

## DISTRICT PLAN TEXT AMENDMENTS

### KEY:

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

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

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**~~.

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**~~. 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**~~.

#### 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**~~.

#### 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**~~ 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**~~ 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.

## 14.5 Rules - Residential Medium Density Residential Zone

### 14.5.1 Activity status tables

#### 14.5.1.1 Permitted activities

- a. The activities listed below are permitted activities in the ~~Residential~~ Medium Density Residential Zone if they meet the activity specific standards set out in this table, the built form standards in [Rule 14.5.2](#) and the area specific rules in [Rule 14.5.3](#).
- b. Activities may also be permitted controlled, restricted discretionary, discretionary, non-complying or prohibited as specified in [Rules 14.5.1.2, 14.5.1.3, 14.5.1.4, 14.5.1.5](#) and [14.5.1.6](#), or in the area specific rules in [Rule 14.5.3](#).
- c. ~~Any retirement village activity shall instead be considered under 14.4.1.1 or 14.12.1.1 as they would apply under operative controls as at 16 March 2023.~~

Activity		Activity specific standards
P1	Residential activity, except for <del>residential units containing more than six bedrooms and</del> boarding houses	<ol style="list-style-type: none"> <li>a. No more than one heavy vehicle shall be stored on the site of the residential activity.</li> <li>b. Any motor vehicles and/or boats dismantled, repaired or stored on the site of the residential activity shall be owned by people who live on the same site.</li> <li><del>c. On sites located within the Riccarton Wastewater Interceptor Overlay, until (date of completion of infrastructure work):</del> <ol style="list-style-type: none"> <li>i. <del>the minimum site area for any residential unit shall be 330m<sup>2</sup>.</del></li> </ol> </li> <li><b><u>c. There must be no more than 3 residential units per site.</u></b></li> <li><b><u>d. 14.5.1.1.P1.c does not apply within the Suburban Density Precinct and Suburban Hill Density Precinct.</u></b></li> </ol>
P2	Student hostels owned or operated by a secondary education activity or tertiary education and research activity containing up to 6 bedrooms	Nil
P3	Conversion of an elderly person's housing unit existing at <del>6 December 2013</del> <b><u>17 March 2023</u></b> , into a residential unit that may be occupied by any person(s)	<ol style="list-style-type: none"> <li>a. Each converted unit shall have: <ol style="list-style-type: none"> <li>i. a minimum gross floor area, excluding terraces, garages, <del>sundecks and verandahs,</del> <b><u>of 35m<sup>2</sup>; and</u></b></li> </ol> </li> </ol>

Activity		Activity specific standards
	and without the need to be encumbered by a bond or other appropriate legal instrument	<ul style="list-style-type: none"> <li>ii. a separate outdoor living space readily accessible from its living area that is at least <del>30</del> <u>20</u>m<sup>2</sup> with a minimum dimension of 3 metres.</li> </ul> <p><b><u>b. No other built form standards shall apply where the unit is to be converted without addition or alteration from the building lawfully established as an older person’s housing unit.</u></b></p>
<b>P43</b>	Home occupation	<ul style="list-style-type: none"> <li>a. The total floor area of the <b>building</b> or part of the building (measured internally), plus any <b>outdoor storage area</b>, occupied by the <b>home occupation</b> shall be no more than 40m<sup>2</sup>.</li> <li>b. The maximum number of FTE persons employed in the <b>home occupation</b>, who reside permanently elsewhere than on the <b>site</b>, shall be two.</li> <li>c. Any <b>retail activity</b> shall be limited to: <ul style="list-style-type: none"> <li>i. the sale of goods grown or produced on the <b>site</b>;</li> <li>ii. goods incidental to an on-site service provided by the <b>home occupation</b> where the goods storage and/or display occupies no more than 1m<sup>2</sup> of floor area; or</li> <li>iii. internet-based sales where no customer visits occur; and</li> <li>iv. <b>retail activity</b> shall exclude <b>food and beverage outlets</b>.</li> </ul> </li> <li>d. Manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles shall be carried out in a fully enclosed <b>building</b>.</li> <li>e. The hours of operation, when the <b>site</b> is open to visitors, clients, and deliveries, shall be limited to between the hours of: <ul style="list-style-type: none"> <li>i. 07:00 - 21:00 Monday to Friday; and</li> <li>ii. 08:00 - 19:00 Saturday, Sunday and public holidays.</li> </ul> </li> <li>f. Visitor, courier vehicles and staff <b>parking areas</b> shall be within the <b>net site area</b> of the property and outside the <b>road boundary setback</b>.</li> <li>g. <b>Vehicle movements</b> associated with the <b>home occupation</b> shall not exceed: <ul style="list-style-type: none"> <li>i. <b>heavy vehicles</b>: 2 per week; and</li> <li>ii. other vehicles: 16 per day.</li> </ul> </li> <li>h. <b>Signage</b> shall be limited to a maximum area of 0.5m<sup>2</sup>.</li> </ul>
<b>P54</b>	Care of non-resident children within a <b>residential unit</b> in return for monetary payment to the carer	<ul style="list-style-type: none"> <li>a. There shall be: <ul style="list-style-type: none"> <li>i. a maximum of four non-resident children being cared for in return for monetary payment to the carer at any one time; and</li> <li>ii. at least one carer residing permanently within the <b>residential unit</b>.</li> </ul> </li> </ul>

Activity		Activity specific standards								
P6	(Deleted as part of Plan Change 4 Council decision dated 31 March 2022)									
P75	Education activity	<p>a. The activity shall:</p> <p>i. only locate on sites with frontage and the primary entrance to a minor arterial road or collector road where right turn offset, either informal or formal, is available;</p> <p>ii. only occupy a gross floor area of building of less than 200m<sup>2</sup>; or in the case of a health care facility, less than 300m<sup>2</sup>;</p> <p>iii. limit outdoor advertising to a maximum area of 2m<sup>2</sup>;</p> <p>iv. limit the hours of operation when the site is open to visitors, students, patients, clients, and deliveries to between the hours of:</p> <table border="1" data-bbox="756 909 1402 1617"> <tbody> <tr> <td>A. Education activity</td> <td> <p>I. 07:00 – 21:00 Monday to Saturday; and</p> <p>II. Closed Sunday and public holidays.</p> </td> </tr> <tr> <td>B. Preschools</td> <td> <p>I. 07:00 – 21:00 Monday to Friday, and</p> <p>II. 07:00 – 13:00 Saturday, Sunday and public holidays.</p> </td> </tr> <tr> <td>C. Health care facility</td> <td rowspan="3">I. 07:00 – 21:00.</td> </tr> <tr> <td>D. Veterinary care facility</td> </tr> <tr> <td>E. Places of assembly</td> </tr> </tbody> </table> <p>v. in relation to preschools, limit outdoor play areas and facilities to those that meet Rule 6.1.5.2.1 Table 1: Zone noise limits outside the Central City;</p> <p>vi. in relation to preschools, veterinary care facilities and places of assembly (See Figure 1.):</p> <p>A. only locate on sites where any residential activity on an adjoining front site, or front site separated by an access, with frontage to the same road is left with at least one residential neighbour. That neighbour shall be on an adjoining front site, or</p>	A. Education activity	<p>I. 07:00 – 21:00 Monday to Saturday; and</p> <p>II. Closed Sunday and public holidays.</p>	B. Preschools	<p>I. 07:00 – 21:00 Monday to Friday, and</p> <p>II. 07:00 – 13:00 Saturday, Sunday and public holidays.</p>	C. Health care facility	I. 07:00 – 21:00.	D. Veterinary care facility	E. Places of assembly
A. Education activity	<p>I. 07:00 – 21:00 Monday to Saturday; and</p> <p>II. Closed Sunday and public holidays.</p>									
B. Preschools	<p>I. 07:00 – 21:00 Monday to Friday, and</p> <p>II. 07:00 – 13:00 Saturday, Sunday and public holidays.</p>									
C. Health care facility	I. 07:00 – 21:00.									
D. Veterinary care facility										
E. Places of assembly										
P86	Preschools, other than as provided for in Rule 14.5.1.1 P54.									
P97	Health care facility									
P108	Veterinary care facility									
P119	Place of assembly									

Activity		Activity specific standards
		<p><b>front site</b> separated by an <b>access</b>, and have <b>frontage</b> to the same <b>road</b>; and</p> <p>B. only locate on residential blocks where there are no more than two non-residential activities already within that block;</p> <p>vii. in relation to <b>veterinary care facilities</b>, limit the boarding of animals on the <b>site</b> to a maximum of four;</p> <p>viii. in relation to <b>places of assembly, entertainment activities</b> shall be closed Sunday and public holidays; and</p> <p>ix. not include the storage of more than one <b>heavy vehicle</b> on the <b>site</b> of the activity.</p>
<b>P12</b> <del>10</del>	Community corrections facilities	<p>a. The facilities shall:</p> <p>i. limit the hours of operation when the <b>site</b> is open to clients and deliveries to between the hours of 07:00 – 19:00; and</p> <p>ii. limit <b>signage</b> to a maximum area of 2m<sup>2</sup>.</p>
<b>P13</b> <del>11</del>	Community welfare facilities	
<b>P14</b> <del>12</del>	Spiritual activities	<p>a. The activity shall:</p> <p>i. limit the hours of operation to 07:00-22:00; and</p> <p>ii. not include the storage of more than one <b>heavy vehicle</b> on the <b>site</b> of the activity.</p>
<b>P15</b> <del>13</del>	Emergency services facilities	Nil
<b>P16</b> <del>14</del>	Repair or rebuild of <b>multi-unit residential complexes</b> damaged by the Canterbury earthquakes of 2010 and 2011 on properties with cross leases, company leases or unit titles as at the date of the earthquakes	<p>a. Where the repair or rebuild of a <b>building</b> will not alter the <del><b>building footprint</b></del><b>building footprint</b>, location, or <b>height</b>, the <b>building</b> need not meet the built form standards.</p> <p>b. Where the <del><b>building footprint</b></del><b>building footprint</b>, location, or <b>height</b> is to be altered no more than necessary in order to comply with legal or regulatory requirements or the advice of a suitably qualified and experienced chartered engineer:</p> <p>i. the only built form standards that shall apply are those specified in <b>Rules 14.5.2.3 – Building height and 14.5.2.6 – <u>Daylight recession planes Height in relation to boundaries</u></b>;</p> <p>ii. in relation to the <b>road boundary setback</b>, the repaired or rebuilt <b>building</b> shall have a <b>setback</b> of at least <del>3</del> <b>1.5</b> metres;</p> <p>iii. the standards at (i) and (ii) shall only apply to the extent that the repaired or rebuilt <b>building</b> increases</p>

Activity		Activity specific standards
		<p>the level of non-compliance with the standard(s) compared to the <b>building</b> that existed at the time of the earthquakes.</p> <p>Advice note:</p> <ol style="list-style-type: none"> <li>1. Examples of regulatory or legal requirement that may apply include the New Zealand Building Code, <b>Council</b> bylaws, easements, and other rules within this Plan such as the requirements for minimum floor levels in Chapter 5.</li> </ol> <p>c. If paragraphs a. and b. do not apply, the relevant built form standards apply.</p> <p>d. Any application arising from not meeting standards a. and b.i. shall not be publicly notified, and may be limited notified to <b>adjoining</b> property owners (where the consent authority considers this is required, and absent written approval). Any application arising from not meeting standard b.ii. (road boundary setbacks), shall not be limited or publicly notified.</p>
<p><b>P17</b> <b>15</b></p>	<p>Temporary lifting or moving of earthquake damaged <b>buildings</b> where the activity does not meet one or more of Rules:</p> <ol style="list-style-type: none"> <li>a. <b>Rule 14.5.2.3</b> – Building height and maximum number of storeys;</li> <li>b. <b>Rule 14.5.2.4</b> – <b>Site Building</b> coverage;</li> <li>c. <b>Rule 14.5.2.5</b> – Outdoor living space;</li> <li>d. <b>Rule 14.5.2.6</b> – <del>Daylight recession planes</del> <b>Height in relation to boundary</b>; or</li> <li>e. <b>Rule 14.5.2.7</b> – Minimum building setbacks <del>from internal boundaries and railway lines</del>.</li> </ol>	<ol style="list-style-type: none"> <li>a. <b>Buildings</b> shall not be: <ol style="list-style-type: none"> <li>i. moved to within 1 metre of an internal <b>boundary</b> and/or within 3 metres of any <b>water body</b>, scheduled tree, listed <b>heritage item</b>, areas listed as Sites of Ecological Significance (in <b>Sub-chapter 9.1</b>), Natural Landscapes, Features or Character (in <b>Sub-chapter 9.2</b>), or Sites of Ngai Tahu Cultural Significance (in <b>Sub-chapter 9.5</b>), any <b>Council</b> owned structure, <b>archaeological site</b>, or the coastal marine area; or</li> <li>ii. lifted to a <b>height</b> exceeding 3 metres above the applicable recession plane or <b>height</b> control.</li> </ol> </li> <li>b. The <b>building</b> must be lowered back or moved back to its original position, or a position compliant with the <b>District Plan</b> or consistent with a resource consent, within 12 weeks of the lifting or moving works having first commenced.</li> <li>c. In all cases of a <b>building</b> being moved or lifted, the owners/occupiers of land <b>adjoining</b> the <b>sites</b> shall be informed of the work at least seven days prior to the lift or move of the <b>building</b> occurring. The information provided shall include details of a contact person, details of the lift or move, and the duration of the lift or move.</li> <li>d. The <b>Council's</b> Resource Consents Manager shall be notified of the lifting or moving the <b>building</b> at least seven days prior to the lift or move of the <b>building</b> occurring. The</li> </ol>

Activity		Activity specific standards
		notification must include details of the lift or move, property address, contact details and intended start date.
<b>P1816</b>	Salvation Army Addington Overlay	
	<b>P1816.1</b> Family store	a. The activity shall take place in the existing (20 August 2014) Family store within the Salvation Army Addington Overlay.
	<b>P1816.2</b> Addiction services	a. The activity shall: <ul style="list-style-type: none"> <li>i. only locate within the Salvation Army Addington Overlay;</li> <li>ii. provide for a maximum of 19 overnight beds; and</li> <li>iii. take place in the existing (20 August 2014) addiction services buildings, or in upgraded or replacement buildings that meet the built form standards (Rule 14.5.2).</li> </ul>
	<b>P1816.3</b> Supportive housing	a. The activity shall: <ul style="list-style-type: none"> <li>i. only locate within the Salvation Army Addington Overlay;</li> <li>ii. provide for a maximum of 85 residents including those on reintegration programmes, which may be in a mixture of individual and shared housing; and</li> <li>iii. take place in the existing (20 August 2014) supportive housing buildings, or in upgraded or replacement buildings that meet the built form standards (Rule 14.5.2).</li> </ul>
	<b>P1816.4</b> Offices and meeting rooms for administration, counselling, family meetings, budgeting, education or training and worship services on Salvation Army land in Addington (legally described as Rural Section 39449, Lot 23-24 and Part Lot 25 DP 1024, Lot 22 and Part Lot 25 DP 1024, Part Lot 21 DP 1024, and Part Lot 21 and Part Lot 25 DP 1024).	a. The activity shall take place in the existing (20 August 2014) buildings, or in upgraded or replacement buildings that meet the built form standards (Rule 14.5.2).
<b>P19</b>	a. The use of the existing control tower buildings	a. The maximum gross floor area of retail activity shall be 1500m <sup>2</sup> .

Activity		Activity specific standards
<del>17</del>	(Lot 357 DP 447629) and hangars 4 and 5 (Lot 315 DP 434068) for the following activities:  i. Residential activities; ii. Preschools; iii. Health care facility; iv. Education activity; v. Place of assembly; vi. Retail activity; vii. Office; or viii. Warehouse activity	b. Heavy vehicle movements associated with any warehouse activity shall be limited to the hours of 07:00 to 19:00.
P20 <del>18</del>	Relocation of a building	Nil
P21 <del>19</del>	Market gardens, community gardens, and garden allotments	
P22 <del>20</del>	Hosted visitor accommodation	<p>a. A maximum of eight guests shall be accommodated at any one time.</p> <p>b. The Council shall be notified in writing prior to commencement.</p> <p>c. The owner of the unit shall keep records of the number of nights it is used for hosted visitor accommodation per year from the date Council are notified of commencement, and provide those records to the Council on request.</p>
P23 <del>21</del>	Visitor accommodation in a heritage item where a permanent resident or manager / supervisor is in residence on the site for the duration of any visitors' stay.	<p>a. A maximum of ten guests shall be accommodated at any one time.</p> <p>b. The Council shall be notified in writing prior to commencement.</p> <p>c. The owner of the heritage item shall keep records of the number of nights it is used for visitor accommodation and provide those records to the Council on request.</p>
P24	Visitor accommodation in a heritage item where a permanent resident or manager / supervisor is	<p>a. A maximum of 10 guests shall be accommodated at any one time.</p> <p>b. The number of nights a site is used for visitor accommodation shall not exceed 60 per year calculated from when Council are notified of commencement.</p>

Activity	Activity specific standards
<p>not in residence on the site for the duration of any visitors' stay</p>	<ul style="list-style-type: none"> <li>c. The Council shall be notified in writing prior to commencement.</li> <li>d. The owner of the heritage item shall: <ul style="list-style-type: none"> <li>i. keep records of the number of nights it is used for visitor accommodation and provide those records to the Council on request;</li> <li>ii. provide up-to-date contact information of a local person and/or organisation responsible for managing the property and responding to complaints, to all owners and occupiers of adjoining sites, on commencement, on request, or annually if not requested; and</li> <li>iii. ensure guests are provided clear instructions including maps/diagrams/photos/signs for check-in procedures, building access and parking arrangements, constraints on the use of outdoor areas, rubbish and recycling procedures, controls on functions and events, any relevant hazards and safety procedures, prior to arrival, and within the unit.</li> </ul> </li> <li>e. There shall be a maximum of 16 vehicle movements per day associated with visitor accommodation.</li> <li>f. Guests shall not hold functions or events where the number of additional attendees exceed the number of paying guests between 22.00pm and 07:00am.</li> <li>g. Guest activities shall meet daytime and night time noise limits in Rule 6.1.5.2.1 and Rule 6.1.5.2.2.</li> </ul>
<p><b>P25</b> Unhosted visitor accommodation</p>	<ul style="list-style-type: none"> <li>a. A maximum of eight guests shall be accommodated at any one time.</li> <li>b. The number of nights a site is used for unhosted visitor accommodation shall not exceed 60 per year calculated from when Council are notified of commencement.</li> <li>c. The Council shall be notified in writing prior to commencement.</li> <li>d. The owner of the unit shall: <ul style="list-style-type: none"> <li>i. keep records of the number of nights it is used for unhosted visitor accommodation and provide those records to the Council on request;</li> <li>ii. provide up-to-date contact information of a local person and/or organisation responsible for managing the property and responding to complaints, to all owners and occupiers of adjoining sites, on commencement, on request, or annually if not requested; and</li> <li>iii. ensure guests are provided clear instructions including maps/diagrams/photos/signs for check-in procedures, building access and parking arrangements, constraints on the use of outdoor areas, rubbish and recycling procedures, controls on functions and events, any relevant hazards and safety procedures, prior to arrival, and within the unit.</li> </ul> </li> </ul>

Activity		Activity specific standards
		<ul style="list-style-type: none"> <li>e. There shall be a maximum of 16 vehicle movements per day associated with <b>unhosted visitor accommodation</b> .</li> <li>f. Guests shall not hold functions or events where the number of additional attendees exceed the number of paying guests between 22.00pm and 07:00am.</li> <li>g. Guest activities shall meet daytime and night time noise limits in Rule <a href="#">6.1.5.2.1</a> and Rule <a href="#">6.1.5.2.2</a>.</li> </ul>
<b>P26</b>	<b><u>Retirement villages</u></b>	<ul style="list-style-type: none"> <li><b><u>a. All buildings shall be a maximum of 8 metres in height above ground level; and</u></b></li> <li><b><u>b. All buildings shall comply with Rule 14.5.2.19 Building length.</u></b></li> </ul>

