

DISTRICT PLAN TEXT AMENDMENTS

Key:

For the purposes of this plan change, any unchanged text is shown as normal text or in **bold**, any text proposed to be added by the plan change is shown as **bold underlined** and text to be deleted as ~~bold strikethrough~~.

Text in **bold red underlined** is that from Schedule 3A of the Resource Management Act and must be included.

Text in green font identifies existing terms in Chapter 2 – Definitions. Where the proposed change contains a term defined in Chapter 2 – Definitions, the term is shown as **bold underlined text in green** and that to be deleted as ~~bold strikethrough in green~~. New definition in a proposed rule is **bold green text underlined in black**.

Text in **bold purple underlined** indicates text recommended in the s42A report to be added and text in ~~bold purple strikethrough~~ text recommended in the s42A report to be deleted. Text in normal black font with purple underline indicates text that was proposed to be deleted in the notified PC14 and is recommended to be reinstated.

Text in purple is a plan change proposal subject to Council Decision.

Text in **purple shaded in grey** is a Plan Change Council Decision.

Text in **black/green shaded in grey** is a Council Decision subject to appeal.

Text in blue font indicates links to other provisions in the district Plan and/or external documents. These will have pop-ups and links, respectively, in the on-line Christchurch District Plan.

14.8 Rules - Residential Banks Peninsula Zone

14.8.1 Activity status tables

14.8.1.1 Permitted activities

- a. The activities listed below are permitted activities in the Residential Banks Peninsula Zone if they meet the activity specific standards set out in this table, the built form standards in [Rule 14.8.2](#) and area specific rules in [Rule 14.8.3](#).
- b. Activities may also be controlled, restricted discretionary, discretionary or non-complying or prohibited as specified in [Rules 14.8.1.2](#), [14.8.1.3](#), [14.8.1.4](#), [14.8.1.5](#) or [14.8.1.6](#), or in the area specific rules in [Rule 14.8.3](#).

Activity	Activity specific standards
P1 Residential activity, except for residential units containing more than six bedrooms and boarding houses	<ol style="list-style-type: none"> a. No more than one heavy vehicle shall be stored on the site of the residential activity. b. Any motor vehicles and/or boats dismantled, repaired or stored on the site of the residential activity shall be owned by people who live on the same site. <p>Advice note:</p> <ol style="list-style-type: none"> 1. For residential activities within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3.

Activity	Activity specific standards
<p>P2 Minor residential unit where the minor unit is a detached building and the existing site it is to be built on contains only one residential unit</p>	<p>a. The existing site containing both units shall have a minimum net site area of 450m².</p> <p>b. The minor residential unit shall have a minimum gross floor area of 35m² and a maximum gross floor area 80m².</p> <p>c. The parking areas of both units shall be accessed from the same access.</p> <p>d. There shall be a total outdoor living space on the existing site (containing both units) with a minimum area of 90m² and a minimum dimension of 5 metres. This total space can be provided as:</p> <ul style="list-style-type: none"> i. a single continuous area; or ii. be divided into two separate spaces, provided that each unit is provided with an outdoor living space that is directly accessible from that unit and is a minimum of 30m² in area. <p>Advice note:</p> <ol style="list-style-type: none"> 1. For minor residential units within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3.
<p>P3 Retirement villages</p>	<p>a. Building façade length – there must be a recess in the façade of a building where it faces a side or rear boundary from the point at which a building exceeds a length of 16 metres. The recess must:</p> <ul style="list-style-type: none"> i. be at least 1 metre in depth, for a length of at least 2 metres; ii. be for the full height of the wall; and iii. include a break in the eave line and roof line of the façade. <p>Advice note:</p> <ol style="list-style-type: none"> 1. For retirement villages within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3.
<p>P4 Conversion of an elderly person's housing unit existing at 6 December 2013, into a residential unit that may be occupied by any person(s) and without the need to be encumbered by a bond or other appropriate legal instrument</p>	<p>a. Each converted unit shall have:</p> <ul style="list-style-type: none"> i. a minimum gross floor area, excluding terraces, garages, sundecks and verandahs, of 35m²; and ii. a separate outdoor living space readily accessible from its living area that is at least 30m² with a minimum dimension of 3 metres.

Activity		Activity specific standards
P5	Home occupation	<p>a. The <u>gross total</u> floor area of the <u>building or part of the building (measured internally)</u>, plus <u>the area used for any outdoor storage area</u>, occupied by the <u>home occupation</u> shall be <u>less no more</u> than 40m².</p> <p>b. The maximum number of FTE persons employed in the <u>home occupation</u>, who reside permanently elsewhere than on the <u>site</u>, shall be two.</p> <p>c. Any <u>retailing retail activity</u> shall be limited to:</p> <ul style="list-style-type: none"> i. the sale of goods grown or produced on the site; ii. <u>goods incidental to an on-site service provided by the home occupation where the goods storage and/or display occupies no more than 1m² of floor area; or</u> iii. <u>internet-based sales where no customer visits occur;</u> and iv. <u>retail activity shall exclude food and beverage outlets.</u> <p>d. <u>Manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles shall be carried out in a fully enclosed building.</u></p> <p>e. The hours of operation, when the <u>site</u> is open to visitors, clients, and deliveries, shall be limited to between the hours of:</p> <ul style="list-style-type: none"> i. 07:00 - 21:00 Monday to Friday; and ii. 08:00 - 19:00 Saturday, Sunday and public holidays. <p>f. Visitor, <u>courier vehicles and</u> or staff <u>parking areas</u> shall be <u>within the net site area of the property and</u> outside the <u>road boundary setback</u>.</p> <p>g. <u>Vehicle movements associated with the home occupation shall not exceed:</u></p> <ul style="list-style-type: none"> i. <u>heavy vehicles: 2 per week; and</u> ii. <u>other vehicles: 16 per day.</u> <p>h. <u>Outdoor advertising Signage</u> shall be limited to a maximum area of <u>20.5m²</u>.</p> <p><u>(Plan Change 5D Council Decision)</u></p>
P6	Care of non-resident children within a <u>residential unit</u> in return for monetary payment to the carer	<p>a. There shall be:</p> <ul style="list-style-type: none"> i. a maximum of 4 non-resident children being cared for in return for monetary payment to the carer at any one time; and ii. at least one carer residing permanently within the <u>residential unit</u>. <p>Advice note:</p> <ol style="list-style-type: none"> 1. For P6 activities within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3.
P7	<u>Bed and breakfast</u>	<p>a. There shall be:</p>

Activity	Activity specific standards						
(Plan Change 4 Council Decision subject to appeal)	<ul style="list-style-type: none"> i. a maximum of 6 guests accommodated at any one time; ii. at least one owner of the residential unit residing permanently on site; and iii. no guest given accommodation for more than 90 consecutive days. <p>Advice note:</p> <ol style="list-style-type: none"> 1. For bed and breakfast within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3. <p>(Plan Change 4 Council Decision subject to appeal)</p>						
P8 Education activity	<p>a. The activity shall:</p> <ul style="list-style-type: none"> i. only locate on sites with frontage and the primary entrance to a minor arterial road or collector road where right turn offset, either informal or formal, is available; ii. only occupy a gross floor area of building of less than 200m²; or in the case of a health care facility, less than 300m²; iii. limit outdoor advertising to a maximum area of 2m²; iv. limit the hours of operation when the site is open to visitors, students, patients, clients, and deliveries to between the hours of: <table border="1" data-bbox="692 1249 1359 1697"> <tbody> <tr> <td data-bbox="692 1249 979 1464">A. Education activity</td> <td data-bbox="979 1249 1359 1464">I. 0700 – 2100 Monday to Saturday; and II. Closed Sunday and public holidays.</td> </tr> <tr> <td data-bbox="692 1464 979 1518">B. Preschools</td> <td data-bbox="979 1464 1359 1697" rowspan="3">I. 0700 – 2100 hours</td> </tr> <tr> <td data-bbox="692 1518 979 1612">C. Health care facility</td> </tr> <tr> <td data-bbox="692 1612 979 1697">D. Veterinary care facility</td> </tr> </tbody> </table> <ul style="list-style-type: none"> v. in relation to preschools, veterinary care facilities and places of assembly (See Figure 1.): <ul style="list-style-type: none"> A. only locate on sites where any residential activity on an adjoining front site, or front site separated by an access, with frontage to the same road is left with at least one residential neighbour. That neighbour shall be on an adjoining front site, or front site separated by 	A. Education activity	I. 0700 – 2100 Monday to Saturday; and II. Closed Sunday and public holidays.	B. Preschools	I. 0700 – 2100 hours	C. Health care facility	D. Veterinary care facility
A. Education activity		I. 0700 – 2100 Monday to Saturday; and II. Closed Sunday and public holidays.					
B. Preschools		I. 0700 – 2100 hours					
C. Health care facility							
D. Veterinary care facility							
P9 Preschools, other than as provided for in Rule 14.8.1.1 P6.							
P10 Health care facility							
P11 Veterinary care facility							

