

Appendix 27 – Assessment of provisions relevant to Small Settlements

DPR Residential Chapter 14 – Draft Section 32 Appendix 27

Assessment of Activity and Built Form Standards – Small Settlement Zones

1. *Assessment of appropriate activities to give effect to objectives and policies*

The section 32 analysis for Phase 1 of the review of the Residential Chapter 14 has assessed the appropriateness, effectiveness and efficiency in providing for particular activities within residential areas. Of greatest relevance and applicability to the Small Settlement Zone are the following sections of the Phase 1 Section 32 analysis:

- 5.1 Low Residential Density
- 5.2 Residential Recovery Needs and Future Multi-Unit Residential Complexes
- 5.4 Policies to maintain residential character and amenity within Residential Suburban and Medium Density zones and Built Form Standards for these areas/zones
- 5.5 Policy and rules relating to best practice for health, building sustainability, energy and water efficiency.
- 5.6 Policy and Rules relating to Non-household Residential Accommodation and Non-Residential activities within Residential Zones.

The following assessment builds on the analysis undertaken in the above sections as much of the discussion is applicable to the Small Settlement Zone. The key issue however, is whether the environment and function of all small settlements are suited to providing the range of activities provided for in the Phase 1 residential zones (in particular the Residential Suburban Zone, Residential Banks Peninsula Zone, Residential Conservation Zone). Further whether the proposed built form standards for other similar residential zones are appropriate for the Small Settlement Zone.

Table 1 sets out all of the potential activities and built form standards that could apply to the Small Settlement Zone for areas located in Banks Peninsula. Table 2 sets out all of the potential activities and built form standards that could apply to the Small Settlement Zone for the existing settlements located at Kainga and Spencerville.

An assessment has been made in regard to each potential standard in terms of whether it is appropriate for the Small Settlement environment and necessary to achieve objectives and policies. It is noted that as part of Phase 2 a new objective for Banks Peninsula is proposed and a series of policies to give effect to this new objective (refer to Phase 2 section 32 analysis on Objectives and Policies). The assessment in Table 1 has been made having regard to the objectives and policies proposed under Phase 2. In relation to giving effect to objectives and policies for the small settlements in Christchurch City those proposed under Stage 1 of the Replacement District Plan apply.

Table 1:	Assessment of provisions relevant to Small Settlements in Banks Peninsula		
Operative standard under the Banks Peninsula District Plan Small Settlement Zone	District Plan Review: Phase 1 standard for the Residential Suburban Zone and/or Residential Banks Peninsula Zone that may be applicable	Discussion on the most appropriate standard to apply in the Replacement District Plans Small Settlement Zone	Proposed standard under the Replacement District Plan 14.15 Residential Small Settlement Zone
<p>1. Permitted Activities The following are permitted activities where they meet the conditions set out in Rule 3 (below):</p>			<p>Proposed Permitted Activities for the 14.15. Residential Small Settlement Zone – Banks Peninsula related provisions 14.15.2 Activity status tables</p>
<p>1.a Permitted Activities a) The erection of dwellings</p> <p>Dwelling: Means any building, whether permanent or temporary, that is occupied, in whole or in part, as a residence; and includes the following: accommodation where lodging is provided, or intended to be provided for reward or payment, for not more than 6 guests on a site; and any structure or outdoor living area that is accessory to and used wholly or principally for the purposes of the residence. It also includes accessory buildings. Also refer to dwelling in the definition of Port Noise Sensitive Activity</p> <p><i>Residential unit: means a residential activity which consists of a single self contained household unit, whether of one or more persons, and includes accessory buildings and a family flat. Where more than one kitchen and/or laundry facility is provided on the site, other than a kitchen and/or laundry facility in a family flat, there shall be deemed to be more than one residential unit.</i></p>	<p>Residential Banks Peninsula Zone: P1 A residential unit <u>and/or</u> residential activities that occur within a <u>residential unit</u>.</p>	<p>Similar standard under the operative District Plan as proposed for the Replacement District Plan. No major change required.</p>	<p>Residential Small Settlement zone: 14.15.2.1 Permitted Activities P1 A residential unit <u>and/or</u> residential activities that occur within a <u>residential unit</u>.</p>
<p>Family flats are not explicitly permitted under the operative Small Settlement Zone, however could be interpreted as being provided for under the definition of a “dwelling” which is a permitted activity. The definition of a dwelling includes an “accessory building” which can be a building detached from the permitted activity and its use is ancillary. The operative plan also includes a definition of a residential unit, however residential units are not listed as a permitted activity. Nonetheless a “residential unit” and “dwelling” are given to mean the same. The definition of a residential unit explicitly provides for family flats, although notably there are no controls on the built form of a family flat.</p> <p><i>Dwelling: Means any building, whether permanent or temporary, that is occupied, in whole or in part, as a residence; and includes the following: accommodation where lodging is provided, or intended to be provided for reward or payment, for not more than 6 guests on a site; and</i></p>	<p>Residential Suburban Zone Permitted Activities P19 Minor <u>residentialunit</u> where the minor unit is a detached <u>building</u> and the existing site it is to be built on contains only one <u>residentialunit</u>.</p> <p>a. The <u>site</u> containing both units shall have a minimum net site area of 450m². b. The minor <u>residentialunit</u> shall have a minimum gross floor area of 35m² and a maximum gross <u>floorarea</u> of 70m². c. The <u>parkingareas</u> of both units shall be accessed from the same <u>access</u>. d. Each <u>residentialunit</u> shall have a total <u>outdoor livingspace</u> on the <u>site</u> with a minimum area of 90m². This total space can be provided as: i. a single continuous area with a minimum dimension of 6m; or ii. be in 2 connected spaces each with a minimum</p>	<p>In terms of effects on the local area it is considered that there is only a minor difference between a family flat and a minor residential unit. In the case of a family flat the occupants need to be associated with the family occupying the main residence. The rules for the minor residential unit do not have this limitation. The number of occupants is unlikely to differ much between the two units. The greatest difference may be in regard to shared spaces. Where there is a family association there is likely to be some accepted sharing of outdoor space, car parking etc. This is however not considered to be a major issues in small settlements as a minimum site size requirement of 1000m² will provide ample room for outdoor areas for both the main and minor residential units. The proposed minor residential unit rule for the Residential Suburban Zone is considered to be appropriate with the exception of the net site area requirement.</p>	<p>Residential Small Settlement zone: 14.15.2.1 Permitted Activities P2 Minor <u>residentialunit</u> where the minor unit is a detached <u>building</u> and the existing site it is to be built on contains only one <u>residentialunit</u>.</p> <p>a. The <u>site</u> containing both units shall have a minimum net site area of 1000m². b. The minor <u>residentialunit</u> shall have a minimum gross floor area of 35m² and a maximum gross <u>floorarea</u> of 70m². c. The <u>parkingareas</u> of both units shall be accessed from the same <u>access</u>. d. Each <u>residentialunit</u> shall have a total <u>outdoor livingspace</u> on the <u>site</u> with a minimum area of 90m². This total space can be provided as: i. a single continuous area with a minimum dimension of 6m; or ii. be in 2 connected spaces each with a</p>

<p><i>any structure or outdoor living area that is accessory to and used wholly or principally for the purposes of the residence.</i></p> <p><i>It also includes accessory buildings. Also refer to dwelling in the definition of Port Noise Sensitive Activity</i></p> <p><i>Accessory building: Means any building or structure which is detached from, and the use of which is ancillary to a permitted activity or approved building on a site.</i></p> <p><i>Residential unit: means a residential activity which consists of a single self contained household unit, whether of one or more persons, and includes accessory buildings and a family flat. Where more than one kitchen and/or laundry facility is provided on the site, other than a kitchen and/or laundry facility in a family flat, there shall be deemed to be more than one residential unit.</i></p>	<p>dimension of 6m;</p> <p>iii. be divided into two separate unconnected spaces, provided that each unit is provided with an <u>outdoorliving space</u> that is directly accessible from that unit and is a minimum of 30m² in area.</p>	<p>Given the increased flexibility regarding occupation proposed under the minor residential, there may be an increased demand for small detached units. This may in turn potentially change the character of the small settlement zone, increasing building density. It is however noted that family flats were provided for and the new proposed rule does impose controls on the minor residential to manage potential effects. Family flats had no such controls. On balance therefore, the likelihood that the introduction of the minor residential unit rule will lead to a significant change in building character and density, is considered to be low.</p> <p>There is however a potential infrastructure servicing issue that could arise in providing greater flexibility for minor residential units to establish. In most small settlement areas wastewater disposal and water supply is limited and in many bays there are no Council systems available. The capacity of Council's systems and/or private systems can be very limited. In the case of Council's systems priority for new connections should be given to servicing existing small settlement zoned land. For these reasons it is considered that at this stage the creation of a minor residential unit should be a restricted discretionary activity withy the Council's discretion limited to infrastructure servicing.</p>	<p>minimum dimension of 6m;</p> <p>iii. be divided into two separate unconnected spaces, provided that each unit is provided with an <u>outdoorliving space</u> that is directly accessible from that unit and is a minimum of 30m² in area; and</p> <p>e. The minor <u>residentialunit</u> shall be able to provide a legal on-site treatment and disposal system; or</p> <p>f. The minor <u>residentialunit</u> shall be serviced by the Council's wastewater system whilst still ensuring there is adequate capacity within the Council's wastewater system to service the existing zoned land.</p>
<p>1.a Permitted Activities</p> <p>a) The erection of dwellings</p> <p>As a permitted activity dwellings included "... any building, whether permanent or temporary, that is occupied, in whole or in part, as a residence; and includes the following:</p> <p><i>accommodation where lodging is provided, or intended to be provided for reward or payment, for not more than 6 guests on a site; and ..."</i></p>	<p>Residential Banks Peninsula Zone:</p> <p>P2 Accommodation of travellers for a tariff</p> <p>There shall be:</p> <p>a. a maximum of six travellers accommodated at any one time; and</p> <p>b. at least one owner of the <u>residentialunit</u> residing permanently on <u>site</u></p>	<p>Similar standard under the operative District Plan as proposed for the Replacement District Plan. No major change required.</p>	<p>Residential Small Settlement zone:</p> <p>14.15.2.1 Permitted Activities</p> <p>P3 Guest accommodation</p> <p>There shall be:</p> <p>a. a maximum of six guests accommodated at any one time; and</p> <p>b. at least one owner of the <u>residentialunit</u> residing permanently on <u>site</u></p>
<p><i>Home enterprise: Means an occupation, craft or profession which is: established on the same site as a dwelling; and is carried out entirely within a building; and is carried out predominantly by persons living permanently on the site; and does not involve any exterior display or storage of material or give any other exterior indication that the building is used for other than normal domestic or farm purposes (except for signage as provided for in the Plan); and includes a health care service or industry or service which meets the criteria set out above.</i></p>	<p>Residential Banks Peninsula Zone:</p> <p>P3 Care of non-resident children within a <u>residentialunit</u> in return for monetary payment to the carer.</p> <p>There shall be:</p> <p>a. a maximum of four non-resident children being cared for in return for monetary payment to the carer at any one time; and</p> <p>b. at least one carer residing permanently within the <u>residential unit</u>.</p>	<p>Care of non-resident children is likely to have fallen within the definition of a home occupation, therefore there is a similar standard under the operative District Plan as proposed for the Replacement District Plan. No major change required.</p>	<p>Residential Small Settlement Zone:</p> <p>14.15.2.1 Permitted Activities</p> <p>P4 Care of non-resident children within a <u>residentialunit</u> in return for monetary payment to the carer.</p> <p>There shall be:</p> <p>a. a maximum of four non-resident children being cared for in return for monetary payment to the carer at any one time; and</p> <p>b. at least one carer residing permanently within the <u>residentialunit</u>.</p>

Elderly persons housing units are not provided for under the Small Settlement zone under the operative Banks Peninsula District Plan.	Residential Banks Peninsula Zone: P4 Conversion of an <u>elderly person's housing unit</u> existing at 6 December 2013, into a <u>residential unit</u> that may be occupied by any person(s) and without the need to be encumbered by a bond or other appropriate legal instrument.	The inclusion of this rule is not appropriate nor necessary for the Replacement District Plan. Refer to discussion on minor residential units below.	
1. c) Creation and maintenance of reserves.	Phase 1 relevant definitions: Reserve means a reserve within the meaning of the Reserves Act 1977	Reserves are an appropriate activity within a Small Settlement Zone.	Residential Small Settlement Zone: 14.15.2.1 Permitted Activities P5 Reserves
Permitted Activities. 1b) Home Enterprises. <i>Home enterprise: Means an occupation, craft or profession which is: established on the same site as a dwelling; and is carried out entirely within a building; and is carried out predominantly by persons living permanently on the site; and does not involve any exterior display or storage of material or give any other exterior indication that the building is used for other than normal domestic or farm purposes (except for signage as provided for in the Plan); and includes a health care service or industry or service which meets the criteria set out above.</i>	Residential Banks Peninsula Zone: P5 Home Occupation The home occupation shall limit: a. the <u>gross floor area</u> of the <u>building</u> plus the area used for <u>outdoor storage area</u> occupied by the occupation to less than 40m ² ; b. the number of <u>FTE</u> employed persons, who reside permanently elsewhere than on the <u>site</u> , to one; c. any <u>retailing</u> to the sale of goods grown or produced on the <u>site</u> , or internet-based sales where no customer visits occur; d. the hours of operation to 50 hours per week; e. the hours of operation when the <u>site</u> is open to visitors, clients, and deliveries to between the hours of: i. 0900 – 2100 Monday to Friday; and ii. 0900 – 1300 Saturday, Sunday and public holidays; f. visitor or staff <u>parking area</u> to outside the <u>road boundary setback</u> ; g. activity, where that activity is: i. open to visitors and clients; and ii. in a multiple level apartment complex; to the ground floor.	Similar standard under the operative District Plan as proposed for the Replacement District Plan. No major change required.	Residential Small Settlement Zone: 14.15.2.1 Permitted Activities P6 Home Occupation The home occupation shall limit: a. the <u>gross floor area</u> of the <u>building</u> plus the area used for <u>outdoor storage area</u> occupied by the occupation to less than 40m ² ; b. the number of <u>FTE</u> employed persons, who reside permanently elsewhere than on the <u>site</u> , to one; c. any <u>retailing</u> to the sale of goods grown or produced on the <u>site</u> , or internet-based sales where no customer visits occur; d. the hours of operation to 50 hours per week; e. the hours of operation when the <u>site</u> is open to visitors, clients, and deliveries to between the hours of: i. 0900 – 2100 Monday to Friday; and ii. 0900 – 1300 Saturday, Sunday and public holidays; f. visitor or staff <u>parking area</u> to outside the <u>road boundary setback</u> ; g. activity, where that activity is: i. open to visitors and clients; and ii. in a multiple level apartment complex; to the ground floor.
5. Discretionary activities The following are discretionary activities where they meet the standards set out in rule 6: a) Places of assembly <i>Places of assembly: means the use of any building and/or structure principally for the public assembly of people for recreation, education, worship, culture or deliberation and includes churches and church halls, schools, day care facilities, sports clubrooms and facilities, pavilions, community halls and libraries. Also refer to the places of assembly in the definition of Port Noise Sensitive Activity.</i>	Residential Banks Peninsula Zone: Permitted Activities P6 <u>Pre-schools</u> facility. The facility shall: a. only locate on <u>sites</u> with <u>frontage</u> and the primary entrance to a <u>minor arterial</u> or <u>collector road</u> where <u>right turn offset</u> , either informal or formal is available; b. only occupy a <u>gross floor area</u> of <u>building</u> of less than 200m ² ; c. limit outdoor play areas and facilities to those that comply with the Group 1 acoustic standard for residential zones; d. limit signage to a maximum area of 1m ² ; e. limit the hours of operation when the <u>site</u> is open to visitors, clients, and deliveries to between the hours of 0700 – 2100; f. only locate on <u>sites</u> where any <u>residential activity</u> on an adjoining front <u>site</u> , or front <u>site</u> separated by an <u>access</u> , with <u>frontage</u> to the same <u>road</u> , is left with at least one residential neighbour. That neighbour shall be on an adjoining front <u>site</u> , or front <u>site</u> separated by an <u>access</u> ,	A pre-school facility is an acceptable and expected activity that locates within a residential area, including a small settlement area, subject to ensuring there are standards included to control the effects of pre-schools on the local environment and residents. Restricted discretionary activity status is considered to be the most appropriate level of regulatory control.	Residential Small Settlement Zone: Restricted discretionary activity status subject to matters of discretion relating to the scale of the activity, non-residential hours of operation, traffic generation, and hillside development and small settlement development.

