

Waimakariri District Council Proposed Waimakariri District Plan

Recommendations of the IHP Hearings Panel

Recommendation Report 22

Hearing Streams 7B and 12E(B)- Variation 1 (excluding Airport Matters¹ and Ōhoka rezoning²)

This report should be read in conjunction with **Report 1** and **Recommendation Reports 2 and 3**.

Report 1 contains an explanation of how the recommendations in all subsequent reports have been developed and presented, along with a glossary of terms used throughout the reports, a record of all Panel Minutes, a record of the recommendation reports and a summary of overarching recommendations. It does not contain any recommendations per se.

Recommendation Report 2 contains the PDP Panel's recommendations on the PDP's Part 2: District-wide Matters – Strategic directions - SD Strategic directions objectives and policies.

Recommendation Report 3 contains the PDP Panel's recommendations on the PDP's Part 2: District-wide Matters – Strategic directions - UFD Urban Form and Development objectives and policies.

¹ Hearing Stream 10A

² Hearing Stream 12D

Recommendation Report 29 contains the IHP's recommendations on submissions relating to the Airport Noise Contour which is directly pertinent to some of the rezoning requests that the PDP Panel considered in Hearing Stream 12E.

Appendix 1: Schedule of attendances

Appendix 2: Recommended amendments to the Proposed Plan - Tracked from notified version (provisions not consequentially renumbered)

The Independent Hearings Panel for the purposes of **Variation 1** comprised Commissioners Gina Sweetman (Chair), Allan Cubitt, Gary Rae and Megan McKay.

1. Introduction

Report outline and approach

1. This is Report 22 of 36 Recommendation Reports prepared by the PDP and IPI Hearings Panels appointed to hear and make recommendations on submissions on the Proposed Waimakariri District Plan (PDP) and Variation 1 to the PDP.
2. This report has been prepared by the IHP only, as it relates solely to Variation 1, which was an Intensification Planning Instrument (IPI) prepared in accordance with the Resource Management (Enabling Housing and Other Matters) Amendment Act (Enabling Act).
3. The purpose, scope and reasons for Variation 1 are addressed in Report 1 and we do not repeat those here. However, it is important that readers of this report are aware of the relevant sections and clauses of the Act regarding an IPI, our recommendations and Council's decision.
4. The report addresses the amendments to chapters of the PDP made through Variation 1 and the submissions received on those provisions. Variation 1 proposed changes to the following chapters:
 - General Approach
 - National Policy Statements and New Zealand Coastal Policy Statement
 - Relationships between Spatial Layers
 - Strategic Directions
 - Energy and Infrastructure
 - Transport
 - Historic Heritage
 - Notable Trees
 - Natural Character of Freshwater Bodies
 - Subdivision
 - General Objectives and Policies for All Residential Zones
 - General Residential Zone
 - Medium Density Residential Zone
 - Matters of Discretion for All Residential Zones
 - Town Centre Zone
 - Local Centre Zone
 - Mixed Use Zone
 - Neighbourhood Centre Zone
 - Open Space Zone
 - Sport and Active Recreation Zone
 - SouthBelt
 - Hospital
5. Most of the changes to these chapters related to introducing text relevant to qualifying matters and introducing mandatory text required under the Enabling Act, with the

substance of the proposed amendments being in the Relationship between Spatial Layers, Medium Density Residential Zone, Subdivision Chapter and height provisions in the Neighbourhood Centre and Local Centre Zones.

6. Variation 1 also proposed rezoning some land to Medium Density Residential, including existing residential areas and new Development Areas. The report also addresses submissions made on Variation 1 that sought rezoning of land additional to land that the Council proposed rezoning through Variation 1.
7. This report on Variation 1 does not address matters relating to the Airport that were heard in Hearing Stream 10A or the Rolleston Industrial Development Ltd and Carter Group submission seeking rezoning of land at Ōhoka that was dealt with in Hearing Stream 12D. Our recommendations on those matters are found in Reports 29 and 34. The IHP's recommendations in respect to Airport Noise are relevant to this Report and should be read in conjunction with this Report.
8. It is important that people understand that Variation 1 did not propose to replace any of the Chapters it amended in their entirety and was rather limited to specific amendments to give effect to the requirements of an IPI. Accordingly, the recommendations in this report are limited to matters relating to Variation 1 and our recommended amendments need to be read alongside the PDP recommendation report on the relevant chapters. Further, there are some PDP recommended amendments that fall away because of our recommended amendments in response to Variation 1.
9. We have structured our discussion on this topic as follows:
 - (a) **Section 2** summarises the key issues discussed in this report;
 - (b) **Sections 3 - 19** contains our evaluation of key issues and our recommendations; and
 - (c) **Section 20** contains our conclusions.
10. This Recommendation Report contains the following appendices:
 - (a) **Appendix 1: Schedule of attendances** at the hearing on this topic. We refer to the parties concerned and the evidence they presented throughout this Recommendation Report, where relevant.
 - (b) **Appendix 2: Recommended amendments to Variation 1 to the Proposed Plan – Tracked from notified version.** This sets out the final amendments we recommend be made to Variation 1 as notified. The amendments show the specific wording of the amendments we have recommended and are shown in a 'tracked change' format showing changes from the notified version of the PDP and Variation 1 for ease of reference.
 - (c) These amendments also show our final recommended amendments which bring over the PDP Hearing Panel's recommended amendments to the PDP addressed

through the relevant topic reports. We address how we have addressed any discrepancies between the PDP Hearing Panel's recommendations and Variation 1 recommendations in the body of this report. Where whole provisions have been deleted or added, we have not shown any consequential renumbering, as this method maintains the integrity of how the submitters and s42A Report authors have referred to specific provisions, and our analysis of these in the Recommendation Reports. Deleted provisions are shown as struck out, with no subsequential renumbering in either case.

11. The requirements in clause 10 of the First Schedule of the Act and s32AA are relevant to our considerations of the PDP provisions and the submissions received on those provisions. These are outlined in full in Report 1. In summary, these provisions require among other things:
 - (a) our evaluation to be focussed on changes to the proposed provisions arising since the notification of Variation 1 and its s32 reports;
 - (b) the provisions to be examined as to whether they are the most appropriate way to achieve the objectives; and
 - (c) as part of that examination, that:
 - i. reasonable alternatives within the scope afforded by submissions on the provisions and corresponding evidence are considered;
 - ii. the efficiency and effectiveness of the provisions is assessed;
 - iii. the reasons for our recommendations are summarised; and
 - iv. our report contains a level of detail commensurate with the scale and significance of the changes recommended.
12. We have not produced a separate evaluation report under s32AA. Where we have adopted the recommendations of Council's s42A report authors, we have adopted their reasoning, unless expressly stated otherwise. This includes the s32AA assessments attached to the relevant s42A Reports and/or Reply Reports. Those reports are part of the public record and are available on the Council website. Where our recommendation differs from the s42A report authors' recommendations, we have incorporated our s32AA evaluation into the body of our report as part of our reasons for recommended amendments, as opposed to including this in a separate table or appendix.
13. A fuller discussion of our approach in this respect is set out in Report 1.

2. Matters discussed in this report

14. As outlined earlier, the substance of the proposed amendments in Variation 1 were in respect to the following Chapters:
 - (a) Relationship between Spatial Layers,
 - (b) Medium Density Residential Zone,
 - (c) Matters of Discretion for All Residential Zones,
 - (d) Subdivision Chapter and
 - (e) Neighbourhood Centre and Local Centre Zones.

15. Submissions on Variation 1 also included rezoning requests.
16. Recommendations on submissions in respect to most of these matters were provided in s42A reports, preliminary responses to questions and reply reports in Hearing Streams 7B and 12E. We note that the recommendations in respect to submissions on the Subdivision Chapter are contained in the Reply Report for Hearing Stream 7B.
17. The issues in contention on Variation 1 addressed in this report are:
 - (a) A new Height Control Area around Rangiora and MRZ-P3
 - (b) New MRZ-P4
 - (c) MRZ-R1
 - (d) MRZ-R2, MRZ-R17 and MRZ-BFS1 (Residential Units and Multi unit residential development)
 - (e) MRZ-R19 (Retirement village)
 - (f) Proposed new rule for Land use within the National Grid Yard / Subdivision Corridor
 - (g) MRZ-BFS4
 - (h) MRZ-BFS5
 - (i) MRZ-BFS6
 - (j) MRZ-BFS7 and Table RSL-1 Qualifying Matters – Sunlight Access
 - (k) MRZ-BFS8
 - (l) RES-MD2
 - (m) RES-MD12
 - (n) RES-MD14
 - (o) RES-MD17
 - (p) Rezoning requests
18. We record that all submissions on the provisions relating to Variation 1 been taken into account in our deliberations. In general, submissions in support of Variation 1 have not been discussed but are accepted or accepted in part. More detailed descriptions of the submissions and key issues can be found in the relevant s42A Reports and written Reply Reports, which are available on the Council's website. Original submissions have been accepted or rejected as recommended by the s42A report author unless otherwise stated in our Recommendation Reports. Further submissions are either accepted or rejected in conformance with our recommendations on the original submission to which the further submission relates.

3. A new Height Control Area around Rangiora and MRZ-P3

Overview

19. The following is a summary of the Panel's recommended amendments to MRZ-P3, over and above the amendments recommended by the report author:

Provisions	Panel recommendations
MRZ-P3	Amend the chapeau to the policy so that it reads “Enable development to achieve the character and amenity values and planned built form anticipated for the zone”. Replace “high” with “medium” at the start of clause 1.

Amendments and Reasons

20. The submissions we address here are those of Retirement Villages Association of NZ Inc, Kainga Ora and Bellgrove Rangiora Ltd³ seeking amendments to MRZ-P3. Our particular focus is the submission from Kainga Ora which sought amendments to the policy itself, and inclusion of specific reference to increased height opportunities around the Rangiora Town Centre. Kainga Ora sought a series of amendments to other MRZ provisions to introduce the new height control area.
21. The report author proposed amendments to the chapeau of the policy in response to Kainga Ora’s submission. We agree with his recommended amendment to the start of the chapeau of the policy. However, we preferred Ms Dale’s evidence to include specific reference to the “planned built form” as this language is consistent with the NPS-UD. We also preferred Ms Dale’s evidence that the term “high” at the start of clause 1 should be replaced with “medium” at the start of clause 1, as this is consistent with the focus of this zone.
22. In respect of Kainga Ora’s requested new height control area located around the Rangiora Town Centre, we accept and prefer Mr Wilson’s recommendation to reject the submission. In addition to the reasons offered by Mr Wilson, we also consider that an 18 or 19m height limit would not be consistent with the height limit in the Town Centre Zone, which we note the PDP Hearings Panel has recommended be 15m, with a higher 21m applying to the Residential Height Bonus Area Precinct. We did consider applying a 15m height limit as partial relief to the Kainga Ora submission, however, we ultimately concurred with Mr Wilson in the final recommended provisions he provided to us, that the height limit of 11m (to a maximum of 12m) set through MRZ-BFS4 would be a more appropriate outcome.
23. We therefore recommend that the Kainga Ora submission be accepted in part.

4. New MRZ-P4

Overview, amendment and reasons

24. During the course of the hearing, we questioned the s42A report author whether RLZ-P15, specific to the MDRS, was best located the overarching objectives and policies for all the Residential Zones, or whether it would be better locate in the MRZ objectives and policies. Mr Wilson advised that he considered this policy should be relocated to the

³ V1 67.16, V1 80.42 and V79.7

MRZ Chapter, as new MRZ-P4. He was of the view that this could occur as a minor amendment under Clause 16(2) of Schedule 1.

25. We concur with Mr Wilson that the best location of this policy is within the MRZ Chapter. However, our view is that this is more than a Clause 16(2) amendment. Given that this was an issue raised through the course of the hearing, we recommend that this amendment occurs as a Clause 99 Schedule 1 amendment. We consider no parties will be disadvantaged by the relocation of the policy, and rather it will create a more coherent policy framework.

5. Recommended MRZ-RXX

Overview

26. The following is a summary of the Panel's recommended amendments to the recommended new MRZ-RXX, over and above the amendments recommended by the report author:

Provisions	Panel recommendations
MRZ-RXX	Amend this to an advisory note, as this is not a rule.

Amendments and reasons

27. The submission we refer to here is that of Waimakariri District Council⁴ which sought a new rule be included to identify that there are additional qualifying matters in other chapters that apply in addition to the Zone provisions. We generally accept this is useful for Plan Users. However, we recommend that this is more appropriately addressed as an Advisory Note, given there are no activity statuses in the recommended table, or default statuses. There is no requirement in the Enabling Act that all rules introduced through an IPI be in the one Medium Density Residential Zone Chapter. We recommend the submission be accepted in part.

6. MRZ-R1

Overview

28. The following is a summary of the Panel's recommended amendments to MRZ-R1, over and above the amendments recommended by the report author:

Provisions	Panel recommendations
MRZ-R1	Do not include the clause stating "this rule applies to permanently relocated buildings" and the default wording related to district wide provisions.

⁴ V1 47.2

Amendments and reasons

29. The submission we refer to here is that of Waimakariri District Council⁵ which sought that a new clause relating to the default for district-wide matters be included in the default activity column. We recommend that this clause be deleted for the simple reason that this approach is inconsistent with the rest of the PDP as a whole, and with the explanations set out in the “How the plan works” section of the PDP. Accordingly, we recommend that the submission point be rejected.

7. MRZ-R2, MRZ-R17 and MRZ-BFS1 – Residential Units and Multi unit residential development

Overview

30. The following is a summary of the Panel’s recommended amendments to MRZ-R2, MRZ-R17 and MRZ-BFS1, over and above the amendments recommended by the report author:

Provision	Panel recommendations
MRZ-R2	Combine clauses 1 and 2 Delete clause 3
MRZ-R17	Delete the rule in its entirety
MRZ-BFS1	Include RESZ-MD7 as being relevant

Amendments and reasons

31. The submission we are considering here is primarily that from Kainga Ora⁶ which sought that MRZ-R2 be deleted as notified and combined with MRZ-R18 and that the reference to multi-unit development is removed. In respect of MRZ-BFS1, they sought that the airport noise qualifying matter be deleted and certainty be given as to how the natural hazards qualifying matter applies. Otherwise, they supported the inclusion of the mandatory matter.
32. Firstly, for the same reasons as we recommend for MRZ-R1, we recommend that clause 3 relating to district-wide matters be deleted.
33. We carefully considered Mr Wilson’s and Ms Dale’s evidence as to whether both MRZ-R2 and MRZ-R17 are required. We preferred Ms Dale’s evidence and her requested relief that these two rules be combined into one rule. Simply, we agree that the rules are duplicative, in that a development involving more than three residential units on site would require a consent under both MRZ-R2 and MRZ-BFS1 as a restricted discretionary activity and under MRZ-R17 as a restricted discretionary activity. The only difference between the two outcomes is the provision of a design certificate is a condition of Rule

⁵ V1 47.1

⁶ V1 80.44 and 80.46

17. We could not find a definition for a design certificate or any description of what this would entail, or how it would be assessed and implemented, and therefore we consider that this condition could not be implemented consistently or enforced. We also noted that where a design certificate is not provided the default is to a discretionary activity, and that the matters of discretion for the rule include RES-MD2 which will require express consideration of the residential design principles, which we consider adequately addresses the deletion of the certificate.
34. With the removal of the requirement for a design certificate, the only other difference is in the matters of discretion, with MRZ-R17 including RES-MD7 and MRZ-BFS1 does not. We consider that the best means of reconciling these is by deleting MRZ-R17 and amending MRZ-BFS1 for where there is more than three residential units to include RES-MD7 as a relevant matter of discretion.
35. Accordingly, we recommend that the Kainga Ora submission is accepted in part.

