

DOUBLE SIDED

ORIGINAL

2

DECISION

Decision No. C 169 /2001

IN THE MATTER of the Resource Management Act 1991
(the Act)

AND

IN THE MATTER of a reference pursuant to Clause 14 of the
First Schedule of the Act

BETWEEN CEREBOS GREGGS LIMITED

(RMA 916/99)

AND WICKLIFFE PRESS LTD

(RMA 967/99) (Withdrawn)

Appellants

AND DUNEDIN CITY COUNCIL

Respondent

BEFORE THE ENVIRONMENT COURT

Environment Judge J A Smith

Commissioner R S Tasker

Commissioner I G C Kerr

HEARING at DUNEDIN on 5 and 6 June 2001

APPEARANCES

Mr A J P More for the referrer

Mr M R Garbett for the respondent

Introduction

[1] This is a reference by Cerebos Greggs Limited (Greggs) relating to the proposed Dunedin City Plan (the plan). In the proposed plan the site occupied by Greggs, in the block bound by Forth, Albany, Riego Streets and Water of Leith (the site) has been zoned as part of the Campus Zone by the Dunedin City Council (the Council) and confirmed in a decision on submissions. Greggs have made this reference seeking to have their land zoned Industrial.

Background

[2] The majority of the site is currently occupied by Greggs Instant Coffee making plant which has been on the site for a number of decades. The area of land occupied by the site is some 9375m². There are five other property owners in the block being:

- (a) The University of Otago 607m²;
- (b) R W Handforth 202m²;
- (c) Strive Charitable Trust 405m²;
- (d) J P Dallas 202m²; and
- (e) L A Chisholm 307m².

Collectively the properties including the Greggs site have an area of 11,098m². None of the other property owners have filed any notices in respect of this reference nor made any appearance.

[3] The Cerebos site is zoned Industrial B land under the Dunedin City Transitional District Plan. It was zoned Campus in the Dunedin City Proposed District Plan notified in 1995 and approved by the Council on 19 July 1999. The referrer seeks to have the land zoned as Industrial whereas the Council seeks to have the land continue to be zoned as Campus.

[4] The relevant issues, objectives and policies of the proposed plan are annexed hereto as Appendix 1. We have had regard to these provisions and the proposed plan and planning maps generally in considering this reference.

[5] The relevant methods in the proposed district plan include those in the Campus zone which are: Promotion of public transport (to address the car parking issue); Liaison with parties interested in Campus development; management plans for any reserves within the zone; and rules. The rules permit Campus Educational Activities, Campus Service Activities and signs. Discretionary activities include Campus Joint Venture Industry, Childcare facilities, residential activities and Campus Open Space.

The methods identified in the Industrial zone are: Environmental codes of practice; management plans for any reserves within the zone; and rules. The rules permit industrial activities, service activities (i.e. transport, storage, hire of industrial goods); service stations; garden centres; vehicle and boat yards;



industrial tourism and signs. Emergency services such as fire stations and ambulance stations are discretionary activities.

Campus zone

[6] The Campus zone is focused around three institutions delivering tertiary educational services in Dunedin, New Zealand or city centre. These are the University of Otago, the College of Education (teachers' training), and the Polytechnic. All three of these institutions each have an established campus. The University of Otago is focused in the northern part of the Campus Zone and a hospital associated with the medical school is situated to the west. The College of Education is situated in part directly opposite the Greggs site on the true left bank of Water of Leith and in part directly opposite the Greggs site on Riego Street. The Polytechnic has various sites some to the south of the Greggs site and some to the north east. Notably none of the tertiary institutions involved gave evidence to this Court. The evidence as to the requirements for these institutions was contained largely in a joint campus plan dated 1989, which one of the witnesses, Mr D R Anderson a planning consultant for the referrers, had been involved in preparing. Mr Anderson was also able to give evidence as to their intentions, having been retained by the other tertiary institutions in the past.

