

DISTRICT PLAN TEXT AMENDMENTS

KEY:

1. Text Amendments as Notified by Council and included in Proposed Plan Change 14

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 as notified is shown as **bold underlined** and text to be deleted as **~~bold strikethrough~~**.

Text in **green** font identifies existing terms defined in *Chapter 2 – Definitions*.

Where the proposed plan change contains a term defined in *Chapter 2 – Definitions*, the term is shown as **bold underlined text in green** and the wording to be deleted is shown as **~~bold strikethrough in green~~**. New definitions in Chapter 2 and within a provision (including a rule) is shown as **bold green text underlined in black**.

Text in **blue** font indicates existing 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. Where the proposed plan change contains a new link, it is shown as **bold underlined text in blue**. Where a link is proposed to be deleted, it is shown as **~~bold strikethrough in blue~~**.

2. Text as Recommended in s42A Reports

Text in **bold purple with purple underline** was proposed to be added as part of Proposed Plan Change 11 and is proposed to be adopted by PC14. Text in **~~bold purple with purple strikethrough~~** shows text to be deleted.

Text in **bold purple with red underline** is proposed to be added as a result of consideration of submissions on PC14 in s42A report.

3. Additional Text Amendments to s42A Reports in Response to Matters Raised During Hearings

Text in **bold dark orange underlined** indicates text recommended to be added. Text in **bold dark orange with orange underline** is recommended to be added following the hearing process, including review of provisions by the Glenara Family Trust (#91, #2070) and the Council following the request from IHP. Text in **~~bold dark orange with orange strikethrough~~** shows text to be deleted.

Text in **bold orange text underlined in black** indicates text that was proposed to be deleted in the s42A report but is now recommended to be reinstated.

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13.14 Specific Purpose (Ōtākaro Avon River Corridor) Zone

13.14.1 Introduction

- a. This introduction is to assist the lay reader to understand how this chapter works and what it applies to. It is not an aid to interpretation in a legal sense.

- b. This chapter relates to activities that may occur in the Specific Purpose (Ōtākaro Avon River Corridor) Zone. Objectives, policies, rules, standards and assessment criteria provide for activities in this Zone.
- c. This chapter relates to the area of land that falls within the Ōtākaro Avon River Corridor Regeneration Plan. These are predominantly areas of land that run alongside the Ōtākaro Avon River which were 'red zoned' as a result of the Canterbury Earthquakes in 2010 and 2011 and which were previously part of the Specific Purpose (Flat Land Recovery) Zone, with some adjoining **public open spaces**. The Specific Purpose (Ōtākaro Avon River Corridor) Zone provides for a range of activities and outcomes that have been identified in the Ōtākaro Avon River Corridor Regeneration Plan. The objectives, policies, rules, standards and assessment criteria in this chapter seek to manage activities in the Zone through identifying sub-areas in the Development Plan in [Appendix 13.14.6.1](#) and setting out specific provisions for each of them.
- d. The provisions in this chapter give effect to the [Chapter 3 Strategic Directions Objectives](#).

13.14.2 Objectives and Policies

13.14.2.1 Objective - Regeneration

- a. The regeneration of the Ōtākaro Avon River Corridor achieves the following priority outcomes:
 - i. Significant areas of restored natural environment containing a predominance of indigenous planting, wetlands and restored habitat for indigenous fauna, birdlife and indigenous species, improved surface water quality and provision for the practice of mahinga kai;
 - ii. Flood hazard and stormwater management infrastructure that mitigates natural hazard risks for the Ōtākaro Avon River Corridor and surrounding areas and is integrated with the natural landscape;
 - iii. Accessibility and connectivity across and along the Ōtākaro Avon River Corridor, and with existing communities; and
 - iv. A predominance of natural and open spaces, with limited areas of built development concentrated in specific Reaches, residential areas, Activity Area Overlays and Landing Overlays.
- b. The Ōtākaro Avon River Corridor supports opportunities for other uses and activities that are compatible with the priority outcomes in a. above, including:
 - i. Increased opportunities for recreation, **cultural activities** and community-based activities;
 - ii. A range of visitor attractions and limited small-scale **retail activities**;
 - iii. Limited residential development on the outer edge of the Zone to improve integration between the edge of existing neighbourhoods and the activities within the Ōtākaro Avon River Corridor;
 - iv. Varied learning, experimenting and research opportunities, including testing and demonstrating adaptation to natural hazards and climate change; and

- v. Transitional activities and structures where these do not compromise the priority outcomes in a. above.
- c. The continuation of pre-earthquake activities on privately-owned properties that still exist within the Ōtākaro Avon River Corridor.

13.14.2.1.1 Policy - Ōtākaro Avon River Corridor Areas

- a. Recognise that areas within the Ōtākaro Avon River Corridor have different priorities, characteristics and expected levels of built form, by spatially defining different areas within the Ōtākaro Avon River Corridor and managing these areas to:
 - i. Provide for the activities identified as 'Intended Activities' in Table 1 below, and ensure other activities are compatible with the 'Character Outcomes' and 'Intended Activities' in Table 1 below.
 - ii. Avoid other activities that are not compatible with the 'Character Outcomes' or 'Intended Activities' in Table 1 below.
- b. Provide for limited **retail activities** which support the 'Intended Activities' within the Zone, while ensuring that they do not undermine the continued viability of nearby commercial centres.

Table 1 - Corridor Areas and Overlays

Area/Overlay	Character Outcomes	Intended Activities
Green Spine	<p>The Green Spine is to be predominantly natural open space providing for stormwater management, flood protection and significant ecological restoration, with enhanced indigenous habitat and mahinga kai opportunities. Stormwater management and flood protection activities are to be integrated into a naturalised and ecologically restored environment.</p> <p>The Green Spine will be largely free of built development, providing a continuous area of public open space with trails, paths and footbridges, extending from the central city to the sea.</p> <p>Built development and other activities will be largely limited to and concentrated in the Landing Overlays, Edge Housing Area Overlays, an Activity Area Overlay and Trial Housing Area Overlays (refer below).</p> <p>Retail activities will be limited to Landing Overlays and an Activity Area Overlay (refer below).</p>	<ul style="list-style-type: none"> a. stormwater management and flood protection infrastructure, including stopbanks b. ecological restoration and enhancement c. outdoor recreation activities and entertainment activities compatible with a. and b. above d. outdoor community-based activities, including community gardens, markets, social events and other gatherings compatible with a. and b. above e. transport connections
Eastern Reaches	<p>These Reaches are to be predominantly open and natural environments with restored ecological areas and activities that relate to, and are compatible with, those restored natural values and environment. Productive use of the land is also anticipated.</p> <p>A low density and small scale of built form is generally anticipated within the Eastern Reaches. Large-scale buildings may also be appropriate, where they integrate well with the landscape setting and do not dominate the natural landscape.</p> <p>More significant built development and other activities will be provided for in Trial Housing Area Overlays and an Edge Housing Area Overlay (refer below).</p>	<ul style="list-style-type: none"> a. ecological restoration and enhancement b. urban farms c. eco-sanctuaries d. visitor attractions relating to, and compatible with, the natural values e. recreation activities compatible with the natural environment and restored ecology f. activities supporting those in c., d. and above that are limited in scale, such as retail and food and beverage outlets g. transport connections

Horseshoe Lake Reach	<p>The northern portion of this Reach will provide for a large stormwater management area with ecologically restored areas in a predominantly open and natural environment, including enhanced indigenous habitat and mahinga kai opportunities. The remainder of this Reach will be a predominantly open natural environment and provide for activities relating to productive use of the land. It is to provide a transition between the naturalised and ecologically restored environment of the Green Spine and the adjoining urban edges. A moderate density and scale of built form is generally anticipated within this Reach. Large-scale buildings may also be appropriate, where they integrate well with the landscape setting and do not dominate the natural landscape.</p> <p>More significant built development and other activities will be provided for in Edge Housing Area Overlays and an Activity Area Overlay.</p>	<ul style="list-style-type: none"> a. stormwater management b. ecological restoration c. urban farms, community gardens and community markets d. recreation activities, education activities and public open space e. visitor attractions, f. food and beverage outlets g. community-based, educational and cultural-based activities h. transport connections i. activities that are compatible with a. – h. above and the Character Outcomes for the Reach
Ōtākaro Loop Reach	<p>This Reach is to provide for activities within an open parklike environment. It is to provide a transition between the naturalised and ecologically restored environment of the Green Spine and the adjoining urban edges. A moderate density and scale of buildings are anticipated. Larger buildings may be appropriate where they integrate with the landscape setting and do not dominate the surrounding environment.</p> <p>More significant built development and other activities will be provided for in a Trial Housing Overlay and an Activity Area Overlay (refer below).</p>	<ul style="list-style-type: none"> a. recreation activities, public open space, visitor attractions and cultural experiences b. transport connections c. activities supporting activities in a. above that are limited in scale, such as food and beverage outlets d. activities that are compatible with a. and b. above, and the Character Outcomes for the Reach, including education
Activity Area Overlay	<p>Activity areas are where a larger scale of development is anticipated than elsewhere within the Zone, with structures clustered within the overall Activity Area. The character of each Activity Area will be influenced by the area within which it sits.</p>	<ul style="list-style-type: none"> a. small scale retail activities b. entertainment activities c. those activities listed above in relation to the area within which the Activity Area is located
Trial Housing Area Overlay	Refer Policy 13.14.2.1.5	a. residential activities
Edge Housing Overlay	Refer Policy 13.14.2.1.5	a. residential activities

