

IN THE MATTER OF section 71 of the Canterbury Earthquake Recovery Act 2011 and the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014

AND

IN THE MATTER OF proposals notified for incorporation into a Christchurch Replacement District Plan

Date of hearing: 3 and 4 November 2015

Date of decision: 30 March 2016

Hearing Panel: Hon Sir John Hansen (Chair), Mr Stephen Daysh and Mr John Illingsworth

DECISION 19
Chapter 21 Specific Purposes Zones — Stage 2
(and Relevant Definitions and Associated Planning Maps)

Outcomes: **Proposals changed as per Schedule 1**

Directions to update Planning Maps made as per [164] and [165]

COUNSEL APPEARANCES

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TABLE OF CONTENTS

Introduction	5
<i>Effect of decision and rights of appeal</i>	6
<i>Identification of parts of existing district plans to be replaced</i>	6
Preliminary matters	6
<i>Conflicts of interest</i>	6
Reasons	7
Statutory framework	7
<i>The required “s 32” and “s 32AA” RMA evaluation</i>	7
<i>Purpose of the Notified Specific Purpose Zones</i>	8
<i>Cemetery Zone</i>	8
<i>Defence Wigram Zone</i>	8
<i>Hospital Zone</i>	8
<i>School Zone</i>	9
<i>Styx Mill Road Transfer Station Zone</i>	9
<i>Tertiary Education Zone</i>	9
<i>Alternative Zone Provisions</i>	9
<i>Issues raised by submissions</i>	10
<i>Disputed Issues and Evidence</i>	11
<i>Tertiary Education Zone — Parking at the university and the definition of ‘site’</i>	13
<i>Tertiary Education Zone — Sale and supply of alcohol at the Dovedale campus</i>	16
<i>Tertiary Education Zone — Guest accommodation</i>	19
<i>Tertiary Education Zone — Definition of tertiary education and research activities and facilities</i>	20
<i>Tertiary Zone — Stepped building height</i>	22
<i>Hospital Zone — Zoning</i>	22
<i>Cemetery Zone — Comprehensive consents</i>	25
<i>School Zone — Church Built Form Standards in School Zone</i>	27
<i>School Zone — Default status</i>	29
<i>School Zone — Elmwood Club</i>	30
<i>Defence Wigram Zone — How to use the rules</i>	34
<i>Defence Wigram Zone — Built form standards</i>	35
<i>Schools, Tertiary Education and Cemetery Site re-notified in Stage 2</i>	37

<i>Section 32</i>	37
<i>Section 32AA</i>	38
<i>Definitions</i>	41
<i>Directions for consequential changes to Planning Maps</i>	41
<i>Overall evaluation and conclusions</i>	41
Schedule 1	42
Schedule 2	98
Schedule 3	100

INTRODUCTION

[1] This decision (‘decision’) continues the series of decisions made by the Independent Hearings Panel (‘Hearings Panel’/‘Panel’) concerning the formulation of a replacement district plan for Christchurch City (including Banks Peninsula) (‘Replacement Plan’/‘Plan’).¹ It concerns the provisions of Chapter 21 Specific Purpose Zones (‘SPZ’) that were notified as part of Stage 2.

[2] The particular zones that this decision relates to are the Cemetery Zone, Defence Wigram Zone, Hospital Zone, School Zone, Styx Mill Road Transfer Station Zone and Tertiary Education Zone. The Golf Resort Zone was also notified as part of the Stage 2 SPZ. However, it was deferred to be heard and determined alongside Chapter 6 General Rules and Procedures.²

[3] In this decision, the phrase ‘Notified Version’ describes the version notified by Council and to which, subsequent to consideration of submissions and conferencing, a number of changes were made. This was then ultimately produced in closing by the Council as a red-line version (‘Revised Version’).³

[4] Where we refer to ‘Decision Version’, it is our redrafting of the Revised Version, as set out in Schedule 1, which will become operative upon release of this decision and the expiry of the appeal period.

[5] This decision follows our hearing of submissions and evidence. Further background on the review process, pursuant to the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014 (‘the OIC’) is set out in the introduction to Decision 1, concerning Strategic Directions and Strategic Outcomes (and relevant definitions) (‘Strategic Directions decision’).⁴

¹ The Panel members are Hon. Sir John Hansen (Chairperson), Stephen Daysh and John Illingsworth.

² Minute relating to an application by Christchurch City Council for an Order confirming the allocation of notified provisions to Stage 3 and combined Stage 2 and 3 hearings, 3 November 2015.

³ Closing submissions for the Council, Attachments A–E, 12 November 2015.

⁴ Strategic directions and strategic outcomes (and relevant definitions), 26 February 2015.

Effect of decision and rights of appeal

[6] Under the OIC,⁵ any person who made a submission (and/or further submission) on the Notified Version, the Council and the Ministers⁶ may appeal our decision to the High Court (within the 20 working day time limit specified in the Order), but only on questions of law (and, for a submitter, only in relation to matters raised in the submission).

Identification of parts of existing district plans to be replaced

[7] The OIC requires that our decision also identifies the parts of the existing district plans that are to be replaced by Stage 2 SPZ. The Council provided us with its recommendations on this in tables that accompanied the Notified Version. This decision is confined to Stage 2 provisions relating to the SPZ. Given this staged approach to our inquiry, it is not practical to carve out only those parts of the Existing Plan that are to be replaced by this decision on a provision by provision basis. The only parts of the Existing Plan to be replaced by this decision are the zonings of those areas of land in the Existing Plan (as shown on the relevant Planning Maps) that are to be zoned by this decision.

PRELIMINARY MATTERS

Conflicts of interest

[8] We have posted notice of any potential conflicts of interest on the Independent Hearings Panel website.⁷ No submitter raised any issue in relation to this.

⁵ Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014, cl 19.

⁶ The Minister for Canterbury Earthquake Recovery and the Minister for the Environment, acting jointly.

⁷ The website address is www.chchplan.ihp.govt.nz.

REASONS

STATUTORY FRAMEWORK

[9] The OIC directs that we hold a hearing on submissions on a proposal and make a decision on that proposal.⁸

[10] It sets out what we must and may consider in making that decision.⁹ It qualifies how the Resource Management Act 1991 (‘RMA’) is to apply and modifies some of the RMA’s provisions, both as to our decision-making criteria and processes.¹⁰ It directs us to comply with s 23 of the Canterbury Earthquake Recovery Act 2011 (‘CER Act’).¹¹ The OIC also specifies additional matters for our consideration.

[11] Our Strategic Directions decision, which was not appealed, summarised the statutory framework for that decision. As it is materially the same for this decision, we apply the analysis we gave of that framework in that decision.¹² As with all our decisions, we apply our Strategic Directions decision throughout.

[12] On the matter of the relevant statutory documents and our obligations in regard to them, we endorse and adopt [39]–[45] of the Strategic Directions decision.¹³

The required “s 32” and “s 32AA” RMA evaluation

[13] Again, this is a matter referred to in earlier decisions. We adopt and endorse [48]–[54] of our Natural Hazards decision.¹⁴

⁸ OIC, cl 12(1).

⁹ OIC, cl 14(1) .

¹⁰ OIC, cl 5.

¹¹ Our decision does not set out the text of various statutory provisions it refers to, as this would significantly lengthen it. However, the electronic version of our decision includes hyperlinks to the New Zealand Legislation website. By clicking the hyperlink, you will be taken to the section referred to on that website.

¹² At [25]–[28] and [40]–[62].

¹³ We note that changes were made to the CRPS and Regional Coastal Environment Coastal Plan to enable the Council to either avoid or mitigate new development in urban areas located within high hazard areas and in relation to the responsibilities for managing coastal hazards which took effect from 12 June 2015. They do not affect this decision.

¹⁴ Natural Hazards (Part) (and relevant definitions and associated planning maps), 17 July 2015.

Purpose of the Notified Specific Purpose Zones

[14] The Notified Version and the Revised Version manage activities in each of the SPZ identified at [2] above. The SPZ comprises a variety of disparate activity zones and sites within which a specialist or specific activity is undertaken. The land use zones are grouped together because they do not easily fit in any of the ‘typical’ land use zones for Christchurch City. Some of the SPZ provide for activities undertaken by private entities on private land, while others are activities undertaken by public entities on public land.

[15] Each SPZ includes objectives, policies and rules that provide for the specific activities in that zone. A summary of the purpose of each of the SPZ subject to this decision is provided below.

Cemetery Zone

[16] The Cemetery Zone applies to cemeteries and crematoria across Christchurch City. It seeks to enable cremation and interment services and, where appropriate, recognise, protect and enhance the cultural heritage, ecological, landscape and spiritual/religious values of cemeteries and crematoria.

Defence Wigram Zone

[17] The Defence Wigram Zone applies to the defence base operated by the New Zealand Defence Forces at Wigram. The zone seeks that the site is functional for defence purposes, recognising the historical significance of the site to Christchurch City and New Zealand, and provides for cultural facilities and a range of ancillary cultural, educational and recreational activities.

Hospital Zone

[18] The Hospital Zone applies to suburban, suburban services and inner urban hospital sites around Christchurch City (but excluding those within the central city). It seeks that the evolving health care facility needs of Christchurch City, and the wider region, are supported by the efficient development of hospital sites, whilst also recognising the character and amenity values of the surrounding environment.

School Zone

[19] The School Zone applies across a number of public and private school sites across Christchurch City. It seeks to enable education providers to efficiently use and develop their land and buildings for education activities and as hubs for a diverse range of community activities. It also seeks to mitigate significant adverse effects on the amenity of adjoining zones, and to recognise and enhance the contribution of education buildings and sites to the character of neighbourhoods.

Styx Mill Road Transfer Station Zone

[20] The Styx Mill Road Transfer Station Zone applies to the existing transfer station on Styx Mill Road, which is one of three transfer stations in Christchurch City. It seeks a safe and efficient facility for disposing and recycling of household refuse for onward transmission to the landfill.

Tertiary Education Zone

[21] The Tertiary Education Zone applies to the sites operated by the University of Canterbury (submitter 2464, further submitter 2822) and the Christchurch Polytechnic Institute of Technology ('CPIT') (2269, FS2769) (but excluding sites within the central city). It seeks the efficient use and growth/diversification of tertiary education and research activities and facilities, while having regard to the amenity and character of the surrounding environment.

Alternative Zone Provisions

[22] Another feature of many of the SPZ is the inclusion of what is effectively a three-tiered planning regime for the management of activities in the zone or on particular sites. The three tiers include the provisions of the SPZ, alternative zone provisions that generally encompasses the zoning that applies to adjacent properties and apply in circumstances where the specific purpose is no longer relevant, and a designation of site.

[23] We queried this approach with the relevant experts as, in our experience, it seemed reasonably unusual to have three-tiered planning regime applying to a site or a zone.

[24] However, Mr Blair and Ms Dixon, on behalf of the Council, noted that the approach has worked quite successfully in the Operative Christchurch City District Plan.¹⁵ Ms Dixon also noted that the feedback received by the Council was that the three-tiered planning regime provides flexibility for developers and certainty for communities as to what might occur if an institution has surplus land that it wants to dispose of.¹⁶

[25] We also understand that the approach assists in negating the need for numerous ‘spot’ private plan changes to various sites in Christchurch. As such, we endorse its inclusion in the provisions for the SPZ.

Issues raised by submissions

[26] We have considered all submissions and further submissions received in relation to the Stage 2 SPZ Proposal. Schedule 2 lists witnesses who gave evidence for various parties, and submitter representatives.

[27] A significant degree of agreement was achieved by the Council and submitters over the provisions of the SPZ prior to the hearing, via formal and informal mediation. The limited extent of the outstanding matters was documented in the opening legal submissions by Ms Scott on behalf of the Council.¹⁷

[28] Subsequent to the hearing, the Council and submitters reached agreement on some of the remaining outstanding matters. In light of the efforts by the Council and submitters, all matters of substance relating to the Styx Mill Road Transfer Station Zone and Hospital Zone were resolved prior to the hearing (save a decision being required by us on an issue of scope for the rezoning of sites held by Pegasus Health (Charitable) Limited (2085) and Nurse Maude Association (2280)). In addition, there was agreement between the Council and submitters with respect to the objectives and policies of the School Zone and the Defence Wigram Zone. We endorse the view of the experts who were parties to the conferencing statement and provided evidence on these matters. That evidence satisfies us as to the agreed position they reached. Accordingly, we have included those agreed outcomes in the Decision Version.

¹⁵ Transcript, page 11, line 44.

¹⁶ Transcript, page 60, line 8.

¹⁷ Opening submissions for the Council at 1.3.

[29] The key matters still outstanding at the conclusion of the hearing were summarised by Ms Scott in her closing legal submissions for the Council.¹⁸

[30] We deal with the outstanding matters in each SPZ below, and make our evidential finding. We also address those matters where we have made further amendments to the text of each SPZ.

Disputed Issues and Evidence

Tertiary Education Zone — Building Modulation

[31] The need for a specific rule to manage the potential visual impacts of large scale buildings in the Tertiary Zone on surrounding residential areas was identified as a gap in the Plan during the expert conferencing and discussions between Ms Schröder and Mr Jolly, the urban design experts on behalf of the Council and the University of Canterbury respectively.¹⁹

[32] Ms Schröder considered that a new controlled activity, limited to the boundary interfaces with other zones, would achieve a balance between ensuring an adequate level of amenity for the surrounding environment and limiting the need for a consenting process. Mr Jolly also acknowledged that the potential issue of continuous building façades should be considered in the Plan. He said that he would have concerns if a building was to be constructed to 30m in height and 100m in length with no façade break, as this would potentially lead to an overly dominant and bulky built form. He also acknowledged under questioning that there would be a gap in the Plan if the controlled activity proposed by Ms Schröder was not included.²⁰

[33] In contrast to the urban design experts, Ms Lemon, the planning expert on behalf of the University of Canterbury, produced a proposed permitted activity rule for the management of building modulation at the hearing.²¹ In this regard, and on the basis of the opinions of Ms Schröder and Mr Jolly concerning the need to control building modulation, Ms Lemon had drafted a permitted activity rule that she considered would reduce reliance on the need for a resource consent.²²

¹⁸ Closing submissions for the Council, 12 November 2015.

¹⁹ Evidence in chief of Edward Jolly on behalf of the University of Canterbury at 34.

²⁰ Transcript, page 142, line 5.

²¹ Exhibit 1, 4 November 2015.

²² Transcript, page 155, line 22.

[34] While we acknowledge that the closing legal submissions of Mr Chapman, on behalf of the University of Canterbury, considered that a controlled activity rule was unnecessary,²³ it is our view that the inclusion of a specific controlled activity rule that manages the potential visual impacts of large scale buildings is appropriate to ensure the amenity of the surrounding residential environment in light of the expert opinion of Ms Schröder and Mr Jolly. While we acknowledge the assurance provided by Mr Chapman that the University of Canterbury will employ architects to manage building modulation on its larger developments, this does not provide any Council review mechanism, which we consider is an important process with these types of buildings in this zone. Further, we do not consider that the permitted activity rule proposed by Ms Lemon addresses potential issues related to architectural detailing and the relationship of the building with the street.

[35] Notwithstanding our acceptance of the need for the controlled activity rule, we raised concerns with Ms Schröder and Mr Jolly during questioning on the matters of control set out in the rule provided with Ms Schröder’s rebuttal evidence.²⁴ In particular, we questioned Ms Schröder and Mr Jolly on the need for clarity of language in accordance with the Statement of Expectations.²⁵ It was apparent that terms such as “visual interest” and “human scale” are inherently subjective, and that the drafting of the matters of control had been inappropriately focused on providing direction for urban designers rather than lay readers of the Plan.

[36] The closing legal submissions by Ms Scott on behalf of the Council noted that Ms Schröder and Mr Jolly had further discussed the proposed rule in order to improve its understanding by the general public. The closing legal submissions contended that the revised version of the rule is more succinct and provides clearer direction as to the intended built form outcome of the provision. However, the closing legal submissions also accepted that a more objective replacement for the word “rhythms” in clause (a) of the rule may be the word “features” — highlighting that clarity of language is still an issue in the rule.²⁶

[37] We agree with the closing legal submissions of Ms Scott that “rhythms” should be replaced by “features”. The term “rhythms” does not, in our opinion, have any obvious connotations in relation to buildings for lay readers of the Plan. We have also decided to amend

²³ Closing submissions for the University of Canterbury at 12.

²⁴ Rebuttal evidence of Josephine Schröder on behalf of the Council at 5.4.

²⁵ OIC, Schedule 4, Statement of Expectations.

²⁶ Closing submissions for the Council at 3.4.

clause (b) of the rule so that it simply refers to “the extent to which activities connect with streets and public spaces at ground and first floor levels”. In this regard, the reference to activities that “engage and activate streets” lacks clarity as to its actual intent and the outcomes sought by the rule.

[38] We have also amended the reference to notification in Rule 21.7.3.1A (re-numbered as Rule 21.7.3.2 in the decision). The proposed rule stated that “any application arising from non-compliance with this rule will not require written approvals and shall not be limited or publicly notified.” The reference to non-compliance with the rule is incorrect. It should refer to any resource consent application arising from this rule not requiring written approvals and not being publicly or limited notified.

[39] Finally, we acknowledge that the University of Canterbury was also of the view that the inclusion of a rule on building modulation was beyond the scope of submissions. The reasoning for this was explained in detail in the opening legal submissions of Mr Chapman.²⁷ The closing legal submissions by Ms Scott on behalf of the Council also identified that there is no specific submission point that provides scope for us to insert the building modulation rule proposed by Ms Schröder and Mr Jolly. However, Ms Scott submitted that we have the power to include the rule under cl 13(2) of the OIC, which provides us with the opportunity to make any changes to the proposal that we consider appropriate and does not limit us to the scope of the submissions made on a proposal. The application of cl 13(2) of the OIC was not discussed by Mr Chapman in his opening or closing submissions on behalf of the University of Canterbury.

[40] In light of the evidence of Ms Schröder and Mr Jolly, and our earlier reasoning regarding the need to ensure the amenity of the residential environment surrounding the Tertiary Education Zone, we consider it is also appropriate for us to utilise cl 13(2) of the OIC to amend the Tertiary Zone Proposal to provide for a building modulation rule.

Tertiary Education Zone — Parking at the university and the definition of ‘site’

[41] The University of Canterbury and CPIT sought to amend the definition of ‘site’ in their submission on Stage 2 so as to clarify that, for the purpose of the activity standards and general

²⁷ Opening submissions for the University of Canterbury at 29–40.

city-wide standards in the Tertiary Education Zone, the site means all of the land used by a particular education or tertiary education facility, whether those parcels of land are contiguous or not.

[42] Ms Lemon explained that the University of Canterbury and CPIT sought to remove the exception for general city-wide standards so that they applied across the campuses utilised by the University of Canterbury and CPIT. Dr Cochrane, Deputy Vice Chancellor (Academic) for the University of Canterbury,²⁸ advised that the university operates as one site and is separated only by Ilam and Waimairi Roads. Dr Cochrane also identified that the tertiary education and research activities occur across the three campuses, given the repair and rebuild program that is occurring post the earthquakes.

[43] Mr Oliver, the Campus Services Manager at the University of Canterbury, considered that in the event of the university being treated as three different sites, considerable money would have to be spent building additional car parking spaces. Mr Oliver was also of the view that, were additional car parks required to be built, there would be a considerable number of existing car parks that would sit empty. He considered that a better outcome would be to encourage the use of the existing car parks, rather than “eating into the green space at the University of Canterbury”.²⁹

[44] Mr Falconer, who provided transportation planning evidence on behalf of the Council, did not support the amendments to the definition of site sought by the University of Canterbury. He advised that the transport rules set minimum parking requirements for car parking to be located on the same site as the activity. He was clear in his view that parking should be located on the same site as the activity, and in the case of the University of Canterbury he considered that the site should be defined by the individual campuses (e.g. Dovedale or Ilam).³⁰

[45] Mr Falconer was of the opinion that the proposed change sought by the University of Canterbury and CPIT could enable car parking at the university to be located almost 2km from the activity generating the car parking requirements. Mr Falconer considered that this could

²⁸ Dr Cochrane presented the brief evidence originally prepared by Dr Carr on behalf of the University of Canterbury.

²⁹ Evidence in chief of Michael Oliver on behalf of the University of Canterbury at 30.

³⁰ Transcript, page 80, line 15.

deter people from using those car parks and instead they may park on streets closer to the activity, which could have an adverse effect on residential amenity.³¹

[46] The position of Mr Falconer was supported by Mr Harding, a resident on behalf of the Ilam and Upper Riccarton Residents Association (‘IURRA’) (2180). While Mr Harding did not offer any expert evidence on the matter, he also noted the potential for the University of Canterbury to supply the requisite car parks all on the western end of the Dovedale campus. For the purposes of clarity, Mr Harding submitted that the opening sentence of the definition of ‘site’ should refer to a contiguous area of land or volume of space with legally defined boundaries.³²

[47] The closing legal submissions by Mr Chapman, on behalf of the University of Canterbury, maintained that it was appropriate to amend the definition of ‘site’ in accordance with the submission of his client and CPIT. However, the legal submissions did offer alternative relief if we were minded to require a more prescriptive outcome for car parking at the University of Canterbury.³³ That involved an amendment to Appendix 7.1 of Chapter 7 (Transport) to the Plan to clarify that the University of Canterbury campus is to be treated as one site, that car parking for staff and students is to be provided in accordance with Table 7.2, and that not less than 20 per cent of the car parks shall be provided west of Waimairi Road and 30 per cent shall be provided east of Ilam Road (with the balance provided by the University of Canterbury across the site).

[48] This relief was supported by the Council in its closing legal submissions. Ms Scott noted that the Council considers that this relief gives more certainty about the location of car parking at the University of Canterbury and removes any risk that the changes to (g) of the definition of site “could have some other unintended consequences for other city-wide rules such as earthworks and noise.”³⁴

[49] It is apparent to us that there is a need for certainty as to how the University of Canterbury campus will be treated/defined when consideration is given to the car parking requirements in the Plan. It is also apparent that the location of car parking buildings on the campus, along

³¹ Rebuttal evidence of David Falconer on behalf of the Council at 3.4.

³² Evidence in chief of Peter Harding on behalf of IURRA at 41.

³³ Closing submissions for the University of Canterbury at 10.

³⁴ Closing submissions for the Council at 3.10.

with the parking management strategies employed by the University, has the potential to create adverse amenity effects in the surrounding environment in terms of students parking on adjoining streets.

[50] As such, it is our view that the amendment to Appendix 7.1 of Chapter 7 proposed by Mr Chapman in his closing legal submissions, and accepted by the Council, will provide clarity over the application of the car parking standards to the University of Canterbury campus and some degree of certainty over where car parking is located on the campus. In addition, the amendment to Appendix 7.1 is supported by the evidence presented and, therefore, we have included it in the Decision Version.³⁵

Tertiary Education Zone — Sale and supply of alcohol at the Dovedale campus

[51] The sale and supply of alcohol at the Dovedale campus of the University of Canterbury was a matter of disagreement between the Council, the University of Canterbury and the IURRA. The key issue requiring a finding from the Panel is whether the sale and supply of alcohol at the Dovedale campus should be a restricted discretionary, non-complying or prohibited activity in the Plan.

