

## DISTRICT PLAN TEXT AMENDMENTS

### KEY:

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

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

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

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

Text in **blue** font indicates existing links to other provisions in the District Plan and/or external documents. These will have pop-ups and links, respectively, in the on-line Christchurch District Plan. Where the proposed plan change contains a new link, it is shown as **bold underlined text in blue**. Where a link is proposed to be deleted, it is shown as ~~**bold strikethrough in blue**~~.

#### 2. Text as Recommended in s42A Reports

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

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

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

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

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

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

Text in **bold dark orange underlined** indicates text recommended to be added.

Text in ~~**bold dark orange strikethrough**~~ indicates text recommended to be deleted.

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

# 14.7 Rules — Residential Hills Zone

## 14.7.1 Activity status tables

### 14.7.1.1 Permitted activities

- a. ~~The activities listed below are permitted activities in the Residential Hills Zone if they meet the activity specific standards set out in this table and the built form standards in Rule 14.7.2 and the area specific rules in Rule 14.7.3.~~
- b. ~~Activities may also be controlled, restricted discretionary, discretionary, non-complying, or prohibited as specified in Rules 14.7.1.2, 14.7.1.3, 14.7.1.4, 14.7.1.5 and 14.7.1.6, or in the area specific rules in 14.7.3.~~

Activity		Activity specific standards															
P1	<del>Residential activity, except for residential units containing more than six bedrooms and boarding houses</del>	<ul style="list-style-type: none"> <li>a. <del>No more than one heavy vehicle shall be stored on the site of the residential activity.</del></li> <li>b. <del>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.</del></li> </ul>															
P2	<del>Minor residential unit where the minor unit is a detached building and the existing site it is to be built on contains only one residential unit</del>	<ul style="list-style-type: none"> <li>a. <del>The existing site containing both units shall have a minimum net site area of 650m<sup>2</sup>.</del></li> <li>b. <del>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>.</del></li> <li>c. <del>The parking areas of both units shall be accessed from the same access.</del></li> </ul>															
P3	<del>Social housing complexes — up to and including four residential units</del>	<ul style="list-style-type: none"> <li>a. <del>The minimum net floor area (including toilets and bathrooms, but excluding parking areas, garages or balconies) for any residential unit in the complex shall be:</del> <table border="1" data-bbox="639 1489 1251 1933"> <thead> <tr> <th></th> <th>Number of bedrooms</th> <th>Minimum net floor area</th> </tr> </thead> <tbody> <tr> <td><del>i.</del></td> <td><del>Studio.</del></td> <td><del>35m<sup>2</sup></del></td> </tr> <tr> <td><del>ii.</del></td> <td><del>1 Bedroom.</del></td> <td><del>45m<sup>2</sup></del></td> </tr> <tr> <td><del>iii.</del></td> <td><del>2 Bedrooms.</del></td> <td><del>60m<sup>2</sup></del></td> </tr> <tr> <td><del>iv.</del></td> <td><del>3 or more Bedrooms.</del></td> <td><del>90m<sup>2</sup></del></td> </tr> </tbody> </table> </li> <li>b. <del>Any residential unit fronting a road or public space shall have a habitable space located at the ground level, and at least 50% of</del></li> </ul>		Number of bedrooms	Minimum net floor area	<del>i.</del>	<del>Studio.</del>	<del>35m<sup>2</sup></del>	<del>ii.</del>	<del>1 Bedroom.</del>	<del>45m<sup>2</sup></del>	<del>iii.</del>	<del>2 Bedrooms.</del>	<del>60m<sup>2</sup></del>	<del>iv.</del>	<del>3 or more Bedrooms.</del>	<del>90m<sup>2</sup></del>
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<del>iv.</del>	<del>3 or more Bedrooms.</del>	<del>90m<sup>2</sup></del>															

Activity		Activity specific standards
		<p><del>all residential units within a complex shall have a habitable space located at the ground level.</del></p> <p><del>c. Each of these habitable spaces located at the ground level shall have a minimum floor area of 9m<sup>2</sup> and a minimum internal dimension of three metres and be internally accessible to the rest of the unit.</del></p>
P4	Older person's housing unit	a. Any older person's housing unit shall have a maximum gross floor area of 120m <sup>2</sup> .
P5	Conversion of a family flat existing at 6 December 2013 into a residential unit that may be occupied by any person(s) and without the need to be encumbered by a legal instrument	a. <del>Each converted flat shall have a minimum gross floor area, excluding garages, sundecks, and verandahs, of 35m<sup>2</sup>.</del>
P6	Conversion of a residential unit (within, or as an extension to, a residential unit) into two residential units	a. <del>Each residential unit shall have a minimum gross floor area, excluding garages, sundecks and verandahs, of 35m<sup>2</sup>.</del>
P7	Replacement of a residential unit with two residential units	a. <del>The existing site shall be occupied by one residential unit and that residential unit has been, or will be, demolished because the insurer(s) of that unit have determined that the residential unit was uneconomic to repair because of earthquake damage.</del>
P8	Home occupation	<p>a. <del>The total floor area of the building or part of the building (measured internally), plus any outdoor storage area, occupied by the home occupation shall be no more than 40m<sup>2</sup>.</del></p> <p>b. <del>The maximum number of FTE persons employed in the home occupation, who reside permanently elsewhere than on the site, shall be two.</del></p> <p>c. <del>Any retail activity shall be limited to:</del></p> <ul style="list-style-type: none"> <li><del>i. the sale of goods grown or produced on the site;</del></li> <li><del>ii. goods incidental to an on-site service provided by the home occupation where the goods storage and/or display occupies no more than 1m<sup>2</sup> of floor area; or</del></li> <li><del>iii. internet based sales where no customer visits occur; and</del></li> <li><del>iv. retail activity shall exclude food and beverage outlets.</del></li> </ul>

