

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. There are no further instructions or explanations.

14.13 Rules — Enhanced Development Mechanism

14.13.1 Qualifying standards

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

14.13.1.1 Zoning qualifying standards

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

14.13.1.2 Site size qualifying standards

- a. Qualifying sites shall be:
- i. of a size greater than 1500m² and less than 10,000m²; and
 - ii. in one continuous block of land.

14.13.1.3 Housing yield qualifying standards

- a. Comprehensive development of a site shall deliver a minimum density of 30 households per hectare (one unit per 330m²), and a maximum density of 65 households per hectare (one unit per 150m²).

14.13.1.4 Location qualifying standards

- a. Accessibility criteria
- i. Qualifying sites shall lie fully within all of the following four criteria:
 - A. 800 metres EDM walking distance of:
 - I. A ~~Commercial Central City Business City Centre Zone~~ , or Commercial Central City Mixed use Zone, or a ~~Commercial Core Town Centre Zone, Local Centre Zone~~ Zone; or the Commercial Banks Peninsula Zone in Lyttelton; or
 - II. A supermarket of not less than 1000m² gross floor area - except that B does not apply to EDM in the Residential Banks Peninsula Zone;
 - B. 800 metres EDM walking distance of either a primary or intermediate school;
 - C. 400 metres EDM walking distance of an Open Space ~~2-Zone~~ ~~or an Open Space 1 Zone~~ that has an area greater than 4000m²; and
 - D. 600 metres EDM walking distance of an EDM core public transport route – except that iv. does not apply to EDM in the Residential Banks Peninsula Zone.

E. For B. – D. above where the walking route is bisected by an arterial road in Chapter 7 Transport Appendix 7.5.12, the EDM walking distance shall be measured at a formal pedestrian crossing point.

b. Constraint criteria

i. No part of a qualifying site shall lie within:

- ~~A. a Special Amenity Area identified in the City Plan as at 6 December 2013; or~~
- ~~B-A. 400 metres of the boundary of an Industrial – Heavy Zone; or~~
- ~~B. the tsunami inundation area as shown in Appendix 14.16.5; or~~
- ~~C. the Riccarton Wastewater interceptor catchment. In the identified lower catchment this standard only applies until infrastructure work creating capacity has been completed.~~

14.13.2 Activity status tables

14.13.2.1 Permitted activities

There are no permitted activities.

14.13.2.2 Controlled activities

There are no controlled activities.

14.13.2.3 Restricted discretionary activities

- a. The activities listed below are restricted discretionary activities.
- b. Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in Rule 14.15, or as specified, as set out in the following table.
- ~~c. Until 31 December 2018, any application arising from these rules shall not be limited or publicly notified, except as specified in RD3 and RD4 below.~~

Activity		The Council's discretion shall be limited to the following matters:
RD1	Residential activities utilising the Enhanced development mechanism that meet all qualifying standards in Rule 14.13.1 and are not in breach of the built form standards in Rule 14.13.3.	a. Residential design principles – Rule 14.15.1

Activity	The Council's discretion shall be limited to the following matters:	
RD2	<p>Residential activities utilising the Enhanced development mechanism that meet all qualifying standards in Rule 14.13.1 but do not meet one or more of the built form standards in Rule 14.13.3 (except 14.13.3.13 and 14.13.3.14; refer to RD3 and RD4 below).</p>	<p>a. Residential design principles – Rule 14.15.1</p> <p>b. As relevant to the built form standard that is not met:</p> <ul style="list-style-type: none"> i. Site density and site coverage – Rule 14.15.2 ii. Impacts on neighbouring property – Rule 14.15.3 iii. Street scene – road boundary building setback, fencing and planting – Rule 14.15.17 iv. Minimum building, window and balcony setbacks – Rule 14.15.18 v. Outdoor living space – Rule 14.15.20 vi. Minimum unit size and unit mix – Rule 14.15.4 vii. Service, storage and waste management spaces – Rule 14.15.19 viii. Acoustic insulation – Rule 14.15.8 ix. Traffic generation and access safety – Rule 14.15.6
RD3	<p>a. Residential activities utilising the Enhanced development mechanism that meet all qualifying standards in Rule 14.13.1 but do not meet Rule 14.13.3.14.</p> <p>b. Until 31 December 2018, any application arising from this rule shall not be publicly notified and shall be limited notified only to the New Zealand Fire Service (absent its written approval).</p>	<p>a. Residential design principles – Rule 14.15.1</p> <p>b. Water supply for fire fighting – Rule 14.15.7</p>
RD4	<p>a. Residential activities utilising the Enhanced development mechanism that meet all qualifying standards in Rule 14.13.1 but do not meet Rule 14.13.3.14 relating to rail corridor boundary setbacks</p>	<p>a. Residential design principles – Rule 14.15.1</p> <p>b. Whether the reduced setback from the rail corridor will enable buildings to be maintained without requiring access above, over, or on the rail corridor.</p>

