

## 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. Changes recommended by the Independent Hearings Panel

The changes recommended by the Independent Hearings Panel are based on Council's 'Reply Provisions' version, which include:

- Text recommended to be added/deleted by proposed PC14
- Text recommended to be added/deleted within s42A reports.
- Text recommended to be added/deleted from expert conferencing/joint witness statements.
- Text recommended to be added/deleted within s42A reports in response to matters raised during Hearings.

Where the Independent Hearings Panel recommends that the proposed PC14 provision be accepted the text is changed to **bold underlined** for the added text, and changes to ~~bold strikethrough~~ for text to be deleted.

Where the Independent Hearings Panel recommends that green definitions or the blue links to other provisions and/or external documents are accepted they *remain* unchanged.

Changes recommended by the Independent Hearings Panel (including to proposed PC14 provisions, definitions and links) are shown as **bold underlined** for text in the Council's 'Reply Provisions' that are recommended to be accepted or for additional new text, and ~~bold deleted~~ for text to be deleted (ie the purple and orange colours in the Council's 'Reply Provisions' have been removed).

#### 3. Further Instructions and Explanations for Council

a. It appears that the following rules have been omitted from this version:

- RD8 Hosted visitor accommodation;
- RD9 Visitor accommodation; and
- RD10 Unhosted visitor accommodation

Return Rule 14.8.3.1.3 to the Operative District Plan version

c. There are no further instructions or explanations.

## 14.8 Rules - Residential Banks Peninsula Zone

### 14.8.1 Activity status tables

#### 14.8.1.1 Permitted activities

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

Activity	Activity specific standards
P1 Residential activity, except for residential units containing more than six bedrooms and boarding houses	<ol style="list-style-type: none"> <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> </ol> Advice note: <ol style="list-style-type: none"> <li>1. For residential activities within the Lyttelton Port Influences Overlay refer to area specific <a href="#">Rule 14.8.3</a>.</li> </ol>
P2 Minor residential unit where the minor unit is a detached building and the existing site it is to be built on contains only one residential unit	<ol style="list-style-type: none"> <li>a. The existing site containing both units shall have a minimum net site area of 450m<sup>2</sup>.</li> <li>b. The minor residential unit shall have a minimum gross floor area of 35m<sup>2</sup> and a maximum gross floor area 80m<sup>2</sup>.</li> <li>c. The parking areas of both units shall be accessed from the same access.</li> <li>d. There shall be a total outdoor living space on the existing site (containing both units) with a minimum area of 90m<sup>2</sup> and a minimum dimension of 5 metres. This total space can be provided as:               <ol style="list-style-type: none"> <li>i. a single continuous area; or</li> <li>ii. be divided into two separate spaces, provided that each unit is provided with an outdoor living space that is directly accessible from that unit and is a minimum</li> </ol> </li> </ol>

Activity		Activity specific standards
		<p>of 30m<sup>2</sup> in area.</p> <p>Advice note:</p> <ol style="list-style-type: none"> <li>1. For minor residential units within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3.</li> </ol>
P3	Retirement villages	<ol style="list-style-type: none"> <li>a. Building façade length – there must be a recess in the façade of a building where it faces a side or rear boundary from the point at which a building exceeds a length of 16 metres. The recess must: <ol 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 height of the wall; and</li> <li>iii. include a break in the eave line and roof line of the façade.</li> </ol> </li> </ol> <p>Advice note:</p> <ol style="list-style-type: none"> <li>1. For retirement villages within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3.</li> </ol>
P4	Conversion of an elderly person's housing unit existing at 6 December 2013, into a residential unit that may be occupied by any person(s) and without the need to be encumbered by a bond or other appropriate legal instrument	<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, sundecks and verandahs, of 35m<sup>2</sup>; and</li> <li>ii. a separate outdoor living space readily accessible from its living area that is at least 30m<sup>2</sup> with a minimum dimension of 3 metres.</li> </ol> </li> </ol>
P5	Home occupation	<ol style="list-style-type: none"> <li>a. 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>.</li> <li>b. The maximum number of FTE persons employed in the home occupation, who reside permanently elsewhere than on the site, shall be two.</li> <li>c. Any retail activity shall be limited to: <ol style="list-style-type: none"> <li>i. the sale of goods grown or produced on the site;</li> <li>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</li> <li>iii. internet-based sales where no customer visits occur; and</li> <li>iv. retail activity shall exclude food and beverage outlets.</li> </ol> </li> <li>d. Manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles shall be carried out in a fully enclosed building.</li> </ol>

Activity		Activity specific standards		
		<p>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:</p> <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> <p>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>.</p> <p>g. <b>Vehicle movements</b> associated with the <b>home occupation</b> shall not exceed:</p> <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> <p>h. Signage shall be limited to a maximum area of 0.5m<sup>2</sup>.</p>		
P6	Care of non-resident children within a <b>residential unit</b> in return for monetary payment to the carer	<p>a. There shall be:</p> <ul style="list-style-type: none"> <li>i. a maximum of 4 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> <p>Advice note:</p> <ol style="list-style-type: none"> <li>1. For P6 activities within the Lyttelton Port Influences Overlay refer to area specific <a href="#">Rule 14.8.3</a>.</li> </ol>		
P7	(Deleted as part of Plan Change 4 Council Decision dated 31 March 2022)			
P8	<b>Education activity</b>	<p>a. The activity shall:</p> <ul style="list-style-type: none"> <li>i. only locate on <b>sites</b> with <b>frontage</b> and the primary entrance to a <b>minor arterial road</b> or <b>collector road</b> where <b>right turn offset</b>, either informal or formal, is available;</li> <li>ii. only occupy a <b>gross floor area</b> of <b>building</b> of less than 200m<sup>2</sup>; or in the case of a <b>health care facility</b>, less than 300m<sup>2</sup>;</li> <li>iii. limit outdoor advertising to a maximum area of 2m<sup>2</sup>;</li> <li>iv. limit the hours of operation when the <b>site</b> is open to visitors, students, patients, clients, and deliveries to between the hours of:</li> </ul> <table border="1" style="width: 100%; margin-top: 10px;"> <tr> <td style="width: 30%;"><b>A. Education activity</b></td> <td> <ul style="list-style-type: none"> <li>I. 0700 – 2100 Monday to Saturday; and</li> <li>II. Closed Sunday and public holidays.</li> </ul> </td> </tr> </table>	<b>A. Education activity</b>	<ul style="list-style-type: none"> <li>I. 0700 – 2100 Monday to Saturday; and</li> <li>II. Closed Sunday and public holidays.</li> </ul>
<b>A. Education activity</b>	<ul style="list-style-type: none"> <li>I. 0700 – 2100 Monday to Saturday; and</li> <li>II. Closed Sunday and public holidays.</li> </ul>			
P9	<b>Preschools</b> , other than as provided for in <a href="#">Rule 14.8.1.1</a> P6.			
P10	<b>Health care facility</b>			
P11	<b>Veterinary care facility</b>			