	<p>and have <u>frontage</u> to the same <u>road</u>; and</p> <p>g. only locate on residential blocks where there are no more than two non-<u>residentialactivities</u> already within that block.</p> <p>Note: See Figure 1.</p>		
<p>5. Discretionary activities The following are discretionary activities where they meet the standards set out in rule 6: c) Health care services</p> <p><i>Health care facilities means land and buildings used for the provision of services relating to the physical and mental health of people and/or animals and includes medical centres, hospitals, convalescent homes, clinics, gymnasias and veterinary hospitals. Also refer to health care services in the definition of Port Noise Sensitive Activity.</i></p>	<p>Residential Banks Peninsula Zone: Permitted Activities P7 <u>VeterinaryCareFacility</u>. The facility shall:</p> <p>a. only locate on <u>sites</u> with <u>frontage</u> and the primary entrance to a <u>minorarterial</u> or <u>collectorroad</u> where <u>rightturnoffset</u>, either informal or formal is available;</p> <p>b. only occupy a <u>grossfloorarea</u> of <u>building</u> of less than 200m²;</p> <p>c. limit signage to a maximum area of 1m²;</p> <p>d. limit the hours of operation when the <u>site</u> is open to patients, or clients, and deliveries to between the hours of 0700 – 2100;</p> <p>e. only locate on <u>sites</u> where any <u>residentialactivity</u> on an adjoining front <u>site</u>, or front <u>site</u> separated by an <u>access</u>, with <u>frontage</u> to the same <u>road</u>, is left with at least one residential neighbour. That neighbour shall be on an adjoining front <u>site</u>, or front <u>site</u> separated by an <u>access</u>, and have <u>frontage</u> to the same <u>road</u>;</p> <p>f. only locate on residential blocks where there are no more than two non-<u>residentialactivities</u> already within that block; and</p> <p>g. limit the boarding of animals on the <u>site</u> to four.</p>	<p>It appears that it may have been the intention of the operative district plan to provide for veterinaries under the definition of health care services (as a discretionary activity). However the operative plan only includes a definition of “health care facilities”. Nonetheless, it is considered that a veterinary is an appropriate activity to establish within a residential area provided standards are included to control potential adverse effects. Restricted discretionary activity status is considered to be the most appropriate level of regulatory control.</p>	<p>Residential Small Settlement Zone: Restricted discretionary activity status subject to matters of discretion relating to the scale of the activity, non-residential hours of operation, traffic generation, and hillside development and small settlement development.</p>
<p>Education activity of any scale is not provided for within the operative Small Settlement Zone</p>	<p>Residential Banks Peninsula Zone: Permitted Activities P8 <u>Educationactivity</u>. The activity shall:</p> <p>a. only locate on <u>sites</u> with <u>frontage</u> and the primary entrance to a <u>minorarterial</u> or <u>collectorroad</u> where <u>rightturnoffset</u>, either informal or formal is available;</p> <p>b. only occupy a <u>grossfloorarea</u> of <u>building</u> of less than 200m²;</p> <p>c. limit signage to a maximum area of 1m²;</p> <p>d. limit the hours of operation when the <u>site</u> is open to students, or clients, and deliveries to between the hours of:</p> <p>i. 0700 – 2100 Monday to Saturday; and ii. Closed Sunday and public holidays;</p> <p>e. only locate on <u>sites</u> where any <u>residentialactivity</u> on an adjoining front <u>site</u>, or front <u>site</u> separated by an <u>access</u>, with <u>frontage</u> to the same <u>road</u>, is left with at least one residential neighbour. That neighbour shall be on an adjoining front <u>site</u>, or front <u>site</u> separated by an <u>access</u>, and have <u>frontage</u> to the same <u>road</u>; and</p> <p>f. only locate on residential blocks where there are no more than two non-<u>residentialactivities</u> already within that block.</p> <p>Note: See Figure 1.</p>	<p>Education activity is an acceptable and expected activity that locates within a residential area, including a small settlement area subject to ensuring there are standards included to control the effects of an education facility (public or private) on the local environment and residents.</p> <p>Restricted discretionary activity status is considered to be the most appropriate level of regulatory control.</p>	<p>Residential Small Settlement Zone: Restricted discretionary activity status subject to matters of discretion relating to the scale of the activity, non-residential hours of operation, traffic generation, and hillside development and small settlement development.</p>

Temporary military or emergency service training activities are not provided for under the Small Settlement Zone.	Residential Banks Peninsula Zone: Permitted Activities P9 Temporary military or emergency service training activities.	Whilst there is unlikely to be a high requirement to provide for these temporary activities, they are a very important community service. It is considered that as any potential effects of their activities will be temporary, on balance they should be provided for in a small settlement zone to promote community resilience.	Residential Small Settlement Zone: 14.15.2.1 Permitted Activities P10 Temporary military or emergency service training activities.
The storage of heavy vehicles is not provided for under the Small Settlement Zone.	Residential Banks Peninsula Zone: Permitted Activities P11 Storage of <u>heavyvehicles</u> . a. No more than one vehicle shall be stored on the <u>site</u> .	The definition of a heavy vehicle is proposed to mean (refer to Phase 1 proposed definitions): <i>" means a motor vehicle (other than a motor car that is not used, kept or available for the carriage of passengers for hire or reward), the gross laden weight of which exceeds 3,500kg, but does not include a traction engine or a vehicle designed solely or principally for the use of fire brigades in attendance at fires (refer Heavy Motor Vehicle Regulations 1974)."</i> The inclusion of this rule will allow for residents to store work or recreational vehicle that exceeds 3,500kg examples being a commercial delivery truck and large motorhome/bus.	Residential Small Settlement Zone: 14.15.2.1 Permitted Activities P11 Storage of <u>heavyvehicles</u> . a. No more than one vehicle shall be stored on the <u>site</u>
The dismantling, repair, or storage of motor vehicles and boats owned by people who live on the same site was not provided for a permitted activity under the Small Settlement Zone.	Residential Banks Peninsula Zone: Permitted Activities P12 Dismantling, repair, or storage of motor vehicles and boats. a. The vehicles and/or boats shall be owned by people who live on the same <u>site</u> .	This activity is considered acceptable and appropriate activity associated with residential use of a site.	Residential Small Settlement Zone: 14.15.2.1 Permitted Activities P12 Dismantling, repair, or storage of motor vehicles and boats. a. The vehicles and/or boats shall be owned by people who live on the same <u>site</u> .
Controlled and/or Restricted Discretionary Activities			Proposed Restricted Discretionary Activities – Small Settlement Zone – Banks Peninsula
	Residential Banks Peninsula Zone: There are no controlled activities		Residential Small Settlement Zone 14.15.2.2 Controlled Activities There are no controlled activities
	Residential Banks Peninsula Zone: Restricted Discretionary Activities RD1 <u>Residentialunits</u> (including any <u>sleep-outs</u>) containing more than 6 bedrooms in total.	There is no difference between the standard nor status of the activity between the operative plan and what is considered appropriate for a residential zone under the Replacement District Plan.	Residential Small Settlement Zone 14.15.2.3 Restricted Discretionary Activities: RD1 <u>Residentialunits</u> (including any <u>sleep-outs</u>) containing more than 6 bedrooms in total.
Retirement villages are not provided for as a permitted, restricted discretionary or discretionary activity under the Small Settlement Zone. Unless the retirement village included a convalescent home therefore it may have in part been considered as a discretionary activity. <i>Health Care Facilities Means land and buildings used for the provision of services relating to the physical and mental health of people and/or animals and includes medical centres, hospitals, convalescent homes, clinics, gymnasia and</i>	Residential Banks Peninsula Zone: Restricted Discretionary Activities RD3 <u>Retirementvillages</u> .	Retirement villages are considered to be an appropriate and needed activity within small settlement areas to address housing needs for an ageing population. As a restricted discretionary activity the scale a built form of retirement villages can be managed so not to give rise to adverse effects.	Residential Small Settlement Zone 14.15.2.3 Restricted Discretionary Activities: RD2 Retirement villages The retirement village shall be able to: a. to provide a legal on-site treatment and disposal system; or b. be serviced by the Council's wastewater system whilst still ensuring there is adequate capacity within the Council's wastewater system to service the existing zoned land.

<p><i>veterinary hospitals. Also refer to health care services in the definition of Port Noise Sensitive Activity.</i></p>			
<p>Controlled activities 2.1 Relocated Buildings For relocated building activity compliance with the following standards and terms is required for the activity to be a controlled activity. Compliance with all other relevant rules in this Plan.Resource Consent Conditions In considering an application for a controlled activity for a relocated building the Council may impose conditions in relation to the following matters: > The likely appearance of the building upon restoration or alteration, and its compatibility with buildings on adjoining properties and in the vicinity. > The exterior materials used, and their condition and quality. >The period required for restoration work to be undertaken. > Any requirements to impose a bond or other condition to ensure completion of restoration work to an acceptable standard.</p>	<p>Residential Banks Peninsula Zone: Restricted Discretionary Activities RD8 Relocation of a building.</p>	<p>As a general principal there are no controlled activities under the Replacement District Plan.</p>	<p>Residential Small Settlement Zone 14.15.2.3 Restricted Discretionary Activities: RD3 Relocation of a building</p>
<p>The temporary lifting or moving of earthquake damaged buildings was not provided for a permitted activity under the Small Settlement Zone.</p>	<p>Residential Banks Peninsula Zone: Restricted Discretionary Activities RD4 Temporary lifting or moving of earthquake damaged buildings that does not meet the standards in Permitted activity P13.</p>		<p>Residential Small Settlement Zone 14.15.2.3 Restricted Discretionary Activities: RD4 Temporary lifting or moving of earthquake damaged buildings that does not meet the standards in Permitted activity P13</p>
<p>Under Chapter 21 clause 4 Restricted Discretionary Activities, an application must be made for a restricted discretionary activity for any activity included in the lists of permitted or controlled activities which does not comply with one or more of the conditions for permitted activities and standards for controlled activities. The conditions for permitted and controlled activities relate to: dwelling density, height, building height in relation to boundary (recession planes), yards (setbacks from front, side and rear boundaries), site coverage, earthworks, outdoor amenity space, light, and relocated buildings.</p>	<p>Residential Banks Peninsula Zone: Restricted Discretionary Activities RD5 Non compliance with one or more of the following Rules: 14.4.3.6 building setbacks from road boundaries , 14.4.3.7 Life stage inclusive and adaptive design for new residential units. Any application arising from non compliance with this rule will not require written approvals and shall not be publicly or limited notified.</p>	<p>There is not major change proposed in the status of activities where they do not comply with a built form standard. Compliance/non-compliance with the proposed Built Form 'Life-stage' standard is discussed below.</p>	<p>Residential Small Settlement Zone 14.15.2.3 Restricted Discretionary Activities: RD5 Non compliance with one or more of the following Rules: 14. xxx building setbacks from road boundaries , Rules 14. xxxLife stage inclusive and adaptive design for new residential units. Any application arising from non compliance with this rule will not require written approvals and shall not be publicly or limited notified.</p>
<p>Under Chapter 21 clause 4 Restricted Discretionary Activities, an application must be made for a restricted discretionary activity for any activity included in the lists of permitted or controlled activities which does not comply with one or more of the conditions for permitted activities and standards for controlled activities. The conditions for permitted and controlled activities relate to: dwelling density, height, building height in relation to boundary (recession planes), yards (setbacks from front, side and rear boundaries), site coverage, earthworks, outdoor amenity space, light, and relocated buildings.</p>	<p>Residential Banks Peninsula Zone: Restricted Discretionary Activities RD6 Non compliance with one or more of the following Rules: 14.4.3.1 site density , 14.4.3.2 building height , 14.4.3.3 site coverage , 14.4.3.4 minimum building setback from side and rear internal boundaries , 14.4.3.5 daylight recession planes.</p>	<p>There is not major change proposed in the status of activities where they do not comply with a built form standard.</p>	<p>Residential Small Settlement Zone 14.15.2.3 Restricted Discretionary Activities: RD6 Non compliance with one or more of the following Rules: 14. xxx site density, 14. xxx building height , 14. xxx site coverage, 14. xxx minimum building setback from side and rear internal boundaries , 14. xxx daylight recession planes.</p>

<p>There were no rules requiring compliance with New Zealands Fire Service Fire Fighting Water Supplies Codes of Practice.</p>	<p>Residential Banks Peninsula Zone: Restricted Discretionary Activities RD7 Non compliance with Rule 14.4.3.9. Water Supply for fire fighting.</p> <p>Any application arising from this rule will only require the written approval of the New Zealand Fire Service to not be limited notified and shall not be fully publicly notified.</p>	<p>Compliance/non-compliance with the proposed Built Form 'Water supply for fire fighting' standard is discussed below.</p>	<p>Residential Small Settlement Zone 14.15.2.3 Restricted Discretionary Activities: RD7 Non compliance with Rule 14. xxx Water Supply for fire fighting.</p>
<p>5. Discretionary Activities Refer to list of standards below: a) Places of assembly – 6.1, 6. 2, 6.3, 6.5 b) Visitor facilities – 6.1, 6.2, 6.5 6.1 Intensity Ratio - Minimum 50m2 of site area per person the activity is designed to accommodate. 6.2 Screening of Outdoor Areas - All outdoor areas associated with the activity shall be screened with a 1.8 metre high fence or solid planting which ensures privacy for adjoining sites. 6.3 Hours of Operation - 0700 to 2200 hours. 6.5 Use of Heavy Motor Vehicles - No use of heavy motor vehicles (as defined by the Traffic Regulations 1976, or any subsequent amendments) shall be associated with the activity.</p>	<p>Residential Banks Peninsula Zone: Restricted Discretionary Activities RD10 Non compliance with the permitted activity standards in 14.4.2.1 P5 Home Occupation , P6 Preschool facility,P7 Veterinary Care Facility, P8 Education activity</p> <p>Matter of discretion are in relation to: a. 14.9.14 Scale of activity b. 14.9.15 Traffic generation access and safety c. 14.9.16 Non residential hours of operation</p>	<p>Should there be a non-compliance in relation to the activity standards for home occupations, guest accommodation, preschools, veterinary and education activities, it is considered appropriate that the matters on which the activity standards manage, are addressed. The primary matters of concern relate to the design of the building and site, scale of the activity, traffic generation and hours of operation.</p> <p>Restricted discretionary activity status provides the Council with sufficient ability to consider an array of matters and actual and potential effects on the environment, including the proposed objectives and policies which adequately set out the desired outcomes and environmental standards to be met for the Small Settlement Zone.</p>	<p>Residential Banks Peninsula Zone: RD10 Non compliance with the permitted activity standards in 14.15.2.1 P2 Guest accommodation, P4 Care of non-resident children, P5 Home occupation, P7 Pre-school facility, P8 Veterinary Care Facility, P9 Education activity</p> <p>a. 14.9.14 Scale of activity b. 14.9.15 Traffic generation access and safety c. 14.9.16 Non residential hours of operation</p> <p>and in relation to non-compliance with permitted standards in 14.15.2.1 P7 Pre-school facility, P8 Veterinary Care Facility, and P9 Education activity:</p> <p>d. Urban design and Māori urban design principles – 14.9.6.</p>
<p>2.2 The erection of buildings on sites within the Takamatua Comprehensive Development Area or the Robinsons Bay Comprehensive Development Area is a controlled activity.</p> <p>Matters Over Which Control May be Exercised</p> <p>In considering any application for a controlled activity for the creation of buildings within the Takamatua Comprehensive Development Area or the Robinsons Bay Comprehensive Development Area, the Council may exercise control over the form, design, siting and appearance of buildings in relation to impacts on areas of indigenous vegetation, ridgelines and other features in the natural landscape, and existing development. Development shall generally take place in accordance with the design, site controls and comprehensive Development Plans for the respective areas, as set out in Appendix XVII for the Takamatua Comprehensive Development Area and the Robinsons Bay Comprehensive Development Area.</p>		<p>As a general principle there is to be no controlled activities under the Replacement District Plan. If it is deemed that regulatory control is required then the matter (and effects being managed) must be at a level of importance that Council may be able to decline and application (that is not possible as a controlled activity) and/or impose conditions. Resource consent is required whether an activity is controlled or a restricted discretionary activity. As such changing the in status from controlled to restricted discretionary is not considered to result in any significant additional cost to the applicant.</p> <p>The subject areas in Takamatua and Robinsons Bay were assessed as being within sensitive environments that required careful management of the subdivision and building design. The conditions imposed however, in particular the matters set out under Appendix XVII of the operative District Plan, are considered to be very extensive and overly detailed. Under Stage 1 of the Replacement District Plan a number of activities are proposed to be restricted discretionary activities subject to urban design</p>	<p>Residential Banks Peninsula Zone: 14.15.2.3 Restricted Discretionary Activities RD9 The erection of buildings on sites within the Takamatua Comprehensive Development Area or the Robinsons Bay Comprehensive Development Area.</p> <p>The Councils discretion shall be limited to the following matters:</p> <p>14.9.6 Urban deign and Maori urban design principles - refer to Residential Chapter 14, Matters of Discretion 14.9.6 and insert the following additional matters:</p> <p>Scale: City context and character "The development design..."</p> <p>e. aligns with natural land contours and utilises natural elements within a site such as natural building platforms, topography, ridges or terraces and/or vegetation to assist in integrating new development into the environment so that the natural vegetation patterns and legibility of the landscape is maintained.</p>