[52] Mr Harding for the IURRA contended that the area around the University of Canterbury has a long history of experiencing alcohol-related anti-social behavioural problems. As such, he advised the supply of alcohol is a significant interest to residents. He did, however, acknowledge that many of the problems with alcohol observed by members of the IURRA cannot be directly addressed by the Plan.³⁶

[53] Mr Carter, who appeared on behalf of Ms Toni Carter (2211), also raised concerns regarding the social problems associated with alcohol consumption around residential communities. He stated that he considered the off-licence sale of alcohol should be prohibited at all times at the Dovedale campus.³⁷ He did not see this as an appropriate function for the Dovedale campus in light of its “unique nature”.³⁸

³⁵ OIC, cl 13(5) and (6)(a).

³⁶ Transcript, page 175, line 15.

³⁷ Transcript, page 186, line 6.

³⁸ Transcript, page 185, line 8.

[54] Ms Lemon gave evidence on behalf of the University of Canterbury that the sale and supply of alcohol at the Dovedale campus is sufficiently controlled by Rule 6.9.2.2.3 of Chapter 6 General Rules and Procedures. She considered the matters of discretion under this rule to be comprehensive, and noted that it does not preclude limited or public notification. Overall, Ms Lemon was of the view that Rule 6.9.2.2.3 is able to be relied upon and Rule 21.7.2.2.4 (re-numbered as Rule 21.7.3.5 in the decision) is able to be deleted.³⁹

[55] Ms Lemon, having considered the submissions of residents seeking a prohibited activity, explained that a prohibited activity should be used very sparingly in a land use planning context. She also commented that prohibited activities are typically assigned to activities that are so far removed from the objectives of the plan that they are completely inappropriate.

[56] Ms Dixon provided planning evidence on behalf of the Council. She also did not consider that a prohibited activity was appropriate or required in this instance. She considered that prohibited activities should be used very sparingly in plans and that a non-complying activity is sufficient discouragement in this instance. In this regard, she stated that Rule 21.7.2.2.4 is a significant impediment to sale of alcohol on any part of the Dovedale campus between 11 p.m. and 7 a.m.⁴⁰

[57] Ms Dixon considered that a non-complying activity rule is an appropriate level of limitation for a “sensitive” site such as the Dovedale campus, since it allows for the possibility of alcohol sales at a performance venue on the site “but does not provide for sale or supply of alcohol late at night.”⁴¹ It was her opinion that this was sufficient to meet the concerns of the submitters. However, in response to questions from the Panel regarding why the Dovedale campus should be the exception in Christchurch, Ms Dixon made the following observations:⁴²

MS DIXON: I guess it is, as I have talked about, the surrounds of this particular site being primarily residential on most of its periphery and also basically the concerns that submitters have had and I probably have seen in action of student behaviour. I know that – and I am not trying to control student behaviour through the District Plan, I am merely suggesting that the precursor of being able to obtain alcohol late at night is perhaps a contributor to that behaviour and that there are adequate alternative locations at the University for sale and supply of alcohol during those hours.

³⁹ Evidence of Penelope Lemon on behalf of the University of Canterbury and CPIT at 30.

⁴⁰ Evidence in chief of Glenda Dixon on behalf of the Council at 10.12.

⁴¹ Evidence in chief of Glenda Dixon at 10.12.

⁴² Transcript, page 64, line 40.

SJH: So it is a residential and the views of submitters and your personal views on student behaviour that (INDISTINCT 4.32) this. That is just what you have said.

MS DIXON: Yes, it is what I have said. I guess as I say the Plan is not attempting to control behaviour, it is merely addressing a precursor of that behaviour.

SJH: But I repeat, you said, it was not just the submitters' but your own personal view of student behaviour.

MS DIXON: Well I have personally had my letterbox stolen but obviously there is no proof that that was by a student.

SJH: Do you think your own personal opinion should colour your view when you are giving evidence as an expert?

MS DIXON: I do not actually think it has really coloured by view.

SJH: Well, you just said it has.

[58] This exchange highlights our concerns with the analysis of the appropriate rule framework for the management of the sale and supply of alcohol at the Dovedale campus by Ms Dixon. Personal experience with the behaviour of students around the University of Canterbury should have no bearing in this matter.

[59] Ms Dixon also acknowledged in response to questioning by Mr Chapman that the matters of discretion under Rule 6.9.3 are comprehensive.⁴³

MR CHAPMAN: If you then turn and go down a little bit further to the matters of discretion under 6.9.3.1, from your knowledge, are there any matters in those matters of discretion which would not be capable of raising issues at the Dovedale site with respect to the sale of alcohol?

MS DIXON: No, I think they are quite comprehensive, however, as you are no doubt wishing to point out, I have noted a specific rule in this Specific Purpose Tertiary Zone which makes that sale of alcohol between 11.00 pm and 7.00 am non-complying.

[60] Ms Scott, in her closing legal submissions, summarised that it was Council's position that it was appropriate to distinguish the Dovedale campus from the controls that apply across the rest of Christchurch City, because it is the only site in the city zoned for tertiary education which is also completely surrounded by residential land uses.⁴⁴

⁴³ Transcript, page 52, line 35.

⁴⁴ Closing submissions for the Council at 3.25.

[61] The closing legal submissions also noted that the Council is responding to specific submissions seeking that the sale and supply of alcohol on this campus be prohibited. However, we note that the Dovedale campus would be the only area in Christchurch City with such a prohibited activity, if the relief sought by the IURRA were to be accepted.

[62] Having considered the planning evidence on behalf of the Council and the University of Canterbury, and the experiences of Mr Harding and Mr Carter as residents in the area, we agree with the evidence of Ms Lemon that General Rule 6.9.2.2.3 provides sufficient controls for the sale and supply of alcohol across Christchurch City. In this regard, and as accepted by Ms Dixon under cross-examination, the matters of discretion under Rule 6.9.2.2.3 are sufficiently comprehensive to enable a proper assessment of any resource consent application for the sale and supply of alcohol at the Dovedale campus. The rule also does not preclude notification, and enables the Council to decline resource consent applications if necessary in individual circumstances.

Tertiary Education Zone — Guest accommodation

[63] The submissions of the University of Canterbury and CPIT both sought a permitted activity rule to enable the use of student accommodation by third parties. The Council and the University of Canterbury and CPIT were able to agree through mediation a rule for the Tertiary Education Zone that enabled the use of student accommodation by persons not associated with the tertiary education and research activity. The proposed rule was subject to conditions agreed between the parties that limited the maximum length of stay to 30 days and that the use of the accommodation occur outside of student residential agreement periods.

[64] Mr Harding, on behalf of the IURRA, noted at the hearing that the association opposed the permitted activity rule initially proposed by Ms Lemon on behalf of the University of Canterbury. He raised concerns about ambiguities in the rule, particularly in relation to the 30 day period available for use.⁴⁵ Mr Harding did not specifically comment on the revised rule proposed by Ms Dixon in her rebuttal evidence at the hearing, but it is apparent to us that many of his concerns with the rule drafted by Ms Lemon would also apply to the rule drafted by Ms Dixon.

⁴⁵ Transcript, page 174, line 34.

[65] Mr Harding went on to suggest that a loosely drafted rule would almost inevitably lead to creep in what is permissible and could lead to the conversion of student accommodation into the likes of a hotel, workers' accommodation, or a backpackers' hostel.

[66] We consider the issue of creep raised by Mr Harding is fanciful, given the intent of the standards to be applied to the permitted activity rule.

[67] However, we do consider that the drafting of the standards attached to the permitted activity rule should be tightened so as to ensure they provide certainty to all parties. In particular, we have determined that clause (a) of Rule 21.7.2.2.1(P4) (re-numbered as Rule 21.7.3.1 in the decision) should be amended to confirm that the maximum length of stay is limited to the use of the accommodation block in totality across a calendar year. The standard should not be interpreted as potentially applying to individual rooms within the accommodation block or the maximum length of stay of individual guests.

Tertiary Education Zone — Definition of tertiary education and research activities and facilities

[68] The submissions of Ms Carter and the IURRA sought to delete “accommodation, retailing and entertainment facilities” from the scope of Rule 21.7.2.2.1(P1) (re-numbered as Rule 21.7.3.1 in the decision). They also sought a new discretionary activity rule for ancillary accommodation, retailing, and entertainment facilities. These submissions were opposed by the University of Canterbury and CPIT.

[69] Mr Harding, on behalf of the IURRA, suggested that some of the activities covered in sub-paragraph (c) of the definition of “tertiary education and research activities” span an unusually wide range of activities with a potentially commensurately wide range of impacts on the hosting environment, particularly in view of the commercial pressures that the University of Canterbury is placed under because of the change in funding mechanisms. Mr Harding suggested that he can find no other defined activity within the Plan that permits the use of a site for such a wide range of activities. He suggested that the proposed definition is, therefore, not only anomalous but is also too wide in its scope — thereby preventing adequate control over the activity.⁴⁶

⁴⁶ Evidence in chief of Peter Harding at 31.

[70] Ms Dixon, on behalf of the Council, did not support the submission of Ms Carter and the IURRA. She identified that the definition of tertiary education and research activities already states that accommodation, retailing and entertainment facilities are included as ancillary only. She clarified that if these activities grow beyond being ancillary, then they will become non-complying activities in accordance with Rule 21.7.2.2.4(NC1) (re-numbered as Rule 21.7.3.5 in the decision).⁴⁷

[71] Ms Dixon advised that she has not proposed a specific scale limitation on retail or entertainment activities on these sites in the Tertiary Education Zone, because she did not think it was needed in view of the fact that these activities must be ancillary. She also advised that the built form standards that apply in the Tertiary Education Zone would control any potential amenity effects of activities on campuses that are close to residential areas.

[72] Ms Lemon, on behalf of the University of Canterbury and CPIT, agreed with Ms Dixon that the scale of accommodation, retail and entertainment activities able to be undertaken as permitted activities in the Tertiary Education Zone are limited by the fact that they must be ancillary.⁴⁸ She also agreed that it is sufficient to rely on the package of built form standards and the general city-wide rules to control effects on amenity.

[73] We accept that the accommodation, retailing and entertainment facilities are ancillary to the tertiary education and research activities undertaken at the University of Canterbury and CPIT campuses. While Mr Harding had suggested that the approach applying to tertiary education and research activities in the Plan is anomalous, we find that the approach adopted in the Tertiary Education Zone is not dissimilar to the approach adopted in the rules for the Industrial General Zone (Proposal 16). This chapter also provides for ancillary retail and office activities.

[74] We also do not accept Mr Harding's view that the definitions and rules applying to the Tertiary Education Zone prevent adequate control over ancillary accommodation, retailing and entertainment facilities activities. In this regard, we agree with the planning witnesses on behalf of the Council and the University of Canterbury and CPIT that the built form standards

⁴⁷ Rebuttal evidence of Glenda Dixon at 7.3.
⁴⁸ Evidence in chief of Penelope Lemon at 19.

and the general city-wide rules that apply in the Tertiary Education Zone will be sufficient to control any effects on amenity from ancillary activities.

Tertiary Zone — Stepped building height

[75] Prior to the hearing, the Council and the University of Canterbury agreed to remove the stepped height provisions in Rule 21.7.2.3.5 (re-numbered as Rule 21.7.4.5 in the decision) in favour of the recession planes utilised in Appendix 14.10.2 – Diagram A of the Plan. Mr Jolly, on behalf of the University of Canterbury, was of the opinion that the removal of the stepped height provisions is appropriate as it will simplify the controls in the Tertiary Education Zone. He also considered that the combination of other rules, including building setbacks, maximum height controls, recession planes and façade modulation as proposed in the expert conferencing, will manage effects in a similar manner.⁴⁹

[76] Mr Carter, on behalf of Ms Toni Carter (2211), did not support the removal of the stepped height provisions in Rule 21.7.2.3.5. He advised that stepped building height should be applied at the periphery of the campus.⁵⁰ However, Mr Carter did not comment on the proposed recession plane requirements agreed by the Council and the University of Canterbury, and what implications these would have for development around the university.

[77] No other expert evidence was presented by submitters to counter the views of Ms Schröder and Mr Jolly on behalf of the Council and the University of Canterbury respectively.

[78] In light of the expert evidence of Ms Schröder and Mr Jolly, which we accept, supporting the replacement of the stepped height provisions in Rule 21.7.2.3.5 with recession planes, we agree that the stepped height provisions should be deleted and recession planes applied. This would provide a mechanism, consistent with other residential interfaces, to address the potential effects of development at the University of Canterbury on amenity.

Hospital Zone — Zoning

[79] There were no outstanding issues in relation to the provisions for the Hospital Zone by the time of the hearing. The only issues remaining related to the zoning of existing hospital

⁴⁹ Transcript, page 137, line 8.

⁵⁰ Transcript, page 183, line 34.

sites and medical facilities around Christchurch City, as sought in the submissions of the Canterbury District Health Board (2360), Christchurch Methodist Central Mission (2082), Pegasus Health (Charitable) Limited, St George’s Hospital (2296) and Nurse Maude Association. The key issue in contention was one of scope.

[80] Mr Blair provided planning evidence on the Hospital Zone on behalf of the Council. After considering the rezoning requests by the submitters, he initially recommended that all but two sites be rezoned to Hospital Zone. The exceptions were the extension to the Hillmorton Hospital site sought by the Canterbury District Health Board, and part of the site operated by the Christchurch Methodist Central Mission at 91 Harewood Road. However, he subsequently agreed to the rezoning of the extension to the Hillmorton Hospital site, following further information regarding infrastructural servicing.

[81] The issue of scope was addressed in the opening legal submissions of Mr Leckie on behalf of Pegasus Health (Charitable) Limited and Nurse Maude, and in the opening legal submissions by Ms Scott on behalf of the Council. Mr Leckie was of the opinion that there are no scope issues in relation to the submission by Pegasus Health (Charitable) Limited and Nurse Maude. He noted that the Hospital Zone Proposal was not notified until Stage 2, at which time both Pegasus Health (Charitable) Limited and Nurse Maude submitted on it. He also considered that neither Pegasus Health (Charitable) Limited or Nurse Maude are raising issues at Stage 2 with Stage 1 residential matters, and that the underlying zoning will still apply on the sites if non-hospital related activities are proposed.⁵¹

[82] Mr Leckie cited *Palmerston North City Council v Motor Machinists Ltd* (*Palmerston North City Council*) in relation to whether a submission is ‘on’ a plan change.⁵² He summarised that the Court in that case endorsed the earlier approach of the High Court in *Clearwater Resort Ltd v Christchurch City Council* (*Clearwater*) which requires a two-stage analysis.⁵³

[83] Mr Leckie submitted that with a multiple stage plan review process, a submitter cannot assess which provisions are the most appropriate until they have had the opportunity to review the various relevant notified proposals. It was also his submission that a staged plan review

⁵¹ Opening submissions for Pegasus Health (Charitable) Limited and Nurse Maude at 13.

⁵² *Palmerston North City Council v Motor Machinists Ltd* [2013] NZHC 1290.

⁵³ *Clearwater Resort Ltd v Christchurch City Council* HC Christchurch AP34/02, 14 March 2003.

process should not create arbitrary scope issues which result in the exclusion of parties from the process because they did not pre-empt what notified provisions in future stages may look like.⁵⁴ He considered that neither Pegasus Health (Charitable) Limited or Nurse Maude could have pre-empted the form of the Hospital Zone provisions until that proposal was notified at Stage 2.

[84] Overall, Mr Leckie submitted that both limbs of the test set out by the Courts are met and Pegasus Health (Charitable) Limited and Nurse Maude's submissions are 'on' the Stage 2 Specific Purposes Hospital Zone. He stated that neither submitter contested the underlying residential zoning that has been heard at Stage 1 and that this zoning would apply to the sites if non-hospital related activities were proposed.

[85] Ms Scott also considered *Palmerston North City Council* and *Clearwater* in detail in her opening legal submissions. With respect to the submission by Nurse Maude, she advised that the relevant site was notified in Stage 1 with a Residential Medium Density zoning and that Nurse Maude supported that zoning via its submission. She noted that Nurse Maude was now seeking that this same land be zoned Hospital Zone. Relying on *Palmerston North City Council*, and taking into account that Nurse Maude supported a Residential Medium Density zoning in Stage 1, Ms Scott advised that the Council considers the Stage 2 submission by Nurse Maude is not 'on' the Stage 2 Proposal.⁵⁵

[86] With respect to the submission by Pegasus Health (Charitable) Limited, Ms Scott detailed that their site was also notified in Stage 1 as Residential Medium Density, and that zoning was not submitted on by Pegasus Health (Charitable) Limited.

[87] As already alluded to in this decision, cl 13(2) of the OIC allows us to make any changes to the proposal that we consider appropriate in making a decision on a proposal, and we are not strictly limited to making changes within the scope of the submissions made on the proposal. However, in this circumstance we consider that the submissions by Pegasus Health (Charitable) Limited and Nurse Maude are 'on' the Stage 2 Proposal. We agree with Mr Leckie that Pegasus

⁵⁴ Opening submissions for Pegasus Health (Charitable) Limited and Nurse Maude at 16.

⁵⁵ Opening submissions for the Council at 2.20.

Health (Charitable) Limited or Nurse Maude could not have considered⁵⁶ the form of the Hospital Zone provisions until that proposal was notified at Stage 2.

[88] We are also mindful that the notification and hearing process for the consideration of the Plan is somewhat unusual and potentially confusing for submitters, due to the staged notification of the various proposals and the deferral of the hearing topics at the request of the Council. As noted by Mr Leckie, with a multiple stage plan review process a submitter cannot assess which provisions are the most appropriate until they have had the opportunity to review the various proposals. As such, we consider it is appropriate to take a broad-minded approach to the issue of scope in this circumstance.

[89] In light of there being no issues with scope, and the evidence of Mr Blair on the appropriateness of the rezoning requests by submitters, we consider that the existing hospital sites and medical facilities around Christchurch City identified by the submitters should be rezoned as Hospital Zone.

[90] We exercise our power under cl 13(5) OIC to revisit the Stage 1 zoning confirmed in our Stage 1 Residential decision. We are satisfied that, in light of the evidence heard in relation to the sites, the rezoning is of no more than minor effect.

Cemetery Zone — Comprehensive consents

[91] Mr Eman, a planner on behalf of the Council, outlined the discussions that had taken place between the Council and the Crown regarding Rule 21.2.2.1(b) in the Notified Version regarding the potential need for activities in the Cemetery Zone to also require resource consents from the Canterbury Regional Council. Mr Eman noted that one option discussed with the Crown was the potential for an advice note that makes people aware of the potential need for multiple consents, potentially from both the Council and the Canterbury Regional Council.

[92] However, Mr Eman advised that the Crown was now seeking a new policy that specifies that a comprehensive consent approach be utilised where multiple resource consents are likely

⁵⁶ Mr Leckie used the word ‘pre-empt’ in paragraph 16 of his opening legal submissions. We understand that he meant that his clients could not have considered or anticipated the form of the relevant provisions until they were notified.

to be required for activities in a cemetery, including where resource consents are also required from the Canterbury Regional Council. The policy proposed by the Crown also refers to the possibility of joint hearings between the Council and the Canterbury Regional Council.

[93] Mr Eman had reservations with the inclusion of the policy proposed by the Crown in the Cemetery Zone. He noted that in the context of the Plan as a whole, having such a policy in the Cemetery Zone, and not elsewhere, could lead to the interpretation that this issue is of particular importance in this zone (or of less importance in other zones).⁵⁷ He was also of the opinion that the Cemetery Zone is one of the zones where such issues are least likely to arise or be of significance. He considered, for example, that the Industrial or Rural Quarry Zones are more likely to require multiple consents from multiple agencies.

[94] Ms Hickey, a planner on behalf of the Crown, supported the inclusion of new policy. She identified that Objective 3.3.2 of the Strategic Directions decision provides clear direction that the Plan should, through its interpretation and implementation, minimise transaction costs and set clear objectives and policies that clearly state the outcome intended. She was also of the view that the potential for activities to require resource consent under the restricted discretionary rules of the Cemetery Zone, along with resource consenting requirements in other chapters, justified including a policy that achieves Objective 3.3.2 of the Strategic Directions.⁵⁸

[95] In response to questioning from us, Ms Hickey agreed that the use of a comprehensive consent approach across all chapters of the Plan would be appropriate.⁵⁹ Following this, the closing legal submissions of Mr Allen on behalf of the Crown were that it would support the inclusion of a policy to that effect.

[96] Ms Scott advised in her closing legal submissions on behalf of the Council that it continues to hold the view that the addition of a policy on comprehensive consents in the Cemetery Zone is unnecessary. However, to assist us, the Council did suggest that if direction on the issue of comprehensive consents was considered necessary that it would best fit within Strategic Directions Objective 3.3.2 (as a new subparagraph b).⁶⁰

⁵⁷ Evidence in chief of Peter Eman on behalf of the Council at 5.8.

⁵⁸ Evidence in chief of Wendy Hickey on behalf of the Crown at 7.5.

⁵⁹ Transcript, page 123, line 20.

⁶⁰ Closing submission for the Council at 5.2.

[97] Having considered the evidence and response to questioning by Mr Eman and Ms Hickey, we do not consider that a policy or an advisory note with respect to the matter of comprehensive consents is necessary in the provisions for the Cemetery Zone. Furthermore, we were not convinced by Ms Hickey that the potential for activities to require resource consent under the restricted discretionary rules of the Cemetery Zone, along with resource consenting requirements in other chapters, justified including a policy.

[98] That said, we do accept that there is real validity to the arguments advanced by Ms Hickey at the hearing, and that the issue of activities potentially requiring multiple resource consents from the Council and the Canterbury Regional Council is likely to be a matter that is pertinent across a number of chapters of the Plan. As such, we intend to consider whether it is appropriate to amend the objectives in the Strategic Directions in order to provide greater direction around the matter of comprehensive consents at the conclusion of the hearing process for the Plan.

School Zone — Church Built Form Standards in School Zone

[99] Mr Nixon, the planner for the Catholic Bishop of Christchurch (656, 2089), Integrated State Schools (676), the Catholic Diocese and others (2147) explained that the only provisions in contention in the School Zone were in relation to the site coverage and setback requirements for spiritual facilities in the zone.⁶¹

[100] Mr Nixon also explained that the Council proposes that the rules for site coverage and road setbacks be more restrictive for churches in the School Zone than for churches in residential zones. He considered it would be appropriate to amend the rules to provide site coverage and setback requirements that are consistent with what the Council already considers to be reasonable for other churches outside the School Zone.