8. MRZ-R18

Overview

36. The following is a summary of the Panel's recommended amendments to MRZ-R18, over and above the amendments recommended by the report author:

Provision	Panel recommendations
MRZ-R18	Delete the clause requiring the provision of a design statement. Delete the default activity status of DIS

Amendments and reasons

37. The submissions we refer to here are those of Retirement Villages Association⁷ which sought that the requirements for a design statement be deleted and the rule amended to be a permitted activity. We agree with Mr Wilson that a permitted activity status is not appropriate for an activity the size and scale of a retirement village, and a restricted discretionary activity status is more appropriate. However, we do agree with the submitter that the requirement for a design statement should be deleted, for the reasons we set out above in respect of residential units. As the removal of the requirement of a design statement was the only condition of the rule, there is no longer a need for a default activity status, so we recommend that the discretionary activity default is deleted. We therefore recommend that these submissions be accepted in part.

⁷ V1 67.20 and 67.21

9. Proposed new rule for Land use within the National Grid Yard/Subdivision Corridor

Overview

38. The following is a summary of the Panel's recommended amendments to the proposed new rule for Land use in the National Grid Yard/Subdivision Corridor, over and above the amendments recommended by the report author:

Provision	Panel recommendations
New rule	Insert the new National Grid Yard/Subdivision Corridor rules as recommended in the Energy and Infrastructure Report and include the reference to the qualifying matter.

Amendments and reasons

39. The submissions we consider here are those from Transpower⁸ which expressed concern that the National Grid Yard is not included as a subdivision corridor, whereas the National Grid subdivision corridor is. We note that they supported SUB-R6 regarding subdivision within the National Grid Yard / Subdivision Corridor.
40. We were confused by Mr Wilson's proposed new rule, in particular its relationship with the rules relating to land use in the Energy and Infrastructure Chapter and the subdivision rule. We note the PDP Panel's recommendations for the Energy and Infrastructure Chapter that the far more detailed rule relating to land use within the National Grid Yard and Corridor be moved to the Zone Chapters.
41. This will introduce a new rule to the Medium Density Residential Chapter and Mr Wilson's recommended rule would become obsolete. We consider that the National Grid Qualifying Matter can extend to this new rule, so that it forms part of the Variation 1 amendments.
42. Further, we were confused in the recommended new rule to the reference to the location of a building platform as being relevant for land use, as it is a matter for subdivision. We also note that there are amendments proposed to SUB-R6 that Ms McLeod for Transpower indicated she was supportive of. This does not change the recommendation in respect of the submission, we simply do not think the recommended change was relevant.

⁸ V1 42.1 and 42.2

10. MRZ-BFS4

Overview

43. The following is a summary of the Panel's recommended amendments to MRZ-BFS4, over and above the amendments recommended by the report author:

Provisions	Panel recommendations
MRZ-BFS4	Amend the default activity status to restricted discretionary and add RES-MD5 as a relevant matter of discretion.

Amendments and reasons

44. The submissions we consider here are from Kainga Ora⁹ which sought that the default activity status for this standard be amended to be consistent with the requirements of the Enabling Act. We concur with Ms Dale for Kainga Ora that a default activity status of restricted discretionary and inclusion of RES-MD5 is appropriate. In respect to the default status, this is set by the Enabling Act and there was no reference to any qualifying matter to amend that activity status. We therefore recommend that the Kainga Ora submission be accepted.
45. We note that in his s42A report, Mr Wilson recommended that a new qualifying matter be introduced to amend the height from the mandatory Enabling Act 11m to 8m, which was in response to a large number of submissions opposing the 11m height. Mr Wilson provided a significant amount of evidence on this matter, including urban design evidence from Mr Graeme McIndoe as well as his own analysis. Kainga Ora provided evidence on this for the hearing, from Ms Jane Rennie, and did not support the reduction in height or the justification provided. However, in his reply report, Mr Wilson changed his recommendation to not amend this standard by introducing a new qualifying matter. We were not provided with any other evidence that would support a reduction in the mandatory 11m, based on a new qualifying matter. We accept Mr Wilson's final position to not amend this standard as he had initially recommended in his s42A report.

11. MRZ-BFS5

Overview

46. The following is a summary of the Panel's recommended amendments to MRZ-BFS5, over and above the amendments recommended by the report author:

⁹ V1 80.5

Provisions	Panel recommendations
MRZ-BFS5	<p>Replace the standard with amendments as notified with the mandatory MDRS setback standard, while retaining the rail setback and strategic and arterial road setback as qualifying matters, and clarifying that the standard does not apply to common walls.</p> <p>Remove RES-MD2 as being a relevant matter of discretion and include RES-MD6 and RES-MD18.</p> <p>Delete Figure MRZ-12.</p>

Amendments and Reasons

47. There were several submissions on this standard, but the one we focus on is that of Kainga Ora¹⁰ which sought that the standard as notified be replaced with the mandatory setback standard from the Enabling Act. They also sought that the rail setback be removed, the National Grid setback be amended, and RES-MD6 being included as a relevant matter of discretion.
48. We could not find any assessment as to why the mandatory standard had not been included in Variation 1 as notified, and there is no qualifying matter associated with the standard as notified to justify why the PDP standard was carried over. We note in her evidence Ms Dale showed a different series of mark-ups to this standard to that included in the original Kainga Ora submission. In comparing these, we could not understand Ms Dale's amendments which deviated from the Enabling Act mandatory requirement, with no discussion on why these were appropriate and where a qualifying matter would enable these amendments. Mr Wilson provided no rationale in his reply report as to why the standard should not be consistent with the mandatory standard. We preferred Kainga Ora's original submission seeking consistency with the Enabling Act standard.
49. We note our agreement with Mr Wilson regarding the rail and strategic and arterial road setbacks. We have recommended including RES-MD18 relating to setbacks from the road and rail as being relevant to support the standard. We have not included reference to the National Grid setback in the standard as proposed in Variation 1, as this is recommended as a standalone rule instead through the PDP Panel's recommendations in the Energy and Infrastructure Chapter. We consider that there is sufficient scope for this to be included as a Variation 1 amendment. We therefore recommend that the Kainga Ora submission be accepted in part.

12. MRZ-BFS6

Overview

50. The following is a summary of the Panel's recommended amendments to MRZ-BFS6, over and above the amendments recommended by the report author:

¹⁰ V1 80.15

Provision	Panel recommendations
MRZ-BFS6	That the standard be deleted in its entirety.

Amendments and reasons

51. The submission we refer to here is that from Kainga Ora¹¹ which sought the removal of this standard in its entirety, for the reason it duplicated the outcomes sought by new BFS11. In its submission, it also states that it also contains additional built form standards controlling front doors and garages that go beyond those included in Schedule 3A, Part 2 of the 'Housing Supply Act' and that are not qualifying matters. Kāinga Ora note the need for a high evidential threshold to justify the inclusion of additional built form standards beyond those specified in the Enabling Act and in the absence of such justification, it seeks the deletion of this standard.
52. We note that in evidence, Ms Dale for Kainga Ora provided an amended version of this standard. Having considered Mr Wilson's s42A report and reply report, and Ms Dale's evidence, we cannot find the justification for this standard or any relevant qualifying matter as to why it should be included, particularly where the mandatory windows to street standard is included in Variation 1 as BFS11. We prefer the position set out in Kainga Ora's original submission and we recommend that this standard be deleted in its entirety.

13. MRZ-BFS7 and Table RSL-1 Qualifying Matters – Sunlight Access

Overview

53. The following is a summary of the Panel's recommended amendments to MRZ-BFS7, over and above the amendments recommended by the report author:

Provision	Panel recommendations
MRZ-BFS7	Delete RES-MD2 as a matter of discretion

Amendments and reasons

54. The submission we consider here is that from Kainga Ora¹² which sought deletion of RES-MD2 as a matter of discretion. We concur with Kainga Ora and Ms Dale's evidence that RES-MD2 is too broad in scope to be appropriate to the assessment of an infringement to the Height in relation to boundary control.
55. We also need to discuss Mr Wilson's recommended amendment to replace this standard with the PDP standard, which he introduced as an option through his Reply Report. He had not recommended any amendments to this standard through his s42A report. Mr Wilson sets out in his Reply Report that he had changed his recommendation to amend

¹¹ V1 80.18

¹² V1 80.2

the height standard in his s42A report to instead amend the height in relation to boundary standard, as being a more appropriate response to ensure winter sunlight access for neighbouring properties. Mr Wilson went on to provide in-depth analysis why this may be an appropriate response.

56. While we appreciate the level of analysis provided by Mr Wilson, we are not comfortable that introducing the new sunlight access qualifying matter he proposes and amending BFS7 is consistent with either natural justice or fair process. These changes were not signalled in the s42A report, were not discussed before the Panel at the hearing, and no parties have had the opportunity to comment on their appropriateness. Further, no submitters sought the amendments recommended by Mr Wilson.
57. We are aware of our powers under Clause 99 of Schedule 1 that we can amend provisions that were not submitted on; however, in our opinion, this amendment was not raised in the course of the hearing and including it as a new qualifying matter at this stage would have substantial implications that other parties would have no right to appeal on. We were also made aware that neither of the neighbouring Tier 1 councils had introduced a qualifying matter that would amend the mandatory Enabling Act standard as Mr Wilson recommends, meaning that there would be different approaches to height in relation to boundary between neighbouring councils in the same general location. We consider that amending the standard as proposed by Mr Wilson would be inconsistent with the outcome sought by the Government through the Enabling Act. We therefore do not support this recommended new qualifying matter.

14. MRZ-BFS8

Overview

58. The following is a summary of the Panel's recommended amendments to MRZ-BFS8, over and above the amendments recommended by the report author:

Provision	Panel recommendations
MRZ-BFS8	Delete RES-MD2 as a matter of discretion

Amendments and reasons

59. The submission we are considering here is that from Kainga Ora¹³ which identified that this standard is an additional built form standard not included in the Enabling Act. As such it requires a high evidential threshold for inclusion. In saying that, Kainga Ora sought amendments to the rule to simplify it so it is not restrictive, and that it should only apply to the road boundary and not those with walk and cycle ways. They also sought deletion of RES-MD2 as not being appropriate for fence issues.
60. In his s42A report, Mr Wilson sets out his position that fencing is not a matter that affects density and is therefore out of scope of the MDRS (Enabling Act). We concur with Mr Wilson that this standard does not impact on housing density and can be included as a

¹³ V1 80.22

standard. We do not support the amendments sought by Kainga Ora to the body of the standard through their submission. However, we do support deletion of RES-MD2 as we agree with Kainga Ora that it is too broad and wide-ranging for consideration of a breach of a standard relating to a fence. We therefore recommend that the Kainga Ora submission be accepted in part.

15. RES-MD2

Overview

61. The following is a summary of the Panel's recommended amendments to RES-MD2, over and above the amendments recommended by the report author:

Provision	Panel recommendations
RES-MD2	Delete the reference to road and rail setbacks from clause 2a.

Amendments and reasons

62. The submissions we consider here are those of Kainga Ora¹⁴ which sought that RES-MD2 be replaced with more concise and succinct matters of discretion, with suggested wording provided. Mr Wilson summarised their relief sought as being:
- Reflect the intent of the RMA and 'NPS-UD',
 - Clearly state the outcomes intended, and provide for design innovation and choice,
 - Achieve nationally consistent urban design principles as matters of discretion.
 - Apply only to the development of four or more units.
 - Reflect the anticipated context rather than the receiving environment,
 - Reduce the number of matters to 5-6, and
 - avoid duplication with other matters of discretion applying to MRZ.
63. Mr Wilson recommended the submission be rejected simply on the grounds that "the MDRS does not prescribe the matters of discretion". We were not particularly assisted by this advice from Mr Wilson as to how to approach Kainga Ora's submission.
64. We note that the only amendment proposed through Variation 1 to this matter of discretion was the inclusion of reference to the impacts of rail and road setbacks. However, as is evident by our other recommendations, we have recommended accepting Kainga Ora's request to remove RES-MD2 as being a relevant matter of discretion from all built form standards excluding MRZ-BFS1 relating to more than three residential units. This is because we consider it is relevant to density, so that is not really a built form standard. We have also recommended removal of the reference to the road and rail setbacks as being unnecessary given the inclusion of new MD18 which is specific for any infringements to MRZ-BFS5.
65. We therefore recommend that Kainga Ora's submission be accepted in part.

¹⁴ V1 80.52

16. RES-MD12

Overview

66. The following is a summary of the Panel's recommended amendments to RES-MD12, over and above the amendments recommended by the report author:

Provision	Panel recommendations
RES-MD12	Amend clause 1 to refer to natural light only Amend clause 2 to include reference to the visual and landscape quality of the outlook space Amend clause 4 to remove reference to on the same or adjacent sites Introduce new clause 5 to allow consideration of additional outlook spaces

Amendments and reasons

67. The submission we are considering here is that from Kainga Ora¹⁵ which sought amendments to remove subjectivity in the terms used and to ensure that the focus of the matters is on outlook space rather than access to sunlight. They noted in particular that access to natural sunlight on the shortest day of the year would simply not be possible for a south-facing habitable space.
68. In his s42A report, Mr Wilson recommended that clause 3 be deleted and replaced with a new clause relating to habitable rooms having an outlook and sense of space. We agree that clause 3 should be deleted but consider that "sense of space" is a very subjective clause and do not recommend its inclusion.
69. In respect to the other matters, we noted Mr Wilson's response to Kainga Ora's requested amendments in his Reply Report focussed on access to direct sunlight. We find ourselves confused by this response, because as Kainga Ora points out in their submission, this matter of discretion relates specifically to outlook spaces from habitable rooms, and it may not always be possible to orientate habitable spaces to access natural sunlight. Further, the standard to which this matter of discretion relates has no requirement that a habitable room or the outlook space itself accesses natural light; it is rather about ensuring that rooms have an outlook. Having considered Ms Dale's evidence for Kainga Ora, we largely prefer her requested amendments to MD12 as being more appropriate to the standard. Accordingly, we recommend that the Kainga Ora submission be accepted in part.

