

13. LIVING G (NORTH WEST BELFAST) – FINAL APPROVAL



General Manager responsible:	General Manager Strategy and Planning, DDI 941-8281
Officer responsible:	Programme Manager District Planning
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PURPOSE OF REPORT

1. This report seeks the Council’s approval to make operative the changes to the City Plan introduced by decisions of the Environment Court on appeals against the Council’s zoning of land at Belfast.

EXECUTIVE SUMMARY

2. In 1999 the Council made a decision on submissions to the proposed district plan by Apple Fields Limited (AFL) who sought a rezoning of 93 hectares of Rural 3 land generally bounded by Main North Road, Johns Road, Groynes Drive and, to the north, an area of land zoned Open Space 2, Rural 3 and Rural 4. A location map is **attached**. The submissions, which sought a change in zoning from Rural 3 to Rural 3 (Horticultural subzone) to provide for more intensive subdivision (minimum lot size of 2 hectares), were rejected by the Council.
3. AFL appealed the decision to the Environment Court. Before the hearing of the appeal an agreement was reached between the Council and AFL whereby the Council would rescind its decision and support a new Rural 3A zoning of the land which would permit subdivision down to two hectares and the erection of one dwelling on each allotment. The Regional Council (CRC), which was a party to the appeal, did not support this proposal. Following a hearing the Court issued a decision in 2002 in which it declined to change the zoning but decided that the real choice for the AFL land should not be between a Rural 3 zoning and a Rural 3A (Rural Intensive) zoning, but between a Rural zoning and a Living zoning. The hearing was adjourned to enable the parties to make submissions to the Court on whether section 293 of the Resource Management Act 1991 should be applied. This section enables the Court to revoke or change any plan provision, if it considers a reasonable case has been made for doing so, and to give interested parties an opportunity to make submissions. After hearing submissions the Court decided that a reasonable case had been made to consider a Living zoning for the land. This decision was appealed to the High Court by CRC but that appeal was dismissed.
4. In April 2008 the Environment Court, following a hearing over 10 days in August 2006 and a further four days in March 2008, issued a decision rezoning the land Living G (North West Belfast) and adjourned the matter for further consideration of an Outline Development Plan and other issues. A series of hearings followed, along with interim decisions, and, on 7 March 2012, the Court issued its tenth and final decision in which it directs the Council to amend the district plan in accordance with more than 100 pages of new text and appendices attached to the decision, a copy of which is attached to this report.
5. As the matter is now beyond challenge the Council can proceed to make the new provisions operative.

FINANCIAL IMPLICATIONS

6. There are no direct financial implications

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

7. The recommendations will not impose on the LTCCP budgets.

13 Cont'd

LEGAL CONSIDERATIONS

8. The recommendations in this report are for the Council to take the procedural step to make operative the changes introduced by the Environment Court in its decision on land that is now zoned Living G (North West Belfast). The Resource Management Act 1991 requires that, following the closing of the appeal period and the resolution of any appeals, the Council must formally approve the changes to the plan under clause 17 of Schedule 1 before provisions become operative on a date that is nominated in a public notice of the Council's approval. The proceedings that were the subject of the appeal have reached the stage where the new provisions can be made operative. Apart from one outstanding minor matter (which is unlikely to be resolved in the foreseeable future) the City Plan is now fully operative.

Have you considered the legal implications of the issue under consideration?

9. Yes.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

10. Aligns with District Plan Activity Management Plan.

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

11. Yes. Supports the preparing, maintaining and reviewing the City Plan level of service.

Do the recommendations align with the Council's strategies?

12. Yes. Supports the Greater Christchurch Urban Development Strategy. The land that is the subject of the recommendation in this report is identified as CN1 in Chapter 12A of the Regional Policy Statement.

CONSULTATION FULFILMENT

13. Approval of changes to the District Plan under clause 17 of Schedule 1 to the Resource Management Act 1991 is a procedural step that does not require consultation.

STAFF RECOMMENDATION

It is recommended that the Council:

- (a) Approve, pursuant to clause 17(2) of the Resource Management Act 1991, the changes to the District Plan introduced by the Environment Court in its decision No [2012] NZEnvC 49.
- (b) Authorise the General Manager, Strategy and Planning to determine the date on which the changes introduced by Environment Court decision No [2012] NZEnvC 49 become operative.

BEFORE THE ENVIRONMENT COURT

Decision No. [2012] NZEnvC 449

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an application under section 293 of the Act

BETWEEN JOHNS ROAD HORTICULTURE LIMITED

(ENV-2006-CHC-136;
ENV-2006-CHC-142)

Appellant

AND CHRISTCHURCH CITY COUNCIL

Respondent

Court: Environment Judge J R Jackson
Environment Commissioner J R Mills
Environment Commissioner A J Sutherland

Hearing: In Chambers at Christchurch
(Final submissions received 29 February 2012)

Date of Decision: 1 March 2012

Date of Issue: 7 March 2012

TENTH (FINAL) DECISION

A: Under section 293 of the First Schedule to the Resource Management Act 1991 the court directs the Christchurch City Council to amend its operative district plan by making the changes as shown in the five documents attached to this decision being:



- Appendix A with tracked changes showing amendments to Volume 2 of the Christchurch City Plan;
- Appendix B showing tracked changes to Volume 3 of the plan;
- Appendix C being an updated version of the Density and Key Infrastructure Plan and associated network plans attached;

provided that:

- (1) they are amended in accordance with two further attached documents:
 - Appendix D : tracked changes to Rules 7.2.20 and 19.4;
 - Appendix E : amendments to Appendix 3r/1 – Densities and Key Infrastructure; and
- (2) any reference to staging of development of the land adjacent to the (old) Devondale Driveway south of the Spine Road crossing is deleted; and
- (3) the provisions regarding protection of the ornamental trees along the driveway (in separate pages at the end of Appendix B) are incorporated into the text of Appendix B.

B: Costs are reserved.

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REASONS

1. Introduction

1.1 The Ninth Decision and outstanding issues

[1] The Environment Court issued its Ninth (Further Interim) Decision : *Johns Road Horticulture Limited v Christchurch City Council*¹ on 1 July 2011 (“the decision”). In that decision the court approved various changes to the Christchurch City Plan, and directed the parties to lodge a draft of the final version with the Registrar. In Order C the court also reserved leave for any party to apply to the court:

- (1) under section 293(2) for a determination of issues or for approvals that the court has overlooked in these Orders, or in the Reasons;
- (2) under section 294 of the Act to amend the Zone Purpose in Volume 3, or any of the policies and/or rules in view of the changes in circumstances arising out of the 4 September 2010, 22 February and 13 June 2011 earthquakes;
- (3) to apply to the court for directions as to submissions and/or evidence if agreement cannot be reached under Order B.

[2] The parties have considered, and conferred on, the court’s directions and have now agreed that with one exception the attached documents reflect those directions. The attachments are:

- Appendix A with tracked changes showing amendments to Volume 2 of the Christchurch City Plan;
- Appendix B showing tracked changes to Volume 3 of the plan²);
- Appendix C being an updated version of the Density and Key Infrastructure Plan and associated network plans attached;
- Appendix D : tracked changes to Rules 7.2.20 and 19.4;
- Appendix E : amendments to Appendix 3r/1 – Densities and Key Infrastructure;
- Appendix F : an alternative to Appendix C differing only in the starting point for the Devondale Driveway setback.

[3] As at the time of lodging the joint memorandum on 20 November 2011 there were two matters the parties sought the court’s direction on:

- (a) the rules managing use and development along the Devondale driveway;
- (c) some issues raised by the New Zealand Transport Agency.

¹ *Johns Road Horticulture Limited v Christchurch City Council* Decision [2011] NZEnvC 185.
² Counsel advise the court in their joint memorandum that the provisions regarding protection of the ornamental trees along the driveway are provided in separate pages at the back of Appendix B but will be incorporated into the text of Appendix B once confirmed.



The parties were agreed that the Devondale issues can be dealt with on the basis of their memorandum to the court of 20 December 2012, that there is no need to reconvene a hearing and that the parties will abide the decision of the court.

[4] As for the NZTA's issues, the court was advised that a memorandum would be lodged in January. In fact, a joint memorandum only arrived on 29 February 2012, announcing that the bypass issues had been resolved by consent.

2. Devondale Driveway setback

2.1 Introducing the issues

[5] The Ninth Decision set out the court's conclusions on the setback requirements for the driveway north of the Spine Road as follows³:

We consider there should be a general policy in the Green network provision (Policy 11.7.2) to protect the amenities of the Devondale Estate's residents. Beneath that, and more specifically, we agree with Mr Rough's suggestions and consider that subdivision of the land which is both either side of the Devondale Drive and north of the spine road should be a limited discretionary activity subject to:

- (1) all the other standard controls proposed for NW Belfast;
- (2) a 15 metre setback to be included in a common ownership strip; and
- (3) with the Council's (limited) discretion also relating to:
 - the design of a fence along the Devondale Drive frontage – if necessary : there is a functional post and wire fence at present;
 - the consistent design of fences on the lots 15 metres back from the Devondale Driveway boundary; and in particular
 - permeable, rather than solid fences to assist in facilitating the visual linking of grassed open space between lots;
 - the selection and placement of key trees and shrubs in the area between the Devondale Drive and the dwellings on Lots 1-5;
 – so as to ensure a "... coherent overall design of high value amenity ...".

[6] The treatment for the driveway setbacks is set out at proposed rule 7.4.6 (page 25 of Appendix B) and proposed rule 19.4 (page 43 of Appendix B).

[7] EIL has raised three issues in relation to the Devondale Driveway:

- (1) where should any setbacks start?
- (2) should it be a building or a site setback?
- (3) should there be a deferred development area south of the spine road?

The Kingscote Estate is also interested in the last issue.

2.2 Should the setback issue be revisited?

[8] The competing positions are shown on the front page of attachments "C" and "F" respectively.

³ Decision [2011] NZEnvC 185 at [176].



[9] The council's interpretation of para [176] of the Ninth Decision is that the court intended the setback to start from the Spine Road (i.e. north of what was the southern spine road, now technically the only spine road). For its part Eminence Investments Limited ("EIL") seeks "clarification" of the issue as to where the setback should start. It refers to the Eighth Interim Decision where the court wrote⁴:

However, all that evidence is predicated on the solution suggested in the Sixth Decision and that in turn depended on the Kingscote land east of the driveway not being developed. In the changed circumstances we judge that there should not be setbacks from Johns Road to the northern most 'spine' road. Then, from that intersection north we consider that, given our decision that on the north side of the Devondale Drive/'Spine' Road intersection development should be low density, the idea of a 30 metre building setback may remain useful ...
[underlining added]

[10] The court then stated in the Ninth Decision⁵:

The circumstances have changed in that there is now, for the reasons we discuss later, a consensus there should be only one crossing of the Devondale Drive and that that should be at the (Southern) Spine Road closer to Johns Road. It follows in our view that the Devondale Estate Drive should be retained from the north as far as the crossing by the Spine Road, and that the amenities of the Driveway should be protected as far as is reasonable for that length.

[11] Counsel for EIL alleges that the start point for the setback affects the ability for EIL to economically develop that land. EIL considers it is unnecessary and unreasonable for such a requirement to be imposed on its land without proper analysis and evidence on that issue. The setback will create a strip of land on the western side of the driveway, sandwiched between two fences, and held in some unspecified form of common ownership. Counsel submits that such an outcome is not the most appropriate use of land, particularly given the limited nature of the land resource, and that land needs to be accessible to the adjacent property owners to ensure that it is utilised and maintained.

[12] In the Eighth Decision⁶ the court suggested a 30 metre setback from the Devondale Estate drive in order to protect their amenities. EIL had plenty of warning of the issue, but despite that, as the court recorded in the Ninth Decision⁷, EIL called no further landscape evidence at the 2011 hearing.

[13] Common ownership was one of the mechanisms suggested by Mr Rough to ensure that the buffer was not crossed by fences at right angles to the driveway. EIL considers common ownership is problematic, particularly if that is tied to a 15 metre property or site boundary setback. That would result in approximately 46-50 metres of

⁴ Decision [2010] NZEnvC 321 at para [114].

⁵ Decision [2011] NZEnvC 185 at [167].

⁶ Decision [2010] NZEnvC 321 at [114] (quoted above).

⁷ Decision [2011] NZEnvC 185 at [175].



land in the middle of the ODP area (being 15 metre setback on each side of the driveway plus 16-20 metres of the current driveway reserve) being unable to be developed in the future. This would cause difficulties if a northern crossing eventuates and will not necessarily lead to a better outcome than a building setback. Should the court determine that the preclusion of fences at right angles applies to the western side of the Devondale Driveway, that could be addressed by a building setback and assessed as part of any subdivision proposal. This approach would enable the land to be utilised by the individual property owners whilst avoiding buildings and maintaining the open space desired by the court, but without imposing the complexities of common ownership. The council's interpretation as shown on attachment "C" should stand.

[14] It further seeks the deletion of the words "held in common ownership" in 7.4.6.(ii). EIL has focussed on neither the overall context nor the specific problem being addressed by the court when it asserts that the setback will result in an area in the middle of the ODP area being unable to be developed in the future. The overall context is that the NW Belfast area is on the edge of the city, and there is a deliberate decrease in proposed densities towards the north. And to the north of the EIL land is the Devondale Estate, which is already developed to lower densities. Further, the court has found Devondale Estate residents are entitled to have some protection of their existing amenities, hence the setback along the Devondale Driveway.

[15] We gave a further opportunity to EIL to make further submissions and/or call further evidence in Order C of the Ninth Decision. EIL has elected not to call further evidence. In those circumstances it is difficult to see a reason to change our decision. EIL has – in reliance on another party's evidence – already had the benefit of a 15 metre reduction in setback width from that suggested in the Eighth Decision.

[16] We do not believe that common ownership of the setback land will cause problems : even a simple lawn on the setback land would suffice, and that should not cause too many management problems.

2.3 A site or building setback?

Council position

[17] The joint memorandum advises us that the council takes the view that the setback should be a site setback because otherwise residential buildings would directly adjoin a common ownership strip. EIL seeks a building setback. Further, the council considers that the court has determined that fencing would run along the 15 metre setback so it would not be appropriate to have a building too close to the fence. Space is needed for services to the building and to enable some private landscape planting. An internal boundary setback of 1.8 metres would apply to those buildings fronting the driveway/common ownership strip (rule 7.2.7), so the overall building setback is not overly onerous.



[18] One of the issues council has raised is that a building setback will result in a line of dwellings directly adjoining a common ownership strip. The court's decision was concerned with permeability between the dwellings. That is not affected by the distance of dwellings from the 15 metre setback line. If dwellings are to be subject to a further setback from the 15 metre setback boundary, as suggested by the council, that is claimed by EIL to be unduly onerous. So EIL seeks the deletion of the words "site boundary" in 7.4.6(i) and the addition of the word "building" in their place.

[19] This is a minor issue : it is about a further 1.8 metre strip. We consider the council's position has more merit, and the Ninth Decision should stand. It will mean each house has a small sliver of private land for amenity or privacy planting before the common land lawn begins.

2.4 A deferred area south of Southern Spine Road and west of Devondale Driveway

[20] In the Ninth Decision⁸ the court suggested a limit on the areas to be built either side of the Devondale Driveway for a reasonable period, unless the land for the Spine Road is already given up by the Devondale Estate. In relation to the land to the west of the driveway, the court identified that area as:

- I. (to the west) the approximate square bounded by Johns Road to south, the A3 connecting road to the west, the (southern) spine road to the north, and the Devondale Drive to the east.

EIL position

[21] The court acknowledged⁹ that the limit on development was less than what the CRC had sought (the CRC had sought limitations on the land to the east of the driveway, not to the west). The court indicated that it could, *prima facie*, see good reason – given the post-earthquake need for houses – for EIL to apply under the leave the court reserved to amend the directed rule.

[22] EIL now seeks the amendment of that rule insofar as it relates to its land in the area bounded by Johns Road to the south, the A3 connecting road to the west, the (southern) spine road to the north, and the Devondale Driveway to the east. The land in that area owned by EIL is a small area of approximately 0.5 of a hectare. It is land which is not adjacent to the driveway. There is a block of land not in EIL's ownership, situated between EIL land and the Devondale Driveway in that location. The land is zoned Density A and Density B and is adjacent to the exit at A3. The land is therefore readily able to be developed. Given the nature of the land and its location, it could be made available in a reasonably short time frame and assist in addressing those displaced by the earthquake. Further, the exit at A3 has to be constructed at any stage of development. It is both economically and environmentally appropriate to develop the



Decision [2011] NZEnvC 185 at para [248].
Decision [2011] NZEnvC 185 at para [247].

land complementing the construction of A3 at that time. The area will provide six medium density and five high density sections.

Kingscote position

[23] The Kingscote Estate seeks the amendment of the rule insofar as it relates to the Kingscote Estate's land to the east of the Devondale Driveway or, alternatively, the deletion of this rule in its entirety.

[24] The reason for the rule was given by the court in the Ninth Decision¹⁰:

We consider some extra incentive for the adjacent land owners to negotiate sooner rather than later with the Devondale Estate owners is desirable ...

[25] Counsel point out that as the relevant land to the west of the Devondale Driveway is owned by the Estate of Mr Fulton and not EIL the task of negotiating a solution falls solely on the Kingscote Estate. Counsel submit that the failure to reach an agreement has not been caused by the lack of an incentive. The staging rule will simply mean that the Kingscote Estate's land to the south of the Spine Road cannot be built on for eight years. The Kingscote Estate has attempted to engage in discussions with the Devondale Estate owners and it is clear that the likelihood of a negotiated solution being reached to allow a crossing of the Devondale Driveway is remote.

[26] In the circumstances we consider the staging rule is inappropriate.

3. The concerns of the New Zealand Transport Agency

[27] By letter¹¹ dated 20 December 2011 to the solicitors for the Christchurch City Council Mr Hassan, counsel for the NZTA, advised that his client had two residual issues. Both relate to the restricted discretionary activity rule (Rule 7.2.20) for land in the vicinity of the intended Western Belfast Bypass. He wrote that:

The NZTA has in mind minor refinements to the effect that:

- 3.1 The NZTA would be consulted as part of the Christchurch City Council's (the Council) assessment of the concept plan.
- 3.2 The 'Belfast Development Area' would be formally identified on the Outline Development Plan. Currently this area has not been identified, and we assume that this refers to the Western Belfast Bypass corridor alignment.

[28] By memorandum dated 29 February 2012 the relevant parties have now reached agreement on proposed amendments to the wording of rules 7.2.20 and 19.4. Both of these rules relate to the Bypass Corridor Concept Plan Area.

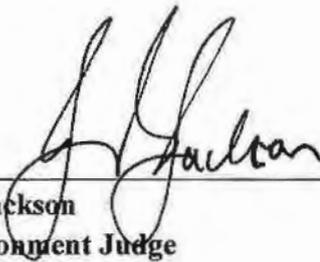
[29] Counsel explain that:

¹⁰ Decision [2011] EnvC 185 at para [248].
¹¹ Environment Court document 78.



- the minor refinements to the rules ensure that the NZTA will be consulted as part of the Christchurch City Council's assessment of the concept plan required in accordance with those rules because of the proximity of the intended Western Belfast Bypass to the land which rules 7.2.20 and 19.4 relate;
- the amendment to Appendix 3r/l is to formally identify the Bypass Corridor Concept Plan Area which is referred to in the text however had not previously been identified on the plans.

For the court:



J R Jackson
Environment Judge



APPENDIX A

PROPOSED NORTH WEST BELFAST POLICY FRAMEWORK

Add to Volume 2 Section 11 of the Christchurch City Plan

11.7.1 Policy : Development of North West Belfast

To provide for the comprehensive development of North West Belfast in a manner that is integrated with the wider Belfast community, by incorporating the following:

- (a) At least (42% x 93 ha=) 39 hectares of higher density residential development across the site. These should be located wherever possible alongside the open space corridor, surrounding local neighbourhood parks, within or within close proximity (200 metres walking distance) of the 'nodes' and adjacent to the primary movement routes;
- (b) Management of existing sensitive land use interfaces through the use of appropriately 'like with like' buffers of density and use;
- (c) Provision of at least one hectare of Business subzone focussed on the four corners of the new Belfast Road West/Spine Road intersection or a deferred business subzone closer to Main North Road;
- (d) Residential activity to be permitted throughout the Business Zone, except on the ground floor;
- (e) A well connected, comprehensive movement network within the site which enables public transport routes and safe pedestrian and cycle movements;
- (f) A minimum total of four access points off Johns Road and Main North Road to serve the site when all stages are subdivided;
- (g) Two (and in the long term one) primary movement routes (the spine road" through the site linking the Groynes Road, Johns Road and Main North Road;
- (h) A secondary (loop) route which both helps integrate a large portion of the site located to the northwest back into the primary movement route and ensures that any cul-de-sac is not more than 75 metres long;
- (i) A high quality public open space network using public amenity areas for stormwater attenuation to the extent consistent with the density of development of adjacent land and the need to keep the public amenity areas open for recreation for the maximum time possible.



Explanation and Reasons

North West Belfast covers approximately 93 hectares of land in the north western part of the City. Due to its strategic location, this land has been identified as appropriate for urban development, and particularly residential development, ~~subject to provision of appropriate supporting roading infrastructure such as the proposed Northern Motorway or the Western Belfast Bypass.~~ The development is to occur in a way that maximises the opportunities for residential yield within the constraints of the Block.

The development of NW Belfast provides the opportunity to better manage stormwater from the wider area through the use of surface water treatment and detention.

Overall, reflecting the strategic desirability and appropriateness of residential development in this area, NW Belfast is to be developed in a way that emphasises this form of development and yield of residential units. A mixture of high, medium and low density residential development is provided for. The siting of commercial land for convenience shopping and a possible future public transport route through this area further supports a mix of high density/medium density residential development.

11.7.2 Policy : Green Network for North West Belfast

- (a) **The provision of a green network with:**
- (i) **landscaping and screen planting to ensure a high quality visual interface between land use development and the components that form the green network;**
 - (ii) **points of public access identified where roads, cycle ways and pedestrian footpaths adjoin the green network;**
 - (iii) **landscaping and setbacks to protect the amenities of residents of the Devondale Estate and the ornamental trees along its drive (excluding the poplar windbreak).**
- (b) **The provision of a public open space facility within 400m walking distance of all new development. For Density Area A development, the maximum walking distance is reduced to 200m.**
- (c) **The provision of strategically located soft and hard landscaped neighbourhood parks to provide essential local public amenity that:**
- (i) **are in a visually prominent and obvious location that is safe and easily accessible for the public;**
 - (ii) **favour public parks over privately held ‘common open spaces’;**



- (iii) **have public streets and development fronting directly onto them;**
 - (iv) **have public access in the form of roads, cycle ways and pedestrian footpaths along their edges;**
 - (v) **have minimum dimensions that are appropriate to their intended use and are within convenient walking distance from residential units and maximum dimensions that comply with the LTCCCP.**
- (d) **To ensure fencing located on properties adjoining “green” linkages achieves a high level of openness, transparency, visibility and amenity that contributes to the overall sense of safety and wellbeing of the “green” and “blue” areas while providing for the clear demarcation of private and public land.**
- (e) **A direct green linkage between the intersection of Main North Road and Johns Road north to the principal park in NW Belfast and on to the Waimakariri cycleway.**

Explanation and reasons

The Green Network refers to a system of public open space provision throughout a greenfield area. It comprises a number of forms ranging from public streets, joint pedestrian/cycle link ways or corridors, river walkways or corridors, local neighbourhood parks to larger community parks and reserves. These spaces offer a range of amenity and recreational experiences. Often their location and alignments are intrinsically linked to the movement network, underlying land uses and the blue network.

Open space areas are to be distributed throughout a greenfield area and be conveniently located and highly accessible to residential areas. Where open space areas, and their associated recreational opportunities are perceived as being convenient and accessible, this will encourage their use by the community.

Public parks are favoured over privately held common open spaces as they are more readily maintained if held by the territorial authority. In private ownership arrangements maintenance responsibilities can fall on those sharing the space and this can lead to dispute over costs or simply neglect of an area. Public parks provide greater access to the wider community.

The location and design of open space areas is important. Elements of design that go to reducing the impacts on surrounding activities include planting and fencing and appropriate placement of public access points. Improving the effectiveness and efficient use of public open space can be assisted by providing safe and convenient access and designed in a manner to meet the requirements of the community thereby creating a functional safe and attractive open space. The effective and efficient use of



open space can also be enhanced if such areas are clearly visible to the public from the street.

High, continuous solid board or block fencing along open space areas, pedestrian and cycle access ways that form the “green” linkage or green network provides clear demarcation between public land and private land. In addition, such fencing provides privacy and security for adjoining property owners. However, such form of fencing can create a hard, closed “canyon” effect having a detrimental impact upon pedestrian and cycle ways in terms of their visual appearance. Further, such an appearance detracts from an open, planted and unbuilt characteristics generally associated with a “green” linkage or green network. The presence of high, continuous solid block or board fencing along a specified “green” linkage or green network does not create a sense of connection with the adjoining residential properties. Such structures result in residential properties ‘turning their backs’ on an important community linkage. This creates the perception of isolation and insecurity as public spaces are no longer seen as being a safe or friendly environment. Further, such solid tracks of fencing are often the target of vandalism and graffiti. Management of the type of fencing will enable the development of an open, safe and secure living environment while ensuring a clear demarcation between public and private land.

11.7.3 Policy : Blue Network for North West Belfast

Stormwater

Provide a stormwater system to meet North West Belfast’s future anticipated stormwater quality and quantity by:

- (i) providing an integrated drainage network for surface water;**
- (ii) using engineered and (where possible) low impact attenuation techniques and materials for stormwater management;**
- (iii) to the extent practicably possible given proposed development densities providing for stormwater attenuation within existing creek corridors (mainly outside the site) and natural collection basins (within the site);**
- (iv) ensuring, where necessary, provision has been made to reduce the potential for bird strike hazard to aircraft.**

Explanation and reasons

The Blue Network refers to the ‘above ground’ system designed to help meet the site’s future anticipated stormwater quality and quantity requirements. These include swales and flow paths as well as retention/soakage facilities within existing creek lines and natural collection basins. Existing creek alignments and natural collection



basins should be retained where possible in order to help facilitate total storm water detention across a site.

Best engineering practice combined with low impact attenuation techniques and use of low impact materials is considered an appropriate approach for total storm detention across a greenfield site.

Measures should be put into place to reduce the potential for bird strike hazard to aircraft where greenfield areas are located in close proximity to the Christchurch International Airport. The continued operation of the Christchurch International Airport is essential to the development and economic wellbeing of the City. As such, it is important that mitigation measures be put in place to reduce the risk of bird strike.

11.7.4 Movement Network for North West Belfast

- (a) The provision of a movement network that will:**
- (i) result in an efficient network that helps disperse people and vehicles and minimises the impact of the zone on surrounding existing urban development while maximising connectivity to provide a choice of routes with the aim of reducing travel distances;**
 - (ii) maximise safety and minimise the potential for accidents by applying sound engineering design that:**
 - incorporates strategies to reduce traffic speeds to allow good interaction between pedestrians, cyclists and vehicles**
 - promote natural surveillance from motorists.**
 - (iii) Encourage alternative modes of transport to the private motor vehicle**

Explanation and reasons

The Movement Network refers to the system of roads, cycle ways, pathways and linkages throughout a greenfield site. This requires the provision of a multi modal transportation approach namely the provision of vehicular, bus, cycle and pedestrian movement to, through and from a Greenfield site. The Movement Network has a relationship with both the Blue and Green Networks particularly with regards to pedestrian and cycle linkages.



The Movement Network should provide for an efficient network that effectively manages and controls traffic, encourages sustainable transport and minimises the impact of new development on surrounding area. It shall integrate a greenfield area into the surrounding environment and help open up the site in order to maximise connectivity and opportunities.

Sound traffic engineering design should be applied in the design and layout of the movement network in order to minimise potential conflict between various transport modes thereby reducing traffic accidents. This should be done in conjunction with strategies that reduce traffic speeds thereby allowing for good integration, or separation where appropriate, between pedestrians, cyclists and cars. The movement network should be designed to encourage low speeds suitable for a local traffic environment throughout an area and to enable 'natural' surveillance from motorists so as to assist with personal safety.

The Movement Network should be well connected so as to provide a choice of routes for all users as well as enable reduced travel distances particularly for cyclists and pedestrians. The Movement Network should recognise national cycle and walking strategies and targets as well as Council's own cycle and pedestrian strategies.

