

14. PLAN CHANGE 53: DESIGN AND AMENITY IN LIVING 3 AND 4 ZONES – FINAL APPROVAL



<b>General Manager responsible:</b>	General Manager Strategy and Planning; DDI 941- 8281
<b>Officer responsible:</b>	Programme Manager, District Planning
<b>Author:</b>	David Punselie Assistant Planner

**PURPOSE OF REPORT**

1. This report seeks the Council’s approval to make operative the changes to the City Plan introduced by its decision on Plan Change 53 as amended by an Environment Court consent order.

**EXECUTIVE SUMMARY**

2. Plan Change 53 (PC 53) is a Council initiated plan change that amends the provisions relating to design and amenity of new residential development in the medium and high density residential areas. Living 4 zones are located primarily within the Central City with small pockets at Carlton Mill, North Beach and in central New Brighton. Living 3 zones are generally located between the inner-city Living 4 zones and the lower density Living 1 and Living 2 zones, with further pockets located adjacent to some consolidation focal points such as large suburban shopping centres. There are also several small areas of Living 3 in large new subdivisions such as Northwood and Aidanfield.
3. PC 53 arose from widespread public dissatisfaction with the quality of urban design in medium and high density developments in the central city and inner suburbs. It focuses on provisions relating to matters of design, appearance and amenity of development in the existing zoned areas only. It does not address other matters such as building height, density, non-residential activities or zoning.
4. Public notification of the plan change on 19 February 2010 attracted 71 submissions. A hearing was conducted over four days in December 2010 before a panel of Councillors Sue Wells and Chrissie Williams, and Commissioner David Collins. On 23 June 2011 the Council accepted the Panel’s recommendation that the plan change be adopted with some amendments.
5. One appeal was received against the decision. The appeal concerned Rule 4.2.5(b) which deals with the separation distance between adjacent neighbours’ windows and balconies. The decision set the distance at four metres and the appellant sought seven, which was the distance in the Plan Change as notified. In essence the issue was about achieving an appropriate balance between residents’ privacy and amenity, and efficient use of land.
6. With the approval of the District Plan Appeals subcommittee, staff participated in an Environment Court mediation and the matter was resolved by adding some sentences to the assessment matters in Part 2 of the plan. The Environment Court’s consent order is attached (**Attachment 1**) together with the plan change as amended by that order and the Council’s decision (**Attachment 2**).
7. As the matter is now beyond challenge the Council can take the necessary steps to make operative the changes introduced by Plan Change 53.

**FINANCIAL IMPLICATIONS**

8. There are no direct financial implications.

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

9. The recommendation will not impose on the LTCCP budgets.

14 Cont'd

**LEGAL CONSIDERATIONS**

10. The recommendation in this report is for the Council to take the procedural step to make operative the changes introduced by Council's decision on PC 53 as amended by the Environment Court. 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 the plan change becomes operative on a date that is nominated in a public notice of the Council's approval. This plan change has reached the stage where it can be made operative.

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

11. As above.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

12. 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?**

13. Yes. Supports the project of processing plan changes in compliance with statutory processes and time frames.

**ALIGNMENT WITH STRATEGIES**

14. Not applicable.

**Do the recommendations align with the Council's strategies?**

15. Not applicable.

**CONSULTATION FULFILMENT**

16. 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 decision of the Council (as amended by the Environment Court) on Plan Change 53 Living 3 and 4 zones Design and Amenity
- (b) Authorise the General Manager, Strategy and Planning to determine the date on which the changes introduced by PC 53 become operative.

**BEFORE THE ENVIRONMENT COURT**

**IN THE MATTER** of the Resource Management Act 1991 (the  
**Act**) and of an appeal pursuant to Clause 14  
of the First Schedule of the Act

**BETWEEN** P DYHRBERG & CHESTER STREET  
RESIDENTS ASSOCIATION

(ENV-2011-CHC-0086)

Appellant

**AND** CHRISTCHURCH CITY COUNCIL

Respondent

Environment Judge J E Borthwick sitting alone pursuant to section 279 of the Act

In Chambers at Christchurch

**CONSENT ORDER**

**Introduction**

[1] On 4 August 2011 Chester Street Residents Association and P Dyhrberg lodged an appeal on a decision of the Christchurch City Council on Plan Change 53 to the Christchurch City Council District Plan

[2] The court has now read and considered the consent memorandum of the parties dated 17 January 2012 which proposes to resolve the appeal.

**Other relevant matters**

[3] No (other) person has given notice of an intention to become a party under section 274 of the Act.



**Orders**

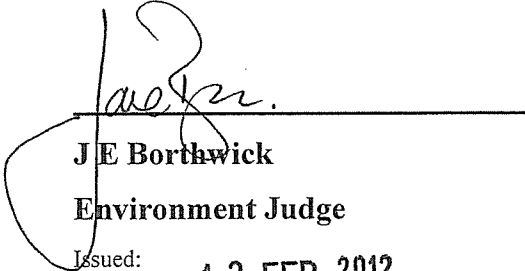
[4] The court is making this order under section 279(1)(b) of the Act, such order being by consent, rather than representing a decision or determination on the merits pursuant to section 297. The court understands for present purposes that:

- (a) all parties to the proceedings have executed the memorandum requesting this order;
- (b) all parties are satisfied that all matters proposed for the court's endorsement fall within the court's jurisdiction, and conform to the relevant requirements and objectives of the Act, including, in particular, Part 2.

[5] The court, by consent, orders under section 279(1)(b) of the Act that:

- (a) the appeal is allowed to the extent that the respondent is directed to amend the Christchurch City Plan as attached in Schedule A and forming part of this order;
- (b) the appeal is otherwise dismissed;
- (c) there is no order as to costs.

DATED at CHRISTCHURCH this 10<sup>th</sup> day of February 2012

  
**J E Borthwick**  
**Environment Judge**

Issued:  
**13 FEB 2012**  
Chester Street v CCC consent order.doc



## Schedule A: City Plan Amendments

Note: For the purposes of this plan change, the text to be added by the plan change as a result of the Council's decision on submissions is shown as "normal text". The text proposed to be added by the Consent Order is shown as **bold underlined**.

Amend Volume 3 Part 2 Living Zones Assessment Matter 12.2.8(a)(ix)(b) and its explanation as follows:

### 12.2.8 Urban design, appearance and amenity – Living 3, 4A, 4B and 4C Zones

#### (a) General matters

(i)...

#### (ix) 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. **With regard to effects on adjacent properties, compliance with the 4m setback required by Development Standard 4.2.5(b) may not be sufficient to satisfy this assessment matter.**


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 **both within the development site and into neighbouring properties.**

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.

(x)...

	<p>Resource Management Act 1991 Christchurch City Plan Plan Change as amended by Council Decision and Consent Order</p>	<p style="font-size: 48pt; text-align: center;">53</p>
<p><b>Living 3 and 4 Zones</b></p> <p><b>Explanation</b></p> <p>The purpose of the plan change is to facilitate higher standards of urban design, appearance and residential amenity in the Living 3 and Living 4 Zones. The following paragraphs provide an overview of the changes with details of specific changes directly following this discussion. The plan change has not examined any of the following: amendments to the zone boundaries of the L3 and L4 Zones; any of the critical standards (including the rules relating to building heights and density); or any of the community standards, including controls on other activities in the L3 and L4 zones. As such these matters are considered to be beyond the scope of this plan change.</p> <p>The majority of the policy changes occur to the explanation and reasons of policies. Specific changes to the wording of policies to policies 11.5.2, 11.4.8 and 11.4.9. Under Policy 11.5.2 – ‘Infill and Redevelopment’ a new sub clause b) directs development in the L3 and L4 Zones to be designed in accordance with the principles of good urban design, appearance and amenity. The addition to Policy 11.4.8 ‘Parking’ states that on local roads a degree of on-street parking by residents and their visitors is considered to be acceptable. An implementation method is to be included under the ‘Other methods’ section of 7.2 Objective: Road network, and 7.6 Objective: Off street parking and loading. This states: ‘Investigation of residential parking permit schemes for areas within the Living 3 and 4 Zones where there are high levels of on-street parking, particularly resulting from adjacent business or education activities’. An addition to Policy 11.4.9 ‘Noise’ is to ensure that in these zones residential units are designed to mitigate potential adverse noise effects generated by traffic on collector and arterial roads.</p> <p>Changes to the existing rules are intended to facilitate improved urban design, appearance and amenity outcomes within the L3 and L4 Zones. Changes are proposed to the rules, assessment matters and reasons for rules. New rules and deletion to rules or part thereof are proposed.</p> <p style="text-align: right;">Continue ...</p>		
<p><b>Date Publicly Notified:</b> 20 February 2010</p> <p><b>Environment Court Decision:</b> 10 February 2012</p> <p><b>Plan Details:</b> NA</p>		<p><b>Date Operative:</b></p> <p><b>File No:</b> PL/CPO/3/53</p>

Continued ...

Key changes include (but are not restricted to);

- Minor amendments to definitions relating to outdoor living space and residential floor area ratio, with a new definition proposed for 'residential floor area'.
- Amendments to the road and internal boundary setback requirements including garage doors, living area windows and balconies.
- Introduction of a rule to avoid large, unsupported cantilevered structures or building overhangs.
- A significant addition to Rule 4.2.7 'External Appearance' which introduces a requirement for most developments to be subject to an assessment regarding urban design, appearance and amenity.
- Introduction of a rule relating to front boundary fencing.
- Introduction of rule relating to minimum unit sizes for residential units.
- A new rule requiring that developments include habitable rooms at ground floor level.
- Amendments to the outdoor living space provisions to provide more flexibility about quantity and location of these spaces.
- New landscaping and tree planting rules relating to the road frontage, within the site, along access ways, and adjacent to building entrances.
- Introduction of a new acoustic insulation rule for units near arterial and collector roads.

Amendments to the minimum number of car parking spaces required for visitor parking and amendments to the minimum number for car parking spaces required for residential units in the L3 Zones.

## City Plan Amendments

Note: For the purposes of this plan change, any text amended as a result of other decisions is shown as “normal text”. Any text added by the plan change as notified is shown as **bold underlined** and text to be deleted as ~~**bold strikethrough**~~. Any text added by Council’s Decision is shown as **bold double underlined** and text deleted as ~~**bold double strikethrough**~~. Any text added by the Environment Court’s Decision is shown as **bold double underlined and shaded** and text deleted as ~~**bold double strikethrough and shaded**~~.

**Amend the City Plan as follows:**

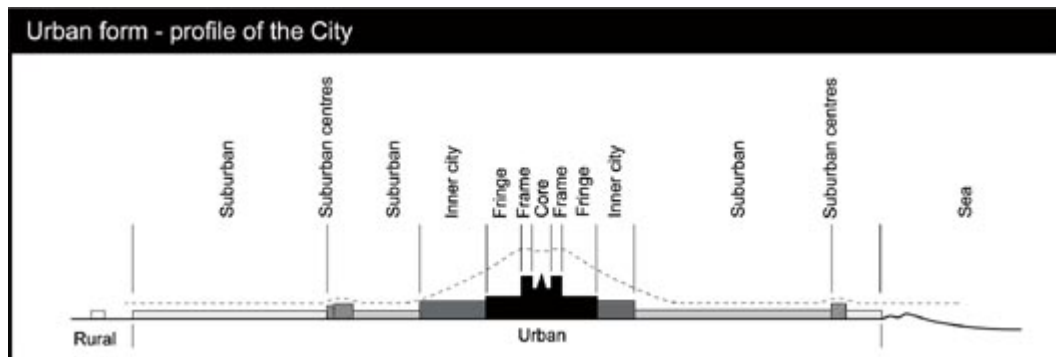
### Volume 2 : Section 4 City Identity

#### 4.1 Objective: Form

Insert text in 2<sup>nd</sup> paragraph as shown below:

##### 4.1.2 Policy: Inner urban area

**To maintain and enhance the inner "urban area" as the principal focus for the larger scale and widest range of housing forms, opportunities for higher density living environments and diversity of activities.**



#### Explanation and reasons

The inner urban area is that area immediately outside of the central business area including the central and inner living areas and the inner suburban area. This area provides homes for some 60,000 people, as well as containing a range of tourist accommodation and community buildings such as hospitals, schools, clubrooms, medical centres and other similar activities.

Although the inner urban area surrounds the central business area, it has in comparison a lower physical scale and intensity of development. However, the appearance of the inner urban area is more urban and orientated toward city living, than the surrounding suburbs. The built form in much of this area is predominant in comparison with the amount of open space. Building scale can range from occasional



high rise apartment buildings, to two and three storey apartments, institutional buildings such as those accommodating welfare support and hospitals, tourist accommodation such as hostels, hotels and motels, converted heritage and industrial buildings for residential use, as well as single storey detached dwellings. Within this area, there are pockets which do not fit within this overall view, but which add diversity to inner city living as a whole. To ensure compatibility, new building should be designed to be appropriate to its context. **Having regard to the intensive level of residential development which can occur in the Living 3 and 4 Zones and the close proximity of households to one another it is important that development in these zones occurs in accordance with the principles of good urban design.**

The scale and form of the inner urban area serves to emphasise the contrast between the central business area and suburban areas, yet also physically and socially, supports and enhances the vitality of the centre. It promotes opportunities for an urban living environment in contrast to a suburban one.

(...)

#### **4.2 Objective: Amenity**

Insert new text in 3<sup>rd</sup> paragraph as shown below and add an additional paragraph after:

##### **4.2.1 Policy: Tree Cover**

**To promote amenity values in the urban area by maintaining and enhancing the tree cover present in the City.**

##### **Explanation and reasons**

Tree cover and vegetation make an important contribution to amenity values in the City. Through the redevelopment of sites, existing vegetation is often lost and not replaced. The City Plan protects those trees identified as "heritage" or "notable" and the subdivision process protects other trees which are considered to be "significant". The highest degree of protection applies to heritage trees.

Because Christchurch is largely built on a flat plain, trees and shrubs play an important role in creating relief, contributing to visual amenity and attracting native birds.

The amount of private open space available for new planting and to retain existing trees is influenced by rules concerning building density and setback from boundaries. **In the lower density areas the larger average site sizes, combined with controls on site coverage mean that there is ample opportunity for tree and garden planting so that tree cover is readily maintained.**

**Due to the intensive level of development which can occur in the Living 3 and 4 Zones there can be less space available for tree planting. However, the inclusion of trees is an important method of providing amenity whilst still enabling a more intensive, urban form of development to occur. Tree planting along the road boundary of sites in these zones assists in visually enhancing and softening their appearance from the street scene, improving the "Garden City" image and reinforcing the public/private realms. In addition, tree planting within a site assists in achieving adequate levels of on-site amenity for both occupants and neighbours commensurate with the built character anticipated within these zones.** The rules ~~do not~~ require new planting of trees for residential development in the Living 3 and 4 Zones ~~but~~ and landscaping is required in the business zones.

Amend text at the end of the 5<sup>th</sup> and 9<sup>th</sup> paragraph as shown below:

#### **4.2.3 Policy: External appearance of buildings**

**To promote, and where appropriate, ensure the harmony and compatibility of buildings.**

##### **Explanation and reasons**

(...)

In living areas of the City where redevelopment is taking place, a contextual approach to redevelopment ensures that the scale and form of new buildings is in harmony with the existing buildings, as far as is practical taking into account wider objectives relating to urban consolidation and density. Consistent with a strategy of urban consolidation, specific living areas, namely some inner city and central living areas, and living areas around consolidation focal points (shown on 'City form' map, Volume 2, Section 4) are identified as appropriate for significant changes in the scale and density of future development. This will influence design and appearance of buildings in these locations. **In the Living 3 and 4 Zones, where a more intensive scale of residential development can occur, it is especially important that such development occurs in accordance with the principles of good urban design (refer Policy 11.5.2). This is to ensure that the adverse effects of poor design on the amenity of occupants, neighbours, and the wider public realm such as streetscene are able to be avoided or appropriately managed.**

Throughout the City, the relocation of buildings often provides a cost effective means of accommodation, particularly residential accommodation. Relocated buildings can also serve as premises for business and community activities. Experience has shown that where buildings are relocated, communities are often concerned with the compatibility of the buildings with those of the surrounding area. Factors influencing this compatibility include the age, style and materials of the building. In some circumstances the relocation may also involve alteration or restoration of the building and the manner and time taken to carry out such work can impact upon the amenity values of adjoining properties and public spaces.

The Plan therefore, seeks that relocated buildings do not establish at a lower standard of amenity than does new development, and that reasonable compatibility with buildings in the surrounding area is achieved. Matters relating to structural considerations are dealt with outside of the Plan under the Building Act.

Design generally should take into account the need to create safe spaces where people feel secure, and also consider the interests of disabled people and those with impaired mobility, to ensure buildings are more readily accessible for everybody.

Many of the above design considerations are guidelines, **however in some parts of the City, such as within the Living 3 and 4 Zones, new development will need to be assessed in terms of its have regard to urban design, appearance and amenity to ensure that good built outcomes are achieved. An urban design assessment process. The urban design consideration is not about seeking a specific architectural style or about limiting individual design creativity, rather it is**

~~**aimed at ensuring that whatever style is chosen, the final built outcome conforms with the general principles of good urban design (refer Policy 11.5.2). However, it is also important that design creativity and individuality are not stifled, accepting that in some areas it may be more appropriate to adopt a different style. This may be the case, for example, in some business areas and with the comprehensive redevelopment of large sites.**~~

Insert a new paragraph at the end of the policy as shown below:

#### **Policy 4.2.6 Landscape design**

**To enhance the landscape quality of the City and encourage sensitive landscape design and the retention of appropriate vegetation and new planting.**

#### **Explanation and Reasons**

(...)

It is appropriate that a representative and worthy selection of trees and areas of planting be retained for the benefit of present and future generations, particularly upon the development and redevelopment of sites. This responsibility is shared by both the Council and private owners to maintain and enhance the "Garden City" image, visual amenity, create favourable microclimates and sustainable management of the environment generally. Systematic individual and group tree planting by the Council on parks, road reserves and other public open space, is therefore undertaken to ensure continuation of tree species for future generations.