Landing Overlay	Landings will be located within the Green Spine at identified intervals along the Ōtākaro Avon River to provide interaction with the river, and a node of small-scale buildings and activities that support the recreational use of the Green Spine. Some will provide direct access to the Ōtākaro Avon River, depending upon the environment in which they are located.	<ul style="list-style-type: none"> a. public amenities b. recreation activities c. limited small-scale retail activities
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13.14.2.1.2 Policy - Supporting Regeneration Activities

- a. Recognise that the process of regeneration is ongoing and adaptive, and provide for this through:
 - i. enabling transitional activities and structures where these do not compromise the priority outcomes in [Objective 13.14.2.1a](#). or the Character outcomes and Intended Activities indicated in [Policy 13.14.2.1.1](#);
 - ii. focusing the management of amenity effects on neighbouring properties and activities, predominantly at adjacent zone boundaries and boundaries of private properties that still exist within the Zone;
 - iii. utilising a global consent process where appropriate for particular categories of large scale and ongoing activities;
 - iv. updating the Development Plan in [Appendix 13.14.6.1](#) to reflect the locations of facilities as they are developed; and
 - v. acknowledging that there will be some loss of indigenous biodiversity associated with the development of Landings and new infrastructure, except within inanga spawning sites which will be protected, and recognising that over time there will be a significant net gain in indigenous biodiversity across the Corridor as a whole.

13.14.2.1.3 Policy - Providing for Stormwater Management, Flood Hazard Mitigation and Transport Infrastructure

- a. Provide for stormwater management and flood hazard mitigation and protection works when undertaken by or on behalf of the Council, the Canterbury Regional Council or the Crown, having regard to potential adverse effects;
- b. Avoid activities that would individually or cumulatively significantly compromise the provision and effective functioning and integrity of identified, existing and proposed stormwater, flood management and transport infrastructure; and
- c. Provide for indigenous flora, fauna, habitat, mahinga kai and amenity restoration and enhancement in the design of stormwater and flood hazard mitigation and protection works.

13.14.2.1.4 Policy - Continuation of Pre-Earthquake Activities

- a. Provide for residential activities and other existing activities on existing properties in private ownership in the Ōtākaro Avon River Corridor.
- b. Manage activities in the Ōtākaro Avon River Corridor to ensure effects on existing privately-owned residential properties within the Zone are generally consistent with those anticipated in the Alternative Zone specified in [Appendix 13.14.6.2](#).

13.14.2.1.5 Policy - Residential Activities

- a. Provide for limited new clustered, tiny or small footprint housing and temporary and permanent residential activities in identified Trial Housing Areas to enable opportunities for testing and demonstrating adaptation to natural hazards and climate change, where these:
 - i. are comprehensively designed in one plan for the whole Trial Housing location to:
 - A. complement and integrate with the surrounding natural and cultural environment, including the intended indigenous natural environment of the Ōtākaro Avon River Corridor;
 - B. provide safe and social communal spaces; and
 - C. provide visually attractive buildings and structures.
 - ii. avoid unacceptable risk to life and property from natural hazards.
- b. Provide for limited new residential development in identified Edge Housing Area Overlays where these are designed to front on to the Ōtākaro Avon River Corridor and improve integration between the edge of existing neighbourhoods and the activities within the Zone.
- c. Other than in Trial Housing and Edge Housing Overlays, provide for one new residential unit on a site only where it is ancillary to, and required for, the primary activity on the site.

13.14.2.1.6 Policy - Design

- a. Provide for built development where it is of a design, scale and character that is consistent and integrated with the intended character of the area within which it is located, and which:
 - i. incorporates ecological enhancement planting to provide a high level of onsite amenity and mitigate effects on adjacent activities, and support an improved natural environment with increased native habitat and improved surface water quality;
 - ii. complements the surrounding natural and cultural environment, including the intended indigenous natural environment of the Ōtākaro Avon River Corridor;
 - iii. incorporates onsite treatment of stormwater and/or integrates with wider stormwater management systems where practicable;
 - iv. achieves a high quality, visually attractive development when viewed from the street and other public spaces;

- v. provides **accessible**, safe, and efficient movement options for pedestrians, cyclists, and vehicles;
- vi. maintains and enhances the natural character, **indigenous biodiversity**, health and life supporting capacity of **water bodies** and their margins;
- vii. is designed to deter crime and encourage a sense of safety, reflecting the principles of **CPTED**;
- viii. manages the interface with adjacent residential and open space-zoned areas;
- ix. promotes active engagement with any adjacent streets or public spaces, and contributes to the vibrancy and attractiveness of those spaces;
- x. provides an adequate firefighting water supply; and
- xi. is designed and located so that it does not obstruct existing or potential customary access to areas of ecological enhancement planting.

13.14.2.1.7 Policy - Mana Whenua and the Ōtākaro Avon River Corridor

- a. Recognise the Ōtākaro Avon River as a taonga and a cultural landscape for which Te Ngāi Tūāhuriri exercise kaitiakitanga by ensuring values of cultural importance are managed, enhanced and/or protected.
- b. Manage activities within the Zone to restore the Ōtākaro Avon River Corridor for mahinga kai and to improve water quality, recognising that land use activities can have adverse impacts on water resources.
- c. Where resource consent is required, require **earthworks** within the Zone to be undertaken in accordance with cultural best practice, including the adoption of an Accidental Discovery Protocol, the training of contractors in identification of archaeological sites, cultural monitoring, recording and other measures as informed by mana whenua.
- d. Recognise that sites where evidence of historic Māori occupation is uncovered through **earthworks** or development activities are wāhi tapu to mana whenua and that the manner in which the **earthworks** and land development continue should be informed by cultural advice.
- e. Provide for customary access for the purposes of mahinga kai as part of ecological restoration activities.

13.14.2.1.8 Policy - Natural Hazards

- a. Recognise the ability to comprehensively manage development within the Specific Purpose (Ōtākaro Avon River Corridor) Zone to mitigate increasing or transferring potential risk from natural hazards and provide for experimental approaches to living with water that can be applied elsewhere in New Zealand, particularly in response to climate change.
- b. Provide for structures within the **High Flood Hazard Management Area** in the Zone where the potential increased risk to people, property and infrastructure can be mitigated by locating and designing structure so as to:

- i. minimise potential flood damage or loss to buildings, servicing, and infrastructure during an inundation hazard event;
 - ii. return functionality after an event;
 - iii. ensure safe and functional access and egress for the duration of the hazard event;
 - iv. be relocated if the future risk increases to an unacceptable level; and
 - v. avoid exacerbating the effects of the natural hazard or generating the need for new mitigation works to protect the structures.
- c. Provide compensatory flood storage where the land has been raised to avoid unacceptable flooding risk in High Flood Hazard Management Areas.
 - d. When determining the level of risk, recognise that predictions about sea level rise indicate increased risk over time, and therefore adopt a precautionary approach when considering consent durations or conditions including requirements for the relocation or removal of structures.

Advice note:

- 1. This policy provides specific guidance for the management of structures within the High Flood Hazard Management Area within the Specific Purpose (Ōtākaro Avon River Corridor) Zone, in addition to the provisions in Chapter 5 relating to natural hazards. Rules which implement this policy are also contained in Chapter 5.

13.14.3 How to interpret and apply the rules

- a. The rules that apply to activities in the Specific Purpose (Ōtākaro Avon River Corridor) Zone are contained in the activity status tables (including any activity specific standards) in Rule 13.14.4.1 and the built form standards in Rule 13.14.4.2. Provided that where a site has an alternate zone listed in Appendix 13.14.6.2, only the activity specific standards and built form standards for that zone apply, as set out in the activity status tables in Rule 13.14.4.1, in addition to the activity standards in Rules 13.14.4.1.1 to 13.14.4.1.5 and the built form standards in Rule 13.14.4.2 as specified in Rule 13.14.4.1.1 P23 and P33.
- b. The activity status tables and standards in the following chapters also apply to activities in the Specific Purpose (Ōtākaro Avon River Corridor) Zone except as specified in c. below:
 - 4 Hazardous Substances and Contaminated Land;
 - 5 Natural Hazards;
 - 6 General Rules and Procedures;
 - 7 Transport;
 - 8 Subdivision, Development and Earthworks;
 - 9 Natural and Cultural Heritage; and
 - 11 Utilities and Energy.

Commented [AH1]: This amendment is to make clear where a site has an alternate zone, activities are to be assessed primarily by the provisions of the alternate zone in Chapter 14, and the provisions of the SPOARC zone in Chapter 3 apply only to the extent specified. The original wording is considered by the planners to be confusing.