¹⁵ V1 80.22

17. RES-MD14

Overview

70. The following is a summary of the Panel's recommended amendments to RES-MD14, over and above the amendments recommended by the report author:

Provision	Panel recommendations
RES-MD14	Delete clause 1d relating to heat effects Delete clause 2 in respect to CPTED

Amendments and reasons

71. The submission we are considering here is that from Kainga Ora¹⁶ supported by the evidence of Ms Dale, that sought deletion of clauses 1d and 2. In respect of clause 1d, Ms Dale stated that she was not clear on what expert assessment would be required to address this matter, and requiring it to be addressed could be disproportionate in terms of the cost burden. She also expressed it would be uncertain as to how a processing planner would assess this, and further that there is no justification in the s32 evaluation report for its inclusion or appropriateness. In respect of clause 2, her position is that it relates more to building design considerations than landscaping.
72. Again, we found Mr Wilson's advice in his s42A report that "the MRDS does not prescribe matters of discretion" unhelpful. This was a new matter of discretion proposed through Variation 1 and we would have anticipated a more in-depth evaluation. In his Reply Report, Mr Wilson sets out the following statement:
- I note that the proposed removal of the CPTED principle clause is inconsistent with what Kainga Ora seek in RES-MD2, which is to add this factor. What Kainga Ora appear to be stating is that on-site landscaped areas should not consider this factor, except that the design principles for the site should consider it. I consider that the drafting is inconsistent and not integrated. As for anticipated amenity, versus residential amenity, I note that it is the objectives and policies for the zone that set out what the purpose of the zone is, and these would be used to assess the future environment.*
73. We did not understand this statement from Mr Wilson. This matter of discretion relates to the built form standard for a landscaped area, rather than the design of a new built development. We prefer Ms Dale's advice that these clauses are either not commensurate or appropriate for the landscaped areas standard and recommend that they be deleted. In the case of clause 1d, we agree with Kainga Ora that it is not supported by any policy direction and nor by the s32 evaluation report. We recommend that Kainga Ora's submission be accepted.

¹⁶ V1 80.55

18. RES-MD17

Overview

74. The following is a summary of the Panel's recommended amendments to RES-MD17, over and above the amendments recommended by the report author:

Provision	Panel recommendations
RES-MD17	Amend clause 1 to refer to the anticipated built form of the surrounding environment Delete clause 2

Amendments and reasons

75. The submission we are considering here is that from Kainga Ora¹⁷ which sought that clause 1 be amended to refer to the anticipated built form of the area and clause 2 be deleted as not being relevant to building coverage, as the provision of outdoor living space is the subject of a separate built form standard.
76. Again, we were not assisted by Mr Wilson's response in his s42A report, which was the same as for RES-MD14. We also found his response in his Reply Report that "it is the objectives and policies for the zone that set out what the purpose of the zone is, and these would be used to assess the future environment" to be off point.
77. We prefer Kainga Ora's submission and Ms Dale's evidence and amended drafting. We have slightly amended Ms Dale's recommended wording so that the reference is to the surrounding environment, rather than zone in particular. Otherwise, we recommend that the submission be accepted in part, with clause 1 amended and clause 2 deleted, for the reasons given by Kainga Ora.

19. Rezoning requests

78. There are a few matters that require consideration in respect to the rezoning requests. Through Variation 1, the Council recommended rezoning two of the new Development Areas proposed in the PDP to Medium Density Residential applying the MDRS. There were several other submissions seeking rezoning, which had also sought rezoning through the PDP. Those seeking rezoning sought application of the Medium Density Residential Zoning. We also address the submissions that sought rezoning through the PDP, but did not lodge submissions on Variation 1, and were not identified for rezoning through Variation 1.
79. In respect of the rezoning requests that did not seek rezoning through Variation 1 and were not identified through Variation 1 for rezoning, one of the complicated issues at play is the potential for the Council potentially needing to have two different versions of the Medium Density Residential Zone, firstly for those sites that only sought rezoning

¹⁷ V1 80.58

through the PDP to General Residential Zone or to Medium Density Zone under the PDP, and secondly for those that were subject to Variation 1 as notified and would be subject to the Variation 1 version of the Zone. We consider this would be a very undesirable outcome. This was a matter raised through the hearing and addressed through the Reply Report.

80. These sites were located immediately adjacent to land proposed to be rezoned as Medium Density under Variation 1 and if they had already been zoned as General Residential in the PDP, they would have been rezoned as Medium Density in accordance with the Enabling Act and the criteria set out in the s32 evaluation report for Variation 1. For that reason, we find that there would be little to no mischief with rezoning those sites as Medium Density under Variation 1, using Clause 99 of Schedule 1.
81. The other matter we raise here concerns the submissions seeking rezoning of new greenfield areas through both the PDP and through Variation 1, which weren't the subject of Variation 1. In his s42A report, relying on advice from Council's Counsel, Mr Wilson recommended that these rezonings be rejected on the basis of not being within the scope of Variation 1. Following our questions through the hearing and listening to the legal representations from submitters for the rezoning requests, and to our questions for the Reply Report, Mr Wilson provided recommendations to accept the rezoning requests, should we prefer Mr Fowler's approach. It was unclear to us in doing so whether Mr Wilson had changed his recommendation as to whether the rezoning submissions should be accepted. We were advised through the hearing process that Selwyn District Council had accepted rezoning requests through their Variation 1, which did not form part of Variation 1.
82. On balance we preferred Mr Fowler's legal submissions to Mr Wilson's s42A recommendations. Variation 1 was a change to the PDP as notified, and we agree with Mr Fowler that the Clearwater and Machine Motors cases he cited provide scope for submitters to seek rezoning requests where the relevant scope tests are met. In respect to those cases, we note that Variation 1 also included the rezoning of two of the new Development Areas included in the PDP. We agree with Mr Fowler that their inclusion effectively opens the scope door for submitters to seek inclusion of new development areas in Variation 1 that were also sought through submissions on the PDP and noting that the Selwyn PDP Panel did the same. This is particularly the case given the purpose of an IPI is to give effect to the Enabling Act and introduce the mandatory MDRS and rezone land to medium density residential as appropriate.
83. We also observe that, to not adopt Mr Fowler's position would result in a perverse outcome where the new Development Areas approved solely under the PDP submissions were subject to a different zoning to those Development Areas, and other existing urban areas, subject to Variation 1. We agree that there is very little mischief in accepting these rezoning requests, and that we have scope to do so under clause 99 of Schedule 1.

20. Other matters and consequential changes

84. In our review of the other chapters amended through Variation 1, we identified that the Council had proposed that the maximum height limit in both the LCZ (LCZ-BFS1) and the NCZ (NCZ-BFS1) be increased to 11m. We noted that the PDP Hearings Panel for CMUZ has recommended that the heights in both these zones be increased to 12m. There were no submissions seeking a greater height be applied to these two built form standards through Variation 1. We raised the issue of heights in the commercial and mixed-use zone chapters with Mr Wilson through the hearing process. He did not provide us with any advice; however, as it was raised during the hearing, we are comfortable that clause 99 of Schedule 1 applies and that we can recommend that the 12m height limit, as recommended through the PDP, applies to both these zones.

21. Conclusion

85. For the reasons summarised above, we recommend the adoption of a set of changes to the Variation 1 provisions as notified, to be consolidated with the PDP Chapters. Our recommended amendments are shown in Appendix 2.
86. Overall, we find that these changes will ensure the PDP better achieves the statutory requirements, national and regional direction, and our recommended Strategic Directions, and will improve its useability.

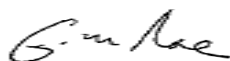
Signed by the Hearings Panel



Allan Cubitt



Gina Sweetman (Chair)



Gary Rae



Megen McKay

12 June 2025

Appendix 1:

Submitter attendance and tabled evidence for Variation 1, Hearing Stream 7B

Attendee	Speaker	Submitter No.
Council reporting officer	<ul style="list-style-type: none"> Peter Wilson 	N/A
Kelvin Ashby	<ul style="list-style-type: none"> Kelvin Ashby 	V1 20
Carolina Homes Limited, Allan Downs Limited, Townsend Fields Limited	<ul style="list-style-type: none"> Claire McKeever 	V1 58
Ken Fletcher	<ul style="list-style-type: none"> Ken Fletcher 	V1 74
Transpower New Zealand Limited	<ul style="list-style-type: none"> Ainsley McLeod 	V1 42, V1 FS 2
Canterbury Regional Council	<ul style="list-style-type: none"> Victoria Watt 	V1 64
Momentum Land Limited	<ul style="list-style-type: none"> Mark Allan Richard Withy Shane Fairmaid M Perpick 	V1 43
Mike Greer Homes NZ Limited	<ul style="list-style-type: none"> Patricia Harte 	V1 13
Kainga Ora	<ul style="list-style-type: none"> Clare Dale Jane Rennie Timothy Heath Joshua Neville 	V1 80, FS 23
Tabled Evidence		
Kiwirail Holdings Limited	<ul style="list-style-type: none"> Michelle Grinlinton-Hancock 	V1 51, V1 FS 10
Fire and Emergency NZ	<ul style="list-style-type: none"> Kate Oranje 	303, V2 67

Submitter attendance and tabled evidence for Variation 1 component of airport noise - Hearing Stream 10A

Attendee	Speaker	Submitter No.
Council reporting officer	<ul style="list-style-type: none"> Peter Wilson 	
Momentum Land Limited and Mike Greer Homes NZ Limited	<ul style="list-style-type: none"> John Clarke Brian Putt Fraser Colegrave Patricia Harte William Reeve C Fowler M Perpick 	V1 13, V1 FS 11
Christchurch International Airport Limited	<ul style="list-style-type: none"> Charlotte Clark John Kyle Laurel Smith Jo Appleyard M Davidson 	V1 81, FS 15
Table evidence		
N/A	<ul style="list-style-type: none"> N/A 	N/A

Appendix 2: Recommended amendments to the Proposed Plan - Tracked from notified version
(provisions not consequentially renumbered)

Appendix 2: (1) General Objectives and Policies RESZ CONSOLIDATED PDP AND V1

Appendix 2: (2) Relationships between spatial layers CONSOLIDATED PDP AND V1

Appendix 2: (3) Subdivision CONSOLIDATED PDP AND V1

Appendix 2: (4) Medium Density Residential Zone CONSOLIDATED PDP AND 1

Appendix 2: (5) Matters of Control or Discretion for all Residential Zones

Appendix 2: (6) Neighbourhood Centre Zone CONSOLIDATED PDP AND VAR 1

Appendix 2: (7) Local Centre Zone CONSOLIDATED PDP AND VAR 1

General Objectives and Policies for all Residential Zones

Introduction

The purpose of the chapter is to provide for and manage activities within new and existing residential areas. These areas include the existing settlements throughout the District, as well as the larger urban environments of Oxford, Rangiora, Kaiapoi, Woodend and Pegasus. It also addresses activities taking place in the rural residential areas for the District, which are incorporated within the Large Lot Residential Zone.

This chapter contains objectives and policies relating to the:

- General Residential Zone;
- Medium Density Residential Zone;
- Settlement Zone; and
- Large Lot Residential Zone.

The key difference between the General Residential Zone and Medium Density Residential Zone is housing density, with the latter providing for greater building height and site coverage in contrast to the General Residential Zone. The Medium Density Residential Zone is¹ located within walkable distance to town centres, schools, open space and transport routes. The Settlement Zone differs from both of these zones, providing for a greater range of commercial activity, as the settlements do not have their own business zones. The Large Lot Residential Zone provides for very² low density rural residential living opportunities with an open, spacious character.

In the towns and settlements, provision is made for a range of community activities that have a benefit by being located within Residential Zones so they are accessible. The range of activities provided for in the Large Lot Residential Zone is more restricted, given that its primary role is for rural residential living.

The objectives and policies set out below apply to all Residential Zones. However, there are some specific objectives and policies that will apply to the zones and appear in each zone section along with the rules for each zone.

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

Objectives	
RESZ-O1	Residential growth, location and timing Sustainable residential growth that: <ol style="list-style-type: none">1. provides more housing in appropriate locations in a timely manner according to <u>growth needs demand in the short, medium and long term</u>³;2. is responsive to community and district needs; and3. enables new development, as well as redevelopment of existing Residential Zones.
RESZ-O2	Residential sustainability

¹ Kainga Ora [325.191].

² Rick Allaway and Lionel Larsen [236.14].

³ Kainga Ora [325.192].

	Efficient and sustainable use of residential land and infrastructure is provided through appropriate location of development and its design.
RESZ-O3	Residential form, scale, design and amenity values <u>Residential development is of a A⁴ form, scale and design of development⁵ that:</u> <ol style="list-style-type: none"> 1. achieves a good quality residential environment that is attractive and functional; 2. supports community health, safety and well-being; 3. maintains differences between zones; and 4. manages adverse effects on the surrounding environment <u>amenity values that will change over time as the zones are developed</u>.⁶
RESZ-O4	Non-residential activities Small-scale non-residential activities that take place in residential areas support the function of local communities.
RESZ-O5	Housing choice Residential Zones provide for the needs of the community through: <ol style="list-style-type: none"> 1. a range of residential <u>unit types activities</u>⁷; and 2. a variety of residential unit densities.
Policies	
RESZ-P1	Design of development New development in residential areas is well designed and laid out, including by: <ol style="list-style-type: none"> 1. ensuring that the bulk, scale and location of buildings on sites is consistent with the environment anticipated for the zone, and that impacts in relation to dominance, privacy and shadowing are minimised, while recognising the ability for larger sites in the General Residential Zone and Medium Density Residential Zone to absorb greater height; 2. ensuring that the combination of buildings, paved surface, and landscaped permeable surface coverage retain a landscaped component for residential sites and provide opportunity for on-site stormwater infiltration, and where this is reduced that it is offset by suitable planting, other green surface treatment, and stormwater attenuation; 3. maintaining streetscapes in Residential Zones where garaging and buildings are set back from the street, and where these setbacks are reduced, that sufficient space is still available for vehicle manoeuvring and impacts of dominance on the streetscape are minimised; 4. facilitating passive surveillance and active residential frontages through controls on glazing, avoidance of blank facades, provision of habitable rooms and front door entrances to residential units facing the street, and consider modification of those controls only where other active design features such as verandas are incorporated; 5. minimising the adverse impact of high fences on streetscape character and public safety; and 6. ensuring that residential activities are provided with sufficient on-site outdoor living space for residents through access to outdoor living space that complements the housing typology, or where not directly provided, take into account alternative

⁴ Kainga Ora [325.194].