[7] Evidence for the Council was given that current students involved in the three campuses were just under 20,000 comprising around 16,000 at the University of Otago, 3,000 at the Polytechnic and around 800 at the College of Education. That compares with the figures in 1989 of just under 12,000. There did not appear to be any dispute that there had been a significant growth in the requirements of the tertiary providers over the past 10 years.

[8] Evidence for the Council was given by Mr R B Buxton, a senior planner for the Council. He said the decision to zone the area Campus zone reflected the site area as being seen as part of the catchment of the campus. This was included in the 1989 report as being physically contiguous with areas used by the tertiary institutions already. The identification of the frontage with Water of Leith and the concept of the continuous campus running along the banks of Water of Leith, appeared to be of particular relevance.

Is there a demand for this resource?

[9] The argument of the Council for the necessity of this zone, (in the sense of expedient or desirable as used in *Foodstuffs (Southland) v Dunedin City Council*¹), appeared to be driven by the Council's view that the three tertiary institutions involved required further land zoned campus to enable them to expand their activities.

[10] Mr More for the referrer noted particularly that none of the institutions involved had taken an interest in this reference or advanced evidence to support this contention. Mr Anderson indicated that from his knowledge the University of

¹ *Foodstuffs (Otago/Southland) Properties Ltd v Dunedin City Council* [1993] 2 NZRMA 497.



Otago had indicated that it did not accept the joint campus study and had no intentions of moving to the east or south. He also indicated that he had advised the College of Education on planning matters and was aware that they had determined that they would not be expanding from their current site. This left only the Polytechnic which has in recent years moved onto a site formerly zoned Industrial under the Transitional Plan, bounded by Anzac Avenue, Minerva and Parry Streets. That land has now been rezoned Campus zone.

The surrounding area

[11] To the immediate south of the Greggs site, there has been another application for designation on the rear portion of a site with access from Harrow Street for Ministry of Education purposes. There is also a residential R3 zone block on the opposite corner of Forth and Albany Streets with General Industrial zones nearby in Harrow Street, Parry Street, Minerva Street and Awatea Street.

[12] Originally this reference was set down together with one for Wickliffe Press Limited RMA 967/99, and evidence was exchanged on the basis that the matters would proceed together. That site is immediately opposite the Greggs site on Forth Street. However the Court was advised that the Council and the referrer have reached an agreement for the sale of the property to the Dunedin City Council prior to the hearing and on this basis the reference was withdrawn.

[13] If successful this reference would result in the site having Industrial zoning which is not immediately adjacent to another Industrial zone although Industrial zoning is close by on Parry and Harrow Streets.

What are the features of the two zones in question?

[14] We do not understand there to be any dispute between the parties that the Industrial zone is the more liberal of the two zones before this Court on this reference. It provides for a relatively wide range of activities which can be conducted with more liberal controls over the activity standards. The Campus zone on the other hand has a limited range of permitted activities, being campus educational activity and campus service activity. The campus educational activity consists of educational activity undertaken by one of the three identified institutions. The campus service activity provides for the use of land or buildings for the purpose of providing administrative or technical support for one or more campus constituent institutions.

[15] The campus educational activity is defined as:

An activity operated by a Campus Constituent Institution for the purpose of educating or giving instruction.

Accordingly the rule does not appear to be focused around adverse effects but rather around the body that is undertaking the activity and whether it is for the purpose of giving education or instruction. On this basis there are relatively liberal conditions relating to the permitted activities. For example: height of building, 40 metres in the zone or within a building envelope of 40° at an



elevation of 2 metres from the road frontage boundary on the margins of the zones.

[16] Discretionary activities which are unrestricted include campus joint venture industries, which includes industrial activity by joint venture partnerships where at least one partner is a campus constituent institution with a substantial interest in that venture; child care facilities, residential activities and campus open space. Again it does not appear to be the nature of the activity to be conducted but the ownership and operating structure which is the distinguishing feature within the zone. It was for example accepted that if the institution itself undertook the activity then industrial activities could be permitted in the zone, i.e. Polytechnic panelbeating or engine reconditioning. This is explicitly recognised in the joint venture activities which includes industrial activities themselves.