Activity		Activity specific standards				
		<table border="1"> <tr> <td>B. Preschools</td> <td rowspan="3">I. 0700 – 2100 hours</td> </tr> <tr> <td>C. Health care facility</td> </tr> <tr> <td>D. Veterinary care facility</td> </tr> </table> <p>v. 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 front site separated by an access, and have frontage to the same road;</p> <p>B. only locate on residential blocks where there are no more than two non-residential activities already within that block;</p> <p>vi. in relation to preschools, limit outdoor play areas and facilities to those that meet Rule 6.1.5.2.1 Table 1: Zone noise limits outside the Central City;</p> <p>vii. in relation to veterinary care facilities, limit the boarding of animals on the site to a maximum of 4;</p> <p>viii. not include the storage of more than one heavy vehicle on the site of the activity.</p> <p>Advice note:</p> <p>1. For P8, P9, P10 and P11 activities within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3.</p>	B. Preschools	I. 0700 – 2100 hours	C. Health care facility	D. Veterinary care facility
B. Preschools	I. 0700 – 2100 hours					
C. Health care facility						
D. Veterinary care facility						
P12	Spiritual activities	<p>a. The activity shall:</p> <p>i. limit the hours of operation to 07:00-22:00; and</p> <p>ii. not include the storage of more than one heavy vehicle on the site of the activity.</p> <p>Advice note:</p> <p>1. For P12 activities within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3</p>				
P13	Community corrections facilities	<p>a. The facilities shall:</p> <p>i. limit the hours of operation when the site is open to clients and deliveries to between the hours of 07:00 – 19:00; and</p> <p>ii. limit signage to a maximum area of 2m<sup>2</sup>.</p>				
P14	Community welfare facilities					

Activity		Activity specific standards
		<p>Advice note:</p> <ol style="list-style-type: none"> <li>For P14 activities within the Lyttelton Port Influences Overlay refer to area specific <a href="#">Rule 14.8.3</a>.</li> </ol>
P15	<a href="#">Emergency services facilities</a>	Nil
P16	Repair or rebuild of <a href="#">multi-unit residential complexes</a> 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	<ol style="list-style-type: none"> <li>Where the repair or rebuild of a <a href="#">building</a> will not alter the <a href="#">building</a> footprint, location, or <a href="#">height</a>, the <a href="#">building</a> need not meet the built form standards.</li> <li>Where the <a href="#">building</a> footprint, location, or <a href="#">height</a> 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: <ol style="list-style-type: none"> <li>the only built form standards that shall apply are those specified in <a href="#">Rules 14.8.2.2 – Building height</a> and <a href="#">14.8.2.5 – Daylight recession planes</a>;</li> <li>in relation to the <a href="#">road boundary setback</a>, the repaired or rebuilt <a href="#">building</a> shall have a <a href="#">setback</a> of at least 3 metres;</li> <li>the standards at (i) and (ii) shall only apply to the extent that the repaired or rebuilt <a href="#">building</a> increases the level of non-compliance with the standard(s) compared to the <a href="#">building</a> that existed at the time of the earthquakes.</li> </ol> </li> </ol> <p>Advice note:</p> <ol style="list-style-type: none"> <li>Examples of regulatory or legal requirement that may apply include the New Zealand Building Code, <a href="#">Council</a> bylaws, easements, and other rules within this Plan such as the requirements for minimum floor levels in <a href="#">Chapter 5</a>.</li> </ol> <ol style="list-style-type: none"> <li>If paragraphs a. and b. do not apply, the relevant built form standards apply.</li> <li>Any application arising from not meeting standards a. and b.i. shall not be publicly notified, and may be limited notified to only <a href="#">adjoining property</a> owners (where the consent authority considers this is required, and absent written approval).</li> <li>Any application arising from not meeting standard b.ii. (<a href="#">road boundary setbacks</a>), shall not be limited or publicly notified.</li> </ol>
P17	a. Temporary lifting or moving of earthquake damaged <a href="#">buildings</a> where	<ol style="list-style-type: none"> <li><a href="#">Buildings</a> shall not be: <ol style="list-style-type: none"> <li>moved to within 1 metre of an internal <a href="#">boundary</a> and/or within 3 metres of any <a href="#">water body</a>, scheduled tree, listed <a href="#">heritage item</a>, areas listed as Sites of</li> </ol> </li> </ol>

Activity	Activity specific standards
	<p>the activity does not meet one or more of:</p> <ul style="list-style-type: none"> <li>i. <a href="#">Rule 14.8.2.2</a> – Building height;</li> <li>ii. <a href="#">Rule 14.8.2.3</a> – Site coverage;</li> <li>iii. <a href="#">Rule 14.8.2.4</a> – Minimum building setback from side and rear internal boundaries and railway lines; or</li> <li>iv. <a href="#">Rule 14.8.2.5</a> – Daylight recession planes.</li> </ul>
P18	<p>Conversion of a <a href="#">residential unit</a> into two <a href="#">residential units</a> within the Akaroa and Lyttelton Character Area Overlays.</p> <ul style="list-style-type: none"> <li>a. Each <a href="#">residential unit</a> shall have a minimum <a href="#">gross floor area</a>, excluding terraces, <a href="#">garages</a>, <a href="#">sundecks</a> and <a href="#">verandah</a> of 35m<sup>2</sup>.</li> <li>b. There shall be a minimum of 90m<sup>2</sup> of total <a href="#">outdoor living space</a> on the <a href="#">site</a>.</li> <li>c. Each unit shall be provided with an <a href="#">outdoor living space</a> that is directly <a href="#">accessible</a> from that unit and a minimum of 30m<sup>2</sup> in area.</li> <li>d. This rule does not provide for any external alterations or extensions to an existing <a href="#">residential unit</a> – refer to <a href="#">Rule 14.8.1.3</a> RD3 and RD4.</li> </ul> <p>Advice note:</p> <ol style="list-style-type: none"> <li>1. For P18 activities within the Lyttelton Port Influences Overlay refer to area specific <a href="#">Rule 14.8.3</a>.</li> </ol>
P19	<p><a href="#">Heli-landing areas</a></p> <ul style="list-style-type: none"> <li>a. <a href="#">Sites</a> shall be greater than 3000m<sup>2</sup> in area.</li> <li>b. The number of flights shall not exceed 12 (24 movements) in any calendar year.</li> <li>c. The flights (movements) shall not take place on more than 5 days in any 1 month period.</li> </ul>

