be amalgamated with Lot 1 DP 10814.
- v. Activities that contravene this performance standard are non-complying activities.
- d. Stormwater
 - i. Prior to any subdivision application, a stormwater discharge consent must be obtained from the Otago Regional Council, if required, for any stormwater discharge from the site. For the sake of clarity:
 - 1. The applicant is responsible for obtaining any resource consents, with input from the Dunedin City Council.
 - 2. The consent must be issued in, or transferred to, the Dunedin City Council's name.
 - 3. All costs associated with obtaining resource consents associated with stormwater discharge are to be borne by the developer.
 - ii. Activities that contravene this performance standard are non-complying activities.
- e. For the sake of clarity, these performance standards are additional to those in Rule 15.7. **{Variation 2 appeal}**

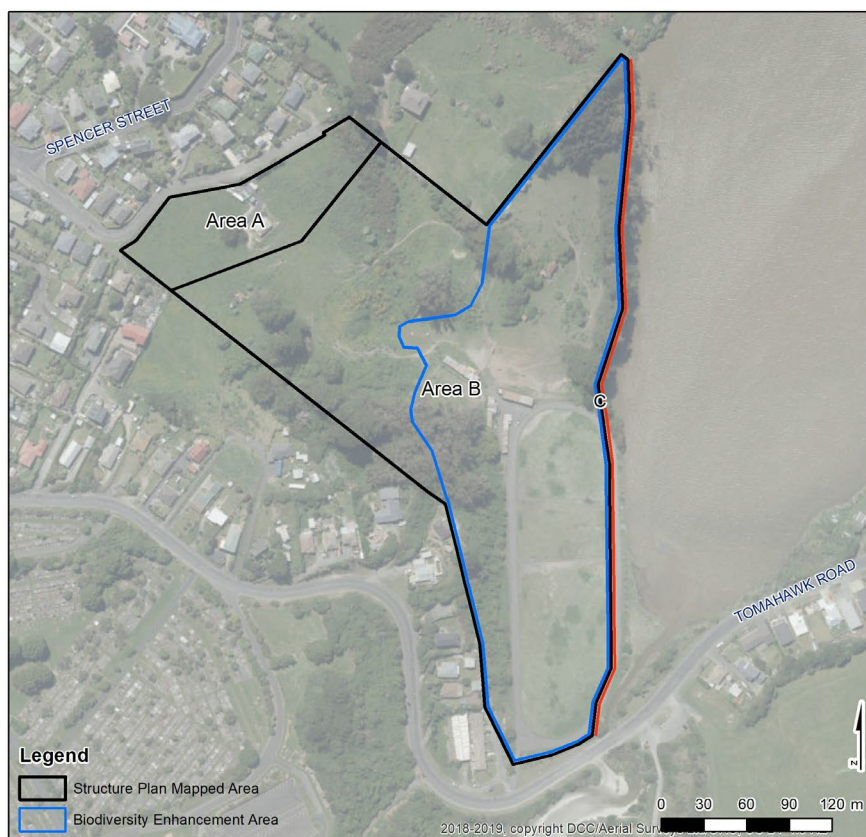
15.8.AP.2 Assessment guidance

- a. In assessing whether the subdivision design maintains or enhances areas with important natural environment values (Rule 12.X.2.5.d), Council will consider the biodiversity enhancement plan required by Rule 15.8.AP.3.
- b. In assessing any contravention of Rule 15.8.AP.1.d.ii, Council will consider the effectiveness and efficiency of stormwater management and effects of stormwater from future development (Objective 9.2.1), particularly in relation to water quality impacts on Tomahawk Lagoon. **{Variation 2 appeal}**

15.8.AP.3 Special information requirements

- a. Biodiversity enhancement
 - i. Applications for subdivision must include a biodiversity enhancement plan for the area marked Biodiversity Enhancement Area on Figure 15.8.APA, showing how vegetation will be enhanced and restored to assist with maintaining or improving indigenous biodiversity on the site and water quality in the Tomahawk Lagoon, unless this plan has been provided and accepted through an earlier subdivision consent application. **{Variation 2 appeal}**

Figure 15.8.APA: Gloucester Street structure plan



{Variation 2 appeal}

~~15.8.AR~~ **15.8.28 Sunnyvale Structure Plan Mapped Area Rules**

~~15.8.AR.1~~ **15.8.28.1** Separation distances

- a. New residential buildings, and additions and alterations to residential buildings, must be located at least 12m from:
 - i. scheduled mining activity SMA004; and
 - ii. any industrial zoned site.
- b. Activities that contravene this performance standard are non-complying activities.

~~15.8.AR.2~~ **15.8.28.2** Areas of restricted development (hazard)

- a. Residential activities, buildings and structures activities, new roads or additions or alterations to existing roads, and earthworks must not be undertaken in the area shown hatched red on the Sunnyvale structure plan and labelled 'Restricted Development Area (Hazard)' before new certificates of title for allotments have been issued in accordance with Rule 15.8.AR.5.a.i **15.8.28.5.a.i**.
- b. Activities that contravene this performance standard are discretionary activities.

~~15.8.AR.3~~ **15.8.28.3** Access

- a. Subdivision activities must provide a suitably designed and formed public pedestrian and cycle path that connects Severn Street with Main South Road, unless this has already been provided as part of a previous subdivision consent.

- b. The pedestrian and cycle path must be formed and vested in DCC prior to the issuing of the section 224c certificate for the subdivision.
- c. Activities that contravene this performance standard are non-complying activities.

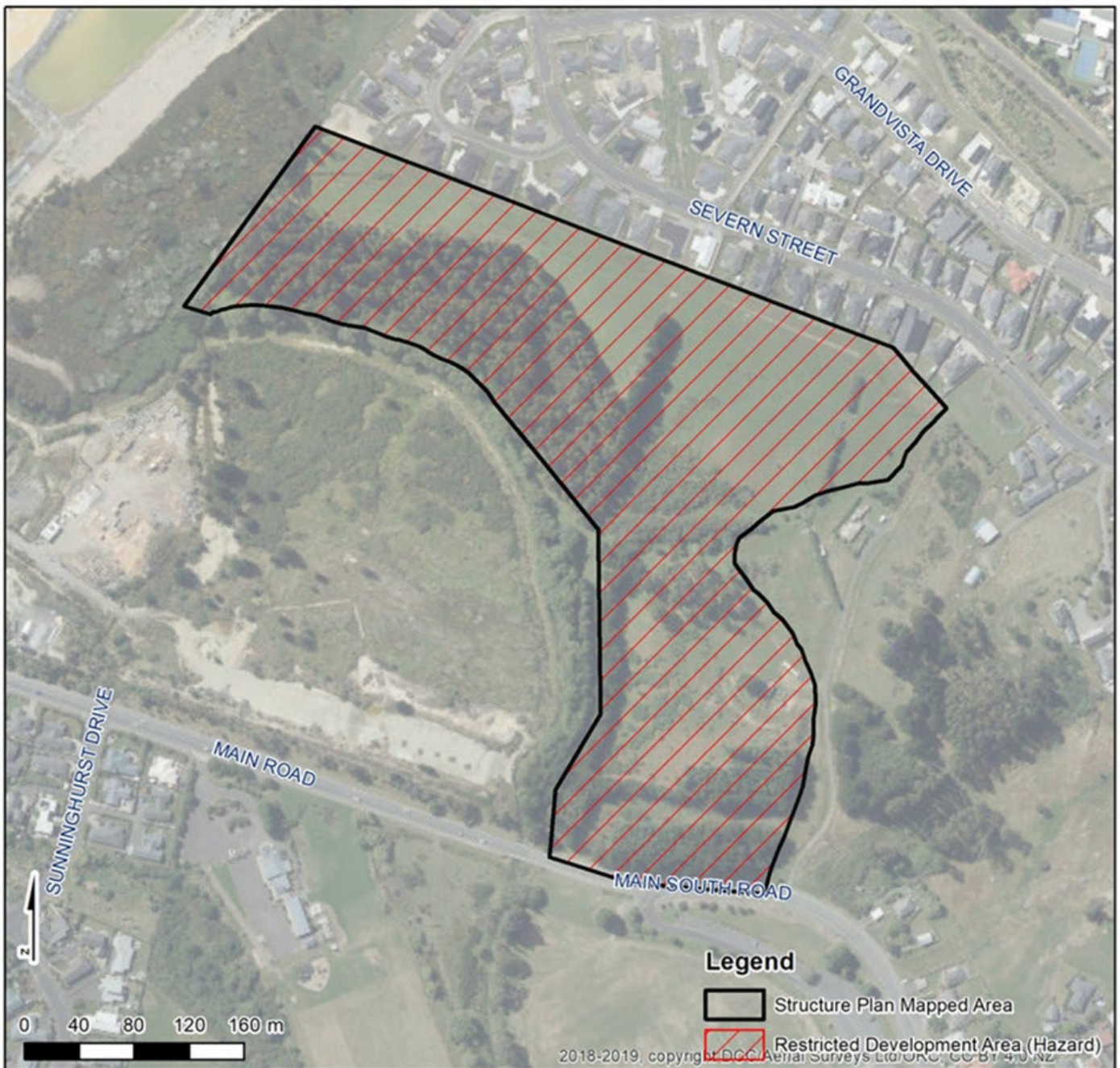
~~15.8.AR.4~~ **15.8.28.4** Assessment guidance