[17] We must therefore conclude that the distinction between the Campus zone and the Industrial zone is not based around adverse effects but around the Council's desire to ensure there is sufficient land available for continued expansion of the constituent institutions. Limitation on each of the zones does not relate to the activities that can be conducted within them but rather to the persons who may undertake the activities. The question is whether that distinction is one which is justified in terms of the Resource Management Act.

The approach to zoning

[18] Section 5 is intended to enable the parties to undertake activities provided they are able to avoid, remedy, or mitigate adverse effects.

[19] In terms of section 32 of the Resource Management Act 1991 ("the Act") the *Boon v Marlborough District Council*² case posed the following questions:

- (1) Does the proposed zoning achieve integrated management of the effects of the use, development or protection of the land?
- (2) Does it control the potential effects of the use, development or protection of the land?

To both those questions our answer must be that the zoning seeks to achieve predominantly a collateral purpose, and is only available for use by one of the three constituent institutions without an application for non-complying resource consent.

[20] We understand the purport of the evidence of the Council is that the availability of this land for continuing industrial use will create an adverse effect by not being available for Campus zone use if and when the existing use is no longer sufficient for Greggs' requirements. We are not satisfied that there is in fact before us sufficient evidence to conclude that there is a requirement for this land by the constituent institutions. The evidence we do have before us would indicate that at least two of those institutions do not require this land.

² [1998] NZRMA 305.



[21] Accordingly in our view the zoning as Campus must fail at the first hurdle, namely that there is no established desirability or expediency (as the word necessary is used in section 32) for the zoning. Moreover we retain a concern that the zoning mechanism used in this case is not based around adverse effects but around a directive planning approach adopted by the Council in respect of future development within the city.

[22] There is an assumption by the Council in their evidence that in the event an application is made for a non-complying activity in the Campus zone this would in normal cases be granted. In terms of the proposed plan however it would be possible that the application would be contrary to the objectives and policies of the plan. It appears inevitable that the Council or other parties would argue that no matter what the level of effects, the plan is an operative document under the Resource Management Act and should be applied so as to avoid any precedent or cumulative effect from non-complying activities eroding the Campus zone. Although the Court has no view as to the success of that argument, the argument is typically being advanced in respect of plans even at the proposed stage. There is no transitional provision made within the Campus zone for the continuation of the Greggs' activity on the site. We have to conclude that section 10 existing use rights are of limited utility to an operation of this size in the context of the flexibility required to adapt to changing circumstances. Accordingly we must conclude that the zoning of this site as Campus would not advance the integrated management purpose of the Act.

The requirements of Greggs

[23] Mr A C Loretan, the production manager for the plant on site gave evidence of the history, development and possible future needs of the company. The plant is specialised with a multi-storey spray drying tower, gravity drop hoppers, as well as packing and storage facilities. The plant has an indefinite life but is not relocatable. A change in market demand could lead to greater utilisation of the site. The plant currently produces around 1,000 tonnes of instant coffee per year. Mr Loretan opines that the site could produce up to 5,000 tonnes per annum although new plant would need to be constructed, particularly an additional evaporator. We are told the market is showing positive growth. The value of the site is as a going concern. Mr Loretan told us the company would be unlikely to re-establish elsewhere in Dunedin. The company's concern is that re-zoning would significantly restrict their options and flexibility for use of this site.

[24] In our view the sustainable management of this business has continuing importance to the city and the company. Under section 32 the Court is directed at sub-paragraph 1(c) to:

Be satisfied that any such [zoning]

- (i) *is necessary in achieving the purpose of this Act; and*
- (ii) *is the most appropriate means of exercising the function, having regard to its efficiency and effectiveness relative to other means.*



This reflects the evaluation required under sub-paragraph 32(1)(b) to carry out an evaluation of the benefits and costs of the principal alternative means. Questions of efficiency are also recognised in terms of section 7 which requires all persons exercising functions and powers under the Act to have particular regard to 7(b) – the efficient use and development of natural and physical resources. It is further reflected in section 5(2) itself which refers to enabling people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety ... (emphasis added).