Activity		Activity specific standards
		<p><del>d. Manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles shall be carried out in a fully enclosed building.</del></p> <p><del>e. The hours of operation, when the site is open to visitors, clients, and deliveries, shall be limited to between the hours of:</del></p> <p style="padding-left: 40px;"><del>i. 07:00 – 21:00 Monday to Friday; and</del></p> <p style="padding-left: 40px;"><del>ii. 08:00 – 19:00 Saturday, Sunday and public holidays.</del></p> <p><del>f. Visitor, courier vehicles and staff parking areas shall be within the net site area of the property and outside the road boundary setback.</del></p> <p><del>g. Vehicle movements associated with the home occupation shall not exceed:</del></p> <p style="padding-left: 40px;"><del>i. heavy vehicles: 2 per week; and</del></p> <p style="padding-left: 40px;"><del>ii. other vehicles: 16 per day.</del></p> <p><del>h. Signage shall be limited to a maximum area of 0.5m<sup>2</sup>.</del></p>
P9	Care of non-resident children within a residential unit in return for monetary payment to the carer	<p><del>a. There shall be:</del></p> <p style="padding-left: 40px;"><del>i. a maximum of four non-resident children being cared for in return for monetary payment to the carer at any one time; and</del></p> <p style="padding-left: 40px;"><del>ii. at least one carer residing permanently within the residential unit.</del></p>
P10	(Deleted as part of Plan Change 4 Council Decision dated 31 March 2022)	
P11	Education activity	<p><del>a. The activity shall:</del></p> <p style="padding-left: 40px;"><del>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;</del></p> <p style="padding-left: 40px;"><del>ii. only occupy a gross floor area of building of less than 250m<sup>2</sup>;</del></p> <p style="padding-left: 40px;"><del>iii. limit outdoor advertising to a maximum area of 2m<sup>2</sup>;</del></p> <p style="padding-left: 40px;"><del>iv. limit the hours of operation when the site is open to visitors, students, patients, clients, and deliveries to between the hours of:</del></p>
P12	Preschools, other than as provided for in Rule 14.7.1.1 P9.	
P13	Health care facility	
P14	Veterinary care facility	
P15	Places of assembly	

Activity		Activity specific standards	
		<p><b>A. Education activity</b></p>	<p><del>I. 07:00 – 21:00 Monday to Saturday; and</del></p> <p><del>II. Closed Sunday and public holidays.</del></p>
		<p><b>B. Preschools</b></p>	<p><del>I. 07:00 – 21:00 Monday to Friday, and</del></p> <p><del>II. 07:00 – 13:00 Saturday, Sunday and public holidays.</del></p>
		<p><b>C. Health care facility</b></p>	<p><del>I. 07:00 – 21:00.</del></p>
		<p><b>D. Veterinary care facility</b></p>	
		<p><b>E. Places of assembly</b></p>	
		<p><del>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;</del></p> <p><del>vi. in relation to preschools, health care facilities, veterinary care facilities and places of assembly (See Figure 1):</del></p> <p style="padding-left: 40px;"><del>A. only locate on sites where any residential activity on an adjoining front site, or front site separated by an access, with frontage to the same road is left with at least one residential neighbour. That neighbour shall be on an adjoining front site, or front site separated by an access, and have frontage to the same road; and</del></p> <p style="padding-left: 40px;"><del>B. only locate on residential blocks where there are no more than two non-residential activities already within that block;</del></p> <p><del>vii. in relation to veterinary care facilities, limit the boarding of animals on the site to a maximum of four;</del></p> <p><del>viii. in relation to places of assembly, entertainment activities shall be closed Sunday and public holidays; and</del></p> <p><del>ix. not include the storage of more than one heavy vehicle on the site of the activity.</del></p>	
P16	Spiritual activities	<p>a. The activity shall:</p>	