Activity		Activity specific standards
		<p>d. The flights (movements) shall not exceed 3 in any 1 week.</p> <p>e. Any movements shall only occur between 08:00 and 18:00 hours.</p> <p>f. No movements shall take place within 25 metres of any residential unit unless that residential unit is owned or occupied by the applicant.</p> <p>g. A log detailing the time and date of each helicopter movement shall be maintained and made available for inspection by the Council when requested.</p>
P20	Relocation of a building	Nil
P21	Market gardens, community gardens, and garden allotments	
P22	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 booked per year, as commencing on 1 January of that year, and the dates used for hosted visitor accommodation and provide those records to the Council on request.</p> <p>Advice note:</p> <p>1. For hosted visitor accommodation within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3.</p>
P23	Unhosted visitor accommodation	<p>a. A maximum of eight guests shall be accommodated at any one time.</p> <p>b. The number of nights a site is used for unhosted visitor accommodation (calculated from when Council are notified of commencement) shall not exceed:</p> <ol style="list-style-type: none"> <li>i. 180 per year in the Akaroa, Duvauchelle and Wainui Residential Banks Peninsula Zones; or</li> <li>ii. 60 per year in other Residential Banks Peninsula Zones.</li> </ol> <p>c. The Council shall be notified in writing prior to commencement.</p> <p>d. The owner of the unit shall</p> <ol 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, and on request or annually if not requested,</li> </ol>



Activity		Activity specific standards
		<ul style="list-style-type: none"> <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> <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. Guests 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>Advice note:</p> <ul style="list-style-type: none"> <li>1. For <b>unhosted visitor accommodation</b> within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3.</li> </ul>
P24	<p><b>Visitor accommodation</b> in a <b>heritage item</b> where a permanent resident or manager/ supervisor is in residence on the site for the duration of any visitors' stay</p>	<ul style="list-style-type: none"> <li>a. A maximum of ten guests shall be accommodated at any one time.</li> <li>b. The <b>Council</b> shall be notified in writing prior to commencement.</li> <li>c. The owner of the heritage item shall keep records of the number of nights it is used for <b>visitor accommodation</b> and provide those records to the <b>Council</b> on request.</li> </ul> <p>Advice Note:</p> <ul style="list-style-type: none"> <li>1. For <b>visitor accommodation</b> in a <b>heritage item</b> within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3.</li> </ul>
P25		<ul style="list-style-type: none"> <li>a. A maximum of 10 guests shall be accommodated at any one time.</li> <li>b. The number of nights a site is used for <b>visitor accommodation</b> shall not exceed 60 per year calculated from when <b>Council</b> are notified of commencement.</li> <li>c. The <b>Council</b> shall be notified in writing prior to commencement.</li> <li>d. The owner of the <b>heritage item</b> shall; <ul style="list-style-type: none"> <li>i. keep records of the number of nights it is used for <b>visitor accommodation</b> and provide those records to the <b>Council</b> 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</li> </ul> </li> </ul>

Activity	Activity specific standards
	<p>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.</p> <p>e. There shall be a maximum of 16 vehicle movements per day associated with <a href="#">visitor accommodation</a>.</p> <p>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.</p> <p>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>.</p>

IHP RECOMMENDATION

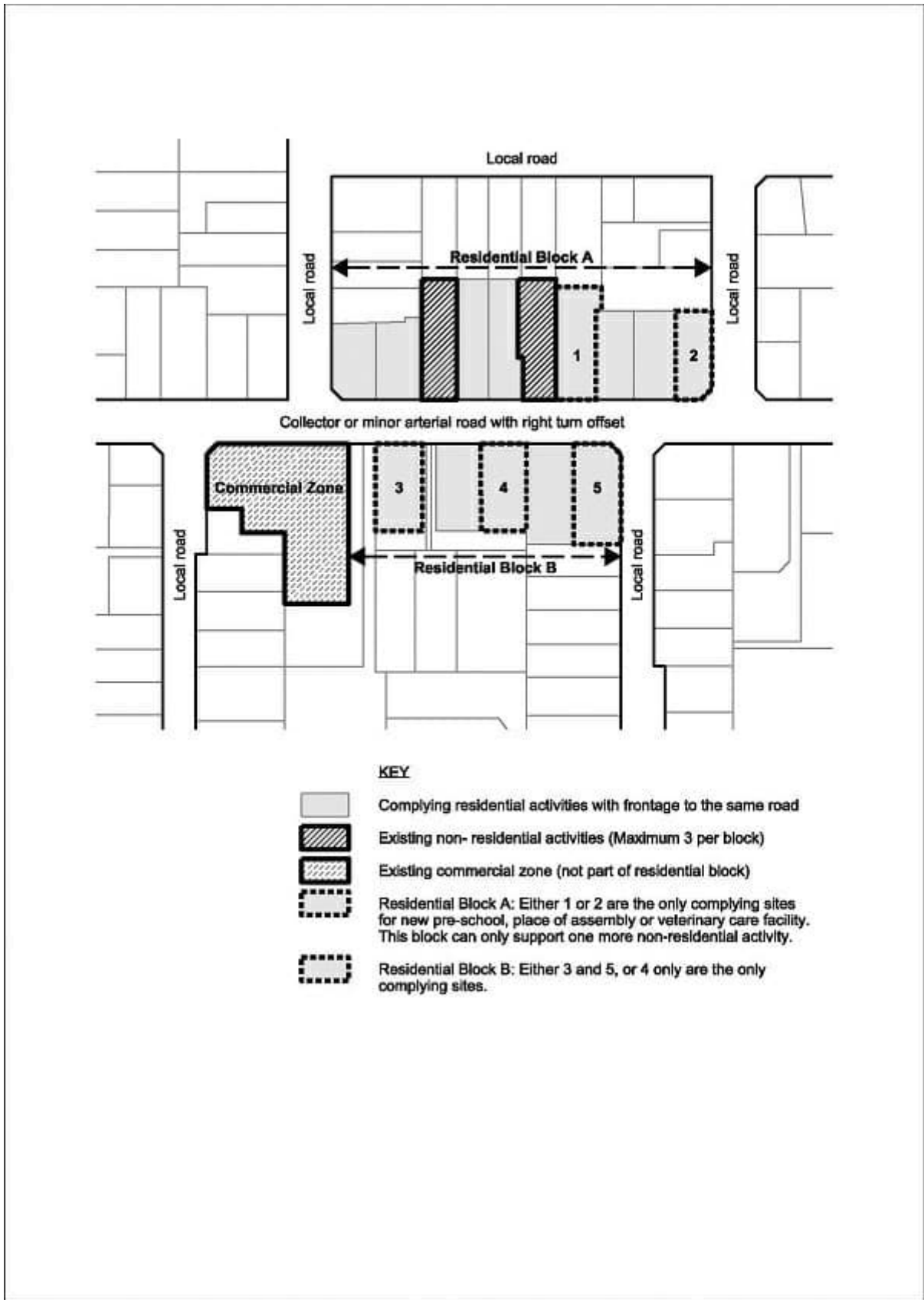


Figure 1: Residential coherence

### 14.8.1.2 Controlled activities

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

Activity		The matters over which Council reserves its control:
C1	Residential units (including any sleep-outs) containing more than 6 bedrooms in total	<ol style="list-style-type: none"> <li>a. Scale and nature of activity – <a href="#">Rule 14.15.5</a></li> <li>b. Traffic generation and access safety - <a href="#">Rule 14.15.6</a></li> </ol>
C2	(deleted under Plan Change 4 Environment Court consent order dated 24 July 2023)	
C3	(deleted under Plan Change 4 Environment Court consent order dated 24 July 2023)	