[25] The Court has previously held that efficiency as used in both section 32 and section 7 relates to economic efficiency. Accordingly this element, which is but one of the matters that should be taken into account by the Court on an application, has a common thread commencing in section 5 and carrying through section 7 and section 32. In this particular case the economic issue is of some particular moment because of the significant capital investment made by the company in the site over a period of years, and the absence of any evidence as to competing use for the site. We accept the evidence of the referrers that the zoning of this land may restrict its economic usefulness and thereby have an adverse effect on the economic base of the city in due course.

[26] There was no evidence that there is any economic reason why the site needs to be zoned Campus for the purposes of the three institutions named. In fact the evidence before us was to the contrary. It appears that the institutions have acquired land outside the Campus zone by a standard purchase arrangement. The Polytechnic in particular has developed a relatively large site in an area zoned Industrial under the transitional plan with no apparent difficulties or conflict. From the evidence put before us the institutions have been prepared to pay the market value of the land as Industrial land in the past. We take into account that they did not appear before this Court to argue any alternative viewpoint. We conclude that the three institutions in question do not consider themselves constrained to the Campus zone or by any expectation of a reduction in value of the properties as a result of such zoning.

Part II and section 32 matters

[27] When we turn to the balance of the matters raised under Part II and section 32 we note that the effects in this case relate particularly to the potential of the physical resources, i.e. the existing buildings, and the potential for reverse sensitivity effects.

In respect of these physical resources Mr Anderson the appellant's planner concluded that there is an acceptance of the relationship of the Greggs activities with other activities adjacent to the referrer's land. We note the co-existence, although not strictly an ecological relationship, is one that has been sustained since at least 1964 and continues.

[28] Mr Buxton suggested that spot zoning had the potential to create conflict between activities including reverse sensitivity effects. He did not however go on to explain how a change of zoning to Campus zoning would reduce or avoid

such effects or why there would be differences between Industrial and Campus zoning where the major distinction was as to the three institutions rather than the activities of those operations.

[29] Having considered the evidence and undertaken a site visit we are satisfied that the potential for conflict between this site and others in the area including the Campus zone and R3 zone is not significantly different whether the land is zoned Campus zone or Residential Industrial.

Natural and physical resources

[30] It is difficult to envisage any adverse effect on the natural and physical resources as a result of Industrial zoning. It has previously been zoned Industrial with no reported adverse effect on either the natural or physical resources in the environment. On the other hand the zoning of the land to Campus zone may have an adverse effect on the physical resource of the coffee making plant. Its inability to expand or alter its operation may lead to the plant not being able to be properly or fully utilised. We accept that such an asset does not have value beyond its operational use by the company. Even if the site were abandoned by the company it is unlikely that they would allow any competitors to set up a coffee manufacturing plant at the same site and it was not suggested that there was any adaptive or alternative use that the plant could be put to. In any event any such use would be a non-complying activity under Campus zoning. Effectively this would mean that the physical resource would have to be either removed or altered significantly to allow for an alternative use of the site under Campus zone. Accordingly we conclude that the more effective utilisation of the site from the point of view of effect on natural and physical resources would be zoning as Industrial rather than Campus.

Section 5 matters

[31] A number of other criteria are set out in Part II of which the relevant ones appear to be the social, aesthetic and cultural conditions. We have seen development plans for the Campus zone prepared in 1989 which show an attractive connected series of campuses centred around Water of Leith. Such a development would represent a significant improvement in terms of social and aesthetic amenity within the area. However in the evidence before us none of the institutions had in fact adopted this plan. Developments that the Court sighted during the course of its site visit indicated that each of the campuses had developed individually and were not necessarily focused around Water of Leith. In fact much of that development would have involved changes to the central Dunedin area, particularly those areas bounding Water of Leith. We have concluded that there would be benefit from the re-zoning of the land as Campus in terms of amenity including social and aesthetic issues. However we are not satisfied that there is any evidence before the Court from which we can conclude that such an approach would be adopted by any of the institutions. It is more likely that they would seek an adaptive re-use of existing buildings as they appear to have done elsewhere. In the case of these particular buildings their specific design is likely to make them more difficult for adaptive re-use.