**Within the Living 3 and 4 Zones, where a more intensive scale of residential development can occur, there is less open space available for on-site landscaping. Therefore, it is important to ensure that opportunities for landscaping are maintained, particularly in areas that are visible from public spaces, such as along driveways and adjacent to front entrances. It is also important to incorporate landscaping in private outdoor living spaces to provide amenity for occupants, neighbours and the public realm. The degree and form of landscaping to be provided should be commensurate with the character and scale of development anticipated in these zones.**

### **Section 7 Transport**

#### **7.2 Objective: Road network**

Insert new bullet point as shown below:

#### Implementation

Objective 7.2 and associated policies will be implemented through a number of methods including the following:

#### District Plan

- (...)

#### Other methods

- Preparation, implementation and review of Neighbourhood Improvement Plans and Local Area Traffic Management Schemes, e.g. as prepared for Wainoni and Linwood North.
- Consultation and public participation in planning roading improvements, e.g. through postal drops and public meetings.
- Consultation with neighbouring territorial authorities
- **Investigation of residential parking permit schemes for areas within the Living 3 and 4 Zones where there are high levels of on-street parking, particularly resulting from adjacent business or education activities. Consideration of residential parking permit schemes is to have regard to impact on neighbours, the length of time that any activities requiring parking have been in the area, and the benefit that such activities have on the wider community.**
- Provision of works and services, e.g. construction of new roads, reconstructions, road maintenance programmes and provision of cycle, pedestrian and public transport facilities.
- Local Government Act, e.g. Limited Access Declarations and acquisition of boundary strips.
- Requirement for development contributions for road and other transport infrastructure.

## 7.6 Objective: Off street parking and loading

Insert new bullet point as shown below:

Implementation

Objective 7.6 and associated policies will be implemented through a number of methods including the following:

District Plan

- (...)

Other methods

- Provision of public parking facilities, particularly in the central city e.g. parking buildings.
- Development and implementation of a comprehensive parking strategy for the City including on and off street parking and integration with other components of the transport system.
- **Investigation of residential parking permit schemes for areas within the Living 3 and 4 Zones where there are high levels of on-street parking, particularly resulting from adjacent business or education activities. Consideration of residential parking permit schemes is to have regard to impact on neighbours, the length of time that any activities requiring parking have been in the area, and the benefit that such activities have on the wider community.**

Insert text in the 1<sup>st</sup> paragraph as shown below:

#### **7.6.1 Policy: Parking requirements**

**To set minimum parking requirements for each activity and location based on parking demand for each land use, while not necessarily accommodating peak requirements.**

##### **Explanation and reasons**

Off-street parking is required for each activity to minimise the adverse effects on road safety and efficiency of cars parking and manoeuvring on-street. In addition, the extensive parking of vehicles on residential streets can detract from the amenity of these streets and adjoining areas, especially within the lower density living environments. Within the Living 3 and 4 Zones a degree of on-street parking by residents and their visitors is anticipated given the more intensive use of these areas, with on-street parking an accepted element of the urban character and amenity of these areas. The amount of parking required for each activity should be adequate for normal demands, including the provision of staff parking. However, certain land uses have high peak demands (such as retail uses at Christmas time) which would not be practical to provide for, as these demands occur for only a few days of the year. Similarly, other activities such as playing fields, reserves and schools will not necessarily be required to provide for the full anticipated demand of the activity as it may be inappropriate to provide large areas of parking at the expense of the open spaces involved. Some of these activities in the past have not had to provide parking, but new activities of these types will now be required to do so. The availability of public transport in the vicinity is a further factor influencing parking requirements.

(...)

#### **Section 11 Living**

Insert new text and new paragraphs as shown below:

##### **11.1.4 Policy: Densities**

**To provide for various levels of building density within living areas, taking into account the existing character of these areas, the capacity of infrastructure and strategic objectives of urban consolidation**

##### **Explanation and reasons**

(...)

In contrast, other living areas of the City such as the Living 3 and 4 Zones have been identified as suitable for higher densities. Infill and redevelopment are encouraged in certain areas which are appropriate in terms of the existing character, and to satisfy strategic objectives of selectively encouraging higher densities to accommodate urban growth. Development to higher densities makes efficient use of existing services and helps to prevent pressure to expand on the outskirts of the urban area. Areas identified for significant changes to densities will be promoted to encourage infill and redevelopment and thus, higher density housing will be provided for in specific areas while still having some regard to local amenity in the location. As densities continue to increase the character of the Living 3 and 4 Zones is likely to change over

time. Therefore, it is important to ensure that the emerging higher density character is of good quality and is in accordance with the principles of good urban design, appearance and amenity.

In the Living 3 and 4 Zones household density is controlled primarily through limits on residential floor area ratio rather than through controls on the minimum site size per unit that applies to the lower density living areas. This method of controlling density within the Living 3 and 4 Zones means that developers have the flexibility to allocate their permitted floor area between as many or as few units as they wish. To ensure that residential units retain an adequate level of internal amenity for occupants, the Plan contains standards for minimum unit sizes for the Living 3 and 4 Zones. These standards are tailored to the number of bedrooms proposed.

~~In the Living 3 and 4 Zones~~ †The amalgamation of smaller sites or the comprehensive redevelopment of sites that are significantly larger than those found in the surrounding area offers the potential for development to occur at a higher density than that otherwise achievable through the underlying zoning. This is especially the case in Living 3 and 4 Zones where more intensive use of land is already anticipated. Large sites can enable the opportunity to mitigate any potential effects associated with that higher density through the ability, for example, to concentrate higher density towards the centre or away from boundaries with adjoining residential areas. The extent of the density increase and the manner in which the development is designed to mitigate potential adverse effects will vary according to site specific circumstances and the nature of the surrounding area (including wider areas such as hillside development), and is therefore appropriately assessed through the resource consent process.

At the Environmental Results Anticipated section insert new 4<sup>th</sup> and 5<sup>th</sup> bullet points as shown below:

#### **Environmental results anticipated**

The objective and policies seek to ensure a diversity of living environments within the City, recognising the differing characteristics of living areas of the City. This relates closely to achieving a consolidated urban form and is anticipated to result in the following outcomes:

- Conservation and enhancement of areas identified as having special amenity value within the living environment of the City.
- Maintenance of the general suburban character and amenity values of the majority of the City's living environment.
- Some change to the existing scales of buildings within medium, medium-high and high density living areas within the inner and central living environments and around consolidation focal points (shown on 'Urban growth strategy' map, Volume 2, Section 6).
- In the Living 3 and 4 Zones, that development occurs in accordance with the principles of good urban design, appearance and amenity.
- In the Living 3 and 4 Zones, that the internal dimensions of residential units are of a sufficient size to provide an adequate level of amenity for occupants of those units.

- A variety of levels of building density throughout living areas of the City reflecting the character of existing areas and the capacity of infrastructure to service development.

(...)

#### **11.4 Objective: Adverse environmental effects**

Amend policy heading and insert new text at the end of the first paragraph as shown below:

##### **11.4.8 Policy: Parking**

**To require on-site parking in association with development in living areas, to ensure the amenity of streets is maintained. However, within the Living 3 and 4 Zones, on local roads a degree of on-street parking by residents and their visitors is considered to be acceptable.**

##### **Explanation and reasons**

An important component of residential amenity is streetscene, and the requirement that parking in association with activities in living areas be provided on site, will to an extent, protect the amenity of streets. This amenity can be adversely affected in particular by parking of vehicles on the street, affecting outlook of properties. For residential activity, different parts of the living area have different requirements for on-site parking provision, reflecting anticipated car ownership in areas of different densities of development **and also reflecting the different on-street character anticipated in different areas. The lower density living environments are generally characterised by low levels of on-street parking.**

**In contrast, the Living 3 and 4 Zones have a more urban character where higher levels of on-street parking are in keeping with the higher density environment. Household ownership rates of vehicles is lower in the Living 3 and 4 Zones which, when combined with the close proximity of these areas to the City Centre or large suburban centres and the urban design benefits of minimising on-site driveways and garage areas, means that a lower degree of required on-site parking and higher degree of on-street parking is appropriate in these areas. An exception is for arterial and collector roads where a lower degree of on-street car parking is considered necessary. This is in recognition of the need to protect the safety and efficiency of the strategic road network.**

The traffic generation characteristics of non-residential activities in contrast, are not a direct consequence of car ownership, but rather a reflection of how, and in what numbers, people might be reasonably expected to access such activities. In both cases provisions in the Plan seek to retain the amenity values of what are often local streets in living areas, by avoiding the situation where vehicles must necessarily park on-street.

Amend policy heading and insert new paragraph at the end of the policy as shown below:

##### **11.4.9 Policy: Noise**

**To ensure noise levels associated with non-residential activities are consistent with maintaining a high standard of amenity within living areas and to ensure that in the Living 3 and 4 Zones residential units are designed to mitigate potential adverse noise effects generated by traffic on collector and arterial roads.**

#### **Explanation and reasons**

(...)

Noise impacts of a routine "lifestyle" nature, including that of domestic social events and domestic dogs, will be dealt with under the excessive noise provisions in Part XII of the Act, and the under the Dog Control and Hydatids Act. The City Plan and related resource consent processes are considered a cumbersome and inappropriate means of dealing with these types of noise intrusion.

**A larger proportion of the Living 3 and 4 Zones are located in close proximity to collector and arterial roads than in the lower density living areas. Residents living in these locations can be subjected to higher levels of traffic noise, and this is particularly the case where dwellings directly front collector and arterial roads. Combined with other factors which contribute to increased noise levels this can result in unacceptable effects on residential amenity. Such factors include more intensive use of sites and reduced dwelling setbacks from road boundaries. In order to mitigate these effects to an acceptable level the Plan includes standards to ensure that dwellings which are located within close proximity to collector and arterial roads are appropriately designed and acoustically insulated.**

Amend 3<sup>rd</sup> paragraph as shown below:

#### **11.4.11 Policy: Street scene**

**To reinforce the "Garden City" image of Christchurch and the different identified characters of the living areas of the City.**

#### **Explanation and reasons**

(...)

To an extent, front yard setbacks provide opportunity to enhance and develop the "Garden City" image of Christchurch through plantings in front yards, and therefore reinforce this image as an important element of City identity.

~~The front yard setbacks can also provide the opportunity to incorporate garaging where this may enable more efficient, practical or pleasant use of the remainder of sites. Where this is the case, provisions in the Plan ensure the garage is similar or in keeping with existing buildings on the site, is able to be screened by planting, and use of the garage will not adversely affect the functioning of adjoining streets and shared access.~~ In recognition of the sensitive street scene in Special Amenity areas, **Living 3 and 4 Zones** and the low density living zones, no provision is made for garaging in these front yard setbacks. Experience has shown that these areas have an identified character which is particularly sensitive to the intrusion of garaging into the front yard setbacks.



Amend policy heading 11.5.2, insert a new (b) subsection to the heading as shown below:

**11.5 Objective: External appearance**

- **11.5.1 Policy: Special amenity areas**
- **11.5.2 Policy: Urban design for Infill and redevelopment**

**11.5.2 Policy: Urban design for Infill and redevelopment**

**a) To encourage design compatible with existing development for infill and redevelopment throughout the living areas except as identified under b).**

**b) To ensure that development in the Living 3 and 4 Zones is designed in accordance with the principles of good urban design, appearance and amenity, corresponding to the transition to higher density outcomes sought in these areas, including:**

- **That development considers the amenity for residents, neighbours and the wider community;**
- **That development responds positively to the context and existing site features of value;**
- **That residential units are oriented towards the street or other public spaces and that the design of pedestrian entrances, windows and front fences enable engagement with the street to ensure community safety, social interaction, and visual interest;**
- **That development on corner sites enhances the structure and legibility of the City and incorporates distinctive design treatments;**
- **That development maintains consistency with historical subdivision patterns relating to the rhythm of front façade width and separation between buildings along the street or other public spaces;**
- **That buildings avoid excessive perceived bulk or repetition and are of a domestic appearance, human scale, visually interesting, and use high quality materials;**
- **That development provides for safe and efficient movement of pedestrians, cyclists and vehicles within the site and along adjoining streets;**
- **That development is not dominated by car parking and garaging, particularly when viewed from the street or other public spaces;**
- **That development is softened by trees and other landscaping while maximising the safety of occupants and visitors;**
- **That development provides for configuration and distribution of outdoor living space to optimise accessibility, usability, comfort and attractive outlook for each residential unit;**
- **That development provides adequate internal storage space, outdoor service areas and utilities that are accessible and visually integrated into developments;**

- **That residential units have adequately designed internal and outdoor living spaces, levels of privacy, access to sunlight and insulation from traffic noise.**
- **That development minimises energy use and resource consumption and manages stormwater run-off at source.**

Amend paragraphs under Explanation and Reasons as shown below:

**Explanation and reasons**

This policy seeks to encourage infill and redevelopment in living areas to be designed so as to be compatible with existing development.

A significant issue for many residents, particularly in the older areas of the City, is the impact of new residential development on the existing character. This relates particularly to infill and redevelopment of sites where the density is often increased, open space is lost and the new development may not be of compatible style and design with existing.

**However, within the Living 3 and 4 Zones, where a higher density of residential development can occur, it is recognised that the bulk and scale of new buildings will often be greater than existing development. Whilst a change in character is anticipated, it is important to ensure that new development nonetheless is designed in accordance with principles of good urban design, appearance and amenity.**

Many difficulties would be encountered if regulatory means were set in place to require a particular style of design, as experience has shown that it is difficult to regulate for "good taste". However, encouragement for good design is able to be achieved through the use of non-regulatory methods such as preparation and promotion of design guidelines. Such guidelines can identify in broad terms, principles involved in designing compatible buildings, for the benefit of both developers and residents.

Specific design and appearance controls based on established urban design principles are considered to be necessary in some identified areas which have been subject to localised studies eg. New Brighton. These controls are intended to ensure that multi-unit developments are well designed and are compatible with their wider context.

In central New Brighton the inclusion of design and appearance is intended to also act as a balance to the allowance of additional building height as a permitted activity, improving the appearance of buildings that can be taller than those historically established in the area.

**Within the Living 3 and 4 Zones, in addition to voluntary guidelines, the Plan's ~~rule package has~~ objectives and policies have been revised to ensure that a good standard of urban design, appearance and amenity is provided, whilst freedom of choice in specific architectural styles is maintained.**

Insert new 3<sup>rd</sup> bullet point under Environmental results anticipated and insert new 2<sup>nd</sup> bullet point under District Plan as shown below:

**Environmental results anticipated**

Quality building and site design will achieve a high level of residential amenity and is expected to produce the following outcomes:

- A coherent urban character within living areas identified as having special amenity.
- General compatibility of design of redevelopment and infill with existing development
- **A high standard of urban design, appearance and amenity is achieved in the Living 3 and 4 Zones**

## Implementation

Objective 11.5 and associated policies will be implemented through a number of methods including the following:

### District Plan

- Zone rules influencing design in living areas, such as rules for continuous building length, outdoor living space and street scene.
- **Rules in the Living 3 and 4 Zones that control urban design, appearance and amenity.**
- City rules for Heritage and Amenities, e.g. rules for relocated buildings and protected trees.
- City rules for Subdivision and Development, e.g. for allotment sizes and dimensions.
- The identification of special amenity areas and associated rules for streetscene and external appearance of buildings.

Amend definitions as shown below:

### Part 1 Definitions

#### Outdoor living space

means an area of open space required by this Plan to be provided for the exclusive use of the occupants of the residential unit/s to which the space is allocated **and for the Living 3 and 4 Zones where the height limit is greater than 11.0 metres can include indoor communal recreation and leisure areas for the benefit of all residents of the site.**

Insert new definition as shown below:

#### **Residential Floor Area**

**means the sum of all floor areas contained within a building which have been or are intended to be erected on a site in a Living 3 or Living 4 zone and shall include:**

- ~~(i) any areas or spaces, enclosed or unenclosed, that are located under any part of a building but above the ground level and which extend more than 600 mm from any exterior wall of a building (i.e. any area beneath a building overhang), not including spaces under balconies as per clause (vii) below;~~
- (ii) accessory buildings;**
- (iii) that part of a balcony that extends more than 2m from any exterior wall of a building;**
- (iii\*) that part of basements which extend more than 1m above ground level;**

- (iv) that part of underground car parking areas which extend more than 1m above ground level;**  
**but does not include:**  
**(i) communal stairways**  
**(ii) foyers;**  
**(iii) covered access ways (see definition of ‘access way’);**  
**(iv) lifts;**  
**(v) any other car parking areas or basements which extend no more than 1m above ground level; and**  
**(vi) roof terraces that are uncovered and open (apart from a balustrade) to the outside air on at least three sides;**  
**(vii) that part of a balcony, up to a maximum of 20m<sup>2</sup> per unit, that is within 2m from an exterior wall of a building, provided that the balcony is open to the outside air (apart from a balustrade) on at least one side; and**  
**(viii) decks that are uncovered and open (apart from a balustrade) to the outside air on at least three sides which do not extend more than 800 mm in height above ground level and which cover less than 15% of the net site area.**

**All areas “within a building” shall be measured to the outside of the structural frame or exterior walls of the building.**

**(See also residential floor area ratio and plot ratio for non-residential activities)**

Delete old definition of Residential Floor Area Ratio and replace with new definition text as shown below:

**~~Residential Floor Area Ratio~~**

**~~including:~~**

- ~~• accessory buildings;~~
- ~~• car parking areas or spaces situated above ground level and under any part of a building~~
- ~~• that part of underground car parking areas or basements which extend more than 1m above ground level,~~

**~~but excluding:~~**

- ~~• communal stairways;~~
- ~~• foyers;~~
- ~~• covered access ways (;~~
- ~~• lifts;~~
- ~~• any other car parking areas or basements which are totally below ground level;~~
- ~~• and~~
- ~~• decks, inclusive of any balustrades, that are not enclosed by roofs or walls (other than a balustrade or wall of an adjoining enclosed building) which do not exceed more than 800mm in height and 15% of the net site area;~~

**~~All floor areas shall be measured to the outside of the structural frame or exterior walls of the building.~~**

**~~(See also plot ratio for non-residential activities)~~**

**Residential Floor Area Ratio**

**means the sum of all residential floor areas on a site divided by the net area of that site (prior to subdivision).**  
**(See also residential floor area and plot ratio for non-residential activities).**

## Part 2 Living Zones

Replace text under the heading 4.2 as shown below.