		and Maori urban design principles (refer to Residential Chapter 14, Matters of Discretion 14.9.6). These matters are broader than those currently required to be considered under the operative plan, however when considered in the context of the Takamatua and Robinsons Bay surrounding environments, could potentially achieve the same or similar outcome sought for the area. Some additional matters are however considered to be necessary to ensure the Banks Peninsula sensitive coastal and rural environments are comprehensively assessed and conditions imposed on resource consent applications to ensure desired outcomes and policies are achieved.	<p>Scale: Built form and amenity of the site</p> <p>f. in residential small settlement, bach, hills and large lot zones uses exterior building tones and low reflective materials to ensure the development complements the rural and natural character elements of the local and surrounding area.</p> <p>g. in residential small settlement, bach, hills and large lot zones maximises the area for planting to:</p> <p>i. integrate buildings into the surrounding landscape and reduce their visual impact</p> <p>ii. provides sufficient room for plants in particular trees to mature and to avoid shading of buildings, access and roads.</p>
<p>5. Discretionary Activities</p> <p>Refer to list of standards below: d) Retailing – 6.2, 6.3, 6.4(b), 6.5,</p> <p>6.2 Screening of Outdoor Areas - All outdoor areas associated with the activity shall be screened with a 1.8 metre high fence or solid planting which ensures privacy for adjoining sites.</p> <p>6.3 Hours of Operation - 0700 to 2200 hours.</p> <p>6.4 Floor Area - Maximum floor area used for Retailing activities on any site shall not exceed 50m².</p> <p>6.5 Use of Heavy Motor Vehicles - No use of heavy motor vehicles (as defined by the Traffic Regulations 1976, or any subsequent amendments) shall be associated with the activity.</p>	<p>Residential Suburban Zone</p> <p>14.2.2.3 Restrict discretionary activity</p> <p>RD 10 <u>Convenienceactivities</u> where:</p> <p>a. the <u>site</u> is located on the corner of a <u>minorarterial</u> road that intersects with either a minor arterial road or collector road;</p> <p>b. the total area occupied by <u>retailing</u> on the <u>site</u> is no more than 50m² <u>publicfloorarea</u>;</p> <p>c. the activity does not include the sale of alcohol;</p> <p>d. <u>outdoor advertising</u> is limited to no more than 1m² and shall be within the <u>roadboundary setback</u>;</p> <p>e. the hours of operation when the <u>site</u> is open to business visitors or clients are limited to between the hours of 0700 – 2200 Monday to Sunday and public holidays; and</p> <p>f. no on-site <u>parkingarea</u> for visitors or service purposes is to be provided.</p> <p>Residential Banks Peninsula Zone:</p> <p>Discretionary Activities</p> <p>D4 Retail where:</p> <p>1. all outdoor areas associated with the activity are screened with a 1.8m high fence or solid planting which ensures privacy for adjoining <u>sites</u>;</p> <p>2. the hours of operation are between 0700 – 2200 hours Monday to Sunday and public holidays;</p> <p>3. the maximum floor area used for <u>retailactivities</u> on any <u>site</u> does not exceed 50m²;</p> <p>4. the activity does not include trade or yard-based suppliers or <u>servicestations</u>; and</p> <p>5. there is no use of <u>heavyvehicles</u> associated with the activity</p>	<p>Small scale retail activities do not give rise to significant adverse effects on residential amenity and provide employment opportunities for the local community. Provided the scale of such activities is controlled it is considered that they should be provided for.</p>	<p>14.15.2.3 Restricted Discretionary Activities:</p> <p>RD5 <u>Convenienceactivities</u> where:</p> <p>a. the <u>site</u> is located on the corner of a <u>minorarterial</u> road that intersects with either a minor arterial road or collector road;</p> <p>b. the total area occupied by <u>retailing</u> on the <u>site</u> is no more than 50m² <u>publicfloorarea</u>;</p> <p>c. the activity does not include the sale of alcohol;</p> <p>d. <u>outdoor advertising</u> is limited to no more than 1m² and shall be within the <u>roadboundary setback</u>;</p> <p>e. the hours of operation when the <u>site</u> is open to business visitors or clients are limited to between the hours of 0700 – 2200 Monday to Sunday and public holidays; and</p> <p>f. no on-site <u>parkingarea</u> for visitors or service purposes is to be provided.</p> <p>Matters of discretion:</p> <p>a. Urban design and Māori urban design principles - 14.9.6.</p> <p>b. Scale of activity - 14.9.14.</p> <p>c. Non residential hours of operation - 14.9.16.</p> <p>d. Traffic generation and access safety - 14.9.15.</p>
<p>5. Discretionary Activities</p> <p>Refer to list of standards below: e) Emergency Service Facilities – 6.2</p> <p>6.2 Screening of Outdoor Areas - All outdoor areas associated with the activity shall be screened with a</p>	<p>Residential Banks Peninsula Zone:</p> <p>Discretionary Activities</p> <p>D5 Emergency service facilities.</p>	<p>Emergency service facilities such as ambulance stations and fire stations are appropriate and needed services to ensure the health, safety and wellbeing of the community is supported. As such facilities can be large in scale it is considered</p>	<p>14.15.2.3 Restricted Discretionary Activities:</p> <p>RD6 Emergency service facilities</p> <p>Matters of discretion:</p>

1.8 metre high fence or solid planting which ensures privacy for adjoining sites.		<p>appropriate that some specific matters are given consideration to ensure the facility integrates well with the local area and does not adversely impact on residential amenity.</p> <p>There is no major difference between the standard nor status of the activity between the operative plan and what is considered appropriate for a residential zone under the Replacement District Plan.</p> <p>The activity and built form standards that were associated with the discretionary activity rule under the operative District Plan are not considered to be necessary. Restricted discretionary activity status provides the Council with sufficient ability to consider an array of matters and actual and potential effects on the environment, including the proposed objectives and policies which adequately set out the desired outcomes and environmental standards to be met for the Small Settlement Zone.</p>	<p>a. Urban design and Māori urban design principles - 14.9.6.</p> <p>b. Scale of activity - 14.9.14.</p> <p>c. Non residential hours of operation - 14.9.16.</p> <p>d. Traffic generation and access safety - 14.9.15.</p>
Discretionary Activities			Proposed Discretionary Activities for the Small Settlement Zone – Banks Peninsula
5. Discretionary Activities Refer to list of standards below: a) Places of assembly – 6.1, 6. 2, 6.3, 6.5 b) Visitor facilities – 6.1, 6.2, 6.5 c) Health Care Services – 6.3, 6.4(a), 6.5, d) Retailing – 6.2, 6.3, 6.4(b), 6.5, e) Emergency Service Facilities – 6.2	Residential Banks Peninsula Zone: Discretionary Activities D1 Storage of heavy vehicles, camping grounds, show homes, and dismantling, repair or storage of motor vehicles and/or boats where it does not meet one or more of the permitted activity standards in Rule 14.4.2.1		Residential Small Settlement Zone: 14.15.2.4 Discretionary Activities D1 Storage of heavy vehicles, camping grounds, show homes, and dismantling, repair or storage of motor vehicles and/or boats where it does not meet one or more of the permitted activity standards in Rule 14.XXX
5. Discretionary Activities Refer to list of standards below: a) Places of assembly – 6.1, 6. 2, 6.3, 6.5 6.1 Intensity Ratio - Minimum 50m2 of site area per person the activity is designed to accommodate. 6.2 Screening of Outdoor Areas - All outdoor areas associated with the activity shall be screened with a 1.8 metre high fence or solid planting which ensures privacy for adjoining sites. 6.3 Hours of Operation - 0700 to 2200 hours. 6.5 Use of Heavy Motor Vehicles - No use of heavy motor vehicles (as defined by the Traffic Regulations 1976, or any subsequent amendments) shall be associated with the activity.	Residential Banks Peninsula Zone: Discretionary Activities D2 Place of assembly where: 1. The minimum site area is not less than 30m2 per person; 2. All outdoor areas associated with the activity are screened with a 1.8m high fence or solid planting which ensures privacy for adjoining sites; 3. The hours of operation are between 0700 – 2200 hours Monday to Sunday and public holidays; and 4. There is no use of heavy vehicles associated with the activity.	<p>There is no major difference between the standard nor status of the activity between the operative plan and what is considered appropriate for a residential zone under the Replacement District Plan.</p> <p>The activity and built form standards that were associated with the discretionary activity rule under the operative District Plan are not considered to be necessary. Discretionary activity status provides the Council with sufficient ability to consider an array of matters and actual and potential effects on the environment, including the proposed objectives and policies which adequately set out the desired outcomes and environmental standards to be met for the Small Settlement Zone.</p>	Residential Small Settlement Zone: 14.15.2.4 Discretionary Activities D2 <u>Place of assembly</u>
5. Discretionary Activities Refer to list of standards below: Health Care Services – 6.3, 6.4(a), 6.5,	Residential Banks Peninsula Zone: Discretionary Activities D3 <u>Healthcare facility</u> where:	There is no major difference between the standard nor status of the activity between the operative plan and what is considered	Residential Small Settlement Zone: 14.15.2.4 Discretionary Activities D3 <u>Healthcare facility</u>

<p>6.3 Hours of Operation - 0700 to 2200 hours. 6.4 Floor Area - Maximum floor area used for Health Care Services activities on any site shall not exceed 100m². 6.5 Use of Heavy Motor Vehicles - No use of heavy motor vehicles (as defined by the Traffic Regulations 1976, or any subsequent amendments) shall be associated with the activity.</p>	<p>1. The maximum floor area used for Health Care activities on any <u>site</u> does not exceed 100m²; and 2. There is no use of <u>heavyvehicles</u> associated with the activity.</p>	<p>appropriate for a residential zone under the Replacement District Plan.</p> <p>The activity and built form standards that were associated with the discretionary activity rule under the operative District Plan are not considered to be necessary. Discretionary activity status provides the Council with sufficient ability to consider an array of matters and actual and potential effects on the environment, including the proposed objectives and policies which adequately set out the desired outcomes and environmental standards to be met for the Small Settlement Zone.</p>	
<p>7. Non-Complying Activities 7.2 Heli-landing areas</p> <p>except that this rule shall not apply to heli-landing areas on sites greater than 3000m² where all of the following conditions are met:</p> <p>(g) The number of flights do not exceed 12 (24 movements) in any calendar year; (h) The flights (movements) do not take place on more than five days in any one month period; (i) The flights (movements) do not exceed three in any one week; (j) Any movements shall only occur between 8.00am and 6.00pm; (k) No movements shall take place within 25m of any dwelling unless that dwelling is owned or occupied by the applicant; (l) A log detailing the time and date of each helicopter movement shall be maintained and made available for inspection by the Christchurch City Council if requested.</p>		<p>The General Rules Chapter 6 Noise section will address and manage the majority of the matters controlled under the operative Small Settlement Zone. It is however considered appropriate for resource consent to be required within a Small Settlement Zone to ensure that the heli-landing area is appropriate for the area and will not give rise to other associated effects on adjoining properties from its operation. The Council may wish to control the site size and location to minimise impacts.</p>	<p>Residential Small Settlement Zone 14.15.2.5 Discretionary Activities D7 Heli-landing area</p>
<p>5. Discretionary Activities Refer to list of standards below: a) Places of assembly – 6.1, 6.2, 6.3, 6.5 b) Visitor facilities – 6.1, 6.2, 6.5 c) Health Care Services – 6.3, 6.4(a), 6.5, d) Retailing – 6.2, 6.3, 6.4(b), 6.5, e) Emergency Service Facilities – 6.2</p>	<p>Residential Banks Peninsula Zone: Discretionary Activities D6 All other non-<u>residentialactivities</u> not otherwise listed in these tables.</p>		<p>Not carried across</p>
<p>7. Non-Complying Activities</p>			<p>Proposed Non-complying activities for the Small Settlement Zone</p>
<p>7.1 Where properties adjoin the foreshore road between Governors Bay Jetty and Church Lane and also join another legal road, any vehicle access from the foreshore road is a non-complying activity.</p>		<p>No known issue with this rule thus is carried over into the Replacement District Plan.</p>	<p>Residential Small Settlement Zone 14.15.2.5 Non-complying Activities NC1 Where properties adjoin the foreshore road between Governors Bay Jetty and Church Lane and also join another legal road, any vehicle access from the foreshore road is a non-complying activity.</p>