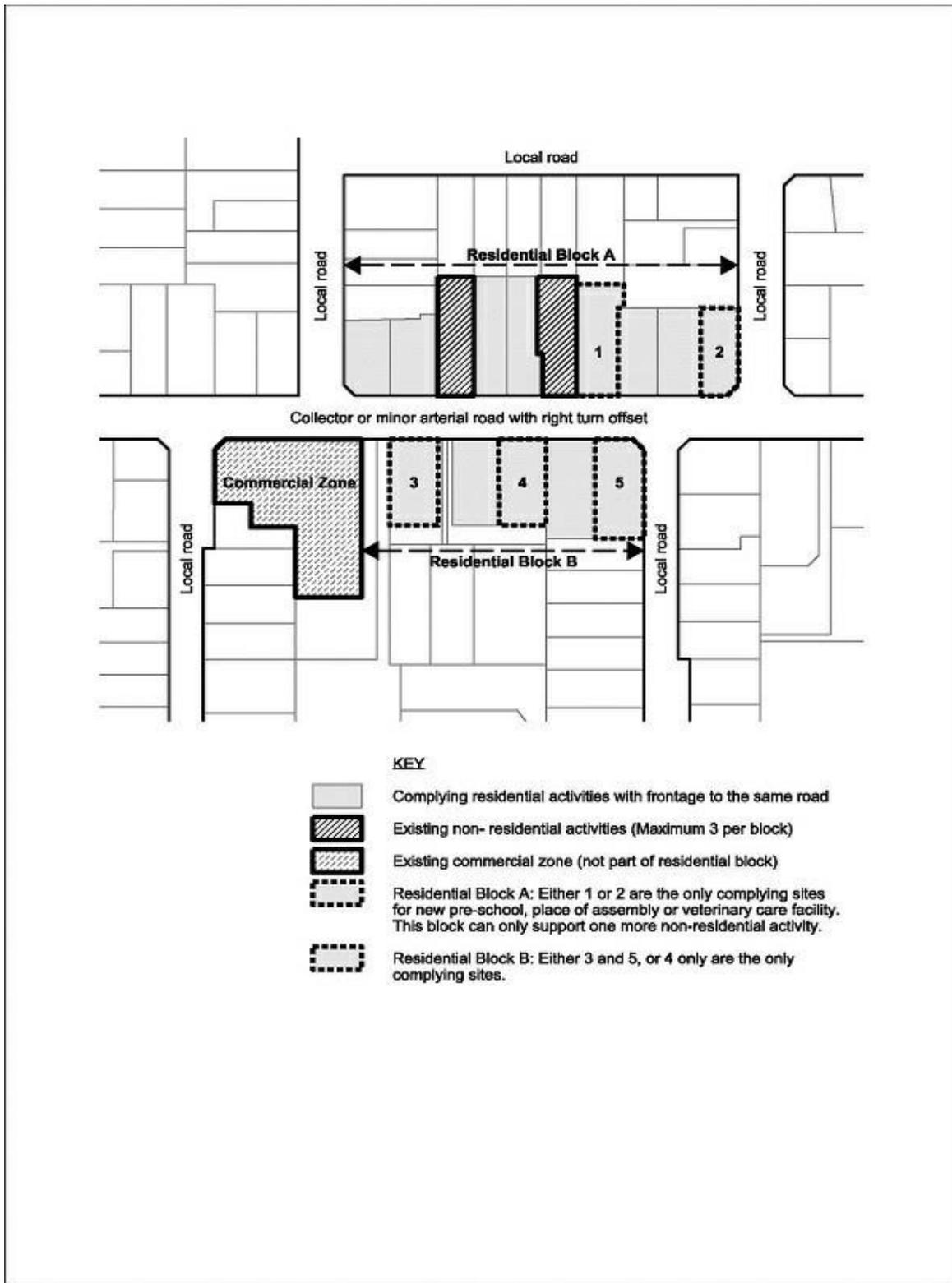


Figure 1: Residential coherence

### 14.5.1.2 Controlled activities

- a. ~~The activities listed below are controlled activities. There are no controlled activities.~~
- b. ~~Unless otherwise specified, any application arising from the controlled activity rules listed below shall not be limited or publicly notified.~~

~~c. Discretion to impose conditions is restricted to the matters over which control is reserved in Rule 14.15.3, as set out in the following table.~~

~~d. Any retirement village activity shall instead be considered under 14.4.1.2 or 14.12.1.2 as they would apply under operative controls as at 16 March 2023.~~

Activity		The matters over which Council reserves its control:
<del>C1</del>	<del>Residential units (including any sleep-outs) containing more than six bedrooms in total</del>	<del>a. Scale and nature of activity – Rule 14.15.5 b. Traffic generation and access safety – Rule 14.15.6</del>
<del>C2</del>	<del>Activities that do not comply with Rule 14.5.2.2 – Tree and garden planting</del>	<del>a. Street scene – road boundary building setback, fencing and planting – Rule 14.15.17</del>
<del>C3</del>	<del>Activities and buildings that do not meet Rule 14.5.2.11 – Building overhangs</del>	<del>a. Residential design principles – Rule 14.15.1 d. and e only.</del>
<del>C4</del>	<del>Residential units that do not meet Rule 14.5.2.13 – Ground floor habitable space</del>	<del>a. Residential design principles – Rule 14.15.1 d. and e only.</del>
<del>C5</del>	<del>Residential units that do not meet Rule 14.5.2.14 – Service, storage and waste management spaces</del>	<del>a. Service, storage and waste management spaces – Rule 14.15.19</del>
<del>C6</del>	<del>(Deleted by Plan Change 4 Consent Order dated 24 July 2023)</del>	
<del>C7</del>	<del>(Deleted by Plan Change 4 Consent Order dated 24 July 2023)</del>	

### 14.5.1.3 Restricted discretionary activities

a. The activities listed below are restricted discretionary activities.

b. Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in Rule 14.15, or as specified, as set out in the following table.

~~c. Any retirement village activity shall instead be considered under 14.4.1.3 or 14.12.1.3 as they would apply under operative controls as at 16 March 2023.~~

Activity		The Council's discretion shall be limited to the following matters:
RD1	<p>a. <b>Except for retirement villages,</b> the erection of new buildings and alterations or additions to existing buildings including all accessory buildings, fences and walls associated with that development, that result in:</p> <ul style="list-style-type: none"> <li>i. <del>three-four</del> or more residential units; or</li> <li>ii. <del>one or two residential units on a site smaller than 300m<sup>2</sup> gross site area (prior to subdivision); or</del></li> <li>iii. <del>one or two residential units resulting in residential floor area greater than 500m<sup>2</sup>; or</del></li> <li>iv. <del>ii.</del> over 40m<sup>2</sup> of a building used for other non-residential activities, on a site.</li> </ul> <p><del>b. Except (until date of completion of the infrastructure work) on any site located within the Riccarton Wastewater Interceptor Overlay.</del></p> <p><del>be.</del> Any application arising from <u>this a.ii. of this rule</u> shall not be limited or publicly notified.</p> <p><u>c. Any application arising from a.i. of this rule shall not be limited or publicly notified where compliant with the following built form standards:</u></p> <ul style="list-style-type: none"> <li>i. <u>14.5.2.2 – Landscaped area and tree canopy cover</u></li> <li>ii. <u>14.5.2.3 – Building height and maximum number of storeys</u></li> <li>iii. <u>14.5.2.4 – Building coverage</u></li> <li>iv. <u>14.5.2.5 – Outdoor living space</u></li> <li>v. <u>14.5.2.6 – Height in relation to boundary</u></li> <li>vi. <u>14.5.2.7 – Minimum building setbacks</u></li> <li>vii. <u>14.5.2.8 – Outlook space per unit</u></li> <li>viii. <u>14.5.2.10 – Windows to street</u></li> </ul>	<p>a. Residential design principles – Rule 14.15.1</p> <p><del>b. Minimum unit size and unit mix – Rule 14.15.4</del></p>
<u>RD2</u>	Retirement villages <b>which do not comply with one or more of the activity specific standards in Rule 14.5.1.1 P26.</b>	a. <u>Retirement villages – Rule 14.15.910</u>
RD3	Boarding house	<p>a. Scale and nature of activity – Rule 14.15.56</p> <p>b. Traffic generation and access safety – Rule 14.15.67</p>

Activity		The Council's discretion shall be limited to the following matters:
RD4	Student hostels owned or operated by a secondary education activity or tertiary education and research activity containing 7 to 9 bedrooms	a. Scale and nature of activity – Rule 14.15.56
RD5	<p>a. Convenience activities where:</p> <ul style="list-style-type: none"> <li>i. the site is located on the corner of a minor arterial road;</li> <li>ii. the total area occupied by retailing on the site is no more than 50m<sup>2</sup> public floor area;</li> <li>iii. the activity does not include the sale of alcohol;</li> <li>iv. outdoor advertising is limited to no more than 2m<sup>2</sup> and shall be within the road boundary setback;</li> <li>v. the hours of operation when the site is open to business visitors or clients are limited to between the hours of 07:00 – 22:00 Monday to Sunday and public holidays; and</li> <li>vi. there is no provision of on-site parking area for visitors or service purposes.</li> </ul>	<ul style="list-style-type: none"> <li>a. Residential design principles – Rule 14.15.1</li> <li>b. Scale and nature of activity – Rule 14.15.56</li> <li>c. Non-residential hours of operation – Rule 14.15.215</li> <li>d. Traffic generation and access safety – Rule 14.15.67</li> </ul>
RD6	Retail activity with frontage only to public access ways identified in Sumner Master plan Overlay (Appendix 14.15.6)	a. Urban design - Rule 15.134.1.a.viii only
RD7	<p>a. Integrated Family Health Centres where:</p> <ul style="list-style-type: none"> <li>i. the centre is located on sites with frontage and the primary entrance to a minor arterial road or collector road where right turn offset, either informal or formal is available;</li> <li>ii. the centre is located on sites adjoining a Neighbourhood Local centre, District Town centre or Key activity centre;</li> <li>iii. the centre occupies a gross floor area of building of between 301m<sup>2</sup> and 700m<sup>2</sup>;</li> <li>iv. outdoor advertising signage is limited to a maximum area of 2m<sup>2</sup>; and</li> <li>v. the hours of operation when the site is open to patients, or clients, and deliveries is limited to between the hours of 07:00 - 21:00.</li> </ul>	<ul style="list-style-type: none"> <li>a. Scale and nature of activity – Rule 14.15.56</li> <li>b. Traffic generation and access safety – Rule 14.15.67</li> <li>c. Non-residential hours of operation – Rule 14.15.215</li> </ul>
RD8	a. Activities that do not meet one or more of the activity specific standards in Rule 14.5.1.1	

Activity	The Council's discretion shall be limited to the following matters:	
	<p>(except for <del>P75-P108</del> standard ix., refer to <a href="#">Rule 14.5.1.4 D2</a>) for:</p> <ul style="list-style-type: none"> <li>i. <a href="#">P43 Home occupations</a>: <ul style="list-style-type: none"> <li>A. that do not meet standard a. and occupy a total area, comprising the floor area of the building or part of the building (measured internally) and any <a href="#">outdoor storage area</a>, no greater than 40% of the <a href="#">GFA</a> of the <a href="#">residential unit</a>, with the <a href="#">GFA</a> calculation excluding detached <a href="#">accessory buildings</a>;</li> <li>B. that do not meet one or more of standards b. to h.</li> </ul> </li> <li>ii. <a href="#">P75 Education activity</a>;</li> <li>iii. <a href="#">P86 Preschools</a>, other than as provided for in <a href="#">Rule 14.5.1.1 P54</a> and <a href="#">Rule 14.5.1.4 D2</a>;</li> <li>iv. <a href="#">P97 Health care facility</a>; or</li> <li>v. <a href="#">P108 Veterinary care facility</a>.</li> </ul> <p>b. Any application arising from these rules shall not be limited or publicly notified.</p>	<ul style="list-style-type: none"> <li>a. As relevant to the activity specific standard that is not met: <ul style="list-style-type: none"> <li>i. Scale and nature of activity – <a href="#">Rule 14.15.56</a></li> <li>ii. Traffic generation and access safety – <a href="#">Rule 14.15.67</a></li> <li>iii. Non-residential hours of operation – <a href="#">Rule 14.15.245</a></li> </ul> </li> </ul>
<b>RD9</b>	<ul style="list-style-type: none"> <li>a. <a href="#">Community corrections facilities</a> and community welfare facilities that do not meet one or more of the activity specific standards in <a href="#">Rule 14.5.1.1 P120</a> or <a href="#">P131</a>.</li> <li>b. Any application arising from these rules shall not be limited or publicly notified.</li> </ul>	
<b>RD10</b>	<ul style="list-style-type: none"> <li>a. Within the Salvation Army Addington Overlay: <ul style="list-style-type: none"> <li>i. Provision for overnight beds for <a href="#">addiction services</a> which exceed the maximum number in activity specific standard <a href="#">Rule 14.5.1.1, P186.2 a ii.</a>, up to a maximum total of 25 overnight beds.</li> <li>ii. Provision for <a href="#">supportive housing</a> which exceeds the maximum number of residents in activity specific standard <a href="#">Rule 14.5.1.1 P186.3 a ii.</a>, up to a maximum total of 100 residents.</li> <li>iii. Any upgrades (including exterior alterations or additions) to <a href="#">buildings</a> existing on the 20 August 2014, or any replacement <a href="#">buildings</a> for the activities specified in <a href="#">Rule 14.5.1.1 P186.2, P186.3 and P186.4</a>, that do not meet one or more</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>a. Scale and nature of activity – <a href="#">Rule 14.15.56</a></li> <li>b. Traffic generation and access safety – <a href="#">Rule 14.15.67</a></li> </ul>

Activity	The Council's discretion shall be limited to the following matters:	
	of the relevant built form standards <a href="#">Rule 14.5.2</a> .	
RD11	<ul style="list-style-type: none"> <li>a. Temporary lifting or moving of earthquake damaged <b>buildings</b> that does not meet the standards in <a href="#">Rule 14.5.1.1 P175</a>.</li> <li>b. Any application arising from this rule shall not be limited or publicly notified.</li> </ul>	<ul style="list-style-type: none"> <li>a. Relocation of a buildings and temporary lifting or moving of earthquake damaged buildings – <a href="#">Rule 14.15.167</a></li> </ul>
RD12	<ul style="list-style-type: none"> <li>a. <b>Buildings</b> that do not meet <a href="#">Rule 14.5.2.7(vi)</a> relating to rail corridor <b>boundary setbacks</b></li> <li><b>b. Any application arising from this rule shall not be publicly notified.</b></li> </ul>	<ul style="list-style-type: none"> <li>a. Whether the reduced <b>setback</b> from the rail corridor will enable <b>buildings</b> to be maintained without requiring <b>access</b> above, over, or on the rail corridor.</li> <li><b>b. Whether the reduced setback will provide for the safe and efficient operation of the rail network.</b></li> </ul>
RD13	<ul style="list-style-type: none"> <li>a. <b>Spiritual activities</b> that do not meet the hours of operation in <a href="#">Rule 14.5.1.1 P142</a>.</li> <li>b. Any application arising from this rule shall not be publicly notified and shall be limited notified only to directly abutting land owners and occupiers (absent written approval).</li> </ul>	<ul style="list-style-type: none"> <li>a. Non-residential hours of operation– <a href="#">Rule 14.15.245</a></li> </ul>
RD14	<p><del><b>Buildings that do not meet Rule 14.5.2.3 up to a maximum height of 14 metres (unless otherwise provided for in that rule)</b></del></p> <ul style="list-style-type: none"> <li>a. <b>Buildings that do not meet Rule 14.5.2.3 – Building height and maximum number of storeys</b> (except for <a href="#">Rule 14.5.2.3 (iv)</a> within the Industrial Interface Qualifying Matter Area refer to <a href="#">Rule 14.5.1.4 D11</a>).</li> <li><b>b. Any application arising from this rule, for up to three residential units per site, shall not be publicly notified.</b></li> </ul>	<ul style="list-style-type: none"> <li>a. Impacts on neighbouring property – <a href="#">Rule 14.15.3.a and c.</a></li> </ul>
RD15	<ul style="list-style-type: none"> <li>a. <b>Buildings</b> that do not meet <a href="#">Rule 14.5.2.6 – Daylight recession planes Height in Relation to Boundary</a>.</li> <li><b>b. Any application arising from this rule, for up to three residential units per site, shall not be publicly notified.</b></li> </ul>	<ul style="list-style-type: none"> <li><del>a. Impacts on neighboring property – <a href="#">Rule 14.15.3.a</a></del></li> <li><del>b. a. Height in relation to boundary breaches – <a href="#">Rule 14.15.4</a></del></li> </ul>
RD16	<ul style="list-style-type: none"> <li>a. Activities and <b>buildings</b> that do not meet <a href="#">Rule 14.5.2.4 – Site Building coverage</a></li> </ul>	<ul style="list-style-type: none"> <li>a. Site density and site coverage – <a href="#">Rule 14.15.2</a></li> </ul>

Activity	The Council's discretion shall be limited to the following matters:	
	<p>b. <del>Any application arising from this rule, for up to three residential units per site, shall not be publicly notified.</del></p>	
RD17	<p>a. Buildings that do not meet Rule 14.5.2.7 – Minimum building setbacks <del>internal boundaries and railway lines</del> (other than 14.5.2.7(vi); refer RD12).</p> <p>b. <del>Any application arising from Rule 14.5.2.7 a.i. setback only shall not be publicly or limited notified.</del></p> <p>b. Any application arising from this rule shall not be publicly notified.</p> <p>c. Any application arising from Rule 14.5.2.7 a.i. front boundary setback only shall not be limited notified.</p>	<p>a. Impacts on neighbouring property – Rule 14.15.3.a.</p> <p>b. Minimum building, window and balcony setbacks – Rule 14.15.189 (Akaroa Heritage Area only)</p>
RD18	<p><del>Buildings that do not meet Rule 14.5.2.8 – Minimum setback and distance to living area windows</del></p>	
RD198	<p>a. Residential units that do not meet 14.5.2.5 – Outdoor living space.</p> <p>b. Any application arising from this rule shall not be limited or publicly notified.</p>	<p>a. Outdoor living space – Rule 14.15.201</p>
RD20	<p><del>a. Buildings that do not meet Rule 14.5.2.9 – Road boundary building setback.</del></p> <p><del>b. Any application arising from this rule shall not be limited or publicly notified.</del></p>	<p>a. <del>Street scene – road boundary building setback, fencing and planting</del> Residential fencing – Rule 14.15.174</p>
RD219	<p>a. Buildings that do not meet Rule 14.5.2.109 – <del>Street scene amenity and safety – fences</del> Fencing and screening</p> <p>b. Any application arising from this rule shall not be limited or publicly notified.</p>	
RD220	<p>a. Residential units that do not meet Rule 14.5.2.112 – Minimum unit size.</p> <p>b. Any application arising from this rule shall not be limited or publicly notified.</p>	<p>a. Minimum unit size and unit mix – Rule 14.15.45</p>
RD231	<p>a. Residential units that do not meet Rule 14.5.2.145 – Water supply for fire fighting.</p> <p>b. Any application arising from this rule shall not be publicly notified <del>and shall be limited notified only to the New Zealand Fire Service (absent its written approval).</del></p>	<p>a. Water supply for fire fighting – Rule 14.15.78</p>

Activity		The Council's discretion shall be limited to the following matters:
RD242	Care facility	<ul style="list-style-type: none"> <li>a. Scale and nature of activity – <a href="#">Rule 14.15.56</a></li> <li>b. Traffic generation and access safety – <a href="#">Rule 14.15.67</a></li> </ul>
RD23	<ul style="list-style-type: none"> <li>a. <u>The erection of new residential units and alterations or additions to residential units that do not meet <a href="#">Rule 14.5.2.10</a> – Windows to street, where:</u> <ul style="list-style-type: none"> <li>i. <u>The standard only is considered for the alteration or addition to an existing residential unit.</u></li> </ul> </li> <li>b. <u>Any application arising from this rule shall not be limited or publicly notified.</u></li> </ul>	<ul style="list-style-type: none"> <li>a. <u>Street-facing glazing – <a href="#">Rule 14.135.23</a></u></li> </ul>
RD24	<ul style="list-style-type: none"> <li>a. <u>Activities that do not meet <a href="#">Rule 14.5.2.2</a> – Landscaped area and tree canopy cover.</u></li> <li>b. <u>Any application arising from this rule shall not be limited or publicly notified.</u></li> </ul>	<ul style="list-style-type: none"> <li>a. <u>Residential landscaping – <a href="#">Rule 14.15.24</a></u></li> </ul>
RD25	<ul style="list-style-type: none"> <li>a. <u>Residential units that do not meet <a href="#">Rule 14.5.2.13</a> – Service, storage, and waste management spaces</u></li> <li>b. <u>Any application arising from this rule shall not be publicly notified.</u></li> </ul>	<ul style="list-style-type: none"> <li>a. <u>Service, storage and waste management spaces – <a href="#">Rule 14.15.20</a></u></li> </ul>
RD26	<ul style="list-style-type: none"> <li>a. <u>Any garage or carport residential unit that does not comply with the garage and carport building location standards under <a href="#">Rule 14.5.2.15</a> – Garaging and carport building location; or</u></li> <li>b. <u>Any habitable room that does not comply with <a href="#">Rule 14.5.2.12</a> – Ground floor habitable room.</u></li> <li>c. <u>Any application arising from this rule shall not be limited or publicly notified.</u></li> </ul>	<ul style="list-style-type: none"> <li>a. <u>Residential design principles – <a href="#">Rule 14.15.1.d</a>, <a href="#">14.15.1.g</a>, and <a href="#">14.15.1.h</a></u></li> </ul>
RD27	<ul style="list-style-type: none"> <li>a. <del><u>New buildings, structures or additions greater than 20 metres in height from ground level that do not result in wind conditions that exceed the following cumulative standards (Gust Equivalent Mean) more than 5% annually at ground level, within 100 metres of the site, based on modelling:</u></del> <ul style="list-style-type: none"> <li>i. <del><u>4m/s at the any boundary of any site, if that boundary adjoins public open spaces, private outdoor living spaces, or footpath(s); or</u></del></li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>a. <del><u>Assessment of wind – <a href="#">Rule 14.15.29</a></u></del></li> </ul>