### **4.0 RULES - Living 3, 4A, 4B and 4C Zones**

#### **4.2 Development standards - Living 3, 4A, 4B and 4C Zones**

~~Any application arising from clauses 4.2.3 (a) (i), 4.2.3 (a) (ii), 4.2.7, 4.2.8, 4.2.9, 4.2.10, 4.2.11 and 4.2.12 will not require the written consent of other persons and shall be non-notified.~~

**Any application arising from the following clauses for resource consent for an activity that is in breach of the following rules, and does not breach any other rules, will not require the written consent of other persons and shall be non-notified:**

**4.2.3(a)(i), 4.2.3(a)(ii), and 4.2.3(a)(iii) Street scene - residential and other activities**

**4.2.4 Building overhangs – residential and other activities**

**4.2.7 Urban design, appearance and amenity - residential and other activities**

**4.2.8 Fences and screening structures – residential and other activities**

**4.2.9 Minimum unit size – residential activities**

**4.2.11 Outdoor living space - residential activities**

**4.2.12 Service and storage spaces - residential activities**

**4.2.13(b), 4.2.13(d), and 4.2.13(e) Landscaping and tree planting – residential and other activities**

**4.2.14 Screening of parking – residential and other activities**

**4.2.15 Acoustic insulation – residential and other activities**

Replace (a) with the new text below, Make amendments to (i) as shown and delete (c)

#### **4.2.2 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 internal boundaries as shown in Part 2, Appendix 1~~

**(a) Buildings shall not project beyond a building envelope constructed by recession planes as shown in Part 2, Appendix 1. Recession plane measurement shall commence from points 2.3m above internal boundaries, and continue on the appropriate angle to points 14m above ground level, at which point the recession plane becomes vertical.**

except that

(i) where an internal boundary of a site abuts an access lot, ~~or access strip,~~ **or access to a rear lot,** the recession plane may be constructed from points 2.3m above the furthest boundary of the access lot ~~or access strip,~~ **or access to a rear lot** or any combination of these areas;

(ii) where buildings on adjoining sites have a common wall along an internal boundary the recession planes shall not apply along that part of the boundary covered by such a wall.

(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.

~~(c) Parts of buildings over 11 metres in height in the Living 4A and 4B Zones shall be contained within a horizontal containment angle constructed from internal boundaries as shown in Part 2, Appendix 1.~~

Make amendments to the first table as shown, amend (i) to (iv) and renumber accordingly. Amend subclauses (b) to (e) and renumber accordingly.

Amend (i) under the bold heading 'except that' under the 2<sup>nd</sup> table, insert the new (ii) and (iii) paragraphs. Change the old (iii) numbering to (iv) and (iv) to (v). Under the new heading (v) keep the first and last paragraph (e) paragraph and delete the rest from this section (from Note for clarification to along the road frontage(s)).

#### 4.2.3 Street scene and accessways- residential and other activities

(a) All areas except special amenity areas

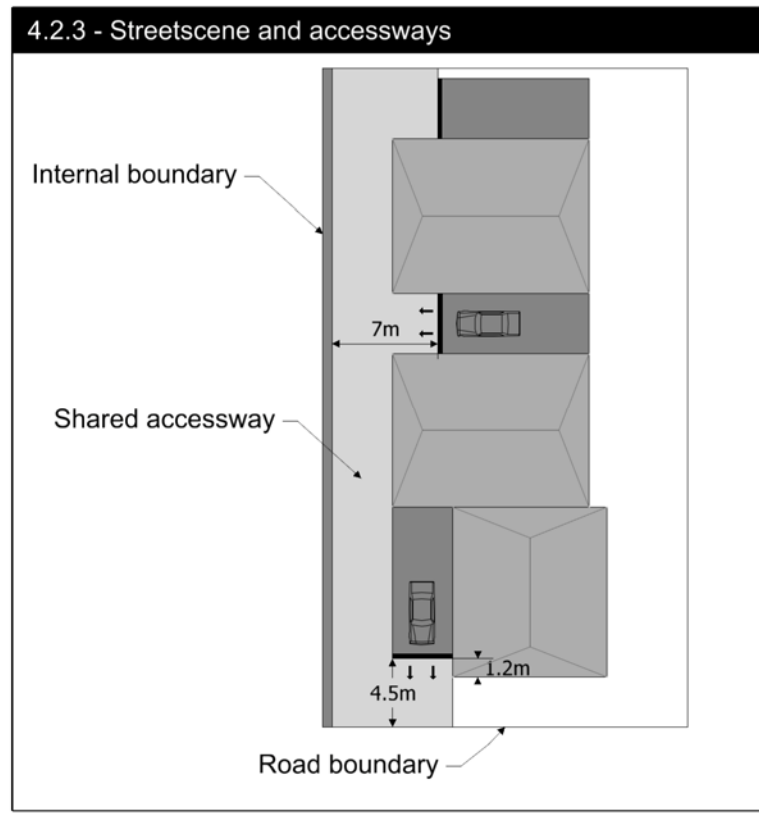
Minimum building setback from road boundaries shall be as follows:

	<u>Minimum Setback</u>
Living 3 Zone	<u>4m, except that for no more than 20% of the total road frontage of the site of the building setback may be reduced to 3m, provided that that part of the building forms a habitable room/s</u>
Living 4A Zone	<del>3m</del> <u>2m</u>
Living 4B (Central City) Zone	<del>3m</del> <u>2m, except that there shall be <del>No</del> minimum for a maximum of 50% of the total length of the road frontage of the site</u>
Living 4B (North Beach) Zone	4.5m
Living 4C Zone	<del>4.5m</del> <u>2m</u>
Living 4C Zone (Avon Loop)	In accordance with Planning Map 39G

except that

(i) where a garage has the vehicle door generally facing a road ~~or shared access,~~ the minimum ~~garage~~ **garage** setback **of the garage door** shall be **4.5m** ~~5.5m~~ from the road boundary ~~or shared access.~~ **Where the garage door provided projects outward, the minimum garage door setback shall be 5.5m;**

- (ii) where a garage has the vehicle door facing a shared accessway, the minimum setback of the garage door shall be 7.0m measured from the garage door to the furthest formed edge of the adjacent shared access. Where the garage door projects outward, the minimum garage door setback shall be 8m;**
- (iii) for street fronting units; garages, carports and other accessory buildings (excluding basement car parking and swimming pools) shall be located at least 1.2 m further from the road boundary than the front façade of any ground level habitable room of that unit; and**



**Notes:**

- **This diagram is an illustrative example only, showing one way the rule may be applied in the L4B zone.**
- **These setback distances apply where garage doors do not project outwards.**

~~(ii) a garage with the vehicle door generally at right angles to a road may be erected within the minimum building setbacks specified above as a controlled activity except in the Living 4B (North Beach) Zone with the exercise of the Council's discretion limited to the visual impact of the garage provided that the minimum building setback of such a garage shall be 2m;~~

~~(Refer also to development standard for parking spaces for residential activities Part 13-2.2.9)~~

~~(iii) (iv) for sites fronting Bealey Avenue, Fitzgerald Avenue or Deans Avenue south of Blenheim Road the minimum setback shall be 6m; **and**~~

~~Note for Clarification: For sites fronting Bealey Avenue, Fitzgerald Avenue and Deans Avenue south of Blenheim Road, a garage with the vehicle door generally at right angles to a road may be erected within the 6m setback as a discretionary activity with the exercise of the Council's discretion limited to the visual impact of the garage;~~

~~(iv) in the Living 3 Zone, where the adjoining buildings on both adjoining sites are set back less than 4m, the minimum setback shall be 3.5m; and~~

(v) for those areas shown on Planning Map 39G where no street scene setback is required for all parts of buildings within 3 metres of the road boundary the maximum height shall be reduced by 2m.

~~(b) All areas except special amenity areas~~

~~Sites where street scene setbacks are required shall be landscaped along road boundaries, excluding that part of a road boundary used as a vehicle crossing, for a minimum depth of 2m except that for sites fronting Deans Avenue south of Blenheim Road the minimum depth shall be 6m and for sites fronting the northern sides of Willow Street and Nova Place the minimum depth shall be 1m.~~

(e) (b) Special amenity areas (Sam Areas) only

The minimum building setback from road boundaries shall be as follows:

(i) Sam Area (Number)	Minimum Building Setback
26, 24	2m
27	3m
19, 21	4m
18, 38	6m
22, 23, 23a, 25, 30, 31, 32, 33	4.5m

except that

(i) where a garage has the vehicle door generally facing a road ~~or shared access~~, the minimum ~~garage~~ setback of the garage door shall be 4.5m ~~5.5m~~ from the road boundary ~~or shared access~~. Where the garage door provided projects outward, the minimum garage door setback shall be 5.5m;

(ii) where a garage has the vehicle door facing a shared accessway, the minimum setback of the garage door shall be 7.0m measured from the garage door to the furthest formed edge of the adjacent shared access. Where the garage door provided projects outward, the minimum garage door setback shall be 8m;

(iii) for street fronting units; garages, carports and other accessory buildings (excluding basement car parking and swimming pools) shall be located at least 1.2 m further from the road boundary than the front façade of any ground level habitable room of that unit; and

~~(iii) (iv)~~ sites shall be landscaped along road boundaries, excluding that part of a road boundary used as a vehicle crossing, for the full depth of the building setbacks stated in (i) above.



(iv) (v) where a corner site within a special amenity area adjoins a site which is not within a special amenity area, the minimum setback from the road boundary may be reduced to the same standard as for the underlying zone as set out in Clause 4.2.3 (a), on the street frontage it shares with that adjoining site.

~~Note for Clarification: Within special amenity areas, a garage with the vehicle door generally at right angles to a road may be erected within the setbacks specified above as a discretionary activity with the exercise of the Council's discretion limited to the visual impact of the garage.~~

Delete (d). Change the last paragraph from (e) to (c).

~~(d) All areas~~

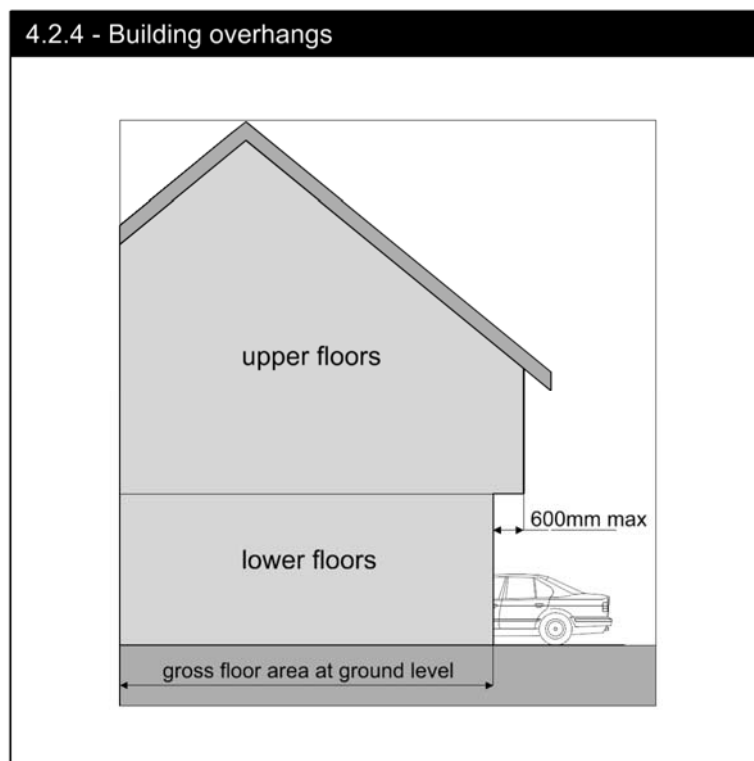
~~(...)~~

(e) (c) In the Living 4C Zone (Avon Loop) on Lot 1 DP 72062 or that part of Lot 2 DP 67014 with a 10m maximum building height, carparking associated with other activities shall not be located between the building and the road boundary.

Insert new rule 4.2.4 for Building Overhangs as shown below.

#### **4.2.4 Building overhangs – residential and other activities**

**No internal floor area located above ground floor level shall project more than 600mm 800mm horizontally beyond the gross floor area at ground level.**



#### **Note:**

- **This diagram is an illustrative example only, showing one way the rule may be applied.**

Change numbering from 4.2.4 to 4.2.5. Delete the section commencing from 'Minimum building' from the old 4.2.4 through to '(e)...1.8m from the boundary'. Insert new text as below.

**4.2.4 4.2.5** Separation from neighbours - residential and other activities

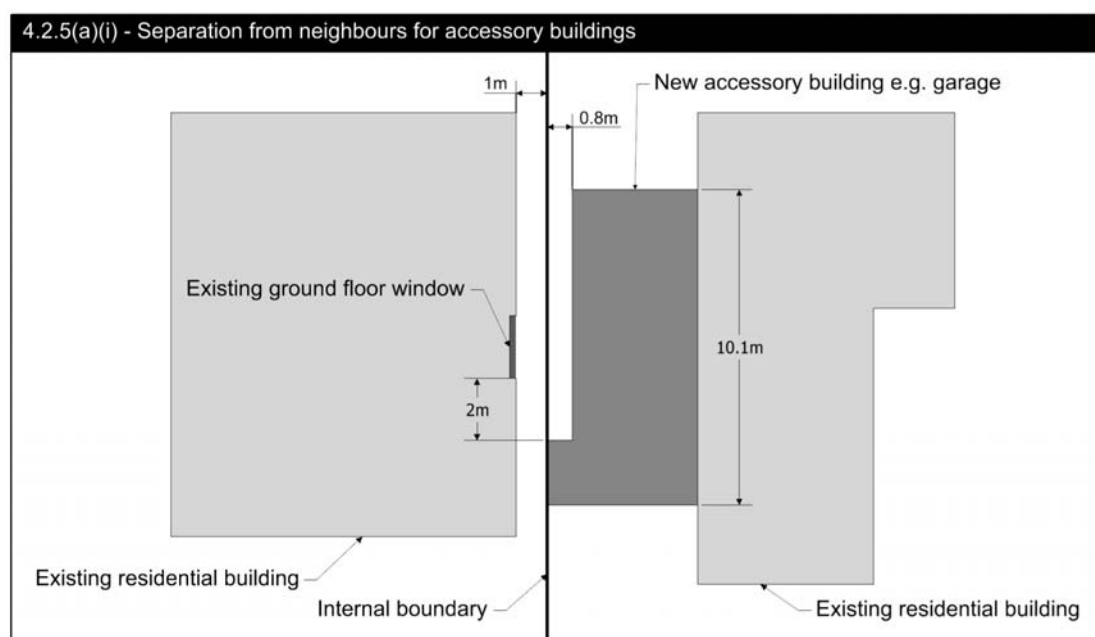
~~Minimum building setback from internal boundaries shall be 1.8m,~~

~~(...)~~

~~(e) — in the Living 4C Zone (Avon Loop), no minimum building setback from internal boundaries is required provided that there shall be no window located closer than 1.8m from the boundary.~~

**(a) The minimum building setback from internal boundaries shall be 1.8m, except that**

- (i) accessory buildings may be located within 1.8m of internal boundaries where the total length of accessory buildings or parts thereof, facing, and located within 1.8m of an internal boundary does not exceed 10.1m in length. Where however residential units on adjoining sites have a ground floor window of a habitable space located within 1.8m of the common internal boundary, accessory buildings shall be set back a minimum of 1.8m from that neighbouring window for a minimum length of 2m either side of the window;**



**Note:**

- This diagram is an illustrative example only, showing one way the rule may be applied. (Refer to full rule for application of 1.8m separation.)**

- (ii) buildings, excluding accessory buildings less than 10.1m in length, shall be setback a minimum of 1m from that part of an internal**

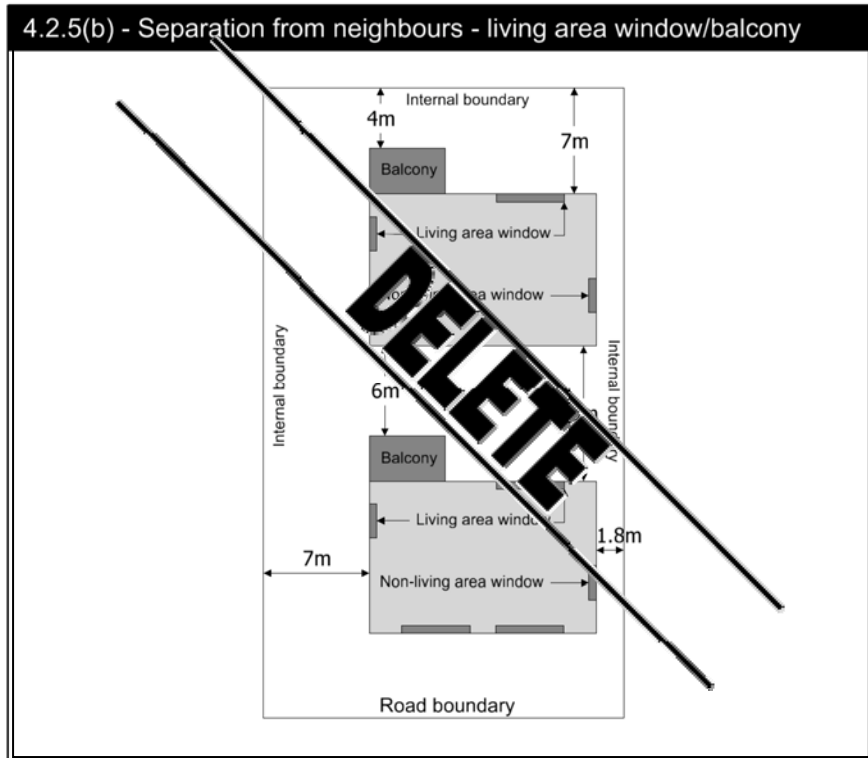
boundary of a site that immediately adjoins an access lot, access strip, or access to a rear site.