### 14.8.1.3 Restricted discretionary activities

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

Activity		The Council's discretion shall be limited to the following matters:
RD1	<p>Minor residential unit where the minor unit is a detached building and does not meet one or more of the activity specific standards in <a href="#">Rule 14.8.1.1</a> P2 a, b, c, or d.</p> <p>Advice note:</p> <ol style="list-style-type: none"> <li>1. For minor residential units within the Lyttelton Port Influences Overlay refer to area specific <a href="#">Rule 14.8.3</a>.</li> </ol>	<ol style="list-style-type: none"> <li>a. Minor residential units - <a href="#">Rule 14.15.226</a></li> </ol>
RD2	<ol style="list-style-type: none"> <li>a. Temporary lifting or moving of earthquake damaged buildings that does not meet one or more of the activity specific standards in <a href="#">Rule 14.8.1.1</a> P17.</li> <li>b. Any application arising from this rule shall not be limited or publicly notified.</li> </ol>	<ol style="list-style-type: none"> <li>a. Relocation of a buildings and temporary lifting or moving of earthquake damaged buildings - <a href="#">Rule 14.15.16</a></li> </ol>

Activity		The Council's discretion shall be limited to the following matters:
RD3	<ul style="list-style-type: none"> <li>a. Buildings that do not meet Rule 14.8.2.6 – Building setbacks from road boundaries.</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. Street scene – road boundary building setback, fencing and planting – Rule 14.15.17</li> </ul>
RD4	Residential units that do not meet Rule 14.8.2.1 – Site density	<ul style="list-style-type: none"> <li>a. Site density and site coverage – Rule 14.15.2</li> </ul>
RD5	Activities and buildings that do not meet Rule 14.8.2.3 – Site coverage	
RD6	Buildings that do not meet Rule 14.8.2.2 – Building height	<ul style="list-style-type: none"> <li>a. Impacts on neighbouring property – Rule 14.15.3</li> </ul>
RD7	Buildings that do not meet Rule 14.8.2.5 – Daylight recession planes, <del>except in the Lyttelton Character Area Overlay or Lyttelton Residential Heritage Area where this rule does not apply.</del>	
RD8	Buildings that do not meet Rule 14.8.2.4 (other than 14.8.2.4(a.iii.); refer to Rule 14.8.1.3 RD16) – Minimum building setback from side and rear internal boundaries and railway lines	<ul style="list-style-type: none"> <li>a. Impacts on neighbouring property – Rule 14.15.3</li> <li>b. Minimum building window and balcony setbacks – Rule 14.15.18</li> </ul>
RD9	<ul style="list-style-type: none"> <li>a. Residential units that do not meet Rule 14.8.2.7.</li> <li>b. Any application arising from this rule shall not be publicly notified and shall be limited notified only to the New Zealand Fire Service (absent written approval).</li> </ul>	<ul style="list-style-type: none"> <li>a. Water supply for fire fighting – Rule 14.15.7</li> </ul>
RD10	<p>Multi-unit residential complexes</p> <p>Advice note:</p> <ul style="list-style-type: none"> <li>1. For multi-unit residential complexes within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3.</li> </ul>	<ul style="list-style-type: none"> <li>a. Residential design principles — Rule 14.15.1</li> </ul>
RD11	<ul style="list-style-type: none"> <li>a. Activities and buildings that do not meet one or more of the activity specific standards in Rule 14.8.1.1 (except for P8-P11 standard viii. relating to storage of heavy vehicles, refer to Rule 14.8.1.4 D2) for: <ul style="list-style-type: none"> <li>i. P5 – Home occupations: <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</li> </ul> </li> </ul> </li> </ul>	<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 — Rule 14.15.5</li> <li>ii. Traffic generation and access safety — Rule 14.15.6</li> <li>iii. Non-residential hours of operation — Rule 14.15.245</li> </ul> </li> </ul>

Activity	The Council's discretion shall be limited to the following matters:
<p>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;</p> <p>B. that do not meet one or more of standards b. to h.</p> <p>ii. P8 – Education activity;</p> <p>iii. P9 – Preschools, other than as provided for in Rule 14.8.1.1 P6 and Rule 14.8.1.4 D2;</p> <p>iv. P10 – Health care facility; or</p> <p>v. P11 – Veterinary care facility.</p> <p>b. Any application arising from these rules shall not be limited or publicly notified.</p> <p>Advice note:</p> <p>1. For Rule 14.8.1.1 P8 – education activity, P9 – preschools and P10 – health care facility within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3.</p>	
<p>RD12 a. Integrated family health centres where:</p> <p>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;</p> <p>ii. the centre is located on sites adjoining a Neighbourhood Local centre, District centre Town centre or Key activity centre;</p> <p>iii. the centre occupies a gross floor area of building of between 301m<sup>2</sup> and 700m<sup>2</sup>;</p> <p>iv. outdoor advertising is limited to a maximum area of 2m<sup>2</sup>; and</p> <p>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.</p>	<p>a. Scale and nature of activity – Rule 14.15.5</p> <p>b. Traffic generation and access safety – Rule 14.15.6</p> <p>c. Non-residential hours of operation – Rule 14.15.245</p>

Activity	The Council's discretion shall be limited to the following matters:
RD13 a. <b>Community corrections facilities</b> and <b>community welfare facilities</b> that do not meet one or more of the activity specific standards in <a href="#">Rule 14.8.1.1</a> P13 or P14.1 b. Any application arising from this rule shall not be limited or publicly notified.	a. As relevant to the activity specific standard that is not met: <ol style="list-style-type: none"> <li>i. Scale and nature of activity – <a href="#">Rule 14.15.5</a></li> <li>ii. Traffic generation and access safety – <a href="#">Rule 14.15.6</a></li> <li>iii. Non-residential hours of operation - <a href="#">Rule 14.15.245</a></li> </ol>
RD14 <b>Retirement villages</b> that do not meet one or more of the activity specific standards in <a href="#">Rule 14.8.1.1</a> P3 Advice note: 1. For <b>retirement villages</b> within the Lyttelton Port Influences Overlay refer to area specific <a href="#">Rule 14.8.3</a> .	a. Retirement villages - <a href="#">Rule 14.15.9</a>
RD15 <b>Boarding house</b> Advice note: 1. For <b>boarding houses</b> within the Lyttelton Port Influences Overlay refer to area specific <a href="#">Rule 14.8.3</a> .	a. Scale and nature of activity – <a href="#">Rule 14.15.5</a> b. Traffic generation and access safety – <a href="#">Rule 14.15.6</a>
RD16 Activities and <b>buildings</b> that do not meet <a href="#">Rule 14.8.2.4(a.iii.)</a> relating to rail corridor boundary setbacks.	a. Whether the reduced <b>setback</b> from the rail corridor will enable <b>buildings</b> to be maintained without requiring access above, over, or on the rail corridor.
RD17 a. <b>Spiritual activities</b> that do not meet the hours of operation in <a href="#">Rule 14.8.1.1</a> P12. b. Any application arising from this rule shall not be publicly notified and shall only be limited notified to directly abutting land owners and occupiers (absent its written approval).	a. Non-residential hours of operation – <a href="#">Rule 14.15.245</a>
RD18 a. <b>Hosted visitor accommodation</b> that does not meet activity specific standards in <a href="#">Rule 14.8.1.1</a> P22 that does not exceed 12 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	a. <b>Hosted visitor accommodation, visitor accommodation in a heritage item, unhosted visitor accommodation</b> - <a href="#">Rule 14.15.39</a> .