⁵ Kainga Ora [325.194].

⁶ Kainga Ora [325.194].

⁷ Oranga Tamariki [278.5].

	arrangements for open space (either within the site or within close proximity to the site).
RESZ-P2	<p>Multi-unit residential development</p> <p>Promote and manage the development of multi-unit residential development in the Medium Density Residential Zone and General Residential Zone, including the use of amalgamated or multi-site redevelopment, by:</p> <ol style="list-style-type: none"> 1. ensuring that the development provides for active and passive engagement with the street at ground level, or where this is not provided that there are alternative design features that promote interaction; 2. ensuring that outdoor storage is integrated with the development to avoid adverse visual effects on the streetscape; 3. considering the context and character of the surrounding area and the extent to which it complements surrounding residential development; 4. ensuring that the development maintains or enhances amenity values and public safety by addressing the street, and where relevant, other areas of public open space; 5. minimising visual bulk of development through articulation of facades, using a variety of materials, and providing for a human scale to multi-storey buildings; 6. incorporating open space into the design that encourages interaction of people within developments, as well as the use of landscaping features to soften built form and provide for external and internal amenity value, including encouraging the retention of mature trees; 7. providing for vehicle and pedestrian access in a manner that recognises public safety, and a pedestrian entrance that is obvious and accessible; 8. clearly demarcating public and private space, in particular where this faces the street, while continuing to provide for visual interaction; and 9. encouraging variation in residential unit sizes within a development to support housing choice.
RESZ-P3	<p>Safety and well-being</p> <p>Provide for safety and well-being by:</p> <ol style="list-style-type: none"> 1. taking into account the following CPTED principles in the design of structures, residential units, outdoor areas and public open spaces: <ol style="list-style-type: none"> a. access — safe movement and connections; b. surveillance and sightlines — see and be seen; c. layout - clear and logical orientation; d. activity mix — eyes on the street; e. sense of ownership — showing a space is cared for; f. quality environments - well designed, managed and maintained environments; g. physical protection — using active security measures; and 2. providing for peaceful and pleasant living environments which enable limited opportunities for signs, appropriately manage limiting signs and managing⁸ the impacts of on-site traffic generation to minimise impacts on neighbouring properties and road networks, and minimise and the adverse effects of noise and light, particularly in night time hours⁹. 3. <u>encouraging development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.</u>¹⁰
RESZ-P4	Sustainable design

⁸ Kainga Ora [325.199].

⁹ Kainga Ora [325.199].

¹⁰ V1 as notified

	<p>In relation to design of buildings in Residential Zones, encourage and advocate for:</p> <ol style="list-style-type: none"> 1. minimisation of energy and water use, and the use of low impact design such as optimal site layout, passive solar design, solar power and water heating, and rainwater collection, detention and use; and 2. universal design which provides for all stages of life development, size, and abilities, in particular in relation to retirement village living and¹¹ minor residential units¹².
RESZ-P5	<p>Residential Commercial Precinct</p> <p>Enable additional commercial activity to establish in the Residential Commercial Precinct where:</p> <ol style="list-style-type: none"> 1. it assists the supply of commercial space for Rangiora town centre; and 2. effects on any adjacent residential activity are minimised.
RESZ-P6	<p>Non-residential activities</p> <p>Non-residential activities are provided for in a manner that:</p> <ol style="list-style-type: none"> 1. <u>Avoids quarry, landfill, cleanfill, mining or dam activities within urban areas</u>¹³. 2. avoids, or where appropriate remedies or mitigates, actual and potential adverse effects from structures, signs, glare, noise and hazardous substances, including controls on timing or duration of activities; 3. ensures that the scale of the activity does not significantly impact on the amenity values of adjoining residential activities, including their pleasantness and aesthetic coherence; and 4. recognise that the following non-residential activities serve a benefit to the surrounding community and are provided for, subject to appropriate management of their effects: <ol style="list-style-type: none"> a. community facilities; b. educational facilities; and c. childcare facilities-; <u>and</u> d. <u>emergency service facilities</u>.¹⁴
RESZ-P7	<p>Commercial activity in the General Residential and Medium Density Residential Zones</p> <p>Except in the Residential Commercial Precinct, only provide for commercial activities or upgrades to lawfully established commercial activity in the General Residential and Medium Density Residential Zones that:</p> <ol style="list-style-type: none"> 1. are of a scale that is ancillary to residential use; or 2. provide a public health benefit and need to be readily accessible within a residential zone, while maintaining residential amenity values through residential scale and design; or 3. are established commercial activity that minimises impacts on residential amenity values, including through controls on operating hours, traffic, signs, noise, glare and light spill; and 4. do not give rise to significant adverse distributional or urban form effects on key activity centres or townships due to the scale of the activity.
RESZ-P8	<p>Housing choice</p> <p>Enable a range of residential unit types, sizes and densities where:</p> <ol style="list-style-type: none"> 1. good urban design outcomes are achieved; and

¹¹ Summerset [207.26].

¹² Kainga Ora [325.200].

¹³ Fulton Hogan [41.33].

¹⁴ Fire and Emergency NZ [303.51]

	<p>2. development integrates with surrounding residential areas and¹⁵ infrastructure; and;</p> <p>3. <u>housing is designed to meet the day-to-day needs of residents.</u>¹⁶</p>
RESZ-P9	<p>Commercial activity in the Settlement Zone</p> <p>Provide for limited scale and type of commercial activity in the Settlement Zone in order to:</p> <ol style="list-style-type: none"> 1. maintain or enhance the character of the surrounding settlement; and 2. manage adverse effects on the amenity values of adjacent residential sites from structures, signs, glare, light spill, noise and hazardous substances.
RESZ-P10	<p>Retirement villages</p> <p>Provide for the development of retirement villages in all Residential Zones, other than the Large Lot Residential Zone, where:</p> <ol style="list-style-type: none"> 1. <u>they are</u>¹⁷ consistent with good urban design <u>outcomes</u>¹⁸, including external design; and 2. integration with any adjacent residential activity, the transport system, roads and parking is achieved.
RESZ-P11	<p>Minor residential units</p> <p>Provide for a minor residential unit, which includes a tiny home, to facilitate residential choice and flexibility, while:</p> <ol style="list-style-type: none"> 1. ensuring that the minor residential unit is subservient to the principal residential unit on the site it is located; and 2. the minor residential unit maintains the amenity values of the residential activity through provision of outdoor living space.
RESZ-P12	<p>Outline development plans</p> <p>Use and development of land subject to an ODP shall:</p> <ol style="list-style-type: none"> 1. be in accordance with the development requirements and fixed and flexible elements in the relevant ODP, or otherwise delivers equivalent or better outcomes while achieving an efficient, effective and consolidated urban form, except relation to any interim use and development addressed in (3); 2. ensure that development: <ol style="list-style-type: none"> a. contributes to a strong sense of place, and a coherent, functional and safe neighbourhood; b. contributes to residential areas that comprise a diversity of housing types; c. retains and supports the relationship to, and where possible enhances, recreational, historic heritage and ecological features and values; and d. achieves a high level of visual and landscape amenity; 3. interim use and development of land subject to an ODP shall not compromise the timely implementation of, or outcomes sought by, the ODP.
RESZ-P13	<p>Location of higher density development</p> <p>Locate higher density housing to support and have ready access to:</p> <ol style="list-style-type: none"> 1. commercial business areas, community facilities and open space; and 2. public transport and well-connected walkable communities.¹⁹
RESZ-P14	<p>Development density</p>

¹⁵ Kainga Ora [325.204].

¹⁶ V1 as notified

¹⁷ RMA Schedule 1 Clause 16(2)

¹⁸ Summerset [207.27].

¹⁹ Kainga Ora [325.206].

	<p>Development densities for new Development Areas and Large Lot Residential Zone Overlays shall be as follows:</p> <ol style="list-style-type: none"> 1. in new Development Areas, achieve a minimum net density of 15 households per ha averaged across the whole of the residential Development Area within the relevant ODP, unless there are demonstrated constraints <u>that make compliance impractical</u>.²⁰ then no less than 12 households per ha. 2. in new Large Lot Residential Zone Overlays, achieve a net density of 1 to 2 households per ha.
RESZ-P15	<p>Medium-Density Residential Standards Apply the Medium-Density Residential Standards across all relevant residential zones in the District Plan except in circumstances where a qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga).^{21 22}</p>

²⁰ Bellgrove Rangiora Ltd [408.36] Richard and Geoff Spark [183.7], Ngai Tahu Property [411.9 and 411.31], J & C Broughton [223.9], R Alloway and L Larsen [236.10], Dalkeith Holdings Ltd [242.7], M Hales [246.8]

²¹ V1 as notified

²² RMA Schedule 1 Clause 99

Relationships Between Spatial Layers

The District Plan uses a range of spatial layers with different functions. These are shown on the planning map and include:

Spatial layer name	Function	Location of spatial layer provisions
Zones	A zone spatially identifies and manages an area with common environmental characteristics or where common environmental outcomes are sought, by bundling compatible activities or effects together, and controlling those that are incompatible.	Zone chapters
Overlays	An overlay spatially identifies distinctive values, risks or other factors which require management in a different manner from underlying zone provisions.	District wide matters chapters
Precincts	A precinct spatially identifies and manages an area where additional place-based provisions apply to modify or refine aspects of the policy approach or outcomes anticipated in the underlying zone(s).	If it applies to only one zone, it is included in the relevant zone chapter If it applies to multiple zones, it will be included in the relevant zone chapters
Specific controls	A specific control spatially identifies where a site or area has provisions that are different from other spatial layers or district wide provisions that apply to that site or area (for example where verandah requirements apply, or where a different maximum height on a particular site applies).	Relevant chapters
Development Areas	A development area spatially identifies and manages areas where plans such as concept plans, structure plans, outline development plans, master plans or growth area plans apply to determine future land use or development. When the associated development is complete, the development	Development area chapters

	areas spatial layer is generally removed from the plan either through a trigger in the development area provisions or at a later plan change.	
Designations	Spatially identifies where a designation is included under section 168 or section 168A or clause 4 of Schedule 1 of the RMA.	Designations chapter
Heritage orders	Spatially identifies heritage orders enabled under section 189 or section 189A of the RMA.	Historic heritage chapter. There are no heritage orders in the District Plan

[Resource Management \(Enabling Housing Supply and Other Matters\) Amendment Act](#)

[Qualifying matters and legal effect](#)

[The Resource Management \(Enabling Housing Supply and Other Matters Amendment Act requires Tier 1 Councils including the Waimakariri District Council to amend one of their district plans \(operative or proposed\) to enable intensification in urban areas where people want to live and work. The Amendment Act brings forward the implementation of the NPDUD intensification policies by using the ISPP.](#)

[In addition, the Amendment Act introduced MDRS in all Tier 1 urban environments and must be adopted into the District Plan by 20th August 2022. Because the Waimakariri District Council notified its proposed District Plan on 17 September 2021, under Schedule 12, Part 5 of the RMA, these new provisions have been included into the Proposed District Plan. These will enable medium density housing to be built 'as of right' \(at least 3 dwellings of up to 3 storeys per site\) within the Medium Density Residential Zone located in Rangiora, Kaiapoi, Woodend \(including Ravenswood\) and Pegasus, and will have immediate legal effect from the notification date of variation 1 to the proposed District Plan, except for:](#)

- [More enabling standards under the NPSUD intensification policies than those listed in the MDRS as a permitted activity.](#)
- [Areas where a qualifying matter has been identified.](#)
- [New residential zones \(for example, Greenfield development\).](#)
- [Subdivision rules](#)
- [New financial contribution provisions](#)

[District wide provisions](#)

[District wide provisions such as \(but not limited to\) rules on earthworks, construction noise, access and lighting will continue to apply because these provisions do not influence density requirements.](#)

[Qualifying matters](#)

[There are areas within the Waimakariri District that have specific characteristics that make it inappropriate to apply the MDRS in full. These characteristics are referred to as 'qualifying matters'. A qualifying matter exists where there is a need to balance the densities and /or other standards of the MDRS against the need to manage those specific characteristics](#)

defined in clause 3.32 of the NPSUD and section 77(l) and 77(o) of the RMA. Where a qualifying matter has been identified, the Waimakariri District Council have amended the densities required by the MDRS to the built form standards, were appropriate to accommodate the 'qualifying matter'.