Activity		Activity specific standards
		<ul style="list-style-type: none"> <li><del>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</del></li> <li><del>ii. only occupy a gross floor area of less than 250m<sup>2</sup>;</del></li> <li><del>iii. limit the hours of operation to 07:00-21:00; and</del></li> <li><del>iv. not include the storage of more than one heavy vehicle on the site of the activity.</del></li> </ul>
P17	Community welfare facilities	<p>a. The facility shall:</p> <ul style="list-style-type: none"> <li><del>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</del></li> <li><del>ii. only occupy a gross floor area of less than 250m<sup>2</sup>;</del></li> <li><del>iii. limit the hours of operation to 07:00-21:00; and</del></li> <li><del>iv. only locate on sites where any residential activity on an adjoining front site, or front site separated by an access, with frontage to the same road is left with at least one residential neighbour. That neighbour shall be on an adjoining front site, or front site separated by an access, and have frontage to the same road.</del></li> </ul>
P18	Emergency services facilities	Nil
P19	Repair or rebuild of multi-unit residential complexes damaged by the Canterbury earthquakes of 2010 and 2011 on properties with cross leases, company leases or unit titles as at the date of the earthquakes	<p>a. <del>Where the repair or rebuild of a building will not alter the building footprint, location, or height, the building need not meet the built form standards.</del></p> <p>b. <del>Where the building footprint, location, or height is to be altered no more than necessary in order to comply with legal or regulatory requirements or the advice of a suitably qualified and experienced chartered engineer:</del></p> <ul style="list-style-type: none"> <li><del>i. the only built form standards that shall apply are those specified in Rules 14.7.2.2—Building height and 14.7.2.4—Daylight recession planes;</del></li> <li><del>ii. in relation to the road boundary setback, the repaired or rebuilt building shall have a setback of at least 3 metres;</del></li> <li><del>iii. the standards at (i) and (ii) shall only apply to the extent that the repaired or rebuilt building increases the level of non-compliance with the standard(s) compared to the building that existed at the time of the earthquakes.</del></li> </ul> <p><b>Advice note:</b></p> <p><del>1. Examples of regulatory or legal requirement that may apply include the New Zealand Building Code, Council bylaws,</del></p>

Activity		Activity specific standards
		<p><del>easements, and other rules within this Plan such as the requirements for minimum floor levels in Chapter 5.</del></p> <p><del>c. If paragraphs a. and b. do not apply, the relevant built form standards apply.</del></p> <p><del>d. Any application arising from not meeting standards a. and b.i. shall not be publicly notified, and may be limited notified only to adjoining property owners (where the consent authority considers this is required, and absent written approval).</del></p> <p><del>e. Any application arising from not meeting standard b.ii. (road boundary setbacks), shall not be limited or publicly notified.</del></p>
P20	Relocation of a building	Nil
P21	Market gardens, community gardens, and garden allotments	
P22	Hosted visitor accommodation	<p><del>a. A maximum of eight guests shall be accommodated at any one time.</del></p> <p><del>b. The Council shall be notified in writing prior to commencement.</del></p> <p><del>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.</del></p>
P23	Visitor accommodation in a heritage item	<p><del>d. A maximum of 10 guests shall be accommodated at any one time.</del></p> <p><del>e. The Council shall be notified in writing prior to commencement.</del></p> <p><del>f. 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.</del></p>
P24	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><del>a. A maximum of ten guests shall be accommodated at any one time.</del></p> <p><del>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.</del></p> <p><del>c. The Council shall be notified in writing prior to commencement.</del></p> <p><del>d. The owner of the heritage item shall:</del></p> <p><del>i. keep records of the number of nights it is used for visitor accommodation and provide those records to the Council on request;</del></p> <p><del>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</del></p>

Activity		Activity specific standards
		<p><del>occupiers of adjoining sites, on commencement, on request, or annually if not requested; and</del></p> <p><del>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.</del></p> <p><del>e. There shall be a maximum of 16 vehicle movements per day associated with visitor accommodation.</del></p> <p><del>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.</del></p> <p><del>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.</del></p>
P25	Unhosted visitor accommodation	<p><del>h. A maximum of eight guests shall be accommodated at any one time.</del></p> <p><del>i. 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.</del></p> <p><del>j. The Council shall be notified in writing prior to commencement.</del></p> <p><del>k. The owner of the unit shall:</del></p> <p><del>i. keep records of the number of nights it is used for unhosted visitor accommodation and provide those records to the Council on request;</del></p> <p><del>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</del></p> <p><del>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.</del></p> <p><del>l. There shall be a maximum of 16 vehicle movements per day associated with unhosted visitor accommodation.</del></p> <p><del>m. 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.</del></p> <p><del>n. Guest activities shall meet daytime and night time noise limits in Rule 6.1.5.2.1 and Rule 6.1.5.2.2.</del></p>



### 14.7.1.2 Controlled activities

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

Activity		The matters over which Council reserves its control:
C1	<del>Fences that do not meet Rule 14.7.2.9— Street scene amenity and safety— fences</del>	<del>a. Street scene—road boundary building setback, fencing and planting—Rule 14.15.17</del>
C2	<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>
C3	<del>Social housing complexes that do not meet Rule 14.7.2.12—Service, storage and waste management spaces</del>	<del>a. Service, storage and waste management spaces—Rule 14.15.19</del>
C4	<del>Social housing complexes, where the complex does not meet one or more of the activity specific standards in Rule 14.7.1.1 P3 c. or d.</del>	<del>a. Street scene—road boundary building setback, fencing and planting—Rule 14.15.17</del>
C5	<del>{deleted under Plan Change 4 Environment Court consent order dated 24 July 2023}</del>	
C6	<del>{deleted under Plan Change 4 Environment Court consent order dated 24 July 2023}</del>	

### 14.7.1.3 Restricted discretionary activities

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

Activity		The Council's discretion shall be limited to the following matters:
RD1	<del>Residential unit contained within its own separate site with a minimum net site area that does not meet</del>	<del>a. Site density and site coverage —Rule 14.15.2</del>