- c. Where undertaken by or on behalf of the [Council](#), Canterbury Regional Council or the Crown, the rules in the following chapters:
- [5](#) [Natural Hazards](#);
 - [6.6](#) [Water Body Setbacks](#);
 - [8.9](#) [Earthworks](#);
 - [9.1](#) [Indigenous Biodiversity and Ecosystems](#); and
 - [9.2](#) [Landscapes and Natural Character](#)
- do not apply to:
- i. New [buildings](#) and structures (including stopbanks) for the purposes of flood and/or bank erosion mitigation and/or protection;
 - ii. The installation of stormwater management basins, swales or reticulated open-channel drainage, including necessary incidental equipment such as pumping stations; and
 - iii. Any [earthworks](#) or [indigenous vegetation](#) clearance:
 - A. Associated with the above activities; or
 - B. Within a Landing Overlay identified on the Development Plan in [Appendix 13.14.6.1](#);
or
 - C. Associated with the creation of cycling and walking paths.
- d. Reference should also be made to any other applicable rules or constraints within other legislation or ownership requirements including the following:
- i. [Reserves Act 1977](#);
 - ii. [Wildlife Act 1953](#);
 - iii. [Conservation Act 1987](#);
 - iv. Regional rules under [Canterbury Regional Council Plans](#);
 - v. [Christchurch City Council Traffic and Parking Bylaw 2017](#);
 - vi. [The Heritage New Zealand Pouhere Taonga Act 2014](#) in relation to any modification or destruction of archaeological sites;
 - vii. [The Council Marine and River Facilities Bylaw 2017](#); and
 - viii. [Canterbury Regional Council Navigation Safety Bylaws 2016](#).

13.14.4 Rules - Specific Purpose (Ōtākaro Avon River Corridor) Zone

13.14.4.1 Activity status tables

13.14.4.1.1 Permitted activities

- a. The activities listed below are permitted activities in the Specific Purpose (Ōtākaro Avon River Corridor) Zone if they meet the activity specific standards set out in the following table and the built form standards in [Rule 13.14.4.2](#) unless otherwise specified.
- b. Activities may also be controlled, restricted discretionary, discretionary, non-complying or prohibited as specified in [Rules 13.14.4.1.2](#), [13.14.4.1.3](#), [13.14.4.1.4](#), [13.14.4.1.5](#) and [13.14.4.1.6](#).

Activity	Activity specific standards
P1 Recreation activity and/or recreation facility , excluding land-based motorised sport activities.	a. Except for walking and cycling tracks, no permanent activity or facility shall be located within an area identified on the Development Plan in Appendix 13.14.6.1 as a: <ol style="list-style-type: none"> i. Stormwater Management Area; ii. Stopbank; iii. City to Sea Path; iv. New pedestrian/cycle bridge; v. Proposed new road and bridge; or vi. Potential Road linkage.
P2 Public amenities .	a. Any building containing toilets and/or changing rooms shall be set back at least 20 metres from the boundary with a residential zone, the boundary of a site listed in Appendix 13.14.6.2 , or the bank of any water body , as defined in the definition of “waterbody setback” and Appendix 6.11.5.3 .

P3	Retail activity within a Landing Overlay or Activity Area Overlay, as shown on the Development Plan in Appendix 13.14.6.1 , excluding secondhand goods outlets and food and beverage outlets .	<ul style="list-style-type: none"> a. Shall cumulatively occupy no more than 70m² of GFA per Landing. b. Shall cumulatively occupy no more than: <ul style="list-style-type: none"> i. 350m² of GFA for the Activity Area Overlay in the Horseshoe Lake Reach; ii. 150m² of GFA for the Activity Area Overlay in the Ōtākaro Loop Reach; iii. 150m² of GFA for the Activity Area Overlay in the Green Spine.
P4	Food and beverage outlets within a Reach or Landing Overlay as shown on the Development Plan in Appendix 13.14.6.1 .	<ul style="list-style-type: none"> a. Within the Horseshoe Lake Reach as shown on the Development Plan in Appendix 13.14.6.1: <ul style="list-style-type: none"> i. Each outlet shall have a maximum of 250m² of GFA per building; and ii. The combined GFA of all outlets shall not exceed 1,200m² within the Reach. b. Within the Ōtākaro Loop Reach and Eastern Reaches as shown on the Development Plan in Appendix 13.14.6.1; <ul style="list-style-type: none"> i. each outlet shall have a maximum of 250m² of GFA per building; and ii. The combined GFA of all outlets in the Ōtākaro Loop Reach shall not exceed 500m²; and iii. The combined GFA of all outlets in the Eastern Reaches shall not exceed 500m². c. Within a Landing Overlay as shown on the Development Plan in Appendix 13.14.6.1 the combined GFA of all outlets shall not exceed 70m² per Landing.
P5	Ancillary offices .	<ul style="list-style-type: none"> a. Ancillary offices shall occupy no more than 250m² of GFA per building; or 10% of the GFA of all buildings on the same site used for the activity the office is ancillary to, whichever is the lesser.
P6	Ancillary retail activity including food and beverage outlets .	<ul style="list-style-type: none"> a. Ancillary retail activity shall cumulatively occupy no more than 250m² of GFA per building; or 10% of the GFA of all buildings on the same site used for the activity the retail is ancillary to, whichever is the lesser.

P7	Public artwork	Nil
P8	Conservation activity.	a. Any restoration planting shall be limited to indigenous plant species which are sourced from within the ecological district.
P9	Education activities and/or Education facility, either: a. Located within the Ōtākaro Loop Reach or Horseshoe Lake Reach as shown on the Development Plan in Appendix 13.14.6.1 ; or b. Limited to education activities that: i. are ancillary to conservation activities; or ii. increase awareness of the natural environment, conservation issues, historic heritage, or Ngāi Tahu culture	a. Where located outside of the Ōtākaro Loop Reach or Horseshoe Lake Reach as shown on the Development Plan in Appendix 13.14.6.1 , the maximum cumulative GFA of all buildings associated with the activity shall be 150m ²
P10	Park management activity and/or park management facility.	a. Shall have a maximum of 100m ² of GFA per building; and b. Shall not occur within a Landing Overlay or the Horseshoe Lake Reach as shown on the Development Plan in Appendix 13.14.6.1 .
P11	Community market.	Nil
P12	Customary harvesting.	Nil
P13	Community gardens.	a. Except for walking and cycling tracks, no permanent activity shall be located within an area identified on the Development Plan in Appendix 13.14.6.1 as a: i. Stormwater Management Area; ii. Stopbank; iii. City to Sea Path; iv. New pedestrian/cycle bridge; v. Proposed new road and bridge; or vi. Potential Road linkage.
P14	Car parking within a Landing Overlay.	a. Shall be limited to 20 at grade car parking spaces. Advice note: 1. The minimum parking requirements in Chapter 7 also apply.

P15	<p>Entertainment activities located either:</p> <p>a. in an Activity Area Overlay shown on the Development Plan in Appendix 13.14.6.1; or</p> <p>b. in the Green Spine shown on the Development Plan in Appendix 13.14.6.1.</p>	<p>a. Where located within the Green Spine it shall not include permanent buildings as part of the activity.</p>
P16	<p>Cultural activities, excluding the open-air operation of heritage vehicles, trains and machinery, located:</p> <p>a. within a Reach shown on the Development Plan in Appendix 13.14.6.1; or</p> <p>b. within the existing building on Part Rural Section 33, held in Computer Register CB159/132 (20 Templar Street).</p>	<p>Nil</p>
P17	<p>Camping grounds, campervan parks and associated camp facilities.</p>	<p>a. Shall include no more than 10 cabins;</p> <p>b. Except for walking and cycling tracks, no permanent activity shall be located within an area identified on the Development Plan in Appendix 13.14.6.1 as a:</p> <ul style="list-style-type: none"> i. Stormwater Management Area; ii. Stopbank; iii. City to Sea Path; iv. New pedestrian/cycle bridge; v. Proposed new road and bridge; or vi. Potential Road linkage. <p>c. The activity shall be set back 20m from the bank of any water body, as defined in the definition of "waterbody setback" and Appendix 6.11.5.3.</p>
P18	<p>Residential unit for caretaker and site management purposes only.</p>	<p>Nil</p>
P19	<p>Rural tourism activity.</p>	<p>Nil</p>
P20	<p>Maintenance and upgrade of existing flood and/or bank erosion mitigation and protection works and associated earthworks, where undertaken by the</p>	<p>Nil</p>