- (iii) no setback is required where a building adjoins an access lot or access strip on the same site, provided that any windows on the ground storey façade facing and within 1m of the access lot or strip are non-opening;
- (iv) no setback is required along that part of an internal boundary where buildings on adjoining sites have a common wall along the internal boundary;
- (v) no setback is required for basements, provided that any part of a basement located within 1.8m of an internal boundary is wholly below ground level;
- (vi) no setback is required in the L4B (Central City) zone;
- (vii) no setback is required in the Living 4C Zone (Avon Loop), provided that there shall be no window located closer than 1.8m from the boundary.

(b) 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. This shall not apply to a window at an angle of 90° or greater to the boundary. 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 of this rule, see diagram following clause 2.2.6);

~~(b) For any part of a living area window, balcony, or roof terrace, located less than 14m in height above ground level, the minimum setback from internal boundaries at first floor level or above shall be:~~

- ~~(i) 7m from any internal boundary, and 9m from any opposing building façade (above ground floor level) within the same site for living area windows;~~
- ~~(ii) 4m from any internal boundary, and 6m between any opposing building façade (above ground floor level) within the same site for balconies and roof terraces.~~



**Note:**

~~• This diagram shows an example of how rule 4.2.5(b) could be applied by demonstrating the minimum setback dimensions applicable at first floor level and above, up to 14m in height.~~

~~(c) For any part of a living area window, balcony, and roof terrace, located 14m or greater in height above ground level, the minimum setback from internal boundaries shall be:~~

~~(i) 10m from any internal boundary, and 13m from any opposing building façade (above ground floor level) within the same site for living area windows;~~

~~(iv) 6m from any internal boundary, and 10m between any opposing building façade (above ground floor level) within the same site for balconies and roof terraces.~~

~~except that for (b) and (c):~~

~~(i) no setback is required for a window at an angle of 90° or greater to the boundary (for explanation of this provision, see diagram following rule 2.2.6);~~

~~(ii) no setback is required for any glazed section in any plane where the sill is higher than 1.6 metres vertically from the floor;~~

~~(iii) no setback is required where the adjoining site is a conservation or open space zone.~~

Delete the old 4.2.5 and 4.2.6 section. Insert new 4.2.6 section

~~4.2.5 — Continuous building length — ridgelines and parapets — residential and other activities~~

~~(...)~~

~~4.2.6 — Continuous building length — exterior walls — residential and other activities~~

~~(a) — Steps shall be provided along the length of exterior walls in accordance with the following table:~~

~~(...)~~

4.2.6 Continuous building length — ridgelines, parapets, and exterior walls — residential and other activities

Buildings are subject to the provisions set out in rules 2-2.2.7 and 2-2.2.8.

This rule does not apply to any development subject to the urban design, appearance and amenity rule 4.2.7.

Amend 4.2.7 heading as shown, Delete paragraphs (a), (b) and (c). Insert new text for (a),(b) and change (d) to be the new (c)

4.2.7 Urban design, External appearance and amenity - residential and other activities

~~(a) — Within special amenity areas 18, 22, 23a, 26, 30, 31, 32 and 33 only, the erection of new buildings and additions or alterations to existing buildings where visible from a public place, shall be a discretionary activity with the exercise of the Council's discretion limited to their visual impact.~~

~~(b) — Within special amenity area 24, the erection of new buildings and additions or alterations to existing buildings and the erection of fences and walls within the required street scene setback, where visible from a public place shall be a discretionary activity with the exercise of the Council's discretion limited to their visual impact.~~

(a) The erection of new buildings and alterations or additions to existing buildings, that result in:

(i) three or more residential units, or

(ii) one or two residential unit on a site smaller than 300m<sup>2</sup> gross site area, or

(iii) one or two residential units resulting in residential floor area greater than 550m<sup>2</sup>

(iv) over 40m<sup>2</sup> of a building used for other activities, on a site;

including all accessory buildings, fences and walls associated with that development, alteration or addition, shall be a discretionary activity, with the exercise of the Council's discretion limited to the urban design, appearance, and amenity of the development assessment matters listed in clause 7.2.8.

(b) Within the areas shown on Planning Map 39F and 39G as special amenity areas and within special amenity areas 18, 19, 20, 21, and 38, the erection of all new buildings and additions or alterations to existing buildings and the erection of fences and walls within the required street scene setback, not

covered by clause (a) above, where visible from a public place, shall be a discretionary activity with the exercise of the Council's discretion limited to their design, appearance, and amenity.

~~(e) Within the Living 4C Zone (Avon Loop), the erection of new buildings and additions or alterations to existing buildings and the erection of fences and walls within the required street scene setback, where visible from a public place shall be a controlled activity with the exercise of the Council's discretion limited to their visual impact.~~

~~(d)~~(c) Within the Living 3 and Living 4C Zones at Central New Brighton, any development (including all accessory buildings, fences and walls associated with that development) that results in buildings over 11 metres in height or provides 3 or more residential units, shall be a discretionary activity, with the exercise of the Council's discretion limited to the urban design and external appearance of the development.

Insert new 4.2.8, 4.2.9 and 4.2.10

#### 4.2.8 Fences and Screening Structures – residential and other activities

##### Fences and other screening structures that are located wither:

- Within the road boundary setback for the zone, or
- On the boundary between a living zoned site and any land zoned conservation or open space

Shall not exceed 1m in height;

Except that

- Where a fence or other screening structure (including gates) is over 1m in height, then the whole of the structure/s shall be at least 50% visually transparent.
- No fence or screening structure shall exceed a height of 2m.
- This rule shall not apply to fences or other screening structures located on an internal boundary between two properties zoned living or living and business.

Note: For the purposes of this rule, a fence or other screening structure is not the exterior wall of a building or accessory building.

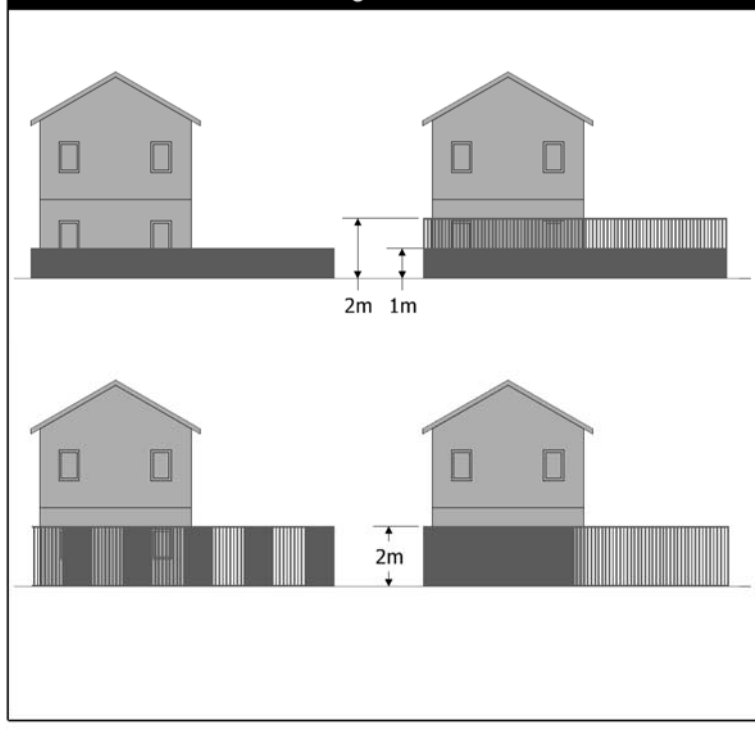
~~Fences and other screening structures within 4.5m of a road boundary, conservation zone or open space zone shall not exceed 1m in height~~

~~except that~~

~~where a fence or other screening structure is over 1m in height, then the whole of that structure shall be at least 50% visually transparent on each boundary. No screening structure shall exceed a height of 2m.~~

~~Note: For the purposes of this rule, a fence or other screening structure is not the exterior wall of a building or accessory building.~~

#### 4.2.8 - Fences and screening structures



#### Note:

- These diagrams are illustrative examples only, showing a range of ways the rule may be applied.

#### 4.2.9 Minimum unit size - residential activities

The minimum net floor area for any residential unit shall be:

Studio – 4035 m<sup>2</sup>

1 Bedroom – 45 m<sup>2</sup>

2 Bedroom – 70 m<sup>2</sup>

3 or more Bedrooms – 90 m<sup>2</sup>

The minimum unit area shall not include car parking, garaging, or balconies allocated to each unit.

#### 4.2.10 Ground floor habitable room - residential activities

- In the Living 3, 4A and 4C Zones, where the permitted height limit is 11m or less, each at least 50% of all residential units within a development shall have a habitable space located at the ground level. Except that, any residential units fronting a road or public space, except those built over accessways, shall have a habitable room located at the ground level.
- Each of these habitable spaces located at the ground level shall have a minimum floor area of 12m<sup>2</sup> and a minimum internal dimension of 3m and be internally accessible to the rest of the unit.
- In the Living 3, 4A and L4C Zones, where the permitted height limit is over 11m, and 4B zones, a minimum of 50% of the ground floor area shall be

**occupied by habitable spaces and/or indoor communal living space. This area may include pedestrian access to lifts, stairs and foyers.**

Amend 4.2.8 heading as shown. Delete paragraphs (a) (b) (c) and (d) and replace with new text below. Amend (e) as shown.

**4.2.8 4.2.11 Outdoor living space - residential activities**

~~(a) — Each residential unit with a room on the ground floor shall be provided with an outdoor living space contained within the net area of the site with a minimum area and dimension as follows:~~

~~(...)~~

~~(b) — Each residential unit without a room on the ground floor shall be provided with a balcony with a minimum area and dimension as follows:~~

~~(...)~~

~~(c) — Each outdoor living space shall be screened by a wall, screen or landscaping, to at least 1.5m in height, designed to ensure privacy from the road, and adjoining buildings except that this rule shall not apply to outdoor living spaces in the street scene setback in the Living 4C Zone (Avon Loop). Any wall or screen shall be constructed with materials which harmonise with the unit. Where such screening is by way of landscaping, the minimum height shall be the minimum height at the time of planting.~~

~~(d) — 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 at midday on the shortest day of the year.~~

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

**(a) 30m<sup>2</sup> of outdoor living space shall be provided on site for each unit in the Living 3 and 4C Zones and 20m<sup>2</sup> of outdoor living space shall be provided on site for each unit in the Living 4A and 4B zones.**

**(b) In the Living 3 and Living 4C Zones this required outdoor living space can be provided through a mix of private and communal areas, at the ground level or in balconies provided, that:**

**(i) Each unit shall have private outdoor living space of at least 16m<sup>2</sup> in total.**

**(ii) Private outdoor living space shall have a minimum dimension of 4m when provided at ground level and a minimum dimension of 1.5m when provided by a balcony with a maximum balustrade height of 1.2m.**

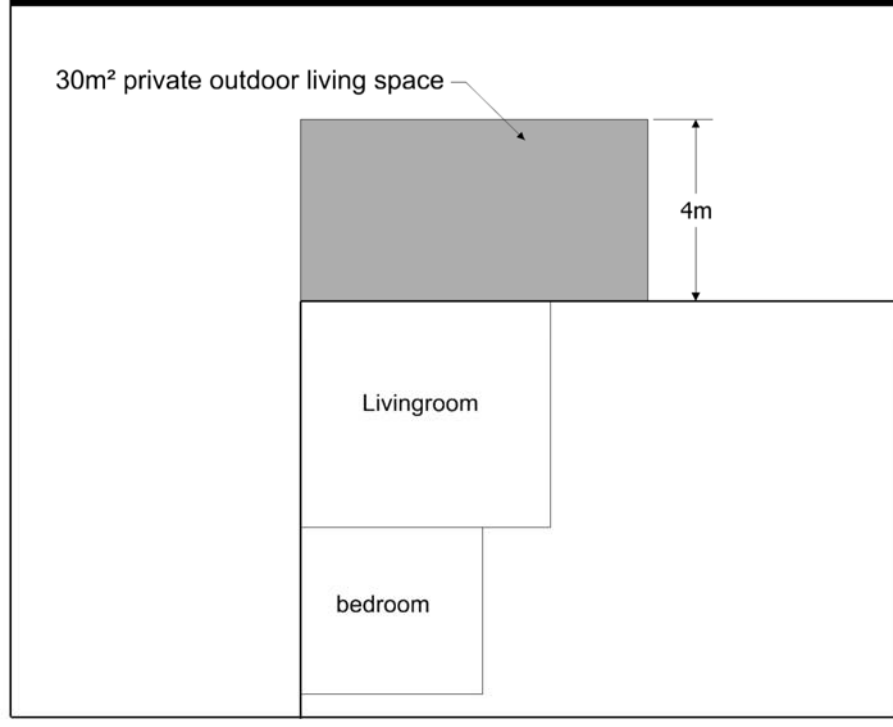
**(iii) Each private outdoor living space shall be directly accessible from a habitable space of the residential unit to which it relates and at least one private outdoor living space is to be directly accessible from a living area of that unit.**

**(iv) Outdoor living space provided as a communal space shall be accessible for use by all units and shall have a minimum dimension of 4m and be capable of containing a circle with a diameter of 8m;**

**(v) For sites where the maximum height limit is 11m or less, 50% of the outdoor living space required across the entire site shall be provided at ground level.**



#### 4.2.11 - Outdoor living space (L3 and L4C)



#### Notes:

- This diagram is an illustrative example only, showing one way the rule may be applied.
  - For two storey units, allocation of space could be spread over both levels, e.g. 25m<sup>2</sup> at ground level and 5m<sup>2</sup> as a balcony at first floor.
- (c) In the Living 4A & 4B Zones this required outdoor living space can be provided through a mix of private and communal areas, at the ground level or in balconies, provided that:
- Each unit shall have private outdoor living space of at least 10m<sup>2</sup> in total.
  - Private outdoor living space shall have a minimum dimension of 3m when provided at ground level and a minimum dimension of 1.5m when provided by a balcony with a maximum balustrade height of 1.2m.;
  - Each private outdoor living space shall be directly accessible from a habitable room of the residential unit to which it relates and at least one private outdoor living space is to be directly accessible from a living area of that unit.
  - Outdoor living space provided as a communal space shall be accessible for use by all units and shall have a minimum dimension of 4m and be capable of containing a circle with a diameter of 8m;

4.2.11 - Outdoor living space (L4A and L4B)



**Notes:**

- **This diagram is an illustrative example only, showing one way the rule may be applied.**
- **For two storey units, allocation of space could be spread over both levels, e.g. 15m² at ground level and 5m² as a balcony at first floor.**

**(d) In the Living 3 and Living L4A, 4B, and 4C zones where the permitted building height is greater than 11m, any communal space may be located indoors provided its use is explicitly for a recreation activity for the exclusive use of the residents and guests of the units on the site. Where such an indoor communal space is provided it shall have a minimum dimension of 4m and be capable of containing a circle with a minimum diameter of 8m;**

**(e) In all cases, the required minimum area of outdoor living space provided for the private use of an individual unit, or the communal space in zones with a maximum height limit of 11m or less, shall not be occupied by any building (other than a swimming pool), access, or parking space/s, other than;**

- **an outdoor swimming pool; or**
- **accessory building of less than 8m<sup>2</sup>; or**
- **any buildings or parts of a building without walls (other than a balustrade) on at least a quarter of its perimeter and occupies no more than 30% of the area of the outdoor living space.**

Delete all of clause 4.2.9, 4.2.10 and 4.2.11

~~4.2.9 Outdoor service space – residential activities~~

~~(...)~~

~~4.2.10 Storage space – residential activities (Living 3 Zone only)~~

~~(...)~~

#### **4.2.11 On-site convenience – residential activities**

(...)

Delete and replace the old 4.2.12 and 4.2.13 with new text below

#### **4.2.12 Family flats – residential activities**

(...)

#### **4.2.13 Screening from neighbours – other activities**

(...)