- (b) The provision of a network that makes provision for a primary (Spine) route. In particular the primary spine route:**
- (i) shall form a link between Groynes Drive and Main North Road near to Richill Street;**
 - (ii) shall run parallel to Main North Road and Johns Road no further than 200m from these roads;**



(c) All other local streets shall be designed:

- (v) to have direct frontage to any open spaces that are not directly connected to the primary route;**
- (vi) to achieve a speed environment in which cyclists can safely share the same road space with vehicular traffic;**
- (vii) to encourage access to off street parking in Density A development via appropriately designed back lanes;**
- (viii) to provide visual interest by varying the materials used for on-street parking;**
- (ix) to discourage heavy commercial vehicles moving through residential areas.**

Explanation and reasons

This policy refers to the need for an effective hierarchy of roads around and across the site. This approach will ensure that traffic is effectively dispersed while minimising the impact of new development on surrounding areas. The Movement Network shall be designed to integrate with any existing road layout as well as with the Blue and Green Networks as these also provide essential pedestrian and cycle way linkages.

It is important for the Movement Network to provide for, and where appropriate discourage, the functions undertaken within the site particularly with regards to heavy industrial scale traffic. The location and use of the Movement Network must not act to undermine higher levels of amenity anticipated and expected within a residential area. Some roads will go to form boundaries between land uses and where possible should include a landscape buffer zone.

(d) The provision of a network that will provide for pedestrian needs by:

- (i) ensuring the walking distance around urban development blocks (the area of land enclosed by public space or streets) is no longer than 320m;**
- (ii) making routes as direct as possible;**
- (iii) marking vistas and key junctions with land mark elements such as neighbourhood parks and key buildings;**
- (iv) having footpaths provided on all roads, lanes or right-of-ways;**
- (v) ensuring footpaths are clearly demarcated from main vehicular carriageways and clear of services and obstructions for the entire width;**
- (vi) ensuring footpaths have a minimum width of 1.5m and designed to be accessible to all wheelchair and restricted mobility users at crossing points with the lowest curb lip possible;**



- (vii) **ensuring footpaths develop attractive linkages to the adjoining recreation opportunities at the Groyne Recreation Area;**
- (viii) **ensuring footpaths enhance direct and safe linkages to community and retail facilities ensuring linkages to Johns Road and Main North Road;**
- (ix) **ensuring as a minimum a high quality visual character by:**
 - **consistent use of street trees,**
 - **utilising attractive street lighting and other street furniture,**
 - **varying surface materials e.g. paving cobbles in parking areas.**

Explanation and reasons

This refers to the system of pedestrian footpaths, cycle paths(shared paths) and linkages to and through an area. Often this has a close relationship with the underlying transport network and land uses. Therefore, this system is closely aligned the Green and Blue Networks.

Walking forms some portion of virtually every trip that involves other methods of transport. People will be encouraged to walk if they are provided with a safe, pleasant and convenient pedestrian environment. Therefore a pedestrian network needs to be carefully considered and designed, open and identifiable and well lit public access ways. Improvements that can be incorporated into a pedestrian system include: provision of smooth, non-slip surfacing, provision of ramps for prams and wheelchairs, landscaping and tree planting and adequate lighting for security.

A safe, convenient and well designed pedestrian system promotes walking rather than driving for short trips close to home and encourages the use of public transport by, in effect, bringing houses near to bus stops.

- (e) **The provision of a network layer diagram that will provide for cyclists' needs by:**
 - (i) **use of wide cycle lanes/footpath along the primary (Spine) route between A3 and the Belfast Road intersection;**
 - (ii) **use of differentiated, smooth surface materials and colours or at the least markings;**
 - (iii) **a cycle path for the entire length of the frontage along Johns Road.**

Explanation and reasons

This refers to the system of cycle ways and linkages to and through an area. Often this has a close relationship with the underlying transport network and land uses. Therefore, the system is closely aligned with the Green and Blue Networks.



All local streets in a greenfield area should be considered as cycle compatible due to environmental elements such as envisaged low design speeds and low traffic volumes. All primary roads need to provide a high level of service for cycle usage to encourage cycling. This is achieved through good traffic design which will ensure efficient and safe cyclist movement along the cyclists' system. Where appropriate, dedicated cycle lanes are to be incorporated in the design of the Movement Network. In addition, other factors such as differentiated and smooth surface materials, colours and road marking improve the legibility and safety. The placement of on-street parking bays and street trees should be considered to ensure they do not act to create 'blind spots' for cyclists.

- (f) The provision of a network layer diagram that will provide for public transportation needs by:**
- (i) designing the primary (spine) route between point A3 and the Belfast Road Extension/Spine Road intersection to a standard that is suitable to accommodate the physical requirements of buses;**
 - (ii) encouraging public transport bus movements to occur on the primary (Spine) route if the Johns Road and Main North Road route proves unsatisfactory after they are decommissioned as State Highways;**
 - (iii) limiting walking to less than 500 metres to a bus stop from all residences;**
 - (iv) providing bus stops with shelters.**

Explanation and reasons

This refers to the possible bus route provided across a greenfield site. The proposed route through a site should be so located to encourage the use of public transportation and maximize possible user patronage. This will help reduce reliance on private vehicle use and ownership.

Good traffic design should be applied in order to ensure efficient bus movements, safe travel speeds and minimal impact on traffic, pedestrian and cyclist flows. In addition, consideration is required for the provision of on-street facilities to encourage a more efficient and attractive public transportation system. Such facilities include, where appropriate, the provision of bus shelters, pull-in areas, clear ways and areas for exclusive use by buses.

The provision of a well designed public transportation system goes to improving safety by providing exclusive areas for public transport and also allow public transport to be able to pick up and sit down passengers close to their destination. This will also result in a more efficient operation of public transport.



11.7.5 Policy : Crime prevention and public safety through design NW Belfast

To encourage the adoption and use of crime prevention through environmental design (CPTED) principles when considering the design and location of the built environment.

Explanation and reasons

Crime prevention through environmental design "CPTED" based on the concept that crime and fear of crime can be minimised through effective planning and designing of the built environment.

The Ministry of Justice has developed national guidelines for crime prevention through environmental design in New Zealand. The national guidelines outline how urban planning, design and place management strategies can reduce the likelihood of crime and deliver numerous social and economic benefits to the community. Places that are safe and feel safe attract people, activity and positive social interaction.

When considering the location and design of the built environment in the context of comprehensive and integrated planning, the adoption of the National Guidelines will be helpful in achieving safer places that all future residents and visitors can enjoy.

Policy 11.7.6 : Minimum area of Higher Density Residential Development in North West Belfast

At least 42% of the residential units across North West Belfast should have an average lot size in the range 220 m² to 325 m² with minimum net site area of 200 m² ("Density A").

Explanation and reasons

Minimum and maximum development density standards are required to make the most sustainable use of available land to accommodate urban growth, and to create a compact urban area that supports convenience retail centres and can be more efficiently served by strategic infrastructure and public transport. Further, for residential development not achieving the minimum density standard also fails to achieve the long term goals and aspirations of Change 1 of the Canterbury Regional Policy Statement for Greater Christchurch. 42% of the residential units are to be Density A. These should be located wherever possible alongside open space, surrounding neighbourhood parks within or within close proximity of the local convenience retail and adjacent to the primary movement routes.



11.7.7 Policy : Location of Higher Density Residential Development NW Belfast

Location of higher density development wherever possible along side open space corridors, surrounding local neighbourhood parks, retail areas, within or within close proximity (200 metre walking distance) of the 'nodes' and adjacent to the primary movement routes.

Explanation and reasons

Higher density development should be located near supporting physical features, preferably as many separate features as possible. While higher density residential development provides housing choice, it can adversely affect the amenity of the people living in the units if they do not have ready access to open space, public transport, and convenience retail and services.

Often higher density residential development contains smaller areas of onsite open recreation space. Accordingly the occupants of these units need ready and convenient access to well designed public open space. The closer higher density units are to open space the more likely occupants are to use the open space. Higher density development overlooking open space can promote passive surveillance and increase the safety and enjoyment of the space.

Occupants of higher density residential development can have reduced access to private motor vehicle travel. Further, standards for onsite parking for the higher density areas in Living G are lower. This is to encourage a lower private vehicle use. If the higher density development is located within easy access of public transport it is hoped that occupants of the higher density development are more likely to forgo the use of the motor vehicle in favour of the public transport.

Higher density development around commercial areas can add to the vibrancy and success of an area. The more people that have ready access to an attractively designed area the more likely that area is to be used.

Policy 11.7.8 : Interface with existing developed areas

To ensure the management of existing sensitive land use interfaces in NWBelfast through the use of appropriate 'like with like' buffers of density and use.

Explanation and reasons

There is an existing one or two allotment deep strip of Living I residential development on the western side of Main North Road directly adjacent to the Belfast



block. The outlook of these properties will change from a rural to an urban character. However it is considered important that the amenity of the occupants of these residential units is maintained to a Living 1 standard. Accordingly development directly adjacent to these allotments should reflect the existing Living 1 development standards thus avoiding higher density development that might otherwise erode the amenity of the exiting residences.

Likewise, the amenities of landowners within the Rural 3 Zone to the immediate north of the Belfast block should be maintained by ensuring that where residential development is proposed on the boundary of these properties, it shall be low density in nature.

11.7.9 Policy : Provision of local convenience retail and community facilities

Provision of at least one hectare of business subzone, but not more than 2.7ha, in NW Belfast equivalent to Business 1 which:

- (a) is focussed on the four corners of the new Belfast Road Spine Road intersection;**
- (b) permits residential activity throughout the business subzone except on the ground floor; and**
- (c) may be moved closer to the Main North Road as a deferred Business zoning – deferred until all immediate neighbours' written consents are obtained.**

Explanation and reasons

Provision of local convenience retail, that can be used for mixed commercial/residential development is to be provided for in NW Belfast. This area can provide convenience retail services and community facilities to the occupants of the development area and the nearby existing residential development. This area is expected to co-locate with, support and complement some of the higher density residential development and sit adjacent to the bus route. While residential development is permitted within the sub zone commercial uses must be established on the ground floor to ensure that local convenience retail and services eventuates in this area. Residential development above commercial and service areas can contribute to the variety and vibrancy of an area.

11.7.10 Policy : Urban Design in Density A for NW Belfast



To ensure that Density A, Residential Areas identified on the Outline Development Plan are developed in accordance with the principles of good urban design and amenity including:\

- a) that development considers the amenity of residents, neighbours and the wider community;
- b) that residential units are designed to enable their engagement with the street to ensure community safety, social interaction, and visual interest;
- c) that development avoids excessive bulk or repetition and is of a domestic appearance, human scale, visually interesting, and is not dominated by car parking and garaging;
- d) that development is softened by trees and other landscaping;
- e) that development provides accessible and integrated utility areas and accessible, usable and attractive outdoor living spaces that achieve levels of privacy, access to sunlight and insulation from traffic noise.

Explanation and Reasons

Within the Density A residential area, it is recognised that the bulk and scale of new buildings will often be greater than in lower density areas. Whilst a higher density character is anticipated it is important to ensure that new development is designed in accordance with principles of good urban design and amenity. The Plan's rule package, therefore, seeks to ensure that a good standard of design and amenity is achieved whilst providing freedom of choice in specific architectural styles. The policy does not look to assess 'architectural styles' or 'taste' but ensures that basic principles of good urban design are taken into account in the design of buildings in Density A areas. In addition, the Christchurch City Council is a signatory to the Urban Design Protocol and is committed to achieving good environmental outcomes for built forms.

11.7.11 Policy : Potential Soil Contamination NW Belfast

To avoid any increased risk of adverse effects on property and the wellbeing and safety of the community from contaminated sites by subjecting subdivision and building development to appropriate avoidance or mitigation measures.

Explanation and Reasons

Much of NW Belfast is former primary production land and therefore a history of persistent agricultural chemical use is likely. Such activities have the potential to



result in site contamination if not properly managed. Detailed records of the nature, type, storage and use of chemicals and hazardous substances within the block have not been kept and, as such, accurate knowledge and understanding of the potential contamination risk is not available. Urban development for the block is anticipated. However, before residential activity establishes on land, it is appropriate to establish the suitability of the land for this activity in light of the uncertainty around the issue of contamination. Consequently, soil testing will be required at time of subdivision and, where discovered, appropriate remediation measures will be required to be undertaken to make the land suitable for residential activity.

Amend Volume 2 Section 12 (Business) by adding three new policies and related explanations

12.8.6 Policy : Building appearance

To promote the improvement of the external appearance of buildings within suburban centres.

Explanation and reasons

Improvement to the external appearance of (...) on a fresh opportunity.

Improvement in building design is promoted (...) built character of the area.

In central New Brighton, specific design and appearance controls (...) with their wider context.

New development within the Business 1 areas of the Living G (Awatea) Zone and the Living G (North West Belfast) Zone (and identified as Business 1 Commercial Area), should be of a high visual quality to achieve a coherent and compatible design with adjoining residential properties and its their high profile locations on a primary transport route (in Awatea) and a spine road (in North West Belfast). In addition, the Christchurch City Council is a signatory to the Urban Design Protocol and is committed to achieving good environmental outcomes for built forms. To ensure a quality commercial outcome that is sympathetic with its surrounding urban context, additional controls based on urban design principles are considered necessary. This is achieved by ensuring that:

- development is of a human scale, is visually interesting, and is not dominated by car parking, security fencing, storage and hard standing area; and



- development is softened by trees and other landscape plantings.



12.8.9 Policy : Residential development

To enable development and redevelopment of sites in suburban centres for residential activity.

Explanation and reasons

(...)

In smaller, minor centres there is greater likelihood of sites being redeveloped for residential activity due to declining consumer patronage and demand for new residential units. Within these centres, the incentive to redevelop to higher densities is maintained reflecting the existing scale of development, but at the same time ensuring there are no effects on the amenity of the surrounding living area. Over time some poorly performing suburban centres may revert completely to residential activity, thereby benefiting from the imposition of more flexible standards of development, whilst still achieving a level of residential amenity. For Business 1 land associated with Living G (Awatea) Zone and Living G (North West Belfast) Zone (identified as Business 1 Commercial Area), residential activity is permitted to occur where there is commercial activity occupying the ground floor. The opportunity or ability for this Business 1 land to be developed for commercial activity to service the day to day and convenience needs of future residents should not be foreclosed when faced with increasing demand for residential units.

12.8.10 Policy : Living G North West Belfast 'Mixed Use' Centre

To promote a diverse mixed-use development in the western quadrant of the Living G North West Belfast) zone which involves elements of community, tertiary services and residential uses. This is to be achieved by encouraging the provision of greater diversity of activity, and intensity of activities to occur within the area whilst putting a strict limit on retail floor area.

Explanation and reasons

The Living G (North West Belfast) Mixed Use Centre has been identified as a particular suburban centre that should be developed in the medium to long term with a mixture of residential and tertiary services. By effectively co-locating these types of activities and encouraging a scale and grain of activity that increases the vibrancy of the area, a diverse, mixed-use area rather than a traditional retail outcome could be achieved. A strict limit has been placed on the cumulative retail floor area (of 500m²) within this sub zone to ensure there are no adverse distributional retail effects on the Business 1 area in the western quadrant of the Living G (North West Belfast) or on wider existing retail activities in the Belfast Area. Enough retail floor space is provided for the convenience needs, those provided by a dairy, takeaway or café, of persons who may live and work within the mixed use area.



APPENDIX B

PROPOSED LIVING G (NORTH WEST BELFAST) RULES FRAMEWORK

LIVING G (NORTH WEST BELFAST) ZONE PROVISIONS

Notes as to formatting:

- 1. Changes to existing text in the Christchurch City Plan are shown as xyz??*
- 2. New sections to be introduced into the City Plan specific to the s293 proposal as denoted by the heading of that section*

Insert new 'Appendices 3r/1 to 3r/4 Outline Development Plan' (North West Belfast) Outline Development Plan Layer Diagrams and key principles including amended movement layer appendix.

Insert in Volume 3, Part 2 (Living zones) a new clause after Clause 1.14 Living G (Yaldhurst) Zone:

1.15 Living G (North West Belfast) zone

Zone description

The Living G (North West Belfast) Zone provides the opportunity to comprehensively plan and develop a mixed density and mixed use community. The zone integrates activities, infrastructure, open space and green ways both internally and with the adjoining communities including the Groynes, Northwood and Belfast.

The Living G (North West Belfast) Zone covers approximately 93ha of land on the northern edge of the city and is generally bounded by Johns Road, the Main North Road, the Groynes open space and the Waimakariri stopbank.

The site lies in close proximity to essential facilities and amenities including the shopping centres at Belfast as well as having easy access to major employment nodes at Belfast and the Airport. The area offers significant opportunities in respect of integrating an urban environment with on-site and nearby natural features and open space including the Groynes Reserve, Clearwater and the adjacent walkways, while at the same time developing a built form that recognises and enhances ecological outcomes and the sustainable management of natural resources.



The development form is to accord with an Outline Development Plan and a series of rules that are designed to ensure that a range of integrated outcomes is achieved. Outcomes include a range of residential densities, permeability in terms of all transport modes, a mix of uses and an urban environment responsive to the natural environment.

An area of Business 1 Zoning [and a community footprint] are located close to the Main North Road intersection with Johns Road with the purpose of accommodating local retail, business, residential and some community activities.

An area of Mixed Use with very limited retail floor area is located in the Western quadrant of the development with the purpose of accommodating local tertiary services and businesses such as doctors, veterinary clinics, professional offices and community facilities. In order to ensure that the current major arterial function of Johns Road is not compromised, development in this area is deferred until physical construction is started on the Western Belfast Bypass.

Zone purpose

- (1) The purpose of this zone is to enable the establishment of a new area of comprehensively designed urban development in a manner that meets open space and stormwater objectives and that is integrated with the wider Belfast community, while recognising the constraints posed by the major arterial function of Main North Road and Johns Road until a western Belfast bypass is developed.
- (2) Within the confines of the purpose of the zone, to allow maximum flexibility and incentive for developing the zone for (primarily) residential activity in accordance with the framework of four documents in the appendices to this part of the City Plan which together with the rules for the zone constitute the Outline Development Plan;
 - (a) The Density and Key Infrastructure Plan (Appendix 3r/1)
 - (b) The Green Network Layer Diagram (Appendix 3r/2);
 - (c) The Blue Network Layer Diagram (Appendix 3r/3);
 - (d) The Movement Network Layer Diagrams (Appendix 3r/4 A-G).

The Outline Development Plan shall not be departed from unless that difference improves implementation of policies 11.7.1 *et ff* in Part 11, Volume 2 (Objectives and Policies) of the City Plan.



- (4) Other structuring policies are:
- (a) The provision of a movement network layer diagram that will implement the following policies:
 - (i) those stated in Part 11.7 of Volume 2 of the City Plan;
 - (b) The provision of a network layer diagram that makes provision for a primary (Spine) route. In particular the primary spine route:
 - (i) shall form a link between Groynes Drive and Main North Road near to Richill Street;
 - (ii) shall run parallel to Main North Road and Johns Road no further than 200m from these roads;
 - (iii) shall be designed in accordance with the appropriate cross section shown in Figures X-X?? in the layer diagrams;
 - (iv) can initially be in two parts (Groynes Road to Johns Road and Johns Road to Main North Road) until access is secured across the Devondale Estates Driveway.
 - (v) shall have its two main connections from Main North Road and Johns Road, as identified in figure x?? of the layer diagrams shall be designed in accordance with the Spine Road Layout 2 cross sections shown in X??.
 - (vi) ensuring footpaths are clearly demarcated from main vehicular carriageways and clear of services and obstructions for the entire width;
 - (vii) ensuring footpaths have a minimum width of 1.5m and designed to be accessible to all wheelchair and restricted mobility uses at crossing points with the lowest curb lip possible;
 - (viii) ensuring footpaths develop attractive linkages to the adjoining recreation opportunities at the Groynes Recreation Area;
 - (ix) ensuring footpaths enhance direct and safe linkages to community and retail facilities ensuring linkages to Johns Road and Main North Road;
 - (x) ensuring as a minimum have a high quality visual character by:
 - consistent use of street trees;
 - utilising attractive street lighting and other street furniture;
 - varying surface materials e.g paving cobles in parking areas.



- (d) The provision of a network layer diagram that will provide for cyclists needs by:
- (i) use of demarcated lanes along the primary (Spine) route (on Spine Road Layout 2) between A3 and the Belfast Road intersection;
 - (ii) use of differentiated, smooth surface materials and colours or at the least markings;
 - (iii) a cycle path for the entire length of the frontage along Johns Road.
- (e) The provision of a network layer diagram that will provide for public transportation needs by:
- (i) designing the primary (spine) route between point A3 and the Belfast Spine Road intersection to a standard that is suitable to accommodate the physical requirements of buses;
 - (ii) encouraging public transport bus movements to primary (Spine);
 - (iii) limiting walking to less than 400m to a bus stop from all residences;
 - (iv) providing bus stops with shelters.

Environmental outcomes anticipated:

- An urban form which creates a sense of place and encourages a community to develop.
- A safe, comfortable and healthy living environment.
- Integration of the roads within the new neighbourhood area with existing state highway and arterial roads and public transport routes.
- An integrated road network that supports effective and efficient public transport.
- An efficient and effective cycle and pedestrian network that connects with existing and potential facilities.
- Provision of a network of open spaces integrated with cycle and pedestrian facilities.
- Opportunities for a wide variety of residential development forms of low, medium and high residential densities.

Medium density development including elderly persons housing located in conjunction with a core of community facilities and having ready access to public transport.



- High density buildings which relate well to each other and to adjoining public and private open space.
- A development that meets City Plan policies to achieve an overall increase in residential density, urban consolidation and a compact urban form.
- Provisions to enable neighbourhood retail, community, or medical facilities to be located within walkable distance (400-800 metres) of any part of the zone, or be within walkable distance of a bus stop within the zone (400-500 metres).
- Provision of neighbourhood shopping facilities.
- Provision of community footprint and business facilities.
- A sustainable stormwater disposal system integrated where possible with open space, reserves, pedestrian and cycle facilities.
- The establishment of an overall development concept that provides a defined basis for integrated development of this area.
- Protection of the major arterial function of Main North Road and Johns Road.

Insert in Volume 3, Part 2 (Living Zones) new pages after clause 6 Rules Living G (Yaldhurst) zone and renumber subsequent sections accordingly:

7. RULES - LIVING G (NORTH WEST BELFAST) ZONE

7.1 Categories of activities

7.1.1 Residential activities

- (a) Any residential activity which complies with:
- all of the development standards under Clause 7.2;
 - all of the community standards under Clause 7.3; and
 - all of the critical standards under Clause 7.4
- and is not a prohibited activity, shall be a **permitted activity**.
- (b) Any residential activity which complies with all of the critical standards under Clause 7.4, but does not comply with any one or more of the development standards under Clause 7.2 shall be a restricted **discretionary activity** with the exercise of the Council's discretion limited to the matter(s) subject to that standard.
- (c) Any residential activity that does not comply with any one or more of the community standards under Clause 7.3 shall be a **discretionary activity**.
- (d) Any residential activity which does not comply with any one or more of the critical standards under Clause 7.4, shall be a **non complying activity**.



- (c) Clarification of categories of activities:
The standards may also specify that an activity is discretionary or controlled (where non-compliance is with development standards) with the exercise of the Council's discretion limited to the matter(s) subject to that standard.

7.1.2 Other activities

- (a) Any other activity which complies with:
- all of the development standards under Clause 7.2;
 - all of the community standards under Clause 7.3; and
 - all of the critical standards under Clause 7.4
- and is not a prohibited activity, shall be a **permitted activity**.
- (b) Any other activity which complies with all of the community standards and critical standards, but does not comply with any one or more of the development standards under Clause 7.2 shall be a restricted **discretionary activity** with the exercise of the Council's discretion limited to the matter(s) subject to that standard.
- (c) Any activity other than a prohibited activity, which complies with all of the critical standards, but does not comply with any one or more of the community standards under Clause 7.3 shall be a **discretionary activity**.
- (d) Any other activity other than a prohibited activity, which does not comply with any one or more of the critical standards under Clause 7.4, shall be a **non complying activity**.

7.2 Development Standards

7.2.1.1 Business 1 Area

Within the areas shown as Business 1 and Mixed Use in Appendix 3r/1 Outline Development Plan (North West Belfast) Part 2 Volume 3, the Business 1 zone rules shall apply in place of ~~the following~~ Living G Development, Community and Critical Standards, except that clause 3.2 (c) Part 3 Volume 3 shall not apply to the ground floor of any building.

7.2.1.2 Within the area identified as deferred Business 1 on the Appendix 3r/1 Outline Development Plan (North West Belfast) Part 2 Volume 3, any use and development of land in accordance with the Business 1 (other than a residential activity) shall be a restricted discretionary activity with the Council's discretion limited to effects on the



owners of Lots 27-28 DP 20313~~Insert Legal Description of adjacent properties on Main North Road;~~

Note: Except where written approvals have been obtained any application under Development Standard 7.2.1.2 shall be limited notified to the owners of Lots 27 – 28 DP20313 ~~Insert Legal Description~~.

Note also Development Standard 3.4.10 and Critical Standard 3.6.2 Part 3 Volume 3



7.2.2 Residential site density

Where the terms 'Density A', 'Density B', or 'Density C' are used in the development, community, or critical standards they shall have the meanings set out below:

'Density A' (High) residential site: average lot size: to be contained within a range of 220m² to 325m². Minimum net site area of 200m².

'Density B' (Medium) residential site: average lot size: to be contained within a range of 600m² to 650m². Minimum net site area of 550m².

'Density C' (Low) residential site: average lot sizes to be contained with a range of 2000m² to 5000m². Minimum net site area of 2000m²

- (a) As a technical standard to ensure a mix of residential densities in the zone overall, any development for residential activity shall provide for the range of residential densities in locations as shown on Appendix 3r/1 Outline Development Plan (North West Belfast) Part 2 Volume 3 so as to yield an appropriate number of dwellings in those areas.

Each residential unit shall be contained within its own separate site.

Although not a required outcome of an individual application for part only of the land contained with the whole zone, an application should not frustrate the intention that development should ultimately yield a minimum of ~~1300~~1300-300~~4500~~ residential units with the following mix of residential density ranges across the Living G (North West Belfast) zone as a whole:

2% - 5% at 'Density A' within the Business 1 Zone

4042% - 60% at 'Density A' refer to Policy 11.7.1

<2% at 'Density C'.

The balance shall be Density B.

- (b) For any proposed development that does not achieve the residential densities set out in the locations shown in Appendix 3r/1 Outline Development Plan (North West Belfast) Part 2 Volume 3, details shall be provided to show alternative locations within the zone on land where the applicant is the registered proprietor where compliance with the overall density provisions of Appendix 3r/1 Outline Development Plan (North West Belfast) Part 2 Volume 3, can be otherwise achieved.



Note:

A site plan shall be supplied with any application for a building consent Project Information-Memorandum pursuant to the Building Act 1991 specifying on each site which density range the site is within.

7.2.3 Open space – residential and other activities

The maximum percentage of:

- (a) The net area of any site covered by buildings shall be:

	Residential activities with garage provided	Other activities and residential activities without garage provided
Density C residential sites	35%	35% less 18m ²
Density B residential sites	40%	40% less 18m ²
Density A residential sites	50%	50% less 18m ²

- (b) The portion of the site covered by paved impermeable surface shall be less than 25% (excluding the dwelling and garage).

Except that where a Living G (North West Belfast) site abuts an existing Living 1 zoned site the site coverage standard for the Living 1 zone shall apply to that site.

[Refer also to critical standards for open space – Clause 7.4.1]

7.2.4 Building height – residential and other activities

The maximum height of any buildings shall be:

Density C residential sites:	8m
Density B residential sites :	8m
Density A residential sites	4.3m-11m ??

except that:

- (i) Where there is an internal boundary between two Living G (North West Belfast) sites that are within different density ranges as specified in clause 67.2.1 the more restrictive maximum height shall apply to both sites.
- (ii) Where a Living G (North West Belfast) site directly abuts an existing Living 1 zoned site or sites the Living 1 zone **Building height – residential and other activities** rules shall apply to that site.



- (iii) Where the circumstances in both paragraphs (i) and (ii) above apply, the Living 1 zone building height – residential and other activities – rules shall apply to that site.