Activity		Activity specific standards
		<p>an access, and have frontage to the same road;</p> <p>B. only locate on residential blocks where there are no more than two non-residential activities already within that block;</p> <p>vi. in relation to preschools, limit outdoor play areas and facilities to those that meet Rule 6.1.5.2.1 Table 1: Zone noise limits outside the Central City;</p> <p>vii. in relation to veterinary care facilities, limit the boarding of animals on the site to a maximum of 4;</p> <p>viii. not include the storage of more than one heavy vehicle on the site of the activity.</p> <p>Advice note:</p> <p>1. For P8, P9, P10 and P11 activities within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3.</p>
P12	Spiritual activities	<p>a. The activity shall:</p> <p>i. limit the hours of operation to 07:00-22:00; and</p> <p>ii. not include the storage of more than one heavy vehicle on the site of the activity.</p> <p>Advice note:</p> <p>1. For P12 activities within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3</p>
P13	Community corrections facilities	<p>a. The facilities shall:</p> <p>i. limit the hours of operation when the site is open to clients and deliveries to between the hours of 07:00 – 19:00; and</p> <p>ii. limit signage to a maximum area of 2m².</p> <p>Advice note:</p> <p>1. For P14 activities within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3.</p>
P14	Community welfare facilities	
P15	Emergency services facilities	Nil
P16	Repair or rebuild of multi-unit residential complexes damaged by the Canterbury earthquakes of 2010 and 2011 on properties with cross leases, company leases or unit titles as at the date of the earthquakes	<p>a. Where the repair or rebuild of a building will not alter the building footprint, location, or height, the building need not meet the built form standards.</p> <p>b. Where the building footprint, location, or height is to be altered no more than necessary in order to comply with legal or regulatory requirements or the advice of a suitably qualified and experienced chartered engineer:</p> <p>i. the only built form standards that shall apply are those specified in Rules 14.8.2.2 – Building height</p>

Activity		Activity specific standards
		<p>and 14.8.2.5 – Daylight recession planes;</p> <ul style="list-style-type: none"> ii. in relation to the road boundary setback, the repaired or rebuilt building shall have a setback of at least 3 metres; iii. the standards at (i) and (ii) shall only apply to the extent that the repaired or rebuilt building increases the level of non-compliance with the standard(s) compared to the building that existed at the time of the earthquakes. <p>Advice note:</p> <ul style="list-style-type: none"> 1. Examples of regulatory or legal requirement that may apply include the New Zealand Building Code, Council bylaws, easements, and other rules within this Plan such as the requirements for minimum floor levels in Chapter 5. <ul style="list-style-type: none"> c. If paragraphs a. and b. do not apply, the relevant built form standards apply. d. Any application arising from not meeting standards a. and b.i. shall not be publicly notified, and may be limited notified to only adjoining property owners (where the consent authority considers this is required, and absent written approval). e. Any application arising from not meeting standard b.ii. (road boundary setbacks), shall not be limited or publicly notified.
P17	<p>a. Temporary lifting or moving of earthquake damaged buildings where the activity does not meet one or more of:</p> <ul style="list-style-type: none"> i. Rule 14.8.2.2 – Building height; ii. Rule 14.8.2.3 – Site coverage; iii. Rule 14.8.2.4 – Minimum building setback from side and rear internal boundaries and railway lines; or iv. Rule 14.8.2.5 – Daylight recession planes. 	<ul style="list-style-type: none"> a. Buildings shall not be: <ul style="list-style-type: none"> i. moved to within 1 metre of an internal boundary and/or within 3 metres of any water body, scheduled tree, listed heritage item, areas listed as Sites of Ecological Significance (in Sub-chapter 9.1), Natural Landscapes, Features or Character (in Sub-chapter 9.2), or Sites of Ngāi Tahu Cultural Significance (in Sub-chapter 9.5), any Council owned structure, archaeological site, or the coastal marine area; or ii. lifted to a height exceeding 3 metres above the applicable recession plane or height control. b. The building must be lowered back or moved back to its original position, or a position compliant with the District Plan or consistent with a resource consent, within 12 weeks of the lifting or moving works having first commenced. c. In all cases of a building being moved or lifted, the owners/occupiers of land adjoining the sites shall be

Activity		Activity specific standards
		<p>informed of the work at least seven days prior to the lift or move of the building occurring. The information provided shall include details of a contact person, details of the lift or move, and the duration of the lift or move.</p> <p>d. The Council's Resource Consents Manager shall be notified of the lifting or moving the building at least 7 days prior to the lift or move of the building occurring. The notification must include details of the lift or move, property address, contact details and intended start date.</p>
P18	Conversion of a residential unit into two residential units within the Akaroa and Lyttelton Character Area Overlays.	<p>a. Each residential unit shall have a minimum gross floor area, excluding terraces, garages, sundecks and verandah of 35m².</p> <p>b. There shall be a minimum of 90m² of total outdoor living space on the site.</p> <p>c. Each unit shall be provided with an outdoor living space that is directly accessible from that unit and a minimum of 30m² in area.</p> <p>d. This rule does not provide for any external alterations or extensions to an existing residential unit – refer to Rule 14.8.1.3 RD3 and RD4.</p> <p>Advice note:</p> <ol style="list-style-type: none"> For P18 activities within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3.
P19	Heli-landing areas	<p>a. Sites shall be greater than 3000m² in area.</p> <p>b. The number of flights shall not exceed 12 (24 movements) in any calendar year.</p> <p>c. The flights (movements) shall not take place on more than 5 days in any 1 month period.</p> <p>d. The flights (movements) shall not exceed 3 in any 1 week.</p> <p>e. Any movements shall only occur between 08:00 and 18:00 hours.</p> <p>f. No movements shall take place within 25 metres of any residential unit unless that residential unit is owned or occupied by the applicant.</p> <p>g. A log detailing the time and date of each helicopter movement shall be maintained and made available for inspection by the Council when requested.</p>
P20	Relocation of a building	Nil
P21	Market gardens, community gardens, and garden allotments	

