

# 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 as recommended to be added within s42A reports is shown as **purple bolded and underlined**.  
Text as recommended to be deleted within s42A reports is shown as ~~**purple bolded strikethrough**~~.

## 3. Text Amendments from Expert Conferencing/Joint Witness Statements

Text in **dark orange** font is recommended additional text from expert conferencing/joint witness statements.  
Text in ~~**dark orange strikethrough**~~ is recommended deleted text from expert conferencing/joint witness statements.

## 4. 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 strikethrough**~~ indicates text recommended 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.

# 14.13 Rules — Enhanced Development Mechanism

## 14.13.1 Qualifying standards

- a. Qualifying **sites** shall meet the following qualifying standards.

#### 14.13.1.1 Zoning qualifying standards

- a. Qualifying sites shall be located in the Residential Suburban Density Transition Zone, ~~or the Residential Medium Density Zone,~~ or the Specific Purpose (School) Zone or the Residential Banks Peninsula Zone.

#### 14.13.1.2 Site size qualifying standards

- a. Qualifying sites shall be:
  - i. of a size greater than 1500m<sup>2</sup> and less than 10,000m<sup>2</sup>; and
  - ii. in one continuous block of land.

#### 14.13.1.3 Housing yield qualifying standards

- a. Comprehensive development of a site shall deliver a minimum density of 30 households per hectare (one unit per 330m<sup>2</sup>), and a maximum density of 65 households per hectare (one unit per 150m<sup>2</sup>).

#### 14.13.1.4 Location qualifying standards

##### a. Accessibility criteria

- i. Qualifying sites shall lie fully within all of the following four criteria:
  - A. 800 metres EDM walking distance of:
    - I. A ~~Commercial Central City Business City Centre Zone~~ , or Commercial Central City Mixed use Zone, or a ~~Commercial Core Town Centre Zone, Local Centre Zone~~ Zone; or the Commercial Banks Peninsula Zone in Lyttelton; or
    - II. A supermarket of not less than 1000m<sup>2</sup> gross floor area - except that B does not apply to EDM in the Residential Banks Peninsula Zone;
  - B. 800 metres EDM walking distance of either a primary or intermediate school;
  - C. 400 metres EDM walking distance of an Open Space ~~2-Zone~~ ~~or an Open Space 1-Zone~~ that has an area greater than 4000m<sup>2</sup>; and
  - D. 600 metres EDM walking distance of an EDM core public transport route – except that iv. does not apply to EDM in the Residential Banks Peninsula Zone.
  - E. For B. – D. above where the walking route is bisected by an arterial road in Chapter 7 Transport Appendix 7.5.12, the EDM walking distance shall be measured at a formal pedestrian crossing point.

##### b. Constraint criteria

- i. No part of a qualifying site shall lie within:
  - ~~A. a Special Amenity Area identified in the City Plan as at 6 December 2013; or~~

- ~~B-A.~~ 400 metres of the boundary of an Industrial – Heavy Zone; ~~or~~
- ~~B.~~ the tsunami inundation area as shown in [Appendix 14.16.5](#); ~~or~~
- ~~C.~~ the Riccarton Wastewater interceptor catchment. ~~In the identified lower catchment this standard only applies until infrastructure work creating capacity has been completed.~~

## 14.13.2 Activity status tables

### 14.13.2.1 Permitted activities

There are no permitted activities.

### 14.13.2.2 Controlled activities

There are no controlled activities.

### 14.13.2.3 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.
- ~~c. Until 31 December 2018, any application arising from these rules shall not be limited or publicly notified, except as specified in RD3 and RD4 below.~~

Activity		The Council's discretion shall be limited to the following matters:
RD1	Residential activities utilising the Enhanced development mechanism that meet all qualifying standards in Rule <a href="#">14.13.1</a> and are not in breach of the built form standards in Rule <a href="#">14.13.3</a> .	<ul style="list-style-type: none"> <li>a. Residential design principles – Rule <a href="#">14.15.1</a></li> </ul>
RD2	Residential activities utilising the Enhanced development mechanism that meet all qualifying standards in Rule <a href="#">14.13.1</a> but do not meet one or more of the built form standards in Rule <a href="#">14.13.3</a> (except <a href="#">14.13.3.13</a> and <a href="#">14.13.3.14</a> ; refer to RD3 and RD4 below).	<ul style="list-style-type: none"> <li>a. Residential design principles – Rule <a href="#">14.15.1</a></li> <li>b. As relevant to the built form standard that is not met:               <ul style="list-style-type: none"> <li>i. Site density and site coverage – Rule <a href="#">14.15.2</a></li> <li>ii. Impacts on neighbouring property – Rule <a href="#">14.15.3</a></li> <li>iii. Street scene – road boundary building setback, fencing and planting – Rule <a href="#">14.15.17</a></li> </ul> </li> </ul>