	Council, Canterbury Regional Council or the Crown.	
P21	Farming located in the Horseshoe Lake or Eastern Reaches shown on the Development Plan in Appendix 13.14.6.1 .	a. All farming areas shall be fenced to exclude stock from water bodies and stormwater management areas as shown on the Development Plan in Appendix 13.14.6.1 .
P22	Grazing of animals until 01 July 2024.	a. All grazing areas shall be fenced to exclude stock from water bodies and stormwater management areas as shown on the Development Plan in Appendix 13.14.6.1 .
P23	Any activities or facilities within a residential unit established under Rule 13.14.4.1.3 RD5, located within an Edge Housing Area Overlay shown on the Development Plan in Appendix 13.14.6.1 which would be permitted activities in the Residential Suburban or Residential Suburban Density Transition, <u>or Medium Density Residential</u> Zone under Rules 14.4.1.1 P1, P13 - P14 5 , P25 – P28 <u>or Rule 14.5.1.1</u> P1, P3 - P4, P14 – P15, P18 - P19.	<p>a. The activity shall meet the activity specific standards of the applicable activity under the Residential Suburban or Residential Suburban Density Transition <u>or Medium Density Residential</u> Zone Rule 14.4 and 14.5.</p> <p>b. The built form standards in Rules 13.14.4.2.1, 13.14.4.2.3, 13.14.4.2.6, 13.14.4.2.7, 13.14.4.2.10 and 13.14.4.2.11.</p> <p>c. For any residential activity in the Edge Housing Area at 254 Fitzgerald Avenue, vehicle access to the site shall be limited to Harvey Terrace only.</p> <p>(Proposed Private Plan Change 11)</p>
P24	Recreation activities on the surface of water and public amenities on the surface of water.	a. Any activity shall exclude the use of motorised water craft, except as specified in P25 below.
P25	Use of motorised water craft.	a. Shall be limited to: <ul style="list-style-type: none"> i. the Ōtākaro/Avon River in association with rowing events at Kerrs Reach; or ii. for emergency, safety or maintenance purposes.
P26	Plant nurseries located within a Reach identified on the Development Plan in Appendix 13.14.6.1 .	a. Except for walking and cycling tracks, no permanent activity shall be located within an area identified on the Development Plan in Appendix 13.14.6.1 as a: <ul style="list-style-type: none"> i. Stormwater Management Area; ii. Stopbank;

Commented [AH2]: The amendments in P23 and RD1, RD5 and RD8 apply to the sites at 254 Fitzgerald Avenue and 5 Harvey Terrace. Applications for restricted discretionary activities on these sites will not be made under RD1, rather they will be made and assessed under RD5 and the new RD8 proposed in the amended chapter 13 attached to this memorandum. RD1 is for activities on sites other than those listed in Appendix 13.14.6.2.

		<ul style="list-style-type: none"> iii. City to Sea Path; iv. New pedestrian/cycle bridge; v. Proposed new road and bridge; or vi. Potential Road linkage.
P27	Community halls.	Nil
P28	Boat ramps, jetties and recreational boat launching facilities located within a Landing Overlay or Activity Area Overlay.	Nil
P29	Recreational boat storage, sheds and boat repair and maintenance facilities.	Nil
P30	Buildings for a permitted activity that are removed by 01 July 2024.	Nil
P31	Removal of any buildings , fences, paths or other debris undertaken by or on behalf of the Council, Canterbury Regional Council or the Crown.	Nil
P32	Any activities or facilities on a site listed in Appendix 13.14.6.2 and identified with an Alternative Zone of RS or RSDT, which are permitted activities under Residential Suburban Zone or Residential Suburban Density Transition Zones in Rule 14.4.1.1 P1, P13 - P1415 , P25 – P28.	<ul style="list-style-type: none"> a. The built form standards in Rule 13.14.4.2 do not apply. b. The activity shall meet the applicable activity specific standards and built form standards of the applicable Alternative Zone.
P33	Any activities or facilities on a site listed in Appendix 13.14.6.2 and identified with an Alternative Zone of RMDMRZ , which are permitted activities under Residential Medium Density Residential Zone Rule 14.5.1.1 P1, P3 - P4P4 - P6, P14 – P15, P18 - P19P16 – 17, P20 – P21 .	<ul style="list-style-type: none"> a. The built form standards in Rule 13.14.4.2 do not apply. b. The activity shall meet the applicable activity specific standards and built form standards of the Residential Medium Density Residential Zone. c. For any residential activity on the sites at 5 Harvey Terrace listed in Appendix 13.14.6.2, vehicle access to the site shall be limited to Harvey Terrace only. <p>(Proposed Private Plan Change 11)</p>
P34	Commercial activities that occur within an existing commercial building on the following sites listed in Appendix 13.14.6.2 : <ul style="list-style-type: none"> a. Part Lot 1 DP 785 (47 Rawson Street); or b. Lots 1 -2 DP 23072 (615 Pages Road). 	Nil

P35	<p>Commercial activities on the following sites listed in Appendix 13.14.6.2:</p> <p>a. Lot 18 DP 16283 (485 New Brighton Road) and Lot 1 DP 9286 (487 New Brighton Road).</p>	Nil
P36	<p>Alterations and additions, to existing commercial buildings; accessory buildings; or built structures; on the following sites listed in Appendix 13.14.6.2:</p> <p>a. Part Lot 1 DP 785 (47 Rawson Street;</p> <p>b. Lot 18 DP 16283 (485 New Brighton Road) and Lot 1 DP 9286 (487 New Brighton Road); or</p> <p>c. Lots 1 – 2 DP 23072 (615 Pages Road).</p>	a. The activity shall meet the applicable site coverage built form standards for the Alternative Zone listed for that site in Appendix 13.14.6.2 .
P37	<p>Spiritual activities on the following sites listed in Appendix 13.14.6.2:</p> <p>a. Part Lot 1 DP 12070 and Part Lot 2 DP 26713 (122 Avonside Drive).</p>	Nil
P38	<p>Alterations and additions to existing buildings or built structures; on the following sites listed in Appendix 13.14.6.2:</p> <p>a. Part Lot 1 DP 12070 and Part Lot 2 DP 26713 (122 Avonside Drive).</p>	a. The activity shall meet the applicable site coverage built form standards for the Alternative Zone listed for that site in Appendix 13.14.6.2 .
P39	<p>Storage of heavy vehicles, on a site listed in Appendix 13.14.6.2.</p>	a. No more than one vehicle shall be stored on the site.
P40	<p>Dismantling, repair, or storage of motor vehicles and boats on a site listed in Appendix 13.14.6.2.</p>	a. The vehicles and/or boats shall be owned by people who live on the same site.
P41	<p>Preschools on Lot 49 DP 15044 (333 River Road), listed in Appendix 13.14.6.2.</p>	<p>a. The built form standards in Rule 13.14.4.2 do not apply.</p> <p>b. The activity shall meet the applicable activity specific standards in Rule 14.4.1.1 P17 and the built form standards of the Residential Suburban Zone in Rule 14.4.2.</p>
P42	<p>Emergency service facilities located within a Reach shown on the Development Plan in Appendix 13.14.6.1.</p>	Nil
P43	<p>Public transport facilities, excluding park and ride facilities, within a Reach as shown on the Development Plan in Appendix 13.14.6.1.</p>	Nil

13.14.4.1.2 Controlled activities

- a. The activities listed below are controlled activities.
- b. Discretion to impose conditions is restricted to the matters over which control is reserved, as set out in the following table:

Activity		The matters over which Council reserves its control:
C1	Flood management infrastructure, including new buildings, structures and stopbanks for the purposes of flood and/or bank erosion mitigation and/or protection including associated earthworks and indigenous vegetation clearance, where undertaken by or on behalf of the Council, Canterbury Regional Council or the Crown.	<ul style="list-style-type: none"> a. Development Plan – Rule 13.14.5.1 b. Green Spine Infrastructure – Rule 13.14.5.2
C2	Stormwater management infrastructure, including stormwater management basins, wetlands, swales, pipes, or reticulated open channelised drainage, and necessary incidental equipment such as pumping stations, and associated earthworks and indigenous vegetation clearance where undertaken by or on behalf of the Council, Canterbury Regional Council or the Crown.	<ul style="list-style-type: none"> a. Development Plan – Rule 13.14.5.1 b. Green Spine Infrastructure – Rule 13.14.5.2
C3	Any earthworks or indigenous vegetation clearance within a Landing Overlay identified on the Development Plan in Appendix 13.14.6.1 where undertaken by or on behalf of the Council, Canterbury Regional Council the Crown, except where provided for under Rule 13.14.4.1.3 RD7.	<ul style="list-style-type: none"> a. Green Spine Infrastructure – Rule 13.14.5.2
C4	Any earthworks or indigenous vegetation clearance associated with the creation of walking and cycling paths, where undertaken by or on behalf of the Council, Canterbury Regional Council or the Crown.	<ul style="list-style-type: none"> a. Green Spine Infrastructure – Rule 13.14.5.2
C5	Any activities or facilities within a residential unit established under Rule 13.14.4.1.3 RD5, located within an	<ul style="list-style-type: none"> a. The matters of control for the applicable activity or facility listed in the Residential

Activity	The matters over which Council reserves its control:
Edge Housing Area Overlay shown in Appendix 13.14.6.1 , which would be controlled activities in the Residential Suburban Density Transition Zone.	Suburban Density Transition Zone, Rule 14.4.1.2 .