- a. In assessing risk from natural hazards (Rule 11.5.2.5), Council will consider the geotechnical investigation report submitted with the application (as required by Rule ~~15.8.AR.5.a~~ **15.8.28.5.a**).
- b. In assessing the matters in Rule 6.11.2, Council will consider the Integrated Transport Assessment submitted with the application (as required by Rule ~~15.8.AR.5.b~~ **15.8.28.5.b**).
- c. For activities that contravene the separation distances performance standard, Council will consider potential effects on health and safety (Objective 9.2.2) and reverse sensitivity effects (Objective 2.3.1).

~~15.8.AR.5~~ **15.8.28.5** Special information requirements

- a. Geotechnical investigation report
 - i. Applications for subdivision activities must include a comprehensive geotechnical investigation report by a suitably qualified geotechnical consultant. The geotechnical report must examine the ground stability over the entire area and identify areas suitable for development and, if required, suitable building platforms. It must also identify any areas where development, including earthworks, should be restricted.
- b. Integrated Transport Assessment
 - i. Applications for subdivision activities must provide an Integrated Transport Assessment (ITA) unless one has already been provided and accepted as part of an earlier subdivision consent. The ITA must consider the need for a suitable pedestrian crossing facility on Main South Road.

Figure ~~15.8.ARA28A~~ **28A**: Sunnyvale structure plan



Rule 15.9 Assessment of Controlled Activities

Rule 15.9.1 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 15.9.2:
 - 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** then:
 - i. the activity, as a whole, will be treated as **restricted discretionary**; and
 - ii. the performance standard contravention will be assessed as indicated in Section 15.10; and
 - iii. 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 15.12; 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 15.13; and
 - iii. the assessment guidance in this section will also be considered.

15.9.2 Assessment of controlled activities			
Activity		Matters of control	Guidance on the assessment of resource consents
1.	Affecting a scheduled heritage building or a scheduled heritage structure: <ul style="list-style-type: none"> • Earthquake strengthening that affects a protected part of a scheduled heritage building or scheduled heritage structure, where external features only are protected. • Restoration of a protected part of a scheduled heritage building or scheduled heritage structure that has a Heritage New Zealand Pouhere Taonga Category 1 listing as detailed in Appendix A1.1 	a. Effects on heritage values	See Rule 13.4
2.	In a heritage precinct, additions and alterations to a non character-contributing building that involve: <ul style="list-style-type: none"> • an increase in the footprint of 10m² or more; • an increase in the height of the building by more than 2m; or • the replacement of a pitched roof with a mono pitch roof. 	a. Effect on heritage streetscape character	See Rule 13.4

Rule 15.10 Assessment of Restricted Discretionary Activities (Performance Standard Contraventions)

Rule 15.10.1 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 15.10.2 - 15.10.6:
 - a. list the matters Council will restrict its discretion to, under the heading 'matters of discretion', these matters are not further restricted by any guidance provided; and
 - b. provide guidance on how consent applications will be assessed, under the heading 'guidance on the assessment of resource consents', including:
 - i. relevant objectives and policies, with respect to s104(1)(b)(vi);
 - ii. potential circumstances that may support a consent application. These are examples of situations or mitigation measures that may support consent being granted, but are not requirements that must always be met in order for an activity to be granted consent;
 - iii. general assessment guidance; and
 - iv. conditions that may be imposed.
3. Rules 15.10.2 - 15.10.6 apply as follows:
 - a. Rule 15.10.2 applies to all performance standard contraventions;
 - b. Rule 15.10.3 applies to land use performance standard contraventions;
 - c. Rule 15.10.4 applies to development performance standard contraventions;
 - d. Rule 15.10.5 applies to subdivision performance standard contraventions; and
 - e. Rule 15.10.6 applies to performance standards that apply in an overlay zone, mapped area, heritage precinct or affecting a scheduled heritage item.

15.10.2 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"> a. The degree of non-compliance with the performance standard is minor. b. The need to meet other performance standards or topography, or other site specific factors, make meeting the standard impracticable. c. Non-compliance with a development performance standard would improve the design of the development in a way that would result in positive effects and better achieve the identified objectives and policies of the Plan. <p><i>General assessment guidance:</i></p> <ol style="list-style-type: none"> d. Where more than one standard is contravened, the combined effects of the contraventions should be considered. e. 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.

15.10.3 Assessment of land use performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
1.	Density - (Rule 15.5.2.3 15.5.2.4) all residential buildings are able to meet the specified performance standards	a. Effects on on-site amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.2 ii. Residential development achieves high quality on-site amenity for residents (Policy 15.2.2.1). <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> iii. Non-compliance with Rule 15.5.2.3 15.5.2.4 will be assessed based on which performance standard(s) will not be able to be met if the residential buildings are ever subdivided in future. See assessment rules in relation to performance standard contraventions for: <ul style="list-style-type: none"> 1. site coverage; 2. height in relation to boundary; 3. setbacks; and 4. access.
2.	Density - (Rule 15.5.2.4.a 15.5.2.5.a) Papakāika	a. Effects on cultural values of Manawhenua	See Rule 14.3
		b. NA	NA
		c. b. Effects on the safety and efficiency of the transport network	See Rule 6.10
3.	Density <ul style="list-style-type: none"> • standard residential in General Residential 2 Zone wastewater constraint mapped area (Rule 15.5.2.4.b 15.5.2.5.b) • standard residential in ICR Zone (Rule 15.5.2.4.X 15.5.2.5.d) 	a. Effects on efficiency and affordability of infrastructure	See Rule 9.5

15.10.3 Assessment of land use performance standard contraventions

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
X. 4 Density <ul style="list-style-type: none"> social housing in the GR1 Zone or T&S Zone (except in a no DCC reticulated wastewater mapped area) (Rule 15.5.2.4.y 15.5.2.5.e) 	a. Effects on efficiency and affordability of infrastructure	See Rule 9.5.
	b. Effects on accessibility	See Rule 6.10.
	c. Effects on neighbourhood residential character and amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.4. ii. Where residential activity exceeds the permitted density, the built form of any new development, as viewed from public places, reflects the existing residential character or intended future character of the zone as set out in the residential zone descriptions (Policy 15.2.4.2). <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> iii. In assessing the effects on neighbourhood character and amenity from social housing proposals that contravene the density standard, Council will only consider character effects in terms of the proposed scale and built form of development and this consideration will be made without public or limited notification (see Rule 15.4). iv. The assessment of character and amenity will consider the potential adverse effects from repeated, standardised, or visually monotonous design of large blocks of similar housing and will consider what design tools have been used to create visually diverse neighbourhood appearance. <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> v. For large scale social housing proposals an appropriate mix of building typologies and design elements is proposed.

15.10.3 Assessment of land use performance standard contraventions

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
<p>4. 5 Ancillary residential units - design</p>	<p>a. Effects on neighbourhood residential character and amenity</p>	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.4. ii. Stand-alone ancillary residential units between 60m² and 80m² gross floor area are designed and located to ensure that streetscape and neighbourhood amenity is maintained or enhanced (Policy 15.2.4.3). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. NA iv. iii. The design of the ancillary residential unit matches the design of the primary residential building. v. iv. Landscaping or other forms of screening will be used to reduce the visibility of the ancillary residential unit. vi. v. The ancillary residential unit will not be easily viewed from outside the site. vii. NA viii. NA
<p>6. Hours of operation</p>	<p>a. Effects on surrounding sites' residential amenity</p>	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.3 ii. Working from home, dairies, training of education, and community and leisure operate in a way (including hours of operation), that avoids or, if avoidance is not practicable, adequately mitigates, effects on the amenity of surrounding properties (Policy 15.2.3.2). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. The extension of hours will not result in unreasonable disturbance from vehicle headlights, deliveries/pick-ups, vehicle movements, or other noise.
<p>7. Location</p>	<p>a. Effects on the vibrancy, and economic and social success of the CBD and centres</p>	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.1 ii. Activities ancillary to visitor accommodation are located and designed to cater to patrons of the primary activity rather than the general public (Policy 15.2.1.4). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. The ancillary activity is designed and managed so as to be unlikely to attract external customers. iv. There will be no external advertising on buildings facing the street, for the ancillary activity.