Activity	The Council's discretion shall be limited to the following matters:	
		<ul style="list-style-type: none"> <li>iv. Minimum building, window and balcony setbacks – Rule <a href="#">14.15.18</a></li> <li>v. Outdoor living space – Rule <a href="#">14.15.20</a></li> <li>vi. Minimum unit size and unit mix – Rule <a href="#">14.15.4</a></li> <li>vii. Service, storage and waste management spaces – Rule <a href="#">14.15.19</a></li> <li>viii. Acoustic insulation – Rule <a href="#">14.15.8</a></li> <li>ix. Traffic generation and access safety – Rule <a href="#">14.15.6</a></li> </ul>
RD3	<ul style="list-style-type: none"> <li>a. Residential activities utilising the Enhanced development mechanism that meet all qualifying standards in Rule <a href="#">14.13.1</a> but do not meet Rule <a href="#">14.13.3.14</a>.</li> <li>b. <del>Until 31 December 2018, any application arising from this rule shall not be publicly notified and shall be limited notified only to the New Zealand Fire Service (absent its written approval).</del></li> </ul>	<ul style="list-style-type: none"> <li>a. Residential design principles – Rule <a href="#">14.15.1</a></li> <li>b. Water supply for fire fighting – Rule <a href="#">14.15.7</a></li> </ul>
RD4	<ul style="list-style-type: none"> <li>a. Residential activities utilising the Enhanced development mechanism that meet all qualifying standards in Rule <a href="#">14.13.1</a> but do not meet Rule <a href="#">14.13.3.14</a> relating to rail corridor boundary setbacks</li> <li>b. <del>Until 31 December 2018, any application arising from this rule shall not be publicly notified and shall be limited notified only to KiwiRail (absent written approval).</del></li> </ul>	<ul style="list-style-type: none"> <li>a. Residential design principles – Rule <a href="#">14.15.1</a></li> <li>b. Whether the reduced setback from the rail corridor will enable buildings to be maintained without requiring access above, over, or on the rail corridor.</li> </ul>

#### 14.13.2.4 Discretionary activities

- a. The activities listed below are discretionary activities.

Activity	
D1	Residential activities utilising the Enhanced development mechanism where part of the site, but not all of the site, complies with all of the location qualifying standards in Rule 14.13.1.4, and complies with all other qualifying standards in Rule 14.13.1.

### 14.13.2.5 Non-complying activities

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

Activity	
NC1	Residential activities utilising the Enhanced development mechanism that do not meet zoning qualifying standards in Rule 14.13.1.1
NC2	Residential activities utilising the Enhanced development mechanism that do not meet site size qualifying standards in Rule 14.13.1.2
NC3	Residential activities utilising the Enhanced development mechanism that do not meet housing yield qualifying standards in Rule 14.13.1.3
NC4	Residential activities utilising the Enhanced development mechanism where no part of the site complies with location qualifying standards in Rule 14.13.1.4

### 14.13.2.6 Prohibited activities

There are no prohibited activities.

### 14.13.3 Built form standards

- a. For the purpose of this rule, site refers to the entire site area being utilised for the Enhanced development mechanism, which may include a number of titles.

#### 14.13.3.1 Building height

- a. Within 15 metres of the site boundary, the maximum height of any building shall be 8 metres where the site adjoins the Residential Suburban Zone. Across the rest of the site area the maximum building height shall be 11 metres.

#### 14.13.3.2 Daylight recession planes

- a. Buildings shall not project beyond a building envelope constructed by recession planes from points 2.3 metres above boundaries with other sites as shown in Appendix 14.16.2, diagram C except that:
- i. where an internal boundary of a site abuts an access lot, access strip, or access to a rear lot, the recession plane may be constructed from points 2.3 metres above the furthest boundary of the access lot, access strip, or access to a rear lot or any combination of these areas;

- ii. where buildings on adjoining sites have a common wall along an internal boundary the recession planes shall not apply along that part of the boundary covered by such a wall.
  - iii. 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).
- b. The level of internal boundaries shall be measured from filled ground level except where the site on the other side of the internal boundary is at a lower level, then that lower level shall be adopted.