Activity	Activity specific standards
<p>P22 Hosted visitor accommodation</p> <p>(Plan Change 4 Council Decision subject to appeal)</p>	<p>a. A maximum of six guests shall be accommodated at any one time.</p> <p>b. The Council shall be notified in writing prior to commencement.</p> <p>c. The owner of the unit shall keep records of the number of nights booked per year, as commencing on 1 January of that year, and the dates used for hosted visitor accommodation and provide those records to the Council on request.</p> <p>d. The owner of the unit shall have procedures in place for managing adverse effects on neighbours from guests checking-in between the hours of 22.00pm and 06.00am, and shall provide those procedures to the Council on request.</p> <p>Advice note: 1. For hosted visitor accommodation within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3.</p> <p>(Plan Change 4 Council Decision subject to appeal)</p>
<p>P23 Unhosted visitor accommodation in the following Residential Banks Peninsula Zones:</p> <p>a. Akaroa b. Duvauchelle c. Wainui</p> <p>(Plan Change 4 Council Decision subject to appeal)</p>	<p>a. The total number of nights per year that guests may be accommodated on any one site is 180.</p> <p>b. A maximum of six guests shall be accommodated at any one time.</p> <p>c. The owners and residents of adjoining sites must be provided with up-to-date contact information for the owner or manager of the unit.</p> <p>d. The Council shall be notified in writing prior to commencement.</p> <p>e. The owner of the unit shall keep records of the number of nights booked per year, as commencing on 1 January of that year, and the dates used for hosted visitor accommodation and provide those records to the Council on request.</p> <p>f. The owner of the unit shall have procedures in place for managing adverse effects on neighbours from guests checking-in between the hours of 22.00pm and 06.00am, and shall provide those procedures to the Council on request.</p> <p>(Plan Change 4 Council Decision subject to appeal)</p>
<p>P24 Visitor accommodation in a heritage item</p> <p>(Plan Change 4 Council Decision subject to appeal)</p>	<p>a. A permanent resident or manager/supervisor for the property shall be in residence on the site for the duration of any visitors' stays.</p> <p>b. A maximum of ten guests shall be accommodated at any one time.</p> <p>c. The Council shall be notified in writing prior to commencement.</p> <p>d. The owner of the unit shall keep records of the number of nights booked per year, as commencing on 1 January of that year, and the dates used for hosted visitor</p>

Activity	Activity specific standards
	<p>accommodation and provide those records to the Council on request.</p> <p>e. The owner of the unit shall have procedures in place for managing adverse effects on neighbours from guests checking-in between the hours of 22.00pm and 06.00am, and shall provide those procedures to the Council on request.</p> <p>Advice Note:</p> <ol style="list-style-type: none"> 1. For visitor accommodation in a heritage item within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3. <p>(Plan Change 4 Council Decision subject to appeal)</p>

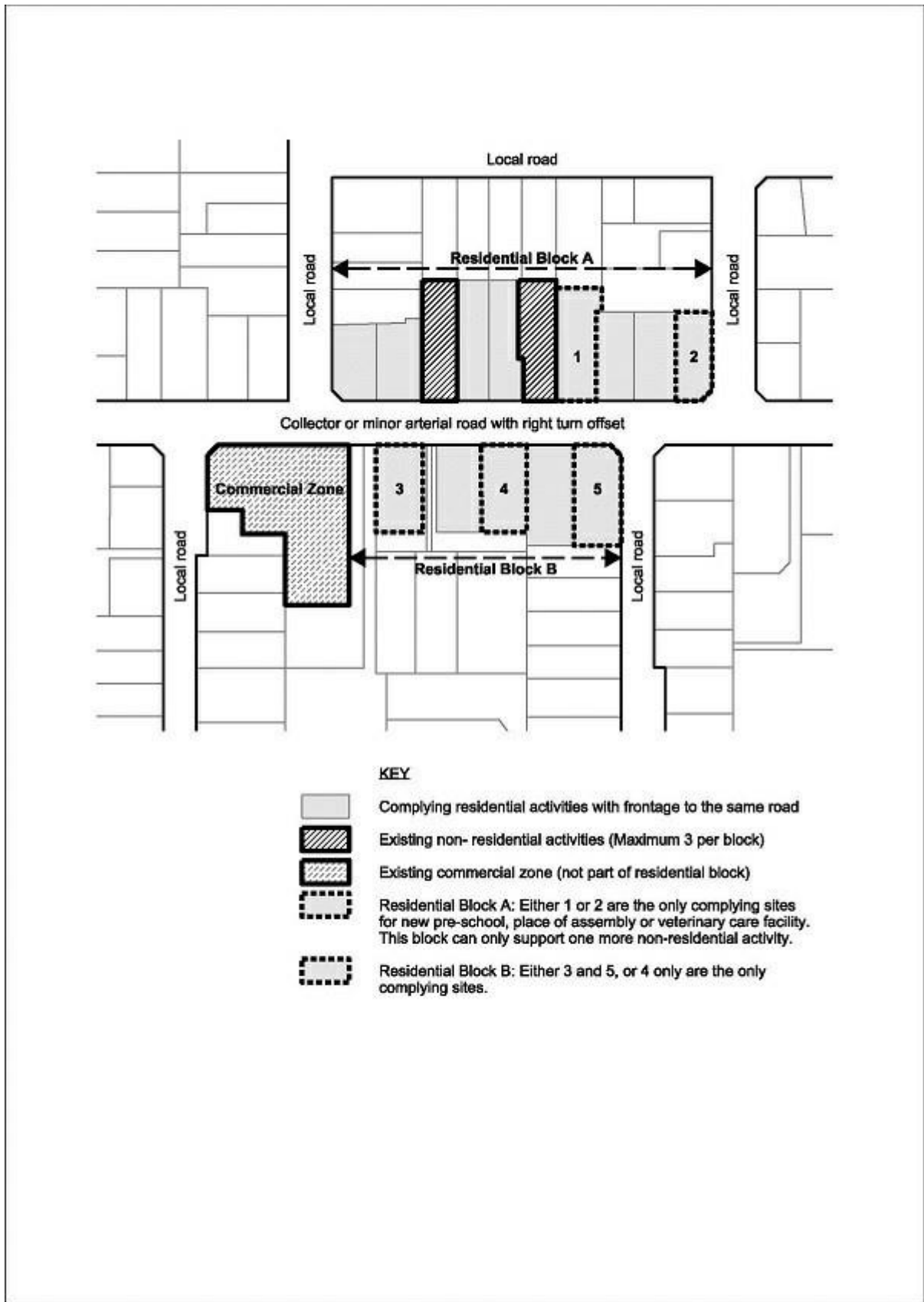


Figure 1: Residential coherence

14.8.1.2 Controlled activities

- a. The activities listed below are controlled activities.
- b. Unless otherwise specified, any application arising from the controlled activity rules listed below shall not be limited or publicly notified.
- c. Discretion to impose conditions is restricted to the matters over which control is reserved in [Rule 14.15](#), as set out in the following table.

Activity	The matters over which Council reserves its control:
<p>C1 Residential units (including any sleep-outs) containing more than 6 bedrooms in total</p>	<p>a. Scale <u>and nature</u> of activity – Rule 14.15.5</p> <p>b. Traffic generation and access safety - Rule 14.15.6</p> <p>(Plan Change 5D Council Decision)</p>
<p>C2 Unhosted visitor accommodation not in the locations specified in Rule 14.8.1.1 P23:</p> <ol style="list-style-type: none"> a. for a total per site of 60 nights or fewer per year; b. for a maximum of six guests at any one time; and <p>Advice note:</p> <p>1. For unhosted visitor accommodation within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3.</p> <p>(Plan Change 4 Council Decision subject to appeal)</p>	<ol style="list-style-type: none"> a. Provision of information for neighbours and guests, including contact information, parking restrictions, and, where appropriate, hazards information b. Record keeping and provision of information to the Council c. Management of outdoor entertainment and recreation facilities d. Management of solid waste disposal e. Number and size of vehicles used by guests including large vehicles f. Building access arrangements and wayfinding g. Controls on the effects and scale of functions or events h. Controls on check-in and check-out times. <p>(Plan Change 4 Council Decision subject to appeal)</p>
<p>C3 Visitor accommodation in a heritage item that does not comply with activity specific standard (a) in Rule 14.8.1.1 P24.</p> <p>(Plan Change 4 Council Decision subject to appeal)</p>	<ol style="list-style-type: none"> a. Provision of information for neighbours and guests, including contact information, parking restrictions, and, where appropriate, hazards information b. Record keeping and provision of information to the Council c. Management of outdoor entertainment and recreation facilities d. Management of solid waste disposal e. Number and size of vehicles used by guests including large vehicles

Activity	The matters over which Council reserves its control:
	f. Building access arrangements and wayfinding g. Controls on the effects and scale of functions or events h. Controls on check-in and check-out times. (Plan Change 4 Council Decision subject to appeal)

14.8.1.3 Restricted discretionary activities

- a. The activities listed below are restricted discretionary activities.
- b. Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in [Rule 14.15](#), or as specified, as set out in the following table.