[Refer also to critical standards for building height – Clause 7.4.2]

7.2.5 Sunlight and outlook for neighbours – residential and other activities

- (a) Buildings shall not project beyond a building envelope constructed by recession planes from points 2.3m above ground level on internal boundaries, as shown in Part 2 (of Volume 3), Appendix 1, as follows:

Density C residential sites– Part 2, Appendix 1, diagram A

Density B residential sites– Part 2, Appendix 1, diagram A

Density A residential sites - Part 2, Appendix 1, diagram D

except that:

- (i) Where an internal boundary of a site immediately adjoins an access or part of an access the recession planes shall be constructed from points 2.3m above the far side of the access;
 - (ii) Where buildings on adjoining sites have a common wall along an internal boundary the recession planes shall not apply along that part of the boundary covered by such a wall.
 - (iii) Where buildings are on adjoining Density A sites, recession planes shall not apply along that part of the boundary between those sites covered by either a common party wall or immediately adjoined by a zero building setback boundary wall.
 - (iv) Other than where (iii) above applies where there is an internal boundary between two Living G (North West Belfast) sites that are within different density ranges specified in clause 7.2.1 the more restrictive recession plane shall apply to both sites.
 - (v) Where a Living G (North West Belfast) site directly abuts an existing Living 1 zoned site or sites the Living 1 zone **Sunlight and outlook for neighbours – residential and other activities** rules shall apply to that site.
 - (vi) Subject to (v) where a building is on the north side of a street that runs east-west ($\pm 20^\circ$) then there shall be no recession plane to the south.
- (b) The level of internal boundaries, shall be measured from filled ground level except where the site on the other side of the internal boundary is at a lower level, then that lower level shall be adopted.



7.2.6 Street scene – residential and other activities

- (a) Minimum building setback from road boundaries shall be 3.0m except that:
- (i) Where a garage has a vehicle door generally facing a road or shared access the minimum garage setback shall be 5.5m from the road boundary or shared access;
 - (ii) On any Density A residential site on the north side of a local road which runs at 90°(+ or - 20°) to the True North there shall be no minimum setback excluding a garage (for which 7.2.5(a)(i) applies).
- (b) Street frontage and street frontage landscaping and fencing.
- (i) Subject to the exception in rule 7.2.5 (a)(ii), the full length of the road frontage shall be landscaped to a depth of 2m except across those parts of the road boundary used as a vehicles or pedestrian crossing, or where necessary to ensure safety/visibility or security surveillance of public spaces.
 - (ii) Domestic driveways shall be a maximum width of 4.5m at the property boundary for a depth of at least 2m at the entrance (in order to facilitate landscaping) and allow clear visibility above 1m for a width of 1.5m either side of the entrance.
 - (iii) Garage doors and carport entrance ways on attached or detached garages and carports shall not comprise more than 50% of any ground floor elevation viewed from any one road boundary on any one site.
 - (iv) Any fence within the minimum building setback specified in rule 7.2.5(a) shall have a maximum height of 1 metre, except where required for screening of outdoor storage areas.

7.2.7 Separation from neighbours – residential and other activities

Minimum building setback from internal boundaries shall be 1.8m, **except that**

- (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 10.1m in length;
- (b) Within sites:
- (i) that have been identified by consent notices; or
 - (ii) are shown on the Outline Development Plan Appendix 3r/1 as Density A sites



- up to a zero building set back from either one internal eastern or southern side boundary (as defined by the diagram in Part 2 Appendix 10) may be permitted on any such site provided that first there shall be no living area windows at ground floor level permitted in any such building wall; and secondly that any windows at upper levels shall be non-opening and glazed with opaque glass. ;
- (c) Where there are boundaries between Density A sites (as identified by consent notice or are shown on the Outline Development Plan Appendix 3r/1) and Density C and Density B sites up to a zero building set back may be permitted within the Density A site from either one internal eastern or southern side boundary (as defined by the diagram in Part 2 Appendix 10) provided:
- (i) that the total aggregate length of wall of any such building on that boundary does not exceed 10.0m in length within 1.8m of that boundary;
 - (ii) that there shall be no living area windows at ground floor level permitted in any such building / wall; and
 - (iii) that any windows at upper levels shall be non-opening and glazed with opaque glass;
- (d) 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;
- (e) 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;
- (f) 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 provided that:
- (i) this shall not apply to a window at an angle of 90° or greater to the boundary; and
 - (ii) 'first floor level' shall not include a window or balcony which begins within 1.2m of ground level (such as above a garage which is partly below ground level – for explanation see diagram in relation to Clause 2.2.6 in this part of the City Plan)
- (g) For residential activities, where a window of a ground floor living area of a residential unit faces an internal boundary, the window shall be set back a minimum of 3m from the internal boundary provided that:
- (i) where an internal boundary of a site immediately adjoins an access or part of an access, the setback shall be 1m measured from the internal boundary; and



- (ii) this shall not apply to a window at an angle of 90° or greater to the boundary. (for explanation see diagram in relation to Clause 2.2.6 in this part of the City Plan)

7.2.8 Continuous building length – ridgelines and parapets – residential and other activities

Note

This rule does not apply to any development in Density A Residential area subject to the urban design and amenity Rule 7.2.17

No length of any ridgeline/s and/or horizontal parapet/s of a building, or buildings separated by a length of less than 3.6m (from ridgelines and/or parapets to ridgeline and/or parapet), combined with the length of any distance/s between the ridgeline/s and/or horizontal parapet/s shall exceed 20m without providing either a horizontal step of at least 2m, or a vertical step of at least 1m. The minimum length of all steps shall be 6m.

except that:

- (i) This rule shall not apply to any part of a ridgeline and/or horizontal parapet which is more than 10m from every internal boundary and more than 6m from every road boundary;
- (ii) Where a step occurs within 6m of the end of the ridgeline and/or horizontal parapet at the end building, the length of that step need only equal the remaining length of the ridgeline and or horizontal parapet.

Refer to Appendix 1A and the definitions of step, length and ridgeline for further clarification of this rule.

Note

~~This rule does not apply to any development in Density A Residential area subject to the urban design and amenity Rule 7.2.17~~

7.2.9 Continuous building length – exterior walls – residential and other activities

Note

This rule does not apply to any development in Density A Residential area subject to the urban design and amenity Rule 7.2.17

(a) Subject to (b) and (c) steps shall be provided along the length of exterior walls in accordance with the following table:



Length of exterior wall	Minimum number of steps
≤20m	0
>20m ≤ 24m	1
>24m ≤ 28m	2
>28m ≤ 32m	3
>32m	4 + 1 for every additional 10m of length over 32m

- (b) Where steps are required by (a) above:
- (i) One step shall have a minimum depth of 2m. Any steps required thereafter shall have a minimum depth of 1m.
 - (ii) One step shall have a minimum length of 2m. Any steps required thereafter shall have a minimum length of 4m.
 - (iii) No length of any exterior wall shall exceed 20m without a step of the required dimension having commenced.
 - (iv) The required steps shall be provided at all levels of the exterior wall.
- (c) **except that:**
- (i) This rule shall not apply to any part of an exterior wall which is more than 10m from every internal boundary and more than 6m from every road boundary.
 - (ii) Where no part of a building exceeds 5.5m in height, this rule shall not apply to any exterior wall of less than 28m in length.

Refer to Appendix 1A (pg 2/76a and 2/76b) and the definitions of step, length and ridgeline for further clarification of this rule.

Note

~~This rule does not apply to any development in Density A Residential area subject to the urban design and amenity Rule 7.2.17~~

7.2.10 Outdoor living space – residential activities

- (a) Each residential unit with a room or garage on the ground floor shall be provided with an outdoor living space in a contiguous area, contained within the net area of the site with a minimum area and dimension as follows:



	Minimum area	Minimum Dimension
Density C residential sites	90m ²	6m
Density B residential sites	75m ²	4.5m
Density A residential sites	40m ²	4m

except that

(b) Each residential unit without a room or garage on the ground floor shall be provided with a balcony:

(i) with a minimum area and dimension as follows:

	Minimum area	Minimum Dimension
Density C residential sites	6m ²	1.5
Density B residential sites	5m ²	1.5m
Density A residential sites	5m ²	1.5m

and

(ii) with the maximum height of any balustrade being 1.2 metres.

(c) The required minimum area shall be readily accessible from a living area of each unit. At least half of the required minimum area shall be able to receive sunshine on the shortest day of the year.

Note for clarification: This rule only applies to structures on the same site.

(d) The required minimum area shall not be occupied by any building, access or parking space, other than;

- An outdoor swimming pool; or
- Accessory building of less than 8m²; or
- Any building or parts of a building without walls (other than a balustrade) on at least a quarter of its perimeter and which occupies no more than 30% of the area of the outdoor living space.



7.2.11 Family flats – residential activities

- (a) Family flats shall have a maximum gross floor area, excluding terraces, garages, sundecks and verandahs, of 65m².
- (b) 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:
 - (i) the family flat shall be relocated from the site: or
 - (ii) the family flat shall have the kitchen removed so that the flat is no longer a self-contained residential unit.

7.2.12 Screening from neighbours – other activities

Parking and outdoor storage areas shall be screened from adjoining sites by landscaping, wall(s), fence(s) or a combination to at least 1.8m in height along the length of the parking or storage area. Where the screening is to be provided by way of landscaping, the 1.8m minimum height standard is to be achieved at the time of planting.

7.2.13 Restrictions on outdoor activities - other activities

All manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles shall be carried out within a building.

7.2.14 Other activities – Noise from pre-schools

Pre-schools shall be a discretionary activity with the exercise of the Council's discretion limited to the consideration of the effects of noise from the location of outdoor activities and facilities associated with this activity.

7.2.15 Density A dwelling orientation to the street.

Dwellings on Density A sites shall have a kitchen or dining room or living room or combination thereof, with a total area of windows of at least 3m² that overlook the setback (if any) from the road boundary, or in the case of no setback, the road itself.

7.2.16 Creation of Stormwater Drainage Swales

Creation of stormwater drainage swales and water bodies in the Living G (North West Belfast) zone shall be a restricted discretionary activity with the Council's discretion limited to:

- (a) the efficient and effective operation of the stormwater system as part of a complete treatment train from rainfall to discharge to the Waimakariri River (or its tributaries);
- (b) compliance with Appendix 3r/3 Part 2 Volume 3 (the Blue Network) and associated objectives and policies;



- (c) the extent to which the design, layout and plant species proposed have been undertaken and selected having consideration to the operations of the Christchurch International Airport and the need to minimise potential bird strike: and
- (d) the need to maximise open space in the locations as shown on the Green Blue Network Plan [Appendix 3r/2] Part 2 Volume 3.

7.2.17 Urban design and amenity for Density A Residential Area - residential and other activities

- (a) Except where new buildings have been included as part of a subdivision consent granted pursuant to clause 19.6 Part 14, Volume 3, the erection of new buildings, including accessory buildings, shall be a restricted discretionary activity with the exercise of the Council's discretion limited to the urban design and amenity of the site and development thereon.
- (b) Alterations or additions to existing buildings, including accessory buildings, shall be a restricted discretionary activity with the exercise of the Council's discretion limited to the urban design and amenity of the site and development thereon.

7.2.18 Contaminated land – residential activities

The construction of any building involving human occupancy shall be a restricted discretionary activity with the Council's discretion limited to health and safety, adequacy of site investigation, mitigation and remediation.

NOTE 1: The investigation of individual building lots should be carried out in accordance with the Ministry of the Environment's Contaminated Land Management 9, Guidelines or any relevant National Environmental Standard for assessing and managing contaminants in soil. An investigation shall also be carried out to evaluate the extent and potential effects to health and safety of occupants caused by landfill gas migration from other land. These

Investigations should be carried out by persons with recognised expertise and experience. In the event that soil contamination is identified or landfill gas is detected at levels which require remedial and/or site management measures to be undertaken to make the land suitable for its intended purpose, such measures shall be undertaken and recorded, and copies of the investigation and remediation/site management reports shall accompany the building consent application.

NOTE 2: This clause does not apply where the site has been investigated by way of a subdivision consent application in accordance with Subdivision Rule 19.7 Part 14 Volume 3 Site Contamination.



7.2.19 Walkable Blocks

In the Density A and Business zones, every building block of residential or business development shall be entirely enclosed by land legally accessible to the general public and the circumference of each building block shall not exceed 320 metres.

For the purposes of this rule legally accessible means land that any member of the public may legally occupy at any time. This may include legal roads, road reserves, recreation reserves, and local purpose reserves.

7.2.20 Bypass Corridor Development Area

- (i) Prior to any development within the area shown as the Bypass Corridor Development Area in Appendix 3r/1 Outline Development Plan (Northwest Belfast) Part 2 Volume 3, a concept plan shall be submitted to the Council.

The concept plan shall specify:

- (a) the alignment of the Western Belfast Bypass as confirmed as final by a NZTA Notice of Requirement~~NZTA~~; and
- (b) areas of density to give effect to rule 7.2.2; and
- (c) appropriate setbacks from the Western Belfast Bypass Corridor for noise attenuation purposes; and
- (d) stormwater attenuation; and
- (e) roads, cycle and pedestrian routes; and
- (f) areas of open space

And shall as closely as practicable give effect to the Outline Development Plan and layer diagrams (Appendix 3r/1-4, Part 2 Volume 3), whilst taking into account the limitations imposed by the Western Belfast Bypass.

The concept plan shall be assessed as a controlled ~~restricted discretionary~~ activity with the Council's control ~~the Council's discretion~~ restricted to :

- (a) integration of land use with the alignment of the Western Belfast Bypass as confirmed as final by a NZTA Notice of Requirement~~NZTA~~; and
- (b) areas of density to give effect to rule 7.2.2; and
- (c) appropriate setbacks from the Western Belfast Bypass Corridor for noise attenuation purposes; and
- (d) stormwater attenuation; and
- (e) roads, cycle and pedestrian routes; and
- (f) areas of open space



- (ii) Upon approval of the concept plan pursuant to rule 19.4(i) it shall substitute the development shown within the Bypass Corridor Development Area on Appendix 3r/1-4, Part 2 Volume 3 and all applicable Living G (North West Belfast) objective policy and rule provisions in this Plan shall be read as applying to the development within the concept plan.

References to other development standards

Clarification of rules

(refer Part 9, Clause 2)

Excavation and filling of land

(refer Part 9, Clause 5)

Financial contributions on land use activities

(refer Part 9, Clause 7)

Outdoor advertising

(refer Part 10, Clause 30)

Sale of liquor

(refer Part 10, Clause 4)

Relocated buildings

(refer Part 10, clause 6)

Transport (parking, access and manoeuvring)

(refer Part 13)

Subdivision

(refer Part 11, clause 18)

7.3 Community Standards

7.3.1 Scale of activity – other activities

- (a) The maximum gross floor area of buildings plus the area of any outdoor storage, used for activities other than residential activities, shall be 40m² except where an activity is an educational, spiritual, day-care, health or retail facility and is located within the areas indicated for Business 1 activities and Community



Footprint in Appendix 3r/1 Outline Development Plan (North West Belfast) Part 2 Volume 3.

- (b) No more than one full-time equivalent person, who permanently resides elsewhere than on the site may be employed in undertaking any activity on the site, other than as excepted above, or where the activity is an educational, spiritual, day-care, or health facility, and is located within the area indicated in Appendix 3r/1 Outline Development Plan (North West Belfast) Part 2 Volume 3, as a Community Footprint.
- (c) Within the area shown as Business 1 in Appendix 3r/1 Outline Development Plan (North West Belfast) Part 2 Volume 3, the Business 1 zone rules shall apply, except that clause 3.2 (c) Part 3 Volume 3 shall not apply to the ground floor of any building;

7.3.2 Site size – other activity

The maximum net area of any site for activities other than residential activities shall be 1100m² **except:**

- (a) Where the activity occupies not more than 40 square metres of floor space and at least one person engaged in the activity resides permanently on the site, the maximum net area of any site for activities other than residential activities shall be 1375 square metres.

or

- (b) where the activity is located within the area shown as either Business 1 or 'Community footprint' in Appendix 3r/1 Outline Development Plan (North West Belfast) Part 2 Volume 3.

7.3.3 Hours of operation - other activities

- (a) The maximum total number of hours the site shall be open to visitors, clients or deliveries for any activity other than a residential activity shall be 50 hours per week.
- (b) Hours of operation shall be limited to between the hours:
0700 – 2000 Monday to Friday, and
0800 – 2300 Saturday, Sunday and public holidays
except

- (i) where the activity is located within the Business 1 or 'Community footprint' in Appendix 3r/1 Outline Development Plan (North West Belfast) Part 2 Volume 3; **or**



- (ii) where the activity occupies not more than 40m² of floor space. **and**
- (iii) where each person engaged in the activity outside the above hours resides permanently on the site. **and**
- (iv) where there are no visitors, clients or deliveries to or from the site outside the above hours.

Refer also to city rules – (Part 11, Clause 1 – Noise)

7.3.4 Traffic generation – other activities

- (a) Maximum number of vehicle trips per site shall be:
 - (i) Sites where access is shared with at least one other site:

Heavy vehicles	2 per week
Other vehicles	16 per day
 - (ii) Sites with frontage to local roads, other than (i) above:

Heavy vehicles	2 per week
Other vehicles	32 per day
 - (iii) All other sites:

Heavy vehicles	4 per week
Other vehicles	50 per day

except:

- (iv) where the site is located within the areas shown as Business 1 ~~and~~ deferred Business 1 and the Mixed Use Zone in Appendix 3r/1 Outline Development Plan (North West Belfast) Part 2 Volume 3

or

- (v) for educational, spiritual, daycare and health facilities the maximum number of vehicle trips per site shall be:

Collector and arterial roads:	100 per day
Community footprint:	200 per day

- (b) Vehicles, other than heavy vehicles, associated with any residential activity on the site shall be included in determining the number of vehicle trips to and from any site. Vehicles parking on the street or on any other site, in order that their occupants can visit the site, shall also be included in determining the number of vehicle trips to and from any site.

7.3.5 B

- (a) The maximum gross floor area of any single building shall be 550m².



- (b) Where buildings located on the site each have a gross floor area of greater than 100m², they shall be separated from each other by not less than 3.6 metres except where the building is located in Density A areas shown in Appendix 3r/1 Outline Development Plan (North West Belfast) Part 2 Volume 3 or is identified by consent notice as being a high density site, in which cases such setback shall be not less than 1.8 metres from site boundaries, unless such dwellings share common party walls or zero building boundaries can be achieved.

7.3.6 Residential coherence – other activities

At least one person engaged in the activity shall reside permanently on the site, **except** where the activity is within the area shown as Business 1 in Appendix 3r/1 Outline Development Plan (North West Belfast) Part 2 Volume 3; or is an educational, spiritual, day-care, health or retail facility, and is located within the area indicated for community footprint activities on Appendix 3r/1 Outline Plan (North West Belfast) Part 2 Volume 3.

Reference to other community standards

Noise

(refer Part 11, Clause 1)

Glare

(refer Part 11, Clause 2)

Hazardous substances

(refer Part 11, Clause 3)

Transport (parking, access and manoeuvring)

(refer part 13).

7.4 Critical standards

7.4.1 Residential site density

Notwithstanding Rule 7.2.1, any development for residential activity where the average lot size is larger than the higher of the range specified in that rule for the location to which the development applies, as shown on Appendix 3r/1 Outline Development Plan (North West Belfast) Part 2 Volume 3, shall be a **non-complying activity** unless the development complies with 7.2.1 (b) and a consent notice is registered in accordance with Rule 19.5 (b)(iv).





7.4.2 Open space – residential activities

- (a) In the Living G (North West Belfast) zone the maximum percentage of the net area of the site covered by buildings shall be:

	Residential activities with garage provided	Residential activities and Other activities without garage provided
Density C residential sites	40%	40% less 18m ²
Density B residential sites	45%	45% less 18m ²
Density A residential sites	60%	60% less 18m ²

- (i) in the Density C and Density B lots, for housing complexes for the elderly, the percentage coverage by buildings shall be calculated over the net area of the site.
- (b) For Density C or Density B residential sites the maximum percentage of the site covered by paved impermeable surface shall be 30%.
- (c) For Density A residential sites the maximum percentage of the site covered by paved impermeable surface and buildings shall be 80%.

Refer also to development standards for open space – Clause 7.2.2

7.4.3 Building height – residential and other activities

Maximum height of any building shall be:

'Density C' residential sites	9m
Density B residential sites	9m
'Density A residential sites	14m

7.4.4 Boarding of animals – other activity

Boarding of animals on a site shall be limited to a maximum of four animals in the care of a registered veterinarian for medical or surgical purposes only.



7.4.5 Dismantling or repair of motor vehicles – other activities

There shall be no dismantling or repair of motor vehicles, including the storage of such vehicles provided that vehicles being dismantled or repaired that are owned by people who live on the same site are exempt from this standard.

7.4.6 Special setback provisions – residential and other activities.

Development of land adjacent to the ~~In relation to the~~ Devondale Drive, as marked in red of the Spine Road on the Outline Development Plan in Appendix 3r/1 Part 2 Vol 3 shall be subject to:

- i. a site boundary setback of 15 metres from the Devondale Driveway; and
- ii. the area within the setback shall be held in common ownership and shall be of high amenity design with:
 - a. consistent design of permeable fences; and
 - b. the placement of key trees and shrubs within the setback on Lots 1 -5 [to provide Lot reference] -to the east of the Devondale Driveway.

Setbacks for residential activities on the Spine Road shall be:

- i. Density A – buildings shall be setback 2 metres, except for housing on the southern side of the road when parallel with Johns Road
- ii. Density B – buildings shall be setback of 2 metres.

Setbacks on the north side of roads running east-west

- i.. Density A and B there shall be a maximum setback of 3 metres, unless;
- ii. where vehicle access from the street is required, garages shall be setback a minimum of 5.5 metres

Fencing – Residential activities

Where a residential building is set back 3 metres or less the maximum fence height shall be 1.2 metres.

Future access off Devondale Driveway is limited to one additional allotment.

[to come]



7.4.8 Vehicular access

i. Residential and other activities shall have no direct vehicular access to Johns Road other than via an intersection identified on the Outline Development Plan in Appendix 3r/1 Part 2 Volume 3 while, between Groynes Drive and Main North Road, Johns Road is defined as a major arterial road in this Plan or until the state highway status of this part of Johns Road is revoked, whichever occurs the earlier.

~~ii. For the intersections shown as X and Y on Appendix 3r/1 Outline Development Plan:~~

~~— A single intersection is to be formed in the vicinity of one of the three locations marked as X, in consultation with the relevant road controlling authority; and~~

~~— Any intersection formed in the location marked as Y on Appendix 3r/1 Outline Development Plan shall be left in, left out only and shall be designed in consultation with the relevant controlling authority.~~

iii. For the intersections shown as X and Y on Appendix 3r/1 Outline Development Plan:

- A single intersection is to be formed either directly on the Richill Street intersection with Main North Road or in the vicinity of one of the ~~three~~ two locations marked as X on Darroch Street, at a safe distance from the intersection of Darroch Street and Main North Road, in consultation with the relevant road controlling authority; and

- Any intersection formed in the location marked as Y on Appendix 3r/1 Outline Development Plan shall be left in, left out only and shall be designed in consultation with the relevant controlling authority.

~~iv. Where vehicular access to a site is available by service lane, access strip, access lot, private road or private way, all vehicular access onto and off the site shall be via that access.~~

~~iv. Access to garages in Density A areas on streets other than the Spine Road shall be by rear lane access only.~~

~~v. In Density A areas access to garages from the Spine Road shall be via rear lane access only and rear lane accesses shall be a minimum of 60 meters apart.~~



Reference to other critical standards

Excavation and filling of land
(refer Part 9, Clause 5)

Outdoor advertising
(refer Part 10, Clause 3)

Fortified sites
(refer Part 10, Clause 5)

Noise
(refer Part 11, Clause 1)

Subdivision (including prohibited activities)
(refer Part 14)

Hazardous Substances
(refer Part 11 Clause 3.3.5)

Changes to Part 2 Clause 7 Assessment matters for resource consents. (to be re-numbered as clause 8 of Part 2, Volume 3).

8.2.1 Site density and open space.

Amend new sub-clauses

- “(l) In the Living G (Yaldhurst) zone and the Living G (North West Belfast) Zone, the extent to which the minimum site density and ‘green network’ provisions indicated in the Outline Development Plan and supporting principles or Objectives and Policies for this zone are given effect to.
- (m) In the Living G (Yaldhurst) zone, and the Living G (North West Belfast) Zone the extent to which Density (A) or Density (B) (Yaldhurst) and Density A (North West Belfast) development is located adjacent to areas of green-space so as to provide for compensating open space amenity.”



8.2.2 Building height, and outlook for neighbours.

Amend new sub-clause

“(1) In the Living G (Yaldhurst) zone and the Living G (North West Belfast) Zone, the extent to which the character of the living areas surrounding Density (A) or Density (B) (Yaldhurst) and Density A (North West Belfast) development remains reasonably open rather than being dominated by buildings.

8.2.3 Street scene

Amend new sub-clauses

“(xii) In the Living G (Yaldhurst) zone and the Living G (North West Belfast) Zone, the provision of street trees on both sides of roads, corresponding in scale to the significance of the road in the roading hierarchy for interest and differentiation.

(xiii) In the Living G (Yaldhurst) zone and the Living G (North West Belfast) Zone, the extent to which the street scene is not dominated by fenced areas, and/or access drives to rear lots.”

8.2.4 Separation from neighbours.

Amend new sub-clause

“(o) In the Living G (Yaldhurst) zone and the Living G (North West Belfast) Zone, the extent to which buildings designed to achieve higher densities (A) or (B) (Yaldhurst) and high density (North West Belfast) may dictate that set-backs are either unnecessary and/or may be dispensed with.”

Add new sub-clause

8.2.5 Outdoor living space.

Amend new sub-clause

“(f) In the Living G (Yaldhurst) zone and the Living G (North West Belfast) Zone, the extent to which any outdoor living space or fenced court area intrudes in front of any residential unit to the detriment of the street scene.

(g) In the Living G (Yaldhurst) zone and the Living G (North West Belfast) Zone, the ability of any outdoor living space or fenced court area to receive a minimum of 2 hrs continuous sunlight, measured on the winter solstice between the hours of 10.00 am and 2.00 pm. When assessing the adequacy of sunlight access, regard should be had to the bulk and height of any building that could be constructed as of right on any adjoining site.”



8.2.17 Residential coherence.

Amend the introduction to sub-clause (b) to read:

“(b) In the Living 1, H, RS, RV, 2, 3 G (Yaldhurst) and G (North West Belfast) Zones.....”

8.2.23 Roading and access

Amend new sub-clauses

“(d) In the Living G (Yaldhurst) zone and the Living G (North West Belfast) Zone, the extent to which Density (A) or Density (B) (Yaldhurst) and Density A (North West Belfast) development is located adjacent to movement nodes.

(e) in the Living G (Yaldhurst) zone and the Living G (North West Belfast) Zone, the extent to which connectivity to pedestrian, cycle and public transport routes is provided for”.

8.2.26 Creation of storm water drainage swales in the Living G (North West Belfast) zone

(a) Form or slope of any embankments and planting regimes;

(b) Adequate depth of swale; and

(c) Population control of bird species posing a threat to aircraft.

8.2.27 Development of 'Primary (spine) route' within the Living G (North West Belfast) Zone

The timing of the construction of the 'Primary (spine) route', and connections to this road, to provide for dispersed traffic movements to, from and through the Living G (North West Belfast) Zone to protect the functioning of Main North Road and Johns Road.

8.2.28 Urban design and amenity – Density A residential areas in Living G Zones

General matters

General matters set out expectations for design of new residential development. They provide an assessment framework for consenting officers and expert advisers when considering resource consent applications.

General matters allow for assessment to be undertaken of each development on a case by case basis. This allows flexibility of design whilst controlling developments to avoid poor design. It is expected that as a minimum, developments will fulfil the matters that are 'shoulds', except where some competing or conflicting design



objectives arise, in which case compromises may have to be made between assessment matters to achieve a better overall balance of development outcomes.

Under each section heading a brief explanation provides additional information on meaning and intent behind the assessment matters. Applicants are also encouraged to provide written and graphic evidence of their design rationale to accompany site specific proposals.

Any proposal shall be assessed against the extent to which the development addresses the following principles:

(i) Site and context.

- a. Developments should consider local environmental conditions included but not limited to the position of the sun and prevailing winds.
- b. Developments are encouraged to support prominent vistas and view shafts.
- c. Developments are encouraged to provide a high degree of passive surveillance.

Explanation

Proposals will need to demonstrate how the development responds to constraints and opportunities within and beyond the site. Developments should consider amenity for residents, neighbours and the wider community.

Christchurch's climate is temperate with distinctive weather patterns (e.g. prevailing winds and cool, damp winters). Building design should respond to these conditions to ensure comfort for residents. Building design should allow for utilisation of passive solar energy.

On the flat topography of Christchurch, view shafts and vistas to prominent features such as the Port Hills, Southern Alps and Central City skyline create reference points that contribute to the visual amenity of residents.

In higher density residential areas, in particular in respect of shared access ways and lanes, consideration should be given to the provision of passive surveillance. This can be achieved by locating first floor dwellings, windows and balconies that overlook access ways and lanes.