15.10.3 Assessment of land use performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
8.	Minimum mobility car parking	a. Effects on accessibility	See Rule 6.10
		b. Effects on the safety and efficiency of the transport network	
9.	Minimum vehicle loading	a. Effects on the safety and efficiency of the transport network	See Rule 6.10
10.	Outdoor living space	a. Effects on on-site amenity for residents	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.2 ii. Residential development achieves high quality on-site amenity by providing functional, sunny, and accessible outdoor living spaces that allow enough space for on-site food production, leisure, green space or recreation (Policy 15.2.2.1.a). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. The property is within a short walking distance from public green space. iv. Juliet balconies (balconies less than the width required by the rule, including zero depth) with glass doors that can be opened to create an opening greater than 1m wide and allow direct sunlight into the principal living area, may be acceptable if alternate shared outdoor living space is available and easily accessed and it is more compatible with the design of the dwelling than alternative balcony forms.
11.	Service areas	a. Effects on on-site amenity for residents	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.2 ii. Adequate space is available for service areas (Policy 15.2.2.1.d).

15.10.4 Assessment of development performance standard contraventions

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
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15.10.4 Assessment of development performance standard contraventions

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
1. Boundary setback	a. Effects on surrounding sites' residential amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.3. ii. Buildings and structures are of a height and setback from boundaries that ensures no more than minor effects on the sunlight access of current and future residential buildings and their outdoor living spaces (Policy 15.2.3.1). iii. In the Inner City Residential Zone, buildings and structures are of a height and setback from boundaries that avoids or, if avoidance is not practicable, adequately mitigates adverse effects on sunlight access on outdoor space at the rear of adjacent sites (Policy 15.2.3.3.c). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iv. Residential buildings on neighbouring sites receive adequate natural light and privacy. v. The reduced setback will mirror the setback of the adjacent residential building, both in minimum distance from the boundary, and the maximum extent to which the encroachment occurs along the boundary (including length and height). vi. There are no windows from living or sleeping areas proposed along the wall of the new building or existing along the wall of any adjacent parallel residential building.
	b. Effects on neighbourhood residential character and amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.4. ii. Development maintains or enhances streetscape amenity by ensuring buildings' height, boundary setbacks, and scale reflect existing or intended future residential character (Policy 15.2.4.1.c). iii. In the Inner City Residential Zone, buildings and structures are of a height and setback from boundaries that: <ul style="list-style-type: none"> 1. enables a high quality, medium density development (Policy 15.2.3.3.a); 2. is consistent with the existing streetscape character of the zone (Policy 15.2.3.3.b). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iv. The boundary setback is consistent with surrounding properties. v. Landscaping or fences screen or soften the visual effects of buildings. vi. The building is designed to integrate with residential buildings on the site and contribute to residential character and amenity e.g. similar materials to residential buildings, and roof pitch.

15.10.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
2.	Boundary setback - (Rule 15.6.13.1.a.viii.3) garages and carports setback from road boundary	a. Effects on health and safety	See Rule 6.10.
3.	Building length	a. Effects on neighbourhood residential character and amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.4. ii. Development maintains or enhances streetscape amenity by ensuring buildings' scale reflect existing or intended future residential character (Policy 15.2.4.1.c). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. The bulk of the building is broken up by: <ul style="list-style-type: none"> 1. varying building elevations; 2. setting parts of the building back; 3. using different textures; 4. architectural features; or 5. other forms of building modulation. iv. The visual impact of the building length is screened and softened by landscaping, fencing, or other screening, which provides an attractive interface for surrounding properties. v. The building is set back from boundaries an adequate distance to avoid shading or visual effects on adjacent residential properties or public places. vi. Topography of the site mitigates the effects of the building scale on adjacent residential properties or public places. vii. In the case of buildings to be used for emergency services, there is a need for longer buildings to meet operational requirements.

15.10.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
4.	Fence height and design	a. Effects on health and safety	See Rule 9.5.
		b. Effects on neighbourhood residential character and amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.4. ii. Fences are of a height and design that contributes positively to the streetscape amenity and character of the neighbourhood (Policy 15.2.4.4). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> 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 street is achieved. v. The fence will be screened by landscaping. vi. vi. The fence is replacing a hedge of similar (or greater) height and visual permeability.
5.	Firefighting	a. Effects on health and safety	See Rule 9.5.
6.	Hazardous substances quantity limits and storage requirements	a. Effects on health and safety	See Rule 9.5.

15.10.4 Assessment of development performance standard contraventions

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
7. <ul style="list-style-type: none"> • Maximum height • Height in relation to boundary 	a. Effects on surrounding sites' residential amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.3. ii. Buildings and structures are of a height and setback from boundaries that ensures no more than minor effects on the sunlight access of current and future residential buildings and their outdoor living spaces (Policy 15.2.3.1). iii. In the Inner City Residential Zone, buildings and structures are of a height and setback from boundaries that avoids or, if avoidance is not practicable, adequately mitigates adverse effects on sunlight access on outdoor space at the rear of adjacent sites (Policy 15.2.3.3.c).
	b. Effects on neighbourhood residential character and amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.4. ii. Development maintains or enhances streetscape amenity by ensuring buildings' height, boundary setbacks, and scale reflect existing or intended future residential character (Policy 15.2.4.1.c). iii. In the Inner City Residential Zone, buildings and structures are of a height and setback from boundaries that: <ul style="list-style-type: none"> 1. enables a high quality, medium density development (Policy 15.2.3.3.a); 2. is consistent with the existing streetscape character of the zone (Policy 15.2.3.3.b). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iv. The height and/or height in relation to boundary is consistent with surrounding properties. v. Landscaping or fences screen or soften the visual effects of buildings. vi. Natural landforms or topography (e.g. cliffs, tall trees on adjacent reserves) provide a backdrop to the building.

15.10.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
8.	Location and screening of car parking	a. Effects on neighbourhood residential character and amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.4, 6.2.1. ii. Garages, carports, and car parking do not dominate the street (Policy 15.2.4.1a). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. Landscaping or other features soften the impact of these activities. iv. In order to meet Rule 6.6.1.2.a.i (requirement to not reverse onto a motorway, strategic road, arterial road, urban high density corridor, commercial centre street, or collector road), there are no reasonably practicable alternatives other than to contravene the standard.
9.	Location and screening of outdoor storage	a. Effects on neighbourhood residential character and amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.4. ii. Development maintains or enhances streetscape amenity by ensuring shared service areas are not visible from ground level from outside the site (Policy 15.2.4.1.d). iii. Development maintains or enhances streetscape amenity by ensuring outdoor storage is managed in a way that does not result in unreasonable visual amenity effects or create nuisance effects (Policy 15.2.4.1.e).
10.	Maximum building site coverage and impermeable surfaces	a. Effects on on-site amenity for residents	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.2. ii. Residential development achieves high quality on-site amenity by retaining adequate open space uncluttered by buildings (Policy 15.2.2.1.c).
		b. Effects on neighbourhood residential character and amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.4. ii. Development maintains or enhances streetscape amenity and by ensuring there are adequate green space areas free from buildings or hard surfacing (Policy 15.2.4.1.b).
		c. Effects on efficiency and affordability of infrastructure (stormwater)	See Rule 9.5.
		d. Effects of stormwater from future development	

15.10.4 Assessment of development performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
11.	Number, location and design of ancillary signs	a. Effects on neighbourhood residential character and amenity	<i>Relevant objectives and policies:</i> i. Objective 15.2.4. ii. Ancillary signs are located and designed to maintain residential amenity by being of an appropriate size and number to convey information about the name, location and nature of the activity on-site to passing pedestrians and vehicles and not being oversized or too numerous for what is necessary for that purpose (Policy 15.2.4.5).
		b. Effects on the safety and efficiency of the transport network	See Rule 6.10.
12.	Parking, loading and access standards	a. Effects on the safety and efficiency of the transport network	See Rule 6.10.
13.	Setback from coast and water bodies	a. Effects on biodiversity values and natural character of riparian margins and the coast	See Rule 10.5.
		b. Effects on public access	
		c. Risk from natural hazards	See Rule 11.4.
14.	Setback from scheduled tree	a. Effects on long term health of tree	See Rule 7.6.
X 15	Setback from designated rail corridor	a. Effects on the safety and efficiency of the transport network	See Rule 6.10.6.