[101] Ms Dixon, on behalf of the Council, noted that the maximum site coverage for scheduled churches in the Residential General Zone is 50 per cent, whereas the maximum site coverage for spiritual facilities in the School Zone is either 40 per cent or 45 per cent depending on the zoning of the surrounding area. Ms Dixon also identified that scheduled churches in residential

⁶¹ Evidence in chief of Robert Nixon on behalf of the Catholic Bishop of Christchurch, Integrated State Schools, and the Catholic Diocese and others at 9(a).

zones could be set back 5m from the road boundary, while churches within the School Zone were required to be set back 10m. Likewise, the internal boundary setbacks for churches are different between the Residential General Zone and the School Zone — 5m and 6m respectively.⁶²

[102] Ms Dixon acknowledged that it may be justifiable for churches within the School Zone to have a higher permissible site coverage as they require less open space around them than schools. However, she considered that the amendments proposed by Mr Nixon should not be made as it would create inconsistencies in setbacks across individual school zoned sites and undermine the expectation that people may have that school zone built standards will be met.

[103] In light of Mr Nixon acknowledging under cross-examination that the central concern was the relationship between the built form standards for churches in the School Zone and the scheduled activities in the General Rules Proposal, Ms Scott advised in her closing legal submissions that the Council seeks that we transfer and make decisions on the provisions relating to the rules for spiritual activities and facilities in the context of the General Rules hearing.⁶³

[104] We have concluded, in accordance with the evidence of Mr Nixon, that it is appropriate for the site coverage and setback requirements for spiritual facilities in the School Zone to be managed in the same manner as for churches in other zones. We agree with Mr Nixon that the setback and coverage rules should be based on effects on the environment, rather than a fear that the proprietors of a Catholic School will seek to exploit a supposed loophole in the Plan for the benefit of its adjoining school.

[105] We have chosen not to defer the making of decisions on the provisions relating to the rules for spiritual activities and facilities, as was recommended by the Council. In this situation it is apparent that the legitimate issues raised by Mr Nixon on behalf of the submitters can be readily addressed by ensuring site coverage and setback requirements are consistent with what the Council already considers to be reasonable for other churches outside the School Zone.

⁶² Evidence in chief of Glenda Dixon at 6.15 and 6.16.

⁶³ Closing submissions for the Council at 4.2.

School Zone — Default status

[106] There was no agreement between the Council and the Crown as to the activity status that should apply to activities not otherwise provided for in the School Zone. The Council considered that such activities should be classified as non-complying activities, whereas the Crown maintained that the default status should be discretionary.

[107] Ms Dixon, on behalf of the Council, did not consider that a change should be made to the default activity status because there are likely to be instances where an activity is either incompatible with the use of the site for education activities or completely out of character with the surrounding area. She advised that the non-complying activity gateway test in s 104D of the RMA is the appropriate test for such proposals.⁶⁴

[108] Ms Dixon also added that the definitions of education and community activities in the Notified Version are broad and cover a number of uses. She stated that if the Crown were able to identify additional uses which should be provided for in the School Zones, then such specific activities could be considered for a lesser use status.

[109] Mr McCallum-Clark, on the behalf of the Crown, initially understood that the application of a default non-complying activity classification in the School Zone was matter of consistency with other chapters of the Plan. At the hearing, Mr McCallum-Clark explained that at the time of preparing his evidence he had been under the impression that there was a matter of consistency with other chapters that needed to be continued.⁶⁵ However, Ms Dixon's rebuttal evidence confirmed that this is not the case.⁶⁶

[110] Mr McCallum-Clark maintained the view that a default status of discretionary activity for activities not otherwise provided for is more appropriate. He did not consider there to be any resource management justification as to why unforeseen activities in the School Zone should be non-complying activities.

[111] Mr McCallum-Clark also highlighted that in light of the latest 'tracked changes' version of the Residential Zone rules advanced in the Council's closing submission, the default non-

⁶⁴ Evidence in chief of Glenda Dixon at 6.4.

⁶⁵ Transcript, page 111, line 15.

⁶⁶ Rebuttal evidence of Glenda Dixon at 3.2.

complying activity rule does not have any practical effect.⁶⁷ The closing legal submissions of Mr Allen on behalf of the Crown submitted that because the ‘alternative’ Residential Zone rules currently already provide for activities as discretionary, a default non-complying activity status in the School Zone is redundant, conflicting, and should be deleted.

[112] Ms Scott’s closing legal submissions advised that the Council’s position remains that non-complying activity status is appropriate for the default rule in the School Zone. The Council considered that the more appropriate cascade is to go through the table of permitted, restricted discretionary and discretionary activity rules, and to include in them all types of activities that are anticipated. If there are activities that are not anticipated or enabled, then the next rule in the cascade is a non-complying activity.

[113] As was noted by Ms Scott in her closing legal submissions,⁶⁸ we consider it was telling that Mr McCallum-Clark was not able to identify any particular type of activity that was missing from the activity tables for the School Zone or was affected by a non-complying activity classification. Mr McCallum-Clark’s opposition to the use of a default non-complying activity rule appeared to be based on philosophical reasons, rather than a specific resource management reason concerning the School Zone.

[114] As the School Zone is relatively site-specific, we agree with Ms Dixon that land in the zone should be used primarily for educational uses, with community use being secondary. The ‘alternative’ zoning for each school, as we have already discussed, also provides an innovative planning solution to enable land or buildings that are surplus to the needs of the education activity on that site to be managed in accordance with the alternative zoning. In light of this, and the evidence of Ms Dixon, we consider that the default activity status in the School Zone should be non-complying.

School Zone — Elmwood Club

[115] The Elmwood Club is based at Elmwood Park, Strowan. Mr Gow, a board member of the Elmwood Club, explained that the club’s submission on the School Zone sought a change to the alternative zoning that applies to sports fields of Heaton Intermediate (from Residential

⁶⁷ Transcript, page 112, line 6.

⁶⁸ Closing submissions for the Council at 4.5.

Suburban Zone to Open Space Metropolitan Facilities Zone).⁶⁹ This was, as Mr Gow explained, so the development of a new indoor multi-purpose community recreation facility on the site does not straddle two different zones in a manner that would add significant complexity to any subsequent resource consent process.

[116] Mr Gow acknowledged that there is some discomfort on the part of the Council with changing the alternative zoning as sought. On this basis, Mr Gow explained that the Elmwood Club considers that amending the framework in Rule 21.6.2.2.1 (re-numbered as Rule 21.6.3.1 in the decision) on a site-specific basis is an alternative approach that would achieve the outcome sought by the club without the need to change the alternative zone. Mr Gow suggested the inclusion of a further permitted activity rule that provides for recreation facilities on the site.⁷⁰

[117] The opening legal submissions of Ms Ellis on behalf of the Elmwood Club also reinforced that the relief proposed by the club is to provide clarity and reduce the complexity of regulation that may apply to the redevelopment of the site. She considered this approach was consistent with the Statement of Expectations.

[118] Ms Dixon, on behalf of the Council, considered that the permitted activity rule proposed by Mr Gow would be inappropriate. She said she had not been provided with any evidence on the suitability of the site for development and considered that there were potential traffic and heritage matters that may need to be considered.⁷¹ While she accepted that the proposed development was consistent with Strategic Objectives 3.3.1 and 3.3.11, she maintained that the plans for the site are too embryonic to favour a permitted activity. She also considered the matter could be further considered in the Open Space Zone hearing.

[119] Ms Scott, in her closing legal submissions for the Council, advised that further discussions have occurred between the Council and Elmwood Club since the hearing. Ms Scott noted that Council remains of the view that a permitted activity rule for a recreation facility on the Heaton Intermediate part of the School Zone is not appropriate and that Elmwood Club have not been able to provide any additional information regarding the potential for traffic effects (and their management).

⁶⁹ Evidence in chief of Neil Gow on behalf of The Elmwood Club (Inc) at 14.

⁷⁰ Evidence in chief of Neil Gow at 16 and 17.

⁷¹ Rebuttal evidence of Glenda Dixon at 10.5 and 10.6.

[120] Ms Scott confirmed that Ms Dixon has drafted a restricted discretionary activity rule for a “major sports facility” on the site subject to scale limitations and other built form standards. Ms Scott advised that the proposed rule was provided to counsel for the Elmwood Club, although no response had been received at the time of the closing submissions being filed. However, legal counsel for the Elmwood Club did provide a memorandum to us on 12 November 2015 that set out the club’s initial response to the proposed rule.⁷²

[121] The consideration of this matter has also been confused by the position of the Ministry of Education. Mr Gow advised at the hearing that the Elmwood Club had “reached agreement with the Heaton Intermediate School Board of Trustees and the Ministry of Education for the use of school land to expand club facilities on a shared basis.”⁷³ He also detailed that the club had met with staff from the Ministry of Education in Christchurch and that they were in the process of drafting a memorandum of agreement for consideration by the Elmwood Club.

[122] The closing legal submissions for the Crown clarified that the discussions between the Ministry of Education and the Elmwood Club are ongoing, and that the Ministry supports, in principle, shared use facilities. The legal submissions also clarified that the Ministry of Education does not support the original relief sought by the Elmwood Club to change the ‘alternative zone’. However, the Ministry did not oppose the permitted activity status now sought by the club.⁷⁴ Essentially, the Ministry’s overall position on the Elmwood Club proposal and the relief sought in Mr Gow’s evidence was ‘neutral’ ahead of further discussions between the Club and the Ministry.

[123] For reasons unclear to us, Ms Scott provided further comment on the position of the Ministry of Education in her closing legal submissions for the Council. The submissions advised that the Council have been advised directly by a representative of the Ministry of Education (albeit an unnamed representative) that it will not be entering into a Memorandum of Understanding with the Elmwood Club, and that the Ministry supports the Council’s proposed approach of including a consenting regime in the Plan. Ms Scott highlighted that this advice from the Ministry of Education is inconsistent with the “does not oppose the permitted

⁷² Memorandum on behalf of The Elmwood Club (Inc), 12 November 2015.

⁷³ Transcript, page 203, line 8.

⁷⁴ Closing submissions for the Crown at 35.

activity status now sought” outlined in the Crown’s closing submissions.⁷⁵ This was new evidence in a closing submission, which is most unusual.

[124] As we were provided with conflicting advice as to the position of the Ministry of Education, we sought further clarification from the Crown following the conclusion of the hearing as to the Ministry’s actual position. Ms Bazalo advised that the Ministry of Education does not have sufficient detail about the proposal to either support or oppose the concept, particularly how much school land might be affected. As such, Ms Bazalo advised that the Ministry has determined to take a neutral position regarding the inclusion of a rule framework to allow any such development, whether that be a permitted or restricted discretionary activity rule.

[125] In addition, and in light of the Council not providing us with any information about the detail of the restricted discretionary activity rule proposed by Ms Dixon, we issued a minute seeking further evidence from the Council and the Elmwood Club on the proposed restricted discretionary activity. We also sought evidence on what, if any, limitations should apply to the rule.⁷⁶

[126] We had hoped that the Council and Elmwood Club would respond to our minute via a joint response or statement of evidence. While the supplementary statement of evidence of Mr Gow does document the attempts of the Elmwood Club in liaising with the Council on this matter, it is unclear why the parties could not file a joint response or statement. We record our disappointment at this outcome.

[127] We consider that the development plans of the Elmwood Club are clearly consistent with the intent of Strategic Objectives 3.3.1 and 3.3.11, and that this should have been recognised by the Council. However, it is also apparent that the development plans are still in their infancy and there is limited information available as to the potential effects that may be generated by the development. This point was stressed by Ms Dixon in her rebuttal evidence. As such, we do not consider it appropriate to provide a permitted activity rule for recreational facilities as was proposed by Mr Gow. A more appropriate rule classification would be restricted discretionary.

⁷⁵ Closing submissions for the Council at 4.12.

⁷⁶ Minute – Proposal 21 (Specific Purposes (School) Zone), Elmwood Club Sports Facility, 18 December 2015.

[128] With respect to defining the facilities that are a restricted discretionary activity, we consider that this should be a ‘major sport facility’. We agree with the supplementary evidence of Ms Dixon that this definition accurately describes the facility described by Elmwood Club via the evidence of Mr Gow, which was an indoor multi-purpose recreation facility.⁷⁷ The definition clearly includes indoor sports and recreation facilities and accessory club rooms. We do not accept the evidence of Mr Gow that the appropriate definition is a more general ‘community facility’.

[129] As to whether the restricted discretionary activity should be limited to a development of a particular size or scale, this matter was only addressed in detail in the supplementary evidence by Ms Dixon on behalf of the Council.⁷⁸ Her evidence justified a restricted discretionary activity trigger of 6000m² based on a number of assumptions regarding how the development may occur across the two parcels of the site and the configuration of other sports facilities in Christchurch. Ms Dixon concluded that if the site is not at least 6000m² across both parcels of the site, the activity should be a discretionary activity.

[130] As there was no technical evidence that countered that of Ms Dixon, and in light of the embryonic nature of the proposal by the Elmwood Club, we accept that the position of the Council that major sports facilities on the grounds of Heaton Intermediate should be a restricted discretionary activity where the site is 6000m² or greater. The matters of discretion proposed by Ms Dixon will provide suitable opportunity to manage the potential effects of traffic, parking, amenity and privacy. Any development proposals that do not comply with this trigger shall be classified as discretionary activities.

Defence Wigram Zone — How to use the rules

[131] The first outstanding matter in the Defence Wigram Zone concerns the Crown’s submission to include a note stating that Chapter 21 overrides other rules in the Plan when there is a conflict.

[132] Ms Sweeney, the planner on behalf of the Crown, noted that the Council proposes to include new Rule 21.1.2.1.2, which provides direction as to the other parts of the Plan applying

⁷⁷ Supplementary evidence of Glenda Dixon at 3.2.

⁷⁸ Supplementary evidence of Glenda Dixon at 4.1–4.8.

to the Defence Wigram Zone. She was concerned that provisions sitting elsewhere in the Plan process could impact on the provisions of the Defence Wigram Zone. As such, Ms Sweeney consider that any risk of overlap or conflict could be addressed by the insertion of wording below Rule 21.1.2.1.2 that advised that in the event of any activity being provided for by rules in more than one chapter, then the rules in the Defence Wigram Zone prevail.⁷⁹

[133] Ms Carter, on behalf of the Council, did not consider the addition of this clause is necessary. She advised that she discussed the matters of overlap with the Council's planning witnesses for the General Rules and Procedures Proposal, and that a consistent approach is being applied with respect to temporary activities, buildings and events. In her view, these changes remove the duplication that Ms Sweeney is concerned with, such that there are no other areas of duplication between the Defence Wigram Zone and the other chapters in the Plan.⁸⁰

[134] We accept the evidence of Ms Carter that the advisory note proposed by Ms Sweeney is unnecessary. In this regard, and as noted by Ms Carter, any issues of overlap or duplication can be addressed via the consideration of the General Rules and Procedures Proposal.

Defence Wigram Zone — Built form standards

[135] Ms Sweeney, on behalf of the Crown, considered that a minimum setback distance of 10m from any road boundary in Rule 21.1.2.3.2 (re-numbered as Rule 21.1.4.2 in the decision) is overly conservative. She considered that a 4.5m setback from road boundaries would be consistent with the provisions for the adjacent Residential Suburban Zone. However, the Crown and Council later advised by way of joint memorandum that the Crown is no longer seeking to amend the setback requirements in Rule 21.1.2.3.2.⁸¹

[136] Ms Sweeney also identified in her evidence that Rule 21.1.2.3.5 (re-numbered as Rule 21.1.4.5 in the decision) sets a minimum distance of 10m from any boundary other than a road boundary. She advised that the Crown seeks that this distance be reduced to 3m and that this

⁷⁹ Evidence in chief of Manea Sweeney on behalf of the Crown at 9.4.

⁸⁰ Rebuttal evidence of Janice Carter on behalf of the Council at 3.4.

⁸¹ Joint memorandum of Counsel for the Crown and Council responding to Hearing Panel's minute of 22 December 2015, 14 January 2016.

distance is sufficient to provide appropriate separation from adjoining activities in this location, as well as manage effects on privacy and amenity on adjacent residents.

[137] Ms Carter, on behalf of the Council, was initially of the view that the proposed setback reduction in Rule 21.1.2.3.2 is substantial and could have amenity effects not anticipated by neighbouring properties to the Defence Wigram Zone. She also commented that the Residential Suburban and Defence Wigram Zones are very different in nature and purpose, with functions and events in larger buildings and facilities being permitted in the Defence Wigram Zone. This, in Ms Carter’s view, necessitated a larger setback from the road boundary.⁸²

[138] With respect to Rule 21.2.3.5, Ms Carter considered that a 3m setback would not provide adequate protection of amenity to neighbouring residential sites and that additional safeguards would be required to ensure that bulky buildings do not impinge on the privacy and amenity of adjoining neighbours. However, Ms Carter advised at the hearing that, through informal mediation between the Council and Crown, it was subsequently agreed it was appropriate for Rule 21.2.3.5 to be amended to require a setback of 6m, although Ms Carter was concerned that there was no scope in the Crown submission to include this amendment — which in her view would create issues of fairness for neighbours.⁸³

[139] The issue of scope was addressed in the closing legal submissions of Mr Allen on behalf of the Crown. The Crown submitted that there is no fairness issue arising, because the designation for the site has no setback requirement. Therefore, the Crown submitted that the possibility of a neighbour thinking a reduction in the 10m setback may be an issue is not a tenable one.⁸⁴ The Crown also submitted that this change is within scope because the ‘broad’ submission relating to Defence Wigram Zone seeks that the Proposal is amended to “incorporate objectives, policies and provisions which provide for the ongoing function and viable operation of the Air Force Museum.”

[140] The closing legal submissions of Ms Scott on behalf of the Council noted that the merits of the designation is not before us for a decision and that the outline plan approval process

⁸² Rebuttal evidence of Janice Carter at 3.10.

⁸³ Transcript, page 32, line 17.

⁸⁴ Closing submissions for the Crown at 17.

under s 176A of the RMA allows for the consideration of the appropriateness of an outline plan.⁸⁵

[141] We agree that a setback distance of 10m from any boundary (other than a road boundary) in the Defence Wigram Zone is overly conservative. We also agree with the Crown that its submission on the Defence Wigram Zone does provide sufficient scope for the amendment of Rule 21.2.3.5. In this regard, the submission clearly details that the Crown seeks provisions that provide for the ongoing function and viable operation of the Air Force Museum. We consider that this would extend to the setback provisions in the Defence Wigram Zone. In light of this conclusion, it is appropriate to amend Rule 21.2.3.5 so that a setback requirement is reduced to 6m — based on the mediated agreement between the Council and the Crown.

Schools, Tertiary Education and Cemetery Site re-notified in Stage 2

[142] A number of school and tertiary education sites were incorrectly shown as zoned Residential on the Stage 1 Planning Maps, and in the case of Addington Cemetery and Lyttelton Main School, were incorrectly shown as Commercial and Industrial Zones on Stage 1 Planning Maps. The Council re-notified those sites with their correct zoning in Stage 2. In our Stage 1 Residential decision and Stage 1 Commercial and Industrial decision we deferred our decision on the Stage 1 zoning to this decision in accordance with an application by the Council.⁸⁶ We have accepted those zoning corrections as appropriate in this decision.

Section 32

[143] We refer to the necessary principles set out in our earlier decisions.⁸⁷

[144] Ms Dixon and Mr Blair filed s 32 reports and updated s 32 reports for the Tertiary Education, School and Hospital Zones. The latter addressed amendments that had been made to the Notified Version, although it is noted that Mr Eman and Ms Carter filed only one s 32 report for the Cemetery and Defence Wigram Zones.

⁸⁵ Closing submissions for the Council at 6.6.

⁸⁶ Application to set aside land from Stage 1 proposal by CCC, 17 June 2015, granted 26 June 2015.

⁸⁷ Strategic Directions at [63]–[70].

[145] These reports properly addressed the matters required by s 32, and are properly informed by the evidence we heard.

Section 32AA

[146] We have already referred in earlier decisions to the matters we must address.⁸⁸

[147] We only have to consider changes that we have made. In this instance we have introduced a controlled activity rule in relation to building modulation matters in the Tertiary Education Zone. This rule is necessary to address an identified gap in the Tertiary Education Zone provisions and the need to ensure the amenity of the residential environment surrounding the Tertiary Education Zone. We do not consider that a permitted activity rule could adequately address potential issues related to architectural detailing and the relationship of the building with the street.

[148] We have also deleted the non-complying activity rule for the sale and supply of alcohol at the Dovedale campus in the Tertiary Education Zone, and consider that the sale and supply of alcohol can be suitably controlled by General Rule 6.9.2.2.3. We have decided that the Dovedale campus can be managed in accordance with the same rule framework as the rest of Christchurch City. This approach will ensure consistency across the city and provide certainty to resource consent applicants, and potential submitters, as to the matters that will be considered as part of any application.

[149] We have also accepted the relief offered by the University of Canterbury to amend Appendix 7.1 to clarify that the university will be treated as one site in assessment of car parking requirements and to provide certainty over where car parking is to be located on the campus.

[150] With respect to the Cemetery Zone, we have deleted the advisory note regarding the potential need for resource consents from the Canterbury Regional Council and the matter of comprehensive consents. There is no strong justification for the advisory note and there are adequate mechanisms within the RMA to ensure all necessary resource consents are applied

⁸⁸ Above, at [13].

and joint hearings are utilised where appropriate for this zone. We will reconsider adding this matter into the Strategic Directions provisions.

[151] With respect to the School Zone, we have amended the setback and coverage rules for spiritual facilities in the School Zone to be managed in the same manner as for churches in other zones. The setback and coverage rules should be based on effects on the environment, and our amendments will also ensure consistency with the standards that apply to churches outside the School Zone.

[152] We have also included a restricted discretionary activity rule in the School Zone for the development of a major sports facility at Heaton Intermediate/Elmwood Park. It would not have been appropriate to provide for this activity as a permitted activity, as the development plans for the site are still in their infancy and there is uncertainty as to the potential effects that may be generated by the development. A targeted restricted discretionary activity will provide some degree of certainty to the Elmwood Club that a major sports facility is appropriate on the site, whilst retaining discretion for the Council to consider the potential effects on the surrounding neighbourhood.

[153] The restricted discretionary activity rule for the development of a major sports facility does slightly differ to that proposed by the Council (Rule 21.6.3.3 (RD6)). We have made the landscaping and tree planting standards a requirement for the development of a major sports facility as a restricted discretionary activity. Any development that does not achieve these standards is to be classified as a discretionary activity. We consider that this approach is preferable to improve the workability of the rules with the built form standards, and to provide greater clarity over the landscaping and tree planting expected for the development of a major sports facility as a restricted discretionary activity.

[154] In relation to the Defence Wigram Zone, we have amended the setback distance of 10m from any boundary (other than a road boundary) to 6m. The reduction in the setback will provide additional flexibility for development in the zone, while ensuring adequate protection of amenity for neighbouring sites.