Activity		The Council's discretion shall be limited to the following matters:
RD19	<ul style="list-style-type: none"> <li>a. Unhosted visitor accommodation that does not meet activity specific standards in Rule 14.8.1.1 P23 that does not exceed 12 guests per site at any one time.</li> <li>b. Any application arising from this rule shall not be publicly notified but may be limited notified.</li> </ul>	
RD20	<ul style="list-style-type: none"> <li>a. Visitor accommodation in a heritage item that does not meet activity specific standards in Rule 14.8.1.1. P24 or 25 that does not exceed 20 guests per site at any one time.</li> <li>b. Any application arising from this rule shall not be publicly notified but may be limited notified.</li> </ul>	

#### 14.8.1.4 Discretionary activities

B. 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	<ul style="list-style-type: none"> <li>a. Activities that do not meet one or more of the activity specific standards in Rule 14.8.1.1 for: <ul style="list-style-type: none"> <li>i. P1 Residential activity;</li> <li>ii. P4 Conversion of an elderly person's housing unit into a residential unit;</li> <li>iii. P6 Care of non-resident children in a residential unit;</li> <li>iv. Storage of more than one heavy vehicle for activities for P8-P12.</li> </ul> </li> </ul>
D3	Show homes
D4	Camping grounds
D5	<ul style="list-style-type: none"> <li>a. Place of assembly (except for a Lyttelton Port Noise Sensitive activity within the Lyttelton Port Influences Overlay) where: <ul style="list-style-type: none"> <li>i. the minimum site area is not less than 30m<sup>2</sup> per person;</li> <li>ii. all outdoor areas associated with the activity are screened with a 1.8 metre high fence or solid planting which ensures privacy for adjoining sites;</li> </ul> </li> </ul>



Activity	
	<ul style="list-style-type: none"> <li>iii. the hours of operation are between 07:00 – 22:00 hours Monday to Sunday and public holidays; and</li> <li>iv. there is no use of <b>heavy vehicles</b> associated with the activity.</li> </ul>
D6	<ul style="list-style-type: none"> <li>a. Retail activity where: <ul style="list-style-type: none"> <li>i. all outdoor areas associated with the activity are screened with a 1.8 metre high fence or solid planting which ensures privacy for <b>adjoining sites</b>;</li> <li>ii. the hours of operation are between 07:00 – 22:00 hours Monday to Sunday and public holidays;</li> <li>iii. the maximum floor area used for <b>retail activities</b> on any <b>site</b> does not exceed 50m<sup>2</sup>;</li> <li>iv. the activity does not include trade or <b>yard-based suppliers</b> or <b>service stations</b>; and</li> <li>v. there is no use of <b>heavy vehicles</b> associated with the activity.</li> </ul> </li> </ul>
D7	All other non-residential activities not otherwise listed in these tables
D8	<b>Integrated family health centres</b> which do not meet one or more of the requirements specified in <b>Rule 14.8.1.3 RD12</b>
D9	<ul style="list-style-type: none"> <li>a. <b>Hosted visitor accommodation</b> that exceeds 12 guests per <b>site</b> at any one time.</li> <li>b. Any application arising from this rule shall not be publicly notified but may be limited notified.</li> </ul>
D10	<ul style="list-style-type: none"> <li>a. <b>Unhosted visitor accommodation</b> that exceeds 12 guests per <b>site</b> at any one time.</li> <li>b. Any application arising from this rule shall not be publicly notified but may be limited notified.</li> </ul>
D11	<ul style="list-style-type: none"> <li>a. <b>Visitor accommodation</b> in a <b>heritage item</b> that exceeds 12 guests per <b>site</b> at any one time.</li> <li>b. Any application arising from this rule shall not be publicly notified but may be limited notified.</li> </ul>
D12	<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.

#### 14.8.1.5 Non-complying activities

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

Activity	
NC1	<ul style="list-style-type: none"> <li>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</b></li> </ul> </li> </ul>

Activity	
	<p>line or within 12 metres of the foundation of an associated support structure; or</p> <p>ii. within 10 metres of the centre line of a 66kV National Grid transmission line or within 10 metres of a foundation of an associated support structure; or</p> <p>b. Fences within 5 metres of a National Grid transmission line support structure foundation.</p> <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 written approval).</p> <p>Advice note:</p> <ol style="list-style-type: none"> <li>The National Grid transmission lines are shown on the planning maps.</li> <li>Vegetation to be planted around the National Grid should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.</li> <li>The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation to National Grid transmission lines. Buildings and activity in the vicinity of National Grid transmission lines must comply with NZECP 34:2001.</li> </ol>
NC2	<p>a. Sensitive activities and buildings (excluding accessory buildings associated with an existing activity):</p> <ol style="list-style-type: none"> <li>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</li> <li>within 5 metres of the centre line of a 33kV electricity distribution line or within 5 metres of a foundation of an associated support structure; or</li> <li>within 5 metres of the centre line of the 11kV Heathcote to Lyttelton electricity distribution line or within 5 metres of a foundation of an associated support structure.</li> </ol> <p>b. Fences within 5 metres of a 66kV or 33kV electricity distribution line support structure foundation.</p> <p>c. Fences within 5 metres of an 11kV Heathcote to Lyttelton electricity distribution line support structure foundation.</p> <p>d. Any application arising from this rule shall not be publicly notified and shall be limited notified only to Orion New Zealand Limited or other electricity distribution network operator (absent written approval).</p> <p>Advice note:</p> <ol style="list-style-type: none"> <li>The electricity distribution lines are shown on the planning maps.</li> <li>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.</li> <li>The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP</li> </ol>

Activity	
	34:2001) contains restrictions on the location of structures and activities in relation to electricity distribution lines. Buildings and activity in the vicinity of electricity distribution lines must comply with NZECP 34:2001.
NC3	<p>a. Visitor accommodation that is not subject to Rule 14.8.1.4 D4, hosted visitor accommodation, unhosted visitor accommodation or visitor accommodation in a heritage item.</p> <p>b. Any application arising from this rule shall not be publicly notified but may be limited notified.</p>

#### 14.8.1.6 Prohibited activities

There are no prohibited activities.