(ii) Relationship with street, lanes and public open spaces

- a. The appropriateness of the depth and consistency of setback from the road boundary taking into account the set back from the road



- boundary of buildings on adjacent sites.
- b. Buildings should be oriented toward the street and positioned close to the road boundary.
 - c. Developments should place active areas of buildings, such as habitable rooms and entrances, along the street and public open spaces, particularly at ground level.
 - d. Buildings should have pedestrian entrances that are identifiable, well articulated and directly accessible from the street or, in the case of rear units, shared access ways.
 - e. Facades facing the street should have a high degree of glazing that is evenly distributed.
 - f. Fences and landscaping along the road boundary or adjacent to public open spaces should not obstruct ground level views.
 - g. Fences should complement the building design.
 - h. Building design and location provide opportunity for passive surveillance particularly in relation to shared access ways and lanes.
 - i. Landscaping along the road boundary or adjacent to public open spaces should not obstruct ground level views and should not contain species that are able to reach a size, at maturity, that would require the plant's removal to maintain amenity on the site.
 - j. Landscaping along the road boundary or adjacent to public open spaces should not be planted where it will interfere with the operation, repair or maintenance of underground infrastructure.

Explanation

Boundary treatments have an impact on adjacent streets and public open spaces. A coordinated approach to buildings, landscaping and boundary edges is important to help set the overall appearance for the neighbourhood. It is also important that developments enhance the definition of the street through the continuity of the building edge and height to promote a sense of enclosure and establish a comfortable, well-structured public space. Minor modulation and variance of the building frontage is acceptable to retain site features or avoid architectural monotony, provided that the overall continuity of the frontage is not compromised.

The positioning of main entrances and primary activities (e.g. habitable rooms) along streets and public open spaces increases pedestrian safety, visual interest and social interaction. This is most effective at ground level where views and access points are most direct. Large windows and balconies will maximise the opportunities for surveillance of the street, lanes and public open spaces. A minimum of 25% glazing across these building frontages is a rule of thumb.



Near streets, lanes and public open spaces, front fences, walls and gates should discourage illegitimate entry but maximise surveillance and safety. The location of fully private outdoor living spaces or dense planting along road boundaries and reserves is discouraged at ground level to promote greater community ownership and responsibility of these public spaces.

Fences should complement the development and avoid inappropriate materials like razor wire or broken glass.

Plant species should be carefully chosen to ensure that their size at maturity does not create adverse on site amenity effects such as overshadowing of buildings and restricting views from living areas onto the street.

(iii) Corner sites

- a. Buildings on corner sites should orientate towards all adjacent streets and public open spaces and emphasise these corners.
- b. Pedestrian entrances are encouraged to be located along main pedestrian routes.

Explanation

Poor building location and design at street corners can undermine the overall structure and legibility of an urban area. Poor building location and design of buildings at corner sites can result in visual imbalance and uninteresting built form when forming a relationship with multiple street frontages. Corner sites are important as they orientate people and aid decision making for those moving around a neighbourhood, particularly when viewed across a public open space or at the end of a street.

Primary pedestrian entrances should be located along main pedestrian routes linking to key destinations to help improve their safety and vitality.

(iv) Building form and articulation

- a. Buildings should be of a domestic scale
- b. Buildings in series should avoid excessive repetition of building forms.
- c. Buildings should avoid façades and elevations whose length or bulk is visually excessive or blank.
- d. Roofs should be designed to limit continuous ridgelines and minimise the visual bulk of a building.
- e. The separation of buildings within sites is encouraged to reduce perceived building bulk.



- f. Architectural features and a variety of materials and colours are encouraged to provide human scale and visual interest.

Explanation

Accepting a variety of building styles, developments should have façade lengths and separation between buildings that create and maintain a high degree of amenity. Overly repetitive building forms ought to be avoided with the design of each building creating a distinctive and varied environment.

Blank facades, particularly those facing the street or open spaces, can be avoided through the addition of architectural features (i.e. entrance porches, bay windows and shade screens) which provide relief, texture or colour. Architectural features, integrated roofs and landscaping can all contribute to breaking up and softening the visual bulk of a development. Separating large buildings to allow views through sites can make new development less intrusive, particularly for neighbours. A rule of thumb for the maximum length of a building façade is 15 metres before a recess of at least two metres or separation of buildings is needed.

Developments are encouraged to use high quality, durable materials and fixings. Use of these materials and fixings will contribute to reduced maintenance costs and responsibilities for residents and foster a sense of ownership within residents.

(v) Landscaping and site amenity

- a. Car parking, garages, side boundaries, shared access ways, lanes and service areas should be softened by landscaping.
- b. Lighting, planting, fences and other structures on sites and shared access ways, lanes and service areas should be designed to maximise safety of occupants and visitors.
- c. The distribution of landscaping throughout the site and provision for larger vegetation is encouraged except where it might conflict with assessment matter ii(i).
- d. Landscape design is encouraged to use locally appropriate plants, including those that minimise water and maintenance requirements, promotes biodiversity and promotes healthy ecosystems.
- e. For lanes and shared access ways, fences and gates at the rear of properties should provide varying degrees of solidity and transparency, while maximising occupants safety and opportunities for passive surveillance.



Explanation

Safety is a key consideration throughout developments and should conform to Crime Prevention Through Environmental Design (CPTED) principles. A clear hierarchy of spaces, from public through to private, with well defined transitions between them and no "left-over" spaces, needs to be established within developments.

Fencing and soft and hard landscaping should be designed in a way that does not prevent informal surveillance of lanes, common or public areas and maintains clear sightlines by avoiding blind corners, hiding places or dark recesses.

Lighting for safety and amenity purposes should be an integral part of the development that is carefully designed and positioned to light all common areas and building entrances without creating a nuisance for adjoining properties. A balanced landscape coverage adds to the Garden City image and the visual outlook of residents and neighbours. Vegetation softens building bulk and boundary fencing, breaks up large paving areas and improves screening for privacy. Use of deeper planting borders allows for larger vegetation, including trees.

Use of locally appropriate plants is encouraged to enhance the neighbourhood character and establish planting which is robust and easily maintained within local climatic conditions. The use of locally sourced native plants is encouraged to promote biodiversity.

(vi) Outdoor Living Spaces

- a. Outdoor living spaces should be located on sites in a way that will optimise useable space and provide a pleasant outlook for unit occupants.
- b. Private outdoor living spaces, including balconies and terraces, should link directly to main living areas within the residential unit.

Explanation

The sensitive location and screening of outdoor living spaces, including balconies and terraces, is important to maximise solar aspect and shelter from predominant winds.

It is important that outdoor living spaces are accessible and complementary to the main living areas within each unit. Linking outdoor and indoor living areas together encourages their use, improves outlook and provides greater flexibility for smaller private spaces.

Where communal spaces are provided, they should be easily accessible from each unit, while minimising disturbance to adjacent residents. Where possible, they should



offer an area of open space that is sited and developed to provide a positive amenity outlook for residents.

Communal spaces should be of a size and dimensions that is appropriate to the total number of residential units and residents in the development and incorporate facilities that make them attractive, inviting and safe to use (e.g. outdoor seating area, barbecue area, play area, tennis court), while being cost-effective to manage and maintain.

(vii) Service Areas and Utilities

Service areas should be positioned within a development to minimise adverse visual, noise or odour amenity effects and to enable practical use.

- a. Rubbish storage areas, letter boxes, utility boxes and other service facilities required to be accessible from the street should be visually integrated into the development frontage.
- b. Building services such as external access ways and mechanical, electrical and communications equipment should be integrated within the building to minimise their visual impact, particularly from streets or public open spaces
- c. Storage space should to be easily accessible to residents.

Explanation

Service areas (e.g. clothes lines, wheelie bin storage) are often unsightly and can generate adverse noise and odours. The screening or location of these areas away from primary views, along with consideration for containment of noise and odours, is important. The configuration of these areas should enable site facilities that are adequately sized, have a practical use and are conveniently located to each residential unit and service providers.

Any service facilities within close proximity to a street or public open space, which cannot be placed elsewhere, needs to be concealed or of a complementary design to building and streetscape to minimise the visual impact.

Other building service elements (e.g. drainage pipes, lift plant) can add to the visual clutter of developments and should be integrated within overall building design or screened, yet allow for servicing access and future additions. This includes external stairs and access docks which should generally be avoided.

Elements which could be added post-completion (i.e. satellite dishes, heat exchangers) should be allowed for through provision of communal facilities at the outset of development or via appropriate provision of space for these additions at a later stage.



The provision of storage space should accommodate a range of recreational and maintenance equipment, particularly those related to children's toys, sports equipment, bicycles and gardening tools, and be positioned as close to their end use as is possible.

(viii) Residential Amenity

- a. The location, orientation and internal design of residential units should balance outlook and sunlight with the privacy of internal occupants and neighbouring residential units.
- b. Windows and balconies on upper levels should be orientated and screened to limit direct overlooking of adjacent dwellings, their outdoor living space and the private outdoor living space of other units within the same development.
- c. Developments are encouraged to provide a variety of unit-sizes to accommodate a range of households.

Explanation

All residential units should provide a high standard of amenity with regard to size, purpose, layout, acoustic insulation and privacy. This includes the configuration of balconies to minimise views between upper level residential units and down to ground level private spaces.

(ix) Treatment of Lanes

- a. Define the identity of, and entrance to, a lane through both landscaping and built form elements such as location residential dwellings in close proximity to the street or where they are visible from the street.
- b. Provision of shared vehicle and pedestrian access with no defined footpath.
- c. Variation in lane clearway through design by tightening, extending and terminating views within a lane.
- d. Provision of permanent passive surveillance for all parts of the lane.
- e. Establish a consistent character for a lane with complementary architectural features on the lane and adjacent buildings.

Explanation

The purpose of providing residential units in close proximity to lane entrances is to provide a gatekeeper function, promote activity and provide passive surveillance in



the lane. The use of landscaping can also go to act as a visual cue clearly defining their identity and entrance.

Sharing the space between pedestrians and vehicles by not defining footpaths or carriageways promotes awareness of each other's presence in a confined space. This has the effect of reducing vehicle speeds and improving pedestrian safety within lanes.

Variation in the design of lanes provide visual interest and it can be achieved through variation in width, the location of the elements and landscaping textures thereby ensuring they are not viewed on the same vertical plane or appear overly long.

A safe streetscape can be achieved through design that considers the composition of garages, lofts, carports, uncovered spaces, entrance ways, lighting and landscaping. Design should avoid areas on lanes and access-ways that are not subject to passive surveillance from overlooking first floor dwellings or studio windows and by providing sufficient transparency from private yards to laneway.

An interesting streetscape can be established through the use of a limited range of complementary architectural features, for example garage doors, fences, and paving. They could be constructed of varying materials to suit each residential unit design and provide variation to the laneway.

8.3 [Re word to read:] "Living 1A, 1B, 1C, 1D, 1E, HA, HB, TMB, G (Yaldhurst) and G (North West Belfast) zones

8.3.1 Development Plans

[Add new sub-clause]

"(k) In the Living G (North West Belfast) zone, the extent to which any development accords with the provisions of Appendix 3r/1 Outline Development Plan (North West Belfast) Part 2 Volume 3 and the key Objectives and Policies set out for this zone."

Section 9, Part 2, Volume 3

9.1 Reasons for Rules

The reasons for rules for the Living G Zone will require consequential changes to refer to the application to the Living G (North west Belfast) zone.



Volume 3 Statement of Rules – Part 3, Business Zones

Insert new rules in section 3.4 Development standards - Business 1 and 2 Zones as follows:

3.4.8 Residential activities – Outline Development Plan (North West Belfast)

In the Business 1 Commercial Area and Mixed Use area, as identified on Outline Development Plan (North West Belfast) (Appendix XX) residential activity shall not be located on the ground floor of any building.

3.4.9 Urban design and amenity for development in the Business 1 Commercial Area – and Mixed Use area Outline Development Plan (North West Belfast) (Appendix XX)

In the Business 1 zone the erection of new buildings, and additions exceeding 100m² in floor area to existing buildings, shall be a ~~controlled~~ restricted discretionary activity, with the exercise of the Council's discretion ~~control~~ limited to the design and amenity of the site and development thereon.

In the mixed use area the erection of new buildings, and additions to existing buildings, shall be a controlled activity, with the exercise of the Council's ~~discretion~~ (~~control~~?) limited to the design (including signage) and amenity of the site and development thereon.

3.4.10 Mixed Use Area Living G (North West Belfast) Zone

Notwithstanding any other rule, any new retail gross floor area that cumulatively with any existing retail ~~gross~~ public floor area in the Living G (North West Belfast) Mixed Use area totals 500m² or less shall be a ~~restricted discretionary~~ controlled activity, ~~with the Council's discretion restricted to the retail distribution effects on existing retail activities outside of the Living G (North West Belfast) Mixed Use area.~~

Insert new rules in section 3.6 Critical Standards - Business 1 and 2 Zones as follows:

3.6.2 Mixed Use Area Living G Northwest Belfast Zone

Except as provided for under the provisions of the Rural 3 Zone, development in this area is deferred until physical construction begins on the Western Belfast Bypass.



Notwithstanding any other rule, any additional retail floor area that cumulatively with any existing retail area in the Living G (North West Belfast) Mixed Use area exceeds 500m² shall be a non-complying activity.

No one tenancy shall have a public floor area ~~GFA~~ of more than 12580m².



Amend Part 3, Business Zones new assessment matter in section 6 assessment matters for resource consents as follows:

6.5.13 Design and amenity for development in the Business 1 Zone – and Mixed Use area Outline Development Plan (North West Belfast)

- (a) The quality of architectural treatment of main elevations including building design, architectural features and details, use of colour and building materials.
- (b) The extent to which active rooms are positioned in relation to the street to maximise passive surveillance.
- (c) The extent to which tree planting, including species, height and calibre achieves a high quality landscaping outcome and mitigates adverse visual effects and scale of commercial buildings and business activities.
- (d) The extent to which landscaping is used in preference to scaled areas, solid fencing and walls along road boundaries.
- (e) The position of security fencing to reduce the dominance of the streetscape and avoid compromising landscape areas.
- (f) The extent to which any signage on buildings is integrated with a buildings' architectural details.
- (g) The extent to which the location of outdoor storage, loading, and parking areas are located behind buildings away from public areas.

Insert in Part 3, Business Zones reasons for rules:

7.3.15 Design and amenity for development in the Business 1 Commercial Area and Business 1 Mixed Use area– Outline Development Plan North West Belfast

Within the Business 1 Commercial area ~~and 1 Mixed Use area~~ all new buildings, alterations or additions requires resource consent as a ~~restricted discretionary~~ activity with the Council's discretion limited to the design and amenity of the development. Within the Mixed Use area all new buildings, alterations or additions which cumulatively total GLFA Public Floor area of -500m² or less, and a single tenancy of 12580m² public floor area or less require resource consent as a controlled activity with the Council's control limited to the design and amenity of the development. ~~These~~ These provisions ~~has~~ have been inserted to address concerns over the quality of development occurring in close proximity to areas of high density residential development and areas of significant open space. This provision includes



assessment matters to act as guidance for developers and for those assessing applications, as to the appropriate level of amenity anticipated for commercial development in this area.

Changes to Transport Rules

Part 13 Transport Volume 3. In Table 1b. "Minimum parking required" Insert below "**Residential activities** Generally":

Living G (North West Belfast) zone: For a site of 400m² or less only 1 car-parking space is required.

VOLUME 3, Part 14 (Subdivision):
Add "19" to the 'Guide to using these rules' steps 4-7.

- Step 4** If the proposed subdivision complies with all of the relevant critical, community and development standards and is not specified as a prohibited activity, it shall be a controlled activity, subject to conditions relating to any relevant matters set out in Clauses 4-19.
- Step 5** If the subdivision does not comply with any one or more of the relevant development standards in Clauses 4-10, 12, 14 or 17, 18 or 19, or the community standards in Clause 18 and Clause 19, application must be made for a resource consent, assessed as a discretionary activity, but only in respect to the matter(s) not complied with.
- Step 6** If the subdivision does not comply with any one or more of the relevant critical standards in Clauses 4, 5, 7, 17, 18 or 19 then application must be made for a resource consent, assessed as a non complying activity . *Except that if the subdivision is located within the Hendersons Basin, Hoon Hay Valley, Cashmere-Worsleys or Lower Styx ponding areas and it is subject to clause 7.3.3, in which case the subdivision is a prohibited subdivision activity for which no resource consent can be applied for. (Variation 48)*
- Step 7** No application can be made for a subdivision which is a prohibited activity under the relevant provisions of Clauses 4, 7, 18 or 19.

(Note the double ~~strike through~~ and *Italics* refer to changes being considered under variation 48.) Add to Part 14 (Subdivision) Section 14.19



19 Subdivision in the Living G (North West Belfast) zone

Note: All other subdivision rules in Part 14 of Volume 3 of the City Plan apply to the Living G (North West Belfast) zone except where they conflict with the following rules.

Note: The Spine road at Living G (North West Belfast) does not have collector road status.

Development Standards

19.1 Commercial activity area

The Business 1 zone subdivision rules shall apply to subdivision within the area shown as Business 1 on the Outline Development Plan in Appendix 3r/1 (North West Belfast) Part 2 Volume 3.

19.2 Residential site density – residential activities

Subdivision for residential activity shall provide for a mix of residential densities, from within the following site sizes, generally in locations as shown on Appendix 3r/1 Outline Development Plan (North West Belfast) Part 2 Volume 3.

Each residential unit shall be contained within its own separate site. Where the terms 'Density A', 'Density B', or 'Density C' are used they shall have the meanings set out below:

'Density A residential site :	average lot size: to be contained within a range of 220m ² to 325m ² . Minimum net site area of 200m ² .
'Density B' residential site :	average lot size: to be contained within a range of 600m ² to 650m ² . Minimum net site area of 550m ² .
'Density C' residential site :	average lot sizes to be contained with a range of 2000m ² to 5000m ² . Minimum net site area of 2000m ²

19.3 Density Range Consent Notices

Consent notices shall be required to attach to all titles created in or immediately adjoining high density sites, specifying which density range each site is in



19.4 Development of land adjacent to the Devondale Drive, as marked in red ~~to the north~~ on the Outline Development Plan in Appendix 3r/1 Part 2 Vol 3 ~~of the Spine Road~~ shall be subject to:

- i. a site boundary setback of 15 metres from the Devondale Driveway; and
- ii. the area within the setback shall be of high amenity design with:
 - a. consistent design of permeable fences; and
 - b. the placement of key trees and shrubs within the setback of Lots 1 – 5 [to insert legal DPs] to the east of the Devondale Driveway.



19.4 Bypass Corridor Development Area

- (i) Prior to any subdivision development within the area shown as the Bypass Corridor Development Area in Appendix 3r/1 Outline Development Plan (Northwest Belfast) Part 2 Volume 3, a concept plan shall be submitted to the Council.

The concept plan shall specify:

- (a) the alignment of the Western Belfast Bypass as confirmed as final by a NZTA Notice of Requirement~~NZTA~~; and
- (b) areas of density to give effect to rule 19.2; and
- (c) appropriate setbacks from the Western Belfast Bypass Corridor for noise attenuation purposes; and
- (d) stormwater attenuation; and
- (e) roads, cycle and pedestrian routes; and
- (f) areas of open space

And shall as closely as practicable give effect to the Outline Development Plan and layer diagrams (Appendix 3r/1-4, Part 2 Volume 3), whilst taking into account the limitations imposed by the Western Belfast Bypass.

The concept plan shall be assessed as a ~~restricted-discretionary-controlled~~ activity with the ~~Council's discretion~~Council's control restricted to

- (a) the integration of land use with the alignment of the Western Belfast Bypass as confirmed as final by NZTA~~a NZTA Notice of Requirement~~; and
- (b) areas of density to give effect to rule 19.2; and
- (c) appropriate setbacks from the Western Belfast Bypass Corridor for noise attenuation purposes; and
- (d) stormwater attenuation; and
- (e) roads, cycle and pedestrian routes; and
- (f) areas of open space

- (ii) Upon approval of the concept plan pursuant to rule 19.4(i) it shall substitute the development shown within the Bypass Corridor Development Area on Appendix 3r/1-4, Part 2 Volume 3 and all applicable Living G (North West Belfast) objective policy and rule provisions in this Plan shall be read as applying to the development within the concept plan.

19.X Creation of Stormwater Drainage Swales



Creation of stormwater drainage swales and water bodies in the Living G (North West Belfast) zone shall be a restricted discretionary activity with the Council's discretion limited to:

- (a) the efficient and effective operation of the stormwater system as part of a complete treatment train from rainfall to discharge to the Waimakariri River (or its tributaries);
- (b) compliance with Appendix 3r/3 Part 2 Volume 3 (the Blue Network) and associated objectives and policies;
- (c) the extent to which the design, layout and plant species proposed have been undertaken and selected having consideration to the operations of the Christchurch International Airport and the need to minimise potential bird strike; and
- (d) the need to maximise open space in the locations as shown on the Green Blue Network Plan [Appendix 3r/2] Part 2 Volume 3.



Community Standard

19.5 Conformity with outline development plan – All areas except Density A

- (a)(i) Any proposed subdivision to create an allotment or allotments for residential units shall be a controlled activity with the Council's discretion limited to the following parts of the Living G (North West Belfast) Outline Development Plans;
- (ii) Density and Key Infrastructure Plan (Appendix 3r/1 Part 2 Volume 3); and associated key objectives 11.7A and 11.7B and General Policies 11.7.1 to 11.7.4 inclusive (Part 6 Volume 2) and key policies (Part 2 Volume 3);
- (iii) Layer Diagram Green network (Appendix 3r/2 Part 2 Volume 3); and associated key Green Network Objectives 11.8A to 11.8F inclusive and Green Network Policies 11.8.1 to 11.8.4 inclusive (Part 6 Volume 2);
- (iv) Layer Diagram Blue network (Appendix 3r/3 Part 2 Volume 3), and associated key Blue Network Objectives 11.9A to 11.9D inclusive and Blue Network Policies 11.9.1 to 11.9.4 inclusive (Part 6 Volume 2);
- (v) Layer Diagrams Movement network (Appendix 3r/4 Part 2 Volume 3); and associated key Movement Network Objectives 11.10A to 11.10E inclusive and Movement Network Policies 11.10.1 to 11.10.20 inclusive (Part 6 Volume 2);

Note: See also Rule 7.4.7 Part 6 Volume 3 ??

~~(a) — 'Resource Management authorisations' mean certificates of compliance granted under section 139 of the Resource Management Act 1991 (or future equivalent), resource consents which have commenced in terms of section 116 of the Resource Management Act 1991 (or future equivalent) or designations provided for in this Plan in terms of section 175 of, or the First Schedule to, the Resource Management Act 1991 (or future equivalent);~~

- (b) And shall achieve the following mix of residential sites within the Living G (North West Belfast) zone:

2% - 5% at 'Density A' with the Business 1 Zone

40% - 60% at 'Density A'

20% - 30% at 'Density B'

~2% at 'Density C'

The balance shall be Density B



- (c) Any subdivision that does not accord with the density location provisions shown in Appendix 3r/1 Outline Development Plan (North West Belfast) Part 2 Volume 3, shall be a discretionary activity and details shall be provided to show alternative locations on other land where the applicant is the registered proprietor. The Council's discretion shall be limited to:
- (i) whether the subdivision is in accordance with the Layer diagrams and Objectives and Policies referred to in (a) (ii) to (iv) above.
 - (ii) Whether, where any Density A residential development is proposed in locations other than those indicated for such activity on Appendix 3r/1 concept plan (North West Belfast) Part 2 Volume 3, it demonstrates a relationship with an adjoining open-space/reserve area to provide associated amenity
 - (iii) the imposition of a consent notice or other mechanism such as a memorandum of encumbrance to secure the achievement of the densities in alternative locations shall be registered on the title of the land concerned.
 - (iv) any application under this paragraph shall be accompanied by a land use consent for development on the proposed new lots which shall be processed jointly with the subdivision consent application.

19.6 Conformity with Outline Development Plan – Density A Residential Area.

- (a)(i) Any proposed subdivision to create an allotment or allotments ~~for the first 600 residential units before:~~
- ~~(i) All the necessary Resource Management Act 1991 (or future equivalent) authorisations are obtained to enable the construction and operation of the Western Belfast Bypass or the Northern Arterial are obtained; and~~
 - ~~(ii) All the necessary rights to land are obtained to enable the construction and operation of the Western Belfast or Northern Arterial are obtained; and~~
 - ~~(iii) Construction funding for the Western Belfast Bypass or the Northern Arterial has been approved by the NZ Transport Agency Board (or future equivalent);~~

shall have accompanying it comprehensive building and allotment design information detailing the nature, character, scale and form associated with the proposed allotments and shall be a restricted discretionary activity with the Council's discretion limited to urban design and the following parts of the Living G (North West Belfast) Outline Development Plan



- (i) Density and Key Infrastructure Outline-Development Plan (Appendix 3r/1 Part 2 Volume 3); and associated key objectives 11.7A and 11.7B and General Policies 11.7.1 to 11.7.4 inclusive (Part 6 Volume 2) and key policies (Appendix 3r/1 Part 2 Volume 3);
- (ii) Layer Diagram Green network (Appendix 3r/2 Part 2 Volume 3); and associated key Green Network Objectives 11.8A to 11.8F inclusive and Green Network Policies 11.8.1 to 11.8.4 inclusive (Part 6 Volume 2);
- (iii) Layer Diagram Blue network (Appendix 3r/3 Part 2 Volume 3), and associated key Blue Network Objectives 11.9A to 11.9D inclusive and Blue Network Policies 11.9.1 to 11.9.4 inclusive (Part 6 Volume 2);
- (iv) Layer Diagrams Movement network (Appendix 3r/4 Part 2 Volume 3); and associated key Movement Network Objectives 11.10A to 11.10E inclusive and Movement Network Policies 11.10.1 to 11.10.20 inclusive (Part 6 Volume 2);

For the purpose of this rule, associated land use development means:

Buildings, including accessory buildings;
Driveways and entrances;
Fences and gates;
Landscaping;
Pedestrian paths and entrances;
Shared access ways and lanes;
Outdoor living areas;
On-site car parking;
Lighting
Service areas;
Utilities.

Note: See also Rule 7.4.7 Part 6 Volume 3

- (b) And shall achieve the following mix of residential sites within the Living G (North West Belfast) zone:

2% - 5% at Density A' with the Business 1 Zone

<2% at 'Density C'



The balance shall be Density B.

- (c) Any subdivision that does not accord with the density location provisions shown in Appendix 3r/1 ~~Outline Development~~ Density and Key Infrastructure Plan (North West Belfast) Part 2 Volume 3, shall be a discretionary activity and details shall be provided to show alternative locations on other land where the applicant is the registered proprietor. The Council's discretion shall be limited to:
- (i) whether the subdivision is in accordance with the Layer diagrams and Objectives and Policies referred to in (a) (ii) to (iv) above.
 - (ii) Whether, where any Density A residential development is proposed in locations other than those indicated for such activity on Appendix 3r/1R concept plan (North West Belfast) Part 2 Volume 3, it demonstrates a relationship with an adjoining open-space/reserve area to provide associated amenity
 - (iv) the imposition of a consent notice or other mechanism such as a memorandum of encumbrance to secure the achievement of the densities in alternative locations shall be registered on the title of the land concerned.
 - (v) any application under this paragraph shall be accompanied by a land use consent for development on the proposed new lots which shall be processed jointly with the subdivision consent application.

19.7 Site Contamination

The subdivision of land for residential activity shall be a restricted discretionary activity with the Council's discretion limited to health and safety, adequacy of site investigation, mitigation and remediation.

NOTE 1: The investigation of individual building lots should be carried out in accordance with the Ministry of the Environment's Contaminated Land Management 9. Guidelines or any relevant National Environmental Standard for assessing and managing contaminants in soil. An investigation shall also be carried out to evaluate the extent and potential effects to health and safety of occupants caused by landfill gas migration from other land. These Investigations should be carried out by persons with recognised expertise and experience. In the event that soil contamination is identified or landfill gas is detected at levels which require remedial and/or site management measures to be undertaken to make the land suitable for its intended purpose, such measures shall be undertaken and recorded and copies of the investigation and remedial application.



Critical Standards

19.8 Allotment sizes – Residential activity

No allotment, vacant at the time of subdivision, shall be created such that it is unable to accommodate a rectangle of the dimensions specified below:

Density C	15m x 18m
Density B	10m x 10m
Density A	6m x 8m

19.9 Sanitary Sewer

Any subdivision shall:

- (1) not create the need for more than one wastewater pumping station, whether temporary or permanent, within the entire Living G (North West Belfast) Zone; and
- (2) the wastewater pumping station shall only be located within the area legally described as Lots 1-4, 6,7,9 – 11 DP 48672, Lot 5 DP 56012; and
- (3) link to the one wastewater pumping station approved by the Council.