Activity		The Council's discretion shall be limited to the following matters:
	<del>the standard specified in Rule 14.7.2.1—Site density by up to 10%.</del>	
RD2	<del>Minor residential unit where the minor unit is a detached building and does not meet one or more of the activity specific standards in Rule 14.7.1.1 P2 a., b., or c.</del>	<del>a. Minor residential units—Rule 14.15.22</del>
RD3	<del>Conversion of a residential unit (within or as an extension to a residential unit) into two residential units that does not meet one or more of the activity specific standards in Rule 14.7.1.1 P6 a.</del>	
RD4	<del>Conversion of a family flat existing at 6 December 2013 into a residential unit that does not meet one or more of the activity specific standards in Rule 14.7.1.1 P5.</del>	
RD5	<del>Social housing complexes, where any residential unit in the complex does not meet activity specific standard Rule 14.7.1.1 P3 b.</del>	<del>a. Minimum unit size and unit mix—Rule 14.15.4</del>
RD6	<del>Social housing complexes—over four residential units</del>	<del>a. Residential design principles—Rule 14.15.1 b. Scale and nature of activity—Rule 14.15.5 c. Traffic generation and access safety—Rule 14.15.6</del>
RD7	<del>Older person's housing units that do not meet activity specific standard in Rule 14.7.1.1 P4 a.</del>	<del>a. Scale and nature of activity—Rule 14.15.5</del>
RD8	<del>Retirement villages</del>	<del>a. Retirement villages—Rule 14.15.9</del>
RD9	<del>Student hostels owned or operated by a secondary education activity or tertiary education and research activity.</del>	<del>a. Residential design principles—Rule 14.15.1 b. Scale and nature of activity—Rule 14.15.5 c. Traffic generation and access safety—Rule 14.15.6</del>
RD10	<del>Community welfare facilities that do not meet one or more of the activity specific standards in Rule 14.7.1.1 P17. Any application arising from this rule shall not be limited or publicly notified.</del>	<del>a. As relevant to the activity specific standard that is not met: i. Scale and nature of activity—Rule 14.15.5</del>

Activity		The Council's discretion shall be limited to the following matters:
		<ul style="list-style-type: none"> <li>ii. <del>Traffic generation and access safety— Rule 14.15.6</del></li> <li>iii. <del>Non-residential hours of operation— Rule 14.15.21</del></li> </ul>
RD11	<del>Buildings that do not meet Rule 14.7.2.2— Building height up to 9 metres.</del>	<ul style="list-style-type: none"> <li>a. <del>Impacts on neighbouring property— Rule 14.15.3</del></li> <li>b. <del>Residential design principles— Rule 14.15.1.i— Hillside and small settlement areas</del></li> </ul>
RD12	<del>Activities and buildings that do not meet Rule 14.7.2.3— Site coverage where the site coverage is exceeded by 10% or less.</del>	<ul style="list-style-type: none"> <li>a. <del>Site density and site coverage— Rule 14.15.2</del></li> </ul>
RD13	<del>Buildings that do not meet Rule 14.7.2.4— Daylight recession planes</del>	<ul style="list-style-type: none"> <li>a. <del>Impacts on neighbouring property— Rule 14.15.3</del></li> </ul>
RD14	<del>Buildings that do not meet Rule 14.7.2.6— Minimum building setback from ridgeline— Montgomery Spur</del>	<ul style="list-style-type: none"> <li>a. <del>The extent to which the proposal minimises adverse visual effects arising from the development on the Montgomery Spur ridgeline, including consideration of alternative built forms or building platforms, and any proposed mitigation.</del></li> <li>b. <del>Residential design principles— Rule 14.15.1.g— Hillside and small settlement areas</del></li> </ul>
RD15	<del>Buildings that do not meet Rule 14.7.2.5— Minimum building setbacks from internal boundaries</del>	<ul style="list-style-type: none"> <li>a. <del>Impacts on neighbouring properties— Rule 14.15.3</del></li> </ul>
RD16	<del>Buildings that do not meet Rule 14.7.2.7— Minimum setback for living area windows and balconies facing internal boundaries</del>	<ul style="list-style-type: none"> <li>b. <del>Minimum building, window and balcony setbacks— Rule 14.15.18</del></li> </ul>
RD17	<ul style="list-style-type: none"> <li>a. <del>Buildings that do not meet Rule 14.7.2.8— Road boundary building setback.</del></li> <li>b. <del>Any application arising from this rule shall not be limited or publicly notified.</del></li> </ul>	<ul style="list-style-type: none"> <li>a. <del>Street scene— road boundary building setback, fencing and planting— Rule 14.15.17</del></li> </ul>
RD18	<ul style="list-style-type: none"> <li>a. <del>Residential units that do not meet Rule 14.7.2.11— Water supply for firefighting.</del></li> <li>b. <del>Any application arising from this rule shall not be publicly notified and shall be limited notified only</del></li> </ul>	<ul style="list-style-type: none"> <li>a. <del>Water supply for fire fighting— Rule 14.15.7</del></li> </ul>