Activity	The Council's discretion shall be limited to the following matters:
	b. Until 31 December 2018, any application arising from this rule shall not be publicly notified and shall be limited notified only to KiwiRail (absent written approval).

14.13.2.4 Discretionary activities

- a. The activities listed below are discretionary activities.

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

14.13.2.5 Non-complying activities

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

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

14.13.2.6 Prohibited activities

There are no prohibited activities.

14.13.3 Built form standards

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

14.13.3.1 Building height

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

14.13.3.2 Daylight recession planes

- a. **Buildings** shall not project beyond a **building** envelope constructed by recession planes from points **2.3.4.0** metres above **boundaries** with other **sites** as shown in **Appendix 14.16.2**, diagram C except that:
 - i. where an internal **boundary** of a **site** abuts an **access** lot, **access strip**, or **access** to a rear lot, the recession plane may be constructed from points **2.3.4.0** metres above the furthest **boundary** of the **access** lot, **access strip**, or **access** to a rear lot or any combination of these areas;
 - ii. where **buildings** on **adjoining sites** have a common wall along an internal **boundary** the recession planes shall not apply along that part of the **boundary** covered by such a wall.
 - iii. Where the **building** is located in a **Flood Management Area**, the exemptions in Rule **5.4.1.3** apply (for activities P1-P4 in Table 5.4.1.1b).
- b. The level of internal **boundaries** shall be measured from filled **ground level** except where the **site** on the other side of the internal **boundary** is at a lower level, then that lower level shall be adopted.

14.13.3.3 Street scene

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

14.13.3.4 Separation from neighbours

- a. **Buildings** that adjoin an **access** lot, **access strip**, or **access** to a **rear site** shall be **setback** a minimum of 1 metre from that part of an internal **boundary** of a **site**.

- b. **Accessory buildings** which face the ground floor **window** of a **habitable space** on an **adjoining site** shall be **setback** a minimum of 1.8 metres from that neighbouring **window** for a minimum length of two metres either side of the **window**.
- c. In all other instances **buildings** shall be **setback** a minimum of 1.8 metres from internal **boundaries** of a **site**, except that:
 - i. no **setback** is required from an **access** lot or **access strip** on the same **site**, provided that any **windows** on the ground floor facing and within one metre of the **access** lot or **access strip** are non-opening;
 - ii. other than provided in b. above, no **setback** for **accessory buildings** is required, provided the total length of walls or parts of **accessory buildings** facing and located within the **setback** is less than nine metres;
 - iii. no **setback** is required along that part of an internal **boundary** where **buildings** on **adjoining sites** have a common wall along the internal **boundary**; and
 - iv. no **setback** is required for basements, provided that any part of a basement located within 1.8 metres of an internal **boundary** is wholly below **ground level**.
- d. Parts of a **balcony** or any **window** of a **living area** at first floor level or above shall not be located within 4 metres of an internal **boundary** of a **site**, except that this shall not apply to a **window** at an angle of 90 degrees or greater to **boundary**, or a **window** or **balcony** which begins within 1.2 metres of **ground level** (such as above a **garage** which is partly below **ground level**).