19.10 Residential site density

Notwithstanding Rule 19.2, any development for residential activity where the average lot size is larger than the higher of the range specified in that rule for the location to which the development applies, as shown on Appendix 3r/1 ~~Outline Development~~ Density and Key Infrastructure Plan (North West Belfast) Part 2 Volume 3, shall be a **non-complying activity** unless the development complies with 19.5 (c) and a consent notice is registered in accordance with Rule 19.5 (c)(iv).

19.11 Sites fronting Johns Road

- i. Any subdivision shall not create sites that have direct vehicular access to Johns Road other than via an intersection identified on the ~~Outline Development~~ Density and Key Infrastructure Plan in Appendix 3r/1 Part 2 Volume 3 while, between Groynes Drive and Main North Road, Johns Road is defined as a major arterial road in this Plan and the Plan Change changing the status from Major Arterial is beyond challenge or until the state highway status of this part of Johns Road is revoked, whichever occurs the earlier.
- ii. For the intersections shown as X and Y on Appendix 3r/1 ~~Outline Development~~ Density and Key Infrastructure
 - A single intersection is to be formed either directly on the Richill Street intersection with Main North Road or in the vicinity of one of



the ~~three~~ two locations marked as X on Darroch Street, at a safe distance from the intersection of Darroch Street and Main North Road, in consultation with the relevant road controlling authority, ~~in consultation with the relevant road controlling authority; and~~

- Any intersection formed in the location marked as Y on Appendix 3r/1 Outline Development Plan shall be left in, left out only and shall be designed in consultation with the relevant controlling authority.

~~19.13 Development of Area 2~~

~~(a) Notwithstanding the standards referred to above, subdivision in Area 2 shall be a non complying activity where the number of allotments in, or to be created in, Area 2 exceeds 100 and:~~

~~(i) road connections to at the intersections marked "A3" and "A4" on the outline development plan in Appendix 3R, Volume 3 Part 2 are not constructed and operational; and~~

~~(ii) when intersections "A3" and "A4" shown on the outline development plan in Appendix 3r/1, Volume 3 Part 2 are both constructed and operational, there is no operational road connection between these intersections provided by the primary (spine) route as shown on the Outline Development Plan~~

~~Except that:~~

~~(b) This clause shall not apply to a subdivision designed to create the road connection via the primary (spine) route between intersections "A3" and "A4" as shown on the outline development plan in Appendix 3r/1, Volume 3 Part 2.~~

19.14 Development of Area 34

- (a) Notwithstanding the standards referred to above, subdivision in Area 3 4 shall be a non complying activity unless a formed and operational road connection is provided from Main North Road either on the existing Richill Street Main North Road intersection or within the dotted area shown as X on Darroch Street at a safe distance from the Darroch Street Main North Road intersection as identified on the Outline Development Density and Key Infrastructure Plan in Appendix 3r/1 Part 2 Volume 3 to the primary (spine) route (identified on the Outline Development Density and Key Infrastructure Plan in Appendix 3r/1 Part 2 Volume 3) formed as part of the development of Stage 1 within Area 1.

- (b) Except that: this clause shall not apply to a subdivision designed to create the road connection between the points described in 19.14(a).



19.15 Site access

Subdivision shall be a non complying activity where allotments are created which access the Living G (North West Belfast) Zone by other than the intersections marked on the ~~Outline Development Density and Key Infrastructure~~ Plan in Appendix 3r/1, Volume 3 Part 2. This rule shall only apply to Johns Road between Groynes Drive and Main North Road while Johns Road is defined as a major arterial road in this Plan or until the state highway status of this part of Johns Road is revoked, whichever occurs the earlier.

19.16 Control of stormwater

Any subdivision shall:

- (a) control its own stormwater in accordance with the blue network set out in Appendix 3r/2: Blue Network and associated policies Part 2 Volume 3;
- (b) link with the other connected stormwater systems shown on the blue network set out in Appendix 3r/2 Blue Network and associated policies Part 2 Volume 3; and
- (c) applications for the necessary consents from the Canterbury Regional Council must be lodged before or contemporaneously with any subdivision application.

19.17 Provision of public transport

Any subdivision shall be designed and constructed so as to enable public transport bus movements in accordance with, and shall provide bus stops and passenger shelters at the approximate locations shown on, the Public Transport Network set out in Appendix 3r/4: Layer Diagram – Movement Network: Road Network, Cycle Network, Pedestrian Network, Public Transport Network Part 2 Volume 3.

19.18 Reserves

1. A minimum area of ($\frac{2}{3} \times 200 \text{ m} \times 30 \text{ m}$) = 0.4 ha with an ~~average minimum~~ width of 30m shall be shown as reserve on Lot 4 DP 51436 ~~land~~:
 - (a) orientated north-south so as to provide [walking and cycle](#) access from the subdivision to Sheldon Park from the NW Belfast Living G Zone;
 - (b) connecting to the Main North Road/Johns Road intersection; and
 - (c) contiguous at its northern end to Lot 1 DP 365398 so as to contribute to the open space line shown on the Green Network Layer Diagram.
2. A minimum area of ~~0.3-23~~ ha with a minimum width of 30m shall be shown as reserve on Lot 1 DP 365398:
 - (a) orientated north-south so as to enable [walking and cycle](#) access from the subdivision across Main North Road and/or Johns Road to Sheldon Park from the NW Belfast Living G Zone;



- (b) contiguous at its southern end with ~~the Foxland~~ Lot 4 DP 51436 so as to contribute to the open space line shown on the Green Network Layer Diagram.
- 3. Other reserves shall be created in the approximate locations shown on the Green Network Layer Diagram.
- 4. Unless there is no open space (other than another reserve) within 400 metres then the reserve shall be contiguous to that other open space.

19.19 Open Space

- 1. All roads, paths, and cycle ways (subject to covenants or consent notices) shall be as shown on Movement Network Layer Diagrams
- 2. Recreation and passive open space areas shall be as shown on the Green network Layer Diagram
- 3 All swales and other stormwater treatment train areas including stormwater ponds shall be as shown on the Blue Network Layer Diagram
- 4. Local Purpose Reserves for stormwater shall not be situated on the areas of open space identified in 19.18(1) and 19.18(2) without the written consent of the General Manager Asset and Network Planning (or future equivalent) of Christchurch City Council.

New rule: Deferred Residential G (Density C) - Local Purpose reserve - Stormwater

Should the areas, or part of the areas, identified on the Living G (North West Belfast) Zone ODP as Local purpose Reserve – Stormwater not be vested in Council, any application for a residential Density C use of the land shall not be required to be publicly notified under section 95A RMA. The limited notification provisions of section 95B RMA shall still apply.

19.22 Information to be supplied with subdivision consent

- (1) Information that illustrates how –
 - (a) the proposed subdivision;
 - (b) the location of Densities and key infrastructure
 - accords with the North West Belfast ~~Outline Development~~ Density and Key Infrastructure Plan and in particular:
 - (i) ~~Outline Development~~ Density and Key Infrastructure Plan (Appendix 3r/1-Part 2 Volume 3); and key policies.



- (ii) Layer Diagram Green network; (Appendix 3r/2 Part 2 Volume 3) and associated key policies.
 - (iv) Layer Diagram Blue network (Appendix 3r/3 Part 2 Volume 3); and associated key policies.
 - (iv) Layer Diagrams Movement network (Appendix 3r/4 Part 2 Volume 3). and associated key policies.
-
- (2) Information to show that staging takes account of the need to prevent clogging of soakage basins with sediments associated with construction.
 - (3) Location of high density sites, and/or medium density sites.
 - (4) Information that illustrates the proposed subdivision accords with the mix of densities identified in Clause 19.5 Volume 3 Part 14 or how that mix of densities will be achieved on land within the applicant's control on subsequent subdivision applications.
 - (5) Information detailing any previous consent notice or notices and or memorandum or memoranda of encumbrance registered on the title of the land pursuant to Clause 19.5(c)(iv) Volume 3 Part 14.
 - (6) Information that illustrates on a site plan what density range (Low Medium, or High Density) each lot is in.
 - (7) Measures taken to reduce dust emissions (if any)
 - (8) Information that illustrates how the subdivision is to be serviced for sanitary sewer in a way that ensures that not more than one wastewater pumping station (whether permanent or temporary) is required within the Living G (North West Belfast) Zone.
 - (9) Information detailing the design and functioning of any intersection connecting the Living G (North West Belfast) zone with Main Road or Johns Road and the outcome of any consultation with the relevant road controlling authorities.
 - (10) For comprehensive subdivision and associated land use development in Density A residential areas, building design information detailing how buildings are to satisfy the assessment matter (1) detailed in 1 Design and Layout.
 - (11) Information identifying appropriate remedial and/or site management measures for contamination or landfill gas intrusion to be put in place to make the land suitable for the intended purposes.
 - (12) ~~Taking into account the Council's record of yields from the development area to date (provided by the Council on request) information, in a table format, to show how the subdivision application is contributing to the minimum overall yield of 1500 residential units.~~

Assessment matters for subdivision in the Living G (North West Belfast) zone



The extent to which the proposal will be in accordance with the Outline Development Density and Key Infrastructure Plan and Layer Diagrams Key Structuring Policies at clause 1.15. and Appendix 3r Outline Development Plan (North West Belfast) Part 2 Volume 3.

Connectivity

The extent to which the proposal will be in general accordance with the Layer Diagrams Movement network (Appendix 3r/4 Part 2 Volume 3); and the key policies associated with those diagrams.

Access to outdoor space

The extent to which the proposal will be in general accordance with the Layer Diagram Green Network (Appendix 3r/2 Part 2 Volume 3) and the key policies associated with that diagram.

Street Trees

- (a) The extent to which trees are proposed to be accommodated within the legal road reserve
- (b) The provision of trees intended to provide a high level of visual amenity
- (c) The provision of trees which recognise the context and scale of the area in which they are located and the significance of the road in the roading hierarchy.
- (d) Consideration of bird habitat in relation to bird strike issues.

Stormwater

- (a) Measures adopted so as to ensure the protection of ground-water quality including treatment of discharges from roads and sealed car parking areas
 - (b) The extent to which alternative treatments may be available.
 - (c) The contribution made to the visual amenity of the immediate area
 - (d) The ability to capture and treat stormwater on site, having regard to the need to avoid the creation of unwanted bird-attracting habitats.
 - (e) The extent to which the proposal will be in general accordance with the Layer Diagram Blue Network (Appendix 3r/3 Part 2 Volume 3) and the key policies associated with that diagram.
 - (f) the extent to which consideration has been given to the staging of subdivision so as to ensure that soakage basins do not become clogged during site works to give effect to a subdivision consent.
 - (g) The extent to which the proposal will be in general accordance with any Living G (North West Belfast) Surface Water Management System Operation and Maintenance Management Plan
- the extent to which the proposal incorporates stormwater management infrastructure to appropriately provide for the control of stormwater during the period of construction



- (i) the extent to which the proposal incorporates stormwater management infrastructure to appropriately control stormwater until connection is made to the wider stormwater management system anticipated by the Layer Diagram Blue Network (Appendix 3r/3 Part 2 Volume 3) and the key policies associated with that diagram.

Energy efficiency

The extent to which passive solar access can be achieved

Street Scene

- a) The extent to which lot design and orientation will allow buildings to address the street.
- b) The extent to which consideration has been given to the potential use of back lanes for vehicle access in subdivision layout.

Location of High Density sites

The extent to which High Density sites are located so as to provide convenient access to a potential public transport route and wherever possible in close proximity to: a reserve, and/or retail or community facilities.

Mix of Densities and Minimum 1500 Residential Unit Yield

The extent to which the application:

- (a) meets the density ranges and mixes specified in rule 19.5 Part 14 Volume 3.
- (b) specifies which density range the site is within (thereby defining which development standards are to apply to the site). Note: for clarity and certainty the Council can impose a consent notice or memorandum of encumbrance to this effect.
- (c) contributes to the minimum overall yield across the development area of 1500 residential units.

Access to State Highway

In the Living G (North West Belfast) Zone, the extent to which any proposed direct access on to Johns Road other than access in accordance with Appendix 3r/1 Outline Development Plan (North West Belfast) Part 2 Volume 3 would result in adverse effects on the safety or efficiency of the State Highway.

Sanitary Sewer

In the Living G (North West Belfast) Zone, the extent to which the subdivision will necessitate or lead to the construction of more than one waste water pumping station within the



Development of 'Primary (Spine) Route'

- (a) The timing of development and connections of the 'primary (spine) route' to provide for dispersed traffic movements to, from and through the Living G (North West Belfast) Zone to protect the functioning of Main North Road and Johns Road.
- (b) the extent to which the proposal provides for passenger transport, including bus stops, anticipated by the Layer Diagram Movement Network, Passenger Transport Network, (Appendix 3x/4 Part 2 Volume 3) and the key policies associated with that diagram.
- (c) The extent to which the design of the Spine Road, including at intersections, provides for the safe movement of vehicles, cyclists and pedestrians.

Contaminated Sites

Suitability of remediation measures to remediate site contamination, where soil contaminants are detected at levels which justify remediation or management of the site to protect the health and safety of the occupiers:

- The risk to health and safety of any persons.
- Suitability of remedial and/or site management measures to be undertaken to make the site suitable for the intended purposes.
- Suitability of remedial and/or site management measures to ensure the protection of ground water quality during the remediation process.

Additional Assessment matters for subdivision in the Living G (North West Belfast) zone – Density A

Design and Layout

For comprehensive subdivision and associated land use development in Density A residential areas, the extent to which building and site development will achieves the following:

- a. Developments should consider local environmental conditions included but not limited to the position of the sun and prevailing winds.
 - b. Developments are encouraged to support prominent vistas and view shafts.
- Developments are encouraged to provide a high degree of passive surveillance



- d. The extent to which the orientation, size and shape of allotments enables appropriate housing forms to establish that are reflective of Density A.
- e. The extent to which the orientation, size and shape of allotments is sympathetic to the presence of listed heritage items and seeks to engage or include that item within the overall design.
- f. The extent to which the orientation, size and shape of allotments establishes a connectivity with prominent vistas and view shafts.
- g. The extent to which crime prevention through environmental design (CPTED) principles have been included in the design, orientation, size and shape of allotments, the provision of hard and soft landscaping, and the location of street lighting.
- h. The extent to which the overall design, orientation, size and shape of allotments encourages the minimisation of energy use.
- i. The ability to minimise the impact of access and garages on the streetscape through subdivision design. In higher density areas to minimise the extent of vehicle crossings and/or garages that face the street and to maximise building frontage and on-street parking regard should be had to
 - avoiding the extensive use of rear lots which require an additional access leg;
 - the use of rear lanes (via access lots, rights of way or legal road) particularly for narrow terrace housing lots.
 - The use of shared access (via access lots or rights of way).
- j. The application of appropriate lot dimensions and sizes to prevent the creation of sausage flats with long monotonous facades.
- k. Avoiding the widespread use of cul de sacs. Any cul de sacs should be short and relatively straight.
- l. The perimeter of Street **building** blocks should be no longer than ~~35~~20 metres to maximize the permeability of the movement network, particularly in relation to pedestrian movements.

Explanation

Proposals will need to demonstrate how the development responds to constraints and opportunities within and beyond the site. Developments should consider amenity for residents, neighbours and the wider community.



Christchurch's climate is temperate with distinctive weather patterns (e.g. prevailing winds and cool, damp winters). Building design should respond to these conditions to ensure comfort for residents. Building design should allow for utilisation of passive solar energy.

On the flat topography of Christchurch, view shafts and vistas to prominent features such as the Port Hills, Southern Alps and Central City skyline create reference points that contribute to the visual amenity of residents.

In higher density residential areas, in particular in respect of shared access ways and lanes, consideration should be given to the provision of passive surveillance. This can be achieved by locating first floor dwellings, windows and balconies that overlook access ways and lanes.

Relationship with street, lanes and public open spaces

- a. Buildings should be oriented toward the street and positioned close to the road boundary.
- b. Active areas of buildings, such as habitable rooms and entrances should, in addition to the requirement to be placed along the street (Rule 6A2.17, Part 2, Volume 3), be placed along the street and public open spaces, particularly at ground level.
- c. Buildings should have pedestrian entrances that are identifiable, well articulated and directly accessible from the street or, in the case of rear units, shared access ways.
- d. Facades of buildings facing the street should have a high degree of glazing that is evenly distributed.
- e. Fences and landscaping along the road boundary or adjacent to public open spaces should not obstruct ground level views.
- f. Fences should complement the building design.
- g. Building design and location provide opportunity for passive surveillance particularly in relation to shared access ways and lanes.

Explanation

Boundary treatments have an impact on adjacent streets and public open spaces. A coordinated approach to buildings, landscaping and boundary edges is important to help set the overall appearance for the neighbourhood. It is also important that developments enhance the definition of the street through the continuity of the building edge and height to promote a sense of enclosure and establish a comfortable,



well-structured public space. Minor modulation and variance of the building frontage is acceptable to retain site features or avoid architectural monotony, provided that the overall continuity of the frontage is not compromised.

The positioning of main entrances and primary activities (e.g. habitable rooms) along streets and public open spaces increases pedestrian safety, visual interest and social interaction. This is most effective at ground level where views and access points are most direct. Large windows and balconies will maximise the opportunities for surveillance of the street, lanes and public open spaces. A minimum of 25% glazing across these building frontages is a rule of thumb.

Near streets, lanes and public open spaces, front fences, walls and gates should discourage illegitimate entry but maximise surveillance and safety. The location of fully private outdoor living spaces or dense planting along road boundaries and reserves is discouraged at ground level to promote greater community ownership and responsibility of these public spaces.

Fences should complement the development and avoid inappropriate materials like razor wire or broken glass.

Corner sites

- a. Buildings on corner sites should orientate towards all adjacent streets and public open spaces and emphasise these corners.
- b. Pedestrian entrances are encouraged to be located along main pedestrian routes.

Explanation

Poor building location and design at street corners can undermine the overall structure and legibility of an urban area. Poor building location and design of buildings at corner sites can result in visual imbalance and disinterest of built form when forming a relationship with multiple street frontages. Corner sites are important as they orientate people and aid decision making for those moving around a neighbourhood, particularly when viewed across a public open space or at the end of a street.

Primary pedestrian entrances should be located along main pedestrian routes linking to key destinations to help improve their safety and vitality.

Building form and articulation

- a. Buildings should be of a domestic scale



- b. Buildings in series should avoid excessive repetition of building forms.
- c. Buildings should avoid façades and elevations whose length or bulk is visually excessive or blank.
- d. Roofs should be designed to limit continuous ridgelines and minimise the visual bulk of a building.
- e. The separation of buildings within sites is encouraged to reduce perceived building bulk.
- f. Architectural features and a variety of materials and colours are encouraged to provide human scale and visual interest.

Explanation

Accepting a variety of building styles, developments should have façade lengths and separation between buildings that create and maintain a high degree of amenity. Overly repetitive building forms ought to be avoided with the design of each building creating a distinctive and varied environment.

Blank facades, particularly those facing the street or open spaces, can be avoided through the addition of architectural features (i.e. entrance porches, bay windows and shade screens) which provide relief, texture or colour. Architectural features, integrated roofs and landscaping can all contribute to breaking up and softening the visual bulk of a development. Separating large buildings to allow views through sites can make new development less intrusive, particularly for neighbours. A rule of thumb for the maximum length of a building façade is 15 metres before a recess of at least two metres or separation of buildings is needed.

Developments are encouraged to use high quality, durable materials and fixings. Use of these materials and fixings will contribute to reduced maintenance costs and responsibilities for residents and foster a sense of ownership within residents.

Landscaping and site amenity

- a. Car parking, garages, side boundaries, shared access ways, lanes and service areas should be softened by landscaping.
- b. Lighting, planting, fences and other structures on sites and shared access ways, lanes and service areas should to be designed to maximise safety of occupants and visitors.

The distribution of landscaping throughout the site and provision for larger vegetation is encouraged.

- d. Landscape design is encouraged to use locally appropriate plants, including



those that minimise water and maintenance requirements, promotes biodiversity and promotes healthy ecosystems.

- e. For lanes and shared access ways, fences and gates at the rear of properties should provide varying degrees of solidity and transparency, while maximising occupants safety and opportunities for passive surveillance.
- f. Landscaping along the road boundary or adjacent to public open spaces should not obstruct ground level views and should not contain species that are able to reach a size, at maturity, that would require the plant's removal to maintain amenity on the site.

Explanation

Safety is a key consideration throughout developments and should conform to Crime Prevention Through Environmental Design (CPTED) principles. A clear hierarchy of spaces, from public through to private, with well defined transitions between them and no "left-over" spaces, needs to be established within developments.

Fencing and soft and hard landscaping should be designed in a way that does not prevent informal surveillance of lanes, common or public areas and maintains clear sightlines by avoiding blind corners, hiding places or dark recesses.

Lighting for safety and amenity purposes should be an integral part of the development that is carefully designed and positioned to light all common areas and building entrances without creating a nuisance for adjoining properties. A balanced landscape coverage adds to the Garden City image and the visual outlook of residents and neighbours. Vegetation softens building bulk and boundary fencing, breaks up large paving areas and improves screening for privacy. Use of deeper planting borders allows for larger vegetation, including trees.

Use of locally appropriate plants is encouraged to enhance the neighbourhood character and establish planting which is robust and easily maintained within local climatic conditions. The use of locally sourced native plants is encouraged to promote biodiversity. Plant species should be carefully chosen to ensure that their size at maturity does not create adverse on site amenity effects such as over-dominance and overshadowing of buildings and restricting views from living areas onto the street.

Outdoor Living Spaces

- a. Outdoor living spaces should be located on sites in a way that will optimise useable space and provide a pleasant outlook for unit occupants.
- b. Private outdoor living spaces, including balconies and terraces, should link **directly** to main living areas within the residential unit.



Explanation

The sensitive location and screening of outdoor living spaces, including balconies and terraces, is important to maximise solar aspect and shelter from predominant winds.

It is important that outdoor living spaces are accessible and complementary to the main living areas within each unit. Linking outdoor and indoor living areas together encourages their use, improves outlook and provides greater flexibility for smaller private spaces.

Where communal spaces are provided, they should be easily accessible from each unit, while minimising disturbance to adjacent residents. Where possible, they should offer an area of open space that is sited and developed to provide a positive amenity outlook for residents.

Communal spaces should be of a size and dimensions that is appropriate to the total number of residential units and residents in the development and incorporate facilities that make them attractive, inviting and safe to use (e.g. outdoor seating area, barbecue area, play area, tennis court), while being cost-effective to manage and maintain.

Service Areas and Utilities

- a. Service areas should be positioned within a development to minimise adverse visual, noise or odour amenity effects and to enable practical use.
- b. Rubbish storage areas, letter boxes, utility boxes and other service facilities required to be accessible from the street should be visually integrated into the development frontage.
- c. Building services such as external access ways and mechanical, electrical and communications equipment should be integrated within the building to minimise their visual impact, particularly from streets or public open spaces
- d. Storage space should to be easily accessible to residents.

Explanation

Service areas (e.g. clothes lines, wheellie bin storage) are often unsightly and can generate adverse noise and odours. The screening or location of these areas away from primary views, along with consideration for containment of noise and odours, is important. The configuration of these areas should enable site facilities that are adequately sized, have a practical use and are conveniently located to each residential unit and service providers.



Any service facilities within close proximity to a street or public open space, which cannot be placed elsewhere, needs to be concealed or of a complementary design to building and streetscape to minimise the visual impact.

Other building service elements (e.g. drainage pipes, lift plant) can add to the visual clutter of developments and should be integrated within overall building design or screened, yet allow for servicing access and future additions. This includes external stairs and access decks which should generally be avoided.

Elements which could be added post-completion (i.e. satellite dishes, heat exchangers) should be allowed for through provision of communal facilities at the outset of development or via appropriate provision of space for these additions at a later stage.

The provision of storage space should accommodate a range of recreational and maintenance equipment, particularly those related to children's toys, sports equipment, bicycles and gardening tools, and be positioned as close to their end use as is possible.

Residential Amenity

- a. The location, orientation and internal design of residential units should balance outlook and sunlight with the privacy of internal occupants and neighbouring residential units.
- b. Windows and balconies on upper levels should be orientated and screened to limit direct overlooking of adjacent dwellings, their outdoor living space and the private outdoor living space of other units within the same development.
- c. Developments are encouraged to provide a variety of unit types and sizes to accommodate a range of households.

Explanation

All residential units should provide a high standard of amenity with regard to size, purpose, layout, acoustic insulation and privacy. This includes the configuration of balconies to minimise views between upper level residential units and down to ground level private spaces.

Residential accommodation within the City needs to cater for a diversity of living types in order to maintain variety housing choice and the vitality of the City. This mix of unit sizes could include studio or one bedroom units through to multi bedroom units within detached, semi-detached, terraced or apartment housing types.

Treatment of Lanes



- a. Define the identity of, and entrance to, a lane through both landscaping and built form elements such as location residential dwellings in close proximity to the street or where they are visible from the street.
- b. Provision of shared vehicle and pedestrian access with no defined footpath.
- c. Variation in lane clearway through design by tightening, extending and terminating views within a lane.
- d. Provision of permanent passive surveillance for all parts of the lane.
- c. Establish a consistent character for a lane with complementary architectural features on the lane and adjacent buildings.

Explanation

The purpose of providing residential units in close proximity to lane entrances is to provide a gatekeeper function, promote activity and provide passive surveillance in the lane. The use of landscaping can also go to act as a visual cue clearly defining their identity and entrance.

Sharing the space between pedestrians and vehicles by not defining footpaths or carriageways promotes awareness of each other's presence in a confined space. This has the effect of reducing vehicle speeds and improving pedestrian safety within lanes.

Variation in the design of lanes provide visual interest and it can be achieved through variation in width, the location of the elements and landscaping textures thereby ensuring they are not viewed on the same vertical plane or appear overly long.

A safe streetscape can be achieved through design that considers the composition of garages, lofts, carports, uncovered spaces, entrance ways, lighting and landscaping. Design should avoid areas on lanes and access-ways that are not subject to passive surveillance from overlooking first floor dwellings or studio windows and by providing sufficient transparency from private yards to laneway.

An interesting streetscape can be established through the use of a limited range of complementary architectural features, for example garage doors, fences, and paving. They could be constructed of varying materials to suit each residential unit design and provide variation to the laneway.

Re-number Part 14, Subdivision clause 19 Reasons for Rules, as "20".

ADD TO

20.16 Development Outline Development Plan



Comprehensive Outline Development Plans, together with urban design principles to be followed in the development of this zone have been included to enable new peripheral residential growth as a Living G zone. Their purpose is to assist the Council in managing the effects of the use, development and protection of natural and physical resources in an integrated manner in order to achieve the objective and policies of the Plan relating to intensification of urban densities. More specifically they indicate the environmental outcomes being sought for that particular area and means of avoiding or mitigating adverse effects.

The Outline Development Plans referred to apply to land at Masham, between Yaldhurst and Buchanan Roads and land at Belfast adjacent to Johns Road and the Main North Road. This will involve staged development large areas of land at mixed housing densities, and including provisions for integrated public transport, open-space and pedestrian systems, as well as supporting provision for local commercial and community facilities. Limited flexibility is provided for in the location of different housing densities within these areas, provided that such densities as are indicated for the overall zone are still achieved elsewhere within this zone, and that these also accord with the urban design principles referred to.

20.18 Sites fronting Johns Road

While Johns Road is a major arterial, sites adjoining Johns Road in the Living G (North West Belfast) Zone are specifically restricted from having access directly to Johns Road other than by formed intersections to ensure that the major arterial function of Johns Road is not compromised.

20.19 Integrating development - Living G (North West Belfast) Zone

It is important that development within the Living G (North West Belfast) Zone is integrated both within the zone and with the wider Belfast area. The design, location and timing of the development of road and stormwater infrastructure are two critical elements in achieving the necessary level of integration.

A number of road connections to Main North Road and Johns Road are required. Both these roads are currently defined as major arterial roads within this Plan. Therefore, in order to protect the function of Main North Road and Johns Road, the manner in which the Living G (North West Belfast) Zone is connected to these roads is carefully controlled so as to minimise the adverse effects on their through traffic function (see Policies 7.2.5 and 10.4.1 for example).

The Living G (North West Belfast) Zone is also to be developed so as to achieve a high degree of connectivity and permeability within the zone itself. The primary (spine) route shown on the outline development plan in Appendix 3e1, Volume 3 Part 2 is one of the critical pieces of infrastructure to enable this to occur. In addition, the primary (spine) route must be developed in a manner that facilitates public passenger transport to encourage the use of this mode of transport.