#### **4.2.12 Service and storage spaces - residential activities**

##### **(a) Each residential unit shall be provided with**

**(i) outdoor service, rubbish, and recycling space of 5m<sup>2</sup> with a minimum dimension of 1.5m; and**

**(ii) a single, indoor storage space of 4m<sup>3</sup> with a minimum dimension of 1m, which may be located in or adjacent to the outdoor service, rubbish and recycling space if it is fully secured and covered.**

**Except that**

**if a communal outdoor service, rubbish, and recycling space with a minimum area of 10m<sup>2</sup> is provided within the site, the outdoor service, rubbish and recycling space may reduce to 3m<sup>2</sup> for each residential unit.**

**(b) Each outdoor service, rubbish, and recycling space shall not be located between the road boundary and any habitable room and shall be screened from adjoining sites, conservation or open space zones, roads, and adjoining outdoor living spaces to a height of 1.5 metres.**

#### **4.2.13 Landscaping and tree planting - residential and other activities**

**(a) All sites adjoining a road boundary are required to provide trees adjacent to the road boundary as follows:**

**(i) A tree shall be planted for every 10 metres of road boundary or part thereof (e.g. 10 metres of road boundary = 1 tree, 11 metres of road boundary = 2 trees).**

**(ii) These trees shall be planted between the road boundary and any buildings on the site.**

**(iii) Each tree shall be provided with a minimum volume of 12m<sup>3</sup> of soil / planting medium.**

**(b) In addition to the trees required by clause (a) above, all sites are required to provide trees within the site as follows:**

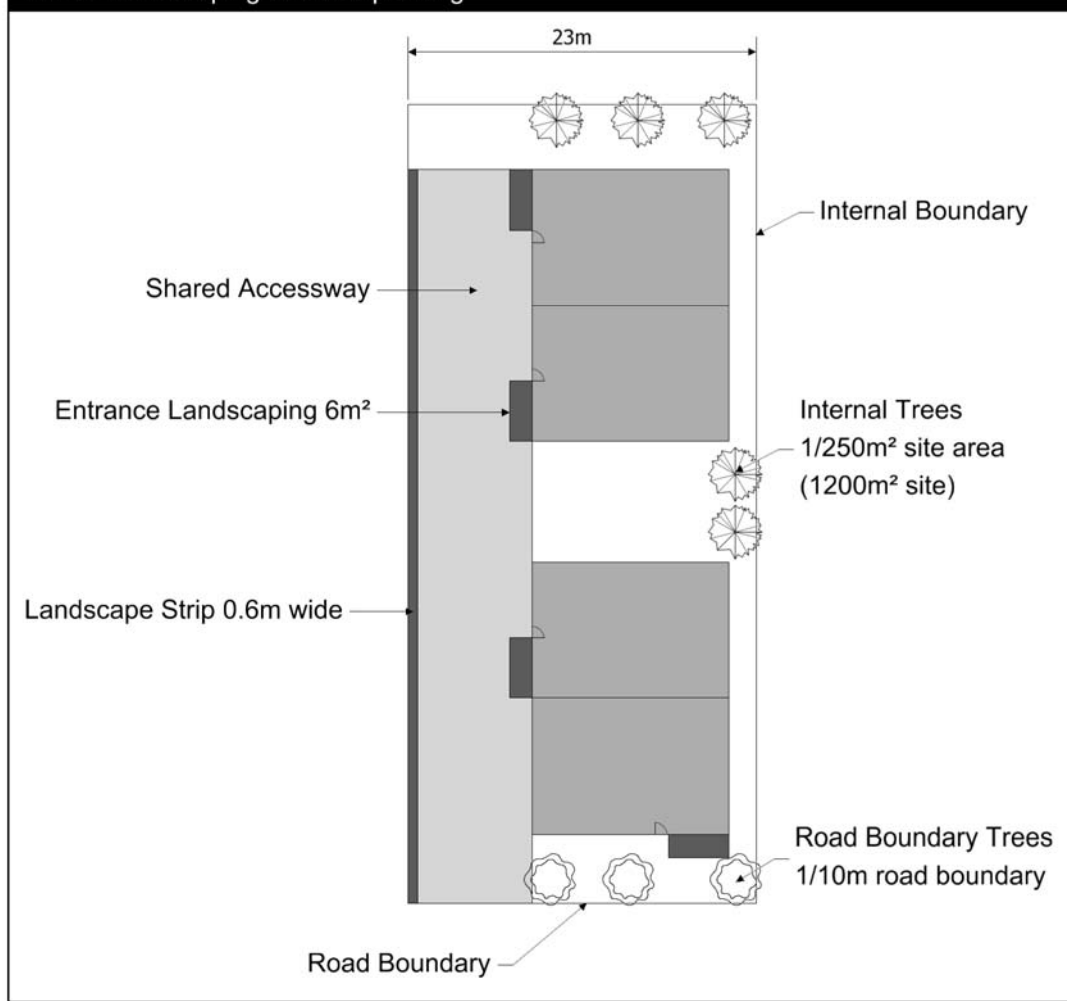
**(i) Sites shall be planted with a minimum of one tree for every 250m<sup>2</sup> of gross site area (prior to subdivision), or part thereof.**

**(ii) Each tree shall be provided with a minimum volume of 12m<sup>3</sup> of soil / planting medium.**

- (c) All trees required by clauses (a) and (b) of this rule shall be of a species capable of reaching a minimum height at maturity of 4 metres and shall be not less than 2 metres high at the time of planting.**
- (d) For all sites, where any access way or any car parking area is located adjacent to an internal site boundary, a landscape strip shall be provided as follows:**
- (i) The landscape strip shall have a minimum width of 0.6m excluding kerb;**
  - (ii) The landscape strip shall run the full length of the access way or car parking area and be located adjacent to the internal site boundary; and**
  - (iii) The landscape strip shall be landscaped with species capable of reaching a minimum height at maturity of at least 1.5 metres.**
- (e) For all sites, there shall be an area of landscaping provided either immediately adjacent to the main entrance of each residential unit or immediately adjacent to any common pedestrian entrance to the building as follows:**
- (i) Each landscaping area shall have a minimum area of ~~36~~<sup>36</sup>m<sup>2</sup>, with a minimum dimension of ~~0.61~~<sup>0.61</sup>~~5~~<sup>5</sup>m.**
  - (ii) These landscape area/s can form part of the required outdoor living space where such space satisfies rule 4.2.11 Outdoor living space – residential activities.**
- (f) All trees and landscaping required by this rule shall be maintained and if dead, diseased or damaged, shall be replaced.**

**Note: Trees and landscaping required under the individual clauses of this rule are cumulative, apply to each boundary and may not be double counted. Trees listed in Part 3, Appendix 3 are deemed to comply with clause (c) of this rule.**

#### 4.2.13 - Landscaping and tree planting



#### Note:

- This diagram is an illustrative example only, showing one way the rule may be applied.

Insert new paragraph 4.2.14 and 4.2.15

#### 4.2.14 Screening of parking – residential and other activities

- (a) Parking areas shall be screened from conservation or open space zones, roads, and adjoining sites by landscaping, wall(s), fence(s), or a combination of these to at least 1.0m in height for road boundaries, or 1.5m in height for any other boundary.
- (b) Where screening is by way of landscaping it shall be for a minimum depth of 1.5m and the minimum height shall be the minimum height at the time of planting.

#### 4.2.15 Acoustic insulation – residential and other activities

~~The external sound insulation level of any habitable space within any residential unit and any net floor area space for any other activity. Any new habitable space~~

within any residential unit, travellers' accommodation, or elderly persons' housing complex:

(a) Within 20 metres of the edge of the nearest marked traffic lane of a Collector Road, or

(b) Within 40 metres of the edge of the nearest marked traffic lane of a Minor Arterial, or Major Arterial Road

shall achieve a minimum external to internal noise reduction of 30 dBA (Dtr, 2m, nT).

Note: Compliance with this rule may be achieved by ensuring any construction is in accordance with the acceptable solutions listed in Part 3, Appendix 8. In the Living 3 and Living 4 Zones no alternative ventilation is required in situations where the rule is only met with windows closed. Alternatively, compliance with the rule can be achieved through certification by a qualified acoustic engineer that the design is capable of achieving compliance with the performance standard.

Where no traffic lane is marked, the distances stated shall be measured from 2m on the roadward side of the formed kerb. The location of Collector Roads and Minor and Major Arterial Roads is identified in Appendices 3 and 4 to Part 8.

Amend heading numbering as shown below. Make amendments to paragraph as shown

#### **4.2.1416** Roading and access - residential and other activities

Sites having frontage to Deans Avenue south of PT Lot 4 DP 14711 Blenheim Road shall not have access to Deans Avenue other than via the proposed road to be located between 100m and 110m from the intersection of Moorhouse and Deans Avenue. (Refer Appendix 5, Part 3.)

*(Alter all subsequent clause numbering as necessary)*

#### **Assessment Matters**

Delete the last three words on the first sentence. Delete all of (c).

#### **7.2.3 Street scene**

(a) All street scene resource consents ~~except controlled activities~~.

(...)

~~(c) For controlled activities relating to the erection of a garage in the L3, L4A, L4B, and L4C Zones~~

~~(...)~~

Insert new 7.2.4 text as shown below:

#### **7.2.4 Building overhangs - Living 3, 4A, 4B and 4C Zones**

- (a) The extent to which an increase in building overhang is visually acceptable and does not cause any adverse amenity effects on present or future residents of the site or on the visual outlook from the street or neighbouring sites.**
- (b) The extent to which the overhang does not create a long, dark covered driveway area.**
- (c) The extent to which clearly defined pedestrian entrances, front doors, and associated landscaping are clearly visible from the driveway area.**
- (d) The extent to which any increase in building overhang is mitigated by other factors eg design, screening, landscaping, etc.**
- (e) The extent to which any increase in building overhang is necessary to enable the efficient development of the site, whilst still mitigating any adverse visual effects.**

Amend numbering of the old 7.2.4 to read 7.2.5. Insert new text at the end of this section.

#### **7.2.-45 Separation from neighbours**

(...)

(n) In the Living G (Yaldhurst) zone, the extent to which buildings designed to achieve higher densities (A) or (B) may dictate that setbacks are either unnecessary and/or may be dispensed with.

**In addition to the matters to be assessed above, in the Living 3, 4A, 4B and 4C Zones the following apply:**

**(o) Where the intrusion is adjacent to a residential unit on an adjoining site that has a ground floor window of a habitable space located within 1.8m of the common internal boundary, the extent to which other factors may mitigate the effects of the reduced setback.**

**(p) Whether the windows or balconies that are within a reduced setback distance adjoin areas that are not, and will not be, used for residential activity e.g. neighbouring driveway areas, in such a way that the amenity of those spaces will not be adversely affected.**

**(q) Where there are unique or ~~unusual~~ exceptional site specific circumstances that would result in a situation where compliance with the window and balcony setback distances would have an unduly restrictive impact on the ability to develop the site.**

**(r) Whether the window/balcony located within the required setback distance continues to have an adequate separation distance from any direct facing windows/balconies on adjoining sites or within the site, such that appropriate levels of privacy are maintained.**

Amend numbering of the old 7.2.5 to read 7.2.6.

#### **7.2.-56 Continuous building length**

Amend numbering of 7.2.6 to read 7.2.7. Amend paragraph (i) under Note: Delete Clause (c). Amend clauses (b) and (d) by deleting from this clause but inserting under new 7.2.8.

### **7.2.67 External appearance**

(a) General matters

(...)

**Note:**

(i) The above general matters do not apply to the **L3, L4A, L4B, and L4C Zones (Avon Loop) other than for SAM 24.**

(ii) The Council has produced booklets (Special Amenity Area Booklets) for each Special Amenity Area. The Special Amenity Area Booklets identify key building and site elements which contribute to the amenity and special character for the respective special amenity areas. These booklets are available from the Council's offices and the Council's website: [www.ccc.govt.nz](http://www.ccc.govt.nz)

(b) Specific matters

In addition to the above general matters, the following specific matters shall apply where indicated.

**Special amenity area 22**

~~(i) The extent to which the proposed development is in accordance with the following characteristics of Special Amenity Area 22: Copying of these characteristics is not necessarily required and the use of modern building methods and materials is accepted.~~

~~(...)~~

**Special amenity area 30**

~~(ii) The extent to which the proposed development is in accordance with the most applicable one of the following sets of characteristics of Special Amenity Area 30: Copying these characteristics is not necessarily required.~~

~~(...)~~

**Special amenity area 31**

~~(iii) The extent to which the proposed development is in accordance with the most applicable one of the following sets of characteristics of Special Amenity Area 31: Copying these characteristics is not necessarily required.~~

~~(...)~~

**Special amenity area 32**

~~(iv) The extent to which the proposed development is in accordance with the following characteristics of Special Amenity Area 32:~~

~~(...)~~

**Special amenity area 33**

~~(iv) The extent to which the proposed development is in accordance with the following characteristics of Special Amenity Area 33: Copying of these characteristics is not necessarily required.~~

~~(...)~~

**Special amenity areas 31, 32 and 33 in general**



~~(v) — The extent to which the building reflects, respects or compliments its relationship with adjoining or nearby areas of important public open spaces, particularly in respect of:~~

~~(...)~~

**Special amenity area 18**

~~(vi) (i)~~ The extent to which the development maximises the potential for views and enjoyment of the sea and seafront.

~~(vii) (ii)~~ The extent to which the development enhances the attractiveness of the area by giving attention to detail which soften bulk, particularly roof line and pitch.

**Special amenity area 22 – Worcester Street frontage**

~~(viii) — The extent to which the development is orientated towards the boulevard and reflects the existing form of buildings along this part of the boulevard.~~

**Special amenity area 24**

~~(ix) — The extent to which the development takes account of and acknowledges its relationship with the character, heritage, and/or architectural style of adjoining or nearby buildings within the SAM. New buildings and additions to the frontage of existing buildings should respect the architectural character of the Avon Loop and maintain harmony with adjacent buildings and continuity with the streetscape. The elements of a new building should be sympathetic with the dominant elements of the surrounding streetscape. The shape and size of new buildings should reflect the scale and form which has been established by existing buildings.~~

~~(...)~~

**Special amenity area 34**

~~(x) (iii)~~ The extent to which the development complements the unity of design and materials, street layout and landscaping typical of this early state housing area.

**Special amenity area 35**

~~(xi) (iv)~~ The extent to which the development complements the original site layout as designed by Samuel Hurst Seager (particularly orientation and views) and the overall philosophy of a garden city hill suburb.

**Living 4C Zone (Avon Loop) including Special amenity area 24**

~~(xii)~~

~~• — The extent to which the building form, design and external appearance respects or complements the area by way of:~~

~~— building colours and materials~~

~~(...)~~

**Kilmarnock**

~~(xiii) (v)~~ The extent to which the development is in sympathy with the existing character and architectural style of buildings on the site, in particular maintaining similar roof pitch, exterior cladding and exterior colour.

Delete (c) General Design Principles for Central New Brighton as shown below:

~~(c) — General Design Principles for Central New Brighton~~

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

~~Building articulation and orientation~~

~~1. — Architectural modulation, relief, openings and features should provide human scale, visual interest and clues as to the building's function.~~

~~(...)~~

### ~~31. Measures to reduce, treat or re-use (...)~~

Delete (d) Specific Design Principles for Central New Brighton as shown below

#### ~~(d) Specific Design Principles for Central New Brighton~~

##### ~~Local Character Summary~~

~~(d) — The following is a description of the character of Central New Brighton, which is to be used to inform assessment under the local character assessment matters which follow:~~

~~New Brighton is part of an extensive beach and dune system along Pegasus Bay. It occupies its more urbanised southern end near to the Avon/Heathcote Estuary and Port Hills of Banks Peninsula.~~

~~(...)~~

~~38. — Building height and density should reinforce an urban form that emphasises the role of the New Brighton business zone as a district centre and key service and transport focal point. This form is expressed through taller, more dense development focussed in and around the commercial centre, reducing in height and density with distance away from the centre.~~

Insert new text 7.2.8 as shown below:

#### 7.2.8 Urban design, appearance and amenity - Living 3, 4A, 4B and 4C Zones

##### (a) General matters

General matters set out expectations for the design of new multi-unit residential development and ensure the whole development is considered. They provide an assessment framework for consenting officers and expert advisers when considering resource consent applications.

These matters seek to maintain levels of amenity on larger developments where, due to their scale and density, design decisions become much more important in achieving a high quality living environment for the occupants, neighbours and the wider community.

General matters allow for an 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 an explanation provides additional information on meaning and intent behind the assessment matters. Applicants are 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.
- b. Developments should be sympathetic to nearby listed heritage items.
- c. Developments should connect to the street network with vehicle, cycle, and pedestrian routes that maintain or enhance physical and visual links to key destinations.
- d. Developments are encouraged to reuse adapt and/or renovate existing character buildings and retain existing trees
- e. Developments are encouraged to support prominent vistas and view shafts.

**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.**

**Access to and through a site should contribute to a network of routes that link new development to key neighbourhood destinations such as community facilities, local shopping centres, public open spaces and public transport.**

**Christchurch residential development is diverse and the Living 3 and 4 Zones are in a period of transition toward a more intensive urban form. It is important, for the continuity of these neighbourhoods, that developments utilise existing features where possible. Developments near listed heritage items should have regard to their location, form and character. This requires consideration of heritage elements and patterns, noting that contemporary form and detail may be used to respect, not simply replicate, these patterns and elements. Retention of existing vegetation assists developments to integrate into neighbourhoods.**

**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.**

**(ii) Relationship with street and public open spaces**

- a. **Buildings should be oriented toward the street and positioned close to the road boundary.**
- b. **Developments should place active areas of buildings, such as habitable rooms and entrances, 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 facing the street should have a ~~high degree~~ generous extent 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 are encouraged to be of high quality materials and complement the building design.

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~~variation 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 and public open spaces. A minimum of 25% glazing distributed across these building frontages is a rule of thumb.

Near streets and public open spaces, front fences, walls and gates should be designed to 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 sense of community ownership and responsibility of these public spaces.

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

(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 the City. 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. Development layout and form should reflect the predominant pattern of subdivision within a neighbourhood.
- b. Buildings should be of a domestic scale and 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.
- g. The use of high quality, durable and easily maintained materials on the exterior of buildings is encouraged.

Explanation

Accepting that there are a variety of building styles, developments should have facade lengths and separation between buildings that maintain continuity with historic residential and subdivision patterns. New developments will better integrate into neighbourhoods when the widths of their front facades are consistent with other buildings on the street. Similarly, redevelopment of long, narrow sites have encouraged 'sausage block' style development that is undesirable because of the buildings' excessively long facades and disproportionate bulk. 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 (e.g. 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 facade 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 by residents.

(v) Access and car parking

- a. Developments should be laid out to ensure the safe and efficient movement of pedestrians, cyclists and vehicles.
- b. Developments should be designed to minimise the number of service and vehicle access ways from the street to reinforce pedestrian priority along the footpath and within the site.
- c. Car parking and garage areas should not dominate the development, particularly as viewed from the street or neighbouring properties.
- d. Parking areas at ground and upper levels within buildings are encouraged to be located behind habitable rooms to minimise visibility from streets or public open spaces.
- e. Well designed underground car parking is encouraged.

Explanation

Convenient and safe access for pedestrians and cyclists is an important design consideration that begins within developments. Good visibility around access ways from the street and within manoeuvring areas of a development is particularly important. Within developments, where pedestrian and vehicle access ways are shared, the layout and paving should clearly signal to drivers that they are entering a slow traffic, pedestrian priority area. This means narrowing site entrances (but maintaining visibility), using high quality paving materials and providing clear sightlines and direct access to front doors without car parking interruptions. Within larger developments, raised pedestrian footpaths and traffic calming measures may be considered more appropriate.