15.10.5 Assessment of subdivision performance standard contraventions

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
1. Access	a. Effects on accessibility	See Rule 6.10
2. Esplanade reserves and strips	a. Effects on biodiversity values and the natural character of riparian margins and the coast	See Rule 10.5
	b. Effects on public access	
3. Firefighting	a. Effects on health and safety	See Rule 9.5
4. Minimum site size - (Rule 15.7.4.3)	a. Effects on neighbourhood residential character and amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 2.4.1 ii. Resultant sites are of a size: <ul style="list-style-type: none"> 1. that provides for compliance of all relevant land use and development performance standards; and 2. where in a structure plan mapped area, reflects the requirements of the structure plan mapped area performance standards (Policy 2.4.1.8). <p><i>General assessment guidance:</i></p> <p>✗ iii. For subdivision concurrent with an application for multi-unit development, Council will generally only grant subdivision consent where the land use consent is also granted.</p> <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. iv. The adjustment of site boundaries is necessary to achieve: <ul style="list-style-type: none"> 1. a more balanced division of site sizes relative to an existing residential building's size, location or access requirements; 2. better alignment with topographical or other site development constraints; or 3. the protection of heritage items, significant trees, indigenous vegetation, or waterways on a site. <p><i>Conditions of consent that may be imposed include:</i></p> <p>¥ v. For subdivision concurrent with an application for multi-unit development or an approved land use consent for multi-unit development but where the development has not been established, a condition requiring that the development is established in accordance with the approved land use consent prior to certification of the survey plan pursuant to section 223 of the RMA.</p>

15.10.5 Assessment of subdivision performance standard contraventions

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
5. Service connections	a. Effects on efficiency and affordability of infrastructure	See Rule 9.5
6. Shape	<p><i>Relevant objectives and policies:</i></p> <p>a. Objective 2.4.1</p> <p>b. Subdivision is designed to ensure any future land use or development is able to meet the performance standards in the zone, or where in a structure plan mapped area, reflects the requirements of the structure plan mapped area performance standards, unless:</p> <ol style="list-style-type: none"> 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 ii. the resultant site is required for: <ol style="list-style-type: none"> 1. Scheduled ASBV; QEII covenant; or 2. reserve; or 3. access; or 4. utility; or 5. road (Policy 2.4.1.8). <p><i>General assessment guidance:</i></p> <p>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:</p> <ol style="list-style-type: none"> i. outdoor living space; ii. NA; iii. ii. boundary setbacks; iv. iii. setbacks from water bodies; and v. iv. setback from scheduled tree. vi. NA. <p>d. For contravention of the building platform slope part of the shape performance standard (Rule 15.7.6.2), see the matters of discretion and assessment rules in relation to earthworks - large scale (Rule 8A.7.2.1).</p> <p><i>Conditions that may be imposed include:</i></p> <p>e. Restrictions or conditions, including by way of consent notice, on land use or development activities allowed on the site.</p> <p>f. A building platform may be required to be registered against the title by way of consent notice.</p>	

15.10.6 Assessment of restricted discretionary performance standard contraventions in an overlay zone, mapped area, heritage precinct or affecting a scheduled heritage item

Activity	Matters of discretion	Guidance on the assessment of resource consents
<p>1. In a hazard overlay zone or swale mapped area:</p> <ul style="list-style-type: none"> ● Hazard exclusion areas (Rule 11.3.1.1) – Swale mapped area ● Maximum area of vegetation clearance in the hazard overlay zones (Hazard 1 or 2 (land instability) Overlay Zones) ● Relocatable buildings (Hazard 3 (coastal) Overlay Zone) ● Outdoor Storage (Hazard 1 (flood) Overlay Zone) ● Hazardous substances quantity limits and storage requirements 	<p>a. Risk from natural hazards</p>	<p>See Rule 11.4</p>
<p>2. In an urban biodiversity mapped area:</p> <ul style="list-style-type: none"> ● Vegetation clearance standards: Maximum area of vegetation clearance (UBMA) 	<p>a. Effects on biodiversity values</p>	<p>See Rule 10.5</p>
<p>3. In a Huriawa height restriction mapped area:</p> <ul style="list-style-type: none"> ● Maximum height 	<p>a. Effects on cultural values of Manawhenua</p>	<p>See Rule 14.3</p>
<p>4. In a heritage precinct:</p> <ul style="list-style-type: none"> ● Fence height and design ● Materials and design ● Maximum height ● Height in relation to boundary ● Location and screening of car parking ● Number, location and design of ancillary signs (Rule 15.6.11.6.d) - Freestanding signs ancillary to commercial and community activities in the George Street North Residential Heritage Precinct and North Ground Residential Heritage Precinct 	<p>a. Effects on heritage streetscape character</p>	<p>See Rule 13.5</p>
<p>5. In a wāhi tūpuna mapped area:</p> <ul style="list-style-type: none"> ● Esplanade reserves and strips ● Setback from coast and water bodies 	<p>a. Effects on cultural values of Manawhenua</p>	<p>See Rule 14.3</p>
<p>6. Affecting a scheduled heritage building or scheduled heritage structure:</p> <ul style="list-style-type: none"> ● Materials and design 	<p>a. Effects on heritage values</p>	<p>See Rule 13.5</p>

15.10.6 Assessment of restricted discretionary performance standard contraventions in an overlay zone, mapped area, heritage precinct or affecting a scheduled heritage item

Activity		Matters of discretion	Guidance on the assessment of resource consents
7.	In the Taieri Aerodrome flight fan mapped area : <ul style="list-style-type: none"> Maximum height (Rule 15.6.6.2.b) 	a. Effects on health and safety	See Rule 9.5
X. 8	In the SNL Overlay Zone: <ul style="list-style-type: none"> Maximum height Area of buildings and structures Reflectivity 	a. Effects on landscape values	See Rule 10.5.
Y. 9	In the Critical Electricity Distribution Infrastructure Corridor mapped area : <ul style="list-style-type: none"> Setback from Critical Electricity Distribution Infrastructure (buildings, structures, citywide activities) 	a. Effects on health and safety b. Effects on efficient and effective operation of network utilities	See Rule 5.7.

15.10.6 Assessment of restricted discretionary performance standard contraventions in an overlay zone, mapped area, heritage precinct or affecting a scheduled heritage item

Activity	Matters of discretion	Guidance on the assessment of resource consents
<p>Z.10 In the Variation 2 mapped area:</p> <ul style="list-style-type: none"> • Maximum building site coverage and impermeable surfaces (Rule 15.10.4.Y 15.6.10.3 minimum landscaping) • Minimum landscaping (Rule 15.7.Y 15.7.8) 	<p>a. Effects on neighbourhood residential character and amenity</p>	<p><i>Relevant objectives and policies:</i></p> <ol style="list-style-type: none"> Objective 15.2.4. The activity maintains or enhances streetscape amenity by ensuring there are adequate green space areas free from buildings or hard surfacing (Policy 15.2.4.1.b). <p><i>General assessment guidance:</i></p> <ol style="list-style-type: none"> For trees that are within the required boundary setback, Council will consider whether there will likely be adequate space for the canopy to grow and whether any part of the canopy that extends beyond the boundary will likely create a nuisance or require cutting back in a way which could damage the health of the tree. For proposals which seek to use different plant species than required by the rule, Council will consider the relative contribution of the proposed planting to amenity and character and its support for native animal species.
<p>AA.11 In a stormwater open watercourse mapped area:</p> <ul style="list-style-type: none"> • Setback from stormwater open watercourse mapped area (Rule 10.3.3) 	<p>a. Effects on the efficiency and affordability of infrastructure</p>	<p>See Rule 9.5.</p>
<p>AB.12 In a new development mapped area:</p> <ul style="list-style-type: none"> • Service connections – stormwater for development 	<p>a. Effectiveness and efficiency of stormwater management and effects of stormwater from future development</p>	<p>See Rule 9.5.</p>

Rule 15.11 Assessment of Restricted Discretionary Activities

Rule 15.11.1 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 15.11.2 - 15.11.5:
 - a. list the matters Council will restrict its discretion to, under the heading 'matters of discretion', these matters are not further restricted by any guidance provided; and
 - b. provide guidance on how a consent application will be assessed, under the heading 'guidance on the assessment of resource consents', including:
 - i. relevant objectives and policies, with respect to s104(1)(b)(vi);
 - ii. potential circumstances that may support a consent application. These are examples of situations or mitigation measures that may support consent being granted, but are not requirements that must always be met in order for an activity to be granted consent;
 - iii. general assessment guidance; and
 - iv. conditions that may be imposed.
3. Rules 15.11.2 - 15.11.5 apply as follows:
 - a. Rule 15.11.2 applies to restricted discretionary land use activities;
 - b. Rule 15.11.3 applies to restricted discretionary development activities;
 - c. Rule 15.11.4 applies to restricted discretionary subdivision activities; and
 - d. Rule 15.11.5 applies to activities that are restricted discretionary due to a rule that applies in an overlay zone, mapped area, heritage precinct, or affecting a scheduled heritage item.
4. 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.
5. 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** 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 15.10; 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 15.12; 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 15.13; and

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

6. With respect to section 104(2), Council will not consider ancillary residential units as part of the permitted baseline in considering residential density effects in the residential zones.