[155] Furthermore, we have made a number of minor edits to the provisions of Stage 2 SPZ. These edits have primarily been made to ensure that there is consistency and clarity within, and

between, the objectives, policies and rules for the various zones. This editing has also included correcting the numbering of provisions and improving the referencing of provisions within the rules and standards

[156] Most notably, we have included an advisory note before each of the zone rules clarifying the scope of the terms ‘facilities’ and ‘activities’ within the rules, included new rules and explanatory text for the Hospital, School and Tertiary Education Zones that better clarifies when the provisions of the alternative zone may apply and how they interact with the rules for activities in the SPZ, and simplified the appendices that specify the alternative zones that apply to the various hospital, school and tertiary education sites around Christchurch City.

[157] We are satisfied that the objectives of the proposal are the most appropriate way to achieve the purposes of the RMA.

[158] In our assessment and findings on the evidence, we have assessed the efficiency and effectiveness of the changes we have made to the provisions, and also the Notified Version, for achieving the objectives. We are satisfied the amendments are the most appropriate way to achieve efficiency and effectiveness.

[159] In our evidential section we have summarised the reasons for deciding to make the changes we have.

[160] We consider that ss 32(1)(c) and 32AA(1) have been met by our amendments.

[161] We consider the consideration of the evidence and our findings is sufficient assessment of the matters to be considered under subs (2), (3) and (4).

[162] In reaching our decision, we have considered all submissions and further submissions made on the Notified Version, and had regard to the Council’s recommended acceptance or rejection of those submissions, as filed. Except to the extent that those recommendations have been modified by this decision, we accept the Council’s “Accept/Accept in Part/Reject Table”.⁸⁹

⁸⁹ The submission tables (“Accept/Accept in Part/Reject Table”) can be found in the primary and rebuttal evidence on behalf of the Council, on the Hearings Panel’s website.

Definitions

[163] Except to the extent that this decision addresses specific definitions, we are to address all definitions in our separate decision on Stage 2 and 3 Chapter 2 Definitions.

Directions for consequential changes to Planning Maps

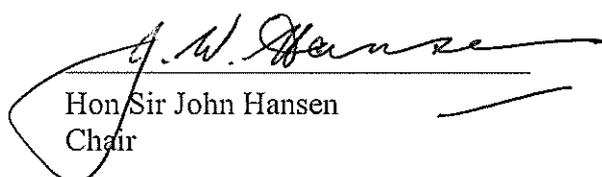
[164] The changes to the Planning Maps made as a consequence of this decision are recorded in Schedule 3.

[165] A second decision will issue to the effect of further amending the Notified Version by inclusion of updated Planning Maps. For those purposes, we direct the Council to provide to the Panel, within 14 working days of the date of this decision, an updated set of Planning Maps.

Overall evaluation and conclusions

[166] Based on our evidential findings, we are satisfied that Decision Version, as amended from the Revised Version, best gives effect to the RMA and the superior documents. It is also best suited to enable recovery and meet the long-term requirements of greater Christchurch.

For the Hearings Panel:



Hon Sir John Hansen
Chair



Mr Stephen Daysh
Panel Member



Mr John Illingsworth
Panel Member

SCHEDULE 1

Changes that the decision make to the proposals.

Chapter 2 Definitions

Delete the following definition:

Comprehensive consent

for the purposes of the Specific Purpose (Cemetery) Zone, means a resource consent that will include all works likely to be undertaken for the next 10 years generally covering the entire cemetery site.

Amend the following definition to read as follows:

Cemetery

[has the same meaning as s2 of the Burial and Cremation Act 1964]

means any land held, taken, purchased, acquired, set apart, dedicated, or reserved, under the provisions of any Act or before the commencement of this Act, exclusively for the burial of the dead generally, and, where the context so permits, includes a closed cemetery.

Chapter 7 Transport

Amend by adding the following advisory note to Appendix 7.1 — Parking space requirements

For the purpose of the land held by the University of Canterbury in the SPTE Zone, car parking requirements are to be assessed with regard to the following matters:

The University of Canterbury SPTE land is to be treated as one site;

Car parking shall be provided to staff and students at the University as set out in Table 7.2 below:

Not less than 20% of the car parks shall be provided West of Waimairi Road and 30% shall be provided East of Ilam Road with the balance provided by the University of Canterbury across the site.

Chapter 21 Specific Purpose (Defence Wigram) Zone

21.1 Specific Purpose (Defence Wigram) Zone

Note: The Specific Purpose (Defence Wigram) Zone is designated for ‘defence purposes’ and activities subject to the designation will occur as provided for in Chapter 10 Designations – K2 Defence RNZAF Base Wigram.

21.1.1 Objectives and policies

21.1.1.1 Objective – Safe and functional facilities

That Defence Wigram is safe and functional for defence purposes, recognising the historical significance of the site to Christchurch and New Zealand, and provides for cultural facilities and a range of ancillary cultural, educational and recreational activities.

21.1.1.1.1 Policy – Use and development of Defence Wigram

Provide for the use and development of the land and buildings at the Defence Wigram in a manner that:

- a. Recognises the historical significance of the site as the birthplace of land based commercial and military flying in New Zealand;
- b. Recognises the special value and occupation by the RNZAF and its continued use for defence and search and rescue purposes, including aviation;
- c. Recognises the special value of the Air Force Museum and its function of providing a range of cultural, educational and recreational activities; and
- d. Recognises the importance of ancillary activities conducted on the site to the ongoing operation of the Air Force Museum.

21.1.1.1.2 Policy – Protection of character and amenity

- a. Protect the character and amenity of Defence Wigram and adjoining areas.
- b. Maintain the heritage items and places within the site.

21.1.1.1.3 Policy – Air safety

Provide for the safe operation of aircraft using Defence Wigram.

21.1.2 Rules – Specific Purpose (Defence Wigram) Zone

21.1.2.1 How to use the rules

- a. The rules that apply to activities in the Specific Purpose (Defence Wigram) Zone are contained in:
- i. The Activity Status Tables (including Activity Specific Standards) in Rule 21.1.3; and
 - ii. Built Form Standards in 21.1.4

Note: The Aircraft Protection Surfaces are located in Rule 6.7.2.3 Defence Wigram and a diagram of these is found at 6.11.7.6 Diagram – Defence Wigram Protection Surfaces.

- b. The Activity Status Tables and Standards in the following chapters also apply to activities in the Specific Purpose (Defence Wigram) Zone, where relevant:

- 5 Natural Hazards;
- 6 General Rules and Procedures;
- 7 Transport;
- 8 Subdivision, Development and Earthworks;
- 9 Natural and Cultural Heritage;
- 11 Utilities and Energy; and
- 12 Hazardous Substances and Contaminated Land.

- c. Where the word “facility” is used in the rules, it shall also include the use of a site/building for the activity that the facility provides for, unless expressly stated otherwise.

Similarly, where the word/phrase defined include the word “activity” or “activities”, the definition includes the land and/or buildings for that activity unless stated otherwise in the activity status tables.

21.1.3 Activity status tables

21.1.3.1 Permitted activities

The activities listed below are permitted activities if they comply with all relevant activity specific standards set out in this table.

Activities may also be controlled, restricted discretionary, discretionary, non-complying, or prohibited as specified in Rules 21.1.3.2, 21.1.3.3, 21.1.3.4, 21.1.3.5 and 21.1.3.6.

	Activity	Activity Specific Standards
P1	Operation of any aircraft other than for defence or emergency purposes.	a. Shall not occur between the hours of 2200 and 0700 hours.
P2	Temporary Recreation activities, events or exhibitions.	<p>a. Not more than 30 events per calendar year shall be held, and shall comply with noise standards in Rule 6.1.4.2.4 a 3. For indoor events, music is to cease by midnight and the venue closed by 1am. For outdoor events, music is to cease by 10:30pm and the venue closed by midnight.</p> <p>b. Outdoor events (excluding setup and take down) shall not occur over more than 3 consecutive days.</p> <p>c. Compliance with the built form standards at Rule 21.1.4.1.</p> <p>Notes:</p> <p>1. Rule 6.2.2.2 does not apply to Temporary Recreation Activities, events or exhibitions in the Specific Purpose (Defence Wigram) Zone.</p> <p>2. The activities provided for above are in addition to the consented activities at the function or event venues.</p>
P3	Retail activity.	a. Retail activities shall be restricted to those associated with, and ancillary to cultural, educational and recreation activities related to the Air Force Museum, including open days and air shows, as well as temporary recreation activities, events or exhibitions.
P4	Buildings and Structures for recreation activities or retail activities.	a. Built form standards at Rule 21.1.4.

21.1.3.2 Controlled activities

The activities listed below are controlled activities.

There are no controlled activities.

21.1.3.3 Restricted discretionary activities

The activities listed below are restricted discretionary activities.

Activity	The Council's discretion shall be limited to the following matters:
RD1 Any activity listed in Rule 21.1.3.1 that does not comply with one or more of the Activity Specific Standards for Activities P2, P3 and P4.	a. Relevant Matters of Discretion – 21.1.5.

21.1.3.4 Discretionary activities

The activities listed below are discretionary activities.

	Activity
D1	Any activity not provided for as a permitted or restricted discretionary or non-complying activity.

21.1.3.5 Non-complying activities

The activities listed below are non-complying activities.

	Activity
NC1	Other than in cases of emergency or in accordance with the designation, the operation of all types of aircraft where the take-off or landing is outside the hours of 0700 and 2200 hours on any day.

21.1.3.6 Prohibited activities

The activities listed below are prohibited activities.

There are no prohibited activities.

21.1.4 Built form standards

21.1.4.1 Parking provision

Off-street parking shall be provided for any temporary activity in this zone, to be assessed at the rate of 1 car space per 3 visitors anticipated to be in attendance during any such events. Such parking is not required to be sealed and formed.

21.1.4.2 Street scene

Buildings shall be set back a minimum distance of 10m from any road boundary.

21.1.4.3 Sunlight and outlook for neighbours

Where buildings adjoin a residential zone, they shall not project beyond a building envelope constructed by recession planes from points 2.3 metres above the site boundary measured in accordance with the relevant diagram marked in Chapter 14 Appendix 14.14.2.

21.1.4.4 Height

No building shall exceed 20m or protrude into the “Defence Wigram Protection Surfaces” set out in Chapter 6 Appendix 6.11.7.6.

21.1.4.5 Separation from neighbours

Buildings shall be set back a minimum of 6m from any boundary other than a road boundary.

21.1.5 Matters of discretion

21.1.5.1 Parking provision

- a. The extent to which the proposed parking is related to a temporary activity or an on-going activity.
- b. Whether informal car parking is safe, accessible and within easy walking distance.

21.1.5.2 Height, street scene, separation from neighbours, and sunlight and outlook for neighbours

- a. The extent of overshadowing and impact on the outdoor living spaces and main living areas of residential buildings, and/or activities undertaken within the space affected.
- b. The visual impact on adjoining activities, taking into account the outlook from adjacent sites, roads, and public open space in the surrounding area.
- c. The effect on privacy of an adjoining site.
- d. The extent and quality of any landscaping.
- e. The scale, length and size of walls, and appearance of buildings and the effect on amenity.
- f. The mitigating effect of any landscaping and trees proposed on the boundary of the site.
- g. The function or use to which the building is to be put and whether this dictates particular locational requirements.
- h. The extent to which there would be increased noise intrusion as a result of a reduced setback.
- i. The ability to provide adequate vehicle manoeuvring, loading or parking areas.

21.1.5.3 General

- a. The extent to which the proposed land use would be likely to have any effects which would conflict with the primary purpose of the designation and the education, cultural, recreation and retail activities within the zone, or the use of any adjoining areas.
- b. Whether the proposed land use is temporary and the period of such intended use.
- c. The matters of discretion in relation to noise shall be those set out in Rule 6.1.4.3.

21.2 Specific Purpose (Cemetery) Zone

21.2.1 Objectives and policies

21.2.1.1 Objective – Cemeteries and crematoria

Cemeteries and crematoria are provided in the Specific Purpose (Cemetery) Zone to enable cremation and interment services to meet the community's needs.

21.2.1.1.1 Policy – Provision of cremation and interment services

The provision of cremation in a crematorium, interment and disinterment services, and its associated activities, shall ensure that risks and actual or potential adverse effects to people, property and the natural environment are minimised.

21.2.1.2 Objective – Natural and cultural heritage

The cultural heritage, ecological, landscape, spiritual and religious values of cemeteries and crematoria are, where appropriate, recognised, protected, enhanced and/or conserved.

21.2.1.2.1 Policy – Natural and cultural heritage

The protection, enhancement and/or conservation of the cultural heritage, ecological, landscape, spiritual and religious values of cemeteries and crematoria shall be, where appropriate, recognised, promoted and/or conserved in the development, operation and management of cemeteries.

21.2.1.3 Objective – Passive cemetery activities

Cemeteries and crematoria are developed and managed to provide for passive cemetery activities in the City.

21.2.1.3.1 Policy – Compatibility

- a. The location, design, bulk and scale of buildings shall be compatible with the size and purpose of the activity.
- b. Any passive cemetery activities and its associated structures are secondary to the primary purpose of interment.

21.2.2 Rules – Specific Purpose (Cemetery) Zone

21.2.2.1 How to use the rules

- a. The rules that apply to activities in the Specific Purpose (Cemetery) Zone and that involve the use of the cemeteries and crematoria listed in 21.2.6 Appendices and shown on the Planning Maps are contained in:
 - i. The Activity Status Tables (including Activity Specific Standards) in Rule 21.2.3; and
 - ii. Built Form Standards in 21.2.4.
- b. The Activity Status Tables and Standards in the following chapters also apply to activities in all areas of the Specific Purpose (Cemetery) Zone, (where relevant):
 - 4 Papakāinga;
 - 5 Natural Hazards;
 - 6 General Rules and Procedures;
 - 7 Transport;
 - 8 Subdivision, Development and Earthworks;
 - 9 Natural and Cultural Heritage;
 - 11 Utilities, Energy and Infrastructure;
 - 12 Hazardous Substances and Contaminated Land;
 - 14 Residential;
 - 17 Rural;
 - 18 Open Space.

Notes:

1. Cemeteries are included in the Ministry for the Environment’s Hazardous Activities and Industries List (HAIL). All listed cemeteries will be managed to ensure that they comply with the requirements of the Resource Management (National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.
 2. Activities should be undertaken in accordance with the Christchurch City Council Cemeteries Handbook (June 2013), relevant Cemetery Development Plans and the Christchurch City Council Cemeteries Master Plan (June 2013).
- c. Where the word “facility” is used in the rules, it shall also include the use of a site/building for the activity that the facility provides for, unless expressly stated otherwise.

Similarly, where the word/phrase defined include the word “activity” or “activities”, the

definition includes the land and/or buildings for that activity unless stated otherwise in the activity status tables.

21.2.3 Activity status tables

21.2.3.1 Permitted activities

The activities listed below are permitted activities if they comply with all relevant activity specific standards set out in this table.

Activities may also be controlled, restricted discretionary, discretionary, non-complying or prohibited as specified in Rules 21.2.3.2, 21.2.3.3, 21.2.3.4, 21.2.3.5 and 21.2.3.6.

Activity		Activity Specific Standards
P1	Cremation, burial or interments, disinterments and burial plots.	<ul style="list-style-type: none"> a. Compliance with the built form standards at Rule 21.2.4(2) and (3). b. Cremation shall occur only within a crematorium.
P2	Installation, repair and maintenance, and/or removal of monuments, vaults or mausolea, except in closed cemeteries listed in Appendix 21.2.6.2.	<ul style="list-style-type: none"> a. Rule 21.2.4(1-4).
P3	Installation of temporary markers.	<ul style="list-style-type: none"> a. Temporary markers shall have a duration of only one year, excluding plot markers which are flush or below ground level.
P4	Any single building, except for cemeteries and crematoria listed in Appendix 9.3.6.1 Schedules of Significant Historic Heritage Places.	<ul style="list-style-type: none"> a. Compliance with the built form standards at Rule 21.2.4 (1), (2) and (4). b. Any single building shall not exceed 200m² gross floor area. c. Closed cemeteries listed in Appendix 21.2.6.2 – Any single building shall not exceed 40m² gross floor area, except that one residential unit that does not exceed 150m² gross floor area may be erected on any one site for management or custodial purposes.
P5	General maintenance, including: <ul style="list-style-type: none"> a. top dressing of graves; b. mowing, fertilising, aeration etc of lawn areas; c. shrub planting of existing planted areas; d. pruning of trees; e. removal of planting areas (including native and exotic species), except for cemeteries listed in Appendix 9.3.6.1 Schedules of Significant Historic Heritage Places; f. removal of plants on graves (including native and exotic species); and g. removal of trees, except for those cemeteries listed in Appendix 9.3.6.1 Schedule of Significant Historic Heritage Places. 	<ul style="list-style-type: none"> a. Nil.

Activity		Activity Specific Standards
P6	Planting of new (native or exotic) trees and shrubs; or the establishment of new lawn areas, except for cemeteries listed in Appendix 9.3.6.1 Schedules of Significant Historic Heritage Places.	a. Nil.
P7	Graveyard spiritual services.	a. Nil.

21.2.3.2 Controlled activities

The activities listed below are controlled activities.

There are no controlled activities.

21.2.3.3 Restricted discretionary activities

The activities listed below are a restricted discretionary activity.

Activity		The Council's discretion shall be limited to the following matters:
RD1	Any activity listed in Rule 21.2.3.1 that does not comply with one or more of the Activity Specific Standards for Activities P1, P2, P3, and P4.	<ul style="list-style-type: none"> a. Street scene – 21.2.5.1. b. Height, separation from neighbours and daylight recession planes – 21.2.3.2.
RD2	Any work on monuments, vaults or mausolea in the Akaroa French Cemetery and Mount Magdala Cemetery listed in Appendix 21.2.4.2.	<ul style="list-style-type: none"> a. Street scene – 21.2.5.1. b. Height, separation from neighbours and daylight recession planes – 21.2.5.2. <p>Note: This activity should align with the appropriate Cemetery Conservation Plan and the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value.</p>

21.2.3.4 Discretionary activities

The activities listed below are discretionary activities.

There are no discretionary activities.
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21.2.3.5 Non-complying activities

The activities listed below are non-complying activities.

Activity	
NC1	Any activity not provided for as a permitted or restricted discretionary activity.

Activity	
NC2	<p>a. Sensitive activities and buildings (excluding accessory buildings associated with an existing activity):</p> <ul style="list-style-type: none"> i. 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. ii. Within 5 metres of the centre line of a 33kV electricity distribution line or the 11kV Heathcote to Lyttelton electricity distribution line or within 5 metres of a foundation of an associated support structure. <p>b. Fences within 5 metres of a 66kV, 33kV and 11kV Heathcote to Lyttelton electricity distribution line support structure foundation.</p> <p>Any application made in relation to this rule shall not be publicly notified or limited notified other than to Orion New Zealand Limited.</p> <p>Notes:</p> <ul style="list-style-type: none"> 1. The 66kV, 33kV and the 11kV Heathcote to Lyttelton electricity distribution lines are shown on the planning maps. 2. Vegetation to be planted around the 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. 3. The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation to electricity distribution line. Buildings and activities in the vicinity of electricity distribution lines must comply with the NZECP 34:2001.

21.2.3.6 Prohibited activities

The activities listed below are prohibited activities.

There are no prohibited activities.

21.2.4 Built form standards

The following Built Form Standards shall be met by the relevant permitted activities.

	Standard	Parameter
1.	Maximum height of any building.	<ul style="list-style-type: none"> a. 8m. b. 5m (closed cemeteries – Appendix 21.2.6.2).
2.	Minimum building setback.	<ul style="list-style-type: none"> a. 5m from a road boundary. b. 20m from the boundary with any zone other than a Transport Zone.
3.	Minimum setback for concrete beams and burial plots from internal boundaries.	<ul style="list-style-type: none"> a. 10m.

4.	Daylight recession planes.	<p>a. Buildings shall not project beyond a building envelope constructed by recession planes, as shown in Appendix 14.14.2, from points 2.3 metres above internal boundaries adjoining a residential zone.</p> <p>Note:</p> <ol style="list-style-type: none"> 1. There is no recession plane requirement for the Specific Purpose (Cemetery) Zone unless it adjoins a residential zone. 2. The level of site 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.
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21.2.5 Matters of Discretion

21.2.5.1 Street scene

- a. Whether any reduction in setback would enable greater protection or retention of natural or heritage values within the site as a whole.
- b. Any proposed landscaping of buildings or structures which may reduce the visual impact of a reduction in setback.
- c. Any adverse visual or heritage impacts within the special purpose area itself and its value to the public, or on its natural character.

21.2.5.2 Height, separation from neighbours and daylight recession planes

- a. Any adverse effect of building height on adjacent residences or residential zones, particularly in terms of overshadowing.
- b. The visual impact of the scale of the structure and its appropriateness having regard to the purpose of the special area.
- c. Any landscaping provided to reduce the visual impact of the building as seen from the street or adjoining residences.