Activity	The Council's discretion shall be limited to the following matters:	
	<p><del>ii. 6m/s within any carriageway or car parking areas provided within or outside the site.</del></p> <p><del>b. New buildings, structures or additions greater than 20 metres in height that do not result in wind speeds exceeding 15m/s more than 0.3% annually at ground level.</del></p> <p><del>c. The requirements of a. and b. shall be demonstrated by a suitably qualified professional.</del></p>	
RD287	<p>a. Residential units that do not meet Rule 14.5.2.8 – Outlook space per unit.</p> <p>b. Any application arising from this rule, for up to three residential units per site, shall not be publicly notified.</p>	<p>a. Outlook space occupation – Rule 14.15.22</p>
RD298	<p>Residential units that do not meet Rule 14.5.2.16 – Building reflectivity</p>	<p>a. Residential design principles – Rule 14.15.1.i. – Hillside and small settlement areas Roof reflectivity – Rule 14.15.4241</p>
RD3029	<p>a. Activities that do not meet Rule 14.5.2.17 – Location of outdoor mechanical ventilation</p> <p>b. Any application arising from this rule shall not be limited or publicly notified.</p>	<p>a. Residential design principles – Rule 14.15.1.d and 14.15.1.e Rule 14.15.18 a. to d., only.</p>
RD340	<p>Any building that does not meet Rule 14.5.2.18 – Minimum road boundary setback - Qualifying Matter City Spine Transport Corridor</p>	<p>a. Residential design principles – Rule interk</p>
RD31	<p>a. Buildings that do not comply with 14.5.2.19.a – Building length.</p> <p>b. Any application arising from these rules shall not be publicly notified.</p>	<p>a. Residential design principles – Rule 14.15.1.e.</p>
RD32	<p>a. Residential units that do not meet a. or b. under Rule 14.5.2.20 – Residential units within the Industrial interface.</p>	<p>a. Industrial interface – Rule 14.15.43</p>
RD2533	<p>a. Hosted visitor accommodation that does not meet activity specific standards in Rule 14.5.1.1 P22 that does not exceed 12 guests per site at any one time.</p> <p>b. Any application arising from this rule shall not be publicly notified but may be limited notified.</p>	<p>a. Hosted visitor accommodation, visitor accommodation in a heritage item, unhosted visitor accommodation - Rule 14.15.39</p>
RD2634	<p>a. Visitor accommodation in a heritage item that does not meet activity specific standards in Rule 14.5.1.1. P23 or P24 that does not exceed 20 guests per site at any one time.</p>	

Activity		The Council's discretion shall be limited to the following matters:
	b. Any application arising from this rule shall not be limited or publicly notified.	
<b>RD2735</b>	a. Unhosted visitor accommodation that does not meet activity specific standards in Rule 14.5.1.1 P25 that does not exceed 12 guests per site at any one time. b. Any application arising from this rule shall not be publicly notified but may be limited notified.	

#### 14.5.1.4 Discretionary activities

a. The activities listed below are discretionary activities.

~~b. Any retirement village activity shall instead be considered under 14.4.1.3 or 14.12.1.3 as they would apply under operative controls as at 16 March 2023.~~

Activity	
<b>D1</b>	Any activity not provided for as a permitted, controlled, restricted discretionary, non-complying, or prohibited activity
<b>D2</b>	a. Activities that do not meet one or more of the activity specific standards in Rule 14.5.1.1 for: <ol style="list-style-type: none"> <li>i. P1 Residential activity, except P1.c;</li> <li>ii. <del>P3 Conversion of an elderly person's housing unit into a residential unit;</del></li> <li>iii. P54 Care of non-resident children in a residential unit;</li> <li>iv. P119 Place of assembly; or</li> <li>v. Storage of more than one heavy vehicle for activities for P75-P108 and P142.</li> <li>vi. P197 The use of the existing control tower building (Lot 357 DP 447629) and hangars 4 and 5 (Lot 315 DP 434068).</li> </ol>
<b>D3</b>	Student hostels owned or operated by a secondary education activity or tertiary education and research activity containing 10 or more bedrooms
<b>D4</b>	Show homes
<b>D5</b>	Integrated family health centres which do not meet one of more of the requirements specified in Rule 14.5.1.3 RD7
<b>D6</b>	a. Redevelopment of brownfield areas for mixed commercial and residential activities on the following sites: <ol style="list-style-type: none"> <li>i. Deans Avenue (Former Saleyards)</li> </ol>
<b>D7</b>	a. Hosted visitor accommodation that exceeds 12 guests per site at any one time.

Activity	
	b. Any application arising from this rule shall not be publicly notified but may be limited notified.
D8	a. <b>Visitor accommodation</b> in a <b>heritage item</b> that exceeds 20 guests per <b>site</b> at any one time. b. Any application arising from this rule shall not be publicly notified but may be limited notified
D9	a. <b>Unhosted visitor accommodation</b> that exceeds 12 guests per <b>site</b> at any one time; and b. Any application arising from this rule shall not be publicly notified but may be limited notified.
D10	<b>Home occupation</b> with a total area, comprising the floor area of the building or part of the building (measured internally) and any <b>outdoor storage area</b> occupied, greater than 40% of the <b>GFA</b> of the <b>residential unit</b> , with the <b>GFA</b> calculation excluding detached accessory buildings.
<del>D11</del>	<del>Any building for a residential activity that does not meet Rule 14.5.2.3 (a)(iv) Building height and maximum number of storeys within the Industrial Interface Qualifying Matter Area.</del>

### 14.5.1.5 Non-complying activities

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

Activity	
<del>NC1</del>	<del>Activities and buildings that do not meet Rule 14.5.2.3 where the height is over 14 metres (unless otherwise specified in that rule)</del>
<del>NC21</del>	a. <b>Sensitive activities</b> and <b>buildings</b> (excluding <b>accessory buildings</b> associated with an existing activity): <ul style="list-style-type: none"> <li>i. within 12 metres of the centre line of a 110kV or 220kV <b>National Grid transmission line</b> or within 12 metres of the foundation of an associated <b>support structure</b>; or</li> <li>ii. within 10 metres of the centre line of a 66kV <b>National Grid transmission line</b> or within 10 metres of a foundation of an associated <b>support structure</b>; or</li> </ul> b. Fences within 5 metres of a <b>National Grid transmission line support structure</b> foundation.

	<b>Activity</b>
	<p>c. Any application arising from this rule shall not be publicly notified and shall be limited notified only to Transpower New Zealand Limited (absent its written approval).</p> <p>Advice note:</p> <ol style="list-style-type: none"> <li>1. The <a href="#">National Grid transmission lines</a> are shown on the planning maps.</li> <li>2. Vegetation to be planted around the <a href="#">National Grid</a> should be selected and/or managed to ensure that it will not result in that vegetation breaching the <a href="#">Electricity (Hazards from Trees) Regulations 2003</a>.</li> <li>3. <a href="#">The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001)</a> contains restrictions on the location of structures and activities in relation to <a href="#">National Grid transmission lines</a>. Buildings and activity in the vicinity of <a href="#">National Grid transmission lines</a> must comply with <a href="#">NZECP 34:2001</a>.</li> </ol>
<b>NC32</b>	<p>a. <a href="#">Sensitive activities</a> and <a href="#">buildings</a> (excluding <a href="#">accessory buildings</a> associated with an existing activity):</p> <ol style="list-style-type: none"> <li>i. within 10 metres of the centre line of a 66kV <a href="#">electricity distribution line</a> or within 10 metres of a foundation of an associated <a href="#">support structure</a>; or</li> <li>ii. within 5 metres of the centre line of a 33kV <a href="#">electricity distribution line</a> or within 5 metres of a foundation of an associated <a href="#">support structure</a>; or</li> <li>iii. within 5 metres of the centre line of the 11kV Heathcote to Lyttelton <a href="#">electricity distribution line</a> or within 5 metres of a foundation of an associated <a href="#">support structure</a>.</li> </ol> <p>b. Fences within 5 metres of a 66kV or 33kV <a href="#">electricity distribution line support structure</a> foundation.</p> <p>c. Fences within 5 metres of an 11kV Heathcote to Lyttelton <a href="#">electricity distribution line support structure</a> foundation.</p> <p>d. Any application arising from this rule shall not be publicly notified and shall be limited notified only to Orion New Zealand Limited or other <a href="#">electricity distribution</a> network operator (absent written approval).</p> <p>Advice note:</p> <ol style="list-style-type: none"> <li>1. The <a href="#">electricity distribution lines</a> are shown on the planning maps.</li> <li>2. Vegetation to be planted around <a href="#">electricity distribution lines</a> should be selected and/or managed to ensure that it will not result in that vegetation breaching the <a href="#">Electricity (Hazards from Trees) Regulations 2003</a>.</li> </ol>
<b>NC43</b>	<ol style="list-style-type: none"> <li>a. <a href="#">Visitor accommodation</a> that is not <a href="#">hosted visitor accommodation</a>, <a href="#">unhosted visitor accommodation</a> or <a href="#">visitor accommodation</a> in a <a href="#">heritage item</a>;</li> <li>b. Any application arising from this rule shall not be publicly notified but may be limited notified.</li> </ol>

### 14.5.1.6 Prohibited activities

There are no prohibited activities.

### 14.5.2 Built form standards

*NOTE: None of the medium density residential standards (MDRS) are in immediate legal effect as the Council has proposed a sunlight access qualifying matter that applies to all of the medium and high density residential zones (see section 80DA(1)(c)(ii) of the Resource Management Act 1991). They will not be in legal effect until after an IHP hearing and recommendation by the IHP to Council on those rules.*

*NB: This advice note should be removed prior to the sub-chapter becoming operative.*

~~a. The following built form standards shall be met by all permitted activities and restricted discretionary activities RD1, unless otherwise stated.~~

Advice Notes:

- ~~1. There is no spare, or limited, wastewater, storm water, or water supply infrastructure capacity in some areas of Christchurch City which may create difficulties in granting a building consent for some developments. Alternative means of providing for those services may be limited or not available. Compliance with the District Plan does not guarantee that connection to the Council's reticulated infrastructure is available or will be approved. Connection to the Council's reticulated infrastructure requires separate formal approval from the Council. There is a possibility that approval to connect will be declined, or development may trigger the need for infrastructure upgrades or alternative servicing at the developer's cost. Anyone considering development should, at an early stage, seek information on infrastructure capacity from Council's Three Waters Unit. Please contact the Council's Three Waters Unit at WastewaterCapacity@ccc.govt.nz, WaterCapacity@ccc.govt.nz and Stormwater.Approvals@ccc.govt.nz.~~
- ~~2. Reference should be made to 6.1A for qualifying matters that may apply further restrictions to development.~~
- ~~3. Any retirement village activity shall instead be considered under 14.4.2 or 14.12.2 as they would apply under operative controls as at 16 March 2023.~~

#### 14.5.2.1 Site density and servicing

Advice Notes:

1. There is no site density standard in the ~~Residential~~ Medium Density Residential Zone, except as detailed under 14.5.3 – Area Specific Standards.
- ~~2. There is no spare, or limited, wastewater, storm water, or water supply infrastructure capacity in some areas of Christchurch City which may create difficulties in granting a building consent for some developments. Alternative means of providing for those services may be limited or not available. Compliance with the District Plan does not guarantee that connection to the Council's reticulated infrastructure is available or will be approved.~~

Connection to the Council's reticulated infrastructure requires separate formal approval from the Council. There is a possibility that approval to connect will be declined, or development may trigger the need for infrastructure upgrades or alternative servicing at the developer's cost. Anyone considering development should, at an early stage, seek information on infrastructure capacity from Council's Three Waters Unit. Please contact the Council's Three Waters Unit at WastewaterCapacity@ccc.govt.nz, WaterCapacity@ccc.govt.nz and Stormwater.Approvals@ccc.govt.nz.

#### 14.5.2.2 ~~Tree and garden planting~~ **Landscaped area and tree canopy cover**

- a. A residential unit at ground floor level must have a landscaped area of a minimum of 20% of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them.**
- b. The landscaped area may be located on any part of the development site, and does not need to be associated with each residential unit.**

**Advice note:**

- c. 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 (c) or (d) applies.**
- ~~c. For single and/or multi-residential unit developments, 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 combined with the landscaping area in whole or in part, may be located on any part of the development site, and does not have to be associated with each residential unit.~~**
- ~~d. An additional tree canopy cover equivalent to 15% of the road corridor area must be provided in the road corridor 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.~~**
- d. ~~a~~ All other sites shall include the minimum tree and garden planting as set out in the below table:**

	For all <b>non-residential</b> activities, except permitted <b>commercial activities</b> in the Sumner Master plan Overlay
i.	<ul style="list-style-type: none"> <li>a. A minimum of 20% of the <b>site</b> shall be provided for <b>landscaping</b> (which may include private or communal open space), where <ul style="list-style-type: none"> <li>i. at least 50% of the <b>landscaping</b> shall be trees and shrubs, and</li> <li>ii. a minimum of one tree for every 250m<sup>2</sup> of gross <b>site</b> area (prior to <b>subdivision</b>), or part thereof, is included within the landscaping, and</li> </ul> </li> </ul>

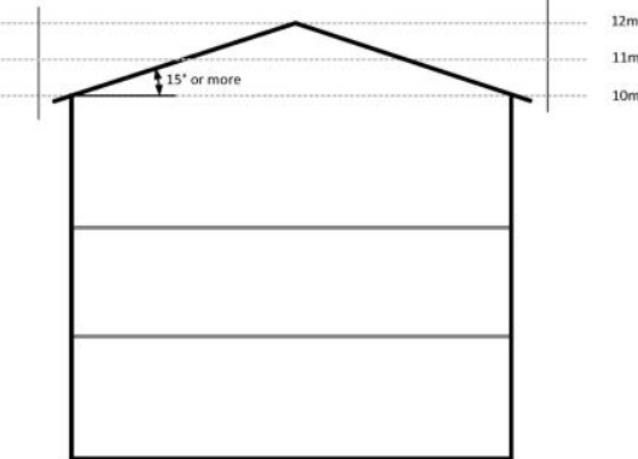
	<p>iii. at least one tree shall be planted adjacent to the <b>road boundary</b>.</p> <p>b. All trees required by this rule shall be not less than 1.5 metres high at the time of planting.</p> <p>c. All trees and <b>landscaping</b> required by this rule shall be maintained and if dead, diseased or damaged, shall be replaced.</p> <p><del>d. For multi-unit residential complexes, social housing complexes, retirement villages, and groups of older person's housing units, the minimum tree and garden planting requirements shall be determined over the site of the entire complex.</del></p>
ii.	<p>In the Salvation Army Addington Overlay – a landscape and planting plan be prepared with a method of implementation and maintenance for the full <b>site</b> area. This plan shall be implemented within two growing seasons of its approval and thereafter maintained. Attention shall be paid to that area 4 metres from the <b>boundary</b> with each <b>road</b> and around the stream to enhance the area, create restful space and encourage bird life.</p>

~~d. Retirement villages are exempt from this rule, except in accordance with 14.12.2, in accordance with the advice note under 14.5.2 and associated controls.~~

### 14.5.2.3 Building height and maximum number of storeys

a. The maximum **height** of any **building** shall be:

	Activity	Standard
i.	All <b>buildings</b> in areas not listed below	<p><del>11 metres provided there is a maximum of 3 storeys</del></p> <p><b><u>a. Unless b. applies, buildings must not exceed 11 metres in height above ground level, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 metre, where the entire roof slopes 15° or more, as shown on the following diagram:</u></b></p>

	Activity	Standard
		 <p data-bbox="710 817 1348 918"><b>b. Within the Local Centre Intensification Precinct, buildings containing residential units must not exceed 14 metres in height above ground level.</b></p>
ii.	<b>Residential Medium Density Lower Height Limit Overlay</b>	<p data-bbox="678 952 790 974"><b>8 metres</b></p> <p data-bbox="678 996 1372 1097"><del>a. On sites of 1500 m<sup>2</sup> or greater, the maximum height of any building shall be 11 metres, with a maximum of three storeys, except that:</del></p> <p data-bbox="710 1108 1372 1254"><del>i. within 10 metres of a site boundary that directly adjoins the Residential Suburban or Residential Suburban Density Transition Zone, the maximum height shall be 8 metres.</del></p>
iii.	<b>Residential Medium Density Lower Height Limit Overlay at Central Riccarton</b>	<p data-bbox="678 1288 790 1310"><b>8 metres</b></p>
iv.	<b>Sumner Residential Medium Density Zone</b>	<p data-bbox="678 1422 805 1444"><b>9.5 metres</b></p>
v.	<b>Sumner Master plan Overlay, on the two prominent corners identified in Appendix 14.16.6</b>	<p data-bbox="678 1512 853 1534"><del>a. 13 metres</del></p> <p data-bbox="678 1556 1372 1657"><del>b. Provided that the area above 9.5 metres is limited to no more than 100m<sup>2</sup> in gross floor area and is located at the apex of the street corner.</del></p>
vi.ii.	Within the <b>Medium Density Residential Medium Density</b> Zone in the Commercial Local Zone (St Albans) Outline development plan shown as Area A in Chapter 15 <a href="#">Appendix 15.15.5</a>	<p data-bbox="678 1691 805 1713"><b>14 metres</b></p>

	Activity	Standard
vii.	<del>Residential Medium Density Higher Height Limit Overlay at Deans Avenue</del>	<del>20 metres</del>
viii.	<del>Residential Medium Density Higher Height Limit Overlay at Carlton Mill Road</del>	<del>30 metres</del>
ix.	<del>Residential Medium Density Higher Height Limit Overlay at New Brighton and North Beach</del>	<del>a. 14 metres North Beach (area bounded by Marine Parade, Pacific Road, Jutland Street, Cygnet Street, Tonks Street, and Bowhill Road) b. 20 metres Central New Brighton</del>
x.	<del>All Residential Medium Density Height Limit Overlays (other than at Carlton Mill Road)</del>	<del>Any building shall not exceed 5 storeys above ground level</del>
xi.	<del>In the Salvation Army Addington Overlay</del>	<del>11 metres</del>
iii.	<u>All buildings on the Woolston Fire Station and Training Centre site at 929 Ferry Road, Lot 1 DP72727.</u>	<u>20 metres</u>
iv.	<del>Buildings for a residential activity within the Industrial Interface Qualifying Matter Area</del>	<del>7.8 metres or two storeys, whichever is the lesser</del>
iv.	<u>Buildings within the Riccarton Bush Interface Area</u> <u>Emergency service facilities operated by Fire and Emergency New Zealand.</u>	<u>8 metres</u> <u>14 metres</u>

**Advice note:**

- ~~See the permitted height exceptions contained within the definition of height.~~

#### 14.5.2.4 Site Building coverage

- The maximum ~~percentage of the building coverage must not exceed net site area covered by buildings shall be~~ 50% of the net site area.
- For multi-unit residential complexes, social housing complexes, retirement villages and groups of older person's housing units, the percentage coverage by buildings coverage shall be calculated over the net site area of the entire complex or development site group, rather than over the net area of any part of the complex or group.

~~cb.~~ Eaves and roof overhangs ~~up to 300mm in width~~ and guttering up to 650mm in total cumulative width from the wall of a **building** shall not be included in the **building coverage** calculation.