7.3 Activities listed in Rule 5 which do not comply with the relevant standards in Rule 6 are non-complying activities.		There is not major change proposed in the status of activities where they do not comply with a discretionary activity.	Residential Small Settlement Zone 14.15.2.5 Non-complying Activities NC2 Any activity not provided as a permitted, controlled, restricted discretionary, discretionary or prohibited activity.
7.4 Any activity not otherwise specified as a permitted, controlled, restricted discretionary, or discretionary activity is a non-complying activity.	Residential Banks Peninsula Zone The activities listed below are a non complying activity. NC1 Any activity not provided as a permitted, controlled, restricted discretionary, discretionary or prohibited activity.	There is no major change proposed in the status of activities where they do not comply with a permitted, controlled, restricted discretionary, discretionary or prohibited activity.	As above
		A proposed development could not be readily supported if it is not able to provide a legal system nor is able to be connected to Councils reticulated system whilst still ensuring there is sufficient capacity for other permitted activities in the zone. A proposal in this circumstance will need to be considered against the District Plans objectives and policies regarding servicing and should appropriately be considered as a non-complying activity.	Residential Small Settlement Zone 14.15.2.5 Non-complying Activities NC3 Any activity that does not comply with the following Activity specific standards for permitted and restricted discretionary activities is a non-complying activity: a. 14.15.2.1 P2 Minor residential unit clauses e and f b. 14.15.2.1 P7 Preschool facility clauses h and i. c. 14.15.2.1 P8 Veterinary Care Facility clauses h and i. d. 14.15.2.1 P9 Education activity clauses g and h.
Built Form Standards	Residential Banks Peninsula Zone 14.4.3 Built form standards		14.15.3 Built Form standards
			14.15.3.1 Residential Building Platforms Any residential unit located on a site created by subdivision occurring after the operative District Plan date shall be located on an identified building platform identified on an approved plan of subdivision.
Conditions for permitted and controlled activities 3.1 Dwelling Density No more than one dwelling on any site 1000m ² or less in area. Or One dwelling per 1000m ² on sites greater than 1000m ² in area.	14.4.3.1 Site density Each residential unit shall be contained within its own separate site. The site shall have a minimum net site area as follows: Residential Banks Peninsula Zone. 400m ²	No significant change proposed however it is considered that sites less than 600m ² matters such as building size and open space should be considered to ensure the open space character of the Small Settlement Zone is maintained. A desktop analysis of existing parcel size and sites that already contain a residential unit has been undertaken. There are only 4 existing allotments located within the operative Banks Peninsula Small Settlement Zone that do not already contain a residential unit and are under 800m ² in area. The inclusion of the proposed 500m ² minimum net site area requirement is therefore unlikely to give rise to significant increase in resource consents being required. It will however should the Small Settlement Zone be extended, provide a clear indication on the character and density sought to be maintained in the Small Settlement Zone.	14.15.3.2 Site density Each residential unit shall be contained within its own separate site. The site shall have a minimum net site area as follows: Area/location: 1. Residential Small Settlement Zone: Standard 1000m ² 2. Residential Small Settlement Zone on allotments created before October 2014 and less than 1000m ² in area: Standard: less than 1000m ² but greater than 500m ² .
Conditions for permitted and controlled activities 3.1 Dwelling Density	No applicable rule.	As there is still the potential for the subject land to be subdivided this rule is still considered to be needed to manage site density.	14.15.3.2 Site density Each residential unit shall be contained within its own separate site. The site shall have a minimum net site

For that part of the Small Settlement Zone identified as SS Takamatua CDA on Planning Map S13 No more than one dwelling on any site			<p><u>area</u> as follows:</p> <p>3. For that part of the Small Settlement Zone identified in Appendix X Takamatua Outline Development Plan – no more than one residential unit may be located on any site</p> <p>4. For that part of the Small Settlement Zone identified in Appendix X Takamatua Outline Development Plan on those properties located at 1 Lushingtons Road and 6 Kotare Lane - there shall be only one residential unit on each site</p>
3.2 Height Maximum height of buildings and structures – 7.0 metres. Maximum height of accessory buildings and structures – 4.5 metres	<p>14.4.3.2 Building height</p> <p>1. The maximum <u>height</u> of any <u>building</u> shall be seven metres.</p> <p>2. The maximum <u>height</u> of any <u>accessorybuildings</u> shall be 4.5 metres.</p> <p>Note: See the permitted height exceptions contained within the definition of <u>height</u>.</p>	No change proposed.	<p>14.15.3.3 Building height</p> <p>1. The maximum <u>height</u> of any <u>building</u> shall be seven metres.</p> <p>2. The maximum <u>height</u> of any <u>accessorybuildings</u> shall be 4.5 metres.</p> <p>Note: See the permitted height exceptions contained within the definition of <u>height</u>.</p>
3.5 Site Coverage Maximum – 25% of net site area, or 250m2 whichever is the lesser.	<p>14.4.3.3 Site coverage</p> <p>The maximum percentage of the <u>netsitearea</u> of any <u>site</u> covered by <u>buildings</u> excluding:</p> <p>1. fences, walls and retaining walls;</p> <p>2. eaves and roof overhangs up to 600 millimetres in width from the wall of a <u>building</u>;</p> <p>3. uncovered swimming pools up to 800 millimetres in <u>height</u> above <u>groundlevel</u>; and</p> <p>4. decks, terraces, balconies, porches, verandahs, bay or box windows (supported or cantilevered)</p> <p>which:</p> <p>a. are no more than 800 millimetres above <u>groundlevel</u> and are uncovered or unroofed; or</p> <p>b. where greater than 800 millimetres above <u>groundlevel</u> and/or covered or roofed, are in total no more than 6m² in area for any one <u>site</u>;</p> <p>shall be 35 percent</p>	<p>The additional exemptions to this rule that are proposed may go some way to reducing the number of resource consent requirements.</p> <p>The site coverage rule of 25% or 250m2 whichever is the lesser is still considered to be appropriate given the minimum site area of 1000m2 is also proposed to be provided for, and the need to control building scale to ensure the existing open space character of small settlement areas is not compromised.</p> <p>Non-compliance with this rule is however likely to be triggered if an applicant proposed to develop a minor residential unit and the principal residential unit is larger than 180m2.</p>	<p>14.15.3.4 Site coverage</p> <p>The maximum percentage of the <u>netsitearea</u> of any <u>site</u> covered by <u>buildings</u> excluding:</p> <p>1. fences, walls and retaining walls;</p> <p>2. eaves and roof overhangs up to 600 millimetres in width from the wall of a <u>building</u>;</p> <p>3. uncovered swimming pools up to 800 millimetres in <u>height</u> above <u>groundlevel</u>; and</p> <p>4. decks, terraces, balconies, porches, verandahs, bay or box windows (supported or cantilevered)</p> <p>which:</p> <p>a. are no more than 800 millimetres above <u>groundlevel</u> and are uncovered or unroofed; or</p> <p>b. where greater than 800 millimetres above <u>groundlevel</u> and/or covered or roofed, are in total no more than 6m² in area for any one <u>site</u>;</p> <p>shall be 25 percent or 250m2 whichever is the lesser.</p>
3.4 Yards – Minimum No building or part of a building shall be erected within the following yards: Side – 3.0 metres. (Except that accessory buildings may be located within any of the side setbacks provided that no wall within the required setback facing the boundary is longer than 6 metres).>Rear – 3.0 metres.>All buildings shall be at least 25 metres from the Mean High Water Spring Tide Mark.	<p>14.4.3.4 Minimum building setback from side and rear internal boundaries</p> <p>1. The minimum <u>building</u> setback from side and rear internal boundaries shall be:</p> <p>a. Side internal <u>boundaries</u>. - One of 1.5m and one of 2m.</p> <p>b. Rear internal <u>boundaries</u>. - 2m</p> <p>2. There shall be no minimum <u>setback</u> from internal <u>boundaries</u> for <u>accessorybuildings</u> where the length of any wall within the <u>setbacks</u> specified in 1. is less than six metres.</p>	The minimum site size of 1000m2 is sufficiently large for a building to easily achieve the 3m setback requirements.	<p>14.15.3.5 Minimum building setback from side and rear internal boundaries</p> <p>1. The minimum <u>building</u> setback from side and rear internal boundaries shall be:</p> <p>c. Side internal <u>boundaries</u>. - 3m.</p> <p>d. Rear internal <u>boundaries</u>. - 3m</p> <p>2. There shall be no minimum <u>setback</u> from internal <u>boundaries</u> for <u>accessorybuildings</u> where the length of any wall within the <u>setbacks</u> specified in 1. is less than six metres.</p>

<p>3.3 Building Height in Relation to Boundary No part of any building shall project beyond a building envelope contained by a 45 degree recession plane from any point 2.0m above any adjoining site boundary.</p>	<p>14.4.3.5 Daylight recession planes No part of any <u>building</u> shall project beyond a <u>building</u> envelope contained by a 45 degree recession plane measured at any point 2.0 metres above any adjoining <u>siteboundary</u>, that is not a <u>road boundary</u>.</p>	<p>No change proposed.</p>	<p>14.15.3.6 Daylight recession planes No part of any <u>building</u> shall project beyond a <u>building</u> envelope contained by a 45 degree recession plane measured at any point 2.0 metres above any adjoining <u>siteboundary</u>, that is not a <u>road boundary</u>.</p>
<p>3.4 Yards – Minimum No building or part of a building shall be erected within the following yards: >Front – 4.5 metres. Where a garage contains a vehicle entrance which generally faces the road, the garage shall be setback 6 metres.</p>	<p>14.4.3.6 Building setbacks from road boundaries Minimum <u>building</u> setback from <u>road boundaries</u> shall be as follows: Residential Banks Peninsula Zone where a <u>garage</u> contains a vehicle entrance way which generally faces a <u>road</u>. - 5m All other <u>buildings</u> in the Residential Banks Peninsula zone. - 3m</p>	<p>Reducing the operative 4.5 and 6m setback requirements may go some way to reducing the number of resource consent requirements whilst still providing sufficient setback from the road to maintain the existing street character.</p>	<p>14.15.3.7 Building setbacks from road boundaries Minimum <u>building</u> setback from <u>road boundaries</u> shall be as follows: Residential Small Settlement Zone where a <u>garage</u> contains a vehicle entrance way which generally faces a <u>road</u>. - 5m All other <u>buildings</u> in the Residential Banks Peninsula zone. - 4m</p>
<p>3.7 Outdoor Amenity Space An outdoor space of not less than 35m² in area with a minimum dimension of 5 metres shall be provided for each residential unit on a site.</p>	<p>Not proposed to be regulated for under the Replacement District Plan.</p>	<p>The minimum site size being 1000m² is large enough to assume there is sufficient area to provide for outdoor amenity space. The rule is considered unnecessary.</p>	<p>No outdoor amenity space rule proposed.</p>
	<p>14.4.3.7 Life-stage inclusive and adaptive design for new residential units All new <u>residential units</u>, with their primary pedestrian entrance and some <u>habitable space</u> at the ground floor, shall incorporate the following standards or features. <u>Residential unit</u> building projects that have been registered with Lifemark™ for a minimum 3-star rating shall be deemed to have complied with this rule. [Full text of rule not included]</p>	<p>The version of this rule proposed to be used for the Small Settlement Zone is slightly different as has taken into account recommended changes to the rule proposed under Stage 1 of the DPR by submitters.</p>	<p>14.15.3.8 Life-stage inclusive and adaptive design for new residential units All new <u>residential units</u>, with their primary pedestrian entrance and some <u>habitable space</u> at the ground floor, shall incorporate the following standards or features. <u>Residential unit</u> building projects that have been registered with Lifemark™ for a minimum 3-star rating shall be deemed to have complied with this rule. [Full text of rule not included – refer to attachment A below]</p>
	<p>14.4.3.8 Energy and water efficient standards for new residential units All new <u>residential units</u> shall incorporate the following minimum energy and water efficiency standards or features. <u>Residential unit</u> building projects that have been registered with Homestar™ for a minimum 6 Homestar™ rating shall be deemed to have complied with this rule. [Full text of rule not included]</p>	<p>The version of this rule proposed to be used for the Small Settlement Zone is slightly different as has taken into account recommended changes to the rule proposed under Stage 1 of the DPR by submitters.</p>	<p>14.15.3.9 Energy and water efficient standards for new residential units All new <u>residential units</u> shall incorporate the following minimum energy and water efficiency standards or features. <u>Residential unit</u> building projects that have been registered with Homestar™ for a minimum 6 Homestar™ rating shall be deemed to have complied with this rule.</p>
	<p>14.4.3.9 Water supply for fire fighting 1. Provision shall be made for sufficient water supply and access to water supplies for fire fighting consistent with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice (SNZ PAS: 4509:2008), whereby: a. All <u>residential units</u> must be connected to the <u>Council's</u> urban reticulated system that provides sufficient fire</p>	<p>Standard included at the request of the New Zealand Fire Service.</p>	<p>14.15.3.10 Water supply for fire fighting 1. Provision shall be made for sufficient water supply and access to water supplies for fire fighting consistent with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice (SNZ PAS: 4509:2008), whereby: a. All <u>residential units</u> must be connected to the</p>

	<p>fighting water supply; or</p> <p>b. Where a reticulated water supply compliant with SNZ PAS:4509:2008 is not available to serve the <u>residentialunit</u>, or the only supply available is the controlled restricted rural type water supply which is not compliant with SNZ PAS:4509:2008 water supply and access to water supplies for fire fighting that is in compliance with the rule 2. below must be provided.</p> <p>2. Each <u>residentialunit</u> shall have a sprinkler system <u>installed</u> (to an improved standard in accordance with SNZ PAS:4509:2008) in the <u>building</u> plumbed to ensure 7000 litres of water is always available to the sprinkler system in the event of a fire.</p>		<p><u>Council's</u> urban reticulated system that provides sufficient fire fighting water supply; or</p> <p>b. Where a reticulated water supply compliant with SNZ PAS:4509:2008 is not available to serve the <u>residentialunit</u>, or the only supply available is the controlled restricted rural type water supply which is not compliant with SNZ PAS:4509:2008 water supply and access to water supplies for fire fighting that is in compliance with the rule 2. below must be provided.</p> <p>2. Each <u>residentialunit</u> shall have a sprinkler system <u>installed</u> (to an improved standard in accordance with SNZ PAS:4509:2008) in the <u>building</u> plumbed to ensure 7000 litres of water is always available to the sprinkler system in the event of a fire.</p>
--	---	--	---

Kainga and Spencerville are very similar in nature as the small settlement areas in Banks Peninsula as far as they are both set within a rural and/or coastal environment and are detached from the main urban area. However the management of the built form in these areas has broadly followed the approach for other residential areas in the flat land in Christchurch City. Whilst the most streamlined approach to the Replacement District Plan is considered to be creating one Residential Small Settlement Zone encompassing all Christchurch and Banks Peninsula small settlement areas, especially in regard the types of activities provided for, there are likely to be area specific rules required. The assessment of appropriate activity and built form standards for Kainga and Spencerville has been based on considering the appropriateness and applicability of the standards proposed in Table 1 for the Residential Small Settlement Zone in relation to Banks Peninsula areas, as well as those standards proposed under Stage 1 of the DPR for the Residential Suburban Zone.