13.14.4.1.3 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 13.14.5](#), as set out in the following table:

Activity	The Council's discretion shall be limited to the following matters:
<p>RD1</p> <p>a. Any activity listed in Rule 13.14.4.1.1 P1 – P22, P24 - P32, P34 – P43 and Rule 13.14.4.1.3 RD2 – RD7 that does not meet one or more of the built form standards in Rule 13.14.4.2, unless otherwise specified.</p> <p>b. Any application arising from this rule shall not be publicly notified.</p>	<p>a. As relevant to the built form standard that is not met:</p> <ol style="list-style-type: none"> i. Road boundary setback – Rule 13.14.5.3 ii. Internal boundary setback – Rule 13.14.5.4 iii. Outdoor storage areas – Rule 13.14.5.5 iv. Fencing – Rule 13.14.5.6 v. Recession planes – Rule 13.14.5.7 vi. Water supply for firefighting – Rule 13.14.5.8 vii. Ecological enhancement planting – Rule 13.14.5.9 viii. Onsite car parking and vehicle access – Rule 13.14.5.11 <p>(Proposed Private Plan Change 11)</p>
<p>RD2</p> <p>a. Any activity listed in Rule 13.14.4.1.1 P2 that does not meet the activity specific standards.</p> <p>b. Any application arising from this rule shall not be publicly notified.</p>	<p>a. Public amenities – Rule 13.14.5.10</p>
<p>RD3</p> <p>a. Any activity listed in Rule 13.14.4.1.1 P14 that does not meet the activity specific standards.</p> <p>b. Any application arising from this rule shall not be publicly notified.</p>	<p>a. Onsite car parking – Rule 13.14.5.11</p>

RD4	Any activity listed in Rules 13.14.4.1.1 P24 or P25 that does not meet one or more of the activity specific standards.	<ul style="list-style-type: none"> a. Development Plan – Rule 13.14.5.1 b. Activities on the surface of water bodies – Rule 13.14.5.12 c. Within a site of Ngāi Tahu cultural significance identified in Appendix 9.5.6 – Rule 9.5.5 as relevant to the site classification.
RD5	<ul style="list-style-type: none"> a. Residential units located within an Edge Housing Area Overlay shown on the Development Plan in Appendix 13.14.6.1. b. Any application arising from this rule shall not be publicly notified. 	<ul style="list-style-type: none"> a. Onsite car parking and vehicle access – Rule 13.14.5.11 b. Edge and Trial Housing residential design principles – Rule 13.14.5.13 c. For the site at 254 Fitzgerald Avenue, the extent to which the design and layout of the activity, including landscaping, would assist to provide a clear visual edge and transition between the sites and the adjacent Green Spine. <p>(Proposed Private Plan Change 11)</p>
RD6	<ul style="list-style-type: none"> a. Residential units located within a Trial Housing Area Overlay shown on the Development Plan in Appendix 13.14.6.1, including where these activities occur on the surface of water. b. Any application arising from this rule shall not be publicly notified. 	<ul style="list-style-type: none"> a. Edge and Trial Housing residential design principles – Rule 13.14.5.13
RD7	Any earthworks or indigenous vegetation clearance within a Landing Overlay within or adjoining an inanga spawning site identified in Appendix 13.14.6.3 , where undertaken by or on behalf of the Council, Canterbury Regional Council or the Crown.	<ul style="list-style-type: none"> a. Green Spine Infrastructure – Rule 13.14.5.2 b. Inanga spawning sites – Rule 13.14.5.14
RD8	<ul style="list-style-type: none"> a. Any activity listed in Rule 13.14.4.1.1 P23 and P33 on a site identified with an alternative zone of Residential Suburban or Residential Suburban Density Transition, or Medium Density Residential Zone, as specified in Appendix 13.14.6.2, that does not meet one or more of the activity specific standards or built form standards of the applicable alternative zone in Rules 14.4.1.1 and 14.4.2 or Rules 14.5.1.1 and 14.5.2, and/or activity specific or built form standards specified in Rule 	<ul style="list-style-type: none"> a. Matters relevant to the activity specific standard or built form standard that is not met as listed in the applicable Rule 14.4.1.3 or Rule 14.5.1.3; and b. Onsite car parking and vehicle access – Rule 13.14.5.11; Matters relevant to the built form standard that is not met as listed in Rule 13.14.4.1.3 RD1; and/or c. For a site within an Edge Housing Area Overlay in Appendix 13.14.6.1, matters specified in Rule 13.14.4.1.3 RD5; and d. For the sites at 254 Fitzgerald Avenue and 5 Harvey Terrace, the extent to which the

Commented [AH3]: At the hearing of the Glenara Trust submission there was discussion of the possibility of adding positive effects to the matters for discretion for the relevant restricted discretionary activities. We therefore propose the following additional matters for discretion for restricted discretionary activity RD5 and RD8 in Rule 13.14.4.1.3.

	<p><u>13.14.4.1.1 P23 and P33, unless otherwise specified.</u></p> <p><u>b. Any application arising from this rule shall not be publicly notified.</u></p>	<p><u>design and layout of the activity, including landscaping, would assist to provide a clear visual edge and transition between the site and the adjacent Green Spine.</u></p>
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Commented [AH4]: To better align with/reflect the activity standards in P23 and P33.

Commented [AH5]: As for RD5.

13.14.4.1.4 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 within a Reach or Landing Overlay shown on the Development Plan in Appendix 13.14.6.1 .
D2	Major sports facility, excluding those specified in Rule 13.14.4.1.1 P28 – P29 .
D3	Any activity listed in Rule 13.14.4.1.1 P1 – P43 and Rule 13.14.4.1.3 RD2 – RD7 that does not comply with Built Form Standards 13.14.4.2.2 , 13.14.4.2.6 or 13.14.4.2.7 , unless otherwise specified in Rule 13.14.4.1.5 NC11 .

13.14.4.1.5 Non-complying activities

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

Activity	
NC1	Intensive farming (excluding land-based aquaculture).
NC2	Industrial activity.
NC3	Trade supplier.
NC4	Yard-based supplier, except as specified within P26.
NC5	Service industry.
NC6	Warehousing and distribution activities.
NC7	Commercial services.
NC8	High technology industrial activity.
NC9	Trade and industry training activities.
NC10	Second-hand goods outlet.

NC11	Buildings in the Green Spine, as shown in the Development Plan in Appendix 13.14.6.1 , that do not meet Rule 13.14.4.2.6 where the height is over 10 metres, excluding residential activities in an Edge Housing Area Overlay.
NC12	Any residential activity that is not otherwise specified in Rule 13.14.4.1.1 P18, P32, P33 or Rule 13.14.4.1.3 RD5 or RD6.
NC13	Heavy industrial activity.
NC14	Quarrying activity.
NC15	Any activity listed in Rule 13.14.4.1.1 P1 – P42 that is located within the Green Spine, as shown in the Development Plan in Appendix 13.14.6.1 , (excluding within a Landing Overlay), that does not meet Rule 13.14.4.2.10a.i .
NC16	Any activity not provided for as a permitted, controlled, restricted discretionary, discretionary or prohibited activity within the Green Spine, as shown in the Development Plan in Appendix 13.14.6.1 , (excluding within a Landing Overlay).

13.14.4.1.6 Prohibited activities

There are no prohibited activities.

13.14.4.2 Built form standards

13.14.4.2.1 Road boundary setback

a. The minimum **building setback** from a **road boundary** shall be as follows:

	Applicable to	Standard
i.	All buildings in relation to road boundaries , unless specified in ii., iii., iv., v. or vi. below.	5 metres
ii.	Road boundaries with a State Highway.	20 metres
iii.	Sites in a Reach where the road-facing façade of the building is at least 40% glazed, and the internal space behind the glazing is used for retail activities or entertainment activities .	Nil
iv.	Residential units located within an Edge Housing Area Overlay as shown on the Development Plan in Appendix 13.14.6.1 .	4.5 metres
v.	Road boundaries with local roads in the Green Spine shown on the Development Plan in Appendix 13.14.6.1 .	10 metres

vi.	Buildings within a Landing Overlay identified on the Development Plan in Appendix 13.14.6.1 .	Nil
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13.14.4.2.2 Boundary setback from Development Plan Infrastructure

a. The minimum **building setback** from the infrastructure listed below shall be as follows:

	Applicable to	Standard
i.	A. Stormwater Management Areas; and B. Stopbanks outside a Landing Overlay as shown on the Development Plan in Appendix 13.14.6.1 , or as-built.	15 metres
ii.	A. Stopbanks within a Landing Overlay; B. New pedestrian/cycle bridges; C. City to Sea Path; D. Proposed new roads and bridges; and E. Potential road linkage as shown on the Development Plan in Appendix 13.14.6.1 .	5 metres

13.14.4.2.3 Internal boundary setback

a. The minimum **building setback** and **parking area setback** from an internal **boundary** shall be as follows:

	Applicable to	Standard
i.	All buildings or parking areas , unless specified in ii., iii. and iv. below.	5 metres
ii.	Residential units, accessory buildings and associated parking areas located within an Edge Housing Area Overlay as shown on the Development Plan in Appendix 13.14.6.1 .	a. 2 metres from an internal boundary with a residential zone; b. 1 metre from an internal boundary with a site in an Edge Housing Area Overlay
iii.	Buildings , or parking areas , other than for residential activities , that adjoin a residential or open space zone.	10 metres
iv.	Buildings , or parking areas , other than for residential activities , that adjoin a site listed in Appendix 13.14.6.2 which is in private ownership.	10 metres

13.14.4.2.4 Outdoor Storage

- a. Any outdoor storage area shall not be located within the minimum setbacks specified in Rules 13.14.4.2.1, 13.14.4.2.2 and 13.14.4.2.3.
- b. Outdoor storage areas shall be screened from adjoining sites, roads, cycleways and walkways by either planting, wall(s), fence(s), or any combination of these, to at least 1.8 metres in height along the length of the storage area. Where such screening is by way of planting it shall be for a minimum depth of 3 metres.