The creation of new vehicle crossings across site frontages that are used by high numbers of pedestrians is discouraged, particularly where practical alternative vehicle access is available.

Visual dominance of car parking and vehicle access ways should be minimised. Consideration needs to be given to the discreet location and screening of all car parking, loading and servicing areas, particularly those visible from streets or public open spaces. Underground or semi-basement car parking is encouraged to enable a more efficient use of the site and reduce the visual dominance of garaging and hard stand areas. It is expected that buildings with active internal uses will be provided between the street and car parking areas.

(vi) Landscaping and site amenity

- a. Car parking, garages, side boundaries and service areas should be softened by planting.
- b. Lighting, planting, fences and other structures should be designed to maximise the safety of occupants and visitors.
- c. The distribution of landscaping throughout the development 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 and promote biodiversity.

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.

Soft and hard landscaping should be designed in a way that does not prevent informal surveillance of common or public areas and maintains clear sightlines by avoiding blind corners, hiding places and dark recesses. Design of entrance landscaping in front of ground level residential units should to be treated in a similar way to those fronting the street to ensure good visibility.

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 occupants of 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.

An even distribution of landscaping and provision of larger trees throughout the development can help reduce the visual dominance of taller buildings and other structures; provide visual interest from a range of viewpoints; and generally provide for population health benefits.

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.

(vii) Outdoor Living Spaces

- a. Outdoor living spaces should be located 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.
- c. Communal outdoor living spaces should be consolidated and designed to be accessible, usable and attractive whilst avoiding noise, light spill and loss of privacy for residents and neighbours.
- d. The provision of communal open space and facilities within the development is encouraged for multi-level apartment developments.

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 dimension 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.**

**(viii) 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 buildings to minimise their visual impact, particularly from streets and public open spaces**
- d. Storage space should to be easily accessible to residents and provide for a range of recreational and maintenance equipment.**

**Explanation**

**Service areas (e.g. for 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, need 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 (e.g. 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 close to their end use.

(ix) 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. With regard to effects on adjacent properties, compliance with the 4m setback required by Development Standard 4.2.5(b) may not be sufficient to satisfy this assessment matter.
- 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 both within the development site and into neighbouring properties.

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.

(x) Environmental Efficiency

- a. The design, orientation and layout of developments is encouraged to minimise energy use.
- b. Developments are encouraged to use materials that minimise resource consumption.
- c. On-site measures to reduce, treat or re-use storm water runoff are encouraged.

Explanation

It is important that individual developments at the local level positively contribute to the sustainability objectives of the City as a whole. Integrating the initial design of a development with its later use and management is important for achieving environmental efficiencies over the long-term. Methods of laying out buildings may include maximising solar gain for water and space heating, locating window openings for

natural cross ventilation and daylight admission. Building design should consider sustainable mechanisms, such as adjustable shade screens, that allow residents to control the internal conditions. Other construction techniques include the use of: durable low maintenance materials; insulation to reduce winter heat loss; and the incorporation of mechanical and electrical systems that optimise energy efficiency.

Christchurch has many urban waterways and is generally sited on low-lying, flood prone areas where the quality and treatment of surface water drainage is a significant issue. On-site control methods designed to facilitate infiltration of stormwater runoff close to source need to be used in an integrated way that may include optimising unpaved landscape areas; use of permeable paving to reduce run-off; inbuilt swales or rain gardens to collect and treat run-off; and the collection and re-use of storm water for irrigation or toilet flushing.

**(b) Specific matters**

In addition to the above general matters, the following specific matters shall apply where indicated.

**Special amenity area 22**

(i) The extent to which the proposed development is in accordance with the following characteristics of Special Amenity Area 22: Copying of these characteristics is not necessarily required and the use of modern building methods and materials is accepted.

a. Victorian and Edwardian two storey townhouses which are or have:

- Weatherboard cladding and pitched hip and gable corrugated iron roofs;
- A simple overall form that is generally rectangular, square or L shaped;
- Traditionally proportioned window and door treatments and proportions of solid to void;
- In some cases simple verandas;
- Eaves that are mostly very narrow
- Setback of between 3m and 15m;
- Front gardens with large established trees and other plantings that frame the houses;
- Fences that are mostly less than 1.5m high;
- Principal orientation to the street.

And particularly in respect of these characteristics:

b. the orientation to the street and setback of existing buildings in the special amenity area.

c. the building shape, colour and roofline of existing buildings that contribute to the consistency of the streetscape within the special amenity area.

d. the material, style, ornamentation and texture of existing buildings within the special amenity area;

e. the orientation of existing windows and doors to the street;

f. the placement of garages within the special amenity area.

**Note : strong and simple forms similar in scale and height to existing buildings within the special amenity area are appropriate.**

**Special amenity area 30**

**(ii) The extent to which the proposed development is in accordance with the most applicable one of the following sets of characteristics of Special Amenity Area 30: Copying these characteristics is not necessarily required.**

**a. With one exception the buildings in this special amenity area are over 100 years old and are:**

**One storey Victorian hipped roofed workers cottages which are or have:**

- Simple in style and construction and are sited close to the street;**
- Predominantly weather board or plaster cladding with corrugated iron roofs;**
- Symmetrical front facades with two windows either side of a recessed entry porch;**
- Windows articulated with bracketed hoods;**
- Close to the street with low fencing and hedges allowing a visual link between the street and the buildings;**
- Principal orientation to the street.**

**or**

**Two storey Victorian domestic semi-detached town houses which are or have:**

- Pitched hip and gabled corrugated iron roofs;**
- Faceted double height bay windows;**
- Traditionally proportioned window and door treatments and proportions of solid to void;**
- Weather board cladding;**
- Double hung sash windows with lead light fan lights;**
- Large setbacks allowing for large planting;**
- Fences variable in style or height, predominantly constructed of timber;**
- Principal orientation to the street.**

**or**

**Other varying styles from Villas to English Domestic Revival which are or have:**

- Up to two storeys;**
- Weather board cladding;**
- Pitched hip and gabled roofs;**
- Traditionally proportioned window and door treatments and proportions of solid to void;**
- Little ornamentation;**
- Varying setback of 5 to 30 metres which acts as a transition between worker's cottages and semi detached town houses;**
- Principal orientation to the street;**

**And particularly in respect of these characteristics:**

**b. the orientation to the street and setback of existing buildings in the special amenity area;**

- c. the building shape and roofline that contributes to the consistency of the streetscape within the special amenity area;
- d. the material and style of existing buildings within the special amenity area;
- e. the way windows and doors on existing buildings within the special amenity area address the street;
- f. the surface texture and ornamentation of existing buildings within the special amenity area;

Note : strong and simple forms similar in scale and height to existing buildings within the special amenity area are appropriate except where facades of adjacent buildings are more broken in form e.g. Victorian semi-detached town houses.

### Special amenity area 31

(iii) The extent to which the proposed development is in accordance with the most applicable one of the following sets of characteristics of Special Amenity Area 31: Copying these characteristics is not necessarily required.

a. Heritage buildings and other buildings located in close proximity to and oriented with outlooks facing the River Avon Otakaro and Hagley Park. Buildings are generally domestic in scale and have a degree of modulation. This character includes a number of large apartment buildings but care has been taken to break up the bulk of these buildings using receding floors, balconies and changes in wall and roof angles.

And particularly in respect of these characteristics:

- b. the orientation of existing buildings to the River Avon Okataro and Hagley Park;
- c. the orientation to the street and setback of existing buildings within the special amenity area;
- d. the use of receding floors, balconies and changes in roof angles that have been used to break up the bulk of existing apartment buildings within the special amenity area;
- e. the ground level areas of existing buildings within the special amenity area that interact with pedestrians and pedestrian linkages;
- f. the domestic scale and modulation of existing houses (as opposed to apartment buildings) within the special amenity area

Note : a modulated facade is one where the whole is made up from components which visually relate to each other even though they may be different sizes and/or materials

### Special amenity area 32

(iv) The extent to which the proposed development is in accordance with the following characteristics of Special Amenity Area 32:

a. Cranmer square's heritage as a former educational precinct (dating from the 1860s) and a key Inner City green space. Some of the original educational buildings remain although their use has changed. It is flanked on the four edges by mature exotic trees. Its character also comprises houses which are or have:

- Generally large two storey houses and multi-storey town houses or apartments;

- Pitched hipped roofed Victorian classically styled older houses along the northeast section;
- Recessed porches on older houses;
- Large windows facing the square;
- Small building setbacks creating strong connection with the street and park.

And particularly in respect of these characteristics:

- b. a strong connection between existing buildings, the street and the park;
- c. the orientation to the street and set back of existing buildings within the special amenity area;
- d. the domestic scale and modulation of existing buildings within the special amenity area;
- e. the building shape and roofline that contributes to the consistency of the streetscape within the special amenity area.

Note : a modulated facade is one where the whole is made up from components which visually relate to each other even though they may be different sizes and/or materials. Strong and simple forms similar in scale and height to existing buildings within the special amenity area are appropriate.

Special amenity area 33

(v) The extent to which the proposed development is in accordance with the following characteristics of Special Amenity Area 33: Copying of these characteristics is not necessarily required.

a. Latimer Square's heritage as the main sports and recreation ground for Christchurch in the 1850s and 1860s and as a key Inner City green space. As surrounding residential densities become more intense it will become more important for rest and recreation. The character of the square is also comprised of the mature exotic trees on its four edges. The special amenity area itself contains a mixture of building styles reflecting different eras. Key indicators of the desirable building character for this special amenity area are:

- Balconies and large windows facing the street;
- Broken facades and rooflines;
- Predominantly small building setbacks;
- Oriented west to face the park;
- Domestic scale and modulation.

And particularly in respect of these characteristics:

- b. the strong connection between existing residential or originally residential buildings, the street and the park;
- c. the orientation to the street and set back of existing residential or originally residential buildings within the special amenity area;
- d. the material and style of existing residential or originally residential buildings within the special amenity area;
- e. the domestic scale and modulation of existing residential or originally residential buildings within the special amenity area.

Note : a modulated facade is one where the whole is made up from components which visually relate to each other even though they may be different sizes and/or materials.

Special amenity areas 31, 32 and 33 in general

**(vi) The extent to which the building reflects, respects or compliments its relationship with adjoining or nearby areas of important public open spaces, particularly in respect of:**

**(a)**

- **the formal or informal nature of the space (e.g., axial, symmetrical, open and free flowing);**
- **any impacts of the building on the use of those spaces (e.g., shadowing and wind funnelling);**
- **any visual focal points or features (e.g., statues, memorials, water features or specimen trees);**
- **any vistas or pedestrian linkages**
- **the impact of the building on the definition or containment of the space**

**(b) The extent to which the ground level area of the building interacts with pedestrians and pedestrian linkages.**

**Special amenity area 18**

**(vii) The extent to which the development maximises the potential for views and enjoyment of the sea and seafront.**

**(viii) The extent to which the development enhances the attractiveness of the area by giving attention to detail which soften bulk, particularly roof line and pitch.**

**Special amenity area 22 - Worcester Street frontage**

**(ix) The extent to which the development is orientated towards the boulevard and reflects the existing form of buildings along this part of the boulevard.**

**Special amenity area 24**

**(x) The extent to which the development takes account of and acknowledges its relationship with the character, heritage, and/or architectural style of adjoining or nearby buildings within the SAM. New buildings and additions to the frontage of existing buildings should respect the architectural character of the Avon Loop and maintain harmony with adjacent buildings and continuity with the streetscape. The elements of a new building should be sympathetic with the dominant elements of the surrounding streetscape. The shape and size of new buildings should reflect the scale and form which has been established by existing buildings.**

**(Refer also to rules for Living 4C Zone (Avon Loop) (xi) below.)**

**Living 4C Zone (Avon Loop) including Special amenity area 24**

**(xi)**

- **The extent to which the building form, design and external appearance respects or complements the area by way of:**
  - **building colours and materials**
  - **planting**
  - **roof pitch**
  - **the effect and form of facade modulation**
  - **the relationship of the street facade to overall streetscape**
  - **the relationship of the building to existing neighbouring buildings in respect of facade modulation and colour**

- The extent to which the ground level area of the building interacts with the street, pedestrians and pedestrian linkages including screening having a degree of transparency to the road.
- The extent to which the development, where an allotment faces the river, provides the potential for views and enjoyment of the river frontage, with particular emphasis on facade orientation to the river.
- The extent to which the building design and site layout reduces the impact of vehicle access, off-street parking and garaging provisions, particularly in respect of the street fronts of properties.
- The orientation of buildings should optimise access to sunlight and outlook to open space, be that parks, the street or the river.
- The extent to which developments and building form on corner sites reflect the visual prominence and landmark importance of those sites.

**(c) Specific Design Principles for Central New Brighton**

**Local Character Summary**

**The following is a description of the character of Central New Brighton, which is to be used to inform assessment under the local character assessment matters which follow:**

**New Brighton is part of an extensive beach and dune system along Pegasus Bay. It occupies its more urbanised southern end near to the Avon/Heathcote Estuary and Port Hills of Banks Peninsula.**

**New Brighton is identified in the City Plan as a district centre and higher density area and focal point on the eastern edge of Christchurch City where it meets the coast. New Brighton beach, mall, pier and library are important destinations for local Christchurch residents and tourists. It is important the quality of adjacent development reflects and enhances this role in the city and the amenities they offer.**

**The coastal environment at New Brighton provides extensive recreation and outdoor living opportunities; panoramic views to the coast, Port Hills, central city and Southern Alps. It is also an environment exposed to predominant salt-laden easterly winds, which can create a harsh climate for buildings, landscaping and outdoor activities.**

**The urban environment is structured on a north/south orientated street grid running parallel with the New Brighton beach. Marine Parade is a formal boundary between the beach and the city and is an important linear urban edge. The Parade also functions as a promenade for residents and visitors walking to and from the beach and the Mall with its retail, public transport and car parking provisions. Development needs to reinforce this edge and ensure that it is of high visual and pedestrian amenity and safety.**

**New Brighton is anticipated to undergo regeneration of its existing business and suburban housing stock. Through this, the Plan encourages intensification of this area and recognises there may be a change in character, albeit over a potentially lengthy transition period.**

**Street frontages are characterised by uniform lot sizes and detached houses, which create a regular horizontal and vertical pattern of building form. While it is recognised that the scale of buildings will change, it is important to maintain this visual rhythm.**

**The intersection of Marine Parade and New Brighton Mall is an important focal point in the area where the pier, library and pedestrian Mall meet. It is proposed**

to reinforce this significance through taller built form and landmark corner buildings.

#### Local Character Assessment Matters

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

32. Development along Marine Parade should recognise it as a primary frontage that defines the linear coastal edge of the city, a pedestrian promenade and maximise opportunities for coastal views for occupants.

33. In recognition that higher density developments are likely to often be visible from surrounding streets, open spaces and lower density neighbourhoods, architectural articulation should be provided on all external building façades.

34. Developments should reflect the regular lot widths and rhythm of detached building typologies when viewed from the street.

35. The use of durable and easily maintained exterior building materials and hardy landscaping appropriate for a coastal environment in a salt spray zone, is encouraged.

36. Direct visual links and pedestrian access should be provided to Marine Parade from residential units fronting Marine Parade.

37. Building design should maximise opportunities for strong relationships between outdoor living areas and habitable internal spaces of residential units, yet protect outdoor spaces and pedestrian entrances from exposure to coastal (easterly) winds and glare (ie. recessed or screened entrances, enclosed balconies and rear communal courtyards).

38. Building height and density should reinforce an urban form that emphasises the role of the New Brighton business zone as a district centre and key service and transport focal point. This form is expressed through taller, more dense development focussed in and around the commercial centre, reducing in height and density with distance away from the centre.

Delete all of 7.2.9

#### 7.2.9 On-site convenience – Living 3, 4A, 4B and 4C Zone

~~(a) — Where the said facilities are not conveniently located in relation to each other and the units they serve, the extent to which arrangements have been made to ensure that residents will be able to identify their facilities and use them without undue loss of privacy, and avoids confusion for visitors.~~

~~(...)~~

Insert new text 7.2.9 as below

#### 7.2.9 Fences and Screening Structures - Living 3, 4A, 4B and 4C Zones

(a) The extent to which a reduction in visual transparency may be more visually appropriate or suited to the character of the site or area.

(b) The extent to which a reduction in visual transparency or use of non-transparent materials may be appropriate to provide levels of privacy or security.

(c) The extent to which the fencing is varied in terms of incorporating steps, changes in height, variety in materials, incorporates landscaping, and avoids presenting a blank, solid façade to the street



Insert new 7.2.10

**7.2.10 Minimum unit size - residential activities - Living 3, 4A, 4B and 4C Zones**

- (a) The extent to which the area of the unit/s will maintain an appropriate level of amenity for residents and the surrounding neighbourhood.**
- (b) The extent to which other on-site factors may compensate for a reduction in unit sizes e.g. communal facilities.**
- (c) The nature and duration of activities proposed on site which may require a reduced unit size to operate e.g. very short term duration.**
- (d) The balance of unit mix and unit sizes within the overall development such that a minor reduction in the area of a small percentage of the overall units may be warranted.**
- (e) Whether the units are to be operated by a social housing agency and have been specifically designed to meet atypical housing needs.**

Insert new 7.2.11

**7.2.11 Ground floor habitable space - residential activities - Living 3, 4A, 4B and 4C Zones**

- (a) The extent to which the balance of open space, access/parking, and residential building activity is adversely impacted by the loss or reduction of habitable spaces at ground level.**
- (b) The ability of an undersized habitable space to continue to be used for functional residential activity.**
- (c) Any ~~unusual~~ exceptional circumstances expressed by the proposal which would provide an alternative site arrangement that satisfactorily provides for on-site land use balance and residential amenity.**

Amend heading to read 7.2.12. Insert additional 5 paragraphs at the bottom of this section

**7.2.712 Outdoor living space**

(...)

(g) In the Living G (Yaldhurst) 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 10.00am 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.