Table 2:		Assessment of provisions relevant to Small Settlements in Kainga and Spencerville	
Operative standard under the City Plan	Proposed standard under the Replacement District Plan 14.15 Residential Small Settlement Zone as it relates to Banks Peninsula Small Settlements (refer to Table 1 above)	Discussion on the most appropriate standard to apply in the Replacement District Plans Small Settlement Zone – Kainga and Spencerville	Proposed standard under the Replacement District Plan 14.15 Residential Small Settlement Zone
Living Rural Settlement Zone (Spencerville) Living Rural Village Zone (Kainga and Riverlea Estates)	Proposed Permitted Activities for the 14.15. Residential Small Settlement Zone – Banks Peninsula related provisions 14.15.2 Activity status tables		Proposed Permitted Activities for the 14.15. Residential Small Settlement Zone – Banks Peninsula related provisions 14.15.2 Activity status tables
Provided for – refer to Living Zone Development and Community standards, subject to standards	Residential Small Settlement zone: 14.15.2.1 Permitted Activities P1 A residential unit <u>and/or</u> residential activities that occur within a <u>residential unit</u> .	The minimum site density requirement for Spencerville/LRS zone is the same as proposed	Residential Small Settlement zone: 14.15.2.1 Permitted Activities P1 A residential unit <u>and/or</u> residential activities that occur within a <u>residential unit</u> .
2.2.11 Family flats - residential activities Family flats shall have a maximum gross floor area, excluding terraces, garages, sundecks and verandahs, of 65m ² . Once the building is no longer being used as a family flat, and where the family flat does not comply with all the standards for a residential unit and/or where it is located on a site within the Living RV Zone at Riverlea Estates: (a) The family flat shall be relocated from the site; or (b) shall have the kitchen removed so that the family flat is no longer a self-contained residential unit.	Residential Small Settlement zone: 14.15.2.1 Permitted Activities P2 Minor <u>residentialunit</u> where the minor unit is a detached <u>building</u> and the existing site it is to be built on contains only one <u>residentialunit</u> . a. The <u>site</u> containing both units shall have a minimum net site area of 1000m ² . b. The minor <u>residentialunit</u> shall have a minimum gross floor area of 35m ² and a maximum gross <u>floorarea</u> of 70m ² . c. The <u>parkingareas</u> of both units shall be accessed from the same <u>access</u> . d. Each <u>residentialunit</u> shall have a total <u>outdoor livingspace</u> on the <u>site</u> with a minimum area of 90m ² . This total space can be provided as: i. a single continuous area with a minimum dimension of 6m; or ii. be in 2 connected spaces each with a minimum dimension of 6m; iv. be divided into two separate unconnected spaces, provided that each unit is provided with an <u>outdoor livingspace</u> that is directly accessible from that unit and is a minimum of 30m ² in area; and e. The minor <u>residentialunit</u> shall be able to provide a legal on-site treatment and disposal system; or f. The minor <u>residentialunit</u> shall be serviced by the Council's wastewater system whilst still ensuring there is adequate capacity within the Council's wastewater system to service the existing zoned land.	In terms of effects on the local area it is considered that there is only a minor difference between a family flat and a minor residential unit. In the case of a family flat the occupants need to be associated with the family occupying the main residence. The rules for the minor residential unit do not have this limitation. The number of occupants is unlikely to differ much between the two units. The greatest difference may be in regard to shared spaces. Where there is a family association there is likely to be some accepted sharing of outdoor space, car parking etc. This is however not considered to be a major issues in small settlements as a minimum site size requirement of 1000m ² will provide ample room for outdoor areas for both the main and minor residential units. The proposed minor residential unit rule for the Residential Suburban Zone is considered to be appropriate with the exception of the net site area requirement. There is unlikely to be much potential for minor residential units to be created on sites within in Riverlea Estates (proposed Kainga Overlay Area 2) as given the small site size it may difficult to comply with the activity specific standards. Given the increased flexibility regarding occupation proposed under the minor residential, there may be an increased demand for small detached units. This may in turn potentially change the character of the small settlement	Residential Small Settlement zone: 14.15.2.1 Permitted Activities P2 Minor <u>residentialunit</u> where the minor unit is a detached <u>building</u> and the existing site it is to be built on contains only one <u>residentialunit</u> . a. The <u>site</u> containing both units shall have a minimum net site area of 1000m ² . b. The minor <u>residentialunit</u> shall have a minimum gross floor area of 35m ² and a maximum gross <u>floorarea</u> of 70m ² . c. The <u>parkingareas</u> of both units shall be accessed from the same <u>access</u> . d. Each <u>residentialunit</u> shall have a total <u>outdoor livingspace</u> on the <u>site</u> with a minimum area of 90m ² . This total space can be provided as: i. a single continuous area with a minimum dimension of 6m; or ii. be in 2 connected spaces each with a minimum dimension of 6m; v. be divided into two separate unconnected spaces, provided that each unit is provided with an <u>outdoorliving space</u> that is directly accessible from that unit and is a minimum of 30m ² in area; and e. The minor <u>residentialunit</u> shall be able to provide a legal on-site treatment and disposal system; or f. The minor <u>residentialunit</u> shall be serviced by the Council's wastewater system whilst still ensuring there

		<p>zone, increasing building density. On balance therefore, the likelihood that the introduction of the minor residential unit rule will lead to a significant change in building character and density, is considered to be low.</p> <p>There is however a potential infrastructure servicing issue that could arise in providing greater flexibility for minor residential units to establish. In most small settlement areas wastewater disposal and water supply is limited and in many bays there are no Council systems available. The capacity of Council's systems and/or private systems can be very limited. In the case of Council's systems priority for new connections should be given to servicing existing small settlement zoned land. For these reasons it is considered that at this stage the creation of a minor residential unit should be a restricted discretionary activity with the Council's discretion limited to infrastructure servicing.</p>	is adequate capacity within the Council's wastewater system to service the existing zoned land.
Provided for – refer to Living Zone Development and Community standards, subject to standards	<p>Residential Small Settlement zone: 14.15.2.1 Permitted Activities P3 Guest accommodation There shall be:</p> <ol style="list-style-type: none"> a maximum of six guests accommodated at any one time; and at least one owner of the <u>residentialunit</u> residing permanently on <u>site</u> 	Similar standard under the operative District Plan as proposed for the Replacement District Plan. No major change required.	<p>Residential Small Settlement zone: 14.15.2.1 Permitted Activities P3 Guest accommodation There shall be:</p> <ol style="list-style-type: none"> a maximum of six guests accommodated at any one time; and at least one owner of the <u>residentialunit</u> residing permanently on <u>site</u>
	<p>Residential Small Settlement Zone: 14.15.2.1 Permitted Activities P4 Care of non-resident children within a <u>residentialunit</u> in return for monetary payment to the carer. There shall be:</p> <ol style="list-style-type: none"> a maximum of four non-resident children being cared for in return for monetary payment to the carer at any one time; and at least one carer residing permanently within the <u>residentialunit</u>. 	Care of non-resident children is likely to have fallen within the definition of a home occupation, therefore there is a similar standard under the operative District Plan as proposed for the Replacement District Plan. No major change required.	<p>Residential Small Settlement Zone: 14.15.2.1 Permitted Activities P4 Care of non-resident children within a <u>residentialunit</u> in return for monetary payment to the carer. There shall be:</p> <ol style="list-style-type: none"> a maximum of four non-resident children being cared for in return for monetary payment to the carer at any one time; and at least one carer residing permanently within the <u>residentialunit</u>.
		The inclusion of this rule is not appropriate nor necessary for the Replacement District Plan. Refer to discussion on minor residential units below.	
	<p>Residential Small Settlement Zone: 14.15.2.1 Permitted Activities P5 Reserves</p>	Reserves are an appropriate activity within a Small Settlement Zone.	<p>Residential Small Settlement Zone: 14.15.2.1 Permitted Activities P5 Reserves</p>
	<p>Residential Small Settlement Zone: 14.15.2.1 Permitted Activities P6 Home Occupation The home occupation shall limit:</p> <ol style="list-style-type: none"> the <u>grossfloorarea</u> of the <u>building</u> plus the area used for <u>outdoorstoragearea</u> occupied by the occupation to less than 40m²; 	Similar standard under the operative District Plan as proposed for the Replacement District Plan. No major change required.	<p>Residential Small Settlement Zone: 14.15.2.1 Permitted Activities P6 Home Occupation The home occupation shall limit:</p> <ol style="list-style-type: none"> the <u>grossfloorarea</u> of the <u>building</u> plus the area used for <u>outdoorstoragearea</u> occupied by the occupation to less than 40m²;

	<ul style="list-style-type: none"> b. the number of <u>FTE</u> employed persons, who reside permanently elsewhere than on the <u>site</u>, to one; c. any <u>retailing</u> to the sale of goods grown or produced on the <u>site</u>, or internet-based sales where no customer visits occur; d. the hours of operation to 50 hours per week; e. the hours of operation when the <u>site</u> is open to visitors, clients, and deliveries to between the hours of: <ul style="list-style-type: none"> i. 0900 – 2100 Monday to Friday; and ii. 0900 – 1300 Saturday, Sunday and public holidays; f. visitor or staff <u>parkingarea</u> to outside the <u>road boundary setback</u>; g. activity, where that activity is: <ul style="list-style-type: none"> i. open to visitors and clients; and ii. in a multiple level apartment complex; to the ground floor. 		<ul style="list-style-type: none"> b. the number of <u>FTE</u> employed persons, who reside permanently elsewhere than on the <u>site</u>, to one; c. any <u>retailing</u> to the sale of goods grown or produced on the <u>site</u>, or internet-based sales where no customer visits occur; d. the hours of operation to 50 hours per week; e. the hours of operation when the <u>site</u> is open to visitors, clients, and deliveries to between the hours of: <ul style="list-style-type: none"> i. 0900 – 2100 Monday to Friday; and ii. 0900 – 1300 Saturday, Sunday and public holidays; f. visitor or staff <u>parkingarea</u> to outside the <u>road boundary setback</u>; g. activity, where that activity is: <ul style="list-style-type: none"> i. open to visitors and clients; and ii. in a multiple level apartment complex; to the ground floor.
	<p>Residential Small Settlement Zone: 14.15.2.1 Permitted Activities P7 <u>Pre-schools</u> facility. The facility shall:</p> <ul style="list-style-type: none"> a. only locate on <u>sites</u> with <u>frontage</u> and the primary entrance to a <u>minorarterial</u> or <u>collectorroad</u> where <u>rightturnoffset</u>, either informal or formal is available; b. only occupy a <u>grossfloorarea</u> of <u>building</u> of less than 200m²; c. limit outdoor play areas and facilities to those that comply with the Group 1 acoustic standard for residential zones; d. limit signage to a maximum area of 1m²; e. limit the hours of operation when the <u>site</u> is open to visitors, clients, and deliveries to between the hours of 0700 – 1900; f. only locate on <u>sites</u> where any <u>residentialactivity</u> on an adjoining front <u>site</u>, or front <u>site</u> separated by an <u>access</u>, with <u>frontage</u> to the same <u>road</u>, is left with at least one residential neighbour. That neighbour shall be on an adjoining front <u>site</u>, or front <u>site</u> separated by an <u>access</u>, and have <u>frontage</u> to the same <u>road</u>; g. only locate on residential blocks where there are no more than two non-<u>residentialactivities</u> already within that block; h. be able to provide a legal on-site treatment and disposal system; or i. be serviced by the Council's wastewater system whilst still ensuring there is adequate capacity within the Council's wastewater system to service the existing zoned land. 	<p>A pre-school facility is an acceptable and expected activity that locates within a residential area, including a small settlement area, subject to ensuring there are standards included to control the effects of pre-schools on the local environment and residents.</p>	<p>Residential Small Settlement Zone: Restricted discretionary activity status subject to matters of discretion relating to the scale of the activity, non-residential hours of operation, traffic generation, and hillside development and small settlement development, and ensuring it is able to be serviced by the Council's wastewater system whilst still ensuring there is adequate capacity within the Council's wastewater system to service the existing zoned land.</p>
	<p>Residential Small Settlement Zone: 14.15.2.1 Permitted Activities P8 <u>VeterinaryCareFacility</u>. The facility shall:</p> <ul style="list-style-type: none"> a. only locate on <u>sites</u> with <u>frontage</u> and the primary entrance to a <u>minorarterial</u> or <u>collectorroad</u> where <u>rightturnoffset</u>, either informal or formal is available; 	<p>It appears that it may have been the intention of the operative district plan to provide for veterinaries under the definition of health care services (as a discretionary activity). However the operative plan only includes a definition of "health care facilities". Nonetheless, it is considered that a veterinary is an appropriate</p>	<p>Residential Small Settlement Zone: Restricted discretionary activity status subject to matters of discretion relating to the scale of the activity, non-residential hours of operation, traffic generation, and hillside development and small settlement development, and ensuring it is able to be serviced by the Council's wastewater system whilst still ensuring</p>

	<ul style="list-style-type: none"> b. only occupy a <u>grossfloorarea</u> of <u>building</u> of less than 200m²; c. limit signage to a maximum area of 1m²; d. limit the hours of operation when the <u>site</u> is open to patients, or clients, and deliveries to between the hours of 0700 – 2000; e. only locate on <u>sites</u> where any <u>residentialactivity</u> on an adjoining front <u>site</u>, or front <u>site</u> separated by an <u>access</u>, with <u>frontage</u> to the same <u>road</u>, is left with at least one residential neighbour. That neighbour shall be on an adjoining front <u>site</u>, or front <u>site</u> separated by an <u>access</u>, and have <u>frontage</u> to the same <u>road</u>; f. only locate on residential blocks where there are no more than two non-<u>residentialactivities</u> already within that block; g. limit the boarding of animals on the <u>site</u> to four; and h. be able to provide a legal on-site treatment and disposal system; or i. be serviced by the Council's wasterwater system whilst still ensuring there is adequate capacity within the Council's wastewater system to service the existing zoned land. 	<p>activity to establish within a residential area provided standards are included to control potential adverse effects.</p>	<p>there is adequate capacity within the Council's wastewater system to service the existing zoned land.</p>
	<p>Residential Small Settlement Zone: 14.15.2.1 Permitted Activities P9 <u>Educationactivity</u>.</p> <p>The activity shall:</p> <ul style="list-style-type: none"> a. only locate on <u>sites</u> with <u>frontage</u> and the primary entrance to a <u>minorarterial</u> or <u>collectorroad</u> where <u>rightturnoffset</u>, either informal or formal is available; b. only occupy a <u>grossfloorarea</u> of <u>building</u> of less than 200m²; c. limit signage to a maximum area of 1m²; d. limit the hours of operation when the <u>site</u> is open to students, or clients, and deliveries to between the hours of: <ul style="list-style-type: none"> i. 0700 – 1900 Monday to Saturday; and ii. Closed Sunday and public holidays; e. only locate on <u>sites</u> where any <u>residentialactivity</u> on an adjoining front <u>site</u>, or front <u>site</u> separated by an <u>access</u>, with <u>frontage</u> to the same <u>road</u>, is left with at least one residential neighbour. That neighbour shall be on an adjoining front <u>site</u>, or front <u>site</u> separated by an <u>access</u>, and have <u>frontage</u> to the same <u>road</u>; f. only locate on residential blocks where there are no more than two non-<u>residentialactivities</u> already within that block; ; and g. be able to provide a legal on-site treatment and disposal system; or h. be serviced by the Council's wasterwater system whilst still ensuring there is adequate capacity within the Council's wastewater system to service the existing zoned land. <p>Note: See Figure 1.</p>	<p>Education activity is an acceptable and expected activity that locates within a residential area, including a small settlement area, subject to ensuring there are standards included to control the effects of an education facility (public or private) on the local environment and residents,</p>	<p>Residential Small Settlement Zone: Restricted discretionary activity status subject to matters of discretion relating to the scale of the activity, non-residential hours of operation, traffic generation, and hillside development and small settlement development, and ensuring it is able to be serviced by the Council's wasterwater system whilst still ensuring there is adequate capacity within the Council's wastewater system to service the existing zoned land.</p>
	<p>Residential Small Settlement Zone: 14.15.2.1 Permitted Activities P10 Temporary military or emergency service training activities.</p>	<p>Whilst there is unlikely to be a high requirement to provide for these temporary activities, they are a very important community service. It is considered that as any potential effects of their activities will be temporary, on balance they</p>	<p>Residential Small Settlement Zone: 14.15.2.1 Permitted Activities P10 Temporary military or emergency service training activities.</p>