Other matters under section 6 and section 7

[32] It was not suggested that there were any matters arising under section 6 of the Act. Under section 7, in addition to the questions of efficient use and development of physical resources and the maintenance and enhancement of amenity values we consider section 7(f) maintenance and enhancement of the quality of the environment.

[33] Mr Anderson suggested this was a by-product of earlier consideration in respect of amenity but we conclude that it is wider in its scope. There is potential from re-zoning the land as Campus for an improvement in the quality of the environment. This depends on the particular nature of the activity undertaken by the institution or the joint venture on the site. However even in relation to campus activities there is always the potential for impacts which may be adverse compared with the activity currently undertaken. For example if the site was used for teaching activities then it is possible that the demand for parking, student numbers and hours of operation might constitute an effect on the environment different from that which has previously occurred.

[34] In such circumstances the Court is involved in speculation as to the potential uses of the site which goes well beyond the issue of zoning. We have concluded that we are unable to draw any conclusions from the zoning itself as to what the effect on the quality of the environment may be as a result of re-zoning. We have determined this issue should be neutral in terms of the consideration of this reference.

[35] We do not understand any issues to arise under section 8.

Is each zoning consistent with the objectives and policies of the plan and zone rules?

[36] Having considered the objectives and policies which are set out earlier in this decision and the evidence of the parties, we have concluded that the objectives and policies are consistent with both zonings. In particular Policy 4.3.8 seeks to avoid indiscriminate mixing of incompatible uses and developments. It was the Council's position that zoning the land Industrial was contrary to that approach. Having considered the range of permitted uses in the zone we prefer the evidence of Mr Anderson which concluded that compliance with the performance standards for the Industrial zone would effectively result in much the same environmental outcomes as for the Campus zone. Furthermore we are satisfied that in the Campus zone activities with similar effects to those in the Industrial zone could be undertaken as of right in any event. The distinction between the zones is not based upon the effects but upon whether any of the three named institutions is involved in the activity. Policy 4.3.8 is derived from Issue 4.1.4 and from Policy 4.3.7 which address adverse effects. We conclude that the purpose of Policy 4.3.8 is to avoid potential adverse effects.



Other issues

[37] We recognise that either zoning constitutes some difficulties. If the land is zoned as Industrial this may limit the ability of the site to be used for educational purposes. The same is true of any industrial use in the Campus zone (unless that activity is conducted by one of the constituent institutions). In our view the matter is therefore to determine which of the two zones is more appropriate for this site. From our inspection of the site and the adjoining areas we conclude the distinctions between the Campus zone and Industrial zone are already blurred. The buildings in both cases are often large, sometimes windowless. On the Polytechnic site some of the activities appear to be industrial in nature, i.e. commercial buildings and features such as loading areas, truck access and the like. Water of Leith provides some setback in respect of the site and the current Greggs operation has buildings that would equally fit within the Campus or Industrial zones. Even the other buildings along the periphery of the Greggs site do not appear to be incongruous in the Industrial, Campus or Residential 3 zones, all of which are in the vicinity.

[38] In the absence of the planning maps we would describe the area as a mixed zone, having commercial, industrial, institutional, office and residential activity all within close proximity. The site itself is clearly used for an industrial activity, namely the manufacture of instant coffee. The majority but not all the buildings on the site appear to be used for that purpose. There is nothing incongruous with the description of that site as an industrial site. When viewed in the context of the surrounding sites including the Wickliffe Press site it is industrial in nature. The proximity of Anzac Avenue and the nearby industrial areas provide some connection with the site.