Activity		The Council's discretion shall be limited to the following matters:
	to the New Zealand Fire Service (absent its written approval).	
RD19	<p><del>a. Activities and buildings that do not meet one or more of the activity specific standards in Rule 14.7.1.1 (except P11-P15 activity standard ix, relating to storage of heavy vehicles, (refer to Rule 14.7.1.4 D2)) for:</del></p> <ul style="list-style-type: none"> <li><del>i. P8 Home occupations: <ul style="list-style-type: none"> <li><del>A. That do not meet standard a. and occupy a total area, comprising the floor area of the building or part of the building (measured internally) and any outdoor storage area, no greater than 40% of the GFA of the residential unit, with the GFA calculation excluding detached accessory buildings;</del></li> <li><del>B. that do not meet one or more of standards b. to h.</del></li> </ul> </del></li> <li><del>ii. P11 Education activity</del></li> <li><del>iii. P12 Preschools, other than as provided for in Rule 14.7.1.1 P9 and Rule 14.7.1.4 D2;</del></li> <li><del>iv. P13 Health care facility;</del></li> <li><del>v. P14 Veterinary care facility;</del></li> <li><del>vi. P15 Places of assembly; and</del></li> <li><del>vii. P16 Spiritual activities.</del></li> </ul> <p><del>b. Any application arising from this rule shall not be limited or publicly notified.</del></p>	<p><del>a. As relevant to the activity specific standard that is not met:</del></p> <ul style="list-style-type: none"> <li><del>i. Scale and nature of activity—Rule 14.15.5</del></li> <li><del>ii. Traffic generation and access safety—Rule 14.15.6</del></li> <li><del>iii. Non-residential hours of operation—Rule 14.15.21</del></li> </ul>
RD20	<p><del>a. Within the Residential Hills Mixed Density Overlay, any activity that does not meet Rule 14.7.2.1—Site density.</del></p> <p><del>b. Any application arising from this rule shall not be limited or publicly notified.</del></p>	<p><del>a. Scale and nature of activity—Rule 14.15.5</del></p> <p><del>b. Traffic generation and access safety—Rule 14.15.6</del></p> <p><del>c. Residential design principles—Rule 14.15.1.g—Hillside and small settlement areas</del></p>
RD21	<p><del>a. Within the Residential Hills Mixed Density Overlay, the creation of any attached residential units where the total floor area is greater than 500m<sup>2</sup>.</del></p> <p><del>b. Any application arising from this rule shall not be limited or publicly notified.</del></p>	<p><del>a. Residential design principles—Rule 14.15.1</del></p>

Activity		The Council's discretion shall be limited to the following matters:
RD22	Convenience activities	<del>a. Residential design principles— Rule 14.15.1;</del> <del>b. Scale and nature of activity— Rule 14.15.5</del> <del>c. Traffic generation and access safety— Rule 14.15.6</del> <del>d. Hours of operation— Rule 14.15.21</del>
RD23	Buildings that do not meet Rule 14.7.2.10— Building reflectivity	<del>a. Residential design principles— Rule 14.15.1.i.— Hillside and small settlement areas</del>
RD24	<del>a. Hosted visitor accommodation that does not meet activity specific standards in Rule 14.7.1.1 P29 that does not exceed 12 guests per site at any one time.</del> <del>b. Any application arising from this rule shall not be publicly notified but may be limited notified.</del>	<del>Hosted visitor accommodation, visitor accommodation in a heritage item, unhosted visitor accommodation— Rule 14.15.39.</del>
RD25	<del>a. Visitor accommodation in a heritage item that does not meet activity specific standards in Rule 14.7.1.1 P30 or P31 that does not exceed 20 guests per site at any one time.</del> <del>b. Any application arising from this rule shall not be publicly notified or limited notified.</del>	
RD26	<del>a. Unhosted visitor accommodation that does not meet activity specific standards in Rule 14.7.1.1 P32 that does not exceed 12 guests per site at any one time.</del> <del>b. Any application arising from this rule shall not be publicly notified but may be limited notified.</del>	

#### 14.7.1.4 Discretionary activities

~~a. The activities listed below are discretionary activities.~~

Activity	
D1	Any activity not provided for as a permitted, controlled, restricted discretionary, non-complying or prohibited activity
D2	<del>a. Activities that do not meet one or more of the activity specific standards in Rule 14.7.1.1 for:</del> <ul style="list-style-type: none"> <li><del>i. P1 Residential activity;</del></li> <li><del>ii. P5 Conversion of family flat into a residential unit;</del></li> </ul>

Activity	
	<ul style="list-style-type: none"> <li>iii. <del>P9 Care of non-resident children in a residential unit;</del></li> <li>iv. <del>Storage of more than one heavy vehicle for P11-P16.</del></li> </ul>
D3	Show homes
D4	Residential unit contained within its own separate site with a minimum net site area that does not meet the standard specified in Rule 14.7.2.1 – Site density by more than 10%
D5	Activities and buildings that do not comply with Rule 14.7.2.3 – Site coverage where the site coverage is exceeded by more than 10%
D6	<ul style="list-style-type: none"> <li>a. <del>Hosted visitor accommodation that exceeds 12 guests per site at any one time.</del></li> <li>b. <del>Any application arising from this rule shall not be publicly notified but may be limited notified.</del></li> </ul>
D7	<ul style="list-style-type: none"> <li>a. <del>Visitor accommodation that exceeds 12 guests per site at any one time.</del></li> <li>b. <del>Any application arising from this rule shall not be publicly notified but may be limited notified.</del></li> </ul>
D8	<ul style="list-style-type: none"> <li>a. <del>Unhosted visitor accommodation that exceeds 12 guests per site at any one time.</del></li> <li>b. <del>Any application arising from this rule shall not be publicly notified but may be limited notified.</del></li> </ul>
D9	Home occupation with a total area, comprising the floor area of the building or part of the building (measured internally) and any outdoor storage area occupied, greater than 40% of the GFA of the residential unit, with the GFA calculation excluding detached accessory buildings.