		should be provided for in a small settlement zone to promote community resilience.	
	Residential Small Settlement Zone: 14.15.2.1 Permitted Activities P11 Storage of <u>heavyvehicles</u> . a. No more than one vehicle shall be stored on the <u>site</u>	The definition of a heavy vehicle is proposed to mean (refer to Phase 1 proposed definitions): <i>"means a motor vehicle (other than a motor car that is not used, kept or available for the carriage of passengers for hire or reward), the gross laden weight of which exceeds 3,500kg, but does not include a traction engine or a vehicle designed solely or principally for the use of fire brigades in attendance at fires (refer Heavy Motor Vehicle Regulations 1974)."</i> The inclusion of this rule will allow for residents to store work or recreational vehicle that exceeds 3,500kg examples being a commercial delivery truck and large motorhome/bus.	Residential Small Settlement Zone: 14.15.2.1 Permitted Activities P11 Storage of <u>heavyvehicles</u> . a. No more than one vehicle shall be stored on the <u>site</u>
	Residential Small Settlement Zone: 14.15.2.1 Permitted Activities P12 Dismantling, repair, or storage of motor vehicles and boats. a. The vehicles and/or boats shall be owned by people who live on the same <u>site</u> .	This activity is considered acceptable and appropriate activity associated with residential use of a site.	Residential Small Settlement Zone: 14.15.2.1 Permitted Activities P12 Dismantling, repair, or storage of motor vehicles and boats. a. The vehicles and/or boats shall be owned by people who live on the same <u>site</u> .
	Residential Small Settlement Zone: 14.15.2.1 Permitted Activities P13 Temporary lifting or moving of earthquake damaged <u>buildings</u> where there is non compliance with one or more of: Built form standards relating to building height, site coverage, minimum building setback and daylight recession planes (refer to provisions ...14.x.x.x. a. <u>Buildings</u> shall not be: i. moved to within 1m of an internal <u>boundary</u> and/or within 3m of any waterbody, scheduled tree, listed heritage item, natural resources and Council owned structure, archaeological <u>site</u> , or the coastal marine area; and ii. lifted to a <u>height</u> exceeding 2.5m above the applicable recession plane or <u>height</u> control. b. The <u>building</u> must be lowered back or moved back to its original position, or a position compliant with the <u>District Plan</u> or consistent with a resource consent, within eight weeks of the lifting or moving works having first commenced. c. In all cases of a <u>building</u> being moved or lifted, the owners/occupiers of land adjoining the <u>sites</u> shall be informed of the work at least seven days prior to the lift or move of the <u>building</u> occurring. The information provided shall include details of a contact person, details of the lift or move, and the duration of the lift or move.	Providing for the temporary lifting or moving of earthquake damaged homes is considered to be a critical activity to aid recovery from the recent and/or future potential earthquakes.	Residential Small Settlement Zone: 14.15.2.1 Permitted Activities P13 Temporary lifting or moving of earthquake damaged <u>buildings</u> where there is non compliance with one or more of: Built form standards relating to building height, site coverage, minimum building setback and daylight recession planes (refer to provisions ...14.x.x.x. a. <u>Buildings</u> shall not be: i. moved to within 1m of an internal <u>boundary</u> and/or within 3m of any waterbody, scheduled tree, listed heritage item, natural resources and Council owned structure, archaeological <u>site</u> , or the coastal marine area; and ii. lifted to a <u>height</u> exceeding 2.5m above the applicable recession plane or <u>height</u> control. b. The <u>building</u> must be lowered back or moved back to its original position, or a position compliant with the <u>DistrictPlan</u> or consistent with a resource consent, within eight weeks of the lifting or moving works having first commenced. c. In all cases of a <u>building</u> being moved or lifted, the owners/occupiers of land adjoining the <u>sites</u>

	d. The <u>Council</u> shall be notified of the lifting or moving the <u>building</u> at least seven days prior to the lift or move of the <u>building</u> occurring. The notification must include details of the lift or move, property address, contact details and intended start date.		shall be informed of the work at least seven days prior to the lift or move of the <u>building</u> occurring. The information provided shall include details of a contact person, details of the lift or move, and the duration of the lift or move. d. The <u>Council</u> shall be notified of the lifting or moving the <u>building</u> at least seven days prior to the lift or move of the <u>building</u> occurring. The notification must include details of the lift or move, property address, contact details and intended start date.
Living Rural Settlement Zone (Spencerville) Living Rural Village Zone (Kainga and Riverlea Estates)	Proposed Restricted Discretionary Activities – Small Settlement Zone – Banks Peninsula		Proposed Restricted Discretionary Activities – Small Settlement Zone – Banks Peninsula
	Residential Small Settlement Zone 14.15.2.2 Controlled Activities There are no controlled activities		Residential Small Settlement Zone 14.15.2.2 Controlled Activities There are no controlled activities
	Residential Small Settlement Zone 14.15.2.3 Restricted Discretionary Activities: RD1 Residential units (including any <u>sleep-outs</u>) containing more than 6 bedrooms in total.	There is no difference between the standard nor status of the activity between the operative plan and what is considered appropriate for a residential zone under the Replacement District Plan.	Residential Small Settlement Zone 14.15.2.3 Restricted Discretionary Activities: RD1 Residential units (including any <u>sleep-outs</u>) containing more than 6 bedrooms in total.
	Residential Small Settlement Zone 14.15.2.3 Restricted Discretionary Activities: RD2 Retirement villages The retirement village shall be able to: a. to provide a legal on-site treatment and disposal system; or b. be serviced by the Council's wastewater system whilst still ensuring there is adequate capacity within the Council's wastewater system to service the existing zoned land.	Retirement villages are considered to be an appropriate and needed activity within small settlement areas to address housing needs for an ageing population. As a restricted discretionary activity the scale a built form of retirement villages can be managed so not to give rise to adverse effects.	Residential Small Settlement Zone 14.15.2.3 Restricted Discretionary Activities: RD2 Retirement villages The retirement village shall be able to: a. to provide a legal on-site treatment and disposal system; or b. be serviced by the Council's wastewater system whilst still ensuring there is adequate capacity within the Council's wastewater system to service the existing zoned land.
	Residential Small Settlement Zone 14.15.2.3 Restricted Discretionary Activities: RD3 Relocation of a building	As a general principal there are no controlled activities under the Replacement District Plan.	Residential Small Settlement Zone 14.15.2.3 Restricted Discretionary Activities: RD3 Relocation of a building
	Residential Small Settlement Zone 14.15.2.3 Restricted Discretionary Activities: RD4 Temporary lifting or moving of earthquake damaged <u>buildings</u> that does not meet the standards in Permitted activity P13	May be applicable in this area and of assistance to earthquake damaged homes.	Residential Small Settlement Zone 14.15.2.3 Restricted Discretionary Activities: RD4 Temporary lifting or moving of earthquake damaged <u>buildings</u> that does not meet the standards in Permitted activity P13
	Residential Small Settlement Zone 14.15.2.3 Restricted Discretionary Activities: RD5 Non compliance with one or more of the following Rules: 14. xxx building setbacks from road boundaries , Rules 14. xxxLife stage inclusive and adaptive design for new residential units. Any application arising from non compliance with this rule will not require written approvals and shall not be publicly or limited notified.	There is no major change proposed in the status of activities where they do not comply with a built form standard. Compliance/non-compliance with the proposed Built Form 'Life-stage' standard is discussed below.	Residential Small Settlement Zone 14.15.2.3 Restricted Discretionary Activities: RD5 Non compliance with one or more of the following Rules: 14. xxx building setbacks from road boundaries , Rules 14. xxxLife stage inclusive and adaptive design for new residential units. Any application arising from non compliance with this rule will not require written approvals and shall not be publicly or limited notified.
	Residential Small Settlement Zone 14.15.2.3 Restricted Discretionary Activities: RD6 Non compliance with one or more of the following Rules: 14. xxx site density, 14. xxx building height , 14. xxx site	There is not major change proposed in the status of activities where they do not comply with a built form standard.	Residential Small Settlement Zone 14.15.2.3 Restricted Discretionary Activities: RD6 Non compliance with one or more of the following

	coverage, 14. xxx minimum building setback from side and rear internal boundaries, 14. xxx daylight recession planes.		Rules: 14. xxx site density, 14. xxx building height , 14. xxx site coverage, 14. xxx minimum building setback from side and rear internal boundaries, 14. xxx daylight recession planes.
	Residential Small Settlement Zone 14.15.2.3 Restricted Discretionary Activities: RD7 Non compliance with Rule 14. xxx Water Supply for fire fighting.	Compliance/non-compliance with the proposed Built Form 'Water supply for fire fighting' standard is discussed below.	Residential Small Settlement Zone 14.15.2.3 Restricted Discretionary Activities: RD7 Non compliance with Rule 14. xxx Water Supply for fire fighting.
	Residential Banks Peninsula Zone: 14.15.2.3 Restricted Discretionary Activities RD8 Non compliance with the permitted activity standards in 14.XX P5 Home Occupation , P6 Preschool facility,P7 Veterinary Care Facility, P8 Education activity Matter of discretion are in relation to: a. 14.9.14 Scale of activity b. 14.9.15 Traffic generation access and safety c. 14.9.16 Non residential hours of operation d. 14.9.6 Urban design and Maori Urban Design Principles except that d does not apply to non compliance with the permitted activity standard 14.XX Home occupation.	Should there be a non-compliance in relation to the activity standards for home occupations, preschools, veterinary and education activities, it is considered appropriate that the matters on which the activity standards manage, are addressed. The primary matters of concern relate to the scale of the activity, traffic generation and hours of operation.	Residential Banks Peninsula Zone: 14.15.2.3 Restricted Discretionary Activities RD8 Non compliance with the permitted activity standards in 14.XX P5 Home Occupation , P6 Preschool facility,P7 Veterinary Care Facility, P8 Education activity Matter of discretion are in relation to: a. 14.9.14 Scale of activity b. 14.9.15 Traffic generation access and safety c. 14.9.16 Non residential hours of operation d. 14.9.6 Urban design and Maori Urban Design Principles except that d does not apply to non compliance with the permitted activity standard 14.XX Home occupation.
	Residential Banks Peninsula Zone: 14.15.2.3 Restricted Discretionary Activities RD9 The erection of buildings on sites within the Takamatua Comprehensive Development Area or the Robinsons Bay Comprehensive Development Area. The Councils discretion shall be limited to the following matters: 14.9.6 Urban deign and Maori urban design principles - refer to Residential Chapter 14, Matters of Discretion 14.9.6 and insert the following additional matters: Scale: City context and character "The development design..." e. aligns with natural land contours and utilises natural elements within a site such as natural building platforms, topography, ridges or terraces and/or vegetation to assist in integrating new development into the environment so that the natural vegetation patterns and legibility of the landscape is maintained. Scale: Built form and amenity of the site f. in residential small settlement, bach, hills and large lot zones uses exterior building tones and low reflective materials to ensure the development complements the rural and natural character elements of the local and	As a general principle there is to be no controlled activities under the Replacement District Plan. If it is deemed that regulatory control is required then the matter (and effects being managed) must be at a level of importance that Council may be able to decline and application (that is not possible as a controlled activity) and/or impose conditions. Resource consent is required whether an activity is controlled or a restricted discretionary activity. As such changing the in status from controlled to restricted discretionary is not considered to result in any significant additional cost to the applicant. The subject areas in Takamatua and Robinsons Bay were assessed as being within sensitive environments that required careful management of the subdivision and building design. The conditions imposed however, in particular the matters set out under Appendix XVII of the operative District Plan, are considered to be very extensive and overly detailed. Under Stage 1 of the Replacement District Plan a number of activities are proposed to be restricted discretionary activities subject to urban design and Maori urban design principles (refer to Residential Chapter 14, Matters of Discretion 14.9.6). These matters are broader than those currently required to be considered under the	Residential Banks Peninsula Zone: 14.15.2.3 Restricted Discretionary Activities RD9 The erection of buildings on sites within the Takamatua Comprehensive Development Area or the Robinsons Bay Comprehensive Development Area. The Councils discretion shall be limited to the following matters: 14.9.6 Urban deign and Maori urban design principles - refer to Residential Chapter 14, Matters of Discretion 14.9.6 and insert the following additional matters: Scale: City context and character "The development design..." e. aligns with natural land contours and utilises natural elements within a site such as natural building platforms, topography, ridges or terraces and/or vegetation to assist in integrating new development into the environment so that the natural vegetation patterns and legibility of the landscape is maintained. Scale: Built form and amenity of the site f. in residential small settlement, bach, hills and large lot zones uses exterior building tones

	<p>surrounding area.</p> <p>g. in residential small settlement, bach, hills and large lot zones maximises the area for planting to:</p> <p>i. integrate buildings into the surrounding landscape and reduce their visual impact</p> <p>ii. provides sufficient room for plants in particular trees to mature and to avoid shading of buildings, access and roads.</p>	<p>operative plan, however when considered in the context of the Takamatua and Robinsons Bay surrounding environments, could potentially achieve the same or similar outcome sought for the area. Some additional matters are however considered to be necessary to ensure the Banks Peninsula sensitive coastal and rural environments are comprehensively assessed and conditions imposed on resource consent applications to ensure desired outcomes and policies are achieved.</p>	<p>and low reflective materials to ensure the development complements the rural and natural character elements of the local and surrounding area.</p> <p>g. in residential small settlement, bach, hills and large lot zones maximises the area for planting to:</p> <p>i. integrate buildings into the surrounding landscape and reduce their visual impact</p> <p>ii. provides sufficient room for plants in particular trees to mature and to avoid shading of buildings, access and roads.</p>
	Proposed Discretionary Activities for the Small Settlement Zone – Banks Peninsula		Proposed Discretionary Activities for the Small Settlement Zone – Banks Peninsula
	<p>Residential Small Settlement Zone:</p> <p>14.15.2.4 Discretionary Activities</p> <p>D1 Care of non- resident children within a residential unit, storage of heavy vehicles, camping grounds, show homes, and dismantling, repair or storage of motor vehicles and/or boats where it does not meet one or more of the permitted activity standards in Rule 14.XXX</p>		<p>Residential Small Settlement Zone:</p> <p>14.15.2.4 Discretionary Activities</p> <p>D1 Care of non- resident children within a residential unit, storage of heavy vehicles, camping grounds, show homes, and dismantling, repair or storage of motor vehicles and/or boats where it does not meet one or more of the permitted activity standards in Rule 14.XXX</p>
	<p>Residential Small Settlement Zone:</p> <p>14.15.2.4 Discretionary Activities</p> <p>D2 Place of assembly</p>	<p>There is no major difference between the standard nor status of the activity between the operative plan and what is considered appropriate for a residential zone under the Replacement District Plan.</p> <p>The activity and built form standards that were associated with the discretionary activity rule under the operative District Plan are not considered to be necessary. Discretionary activity status provides the Council with sufficient ability to consider an array of matters and actual and potential effects on the environment, including the proposed objectives and policies which adequately set out the desired outcomes and environmental standards to be met for the Small Settlement Zone.</p>	<p>Residential Small Settlement Zone:</p> <p>14.15.2.4 Discretionary Activities</p> <p>D2 Place of assembly</p>
	<p>Residential Small Settlement Zone:</p> <p>14.15.2.4 Discretionary Activities</p> <p>D3 Healthcarefacility</p>	<p>There is no major difference between the standard nor status of the activity between the operative plan and what is considered appropriate for a residential zone under the Replacement District Plan.</p> <p>The activity and built form standards that were associated with the discretionary activity rule under the operative District Plan are not considered to be necessary. Discretionary activity status provides the Council with sufficient ability to consider an array of matters and actual and</p>	<p>Residential Small Settlement Zone:</p> <p>14.15.2.4 Discretionary Activities</p> <p>D3 Healthcarefacility</p>

		potential effects on the environment, including the proposed objectives and policies which adequately set out the desired outcomes and environmental standards to be met for the Small Settlement Zone.	
	Residential Small Settlement Zone: 14.15.2.4 Discretionary Activities D4 Retail activity involving a gross floor area of 50m2 or less.	<p>There is no major difference between the standard nor status of the activity between the operative plan and what is considered appropriate for a residential zone under the Replacement District Plan.</p> <p>The activity and built form standards that were associated with the discretionary activity rule under the operative District Plan are not considered to be necessary. Discretionary activity status provides the Council with sufficient ability to consider an array of matters and actual and potential effects on the environment, including the proposed objectives and policies which adequately set out the desired outcomes and environmental standards to be met for the Small Settlement Zone.</p>	Residential Small Settlement Zone: 14.15.2.4 Discretionary Activities D4 Retail activity involving a gross floor area of 50m2 or less.
	Residential Small Settlement Zone: 14.15.2.4 Discretionary Activities D5 Emergency service facilities.	<p>There is no major difference between the standard nor status of the activity between the operative plan and what is considered appropriate for a residential zone under the Replacement District Plan.</p> <p>The activity and built form standards that were associated with the discretionary activity rule under the operative District Plan are not considered to be necessary. Discretionary activity status provides the Council with sufficient ability to consider an array of matters and actual and potential effects on the environment, including the proposed objectives and policies which adequately set out the desired outcomes and environmental standards to be met for the Small Settlement Zone.</p>	Residential Small Settlement Zone: 14.15.2.4 Discretionary Activities D5 Emergency service facilities.
	Residential Small Settlement Zone: 14.15.2.4 Discretionary Activities D6 Guest Accommodation	The activity and built form standards that were associated with the discretionary activity rule under the operative District Plan are not considered to be necessary. Discretionary activity status provides the Council with sufficient ability to consider an array of matters and actual and potential effects on the environment, including the proposed objectives and policies which adequately set out the desired outcomes and environmental standards to be met for the Small Settlement Zone.	Residential Small Settlement Zone: 14.15.2.4 Discretionary Activities D6 Guest Accommodation