Conclusion

[39] There was no clear evidence as to a necessity in the sense of desirability or expediency of zoning this land as Campus. For the reasons set out in this decision we have concluded that the appropriate zoning for this site should be Industrial. We are mindful that in the event this site is acquired by one of the educational institutions they may need to seek a plan change or the Council may need to introduce a variation. However, having regard to the proposed introduction by variation of further industrial areas close to this site we do not envisage that such a change would constitute any difficulty were the site to be acquired by one of the institutions. On the other hand the zoning as Industrial enables the current site owner to continue to plan the use of that site in relation to its current operations in the most effective way it sees fit.

[40] We therefore direct the Dunedin City Council to amend the relevant planning maps to show this site as Industrial and delete the current zoning as Campus.



Costs

[41] Costs on references are generally not appropriate. On a tentative basis we see no reason to depart from that general view. In the event that any party does seek costs such application is to be filed within 20 working days with 10 days thereafter for reply.

DATED at CHRISTCHURCH this 5th day of October 2001.


J A Smith
Environment Judge



Date of Issue:

- 5 OCT 2001

APPENDIX 1.

<p>Issue 4.1.1 The residents of Dunedin</p> <p>The Coastal Marine Area, although not in the City, is influenced to some extent by land use activities in the City.</p>	<p>Objective 4.2.1 Enhance the amenity values</p>	<p>Policy 4.3.1 Maintain and enhance amenity</p> <ul style="list-style-type: none"> • areas of significant conservation value • high class soils • the Campus and Port Zones • state highways, the railway and airports. <p>Policy 4.3.10 Adopt an holistic approach in assessing the effects of the use and development of natural and physical resources.</p> <p>Explanation Regard must be had to the adverse effect of using or developing natural and physical resources. These effects may include long term effects, cumulative effects, effects beyond the site, and in some 'cases' effects that go beyond the City boundary.</p>
<p>Issue 4.1.4 The use and development of the natural and physical resources of the City has the potential to cause adverse effects, not all of which are readily apparent.</p>	<p>Objective 4.2.5 Provide a comprehensive planning framework to manage the effects of use and development of resources.</p>	<p>Policy 4.3.7 Use zoning to provide for uses and developments which are compatible within identified areas.</p> <p>Explanation People and communities within Dunedin City seek a high degree of certainty as to the amenity within different parts of the City. This necessitates the adoption of zoning as a technique to provide such certainty and to ensure that the adverse effects of incompatible activities are avoided, remedied or mitigated.</p> <p>Policy 4.3.8 Avoid the indiscriminate mixing of incompatible uses and developments.</p> <p>Policy 4.3.9 Require consideration of those uses and developments which:</p>



		<p>(a) Could give rise to adverse effects.</p> <p>(b) Give rise to effects that cannot be identified or are not sufficiently understood at the time of preparing or changing the District Plan.</p> <p>Policy 4.3.10 Adopt an holistic approach in assessing the effects of the use and development of natural and physical resources.</p>
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have implications for the sustainable management of other natural and physical resources in the City.

Policy 12.3.2

Provide for the establishment and operation of Campus-related activities within the Campus Zone.

Explanation

The Campus and its users have a demand for related support and servicing activities. These include Campus service activities, Campus joint venture industry and child care facilities. It is considered possible to provide for the establishment of activities of this nature in the Campus Zone without either compromising the potential of other established physical resources and their efficient use, or creating unmanageable adverse effects.

Policy 12.3.3

Allow future expansion of the Campus Constituent Institutions within the Campus Zone.

Explanation

Allowing the Campus Constituent Institutions to expand is a pre-requisite to achieving sustainable management of the physical resources concerned. Limited opportunities exist for increasing the density of development within the existing boundaries of the Campus Constituent Institutions. Expansion outside these boundaries will be required. Expansion needs to be accommodated within a clearly defined area if the effects on resource potential, resource use efficiency,