15.11.2 Assessment of restricted discretionary land use activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
1. All restricted discretionary land use activities in the residential zones, including but not limited to the activities listed below	a. Effects on accessibility	See Rule 6.11
	b. Effects on the safety and efficiency of the transport network	
	c. Effects on surrounding sites' residential amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.3 ii. Activities are designed to avoid or, if avoidance is not practicable, adequately mitigate, adverse effects on the amenity of surrounding residential properties (Policy 15.2.3.4). <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> iii. In assessing the effects on amenity, Council will: <ul style="list-style-type: none"> 1. consider the effects of vehicle movements on the site as well as any significant changes to the number and nature of vehicle movements on the adjoining road, and the appropriateness of higher levels of vehicle movements based on the road classification hierarchy in Appendix 6A; and 2. consider the relevant policies for development activities, including policies 15.2.3.1, 15.2.3.3, 15.2.4.1. <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iv. Performance standards for development activities are met. <p><i>Conditions that may be imposed include:</i></p> <ul style="list-style-type: none"> v. Conditions on signage, lighting, hours of operation. vi. Delivery time restrictions. vii. Requirements for fencing or landscaping of car parking areas to minimise adverse visual and nuisance effects from lighting and/or vehicle headlights on surrounding properties.

15.11.2 Assessment of restricted discretionary land use activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
	d. Effects on streetscape amenity and character	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> i. Objective 15.2.4 ii. Activities are designed and located to avoid or, if avoidance is not practicable, adequately mitigate, adverse effects on streetscape amenity (Policy 15.2.4.7). <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> iii. In assessing the effects on amenity, Council will: <ul style="list-style-type: none"> 1. consider the effects of vehicle movements on the site as well as any significant changes to the number and nature of vehicle movements on the adjoining road, and the appropriateness of higher levels of vehicle movements based on the road classification hierarchy in Appendix 6A; and 2. consider the relevant policies for development activities, including policies 15.2.3.1, 15.2.3.3, 15.2.4.1. <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iv. Performance standards for development activities are met.
2. Cemeteries	a. Effects on surrounding sites' residential amenity.	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.3 ii. Cemeteries are designed and located to avoid or, if avoidance is not practicable, adequately mitigate, adverse effects on the amenity of surrounding residential properties and avoid, as far as practicable, the potential for reverse sensitivity (Policy 15.2.3.5). <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> iii. In assessing the effects on amenity, Council will consider whether the location of graves is a suitable distance away from boundaries and any screening or landscaping proposed. <p><i>Conditions that may be imposed include:</i></p> <ul style="list-style-type: none"> iv. Conditions on the distance of graves from boundaries or requirements for screening or landscaping.
	b. Effects on cultural values of Manawhenua	See Rule 14.4

15.11.2 Assessment of restricted discretionary land use activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
3. Emergency Services	a. Effects on the safety and efficiency of the transport network	See Rule 6.11
	b. Effects on surrounding sites' residential amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.3 ii. Activities are designed to avoid or, if avoidance is not practicable, adequately mitigate, adverse effects on the amenity of surrounding residential properties (Policy 15.2.3.4). <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> iii. In assessing the effects on amenity, Council will consider: <ul style="list-style-type: none"> 1. whether the facility has been designed to minimise effects on surrounding sites amenity. 2. the functional requirements and operational needs of the emergency service when considering the above matters.
	c. Positive effects for natural hazard resilience	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Policy 2.2.1.11
4. Restaurants, retail, or conference, meeting and function ancillary to visitor accommodation	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"> i. Objective 15.2.1 ii. Activities ancillary to visitor accommodation are located and designed to cater to patrons of the primary activity rather than the general public (Policy 15.2.1.4). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. The ancillary activity is designed and managed so as to be unlikely to attract external customers. iv. There will be no external advertising on buildings facing the street, for the ancillary activity. v. Communal outdoor gathering areas are located or screened to minimise effects on adjacent residential properties. <p><i>Conditions that may be imposed include:</i></p> <ul style="list-style-type: none"> vi. Entrances to be located internally to the visitor accommodation. vii. No signs related to the ancillary activity to be visible from a public place.

15.11.2 Assessment of restricted discretionary land use activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
5. Supported living facilities	<p>a. Effects on efficiency and affordability of infrastructure</p> <hr/> <p>✗. b. Effects of stormwater from future development</p> <hr/> <p>b. c. Effects on surrounding sites' residential amenity</p>	<p>See Rule 9.6</p> <hr/> <p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.3. ii. Supported living facilities are designed to avoid or, if avoidance is not practicable, adequately mitigate, adverse effects on the amenity of surrounding residential properties (Policy 15.2.3.4). <p><i>Potential circumstances that may support a consent application:</i></p> <ul style="list-style-type: none"> iii. Communal outdoor gathering areas are located or screened to minimise effects on adjacent residential properties.
6. Early childhood education - small scale	<p>a. Effects on surrounding sites' residential amenity</p>	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.3. ii. Early childhood education - small scale are designed to avoid or, if avoidance is not practicable, adequately mitigate, adverse effects on the amenity of surrounding residential properties (Policy 15.2.3.4). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. For early childhood education centres: <ul style="list-style-type: none"> 1. acoustic insulation, acoustic fencing, low noise surfaces for play areas, or other such treatments; and 2. use of a noise management plan.

15.11.2 Assessment of restricted discretionary land use activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
7. Visitor accommodation, other than in the George Street North residential heritage precinct	a. Effects on surrounding sites' residential amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.3. ii. Visitor accommodation is designed to avoid or, if avoidance is not practicable, adequately mitigate, adverse effects on the amenity of surrounding residential properties (Policy 15.2.3.4). <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. Communal outdoor gathering areas are located or screened to minimise effects on adjacent residential properties. <p><i>Conditions that may be imposed include:</i></p> <ul style="list-style-type: none"> iv. For campgrounds: <ul style="list-style-type: none"> 1. Limits on the scale of the activity. 2. Location of dump stations (for disposal of waste from motor homes) away from boundaries with residential properties. 3. Restrictions on location and hours of operation of generators to minimise any effects from noise on neighbours. 4. Road upgrades necessary to handle the amount and type of vehicles anticipated. 5. Location, screening, or acoustic fencing of communal outdoor living/ gathering areas.
	X. b. Effects on efficiency and affordability of infrastructure	See Rule 9.6.

15.11.3 Assessment of restricted discretionary development activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
<p>1. New buildings or additions and alterations to buildings that result in:</p> <ul style="list-style-type: none"> • a building that is greater than 300m² footprint or • a multi-unit development 	<p>a. Effects on streetscape amenity and character</p>	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.4 ii. Buildings over 300m² footprint and multi-unit developments are designed to maintain or enhance streetscape and neighbourhood amenity and character (Policy 15.2.4.8) <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> iii. In assessing the effects on amenity Council will consider whether building design reflects, and is conducive with, the residential scale. The cumulative effect of buildings on the streetscape amenity will also be considered. iv. In assessing the effects on streetscape amenity and character, Council will consider: <ul style="list-style-type: none"> 1. building design and placement in terms of appropriateness for the context of the site, including: considering the appropriateness of form (roof pitch, scale, massing, window placement, entrance detailing, and/or proportion) and materials 2. any landscaping proposed and its effectiveness in enhancing amenity and/or mitigating adverse effects 3. the level of visibility from the street 4. the location of any car parking 5. whether the development provides adequate green space and maintains an appropriate balance of green space vs built and hard features 6. whether the development has the potential to adversely affect any heritage streetscape values in the immediate neighbourhood v. in general, where a new building is located within an integrated group of buildings that contribute strongly to the heritage streetscape character of the immediate neighbourhood, design maintains the coherence of the group and the contribution it makes to the overall character and amenity. <p><i>Conditions that may be imposed include:</i></p> <ul style="list-style-type: none"> vi. Requirements for design features to break up the bulk of the building, for example by varying building elevations, by setting parts of the building back, use of different textures, by the use of architectural features, or modulation. <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> vii. The visual effects of the building is screened and softened by landscaping, fencing, or other screening, which provides an attractive interface with the street. viii. The building is set back from boundaries adequate distance to