	Proposed Non-complying activities for the Small Settlement Zone		Proposed Non-complying activities for the Small Settlement Zone
	Residential Small Settlement Zone 14.15.2.5 Non-complying Activities NC1 Where properties adjoin the foreshore road between Governors Bay Jetty and Church Lane and also join another legal road, any vehicle access from the foreshore road is a non-complying activity.	No known issue with this rule thus is carried over into the Replacement District Plan.	Residential Small Settlement Zone 14.15.2.5 Non-complying Activities NC1 Where properties adjoin the foreshore road between Governors Bay Jetty and Church Lane and also join another legal road, any vehicle access from the foreshore road is a non-complying activity.
	Residential Small Settlement Zone 14.15.2.5 Non-complying Activities NC2 Any activity not provided as a permitted, controlled, restricted discretionary, discretionary or prohibited activity.	There is not major change proposed in the status of activities where they do not comply with a discretionary activity.	Residential Small Settlement Zone 14.15.2.5 Non-complying Activities NC2 Any activity not provided as a permitted, controlled, restricted discretionary, discretionary or prohibited activity.
	As above	There is no major change proposed in the status of activities where they do not comply with a permitted, controlled, restricted discretionary, discretionary or prohibited activity.	As above
	Residential Small Settlement Zone 14.15.2.5 Non-complying Activities NC3 Any activity that does not comply with the following Activity specific standards for permitted and restricted discretionary activities is a non-complying activity: e. 14.15.2.1 P2 Minor residential unit clauses e and f f. 14.15.2.1 P7 Preschool facility clauses h and i. g. 14.15.2.1 P8 Veterinary Care Facility clauses h and i. h. 14.15.2.1 P9 Education activity clauses g and h.	A proposed development could not be readily supported if it is not able to provide a legal system nor is able to be connected to Councils reticulated system whilst still ensuring there is sufficient capacity for other permitted activities in the zone. A proposal in this circumstance will need to be considered against the District Plans objectives and policies regarding servicing and should appropriately be considered as a non-complying activity.	Residential Small Settlement Zone 14.15.2.5 Non-complying Activities NC3 Any activity that does not comply with the following Activity specific standards for permitted and restricted discretionary activities is a non-complying activity: i. 14.15.2.1 P2 Minor residential unit clauses e and f j. 14.15.2.1 P7 Preschool facility clauses h and i. k. 14.15.2.1 P8 Veterinary Care Facility clauses h and i. l. 14.15.2.1 P9 Education activity clauses g and h.
Living Rural Settlement Zone (Spencerville) Living Rural Village Zone (Kainga and Riverlea Estates)	Residential Small Settlement Zone – Banks Peninsula 14.15.3 Built Form standards Residential Suburban Zone 14.2.3 Built Form Standards		14.15.3 Built Form standards
	Residential Small Settlement Zone – Banks Peninsula 14.15.3 Built Form standards 14.15.3.1 Residential Building Platforms Any residential unit located on a site created by subdivision occurring after the operative District Plan date shall be located on an identified building platform identified on an approved plan of subdivision.	This rule is more necessary on hillside areas which applies to most of the Banks Peninsula Small settlement areas. Its purpose is to achieve a number of policies and objectives relating to high quality residential environments, maintaining character, views and ensuring new development is sympathetic to the surrounding landscape. As this is less of an issue to land development on the flat plains, it has not been applied to the Kainga and Spencerville areas.	14.15.3.1 Residential Building Platforms 1. Any residential unit located on a site created by subdivision occurring after the operative District Plan date shall be located on an identified building platform identified on an approved plan of subdivision. 2. The identification of residential building platforms is not required in the Kainga Overlay Area 1 and 2 and the Spencerville Overlay Area.
Operative City Plan Development standard 2.2.1 Site density Each residential unit shall be contained within its own separate site with a minimum net area as follows:	Residential Small Settlement Zone – Banks Peninsula 14.15.3 Built Form standards 14.15.3.2 Site density Each residential unit shall be contained within its own separate site. The site shall have a minimum net site area as follows: Area/location:	The minimum site size requirement for Spencerville is the same as for Banks Peninsula Areas. There is a lesser requirement for minimum site size for Kainga and Riverlea Estates (located in	14.15.3.2 Site density Each residential unit shall be contained within its own separate site. The site shall have a minimum net site area as follows: Area/location: 1. Residential Small Settlement Zone: Standard

<p>Living RS Zone - 1000m², except for sites existing at date of public notification</p> <p>Living RV Zone:</p> <ul style="list-style-type: none"> - Kainga – 600m² - Riverlea Estates - 300m² for existing residential units at date of public notification or 500m² for residential units erected after date of public notification <p>except that</p> <p>(a) for each residential unit on any fee simple title, or vacant parts of a fee simple title where there is/are existing cross-lease(s), or company leases over other parts of such titles, or for proposed units on a unit development plan, where the creation of such sites had obtained subdivision consent before the date of the notification of the District Plan (24 June 1995) or any fee simple title, cross lease, company lease or unit title which had its certificate of title issued before the date of the notification of the District Plan there shall be no minimum net area, provided that all other applicable critical standards in Clause 2.4 are complied with (refer also to subdivision rules in Part 14 for further cross-leases which require subdivision consent);</p> <p>(b) on any fee simple title, or vacant parts of a fee simple title where there is/are existing cross-lease(s) or company leases over other parts of such titles, or for proposed units on a unit development plan, where the creation of such sites had obtained subdivision consent after the date of the notification of the District Plan (24 June 1995) and before the date of the release of decisions on the District Plan (8 May 1999) or any fee simple title, cross lease, company lease or unit title which had its certificate of title issued between these dates, each residential unit shall be contained within its own separate site with a minimum net area as follows:</p> <p>Living RS Zone - 970m² except for sites existing at date of public notification</p> <p>Living RV Zone:</p> <ul style="list-style-type: none"> - Kainga - 570m² <p>Riverlea Estates:</p> <p>270m² for existing residential units at date of public notification</p> <p>470m² for residential units erected after date of public notification</p> <p>(c) in respect of the minimum site density for sites within the Living RS Zone (other than those existing at the date of public notification) and notwithstanding the definition of "site" in Volume 3, Part 1, "own separate site" means a physically contiguous area of land shown on a site plan with</p>	<p>1. Residential Small Settlement Zone: Standard 1000m²</p> <p>2. Residential Small Settlement Zone on allotments created before October 2014 and less than 1000m² in area: Standard: 600m².</p>	<p>Kainga). The site density rules for the Living Rural Village zone are complex and difficult to understand and apply in practise. The main basis for the rules is to provide for smaller section sizes that is compatible with the historic pattern of subdivision and which is able to be serviced by Councils reticulated system. The Riverlea Estate development has also been fully subdivided in accordance with the development plan contained in Living Zones section, Appendix 2 of the operative City Plan.</p> <p>There is very limited subdivision and land development potential left in Kainga at this stage due to wastewater infrastructure constraints. The majority of existing residential units that are located in Riverlea Estates and the wider Kainga area, are located within existing allotments greater than 300m² and 500m² in area. To maintain the overall site density and characteristics of the local area and taking into consideration infrastructure constraints, and to simplify the Replacement District Plan, it is proposed that a minimum site size be applied across all land located within the Living Rural Village Zone (i.e. existing Kainga area and Riverlea Estates). However the minimum site area requirement for the existing Kainga area has been reduced to potentially provide for some additional new housing potential on larger sized allotments (i.e. greater than 1000m²).</p>	<p>1000m²</p> <p>2. Residential Small Settlement Zone</p> <ul style="list-style-type: none"> a. Allotments created before October 2014 and less than 1000m² in area; and b. Within the Kainga Density Overlay Area 1 and 2 : Standard: 500m².
---	--	--	--

<p>defined boundaries, whether legally or otherwise defined boundaries, and includes:</p> <ul style="list-style-type: none"> • a single legally defined parcel of land that is held in a single certificate of title or for which a single certificate of title could be issued without further consent of the Council; or • a group of physically contiguous legally defined parcels of land that are held in a single certificate of title or for which a single certificate of title could be issued without further consent of the Council. 			
<p><i>Living RV Zone Critical standard</i> <i>2.4.2 Settlement size and scale - residential activities</i> (a) In the Living RV zone at Riverlea Estates, the maximum number of residential units shall be one per existing "lot" as identified in Appendix 2; except that additional residential units may be erected where appropriate legal arrangements have been made to ensure that an existing residential unit, in the area known as Western Stewarts Gully and zoned Rural 1, will be demolished and the land returned to the owner on or before the completion of the residential unit in the Living RV Zone.</p>		<p>This rule is no longer required as the area has been subdivided in accordance with the plan contained in Appendix 2.</p>	
<p>Operative City Plan <i>Development standard 2.2.3 Building height - residential and other activities</i> Living 1 & RS Zones - 8m Living RV Zone: - - Kainga – 8m, Riverlea Estates – 5m</p>	<p>Residential Small Settlement Zone – Banks Peninsula 14.15.3 Built Form standards 14.15.3.3 Building height</p> <ol style="list-style-type: none"> 1. The maximum <u>height</u> of any <u>building</u> shall be seven metres. 2. The maximum <u>height</u> of any <u>accessorybuildings</u> shall be 4.5 metres. <p>Note: See the permitted height exceptions contained within the definition of <u>height</u>.</p>	<p>The different height limits in the Living Rural Settlement Zone (Spencerville) and Living Rural Village Zone (Kainga) compared to those for Banks Peninsula Small Settlements Zones is still considered to be appropriate. The different height limits are reflective of the differences in topography and historical development trends in the area. To change the management approach to achieve simplification of the Replacement Plan could result in unintended and undesired consequences (i.e. more two storey buildings in a predominantly single storey environment, or an unnecessary limitation on 8m high buildings in an neighbourhood where this is the common built form). Height overlays are however required to distinguish the different height limits for specific areas.</p>	<p>14.15.3.3 Building height</p> <ol style="list-style-type: none"> 1. The maximum <u>height</u> of any <u>building</u> shall be seven metres on land. 2. The maximum <u>height</u> of any <u>accessorybuildings</u> shall be 4.5 metres. 3. The maximum height in the Kainga Overlay Area 1 and Spencerville Overlay Area. Standard: 8m 4. The maximum height in the Kainga Overlay Area 2. Standard: 5m <p>Note: See the permitted height exceptions contained within the definition of <u>height</u>.</p>
<p>Operative City Plan <i>Development standard 2.4.3 Open space - residential and other activities</i> The maximum percentage of the net area of any site covered by buildings shall be: Living RS & RV Zones – Kainga Other activities and residential activities with garage provided 25%, Residential activities without garage provided 25% less 18m² Living RV Zone - Riverlea Estates</p>	<p>Residential Small Settlement Zone – Banks Peninsula 14.15.3 Built Form standards 14.15.3.4 Site coverage</p> <p>The maximum percentage of the <u>netsitearea</u> of any <u>site</u> covered by <u>buildings</u> excluding:</p> <ol style="list-style-type: none"> 1. fences, walls and retaining walls; 2. eaves and roof overhangs up to 600 millimetres in width from the wall of a <u>building</u>; 3. uncovered swimming pools up to 800 millimetres in <u>height</u> above <u>groundlevel</u>; and 	<p>The additional exemptions to this rule that are proposed may go some way to reducing the number of resource consent requirements.</p> <p>The site coverage rule of 25% or 250m² whichever is the lesser is still considered to be appropriate given the minimum site area of 1000m² is also proposed to be provided for, and the need to control building scale to ensure the existing open space character of small settlement areas is not compromised.</p>	<p>14.15.3.4 Site coverage</p> <ol style="list-style-type: none"> 1. The maximum percentage of the <u>netsitearea</u> of any <u>site</u> covered by <u>buildings</u> excluding: <ol style="list-style-type: none"> a. fences, walls and retaining walls; b. eaves and roof overhangs up to 600 millimetres in width from the wall of a <u>building</u>; c. uncovered swimming pools up to 800 millimetres in <u>height</u> above <u>groundlevel</u>; and d. decks, terraces, balconies, porches, verandahs, bay or