<p>Issue 12.1.1 Campus Constituent Institutions will need to expand in order to meet projected demands for their services and to provide for centralisation of the Campus Constituent Institutions' activities.</p> <p>Explanation: The demand for Campus-based services is steadily increasing and indications are that this trend will continue in the reasonably foreseeable future. In addition, some of the Campus Constituent Institutions are progressively centralising their activities on the Campus in order to improve operating efficiencies. The existing resource base is inadequate to accommodate the level of expansion required. This will necessitate expansion outside the existing boundaries of the Campus Constituent Institutions on to other land resources. The effects of this expansion require management because they</p>	<p>Objective 12.2.1 Ensure that the potential of the Campus Zone to meet the reasonably foreseeable needs of the community is sustained.</p> <p>Explanation: Campus activities make a significant contribution to the community's social, economic and cultural wellbeing. The Council has a responsibility to sustain the potential of the Campus Zone and its housing resources for future generations. There are significant pressures to expand the Campus resource base in order to continue meeting the needs of the community in respect of tertiary education. The managed expansion of the Campus resource base within the Campus Zone can be considered instrumental to sustaining resource potential.</p>	<p>Policy 12.3.1 Focus the establishment and operation of Campus Constituent Institutions' activities within the Campus Zone.</p> <p>Explanation: The Council considers that the most effective means of sustaining resource potential, maximising resource use efficiency, and managing the effects of the Campus Constituent Institutions' activities is to ensure that these can be managed as a discrete and integrated unit within a defined area where management objectives are focused and explicit. Although the Campus is managed by three separate institutions, the interdependencies between these institutions in respect of resource use and its effects are such that integrated management is both desirable and achievable.</p>
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amenity and public safety are to be sustainably managed. To maximise resource use efficiency and facilitate the avoidance and mitigation of adverse effects it is considered that expansion of the Campus Constituent Institutions is best accommodated on land located within the Campus Zone.

Policy 12.3.4
Facilitate the coordinated and strategic expansion of the Campus Constituent Institutions within the Campus Zone through liaison.

Explanation
Ad hoc development threatens to compromise the sustainable management of natural and physical resources. Providing for future needs by highlighting the zone in which Campus expansion may occur is important in order to sustain resource potential. However, it is not a sufficient technique on its own to facilitate adequate management of adverse effects and the sustaining of resource potential. Liaison with representatives of Campus Constituent Institutions, and as appropriate with other parties having an interest in the development of the Campus, will also be carried out.

Issue 12.1.2
Campus Constituent Institutions and Campus-related activities can give rise to adverse environmental effects both within and outside the boundaries of the Campus Zone.

Objective 12.2.2
Avoid, remedy or mitigate the adverse effects generated by Campus Constituent Institutions and Campus-related activities.

Explanation
Adverse effects of the

Policy 12.3.6
Protect the amenity values in the housing area located adjacent to the Campus Constituent Institutions from Campus and other non-residential expansion.

Explanation:

Explanation:
Campus and Campus-related activities have the potential to give rise to some significant adverse environmental effects, such as loss of the adjacent housing resource, reduced residential amenity, increased demand for car parking space, and reduced efficiency of the existing roading network. These effects can be experienced both within and outside the boundaries of the Campus Zone.

Campus Constituent Institutions and Campus-related activities threaten to compromise resource use efficiency, amenity and public safety. The Council has a responsibility to avoid, remedy or mitigate these adverse effects.

The strategic importance of the housing areas adjacent to the Campus Constituent Institutions was identified in Policy 12.3.5. Campus expansion and other non-residential uses can have adverse effects on the physical resource and existing amenity values in these housing areas.

Policy 12.3.8
Require provision of adequate car parking for Campus-based activities within the Campus Zone.

Explanation
High car parking demands associated with Campus-based activities continue to have a significant adverse effect. In particular, there is a shortage of car parking spaces supplied during times of Campus operation. Inconvenience for others in the community and a decline in traffic safety, especially along State Highway 1, has resulted. It is therefore important that this issue is addressed to avoid continued pressure for on-street car parking.

Policy 12.3.9
Facilitate the visual integration of the Campus within the broader city townscape.