15.11.3 Assessment of restricted discretionary development activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
		<p>avoid shading or visual effects on adjacent residential properties or public places.</p> <p>ix. Topography of the site mitigates the effects of the building scale on adjacent residential properties or public places.</p>
<p>X. 2. New buildings or additions and alterations to buildings that result in a multi-unit development</p>	<p>a. Effects on efficiency and affordability of infrastructure (stormwater)</p> <p>b. Effects of stormwater from future development</p>	<p>See Rule 9.6.</p>
<p>Z. 3. In the General Residential 1 Zone or Township and Settlement Zone (except within a no DCC reticulated wastewater mapped area):</p> <ul style="list-style-type: none"> • New buildings or additions and alterations to buildings that result in a multi-unit development 	<p>a. Effects on the safety and efficiency of the transport network</p>	<p>See Rule 6.11.</p>
<p>2. 4. High trip generators:</p> <ul style="list-style-type: none"> • New or additions to parking areas that result in 50 or more new parking spaces 	<p>a. Effects on the safety and efficiency of the transport network</p> <p>b. Effects on accessibility</p>	<p>See Rule 6.11.</p>

15.11.4 Assessment of restricted discretionary subdivision activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
1. All subdivision activities	a. Effects on neighbourhood residential character and amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> i. Objective 15.2.4. ii. Subdivision is designed to ensure any future land use and development will: <ul style="list-style-type: none"> 1. maintain the amenity of the streetscape; 2. reflect the current or future intended character of the neighbourhood; 3. provide for development to occur without unreasonable earthworks or engineering requirements; and 4. provide for quality housing (Policy 15.2.4.6). <p><i>Design considerations that may support a consent application include:</i></p> <ul style="list-style-type: none"> iii. The layout of the subdivision takes into account solar orientation and is designed to ensure future development will facilitate a high level of passive solar gain. <p><i>Conditions that may be imposed include:</i></p> <ul style="list-style-type: none"> iv. Building platforms registered against the title by way of consent notice.
	b. Risk from natural hazards	See Rule 11.5.
	c. Effects on efficiency and affordability of infrastructure	See Rule 9.6.
	✗. d. Effects of stormwater from future development	
	d. e. Effects on the safety and efficiency of the transport network	See Rule 6.11.
2. All subdivision activities that involve a new road	a. Effects on the safety and efficiency of the transport network	See Rule 6.11.

15.11.5 Assessment of restricted discretionary activities in an overlay zone, mapped area, heritage precinct or affecting a scheduled heritage item

Activity	Matters of discretion	Guidance on the assessment of resource consents
1. In a hazard 1 or 2 (flood) overlay zone (see Rule 15.3.6): <ul style="list-style-type: none"> New buildings, and additions and alterations to buildings that create within any two calendar-year period more than 36m² of new ground floor area 	a. Risk from natural hazards	See Rule 11.5
2. In all hazard overlay zones, swale mapped areas and dune system mapped areas : <ul style="list-style-type: none"> All subdivision activities 	a. Risk from natural hazards	See Rule 11.5
3. In a UBMA : <ul style="list-style-type: none"> All subdivision activities 	a. Effects on biodiversity values	See Rule 10.6
4. In a heritage precinct : <ul style="list-style-type: none"> All RD activities due to being in a heritage precinct 	a. Effects on heritage streetscape character	See Rule 13.6
5. Activities affecting a scheduled heritage site : <ul style="list-style-type: none"> New buildings and all other structures on a scheduled heritage site, where visible from an adjoining public place or a public place within the site Parking, loading and access on a scheduled heritage site, where visible from an adjoining public place or a public place within the site All subdivision activities 	a. Effects on heritage values	See Rule 13.6
6. Activities affecting a scheduled heritage building or a scheduled heritage structure : <ul style="list-style-type: none"> Additions and alterations that affect a protected part of a scheduled heritage building or scheduled heritage structure Removal for relocation All subdivision activities on sites containing a scheduled heritage building or scheduled heritage structure 	a. Effects on heritage values	See Rule 13.6
7. In a wāhi tūpuna mapped area where the activity is identified as a threat in Appendix A4: <ul style="list-style-type: none"> General subdivision 	a. Effects on cultural values of Manawhenua	See Rule 14.4

15.11.5 Assessment of restricted discretionary activities in an overlay zone, mapped area, heritage precinct or affecting a scheduled heritage item

Activity		Matters of discretion	Guidance on the assessment of resource consents
8.	In the Hazard 2 (flood) Overlay Zone: Natural hazards sensitive activities <ul style="list-style-type: none"> Natural hazards potentially sensitive activities 	a. Risk from natural hazards	See Rule 11.5
9.	In the National Grid Subdivision Corridor mapped area: <ul style="list-style-type: none"> All subdivision activities 	a. Risk to the safety of people and property	See Rule 5.8.
		b. Reverse sensitivity effects	
		c. Effects on efficient and effective operation of the National Grid and access to it	
AA.	In the Critical Electricity Distribution Infrastructure Corridor mapped area: <ul style="list-style-type: none"> All subdivision activities 	a. Effects on health and safety	See Rule 5.8.
		b. Reverse sensitivity effects	
		c. Effects on efficient and effective operation of network utilities	

15.11.5 Assessment of restricted discretionary activities in an overlay zone, mapped area, heritage precinct or affecting a scheduled heritage item

Activity	Matters of discretion	Guidance on the assessment of resource consents
<p>Y. In a new development mapped area:</p> <ul style="list-style-type: none"> All subdivision activities 	<p>a. Whether subdivision design supports energy-efficient housing</p> <p>b. Provision for amenity planting and public amenities</p> <p>c. Provision of recreation spaces</p> <p>d. Whether subdivision design maintains or enhances areas with important natural environment values</p> <p>e. Whether subdivision design supports efficient use of land</p> <p>f. Effectiveness and efficiency of stormwater management and effects of stormwater from future development</p> <p>g. Effects on efficient and effective operation of network utilities (electricity and telecommunications)</p> <p>h. Whether the subdivision design (including any associated off-site access and infrastructure) maintains or enhances significant heritage values</p>	<p>See Rule 12.X.</p> <p>See Rule 12.X.</p> <p>See Rule 12.X.</p> <p>See Rule 12.X.</p> <p>See Rule 12.X.</p> <p>See Rule 9.6.</p> <p>See Rule 12.X.</p> <p>See Rule 12.X.</p>
<p>Z. In the following new development mapped areas, all subdivision activities, multi-unit development, and supported living facilities:</p> <ul style="list-style-type: none"> Wattie Fox Lane {Variation 2 appeal} 	<p>a. Effectiveness and efficiency of wastewater management and effects of wastewater from future development</p>	<p>See Rule 9.6.</p>
<p>AB. In the Variation 2 mapped area:</p> <ul style="list-style-type: none"> New buildings or additions and alterations to buildings that result in a multi-unit development 	<p>a. Effects on the safety and efficiency of the transport network</p>	<p>See Rule 6.11.</p>

Rule 15.12 Assessment of Discretionary Activities

Rule 15.12.1 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 15.12.2 - 15.12.3 provide guidance on how a consent application for the listed discretionary activities will be assessed, under the heading 'guidance on the assessment of resource consents', 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. These are examples of situations or mitigation measures that may support consent being granted, but are not requirements that must always be met in order for an activity to be granted consent;
 - c. general assessment guidance, including any effects that will be considered as a priority; and
 - d. conditions that may be imposed.
3. Rules 15.12.2 - 15.12.3 apply as follows:
 - a. Rule 15.12.2 applies to discretionary land use activities; and
 - b. Rule 15.12.3 applies to discretionary performance standard contraventions.
4. With respect to section 104(2), Council will not consider ancillary residential units as part of the permitted baseline in considering residential density effects in the residential zones.
5. 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.

15.12.2 Assessment of discretionary activities

Activity	Guidance on the assessment of resource consents
1. All discretionary land use activities listed below	<p><i>Relevant guidance from other sections (priority considerations):</i></p> <ol style="list-style-type: none"> a. See Section 6.12 for guidance on the assessment of resource consents in relation to Objectives 6.2.2 and 6.2.3 and effects related to accessibility and the safety and efficiency of the transport network and its affordability to the public. b. See Section 9.7 for guidance on the assessment of resource consents in relation to Objective 9.2.2 and effects on health and safety. c. See Section 14.5 for guidance on the assessment of resource consents in relation to Objective 14.2.1 and effects on cultural values of Manawhenua.