An overall stormwater infrastructure system has been designed and is set out in Appendix 3U: Blue Network and Associated Principles Part 2 Volume 3. It is important that as development occurs within the Living G (North West Belfast) Zone, stormwater is controlled in a manner that accords with this overall design.

20.20 Urban Design – Density A

For Living G (Awatea) Zone, provision is made to enable the consideration of the urban design and appearance of future development on proposed allotments in Density A residential areas at time of applying for subdivision. This approach will ensure that subdivision of land into separate allotments and the development anticipated to establish thereon is designed and co-ordinated in a comprehensive and integrated manner. It is expected this will achieve good quality urban design outcomes anticipated in the higher density residential environment. In addition, providing the opportunity for consideration of buildings and site development at time of subdivision is anticipated to result in a reduction in application processing times. However, the ability to apply for subdivision consent separate from land use consent that can be applied for at a later date, remains.

20.21 Site Contamination

The North West Belfast area has a history of agricultural chemical use. Such activities have the potential to result in site contamination if not properly managed. Detailed records of the nature, type, storage and use of chemicals and hazardous substances within the block have not been kept and, as such, accurate knowledge and understanding of the potential contamination risk is not available. Before residential activity establishes on land, it is appropriate to establish the suitability of the land for this activity in light of the uncertainty around the issue of contamination. Consequently, soil testing will be required at time of subdivision and, where discovered, appropriate remediation measures will be required to be undertaken to make the land suitable for residential activity.

Amend the following rules from Part 8 Special Purpose Zones Volume 3 of the City Plan as shown crossed out or underlined [SHOWN AS BOLD IN MARKED UP TEXT] as follows.

4.5.1 Road widths

Updated 14 November 2005

Any construction or reconstruction of a roadway shall not exceed the maximum roadway width, or be less than the minimum roadway width, as



shown in the roading hierarchy standards in Appendix 2. This rule shall not apply to the following:

- those roads which are subject to Clause 4.5.3.
- those sections of roadway which are narrowed by traffic management devices for a length of 60m or less; and
- those roads where more than one traffic management device is used and there is a minimum distance of 60m between the devices, except in the case of devices either side of an intersection where there shall be no minimum separation distance.
- **Where there is any conflict between the roading hierarchy standards in Appendix 2 and the cross sections in Movement Layer Diagram in Appendix 3r/4 Part 2 Volume 3 the standards in the latter cross-sections shall apply.**

- (b) The minimum number of lanes indicated in Appendix 2 shall be retained in all cases.

Add Following Reason:

Deferred Living G (Density C) - Local Purpose Reserve- Stormwater

This rule has been included to allow for circumstances where the area identified as Local Purpose Reserve -Stormwater on Appendix 3 r/1 within the NW corner of the Living G (NW Belfast Zone) is not fully vested in the Council, in which case any part not vested may be utilised for Density C residential development. Recognising however the potential for such a development to impact on the existing amenity of adjacent landowners whose properties are zoned Rural 3, any application for Density C development shall allow these adjacent landowners the opportunity to be heard on how to protect their amenities.

Any alternative residential density other than Density C is not anticipated as appropriate for this area should it not be vested in the Council.

4.5.2 Medians

Solid medians shall be constructed in accordance with the roading hierarchy standards in Appendix 2 **except where there is any conflict between the roading hierarchy standards in Appendix 2 and the cross sections in Movement Network Layer Diagram in Appendix 3r/4 Part 2 Volume 3. For clarity the standards in those cross sections shall apply.**

Amend Planning Maps 10b and 18b by removing the XXXXXX notation from
Groynes Drive



Amend Rule 3.2 Discretionary (subdivision) activities Part 14 Volume 3

3.2 Discretionary (subdivision) activities

Any subdivision which complies with all of the critical standards for subdivision activities but does not comply with any one or more of the development standards or **community standards** for subdivision activities shall be a discretionary subdivision activity with the exercise of the Council's discretion limited to the matter(s) subject to that standard, unless specifically stated as a controlled activity.



Section 293 – North West Belfast – Tree Protection

1. Assessment of trees/suitability for protection

Devondale Estate Driveway Tree List (31 trees)				
Botanical Name	Common name	Tree No.	CCC Assessment Point Score *	Level of Protection
Eastern Side (Actual Tree ID, South to the North end security gates)				
Proposed to be protected				
<i>Fagus sylvatica Purpurea</i>	Copper Beech - English	1	26 points	No protection - south of Spine Road 2
<i>Fagus sylvatica Purpurea</i>	Copper Beech - English	2	22 points	No protection - south of Spine Road 2
<i>Acer pseudoplatanus Purpurea</i>	Purple Sycamore Maple	3	24 points	Subdivision (consent notice)
<i>Catalpa Bignonioides</i>	Indian Bean Tree	4	0 points	No protection
<i>Aesculus indica</i>	Indian Horse Chestnut	5	26 points	Subdivision (consent notice)
<i>Gleditsia triacanthos inermis 'Skyline'</i>	Honey Locust	6	24 points	Subdivision (consent notice)
<i>Fagus sylvatica Purpurea</i>	Copper Beech	7	26 points	Subdivision (consent notice)
<i>Catalpa Bignonioides</i>	Indian Bean Tree	8	0 points	No protection
<i>Fagus sylvatica Purpurea</i>	Copper Beech	9	22 points	Subdivision (consent notice)
<i>Catalpa Bignonioides</i>	Indian Bean Tree	10	0 points	No protection
<i>Fagus sylvatica Purpurea</i>	Copper Beech	11	20 points	Subdivision (consent notice)
<i>Fagus sylvatica Purpurea</i>	Copper Beech	12	26 points	Subdivision (consent notice)
<i>Fagus sylvatica Purpurea</i>	Copper Beech	13	30 points	Notable Tree (City Plan)
Western Side (South to Northern end security gates)				
Proposed to be protected				
<i>Platanus x acerifolia</i>	London Plane Tree	14	22 points	No protection - south of Spine Road 2
<i>Aesculus indica</i>	Indian Horse Chestnut	15	26 points	Subdivision (consent notice)
<i>Castanea sativa</i>	Sweet Chestnut	16	20 points	Subdivision (consent notice)
<i>Castanea sativa</i>	Sweet Chestnut	17	22 points	Subdivision (consent notice)
<i>Quercus palustris</i>	Pin Oak	18	26 points	Subdivision (consent notice)
<i>Quercus palustris</i>	Pin Oak	19	26 points	Subdivision (consent notice)
<i>Aesculus indica</i>	Indian Horse Chestnut	20	22 points	Subdivision (consent notice)



Quercus palustris	Pin Oak	21	26 points	Subdivision (consent notice)
Taxodium distichum	Swamp Cypress	22	24 points	Subdivision (consent notice)
Aesculus indica	Indian Horse Chestnut	23	24 points	Subdivision (consent notice)
Fagus sylvatica Purpurea	Copper Beech	24	22 points	Subdivision (consent notice)

* CCC Assessment score of 18 points or over classifies the tree for protection through subdivision (consent notice on title); score of 30 points or over classifies the tree for protection through a Notable Tree status in the City Plan (Appendix 10).

2. Proposed Text and Appendix 3r Amendments

Volume 3 : Part 2 Living Zones

Appendix 3r/2

Amend Appendix 3r/2 by adding a line of protected tree symbols along the current Devondale Driveway as shown in the attached Appendix 3r/2.

Appendix 3r/2a

Insert a new Appendix 3r/2a as shown in the attached Appendix 3r/2a.

Volume 3 : Part 10 Heritage and Amenities

Appendix 4 – Heritage/Notable Trees, Category 2 – Notable trees

Amend Appendix 4 by adding a new listing of a Notable tree for 68 Johns Road (Devondale Driveway) as follows:

Appendix 4 - Heritage/Notable Trees					
Address	Legal Description	Species	Common Name	Comments	
Category 2 - Notable trees					
60	Johns Road	Johns Road SO 14831	Eucalyptus globulus	Tasmanian Blue Gum	
68	Johns Road (Devondale Driveway as shown in Part 2, Appendix 3r/2a)	LOT 2 DP 420962	Fagus sylvatica Purpurea	Copper Beech	
831	Johns Road (St James Church)	Pt Lt 1 DP 27571	Sequoiadendron giganteum	Wellingtonia	



Volume 3 : Part 14 Subdivision : 17.0 Preservation of vegetation and landscape, and land set aside for conservation purposes

Development Standards

17.2.4 Tree protection – Outline Development Plan – North West Belfast

Any trees, including any notable trees listed in Part 10, Appendix 4, growing along Devondale Driveway (68 Johns Road) and identified in Part 14, Appendix 3r/2a shall be preserved, and a consent notice shall be registered in accordance with Clause 2.9, Part 14. This consent notice shall require the continual preservation of the trees as an on-going condition of approval to any allotment containing any of these trees.

(Refer also to Rule 4.2.4, Part 14, Rules 2.3.1 and 2.3.2, Part 10)

Volume 3 : Planning Maps

Planning Map 10B

Amend Planning Map 10B by inserting a Protected Tree symbol in Devondale Driveway (listed under 68 Johns Road) as shown in the attached Map 10B.



Appendix 3r/2: Green Network Layer Diagram



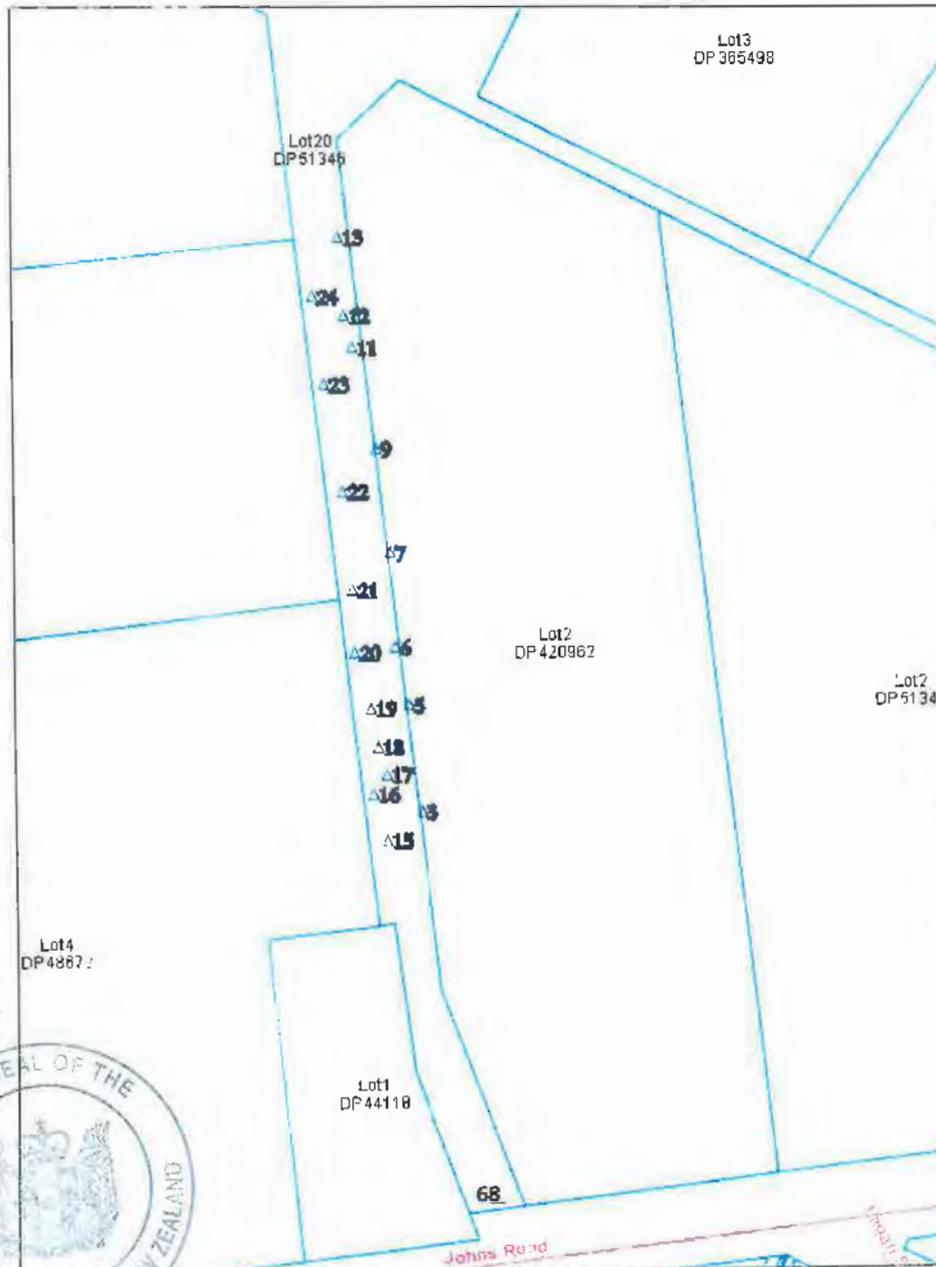
LEGEND:

-  Tree lined key walking linkages
-  Key walking linkages to Waimairi Walkway
-  15m Building Setback
-  Spine Road 2 with Boulevard
-  Local Road with Boulevard
-  Recreation reserve: Urban parks associated with high density residential activities
-  Local Purpose Reserve—Stormwater
-  Devondale Driveway
-  Proposed trees (Refer to Appendix 3r/2a)



08/07/2011

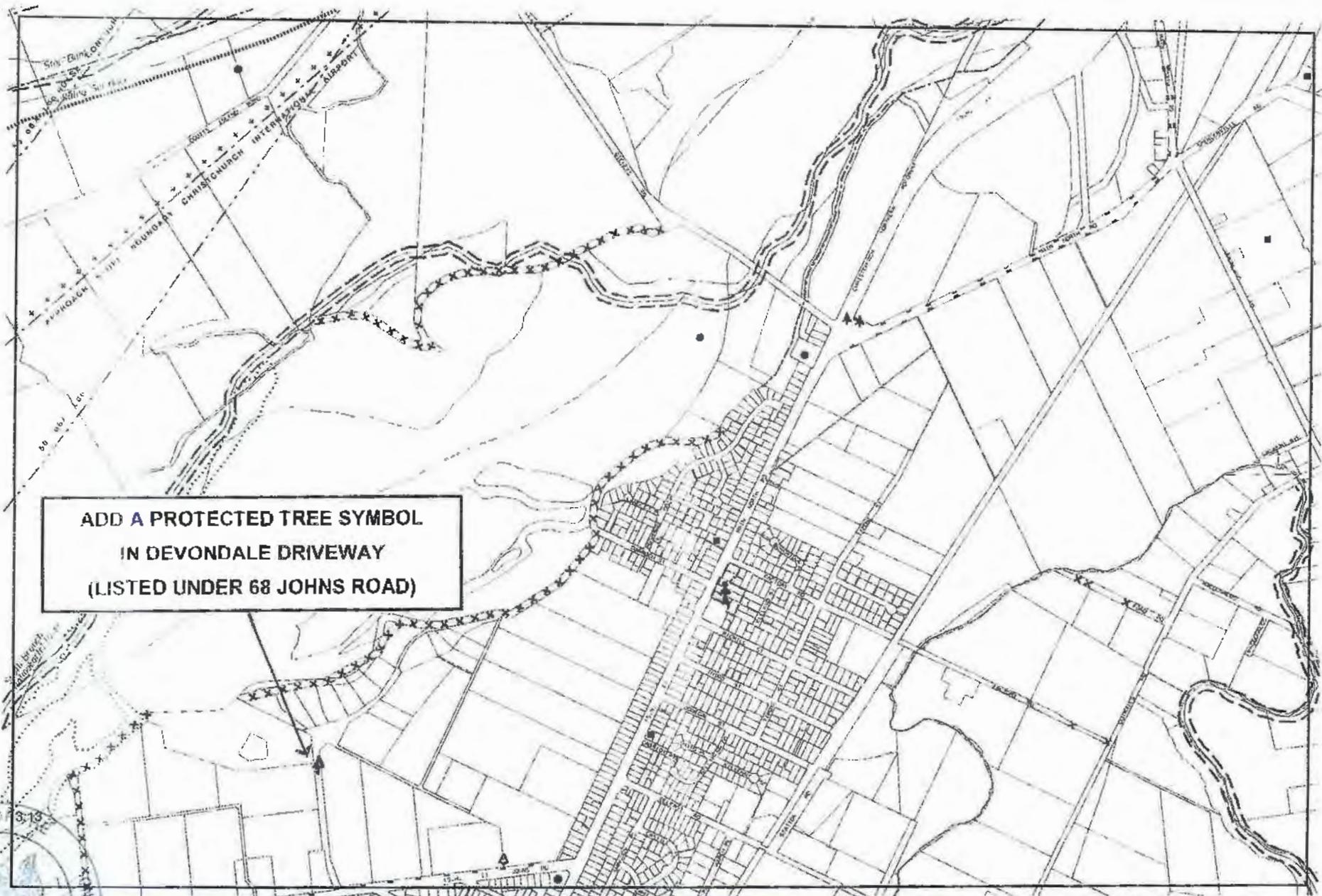
Appendix 3r/2a – North West Belfast - Green Network Layer Diagram – Protected Trees



Devondale Estate Driveway (68 Johns Road)

Trees to be Protected

<i>Botanical Name</i>	<i>Common name</i>	<i>Tree No.</i>	<i>Parcel's Legal description</i>	<i>Level of Protection</i>
Eastern Side (South to the Northern end security gates)				
Acer pseudoplatanus Purpurea	Purple Sycamore Maple	3	Lot 2 DP 420962	Subdivision
Aesculus indica	Indian Horse Chestnut	5	Lot 2 DP 420962	Subdivision
Gleditsia triacanthos inermis 'Skyline'	Honey Locust	6	Pt Lot 20 DP 51346	Subdivision
Fagus sylvatica Purpurea	Copper Beech	7	Lot 2 DP 420962	Subdivision
Fagus sylvatica Purpurea	Copper Beech	9	Pt Lot 20 DP 51346, Lot 2 DP 420962	Subdivision
Fagus sylvatica Purpurea	Copper Beech	11	Pt Lot 20 DP 51346	Subdivision
Fagus sylvatica Purpurea	Copper Beech	12	Pt Lot 20 DP 51346	Subdivision
Fagus sylvatica Purpurea	Copper Beech	13	Pt Lot 20 DP 51346	Listed Notable Tree
Western Side (South to the Northern end security gates)				
Aesculus indica	Indian Horse Chestnut	15	Pt Lot 20 DP 51346	Subdivision
Castanea sativa	Sweet Chestnut	16	Pt Lot 20 DP 51346	Subdivision
Castanea sativa	Sweet Chestnut	17	Pt Lot 20 DP 51346	Subdivision
Quercus palustris	Pin Oak	18	Pt Lot 20 DP 51346	Subdivision
Quercus palustris	Pin Oak	19	Pt Lot 20 DP 51346	Subdivision
Aesculus indica	Indian Horse Chestnut	20	Pt Lot 20 DP 51346	Subdivision
Quercus palustris	Pin Oak	21	Pt Lot 20 DP 51346	Subdivision
Taxodium distichum	Swamp Cypress	22	Pt Lot 20 DP 51346	Subdivision
Aesculus indica	Indian Horse Chestnut	23	Pt Lot 20 DP 51346	Subdivision
Fagus sylvatica Purpurea	Copper Beech	24	Pt Lot 20 DP 51346	Subdivision



**ADD A PROTECTED TREE SYMBOL
IN DEVONDALE DRIVEWAY
(LISTED UNDER 68 JOHNS ROAD)**



Key cont'd

- | | | | |
|---|--|---|--|
| <ul style="list-style-type: none"> --- City Boundary --- Summit Road Protection Act --- Airport/Airfield Approach Slope Boundaries --- Airport/Airfield Noise Control Boundaries ● Pylons Hazard line | <ul style="list-style-type: none"> M.H.W.S. Mean High Water Springs xxx Road to be stopped --- Limited Access Roads --- Indicative Roads ● Scheduled Activity ▲ Protected Tree | <ul style="list-style-type: none"> ■ Protected Object, Place or Building ▲ Group of Protected Trees --- Flood Ponding Area (Non-Operative V48) --- Esplanade Reserve or strip required ■ Flood Management Area | <ul style="list-style-type: none"> ■ Special Amenity Area ■ Community Footprint ■ Ecological Heritage "A" Sites ■ Comprehensive Housing Improvement Area ■ Non-Operative Area |
|---|--|---|--|

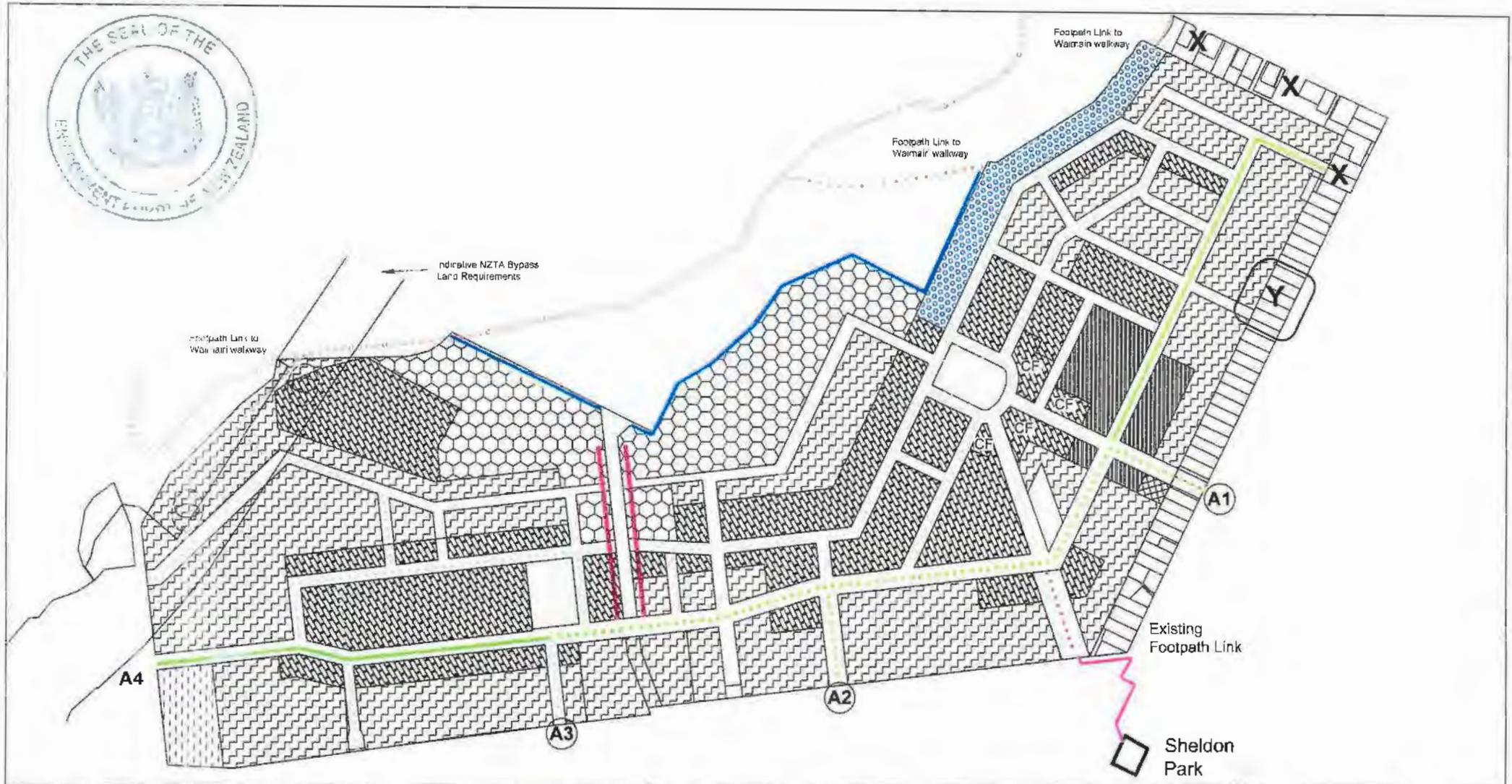
City of Christchurch
City Planning Maps

3
9 10B 11
18

Scale 1:15,000 Date 20/06/11

0 100 200 300 400m

NORTH



APPENDIX C

LEGEND

- Density 'A' Residential
- Density 'B' Residential
- Density 'C' Residential
- Deferred Mixed Use (Rule 3.6.2)
- Business 1 (2.6ha)

A - Intersections with Johns and Main North Road
 B - Primary Routes between Johns & Main North Road

- Stormwater treatment/detention
- Urban Open Space
- Local Purpose Reserve - Stormwater (Deferred Density 'C' Residential)
- 10m Setback (Rule 7.2.7(h))
- 15m Setback
- Deferred Business 1 (0.1ha)

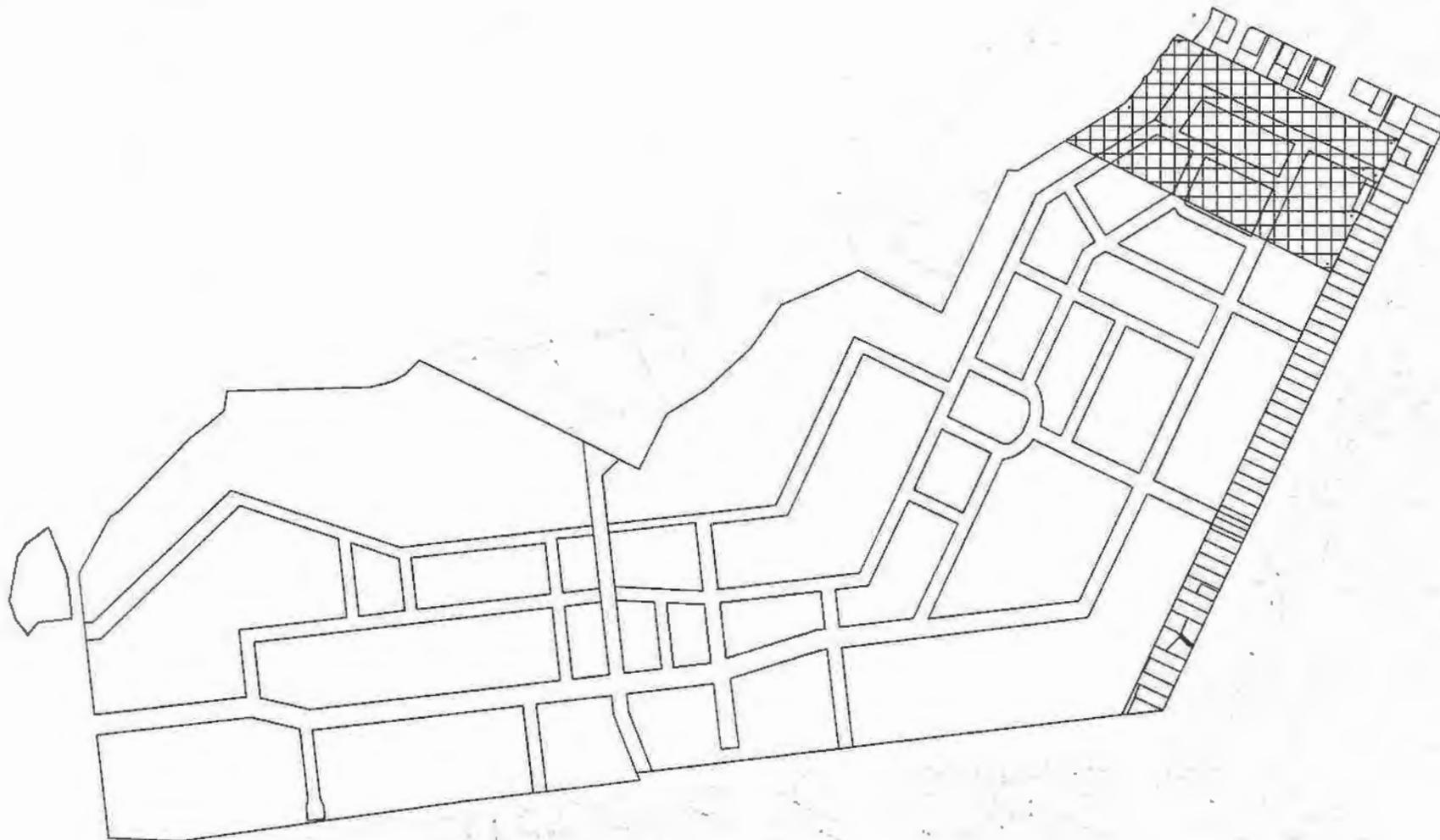
- Spine Road 1
- Spine Road 2 with Boulevard (Vehicle Access for High Density generally by Rear Lane)
- Local Road with Boulevard with Intensified Tree Spacings
- Tree Lined Key Walking Linkages
- Key Walking Linkages to Waimairi Walkway
- Existing Waimairi Walkway
- Existing Footpath Link
- Private pedestrian right of way for benefit of Devondale Estate