13.14.4.2.5 Fencing

- a. The maximum height of any fence in the Green Spine shall be 1.2 metres.
- b. The maximum height of any internal boundary fence in any of the Reaches shall be 1.8 metres, except that the maximum height for any fence adjoining a public open space shall be 1.2 metres.
- c. The maximum height of any road boundary fence in any of the Reaches shall be 1.2 metres
- d. The rules in a. and c. above do not apply to predator proof fencing required for an eco-sanctuary.

13.14.4.2.6 Building height

- a. The maximum height of any building shall be as follows, except that this shall not apply to activities specified in Rule 13.14.4.1.1 P30:

	Applicable to	Standard
i.	Buildings within the Green Spine.	8 metres
ii.	A. Residential units located within an Edge Housing Area Overlay or a Trial Housing Area Overlay, except as specified in B.	8 metres
	B. For the site at 254 Fitzgerald Avenue listed in Appendix 13.14.6.2 located within the Edge Housing Area Overlay.	11 metres
iii.	Buildings located within the Ōtākaro Loop Reach, Horseshoe Lake Reach or Eastern Reaches, except where specified in ii. above.	12 metres

Commented [AH6]: This amendment is to provide for the maximum building height at 254 Harvey Tce to be 11 metres. This is consistent with MRZ standard applicable to this and the adjacent sites at 256 Fitzgerald Avenue and 5 Harvey Tce, the surrounding MRZ zoning, and with the landscape evidence provided at the hearing by the Glenara Trust and the Council.

13.14.4.2.7 Building footprint, site coverage and impervious surfaces

- a. The maximum single building footprint, site coverage of all buildings, and area covered by impervious surfaces, shall be as follows, except that this shall not apply to activities specified in Rule 13.14.4.1.1 P30, P36 and P38:

Applicable to the areas shown within the Development Plan in Appendix 13.14.6.1 as follows:	A (Single building footprint)	B (Site coverage)	C (Impervious surfaces)

i.	Green Spine, except where specified in iv. to vii. below	100m ²	5%	10%
ii.	Ōtākaro Loop Reach or Horseshoe Lake Reach, except where specified in iv., vi. or vii. below	250m ²	15%	30%
iii.	Eastern Reaches, except where specified in vi. or vii. below	150m ²	10%	5%
iv.	Activity Area Overlay	350m ²	25%	30%
v.	Landing Overlay	150m ²	25%	30%
vi.	Edge Housing Area Overlay	N/A	35%	N/A
vii.	Trial Housing Area Overlay	N/A	N/A	N/A

13.14.4.2.8 Recession planes

- a. Where an internal **site boundary** adjoins a residential zone, no part of any **building** shall project beyond a **building** envelope contained by a recession plane measured from any point 2.3 metres above the internal **site boundary** in accordance with the applicable diagram in [Appendix 18.11.3](#).
- b. Where an internal **site boundary** adjoins a site listed in [Appendix 13.14.6.2](#), which is in private ownership, no part of any **building** shall project beyond a building envelope contained by a recession plane measured from any point 2.3 metres above the internal **site boundary** in accordance with the diagram in [Appendix 18.11.3](#) that applies to the Alternative Zone listed for that site listed in [Appendix 13.14.6.2](#).
- c. Where an internal **site boundary** adjoins the **boundary** with an Edge Housing Area Overlay shown on the Development Plan in [Appendix 13.14.6.1](#), no part of any **building** shall project beyond a **building** envelope contained by a recession plane measured from any point 2.3 metres above the internal **site boundary** in accordance with Diagram B in [Appendix 18.11.3](#).

13.14.4.2.9 Water supply for firefighting

- a. Provision for sufficient water supply and access to water supplies for firefighting shall be made available to all **buildings** (excluding accessory **buildings** that are not habitable **buildings**) via **Council's** urban reticulated system (where available) in accordance with the [New Zealand Fire Service Firefighting 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 firefighting shall be in accordance with the alternative firefighting water sources provisions of [SNZ PAS 4509:2008](#).

13.14.2.10 Ecological enhancement planting

- a. Ecological enhancement planting shall be provided as follows, except that this shall not apply to activities specified in [Rule 13.14.4.1.1 P30](#):

	Standard
i.	<p>A minimum of 10% of the net site area shall be planted and maintained with at least 75% being indigenous vegetation that is sourced from within the ecological district, comprising a combination of trees, shrubs and ground cover species. Planting may include some ancillary lawn or other amenity features not exceeding 10% of the planted area, set aside as landscaped or open space areas.</p> <p>This rule does not apply to outdoor recreation activities not involving buildings, or to public amenities.</p>
ii.	<p>On sites adjoining a Residential Zone, or sites adjoining a residential activity on a site listed in Appendix 13.14.6.2, a minimum 2 metre wide ecological enhancement planting area shall be provided adjacent to the shared boundary, except that this shall not apply to residential activities proposed in the Edge Housing Area Overlay or Trial Housing Area Overlay as shown on the Development Plan in Appendix 13.14.6.1. The ecological enhancement planting areas shall be planted with at least 75% indigenous vegetation comprising a combination of trees, shrubs and ground cover species.</p>
iii.	<p>All ecological enhancement planting required by these rules shall be in accordance with Part A of Appendix 6.11.6 of Chapter 6.</p>

13.14.4.2.11 Car Parking and Vehicle Access

- a. Car **parking spaces** shall be located at the rear or side of **buildings** on a **site**, except for car parking spaces associated with a **residential activity**.
- b. One indigenous tree shall be planted for every 5 ground level uncovered car **parking spaces** provided on a **site**.
- c. Where a car **parking area** is greater than 5000m², car parking shall be divided into areas of no more than 2500m² in area, with car **parking areas** being separated from each other by a minimum 2 metre wide ecological enhancement planting area planted in accordance with **Rule 13.14.4.2.10**.
- d. **For residential activities at 5 Harvey Terrace and in the Edge Housing Area at 254 Fitzgerald Avenue, vehicle access shall be limited to Harvey Terrace only.**

(Proposed Private Plan Change 11)

13.14.5 Rules - Matters of control and discretion

- a. When considering applications for controlled activities, the **Council's** power to impose conditions is restricted to the matters over which control is reserved in the relevant rule, and as set out for that matter below.

- b. When considering applications for restricted discretionary activities, the Council's power to decline consent, or to grant a consent and impose conditions, is restricted to the matters over which discretion is restricted in the relevant rule and as set out for that matter below.

13.14.5.1 Development Plan

- a. The extent to which the activity:
 - i. Is in accordance with the Development Plan in [Appendix 13.14.6.1](#);
 - ii. Is consistent with the general character description of the area within which it is located, with reference to [Policy 13.14.2.1.1](#);
 - iii. Relates to or integrates visually with any other existing or consented development within the area;
 - iv. May have adverse effects on the [water body](#) and [water body margins](#), ecosystems, biodiversity corridors and riparian planting, water quality and stormwater management; and
 - v. Departs from the Development Plan because to do so provides better outcomes in terms of indigenous ecological enhancement and mahinga kai opportunities.
- b. Whether the activity will compromise the provision or function of any area identified as a: Stormwater Management Area; Stopbank; City to Sea Path; new pedestrian/cycle bridges; proposed new roads and bridge; or potential road linkages within the Development Plan in [Appendix 13.14.6.1](#).
- c. Whether the activity better responds to current and future natural hazard risks and enables an adaptive management approach.

13.14.5.2 Green Spine Infrastructure

- a. The extent to which the activity is in accordance with the Development Plan in [Appendix 13.14.6.1](#).
- b. Whether the proposal recognises and/or provides for the context and values of historic and cultural significance and the relationship, culture and traditions of Ngāi Tahu/ mana whenua, and in particular the maintenance and enhancement of water quality and mahinga kai values.
- c. The extent to which the design enables recreational and amenity enhancement opportunities.
- d. Any adverse visual impact of the activity on open space and any neighbouring [sites](#) and public places, and any mitigation proposed.
- e. The potential effects of [earthworks](#) associated with construction of [buildings](#) and infrastructure, both within and surrounding the [site](#), including increased erosion and sedimentation, noise, dust and traffic, and any mitigation proposed.
- f. The adequacy and appropriateness of measures proposed to reinstate the area affected by the works post construction.
- g. The extent to which planting and [landscaping](#) is proposed that will restore and enhance the ecological and landscape integrity of the [site](#) and provide increased natural habitat for mahinga kai and an increase in net [indigenous biodiversity](#), particularly where Sites of Ecological Significance are affected.