#### 14.5.2.5 Outdoor living space

- a. **A residential unit at ground floor level must have an outdoor living space that is at least 20 square metres and that comprises ground floor, balcony, patio, or roof terrace space that,—**
- i. **where located at ground level, has no dimension less than 3 metres; and**
  - ii. **where provided in the form of a balcony, patio, or roof terrace, is at least 8 square metres and has a minimum dimension of 1.8 metres; and**
  - iii. **is accessible from the residential unit; and**
  - iv. **may be**
    - A. **grouped cumulatively by area in 1 communally accessible location; or**
    - B. **located directly adjacent to the unit.**
  - v. **is free of buildings, parking spaces, and servicing and manoeuvring areas.**
- b. **A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that—**
- i. **is at least 8 square metres and has a minimum dimension of 1.8 metres; and**
  - ii. **is accessible from the residential unit; and**
  - iii. **may be**
    - A. **grouped cumulatively by area in one communally accessible location, in which case it may be located at ground level; or**
    - B. **located directly adjacent to the unit.**
- ~~a.~~ ~~For residential units with two or more bedrooms 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 shall be within the following dimensions:~~

<del>i.</del>	<del>Minimum total area for each residential unit</del>	<del>30m<sup>2</sup></del>
<del>ii.</del>	<del>Minimum private area</del>	<del>16m<sup>2</sup></del>
<del>iii.</del>	<del>Minimum dimension private area when provided at ground level</del>	<del>4 metres</del>
<del>iv.</del>	<del>Minimum dimension private area when provided by a balcony</del>	<del>1.5 metres</del>
<del>v.</del>	<del>Minimum dimension of communal space</del>	<del>4 metres</del>
<del>vi.</del>	<del>Accessibility of communal space</del>	<del>Accessible by all units</del>
<del>vii.</del>	<del>General accessibility for each residential unit</del>	<del>At least one private outdoor living space shall be</del>

		accessible from a living area of a residential unit
viii.	Minimum required outdoor living space at ground level for entire site	50%

b. ~~The outdoor living space can be in a mix of private or communal areas at the ground level or in balconies.~~

c. ~~For one bedroom units or studios on the ground floor outdoor living space shall be provided, and shall not be occupied by parking areas or access, within the following dimensions:~~

i.	Minimum total private area for each residential unit	16m <sup>2</sup>
ii.	Minimum dimension private area when provided at ground level	4 metres

c.d. ~~For one bedroom units exceeding 45m<sup>2</sup> in net floor area or studios exceeding 35m<sup>2</sup> in net floor area entirely at an upper level, outdoor living space shall be provided within the following dimensions. The required outdoor living space can be in a mix of private and communal areas, at the ground level or in balconies within the following dimensions:~~

i.	Minimum total private area for each residential unit	16m <sup>2</sup>
ii.	Minimum private balcony dimensions	A. 6m <sup>2</sup> area B. 1.5 metres dimension

d.e. ~~In the Salvation Army Addington Overlay the outdoor living space shall be communal and shall be based on 10m<sup>2</sup> per residential unit.~~

e.f. ~~This rule does not apply to residential units in a retirement village.~~

g. Within the Local Centre Intensification Precinct, for residential studio units with an internal floor area exceeding 35m<sup>2</sup>, or single bedroom units with an internal floor area exceeding 45m<sup>2</sup>, the following outdoor living space areas shall apply:

- i. 15m<sup>2</sup> for residential units on ground floor, with a minimum dimension of 3 metres; and
- ii. 6m<sup>2</sup> for residential units above ground floor, with a minimum dimension of 1.5 metres for balconies, patios or roof terraces.

#### 14.5.2.6 ~~Daylight recession planes~~ Height in relation to boundary

a. No part of any building shall project beyond a building envelope constructed by recession planes shown in Appendix 14.16.2 diagram D from points 3m above ground level along all boundaries where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.

b. This standard does not apply to—

- i. a boundary with a road:
  - ii. existing or proposed internal boundaries within a site:
  - iii. site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed:
  - iv. within the Local Centre Intensification Precinct:
    - A. the construction of three or more residential units of a maximum of 14 metres in height from ground level, to any part of a building:
      - 1. along the first 20 metres of a side boundary measured from the road boundary; or
      - 2. within 60% of the site depth, measured from the road boundary, whichever is lesser. For corner sites, depth is measured from the internal boundaries, that are perpendicular to the road boundary. See Figure 1, below.  
  
except where the boundary is with a site in a residential zone other than HRZ, or an Open Space zone, where iv. A and B shall not apply.
    - B. for any part of a building above 12m in height, the recession plane under a. shall apply, unless that part of the building above 12m in height is set back from the relevant boundary of a development site as set out below:
      - 1. northern boundary: 6 metres;
      - 2. southern boundary: 8 metres; and
      - 3. eastern and western boundaries: 7 metres

where the boundary orientation is as identified in Appendix 14.16.2 Diagram D, in which case there shall be no recession plane requirement for that part of the building above 12m in height.
  - v. Where related to a retirement village, shall only apply to the perimeter boundary of the site or development site for the retirement village.
- ~~a. Buildings, shall not project beyond a building envelope constructed by recession planes, as shown in, Appendix 14.16.2 diagram C, from points 2.3 metres above:~~
- ~~i. ground level at the internal boundaries; or~~
  - ~~ii. where an internal boundary of a site abuts an access lot or access strip the recession plane may be constructed from points 2.3 metres above ground level at the furthest boundary of the access lot or access strip or any combination of these areas; or~~
  - ~~iii. 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.~~
- ~~b. Where the building is located in an overlay that has a permitted height of 11 metres or more, the recession plane measurement shall commence from points 2.3 metres above~~

ground level at the internal boundaries and continue on the appropriate angle to points 11 metres above ground level, at which point the recession plane becomes vertical.

c. 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).

d. Except that:

i. In the Residential Medium Density Zone Higher Height Limit Overlay, the recession plane shall be as shown in Appendix 14.16.2 diagram D, unless the height of the building is greater than 11 metres, in which case refer to diagram E.

ii. In the Residential Medium Density Lower Height Limit Overlay, the recession plane shall be as shown in Appendix 14.16.2 diagram B.

Advice note:

1. Refer to Appendix 14.16.2 for permitted intrusions.

1. Applicable height in relation to boundary planes are shown in Appendix 14.16.2.

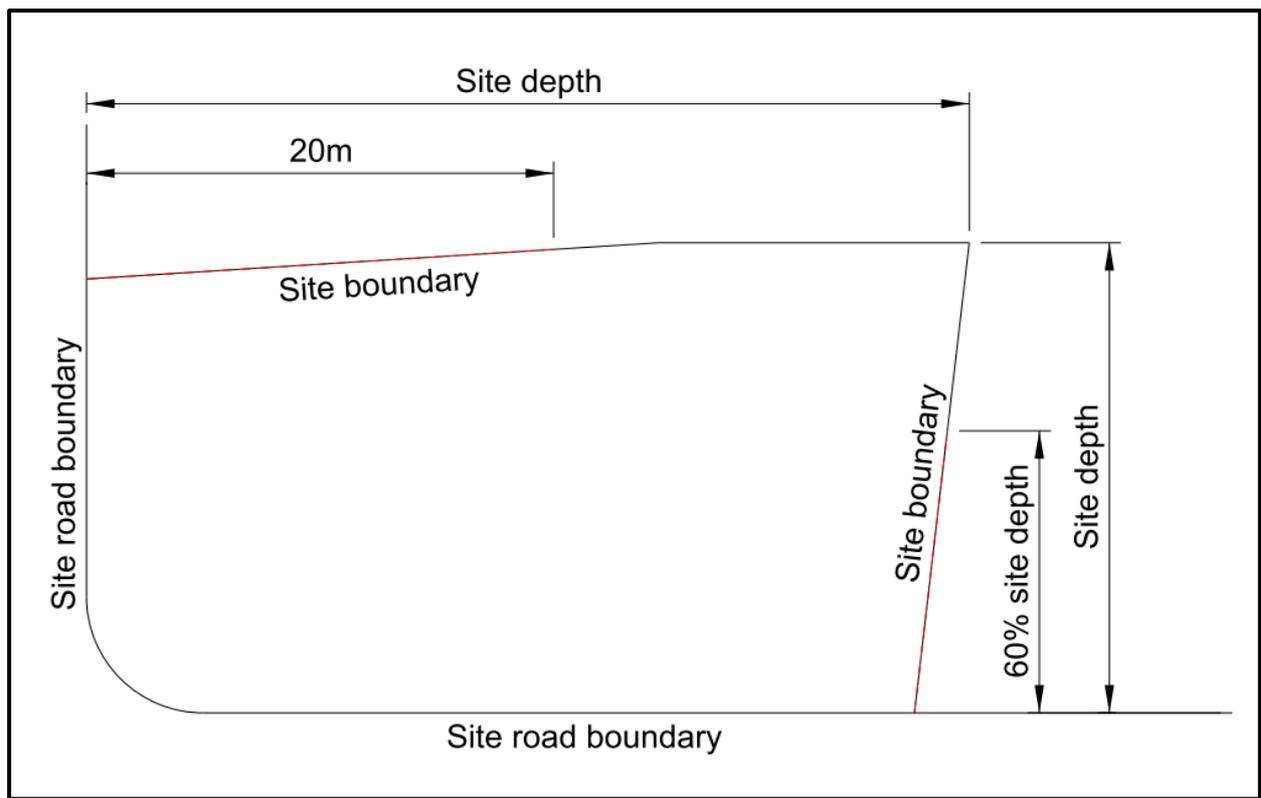


Figure 1: Application of height in relation to boundary exemption in Local Centres Intensification Precinct (14.5.2.6.b.iv)

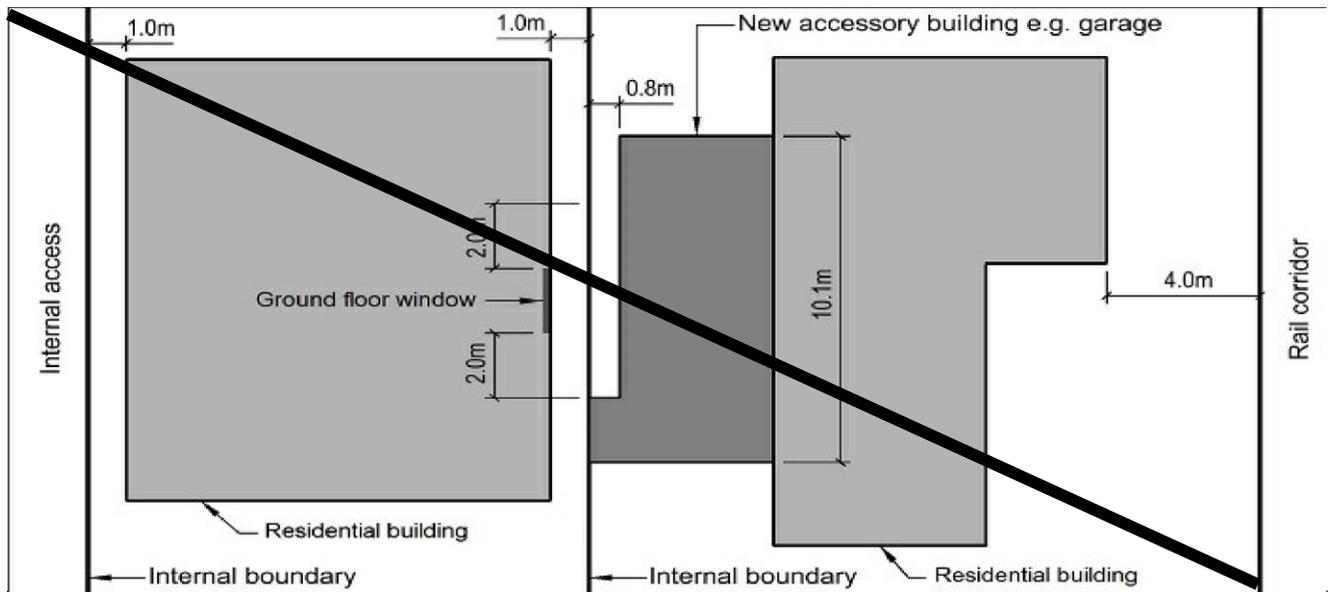
### 14.5.2.7 Minimum building setbacks from internal boundaries and railway lines

a. The minimum building setback from internal boundaries shall be:

	Activity / area	Standard
i.	All <u>buildings</u> not listed below	<p><b>1 metre</b></p> <p><u>Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below:</u></p> <p><u>Front: 1.5 metres</u></p> <p><u>Side: 1 metre</u></p> <p><u>Rear: 1 metre (excluded on corner sites)</u></p> <p><u>A porch with a maximum width of 1.2 metres may intrude into the front boundary setback by a maximum of 800mm.</u></p>
ii.	<del>Where residential buildings on adjoining sites have a ground floor window of a habitable space located within 1 metre of the common internal boundary</del>	<p><del>1.8 metres from that neighbouring window for a minimum length of 2 metres either side of the window – refer diagram below.</del></p> <p><del>This rule also applies to accessory buildings.</del></p>
ii.	<u>Where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.</u>	<u>Nil</u>
iii.	<u>Eaves and roof overhangs and guttering.</u>	<p><u>Only road boundary: Eaves and roof, overhangs, and guttering to a maximum of 36500mm in width measured from the wall of a building and guttering up to 200mm in width</u></p>
iii. iv.	All other <u>accessory buildings</u> accessory buildings, and/or garages that internally access a <u>residential unit</u> , where the total length of walls or parts of the <u>accessory buildings</u> within 1 metre of each internal <u>boundary</u> does not exceed 10.1 metres in length.	<p><u>Nil</u></p> <p><u>Only for side and rear boundaries: no required setback where the building/s shall:</u></p> <p><u>A. be no greater than 3 metres in height above ground level; and</u></p>

	Activity / area	Standard
		<b>B. Have a total cumulative length that does not exceed 10.1m per boundary</b>
iv.	<b>Buildings that share a common wall along an internal boundary</b>	Nil
v.	<b>All other buildings where the internal boundary of the site adjoins an access or part of an access</b>	1 metre
vi. v.	<b>Buildings, balconies and decks on sites adjacent to or abutting a designated rail corridor</b>	4 metres from the rail corridor boundary
vi.	Retirement villages	Setbacks under a.i only apply to the perimeter boundary of the site or development site for the retirement village.

~~b. For the purposes of this rule this excludes guttering up to 200mm in width from the wall of a building.~~



**Figure 11: Separation from neighbours**

**Advice note:**

- ~~This diagram is an illustrative example only, showing one way the rule may be applied (Refer to full rule for application of 1.8 metres separation).~~
- Building setback** requirements are further controlled by the Building Code. This includes the provision for firefighter access to buildings and egress from buildings. Plan users should refer to the applicable controls within the Building Code to ensure compliance can be

achieved at the building consent stage. Issuance of a resource consent does not imply that waivers of Building Code requirements will be considered/granted.

#### **14.5.2.8 — Minimum setback for balconies and living space windows from internal boundaries**

- a. The minimum setback from an internal boundary for balconies shall be 4 metres.
- b. Where a wall of a residential unit is located between 1 metre and 4 metres from an internal boundary, any living space window located on this wall at first floor level and above shall only contain glazing that is permanently obscured.
- c. For a retirement village, this rule only applies to the internal boundaries of the site of the entire retirement village.
- d. This rule shall not apply to a window at an angle of 90 degrees or greater to the boundary.
- e. For the purposes of this rule, permanently obscured glazing does not include glazing obscured by applied means such as film or paint.

Advice note:

- 1. See sill height in the definition of window.

#### **14.5.2.9 — Road boundary building setback**

- a. The minimum road boundary garage and building setback shall be:

	<b>Building type and situations</b>	<b>Standard</b>
i.	For all buildings and situations not listed below	2 metres
ii.	Where a garage has a vehicle door that does not tilt or swing outwards facing a road	4.5 metres
iii.	Where a garage has a vehicle door that tilts or swings outward facing a road	5.5 metres
iv.	Where a garage has a vehicle door that does not tilt or swing outward facing a shared access-way	7 metres measured from the garage door to the furthest formed edge of the adjacent shared access.
v.	Where a garage has a vehicle door that tilts or swings outward facing a shared access-way	8 metres measured from the garage door to the furthest formed edge of the adjacent shared access.

- b. Habitable space front façade

- i. For residential units fronting roads, garages, and other accessory buildings (excluding basement parking area and swimming pools) shall be located at least 1.2 metres

further from the road boundary than the front façade of any ground level habitable space of that residential unit.

ii. These setback distances apply where garage doors do not tilt or swing outwards.

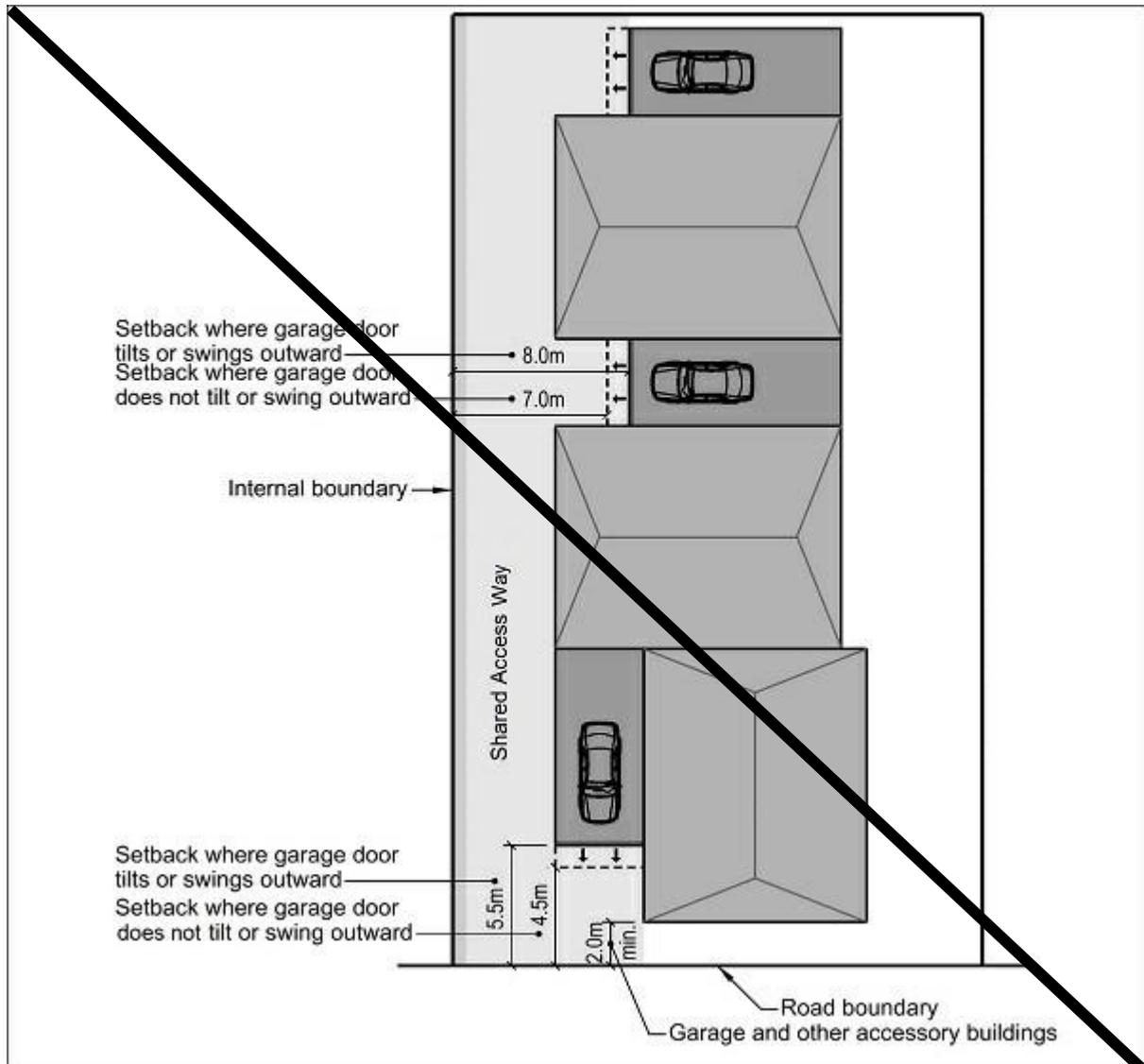


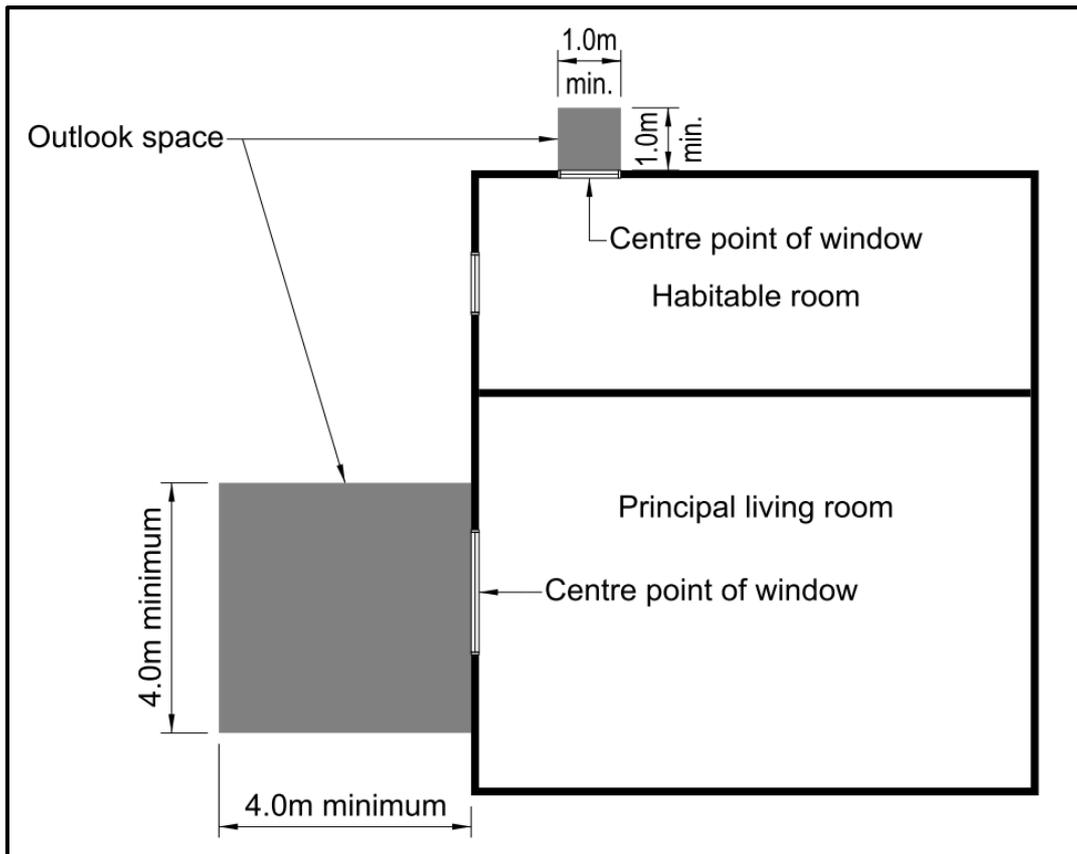
Figure 7: Street scene and access ways

**Advice note:**

1. This diagram is an illustrative example only, showing one way the rule may be applied in the Residential Medium Density Zone.