- CF Community Footprint
- Key Walking Linkages within Reserve
- Living G zone
- Potential road linkages
- Rules 7.4.8, 19.11, 19.12 and 19.13 (To Be Confirmed)
- Rules 7.4.8, 19.11, 19.12 and 19.13 (To Be Confirmed)
- Rules 7.4.8, 19.11, 19.12 and 19.13 (To Be Confirmed)

Explanation

This plan must be read in association with appendices, 3r/2, 3r/3, 3r/4 - principles and layer diagrams

APPENDIX 3R/1: Area 4



AREA



Area 4 (Refer to 19.14)



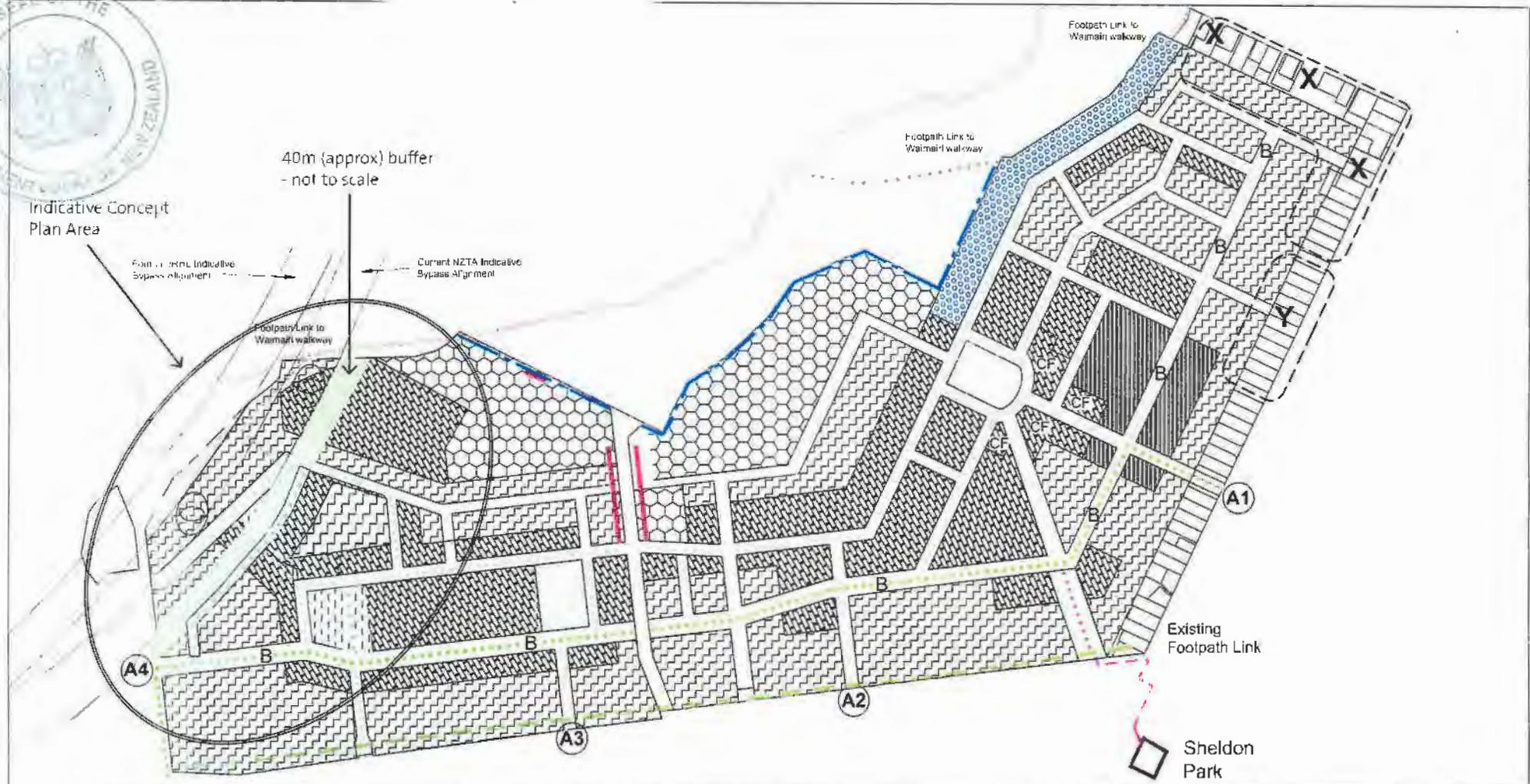
Explanation - ODP

The ODP must be read in association with appendices, 3r/2, 3r/3, 3r/4 - principles and layer diagrams

16.12.11

APPENDIX 3r/1 - CONCEPT PLAN AREA —

(North West Belfast): Densities & Key Infrastructure



LEGEND

- High Density Residential
- Medium Density Residential
- Low Density Residential
- Mixed Use
- Business 1 (2,71a)
- Future Bypass
- Urban Open Space
- Local Purpose Reserve - Stormwater
- Stormwater treatment/detention
- 20m setback from Johns Road seal - Rule 7.4.6
- 10m Building Setback

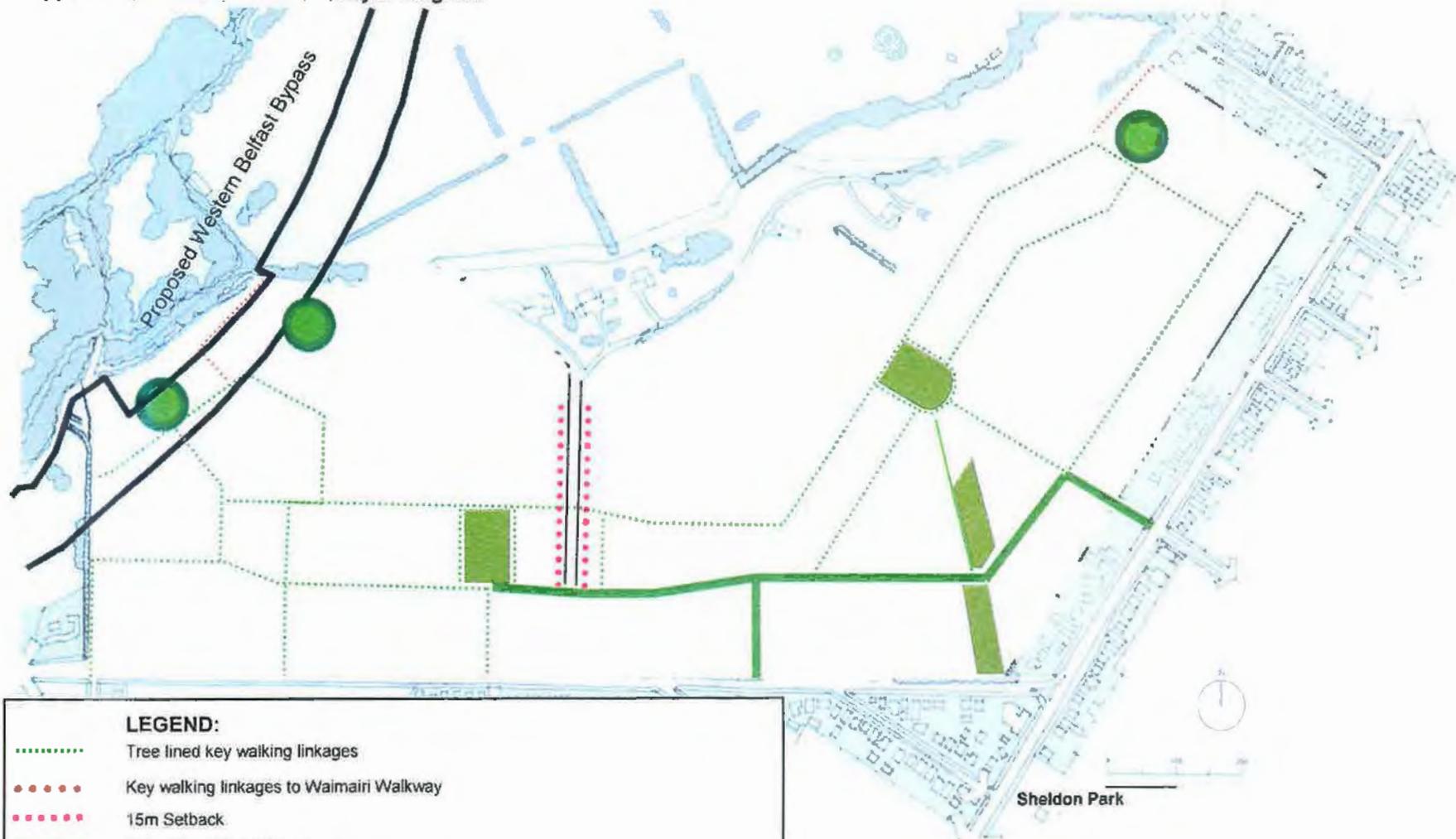
- A** - Intersections with Johns and Main North Road
- B** - Primary Routes between Johns & Main North Road
- CF** Community Footprint
- Spine Road 2 with Boulevard (Vehicle Access for High Density generally by Rear Lane)
- Local Road with Boulevard with Intensified Tree Spacings
- Tree Lined Key Walking Linkages
- Key Walking Linkages to Waimairi Walkway
- Existing Waimairi Walkway
- Existing Footpath Link
- Private pedestrian right of way for benefit of Devondale Estate

- Key Walking Linkages within Reserve or Road Areas
- Living G zone
- Potential road linkages
- Rule 7.4.8 and 19.10 (To Be Confirmed)
- Rule 7.4.8 and 19.10 (To Be Confirmed)
- Rule 7.4.8 and 19.10 (To Be Confirmed)

Explanation - ODP

The ODP must be read in association with appendices, 3r/2, 3r/3, 3r/4 - principles and layer diagrams

Appendix 3r/2: Green Network Layer Diagram

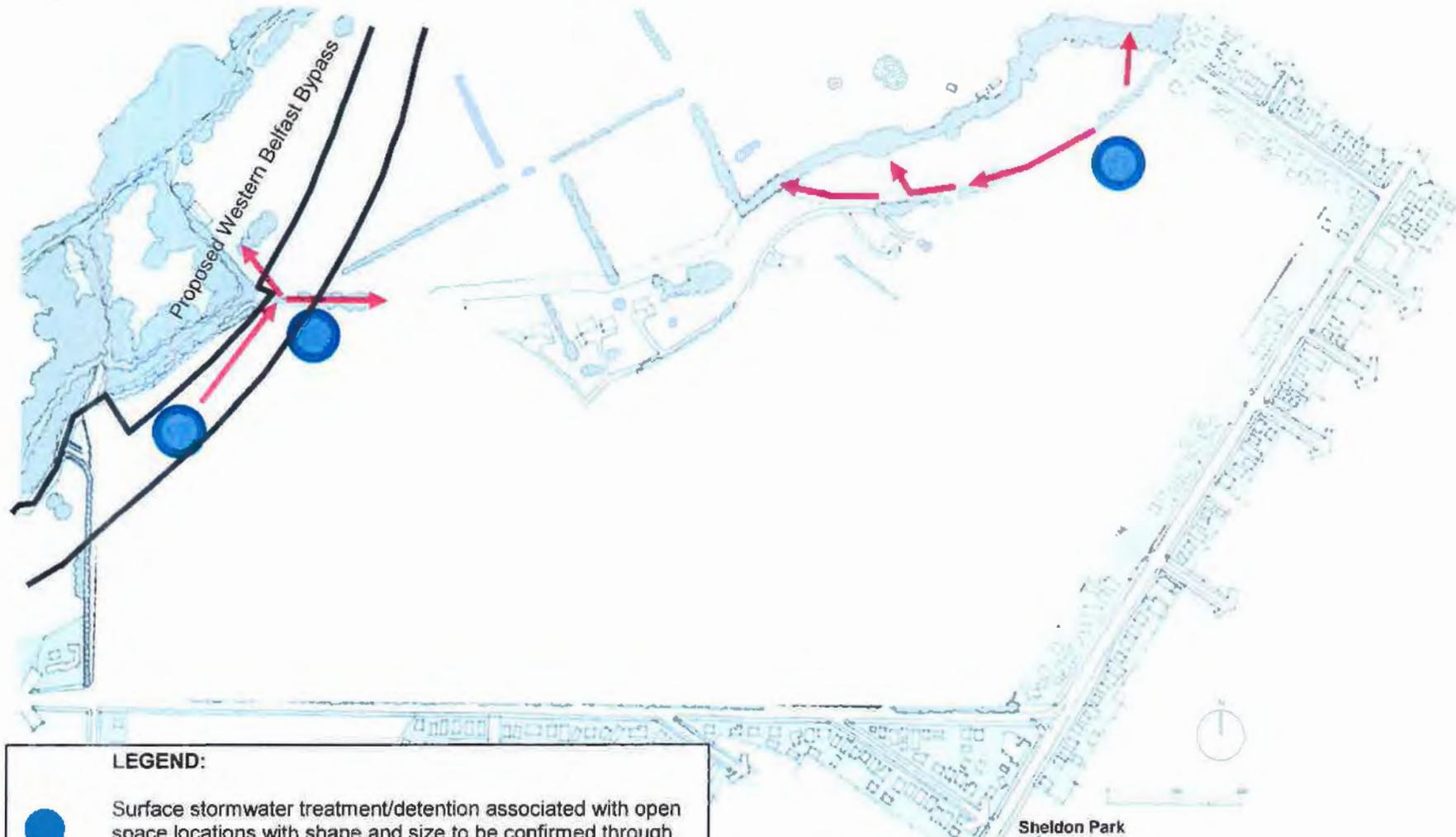


LEGEND:	
	Tree lined key walking linkages
	Key walking linkages to Waimairi Walkway
	15m Setback
	Spine Road 2 with Boulevard
	Local Road with Boulevard
	Recreation reserve: Urban parks associated with high density residential activities
	Local Purpose Reserve—Stormwater
	Devondale Driveway



16/12/2011

Appendix 3r3: Blue Network Layer Diagram

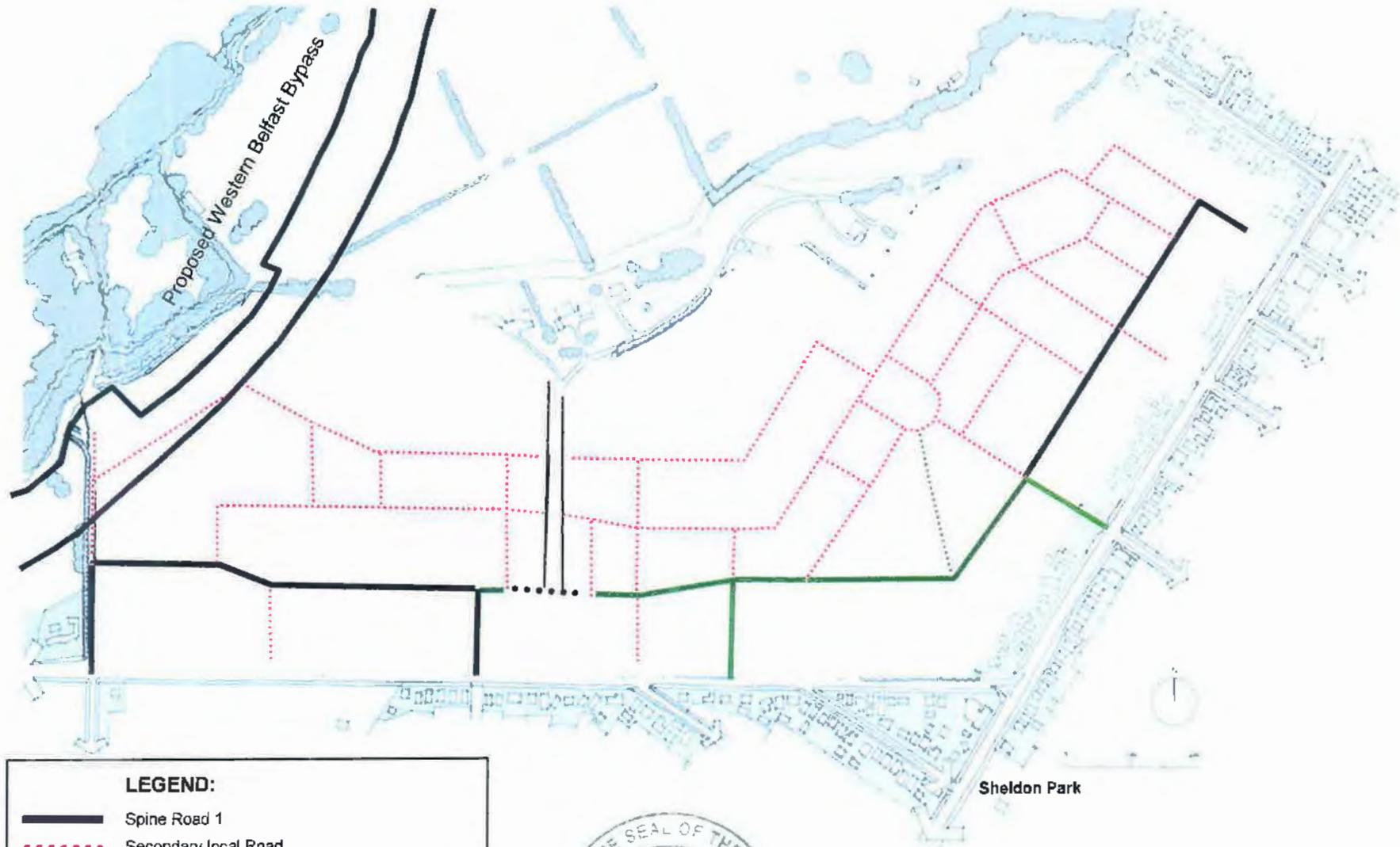


LEGEND:

-  Surface stormwater treatment/detention associated with open space locations with shape and size to be confirmed through consent processes
-  Outfall Directions



Appendix 3r/4: Movement Network Layer Diagram (Road Network)



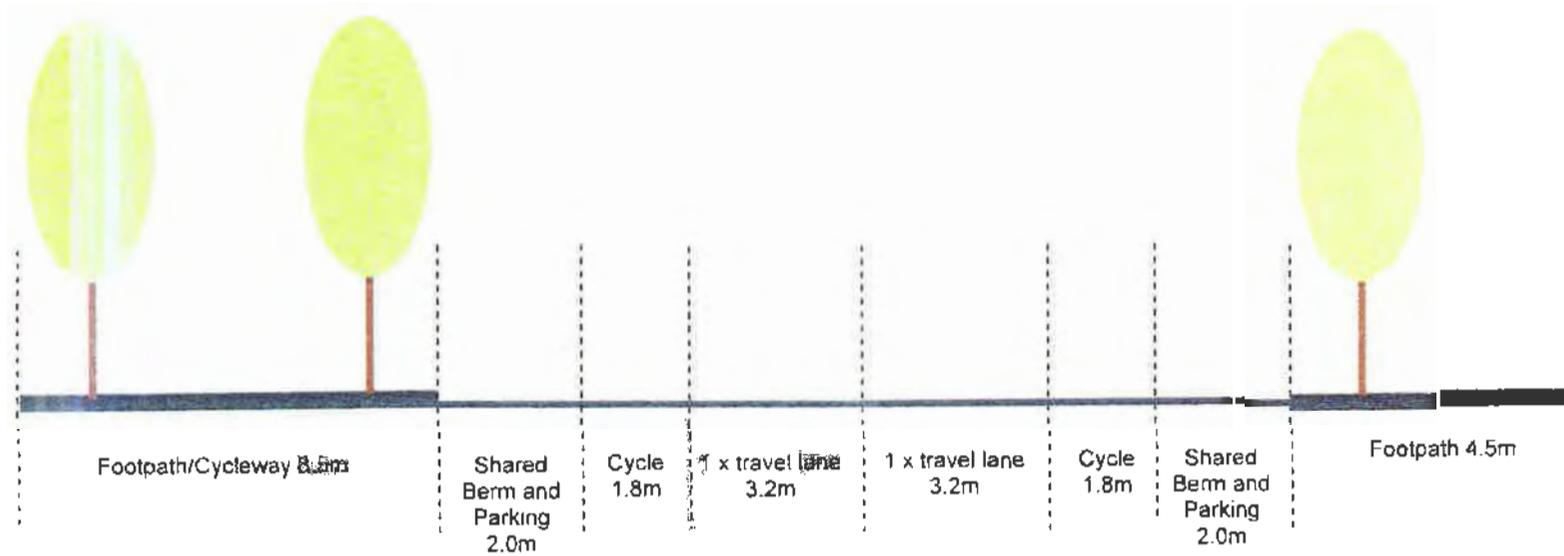
LEGEND:

-  Spine Road 1
-  Secondary local Road
-  Spine Road 2 with Boulevard
-  Local Road with Boulevard
-  Crossing of Devondale driveway subject to agreement or obtainment under the Public Works Act
-  Devondale Driveway