Activity	The Council's discretion shall be limited to the following matters:
RD1 Minor residential unit where the minor unit is a detached building and does not meet one or more of the activity specific standards in Rule 14.8.1.1 P2 a, b, c, or d. Advice note: 1. For minor residential units within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3 .	a. Minor residential units - Rule 14.15.226
RD2 <ol style="list-style-type: none"> a. Temporary lifting or moving of earthquake damaged buildings that does not meet one or more of the activity specific standards in Rule 14.8.1.1 P17. b. Any application arising from this rule shall not be limited or publicly notified. 	a. Relocation of a buildings and temporary lifting or moving of earthquake damaged buildings - Rule 14.15.16
RD3 <ol style="list-style-type: none"> a. Buildings that do not meet Rule 14.8.2.6 – Building setbacks from road boundaries. b. Any application arising from this rule shall not be limited or publicly notified. 	a. Street scene – road boundary building setback, fencing and planting – Rule 14.15.17
RD4 Residential units that do not meet Rule 14.8.2.1 – Site density	a. Site density and site coverage – Rule 14.15.2
RD5 Activities and buildings that do not meet Rule 14.8.2.3 – Site coverage	
RD6 Buildings that do not meet Rule 14.8.2.2 – Building height	

Activity		The Council's discretion shall be limited to the following matters:
RD7	Buildings that do not meet Rule 14.8.2.5 – Daylight recession planes, except in the Lyttelton Character Area Overlay or Lyttelton Residential Heritage Area where this rule does not apply.	a. Impacts on neighbouring property – Rule 14.15.3
RD8	Buildings that do not meet Rule 14.8.2.4 (other than 14.8.2.4(a.iii.); refer to Rule 14.8.1.3 RD16) – Minimum building setback from side and rear internal boundaries and railway lines	a. Impacts on neighbouring property – Rule 14.15.3 b. Minimum building window and balcony setbacks – Rule 14.15.18
RD9	a. Residential units that do not meet Rule 14.8.2.7. b. Any application arising from this rule shall not be publicly notified and shall be limited notified only to the New Zealand Fire Service (absent written approval).	a. Water supply for fire fighting – Rule 14.15.7
RD10	Multi-unit residential complexes Advice note: 1. For multi-unit residential complexes within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3.	a. Residential design principles — Rule 14.15.1
RD11	a. Activities and buildings that do not meet one or more of the activity specific standards in Rule 14.8.1.1 (except for P8-P11 standard viii. relating to storage of heavy vehicles, refer to Rule 14.8.1.4 D2) for: i. P5 – Home occupations; a. that do not meet standard a. and occupy a total area, comprising the floor area of the building or part of the building (measured internally) and any outdoor storage area, no greater than 40% of the GFA of the residential unit, with the GFA calculation excluding detached accessory buildings; b. that do not meet one or more of standards b. to h. ii. P8 – Education activity;	a. As relevant to the activity specific standard that is not met: i. Scale and nature of activity — Rule 14.15.5 ii. Traffic generation and access safety — Rule 14.15.6 iii. Non-residential hours of operation — Rule 14.15.214 (Plan Change 5D Council Decision)

Activity		The Council's discretion shall be limited to the following matters:
	<ul style="list-style-type: none"> iii. P9 – Preschools, other than as provided for in Rule 14.8.1.1 P6 and Rule 14.8.1.4 D2; iv. P10 – Health care facility; or v. P11 – Veterinary care facility. <p>b. Any application arising from these rules shall not be limited or publicly notified.</p> <p>Advice note:</p> <p>1. For Rule 14.8.1.1 P8 – education activity, P9 – preschools and P10 – health care facility within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3.</p> <p>(Plan Change 5D Council Decision)</p>	
RD12	<p>a. Integrated family health centres where:</p> <ul style="list-style-type: none"> i. the centre is located on sites with frontage and the primary entrance to a minor arterial road or collector road where right turn offset, either informal or formal is available; ii. the centre is located on sites adjoining a Neighbourhood Local centre, District centre Town centre or Key activity centre; iii. the centre occupies a gross floor area of building of between 301m² and 700m²; iv. outdoor advertising is limited to a maximum area of 2m²; and v. the hours of operation when the site is open to patients, or clients, and deliveries, is limited to between the hours of 07:00 – 21:00. 	<ul style="list-style-type: none"> a. Scale and nature of activity – Rule 14.15.5 b. Traffic generation and access safety – Rule 14.15.6 c. Non-residential hours of operation – Rule 14.15.24 <p>(Plan Change 5D Council Decision)</p>
RD13	<ul style="list-style-type: none"> a. Community corrections facilities and community welfare facilities that do not meet one or more of the activity specific standards in Rule 14.8.1.1 P13 or P14.1 b. Any application arising from this rule shall not be limited or publicly notified. 	<ul style="list-style-type: none"> a. As relevant to the activity specific standard that is not met: <ul style="list-style-type: none"> i. Scale and nature of activity – Rule 14.15.5 ii. Traffic generation and access safety – Rule 14.15.6

Activity		The Council's discretion shall be limited to the following matters:
		iii. Non-residential hours of operation - Rule 14.15.214 (Plan Change 5D Council Decision)
RD14	<p>Retirement villages that do not meet one or more of the activity specific standards in Rule 14.8.1.1 P3</p> <p>Advice note:</p> <p>1. For retirement villages within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3.</p>	a. Retirement villages - Rule 14.15.9
RD15	<p>Boarding house</p> <p>Advice note:</p> <p>1. For boarding houses within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3.</p>	<p>a. Scale and nature of activity – Rule 14.15.5</p> <p>b. Traffic generation and access safety – Rule 14.15.6</p> <p>(Plan Change 5D Council Decision)</p>
RD16	Activities and buildings that do not meet Rule 14.8.2.4(a.iii.) relating to rail corridor boundary setbacks.	a. Whether the reduced setback from the rail corridor will enable buildings to be maintained without requiring access above, over, or on the rail corridor.
RD17	<p>a. Spiritual activities that do not meet the hours of operation in Rule 14.8.1.1 P12.</p> <p>b. Any application arising from this rule shall not be publicly notified and shall only be limited notified to directly abutting land owners and occupiers (absent its written approval).</p>	a. Non-residential hours of operation – Rule 14.15.214

14.8.1.4 Discretionary activities

- a. The activities listed below are discretionary activities.

Activity	
D1	Any activity not provided for as a permitted, controlled, restricted discretionary, non-complying or prohibited activity
D2	a. Activities that do not meet one or more of the activity specific standards in Rule 14.8.1.1 for:

Activity	
	<ul style="list-style-type: none"> i. P1 Residential activity; ii. P4 Conversion of an elderly person's housing unit into a residential unit; iii. P6 Care of non-resident children in a residential unit; iv. P7 Bed and breakfast; or v. Storage of more than one heavy vehicle for activities for P8-P12. <p>(Plan Change 4 Council Decision subject to appeal)</p>
D3	Show homes
D4	Camping grounds
D5	<ul style="list-style-type: none"> a. Place of assembly (except for a Lyttelton Port Noise Sensitive activity within the Lyttelton Port Influences Overlay) where: <ul style="list-style-type: none"> i. the minimum site area is not less than 30m² per person; ii. all outdoor areas associated with the activity are screened with a 1.8 metre high fence or solid planting which ensures privacy for adjoining sites; iii. the hours of operation are between 07:00 – 22:00 hours Monday to Sunday and public holidays; and iv. there is no use of heavy vehicles associated with the activity.
D6	<ul style="list-style-type: none"> a. Retail activity where: <ul style="list-style-type: none"> i. all outdoor areas associated with the activity are screened with a 1.8 metre high fence or solid planting which ensures privacy for adjoining sites; ii. the hours of operation are between 07:00 – 22:00 hours Monday to Sunday and public holidays; iii. the maximum floor area used for retail activities on any site does not exceed 50m²; iv. the activity does not include trade or yard-based suppliers or service stations; and v. there is no use of heavy vehicles associated with the activity.
D7	All other non-residential activities not otherwise listed in these tables
D8	Integrated family health centres which do not meet one of more of the requirements specified in Rule 14.8.1.3 RD12
D9	<ul style="list-style-type: none"> a. Hosted visitor accommodation that does not comply with activity specific standards in Rule 14.8.1.1 P22 and that does not exceed twelve guests per site at any one time. b. Any application arising from this rule shall not be publicly notified but may be limited notified. <p>(Plan Change 4 Council Decision subject to appeal)</p>
D10	<ul style="list-style-type: none"> a. Unhosted visitor accommodation:

Activity	
	<ul style="list-style-type: none"> i. that does not comply with the activity specific standards for Rule 14.8.1.1 P23 and that does not exceed twelve guests per site at any one time. ii. not subject to Rule 14.8.1.2 C2 and that does not exceed twelve guests per site at any one time. <p>b. Any application arising from this rule shall not be publicly notified but may be limited notified.</p> <p>(Plan Change 4 Council Decision subject to appeal)</p>
D11	<ul style="list-style-type: none"> a. Visitor accommodation in a heritage item that does not comply with activity specific standards (b) – (e) in Rule 14.8.1.1 P24 and that does not exceed twenty guests per site at any one time. b. Any application arising from this rule shall not be publicly notified but may be limited notified. <p>(Plan Change 4 Council Decision subject to appeal)</p>
D12	<p><u>Home occupation with a total area, comprising the floor area of the building or part of the building (measured internally) and any outdoor storage area occupied, greater than 40% of the GFA of the residential unit, with the GFA calculation excluding detached accessory buildings.</u></p> <p>(Plan Change 5D Council Decision)</p>

14.8.1.5 Non-complying activities

- a. The activities listed below are non-complying activities.

Activity	
NC1	<ul style="list-style-type: none"> a. Sensitive activities and buildings (excluding accessory buildings associated with an existing activity): <ul style="list-style-type: none"> i. within 12 metres of the centre line of a 110kV or 220kV National Grid transmission line or within 12 metres of the foundation of an associated support structure; or ii. within 10 metres of the centre line of a 66kV National Grid transmission line or within 10 metres of a foundation of an associated support structure; or b. Fences within 5 metres of a National Grid transmission line support structure foundation. c. Any application arising from this rule shall not be publicly notified and shall be limited notified only to Transpower New Zealand Limited (absent written approval). <p>Advice note:</p> <ol style="list-style-type: none"> 1. The National Grid transmission lines are shown on the planning maps.

Activity	
	<p>2. Vegetation to be planted around the National Grid should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.</p> <p>3. 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 National Grid transmission lines. Buildings and activity in the vicinity of National Grid transmission lines must comply with NZECP 34:2001.</p>
NC2	<p>a. Sensitive activities and buildings (excluding accessory buildings associated with an existing activity):</p> <ol style="list-style-type: none"> i. within 10 metres of the centre line of a 66kV electricity distribution line or within 10 metres of a foundation of an associated support structure; or ii. within 5 metres of the centre line of a 33kV electricity distribution line or within 5 metres of a foundation of an associated support structure; or iii. within 5 metres of the centre line of the 11kV Heathcote to Lyttelton electricity distribution line or within 5 metres of a foundation of an associated support structure. <p>b. Fences within 5 metres of a 66kV or 33kV electricity distribution line support structure foundation.</p> <p>c. Fences within 5 metres of an 11kV Heathcote to Lyttelton electricity distribution line support structure foundation.</p> <p>d. Any application arising from this rule shall not be publicly notified and shall be limited notified only to Orion New Zealand Limited or other electricity distribution network operator (absent written approval).</p> <p>Advice note:</p> <ol style="list-style-type: none"> 1. The electricity distribution lines are shown on the planning maps. 2. Vegetation to be planted around electricity distribution lines should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003. 3. 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 electricity distribution lines. Buildings and activity in the vicinity of electricity distribution lines must comply with NZECP 34:2001.
NC3	<p>a. Visitor accommodation that is:</p> <ol style="list-style-type: none"> i. not subject to Rule 14.8.1.4 D4, hosted visitor accommodation, unhosted visitor accommodation or visitor accommodation in a heritage item; ii. hosted visitor accommodation that exceeds the maximum number of guests in Rule 14.8.1.4 D9; iii. unhosted visitor accommodation that exceeds the maximum number of guests in

Activity	
	<p>Rule 14.8.1.4 D10; or</p> <p>iv. visitor accommodation in a heritage item that exceeds the maximum number of guests in Rule 14.8.1.4 D11</p> <p>b. Any application arising from this rule shall not be publicly notified but may be limited notified.</p> <p>(Plan Change 4 Council Decision subject to appeal)</p>

14.8.1.6 Prohibited activities

There are no prohibited activities.

14.8.2 Built form standards

14.8.2.1 Site density

- a. Each residential unit shall be contained within its own separate site. The site shall have a minimum net site area as follows:

	Area/Location	Standard
i.	Residential Banks Peninsula Zone (excluding residential units established under Rule 14.8.1.1 P4 and P18)	400m ²
ii.	Residential Banks Peninsula Zone – Diamond Harbour Density Overlay (excluding residential units established under Rule 14.8.1.1 P4 and P18)	600m ²
iii.	10 Pages Road, Lyttelton (described as Lot 2 DP 52500)	5 or fewer residential units in total may be erected on the site
iv.	10 Harmans Road, Lyttelton (described as Lot 1 DP 71436)	5000m ²
v.	Multi-unit residential complexes	There shall be no minimum net site area for any residential unit
vi.	Retirement villages	

14.8.2.2 Building height

- a. The maximum height of any building shall be 7 metres.
- b. The maximum height of any accessory buildings shall be 4.5 metres.

Advice note:

1. See the permitted height exceptions contained within the definition of height.

14.8.2.3 Site coverage

- a. The maximum percentage of the net site area of any site covered by buildings shall be 35%:
- b. For the purposes of this rule this excludes:
 - i. fences, walls and retaining walls;
 - ii. eaves and roof overhangs up to 600mm in width and guttering up to 200mm in width from the wall of a building;
 - iii. uncovered swimming pools up to 800mm in height above ground level; and
 - iv. decks, terraces, balconies, porches, verandahs, bay or box windows (supported or cantilevered) which:
 - A. are no more than 800mm above ground level and are uncovered or unroofed; or
 - B. where greater than 800mm above ground level and are covered or roofed, are in total no more than 6m² in area for any one site.

14.8.2.4 Minimum building setback from side and rear internal boundaries and railway lines

- a. The minimum building setback from side and rear internal boundaries shall be:

	Applicable to	Standard
i.	Side internal boundaries	One of 1.5 metres and one of 2 metres
ii.	Rear internal boundaries	2 metres
iii.	Buildings, balconies and decks on sites adjacent to or abutting a designated rail corridor	4 metres from the rail corridor boundary

- b. There shall be no minimum setback from internal boundaries for accessory buildings where the length of any wall within the setbacks specified in a. is less than 6 metres.
- c. For the purposes of this rule this excludes guttering up to 200mm in width from the wall of a building.

14.8.2.5 Daylight recession planes

- a. No part of any building shall project beyond a building envelope contained by a 45 degree recession plane measured at any point 2 metres above ground level at any adjoining site boundary, that is not a road boundary. ~~This rule shall not apply in the Lyttelton Character Area Overlay or in the Lyttelton Residential Heritage Area.~~
- b. Where the building is located in a Flood Management Area, the exemptions in Rule 5.4.1.3 apply (for activities P1-P4 in Table 5.4.1.1b).