Note that qualifying matters do not have immediate legal effect

Qualifying matter areas within the Medium Density Residential Zone of Rangiora, Kaiapoi, Woodend (including Ravenswood) and Pegasus are listed in the table below:

Table RSL-1 Qualifying matters

<u>Qualifying matter and area</u>	<u>Legislation</u>	<u>Reasoning</u>
<u>Electricity</u> <ul style="list-style-type: none"> <u>National grid transmission lines</u> <u>National Grid transmission lines within Medium Density Residential Zone in north-west Rangiora).</u> <u>As defined and mapped in qualifying matter, National Grid Subdivision Corridor and National Grid Yard¹</u> 	<u>s.3.32(1)(c) of the NPSUD / s.77l(e) of the RMA — Matter required to ensure the safe or efficient operation of nationally significant infrastructure.</u>	<u>Identifies the location of nationally significant Electricity Distribution Lines within the Medium Density Residential Zones, and avoids potential effects of subdivision and development on the ability to safely and efficiently operate, maintain, develop and upgrade the National Grid, by imposing minimum setbacks and reducing minimum allotment size ensures the safe or efficient operation of nationally significant infrastructure.²</u>
<u>Transport</u> <ul style="list-style-type: none"> <u>Railway corridors</u> <u>Railway designations adjacent to parts of the Town-Centre³ within Medium Density Residential Zone of Rangiora and Kaiapoi.</u> <u>As mapped in qualifying matter, rail corridors, with a 4m setback from the boundary of the rail corridor</u> <u>Strategic Roads & Arterial Roads</u> <u>Properties Within Medium Density Residential Zone immediately adjoining</u> 	<u>s.3.32(1)(c) of the NPSUD / s.77l(e) of the RMA — Matter required to ensure the safe or efficient operation of nationally significant infrastructure.</u>	<u>To ensure the safe and efficient operation of the railway network, and main roads within the Council's Roading Hierarchy.</u>

¹ Transpower [V1 42.1]

² Transpower [V1 42.1]

³ RMA Schedule 1 Clause 16(2)

<u>strategic and arterial roads in Rangiora, Kaiapoi and Woodend), with a 6m setback from the boundary of the road corridor⁴.</u>		
<u>Natural Hazards (urban) Properties within Kaiapoi Urban area within the High Hazard flood overlay. As mapped in qualifying matter, natural hazards</u>	<u>s.3.32(1)(h) of the NPSUD / s.77I(j) of the RMA - any other matter that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area.</u>	<u>The management of significant risks from natural hazards, specifically, flooding.</u>
<u>Airport noise – Christchurch International Airport Properties within the Medium Density Residential Zone of Kaiapoi and within the Christchurch International Airport noise contour. As mapped in qualifying matter, airport noise</u>	<u>s.3.32(1)(c) of the NPSUD / s.77I(e) of the RMA — Matter required to ensure the safe or efficient operation of nationally significant infrastructure.</u>	<u>A spatial overlay within Kaiapoi, reducing development within the Christchurch airport noise contour reduce reverse sensitivity issues⁵</u>
<u>Historic Heritage Properties identified as a Heritage listed item within Medium Density Residential Zone of Rangiora, Kaiapoi and Woodend). As mapped in qualifying matter heritage building or item</u>	<u>s.3.32(1)(a) of the NPSUD / s.77I(a) of the RMA — Matter of national importance that decision makers are required to recognise and provide for under Section 6.</u>	<u>Identifies the area of a property which contributes to the heritage values of a historical heritage item or items</u>
<u>Notable trees Properties with a notable tree within Medium Density Residential Zone of Rangiora, Kaiapoi and Woodend. As mapped in qualifying matter, notable trees</u>	<u>s.3.32(1)(a) of the NPSUD / s.77I(a) of the RMA— Matter of national importance that decision makers are required to recognise and provide for under Section 6</u>	<u>Identifies a property where a notable tree or trees are located.</u>
<u>Natural character - Waterbody setbacks Properties adjoining a large waterbody within</u>	<u>s.3.32(1)(h) of the NPSUD / s.77I(j) of the RMA- any other matter that makes higher density, as provided for by the</u>	<u>Identifies the significant waterbodies within the district and minimum setbacks are imposed to mitigate sediment</u>

⁴ RMA Schedule 1 Clause 16(2)

⁵ Kainga Ora [V1 80.21]

<p><u>Medium Density Residential Zone of Rangiora, Kaiapoi and Woodend.</u></p> <p><u>As mapped in scheduled natural character freshwater bodies schedule 2, and schedule 3</u></p>	<p><u>MDRS or policy 3, inappropriate in an area.</u></p>	<p><u>of earthworks and buildings in close proximity to water bodies to preserve their natural character and to recognise their cultural significance to Ngāi Tahu.</u></p>
<p>Open space — Recreation zone</p> <p>Properties vested as recreation/ or utility reserve and owned by the Waimakariri District Council and located within Rangiora, Kaiapoi, Woodend and Pegasus.</p> <p>As mapped in qualifying matter, open space and recreation zone</p>	<p>s.3.32(1)(d) of the NPSUD / s.77I(f) of the RMA— open space provided for public use, but only in relation to land that is open space.</p>	<p>Identifying public space areas, and protecting those areas for public use.⁶</p>
<p>Public Access: esplanade reserves</p> <p>Land adjoining waterways within Medium Density Residential Zone, vested in recreation reserve and owned by the Waimakariri District Council and located within Rangiora, Kaiapoi, Woodend and Pegasus.</p> <p>As mapped in esplanade provisions</p>	<p>s.3.32(1)(d) of the NPSUD / s.77I(f) of the RMA— open space provided for public use, but only in relation to land that is open space:</p>	<p>The preservation of public access adjoining esplanade reserves⁷</p>

⁶ Kainga Ora [V1 80.30,80.32]

⁷ Kainga Ora [V1 80.30,80.32]

SUB - Wāwāhia whenua - Subdivision

Introduction

Subdivision provides a framework for land ownership so that development and activities can take place. Subdivision can take place at a variety of scales, from a boundary adjustment or two-lot subdivision through to larger scale land development incorporating provision of cost effective and sustainable infrastructure and land for other uses such as open space.

Subdivision plays an important role in determining the location and density of development and its effect on the character and sustainability of rural and urban environments. It also implements national direction for urban development and enables land use anticipated by the various zone provisions.

The subdivision process can also include the provision of services for development and activities, including open space, infrastructure and community facilities. The adverse effects of activities are addressed by district wide or zone provisions, however some activities and their effects are managed at the time of subdivision, such as earthworks and the forming of roads.

Subdivision also provides an opportunity to consider matters such as natural hazards, protection and enhancement of riparian margins, rural character, reverse sensitivity, urban design, and the recognition and protection of cultural values.

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

Other potentially relevant District Plan provisions

As well as the provisions in this chapter, other District Plan chapters that contain provisions that may also be relevant to Subdivision include:

- Energy and Infrastructure.
- Transport.
- [Natural Hazards](#).¹
- Special Purpose Zone (Kāinga Nohoanga): how the Subdivision provisions apply in the Special Purpose Zone (Kāinga Nohoanga) is set out in SPZ(KN)-APP1 to SPZ(KN)-APP5 of that chapter.
- Any other District wide matter that may affect or relate to the site or sites.
- Zones: the zone chapters contain provisions about what activities are anticipated to occur in the zones.

Objectives	
SUB-O1	Subdivision design Subdivision design achieves an integrated pattern of land use, development, and urban form, that:

¹ Environment Canterbury [316.129].

	<ol style="list-style-type: none"> 1. provides for anticipated land use and density that achieve the identified future character, form or function of zones; 2. consolidates urban development and maintains rural character except where required for, and identified by, the District Council for urban development; 3. supports protection of cultural and heritage values, conservation values, <u>indigenous biodiversity values</u>²; and 4. supports community resilience to climate change and risk from natural hazards.
SUB-O2	Infrastructure and transport <u>Subdivision is designed and located in a way that supports the eE³fficient and sustainable provision, use and maintenance of infrastructure; and a legible, accessible, <u>safe</u>,⁴ well connected transport system for all transport modes.</u>
SUB-O3	Esplanade reserves and esplanade strips Esplanade reserves and esplanade strips created through subdivision adjacent to the sea, lakes and rivers contribute to: <ol style="list-style-type: none"> 1. the protection of conservation values; 2. public access to or along rivers and lakes or the coast; or 3. enable public recreational use where it is compatible with conservation values.
Policies	
SUB-P1	Design and amenity Enable subdivision that: <ol style="list-style-type: none"> 1. within Residential Zones, incorporates best practice urban design, access to open space, and CPTED principles; 2. minimises reverse sensitivity effects <u>on infrastructure</u>⁵ including through the use of setbacks; 3. <u>in respect to the National Grid and Major Electricity Distribution Lines:</u> <ol style="list-style-type: none"> a. avoids <u>subdivision that restricts potential reverse sensitivity effects on them and</u>⁶ b. <u>does not compromise</u> their operation, maintenance, upgrading and development <u>of the National Grid</u>⁷ 4. recognises and provides for the expression of cultural values of mana whenua and their connections in subdivision design; and 5. supports the character, amenity values, <u>anticipated</u>⁸ form and function for the relevant zone.
SUB-P2	Allotment layout, size and dimension Ensure <u>subdivision creates that allotments that layout, size and dimensions</u> ⁹ : <ol style="list-style-type: none"> 1. in Residential Zones <ol style="list-style-type: none"> a. <u>enables a variety of allotment sizes to cater for different housing types and densities to meet housing needs reflect the intended pattern of development and are consistent with the purpose, character, amenity values and anticipated form and function for the relevant zone</u>,¹⁰

² Forest and Bird [192.79].³ Mainpower [249.204].⁴ Waka Kotahi [275.28].⁵ Fulton Hogan [41.31], Daiken [145.21], NZPork [169.15]⁶ Kainga Ora [325.154], Concept Services [230.7] and Transpower [195.94].⁷ Kainga Ora [325.154], Concept Services [230.7] and Transpower [195.94].⁸ Kainga Ora [325.154].⁹ Kainga Ora [325.154].¹⁰ Kainga Ora [325.154]

	<p>b. supports the achievement of high quality urban design principles for multi-unit residential development;¹⁴</p> <p>2. in Rural Zones:</p> <p>a. retains the ability for rural land to be used for primary production activities; and</p> <p>3. in Open Space and Recreation Zones:</p> <p>a. provides a variety of types and sizes of open space and recreation areas to meet current and future recreation needs.</p> <p>4. <u>in Commercial and Mixed Use¹², and Industrial Zones:</u></p> <p>a. <u>provides for the design and operative requirements of anticipated activities.</u>¹³</p>
SUB-P3	<p>Sustainable design</p> <p>Ensure that subdivision design:</p> <p>1. maximises solar gain, including through:</p> <p>a. road and block layout; and</p> <p>b. allotment size, dimension, layout and orientation;</p> <p>2. in Residential Zones, Commercial and Mixed Use Zones, and Open Space and Recreation Zones, supports walking, cycling and public transport; and</p> <p>3. promotes:</p> <p>a. water conservation;¹⁴</p> <p>b. on-site collection of rainwater for non-potable use;¹⁵</p> <p>c. water sensitive design, and</p> <p>d. the treatment and/or attenuation of stormwater prior to discharge, and</p> <p>4. <u>where appropriate promotes:</u></p> <p>a. <u>water conservation</u></p> <p>b. <u>onsite collection of rainwater for non-potable use, and</u>¹⁶</p> <p>5. recognises the need to maintain the design capacity of infrastructure within the public network and avoid causing flooding of downstream properties; <u>and</u></p> <p>6. <u>recognises and provides for the ability to adapt and respond to the effects of climate change and environmental pressures.</u>¹⁷</p>
SUB-P4	<p>Integration and connectivity</p> <p>Achieve integration and connectivity by ensuring:</p> <p>1. in urban environments that there is effective integration of subdivision patterns and multi-modal transport connections within new development and to existing development;</p> <p>2. subdivision on the boundaries between new and existing development is managed to:</p> <p>a. avoid or mitigate significant adverse effects, including reverse sensitivity effects, through the use of setbacks, landscaping to achieve screening, and other methods; and</p> <p>b. continuation of transport and pedestrian or cycle linkages.</p>
SUB-P5	Density in Residential Zones

¹¹ Kainga Ora [325.155].

¹² Ravenswood Developments Limited [347.11].

¹³ Ravenswood Developments Limited [347.11].

¹⁴ Kainga Ora [325.157].

¹⁵ Kainga Ora [325.157].

¹⁶ Kainga Ora [325.157].

¹⁷ Environment Canterbury [316.126].

	Provide for a variety of site sizes within Residential Zones, while achieving minimum residential site sizes that are no smaller than specified consistent with the character, amenity, and anticipated form and function of ¹⁸ the zone.
SUB-P6	<p>Criteria for Outline Development Plans</p> <p>Ensure that new Residential Development Areas, <u>new General Residential Zones</u>,¹⁹ new Large Lot Residential Zones, new Commercial and Mixed Use Zones and new Industrial Zones shall not be subdivided until an ODP for that area has been included in the District Plan and each ODP shall:</p> <ol style="list-style-type: none"> 1. be prepared as a single plan; and 2. be prepared in accordance with the following: <ol style="list-style-type: none"> a. identify principal roads, connections and integration with the surrounding road networks, relevant infrastructure and areas for possible future development; b. any land to be set aside: <ol style="list-style-type: none"> i. for community facilities or school<u>educational facility</u>²⁰; ii. parks and land required for recreation or reserves; iii. for business activities; iv. the distribution of different residential densities; v. for the integrated management of water systems, including stormwater treatment, secondary flow paths, retention and drainage paths; vi. from development for environmental or landscape protection or enhancement; and vii. from development for any other reason, and the reasons for its protection. c. for new Residential Development Areas demonstrate how each ODP area will achieve a minimum net density of at least 15 lots or households per ha, unless there are demonstrated constraints <u>that make compliance impractical</u>,²¹ then no less than 12 households per ha; d. identify any cultural, natural, and historic heritage features and values and show how they are to be enhanced or maintained; e. indicate how required infrastructure will be provided and how it will be funded²²; f. set out the phasing and co-ordination of subdivision and development; g. demonstrate how effective provision is made for a range of transport options, including public transport systems, pedestrian walkways and cycleways, both within and adjoining the ODP area; h. for new Residential Development Areas, demonstrate how open space, playgrounds or parks for recreation will be provided within a 500m radius of new residential allotments including: <ol style="list-style-type: none"> i. transport connectivity for active, public and other transport modes; ii. connection to any other open space or community facility and other zones; and iii. potential use of open space for stormwater management; i. show how other potential adverse effects on and/or from nearby existing or designated strategic infrastructure (including requirements for

¹⁸ Kainga Ora [325.159].¹⁹ Waimakariri District Council [367.9].²⁰ Ministry of Education [277.32].²¹ Bellgrove Rangiora Ltd [408.36] Richard and Geoff Spark [183.7], Ngai Tahu Property [411.9 and 411.31], J & C Broughton [223.9], R Alloway and L Larsen [236.10], Dalkeith Holdings Ltd [242.7], M Hales [246.8]²² Waka Kotahi [275.30].

	<p>designations, or planned infrastructure) will be avoided, remedied or appropriately mitigated;</p> <p>j. show how other potential adverse effects on the environment, the protection and enhancement of surface and groundwater quality, are to be avoided, remedied or mitigated;</p> <p>k. include any other information which is relevant to an understanding of the development and its proposed zoning; and</p> <p>l. demonstrate that the design will minimise any reverse sensitivity effects;²³</p> <p>m. <u>demonstrate how the adverse effects associated with natural hazards are to be avoided, remedied or mitigated, in accordance with the relevant objectives and policies in the NH - Natural Hazards Chapter, and²³</u></p> <p>n. <u>identify any indigenous biodiversity values and show how they will be protected and/or maintained in accordance with the relevant objectives and policies in the ECO – Ecosystems and Indigenous Biodiversity Chapter</u></p>
SUB-P7	<p>Requirements of Outline Development Plans</p> <p>Ensure that subdivision is in accordance with the fixed or <u>and in general accordance with²⁴</u> flexible elements of any relevant ODP.</p>
SUB-P8	<p>Infrastructure</p> <p>Achieve integrated and comprehensive infrastructure with subdivision by ensuring:</p> <ol style="list-style-type: none"> 1. upgrade of existing infrastructure where the benefit is solely for the subdivision and subsequent development, or otherwise provide for cost-sharing or other arrangements for any upgrade, such as financial contributions, that are proportional to the benefit received²⁵; 2. adequate infrastructure provision and capacity to service the scale and nature of anticipated land uses, including: <ol style="list-style-type: none"> a. wastewater disposal that will maintain public health and minimise adverse effects on the environment, while discouraging small-scale standalone community facilities; b. water supply; c. stormwater management; d. phone, internet and broadband connectivity can be achieved, with new lines being underground in urban environments, except within the Special Purpose Zone (Kāinga Nohoanga); e. electricity supply, with new lines being underground in new urban environments except within the Special Purpose Zone (Kāinga Nohoanga); 3. where reticulated wastewater disposal is available, that any new site is to be provided with a means of connection to the system; and 4. where a reticulated wastewater system is not available, ensure that onsite treatment systems will be installed.
SUB-P9	<p>Access to, protection and enhancement of the margins of water bodies</p> <p>During subdivision development:</p> <ol style="list-style-type: none"> 1. ensure the protection and enhancement of the margins of water bodies; and 2. maintain the diversity, quality and quantity of any resources valued for mahinga kai through protection or restoration.
SUB-P10	<p>Esplanade reserves and esplanade strips</p>

²³ Environment Canterbury [316.129].