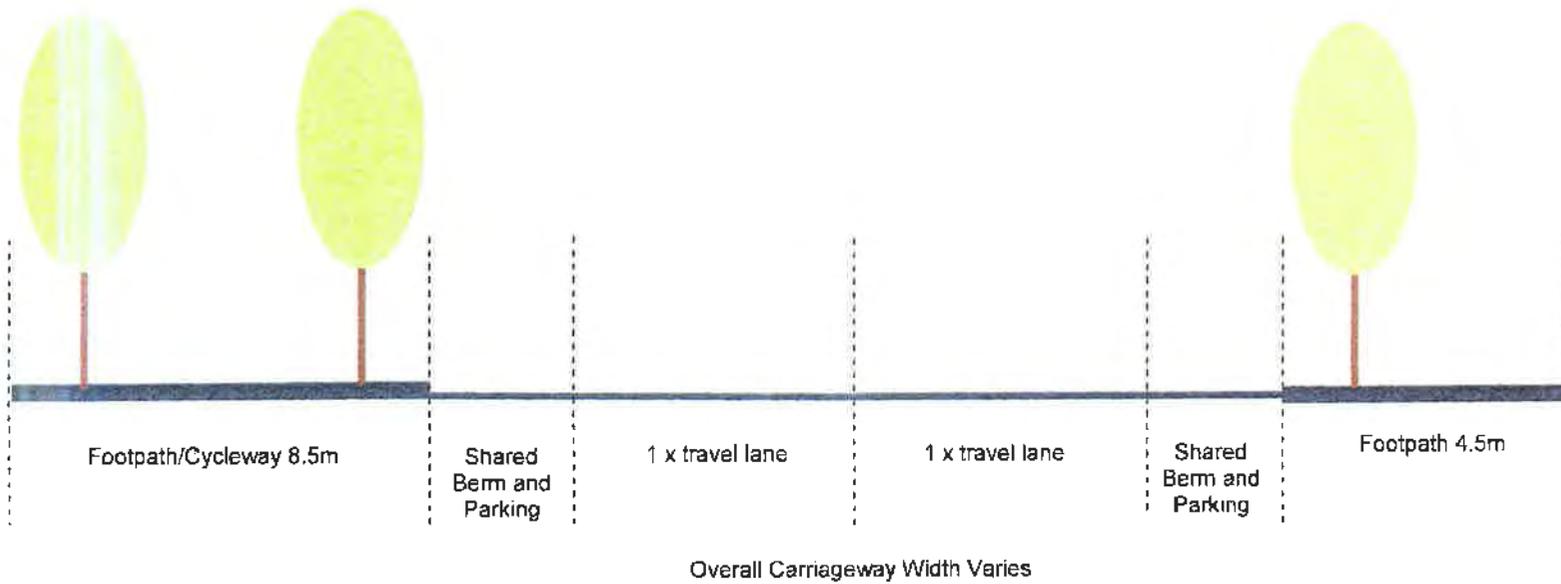
Sheldon Park

Appendix 3r/4(a): Movement Network Layer Diagram — Spine Road 2 with Boulevard

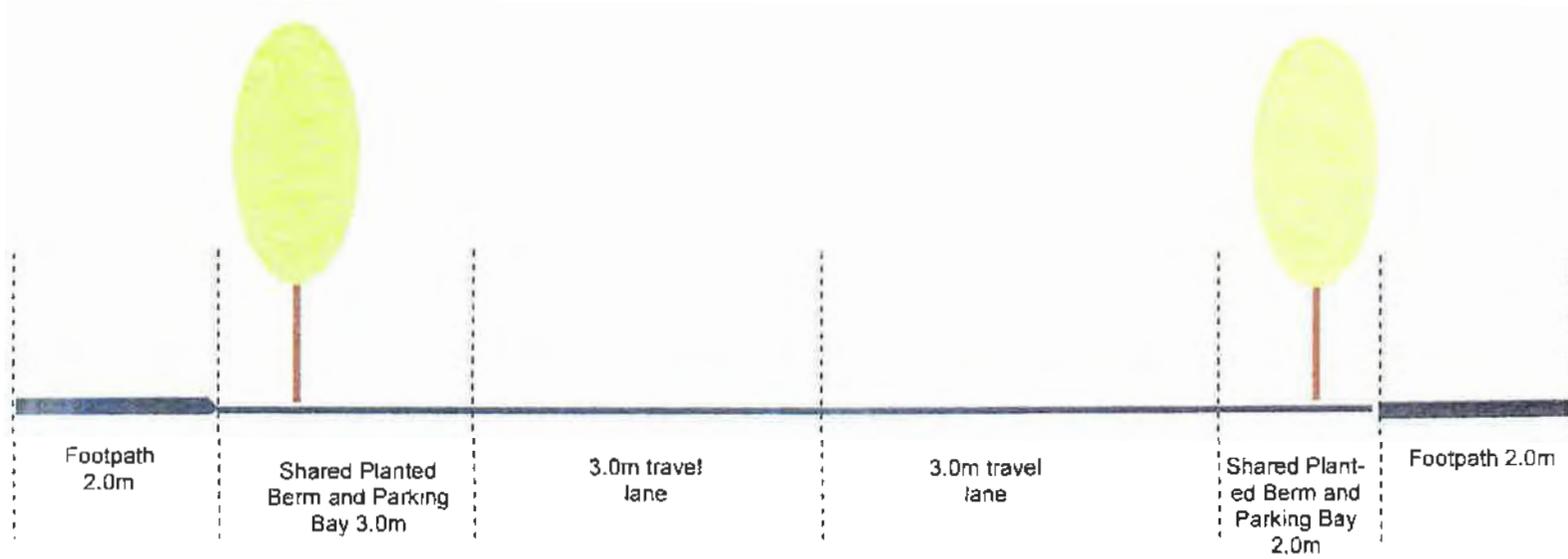


16/12/2011

Appendix 3r/4(b): Movement Network Layer Diagram —Local Road with Boulevard

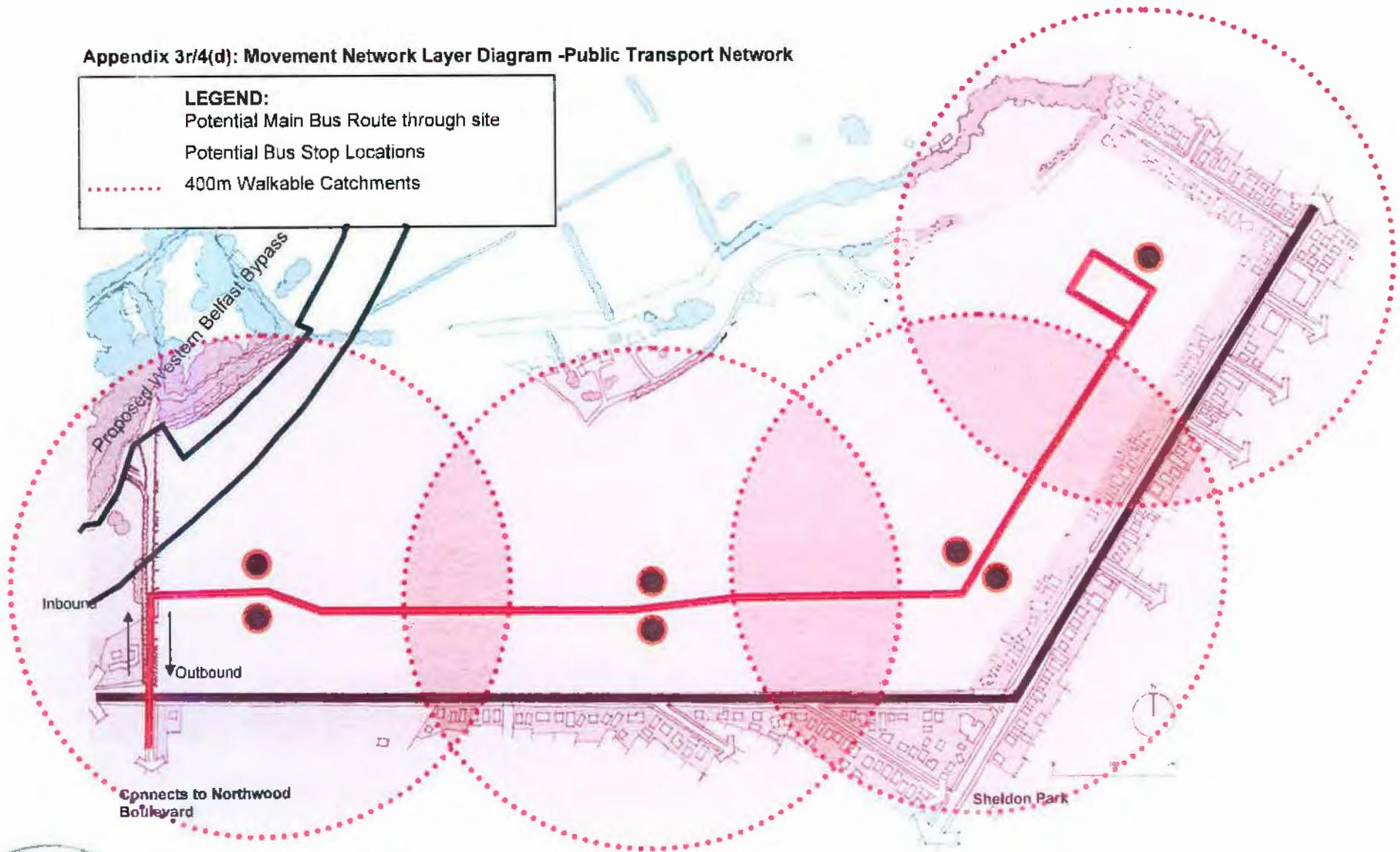


Appendix 3r/4(c): Movement Network Layer Diagram -Spine Road 1



Appendix 3r/4(d): Movement Network Layer Diagram -Public Transport Network

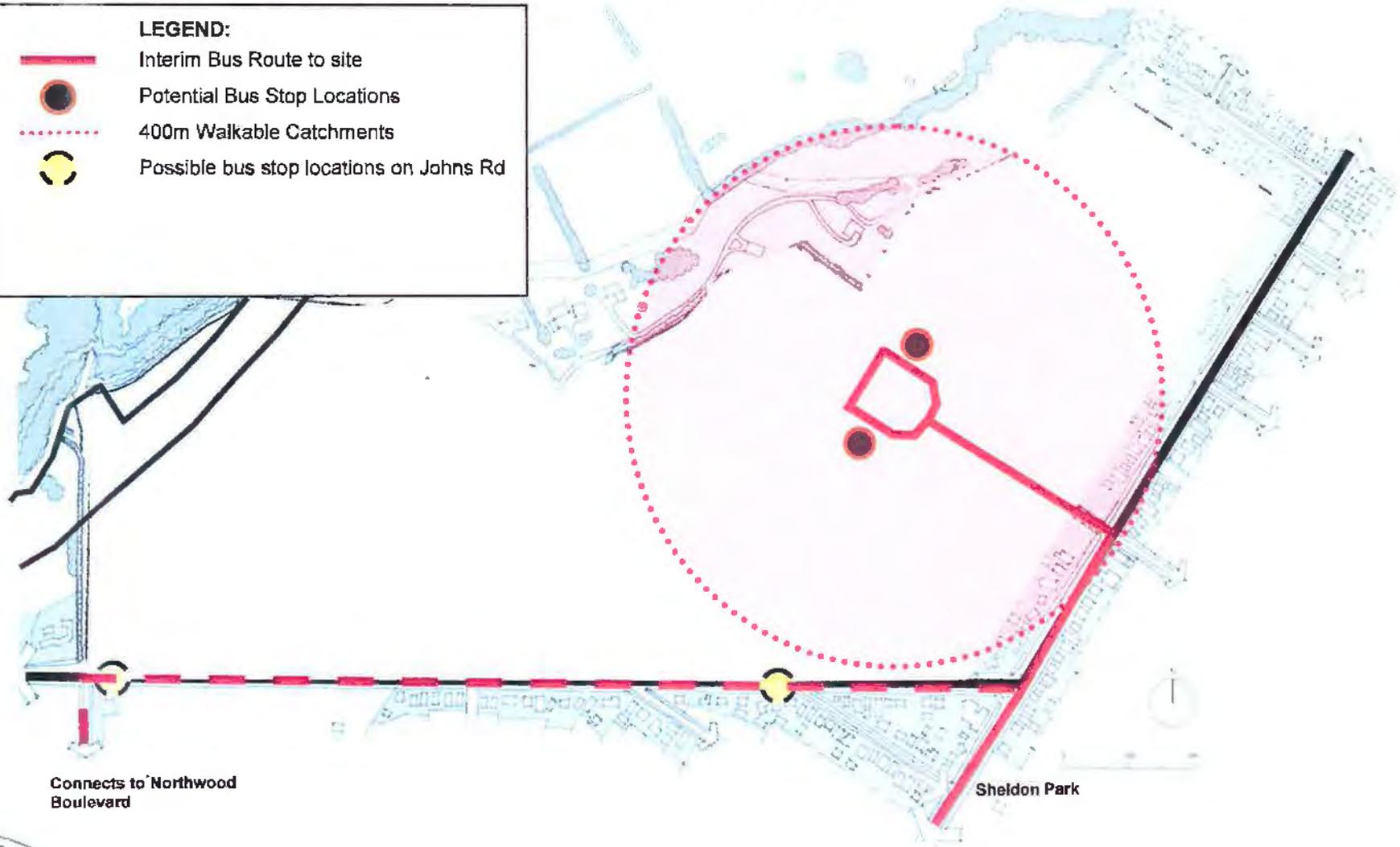
LEGEND:
Potential Main Bus Route through site
Potential Bus Stop Locations
..... 400m Walkable Catchments



Appendix 3r/4(e): Movement Network Layer Diagram -Interim Public Transport Netowrk

LEGEND:

-  Interim Bus Route to site
-  Potential Bus Stop Locations
-  400m Walkable Catchments
-  Possible bus stop locations on Johns Rd

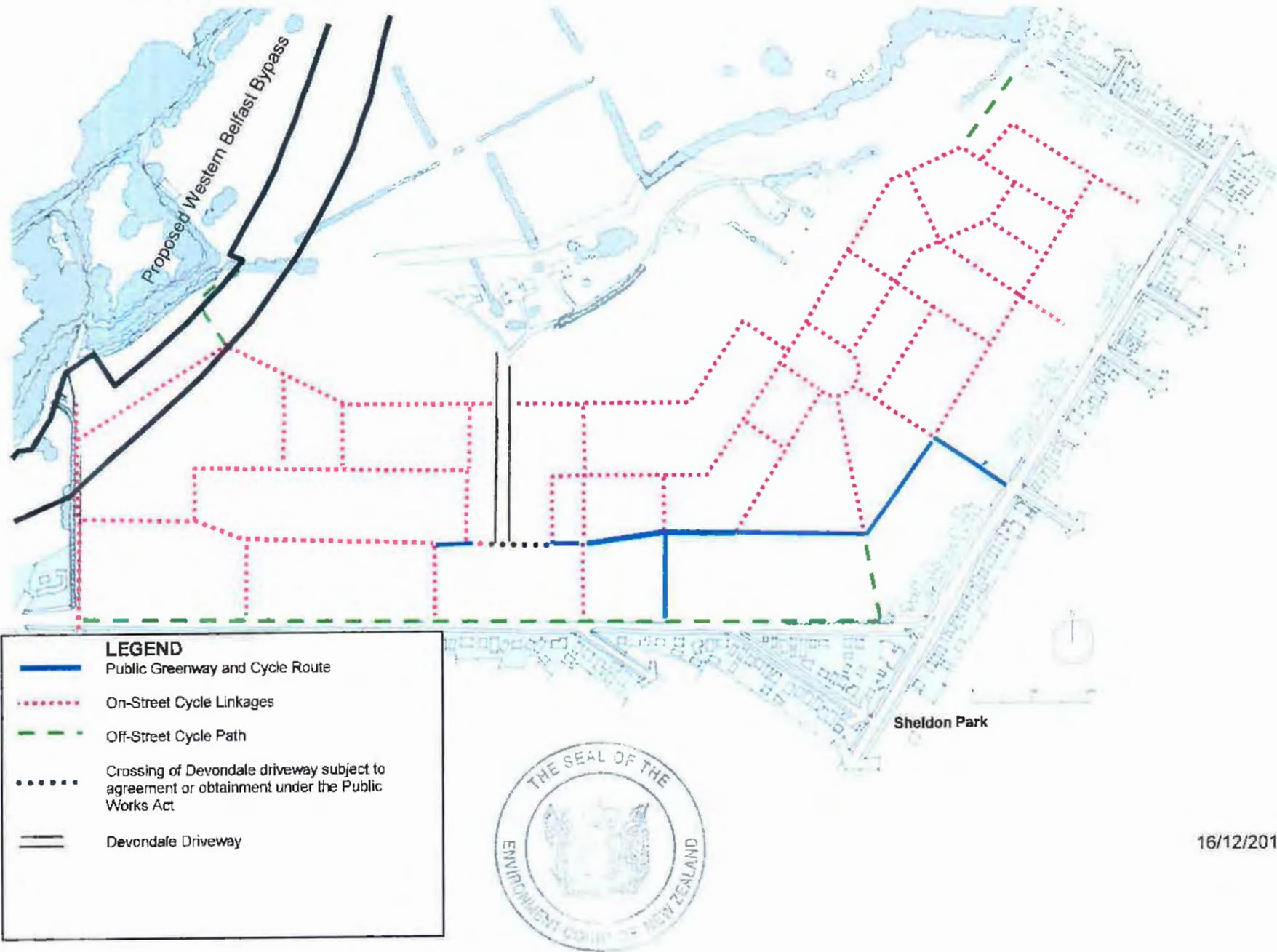


Connects to Northwood
Boulevard

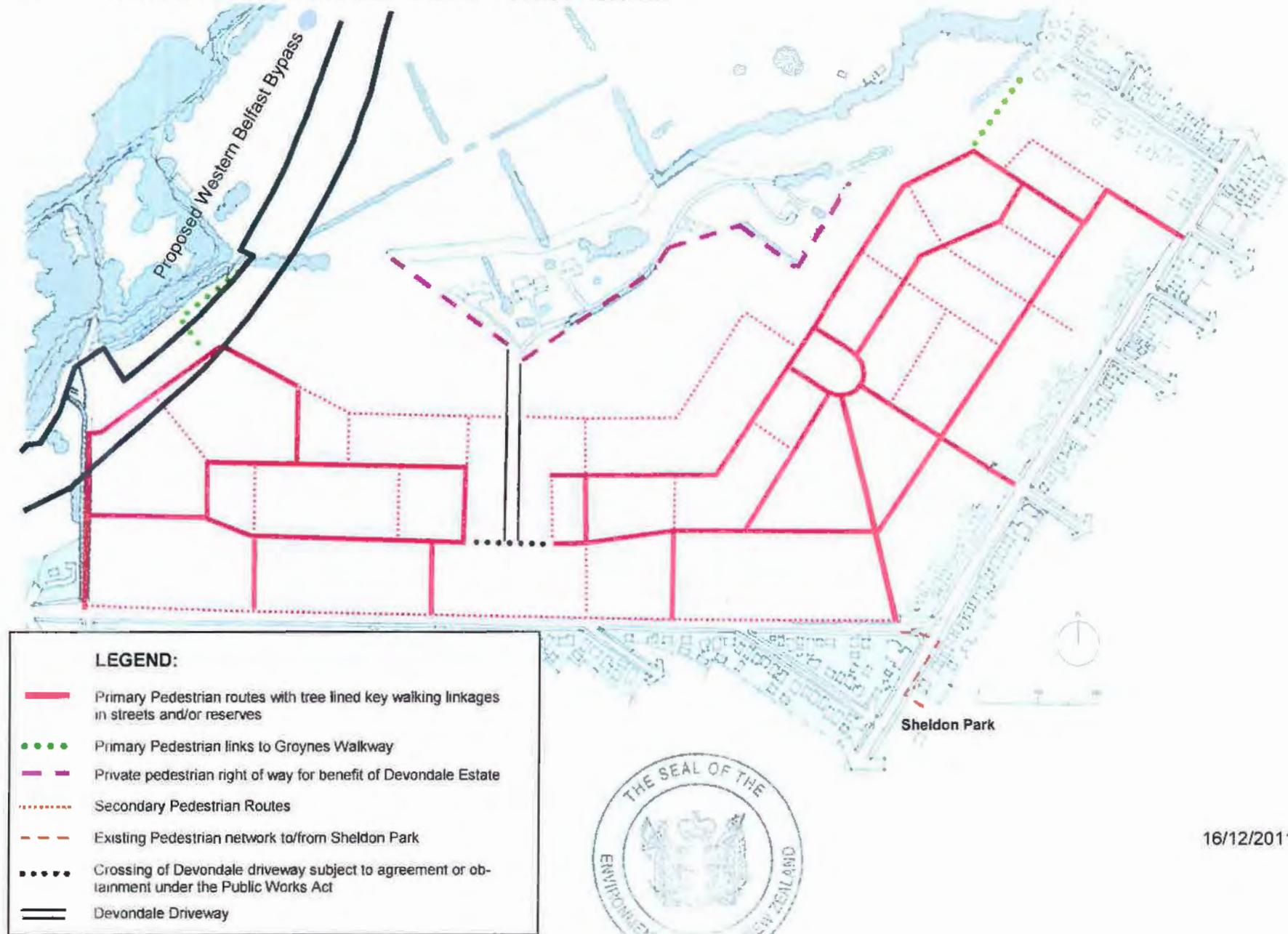
Sheldon Park



Appendix 3r/4(f): Movement Network Layer Diagram—Cycle Network



Appendix 3r/4(g): Movement Network Layer Diagram—Pedestrian Network



16/12/2011

Handwritten signature and the number "3" in quotes.

APPENDIX D - TRACKED CHANGES TO RULES 7.2.20 AND 19.4

7.2.20 Bypass Corridor Development Concept Plan Area

- (i) Prior to any development within the area shown as the Bypass Corridor Concept Plan Development Area In Appendix 3r/1(a), Outline Development Plan (Northwest Belfast) Part 2 Volume 3, a concept plan shall be submitted to the Council.

The concept plan shall specify:

- (a) the alignment of the Western Belfast Bypass as confirmed as final by a NZTA Notice of Requirement~~NZTA~~; and
- (b) areas of density to give effect to rule 7.2.2; and
- (c) appropriate setbacks from the Western Belfast Bypass Corridor for noise attenuation purposes; and
- (d) stormwater attenuation; and
- (e) roads, cycle and pedestrian routes; and
- (f) areas of open space

And shall as closely as practicable give effect to the Outline Development Plan and layer diagrams (Appendix 3r/1-4, Part 2 Volume 3), whilst taking into account the limitations imposed by the Western Belfast Bypass. The Council shall consult with the NZTA on the relevant concept plan details as outlined in sub-clauses (a), (c), (d) and (e) below.

The concept plan shall be assessed as a controlled ~~restricted discretionary~~ activity with the Council's control ~~the Council's discretion~~ restricted to:

- (a) integration of land use with the alignment of the Western Belfast Bypass as confirmed as final by a NZTA Notice of Requirement~~NZTA~~; and
- (b) areas of density to give effect to rule 7.2.2; and
- (c) appropriate setbacks from the Western Belfast Bypass Corridor for noise attenuation purposes; and
- (d) stormwater attenuation; and

042089724/1476460.1



- (e) roads, cycle and pedestrian routes; and
 - (f) areas of open space
- (ii) Upon approval of the concept plan pursuant to rule 19.4(i) it shall substitute the development shown within the Bypass Corridor Concept Plan Development Area on Appendix 3r/1-4, Part 2 Volume 3 and all applicable Living G (North West Belfast) objective policy and rule provisions in this Plan shall be read as applying to the development within the concept plan.

19.4 Bypass Corridor Concept Plan Development Area

- (i) Prior to any subdivision development within the area shown as the Bypass Corridor Concept Plan Development Area in Appendix 3r/1(a) Outline Development Plan (Northwest Belfast) Part 2 Volume 3, a concept plan shall be submitted to the Council.

The concept plan shall specify:

- (a) the alignment of the Western Belfast Bypass as confirmed as final by a NZTA Notice of Requirement~~NZTA~~; and
- (b) areas of density to give effect to rule 19.2; and
- (c) appropriate setbacks from the Western Belfast Bypass Corridor for noise attenuation purposes; and
- (d) stormwater attenuation; and
- (e) roads, cycle and pedestrian routes; and
- (f) areas of open space

And shall as closely as practicable give effect to the Outline Development Plan and layer diagrams (Appendix 3r/1-4, Part 2 Volume 3), whilst taking into account the limitations imposed by the Western Belfast Bypass. The Council shall consult with the NZTA on the relevant concept plan details as outlined in sub-clauses (a), (c), (d) and (e) below.

The concept plan shall be assessed as a controlled restricted discretionary activity with the Council's control ~~the Council's discretion~~ restricted to :

042089724/1476460.1



- (a) the integration of land use with the alignment of the Western Belfast Bypass as confirmed as final by NZTA a NZTA Notice of Requirement; and
 - (b) areas of density to give effect to rule 19.2; and
 - (c) appropriate setbacks from the Western Belfast Bypass Corridor for noise attenuation purposes; and
 - (d) stormwater attenuation; and
 - (e) roads, cycle and pedestrian routes; and
 - (f) areas of open space
- (ii) Upon approval of the concept plan pursuant to rule 19.4(i) it shall substitute the development shown within the Bypass Corridor Concept Plan Development Area on Appendix 3r/1-4, Part 2 Volume 3 and all applicable Living G (North West Belfast) objective policy and rule provisions in this Plan shall be read as applying to the development within the concept plan.



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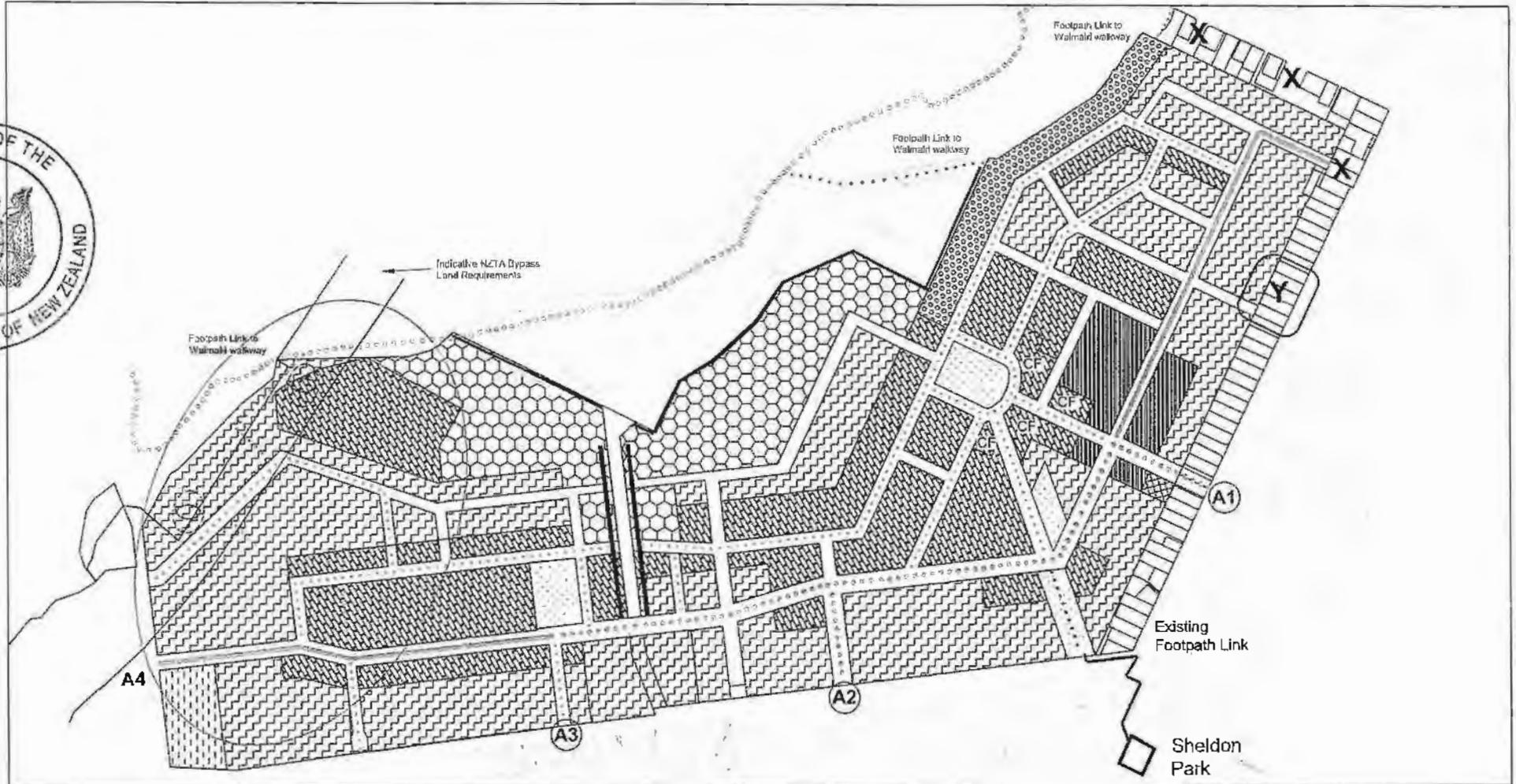
HY "E"

Appendix E - Amendments to Appendix 3r/1 - Densities and Key Infrastructure



042089724/1476460.1

APPENDIX 3r/1 - Densities & Key Infrastructure

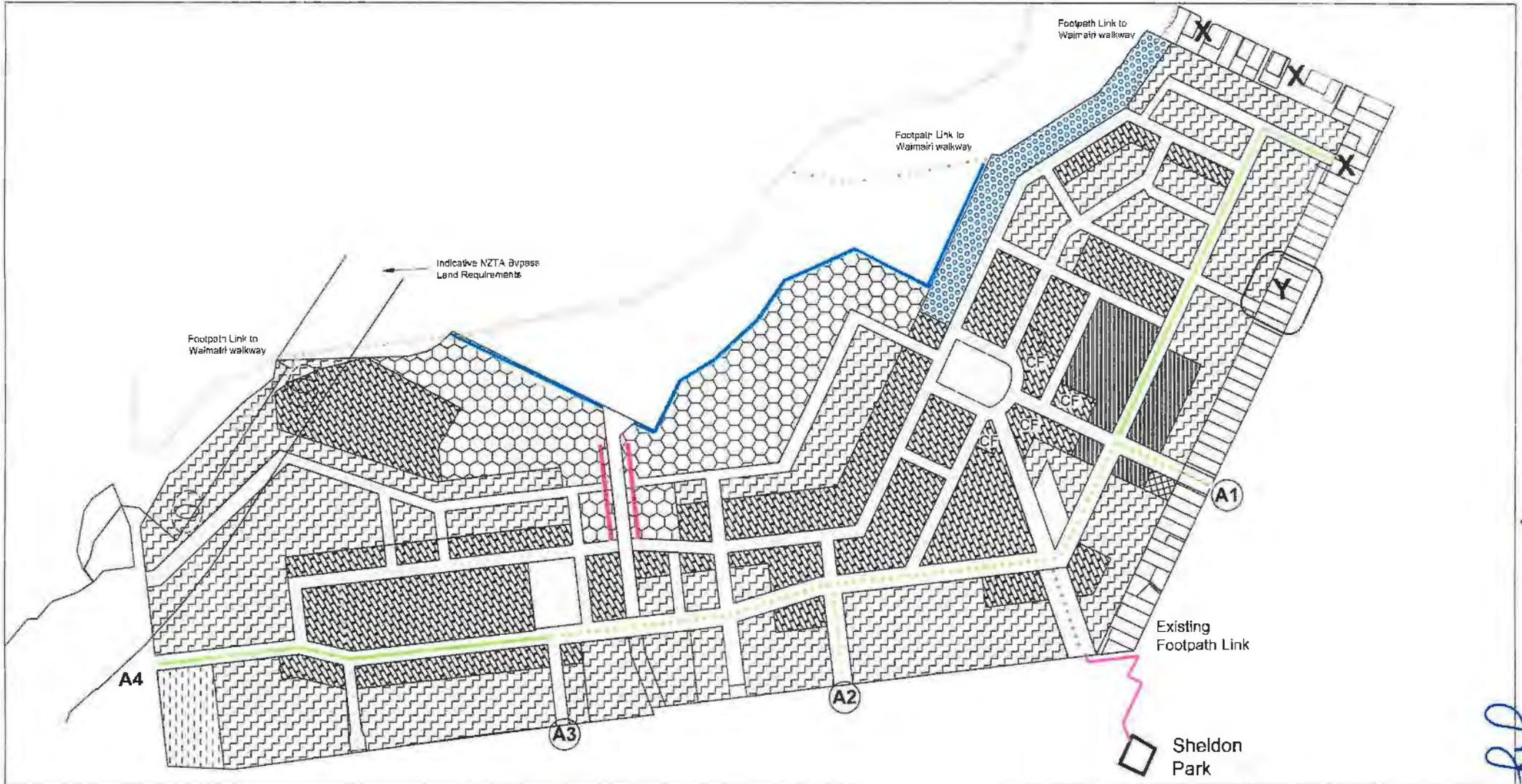


LEGEND		Living G zone		CF	
	Density 'A' Residential		A - Intersections with Johns and Main North Road		Community Footprint
	Density 'B' Residential		Stormwater treatment/detention		Key Walking Linkages within Reserve
	Density 'C' Residential		Urban Open Space		Potential road linkages
	Deferred Mixed Use (Rule 3.6.2)		Local Purpose Reserve - Stormwater (Deferred Density 'C' Residential)		Concept Plan Area Rules 7.2.20 and 19.4
	Business 1 (2.6ha)		10m Setback (Rule 7.2.7(h))		Rules 7.4.8, 19.11, 19.12 and 19.13 (To Be Confirmed)
			15m Setback		Rules 7.4.6, 19.11, 19.12 and 19.13 (To Be Confirmed)
			Deferred Business 1 (0.1ha)		Rules 7.4.8, 19.11, 19.12 and 19.13 (To Be Confirmed)
			Spine Road 1		
			Spine Road 2 with Boulevard (Vehicle Access for High Density generally by Rear Lane)		
			Local Road with Boulevard with Intensified Tree Spacings		
			Tree Lined Key Walking Linkages		
			Key Walking Linkages to Waimairi Walkway		
			Existing Waimairi Walkway		
			Existing Footpath Link		
			Private pedestrian right of way for benefit of Devondale Estate		

Explanation

This plan must be read in association with appendices, 3r/2, 3r/3, 3r/4 - principles and layer diagrams

24.02.12



APPENDIX D F
AG

LEGEND

-  Density 'A' Residential
-  Density 'B' Residential
-  Density 'C' Residential
-  Deferred Mixed Use (Rule 3.6.2)
-  Business 1 (2.6ha)
-  Stormwater treatment/detention
-  Urban Open Space
-  Local Purpose Reserve - Stormwater (Deferred Density 'C' Residential)
-  10m Setback (Rule 7.2.7(h))
-  15m Setback
-  Deferred Business 1 (0.1ha)

-  Spine Road 1
-  Spine Road 2 with Boulevard (Vehicle Access for High Density generally by Rear Lane)
-  Local Road with Boulevard with Intensified Tree Spacings
-  Tree Lined Key Walking Linkages
-  Key Walking Linkages to Waimairi Walkway
-  Existing Waimairi Walkway
-  Existing Footpath Link
-  Private pedestrian right of way for benefit of Devondale Estate

-  CF Community Footprint
-  Key Walking Linkages within Reserve
-  Living G zone
-  Potential road linkages
-  Rules 7.4.8, 19.11, 19.12 and 19.13 (To Be Confirmed)
-  Rules 7.4.8, 19.11, 19.12 and 19.13 (To Be Confirmed)
-  Rules 7.4.8, 19.11, 19.12 and 19.13 (To Be Confirmed)

Explanation

This plan must be read in association with appendices, 3r/2, 3r/3, 3r/4 - principles and layer diagrams