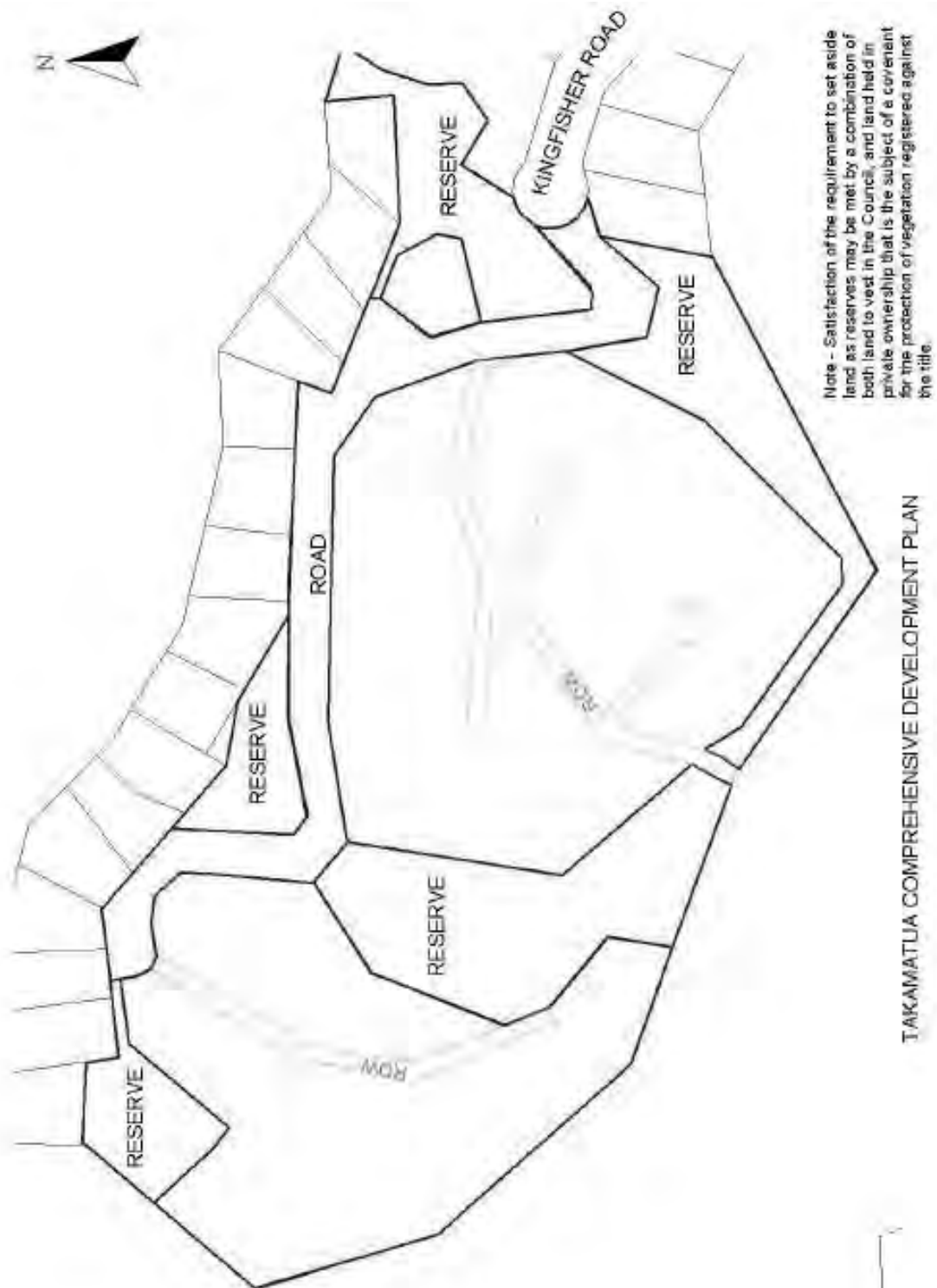
<p>Other activities and residential activities with garage provided 40%, Residential activities without garage provided 40% less 18m²</p> <p>except</p> <p>(a) for nursery and market gardens; and</p> <p>(b) that in the Living 1, 2 and H Zones, for elderly persons housing complexes, the percentage coverage by buildings shall be calculated over the net area of the site of the entire complex, rather than over the net area of the site of any part of the complex.</p>	<p>4. decks, terraces, balconies, porches, verandahs, bay or box windows (supported or cantilevered)</p> <p>which:</p> <p>a. are no more than 800 millimetres above <u>groundlevel</u> and are uncovered or unroofed; or</p> <p>b. where greater than 800 millimetres above <u>groundlevel</u> and/or covered or roofed, are in total no more than 6m² in area for any one <u>site</u>;</p> <p>shall be 25 percent or 250m² whichever is the lesser.</p>	<p>The Riverlea Estates standard of 40% is still considered to be appropriate given the small site size provided for in this part of Kainga.</p> <p>The 18m² exemption for a garage is however not considered necessary</p>	<p>box windows (supported or cantilevered) which:</p> <p>i. are no more than 800 millimetres above <u>groundlevel</u> and are uncovered or unroofed; or</p> <p>ii. where greater than 800 millimetres above <u>ground level</u> and/or covered or roofed, are in total no more than 6m² in area for any one <u>site</u>;</p> <p>shall be 25 percent or 250m² whichever is the lesser; or within the Kainga Overlay Area 2 shall be 40%.</p>
<p>2.2.6 Separation from neighbours - residential and other activities</p> <p>Minimum building setback from internal boundaries shall be 1.8m, except that</p> <p>(a) accessory buildings may be located within 1.8m of internal boundaries where the total length of walls or parts of accessory buildings facing, and located within 1.8m of each internal boundary does not exceed 9m in length;</p> <p>(b) where an internal boundary of a site immediately adjoins an access or part of an access, the minimum building setback (except accessory buildings) from that internal boundary shall be 1m, except for Gwynfa Avenue where the minimum setback from the near side of the Gwynfa Avenue access shall be 4.5m;</p> <p>(c) where buildings on adjoining sites have a common wall along an internal boundary, no set back is required along that part of the boundary covered by such a wall;</p> <p>(d) for residential activities any part of any balcony or any window of a living area at first floor level or above shall not be located within 4m of any internal boundary,</p> <p>(e) for residential activities, where a window of a living area of a residential unit faces an internal boundary, the window shall be set back a minimum of 3m from the internal boundary. Where an internal boundary of a site immediately adjoins an access or part of an access, the setback shall be 1m measured from that internal boundary, except for Gwynfa Avenue where the setback measured from the near side of the Gwynfa Avenue access shall be 4.5m. This shall not apply to a window at an angle of 90° or greater to the boundary;</p> <p>(f) in the Living RV Zone at Riverlea Estates, the minimum distance between buildings used for residential activities shall be 2m;</p>	<p>Residential Small Settlement Zone – Banks Peninsula</p> <p>14.15.3 Built Form standards</p> <p>14.15.3.5 Minimum building setback from side and rear internal boundaries</p> <p>1. The minimum <u>building</u> setback from side and rear internal boundaries shall be:</p> <p>e. Side internal <u>boundaries</u>. - 3m.</p> <p>f. Rear internal <u>boundaries</u>. - 3m</p> <p>2. There shall be no minimum <u>setback</u> from internal <u>boundaries</u> for <u>accessorybuildings</u> where the length of any wall within the <u>setbacks</u> specified in 1. is less than six metres.</p> <p>Residential Suburban Zone</p> <p>14.2.3.7 Minimum building setbacks from internal boundaries</p> <p>The minimum <u>building</u> setback from internal boundaries shall be as follows:</p> <ol style="list-style-type: none"> All <u>buildings</u> not listed in table below. 1.8m <u>Accessorybuildings</u> where the total length of walls or parts of the <u>accessory building</u> within 1.8m of each internal boundary does not exceed 10.1m in length – no setback. Decks and terraces at or below ground floor level – no setback. <u>Buildings</u> that share a common wall along an internal <u>boundary</u> - no setback All other <u>buildings</u> where the internal boundary of the site adjoins an access or part of an <u>access</u> – 1m 	<p>The minimum site size of 1000m² is sufficiently large for a building to easily achieve the 3m setback requirements.</p> <p>However for Spencerville and Kainga a change from a 1.8m setback to 3m setback requirement could potentially have a significant impact on the development potential on existing sites. The rule for the Residential Suburban Zone has been developed for the flat Christchurch Plains and typical Christchurch neighbourhood area. It is therefore considered to be more appropriate that the setback rules for the Residential Suburban Zone apply to Kainga Overlay Area 1 and Spencerville Overlay Area. Riverlea Estates being Kainga Overlay Area 2 under the operative City Plan had a greater setback requirement of 2m However given the minimum site size requirement of 1000m² for Spencerville and as a means to simplify the plan – it is considered a 2m setback can and should be easily achieved in Spencerville.</p>	<p>14.15.3.5 Minimum building setback from side and rear internal boundaries</p> <p>1. The minimum <u>building</u> setback from side and rear internal boundaries shall be:</p> <ol style="list-style-type: none"> Side internal <u>boundaries</u>. - 3m. Side internal boundaries in the Kainga Overlay Areas 1 and 2 and the Spencerville Overlay Area – 2m Rear internal <u>boundaries</u>. - 3m Rear internal boundaries in the Kainga Overlay Areas 1 and 2 and the Spencerville Overlay Area – 2m <p>3. There shall be no minimum <u>setback</u> from internal <u>boundaries</u> for :</p> <ol style="list-style-type: none"> <u>accessorybuildings</u> where the length of any wall within the <u>setbacks</u> specified in 1. is less than six metres Decks and terraces at ground level
<p>Residential Suburban Zone</p> <p>14.2.3.6 Daylight recession planes</p>	<p>Residential Small Settlement Zone – Banks Peninsula</p>	<p>Not appropriate to match recession plane requirements of the rest of the banks peninsula</p>	<p>14.15.3.6 Daylight recession planes</p>

<p>a. Buildings shall not project beyond a building envelope constructed by recession planes, as shown in Appendix 14.10.2 Diagram A, from points 2.3 metres above:</p> <p>i. internal boundaries; or</p> <p>ii. where an internal boundary of a site abuts an access lot or access strip the recession plane may be constructed from points 2.3 metres above the furthest boundary of the access lot or access strip or any combination of these areas; or</p> <p>iii. where buildings on adjoining sites have a common wall along an internal boundary the recession planes shall not apply along that part of the boundary covered by such a wall.</p> <p>Refer to Appendix 14.10.2 for permitted intrusions.</p>	<p>14.15.3.6 Daylight recession planes</p> <p>No part of any building shall project beyond a building envelope contained by a 45 degree recession plane measured at any point 2.0 metres above any adjoining siteboundary, that is not a road boundary.</p>	<p>small settlements and the three zones above.</p> <p>Flat lands have evolved with more refined approach to shading of neighbouring properties. Changing them to the more blunt 45° recession plane of the banks peninsula small settlement zones:</p> <ul style="list-style-type: none"> Will ignore the different amount of shading created depending on orientation (an object shadows its south boundary the most). Will create unnecessary tension between new and existing development as the existing settlement is developed with orientation based recession planes and no significant intensification is anticipated to develop in a new way. Will not necessarily make the rules more or less permissive. Orientation based recession planes are more permissive to the north boundaries (up to 55°) and less permissive to south boundaries (down to 30°) than the blanket 45° option. 	<ol style="list-style-type: none"> No part of any building shall project beyond a building envelope contained by a 45 degree recession plane measured at any point 2.0 metres above any adjoining siteboundary, that is not a road boundary. Within the Kainga Overlay Area 1 and 2 and the Spencerville Overlay Area buildings shall not project beyond a building envelope constructed by recession planes, as shown in Appendix 14.10.2 Diagram A, from points 2.3 metres above: <ol style="list-style-type: none"> internal boundaries; or where an internal boundary of a site abuts an access lot or access strip the recession plane may be constructed from points 2.3 metres above the furthest boundary of the access lot or access strip or any combination of these areas; or where buildings on adjoining sites have a common wall along an internal boundary the recession planes shall not apply along that part of the boundary covered by such a wall. <p>Refer to Appendix 14.10.2 for permitted intrusions.</p>
<p>2.2.5 Street scene - residential and other activities</p> <p>(a) All areas except special amenity areas Minimum building setback from road boundaries shall be 4.5m except that</p> <p>(i) in the Living RV Zone at Riverlea Estates, the minimum building setback shall be 3m from the common boundary of the leased land and the internal road;</p> <p>(ii) where a garage has the vehicle door generally facing a road or shared access the minimum garage setback shall be 5.5m from the road boundary or shared access, or from the internal road boundary in the case of the Living RV Zone at Riverlea Estates;</p> <p>(c) All areas Parking and outdoor storage areas shall be screened from adjoining road(s) by either landscaping, wall(s), fence(s) or a combination, except across those parts of the road boundary used as a vehicle crossing.</p> <p>(i) The minimum height of screening shall be as follows: Residential activities 1.2m Other activities 1.8m</p> <p>(ii) Where the screening is by way of landscaping, the minimum height shall be the minimum height at the time of planting.</p>	<p>Residential Small Settlement – Banks Peninsula</p> <p>14.15.3.7 Building setbacks from road boundaries</p> <p>Minimum building setback from road boundaries shall be as follows: Residential Small Settlement Zone where a garage contains a vehicle entrance way which generally faces a road. - 5m</p> <p>All other buildings in the Residential Banks Peninsula zone. - 4m</p>	<p>The 5m setback requirement is considered to be adequate to maintain an open street environment and encourage landscaping and screening of parking and outdoor areas. It is not considered necessary to regulate the screening of parking and outdoor areas as residents typically do this to maintain privacy and improve on-site amenity and value of their property.</p> <p>In order to merge the Christchurch City Small Settlement areas with the Banks Peninsula Settlement areas and achieve a reduce the complexity of the plan, some compromise is required when setting built form standards. The 5m setback proposed to now apply to the LRV Zone is 0.5m more restrictive than the 4.5m setback permitted under the operative City Plan. However this is only required where a garage door faces a road and the minimum site size is sufficiently large to easily achieve this standard. A preliminary analysis of the existing pattern of building setbacks indicates that for the most part buildings are typically setback 5m where a garage door faces a street (to provide for good useable space in front of the garage to manoeuvre), or 4m when the garage is parallel to the street.</p>	<p>14.15.3.7 Building setbacks from road boundaries</p> <ol style="list-style-type: none"> Minimum building setback from road boundaries shall be as follows: Residential Small Settlement Zone where a garage contains a vehicle entrance way which generally faces a road. - 5m All other buildings in the Residential Banks Peninsula zone. - 4m In the Kainga Overlay Area 2 the minimum building setback shall be 3m from the common boundary of the leased land and the internal road.

(iii) Where screening is by way of landscaping it shall be for a minimum depth of 1.5m along the road frontage(s).		The setback rule for Riverlea estates is still considered necessary to maintain the pattern of built form that has been permitted over the years through the application of the 3m setback requirement.	
	No outdoor amenity space rule proposed.	The minimum site size being 1000m2 is large enough to assume there is sufficient area to provide for outdoor amenity space. The rule is considered unnecessary.	No outdoor amenity space rule proposed.
	<p>14.15.3.8 Life-stage inclusive and adaptive design for new residential units</p> <p>All new <u>residential units</u>, with their primary pedestrian entrance and some <u>habitable space</u> at the ground floor, shall incorporate the following standards or features. <u>Residential unit</u> building projects that have been registered with Lifemark™ for a minimum 3-star rating shall be deemed to have complied with this rule. [Full text of rule not included – refer to attachment A below]</p>	The version of this rule proposed to be used for the Small Settlement Zone is slightly different as has taken into account recommended changes to the rule proposed under Stage 1 of the DPR by submitters.	<p>14.15.3.8 Life-stage inclusive and adaptive design for new residential units</p> <p>All new <u>residential units</u>, with their primary pedestrian entrance and some <u>habitable space</u> at the ground floor, shall incorporate the following standards or features. <u>Residential unit</u> building projects that have been registered with Lifemark™ for a minimum 3-star rating shall be deemed to have complied with this rule. [Full text of rule not included – refer to attachment A below]</p>
	<p>14.15.3.9 Energy and water efficient standards for new residential units</p> <p>All new <u>residential units</u> shall incorporate the following minimum energy and water efficiency standards or features. <u>Residential unit</u> building projects that have been registered with Homestar™ for a minimum 6 Homestar™ rating shall be deemed to have complied with this rule.</p>	The version of this rule proposed to be used for the Small Settlement Zone is slightly different as has taken into account recommended changes to the rule proposed under Stage 1 of the DPR by submitters.	<p>14.15.3.9 Energy and water efficient standards for new residential units</p> <p>All new <u>residential units</u> shall incorporate the following minimum energy and water efficiency standards or features. <u>Residential unit</u> building projects that have been registered with Homestar™ for a minimum 6 Homestar™ rating shall be deemed to have complied with this rule.</p>
	<p>14.15.3.10 Water supply for fire fighting</p> <p>1. Provision shall be made for sufficient water supply and access to water supplies for fire fighting consistent with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice (SNZ PAS: 4509:2008), whereby:</p> <ol style="list-style-type: none"> a. All <u>residential units</u> must be connected to the <u>Council's</u> urban reticulated system that provides sufficient fire fighting water supply; or b. Where a reticulated water supply compliant with SNZ PAS:4509:2008 is not available to serve the <u>residential unit</u>, or the only supply available is the controlled restricted rural type water supply which is not compliant with SNZ PAS:4509:2008 water supply and access to water supplies for fire fighting that is in compliance with the rule 2. below must be provided. <p>2. Each <u>residential unit</u> shall have a sprinkler system <u>installed</u> (to an improved standard in accordance with SNZ PAS:4509:2008) in the <u>building</u> plumbed to ensure 7000 litres of water is always available to the sprinkler system</p>	Standard included at the request of the New Zealand Fire Service.	<p>14.15.3.10 Water supply for fire fighting</p> <p>1. Provision shall be made for sufficient water supply and access to water supplies for fire fighting consistent with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice (SNZ PAS: 4509:2008), whereby:</p> <ol style="list-style-type: none"> a. All <u>residential units</u> must be connected to the <u>Council's</u> urban reticulated system that provides sufficient fire fighting water supply; or b. Where a reticulated water supply compliant with SNZ PAS:4509:2008 is not available to serve the <u>residential unit</u>, or the only supply available is the controlled restricted rural type water supply which is not compliant with SNZ PAS:4509:2008 water supply and access to water supplies for fire fighting that is in compliance with the rule 2. below must be provided.

	in the event of a fire.		2. Each <u>residential unit</u> shall have a sprinkler system <u>installed</u> (to an improved standard in accordance with SNZ PAS:4509:2008) in the <u>building</u> plumbed to ensure 7000 litres of water is always available to the sprinkler system in the event of a fire.
--	-------------------------	--	---

Appendix X - Takamatua Comprehensive Development Area



Appendix X Robinsons Bay Comprehensive Development Area