21.2.6 Appendices

21.2.6.1 List of cemeteries and crematoria

No.	Name	Address	Locality	Legal Description	Area (ha)	Planning Map
1	Akaroa Anglican Cemetery (see also Appendix 9.4.5.1 Significant Trees Schedule)	135 Beach Road 145 Beach Road	Akaroa	RES 2546 (SO 2619) RES 56 (SO 2619)	0.6272 1.2140	77, R5
2	Akaroa Catholic Cemetery	1 Akaroa Cemetery Road	Akaroa	RES 116 (SO 2619)	0.8093	77, R5
3	Akaroa Dissenters Cemetery	3 Akaroa Cemetery Road	Akaroa	RES 4997 (SO 9483)	0.4944	77, R5
4	Avonhead Cemetery	140 Hawthornden Road	Avonhead	Lot 3 DP 26791 Lot 1 DP 354923	5.53 1.5787	23/30
5	Belfast Cemetery	15 Guthries Road	Belfast	RS 42108 (SO 16519) Lot 1 DP 465652 Lot 2 DP 465652 Lot 3 DP 465652	2.0234 1.8574 3.1198 4.0967	12
6	Bromley Cemetery	429 Linwood Avenue	Bromley	Lot 1 DP 8825	10.4485	40
7	Diamond Harbour Cemetery	2D Waipapa Avenue	Diamond Harbour	Lot 11 DP 304811	1.1805	59
8	Duvauchelle Cemetery	6267 Christchurch Akaroa Road	Duvauchelle	RES 3038 (SO 5725) Pt RES 4877 (SO 5725)	0.8701 0.4036	70, R5
9	Harewood Memorial Gardens and Crematorium (see also Appendix 9.3.6.1 Schedule of Significant Historic Heritage Places)	509 Johns Road	Belfast	Lot 13 DP 438426 Sec 65 (SO 460822)	3.5295 0.9989	18
10	Kaituna Valley Cemetery	399 Kaituna Valley Road	Motukarara	Lot 2 DP 10339 CT 443/203	0.0938	R3
11	Le Bons Bay Cemetery	27 Le Bons Bay Cemetery Road	Le Bons Bay	RES 800 (SO 2903)	2.5571	72, R5

No.	Name	Address	Locality	Legal Description	Area (ha)	Planning Map
12	Linwood Cemetery	25 Butterfield Avenue	Bromley	Pt Lot 1 DP 8756 CT 414/6 Sec 2 SO 18385 CT 34D/572	6.4933 1.3120	33/40
13	Little Akaloa Cemetery	1236 Chorlton Road 1238 Chorlton Road	Okains Bay	Res 4936 Canterbury Dist Res 4949 Canterbury Dist	.2023 .2410	66/R2
14	Little River Cemetery	30 Upper Church Road	Little River	RES 3023 (SO 4409)	0.8094	69
15	Lyttelton Anglican Cemetery	87 Oxford Street	Lyttelton	Lot 1 DP 11713 CT 464/288	1.2993	52, R1
16	Lyttelton Catholic and Public Cemetery	56 Reserve Terrace 58 Reserve Terrace 60 Reserve Terrace	Lyttelton	RES 46 (BM 292) CT 468/107 Pt RES 45 (BM 292) CT 468/107 Pt RES 45 (BM292) CT 420/16 Lot 43 DP 9983 Lot 33 DP 9983	0.4046 0.2023 0.2023 0.0212 0.1012	52, R1
17	Memorial Park Cemetery	31 Ruru Road	Bromley	Pt RS 10269 (BM 318) CT 396/179 Pt RS 4075 (A 10266) CT 31F/440 RS 40281 (SO 11666) CT 12F/164 Pt RS 7469 (LT 46003 BM 318)	6.4749 4.9043 0.8814 0.0320	33
18	Okains Bay Cemetery	11 Chorlton Road	Okains Bay	RES 148 (SO 3091) CT 91/186	2.0234	68, R5
19	Pigeon Bay Cemetery	100 Wilsons Road	Pigeon Bay	RES 624 (SO 2187)	0.8093	R4
20	Ruru Lawn Cemetery	63 Ruru Road	Bromley	Pt Lot 1 DP 10009 CT 420/197 Lot 3 DP 69736 CT 40C/538	15.3879 0.1111	33/40
21	Sydenham Cemetery	34 Roker Street	Spreydon	Pt RS 154 (A 9187) CT 23F/695 Pt RS 154 (BM 313) CT 591/38	6.4218 0.1950	45/46
22	Waimairi Cemetery	195A Grahams Road	Burnside	Lot 314 DP 22922 CT 3A/784 RES 3740 (SO 4809) CT 245/239	1.6936 3.0756	23/24

No.	Name	Address	Locality	Legal Description	Area (ha)	Planning Map
23	Wainui Cemetery	43 Cemetery Road	Wainui	RS 41892 (SO 16324)	1.0627	75, R4
24	Woodlawn Memorial Gardens and Crematorium (see also Appendix 9.3.6.1 Schedule of Significant Historic Heritage Places)	447 Linwood Avenue	Bromley	Lot 1 DP 10841 CT 11K/1006 Lot 1 DP 11544 CT 11K/1006 Lot 1 DP 29651 CT 11K/1006 Lot 2 DP 29651 CT 43C/913 Lot 2 DP 75853 CT 43C/913 Lot 1 DP 2138 CT 224/74 Pt RS 1146 (BM 318) CT 237/72 Lot 2 DP 55031	0.2982 0.4062 0.0903 0.4535 0.1886 1.7452 1.9298 0.9629	40
25	Yaldhurst Cemetery	272 West Coast Road	Yaldhurst	RES 2538 (SO 5750)	4.0696	28/29

21.2.6.2 List of closed cemeteries

No.	Name	Address	Locality	Legal Description	Area (ha)	Planning Map
1	Akaroa French Cemetery	7 Rue Pompallier	Akaroa	Pt RES 108 (BM 289)	0.1012	77, R5
2	Addington Cemetery (see also Appendix 9.3.6.1 Schedule of Significant Historic Heritage Places)	410 Selwyn Street 410R Selwyn Street	Addington	Pt Rs 66, CT 380/104 Lot 11, DP 427192	2.0234 0.0156	38 38
3	Mount Magdala Cemetery of the Good Shepherd Sisters	54 Aidanfield Drive	Oaklands	Lot 323 DP 423266 CT 490510	0.2958	44
4	Rutherford (Woolston) Cemetery (see also Appendix 9.3.6.1 Schedule of Significant Historic Heritage Places)	76 Rutherford Street	Woolston	Pt RS 14 (BM 312) CT 378/269 Pt Lot 1 DP 9422 CT 26K/1118	1.1432 0.0467	40

21.4 Specific Purpose (Styx Mill Road Transfer Station) Zone

21.4.1 Objectives and policies

21.4.1.1 Objective – Safe and efficient waste transfer

A safe and efficient facility for disposing and recycling of household refuse for onward transmission to the landfill.

21.4.1.1.1 Policy – Management of adverse environmental effects on neighbours

Ensure nuisance is avoided by containing all litter onsite, operating with the prescribed hours, removing all rubbish at the end of each business day and controlling birds and vermin.

21.4.1.1.2 Policy – Recycling and sorting

Provide an opportunity for appropriate material to be sorted and recycled on this site.

21.4.2 Rules – Specific Purpose (Styx Mill Road Transfer Station) Zone

21.4.2.1 How to use the rules

- a. The rules that apply to activities in the Specific Purpose (Styx Mill Transfer Station) Zone are contained in:
 - i. Activity Status Tables (including Activity Specific Standards) in Section 21.4.3 below.
- b. The Activity Status Tables and Standards in the following chapters also apply to activities in all areas of the Specific Purpose (Styx Mill Road Transfer Station) Zone, where relevant:
 - 5 Natural Hazards;
 - 6 General Rules and Procedures;
 - 7 Transport;
 - 11 Utilities and Energy; and
 - 12 Hazardous Substances and Contaminated Land.
- c. Where the word “facility” is used in the rules, it shall also include the use of a site/building for the activity that the facility provides for, unless expressly stated otherwise.

Similarly, where the word/phrase defined include the word “activity” or “activities”, the definition includes the land and/or buildings for that activity unless stated otherwise in the activity status tables.

Note: The activities undertaken on the site must not be in breach of the current discharge to air consent from the Canterbury Regional Council.

21.4.3 Activity status tables

21.4.3.1 Permitted activities

The activities listed below are permitted activities if they comply with the relevant activity specific standards set out in this table.

Activities may also be controlled, restricted discretionary, discretionary, non-complying, or prohibited as specified in Rules 21.4.3.2, 21.4.3.3, 21.4.3.4, 21.4.3.5 and 21.4.3.6.

	Activity	Activity Specific Standards
P1	Household refuse disposal.	<ul style="list-style-type: none"> a. Any future development shall be generally in accordance with the Development Plan, Appendix 21.4.5.1; b. All landscaping areas as shown on Appendix 21.4.5.1 shall be maintained in good condition to provide the continuous screening of the site; c. The entry gate to the site shall be setback not less than 25m from the boundary with Styx Mill Road; d. A security perimeter fence of a minimum height of 2m shall be maintained at all times in the general location shown on the Development Plan, Appendix 21.4.5.1; e. All refuse at the site shall be deposited under the roof area except green waste and hardfill; f. All rubbish shall be removed from the pit floor at the end of each business day; g. The pit floor and the surrounding yard shall be thoroughly cleaned at the end of each business day; h. Birds and vermin shall be controlled to avoid nuisance within and outside the site; i. Hours of operation shall be limited to between 0700 and 1800 hours, except that up to two vehicle movements for delivery and/or pickup of refuse may occur between 0600 and 0700 hours; j. The site and surrounds shall be patrolled a minimum of once per day for the purpose of keeping the site and surrounds generally free of litter; and k. No toxic chemicals, liquid or other wastes shall be accepted at the site which cannot be disposed of safely.
P2	Green refuse disposal and processing.	<ul style="list-style-type: none"> a. No composting shall take place on site; b. Green waste shall be removed from site before causing odour nuisance; and c. Outdoor storage areas shall be setback a minimum distance of 30m from Styx Mill Road frontage and at least 6m from other boundaries.
P3	Erection of buildings.	<ul style="list-style-type: none"> a. Only buildings or structures not more than 9m high, and which are for the purpose related to the operation of the transfer station; and b. Buildings shall be setback at least 30m from Styx Mill Road frontage and 6m from other boundaries

P4	Sorting of recycling material.	c. All material shall be stored under roof not visible from the road.
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21.4.3.2 Controlled activities

The activities listed below are controlled activities.

There are no controlled activities.

21.4.3.3 Restricted discretionary activities

The activities listed below are restricted discretionary activities.

Activity		Council's discretion shall be limited to the following matters:
RD1	Any activity listed in Rule 21.4.3.1 that does not comply with one or more of the Activity Specific Standards.	Relevant Activity Specific standard breached and the matters of discretion as outlined in 21.4.4

21.4.3.4 Discretionary activities

The activities listed below are discretionary activities.

Activity	
D1	Any activity not provided for as a permitted or restricted discretionary activity.
D2	Disposal of hazardous and/or toxic substances.

21.4.3.5 Non-complying activities

The activities listed below are non-complying activities.

There are no non-complying activities.
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21.4.3.6 Prohibited activities

The activities listed below are prohibited activities.

There are no prohibited activities.

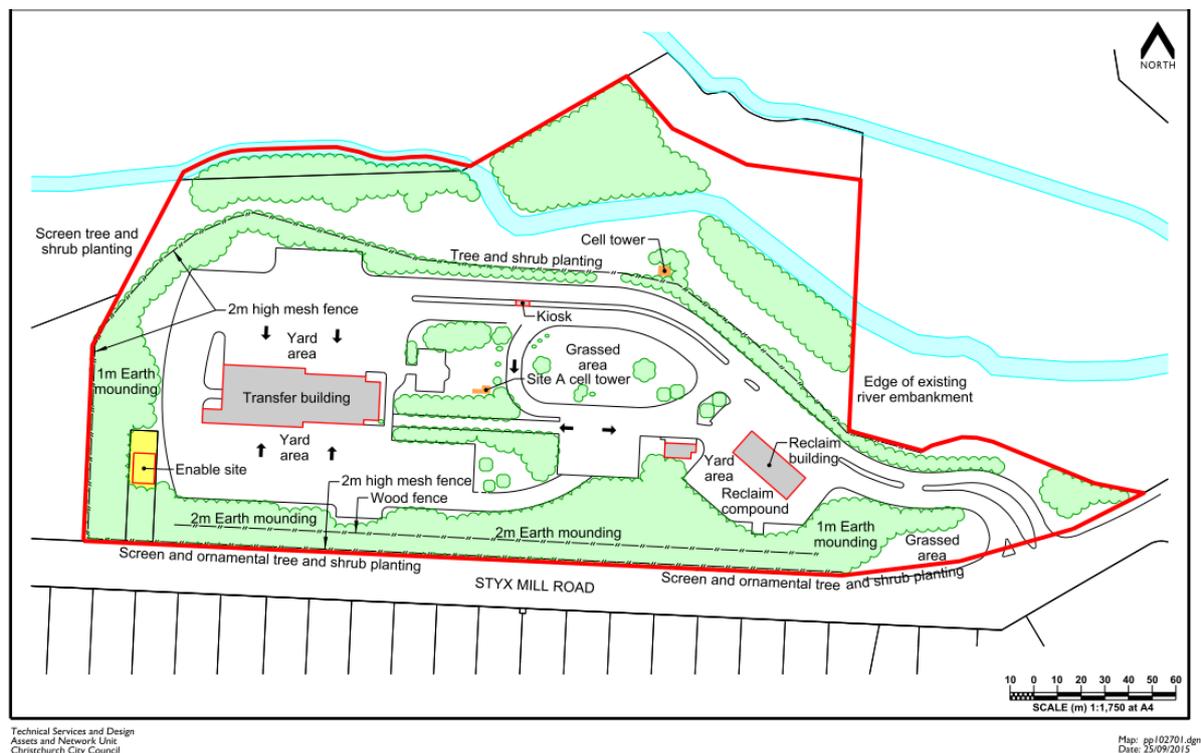
21.4.4 Matters of discretion

- a. Any adverse impacts on residences outside the zone in terms of dust, noise, vermin or odour nuisance, also taking account of the hours of operation.

- b. Any adverse effects on the effectiveness of the landscape buffer of the zone, and whether the refuse disposal and recycling activities remain not visible from outside the zone.
- c. Any potential for windblown refuse creating detraction outside the zone.
- d. Any visual impacts of additional or modified buildings and their scale, as seen from outside the zone.
- e. Any impacts created by additional traffic in the vicinity of the site.

21.4.5 Appendix

Appendix 21.4.5.1 – Development Plan – Specific Purpose (Styx Mill Road Transfer Station) Zone.



21.5 Specific Purpose (Hospital) Zone

21.5.1 Objectives and policies

21.5.1.1 Objective – Enabling hospital development

The evolving health care facility needs of Christchurch and the wider region are supported by efficient development of hospital sites while recognising the character and amenity values of the surrounding environment.

21.5.1.1.1 Policy – Intensification

Encourage more intensified and contained use of hospital sites in preference to expansion outside of existing site boundaries.

21.5.1.1.2 Policy – Comprehensive development

- a. Ensure that for Suburban and Suburban Services Hospital Sites hospital development is planned and designed to recognise the amenity, character and coherence of the surrounding area at the site interfaces by:
 - i. Ensuring that the landscape setting is maintained at site boundaries.
 - ii. Locating taller buildings towards the centre of sites, away from more sensitive edges.
- b. Ensure that for Inner Urban sites hospital development is planned and designed to recognise and integrate with the local context by;
 - i. Encouraging pedestrian activity and higher quality amenity including planting along street frontages and in adjoining public and publicly accessible spaces.
 - ii. Providing visual interest and a human scale at the interface with the street, particularly at ground floor level whilst contributing to the character and coherence of the surrounding area.
 - iii. Ensuring that the form and scale of buildings recognises the anticipated residential scale and form at hospital site boundaries of the site.

For the purpose of these provisions the hospital sites are notated as the following:

Hospital Site Type	Hospital Site Name
Suburban	Burwood, Hillmorton, Princess Margaret
Suburban Services	Lincoln Road (Hillmorton Service Site)
Inner Urban	St Georges Hospital ,St Georges-Heaton Overlay, Nurse Maude Hospital, Nurse Maude-Mansfield, Southern Cross, Pegasus Health 24hr, Wesley Care Hospital

21.5.1.1.3 Policy – Comprehensive development and redevelopment of sites for residential purposes

Encourage comprehensive residential development of suburban and inner urban hospital sites that are no longer required for hospital purposes

21.5.2 Rules – Specific Purpose (Hospital) Zone

21.5.2.1 How to use the rules

- a. The rules that apply to activities in the Specific Purpose (Hospital) Zone are contained in:
 - i. The Activity Status Tables (including Activity Specific Standards) in Rule 21.5.3; and
 - ii. Built Form Standards in 21.5.4.
- b. The Activity Status Tables and Standards in the following chapters also apply to activities in all areas of the Specific Purpose (Hospital) Zone (where relevant):
 - 5 Natural Hazards;
 - 6 General Rules and Procedures – for noise standards for hospitals see Rule 6.1.4; for temporary activities, buildings or events rules see Rule 6.2.2; for outdoor lighting and glare rules see Rule 6.3.2;
 - 7 Transport - for High Trip Generator rules see Rule 7.2.3.10; for parking standards (numbers) for hospitals/healthcare see Appendix 7.1; for cycle parking standards (numbers) for hospitals/healthcare see Appendix 7.2.;
 - 8 Subdivision, Development and Earthworks;
 - 9 Natural and Cultural Heritage;
 - 10 Utilities and Energy; and
 - 11 Hazardous Substances and Contaminated Land.
- c. Where the word “facility” is used in the rules, it shall also include the use of a site/building for the activity that the facility provides for, unless expressly stated otherwise.

Similarly, where the word/phrase defined include the word “activity” or “activities”, the definition includes the land and/or buildings for that activity unless stated otherwise in the activity status tables.

- d. Appendix 21.5.6 lists the alternative zones that apply to each of the hospital sites (except the Christchurch Hospital site). Rules 21.5.3.1, 21.5.3.2, 21.5.3.3 and 21.5.3.4 provide for any additional activities or facilities on each of the hospital sites in accordance with the rules in the relevant alternative zone listed in Appendix 21.5.6.

21.5.3 Activity status tables

21.5.3.1 Permitted activities

The activities listed below are permitted activities if they comply with all relevant activity specific standards set out in this table and the applicable built form standards in Rule 21.5.4.

Activities may also be controlled, restricted discretionary, discretionary, non-complying, or prohibited as specified in Rules 21.5.3.2, 21.5.3.3, 21.5.3.4, 21.5.3.5 and 21.5.3.6.

	Activity	Activity Specific Standards
P1	Hospitals, including emergency service facilities.	a. Nil.
P2	Health care facilities.	a. Nil.
P3	Ancillary office activity.	a. Nil.
P4	Ancillary retail activity.	a. Nil.
P5	Overnight accommodation for staff and visitors.	a. Nil.
P6	Research and medical training facilities.	a. Nil.
P7	Spiritual activities and facilities.	a. Nil.
P8	Any additional activities or facilities which would be permitted activities in the alternative zone listed for that site in Appendix 21.5.6.	a. Nil.
P9	Parking lot ancillary to the hospital activity.	a. Nil.
P10	Parking building ancillary to the hospital activity.	a. Nil.
P11	Within suburban sites any new buildings that are: <ul style="list-style-type: none"> a. set back 10m or more from a boundary with a maximum gross ground floor area of 500m²; or b. set back 20m or more from a road boundary with a maximum gross ground floor area of 1000m²; or c. set back 30m or more from a boundary with a maximum gross ground floor area of 2000m². 	a. Nil.

21.5.3.2 Controlled activities

The activities listed below are controlled activities if they comply with the applicable built form standards in Rule 21.5.4.

	Activity	The matters over which Council reserves its control
C1	Within Suburban sites any new building, set of contiguous buildings, or addition to a building that is set back 30m or more from a boundary with a gross ground floor area over 2000m ² .	a. 21.5.5.2 Site and building design (i) and (iv).

	<p>excluding:</p> <p>a. Repairs, maintenance, and seismic, fire/and/or access building code upgrades; or</p> <p>b. Refurbishment, reinstatement works.</p> <p>Any application arising from this rule will not require written approvals and shall not be limited or publicly notified.</p>	
C2	<p>Within Suburban sites any new buildings, set of contiguous buildings, or addition to a building that are:</p> <p>a. set back 10m to 20m from a road boundary and are between 8m and 14m in height; or</p> <p>b. set back 10m to 20m from a boundary with a gross ground floor area between 500m² to 1000m²; or</p> <p>c. set back 20m to 30m from a boundary with a gross ground floor area between 1000m² and 2000m².</p> <p>Lift shafts, mechanical plant and other such equipment shall be allowed to a maximum 4m in height above that of the building height specified above.</p> <p>Any application arising from this rule will not require written approvals and shall not be limited or publicly notified.</p>	<p>a. 21.5.5.1 City context and character.</p> <p>b. 21.5.5.2 Site and building design.</p> <p>c. 21.5.5.5 Landscaping.</p>
C3	<p>Any additional activities or facilities which would be controlled activities in the alternative zone listed for that site in Appendix 21.5.6.</p>	<p>a. The matters of control for the additional activity or facility in the alternative zone listed for that site in Appendix 21.5.6.</p>

21.5.3.3 Restricted discretionary activities

The activities listed below are restricted discretionary activities.

	Activity	The Council's discretion shall be limited to the following matters:
RD1	<p>Any activity listed in Rules 21.5.3.1 or 21.5.3.2 that does not comply with one or more of the Built Form Standards listed in:</p> <p>a. Rule 21.5.4.1 a & b (Suburban sites);</p> <p>b. Rule 21.5.4.2 a & b (Suburban service site); and</p> <p>c. Rule 21.5.4.3 a. and b. (Inner urban) and Rule 21.5.4.4 a. and b. (Inner urban).</p>	<p>21.5.5.1 City context and character.</p> <p>21.5.5.2 Site and building design.</p> <p>21.5.5.5 Landscaping.</p>
RD2	<p>Any activity listed in Rules 21.5.3.1 or 21.5.3.2 that does not comply with one or more of the Built Form Standards listed in:</p> <p>a. Rule 21.5.4.1 c.-g. (Suburban sites);</p> <p>b. Rule 21.5.4.2 c.-f. (Suburban service site);</p> <p>c. Rule 21.5.4.3 c.-f. (Inner urban); and</p> <p>d. Rule 21.5.4.4 c.-f. (Inner urban);</p> <p>Any application arising from this rule will not require written approvals and shall not be limited or publicly notified.</p>	<p>21.5.5.1 City context and character.</p> <p>21.5.5.2 Site and building design.</p> <p>21.5.5.5 Landscaping.</p> <p>21.5.5.4 Outdoor Storage Areas.</p>

	Activity	The Council's discretion shall be limited to the following matters:
RD3	<p>Within Inner urban sites, any building elevation, including roof, which is greater than 20m in length and is visible from a Specific Purposes (Hospital) Zone boundary where it adjoins public or publicly accessible space or a residential zone.</p> <p>Any application arising from this rule will not require written approvals and shall not be limited or publicly notified.</p>	<p>21.5.5.2 Site and building design.</p> <p>21.5.5.5 Landscaping.</p>
RD4	<p>Within Inner urban sites, any new building, set of contiguous buildings, or addition to a building of 1000m² (gross ground floor area) or more excluding:</p> <ol style="list-style-type: none"> Repairs, maintenance, and seismic, fire/and/or access building code upgrades; or Refurbishment, reinstatement works. <p>Any application arising from this rule will not require written approvals and shall not be limited or publicly notified.</p>	<p>21.5.5.1 City context and character.</p> <p>21.5.5.2 Site and building design.</p> <p>21.5.5.5 Landscaping.</p>
RD5	<p>Within Suburban sites, any new building, set of contiguous buildings, or addition to a building set back:</p> <ol style="list-style-type: none"> 10m to 20m from a boundary that is 1000m² gross ground floor area or more; or 10m to 20m from a road boundary and is over 14m in height; or 20 to 30m from a boundary that is 2000m² gross floor area or more <p>excluding:</p> <ol style="list-style-type: none"> Repairs, maintenance, and seismic, fire/and/or access building code upgrades; or Refurbishment, reinstatement works. <p>Any application arising from this rule will not require written approvals and shall not be limited or publicly notified.</p>	<p>21.5.5.1 City context and character.</p> <p>21.5.5.2 Site and building design.</p> <p>21.5.5.5 Landscaping.</p>
RD6	<p>Within Inner urban sites, any multi-level car parking building ancillary to the hospital activity or vehicular access within 15m of a residential zone boundary or boundary with public or publicly accessible space.</p>	<p>21.5.5.1 City context and character.</p> <p>21.5.5.2 Site and building design.</p> <p>21.5.5.5 Landscaping.</p>
RD7	<p>Development and redevelopment of buildings in St Georges-Heaton Overlay.</p>	<p>21.5.5.6 St Georges Heaton Overlay.</p>
RD8	<p>Development and redevelopment of buildings at Nurse Maude-Mansfield.</p> <p>Any application arising from this rule will not require written approvals and shall not be limited or publicly notified.</p>	<p>21.5.5.1 City context and character.</p> <p>21.5.5.2 Site and building design.</p> <p>21.5.5.3 Fencing and screening.</p> <p>21.5.5.4 Outdoor storage areas.</p> <p>21.5.5.5 Landscaping.</p>
RD9	<p>Any additional activities or facilities which would be restricted discretionary activities in the alternative zone listed for that site in Appendix 21.5.6.</p>	<p>The matters of control for the additional activity or facility in the alternative zone listed for that site in Appendix 21.5.6.</p>

21.5.3.4 Discretionary activities

The activities listed below are discretionary activities.