15.12.2 Assessment of discretionary activities

Activity	Guidance on the assessment of resource consents
<p>2. Registered health practitioners</p>	<p><i>Relevant objectives and policies (priority considerations)</i></p> <p>a. Objective 15.2.3</p> <p>b. Registered health practitioners are designed and located to avoid or, if avoidance is not practicable, adequately mitigate, adverse effects on the amenity of surrounding residential properties (Policy 15.2.3.4).</p> <p><i>General assessment guidance:</i></p> <p>c. In assessing the effects on amenity, Council will consider the effects of vehicle movements on the site as well as any significant changes to the number and nature of vehicle movement on the adjoining road, with consideration of the Road Hierarchy in Appendix 6A.</p> <p><i>Potential circumstance that may support a consent application include</i></p> <p>d. The scale of the facilities is appropriate to the residential environment, providing for a small number of registered health practitioners, rather than a medical centre, which should be located in a centre.</p> <p><i>Conditions that may be imposed include:</i></p> <p>e. Delivery/pick uptime restrictions.</p> <p>f. Landscaping to minimise amenity effects of lighting, vehicle headlights, or parking areas on surrounding properties.</p> <p>g. Number of registered practitioners to be employed.</p>
<p>3.</p> <ul style="list-style-type: none"> • Early childhood education - large scale • Schools 	<p><i>Relevant objectives and policies (priority considerations)</i></p> <p>a. Objective 15.2.3</p> <p>b. Schools and early childhood education are designed and located to avoid or, if avoidance is not practicable, adequately mitigate, adverse effects on the amenity of surrounding residential properties (Policy 15.2.3.4).</p> <p><i>General assessment guidance:</i></p> <p>c. In assessing the effects on amenity Council will consider whether buildings and outdoor areas are designed and located to reduce noise emissions.</p> <p><i>Conditions that may be imposed include:</i></p> <p>d. Delivery time restrictions</p> <p>e. Landscaping to minimise amenity effects of lighting, vehicle headlights or parking areas on surrounding properties.</p> <p>f. Mitigation measures to minimise noise such as insulation, acoustic fencing, low noise surfaces for play areas, or other such treatments.</p> <p>g. A noise management plan may be required.</p>

15.12.2 Assessment of discretionary activities

Activity	Guidance on the assessment of resource consents
<p>4. Sport and recreation (not involving the use of motor vehicles)</p>	<p><i>Relevant objectives and policies (priority considerations)</i></p> <ul style="list-style-type: none"> a. Objective 15.2.3 b. Sport and recreation is designed and located to avoid or, if avoidance is not practicable, adequately mitigate, adverse effects on the amenity of surrounding residential properties (Policy 15.2.3.4). <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> c. In assessing the effects on amenity Council will consider whether buildings and outdoor areas are designed and located to reduce noise emissions. d. The design or location of the activity will not result in impacts or parking pressure on the surrounding residential environment. e. Hours of operation proposed are appropriate for the residential environment. f. The scale of the facilities is appropriate to the residential environment. <p><i>Conditions that may be imposed include:</i></p> <ul style="list-style-type: none"> g. Landscaping to minimise amenity effects of lighting, vehicle headlights or parking areas on surrounding properties. h. Hours of operation. i. Car parking requirements.
<p>5. Stand-alone car parking</p>	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> a. Objective 15.2.3 b. Stand-alone car parking is designed and located in a way that avoids or, if avoidance is not practicable, adequately mitigates, adverse effects on the amenity of surrounding residential properties (Policy 15.2.3.4). <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> c. In assessing the effects on the amenity of surrounding residential properties, Council will consider the effects of vehicle movements on the site as well as any significant changes to the number and nature of vehicle movement on the adjoining road, with consideration of the Road Hierarchy in Appendix 6A. <p><i>Conditions that may be imposed include:</i></p> <ul style="list-style-type: none"> d. Requirements for fencing or landscaping of car parking areas to minimise adverse visual or nuisance effects from lighting and/ or vehicle headlights on surrounding properties.

15.12.2 Assessment of discretionary activities

Activity	Guidance on the assessment of resource consents
<p>6. Restaurants or retail ancillary to sport and recreation</p>	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> a. Objective 15.2.4 b. Sport and recreation facilities are designed and operated in a way that avoids or, if avoidance is not practicable, adequately mitigates, adverse effects on streetscape amenity (Policy 15.2.4.7). <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> c. The ancillary activity is designed and managed so as to be unlikely to attract external customers. d. There will be no external advertising on buildings facing the street, for the ancillary activity.
<p>7. Service stations on a strategic road or arterial road</p>	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> a. Objectives 15.2.1, 15.2.3 and 15.2.4. b. Provide for service stations on a strategic road or arterial road where: <ul style="list-style-type: none"> X. i. safe and convenient access to the site for pedestrians and cyclists can be provided; Y. ii. there is adequate public infrastructure to service the development or any necessary upgrades to public infrastructure will be provided; Z. iii. the service station will not detract from the economic and social vibrancy and viability of any nearby centres; and AA. iv. policies 15.2.3.4 and 15.2.4.7 can be achieved (Policy 15.2.1.7). c. Service stations are designed and located to avoid or, if avoidance is not practicable, adequately mitigate, adverse effects on the amenity of surrounding residential properties (Policy 15.2.3.4). d. Service stations are designed and located to avoid or, if avoidance is not practicable, adequately mitigate, adverse effects on streetscape amenity (Policy 15.2.4.7). <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> e. In assessing the effects on the amenity of surrounding residential properties and the streetscape amenity, Council will consider the: <ul style="list-style-type: none"> i. design and location of buildings, forecourts/yards and signs; ii. location of access/egress points; iii. effects of vehicle movements on the site; and iv. the hours of operation, light spill, noise and location of service station development in relation to site boundaries. f. See Rule 6.12.2.1 for guidance on the assessment of the effects on the safety and efficiency of the transportation network, and other transportation effects. X. g. In assessing the effects on public infrastructure, Council will consider the extent to which the service station is likely to attract pedestrians and cyclists and if necessary whether safe and convenient access for pedestrians and cyclists is available or will be provided.

15.12.2 Assessment of discretionary activities

Activity	Guidance on the assessment of resource consents
	<p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> Y- h. The service station is located on a site previously used for service station activity or that is otherwise a Hazardous Activities and Industries List (HAIL) site. Z- i. Any necessary upgrades to available public infrastructure will be made. <p><i>Conditions that may be imposed include:</i></p> <ul style="list-style-type: none"> G- l. Requirements for fencing, landscaping and/or setbacks of buildings, forecourts/yards, signs and access/egress points to minimise adverse visual or nuisance effects from noise, lighting and/or vehicle headlights on surrounding properties. H- k. Restrictions on hours of operation. I- l. Restrictions on on-site lighting. J- m. Requirements for screening of storage areas. K- n. Requirement to control dust. L- o. Conditions related to building design, scale and bulk including roof lines, height, façade articulation, colour and materials to ensure compatibility with surrounding residential amenity. M- p. Restrictions on signage.

15.12.3 Assessment of discretionary performance standard contraventions

Performance standard	Guidance on the assessment of resource consents
<p>1.</p> <ul style="list-style-type: none"> • Acoustic insulation • Noise - where the limit is exceeded by less than 5dB LAeq (15min) • Light spill - where the limit is exceeded by 25% or less 	<p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>a. 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.</p>
<p>2. Maximum gross floor area for working from home and dairies</p>	<p><i>Relevant objectives and policies (priority considerations):</i></p> <p>a. Objective 15.2.3</p> <p>b. Working from home and dairies operate in a way that avoids or, if avoidance is not practicable, adequately mitigates, noise or other adverse effects on the amenity of surrounding residential properties (Policy 15.2.3.2).</p> <p>c. The size of working from home and dairies is compatible with the character and amenity of the residential zones (Policy 15.2.1.3.a).</p> <p>d. The size of working from home and dairies does not detract from the vibrancy and functioning of the centres hierarchy (Policy 15.2.1.3.b).</p> <p><i>Potential circumstances that may support a consent application include:</i></p> <p>e. The degree of non-compliance with the performance standard is minor.</p> <p><i>General assessment guidance:</i></p> <p>f. In assessing the effects on amenity, Council will consider if:</p> <ul style="list-style-type: none"> i. the increased scale of the activity will result in increased vehicle movements or parking requirements, or the need for additional outdoor storage. ii. the scale of the activity is appropriate to the residential environment and is secondary to the residential activity.