**14.5.2.8 Outlook space per unit**

- a. An outlook space must be provided for each residential unit as specified in this clause.
- b. An outlook space must be provided from habitable room windows as shown in the diagram (Figure 2) below:



**Figure 2: Outlook space**

- c. The minimum dimensions for a required outlook space are as follows:**
- i. a principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and**
  - ii. all other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.**
- d. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.**
- e. Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.**
- f. Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.**
- g. Outlook spaces may be under or over a balcony.**
- h. Outlook spaces required from different rooms within the same building may overlap.**
- i. Outlook spaces must—**
- i. be clear and unobstructed by buildings (excluding any doors or windows opening into an outlook space from the principal living room or habitable room); and**
  - ii. not extend over an outlook space or outdoor living space required by another dwelling.**

j. For retirement villages, a. to i. above shall only apply within 15 metres of the perimeter of a retirement village site or development site and shall only apply to principal living areas of self-contained retirement units or communal living areas.

#### 14.5.2.109 ~~Street scene amenity and safety—fences~~ Fencing and screening

a. Any fencing provided shall meet the following standards, being the maximum permitted height:

	<u>Fence location</u>	<u>Fence height standard</u>
i.	<u>Road boundary – non-arterial road</u>	<u>50% road boundary width (excluding accessways): 1.58m</u> <u>Remaining road boundary width: 1.0m</u>
ii.	<u>Road boundary – arterial road</u>	<u>50% road boundary width (excluding accessways): 1.8m</u> <u>Remaining road boundary width: 1.0m</u>
iii.	<u>Side, rear, and internal boundary.</u>	2.0m
iv.	<u>On the boundary with any land zoned Open Space Community Parks, Open Space Water and Margins and Avon River Precinct/Te Papa Ōtākaro</u>	<u>1.0m; or</u> <u>2.0m where the whole fence or screening structure is a minimum of 50% visually transparent.</u>

b. Any fencing requirements under 14.5.2.1 shall not be in addition to the above standards.

c. Any fencing under this rule shall be provided on the site boundary or within the applicable front yard setback from the road boundary.

d. For any retirement village standards under 14.5.2.9.a shall not apply and the following alternative standards apply:

i. Fencing along any road boundary with a public road: maximum height of 1.8m, with at least 50% being visually transparent.

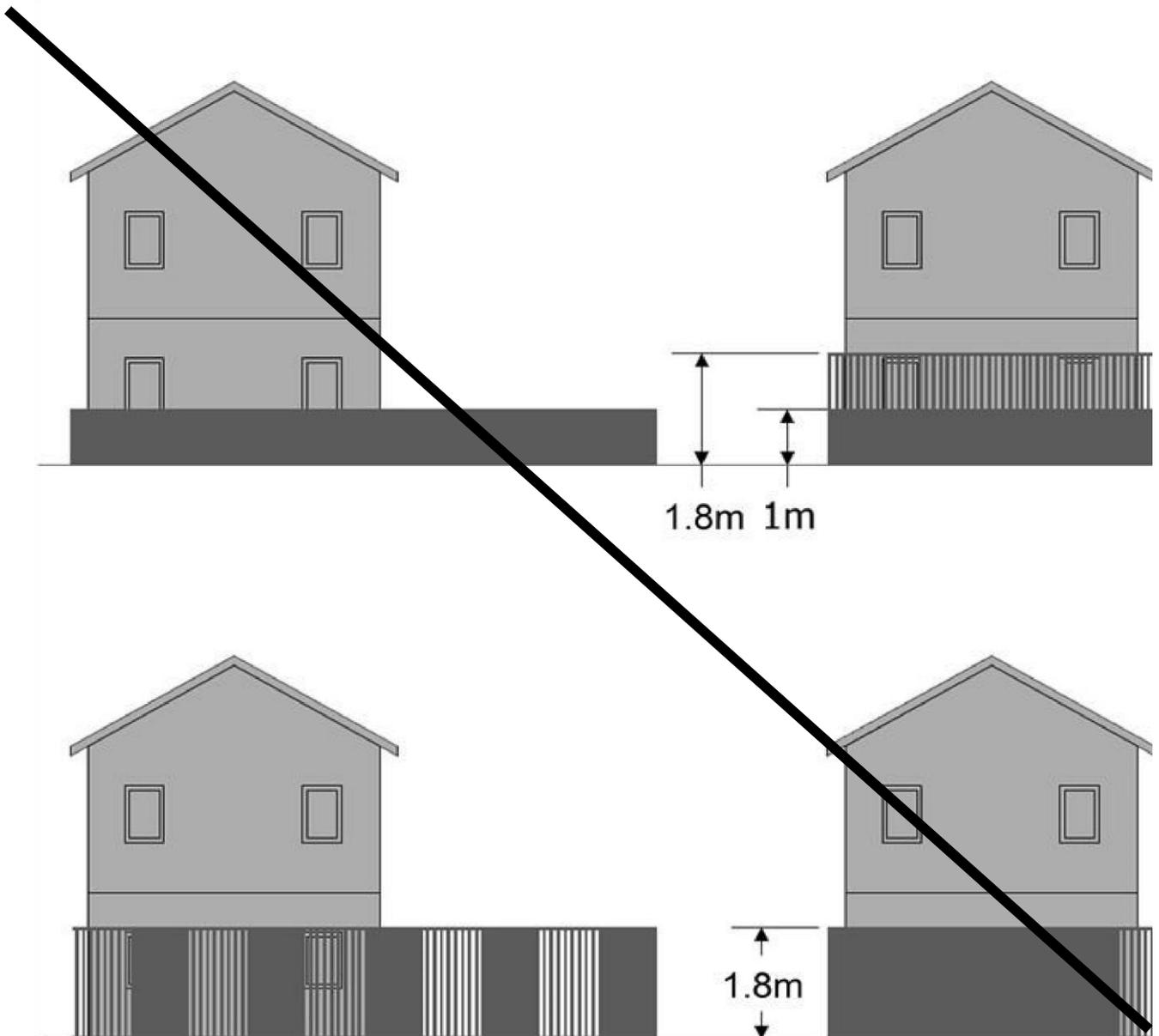
e. Advice note:

i. Additional controls on fence height and/or location may apply – refer Chapter 6.6 (Water Body Setbacks) and Chapter 7 (Transport).

~~a. The maximum height of any fence in the setback from a road boundary on a local road shall be:~~

	<u>Fence type</u>	<u>Standard</u>
i.	<del>Where at least 50% of the fence structure is visually transparent.</del>	<del>1.8 metres</del>
ii.	<del>Where less than 50% of the fence structure is visually transparent.</del>	<del>1 metre</del>

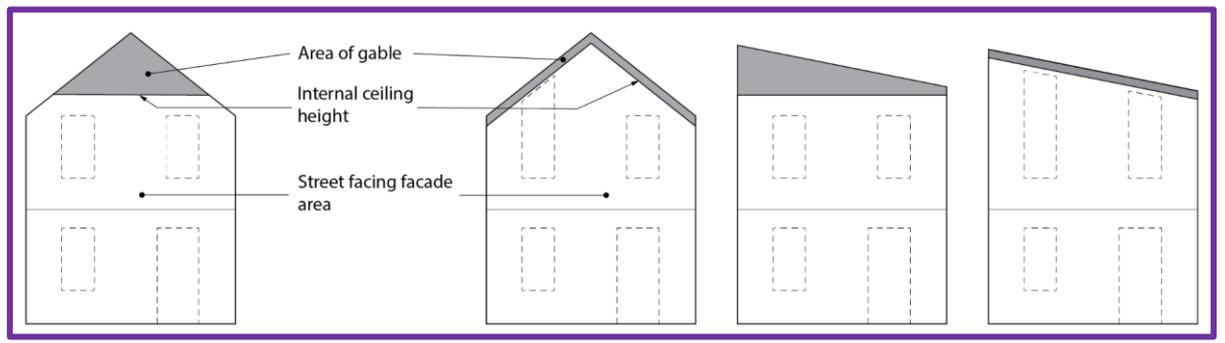
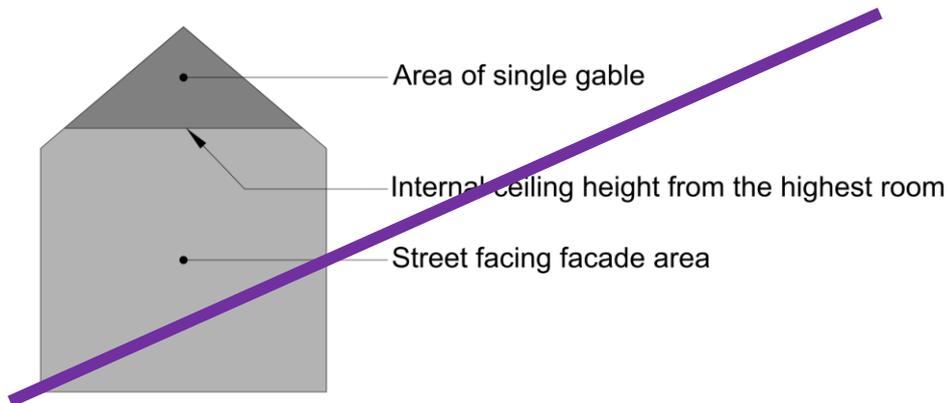
- ~~b. The maximum height of any fence in the setback from a road boundary on any collector road, or arterial road shall be 1.8 metres.~~
- ~~c. a. and b. shall not apply to fences or other screening structures located on an internal boundary between two properties zoned residential; or residential and commercial or industrial.~~
- ~~d. For the purposes of this rule, a fence or other screening structure is not the exterior wall of a building or accessory building.~~
- ~~e. Parking areas shall be separated from road boundaries, open space, or adjoining residentially zoned sites by fencing that meets the requirements in a. above.~~



**Figure 8: Examples of acceptable fencing and screening structures**

### **14.5.2.10 Windows to street**

- a. **Any residential unit facing the street must have a minimum of 20% of the street-facing facade in glazing. This can be in the form of windows or doors.**
- b. **For the purpose of this rule:**
  - i. **the area of a single gable facing the street shall not be included in the calculation of the street facing façade, with the area of the gable as per Figure 3 below, where the internal ceiling height is measured from the highest room:**



**Figure 3: ~~How to measure street facing gable~~ Example of different buildings with front gables excluded from calculation**

**ii. For buildings associated with a retirement village that contain residential units, the percentage shall be measured across the combined length of all facades facing a public road.**

**c. Rule 14.5.2.10 a. and b. shall only apply to ~~the a residential unit(s)~~ with a street-facing facade within 12 metres of:**

- i. a road boundary, and/or;**
- ii. a road designation on the site;**

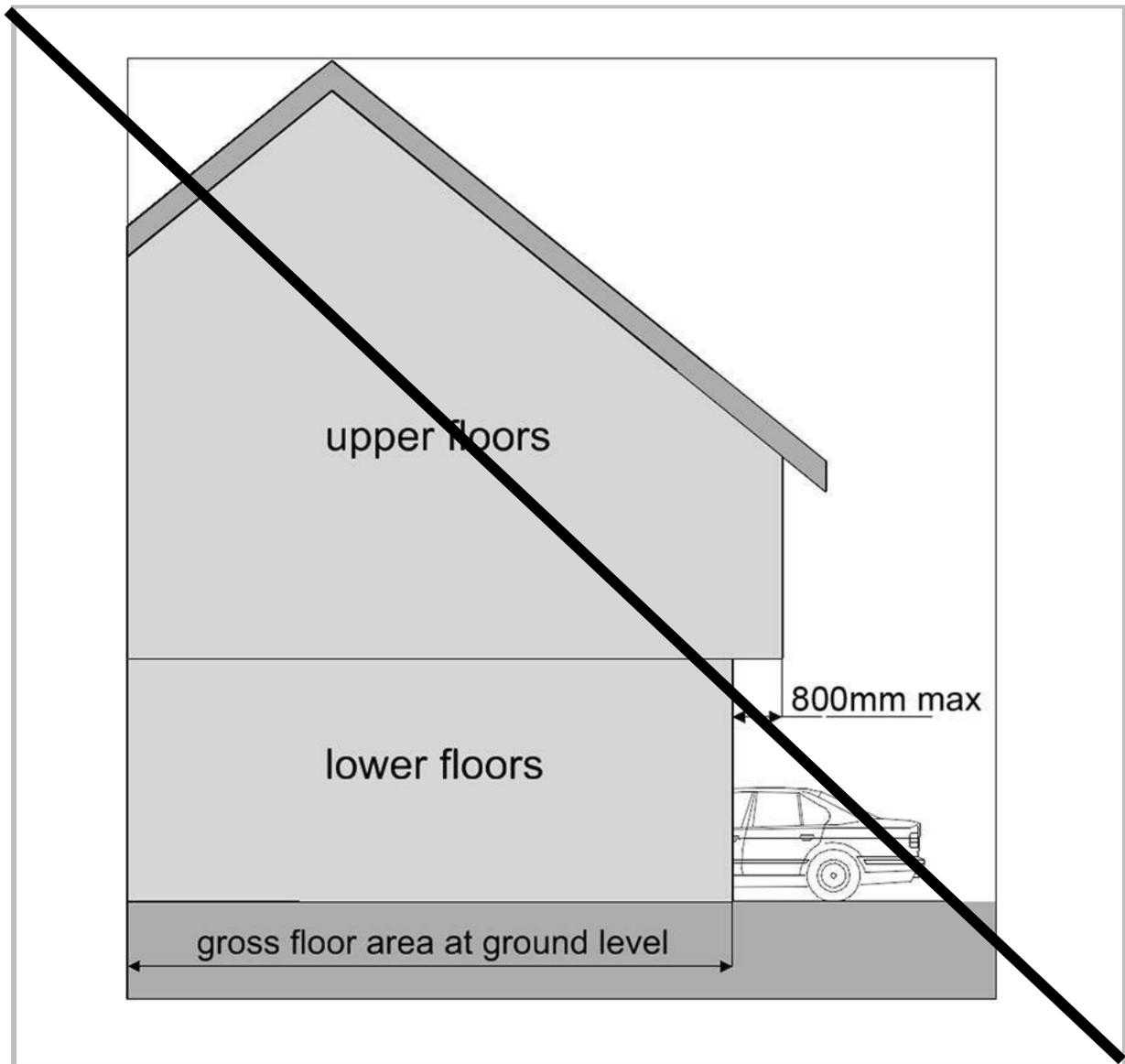
**where there are no other residential units with street-facing facades located between the subject residential unit(s) and the road boundary and/or road designation.**

**d. Where units have a hinged front door facing the street with direct access to a residential unit (excluding a garage), the door may be counted toward the glazing requirement under a., up to a maximum of 2m<sup>2</sup>, regardless of whether it is glazed or not.**

- e. The total required glazing for the **street-facing façade** of that **residential unit** may be further reduced to **15 ~~17.5~~%** (inclusive of the door area), provided that the **residential unit** has:
- i. **A hinged front door facing the street that has direct access to the residential unit (but not where this access is directly to a garage) there is at least 1m<sup>2</sup> of clear glazing with a sill height no higher than 1.2m above interior floor level from ground floor of habitable rooms, in addition to any glazing in the hinged front door; and**
  - ii. **a ground floor habitable room with a transparent glazed window with a minimum area of 1m<sup>2</sup> and a maximum still height of 1.2m (measured from the internal floor level) facing the street at least 20% of the ground floor of the street-facing façade of residential units consist of glazing (inclusive of a hinged the front door as described above).**
  - iii. **Been located within a building associated with a retirement village, where the prerequisites of i. and ii. are not required to be met.**
- f. **This rule does not apply within the Suburban Density Precinct or the Suburban Hill Density Precinct.**

#### **~~14.5.2.11 Building overhangs~~**

- a. **~~No internal floor area located above ground floor level shall project more than 800mm horizontally beyond the gross floor area at ground level.~~**



**Figure 9: Building overhangs**

**Advice note:**

**1. This diagram is an illustrative example only, showing a way the rule may be applied.**

**14.5.2.1211 Minimum unit size**

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

	<b>Number of bedrooms</b>	<b>Minimum net floor area</b>
i.	Studio	35m <sup>2</sup>
ii.	1 bedroom	45m <sup>2</sup>
iii.	2 bedrooms	60m <sup>2</sup>

	Number of bedrooms	Minimum net floor area
iv.	3 or more bedrooms	90m <sup>2</sup>

- b. **This rule does not apply to residential units in a retirement village.**

#### 14.5.2.1312 Ground floor habitable space room

- a. Where the permitted height is 11 metres or less (refer to Rule 14.5.2.3) Any building that includes a residential unit shall:
- i. where the residential unit fronts a road or public open space, unless built over a separate ground floor residential unit, have a habitable room located at ground floor level with minimum internal dimension of 3 metres. This rule does not apply to any upper-level residential unit that is built over a ground floor residential unit; and
  - ii. any residential unit shall have at least 50% of any ground floor area as habitable room/s.
  - ~~i. any residential unit fronting a road or public open space shall have a habitable space located at the ground level; and~~
  - ~~ii. at least 50% of all residential units within a development shall have a habitable space located at the ground level; and~~
  - ~~iii. for each residential unit, at least one 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 and be internally accessible to the rest of the unit.~~
- b. Where the permitted height limit is over 11 metres (refer to Rule 14.5.2.3), a minimum of 50% of the ground floor area shall be occupied by habitable spaces and/or indoor communal living space. This area may include pedestrian access to lifts, stairs and foyers.
- c. **This rule does not apply to residential units in a retirement village.**

#### 14.5.2.1413 Service, storage, and waste management spaces

- a. ~~For multi-unit residential complexes and social housing complexes~~ any development resulting in four or more residential units on a site only:
- i. each residential unit shall be provided with at least 2.25m<sup>2</sup> with a minimum dimension of 1.25 metres of outdoor or indoor space at ground floor level for the dedicated storage of waste and recycling bins, and where located between a residential unit and the road boundary or pedestrian or vehicle access, bins shall be screened by a solid or slatted fence with a minimum height of 1.2 metres;
  - ii. each ground floor residential unit shall ~~be provided with~~ have at least 3m<sup>2</sup> ~~with a minimum dimension of 1.5 metres~~ of dedicated outdoor space at ground floor level for washing lines. This space shall have a minimum dimension of 1.5 metres; and

- iii. the required spaces in ~~a-i.~~ and/or ~~b-ii.~~ for each residential unit shall be provided either individually, or within a dedicated shared communal space that is the sum of the required individual spaces.
- b. Each residential unit shall have covered and secure storage areas, ~~(in addition to storage in kitchens, bathrooms, bedrooms, and the space set aside for car parking in garages with a minimum dimension of 600mm, and with a total cumulative volume of:~~
  - i. 6m<sup>3</sup> for one-bed units;
  - ii. 8m<sup>3</sup> for two-bedroom units; and
  - iii. 10m<sup>3</sup> for three-bedroom or greater units;with at least 50% of storage provided within the residential unit. The required storage shall be additional to any storage in the kitchen, bathroom/s and/or bedroom/s of the residential unit, and additional to the area dedicated to car parking in any garage which for the purpose of this rule is deemed to be an area 5.5m deep, 3.1m wide and 2.4m high, per garage.
- c. This rule shall not apply to residential units within a retirement village.