- h. The extent to which the proposal has been designed to naturalise the river bank and water edges, including form and planting.
- i. The extent to which hard or engineered banks and in-river works are avoided or minimised in the location and design of walking and cycling tracks, and landings, to minimise adverse effects on aquatic and riparian margin ecology, and increase positive effects (e.g. through riparian planting) on the river.
- j. Whether the proposed stormwater management areas and stopbanks have been designed to reduce adverse geotechnical effects on adjacent properties.
- k. Whether the activity compromises the integrity and function of a stopbank.
- l. The matters set out in [Rule 9.5.5](#) in relation to Ngai Tahu values and the natural environment.
- m. Where relevant to the proposal, the extent to which the activity aligns with the Indicative Stopbank cross section in [Appendix 13.14.6.1](#).
- n. In relation to the removal of any [indigenous vegetation](#) within Sites of Ecological Significance listed in Schedule A of [Appendix 9.1.6.1](#), those matters set out in [Rule 9.1.5.2](#).
- o. The extent to which the qualities of the significant feature (7.0 Waikākāriki/Horseshoe Lake and 8.1 and 8.3 Ōtākaro/Avon River) will be maintained or enhanced.
- p. Where within an area of natural character in the coastal environment identified in Chapter 9, [Appendix 9.2.9.2](#):
 - i. the extent to which the proposal is consistent with preserving the natural character qualities of the coastal environment; and
 - ii. whether any restoration or rehabilitation of the natural character of the coastal environment is proposed.
- q. The extent to which the proposal provides public access and access for customary use to and along the Ōtākaro Avon River.
- r. Whether the development incorporates [CPTED](#) principles as required to achieve a safe, secure environment.
- s. Whether the transfer of flood waters and impact on land drainage in surrounding areas avoids creating unacceptable risk.
- t. The adequacy of the measures to be implemented during construction concerning the accidental discovery of archaeological sites or artefacts including the training of contractors, cultural monitoring and consistency with the Mahaanui Iwi Management Plan, including the need for an Accidental Discovery Protocol.
- u. The extent to which access for maintenance to or along the water body is not impeded.
- v. The extent to which existing vegetation is to be retained.

13.14.5.3 Road boundary setback

- a. Whether the reduced [setback](#):
 - i. Will adversely affect the compatibility of the [buildings](#) with the character and amenity values anticipated in the Zone;
 - ii. Compromises the safety or functioning of the road;

- iii. Will be mitigated by visual screening, topography, location, or design and appearance of the building;
- iv. Provides for continuity of facades along the street **frontage**;
- v. Provides visual interest appropriate to the context and character of the **site** and surrounds;
- vi. Results in the visual prominence of vehicles and **parking areas** through the use of space for car parking, vehicle manoeuvring or loading; and
- vii. Is necessary due to functional requirements and/or the form, scale and design of existing **buildings** on the **site**.

13.14.5.4 Internal boundary setback

- a. The extent to which building intrusion into the **setback** will result in:
 - i. Adverse visual effects on adjoining residents or other users of the **adjoining site(s)**;
 - ii. Impacts on the privacy of an **adjoining site**;
 - iii. Impacts on the activities undertaken within the space affected;
 - iv. Potential for activities within the building to give rise to disturbance to neighbours or nuisance effects; and
 - v. A more efficient, practical and better use of the balance of the **site**.
- b. The extent to which the provision of planting or screening will mitigate adverse effects of the encroachment.
- c. Whether the development is designed and laid out to promote a safe environment and reflects **CPTED** principles.
- d. Within an Edge Housing Area Overlay and Trial Housing Area Overlay shown in the Development Plan in **Appendix 13.14.6.1**, whether the development has been designed as part of a comprehensive scheme involving terrace, or otherwise attached, housing.

13.14.5.5 Outdoor storage areas

- a. The extent to which:
 - i. The quality and form of fencing, **landscaping** or other screening minimises the visual effects of outdoor storage as viewed from the street or an **adjoining** property; and
 - ii. The materials or goods stored within the **setback** have an adverse visual effect.

13.14.5.6 Fencing

- a. Whether the fencing:
 - i. Maintains visibility between the ground floor of the building and the road or public space;
 - ii. Addresses **CPTED** principles in respect to the location, height and design of the fence; and
 - iii. Takes into account any operational, accessibility and security requirements.

13.14.5.7 Recession planes

- a. The extent to which the recession plane intrusion:
 - i. Will result in overshadowing of **adjoining sites** and reduced sunlight and daylight admission to internal **living spaces** and external living spaces beyond that anticipated by the recession plane;
 - ii. Impacts on the privacy of an **adjoining site**; and
 - iii. Is mitigated by the extent and quality of any **landscaping** proposed.
- b. The nature of activities undertaken within any space affected by increased shadowing caused by any proposed building or alteration to a building.
- c. Whether development on the **adjoining site**, such as large building **setbacks**, location of **outdoor living spaces**, or separation by land used for vehicle access, reduces the need for protection of **adjoining sites** from overshadowing.

13.14.5.8 Water supply for fire fighting

- a. Whether sufficient firefighting water supply is available to ensure the health and safety of the community, including neighbouring properties.

13.14.5.9 Ecological Enhancement Planting

- a. The extent to which the proposed ecological enhancement planting:
 - i. achieves a high level of onsite amenity while minimising the visual effects of activities and **buildings** on the surroundings;
 - ii. supports the growth of other vegetation and the restoration of habitat for indigenous species;
 - iii. is protected through the provision of space, or other methods, including plant protection barriers; and
 - iv. recognises and provides for Ngāi Tahu/mana whenua values through the inclusion of indigenous species that support the establishment of ecological corridors, mahinga kai and general ecological restoration.
- b. The extent to which the non-compliance is mitigated through the design, scale and type of **landscaping** proposed, including the species used.
- c. The appropriateness and design of **landscaping** having regard to the potential adverse effects on safety for pedestrians and vehicles.

13.14.5.10 Public amenities

- a. For **public amenity buildings** containing toilets and/or changing rooms, whether the reduced **setback** will:
 - i. Detract from the amenity of adjoining residents and give rise to nuisance effects;
 - ii. Promote a safe physical environment and reflect **CPTED** principles; and
 - iii. Provide an appropriate separation from stormwater management areas and water bodies to avoid adversely impacting cultural values.

13.14.5.11 Onsite car parking and vehicle access

- a. The extent to which the car **parking area**:
 - i. Will be visually prominent in the surrounding environment;
 - ii. Is of a scale that will detract from the general character of the area within which it is located, as outlined in Policy [13.14.2.1.1](#);
 - iii. Will give rise to nuisance effects;
 - iv. Will be designed and landscaped to mitigate visual effects, including consideration of the General Rules and Procedures, Appendix [6.11.6](#), Part B: Tree species information and guidance only, non-statutory requirements;
 - v. Will promote a safe physical environment and reflect **CPTED** principles; and
 - vi. May impact on cultural considerations including provision for the integrated management of stormwater, impacts on access and extent of indigenous planting and habitats, and the relationship to sites and features that are wāhi tapu and wāhi taonga.
- b. [The extent to which the location of vehicle access to residential properties at 254 Fitzgerald Avenue and 5 Harvey Terrace will affect the safety and efficiency of traffic movements on Fitzgerald Avenue, and impact on the continuity of landscaping treatment along Fitzgerald Avenue.](#)

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13.14.5.12 Activities on the surface of water bodies

- a. The extent to which activities on the surface of the **water body** will, on their own, and cumulatively, adversely affect:
 - i. The natural values of **water bodies** and their margins;
 - ii. Margin and bank stability and the likelihood of erosion;
 - iii. Wildlife, including disturbance to nesting, feeding or spawning sites;
 - iv. Residents in **adjoining** residential zones, particularly in terms of noise impacts;
 - v. Public access to the **water body** and potential congestion where vessels are loaded and unloaded; and
 - vi. Ngāi Tahu/mana whenua cultural values, including **indigenous biodiversity** and mahinga kai.

13.14.5.13 Edge and Trial Housing residential design principles

- a. The extent to which the design of the development will complement the surrounding natural and cultural environment, including the intended indigenous natural environment of the Ōtākaro Avon River Corridor and any features or sites of significance to Ngāi Tahu.
- b. The extent to which the development contributes to the adjacent street and **public open spaces** (including the Ōtākaro Avon River) within the Ōtākaro Avon River Corridor being lively, safe and attractive, including:

- i. The extent to which the development orientates building frontages including entrances and windows to **habitable spaces** toward the street and adjacent **public open spaces**;
 - ii. The avoidance of garages or **parking areas** that will dominate the frontage of the development; ~~and~~
 - iii. The extent to which the location of vehicle access to the residential property at 254 Fitzgerald Avenue will impact the continuity of landscaping treatment along Fitzgerald Avenue and affect the safety and efficiency of traffic movements on Fitzgerald Avenue;
and
 - iv. The degree to which fencing enables interaction between the house and public space.
- c. The incorporation of **CPTED** principles to achieve a safe, secure environment, including the extent to which the development:
- i. provides for views over, and passive surveillance of, adjacent public and publicly accessible open spaces;
 - ii. clearly demarcates **boundaries** of public and private space;
 - iii. makes pedestrian entrances and routes readily recognisable; and
 - iv. provides for good visibility with clear sightlines and effective lighting.
- d. The extent to which the design and scale of the development results in adverse visual and amenity effects on **adjoining** residential sites.
- e. The extent to which the development provides communal open spaces that are accessible, usable and attractive for the residents.
- f. The appropriateness of the extent and design of **landscaping** and open spaces within the development.
- g. In addition, for Trial Housing:
- i. The extent to which the development is comprehensively designed and clustered;
 - ii. Where adjacent to an existing residential area, the extent to which it visually integrates with the adjacent existing residential development;
 - iii. Where relevant, the extent to which the development provides opportunities for testing and demonstrating adaptation of housing to natural hazards and climate change; and
 - iv. the development achieves visual interest through the use of architectural detailing, glazing, verandas and balconies, variation of materials, breaks up long and bulky building forms and limits the length of continuous rooflines.