#### 14.7.1.5 ~~Non-complying activities~~

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

Activity	
NC1	Buildings over 9 metres in height
NC2	<ul style="list-style-type: none"> <li>a. <del>Sensitive activities and buildings (excluding accessory buildings associated with an existing activity):</del> <ul style="list-style-type: none"> <li>i. <del>within 10 metres of the centre line of a 66kV electricity distribution line or within 10 metres of a foundation of an associated support structure; or</del></li> <li>ii. <del>within 5 metres of the centre line of a 33kV electricity distribution line, or the 11kV Heathcote to Lyttelton electricity distribution line or within 5 metres of a foundation of an associated support structure.</del></li> </ul> </li> <li>b. <del>Fences within 5 metres of a 66kV electricity distribution line, a 33kV electricity distribution line, or the 11kV Heathcote to Lyttelton electricity distribution line.</del></li> </ul>

Activity	
	<p><del>c. Any application arising from this rule shall not be publicly notified and shall be limited notified only to Orion New Zealand Limited or other electricity distribution network operator (absent written approval).</del></p> <p><b>Advice note:</b></p> <p><del>1. The electricity distribution lines are shown on the planning maps.</del></p> <p><del>2. Vegetation to be planted around electricity distribution lines should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.</del></p> <p><del>3. The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation to electricity distribution lines. Buildings and activity in the vicinity of electricity distribution lines must comply with NZECP 34:2001.</del></p>
NC3	<p><del>a. Visitor accommodation that is not hosted visitor accommodation, unhosted visitor accommodation or visitor accommodation in a heritage item</del></p> <p><del>b. Any application arising from this rule shall not be publicly notified but may be limited notified.</del></p>

#### ~~14.7.1.6 Prohibited activities~~

There are no prohibited activities

#### ~~14.7.2 Built form standards~~

##### ~~14.7.2.1 Site density~~

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

	Activity / Area	Standard
<del>i.</del>	<del>In all parts of the Residential Hills Zone except as specified below (excluding residential units established under Rule 14.7.1.1 P5, P6 and P7).</del>	<del>650m<sup>2</sup></del>
<del>ii.</del>	<del>In Moncks Spur/Mt Pleasant Density Overlay, Shalamar Drive Density Overlay, Upper Kennedys Bush Density Overlay (excluding residential units established under Rule 14.7.1.1 P5, P6 and P7).</del>	<del>850m<sup>2</sup></del>
<del>iii.</del>	<del>Within the Residential Mixed Density Overlay—Redmund Spur</del>	<del>a. The maximum number of lots shall be 400.</del>

	Activity / Area	Standard
		<del>b. A minimum of 30% of sites shall have a minimum net site area of 1500m<sup>2</sup>.</del>
iv.	<del>Within the Residential Mixed Density Overlay—86 Bridle Path Road (Lot 1 DP412440)</del>	<del>The maximum number of lots shall be 9.</del>
v.	<del>Social housing complexes</del>	<del>There shall be no minimum net site area for any site for any residential unit or older person's housing unit</del>
vi.	<del>Older person's housing units</del>	
vii.	<del>Retirement villages</del>	

#### 14.7.2.2 Building height

a. The maximum height of any building shall be:

	Activity / Area	Standard
i.	<del>All buildings unless specified below</del>	<del>8 metres</del>
ii.	<del>Minor residential units in the Residential Hills Zone</del>	<del>5.5 metres and of a single storey only</del>

#### 14.7.2.3 Site coverage

a. The maximum percentage of the net site area covered by buildings shall be as follows:

	Zone/activity	Standard
i.	<del>All activities in the Residential Hills Zone unless specified below</del>	<del>35%</del>
ii.	<del>Social housing complexes, and groups of older person's housing units where all the buildings are single-storey. The percentage coverage by buildings shall be calculated over the net site area of the entire complex or group, rather than over the net site area of any part of the complex or group.</del>	<del>40%</del>
iii.	<del>Market gardens</del>	<del>55%</del>
iv.	<del>Within the Residential Mixed Density Overlay—Redmund Spur</del>	<del>a. For sites greater than 1000m<sup>2</sup>—25% or 250m<sup>2</sup> of ground floor area to a maximum of 350m<sup>2</sup> in total floor area. b. For sites less than 450m<sup>2</sup> the maximum site coverage shall be 45%</del>



	Zone/activity	Standard
v.	Within the Residential Mixed Density Overlay—86 Bridle Path Road	For sites greater than 1000m <sup>2</sup> —25% or 250m <sup>2</sup> of ground floor area to a maximum of 350m <sup>2</sup> in total floor area

b. For the purposes of this rule this excludes:

- i. fences, walls and retaining walls;
- ii. eaves and roof overhangs up to 600mm in width and guttering up to 200mm in width from the wall of a building;
- iii. uncovered swimming pools up to 800mm in height above ground level; and
- iv. decks, terraces, balconies, porches, verandahs, bay or box windows (supported or cantilevered) which:
  - A. are no more than 800mm above ground level and are uncovered or unroofed; or
  - B. where greater than 800mm above ground level and/or covered or roofed, are in total no more than 6m<sup>2</sup> in area for any one site.