### 14.13.3.3 Street scene

- a. Buildings shall be setback a minimum of 4.5 metres from road boundaries, other than where a site has a road boundary that is subject to another standard in this Plan, except that:
- i. where a garage has a vehicle door facing a road the garage door shall be setback a minimum of 4.5 metres unless the garage door(s) provided tilt or swing outwards, in which case the garage door shall be setback a minimum of 5.5 metres;
  - ii. where a garage has the vehicle door facing a shared access way, the garage door shall be setback a minimum of seven metres measured from the garage door to the furthest formed edge of the adjacent shared access unless the garage door(s) provided tilt or swing outwards, in which case the garage door shall be setback a minimum of eight metres; and
  - iii. for residential units fronting the road; garages, and other accessory buildings (excluding basement parking areas and swimming pools) shall be located at least 1.2 metres further from the road boundary than the front facade of any ground level habitable space of that unit.

### 14.13.3.4 Separation from neighbours

- a. Buildings that adjoin an access lot, access strip, or access to a rear site shall be setback a minimum of 1 metre from that part of an internal boundary of a site.
- b. Accessory buildings which face the ground floor window of a habitable space on an adjoining site shall be setback a minimum of 1.8 metres from that neighbouring window for a minimum length of two metres either side of the window.
- c. In all other instances buildings shall be setback a minimum of 1.8 metres from internal boundaries of a site, except that:
- i. no setback is required from an access lot or access strip on the same site, provided that any windows on the ground floor facing and within one metre of the access lot or access strip are non-opening;
  - ii. other than provided in b. above, no setback for accessory buildings is required, provided the total length of walls or parts of accessory buildings facing and located within the setback is less than nine metres;
  - iii. no setback is required along that part of an internal boundary where buildings on adjoining sites have a common wall along the internal boundary; and

- iv. no **setback** is required for basements, provided that any part of a basement located within 1.8 metres of an internal **boundary** is wholly below **ground level**.
- d. Parts of a **balcony** or any **window** of a **living area** at first floor level or above shall not be located within 4 metres of an internal **boundary** of a **site**, except that this shall not apply to a **window** at an angle of 90 degrees or greater to **boundary**, or a **window** or **balcony** which begins within 1.2 metres of **ground level** (such as above a **garage** which is partly below **ground level**).

### 14.13.3.5 Minimum unit size, and mix of units

- a. The minimum **net floor area** (including toilets and bathrooms, but excluding **parking areas** , **garages**, or **balconies**) for any **residential unit** shall be:

	Number of Bedrooms	Standard
i.	Studio	35m <sup>2</sup>
ii.	1 bedroom	45m <sup>2</sup>
iii.	2 bedrooms	60m <sup>2</sup>
iv.	3 or more bedrooms	90m <sup>2</sup>

- b. Where the **residential activities** utilising the Enhanced development mechanism include six or more **residential units** as part of a **social housing complex** or a **multi-unit residential complex**, there shall be a mix of at least 2 unit size types ranging across 1, 2, 3 or more bedrooms. No unit size type shall account for more than two thirds of the overall number of units on a **site**.

### 14.13.3.6 Ground floor habitable space

- a. Any **residential unit** facing a **road** or public space, unless built over an **access way**, shall have a **habitable space** located at ground level.
- b. At least 50% of all **residential units** within a comprehensive development shall have a **habitable space** located at the ground level.
- c. Each **habitable space** located at the **ground level** shall have a minimum floor area of 9m<sup>2</sup> and a minimum internal dimension of 3 metres.

### 14.13.3.7 Outdoor living space

- a. For **residential units** with 2 or more bedrooms a minimum of 30m<sup>2</sup> of **outdoor living space** shall be provided on **site** for each **residential unit**, and shall not be occupied by **parking areas** or **access**. The required **outdoor living space** can be in a mix of private and communal areas, at the ground level or in **balconies**, provided that:
  - i. each unit shall have private **outdoor living space** of at least 16m<sup>2</sup> in total. The balance of the **outdoor living space** required for each **residential unit** may be provided as communal space;
  - ii. private **outdoor living space** shall have a minimum dimension of 4 metres when provided at ground level and a minimum dimension of 1.5 metres when provided by a **balcony**;

- iii. at least one private outdoor living space shall be directly accessible from a living area of that unit;
  - iv. outdoor living space provided as a communal space shall be accessible for use by all units and shall have a minimum dimension of 4 metres; and
  - v. 50% of the outdoor living space required across the entire site shall be provided at ground level.
- b. For one bedroom residential units on the ground floor a minimum of 16m<sup>2</sup> private outdoor living space with a minimum dimension of 4 metres shall be provided on site for each residential unit, and shall not be occupied by parking areas or access.
  - c. For one bedroom residential units entirely at an upper level at total of 16m<sup>2</sup> of outdoor living space shall be provided on site for each residential unit provided that:
    - i. one space can be a private balcony with a minimum area of 6m<sup>2</sup> and a minimum dimension of 1.5 metres;
    - ii. the balance 10m<sup>2</sup> can be provided in a communal space.