14.8.2.6 Building setbacks from road boundaries

- a. Minimum **building** setback from **road boundaries** shall be:

	Applicable to	Standard
i.	Where a garage contains a vehicle entrance way which generally faces a road	5 metres
ii.	All other buildings	3 metres

14.8.2.7 Water supply for fire fighting

- a. Sufficient water supply and access to water supplies for fire fighting shall be made available to all **residential units** via **Council**'s urban reticulated system (where available) in accordance with the **New Zealand Fire Service Fire Fighting Water Supplies Code of Practice (SNZ PAS: 4509:2008)**.
- b. Where a reticulated water supply compliant with **SNZ PAS:4509:2008** is not available, or the only supply available is the controlled restricted rural type water supply which is not compliant with **SNZ PAS:4509:2008** water supply and access to water supplies for fire fighting that is in compliance with the alternative firefighting water sources provision`s of **SNZ PAS 4509:2008** must be provided.

14.8.3 Area-specific rules - Residential Banks Peninsula Zone

- a. The following rules apply to the areas specified. All activities are also subject to **Rules 14.8.1** and **14.8.2**, unless specified otherwise.

14.8.3.1 Area-specific activities

14.8.3.1.1 Area-specific permitted activities

- a. The activities listed below are permitted activities if they meet the activity specific standards set out in this table; and the built form standards in **Rule 14.8.2**, unless specified otherwise.
- b. Activities may also be controlled, restricted discretionary, discretionary, non-complying or prohibited as specified in **Rules 14.8.1.2, 14.8.1.3, 14.8.1.4, 14.8.1.5, or 14.8.1.6** (unless specified otherwise in area specific rules); and **Rule 14.8.3.1.2, 14.8.3.1.3, 14.8.3.1.4, 14.8.3.1.5, or 14.8.3.1.6**.

	Activity/area	Area specific standards
P1	Extension to an existing habitable space or the erection of a new habitable space associated with an existing residential unit in the Lyttelton Port Influences Overlay where the combined gross floor area of the habitable space does not exceed 40m ² within a 10 year continuous period	a. Compliance with Rule 14.8.3.2.1
P2	Replacement for an existing residential unit in the Lyttelton Port Influences Overlay where the combined gross floor	a. Compliance with Rule 14.8.3.2.1

	Activity/area	Area specific standards
	<p>area of the habitable space does not exceed the combined gross floor area of the habitable spaces contained in the previous residential unit by more than 40m² within a 10 year continuous period</p>	
<p>P3</p>	<p>Hosted visitor accommodation in the Lyttleton Port Influences Overlay</p> <p>(Plan Change 4 Council Decision subject to appeal)</p>	<p>a. Compliance with Rule 14.8.3.2.1.</p> <p>b. A maximum of six guests shall be accommodated at any one time.</p> <p>c. The Council shall be notified in writing prior to commencement.</p> <p>d. The owner of the unit shall keep records of the number of nights booked per year, as commencing on 1 January of that year, and the dates used for hosted visitor accommodation and provide those records to the Council on request.</p> <p>e. The owner of the unit shall have procedures in place for managing adverse effects on neighbours from guests checking-in between the hours of 22.00pm and 06.00am, and shall provide those procedures to the Council on request.</p> <p>(Plan Change 4 Council Decision subject to appeal)</p>
<p>P4</p>	<p>Visitor accommodation in a heritage item in the Lyttleton Port Influences Overlay</p> <p>(Plan Change 4 Council Decision subject to appeal)</p>	<p>a. Compliance with Rule 14.8.3.2.1.</p> <p>b. A permanent resident or manager/supervisor for the property shall be in residence on the site for the duration of any visitors' stays.</p> <p>c. A maximum of ten guests shall be accommodated at any one time.</p>

	Activity/area	Area specific standards
		<p>d. The Council shall be notified in writing prior to commencement.</p> <p>e. The owner of the unit shall keep records of the number of nights booked per year, as commencing on 1 January of that year, and the dates used for hosted visitor accommodation and provide those records to the Council on request.</p> <p>f. The owner of the unit shall have procedures in place for managing adverse effects on neighbours from guests checking-in between the hours of 22.00pm and 06.00am, and shall provide those procedures to the Council on request.</p> <p>(Plan Change 4 Council Decision subject to appeal)</p>
<p>P5</p>	<p><u>Minor residential unit in the Lyttelton Character Area Overlay or the Lyttelton Residential Heritage Area where the minor unit is a detached building and the existing site it is to be built on contains only one residential unit</u></p>	<p>a. <u>The existing site containing both units shall have a minimum net site area of 450m².</u></p> <p>b. <u>The minor residential unit shall have a minimum gross floor area of 35m² and a maximum gross floor area 80m².</u></p> <p>c. <u>The parking areas of both units shall be accessed from the same access.</u></p> <p>d. <u>There shall be a total outdoor living space on the existing site (containing both units) with a minimum area of 50m² and a minimum dimension of 5 metres. This total space can be provided as:</u></p> <p>i. <u>a single continuous area;</u> <u>or</u></p>

	Activity/area	Area specific standards
		<p>ii. be divided into two separate spaces, provided that each unit has an outdoor living space that is directly accessible from that unit and is a minimum of 20m² in area.</p>

14.8.3.1.2 Area-specific restricted discretionary activities

There are no controlled activities

	Activity	The Councils control is reserved to the following matters:
C1	<p>Unhosted visitor accommodation in a residential unit:</p> <ul style="list-style-type: none"> a. for a total per site of 60 nights or fewer per year; b. for a maximum of six guests at any one time. <p>(Plan Change 4 Council Decision subject to appeal)</p>	<ul style="list-style-type: none"> a. Provision of information for neighbours and guests, including contact information, parking restrictions, and, where appropriate, hazards information b. Record keeping and provision of information to the Council c. Management of outdoor entertainment and recreation facilities d. Management of solid waste disposal e. Number and size of vehicles used by guests including large vehicles f. Building access arrangements and wayfinding g. Managing risk of reverse sensitivity on Port activities h. Controls on the effects and scale of functions or events i. Controls on check-in and check-out times. <p>(Plan Change 4 Council Decision subject to appeal)</p>

	Activity	The Councils control is reserved to the following matters:
C2	<p>Visitor accommodation in a heritage item that does not comply with activity specific standard (b) in Rule 14.8.3.1.2 P4.</p> <p>(Plan Change 4 Council Decision subject to appeal)</p>	<p>a. Provision of information for neighbours and guests, including contact information, parking restrictions, and, where appropriate, hazards information</p> <p>b. Record keeping and provision of information to the Council</p> <p>c. Management of outdoor entertainment and recreation facilities</p> <p>d. Management of solid waste disposal</p> <p>e. Number and size of vehicles used by guests including large vehicles</p> <p>f. Building access arrangements and wayfinding</p> <p>g. Managing risk of reverse sensitivity on Port activities</p> <p>h. Controls on the effects and scale of functions or events</p> <p>i. Controls on check-in and check-out times.</p> <p>(Plan Change 4 Council Decision subject to appeal)</p>
C3	<p>a. In the Lyttelton Character Area Overlay, the erection of a new residential unit to the rear of an existing residential unit on the same site, where it is:</p> <p>i. Less than 5 metres in height; and</p> <p>ii. Meets the built form standards applicable to this Overlay.</p> <p>Any application arising from this rule shall not be limited or publicly notified.</p>	<p>a. Character Area Overlay – Rule 14.15.27</p>

14.8.3.1.3 Area-specific restricted discretionary activities

- a. The activities listed below are restricted discretionary activities.
- b. Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in Rule 14.15.56, or as specified, as set out in the following table:

	Activity/area	The Council's discretion shall be limited to the following matters
RD1	<p>a. Extension to an existing habitable space or the erection of a new habitable space associated with an existing residential unit in the Lyttelton Port Influences Overlay where the combined gross floor area of the habitable space exceeds 40m² within a 10 year continuous period with a no complaints covenant, provided that the works meet Rule 14.8.3.2.1</p> <p>b. Any application arising from this rule shall not be publicly notified and shall be limited notified only to Lyttelton Port Company (absent its written approval).</p>	a. Lyttelton Port Influences Overlay – Rule 14.15.14
RD2	<p>a. Replacement residential unit for an existing residential unit in the Lyttelton Port Influences Overlay where the combined gross floor area of the habitable space exceeds the combined gross floor area of the habitable space contained in the previous residential unit by more than 40m² within a 10 year continuous period with a no complaints covenant, provided that the works meet Rule 14.8.3.2.1</p> <p>b. Any application arising from this rule shall not be publicly notified and shall be limited notified only to Lyttelton Port Company (absent its written approval).</p>	
RD3	<p>a. Within the Lyttelton Character Area Overlay;</p> <p>i. external alterations or additions to, or demolition of existing buildings on a site, except for the demolition of accessory buildings; and/or</p> <p>ii. the erection of a building and accessory buildings, except for new buildings within the Lyttelton Port Influences Overlay Area; and/or</p> <p>iii. the relocation of a buildings onto the site.</p> <p>Within the Lyttelton Character Area Overlay:</p> <p>a. The demolition or removal of a building greater than 30m² on the site, relocation of a building onto the site, erection of new buildings and alterations or additions to existing buildings, accessory buildings, fences and walls associated with that development.</p> <p>b. This rule does not apply:</p> <p>i. where 14.8.3.1.2 C3 applies.</p> <p>ii. to fences that meet the built form standard 14.8.3.2.11;</p> <p>iii. to accessory buildings that are less than 30m² and located to the rear of the main residential unit on the site and are less than 5 metres in height;</p>	a. Character Area Overlay – Rule 14.15.237

	Activity/area	The Council's discretion shall be limited to the following matters
	<p>iv. to fences that are located on a side or rear boundary of the site, except where that boundary is adjacent to a public space.</p> <p>e. Activities that do not meet Built Form standard 14.8.3.2.5. Any application arising from this rule shall not be limited or publicly notified.</p>	
RD4	<p>a. Within the Akaroa Character Area Overlay;</p> <p>i. external alterations or additions to, or demolition of existing buildings on a site, except for the demolition of accessory buildings; and/or</p> <p>ii. the erection of a building and accessory buildings; and/or</p> <p>iii. the relocation of a buildings onto the site.</p>	<p>a. Character Area Overlay – Rule 14.15.237</p>
RD5	<p>Residential units in the Lyttelton Character Area Overlay and/or Residential Heritage Area that do not meet Rule 14.8.3.2.2 – Site density</p>	<p>a. Site density and site coverage – Rule 14.15.2</p>
RD6	<p>Residential units in the Lyttelton Character Area Overlay and/or Residential Heritage Area that do not meet Rule 14.8.3.2.3 – Height of buildings</p>	<p>b. Character Area Overlay – Rule 14.15.27</p>
RD67	<p>Buildings in the Lyttelton Character Area Overlay and/or Residential Heritage Area that do not meet Rule 14.8.3.2.34 – Site coverage</p>	<p>c. New buildings in Residential Heritage Area – Rule 9.3.6.4</p>
RD78	<p>Activities in the Lyttelton or Akaroa Character Area Overlay that do not meet Rule 14.8.3.2.67 – Landscaping</p>	<p>a. Street scene – road boundary building setback, fencing and planting – Rule 14.15.17</p> <p>b. Residential landscaping – Rule 14.15.24</p>
RD9	<p>Activities in the Lyttelton Character Area Overlay and/or Residential Heritage Area that do not meet Rules 14.8.3.2.5 or 14.8.3.2.6 – Minimum building setbacks or Rule 14.8.3.2.9 – Outdoor living space per unit</p>	<p>a. Street scene – road boundary setback, fencing and planting – Rule 14.15.18</p> <p>b. Outdoor living space – Rule 14.15.21</p> <p>c. Character Area Overlay – Rule 14.15.27</p>

	Activity/area	The Council's discretion shall be limited to the following matters
		d. New buildings in Residential Heritage Area – Rule 9.3.6.4
RD10	Activities in the Lyttelton Character Area Overlay that do not meet Rule 14.8.3.2.8 – Front entrances, Rule 14.8.2.10 – Windows to street, Rule 14.8.3.2.11 – Fencing in character areas or Rule 14.8.3.2.11 – Garaging and carport building location in character areas	a. Residential fencing – Rule 14.15.14 b. Character Area Overlay – Rule 14.15.27 c. Street facing glazing – Rule 14.15.23
RD11	Minor residential unit in the Lyttelton Character Area Overlay or Lyttelton Residential Heritage Area where the minor unit is a detached building and does not meet one or more of the activity specific standards in Rule 14.8.3.1.1 P5 a, b, c, or d. Advice note: For minor residential units within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3.	a. Minor residential units – Rule 14.15.226 b. Character Area Overlay – Rule 14.15.27 where relevant. c. New buildings in Residential Heritage Areas – Rule 9.3.6.4 where relevant.

14.8.3.1.4 Area-specific discretionary activities

There are no discretionary activities.

Activity	
D1	<p>a. Hosted visitor accommodation that does not comply with activity specific standards in Rule 14.8.3.1.1 P3 and that does not exceed twelve guests per site at any one time.</p> <p>b. Any application arising from this rule shall not be publicly notified but may be limited notified.</p> <p>(Plan Change 4 Council Decision subject to appeal)</p>
D2	<p>a. Unhosted visitor accommodation that does not comply with Rule 14.8.3.1.4 C1 and that does not exceed twelve guests per site at any one time.</p>

Activity	<p>b. Any application arising from this rule shall not be publicly notified but may be limited notified.</p> <p>(Plan Change 4 Council Decision subject to appeal)</p>
D3	<p>a. Visitor accommodation in a heritage item that does not comply with activity specific standards (c) – (f) in Rule 14.8.3.1.1 P4 and that does not exceed twenty guests per site at any one time.</p> <p>b. Any application arising from this rule shall not be publicly notified but may be limited notified.</p> <p>(Plan Change 4 Council Decision subject to appeal)</p>

14.8.3.1.5 Area-specific non-complying activities

a. The activities listed below are non-complying activities.

NC1	<p>a. Extension under Rule 14.8.3.1.1 (P1) in the Lyttelton Port Influences Overlay that does not meet Rule 14.8.3.2.1.</p> <p>b. Any application arising from this rule shall not be publicly notified and shall be limited notified only to Lyttelton Port Company (absent its written approval).</p>
NC2	<p>a. Replacement under Rule 14.8.3.1.1 (P2) in the Lyttelton Port Influences Overlay that does not meet Rule 14.8.3.2.1.</p> <p>b. Any application arising from this rule shall not be publicly notified and shall be limited notified only to Lyttelton Port Company (absent its written approval).</p>
NC3	<p>a. Extension to an existing habitable space or the erection of a new habitable space associated with an existing residential unit in the Lyttelton Port Influences Overlay where the combined gross floor area of the habitable space exceeds 40m² within a 10 year continuous period that:</p> <ul style="list-style-type: none"> i. does not have a no complaints covenant; and/or ii. does not meet Rule 14.8.3.2.1. <p>b. Any application arising from this rule shall not be publicly notified and shall be limited notified only to Lyttelton Port Company (absent its written approval).</p>
NC4	<p>a. Replacement residential unit for an existing residential unit in the Lyttelton Port Influences Overlay where the combined gross floor area of the habitable space exceeds the combined gross floor area of the habitable space contained in the previous residential unit by more than 40m² within a 10 year continuous period that:</p> <ul style="list-style-type: none"> i. does not have a no complaints covenant; and/or ii. does not meet Rule 14.8.3.2.1.