²⁴ Bellgrove [408.23], Richard and Geoff Spark [183.8], J & C Broughton [223.9], R Alloway and L Larsen [236.11], Dalkeith Holdings Ltd [242.8], M Hales [246.9], CA and GJ McKeever [111.28], John Stevenson [162.27], Chloe Chai and Mark McKitterick [256.28], Clampett Investments Limited [284.208], Kainga Ora [325.161], Rolleston Industrial Developments Ltd [326.345], KiwiRail [373.63], and Keith Godwin [418.28].

²⁵ Waka Kotahi [275.31].

	<p>Provide for the creation of esplanade reserves or esplanade strips in areas where there is an actual or potential benefit for access, recreation, conservation or natural hazard mitigation by:</p> <ol style="list-style-type: none"> 1. identifying water bodies where such reserves or strips will be provided, regardless of subdivision site size; 2. recognising that provision of other areas that provide public benefit will be desirable; and 3. providing for minimum site sizes to be calculated as if any esplanade reserve resulting from the subdivision was part of the overall subdivision area.
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Activity Rules

SUB-R1	Boundary adjustment	
All Zones	<p>Activity status: CON</p> <p>Where:</p> <ol style="list-style-type: none"> 1. SUB-S21²⁶ to SUB-S18 are met. <p>Matters of control are restricted to:</p> <ul style="list-style-type: none"> SUB-MCD1 - Allotment area and dimensions SUB-MCD2 - Subdivision design SUB-MCD3 - Property access SUB-MCD5 - Natural hazards <p>Notification</p> <p>An application for a controlled activity under this rule is precluded from being publicly or limited notified.</p>	<p>Activity status when compliance not achieved: as set out in the relevant subdivision standards</p>
SUB-R2	Subdivision	
<p><u>All Zones</u> <u>Commercial and Mixed Use Zones</u> <u>Rural Zones</u> <u>Industrial Zones</u> <u>Open Space and Recreation Zones</u> <u>Special Purpose Zones</u> <u>Large Lot Residential Zone</u> <u>General Residential Zone</u></p>	<p>Activity status: CON</p> <p>Where:</p> <ol style="list-style-type: none"> 1. SUB-S1 to SUB-S18 are met, except where: <ul style="list-style-type: none"> a. the allotment is for any unstaffed infrastructure, accessway or road; b. the subdivision is of a fee simple allotment from an approved cross lease site, where the exclusive use areas shown on the existing cross lease plan are not altered, and where only SUB-S5 will apply; c. the subdivision site is a reserve created under the Reserves Act 1977; 	<p>Activity status when compliance not achieved: as set out in the relevant subdivision standards</p>

²⁶ Waimakariri District Council [367.14].

<p>Settlement Zone²⁷</p>	<p>or any esplanade reserve allotment; or d. otherwise specified in this chapter.²⁸</p> <p>Matters of control/discretion are restricted to:</p> <p>SUB-MCD1 - Allotment area and dimensions</p> <p>SUB-MCD2 - Subdivision design</p> <p>SUB-MCD3 - Property access</p> <p>SUB-MCD4 - Esplanade provision</p> <p>SUB-MCD6 - Infrastructure</p> <p>SUB-MCD7 - Mana whenua</p> <p>SUB-MCD8 - Archaeological sites</p> <p>SUB-MCD10 - Reverse sensitivity</p> <p>SUB-MCD13 - Historic heritage, culture and notable trees</p> <p>Notification An application for a controlled activity under this rule is precluded from being publicly or limited notified.</p>	
<p>Medium Density Residential Zone</p>	<p>1. <u>SUB-S1 to SUB18 are met, except where:</u></p> <p>a. <u>the allotment is for any unstaffed infrastructure, accessway or road;</u></p> <p>b. <u>the subdivision is of a fee simple allotment from an approved cross lease site, where the exclusive use areas shown on the existing cross lease plan are not altered, and where only SUB-S5 will apply;</u></p> <p>c. <u>the subdivision site is a reserve created under the Reserves Act 1977, or any esplanade reserve allotment; or</u></p>	<p><u>Activity status when compliance not achieved: as set out in the relevant subdivision standards for SUB-S1 to SUB-S18.</u></p> <p><u>Activity status when compliance not achieved with SUB-R2(2a): DIS</u></p> <p><u>Activity status when compliance not achieved with SUB-R2(2b): DIS³²</u></p>

²⁷ V1 as notified

²⁸ Transpower [195.95].

³² V1 as notified

d. where otherwise specified in this chapter.

2. Either:

a. for every site with an existing residential unit, either:

i. the subdivision does not increase the degree of any non-compliance with the built form standards of this zone; or

ii. land use consent for the non-compliance has been granted.

b. for every site without an existing residential unit, either:

i. the subdivision application is accompanied by a land use application that will be determined concurrently with the subdivision application that demonstrates that it is practicable to construct, as a permitted activity, a residential unit on every site and that no vacant sites will be created; or

ii. Every vacant site (other than a site used exclusively for access, reserves, or infrastructure, or which is wholly subject to a designation) has a dimension not less than 16mx23m and a building

- square not less than 8mx15m²⁹
- iii. every site (including sites that are subject to a legal mechanism restricting the number of residential units which can be erected):
1. is practicable to construct as a permitted activity a residential unit; and
 2. complies with the built form standards of this zone for each residential unit constructed; and
 3. Every vacant site (other than a site used exclusively for access, reserves, or infrastructure, or which is wholly subject to a designation) has a dimension not less than 16mx23m and a building square not less than 8mx15m
 4. No vacant allotments are created³⁰

²⁹ Carolina Homes et al [V1 58.8]

³⁰ Carolina Homes et al [V1 58.8]

	<p><u>For the purpose of 3(a)(i), if a subdivision is proposed between residential units that share a common wall, the requirements as to height in relation to boundary in the district plan do not apply along the length of the common wall.</u></p> <p><u>Notification</u></p> <p><u>An application for a controlled activity under this rule is precluded from being publicly or limited notified.³¹</u></p>	
SUB-R3	Subdivision within the Liquefaction Overlay	
Liquefaction Overlay	<p>Activity status: CON</p> <p>Where:</p> <ol style="list-style-type: none"> 3. a building platform is identified on the subdivision plan; and 4. SUB-S1 to SUB-S18 are met. <p>Matters of control are restricted to:</p> <p>Matters of control listed in SUB-R2</p> <p>SUB-MCD12 - Liquefaction hazard overlay</p>	<p>Activity status when compliance with SUB-R3 (1) not achieved: NC</p> <p>Activity status when compliance with SUB-R3 (2) not achieved: as set out in the relevant subdivision standards</p>
SUB-R3a³³	Subdivision to Update Cross Leases, Company Leases Plans, and Unit Title Plans	
All Zones	<p>Activity status: CON</p> <p>Where:</p> <ol style="list-style-type: none"> 1. <u>Every title or leased area³⁴ has legal access to a road, and that access is not obtained by crossing a railway line;</u> 2. <u>Every title or leased areas is supplied with a potable water supply;</u> 3. <u>Every title or leased area is supplied with a connection to a reticulated wastewater network, where available³⁵.</u> <p>Matters of control are restricted to:</p>	<p>Activity status when compliance not achieved not achieved: NC³⁷</p>


³¹ V1as notified

³³ Eliot Sinclair [233.1].

³⁴ Eliot Sinclair [233.1].

³⁵ Eliot Sinclair [233.1].

³⁷ Eliot Sinclair [233.1].

	<p><u>SUB-MCD1 – Allotment area and dimensions</u></p> <p><u>SUB-MCD3 – Property access</u></p> <p><u>SUB-MCD5 – Natural Hazards</u></p> <p><u>SUB-MCD6 – Infrastructure</u></p> <p><u>SUB-MCD11 – Effects on or from National Grid and Major Electricity Distribution Lines³⁶</u></p> <p><u>Notification</u> <u>An application for a controlled activity under this rule is precluded from being publicly or limited notified.</u></p>	
SUB-R4	Subdivision within flood hazard areas	
Urban Flood Assessment Overlay Non-Urban Flood Assessment Overlay Coastal Flood Assessment Overlay	<p>Activity status: RDIS Where:</p> <ol style="list-style-type: none"> 1. <u>An allotment is intended to accommodate a natural hazard sensitive activity.</u>³⁸ a building platform is identified on the subdivision plan; and 2. if located within the non-urban flood assessment overlay, the building platform is not located within a high flood hazard area; and 3. if located within the coastal flood assessment overlay, the building platform is not located within a high coastal flood hazard area; and 4. SUB-S1 to SUB-S18 are met. <p> Matters of discretion are restricted to: Matters of control/discretion listed in SUB-R2 SUB-MCD5 - Natural Hazards</p>	<p>Activity status when compliance with SUB-R4 (1) not achieved: NC Activity status when compliance with SUB-R4 (2) or SUB-R4 (3) not achieved: NC Activity status when compliance with SUB-R4 (4) not achieved: as set out in the relevant subdivision standards</p>
	Advisory note:	

³⁶ Mainpower [249.100]³⁸ Nicholas Hoogeveen [202.3].

	<ul style="list-style-type: none"> • A Flood Assessment Certificate issued in accordance with NH-S1 will confirm if the site is located within a high hazard area. 	
SUB-R5	Subdivision containing a site or area of significance to Māori	
Wāhi Tapu Overlay Wāhi Taonga Overlay Ngā Tūranga Tūpuna Overlay Ngā Wai Overlay	Activity status: RDIS Where: <ol style="list-style-type: none"> 1. SUB-S1 to SUB-S18 are met. Matters of discretion are restricted to: <p>Matters of control/discretion listed in SUB-R2 SUB-MCD7 - Mana whenua</p> Notification <p>An application for a restricted discretionary activity under this rule is precluded from being notified, but may be limited notified only to Te Ngāi Tūāhuriri Rūnanga where the consent authority considers this is required, absent its written approval.</p>	Activity status when compliance not achieved: as set out in the relevant subdivision standards
SUB-R6³⁹	Subdivision within the National Grid Yard <u>Subdivision Corridor</u>	

³⁹ Transpower [195.96].

<p>Qualifying matter - National Grid subdivision corridor / National Grid Yard</p>	<p>Activity status: RDIS <u>National Grid subdivision corridor / National Grid Yard</u></p> <p>Where:</p> <ol style="list-style-type: none"> 1. <u>a building platform is identified on the subdivision plan that is inside outside of the National Grid Yard Subdivision Corridor, to be secured by way of a consent notice; and</u> 2. <u>SUB-S1 to SUB-S18 are met.</u> <p>Matters of discretion are restricted to:</p> <p>Matters of control/discretion listed in SUB-R2</p> <p>SUB-MCD101 - Effects on or from the National Grid and Major Electricity Distribution Lines</p> <p>Notification <u>An application for a restricted discretionary activity under this rule is precluded from being publicly and limited notified</u> ⁴⁰</p>	<p>Activity status when compliance not achieved: NC</p>
<p>National Grid Yard Overlay</p>	<p>Activity status: RDIS -</p> <p>Where:</p> <ol style="list-style-type: none"> 3. a building platform is identified on the subdivision plan that is outside of the National Grid Yard, to be secured by way of a consent notice; and 4. SUB S1 to SUB S18 are met. <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> • Matters of control/discretion listed in SUB-R2 • SUB-MCD110 - Effects on or from the National Grid <p>Notification</p>	<p>Activity status when compliance with SUB-R6 (3) not achieved: NC</p> <p>-</p> <p>Activity status when compliance with SUB-R6 (4) not achieved: as set out in the relevant <u>subdivision</u> standards</p>

⁴⁰ Mainpower [249.100]

	<p>An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to Transpower New Zealand Limited, where the consent authority considers this is required, absent its written approval.</p>	
SUB-R7	Subdivision of a site containing a historic heritage item or heritage setting, or notable tree	

Heritage Building or Item Overlay Heritage Area Overlay Notable Trees Overlay	Activity status: RDIS Where: 1. SUB-S1 to SUB-S18 are met. Matters of discretion are restricted to: Matters of control/discretion listed in SUB-R2 SUB-MCD13 - Historic heritage and notable trees	Activity status when compliance not achieved: as set out in the relevant subdivision standards
SUB-R8	Subdivision to create a bonus allotment	
Rural Zones	Activity status: RDIS Where: 1. SUB-S1 to SUB-S18 are met. Matters of discretion are restricted to: Matters of control/discretion listed in SUB-R2 ECO-MD3 - Bonus allotment or bonus residential unit	Activity status when compliance not achieved: as set out in the relevant subdivision standards
SUB-R9	Subdivision	
Outstanding Natural Feature and Landscape Overlay Significant Natural Areas (SNA) Overlay Fault Awareness Overlay	Activity status: DIS Where: 1. SUB-S1 to SUB-S18 are met.	Activity status when compliance not achieved: as set out in the relevant subdivision standards
Ashley Fault Avoidance Overlay	Activity status: NC	Activity status when compliance not achieved: N/A
SUB-R10	Subdivision	
General Rural Zone	Activity status: NC Where: 1. subdivision creates an allotment with a minimum allotment area less than 20ha, except where a subdivision takes place to accommodate infrastructure.	Activity status when compliance not achieved: N/A

SUB-R11	Subdivision resulting in an allotment that is less than 4ha within the 50dBA Ldn noise contour for Christchurch International Airport	
Rural Lifestyle Zone within the 50 dBA Ldn Noise Contour for Christchurch International Airport	Activity status: NC	Activity status when compliance not achieved: N/A

SUB-R12⁴¹	Subdivision within the Special Purpose Zone (Rangiora Airfield)	
<u>Special Purpose Zone (Rangiora Airfield)</u>	<p><u>Activity status: RDIS</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> 1. <u>SUB-S1-S18 are met.</u> 2. <u>A resource consent application made under this rule shall include a condition to be specified in a consent notice or other appropriate legal instrument to be registered against the record of title for the land specifying that:</u> <ol style="list-style-type: none"> a. <u>All residential activity within Activity Area A must be associated with an airfield related activity on the same site.</u> b. <u>All new noise sensitive land uses must enter into a no-complaints covenant in favour of the Waimakariri District Council.</u> <p><u>Matters of control/discretion are restricted to:</u></p> <ul style="list-style-type: none"> <u>SUB-MCD1 - Allotment area and dimensions</u> <u>SUB-MCD2 - Subdivision design</u> <u>SUB-MCD3 - Property access</u> <u>SUB-MCD4 - Natural hazards</u> <u>SUB-MCD6 - Infrastructure</u> <u>SUB-MCD7 - Mana whenua</u> <u>SUB-MCD8 - Archaeological sites</u> <u>SUB-MCD9 – Airport and aircraft noise</u> <u>SUB-MCD10 - Reverse sensitivity</u> 	<p><u>Activity status when not achieved with SUB-R12(1): DIS</u></p> <p><u>Activity status when not achieved with SUB-R12(2): PR</u></p>

⁴¹ Daniel Smith [10].