	Activity
D1	Any additional activities or facilities which would be discretionary activities in the alternative zone listed for that site in Appendix 21.5.6.

21.5.3.5 Non-complying activities

The activities listed below are non-complying activities.

	Activity
NC1	Any activity not provided for as a permitted or restricted discretionary activity.

21.5.3.6 Prohibited activities

The activities listed below are prohibited activities.

There are no prohibited activities.

21.5.4 Built form standards

21.5.4.1 Suburban sites

Standard	
a.	The minimum building setback from road boundaries shall be 10m.
b.	The minimum building setback from an internal boundary shall be 10m except where the boundary interface is with the Christchurch Southern Motorway corridor in which case the minimum building setback shall be 5m.
c.	<p>The maximum height of any building shall be:</p> <ul style="list-style-type: none"> i. 8m high buildings at 10m – 20m from the internal boundary; and ii. 20m high buildings at 20m or more from a boundary. <p>Lift shafts, mechanical plant and other such equipment shall be allowed to a maximum 4m in height above that of the building height specified above.</p>
d.	<p>The minimum width of landscaping strips required adjacent to boundaries for the full length of the boundary is as follows:</p> <ul style="list-style-type: none"> i. 10m for road boundaries (except for vehicle and pedestrian access); and ii. 10m along internal boundaries. <p>In addition the following tree planting should be provided:</p> <ul style="list-style-type: none"> iii. 1 tree per 10m of road boundary or part thereof, planted within the respective

	<p>landscape strip;</p> <p>iv. 1 tree per 15m of internal boundary or part thereof, planted within the respective landscape strip;</p> <p>v. 1 tree for every 5 at grade car parking spaces to be planted within the car parking areas; and</p> <p>vi. 10% of the site shall be planted including landscaping strips.</p>
e.	<p>The maximum height of fencing located within the landscaping strip from the road boundary shall be 1.2m except</p> <p>i. at the boundary with Christchurch Southern Motorway; and</p> <p>ii. for the part of the Hillmorton Hospital site as identified on the Site Plan in 21.5.7, where it is set back 2m from the road boundary.</p>
f.	<p>Vehicle access shall be established so that there is not vehicle access within 20m of a residential zone boundary, except where the residential zone is located across the street.</p>
g.	<p>i. Outdoor storage areas shall not be located within the landscaping strips; and</p> <p>ii. Any outdoor storage area visible from a public space or adjoining site shall be screened by a minimum 1.5m of fencing or planting.</p>

21.5.4.2 Suburban service sites

Standard	
a.	The minimum building setback from road boundaries shall be 10m except; the building setback from Lincoln Road shall be 5m measured from the line of the 5m wide designation.
b.	The minimum building setback from an internal boundary shall be 10m.
c.	The maximum height of any building shall be 14m.
d.	<p>The minimum width of landscaping strips required adjacent to the respective boundaries for the full length of the boundary shall be is as follows:</p> <p>i. 10m for road boundaries (except for vehicle and pedestrian access) except 5m along Lincoln Road from the line of the 5m designation; and</p> <p>ii. 4m along internal boundaries.</p> <p>In addition the following tree planting should be provided:</p> <p>iii. 1 tree per 10m of road boundary or part thereof, planted within the respective landscape strip;</p> <p>iv. 1 tree per 15m of internal boundary or part thereof, planted within the respective landscape strip;</p> <p>v. 1 tree for every 5 at grade car parking spaces to be planted within the car parking areas; and</p> <p>vi. 10% of the site shall be planted including landscaping strips.</p>
e.	The maximum height of fencing in located within the landscaping strip from the road boundary shall be 1.2m.
f.	<p>i. Outdoor storage areas shall not be located within the building setbacks with a road</p>

	boundary or other public space; and
ii.	Any outdoor storage area shall be screened by a minimum 1.5m of fencing or planting from any adjoining site.

21.5.4.3 Inner urban sites – St Georges Hospital, Southern Cross, Pegasus Health 24hr

Standard	
a.	The minimum building setback from road boundaries shall be 10m except for arterial roads where it shall be 4m.
b.	The minimum building setback from an internal boundary shall be 10m.
c.	The maximum height of any building (including allowance for plant and lift shafts) shall be: <ul style="list-style-type: none"> i. 11m at 10m from the boundary except along an arterial road where the maximum height is 11m at a 4m setback; and ii. 18m at 16m from the boundary.
d.	The minimum width of landscaping strips required adjacent to the respective boundaries for the full length of the boundary shall be: <ul style="list-style-type: none"> i. 4m for road boundaries (except for vehicle and pedestrian access); and ii. 4m for internal boundaries. <p>In addition the following tree planting should be provided:</p> <ul style="list-style-type: none"> iii. 1 tree per 10m of boundary or part thereof, planted within the respective landscape strip; iv. 1 tree per 15m of internal boundary or part thereof, planted within the respective landscape strip; v. 1 tree for every 5 at grade car parking spaces to be planted within the car parking areas; and <p>10% of the site shall be planted including landscaping strips.</p>
e.	The maximum height of fencing located within the landscaping strip from the road boundary shall be 1.2m
f.	<ul style="list-style-type: none"> i. Outdoor storage areas shall not be located within the building setbacks with a road boundary or other public space; and ii. Any outdoor storage area shall be screened by a minimum 1.5m of fencing or planting from any adjoining site.

21.5.4.4 Inner urban sites – Nurse Maude Hospital, Nurse Maude-Mansfield, St Georges-Heaton Overlay, Wesley Care

Standard	
a.	The minimum building setback from road boundaries shall be 4m, except: <ul style="list-style-type: none"> i. For the St Georges Heaton Overlay the road boundary setback shall be 8m.

b.	The minimum building setback from an internal boundary shall be 5m, except: <ul style="list-style-type: none"> i. For Nurse Maude-Mansfield the internal boundary set back shall be 4m.
c.	The maximum height of any building shall be 11m, except: <ul style="list-style-type: none"> i. For St Georges-Heaton Overlay the maximum building height shall be 8m; <p>In respect to Nurse Maude Hospital and Wesley Care only, lift shafts, mechanical plant and other such equipment shall be allowed to a maximum 4m in height above that of the building height specified above.</p>
d.	The minimum width of landscaping strips required adjacent to the respective boundaries for the full length of the boundary shall be: <ul style="list-style-type: none"> i. 4m (except for vehicle and pedestrian access along road boundaries); and ii. 4m along internal boundaries, except: <p>for Nurse Maude-Mansfield, where a vehicle access or parking area is adjacent to an internal boundary a minimum 1m wide landscape strip shall be provided immediately adjacent to that boundary.</p> <p>In addition the following tree planting should be provided:</p> <ul style="list-style-type: none"> iii. 1 tree per 10m of boundary or part thereof; iv. 1 tree for every 5 at grade car parking spaces to be planted within the car parking areas; and v. 10% of the site shall be planted including landscaping strips.
e.	The maximum height of fencing located within the landscaping strip from the road boundary shall be 1.2m.
f.	<ul style="list-style-type: none"> i. Outdoor storage areas shall not be located within the building setbacks with a road boundary or other public space; and ii. Any outdoor storage area shall be screened by a minimum 1.5m of fencing or planting from any adjoining site.

21.5.5 Matters of discretion

21.5.5.1 City context and character

- a. Whether the development:
- i. Addresses the local context including any natural, heritage and cultural assets;
 - ii. Retains and incorporates existing character buildings and the landscape qualities of the site and surrounds; and
 - iii. Provides for intensification of services within the existing site, and enables greater efficiency of use of the existing hospital facilities, rather than requiring expansion beyond the site boundaries.

21.5.5.2 Site and building design

- a. Whether the development:

- i. Addresses Crime Prevention Through Environmental Design (CPTED) principles;
- ii. Orientates active areas of building to the street and other publicly accessible spaces;
- iii. In terms of its built form and design, generates visual interest in the street scene and contributes to the amenity values of the surrounding area;
- iv. Mitigates the visual impacts resulting from the building scale, form and location in respect to the interfaces with public and private space;
- v. Provides for legible access to the site for all transport users and incorporates site identification signage and wayfinding;
- vi. Minimises overshadowing, privacy and building dominance effects on residential neighbours;
- vii. In terms of an increase in building height, increases the bulk and scale of the building such that it results in adverse visual and amenity effects on adjoining residential neighbours and public space;
- viii. Minimises visual and nuisance effects of traffic movement on neighbours and public space; and
- ix. Takes into account the operational, accessibility and security requirements of the hospital.

21.5.5.3 Fencing and screening

- a. Whether the development:
 - i. Maintains visibility between the building and the street or public space;
 - ii. Addresses CPTED principles in respect to the location, height and design of the fence;
 - iii. Provides variation in fencing in terms of incorporating changes in height, variation in materials, areas of transparency or landscaping to avoid long blank and solid facades; and
 - iv. Takes into account the operational, accessibility and security requirements of the hospital.

21.5.5.4 Outdoor storage areas

- a. Whether the development:
 - i. Ensures storage areas are visually integrated, screened or otherwise accommodated to minimise adverse amenity or visual impacts on surrounding properties and public spaces;
 - ii. Provides for a partial screening structure or reduction in screening that may be more appropriate to the character of the site or the area; and
 - iii. Takes into account the operational, accessibility and security requirements of the hospital.

21.5.5.5 Landscaping

- a. Whether the development:
- i. Provides for tree planting and other landscaping that reduces the visual dominance of buildings, vehicle access and parking and contributes to the amenity of neighbouring sites and to public and publicly accessible space;
 - ii. Provides for the distribution of large scale tree planting and landscaping across the site, while giving priority to locating landscaping within the building setbacks;
 - iii. In respect to suburban sites and considering the extent to which the site is visible from adjoining sites, whether large scale tree planting is provided that visually mitigates the scale and bulk of building and contributes to a landscape setting for the built development when viewed from the site boundaries; and
 - iv. Takes into account the operational, accessibility and security requirements of the hospital.

21.5.5.6 St Georges-Heaton Overlay

- a. Area Context

Whether development recognises the landscape setting and development patterns in respect to:

- i. Integrating with the existing pattern and grain of subdivision and building;
- ii. The extent and scale of vegetation retained and/or provided; and
- iii. The relationship with adjoining sites and buildings, particularly in respect to heritage and character values of Character Area 13 – Heaton.

- b. Site Character and Street Interface

Whether the development complements the character and enhances the amenity of the area by:

- i. Providing a front yard building setback which is consistent with the overall depth and pattern of Character Area 13 – Heaton;
- ii. Retaining the front yard for open space, tree and garden planting;
- iii. Avoiding the location of vehicle parking and garaging within the front yard, or where it visually dominates the streetscene; and
- iv. Orientating building on the site to face the street.

- c. Built Character

Whether the building supports the built character values of Character Area 13 – Heaton and the residential area more widely in regard to:

- i. The scale and form of the building
- ii. Ensuring that any increase in building height is not visible from a public place and is contained within the building form;
- iii. The predominance of hip and gable roofs and the avoidance of flat or monopitch roofs;

- iv. Architectural detailing including features such as front entry porches, materials, window design and placement.
- d. Design Guidelines

Whether the development has been designed with consideration given to the CA13 – Heaton Character Area Design Guideline.

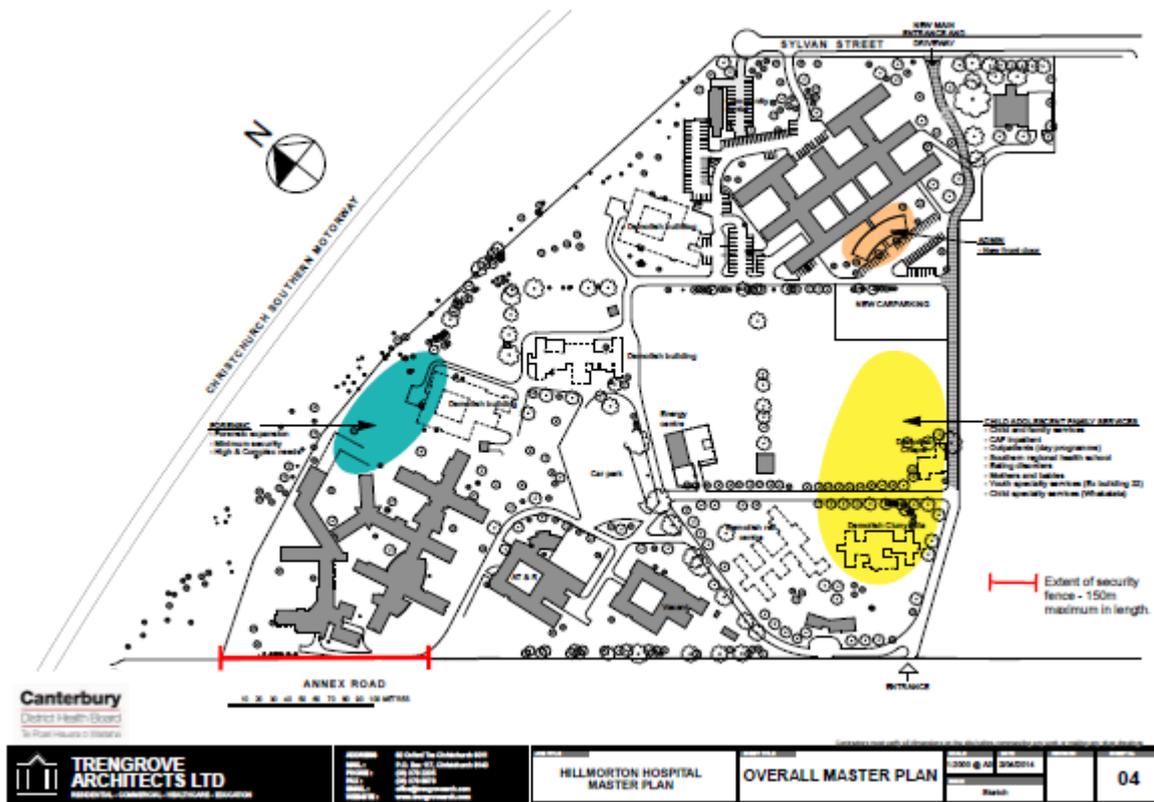
21.5.6 Appendix

The alternative zone that applies to each of the hospital sites included within the Specific Purpose (Hospital) Zone is shown in the following table.

For a full version of the zone names, refer to the legends for the Planning Maps.

Hospital Name	Location	Map ref	Alternative Zone
Burwood	Burwood/Mairehau Roads	20, 26	RS
Princess Margaret	Cashmere Road	46	RSDT
Hillmorton	Lincoln/Annex Roads	38	RS
Nurse Maude and Nurse Maude – Mansfield	McDougal Avenue/Mansfield Avenue	31	RMD
St Georges	Papanui Road/Leinster Road	31	RMD
St Georges-Heaton Overlay	Heaton Street	31	RS
Southern Cross	Bealey Avenue/Durham Street/Caledonian Road	32	RMD
Pegasus Health 24hr	Bealey Avenue/Caledonian Road	32	RMD
Wesley Care	Harewood Road	24	RSDT

21.5.7 Hillmorton Hospital Site Plan



21.6 Specific Purpose (School) Zone

21.6.1 Objectives and policies

21.6.1.1 Objective – Use of education facilities

Education providers are able to efficiently use and develop their land and buildings, within the wider network of education facilities across Christchurch, for:

- i. education activity; and as
- ii. hubs for a diverse range of community activities,

while:

- iii. mitigating significant adverse effects on the amenity of adjoining zones, and
- iv. recognising and enhancing the contribution of education buildings and sites to the character of neighbourhoods.

21.6.1.1.1 Policy – Community use of education facilities

Provide for community use of education land and buildings, including use for active and passive recreation, where such use of land and buildings is compatible with, and secondary to, the use of the site for education activity.

21.6.1.1.2 Policy – Amenity of neighbourhoods

Ensure adverse effects from education sites on neighbourhood amenity, including effects arising from building location and scale, traffic, parking, and noise are not significant, while also recognising the benefits of education and community activities occurring on school sites for the wider community.

21.6.1.1.3 Policy – Contribution of education sites to the character of neighbourhoods

Encourage education providers to develop buildings and sites to a high standard of visual amenity and design.

21.6.1.2 Objective – Future use of surplus education land and buildings

Change of use of surplus education land and buildings to activities compatible with the surrounding area is facilitated.

21.6.1.2.1 Policy – Additional development provisions

Provide for land and buildings no longer required for an education activity to be developed for other uses where those uses are consistent with the provisions applicable in the surrounding environment.

21.6.2 Rules – Specific Purpose (School) Zone

21.6.2.1 How to use the rules

- a. The rules that apply to activities in the Specific Purpose (School) Zone are contained in:
 - i. The Activity Status Tables (including Activity Specific Standards) in Rule 21.6.3 and
 - ii. Built Form Standards in 21.6.4.
- b. The Activity Status Tables and standards in the following chapters also apply to activities in the Specific Purpose (School) Zone, where relevant:

- 5 Natural Hazards;
- 6 General Rules and Procedures;
- 7 Transport;
- 8 Subdivision, Development and Earthworks;
- 9 Natural and Cultural Heritage;
- 11 Utilities and Energy; and
- 12 Hazardous Substances and Contaminated Land.

- c. Where the word “facility” is used in the rules, it shall also include the use of a site/building for the activity that the facility provides for, unless expressly stated otherwise.

Similarly, where the word/phrase defined include the word “activity” or “activities”, the definition includes the land and/or buildings for that activity unless stated otherwise in the activity status tables.

- d. Appendices 21.6.6.1, 21.6.6.2 and 21.6.6.3 list the alternative zones that apply to each of the school sites. Rules 21.6.3.1, 21.6.3.2, 21.6.3.3 and 21.6.3.4 provide for any additional activities or facilities on each of the school sites in accordance with the rules in the relevant alternative zone listed in Appendix 21.6.6.1, 21.6.6.2 and 21.6.6.3.

21.6.3 Activity status tables

21.6.3.1 Permitted activities

The activities listed below are permitted activities if they comply with all relevant activity specific standards set out in this table and the applicable built form standards in Rule 21.6.4.

Activities may also be controlled, restricted discretionary, discretionary, non-complying, or prohibited as specified in Rules 21.6.3.2, 21.6.3.3, 21.6.3.4, 21.6.3.5 and 21.6.3.6.

	Activity	Activity Specific Standards
P1	Education activity and facilities, and additions to such facilities.	a. Nil.
P2	Spiritual activities and facilities established before 2 May 2015, which are not ancillary to an education activity, and additions to such facilities.	a. Nil.
P3	Community activities occurring at education or spiritual facilities.	a. Nil.
P4	Any additional activities or facilities which would be permitted activities in the alternative zone listed for that site in Appendices 21.6.6.1, 21.6.6.2 or 21.6.6.3.	a. Nil.

21.6.3.2 Controlled activities

The activities listed below are controlled activities.

There are no controlled activities.

21.6.3.3 Restricted discretionary activities

The activities listed below are restricted discretionary activities.

	Activity	The Council's discretion shall be limited to the following matters:
RD1	Any activity listed in Rule 12.6.3.1 that does not comply with Rule 21.6.4.1 site coverage.	a. Amenity of the Neighbourhood – 21.6.5.1 b., d., e. and h.
RD2	Any activity listed in Rule 12.6.3.1 that does not comply with Rule 21.6.4.2 recession planes, or Rule 21.6.4.4 internal boundary setbacks.	a. Amenity of the neighbourhood – 21.6.5.1 a., b., c., d. and e.
RD3	Any activity listed in Rule 12.6.3.1 that does not comply with Rule 21.6.4.3 road boundary setbacks.	a. Amenity of the neighbourhood – 21.6.5.1 b., c., d., e., f., g. and h. b. Traffic Issues – 21.6.5.2 a. and b.
RD4	Any activity listed in Rule 12.6.3.1 that does not comply with Rule 21.6.4.6 water supply for firefighting.	a. Water supply for firefighting – 21.6.5.3 a.
RD5	Any additional activities or facilities which would be restricted discretionary activities in the alternative zone listed for that site in Appendices 21.6.6.1, 21.6.6.2 or 21.6.6.3.	The matters of discretion for the additional activity or facility in the alternative zone listed for that site in Appendices 21.6.6.1, 21.6.6.2 or 21.6.6.3.
RD6	A major sports facility on Lot 1 DP11232 (Heaton Street Intermediate Normal School), where: a. It is developed in conjunction with part of the adjacent Lot 1 DP12727 (that part of Elmwood Park located at 83D Heaton Street); and	a. Major Sports Facilities on Heaton Street Intermediate School – 21.6.5.4 a. and b. b. Parking areas – 21.6.5.4 c. and d. c. Traffic generation and access – 21.6.5.4 e. to g. d. Landscaping and trees – 18.7.1.14.

	<p>b. The net contiguous site set aside for the major sports facility is no less than 6,000m² across both sites</p> <p>c. A 3m wide landscaped area is established along all Residential Suburban zone boundaries to be planted with a minimum of 1 tree for every 10m of boundary.</p> <p>d. In addition to c, within on-site car parking areas, 1 tree to be planted for every 5 car parking spaces.</p> <p>shall be a restricted discretionary activity except as specified in 21.6.3.4 D4.</p>	<p>e. Overlooking and privacy in relation to adjacent residential properties and the remainder of the school property.</p> <p>f. Amenity of the neighbourhood – 21.6.5.1 a. to h.</p>
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21.6.3.4 Discretionary activities

The activities listed below are discretionary activities.