NC1	<p>a. Extension under Rule 14.8.3.1.1 (P1) in the Lyttelton Port Influences Overlay that does not meet Rule 14.8.3.2.1.</p> <p>b. Any application arising from this rule shall not be publicly notified and shall be limited notified only to Lyttelton Port Company (absent its written approval).</p>
	<p>b. Any application arising from this rule shall not be publicly notified and shall be limited notified only to Lyttelton Port Company (absent its written approval).</p>
NC5	<p>a. New noise sensitive activities in the Lyttelton Port Influences Overlay except for 14.8.3.1.1 P3 or P4, 14.8.3.1.2 C1 or C2, 14.8.3.1.4 D1, D2 or D3 and 14.8.3.1.5 NC6.</p> <p>b. Any application arising from this rule shall not be publicly notified and shall be limited notified only to Lyttelton Port Company (absent its written approval).</p> <p>(Plan Change 4 Council Decision subject to appeal)</p>
NC6	<p>a. Visitor accommodation that is:</p> <ul style="list-style-type: none"> i. not hosted visitor accommodation, unhosted visitor accommodation or visitor accommodation in a heritage item; ii. hosted visitor accommodation that exceeds the maximum number of guests in Rule 14.8.3.1.4 D1; iii. unhosted visitor accommodation that exceeds the maximum number of guests in Rule 14.8.3.1.4 D2; or iv. visitor accommodation in a heritage item that exceeds the maximum number of guests in Rule 14.8.3.1.4 D3. <p>b. Any application arising from this rule shall not be publicly notified and shall be limited notified.</p> <p>(Plan Change 4 Council Decision subject to appeal)</p>

14.8.3.1.6 Area-specific prohibited activities

There are no prohibited activities.

14.8.3.2 Area-specific built form standards

14.8.3.2.1 Internal sound design level in the Lyttelton Port Influences Overlay

- a. New [habitable space](#) or extensions to existing [habitable space](#) in the Lyttelton Port Influences Overlay shall have an internal sound design level of 40dB Ldn (5 day) with ventilating [windows](#) or with [windows](#) and doors closed and [mechanical ventilation installed](#) and operating.
- b. For the purposes of this rule, the design shall achieve an internal design sound level of a [habitable room](#), the external noise environment will be the modelled level of port noise taken from the predicted dB Ldn (5 day) contour closest to the [habitable room](#), in accordance with the methodology of NZS 6809:1999 Port Noise Management and Land Use Planning.

14.8.3.2.2 Site density

- a. ~~Within the Character Area Overlay and/or the Residential Heritage Area in Lyttelton, each residential unit (excluding residential units established under Rule 14.8.1.1 P4 and P18) shall be contained within its own separate site and the site shall have a minimum net site area of 250-450m².~~
- b. ~~Within the Character Area Overlay and/or the Residential Heritage Area in Lyttelton, there must be no more than one residential unit plus one minor residential unit per site.~~

14.8.3.2.3 Building height

- a. ~~Within the Character Area Overlay and/or the Residential Heritage Area in Lyttelton, the maximum building height is 7 metres, except that any accessory building must not exceed 5 metres in height.~~

14.8.3.2.34 Site coverage

- a. ~~Within the Character Area Overlay and/or the Residential Heritage Area in Lyttelton Lyttelton the maximum percentage of the net site area covered by buildings shall be 60%.50%.~~
- b. ~~For the purpose of this rule this excludes:~~
 - i. ~~fences, walls and retaining walls;~~
 - ii. ~~eaves and roof overhangs up to 600mm in width and guttering up to 200mm in width from the wall of a building;~~
 - iii. ~~uncovered swimming pools up to 800mm in height above ground level; and~~
 - iv. ~~decks, terraces, balconies, porches, verandahs, bay or box windows (supported or cantilevered) which:~~
 - A. ~~are no more than 800mm above ground level and are uncovered or unroofed; or~~
 - B. ~~where greater than 800mm above ground level and/or covered or roofed, are in total no more than 6m² in area for any one site.~~

14.8.3.2.45 Minimum building setbacks from internal boundaries

- a. ~~Within the Character Area Overlay the minimum building setbacks from boundaries may be reduced to nil on one side internal boundary where written approval has been obtained from the owner and occupier of the site adjoining the boundary, otherwise Rule 14.8.2.4 shall apply.~~
- a. ~~Within the Character Area Overlay and/or Residential Heritage Area in Lyttelton, the minimum internal boundary setback shall be 1.5 metres on one side and 3 metres on the other, and the minimum rear boundary setback shall be 2 metres.~~
- b. ~~Within the Character Area Overlay in Lyttelton, where the total length of accessory buildings on a side or rear boundary does not exceed 10 metres, no setback shall be required.~~

- c. Within the Character Area Overlay in Lyttelton, any building must be set back from a shared access by a minimum of 1 metre.

14.8.3.2.56 Minimum building setbacks from road boundaries

- a. Within the Character Area Overlay and/or Residential Heritage Area in Lyttelton the minimum building setbacks from road boundaries shall be nil. 3 metres.
- b. Within the Character Area Overlay in Lyttelton, up to 300mm in width of eaves and roof overhangs, and guttering up to 200mm in width from the wall of a building may protrude into the front setback.

14.8.3.2.6-7 Landscaping

- a. Within the Character Area Overlay in Akaroa a **landscaping strip** with a minimum width of 3 metres shall be provided and comprise a combination of tree and garden planting along the length of the **road boundary**, excluding that part required for **buildings**, driveways or pedestrian access.
- b. Within the Lyttelton Character Area Overlay:
 - i. A landscaping strip of a minimum width of 3 metres, shall be located along the length of the road boundary excluding that part required for a driveway or pedestrian access.
 - ii. In addition to i. above, a residential unit at ground floor level must have a landscaped area of a minimum of 20% of a developed site with tree and garden planting.

14.8.3.2.8 Front entrances

- a. Within the Lyttelton Character Area Overlay:
 - i. the maximum paved access width per site is 3.6 metres, or;
 - ii. 4.8 metres, where it includes a pedestrian access with a minimum width of 1.2 metres.

14.8.3.2.9 Outdoor living space per unit

- a. Within the Lyttelton Character Area Overlay:
 - i. a residential unit at ground floor level must have an outdoor living space that is at least 50 square metres at ground floor level and has no dimension less than 5 metres; and
 - ii. a residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace, of at least 8 square metres and a minimum dimension of 1.8 metres; and
 - iii. any outdoor living space must be:
 - A. accessible from the residential unit;
 - B. located directly adjacent to the unit; and
 - C. be free of buildings, parking spaces, and servicing and manoeuvring areas.

~~b. Within the Lyttelton Residential Heritage Area, each residential unit shall be provided with an outdoor living space contained within the net site area with a minimum area of 50 square metres.~~

~~14.8.3.2.10 — Windows to street~~

~~a. Within the Lyttelton Character Area Overlay, any residential unit facing the street must have a minimum of 20% of the street facing façade(s) within the first 6 metres from the road boundary, in transparent glazing, or a combination of transparent glazing and a front door.~~

~~b. For the purpose of this rule, any area of roofspace that is fully enclosed by a gable shall not be included in the area of the street facing façade.~~

~~14.8.3.2.11 — Fencing in character areas~~

~~a. Within the Lyttelton Character Area Overlay, the maximum height of:~~

~~i. fencing along the front boundary is 1 metres; and~~

~~ii. any retaining wall along the front boundary is 1.5 metres.~~

~~iii. And where a fence is proposed on a retaining wall, it must be set back from the front face of the retaining wall by 1.2 metres with the intervening area containing planting.~~

~~b. The maximum height of fencing for all side and rear (internal) boundaries is 2.0 metres.~~

~~14.8.3.2.12 — Garaging and carport location in character areas~~

~~a. Within the Lyttelton Character Area Overlay, garages, carports (whether detached or not) and any areas provided for car parking shall be:~~

~~i. separate to the residential unit;~~

~~ii. located to the side or rear of the residential unit; and~~

~~iii. located at least 1.2m behind behind the front façade of a residential unit, except if a car parking area.~~