	<p><u>SUB-MCD13 - Historic heritage, culture and notable trees</u></p> <p><u>Notification</u></p> <p><u>An application for a controlled activity under this rule is precluded from being publicly or limited notified.</u></p>	
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SUB-R6A	Subdivision and Major Electricity Distribution Lines	
<u>All Zones</u>	<p><u>Activity status: RDIS</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> 1. <u>the subdivision is within 24m of the centreline of the major electricity distribution lines as shown on the planning maps and:</u> <ol style="list-style-type: none"> a. <u>is located on the same site as a Major Electricity Distribution Line; or</u> b. <u>adjoins a Major Electricity Distribution Line located in the road reserve on the same side of the road as the site being subdivided; and</u> c. <u>a building square for a building or structure is positioned at least 6m from the:</u> <ol style="list-style-type: none"> i. <u>Centreline of the major electricity distribution lines as shown on the planning maps; and</u> ii. <u>Foundation of any support structure of any major electricity distribution line as shown on the planning maps.</u> 2. <u>SUB-S1 to SUB-S18 are met.</u> <p><u>Matters of discretion are restricted to:</u></p> <ul style="list-style-type: none"> • <u>Matters of control listed in SUB-MCD11 – Effects on or from the National Grid and Major Electricity Distribution Lines</u> <p><u>Notification</u></p> <p><u>An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to MainPower New Zealand Limited, where the consent authority considers this is required, absent its written approval.⁴²</u></p>	<p><u>Activity status when compliance with SUB-R6A not achieved: NC</u></p> <p><u>Activity status when compliance with SUB-R6A (2) not achieved: as set out in the relevant subdivision standards.</u></p>

⁴² Mainpower [249.100]

Subdivision Standards

SUB-S1 Allotment size and dimensions	
1. All allotments created shall comply with Table SUB-1.	Activity status when compliance not achieved: <ol style="list-style-type: none"> 1. In the Medium Density Residential Zone, any Industrial Zone and Special Purpose Zone (Kaiapoi Regeneration): DIS 2. In any other zone: NC

Table SUB-1: Minimum allotment sizes and dimensions

The following shall apply:

- a) For unit title or cross-lease allotments, the allotment area shall be calculated per allotment over the area of the parent site.
- b) The subdivision is of a fee simple allotment from an approved cross lease site, where the exclusive use areas shown on the existing cross lease plan are not altered, are exempt from the minimum site sizes in Table SUB-1⁴³
- c) Minimum areas and dimensions of allotments in Table SUB-1 for Commercial and Mixed Use Zones, Industrial Zones, and Residential Zones and the Special Purpose Zone (Rangiora Airfield)⁴⁴ shall be the net site area.
- d) Allotments for unstaffed infrastructure, accessway or road,⁴⁵ excluding for any balance area, are exempt from the minimum site sizes in Table SUB-1.
- e) Allotments for a reserve created under the Reserves Act 1977 or any esplanade reserves allotment, are exempt from the minimum, site sizes in Table SUB-1.⁴⁶

Zone	Minimum allotment area	Internal square	Frontage (excluding rear lots)
<i>Residential Zones</i>			
Large Lot Residential Zone	2,500m ² with a minimum average of 5,000m ² for allotments within the subdivision	n/a	n/a
General Residential Zone	500m ² <u>No minimum where a land use consent (where required) and/or building consent have been submitted and approved</u> ⁴⁷	15m x 15m	15m
<u>Medium Density Residential Zone</u>	200m² <u>n/a</u>	<u>n/a</u>	<u>n/a</u>

⁴³ Transpower [195.95].

⁴⁴ Daniel Smith [10.1].

⁴⁵ Transpower [195.95].

⁴⁶ Transpower [195.95].

⁴⁷ Kainga Ora [325.166]

(without qualifying matters)	for the purpose of the construction and use of residential units No minimum for multi-unit residential development where the design statement and land use consent have been submitted and approved⁴⁸		
Medium Density Residential Zone (with qualifying matter - airport noise)⁴⁹	200m² (except if subject to qualifying matter - natural hazards)⁵⁰	n/a	n/a⁵¹
Medium Density Residential Zone (with qualifying matter - natural hazards)⁵²	Kaiapoi Area A 200m² Kaiapoi Area B 500m²⁵³	n/a	n/a
Medium Density Residential Zone (with qualifying matter - national grid subdivision corridor) also refer to rule SUB-R6⁵⁴	200m²	n/a	n/a
Settlement Zone	600m ²	15m x 15m	15m
<i>Rural Zones</i>			
General Rural Zone	20ha	n/a	n/a
Rural Lifestyle Zone	4ha	n/a	n/a
Bonus allotment	1ha	n/a	n/a
<i>Commercial and Mixed Use Zones</i>			
Town Centre Zone	No minimum	n/a	n/a
Neighbourhood Centre Zone	No minimum	n/a	n/a
Local Centre Zone	No minimum	n/a	n/a
Mixed Use Zone	No minimum	n/a	n/a
Large Format Retail Zone	1,000m ²	n/a	n/a

⁴⁸ V1 as notified

⁴⁹ V1 as notified

⁵⁰ V1 as notified

⁵¹ Kainga Ora [V1 80.21]

⁵² V1 as notified

⁵³ V1 as notified

⁵⁴ V1 as notified

<i>Industrial Zones</i>			
Light Industrial Zone	500m ²	n/a	n/a
General Industrial Zone	1,000m ²	n/a	n/a
Heavy Industrial Zone	5,000m ²	n/a	n/a
<i>Open Space Zones</i>			
Natural Open Zone	No minimum	n/a	n/a
Open Space Zone	No minimum	n/a	n/a
Sport and Active Recreation Zone	No minimum	n/a	n/a
<i>Special Purpose Zones</i>			
Special Purpose Zone (Hospital)	500m ²	15m x 15m	15m
Special Purpose Zone (Museum and Conference Centre)	700m ²	n/a	n/a
Special Purpose Zone (Kāinga Nohoanga)			
<ul style="list-style-type: none"> Māori land including within the Tuahiwi Precinct and the Large Lot Residential Precinct; 	No minimum	n/a	n/a
<ul style="list-style-type: none"> Other land outside the Tuahiwi Precinct and the Large Lot Residential Precinct 	4ha	n/a	n/a
<ul style="list-style-type: none"> Other land within the Tuahiwi Precinct 	600m ²	15m x 15m	15m
<ul style="list-style-type: none"> Other land within the Large Lot Residential Precinct 	2,500m ² with a minimum average of 5,000m ² for allotments within the subdivision	n/a	n/a
Special Purpose Zone (Kaiapoi Regeneration)	500m ²	n/a	n/a
Special Purpose Zone (Pines Beach and Kairaki Regeneration)	600m ²	15m x 15m	15m

Special Purpose Zone (Pegasus Resort)			
• Areas 1, 2, and 4	No minimum	n/a	n/a
• <u>LOT 2 DP 80926</u>	<u>2000m²</u>	<u>n/a</u>	<u>n/a</u> ⁵⁵
• All other areas	4ha	n/a	n/a
<u>Special Purpose Zone (Rangiora Airfield)</u>			
• <u>Activity Area A (Airfield Central)</u>	• <u>500m²</u>		
<u>Activity Area B Airfield Environs (Residential)</u>	• <u>7000m²⁵⁶</u>		

SUB-S2 Identified building platforms and disposal areas in Rural Zones

<p>1. Any new allotment in the Rural Zones shall include one or more identified building platforms <u>s associated with a residential unit and associated accessory buildings</u>,⁵⁷ and a sewage disposal area, unless it is required to be serviced by a reticulated wastewater system.</p> <p>2. <u>Any identified building platform must be located to comply with BFS4 and BFS5 for the relevant Zone</u>⁵⁸.</p>	Activity status when compliance not achieved: NC
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SUB-S3 Residential yield

<p>1. Residential subdivision of any area subject to an ODP, <u>which is located within the Medium Density Residential Zone</u>,⁵⁹ except in the Large Lot Residential Zone,⁶⁰ shall provide for a minimum net density of 15 households per ha, unless <u>a lower minimum net density is specified for the ODP in the relevant Development Area Appendix</u>⁶¹. there are demonstrated constraints then no less than 12 households per ha.</p>	Activity status when compliance not achieved: NC-DIS ⁶²
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SUB-S4 Areas subject to an ODP

⁵⁵ Howard Stone [191.1]

⁵⁶ Daniel Smith [10.1].

⁵⁷ RMA Schedule 1 Clause 16(2).

⁵⁸ NZPork [169.18]

⁵⁹ R and G Spark [183.9].

⁶⁰ R and G Spark [183.9].

⁶¹ Richard and Geoff Spark [183.7], J & C Broughton [223.8], R Alloway and L Larsen [236.10], Dalkeith Holdings Ltd [242.7], M Hales [246.8] and Ngai Tahu Property [411.31]

⁶² Richard and Geoff Spark [183.7], J & C Broughton [223.8], R Alloway and L Larsen [236.10], Dalkeith Holdings Ltd [242.7], M Hales [246.8] and Ngai Tahu Property [411.31]


1. Any subdivision shall comply with the relevant ODP and rules for the ODP, as set out in the Development Areas Chapter of the District Plan.	Activity status when compliance not achieved: DIS
SUB-S5 Legal and physical access	
<p>1. Any allotment created shall have legal and physical access to a legal road.</p> <p>2. <u>Within the Special Purpose Zone (Rangiora Airfield) at each stage of subdivision, the applicant must provide Council with evidence of an enforceable legal agreement to ensure that the lots on the plan of subdivision are guaranteed access via the planned taxiways to the Rangiora Airfield, for as long as the Rangiora Airfield remains in use. The enforceable legal agreement must:</u></p> <p style="margin-left: 40px;">a. <u>Be between the relevant applicant/landowner and the owner of the Rangiora Airfield;</u></p> <p style="margin-left: 40px;">b. <u>Be registered on the record of title for any new site created.</u></p> <p style="margin-left: 40px;">c. <u>The section 224(c) certificate for the subdivision must not be issued until the Council is satisfied that this requirement is met.</u></p> <p>3. <u>All taxiways within the Special Purpose Zone (Rangiora Airfield) must be accompanied by a statement from a suitably qualified expert certifying that they are legally protected, formed, and designed (with safety fencing if necessary), in accordance with the requirements of the Civil Aviation Authority.⁶³</u></p>	Activity status when compliance not achieved: NC
SUB-S6 Access to a strategic road or arterial road	
1. Any subdivision of a site in any Rural Zone that creates two or more new allotments that access onto a strategic road or arterial road, shall be jointly served by a single accessway.	Activity status when compliance not achieved: DIS
SUB-S7 Corner sites on road intersections in Residential Zones, Commercial and Mixed Use Zones, Special Purpose Zones, or Industrial Zones	
<p>1. Any allotment created adjacent to any road intersection in Residential Zones, Commercial and Mixed Use Zones, Special Purpose Zones or Industrial Zones, shall, on the boundaries adjacent to the intersection, either:</p> <p style="margin-left: 40px;">a. have a corner splayed with a diagonal line reducing each boundary by a minimum of 6m; or</p>	Activity status when compliance not achieved: NC

⁶³ Daniel Smith [10.1].

<ul style="list-style-type: none"> b. have a corner rounded to a radius of a minimum of 6m; and c. show the corner splay or corner rounding vesting as road. 	
SUB-S8 Corner sites on road intersections in Rural Zones	
<ol style="list-style-type: none"> 1. The corner of any allotment at any road intersection in any subdivision in any Rural Zones, shall be splayed with a diagonal line reducing each boundary by: <ul style="list-style-type: none"> a. a minimum of 6m on local road or collector road; and b. a minimum of 15m on any strategic road or arterial road. 	Activity status when compliance not achieved: NC
SUB-S9 Potable water in Residential Zones, Commercial and Mixed Use Zones, Special Purpose Zones, or Industrial Zones	
<ol style="list-style-type: none"> 1. Any new allotment created in Residential Zones, Commercial and Mixed Use Zones, Special Purpose Zones or Industrial Zones shall be served with: <ul style="list-style-type: none"> a. community reticulated potable water supply, where available, to the boundary; or b. where community reticulated potable water supply is not available, as described in rule EI-R45, potable water supply is to be provided by private reticulated potable water supply or potable groundwater. 	Activity status when compliance not achieved with SUB-S9 (1)(a): NC Activity status when compliance not achieved with SUB-S9 (1)(b): DIS
SUB-S10 Potable water in Rural Zones	
<ol style="list-style-type: none"> 1. Any new allotment in Rural Zones shall be served with community reticulated potable water supply, where available, private reticulated potable water supply or potable groundwater. 	Activity status when compliance not achieved: DIS
SUB-S11 Water supply for firefighting	
<ol style="list-style-type: none"> 1. All new allotments intended for residential use shall demonstrate at the time of application for subdivision that: <ul style="list-style-type: none"> a. sufficient water supply and access to water supplies for firefighting is available to all residential units via the District Council's urban reticulated system (where available) in accordance with the SNZ PAS 4509:2008 New Zealand Fire Service firefighting water supplies code of practice; and b. where a reticulated water supply compliant with SNZ PAS:4509:2008 is not available, or the only supply 	Activity status when compliance not achieved: NC