#### 14.7.2.4 Daylight recession planes

- a. Buildings shall not project beyond a building envelope constructed by recession planes, as shown in Appendix 14.16.2 Diagram B as relevant, 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. The recession plane shall only apply to the midpoint of each section of wall and roof of a building, as shown in Appendix 14.16.2B
- 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. For the purpose of this rule, a section of roof means a continuous part of the roof with the same slope.

Advice note:—

- 1. Refer to Appendix 14.16.2 for permitted intrusions.

#### **14.7.2.5 Minimum building setbacks from internal boundaries**

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

	Activity/area	Standard
i.	All buildings not listed in table below	1.8 metres
ii.	Accessory buildings where the total length of walls or parts of the accessory buildings within 1.8 metres of each internal boundary does not exceed 10.1 metres in length	Nil
iii.	Decks and terraces at or below ground floor level to a maximum height of 300mm above ground level within 1m of the boundary.	Nil
iv.	Buildings that share a common wall along an internal boundary	Nil
v.	All other buildings where the internal boundary of the site adjoins an access or part of an access	1 metre

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

#### **14.7.2.6 Minimum building setback from ridgeline – Montgomery Spur**

a. No buildings shall be erected on those parts of sites within a 10 metre elevation setback from the ridgeline as identified on Appendix 14.16.7.

#### **14.7.2.7 Minimum setback for living area windows and balconies facing internal boundaries**

a. The minimum setback for living area windows and balconies at first floor from an internal boundary shall be 4 metres.

b. Where the window is adjacent to an access way, the setback shall be measured from the far side of the access way.

#### **14.7.2.8 Road boundary building setback**

a. The minimum road boundary building setback shall be 4 metres; except for:

i. a garage where (See Figure 3):

A. the side walls are parallel to the road boundary and no more than 6.5 metres in length

B. the side walls facing the road contain a window with a minimum dimension of at least 0.6 metres (including the window frame);

- C. the space between the side wall and the road boundary contains a landscaping strip of at least 2 metres in width that includes a minimum of two trees capable of reaching four metres height at maturity; and
- D. where the access to the garage is located adjacent to a side boundary:
  - i. a landscaping strip of at least 0.6 metres width, planted with species capable of reaching 1.5 metres height at maturity, is located along the side boundary up to the line of the residential unit.
- E. Where the planting conflicts with required visibility splays the visibility splay rules will prevail and the planting not be required.

ii. a garage where (See Figure 4.):

- A. the garage is a single garage, with the door facing the road boundary, accessed from a local road;
- B. the garage is a maximum 3.6 metres wide;
- C. the garage is fitted with a sectional door that does not intrude into the driveway when open and can be operated with an automatic opener. Where the garage is more than 3.5 metres from the road boundary an automatic opener is not required; and
- D. no part of the garage door when opening or shutting extends beyond the site boundary.

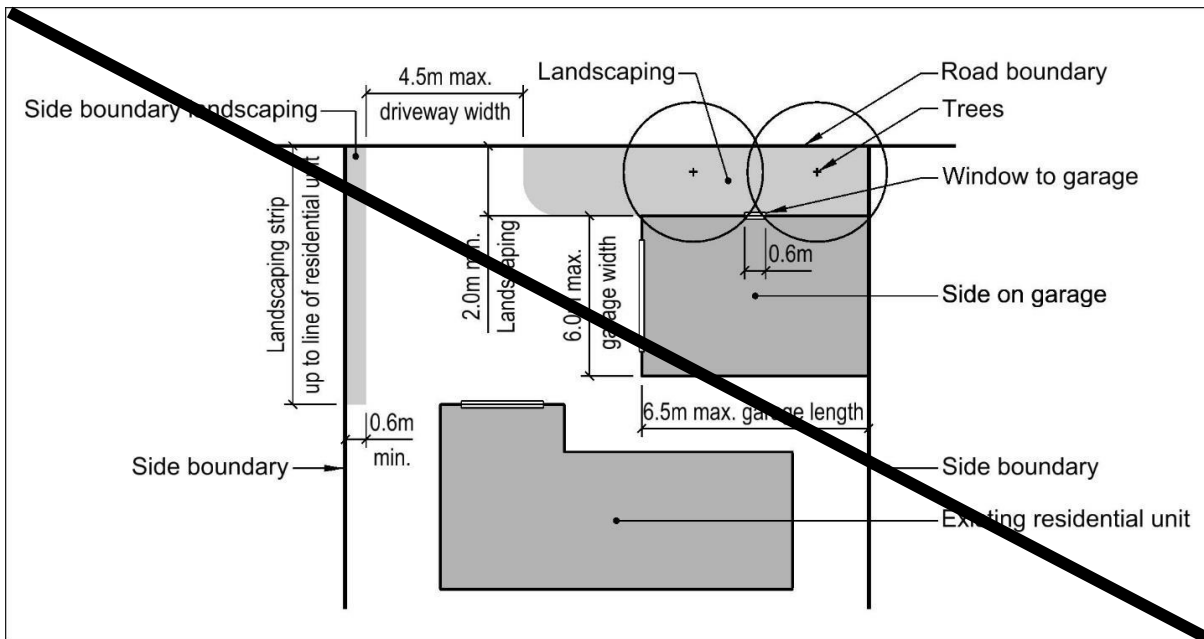
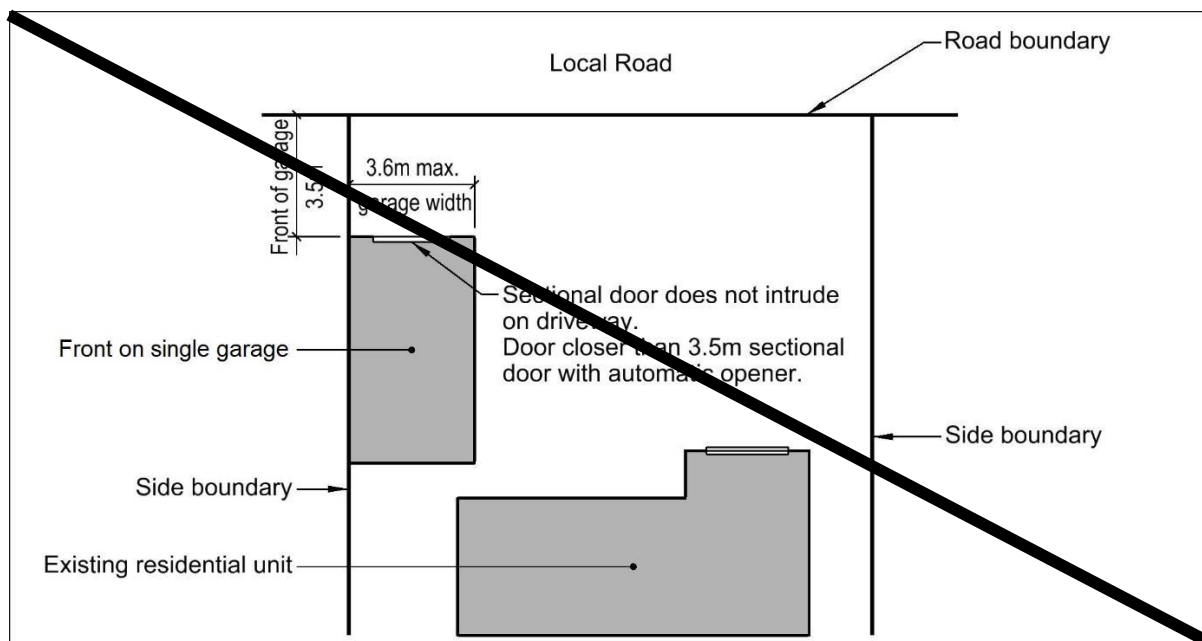