	Activity	The Council will consider any matters under s104 of the Act including:
D1	New spiritual activities and facilities.	<p>a. Amenity of the neighbourhood 21.6.5.1 b.</p> <p>b. Traffic Issues – 21.6.5.2 a.</p>
D2	Any activity listed in Rule 12.6.3.1 that does not comply with Rule 21.6.2.3.5 height.	<p>a. Amenity of the Neighbourhood – 21.6.5.1 b., c., d., e., f., g. and h.</p>
D3	Any additional activities or facilities which would be discretionary activities in the alternative zone listed for that site in Appendices 21.6.4.1, 21.6.4.2 or 21.6.4.3.	The matters of discretion for that additional activity or facility in the alternative zone listed for that site in Appendices 21.6.4.1, 21.6.4.2 or 21.6.4.3.
D4	A major sports facility on Lot 1 DP11232 (Heaton Street Intermediate Normal School), developed in conjunction with part of Lot 1 DP12727, Elmwood Park located at 83D Heaton Street, that does not meet the minimum contiguous net site area in Rule 21.6.3.3 b. or the landscaping requirements in Rule 21.6.3.3 c. and d. - RD6.	<p>a. Major sports facilities on Heaton Street Intermediate School – 21.6.5.4 a. and b.</p> <p>b. Parking areas – 21.6.5.4 c. to d.</p> <p>c. Traffic generation and access – 21.6.5.4 e. to g.</p> <p>d. Landscaping and trees – 18.7.1.14.</p> <p>e. Overlooking and privacy in relation to adjacent residential properties and the remainder of the school.</p> <p>f. Amenity of the neighbourhood – 21.6.5.1 a to h.</p>

21.6.3.5 Non-complying activities

The activities listed below are non-complying activities.

	Activity
NC1	Any activity that is not listed above as a permitted, restricted discretionary, or discretionary activity.
NC2	<p>a. Sensitive activities and buildings (excluding accessory buildings associated with an existing activity) within 10m of the centreline of the 66 KV electricity distribution line</p>

	<p>through the Kendal School, or within 10m of a foundation of an associated support structure.</p> <p>b. Fences within 5m of the 66 KV electricity distribution line support structure foundations (through Kendal School).</p> <p>Any application made in relation to this rule shall not be publicly notified or limited notified other than to Orion New Zealand Limited.</p> <p>Notes:</p> <ol style="list-style-type: none"> 1. The 66kV electricity distribution line through Kendal School is shown on Planning Map 23. 2. Vegetation to be planted around the 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. 3. The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in the vicinity of electricity distribution lines, which must be complied with.
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21.6.3.6 Prohibited activities

The activities listed below are prohibited activities.

There are no prohibited activities.

21.6.4 Built form standards

21.6.4.1 Site coverage

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

	Applicable to	Standard
a.	School sites where the additional activities and standards are from the zones listed in Appendices 21.6.6.1, 21.6.6.2 or 21.6.6.3: Residential Suburban, Residential Suburban Density Transition, Residential Hills, Residential Banks Peninsula, Residential Small Settlement or Rural Zones.	50%
b.	School sites where the additional activities and standards are from the zones listed in Appendices 21.6.6.1, 21.6.6.2 or 21.6.6.3: Residential Medium Density, or Residential New Neighbourhood Zones.	45%
c.	The Phillipstown School site, where the additional activities and standards are from the Industrial General Zone.	No maximum percentage.

21.6.4.2 Recession planes

No part of any building shall project beyond a building envelope contained by:

	Applicable to	Standard
a.	School sites where the additional activities and standards are from the zones listed in Appendices 21.6.6.1, 21.6.6.2 or 21.6.6.3: Residential Suburban, Residential Suburban Density Transition, Residential Hills, Residential Medium Density, Residential New Neighbourhood, or Rural Zones.	Recession planes from points 2.3m above a boundary with a residential zone as shown in Appendix 14.14.2.
b.	School sites where the additional activities and standards are from the zones listed in Appendices 21.6.6.1, 21.6.6.2 or 21.6.6.3: Residential Banks Peninsula, Residential Small Settlement.	45 degree recession planes measured from points 2.0m above a boundary with a Residential Zone.
c.	For a major sports facility on Lot 1 DP 11232 and on any land in an adjoining open space zone, where a site boundary adjoins the Residential Suburban Zone.	Recession planes from points 2.3m above the boundary as shown in Appendix 14.14.2A.

21.6.4.3 Road boundary setback

The minimum building setback from road boundaries shall be:

	Applicable to	Standard
a.	School sites where the additional activities and standards are from the zones listed in Appendices 21.6.6.1, 21.6.6.2 or 21.6.6.3: Residential Suburban; Residential Suburban Density Transition; Residential Hills; Residential Banks Peninsula; Residential Small Settlement; or Rural Zones.	6m
b.	School sites where the additional activities and standards are from the zones listed in Appendices 21.6.6.1, 21.6.6.2 or 21.6.6.3: Residential Medium Density, or Residential New Neighbourhood Zones;	4m
c.	The Phillipstown School site, where the additional activities and standards are from the Industrial General zone.	6m
d.	For a major sports facility on Lot 1 DP 11232, and on any land in an adjoining open space zone.	10m

21.6.4.4 Internal boundary setback

The minimum building setback from an internal boundary shall be:

	Applicable to	Standard
a.	From a boundary with any other zone, with the exception of b. and c. below.	6m
b.	From a boundary with any other zone, if the building does not exceed 4.5m in height; and Either: i. does not exceed 15m in length, or ii. a recess is provided for every additional 15m of building length or part thereof, with a minimum dimension of 3m by 3m for the full height of the building including the roof.	3m
c.	Accessory buildings for caretaking and storage purposes from a boundary with any other zone.	Nil, if the length of walls of accessory buildings within 6m of a boundary does not exceed a total of 9m for each 100m length of boundary; Otherwise 6m.
d.	For a major sports facility on Lot 1 DP 11232 developed in conjunction with part of the adjacent Elmwood Park located at 83D Heaton Street.	6m, except that on the boundaries with Lot 1 DP12727, Elmwood Park no setback is required.

21.6.4.5 Maximum building height

	Applicable to	Standard
a.	School sites where the additional activities and standards are from the zones listed in Appendices 21.6.6.1, 21.6.6.2 or 21.6.6.3: Residential Suburban, Residential Suburban Density Transition, Residential Hills, Residential Banks Peninsula, Residential Small Settlement, or Rural Zones.	10m within 20m of an internal boundary, otherwise 14m.
b.	School sites where the additional activities and standards are from the zones listed in Appendices 21.6.6.1, 21.6.6.2 or 21.6.6.3: Residential Medium Density, or Residential New Neighbourhood Zones; with the exception of c. below.	12m within 20m of internal boundary, otherwise 16m.
c.	The Phillipstown School site, where the additional activities and standards are from the Industrial General zone.	15m

	Applicable to	Standard
d.	For a major sports facility on Lot 1 DP 11232 developed in conjunction with part of the adjacent Elmwood Park located at 83D Heaton Street.	12m

21.6.4.6 Water supply for firefighting

	Applicable to	Standard
a.	All buildings excluding accessory buildings.	Buildings shall provide sufficient access for firefighting appliances and supply of water for firefighting consistent with the NZ Firefighting Water Supplies Code of Practice (SNZ PAS 4509:2008).

21.6.5 Matters of discretion

21.6.5.1 Amenity of the neighbourhood

- a. Effects on amenity of adjoining properties, including daylight and sunlight admission.
- b. Any visual dominance over adjoining properties, or their outlook to the street; or visual dominance over the street or nearby public open space.
- c. Any loss of privacy for adjoining properties through overlooking.
- d. Alternative practical locations for the building on the site.
- e. Opportunities for landscaping and tree planting, as well as screening of buildings.
- f. Whether the nature and form of development on adjoining site(s) mitigates the potentially adverse effects of increased height or building scale.
- g. The compatibility of the building in terms of appearance, layout and scale of other buildings and sites in the surrounding area, including whether increased height would result in buildings which significantly contrast with the scale of surrounding development, both existing and permitted.
- h. The balance of open space and buildings on the site, in the context of:
 - i. The character of the surrounding zone(s); and
 - ii. The contribution of the buildings and grounds to local landscape character.

21.6.5.2 Traffic issues

- a. Any potentially adverse effects on the surrounding environment and adjoining zones of traffic and parking associated with the proposed new development.
- b. Where an Integrated Transport Assessment has not been provided, the ability to provide safe access to cycle parking and to drop-off/pick-up areas for children.

21.6.5.3 Water supply for firefighting

- a. Whether sufficient firefighting water supply is available to ensure the safety of people and property in the zone, as well as neighbouring properties, in the event of fire.

21.6.5.4 Major sports facility on Heaton Street Intermediate School

- a. With respect to a major sports facility on Heaton St Intermediate School, whether the site size will:
- i. Provide sufficient separation to mitigate the effects of activities, buildings and car parking on the school and adjoining residents;
 - ii. Provide adequate public access and connectivity;
 - iii. Promote a safe physical environment and reflect principles of Crime Prevention through Environmental Design (CPTED);
 - iv. Enable a mixed or multifunctional use of land and facilities, and/or an adaptable design to increase the capacity of the recreation facility; and
 - v. Create benefits in terms of satisfying the needs of the local community, particularly where there is an identified deficiency, or specialised recreational needs.
- b. Whether the scale of the facility is in keeping with the local context and character of the surrounding environment.
- c. Whether the parking area within school zoned land will:
- i. Significantly reduce open space and/or displace recreation activities;
 - ii. Give rise to nuisance effects;
 - iii. Be designed and landscaped to mitigate visual effects. Reference should be made to General Rules and Procedures, Appendix 6.11.6, Part B for guidance and information on tree species;
 - iv. Promote a safe physical environment and reflect principles of Crime Prevention through Environmental Design (CPTED); and
 - v. Allow for better utilisation and improve the amenity of the sports facility.
- d. Whether the reduced on-site carparking will create extra demand for parking in the surrounding streets and /or adversely affect the efficiency and safety of the road network, and/or the amenity values of the surrounding environment.
- e. Whether traffic generation and vehicle access will adversely affect character and amenity of the surrounding area and/or safety and efficient functioning of the road network.

21.6.6 Appendices

The alternative zone that applies to each of the school sites included within the Specific Purpose (School) Zone are shown in the following appendices:

Appendix 21.6.6.1 – State Schools;

Appendix 21.6.6.2 – State Integrated Schools; and

Appendix 21.6.6.3 – Private Schools.

For a full version of the zone abbreviations, refer to the legends for the Planning Maps.

21.6.6.1 State Schools

	School Name	Location	Map Ref	Alternative Zone
1	Addington Primary School	Brougham Street, Addington	38	RMD
2	Akaroa Area School	Rue Jolie, Bruce Terrace and Selwyn Avenue, Akaroa	77	RBP
3	Allenvale School	Aorangi Road, Bryndwr	24	RS
4	Aranui High School	Shortland Street, Aranui	33	RS
5	Aranui Primary School	Breezes Road, Aranui	33	RS
6	Avondale Primary School	Breezes Road, Wainoni	33	RS
7	Avonhead Primary School	Avonhead Road, Avonhead	30	RS
8	Avonside Girls' High School	Avonside Drive, Avonside	32	RS
9	Bamford Primary School	Gould Crescent, Woolston	40	RSDT
10	Banks Avenue Primary School	Banks Avenue, Dallington	32	RS
11	Beckenham Primary School	Sandwich Road, Beckenham	46	RS
12	Belfast Primary School	Main North Road, Belfast	12	RS
13	Bishopdale Primary School	Greers Road, Bishopdale	24	RS
14	Branston Intermediate School (Closed)	Amyes Road, Hornby	37	RS
15	Breens Intermediate School	Breens Road, Bishopdale	23/24	RS
16	Bromley Primary School	Keighleys Road, Bromley	40	RS
17	Burnside High School	Greers Road, Burnside	23/24/30/31	RS
18	Burnside Primary School	Memorial Avenue, Fendalton	31	RS
19	Casebrook Intermediate School	Veitches Road, Casebrook	18	RS
20	Cashmere High School	Rose Street, Spreydon	45/46	RS
21	Cashmere Primary School	Dyers Pass Road and Hackthorne Road, Cashmere	46	RH
22	Central New Brighton Primary School	Seaview Road, New Brighton	26	RSDT
23	Chisnallwood Intermediate School	Breezes Road, Avondale	33	RS

	School Name	Location	Map Ref	Alternative Zone
24	Christchurch Boys' High School	Kahu Road, Fendalton	31	RS
25	Christchurch Girls' High School	Matai Street, Fendalton and Papanui Road, Merivale	31	RS
26	Christchurch South Intermediate School	Selwyn Street, Sydenham	38/39	RSDT
27	Cobham Intermediate School	Ilam Road, Fendalton	31	RS
28	Cotswold Primary School	Cotswold Avenue, Bishopdale	18	RS
29	Diamond Harbour School	Hunters Road, Diamond Harbour	58/59/61/62	RBP
30	Duvauchelle School	Christchurch - Akaroa Road (SH75), Duvauchelle	70	RBP
31	Elmwood Normal Primary School	Aikmans Road, Merivale	31	RSDT
32	Fendalton Open Air Primary School	Clyde Road, Fendalton	31	RS
33	Ferndale School	Merivale Lane, Merivale	31	RSDT
34	Freeville Primary School	Sandy Avenue, New Brighton	26	RS
35	Gilberthorpe Primary School	Gilberthorpe Road, Hei Hei	29	RS
36	Glenmoor Primary School (Closed)	Philpotts Road, Mairehau	25	RS
37	Governors Bay School	Jetty Road, Governors Bay	57	RSS
38	Halswell Primary School	Halswell Road, Halswell	49	RS
39	Halswell Residential College	Nash Road, Halswell	44	RS
40	Hammersley Park Primary School (Closed)	Quinns Road, Shirley	25	RS
41	Harewood Primary School	Harewood Road, Harewood	17	RuUF
42	Heathcote Valley Primary School	Bridle Path Road, Heathcote, Christchurch	47	RS
43	Heaton Street Normal Intermediate School	Heaton Street, Merivale	31	RS
44	Hillmorton High School	Tankerville Road, Hillmorton	38/45	RS
45	Hoon Hay Primary School	Sparks Road, Hoon Hay	45	RS
46	Hornby High School	Waterloo Road, Hornby	36/37	RS
47	Hornby Primary School	Waterloo Road, Hornby	36	RS
48	Ilam Primary School	Ilam Road, Ilam	31	RS
49	Isleworth Primary School	Farrington Avenue, Bishopdale	24	RMD
50	Kendal Primary School (Closed)	Kendal Avenue, Burnside	23	RS

	School Name	Location	Map Ref	Alternative Zone
51	Kirkwood Intermediate School	Riccarton Road, Riccarton	31	RS
52	Linwood Avenue Primary School	Linwood Avenue, Linwood	39	RSDT
53	Linwood College and Linwood College Playing Fields	Aldwins Road and Ferry Road, Linwood	39	RSDT College; RS Playing Fields
54	Linwood Intermediate School (Closed)	McLean Street, Linwood	32	RSDT
55	Linwood North Primary School	Woodham Road, Avonside	32	RS
56	Little River School	Western Valley Road, Little River	69	RSS
57	Lyttelton Main School	Oxford Street, Lyttelton	52	RBP all of site, except 1 Oxford Street which is CBP
58	Lyttelton West School	Voelas Road, Lyttelton	52	RBP
59	Mairehau High School	Hills Road, Mairehau	25	RS
60	Mairehau Primary School	Mahars Road, Mairehau	25	RS
61	Manning Intermediate School (Closed)	Hoon Hay Road, Hoon Hay	45	RS
62	Marshland Primary School	Prestons Road, Marshland	19	RuUF – Marshland Rd site; RG – Prestons site
63	McKenzie Residential School (Closed)	Yaldhurst Road, Yaldhurst	29	RuUF
64	Merrin Primary School	Merrin Street, Avonhead	30	RS
65	Mt Pleasant Primary School	Major Hornbrook Road, Mt Pleasant	47	RH
66	Noku Te Ao Childcare Centre	Birchgrove Gardens, Mairehau	25	RS
67	North New Brighton Primary School	Leaver Terrace, North New Brighton	26	RS
68	Northcote Primary School	Tuckers Road, Redwood	18	RS
69	Oaklands Primary School	Cunningham Place, Halswell	44	RS
70	Okains Bay School	Okains Bay Road, Okains Bay	68	RuBP
71	Opawa Primary School	Ford Road, Opawa	39	RS
72	Ouruhia Model Primary School	Turners Road, Ouruhia	12	RuUF
73	Papanui High School	Langdons Road, Papanui	24	RSDT
74	Papanui Primary School	Winters Road, Papanui	24	RS
75	Paparoa Street Primary School	Paparoa Street, Papanui	24	RS

	School Name	Location	Map Ref	Alternative Zone
76	Parkview Primary School	Chadbury Street, Parklands	20	RS
77	Phillipstown Primary School	Nursery Road, Phillipstown	39	IG
78	Queenspark Primary School	Queenspark Drive, Parklands	20	RS
79	Redcliffs Primary School	Main Road, Redcliffs. Temporary location: Van Asch Deaf Education Centre, Sumner	48	RS
80	Redwood Primary School	Prestons Road, Redwood	18	RS
81	Riccarton High School	Vicki Street, Upper Riccarton	37	RS
82	Riccarton Primary School	English Street, Upper Riccarton	37	RS
83	Rowley Avenue School	Rowley Avenue, Hoon Hay	45	RS
84	Roydvale Primary School	Roydvale Avenue, Burnside	23	RS
85	Russley Primary School	Cutts Road, Avonhead	30	RS
86	Shirley Boys' High School	North Parade, Shirley	32	RS
87	Shirley Intermediate School	North Parade, Shirley	32	RMD
88	Shirley Primary School	Shirley Road, Shirley	25	RS
89	Sockburn Primary School	Springs Road, Sockburn	37	RS
90	Somerfield Primary School	Studholme Street, Somerfield	46	RS
91	South Hornby Primary School	Shands Road, Hornby	36	RSDT
92	South New Brighton Primary School	Estuary Road, South New Brighton	34	RS
93	Spreydon Primary School	Halswell Road, Hoon Hay	38	RS
94	St Albans Primary School	Sheppard Place, St Albans	25/32	RSDT
95	St Martins Primary School	Albert Terrace, St Martins	46	RH
96	Sumner Primary School	Colenso Street, Sumner	48	RS
97	Te Kura Kaupapa Māori o Te Whanau Tahī	Lyttelton Street, Spreydon	45	RS
98	Te Kura Kaupapa Māori o Waitaha	Hassals Lane, Opawa. Temporary location Linwood Intermediate.	39	RSDT
99	Te Pa o Rakaihautu	Pavitt Street, Richmond	32	RMD
100	Templeton Primary School	Kirk Road, Templeton	35	RS
101	Thorrington Primary School	Colombo Street, Beckenham	46	RS
102	Te Waka Unua Primary School	Ferry Road, Woolston	39	RS
103	Unlimited Discovery School	Temporary locations: UC, Parkstone Avenue, Ilam and Halswell Residential College, McMahon Drive, Aidanfield	None	

	School Name	Location	Map Ref	Alternative Zone
104	Van Asch Deaf Education Centre	Heberden Avenue, Sumner	48	RS
105	Waimairi Primary School	Tillman Avenue, Papanui	24	RS
106	Wainoni Primary School	Eureka Street, Aranui	26	RS
107	Wairakei Primary School	Wairakei Road, Bryndwr	24	RS
108	Waitaha School	Kirk Road, Templeton	35	RuT
109	Waitakiri Primary School	Burwood Road, Burwood	26	RS
110	Waitakiri Primary School River Site	New Brighton Road, Burwood	26	RS
111	Waltham Primary School	Hastings Street East, Waltham	39	RSdT
112	West Spreydon Primary School	Lytelton Street, Spreydon	45	RS
113	Westburn Primary School	Waimairi Road, Ilam	30	RS
114	Wharenui Primary School	Matipo Street, Riccarton	38	RMD
115	Yaldhurst Model Primary School	School Road, Yaldhurst	29	RuUF

21.6.6.2 State Integrated Schools

	School Name	Location	Map Ref	Alternative Zone
1	Aidanfield Christian	Nash Road, Aidanfield	44	RS
2	Christ the King	Greers Road, Burnside	31	RS
3	Christchurch Adventist	Grants Road, Papanui	24	RMD
4	Emmanuel Christian	Sawyers Arms Road, Bishopdale	18	RuUF
5	Hillview Christian	Wilson's Road, St Martins	46	RS
6	Laidlaw College	Condell Avenue, Papanui	24	RS
7	Marian College	Barbadoes Street, City	39 and CC	CCMU
8	Middleton Grange	Acacia Avenue, Upper Riccarton	37/38	RS
9	New Brighton Catholic	Lonsdale Street, New Brighton	26	RSdT
10	Our Lady of Fatima	Innes Road, Mairehau. From 2016: in combination with St Paul's, to be renamed St Francis of Assisi School.	25	RS
11	Our Lady of the Assumption	Sparks Road, Hoon Hay	45	RS
12	Our Lady of Victories	Main South Road, Sockburn	37	RS
13	Our Lady Star of the Sea	Colenso Street, Sumner	48	RS

	School Name	Location	Map Ref	Alternative Zone
14	Rudolf Steiner	Ombersley Terrace, Opawa	46	RS
15	Sacred Heart	Spencer Street, Addington	38	RMD
16	St Albans Catholic	Rutland Street, St Albans	25	RSDT
17	St Anne's	Ferry Road, Woolston	40	RS
18	St Bede's	Main North Road, Redwood	18/24	RS
19	St Bernadette's	Hei Hei Road, Hei Hei	36/37	RS
20	St James'	Rowan Avenue, Aranui	33	RS
21	St Joseph's	Vagues Road, Papanui	24	RS
22	St Mark's	Cholmondeley Avenue, Opawa	39	RS
23	St Patrick's	Plynlimon Road, Bryndwr	31	RS
24	St Paul's	From 2016: Innes Road, Mairehau. In combination with Our Lady of Fatima, to be renamed St Francis of Assisi School.	25	RS
25	St Peter's	Fisher Avenue, Beckenham	46	RS
26	St Teresa's	Puriri Street, Riccarton	31	RS
27	St Thomas of Canterbury	Middlepark Road, Sockburn	37	RS
28	Stand Childrens' Services Village	Glenelg Spur, St Martins	46	RH
29	Tamariki	St Johns Street, Woolston	40	RS
30	Villa Maria	Peer Street, Upper Riccarton	30	RS

21.6.6.3 Private Schools

	School Name	Location	Map Ref	Alternative Zone
1	Birch Grove Montessori	Birchgrove Gardens, Mairehau	25	RS
2	Jean Seabrook Memorial School	London Street, Richmond	32	RMD
3	Medbury	Clyde Road, Ilam	31	RS
4	Nova Montessori	Owles Terrace, New Brighton	33	RS
5	Rangi Ruru Girls' School	Hewitts Road, Merivale	31	RMD
6	Selwyn House	Merivale Lane, Merivale	31	RSDT
7	St Andrew's College	Normans Road, Papanui	24/31	RS
8	St Margaret's	Winchester Street, Merivale	32	RMD
9	Westmount School	Kirk Road, Templeton	35	RuUF

21.7 Specific Purpose (Tertiary Education) Zone

21.7.1 Objectives and policies

21.7.1.1 Objective – Tertiary education and research activities

Tertiary education and research activities are able to efficiently use tertiary education and research facilities, and are able to grow and diversify while having regard to the amenity and character of the surrounding environment.