#### 14.8.2 Built form standards

##### 14.8.2.1 Site density

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

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

##### 14.8.2.2 Building height

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

Advice note:

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

#### 14.8.2.3 Site coverage

- a. The maximum percentage of the **net site area** of any **site** covered by **buildings** shall be 35%:
- b. For the purposes of this rule this excludes:
  - i. fences, walls and retaining walls;
  - ii. eaves and roof overhangs up to 600mm in width and guttering up to 200mm in width from the wall of a **building**;
  - iii. uncovered swimming pools up to 800mm in **height** above **ground level**; and
  - iv. decks, terraces, **balconies**, porches, verandahs, bay or box **windows** (supported or cantilevered) which:
    - A. are no more than 800mm above **ground level** and are uncovered or unroofed; or
    - B. where greater than 800mm above **ground level** and are covered or roofed, are in total no more than 6m<sup>2</sup> in area for any one **site**.

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

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

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

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

#### 14.8.2.5 Daylight recession planes

- a. No part of any **building** shall project beyond a **building** envelope contained by a 45 degree recession plane measured at any point 2 metres above **ground level** at any **adjoining site boundary**, that is not a **road boundary**. This rule shall not apply in the Lyttelton Character Area Overlay or in the Lyttelton Residential Heritage Area.

- b. Where the **building** is located in a **Flood Management Area**, the exemptions in **Rule 5.4.1.3** apply (for activities P1-P4 in Table 5.4.1.1b).

#### 14.8.2.6 Building setbacks from road boundaries

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

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

#### 14.8.2.7 Water supply for fire fighting

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

#### 14.8.3 Area -specific rules - Residential Banks Peninsula Zone

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

##### 14.8.3.1 Area- specific activities

###### 14.8.3.1.1 Area- specific permitted activities

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

	Activity/area	Area specific standards
P1	Extension to an existing <b>habitable space</b> or the erection of a new <b>habitable space</b> associated with an existing <b>residential unit</b> in the Lyttelton Port Influences Overlay where the combined <b>gross floor area of the habitable</b>	a. Compliance with <b>Rule 14.8.3.2.1</b>

	Activity/area	Area specific standards
	space does not exceed 40m <sup>2</sup> within a 10 year continuous period	
P2	Replacement for an existing residential unit in the Lyttelton Port Influences Overlay where the combined gross floor area of the habitable space does not exceed the combined gross floor area of the habitable spaces contained in the previous residential unit by more than 40m <sup>2</sup> within a 10 year continuous period	a. Compliance with Rule 14.8.3.2.1
P3	Hosted visitor accommodation in the Lyttelton Port Influences Overlay	a. Compliance with Rule 14.8.3.2.1. b. A maximum of eight guests shall be accommodated at any one time. c. The Council shall be notified in writing prior to commencement. d. 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.
P4	Visitor accommodation in a heritage item in the Lyttelton Port Influences Overlay where a permanent resident or manager/ supervisor is in residence on the site for the duration of any visitors' stay	a. Compliance with Rule 14.8.3.2.1. b. A maximum of ten guests shall be accommodated at any one time. c. The Council shall be notified in writing prior to commencement. d. The owner of the heritage item shall keep records of the number of nights it is used for hosted visitor accommodation and provide those records to the Council on request.
P5	<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>	<del>a. The existing site containing both units shall have a minimum net site area of 450m<sup>2</sup>.</del> <del>b. The minor residential unit shall have a minimum gross floor area of 35m<sup>2</sup> and a maximum gross floor area 80m<sup>2</sup>.</del>

	Activity/area	Area specific standards
		<p><del>c. The parking areas of both units shall be accessed from the same access.</del></p> <p><del>d. 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:</del></p> <p><del>i. a single continuous area; or</del></p> <p><del>ii. be divided into two separate spaces, provided that each unit has an outdoor living space that is directly accessible from that unit and is a minimum of 20m<sup>2</sup> in area.</del></p>
P5	<p>Visitor accommodation in a heritage item in the Lyttleton Port Influences Overlay where a permanent resident or manager/ supervisor is not in residence on the site for the duration of any visitors' stay</p>	<p>a. Compliance with Rule 14.8.3.2.1.</p> <p>b. A maximum of ten guests shall be accommodated at any one time.</p> <p>c. 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> <p>d. The Council shall be notified in writing prior to commencement.</p> <p>e. The owner of the heritage item shall;</p> <p>i. keep records of the number of nights it is used for visitor accommodation and provide those records to the Council on request.</p> <p>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</p>

	Activity/area	Area specific standards
		<p>request, or annually if not requested; and</p> <p>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.</p> <p>f. There shall be a maximum of 16 vehicle movements per day associated with <b>visitor accommodation</b>.</p> <p>g. 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.</p> <p>h. Guest activities shall meet daytime and night time noise limits in Rule 6.1.5.2.1 and Rule 6.1.5.2.2.</p>
P6	<b>Unhosted visitor accommodation</b> in the Lyttleton Port Influences Overlay	<p>a. Compliance with Rule 14.8.3.2.1</p> <p>b. A maximum of eight guests shall be accommodated at any one time.</p> <p>c. The number of nights a site is used for <b>unhosted visitor accommodation</b> shall not exceed 60 per year calculated from when <b>Council</b> are notified of commencement.</p> <p>d. The <b>Council</b> shall be notified in writing prior to commencement.</p> <p>e. The owner of the unit shall;</p> <p>i. keep records of the number of nights it is used for unhosted visitor</p>



	Activity/area	Area specific standards
		<p>accommodation and provide those records to the Council on request.</p> <ul style="list-style-type: none"> <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> <ul style="list-style-type: none"> <li>f. There shall be a maximum of 16 vehicle movements per day associated with unhosted visitor accommodation.</li> <li>g. 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>h. 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>

#### 14.8.3.1.2 Area -specific controlled activities

There are no controlled activities.