Figure 3: Side extension



**Figure 4: Front extension**

#### **14.7.2.9 Street scene amenity and safety—fences**

- a. ~~The maximum height of any fence in the required building setback from a road boundary shall be 1.8 metres.~~
- b. ~~This rule 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.~~
- c. ~~For the purposes of this rule, a fence or other screening structure is not the exterior wall of a building or accessory building.~~

#### **14.7.2.10 Building reflectivity**

- a. ~~All roof finishes are not to exceed 30% light reflectance value (LRV).~~

#### **14.7.2.11 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, or the only supply available is the controlled restricted rural type water supply which is not compliant with SNZ PAS:4509:2008, water supply and access to water supplies for firefighting shall be in accordance with the alternative firefighting water sources provisions of SNZ PAS 4509:2008.~~

### ~~14.7.2.12 Service, storage and waste management spaces~~

~~a. For social housing complexes:~~

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

### ~~14.7.2.13 Tree canopy cover and financial contributions~~

~~Advice note:~~

- ~~1. Refer to the tree canopy cover and financial contributions requirements in Chapter 6.10A that apply to residential development in residential zones resulting in one or more residential units.~~
- ~~a. 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.~~
- ~~b. 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.~~
- ~~c. Where the tree canopy cover area is not achieved in full or in part through retaining existing trees and/or planting new trees, the remaining tree canopy cover requirement will be subject to the payment of financial contributions in lieu of tree planting, as specified in the Chapter 6.10A rules.~~

## ~~14.7.3 Area specific rules — Residential Hills Zone~~

### ~~14.7.3.1 Area specific activities~~

- ~~a. The following rules apply to the areas specified. All activities are also subject to Rules 14.7.1 and 14.7.2, unless specified otherwise.~~

#### ~~14.7.3.1.1 Area specific permitted activities~~

~~There are no permitted activities.~~

#### ~~14.7.3.1.2 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
<del>C1</del>	<del>Character Area Overlay</del>	<del>a. 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:  i. visible from the street;  ii. located in that part of the site between the road boundary and the main residential unit on the site; or  iii. involves changes to the front façade of the main residential unit of the site.  b. This rule does not apply to:  i. fences that are 1 metre in height or less  ii. accessory buildings that are located to the rear of the main residential unit on the site and are less than 5 metres in height  iii. fences that are located on a side or rear boundary of the site, except where that boundary is adjacent to a public space.  c. Any application arising from this rule shall not be limited or publicly notified.</del>	<del>a. Character Area Overlay—14.15.23</del>

#### ~~14.7.3.1.3 Area specific restricted discretionary activities~~

~~There are no restricted discretionary activities.~~

#### ~~14.7.3.1.4 Area specific discretionary activities~~

~~There are no discretionary activities.~~

#### ~~14.7.3.1.5 Area specific non-complying activities~~

~~There are no non-complying activities.~~

~~14.7.3.1.6 Area-specific prohibited activities~~

~~There are no prohibited activities.~~