**In addition to the matters to be assessed above, in the Living 3, 4A, 4B and 4C Zones the following apply:**

- (h) The extent to which the allocation between private and communal outdoor living spaces within the site is adequate to meet the current and future needs of residents of the site.**

**(i) Where the communal outdoor/indoor spaces are not contiguous on a large site, the ability of the spaces to meet the needs of residents and provide a high level of residential amenity.**

**(j) The degree to which the reduction in outdoor living space is commensurate with the scale of the residential unit and the demands of the likely number of residents.**

**(k) The degree to which a reduction in the outdoor living space provided may impact on overall openness and amenity.**

Amend heading numbering and text as shown below. Insert new (b), amend numbering of the old (b) and (c) and amend text as reflected below. Insert (e).

**7.2.813 Outdoor service and storage space Service and storage spaces- Living 3, 4A, 4B and 4C Zones**

(a) Where an outdoor ~~(or indoor, in the case of the Living 4 Zones)~~ service, **rubbish and recycling** space ~~or storage space~~ is not provided for each residential unit, the adequacy in terms of area and convenience to residents of any ~~common~~ **communal** area provided.

**(b) Where an indoor storage space is not provided for each residential unit, the adequacy of alternative storage areas provided on the site which are accessible and convenient to all residents.**

~~(bc)~~ **In the Living 3 Zone only, t**The extent to which indoor service areas have been provided to compensate for the reduced or lack of outdoor service, **rubbish and recycling** area(s).

~~(ed)~~ The extent to which any reduced outdoor ~~(or indoor, in the case of Living 4 Zones)~~, service, **rubbish and recycling** space or storage space will result in the inability to adequately use the space for the intended purpose.

**(e) The extent to which the lack of screening of any outdoor service space will impact on the visual amenity within the site and of any adjoining site, activity, or the street scene**

Insert new 7.2.14

**7.2.14 Landscaping and tree planting - Living 3, 4A, 4B and 4C Zones**

**(a) The effect of any reduced tree planting in terms of the scale and visual appearance or dominance of the buildings on the site.**

**(b) The extent to which the site is visible from adjoining sites and the likely effect of any reduction in tree planting standards for the amenity of neighbouring sites.**

**(c) Any compensating factors for reduced tree planting, including the nature of planting proposed, or the location of activities (including heritage items) on the site.**

**(d) The visual appearance of the site in terms of the length of road frontage or any unusual characteristics of the site.**

**(e) The impact of the reduced tree planting on the Garden City image and the quality of the amenity of the site and neighbourhood.**

**(f) Whether large, existing trees have been retained on the site so that overall the site provides a visual balance between buildings and landscaping, despite a reduction in the actual number of trees.**

Insert new 7.2.15 and 7.2.16

#### **7.2.15 Screening of parking - Living 3, 4A, 4B and 4C Zones**

**(a) Any adverse effects of the reduced screening of parking on the outlook of people on adjoining sites.**

**(b) The ability to screen the parking from adjoining sites by alternative means.**

**(c) Any adverse effects of the reduced screening of parking areas on the visual amenity of the public spaces (including roads).**

#### **7.2.16 Acoustic insulation - Living 3, 4A, 4B and 4C Zones**

**(a) The extent to which a reduced level of acoustic insulation may be acceptable due to mitigation of adverse noise impacts through other means, e.g. screening by other structures, or distance from noise sources.**

**(b) The ability to meet the appropriate levels of acoustic insulation through alternative technologies or materials.**

**(c) The provision of a report from an acoustic specialist which provides evidence that the level of acoustic insulation is appropriate to ensure the amenity of present and future residents of the site.**

*(Alter all subsequent clause numbering as necessary)*

### **Reasons for Rules**

Amend text as shown below:

#### **8.1.3 Street scene**

The street scene or setback of buildings from road boundaries is an important determinant of the visual character of the living areas of the city. The degree of setback required affects the visual impact of buildings from ~~across~~ the street, the opportunities for tree and garden planting visible from the street, the location and visual impact of parking areas and the outlook of people on adjoining sites.

Moderate setbacks have been required in most zones, in order to maintain the pleasantness and openness of sites as viewed from the streets and neighbouring properties; and to enable opportunities for tree and garden plantings; but also to enable efficient and practical use of sites. Where garage doors face the street or shared access, additional setback is required, to enable a car to be parked clear of the street or shared access in front of the garage door. **Smaller setbacks are required in the Living 3 and 4 Zones in recognition of their more urban character, and the specific controls on tree planting, location of garaging and design and appearance that in combination assist in ensuring well designed street facades and the maintenance of a good quality street scene. A slightly more flexible**

~~requirement for setbacks in the Living 3 Zone reflects that in some parts of the zone, previous City Plan requirements were more liberal. It is anticipated that the approach adopted will result in a better outcome than a more rigid requirement.~~

In special amenity areas the need to encourage the retention of the consistent street scene and mature landscape plantings where present has also influenced the setting of the setback from the road boundary. In most cases the special amenity area setbacks are larger than the general zone provisions. A slightly larger setback has also been required on sites with frontage to Bealey and Fitzgerald Avenues in order to recognise and maintain the open space and landscape qualities of these two historic "grand avenues". A larger setback along part of Deans Avenue reflects the location of this living environment opposite an important area of public open space. A larger setback applies to the Living 4B (North Beach) Zone in recognition of its proximity to Living 1 zoning.

(...)

In the lower density living zones (Living 1, H, RS, RV, 2, the Living 1A-HB Zones and in the Living 4B (North Beach) Zone which adjoins Living 1 zoning), buildings (including garages) proposed to be erected within the street scene setback in all areas are a discretionary activity (restricted). Assessment will ensure that any such building is similar to or in keeping with the existing buildings on the site and that the visual effects in particular, are considered in terms of maintaining the pleasantness and openness of sites as viewed from the street and neighbouring properties. Landscape planting to assist in screening buildings within the setback will often be required given that planting of front yards is a common characteristic of most suburban areas.

Similar controls apply in the higher density living zones (Living 3, 4A, 4B (Central City), 4C), ~~although garages with vehicle doors generally at right angles to the street may be erected closer to the street within all areas, except special amenity areas, as a controlled activity. This is intended to enable more efficient, practical or pleasant use of the remainder of sites, while ensuring some harmony with existing buildings on the site. By retaining a minimum setback, it also seeks to ensure that they can be screened by landscape planting.~~

In recognition of the sensitive and coherent street scene in special amenity areas, all buildings require consent as a discretionary activity within the road boundary setback ~~and, in the higher density living zones, landscaping is required for the full depth of the required setbacks.~~ In special amenity areas, specific additional matters are to be considered in assessing proposals to locate within the street scene setback to ensure the building is compatible with maintaining the character of the site and is also compatible with other developments within the special amenity area.

(...)

Insert new 8.1.4 as shown.

#### **8.1.4 Building overhangs – Living 3, 4A, 4B and 4C Zones**

**Large, unsupported cantilevered structures over driveway areas can result in poor urban design outcomes in terms of the appearance of the site and the legibility of front entrances. This provision seeks to ensure that such large structures are not permitted to occur, without stopping the provision of design elements such as eaves, porches and bay windows.**

Amend numbering from 8.1.4 to 8.1.5. Amend paragraphs 1, 3, 4 and 5 as shown.

### **8.1. 4-5 Separation from neighbours**

A standard separation distance of buildings from adjoining neighbours' boundaries has been required in most ~~all~~ zones, to reduce the visual dominance of buildings on the outlook of adjoining sites; to enable access to daylight; and to provide a degree of privacy consistent with suburban living. At Riverlea Estates, a distance between buildings has been specified, as allotment boundaries are not yet clearly defined and dwellings are already located in close proximity to one another. In the Avon Loop some variation in separation distances has been provided to encourage development to reflect and enhance the architectural form of buildings.

The exception to this rule for that part of the Living HB Zone as shown in Part 2 Appendix 6 allows for a degree of spaciousness with minimisation of view obstruction consistent with the very low density residential development proposed for this area of the Port Hills.

The setback is such as to enable efficient and practical use of the remainder of the site, whilst mitigating adverse effects of buildings on adjoining sites. Accessory buildings are permitted within the setback with the exception to that part of the Living HB Zone as shown in Part 2 Appendix 6 in order to allow more flexible use of this space. However, the total length of all such accessory buildings on a site is limited to 9m (in the low density living zones) to avoid dominance of adjoining sites by the proximity of such buildings close to the boundary. The total length of all accessory buildings on a site is limited to 10.1m in the L3, ~~L4A, L4B~~, L4C and G Zones in recognition of the anticipated character and density of these zones and to accommodate three garages side by side. The height of the accessory buildings will also be limited by the recession plane standards in the lower density zones. In the Living 4B Zones there is no minimum building setback along any internal boundary in recognition of these areas suitability for high density development and having high land values. Buildings developed along internal boundaries in this way will be restricted in height to around a single storey on the boundary by the recession plane provisions.

In the Living 3 and 4 Zones provision is made for situations where existing residential units on adjoining sites have a ground floor window of a habitable room located within 1.8m of the common internal boundary. In these situations any proposed new building must provide a light well adjacent to the existing window/s to give a degree of light penetration and separation.

Additional setback is required for first floor balconies and windows of living areas in the lower density living zones in order to avoid a reduction in privacy on adjoining sites through being overlooked. Windows at angles to a boundary, which make overlooking unlikely, are exempt from this standard. In the Living 3 and 4 Zones ~~In the higher density zones there is no requirement to set a window of a living area back further than the actual building in recognition of the character of these zones as well as enabling a degree of flexibility for site design. there are provisions for living area windows and balconies at first floor and above to be set back a greater degree to ensure privacy is maintained. These provisions apply both to internal boundaries and between buildings located on the same site. While these provisions will reduce site flexibility on some sites, they seek to ensure that there is an adequate level of privacy between residential units.~~

In Gwynfa Avenue a greater setback applies along the boundaries of sites with Gwynfa Avenue, as though this access were a legal road and not a right of way. This recognises the general form of development and existing amenity values along this avenue.

(...)

Amend numbering in heading to read 8.1.6. Amend paragraph 2 and 7 as shown.

#### **8.1.56 Continuous building length**

The purpose of the continuous building length rule is to mitigate the visual effect of long monotonous structures on the amenity of adjacent sites. The rules operate in conjunction with each other as well as with other rules such as those for sunlight admission and setbacks.

Buildings may create an obtrusive visual appearance unless this effect can be mitigated by sufficient separation (setbacks) or by "steps" in long walls, parapets or roofs of buildings to provide visual variety and relief. ~~Rules of this nature originated from earlier concerns about long monotonous "sausage flats".~~ **In the lower density living zones and for specified development in the Living 3 and 4 Zones**, these rules differentiate on the basis of height, with two storey buildings generally being more than 5.5 metres in height. For lower single storey buildings, the rules focus on the effect of the ridgeline, which is likely to be a more dominant visual feature than the exterior walls. For higher and longer buildings, the rules focus on the walls, in addition to the ridgeline, as these are likely to be more visually dominant.

The rules require "steps" to be provided in the ridgelines, parapets and exterior wall of tall and/or lengthy buildings. Twenty metres has been assessed as a suitable threshold length for ridgelines, parapets or walls, before a break is required. The subsequent spacing and length of steps is intended to provide reasonable flexibility of design while ensuring steps are placed at sufficient intervals to be visually effective. In order to avoid a visually monotonous appearance the rule also requires these steps to be provided in the ridgelines, parapets or walls of buildings which are in close proximity to each other.

Given the diversity of lot sizes, shapes and boundaries, it is acknowledged that the rule cannot anticipate all the circumstances that may apply to the siting of long buildings.

Exceptions have been provided where large setbacks can be provided, distance being the mitigating factor.

For the Living 5 (Travellers Accommodation Zone) the rule has a narrower application, and only addresses the effect of continuous building length on the interface of the zone with other Living Zones, including on sites on the opposite side of the road from a Living 5 Zone.

**In the Living 3 and 4 Zones the rules have been retained for specified developments. For larger scale developments the articulation and modulation of the walls and roofs will be covered by the urban design, appearance and amenity provisions.**

Amend heading numbering to read 8.1.7. Delete section as shown below.

#### **8.1.67 External appearance**

A rule relating to external appearance applies in those special amenity areas of particularly high street scene and/or heritage value. Assessment as a discretionary activity is seen as necessary in order to provide some protection and/or enhancement of the existing characteristics which makes these areas particularly attractive and/or of social and historical importance and to avoid incompatible development. ~~Although not a special amenity area in that part of the Avon Loop area outside of SAM 24, external appearance has been made a controlled activity. This is in recognition of the special character of the wider loop area in terms of the setting, street layout and river boundaries. For SAM 24 specific recognition is also made of the importance of fences and walls within the required streetscene setback to the amenity values, and existing characteristics of the Avon Loop area.~~ In the Living 5 Zone (Kilmarnock) an external appearance requirement applies to promote building design that is in sympathy with existing buildings on the site including roof pitch, exterior cladding and exterior colour. In the Living G (Yaldhurst) zone the external appearance rules are intended to maintain or enhance visual amenity and the quality of the surrounding residential environment.

Insert new section 8.1.8 – 8.1.11

#### **8.1.8 Urban design, appearance and amenity – Living 3, 4A, 4B and 4C Zones**

**Within the Living 3 and 4 Zones all new buildings, alterations or additions (including all accessory buildings, fences and walls associated with that development) that results in three or more residential units requires resource consent as a restricted discretionary activity with the Council’s discretion limited to the urban design, appearance, and amenity of the development. This resource consent requirement also applies to 1-2 unit developments on sites of less than 300m<sup>2</sup>, 1-2 units resulting in residential floor area greater than 550m<sup>2</sup>, or buildings used for other activities on a site over 40m<sup>2</sup> in area. This provision has been inserted to address widespread concerns over the quality of development occurring in the Living 3 and 4 Zones and the impact of development on amenity for residents, neighbours and views from public places including streets. This provision includes an extensive set of assessment matters to act as guidance for developers and for those assessing applications, about the appropriate design outcomes and level of amenity anticipated for developments in these areas.**

**The inclusion of developments on small sites in the Living 3 and 4 Zones is to ensure that larger developments cannot be artificially broken up into a series of smaller developments as a way of getting around the rule. Small sites also restrict the design layout options, with the potential adverse effects of poor design decisions having the potential for greater impacts, thereby justifying the need for such developments to be considered in terms of their urban design, appearance, and amenity.**

#### **8.1.9 Fences and screening structures – Living 3, 4A, 4B and 4C Zones**

**Solid, high screening structures such as fences and walls that are erected on road, conservation or open space boundaries of properties have the potential to cause adverse visual impacts along with other associated effects such as disconnection and reduction in the potential for passive security. This provision seeks to ensure a minimum level of visual transparency where screening structures exceed 1.0m in height. There is consideration in the assessment**

**matters for situations where a different provision of screening structure may be necessary or appropriate due to the location or orientation of the application site.**

#### **8.1.10 Minimum unit size – Living 3, 4A, 4B and 4C Zones**

**This provision primarily seeks to ensure a minimum standard of amenity for occupants of residential units within higher density areas. Minimum areas have been established for the range of unit from studio units to 3 or more bedrooms. This range of sizes also seeks to encourage a range of units to cater for different occupant demands.**

#### **8.1.11 Ground floor habitable space – Living 3, 4A, 4B and 4C Zones**

**This provision seeks to ensure that residential amenity is maintained in the Living 3 and 4 Zones by balancing the on-site land uses. The primary land uses on a residential site are the green, open space, the car orientated access/manoeuvring/parking space and the people orientated building or activity space. Where the balance of these land uses swings towards car orientation the site appears visually dominated by hard surfacing and divorced from the residents. This is often expressed by a large area of parking and a row of garage doors at ground level. The land use balance and residential amenity of sites can be greatly improved by the provision of a habitable space at the ground floor level within each residential unit as this brings the people activity back into these spaces. It also has the added benefit of providing direct connection between the indoor activity and the outdoor use of the green, open space along with passive surveillance.**

Amend heading numbering to read 8.1.12. Amend paragraph 1 and 3 as shown and insert new paragraph 4.

#### **8.1.712 Outdoor living space**

A minimum area and shape of outdoor living space has been required for residential units to ensure that an area of each site is set aside which is sufficient to meet the outdoor living needs of current and future residents of the site and to meet needs for access to sunlight and fresh air. The requirement **in the lower density living zones** for the outdoor living space to be designed to receive sunlight in mid-winter and be readily accessible from living areas is intended to ensure that each area set-aside for outdoor living is pleasant, convenient, likely to be available and used by residents and meets health needs for sunlight. The rule for outdoor living space clarifies that some buildings or parts of buildings may be located within an outdoor living space without compromising the overall use of the space for outdoor living purposes. Any buildings or parts of buildings proposed to be located within an outdoor living space that exceed the specified exemptions may compromise the use and purpose of that space.

A progressively smaller amount of outdoor living space is required for residential units in the Living 2, 3, 4A, 4B, 4C and G (Yaldhurst) Zones, reflecting the likely size of the units erected in the respective zones and the consequent likely occupancy levels. At Riverlea Estates, a large area of communal open space is available for all residents, so no additional open space standards are imposed. A reduced amount of outdoor living space is also required for small elderly persons units, reflecting the likely single-person occupancy and the outdoor needs of elderly people.



The alternative provision of a balcony is offered for residential units in the Living 2, ~~3, 4A, 4B, 4C~~ and G (Yaldhurst) Zones without rooms on the ground floor. This reflects the practical difficulties for residents of such units of using outdoor living spaces at ground level and the unlikelihood that such spaces would be used.