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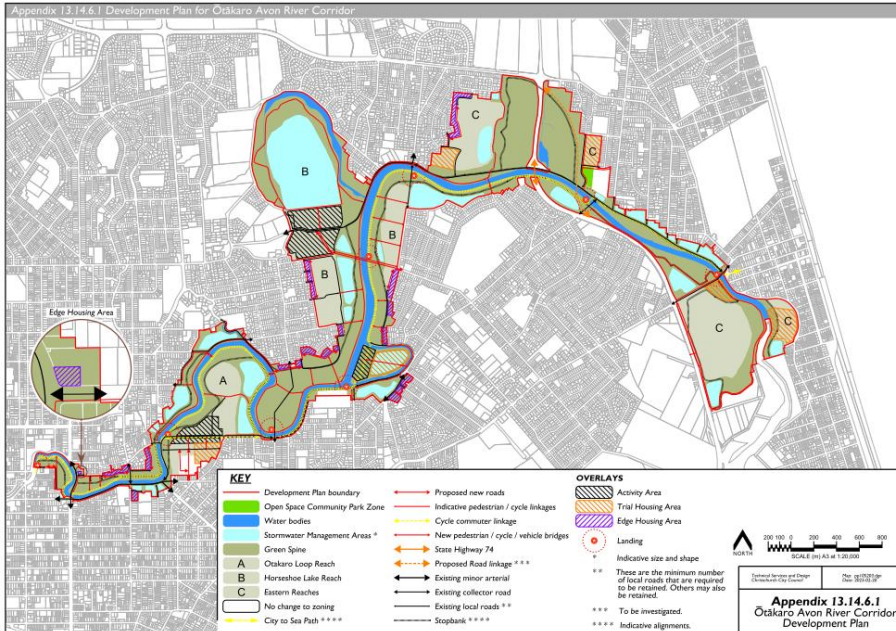
13.14.5.14 Inanga spawning sites

- a. The extent of loss of inanga spawning grounds, whether it is possible to provide replacement habitat, and the degree to which it can and is to be provided.

13.14.6 Appendices

Appendix 13.14.6.1 Development Plan and Stopbank Cross-section

Ōtākaro Avon River Corridor Development Plan



Ōtākaro Avon River Corridor Indicative Stopbank cross-section



Appendix 13.14.6.2 Pre-Earthquake Activities List

Legal Description	Address	Map Ref	Pre-Earthquake Zone	Alternative Zone
LOT 1 DP 66188	76 Atlantis Street	26	L1 (Map 27A)	RS

PT LOT 1 DP 12070 AND PT LOT 2 DP 26713	122 Avonside Drive	32	L2 (Map 39A)	RSDT
PT LOT 2 DP78	202 Avonside Drive	32	L1 (Map 40A)	RS
LOT 10 DP 27561	92 Bexley Road	26	L1 (Map 34A)	RS
LOT 245 DP 37943	7 Chale Lane	26	L1 (Map 34A)	RS
LOT 1 DP 7732	30 Cowlshaw Street	32	L1 (Map 40A)	RS
PT LOT 41 DP 78	42A Cowlshaw Street	32	L1 (Map 40A)	RS
LOT 8 DP 23850	238 Fitzgerald Avenue	32	L2 (Map 39A)	RSDT
FLAT 1 DP 46703 ON LOT 1 DP 46513 HAVING SHARE IN 2408M ²	1/256 Fitzgerald Avenue	32	L3 (Map 39A)	RSDT-MRZ
FLAT 2 DP 46703 ON LOT 1 DP 46513 HAVING SHARE IN 2408M ²	2/256 Fitzgerald Avenue	32	L3 (Map 39A)	RSDT-MRZ
FLAT 3, BALCONY AND STAIRS 3 DP 46703 ON LOT 1 DP 46513 HAVING SHARE IN 2408M ²	3/256 Fitzgerald Avenue	32	L3 (Map 39A)	RSDT-MRZ
FLAT 4, BALCONY AND STAIRS 4 DP 46703 ON LOT 1 DP 46513 HAVING SHARE IN 2408M ²	4/256 Fitzgerald Avenue	32	L3 (Map 39A)	RSDT-MRZ
<u>FLAT 5 DP 46703 ON LOT 1 DP 46513 HAVING SHARE IN 2408M²</u>	<u>5/254 Fitzgerald Avenue</u>	32	<u>L3 (Map 39A)</u>	<u>MRZ</u>
<u>FLAT 6 DP 46703 ON LOT 1 DP 46513 HAVING SHARE IN 2408M²</u>	<u>6/254 Fitzgerald Avenue</u>	32	<u>L3 (Map 39A)</u>	<u>MRZ</u>
<u>FLAT 7 DP 46703 ON LOT 1 DP 46513 HAVING SHARE IN 2408M²</u>	<u>7/254 Fitzgerald Avenue</u>	32	<u>L3 (Map 39A)</u>	<u>RMD-MRZ</u>
<u>FLAT 8 DP 46703 ON LOT 1 DP 46513 HAVING SHARE IN 2408M²</u>	<u>8/254 Fitzgerald Avenue</u>	32	<u>L3 (Map 39A)</u>	<u>RMD-MRZ</u>
<u>FLAT 9 DP 46703 ON LOT 1 DP 46513 HAVING SHARE IN 2408M²</u>	<u>9/5 Harvey Terrace</u>	32	<u>L3 (Map 39A)</u>	<u>RMD-MRZ</u>

FLAT 10 DP 46703 ON LOT 1 DP 46513 HAVING SHARE IN 2408M2	10/5 Harvey Terrace	32	L3 (Map 39A)	RMD-MRZ
FLAT 11 DP 46703 ON LOT 1 DP 46513 HAVING SHARE IN 2408M2	11/5 Harvey Terrace	32	L3 (Map 39A)	RMD-MRZ
FLAT 12 DP 46703 ON LOT 1 DP 46513 HAVING SHARE IN 2408M2	12/5 Harvey Terrace	32	L3 (Map 39A)	RMD-MRZ
FLAT 13 DP 46703 ON LOT 1 DP 46513 HAVING SHARE IN 2408M2	13/5 Harvey Terrace	32	L3 (Map 39A)	RMD-MRZ
FLAT 14 DP 46703 ON LOT 1 DP 46513 HAVING SHARE IN 2408M2	14/5 Harvey Terrace	32	L3 (Map 39A)	RMD-MRZ
FLAT 15 DP 46703 ON LOT 1 DP 46513 HAVING SHARE IN 2408M2	15/5 Harvey Terrace	32	L3 (Map 39A)	RMD-MRZ
FLAT 16 DP 46703 ON LOT 1 DP 46513 HAVING SHARE IN 2408M2	16/5 Harvey Terrace	32	L3 (Map 39A)	RMD-MRZ
FLAT 17 DP 46703 ON LOT 1 DP 46513 HAVING SHARE IN 2408M2	17/5 Harvey Terrace	32	L3 (Map 39A)	RMD-MRZ
FLAT 18 DP 46703 ON LOT 1 DP 46513 HAVING SHARE IN 2408M2	18/5 Harvey Terrace	32	L3 (Map 39A)	RMD-MRZ
FLAT 19 DP 46703 ON LOT 1 DP 46513 HAVING SHARE IN 2408M2	19/5 Harvey Terrace	32	L3 (Map 39A)	RMD-MRZ
FLAT 20 DP 46703 ON LOT 1 DP 46513 HAVING SHARE IN 2408M2	20/5 Harvey Terrace	32	L3 (Map 39A)	RMD-MRZ
LOT 32 DP 54073	123 Hulverstone Drive	26	L1 (Map 33A)	RS
LOT 48 DP 18848	137 Locksley Avenue	33	L1 (Map 33A)	RS
LOT 12 DP 17824	6 Moyna Avenue	33	L1 (Map 33A)	RS
LOT 2 DP 371520	15 Mundys Road	33	L1 (Map 33A)	RS
LOT 18 DP 16283	485 New Brighton Road	26	L1 (Map 34A)	RS
LOT 1 DP 9286	487 New Brighton Road	26	L1 (Map 34A)	RS

LOTS 1-2 DP 23072	615 Pages Road	33	B4 (Map 34A)	CL-NCZ
PT LOT 1 DP 785	47 Rawson Street	33	L1 (Map 34A)	RS
LOT 1 DP 365556	57 River Road	32	L2 (Map 40A)	RSdT
FLAT 1, CARPORT 1, SHED 1 DP 39357 ON LOT 1 DP 23515 HAVING SHARE IN 923M2	1/213A River Road	32	L1 (Map 40A)	RS
LOT 49 DP 15044	333 River Road	32	L1 (Map 33A)	RS
LOT 26 DP 24416	18 Tasman Place	25	L1 (Map 33A)	RS
LOT 32 DP 81219	9 Velsheda Avenue	33	L1 (Map 34A)	RS
LOT 2 DP 82681	46A Vogel Street	32	L3 (Map 40A)	RMD-MRZ
LOT 4 DP 6463	50 Wainoni Road	33	L1 (Map 33A)	RS
Legal Description	Address	Map Ref	Pre-Earthquake Zone	Alternative Zone
LOT 1 DP 66188	76 Atlantis Street	26	L1 (Map 27A)	RS

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Appendix 13.14.6.3 Inanga Spawning Sites