15.12.3 Assessment of discretionary performance standard contraventions

Performance standard	Guidance on the assessment of resource consents
3. Density (visitor accommodation)	<p><i>Relevant objectives and policies (priority considerations):</i></p> <p>a. Objectives 15.2.3, 15.2.4</p> <p>b. Visitor accommodation is designed to avoid or, if avoidance is not practicable, adequately mitigate, adverse effects on the amenity of surrounding residential properties (Policy 15.2.3.4).</p> <p>c. Visitor accommodation is designed and located to avoid or, if avoidance is not practicable, adequately mitigate, adverse effects on streetscape amenity (Policy 15.2.4.7).</p> <p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>d. See Section 9.7 for guidance on the assessment of resource consents in relation to Objective 9.2.1 and effects related to the efficiency and affordability of infrastructure.</p> <p>e. See Section 6.12 for guidance on the assessment of resource consents in relation to objectives 6.2.2 and 6.2.3 and effects related to accessibility and the safety and efficiency of the transport network and its affordability to the public.</p>
3. 4. Structure plan mapped area performance standards: <ul style="list-style-type: none"> • Areas of restricted development (hazard) 	<p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>a. See Section 11.6 for guidance on the assessment of resource consents in relation to Objective 11.2.1 and effects related to the risk from natural hazards.</p>

Rule 15.13 Assessment of Non-complying Activities

Rule 15.13.1 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 15.13.2 - 15.13.5 provide guidance on how a consent application for the listed non-complying activities will be assessed, including:
 - a. relevant objectives and policies that will be considered as a priority with respect to s104(1)(b)(vi); and
 - b. general assessment guidance, including any effects that will be considered as a priority.
3. With respect to section 104(2), Council will not consider ancillary residential units as part of the permitted baseline in considering residential density effects in the residential zones.
4. 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.

15.13.2 Assessment of all non-complying activities

Activity	Guidance on the assessment of resource consents
1. All non-complying land use activities listed below	<p><i>Relevant objectives and policies (priority considerations):</i></p> <p>a. Objective 15.2.1</p> <p><i>General assessment guidance:</i></p> <p>b. In assessing the significance of effects, consideration will be given to:</p> <ul style="list-style-type: none"> i. short to long term effects, including effects in combination with other activities ii. the potential for cumulative adverse effects arising from similar activities occurring as a result of a precedent being set by the grant of resource consent. iii. any effects otherwise managed through performance standards and consistent with all relevant objectives and policies for the zone. <p>c. In assessing activities that are non-complying due to being in an overlay zone, mapped area, in a scheduled site, or affecting a scheduled item, that otherwise require resource consent, the assessment guidance provided in relation to the underlying activity status will also be considered.</p> <p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>d. See Section 6.13 for guidance on the assessment of resource consents in relation to objectives 6.2.2 and 6.2.3, and effects related to accessibility and the safety and efficiency of the transport network and its affordability to the public.</p> <p>e. See Section 9.8 for guidance on the assessment of resource consents in relation to Objective 9.2.2 and effects on health and safety.</p> <p>f. See Section 14.6 for guidance on the assessment of resource consents in relation to Objective 14.2.1 and effects on cultural values of Manawhenua.</p>

15.13.3 Assessment of non-complying land use activities

Activity	Guidance on the assessment of resource consents
1. Sport and recreation that involves motor vehicles	<p><i>Relevant objectives and policies (priority considerations):</i></p> <p>a. Objectives 15.2.1, 2.2.6</p> <p>b. Policies 15.2.1.6, 2.2.6.1.f</p>
2. Commercial advertising	<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>

15.13.3 Assessment of non-complying land use activities

Activity	Guidance on the assessment of resource consents
<p>3. All non-complying commercial activities</p>	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> a. Objective 15.2.1 b. Strategic Directions - Objective 2.4.3, Policy 2.4.3.4, Objective 2.3.2, Policy 2.3.2.2 c. Commercial activities, other than those expressly provided for, are avoided from locating in residential zones, unless: <ul style="list-style-type: none"> i. the activity will not detract from the vibrancy and functioning of the centres hierarchy; and ii. the site is adjacent to a centre and it provides a logical extension to a centre; and iii. the centre is at, or very close to, capacity; and iv. the development activities are done in accordance with the performance standards of the street typology (if relevant) of the adjacent centre zoned sites; and v. the development maximises opportunities for integration with the centre; or vi. if the site is in the Township and Settlement Zone: <ul style="list-style-type: none"> 1. the commercial activity would have significant positive effects in terms of supporting the needs of the community and visitors to the area; and 2. the activity is unable to be located in, or adjacent to, the nearest centre, or no centre exists within the relevant township or settlement; and 3. the location is appropriate for the proposed activity; and 4. any adverse effects from noise, vehicle movements, and on-street parking supply will be avoided or, if avoidance is not practicable, adequately mitigated (Policy 15.2.1.5). <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> d. In assessing the effects on the vibrancy and functioning of the centres hierarchy, Council will also consider effects on the economic feasibility of any redevelopment necessary to maintain the vibrancy and attractiveness of those centres.
<p>4.</p> <ul style="list-style-type: none"> • All major facility activities (excluding cemeteries, emergency services and schools) • All rural activities (excluding grazing and scheduled mining activity) • All industrial activities 	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> a. Objective 15.2.1 b. Policy 15.2.1.6

15.13.3 Assessment of non-complying land use activities

Activity	Guidance on the assessment of resource consents
5. In the hazard 1 (flood) overlay zones : <ul style="list-style-type: none"> Natural hazards potentially sensitive activities Natural hazards sensitive activities 	<p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>a. See Section 11.7 for guidance on the assessment of resource consents in relation to Objective 11.2.1 and effects related to the risk from natural hazards.</p>

15.13.4 Assessment of non-complying development activities

Activity	Guidance on the assessment of resource consents
1. Demolition of a protected part of a scheduled heritage building or scheduled heritage structure	<p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>a. See Section 13.8 for guidance on the assessment of resource consents in relation to Objective 13.2.1 and effects on heritage values.</p>

15.13.5 Assessment of non-complying performance standard contraventions

Performance standard	Guidance on the assessment of resource consents
1. Density	<p><i>Relevant objectives and policies (priority considerations):</i></p> <p>a. Strategic Directions - Objectives 2.7.1 (policies 2.7.1.1, 2.7.1.3), 2.4.1 (Policy 2.4.1.5).</p> <p>b. Objective 15.2.4, Policy 15.2.4.2.</p> <p>c. See Section 9.8 for guidance on the assessment of resource consents in relation to Objective 9.2.1 and effects related to the efficiency and affordability of infrastructure.</p>
2. <ul style="list-style-type: none"> Light spill - where the limit is exceeded by greater than 25% Noise - where the limit is exceeded by 5dB LAeq (15 min) or more Hazardous substances quantity limits and storage requirements (Rule 9.3.4.2) 	<p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>a. See Section 9.8 for guidance on the assessment of resource consents in relation to Objective 9.2.2 and effects related to public health and safety.</p>
3. <ul style="list-style-type: none"> Setback from National Grid (buildings, structures, city-wide activities, and National Grid sensitive activities (Rule 5.6.1.1). Setback from National Grid (subdivision activities) (Rule 15.7.X 15.7.7) 	<p><i>Relevant guidance from other sections:</i></p> <p>a. See Section 5.10 for guidance on the assessment of resource consents in relation to Objective 5.2.X and effects related to the operation, maintenance, upgrading and development of the National Grid.</p>

15.13.5 Assessment of non-complying performance standard contraventions

Performance standard	Guidance on the assessment of resource consents
4. Minimum site size	<p><i>Relevant objectives and policies (priority considerations):</i></p> <p>a. Objectives 15.2.4, 9.2.1</p> <p><i>Relevant guidance from other sections (priority considerations):</i></p> <p>b. See Section 9.8 for guidance on the assessment of resource consents in relation to Objective 9.2.1 and effects related to the efficiency and affordability of infrastructure.</p>
5. Structure plan mapped area performance standards	<p><i>Relevant objectives and policies (priority considerations):</i></p> <p>a. The objectives and policies that should be considered as a priority will depend on the specific issues being managed through the structure plan rules, which vary from site to site. All objectives and policies related to managing the relevant issues should be considered.</p>
6. NA	NA

Rule 15.14 Special Information Requirements

15.14.1 Papakāika - ownership and occupation

For papakāika activity, proof that both the owner and occupier of the land fall into one of the classes listed in the definition of papakāika is required. Proof can be obtained from the Māori Land Court or the Ngāi Tahu Whakapapa Unit.