**In the Living 3 and 4 zones provision is made for a minimum quantity of outdoor space to be provided for each unit. This space can be split between ground floor gardens, upper level balconies, and communal areas. To ensure that a balance of activities is achieved at ground floor level a proportion of the outdoor living space needs to be located at ground level in L3 and L4C zones. Where communal spaces are provided they recognise the benefits that can be gained for higher density developments by incorporating areas for seating, BBQs, swimming pools, tennis courts, and the like. These communal areas do not, however, replace the need for private spaces, and thus all units must continue to provide a private space for residents. In L3 and L4 zones where the height limit is higher than 11m the communal space may also be provided indoors to enable facilities such as swimming pools or gyms. This recognises that residents in multi storey apartment buildings can benefit from the provision of such facilities and the provision of large areas of ground level gardens is less likely to occur in these higher density zones.**

In other zones, the higher likelihood of occupancy by families is reflected in a requirement for outdoor living space for all residential units. The practical difficulties of providing a continuous outdoor living space on hill slope sections is reflected in alternative arrangements being permissible. The area required to be set aside for outdoor living purposes is smaller in the Living H Zone than the Living 1 Zone for the same reasons.

In the Fendalton special amenity area (Sam 8, 8a and 8b) a slightly increased outdoor living space is required. This recognises the greater scale of development in the area generally, the generally larger sites and the need to retain the special open space and landscape qualities of the area, including mature on-site vegetation.

Delete information under the old heading 8.1.8. insert new heading and text as below

#### **8.1.813 ~~Outdoor service space, storage space and on site convenience~~ Service and storage spaces**

~~A minimum area and shape outdoor service space has been required for residential units in the Living 3, 4A, 4B, 4C and G (Yaldhurst) Zones to ensure that in these higher density environments sufficient areas are set aside for rubbish storage and drying washing outside. Recognising that providing such areas in the highest density zones may not be practicable in every circumstance an alternative indoor area(s) will be considered acceptable.~~

~~Storage space is required in the Living 3 Zone to ensure that equipment such as bicycles and lawnmowers can be conveniently stored without undue nuisance to other residents.~~

**In the Living 3, 4A, 4B, 4C zones provision has been made for indoor and outdoor service and storage spaces with minimum areas and dimensions. This is to ensure that in these areas sufficient provision is made for storage of household items, containment of rubbish and recycling, and activities such as drying washing. Provision is also made for communal rubbish and recycling space where this is appropriate for larger scale developments.**

~~In the higher density environments on site convenience rules are applied to ensure that prior consideration is made of the layout of multi-unit developments to avoid confusion and unnecessary loss of privacy for residents.~~

Insert new section 8.1.14

#### **8.1.14 Landscaping and tree planting – Living 3, 4A, 4B and 4C Zones**

**This rule requires that in the Living 3 and 4 Zones, provision is made for tree planting adjacent to the road boundary of each site. This tree planting will act to visually enhance the site through introduction of visual softening of the built form, provision for shade or amenity planting, and enhancement of the public view of buildings.**

**In these areas, the provision of trees both along the frontage and within the site is seen as more effective than requiring landscaping areas which may provide little benefit to the wider site, neighbours or public areas if planted in low shrubs or lawns. Trees will give a visual presence and can be tailored to fit the site and development style. The number of trees required is relative to the length of road boundary and the overall size of the site.**

**In addition, planting along access ways and carparking areas and adjacent to front entrances will assist in improving the amenity of sites for residents and in softening the built form as viewed by both neighbours and from the public realm.**

**This rule also links strongly to the goal of enhancing the Garden City image of Christchurch.**

Insert new section 8.1.15 and 8.1.16

#### **8.1.15 Screening of parking – Living 3, 4A, 4B and 4C Zones**

**The screening of parking areas including those associated with non-residential activities is required to maintain the pleasantness and residential character of sites as viewed from both neighbouring sites and public areas including the street and parks. Landscaping is required to be the minimum height at the time of planting to ensure an immediate visual screen.**

#### **8.1.16 Acoustic insulation – Living 3, 4A, 4B and 4C Zones**

**It has been recognised that there may be potential adverse effects on the amenity of residents within the Living 3 and 4 Zones from noise levels coming from busier roads. The rule requires a certain level of noise reduction to be achieved by the exterior walls of buildings within a certain distance of a traffic lane, given that it is not practicable to require a reduction in noise from the source (i.e. traffic). The level of noise reduction required and the distance from the road within which this reduction must be met both vary depending on the nature of the adjacent road, i.e. whether it is a collector or arterial. Given that the sorts of non-residential activities generally anticipated in the L3 and L4 zones are education, health, day care, spiritual, or travellers accommodation, and given that these activities are identified in the Plan as noise sensitive activities, the requirements for acoustic insulation extend to including buildings used for other activities.**

*(Alter all subsequent clause numbering as necessary)*

## Part 3 Business Zone Rules

Amend text in paragraph 1 and 2

### 3.2 Residential activities

- (a) In the Business 2 Zone, or any part of the Business 1 Zone forming part of a district centre identified in Clause 1.4 residential units may be erected. In addition to the Business 1 or 2 zone rules all residential activities shall also comply with the Living Zones (Part 2) clauses **4.2.11 and 4.2.12** ~~4.2.7 to 4.2.11~~ inclusive, Transport (Part 13) and Subdivisions (Part 14) as if the site were zoned Living 3.
- (b) In any part of the Business 1 Zone adjoining a Living 3, 4A, 4B or 4C Zone, residential units may be erected. In addition to the Business 1 zone rules all residential activities shall also comply with the Living Zones (Part 2) clauses **4.2.11 and 4.2.12** ~~4.2.7 to 4.2.11~~ inclusive, Transport (Part 13) and Subdivisions (Part 14) as if the site were zoned Living 3.

(...)

## Part 9 General City Rules

Amend text in this section as shown below

### 2.6.2 General Rule

Any site may be used at the same time for two or more activities provided that all the standards (zone rules and city rules), other than those relating to building floor space, site density, or open space specified in the Plan for each activity are severally complied with. **No activity shall exceed the largest maximums allowed for any individual activity on the site.** ~~Building floor space, site density and open space standards stipulated for that activity, the maximum floor space, density or coverage for the site, and no combination of activities shall jointly exceed the largest maximums~~

Add additional text at the bottom of this section as shown.

### 2.6.3 Reasons for rule

This rule is intended to clarify, firstly that more than one activity may establish on a site, and secondly, the application of standards. **Importantly, it clarifies that combinations of activities cannot jointly exceed any of the maximums specified in the rules relating to floorspace, site density and open space. The rule clarifies that floor space, density, and open space standards for different activities cannot be added together for different activities on the same site. For example if the open space standard is 0.8 Residential Floor Area Ratio for a residential activity and 0.5 Plot Ratio for an other activity, the standards cannot be combined to give a total ratio of 1.3, rather each activity component should not exceed its own standard, and in combination should not exceed the largest maximum for any individual activity, which in this example is 0.8. The development could therefore**

**comprise of an ‘other’ activity up to 0.5 plot ratio, plus an additional residential component of up to 0.3 Residential Floor Area Ratio.**

### Part 13 Transport

Amend table as shown. Amend the last sentence of this section as below.

#### 2.2.1 Parking Space Numbers

Table 1b

Activity	Car parking spaces	Cycle parking spaces	Loading/unloading
(...)			
<b>Residential activities</b> Generally:	<b>Residents/visitors</b>	<b>Staff</b>	
All living zones including residential activities within Open Space 3D (Clearwater) Zone and except Living <u>3</u> , 4A, 4B (Central City), 4C, G and Central City Edge Zones	Residents: 2 spaces (1 garageable) / unit + Visitors: 1 space/5 units	N/A	Nil
<b><u>Living 3 Zone</u></b>	<b><u>Residents:</u></b> <b><u>1 space (garageable) per unit, where that unit has less than 150m<sup>2</sup> gross floor area and is located on a site that gains access solely from a Local Road,</u></b> <b><u>2 spaces (1 garageable) per unit otherwise</u></b> ± <b><u>Visitors:</u></b> <b><u>No parking requirement for the first 10 units, thereafter 1 space per 5 units</u></b>	<b><u>N/A</u></b>	<b><u>Nil</u></b>
<b><u>Living 4A, 4B and 4C Zones</u></b>	<b><u>Residents:</u></b> <b><u>1 garageable space per unit</u></b> ± <b><u>Visitors:</u></b> <b><u>No parking requirement for the first 10 units, thereafter 1 space per 5 units</u></b>	<b><u>N/A</u></b>	<b><u>Nil</u></b>
All other zones ( <del>including Living</del> )	Residents: 1 garageable space / unit	N/A	Nil

<del>4A, 4B (Central City) and 4C Zones)</del>	+			
	Visitors: 1 space/5 units			

**Clarification of Tables 1(a) and 1(b), Note 2:**

Where the parking requirement in Table 1(a) or (b) results in a fractional space, any fraction under one half shall be disregarded... any fraction of one half or more shall be counted as one space **including provision for visitor parking within the Living 3 and Living 4 zones.**

Amend the 2 rows on the table as indicated.

**2.2.10 Parking area and access design**

All vehicular access to a site, shall be in accordance with the standards set out in Table 2 below.

<b>Table 2 - Minimum requirements for private ways and vehicular access</b>							
<b>Activity</b>	<b>Potential number of units</b>	<b>Legal of Width (m)</b>	<b>Formed Width (m)</b>	<b>Turning area</b>	<b>Passing area</b>	<b>Sealed and drained</b>	<b>Height (m) (4)</b>
Residential	1 to 3	3.0	2.7	(1)	No	(2)	3.5
Residential	4 to 8	4.0	3.5	Yes	Yes	Yes	4.0
<b><u>Residential (Living 3, 4A, 4B and 4C zones)</u></b>	<b><u>4 to 8</u></b>	<b><u>3.5</u></b>	<b><u>3.0</u></b>	<b><u>Yes</u></b>	<b><u>Yes</u></b>	<b><u>Yes</u></b>	<b><u>4.0</u></b>
Residential	9 to 15	6.0	5.0	Yes	Yes	Yes	4.0
<b><u>Residential (Living 3, 4A, 4B and 4C zones)</u></b>	<b><u>9 to 15</u></b>	<b><u>5.0</u></b>	<b><u>4.0</u></b>	<b><u>Yes</u></b>	<b><u>Yes</u></b>	<b><u>Yes</u></b>	<b><u>4.0</u></b>
Other	All	6.0(5)	4.5	(1)	No	Yes	4.0
All	Service lanes	6.0	4.0	(3)	No	Yes	4.5
All	Pedestrian access private	1.5	1.5	N/A	N/A	Yes	2.5
All	Cycle and access ways	4.0	2.0	N/A	N/A	Yes	2.5

(...)

Add paragraphs (e) and (f)

**2.2.12 Maximum gradients for access**

(...)

(d) Where the gradient exceeds 1 in 10 the access is to be sealed with a non-slip

surfacing to enable access in wet or icy conditions.

- (e) **In the Living 3 and Living 4 Zones, the maximum gradient of the ramp where it passes across a footpath shall be 3% or less.**
- (f) **In the Living 3 and Living 4 Zones, where the ramp provides access to more than 6 car parking spaces the gradient of the first 4.5m as measured from the road boundary shall be no greater than 1 in 10.**

Insert additional text at the bottom of the 1<sup>st</sup> paragraph. Amend table as indicated.

### 2.2.14 Queuing Space

Queuing space shall be provided on site for all vehicles entering or exiting a parking or loading area. The length of such queuing spaces shall be in accordance with Table 3 below. Where the parking area has more than one access the number of parking spaces may be apportioned between the accesses in accordance with their potential usage. Queuing space length shall be measured from the road boundary to the nearest vehicle control point or point where conflict with vehicles already on the site may arise, **except that for residential development within the Living 3 and Living 4 Zones which is served by an access onto a Local Road, queuing space length shall be measured from the kerb face, or edge of the nearest traffic lane where no kerb is provided, to the nearest vehicle control point or point where conflict with vehicles already on the site may arise.**

<b>Table 3 – Queuing Space Lengths</b>		
Number of Parking Spaces	Minimum Queuing Space Length (m)	
	<b><u>Residential Activities in the L3 and L4 Zones with access onto a Local Road<sup>1</sup></u></b>	<b><u>In all other instances</u></b>
1-20	<b><u>6.7</u></b>	5.5
21-50		10.5
51-100	<b><u>11.7</u></b>	15.5
101-150		20.5
151+	<b><u>16.7</u></b>	25.5

**<sup>1</sup> Includes for vehicle queuing space plus a further 1.2m to allow pedestrians to pass a waiting vehicle**

### Assessment Matters

Insert (xii) and (xiii) at the bottom of this section

**3.2.1 Parking space numbers; Availability of parking spaces; Parking area location; Staff car parking; Parking spaces for people with disabilities**

(...)

(d) Where the required number of off-street car parking spaces are not to be provided:

(...)

(xi) the extent to which alternative transport modes are provided for as part of a traffic management plan in association with the Jade Stadium site and the effectiveness of this provision.

**(xii) In the Living 3 and Living 4 Zones, whether a reduction in, or waiver of, the required on-site car parking will enable a significant improvement in the urban design, appearance, and amenity of the site and a more efficient site layout.**

**(xiii) In the Living 3 and Living 4 Zones, whether the development is to be operated by a social housing agency, or similar organisation, that can demonstrate a lower than typical parking demand by occupants in similar complexes elsewhere in the City.**

### Reasons for Rules

Amend 1<sup>st</sup> and 2<sup>nd</sup> paragraphs as shown.

#### **4.1 Parking space numbers; Availability of parking spaces; Parking area location; Staff car parking; Parking spaces for people with disabilities**

Where an activity establishes on a site, or buildings are altered they are **generally** required to supply off street parking and loading areas for vehicles normally generated by the staff and visitors. This includes not only a requirement to provide parking spaces for cars, but also cycle parking and parking for people with disabilities. The provision of off street parking for each activity minimises the adverse effects on the safety and efficiency of the adjoining road network from parking and manoeuvring vehicles, and as a related matter, inconvenience and loss of amenity to surrounding residents from on street parking.

An exception has been made for Special Amenity Area (SAM) 24 where there is no requirement to provide offstreet carparking associated with residential activities. This is in recognition of the special streetscape of the area. **Sites on local roads within the Living 3 Zones have also been identified as requiring a lower minimum parking standard per residential unit based on census data showing that one space per unit is adequate for accommodating the majority of parking needs in these zones. Living 3 sites with frontage to arterial and collector roads are, however, required to provide a minimum of two spaces per unit in recognition of the need to protect the safety and efficiency of the strategic road network.**

The parking provision for disabled persons reflects the need to cater for a specific minority of the population dependent on vehicles and lacking mobility.

(...)

### Part 14 Subdivision

Amend tables as shown.

**5.2.1 Access (Private ways, access legs, and vehicular access on cross or company leases or unit titles)**

(...)

<b>Minimum requirements for access</b>							
<b>Activity</b>	<b>Potential No. of Units</b>	<b>Legal of Width (m)</b>	<b>Formed Width (m)</b>	<b>Turning Area</b>	<b>Passing Area</b>	<b>Sealed and Drained</b>	<b>Height (m)</b>
<b>Residential</b>	1 to 3	3.0	2.7	(1)	No	(2)	3.5
<b>Residential</b>	4 to 8	4.0	3.5	Yes	Yes	Yes	4.0
<b><u>Residential (Living 3, 4A, 4B and 4C zones)</u></b>	<b><u>4 to 8</u></b>	<b><u>3.5</u></b>	<b><u>3.0</u></b>	<b><u>Yes</u></b>	<b><u>Yes</u></b>	<b><u>Yes</u></b>	<b><u>4.0</u></b>
<b>Residential</b>	9 to 15	6.0	5.0	Yes	Yes	Yes	4.0
<b><u>Residential (Living 3, 4A, 4B and 4C zones)</u></b>	<b><u>9 to 15</u></b>	<b><u>5.0</u></b>	<b><u>4.0</u></b>	<b><u>Yes</u></b>	<b><u>Yes</u></b>	<b><u>Yes</u></b>	<b><u>4.0</u></b>
<b>Other</b>	All	6.0	4.5	Yes	No	Yes	4.0
<b>All (Pedestrian-Access-private)</b>		1.5	1.5	N/A	N/A	Yes	2.5

(...)

**Appendix 4 – Access Standards**

<b>No.</b>	<b>Standard</b>	<b>When Applicable</b>
<b>1.</b>	The roadway shall be formed and metalled, and any vehicle crossing shall be designed and formed in accordance with the requirements of Part 13.	Minimum standard applying to all access.
<b>2.</b>	The roadway shall be paved and sealed or the pedestrian path paved and sealed.	All residential uses serving four or more sites or potential sites. All access on hill sites where the grade is steeper than 1 in 10. Central City Zone, all business zones, Special Purpose (Airport) Zone, Special (Hospital) Zone, Cultural 4 Zone.
<b>3.</b>	Paved and sealed areas shall be drained to an	As for standard 2 above.



	approved outfall.	
4.	Provision of a turning place for 90 percentile vehicles making not more than a three point turn. Turning places shall be at intervals not greater than 80m apart; <b><u>except in the Living 3 or Living 4 Zones where an access way serves 10 or more units, turning places shall be at intervals not greater than 60m apart.</u></b>	All residential uses serving 4 or more sites or potential sites. All hill sites where the access is to 2 or more sites or potential sites. All business zones.
5.	Provision of passing bays and vehicle queuing space at the entrance on the frontage to the legal road.	All residential uses serving 4 or more sites or potential sites.
6.	Provision of a footpath separated from the roadway.	All residential uses serving 9 or more sites or potential sites.
7.	For business activities in any zone where an access is to be created, it shall either:	
	(a) Have a gate or gates erected at the legal road boundary for the full width which shall be closed against the public from sundown each day to sunrise the following day, or	
	(b) Have a lamp or lamps, lit and maintained to a similar standard to the legal street lighting, illuminating the full width of the access at the legal road boundary.	
8.	Landscaping surplus areas where legal width is wider than the formation.	Any access where legal width exceeds formation requirements.
9.	Where the access is reserved for pedestrians only, a footpath shall be formed and sealed.	All pedestrian access.
10.	All registered users shall share in the costs of maintenance of the access with individual liability for an apportionment of being written into the legal document creating, granting or reserving the access.	All access.