#### **14.5.2.15~~14~~ 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).
- b. Where a reticulated water supply compliant with SNZ PAS:4509:2008 is not available, water supply and access to water supplies for fire fighting that is in compliance with the alternative firefighting water sources provisions of SNZ PAS 4509:2008 must be provided.

#### **14.5.2.15 Garaging and carport building location**

- a. When developing For residential developments units fronting public roads: four or more residential units on a single development site garages, or carports, loading bays or car parking areas shall be located at least 1.2 metres further from the road boundary than behind the front street-facing façade of a that the residential unit.

#### **14.5.2.16 Building reflectivity**

- a. Within the Residential Hills Precinct, all roof finishes are not to exceed 30% light reflectance value (LRV).

#### **14.5.2.17 Location of outdoor mechanical ventilation**

- a. Outdoor heat pump units, or other similar mechanical ventilation units, located at ground level between a street-facing facade and a road boundary shall be screened shall not be located within 3 metres from the boundary between a residential site and a road or shared accessway (including a proposed accessway). by a maximum of 50% visually transparent fencing screening a minimum of 1.2 metres in height above ground level, or the height of the ventilation/heat pump unit, whichever is higher. This rule shall not apply:

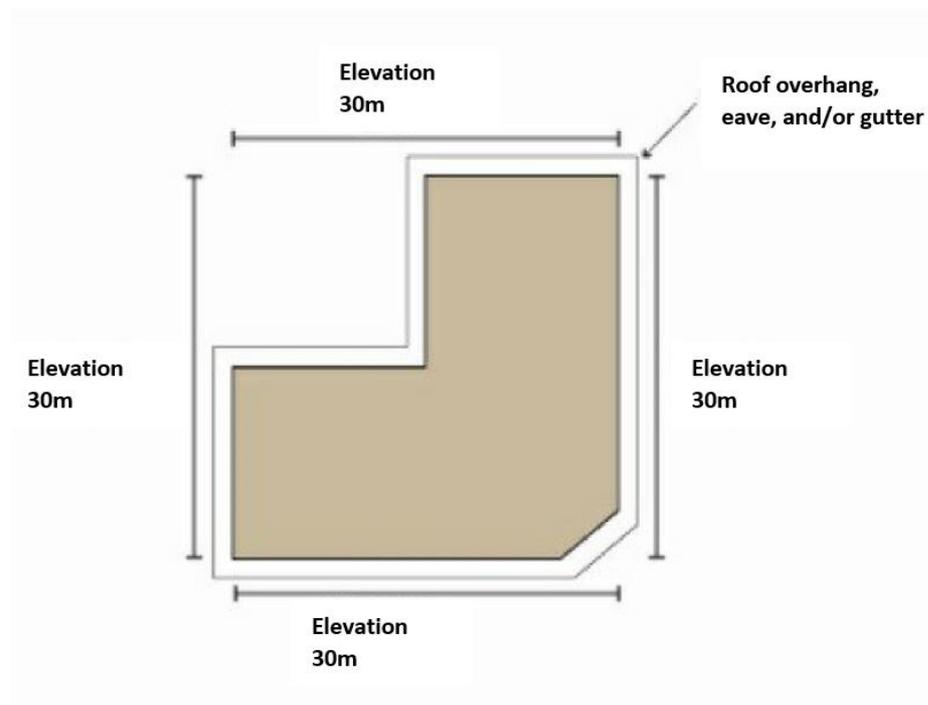
- i. to an outdoor mechanical ventilation unit located within 1.5 metres of the road boundary where fencing has been provided along the road boundary that meets Rule 14.5.2.9; or
- ii. where screening is provided in the form of bushes and/or shrubs, either existing or planted at a height of at least 80% of the height of the outdoor mechanical ventilation unit, where those bushes/shrubs are maintained and replaced if diseased or dying; or
- iii. to outdoor mechanical ventilation unit/s installed to service residential units constructed prior to 5 September 2024 where the street-facing façade is at least 4.5 metres from the road boundary.

### **14.5.2.18 Minimum road boundary setback - Qualifying Matter City Spine Transport Corridor**

- a. **For all properties fronting the City Spine Transport Corridor:**
  - i. **where the road is 24m or less in width, a minimum building setback from the road boundary of 4m is required; and**
  - ii. **any fencing provided between the road boundary and the required setback in i. shall have a maximum height of 1m , except that the maximum height shall be 2 metres where the whole fence or screening structure is at least 75% visually transparent; and**
  - iii. **no required outdoor living space shall be located within 1.5m of the road boundary.**

### **14.5.2.19 Building length**

- a. **For new buildings the maximum length of a building elevation shall not exceed 30 metres (see Figure below), measured from the external face of the building.**



- b. **For buildings within a retirement village, rule 14.5.2.19.a shall only apply to buildings within 15 metres of:**

- i. an external **site boundary**; or
- ii. the perimeter of the **development site**;  
of a **retirement village**.

#### 14.5.2.20 Residential units within the Industrial interface overlay

- a. New **residential units** and/or extensions to existing **residential units** with **habitable room windows** in any part of a **building** at or above 8 metres in **height** above **ground level**, where these **windows** have line of sight to a **site** or **sites** zoned Industrial General, Industrial Heavy, or Industrial Park:
  - i. **Habitable rooms** that contain these **windows** shall have mechanical ventilation systems and air conditioning units installed that meet the following specifications when in operation:
    - A. Satisfy clause G4 Ventilation of the New Zealand Building Code, or any amendment to or replacement of that clause, as if the **windows** and external doors cannot be opened;
    - B. Emit noise not exceeding 35 dB LAEq (30s) between 2200-0700 hours when received in bedrooms when measured 1 metre away from any grille or diffuser; and
    - C. Emit noise not exceeding 40 dB LAEq (30s) in any other space at any time when measured 1 metre away from any grille or diffuser.
- b. **Residential units** shall not have **balconies** located above 8 metres in **height** above **ground level** that have line of sight to any **site** or **sites** within an Industrial General, Industrial Heavy or Industrial Park.
- c. For the purposes of a. and b. above, line of sight means **sites** within industrial zones are visible (whether partially obstructed or not) from any position within the **habitable space** out the **window** or **windows** or from any part of the **balcony**.

#### 14.5.3 Area -specific rules - ~~Residential~~ Medium Density **Residential Zone**

- a. The following rules apply to the areas specified. All activities are also subject to **Rules 14.5.1** and **14.5.2** unless specified otherwise.

### 14.5.3.1 Area- specific activities

#### 14.5.3.1.1 Area -specific permitted activities

- a. The activities listed below are permitted activities if they meet the activity specific standards set out in this table; and the built form standards in [Rule 14.5.2](#) unless specified otherwise in [Rule 14.5.3.2](#).
- b. Activities may also be controlled, restricted discretionary, discretionary, non-complying or prohibited as specified in [Rules 14.5.1.2, 14.5.1.3, 14.5.1.4, 14.5.1.5, and 14.5.1.6](#) (unless specified otherwise in area specific rules); and [Rules 14.5.3.1.2, 14.5.3.1.3, 14.5.3.1.4, 14.5.3.1.5 or 14.5.3.1.6](#).

Activity/area	Activity specific standards
<p><b>P1</b> a. The following activities in the Accommodation and Community Facilities Overlay:</p> <ul style="list-style-type: none"> <li>i. <a href="#">Preschools</a>;</li> <li>ii. <a href="#">Health care facility</a>;</li> <li>iii. <a href="#">Veterinary care facility</a>;</li> <li>iv. <a href="#">Education activity</a>;</li> <li>v. <a href="#">Place of assembly</a></li> <li>vi. <a href="#">Spiritual activities</a>;</li> <li>vii. <a href="#">Community corrections facilities</a>;</li> <li>viii. <a href="#">Community welfare facilities</a>;</li> <li>ix. <a href="#">Care facility</a>.</li> </ul>	<p>a. The activity specific standards in <a href="#">Rule 14.5.1.1</a> do not apply.</p> <p>b. The facility or activity shall:</p> <ul style="list-style-type: none"> <li>i. comprise less than 500m<sup>2</sup> gross leasable floor space; and</li> <li>ii. limit the hours of operation when the <a href="#">site</a> is open to visitors, students, patients, clients, and deliveries to between the hours of 07:00-21:00 Monday to Sunday.</li> </ul>
<p><b>P2</b> <a href="#">Visitor accommodation</a> in the Accommodation and Community Facilities Overlay including <a href="#">ancillary office</a>, meeting and conference facilities, fitness facilities and provision of goods and services primarily for the convenience of guests.</p>	<p>a. The maximum size of all <a href="#">ancillary</a> activities shall not exceed 25% of the <a href="#">GFA</a> of all <a href="#">buildings</a> on the same <a href="#">site</a>.</p> <p>b. No individual types of <a href="#">ancillary</a> activity shall be more than 250m<sup>2</sup> <a href="#">GLFA</a>.</p>
<p><b>P3</b> <a href="#">Retirement villages</a> in the Accommodation and Community Facilities Overlay</p>	<p>a. The activity shall achieve the following built form standards as follows:</p> <ul style="list-style-type: none"> <li>i. <a href="#">14.5.2.3</a> Building height</li> <li>ii. <a href="#">14.5.2.4</a> <a href="#">Site Building</a> coverage</li> <li>iii. <a href="#">14.5.2.6</a> <del>Daylight recession planes</del> <a href="#">Height in relation</a></li> </ul>

Activity/area	Activity specific standards
	<p><u>to boundary</u></p> <ul style="list-style-type: none"> <li>iv. <del>14.5.2.7 Minimum building setbacks from internal boundaries</del></li> <li>v. <del>14.5.2.97.a.i Road boundary</del> <u>Minimum</u> building setbacks</li> <li>vi. <del>14.5.2.1534</del> Water supply for fire fighting</li> </ul> <p>b. <u>Building</u> façade length – there must be a recess in the façade of a <u>building</u> where it faces a side or rear <u>boundary</u> from the point at which a <u>building</u> exceeds a length of 16 metres. The recess must:</p> <ul style="list-style-type: none"> <li>i. be at least 1 metre in depth, for a length of at least 2 metres;</li> <li>ii. be for the full <u>height</u> of the wall; and</li> <li>iii. include a break in the eave line and roof line of the façade.</li> </ul>
<p><b>P4</b> <u>Within any Character Area Overlay, the interior conversion of an existing residential unit into two residential units.</u></p> <p><u>Advice note:</u>  <u>Refer to Rule 14.8.1.1 P18 for the Akaroa and Lyttelton Character Area Overlays.</u></p>	<p><u>Nil</u></p>
<p><b>P5</b> <u>Minor residential unit in the Lyttelton Character Area Overlay or the Lyttelton Residential Heritage Area where the minor unit is a detached building and the existing site it is to be built on contains only one residential unit.</u></p>	<ul style="list-style-type: none"> <li>a. <u>The existing site containing both units shall have a minimum net site area of 450m<sup>2</sup>.</u></li> <li>b. <u>The minor residential unit shall have a minimum gross floor area of 35m<sup>2</sup> and a maximum gross floor area of 80m<sup>2</sup>.</u></li> <li>c. <u>The parking areas of both units shall be accessed from the same access.</u></li> <li>d. <u>There shall be a total outdoor living space on the existing site (containing both units) with a minimum area of 50m<sup>2</sup> and a minimum dimension of 5 metres. This total space can be provided as:</u> <ul style="list-style-type: none"> <li>i. <u>a single continuous area; or</u></li> <li>ii. <u>be divided into two separate spaces, provided that each unit has an outdoor living space that is directly accessible from that unit and is a minimum of 20m<sup>2</sup> in area.</u></li> </ul> </li> </ul>

Activity/area	Activity specific standards
	<u>Advice note: P5d. takes precedence over Rule 14.5.2.5.</u>

### 14.5.3.1.2 Area-specific 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 in [Rule 14.15](#), as set out in the following table.

	Location	Controlled activity	The matters over which Council reserves its control:
C1	Character Area Overlay	<p>a. <del>The relocation of a building onto the site, erection of new buildings and alterations or additions to existing buildings, accessory buildings, fences and walls associated with that development, where it is:</del></p> <ol style="list-style-type: none"> <li>i. <del>visible from the street;</del></li> <li>ii. <del>located in that part of the site between the road boundary and the main residential unit on the site; or</del></li> <li>iii. <del>involves changes to the front façade of the main residential unit of the site.</del></li> </ol> <p>b. <del>This rule does not apply to:</del></p> <ol style="list-style-type: none"> <li>i. <del>fences that are 1 metre in height or less;</del></li> <li>ii. <del>accessory buildings that are located to the rear of the main residential unit on the site and are less than 5 metres in height;</del></li> <li>iii. <del>fences that are located on a side or rear boundary of the site, except where that boundary is adjacent to a public open space.</del></li> </ol> <p>a. <u>Other than in the Lyttelton Character Area Overlay, the erection of a new residential unit to the rear of an existing residential unit on the same site, where it is:</u></p> <ol style="list-style-type: none"> <li>i. <u>less than 5 metres in height; and</u></li> <li>ii. <u>meets the built form standards applicable to the Character Area Overlay within which it is located.</u></li> </ol> <p>b. <u>↳ Additions to existing buildings which:</u></p> <ol style="list-style-type: none"> <li>i. <u>are not visible from the street and which do not involve change to the</u></li> </ol>	<p>a. Character Area Overlay – <a href="#">14.15.237</a></p>

	Location	Controlled activity	The matters over which Council reserves its control:
		<p><u>front façade of the main residential unit of the site; and</u></p> <p>ii. <u>are less than 30m<sup>2</sup> in area and 5 metres in height; and</u></p> <p>iii. <u>meet the built form standards applicable to the Character Area within which it is located.</u></p> <p>c. Any application arising from this rule shall not be limited or publicly notified.</p>	

### 14.5.3.1.3 Area- specific restricted discretionary activities

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

Activity/area		The Council's discretion shall be limited to the following matters:
RD1	Retail activity with frontage only to public access ways identified in Sumner Master plan Overlay in <a href="#">Appendix 14.16.6</a>	a. Urban design - <a href="#">15.13.1.a.viii</a>
RD2	<p>a. Activities and <u>buildings</u> that do not meet <a href="#">Rule 14.5.3.2.2</a> road boundary garage and building setback, for <del>sites with frontage to Bealey Avenue, Fitzgerald Avenue or Deans Avenue (south of Blenheim Road)</del>, and within the Sumner Master plan Overlay (<a href="#">Appendix 14.16.6</a>)</p> <p>b. Any application arising from this rule shall not be limited or publicly notified.</p>	a. Street scene - road boundary building setback, fencing and planting – <a href="#">Rule 14.15.178</a>
RD3	<p><del>a. Activities that do not meet <a href="#">Rule 14.5.3.2.1</a> Area specific development plans, Wigram special RNZAF provisions shown in <a href="#">Figure 6</a>.</del></p> <p><del>b. Any application arising from this rule shall not be publicly notified, and may be limited notified only to the New Zealand Defence Force (where the consent authority considers this is required, and absent written approval).</del></p>	a. <del>Specific setback provisions Residential Suburban Zone Wigram – <a href="#">Rule 14.15.13</a></del>
RD43	Development in Areas A, B and C of the Commercial Local Zone / Residential Medium Density Zone in the Commercial Local Zone (St Albans) Outline development plan Chapter 15 <a href="#">Appendix 15.15.5</a>	a. Development plans - <a href="#">Rule 14.15.156</a>

Activity/area		The Council's discretion shall be limited to the following matters:
<b>RD54</b>	Activities that do not meet <a href="#">Rule 14.5.3.2.1</a> – Area specific development plans, <del>Residential</del> <b>Residential</b> Medium Density <b>Residential</b> Higher Height Limit and Site Density Overlay at Deans Avenue, and Sumner Master plan Overlay ( <a href="#">Appendix 14.16.6</a> )	a. Development plans - <a href="#">Rule 14.15.156</a>
<b>RD6</b>	<del>Residential units in the Character Area Overlay that do not meet <a href="#">Rule 14.5.3.2.7</a> – Site density <u>Number of residential units per site</u></del>	a. <del>Character Area Overlay – <a href="#">Rule 14.15.237</a></del>
<b>RD75</b>	<p>a. <a href="#">Service stations</a> in the Accommodation and Community Facilities Overlay.</p> <p>b. Any application arising from this rule shall not be limited or publicly notified.</p>	<p>a. Scale and nature of activity – <a href="#">Rule 14.15.56</a></p> <p>b. <b>Non-residential</b> <del>H</del>hours of operation – <a href="#">Rule 14.15.215</a></p> <p>c. Traffic generation and access safety – <a href="#">Rule 14.15.67</a></p>
<b>RD86</b>	Activities in the Accommodation and Community Facilities Overlay listed in <a href="#">Rule 14.5.3.1.1</a> P1 that do not meet one or more of the activity specific standards in <a href="#">Rule 14.5.3.1.1</a> P1.	<p>a. Scale and nature of activity – <a href="#">Rule 14.15.56</a></p> <p>b. <b>Non-residential</b> <del>H</del>hours of operation – <a href="#">Rule 14.15.215</a></p> <p>c. Impacts on neighbouring property – <a href="#">Rule 14.15.3</a></p> <p>d. Traffic generation and access safety – <a href="#">Rule 14.15.67</a></p>
<b>RD97</b>	<p>a. <a href="#">Buildings</a> in the Accommodation and Community Facilities Overlay, and <del>Residential</del> <b>Residential</b> Medium Density <b>Residential</b> Zone in the Commercial Local Zone (St Albans) Outline development plan area that do not meet <a href="#">Rule 14.5.3.2.3</a> – Building height</p> <p>b. <b><u>Any application arising from this rule shall not be publicly notified.</u></b></p>	a. Impacts on neighbouring property – <a href="#">Rule 14.15.3</a>
<b>RD108</b>	<p>a. <a href="#">Buildings</a> in the Accommodation and Community Facilities Overlay that do not meet <a href="#">Rule 14.5.3.2.4</a> – Maximum continuous building length.</p> <p>b. Any application arising from this rule shall not be limited or publicly notified.</p>	<p>e. Impacts on neighbouring property – <a href="#">Rule 14.15.3</a></p> <p>f. Residential design principles – <a href="#">Rule 14.15.1.c</a> only</p>

Activity/area		The Council's discretion shall be limited to the following matters:
RD119	<p>a. <u>Buildings</u> in the Accommodation and Community Facilities Overlay that do not meet <a href="#">Rule 14.5.3.2.5</a> – Front entrances and facades.</p> <p>b. Any application arising from this rule shall not be limited or publicly notified.</p>	g. Residential design principles – <a href="#">Rule 14.15.1</a>
RD1210	<p>a. Activities in the Accommodation and Community Facilities Overlay that do not meet <a href="#">Rule 14.5.3.2.6</a> – Landscaped areas <b>for select areas</b>.</p> <p>b. Any application arising from this rule shall not be limited or publicly notified.</p>	a. Street scene – road boundary building setback, fencing and planting – <a href="#">Rule 14.15.178</a>
RD1311	<p><u>Ancillary</u> activities to <u>visitor accommodation</u> listed in <a href="#">Rule 14.5.3.1.1 P2</a> in the Accommodation and Community Facilities Overlay that do not meet one or more of the activity specific standards in <a href="#">Rule 14.5.3.1.1 P2</a>.</p> <p>(Plan Change 4 Council Decision subject to appeal)</p>	<p>a. Scale of activity - <a href="#">Rule 14.15.5</a></p> <p>b. Hours of operation - <a href="#">Rule 14.15.245</a></p> <p>c. Traffic generation and access safety - <a href="#">Rule 14.15.67</a></p> <p>(Plan Change 4 Council Decision subject to appeal)</p>
RD1412	<p><b>Within a Character Area Overlay:</b></p> <p>a. <u>The demolition or removal of a building greater than 306m<sup>2</sup> on the site, relocation of a building onto the site, erection of new buildings and alterations or additions to existing buildings, accessory buildings, fences and walls associated with that development.</u></p> <p>b. <u>This rule does not apply:</u></p> <ol style="list-style-type: none"> <li><u>where <a href="#">14.5.3.1.1 P5</a> or <a href="#">14.5.3.1.2 C1</a> applies;</u></li> <li><u>to fences that meet the applicable built form standard <a href="#">14.5.3.2.12</a> for that Character Area;</u></li> <li><u>to <u>accessory buildings</u> that are less than 30m<sup>2</sup> and located to the rear of the main <u>residential unit</u> on the <u>site</u> and are less than 5 metres in <u>height</u>;</u></li> <li><u>to fences that are located on a side or rear <u>boundary</u> of the <u>site</u>, except where that <u>boundary</u> is adjacent to a public space;</u></li> <li><u>to alterations to existing buildings which are not visible from the street and do not involve changes to the front façade of the main residential unit on the site.</u></li> </ol> <p><del>c. <u>Activities that do not meet Built Form standard <a href="#">14.5.3.2.6</a>.</u></del></p> <p>d. <u>Any application arising from this rule shall not be limited or publicly notified.</u></p>	a. <u>Character Area Overlay - <a href="#">Rule 14.15.27</a></u>