14.13.3.5 Minimum unit size, and mix of units

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

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

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

14.13.3.6 Ground floor habitable space

- a. Any **residential unit** facing a **road** or public space, unless built over an **access way**, shall have a **habitable space** located at ground level.
- b. At least 50% of all **residential units** within a comprehensive development shall have a **habitable space** located at the ground level.

- c. Each **habitable space** located at the **ground level** shall have a minimum floor area of 9m² and a minimum internal dimension of 3 metres.

14.13.3.7 Outdoor living space

- a. For **residential units** with 2 or more bedrooms a minimum of 30m² of **outdoor living space** shall be provided on **site** for each **residential unit**, and shall not be occupied by **parking areas** or **access**. The required **outdoor living space** can be in a mix of private and communal areas, at the ground level or in **balconies**, provided that:
 - i. each unit shall have private **outdoor living space** of at least 16m² in total. The balance of the **outdoor living space** required for each **residential unit** may be provided as communal space;
 - ii. private **outdoor living space** shall have a minimum dimension of 4 metres when provided at ground level and a minimum dimension of 1.5 metres when provided by a **balcony**;
 - iii. at least one private **outdoor living space** shall be directly **accessible** from a **living area** of that unit;
 - iv. **outdoor living space** provided as a communal space shall be **accessible** for use by all units and shall have a minimum dimension of 4 metres; and
 - v. 50% of the **outdoor living space** required across the entire **site** shall be provided at ground level.
- b. For one bedroom **residential units** on the ground floor a minimum of 16m² private **outdoor living space** with a minimum dimension of 4 metres shall be provided on **site** for each **residential unit**, and shall not be occupied by **parking areas** or **access**.
- c. For one bedroom **residential units** entirely at an upper level at total of 16m² of **outdoor living space** shall be provided on **site** for each **residential unit** provided that:
 - i. one space can be a private **balcony** with a minimum area of 6m² and a minimum dimension of 1.5 metres;
 - ii. the balance 10m² can be provided in a communal space.

14.13.3.8 Service, storage and waste management spaces

- a. For multi-unit residential complexes and social housing complexes only:
 - i. each **residential unit** shall be provided with at least 2.25m² 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 3m² with a minimum dimension of 1.5 metres of outdoor space at ground floor level for washing lines; and
 - iii. the required spaces in a. and/or b. for each **residential unit** shall be provided either individually, or within a dedicated shared communal space.

14.13.3.9 Landscaping and tree planting

- a. A minimum of 20% of the **site** utilising the Enhanced development mechanism shall be provided for **landscaping** (which may include private or communal open space), where
 - i. at least 50% of the **landscaping** shall be trees and shrubs, and
 - ii. ~~a minimum tree canopy cover of 20% of the development site area must be provided in accordance with the Chapter 6.10A rules. The tree canopy cover planting area may be located on any part of the development site, such as communal outdoor living space or landscaping area, and does not need to be associated with each residential unit, a minimum of one tree for every 250m² of gross site area (prior to subdivision), or part thereof, is included within the landscaping, and~~
 - iii. at least one tree shall be planted adjacent to the **road boundary**.
- b. All trees shall be not less than 1.5 metres high at the time of planting.
- c. All trees and **landscaping** required by this rule shall be maintained and if dead, diseased or damaged, shall be replaced.

Advice note:

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

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

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

14.13.3.10 Acoustic insulation

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

Advice note:

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

14.13.3.11 Parking space numbers

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

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

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

Advice note:

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

14.13.3.12 Maximum building coverage within Enhanced development mechanism areas

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

14.13.3.13 Water supply for fire fighting

- a. Sufficient water supply and access to water supplies for fire fighting shall be made available to all **residential units** via **Council's** urban fully reticulated system and in accordance with the [New Zealand Fire Service Fire Fighting Water Supplies Code of Practice \(SNZ PAS:4509:2008\)](#).

14.13.3.14 Minimum building setbacks from railway lines

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

14.13.3.15 14.13.3.15 Information requirements for applications

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