	Activity	The Council's control is reserved to the following matters:
C3	<p><del>a. In the Lyttelton Character Area Overlay, the erection of a new residential unit to the rear of an existing residential unit on the same site, where it is:</del></p> <p><del>i. Less than 5 metres in height; and</del></p> <p><del>ii. Meets the built form standards applicable to this Overlay.</del></p> <p><del>Any application arising from this rule shall not be limited or publicly notified.</del></p>	<p><del>a. Character Area Overlay – Rule 14.15.27</del></p>

#### 14.8.3.1.3 Area- specific restricted discretionary activities

### PANEL INSTRUCTIONS:

It appears that the following rules have been omitted from this version:

- RD8 Hosted visitor accommodation;
- RD9 Visitor accommodation; and
- RD10 Unhosted visitor accommodation

**Return Rule 14.8.3.1.3 to the Operative District Plan version.**

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

	Activity/area	The Council's discretion shall be limited to the following matters
RD1	<p>a. Extension to an existing <b>habitable space</b> or the erection of a new <b>habitable space</b> associated with an existing <b>residential unit</b> in the Lyttelton Port Influences Overlay where the combined <b>gross floor area of the habitable space</b> exceeds 40m<sup>2</sup> within a 10 year continuous period with a <b>no complaints covenant</b>, provided that the works meet <a href="#">Rule 14.8.3.2.1</a></p> <p>b. Any application arising from this rule shall not be publicly notified and shall be limited notified only to Lyttelton Port Company (absent its written approval).</p>	<p>a. Lyttelton Port Influences Overlay – <a href="#">Rule 14.15.14</a></p>
RD2	<p>a. Replacement <b>residential unit</b> for an existing <b>residential unit</b> in the Lyttelton Port Influences Overlay where the combined <b>gross floor area of the habitable space</b> exceeds the combined <b>gross floor area of the habitable space</b> contained in the previous <b>residential unit</b> by more than 40m<sup>2</sup> within a 10 year</p>	

	Activity/area	The Council's discretion shall be limited to the following matters
	<p>continuous period with a <b>no complaints covenant</b>, provided that the works meet <a href="#">Rule 14.8.3.2.1</a></p> <p>b. Any application arising from this rule shall not be publicly notified and shall be limited notified only to Lyttelton Port Company (absent its written approval).</p>	
<a href="#">RD3</a>	<p>a. <u>Within the Lyttelton Character Area Overlay;</u></p> <p>i. <u>external alterations or additions to, or demolition of existing buildings on a site, except for the demolition of accessory buildings; and/or</u></p> <p>ii. <u>the erection of a building and accessory buildings, except for new buildings within the Lyttelton Port Influences Overlay Area; and/or</u></p> <p>iii. <u>the relocation of a buildings onto the site.</u></p> <p><u>Within the Lyttelton Character Area Overlay:</u></p> <p><del>a. The demolition or removal of a building greater than 30m<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.</del></p> <p><del>b. This rule does not apply:</del></p> <p><del>i. where 14.8.3.1.2 C3 applies;</del></p> <p><del>ii. to fences that meet the built form standard 14.8.3.2.11;</del></p> <p><del>iii. to accessory buildings that are less than 30m<sup>2</sup> and located to the rear of the main residential unit on the site and are less than 5 metres in height;</del></p> <p><del>iv. to fences that are located on a side or rear boundary of the site, except where that boundary is adjacent to a public space.</del></p> <p><del>c. Activities that do not meet Built Form standard 14.8.3.2.5.</del></p> <p><del>Any application arising from this rule shall not be limited or publicly notified.</del></p>	a. <a href="#">Character Area Overlay – Rule 14.15.237</a>
<a href="#">RD4</a>	<p>a. Within the Akaroa Character Area Overlay;</p> <p>i. external alterations or additions to, or demolition of existing <b>buildings</b> on a <b>site</b>, except for the demolition of <b>accessory buildings</b>; and/or</p> <p>ii. the erection of a <b>building</b> and <b>accessory buildings</b>; and/or</p> <p>iii. the <b>relocation of a buildings</b> onto the <b>site</b>.</p>	a. Character Area Overlay – <a href="#">Rule 14.15.237</a>
<a href="#">RD5</a>	<u>Residential units in the Lyttelton Character Area Overlay and/or Residential Heritage Area that do not meet Rule 14.8.3.2.2 – Site density</u>	

	Activity/area	The Council's discretion shall be limited to the following matters
<del>RD6</del>	<del>Residential units in the Lyttelton Character Area Overlay and/or Residential Heritage Area that do not meet Rule 14.8.3.2.3 – Height of buildings</del>	a. <del>Site density and site coverage – Rule 14.15.2</del>
RD67	Buildings in the Lyttelton Character Area Overlay and/or Residential Heritage Area that do not meet Rule 14.8.3.2.34 – Site coverage	b. <del>Character Area Overlay – Rule 14.15.27</del> c. <del>New buildings in Residential Heritage Area – Rule 9.3.6.4</del>
RD78	Activities in the <del>Lyttelton or</del> Akaroa Character Area Overlay that do not meet <del>Rule 14.8.3.2.67</del> – Landscaping	a. Street scene – road boundary building setback, fencing and planting – <del>Rule 14.15.17</del> b. <del>Residential landscaping – Rule 14.15.24</del>
RD9	<del>Activities in the Lyttelton Character Area Overlay and/or Residential Heritage Area that do not meet Rules 14.8.3.2.5 or 14.8.3.2.6 – Minimum building setbacks or Rule 14.8.3.2.9 – Outdoor living space per unit</del>	a. <del>Street scene – road boundary setback, fencing and planting – Rule 14.15.18</del> b. <del>Outdoor living space – Rule 14.15.21</del> c. <del>Character Area Overlay – Rule 14.15.27</del> d. <del>New buildings in Residential Heritage Area – Rule 9.3.6.4</del>
RD10	<del>Activities in the Lyttelton Character Area Overlay that do not meet Rule 14.8.3.2.8 – Front entrances, Rule 14.8.2.10 – Windows to street, Rule 14.8.3.2.11 – Fencing in character areas or Rule 14.8.3.2.11 – Garaging and carport building location in character areas</del>	a. <del>Residential fencing – Rule 14.15.14</del> b. <del>Character Area Overlay – Rule 14.15.27</del> c. <del>Street facing glazing – Rule 14.15.23</del>

	Activity/area	The Council's discretion shall be limited to the following matters
RD11	<p><del>Minor residential unit in the Lyttelton Character Area Overlay or Lyttelton Residential Heritage Area where the minor unit is a detached building and does not meet one or more of the activity specific standards in Rule 14.8.3.1.1 P5 a, b, c, or d.</del></p> <p><del>Advice note:</del></p> <p><del>For minor residential units within the Lyttelton Port Influences Overlay refer to area specific Rule 14.8.3.</del></p>	<p><del>a. Minor residential units— Rule 14.15.226</del></p> <p><del>b. Character Area Overlay— Rule 14.15.27 where relevant.</del></p> <p><del>c. New buildings in Residential Heritage Areas— Rule 9.3.6.4 where relevant.</del></p>