Activity/area	The Council's discretion shall be limited to the following matters:
<p><b><u>RD1513</u></b> a. <u>Activities that do not meet one or more of the built form standards for Residential Heritage Areas in Rule 14.5.3.2.</u></p>	<p>a. <u>Matters of Discretion for new buildings and additions to buildings in Residential Heritage Areas – Rule 9.3.6.4</u></p> <p>b. <u>Matters of Discretion for the Character Area Overlay in Rule 14.15.27, where the site is also located in the Character Area Overlay.</u></p> <p>c. <u>Matters of Discretion for the applicable specifically relevant built form standards in Rule 14.15.</u></p>
<p><b><u>RD1614</u></b></p> <p>a. <u>Buildings that do not meet rule 14.5.3.2.2.d – Road boundary garage and building setback.</u></p> <p>b. <u>Any application arising from this rule shall not be publicly notified.</u></p>	<p>a. <u>Impacts on neighbouring property – Rule 14.15.3.a.</u></p> <p>b. <u>Medium density in suburban precincts – 14.15.4342.</u></p>
<p><b><u>RD1715</u></b></p> <p>a. <u>Buildings that do not meet rule 14.5.3.2.3.b.iv.vi - Height</u></p> <p>b. <u>Any application arising from this rule shall not be publicly notified.</u></p>	<p>a. <u>Impacts on neighbouring property – Rule 14.15.3.</u></p> <p>b. <u>Medium density in suburban precincts – 14.15.4342.</u></p>
<p><b><u>RD1816</u></b></p> <p>a. <u>Buildings that do not meet 14.5.3.2.9.d – Building coverage where the building coverage is between 35-50%.</u></p> <p>b. <u>Any application arising from this rule shall not be publicly notified.</u></p>	<p>a. <u>Site density and site coverage – Rule 14.15.2</u></p> <p>b. <u>Medium density in suburban precincts – 14.15.4342.</u></p>
<p><b><u>RD1917</u></b></p> <p>a. <u>Residential units that do not meet 14.5.2.15 – Site density where no greater than 3 units per site and where:</u></p> <p style="padding-left: 40px;">i. <u>availability of servicing for water supply, and wastewater and stormwater discharge is demonstrated through evidence of consultation with the utility provider; and</u></p>	<p>a. <u>Residential Design Principles – Rule 14.15.1.</u></p> <p>b. <u>Medium density in suburban precincts – 14.15.4342.</u></p>

Activity/area		The Council's discretion shall be limited to the following matters:
	<p>ii. <u>the development site is located within the Suburban Density precinct and is within 800m EDM walking distance of a public transport stop; or is located within the Suburban Hill Density Precinct and is within 400m EDM walking distance of a public transport stop.</u></p> <p>b. <u>Any application arising from this rule shall not be limited or publicly notified.</u></p>	
<u>RD2018</u>	<u>Any activity in a Character Area that does not meet one of more of the Built Form standards in 14.5.3.2.</u>	<u>Character Area Overlay - Rule 14.15.27</u>
<u>RD2119</u>	<p><u>Minor residential unit in the Lyttelton Character Area Overlay or Lyttelton Residential Heritage Area where the minor unit is a detached building and does not meet one or more of the activity specific standards in Rule 14.5.3.1.1 P5 a, b, c, d.</u></p> <p><u>Advice note:</u> <u>For minor residential units within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3.</u></p>	<p>a. <u>Minor residential units - Rule 14.15.226</u></p> <p>b. <u>Character Area Overlay – Rule 14.15.27 where relevant.</u></p> <p>c. <u>New buildings in Residential Heritage Areas – Rule 9.3.6.4 where relevant.</u></p>
<u>RD2220</u>	<p>a. <u>Development that does not comply with 14.5.3.2.16 – Maximum impervious surface.</u></p> <p>b. <u>Any application arising from this rule shall not be publicly notified.</u></p>	<p>a. <u>Stormwater from impervious surfaces in residential hill areas – 14.15.44</u></p>

#### 14.5.3.1.4 Area- specific discretionary activities

- a. The activity listed below is a discretionary activity.

Activity/area	
<b>D1</b>	<u>Retail activity and commercial activity in the Sumner Master plan Overlay that does not have frontage to public access ways identified in the Sumner Master plan Overlay in Appendix 14.16.6</u>
<b>D2</b>	<u>Development <del>Buildings or residential units</del> that do not meet <del>the standards in 14.5.3.1.3 RD18, or 14.5.3.1.3 RD19.</del></u>
<b>D3</b>	<u>Development that does not meet one or more of the standards in 14.5.3.2 that <del>relate</del> apply to the Riccarton Bush Interface (14.5.3.2.3 b.vii; 14.5.3.2.8 d; 14.5.3.2.9 e; 14.5.3.2.15 b.).</u>

#### 14.5.3.1.5 Area- specific non-complying activities

There are no non-complying activities.

### 14.5.3.1.6 Area- specific prohibited activities

There are no prohibited activities.

### 14.5.3.2 Area- specific built form standards

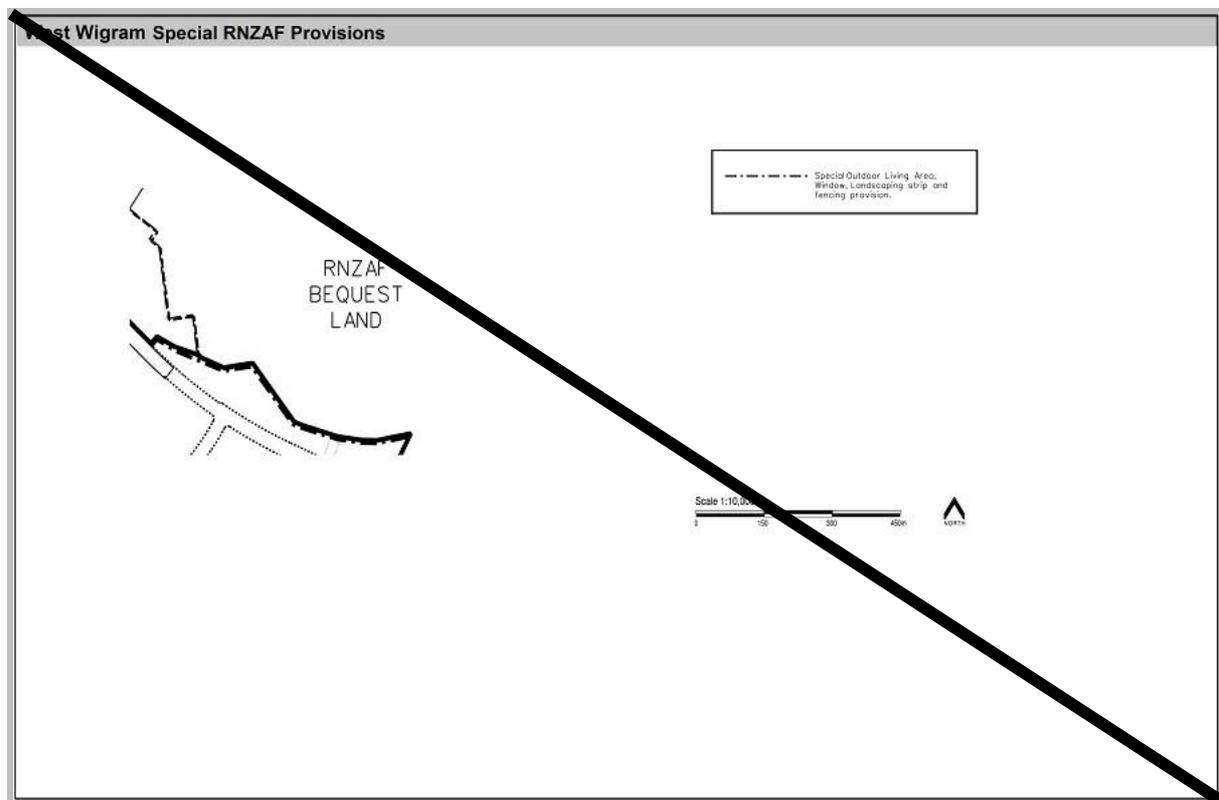
- ~~a. The built form standards in 14.5.2 shall apply to Any development on any site within the Suburban Density Precinct, Suburban Hill Density Precinct, and/or Riccarton Bush Interface Area as well as the built form standards in 14.5.3 that reference these areas. shall be considered under 14.5.2 and associated activity standards, unless otherwise specified within this section and associated activity standards.~~
- b. Where a site is within a Residential Heritage Area and /or a Character Area, the specific built form standards in 14.5.3 for the Residential Heritage Area and/or Character Area shall apply instead of the built form standard/s for the Suburban Density Precinct or Suburban Hill Density Precinct.
- c. In the event of a conflict between standards in 14.5.2 and 14.5.3, the specific standards in 14.5.3 shall prevail.
- d. Rules under 14.5.3 associated with the Suburban Density Precinct and/or Suburban Hill Density Precinct do not apply when the following conditions are met:
- i. Where a site is located within an EDM walking distance of no greater than 800 metres from a bus stop servicing a bus with a frequency of at least 4 buses per hour over the periods of 7-9am and 3-6pm on weekdays.
  - ii. The walking catchment shall be confirmed by Council’s Transport Unit on request.
  - iii. This exemption does not apply for any of the following bus routes:
    - A. Any route servicing an area south of the Lyttelton Tunnel (SH74); and
    - B. Any route servicing an area east of the Ferrymead Bridge.

#### 14.5.3.2.1 Area specific development plans

- a. This rule applies to:
- ~~i. Residential Medium Density Higher Height Limit at Deans Avenue;~~
  - ~~ii. Residential Medium Density Zone Wigram shown on Figure 6; and~~
  - ~~iii. Residential Medium Density Zone Medium Density Residential zone in Sumner Master plan Overlay in Appendix 14.16.6.~~

	Area	Standard
b.	<del>Residential Medium Density Higher Height Limit and Site Density Overlay at Deans Avenue</del>	<del>Sites shall not have access to Deans Avenue other than via the proposed road to be located between 100 metres and 110 metres from the intersection of Moorhouse and Deans Avenue. As shown on Appendix 14.16.3 Development plan Addington.</del>

	Area	Standard
c.	Residential Medium Density Zone Wigram shown on Figure 6	<del>Residential units shall have their primary outdoor living space facing away from the aerodrome site. Windows to living areas which directly face the RNZAF Bequest Land shall be doubled glazed. In addition, a 2 metre wide landscape strip and a close, solid and continuous 1.8 metre high fence shall be placed along the boundary of the RNZAF Bequest Land and be completed before any residential units are built.</del>
da.	Sumner Master plan Overlay (Appendix 14.16.6)	Retail activities and commercial services shall be located along the identified road frontages in accordance with the Sumner Master plan Overlay (Appendix 14.16.6)



**Figure 6: West Wigram Special RNZAF Provisions**

#### 14.5.3.2.2 Road boundary garage and building setback

- a. ~~a.-c of F~~ This rule applies to sites with frontage to Bealey Avenue, Fitzgerald Avenue, or Deans Avenue (south of Blenheim Road), and within the Sumner Master plan Overlay (Appendix 14.16.6).
- b. Rule 14.5.2.97 ~~Road boundary garage and building setback~~ shall not apply on the above sites.

- iii. ~~For sites with frontage to Bealey Avenue, Fitzgerald Avenue, or Deans Avenue (south of Blenheim Road), the road boundary setback shall be 6 metres.~~
- ii. Sumner Master plan Overlay, shown in Appendix 14.16.6; for retail activities and commercial services with road frontage buildings; buildings shall:
  - A. be built up to the road frontage with buildings occupying all frontage not needed for vehicle access to the rear of the site;
  - B. provide a minimum of 60% and a maximum of 90% visually transparent glazing at the ground floor and a minimum of 20% and a maximum of 90% visually transparent glazing at each floor above the ground floor;
  - C. provide pedestrian access directly from the road boundary; and
  - D. provide veranda or other means of weather protection along the full width of the building where it has frontage to a road.
- c. Sumner Master plan Overlay, shown in Appendix 14.16.6; for retail activity and commercial services with frontage only to public access ways; buildings shall:
  - i. occupy the full public access way frontage of the site;
  - ii. provide a minimum of 60% and a maximum of 90% of visually transparent glazing at the ground floor and a minimum of 20% and a maximum of 90% visually transparent glazing at each floor above the ground floor; and
  - iii. provide pedestrian access directly from the public access way.

**d. Within the Suburban Density Precinct and Suburban Hill Density Precinct the front yard road boundary building setback and garage setback to shared access shall be as follows:**

<u>Sub-point</u>	<u>Activity</u>	<u>Setback Standard</u>
<u>i.</u>	<u>All buildings and situations not listed below</u>	<u>4.5 metres from the road boundary</u>
<u>ii.</u>	<u>Where a garage has a vehicle door that generally faces a road boundary or shared access</u>	<u>5.5 metres from the shared access or road boundary</u>

### 14.5.3.2.3 Building height

- a. This applies to:
  - i. ~~Residential~~ Medium Density **Residential** Zone in the Commercial Local Zone (St Albans) Outline development plan shown as Area A in Chapter 15 Appendix 15.15.5; and
  - ii. Accommodation and Community Facilities Overlay;

- iii. Residential Character Areas;
- iv. Residential Heritage Areas;
- v. Suburban Density Precinct;
- vi. Suburban Hill Density Precinct;
- vii. Riccarton Bush Interface Area.

b. The maximum height of any building shall be:

	Area	Standard
i.	<del>Residential</del> Medium Density Residential Zone in the Commercial Local Zone (St Albans) Outline development plan shown as Area A in Chapter 15 Appendix 15.15.5 for all buildings	A. 14 metres B. Rule 14.5.2.3 Building height and maximum number of storeys shall not apply within the above area.
ii.	Accommodation and Community Facilities Overlay	A. 11 metres, or B. 12 metres for that part of the building where a pitched roof of at least 22 degrees is provided.
iii.	<u>Heaton, <del>Beverley</del>, and Cashmere Character Areas</u>	A. <u>78 metres;</u> B. <u>except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 2 metres, where the entire roof slopes 15° or more.</u>
iv.	<u>Englefield, <del>Ranfurly</del>, Francis, Malvern, Massey, Severn, Tainui, Ryan, Roker, Cashmere View, Dudley, Beckenham, <del>Therese</del>, Piko, and <del>Evesham</del>/Bewdley Character Areas</u>	<u>56.5 metres</u>
v.	<u>In Residential Heritage Areas the maximum height of any building shall be:</u>  A. <u>In Heaton Street, Wayside Avenue, RNZAF Station Wigram Staff Housing and Macmillan Avenue Residential Heritage Areas</u>  B. <u>In Church Property Trustees North St Albans Subdivision (1923) and Piko/Shand (Riccarton Block) State Housing</u>	<u>7 metres, plus 2 metres for roof form</u>  <u>56.5 metres</u>

	Area	Standard
	<p><b><u>Residential Heritage Areas</u></b></p> <p><b>C. <u>In Shelley/Forbes Street and Englefield Avonville Residential Heritage Areas</u></b></p> <p><b>D. <u>In Chester Street East/Dawson Street and Inner City West Residential Heritage Areas</u></b></p> <p><b>E. <u>In Lyttelton Residential Heritage Area</u></b></p>	<p><b><u>56.5 metres</u></b></p> <p><b><u>11 metres</u></b></p> <p><b><u>7 metres, except that any accessory building must not exceed 5 metres in height.</u></b></p>
<b><u>vi.</u></b>	<b><u>Within the Suburban Density Precinct and Suburban Hill Density Precinct</u></b>	<b><u>8 metres</u></b>
<b><u>vii.</u></b>	<b><u>Within Riccarton Bush Interface Area, outside of the Accommodation and Community Facilities Overlay</u></b>	<b><u>8 metres</u></b>
<b><u>viii.</u></b>	<b><u>Lyttelton Character Area</u></b>	<b><u>7 metres, except that any accessory building must not exceed 5 metres in height.</u></b>

#### 14.5.3.2.4 Maximum continuous building length

- a. Within the Accommodation and Community Facilities Overlay and in association with the following activities:

		Standards
i.	Visitor accommodation; and a	<p>A. For new buildings the maximum length of a building elevation shall not exceed 15 metres (see Figure 10)</p> <p>B. For existing buildings any addition to the building elevation shall not exceed a length of 10 metres</p>
ii.	Community facility;	
iii.	Preschool;	
iv.	Education facility;	
v.	Health care facility;	
vi.	Place of assembly; and	

vii.	Veterinary care facility.	
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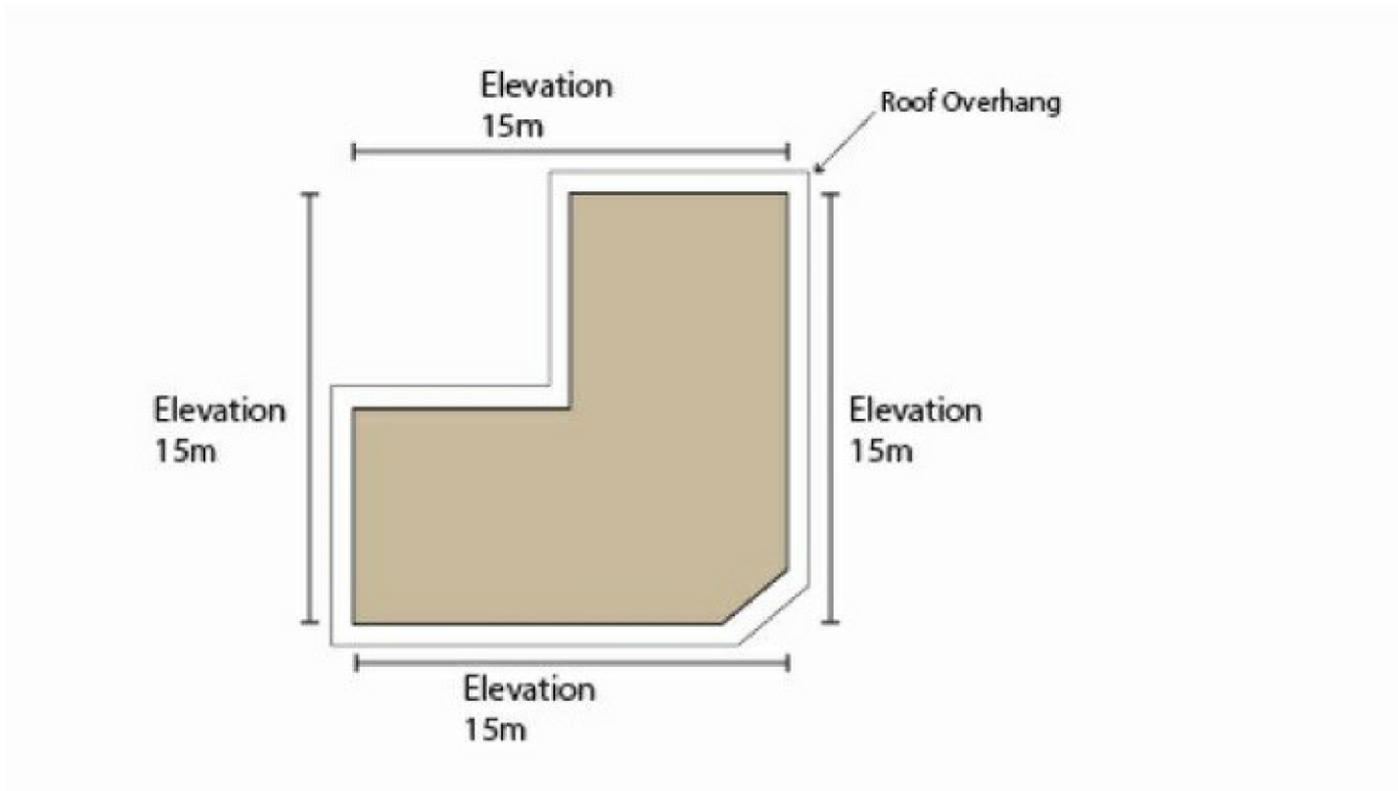


Figure 10: Measurement of a building elevation

#### 14.5.3.2.5 Front entrances and façades

- a. Within the Accommodation and Community Facilities Overlay the following front entrance and façade treatment shall be provided for:

	Buildings associated with:	Standards
i.	Visitor accommodation; and a	<p>A. Pedestrian access shall be directly from the road frontage.</p> <p>B. A minimum of 30% glazing on the road frontage on ground floor.</p>
ii.	Community facility;	
iii.	Preschool;	
iv.	Education facility;	

v.	Health care facility;	C. A minimum of 20% glazing on the road frontage on elevations above ground level.
vi.	Place of assembly; and	
vii.	Veterinary care facility.	