#### 14.13.3.8 Service, storage and waste management spaces

- a. For multi-unit residential complexes and social housing complexes only:
  - i. each residential unit shall be provided with at least 2.25m<sup>2</sup> with a minimum dimension of 1.5 metres of outdoor or indoor space at ground floor level for the dedicated storage of waste and recycling bins;
  - ii. each residential unit shall be provided with at least 3m<sup>2</sup> with a minimum dimension of 1.5 metres of outdoor space at ground floor level for washing lines; and
  - iii. the required spaces in a. and/or b. for each residential unit shall be provided either individually, or within a dedicated shared communal space.

#### 14.13.3.9 Landscaping and tree planting

- a. A minimum of 20% of the site utilising the Enhanced development mechanism shall be provided for landscaping (which may include private or communal open space), where
  - i. at least 50% of the landscaping shall be trees and shrubs, and
  - ii. ~~a minimum tree canopy cover of 20% of the development site area must be provided in accordance with the Chapter 6.10A rules. The tree canopy cover planting area may be located on any part of the development site, such as communal outdoor living space or landscaping area, and does not need to be associated with each residential unit.~~ a minimum of one tree for every 250m<sup>2</sup> of gross site area (prior to subdivision), or part thereof, is included within the landscaping, and
  - iii. at least one tree shall be planted adjacent to the road boundary.
- b. All trees shall be not less than 1.5 metres high at the time of planting.



- c. All trees and landscaping required by this rule shall be maintained and if dead, diseased or damaged, shall be replaced.

**Advice note:**

d.1. In addition to these rules, the tree canopy cover and financial contributions requirements in Chapter 6.10A apply to residential development in residential zones resulting in one or more residential units, except where (a) to (c) applies.

~~d. An additional tree canopy cover equivalent to 15% of the road corridor area must be provided in the road corridors in a new greenfield residential subdivision and/or development, or a brownfield site subject to comprehensive residential development, where new roads have been / will be created, as specified in the Chapter 6.10A rules.~~

~~e. Where the tree canopy cover area is not achieved in full or in part through retaining existing trees and/or planting new trees, the remaining tree canopy cover requirement will be subject to the payment of financial contributions in lieu of tree planting, as specified in the Chapter 6.10A rules.~~

### 14.13.3.10 Acoustic insulation

- a. Any habitable space within a residential unit which is within:
  - i. 40 metres of the edge of the nearest marked traffic lane of an arterial road, or a railway line; or
  - ii. 20 metres of the edge of the nearest marked traffic lane of a collector road as defined in Chapter 7 Transportation Appendix 7.5.12;
- b. shall achieve a minimum internal to external noise reduction of 30<sub>dB</sub>A (Dtr, 2m, nT)
- c. Where no traffic lane is marked, the distances stated shall be measured from 2 metres on the road ward side of the formed kerb.

**Advice note:**

- 1. Compliance with this rule may be achieved by ensuring any construction is in accordance with the acceptable solutions listed in Appendix 14.16.1 Measurement and Assessment of Noise. No alternative ventilation is required in situations where the rule is only met with windows closed. Alternatively, compliance with the rule can be achieved through certification by a qualified acoustic engineer that the design is capable of achieving compliance with the performance standard.

### 14.13.3.11 Parking space numbers

~~a. A minimum of one car parking space shall be provided for each residential unit.~~

~~b.a.~~ Parking areas shall be screened on internal boundaries by landscaping, wall(s), fence(s), or a combination of these to a minimum height of 1.5 metres from any adjoining site. Where this screening is by way of landscaping it shall be for a minimum depth of 1.5 metres.

**e-b.** A minimum of one cycle space shall be provided at ground level for each residential unit except where parking for that unit is provided in a garage.

Advice note:

1. This development standard applies in place of any equivalent ~~minimum or~~ maximum car or cycle parking requirement for the underlying zone in Chapter 7 Transportation of this Plan.

#### **14.13.3.12 Maximum building coverage within Enhanced development mechanism areas**

- a. The maximum percentage of the gross area covered by buildings within developments using the Enhanced development mechanism shall be 40%.

#### **14.13.3.13 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 fully reticulated system and in accordance with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice (SNZ PAS:4509:2008).

#### **14.13.3.14 Minimum building setbacks from railway lines**

- a. For buildings, balconies and decks on sites adjacent to or abutting a designated rail corridor, the minimum building setback shall be 4 metres from the rail corridor boundary

#### **14.13.3.15 14.13.3.15 Information requirements for applications**

- a. Any application for resource consent using the Enhanced Development mechanism must include a detailed 'design statement' (prepared by an expert suitably qualified in architecture or urban design).