21.7.1.1.1 Policy – Tertiary education and research activities and facilities and amenity and character of the surrounding environment

Enable tertiary education and research activities and facilities to develop, while:

- a. Minimising adverse effects from education sites on neighbourhood amenity; and
- b. Having regard to the benefits of open space, landscaping and mature trees on the streetscape, and on the character and visual amenity of the campus and the surrounding area.

21.7.1.2 Objective – The contribution of tertiary education and research institutions

Tertiary education and research institutions make positive social and economic contributions to Christchurch, including as hubs for a diverse range of community activities.

21.7.1.2.1 Policy – Community use of tertiary education and research facilities

Provide for community use of education land and buildings where such use is compatible with, and secondary to, the use of the site for education activity.

21.7.1.3 Objective – Changing needs for educational land and buildings

Tertiary education and research providers have some flexibility, and the community some certainty, as to the future use of tertiary education and research facilities if land or buildings become surplus.

21.7.1.3.1 Policy – Additional development provisions

Enable land or buildings no longer required for a tertiary education and research activity to be developed for other uses where those uses are consistent with the provisions applicable in the surrounding environment.

21.7.2 Rules – Specific Purpose (Tertiary Education) Zone

21.7.2.1 How to use the rules

- a. The rules that apply to activities in the Specific Purpose (Tertiary Education) Zone are contained in:
 - i. Activity Status Tables (including Activity Specific Standards) in Rule 21.7.3; and
 - ii. Built Form Standards in 21.7.4.
- b. The Activity Status Tables and standards in the following chapters also apply to activities in all areas of the Specific Purpose (Tertiary Education) Zone, where relevant:
 - 5 Natural Hazards;
 - 6 General Rules and Procedures;
 - 7 Transport;
 - 8 Subdivision, Development and Earthworks;
 - 9 Natural and Cultural Heritage;
 - 11 Utilities and Energy; and
 - 12 Hazardous Substances and Contaminated Land.
- c. Where the word “facility” is used in the rules, it shall also include the use of a site/building for the activity that the facility provides for, unless expressly stated otherwise.

Similarly, where the word/phrase defined include the word “activity” or “activities”, the definition includes the land and/or buildings for that activity unless stated otherwise in the activity status tables.
- d. Appendix 21.7.6 lists the alternative zones that apply to each of the tertiary education sites. Rules 21.7.3.1, 21.7.3.2, 21.7.3.3 and 21.7.3.4 provide for any additional activities or facilities on each of the tertiary education sites in accordance with the rules in the relevant alternative zone listed in Appendix 21.7.6.

21.7.3 Activity status tables

In the following tables, the University of Canterbury is abbreviated to UC, and the Christchurch Polytechnic and Institute of Technology is abbreviated to CPIT.

21.7.3.1 Permitted activities

The activities listed below are permitted activities if they comply with all relevant activity specific standards set out in this table, and the applicable built form standards in Rule 21.7.4.

Activities may also be controlled, restricted discretionary, discretionary, non-complying, or prohibited as specified in Rules 21.7.3.2, 21.7.3.3, 21.7.3.4, 21.7.3.5 and 21.7.3.6.

	Activity	Activity Specific Standards
P1	Tertiary education and research activities and facilities.	a. Nil.
P2	Community activities using tertiary education and research facilities.	a. Nil.
P3	Any additional activities or facilities which would be permitted activities in the alternative zone listed for that site in Appendix 21.7.6.	a. Nil.
P4	Use of student accommodation by persons not associated with the tertiary education and research activity.	<p>a. Student accommodation buildings must not be used for more than 30 days per calendar year.</p> <p>b. Use by non-students must be outside of student residential agreement periods.</p>

21.7.3.2 Controlled activities

The activities listed below are controlled activities if they comply with the applicable built form standards in Rule 21.7.4.

	Activity	The matters over which Council reserves its control:
C1	<p>Any new building, part of a building or addition to a building, that is within 30m of a site boundary, and greater than 11m in height, and where the building as a whole has a gross ground floor area of greater than 1000m².</p> <p>This rule shall not apply to:</p> <p>a. Repairs, maintenance, and building code upgrades; and</p> <p>b. Refurbishment and reinstatement works.</p> <p>Any application arising from this rule will not require written approvals and shall not be limited or publicly notified.</p>	a. Building Modulation –21.7.5.2 a. and b.
C2	Any additional activities or facilities which would be controlled activities in the alternative zone listed for that site in Appendix 21.7.6.	a. The matters of control for the additional activity or facility in the alternative zone listed for that site in Appendix 21.7.6.

21.7.3.3 Restricted discretionary activities

The activities listed below are restricted discretionary activities.

	Activity	The Council's discretion shall be limited to the following matters:
RD1	Any activity listed in Rules 21.7.3.1 or 21.7.3.2 that does not comply with Rule 21.7.4.1 site coverage.	a. Amenity of the neighbourhood – 21.7.5.1 a., b., c., d., e., f., g. and h.
RD2	Any activity listed in Rules 21.7.3.1 or 21.7.3.2 that does not comply with Rule 21.7.4.2 recession planes, or Rule 21.7.4.4 internal boundary setbacks.	a. Amenity of the neighbourhood – 21.7.5.1 a., b., c., d., e., f. and g.
RD3	Any activity listed in Rules 21.7.3.1 or 21.7.3.2 that does not comply with Rule 21.7.4.3 road boundary setbacks.	a. Amenity of the neighbourhood – 21.7.5.1 b., c., d., e., f., g. and h.
RD4	Any activity listed in Rules 21.7.3.1 or 21.7.3.2 that does not comply with Rule 21.7.4.6 landscaping. Any application arising from non-compliance with clauses a. and c. of Rule 21.7.4.6 will not require written approvals and shall not be publicly or limited notified.	a. Adequacy of Landscaping – 21.7.5.3.
RD5	Any activity listed in Rules 21.7.3.1 or 21.7.3.2 that does not comply with Rule 21.7.4.7 outdoor storage.	a. Amenity of the neighbourhood – 21.7.5.3 a. and e.
RD6	Any activity listed in Rules 21.7.3.1 or 21.7.3.2 that does not comply with Rule 21.7.4.8 water supply for firefighting.	a. Water supply for firefighting – 21.7.5.4a.
RD7	Any additional activities or facilities which would be restricted discretionary activities in the alternative zone listed for that site in Appendix 21.7.6.	a. The matters of discretion for the additional activity or facility in the alternative zone listed for that site in Appendix 21.7.6.

21.7.3.4 Discretionary activities

The activities listed below are discretionary activities.

	Activity	The Council will consider any matters under s104 of the Act including:
D1	Any activity listed in Rules 21.7.3.1 or 21.7.3.2 that does not comply with Rule 21.7.4.5 height on all UC sites, and on CPIT Sullivan Avenue and Hassals Lane sites	a. Amenity of the neighbourhood – 21.7.5.1 a., b., c., d., e., f., g. and h.
D2	Any additional activities or facilities which would be discretionary activities in the alternative zone listed for that site in Appendix 21.7.6.	a. The matters of discretion for that additional activity or facility in the alternative zone listed for that site in Appendix 21.7.6.

21.7.3.5 Non-complying activities

The activities listed below are non-complying activities.

	Activity
NC1	Any activity which is not listed above as a permitted, restricted discretionary or discretionary activity.

21.7.3.6 Prohibited activities

The activities listed below are prohibited activities.

There are no prohibited activities.

21.7.4 Tertiary Education and Research Activity Built Form Standards

In the following tables, the University of Canterbury is abbreviated to UC, and the Christchurch Polytechnic and Institute of Technology is abbreviated to CPIT.

21.7.4.1 Site coverage

The maximum percentage of the net site area covered by buildings or impervious surfaces used for vehicle parking and access, shall be as follows:

	Applicable to	Standard
a.	UC east of Ilam Road site.	60%
b.	UC west of Ilam Road site (not including Dovedale site).	30%
c.	UC Dovedale site.	45%
d.	CPIT Sullivan Avenue, and CPIT Hassals Lane site.	50%

21.7.4.2 Recession planes

	Applicable to	Standard
a.	UC east of Ilam Road site; UC west of Ilam Road site; UC Dovedale site; CPIT Sullivan Avenue site; and CPIT Hassals Lane site.	No part of any building shall project beyond a building envelope contained by recession planes from points 2.3m above a boundary with a residential zone as shown in Appendix 14.10. 2 – Diagram A.
b.	UC east of Ilam Road, and CPIT Hassals Lane site.	No part of any building shall project beyond a building envelope contained by recession planes from points 2.3m above a boundary with a Transport zone as shown in Appendix 14.10.2 – Diagram A.

21.7.4.3 Road boundary setback

The minimum building setback from road boundaries shall be:

	Applicable to	Standard
a.	UC site east of Ilam Road site; UC west of Ilam Road site; and CPIT Sullivan Avenue site, and CPIT Hassals Lane site.	10m
b.	UC Dovedale site.	15m

21.7.4.4 Internal boundary setback

The minimum building setback from an internal boundary shall be:

	Applicable to	Standard
a.	From a boundary with any other zone.	6m

21.7.4.5 Height

The maximum height of any building shall be:

	Applicable to	Standard
a.	UC east of Ilam Road site.	30m
b.	UC west of Ilam Road site.	16m
c.	UC Dovedale site.	20m
d.	CPIT Sullivan Avenue site and CPIT Hassals Lane site.	20m

21.7.4.6 Landscaping

Minimum requirements for landscaping are:

	Applicable to	Standard
a.	The area adjoining the road boundaries of all sites.	A landscaping strip in accordance with the following standards: <ol style="list-style-type: none"> Minimum width – Dovedale site – 5m. Minimum width – UC east of Ilam Road site, UC west of Ilam Road site, CPIT Sullivan Avenue site, and CPIT Hassals Lane site – 1.5m. Minimum density of tree planting – one tree for every 10m of road frontage or part thereof.
b.	On the shared boundary of sites adjoining a residential zone.	Trees shall be planted adjacent to the shared boundary at a ratio of at least one tree for every 10m of the boundary or part thereof or at a lesser rate with adjoining owner's written approval.

	Applicable to	Standard
c.	Where car parking is located at the road boundary of a site.	In addition to clauses a. and b. above, one tree shall be planted for every five car parking spaces within any car parking area.
d.	In all landscaping areas listed in a. to c. above.	<p>a. All landscaping/trees required for these rules shall be sized, protected and maintained in accordance with Part A of Appendix 16.7.1.</p> <p>b. Landscaping required under clauses a to c above shall only be required to be indicated on application plans:</p> <p>i. for all areas within 20m of proposed buildings, or additions to buildings, and</p> <p>ii. for all areas between proposed buildings or additions to buildings and road or zone boundaries, unless intervening buildings result in proposed buildings or additions not being visible from the road or zone boundaries.</p>

21.7.4.7 Outdoor storage

	Activity
a.	Outdoor storage areas shall be screened from adjoining roads or adjoining sites by either landscaping, wall(s), fence(s) or a combination, to a minimum height of 1.8m along the zone or road boundary, except across those parts of the road boundary used as a vehicle crossing.
b.	Outdoor storage areas shall not be located within the setbacks specified in Rules 21.7.4.3 and 21.7.4.4.

21.7.4.8 Water supply for firefighting

	Applicable to	Standard
a.	All buildings excluding accessory buildings	Buildings shall provide sufficient access for firefighting appliances and supply of water for firefighting consistent with the NZ Firefighting Water Supplies Code of Practice (SNZ PAS 4509:2008).

21.7.5 Matters of discretion

21.7.5.1 Amenity of the neighbourhood

- a. Effects on amenity of adjoining properties, including daylight and sunlight admission.
- b. Any visual dominance over adjoining properties, or their outlook to the street; or visual dominance over the street or nearby public open space.
- c. Any loss of privacy for adjoining properties through overlooking.
- d. Alternative practical locations for the building on the site.

- e. Opportunities for landscaping and tree planting, as well as screening of buildings.
- f. Whether the nature and form of development on adjoining site(s) mitigates the potentially adverse effects of increased height or building scale.
- g. The compatibility of the building in terms of appearance, layout and scale of other buildings and sites in the surrounding area, including whether increased height would result in buildings which significantly contrast with the scale of surrounding development, both existing and permitted.
- h. The balance of open space and buildings on the site, in the context of:
 - i. the character of the surrounding zone(s);
 - ii. the contribution of the buildings and grounds to local landscape character.

21.7.5.2 Building modulation

The extent to which:

- a. Architectural detailing, materials, architectural form and modulation of the building provide horizontal and vertical features that break down the bulk and scale of the building; and
- b. Activities connect with streets and public spaces at ground and first floor levels.

21.7.5.3 Adequacy of landscaping

- a. The visual effects of buildings or other works as a result of reduced landscaping, taking into account the scale and appearance of the buildings or works and associated car parking, outdoor storage areas etc.
- b. The extent to which the site is visible from adjoining sites, and any decreased amenity for those sites as a result of the reduction in landscaping or screening.
- c. Any compensating factors for reduced landscaping or screening, including distance from adjoining properties and buildings, alternative planting proposed, and the location of parking, or outdoor storage areas.

21.7.5.4 Water supply for firefighting

- a. Whether sufficient firefighting water supply is available to ensure the safety of people and property in the zone, as well as neighbouring properties, in the event of fire.

21.7.6 Appendix

The alternative zone that applies to each of the tertiary education sites included within the Specific Purpose (Tertiary Education) Zone is shown in the following table. For a full version of the zone names, refer to the legends for the Planning Maps.

	Tertiary Facilities Name	Location	Map Ref	Alternative Zone
1	UC east of Ilam Road site	East of Ilam Road, Ilam	31	RSDT
2	UC west of Ilam Road site	West of Ilam Road, Ilam	30/31	RS
3	UC Dovedale site	Dovedale Avenue, Ilam	30	RS
4	CPIT Sullivan Avenue site	Sullivan Avenue, Opawa	39	RSDT
5	CPIT Hassals Lane site	Hassals Lane, Opawa	39	RSDT

SCHEDULE 2

This list has been prepared from the index of appearances recorded in the Transcript and from the document register of evidence and submitter statements, as shown on the Independent Hearing Panel's website.

Submitter Name	No.	Person	Expertise or Role of Witness	Filed/Appeared
Canterbury District Health Board	2360, FS2800	A Willis	Planning	Filed
		B Cabell		Filed
Catholic Bishop of Christchurch, Integrated State Schools and the Catholic Diocese and others	656 & 2089, 676 and 2147	R Nixon	Planning	Filed/Appeared
Toni Carter	2211	B Carter		Filed/Appeared
Christchurch City Council	2123	A Blair	Planning	Filed/Appeared
		J Carter	Planning	Filed/Appeared
		G Dixon	Planning	Filed/Appeared
		P Eman	Planning	Filed/Appeared
		D Falconer	Traffic	Filed/Appeared
		J Schröder	Urban Design	Filed/Appeared
		B O'Brien	Planning	Filed
Christchurch Polytechnic Institute of Technology	2269	P Lemon	Planning	Filed/Appeared
Crown	2387	M McCallum-Clark	Planning	Filed/Appeared
		A Flowers	Architecture	Filed
		W Hickey	Planning	Filed/Appeared
		R Owen		Filed
		M Sweeney	Planning	Filed/Appeared
		A McLeod	Planning	Filed
		C Kelly	Planning	Filed
Ilam and Upper Riccarton Residents Association	738	P Harding		Filed/Appeared
KiwiRail Holdings Limited	2246	D Hewett		Filed

Submitter Name	No.	Person	Expertise or Role of Witness	Filed/Appeared
University of Canterbury	2464	Dr H Cochrane		Appeared
		E Jolly	Urban Design	Filed/Appeared
		M Oliver		Filed/Appeared
		P Lemon	Planning	Filed/Appeared
		Dr R Carr		Filed
The Elmwood Club Inc	2343	N Gow		Filed/Appeared

SCHEDULE 3

This list identifies the changes to the Planning Maps made as a consequence of this decision.

Specific Purpose (Cemetery) Zone

Cemetery Name	Street Name	Legal Description	Map Ref	Revised Zoning
Mount Magdala Cemetery of the Good Shepherd Sisters	54 Aidanfield Drive	Lot 323 DP 423266 CT 490510	44	Specific Purpose (Cemetery) Zone
Akaroa Dissenters Cemetery	3 Akaroa Cemetery Road	RES 4997 (SO 9483)	77, R5	Specific Purpose (Cemetery) Zone
Lyttelton Catholic and Public Cemetery	58 Reserve Terrace	Lot 43 DP 9983	52, R1	Specific Purpose (Cemetery) Zone
Lyttelton Catholic and Public Cemetery	60 Reserve Terrace	Lot 33 DP 9983	52, R1	Specific Purpose (Cemetery) Zone
Addington Cemetery	410R Selwyn Street	Lot 11 DP 427192	38	Specific Purpose (Cemetery) Zone
Little Akaloa Cemetery	1236 & 1238 Chorlton Road	Res 4936 Canterbury Dist Res 4949 Canterbury Dist	66, R2	Specific Purpose (Cemetery) Zone

Specific Purpose (Hospital) Zone

Hospital Name	Street Name	Legal Description	Map Ref	Revised Zoning
St George's Hospital	130, 132,138, 140, 142, 144, 146, 150, 154, 158, 162, 166 and 170 Heaton Street	Pt Lot 1 DP12736, Pt Lot 2 DP12736, Pt Lot 7 DP4014, Lot 2 DP DP11807, Lot 1 DP11807, Lot 6 DP4014, Lot 3DP4014, Lot 4 DP4014, Lot 3 DP4014, Pt Lot 1 DP4014, Pt Lot 2 DP4014	31	Specific Purpose (Hospital) Zone
Pegasus Health 24 Hour Surgery	929 – 937 Colombo Street & 8-16 Caledonian Road	Lot 1 DP52368, Lot 1 DP8346, Pt Res 243B, Pt Lot 2 DP2945, Lot 170 DP2952, Lot 16 SO2952	32	Specific Purpose (Hospital) Zone
Hillmorton Hospital	Annex Road	Lot 1 DP 349157	38	Specific Purpose (Hospital) Zone
Wesley Care	91 & 93 Harewood Road & 3 Marblewood Drive	Lot 39 DP75378	24	Specific Purpose (Hospital) Zone
Nurse Maude	28 Mansfield Avenue	Lot 10 DP2378	31	Specific Purpose (Hospital) Zone

Specific Purpose (School) Zone

School Name	Street Name	Legal Description	Map Ref	Revised Zoning
Te Kura Kaupapa Māori o Te Whanau Tahī	83 Lyttelton Street	Lot 1 DP 80449	45	Specific Purpose (School) Zone
Waimairi Primary School	Tillman Avenue	Part Lot 3 DP 1541	24	Specific Purpose (School) Zone
Merrin Primary	Beatrice Place	Lot 13 DP 21766	30	Specific Purpose (School) Zone
Lyttelton Main School	Oxford Street (no.26) & Sumner Road (no.1)	Res 4110 Canterbury Dist, Pt Res 35 Canterbury Dist, Pt Res 1372 Canterbury District, Pt Res 36 Canterbury District	52	Specific Purpose (School) Zone
Lyttelton West School	41 Voelas Road	Pt Lots 1,1 DP 1738, Lot 1 DP 4657, Secs 247,248,249 Lyttelton Town, Pt Secs 251,346,346 Lyttelton Town, Sec 348 Lyttelton Town	58	Specific Purpose (School) Zone
Akaroa	13 Bruce Terrace	Pt Ress 4834,53 Canterbury Dist, Ress 53X,54 Canterbury Dist, Pt Ress 55,55,97 Canterbury Dist, Pt Lot 1 DP 4491, Lots 1,2,3,4 DP 6474, Closed Rd SO 9190, Secs 130,130X Akaroa Town	77	Specific Purpose (School) Zone
Diamond Harbour	13 Hunters Road	Pt Lot 1 DP 14050	58/59/61/62	Specific Purpose (School) Zone
Duvauchelle	9 Duvauchelle School Lane	Pt Lot 14 DP 1887	70	Specific Purpose (School) Zone
Marian College home site	37 Poulton Road	Lot 1 DP24962	32	Specific Purpose (School) Zone
St Bernadettes	70 Hei Hei Road	Pt Sec 4 Hei Hei	36/37	Specific Purpose (School) Zone
Middleton Grange	34, 42 & 48 Acacia, 31 Arthur and site at back of 87 Hansons.	Lots 57, 53 and 50, DP 16688, no legal descrip avail, Lot 1 DP 80737	37/38	Specific Purpose (School) Zone
St Bedes	1/224 & 2/224 Main North Road	Lot 1 DP 19039	18/24	Specific Purpose (School) Zone
St Andrews College	58 & two adjoining lots to west Normans Road	Lot 4 DP 11942, Lot 3 DP 11942 and Lot 1 DP 46046.	24/31	Specific Purpose (School) Zone
Rangi Ruru Girls School	80 Rossall Street, 4 & 10 Merivale Lane	Lot 11 DP6620, Lot 4 DP7774, Lot 3 DP7774	31	Specific Purpose (School) Zone
Selwyn House	Lot between nos. 130 and 148 Merivale Lane	Pt RS 52, District of Canterbury	31	Specific Purpose (School) Zone

Specific Purpose (Tertiary Education) Zone

Tertiary Institute Name	Street Name	Legal Description	Map Ref	Revised Zoning
University of Canterbury	79 Creyke; 3,5,7,9,11,11A,15,17,19,21,23,1/25, 2/25, front of 27, & 31 Montana Avenue.	Lot 3 DP 10473, Lot 28 DP 12616, Lots 10,11,12,13,14 DP 12974; Lot 23 DP12616, Lots 7,6, & 5 DP 15987; Lot 4 DP 15987, Lot 1 DP 44366, part of Lot 2 DP 25897, Pt Lot 3 DP 15987, Lot 1 DP 21211	31	Specific Purpose (Tertiary Education) Zone
University of Canterbury	50 & 54 Kirkwood Road	Lot 7 & Pt Lot 8 DP 14586	31	Specific Purpose (Tertiary Education) Zone
University of Canterbury	Between 112 & 122 Waimairi Road	Small portion of PT RS 12 District of Canty	30	Specific Purpose (Tertiary Education) Zone
Christchurch Polytechnic and Institute of Technology	45 Hassals Lane	Sec 1 SO 18801	39	Specific Purpose (Tertiary Education) Zone