**b. Within the Heaton, ~~Beverley~~, Englefield, ~~Ranfurly~~, Francis, Malvern, Massey, Severn, Tainui, Ryan, ~~Cashmere View~~, Dudley, Beckenham, Roker, Piko, and Bewdley Character Areas:**

- i. any residential unit shall be built across a minimum of 60% of the width of an allotment, where it abuts a road boundary.**

**c. Within the Cashmere Character Area:**

- i. the minimum dimension of the building frontage to the street, excluding any garage, shall be 8 metres.**

**d. Within the Heaton, ~~Beverley~~, Englefield, ~~Ranfurly~~, Francis, Malvern, Massey, Severn, Tainui, Ryan, ~~Cashmere View~~, Dudley, Beckenham, Roker, Piko, Cashmere, ~~Lyttelton~~, and Bewdley Character Areas:**

- i. the maximum paved access width per site is 3.6 metres, or;**  
**ii. 4.8 metres, where it includes a pedestrian access with a minimum width of 1.2 metres.**

**14.5.3.2.6 Landscaped areas for select areas**

**a. Planting shall be provided as follows:**

- i. Within the Accommodation and Community Facilities Overlay for non-residential activities:**

**A. In areas adjointing the road frontage of all sites:**

- I. a minimum density of 1 tree per every 10 metres of road frontage or part thereof, distributed across the frontage; and**  
**II. a minimum 2 metre planted strip.**

**B. On sites adjoining residential and open space zones, trees shall be planted adjacent to the shared boundary at a ratio of at least 1 tree for every 10 metres of the boundary or part thereof, with the trees evenly spaced along that boundary.**

- ii. Within the Character Area Overlay for all activities:**

- ~~A. A landscape strip of a minimum width of 2 metres comprising a combination of tree and garden planting shall be planted along the length of the road boundary, excluding that part required for a driveway or pedestrian access.~~
- A. A residential unit at ground floor level must have a landscaped area of a minimum of 20% of a developed site with tree and garden planting.
- B. A landscaping strip with a minimum width of 2 metres shall be planted along the rear boundary, and shall include trees that will grow to a minimum height of 6–8 metres (except that this shall not apply in the Lyttelton Character Area).
- C. In addition to A and B above:
1. Within the Heaton Character Area, a minimum of 3 specimen trees capable of achieving 8-12 metres in height shall be planted within front setback and a landscaping strip, with a minimum width of 3 metres, shall be planted along the length of the road boundary excluding that part required for a driveway or pedestrian access.
  2. Within the Beverley and Englefield Character Areas, a landscaping strip, comprising a combination of tree and garden planting, and with a minimum width of 2 metres, shall be planted along the length of the road boundary excluding that part required for a driveway or pedestrian access.
  3. Within the Ranfurly, Francis, Malvern, Massey, Severn, Tainui, Ryan, Roker, Cashmere View, Dudley, Beckenham, Piko, and Cashmere Character Areas, a landscaping strip, comprising a combination of tree and garden planting, and with a minimum width of 3 metres, shall be planted along the length of the road boundary excluding that part required for a driveway or pedestrian access.
  4. Within the Lyttelton and Bewdley Character Areas, a landscaping strip of a minimum width of 3 metres, shall be located along the length of the road boundary excluding that part required for a driveway or pedestrian access.

#### ~~14.5.3.2.7 Site density~~

- ~~a. Within the Character Area Overlay each residential unit shall be contained within its own separate site and the site shall have a minimum net site area as follows:~~

	Area	Standard
i.	<del>Residential Medium Density Zone within the Character Area Overlay</del>	400m <sup>2</sup>
ii.	<del>Character Area Overlay – Character Area 8 – Beverley</del>	500m <sup>2</sup>

#### 14.5.3.2.7 Number of residential units per site

- a. Within the Character Area Overlay (excluding Lyttelton), there must be no more than 2 residential units per site.
- b. In Residential Heritage Areas (excluding Lyttelton) there must be no more than 2 residential units per site.
- c. Within Character Area Overlay and/or Residential Heritage Area in Lyttelton, each residential unit (excluding residential units established under 14.5.3.1.1 P4 and P5) shall be contained within its own separate site and the site shall have a minimum net site area of 450m<sup>2</sup>.
- d. Within the Character Area Overlay and/or the Residential Heritage Area in Lyttelton, there must be no more than one residential unit plus one minor residential unit per site.

#### 14.5.3.2.8 Setbacks

- a. Within Character Area Overlays, buildings must be set back from the relevant boundary by the minimum depth listed in the table below, except as per b. and c below:

	Setback	Area and setback distance
i.	Front	<p>A. <u>Within the Heaton, Ranfurly, Francis, Malvern, Massey, Severn, Tainui, Ryan, Roker, Cashmere View, Dudley, Beckenham, Therese and Piko Character Areas:</u></p> <ol style="list-style-type: none"> <li>1. <u>8 metres,</u></li> <li>2. <u>except that where any existing residential unit on the site was built prior to 1945 and is to be relocated within the site, it can be located 6m from the front boundary.</u></li> </ol> <p>B. <u>Within the Beckenham Character Area:</u></p> <ol style="list-style-type: none"> <li>1. <u>7 metres,</u></li> <li>2. <u>except that where any existing residential unit on the site built prior to 1950 and is to be relocated within the site, it can be located 6m from the front boundary.</u></li> </ol> <p><u>Within the Beverley Character Area:</u></p>

		<p><del>3. 3 metres, where the front setback is on the north side of the street, or;</del></p> <p><del>4. 7 metres, where the front setback is on the south side of the street.</del></p> <p>C. <u>Within the Englefield Character Area:</u></p> <p>1. <u>3 metres, but with a maximum of 5m.</u></p> <p>D. <u>Within the Cashmere Character Area:</u></p> <p>1. <u>5 metres.</u></p> <p>E. <u>Within the <del>Evesham</del>/Bewdley Character Area:</u></p> <p>1. <u>6 metres</u></p> <p>F. <u>Within the Lyttelton Character Area:</u></p> <p>1. <u>3 metres,</u></p> <p>2. <u>except that up to 300mm in width of eaves and roof overhangs, and guttering up to 200mm in width from the wall of a building may protrude into the front setback.</u></p>
ii.	Side	<p>A. <u>Within the Heaton Character Area:</u></p> <p>1. <u>3 metres.</u></p> <p>B. <u>Within the <del>Beverley, Ranfurly</del>, Francis, Malvern, Massey, Severn, Tainui, Ryan, <del>Cashmere View, Dudley, Beckenham</del> and Piko Character Areas:</u></p> <p>1. <u>2 metres on one side and 3 metres on the other.</u></p> <p>C. <u>Within the Englefield, <del>Beckenham</del>, Bewdley and Roker Character Areas:</u></p> <p>1. <u>1 metre on one side and 3 metres on the other.</u></p> <p>D. <u>Within the Cashmere Character Area:</u></p> <p>1. <u>3 metres.</u></p> <p>E. <u>Within Lyttelton Character Area:</u></p> <p>1. <u>1.5 metres on one side and 3 metres on the other.</u></p>
iii.	Rear	<p>A. <u>Within the Heaton, <del>Beverley</del>, Englefield, <del>Ranfurly</del>, Francis, Malvern, Massey, Severn, Tainui, Ryan, <del>Cashmere View, Dudley, Beckenham, Bewdley, Roker</del> and Piko Character Areas</u></p> <p>1. <u>3 metres.</u></p> <p>B. <u>Within the Lyttelton Character Area:</u></p> <p>1. <u>2 metres.</u></p>

<b>iv.</b>	<b>Accessory buildings</b>	A. In relation to side and rear <b>boundaries</b> only, where the <b>total length of the accessory building does not exceed 10m: Nil</b>
<b>v.</b>	<b>Eaves and roof overhangs</b>	A. <b>Up to 300mm in width and guttering up to 200mm in width from the wall of a building may protrude into the front setback</b>

**b. Within Residential Heritage Areas, the minimum road boundary building setback shall be:**

<b>i.</b>	<b><u>In Heaton Street, Wayside Avenue, RNZAF Station Wigram Staff Housing, Church Property Trustees North St Albans Subdivision (1923) and Piko/Shand (Riccarton Block) State Housing Residential Heritage Areas</u></b>	<b><u>6 metres, where existing house is relocated forward on the site</u></b>  <b><u>8 metres, where existing house not retained</u></b>  <b><u>8 metres, or 6 metres where existing house or garage is proposed to be relocated forward on the site</u></b>
<b>ii.</b>	<b><u>In Shelley/Forbes Street, Englefield Avonville, Chester Street East/Dawson Street, and Inner City West Residential Heritage Areas</u></b>	<b><u>Minimum: 3 metres;</u></b> <b><u>Maximum: 5 metres.</u></b>
<b>iii.</b>	<b><u>In Macmillan Avenue Residential Heritage Area</u></b>	<b><u>5 metres</u></b>
<b>iv.</b>	<b><u>In Lyttelton Heritage Area</u></b>	<b><u>3 metres</u></b>

**c. In Residential Heritage Areas the minimum building setback from internal boundaries shall be:**

<b>i.</b>	<b><u>In Heaton Street, Wayside Avenue and RNZAF Station Wigram Staff Housing Residential Heritage Areas</u></b>	<b><u>3 metres</u></b>
<b>ii.</b>	<b><u>In Church Property Trustees North St Albans Subdivision (1923) and Piko/Shand (Riccarton Block) State Housing Residential Heritage Areas</u></b>  <b><u>Side boundary</u></b>	<b><u>2 metres and 3 metres</u></b>

	Rear <b>boundary</b>	<b>3 metres</b>
iii.	<u>In Shelley/Forbes Street, Englefield Avonville, and Chester Street East/Dawson, and Inner City West Residential Heritage Areas:</u> Side <b>boundary</b>  Rear <b>boundary</b>	<b>1 metre and 3 metres</b>  <b>3 metres</b>
iv.	<u>In Macmillan Avenue Residential Heritage Area</u> Side <b>boundary</b>  Rear <b>boundary</b>	<b>3 metres</b>  <b>3 metres</b>
v.	<u>In Lyttelton Residential Heritage Area:</u> Side <b>boundary</b>  Rear <b>boundary</b>	<b>1.5 metres on one side and 3 metres on the other</b>  <b>2 metres</b>

d. Within the Riccarton Bush Interface Area, the minimum **building** setback from **internal** boundaries shall be:

i.	<u>Front <b>Road</b> boundary</u>	<b>4.5 metres; or</b> <b>2 metres for buildings</b> <b>located on the following</b> <b>sites: Lots 1 &amp; 2 DP 16509,</b> <b>Flat 1 &amp; 2 DP 56964 on Lot 2</b> <b>DP 10241, Lots 1, 2, 4 DP</b> <b>12416; Lots 3 &amp; 4 DP 16509.</b>
ii.	<u>Side <b>Internal</b> boundaries</u>	<b>3 1 metres</b>

#### 14.5.3.2.9 Building coverage

- a. In all Character Areas except the **Lyttelton, Englefield, and Bewdley** Character Areas, the maximum **building coverage** must not exceed **4035%** of the **net site area**, except that eaves and roof overhangs up to 300mm in width and guttering up to 200mm in width from the wall of a **building** shall not be included in the site coverage calculation.
- b. Within the Englefield and Bewdley Character Areas, the maximum **building coverage** must not exceed 35% of the **net site area**, except that eaves and roof overhangs up to 600mm in width and guttering up to 200mm in width from the wall of a **building** shall not be included in the site coverage calculation.

- c. In Residential Heritage Areas, the maximum percentage of the **net site area** covered by **buildings** shall be as follows:

i.	In all Residential Heritage Areas, except the <b>Englefield and Lyttelton Residential Heritage Areas</b>	<b>40%</b>
ii.	In Englefield Residential Heritage Area	<b>35%</b>
iii.	In the Lyttelton Residential Heritage Area outside of the Lyttelton Character Area	<b>50%</b>

- d. Within the Suburban Density Precinct and Suburban Hill Density Precinct, the maximum **building** coverage must not exceed 35% of the **net site area**.
- e. Within the Riccarton Bush Interface Area, the maximum **building coverage** must not exceed 35% of the **net site area**, except for **buildings** located on the following sites: Lots 1 and 2 DP 16509, Flat 1 and 2 DP 56964 on Lot 2 DP 10241, Lots 1, 2, 4 DP 12416; Lots 3 and 4 DP 16509, where:
- i. **building** coverage shall not exceed 50% of the **net site area**; and
  - ii. for retirement villages, **building coverage** shall be calculated over the net area of the entire complex or **development site**, rather than over the net area of any part of the complex.
- f. Within the Lyttelton Character Area, and in the part of the Lyttelton Residential Heritage Area which is also in the Lyttelton Character Area, the maximum percentage of the **net site area** covered by **buildings** shall be 60%.
- g. Within the Residential Hills Precinct, the maximum **building** coverage shall not exceed 45% of the **net site area**.

**Advice note:**

- ~~1. For building coverage in the Lyttelton Character Area Overlay and Lyttelton Residential Heritage Area, refer to Rule 14.8.3.2.4.~~

**14.5.3.2.1210 Outdoor living space per unit**

- ~~a. Within the Heaton and Beverley Character Areas:~~
- ~~i. a residential unit at ground floor level must have an outdoor living space that is at least 80 square metres at ground floor level and has no dimension less than 7 metres; and~~
  - ~~ii. a residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace, of at least 8 square metres and a minimum dimension of 1.8 metres; and~~

- iii. ~~any outdoor living space must be:~~
  - A. ~~accessible from the residential unit;~~
  - B. ~~located directly adjacent to the unit; and~~
  - C. ~~be free of buildings, parking spaces, and servicing and manoeuvring areas.~~
- b. ~~Within the Englefield, Ranfurly, Francis, Malvern, Massey, Severn, Tainui, Ryan, Dudley, Beckenham, Piko, Cashmere, Bewdley and Roker Character Areas:~~
  - i. ~~a residential unit at ground floor level must have an outdoor living space that is at least 50 square metres at ground floor level and has no dimension less than 5 metres; and~~
  - ii. ~~a residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace, of at least 8 square metres and a minimum dimension of 1.8 metres; and~~
  - iii. ~~any outdoor living space must be:~~
    - A. ~~accessible from the residential unit;~~
    - B. ~~located directly adjacent to the unit; and~~
    - C. ~~be free of buildings, parking spaces, and servicing and manoeuvring areas.~~
- c. **In Residential Heritage Areas each residential unit shall be provided with an outdoor living space in a continuous area, contained within the net site area with a minimum area as follows:**

i.	<b><u>In Heaton Street, Wayside Avenue and RNZAF Station Wigram Staff Housing Residential Heritage Areas</u></b>	<b><u>80m<sup>2</sup></u></b>
ii.	<b><u>In Church Property Trustees North St Albans Subdivision (1923), Piko/Shand (Riccarton Block) State Housing, Macmillan Avenue, Shelley/Forbes Street, Englefield Avonville, Chester Street East/Dawson Street, Inner City West and Lyttelton Residential Heritage Areas.</u></b>	<b><u>50m<sup>2</sup></u></b>

#### **14.5.3.2.12 Windows to street**

- a. ~~Within the Heaton, Beverley, Englefield, Piko, and Cashmere Character Areas, any residential unit facing the street must have a minimum of 20% of the street facing façade(s) in transparent glazing, or a combination of transparent glazing and a front door.~~
- b. ~~Within the Ranfurly, Francis, Malvern, Massey, Severn, Tainui, Ryan, Dudley, Beckenham and Roker Character Areas, any residential unit facing the street must have a minimum of 30% of the street facing façade(s) in transparent glazing, or a combination of transparent glazing and a front door.~~

- ~~c. Within the Bewdley Character Area, any residential unit facing the street must have a minimum of 40% of the street-facing façade in transparent glazing.~~
- ~~d. For the purpose of this rule, any area of roofspace that is fully enclosed by a gable shall not be included in the area of the front façade.~~

#### **14.5.3.2.12 Fencing in character areas**

- a. Within the Heaton Character Area, the maximum height of fencing along the front boundary is 1.8 metres.
- b. Within the ~~Beverley, Ranfurly,~~ Francis, Malvern, Massey, Severn, Tainui, ~~Roker, Cashmere View, Dudley, and Beckenham and Therese~~ Character Area, the maximum height of fencing along the front boundary is 1.2 metres.
- c. Within the Ryan Character Area, the maximum height of fencing along the front boundary is 0.8 metres.
- d. Within the Englefield and Piko Character Area, the maximum height of fencing along the front boundary is 1 metres.
- e. Within the ~~Evesham/~~Bewdley Character Area, the maximum height of fencing along the front boundary is 0.5 metres.
- f. Within the Cashmere Character Area, the maximum height of:
  - i. fencing along the front boundary is 1.2 metres; and
  - ii. any retaining wall along the front boundary is 1.5 metres.
  - iii. And where a fence is proposed on a retaining wall, it must be set back from the front face of the retaining wall by 1.2 metres with the intervening area containing planting.
- g. The maximum height of fencing for all side and rear (internal) boundaries is 2.0 metres.
- h. Any areas used for vehicular parking shall be separated from open space, or adjoining residentially zoned sites by fencing that meets the requirements in a) – f) above.
- i. Within the Lyttelton Character Area, the maximum height of:
  - i. fencing along the front boundary is 1 metre;
  - ii. any retaining wall along the front boundary is 1.5 metres; and
  - iii. and where a fence is proposed on a retaining wall, it must be set back from the front fence of the retaining wall by 1.2 metres with the intervening area containing planting.

**Advice Note:** [Rule 7.4.3.7](#) – Access design – shall also apply, where applicable.

#### **14.5.3.2.13 Garaging and carport building location in character areas**

- a. Within the Heaton, ~~Beverley,~~ Englefield, ~~Ranfurly,~~ Francis, Malvern, Massey, Severn, Tainui, Ryan, ~~Cashmere View, Dudley, Beckenham, Roker, Piko,~~ and Bewdley Character Areas, **garages** and carports (whether detached or not) shall be located:

- i. to the rear of any residential unit; or
  - ii. to the side of any residential unit, provided that they are located at least 5 metres behind the front façade of a residential unit.
- b. Within the Cashmere Character Area, a single garage or carport less than 4.5 metres in width may be located within the street setback, where it is:
- i. located front on to the street;
  - ii. less than 25% of the width of the street frontage; and
  - iii. does not have a driveway or garage located within 2.5 metres.
- c. Within the Lyttelton Character Area Overlay, garages, carports (whether detached or not) and any areas provided for car parking shall be:
- i. separate to the residential unit;
  - ii. located to the side or rear of the residential unit; and
  - iii. located at least 1.2m behind the front façade of a residential unit, except if a car parking area.

#### 14.5.3.2.14 Internal separation in character areas

- a. Within the Englefield Character Area, except for the conversion of an existing residential unit into two residential units, any residential unit must be separated from any other residential unit on the same site by a minimum of 5 metres.
- b. Within any Character Area, any building on a site that contains 2 detached residential units must be setback by a minimum of 5 metres from the second residential unit or any accessory building associated with that unit.
- ~~c. Any building must be set back from a shared access by a minimum of 1 metre.~~

#### 14.5.3.2.15 Site density

- a. Within the Suburban Density Precinct and Suburban Hill Density Precinct, each residential unit shall have a minimum net site area of:
- i. 400m<sup>2</sup> within the Suburban Density Precinct; or
  - ii. 650m<sup>2</sup> within the Suburban Hill Density Precinct.
- b. Within the Riccarton Bush Interface Area:
- i. Each residential unit shall have a minimum net site area of 450m<sup>2</sup>; and
  - ii. There shall be no more than 2 residential units per development site.
  - iii. There shall be no site density requirement for residential units located on the following sites: Lots 1 and 2 DP 16509, Flat 1 and 2 DP 56964 on Lot 2 DP 10241, Lots 1, 2, 4 DP 12416; Lots 3 and 4 DP 16509.

#### 14.5.3.2.16 Maximum impervious surface

- a. Within the Suburban Hill Density Precinct and/or the Residential Hills Precinct, any residential development shall either:
- i. limit the total area of impervious surfaces to a maximum of 45% of a site or development site. For the purpose of this rule:
    - A. Impervious surfaces also include shade tunnel, or green houses, and buildings that have a solid roof; and
    - B. Impervious surfaces exclude open slat decking above uncompacted or unsealed ground, and/or vegetated 'green' roofs.
  - ii. residential development may exceed the total area of impervious surfaces permitted under 14.5.3.2.16.a.i where:
    - A. stormwater is discharged to a stormwater facility where Council has confirmed in writing that the facility has sufficient capacity to mitigate the water quality and quantify effects of the site discharge; or stormwater is discharged into coastal waters;

and

    - B. stormwater is conveyed via a network where Council has confirmed in writing that there is sufficient capacity within the stormwater network to convey the site discharges.
- b. Any confirmation in writing supplied by Council in accordance with this standard shall be issued within six months of works commencing.

Advice Note: Impervious surface controls in waterbody setbacks also apply, see Chapter 6.6 Water body setbacks.