Explanation
The Campus is a significant feature of the central city townscape due to its extensive nature and highly built-up form. Because of the likely need for further development of infrastructure, it is important that provision is



		made for the successful integration of the Campus within the central city townscape in order to avoid, remedy or mitigate adverse effects on amenity and landscape values.
<p>Issue 12.1.3 Expansion of commercial activities into the Campus Zone will adversely affect the Campus, residential activities located in the Campus Zone and the Dunedin Hospital.</p> <p>Explanation: The Campus Constituent Institutions, the residential activities located within the Campus Zone and the Dunedin Hospital are substantial physical resources. To retain a residential Campus the consolidation and expansion of these activities can only take place if they are in close proximity to, and within easy access of each other. Any expansion of commercial activities into the Campus Zone will have adverse effects on these activities and on their integrated management.</p>	<p>Objective 12.2.3 Avoid the adverse effects associated with the location of commercial activities in the Campus Zone.</p> <p>Explanation: In a residential Campus with teaching, research and residential activities that are dependent on their relative proximity to each other, and an amenity that is conducive to learning, the intrusion of commercial activities can generate adverse effects on the Campus Zone. Such effects include noise, traffic and the interruption of the critical walking times between the various Campus activities. The adverse effects that interrupt this relative proximity and the ability of the Campus to operate as a cohesive unit are often difficult to remedy or mitigate.</p>	<p>Policy 12.3.7 Control the expansion of commercial activities into the Campus Zone to avoid the adverse effects of commercial activities.</p> <p>Explanation The expansion of commercial activities into the Campus Zone will have adverse effects on the integrated management of the Campus Zone. The amenity of the Campus Zone comes from the proximity of the teaching, research and residential activities within the Campus Zone which allows the activities to operate as a cohesive unit. Accordingly, any expansion of commercial activities into the Campus Zone which will result in adverse effects on this amenity are to be avoided.</p>

29. Industrial Section

<p>Issue 10.1.2 Industrial activities can adversely affect the environment.</p> <p>Explanation: Industrial activities generate adverse effects which may extend beyond the boundaries of the site on which they are located. These effects can create a nuisance when the industrial activity is not compatible with surrounding land uses.</p>	<p>Objective 10.2.1 Avoid, remedy or mitigate the adverse effects of industrial activities.</p> <p>Explanation This objective seeks to avoid, remedy or mitigate the adverse effects on the environment, including cumulative effects, resulting from industrial activities.</p>	<p>Policy 10.3.1 Manage the adverse effects of industrial activities in Industrial Zones.</p> <p>Explanation Industrial activities have the potential to give rise to adverse effects and it is Council's policy to use performance standards to avoid, remedy or mitigate these effects.</p>
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<p>Issue 10.1.3 The location of non-industrial activities in industrial areas may adversely affect the establishment and operation of industrial activities.</p> <p>Explanation: Industrial activities can give rise to adverse effects beyond the site and as a consequence it is appropriate to group industrial activities and to exclude from such areas incompatible activities, including retail activities.</p>	<p>Objective 10.2.3 Ensure non-industrial activities in industrial areas do not limit the operation of industrial activities.</p> <p>Explanation This objective recognises that the location of non-industrial activities in industrial areas can inhibit the use and development of the physical resources required for the operation of industrial activities. Non-industrial activities often require higher levels of amenity than industrial activities.</p>	<p>Policy 10.3.2 Exclude activities not part of or associated with industrial activities from industrial areas.</p> <p>Explanation Areas have been identified as being suitable for industrial activities for three main reasons:</p> <ul style="list-style-type: none"> (i) The availability of infrastructure (service and transportation) with a high capacity. (ii) To separate industry from other areas where there is a higher expectation of amenity. (iii) To provide an area where industries are free to operate with lower environmental standards within the zone providing that the standards of the neighbouring zone are met at the boundary of that zone. <p>The location of non-industrial activities in the Industrial Zone impacts on the sustainable management of the City and will lead to the inefficient use of the physical resources available in the zone. Those undertaking or visiting activities not associated with industry can have higher expectations of amenity than that normally found in the zone. This will put unreasonable pressure both on immediate neighbours and cumulatively on the activities throughout the zone that are dependent on being located in such an area.</p>
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