#### 14.8.3.1.4 Area -specific discretionary activities

D1	<p>a. <b>Hosted visitor accommodation</b> in the Lyttelton Port Influences Overlay that:</p> <ul style="list-style-type: none"> <li>i. does not comply with activity specific standards in Rule 14.8.3.1.1 P3 (a); or</li> <li>ii. that exceeds 12 guests per <b>site</b> at any one time.</li> </ul> <p>b. Any application arising from this rule shall not be publicly notified but may be limited notified.</p>
D2	<p>a. <b>Visitor accommodation</b> in a <b>heritage item</b> in the Lyttelton Port Influences Overlay that:</p> <ul style="list-style-type: none"> <li>i. does not comply with activity specific standards in Rule 14.8.3.1.1 P4 (a) and P5 (a); or</li> <li>ii. that exceed 20 guests per <b>site</b> at any one time.</li> </ul> <p>b. Any application arising from this rule shall not be publicly notified but may be limited notified.</p>
D3	<p>a. <b>Unhosted visitor accommodation</b> in the Lyttelton Port Influences Overlay that:</p> <ul style="list-style-type: none"> <li>i. does not comply with activity specific standards in Rule 14.8.3.1.1 P6 (a) and</li> <li>ii. that exceeds 12 guests per <b>site</b> at any one time.</li> </ul> <p>b. Any application arising from this rule shall not be publicly notified but may be limited notified.</p>

#### 14.8.3.1.5 Area- specific non-complying activities

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

NC1	<p>a. Extension under <a href="#">Rule 14.8.3.1.1</a> (P1) in the Lyttelton Port Influences Overlay that does not meet <a href="#">Rule 14.8.3.2.1</a>.</p> <p>b. Any application arising from this rule shall not be publicly notified and shall be limited notified only to Lyttelton Port Company (absent its written approval).</p>
NC2	<p>a. Replacement under <a href="#">Rule 14.8.3.1.1</a> (P2) in the Lyttelton Port Influences Overlay that does not meet <a href="#">Rule 14.8.3.2.1</a>.</p> <p>b. Any application arising from this rule shall not be publicly notified and shall be limited notified only to Lyttelton Port Company (absent its written approval).</p>
NC3	<p>a. Extension to an existing <a href="#">habitable space</a> or the erection of a new <a href="#">habitable space</a> associated with an existing <a href="#">residential unit</a> in the Lyttelton Port Influences Overlay where the combined <a href="#">gross floor area of the habitable space</a> exceeds 40m<sup>2</sup> within a 10 year continuous period that:</p> <ol style="list-style-type: none"> <li>i. does not have a <a href="#">no complaints covenant</a>; and/or</li> <li>ii. does not meet <a href="#">Rule 14.8.3.2.1</a>.</li> </ol> <p>b. Any application arising from this rule shall not be publicly notified and shall be limited notified only to Lyttelton Port Company (absent its written approval).</p>
NC4	<p>a. Replacement <a href="#">residential unit</a> for an existing <a href="#">residential unit</a> in the Lyttelton Port Influences Overlay where the combined <a href="#">gross floor area of the habitable space</a> exceeds the combined <a href="#">gross floor area of the habitable space</a> contained in the previous <a href="#">residential unit</a> by more than 40m<sup>2</sup> within a 10 year continuous period that:</p> <ol style="list-style-type: none"> <li>i. does not have a <a href="#">no complaints covenant</a>; and/or</li> <li>ii. does not meet <a href="#">Rule 14.8.3.2.1</a>.</li> </ol> <p>b. Any application arising from this rule shall not be publicly notified and shall be limited notified only to Lyttelton Port Company (absent its written approval).</p>
NC5	<p>a. New noise <a href="#">sensitive activities</a> in the Lyttelton Port Influences Overlay except for <a href="#">14.8.3.1.1</a> P3, P4, P5, P6, <a href="#">14.8.3.1.3</a> RD8, RD9, RD10, or and <a href="#">14.8.3.1.4</a> D1, D2 or D3.</p> <p>b. Any application arising from this rule shall not be publicly notified and shall be limited notified only to Lyttelton Port Company (absent its written approval).</p>
NC6	<p>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>.</p> <p>b. Any application arising from this rule shall not be publicly notified and shall be limited notified.</p>

#### 14.8.3.1.6 Area- specific prohibited activities

There are no prohibited activities.

### 14.8.3.2 Area -specific built form standards

#### 14.8.3.2.1 Internal sound design level in the Lyttelton Port Influences Overlay

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

#### 14.8.3.2.2 Site density

- a. Within the Character Area Overlay ~~and/or the Residential Heritage Area~~ in Lyttelton, each residential unit (excluding residential units established under Rule 14.8.1.1 P4 and P18) shall be contained within its own separate site and the site shall have a minimum net site area of 250 450m<sup>2</sup>.
- ~~b. Within the Character Area Overlay and/or the Residential Heritage Area in Lyttelton, there must be no more than one residential unit plus one minor residential unit per site.~~

#### 14.8.3.2.3 Building height

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

#### 14.8.3.2.34 Site coverage

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

- B. where greater than 800mm above ground level and/or covered or roofed, are in total no more than 6m<sup>2</sup> in area for any one site.

#### 14.8.3.2.45 Minimum building setbacks from internal boundaries

- a. Within the Character Area Overlay the minimum building setbacks from boundaries may be reduced to nil on one side internal boundary where written approval has been obtained from the owner and occupier of the site adjoining the boundary, otherwise Rule 14.8.2.4 shall apply.
- ~~a. Within the Character Area Overlay and/or Residential Heritage Area in Lyttelton, the minimum internal boundary setback shall be 1.5 metres on one side and 3 metres on the other, and the minimum rear boundary setback shall be 2 metres.~~
- b. ~~Within the Character Area Overlay in Lyttelton, where the total length of accessory buildings on a side or rear boundary does not exceed 10 metres, no setback shall be required.~~
- c. ~~Within the Character Area Overlay in Lyttelton, any building must be set back from a shared access by a minimum of 1 metre.~~

#### 14.8.3.2.56 Minimum building setbacks from road boundaries

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

#### 14.8.3.2.67 Landscaping

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

#### ~~14.8.3.2.8 Front entrances~~

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



#### ~~14.8.3.2.9 Outdoor living space per unit~~

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

#### ~~14.8.3.2.10 Windows to street~~

- ~~a. Within the Lyttelton Character Area Overlay, any residential unit facing the street must have a minimum of 20% of the street facing façade(s) within the first 6 metres from the road boundary, in transparent glazing, or a combination of transparent glazing and a front door.~~
- ~~b. For the purpose of this rule, any area of roofspace that is fully enclosed by a gable shall not be included in the area of the street facing façade.~~

#### ~~14.8.3.2.11 Fencing in character areas~~

- ~~a. Within the Lyttelton Character Area Overlay, the maximum height of:~~
- ~~i. fencing along the front boundary is 1 metres; and~~
  - ~~ii. any retaining wall along the front boundary is 1.5 metres.~~
  - ~~iii. And where a fence is proposed on a retaining wall, it must be set back from the front face of the retaining wall by 1.2 metres with the intervening area containing planting.~~
- ~~b. The maximum height of fencing for all side and rear (internal) boundaries is 2.0 metres.~~

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

- ~~a. Within the Lyttelton Character Area Overlay, garages, carports (whether detached or not) and any areas provided for car parking shall be:~~
- ~~i. separate to the residential unit;~~
  - ~~ii. located to the side or rear of the residential unit; and~~

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

IHP RECOMMENDATIONS