<p>available is the controlled restricted rural type water supply which is not compliant with SNZ PAS:4509:2008 water supply and access to water supplies for firefighting that is in compliance with the alternative firefighting water sources provisions of SNZ PAS 4509:2008 must be provided.</p>	
SUB-S12 Reticulated wastewater disposal in Residential Zones, Commercial and Mixed Use Zones, Special Purpose Zones, or Industrial Zones	
<p>1. Any new allotment in Residential Zones, Commercial and Mixed Use Zones, Special Purpose Zones, or Industrial Zones shall be served:</p> <ol style="list-style-type: none"> 1. to the boundary by a reticulated wastewater system, where available; or 2. where a reticulated wastewater system is not available as described in EI-R45, wastewater disposal is to be provided by on site waste water treatment services. 	<p>Activity status when compliance not achieved: NC</p>
SUB-S13 Offsite wastewater disposal fields	
<p>1. Any allotments developed for a community wastewater scheme that includes a separate wastewater disposal field on another site shall be held together in a manner that they cannot be disposed of separately without the express permission of the District Council.</p>	<p>Activity status when compliance not achieved: NC</p>
SUB-S14 Electricity supply and communications connectivity	
<ol style="list-style-type: none"> 1. Any new allotment shall be served by electricity supply and shall demonstrate at the time of application for subdivision that connection to communication infrastructure including phone, internet and broadband can be achieved. 2. Where two or more allotments share an accessway, the electricity supply and any communication lines necessary to achieve (1) shall be available where the accessway joins the main body of each allotment. 	<p>Activity status when compliance not achieved: DIS</p>
SUB-S15 Stormwater disposal in Residential Zones, Commercial and Mixed Use Zones, Special Purpose Zones, or Industrial Zones	
<p>1. Any new allotment in Residential Zones, Commercial and Mixed Use Zones, Industrial Zones or Special Purpose Zones shall demonstrate at the time of application for subdivision that it can be:</p>	<p>Activity status when compliance not achieved: NC</p>

<ul style="list-style-type: none"> a. served by reticulated stormwater infrastructure where it is available at the boundary of the allotment; or b. where no such infrastructure is available, provided with on-site stormwater disposal. 	
SUB-S16 Rural drainage	
1. Any new allotment in Rural Zones shall connect to a public drain if the allotment is within a rural drainage area.	Activity status when compliance not achieved: DIS
SUB-S17 Esplanade reserves or strips	
1. An esplanade reserve or esplanade strip shall be created or set aside in the following circumstances: <ul style="list-style-type: none"> a. except where provided by (c), an esplanade reserve or esplanade strip shall be created or set aside for any allotment which is created on subdivision regardless of the size of the allotment created where any part of the land to be subdivided: <ul style="list-style-type: none"> i. adjoins or is crossed by a water body listed in Table SUB-2; or ii. adjoins the CMA boundary; b. the minimum width of an esplanade reserve or esplanade strip required under (a)(i) and (a)(ii) above shall be 20m. c. where any allotment of less than 4ha is created on subdivision an esplanade reserve or esplanade strip shall be created or set aside from that allotment along the bank of any other river or along the mark of MHWS of the sea; <ul style="list-style-type: none"> i. for the purpose of (c) above a river means a river whose bed has an average width of 3m or more where the river flows through or adjoins an allotment. 	Activity status when compliance not achieved with SUB-S17(a) and/or SUB-S17(c)⁶⁴: NC Activity status when compliance not achieved with SUB-S17(b): RDIS⁶⁵

Table SUB-2: Esplanade Reserve or Esplanade Strip Requirements for water bodies


Water body	Reach	Purpose (as set out in section 229 of the RMA)

⁶⁴ Sarah Gale [273.6] and Bellgrove [408.25].⁶⁵ Sarah Gale [273.6] and Bellgrove [408.25].

Cam River	From 52 Kippenberger Avenue (inclusive), legally described as Lot 2 DP 394668 Lot 2 DP 452196 Lot 2 DP 12090 Lot 2 DP 24808 Pt Lot 2 DP 9976 Pt Rural Sec 267 to Kippenberger Avenue From Kippenberger Avenue to the confluence with the Kaiapoi River	<ul style="list-style-type: none"> • Conservation • Natural hazard mitigation
Coastal Margins	The length of the CMA boundary including the Ashley River/Rakahuri, Saltwater and Waimakariri Estuaries	<ul style="list-style-type: none"> • Conservation • Natural hazard mitigation • Access
Courtenay Stream	From the crossing of Main North Road to confluence with the Kaiapoi River	<ul style="list-style-type: none"> • Conservation • Natural hazard mitigation • Access • Recreational use
Cust River	From crossing of Tippings Road to crossing of Rangiora – Oxford Road	<ul style="list-style-type: none"> • Conservation • Natural hazard mitigation • Access • Recreational use
Kaikanui Stream	From crossing of Tram Road to confluence with the Kaiapoi River	<ul style="list-style-type: none"> • Conservation • Natural hazard mitigation • Access • Recreational use
Kaiapoi River (upper reaches sometimes referred to as Silverstream)	From crossing of Heywards Road to the confluence with the Waimakariri River	<ul style="list-style-type: none"> • Conservation • Natural hazard mitigation • Access • Recreational use
Middle Brook	From crossing of King Street to confluence with the South Brook	<ul style="list-style-type: none"> • Conservation • Natural hazard mitigation • Access • Recreational use
North Brook	From crossing of Rangiora-Oxford Road to confluence with the South Brook	<ul style="list-style-type: none"> • Conservation • Natural hazard mitigation • Access • Recreational use
Ohoka Stream (North and Central Branch)	From crossing of Bradleys Road to Christmas Road	<ul style="list-style-type: none"> • Conservation • Natural hazard mitigation
	From Christmas Road to the confluence with the Kaiapoi River	<ul style="list-style-type: none"> • Conservation • Natural hazard mitigation • Access

		<ul style="list-style-type: none"> • Recreational use
Saltwater Creek at Pines/Kairaki	Downstream of a point west of the top of Featherstone Avenue to the coastal marine area boundary	<ul style="list-style-type: none"> • Conservation • Natural hazard mitigation • Access • Recreational use
South Brook	From crossing of Lehmans Road to confluence with the Cam River	<ul style="list-style-type: none"> • Conservation • Natural hazard mitigation • Access • Recreational use
Taranaki Stream	From Lot 2 DP 1799 and Lot 1 DP 76141 Preeces Road	<ul style="list-style-type: none"> • Conservation • Natural hazard mitigation
Taranaki Stream	Preeces Road to the confluence with the Ashley River/Rakahuri	<ul style="list-style-type: none"> • Conservation • Natural hazard mitigation • Access • Recreational use
Waikuku Stream	From most western crossing of Gressons Road to the Ashley River//Rakahuri	<ul style="list-style-type: none"> • Conservation • Access • Recreational use
SUB-S18 Subdivision to create a bonus allotment		
1. Any subdivision for the protection and restoration of a mapped ⁶⁶ SNA listed in ECO-SCHED1 ⁶⁷ shall meet the requirements of Appendix APP2.		Activity status when compliance not achieved: NC

Advice Notes

SUB-AN1	Resource consent may be required where land is being subdivided under the NESCS. Reference must be made to the NESCS to determine whether such consents are required.
SUB-AN2	Communication infrastructure includes mobile network capacity where physical network connection does not exist.
SUB-AN3	<u>Where the state highway has been declared a Limited Access Road, approval from Waka Kotahi is required for new accesses or changes to existing accesses. The objective of this control is to protect the operation of the state highway from uncontrolled property access that can affect the safety, efficiency, functionality and level of service of the state highway. Limited access roads are most commonly in areas with a heightened development pressure. Waka Kotahi should be consulted initially with respect to development along limited access roads.</u> ⁶⁸

⁶⁶ Federated Farmers [414.19] and Department of Conservation [419.92].

⁶⁷ Federated Farmers [414.19] and Department of Conservation [419.92].

⁶⁸ Waka Kotahi [275.36].

Matters of Control and Discretion

SUB-MCD1	<p>Allotment area and dimensions</p> <ol style="list-style-type: none"> 1. The extent to which allotment area and dimensions enables activities to take place in accordance with the function, role and character of the zone. 2. Area and dimensions of allotments for access, utilities, reserves and roads. 3. Area and dimensions of allotments created for conservation, restoration or enhancement or for any notable tree or historic heritage item with heritage values, and any significant indigenous vegetation or significant habitat of indigenous fauna, or wāhi taonga. 4. Any effect that the balance area of a residential subdivision will have on the achievement of any required minimum net household density. 5. <u>With respect to subdivision to update cross lease plans, company plans or unit title plans, the extent to which the functionality in relation to outdoor living space, outdoor service area or outdoor storage areas are reduced.</u>⁶⁹
SUB-MCD2	<p>Subdivision design</p> <ol style="list-style-type: none"> 1. The extent to which design and construction of roads, service lanes, and accessways <u>and within the Special Purpose Zone (Rangiora Airfield) taxiways</u>⁷⁰ will provide legal and physical access that is safe and efficient. 2. The extent to which the proposal complies with any relevant ODP or concept plan. Where a proposal does not comply with an ODP or concept plan, the extent to which the proposal achieves the same, or better urban design and environmental outcomes, than provided through the ODP or concept plan. 3. The extent to which allotments provide for solar orientation of buildings to achieve passive solar gain. 4. Design of the subdivision and any mitigation of reverse sensitivity effects on infrastructure. 5. The provision and location of walkways and cycleways, the extent to which they are separated from roads and connected to the transport network. 6. The provision and use of open stormwater channels, wetlands and waterbodies, excluding aquifers and pipes and how they are proposed to be maintained. 7. The provision, location, design, protection, management and intended use of reserves and open space. 8. The extent to which areas of significant indigenous vegetation or significant habitats of indigenous fauna, the natural character of freshwater bodies, springs, watercourses, notable trees, historic heritage items, or wāhi taonga are protected and their values maintained. 9. The extent to which subdivision subject to an ODP: <ol style="list-style-type: none"> a. provides for the protection of routes for future roads, and other public features of the subdivision, from being built on; and b. will not undermine or inhibit the future development of identified new development areas. 10. <u>The extent to which subdivision within the Medium Density Residential Zone subject to an ODP:</u> <ol style="list-style-type: none"> a. <u>Has demonstrated constraints that affect the ability to achieve the anticipated minimum net density as set out in SUB-P6; and</u> b. <u>Contributes to providing residential housing capacity.</u>⁷¹ 11. <u>Within the Special Purpose Zone (Rangiora Airfield):</u>

⁶⁹ Eliot Sinclair [233.1].

⁷⁰ Daniel Smith [10.1]

⁷¹ R and G Spark [FS 37].

	<p>a. <u>whether information is provided to show the subdivision demonstrates compliance with any Civil Aviation rule; and</u></p> <p>b. <u>whether appropriate legal mechanisms are proposed for identified allotments to restrict the total number of residential units within Area A to 30, in accordance with SPZ(RA)-R5(1)(1)(c)⁷².</u></p>
SUB-MCD3	<p>Property access</p> <ol style="list-style-type: none"> The extent to which the subdivision makes provision for: <ol style="list-style-type: none"> the location, design, lighting, alignment and pattern of roads in relation to allotments; the provision of access, <u>including consideration of the need for any upgrades to existing accesses where there are increased effects as a result of increased traffic arising from subdivision⁷³</u>; the location, design, and provision of vehicle crossings in particular, taking into account infrastructure, <u>transport safety⁷⁴</u> and street trees in the roading corridor; the location and design of footpaths and cycleways including their convenience, safety and separation from roads by visual and/or physical means; and road reserves and links to future subdivision on adjoining land.
SUB-MCD4	<p>Esplanade provision</p> <ol style="list-style-type: none"> Esplanade reserve or esplanade strip provision and management where any subdivision adjoins the CMA or a river identified in SUB-S17; The purpose of any esplanade reserve or esplanade strip as set out in section 229 of the RMA. Any need for reduction in the width of the esplanade reserve or esplanade strip to take account of topography, subdivision design or expected land use; The extent to which the esplanade reserve or esplanade strip provides for the protection or enhancement of: <ol style="list-style-type: none"> archaeological sites or historic heritage items with heritage values; SNAs; any notable tree; sites and areas of significance to Māori as set out in SASM-SCHED1; or the habitat of trout and salmon. The extent to which the area to be provided connects, or matches the width of, existing esplanade strips or esplanade reserves for the purpose of conservation, access, recreation or natural hazard mitigation. Where the purpose of the esplanade reserve or esplanade strip is to provide for or enhance an ecological corridor, the need to ensure that the integrity of the vegetation is not vulnerable or ineffective due to its narrowness or edge effects.
SUB-MCD5	<p>Natural hazards</p> <ol style="list-style-type: none"> The extent to which risk from natural hazards has been addressed, including any effects on the use of the site for its intended purpose, including: <ol style="list-style-type: none"> provision of works for the subdivision including access and infrastructure; the location and type of infrastructure; location of structures and any identified building platform or platforms for natural hazard sensitive activities; any restriction on, or requirement for floor levels, floor levels and freeboard, and land levels as a result of flood hazard risk; and

⁷² Daniel Smith [10.1].

⁷³ Waka Kotahi [275.37].

⁷⁴ Waimakariri District Council [367.64].

	<ul style="list-style-type: none"> e. location and quantity of filling and earthworks that can be affected by the following hazards or which could affect the impact of those hazards on any allotment or other land in the vicinity: <ul style="list-style-type: none"> i. erosion; ii. flooding and inundation; iii. landslip; iv. rockfall; v. alluvion; vi. avulsion; vii. unconsolidated fill; viii. defensible space for fire safety; ix. soil contamination; x. subsidence; and xi. liquefaction. 2. The extent to which necessary overland flow paths are maintained, including consideration of any culvert development or road access that may impede overland flow. 3. Any effects from fill or difference in finished ground levels on stormwater management on the site and adjoining properties and the appropriateness of the fill material.
SUB-MCD6	<p>Infrastructure</p> <ul style="list-style-type: none"> 1. The quantity, security and potability of the water and means, location and design of supply, including; <ul style="list-style-type: none"> a. for fire-fighting purposes; and b. the location, scale, construction and environmental, including public health, effects of water supply infrastructure and the adequacy of existing supply systems outside the subdivision. 2. The means, design, scale, construction and standard of stormwater infrastructure (including soakage areas and the means and location of any outfall). 3. The effectiveness and effects of any measures proposed for mitigating the effects of stormwater runoff, including the control of water-borne contaminants, litter and sediments. 4. The location, scale, construction and environmental effects of stormwater infrastructure, and whether or not the proposal requires on-site or area wide stormwater detention (either individually or collectively) to achieve stormwater neutrality or to meet any condition of regional network discharge consents. 5. Capacity of the stormwater drainage network. 6. The effect of the subdivision on water quality. 7. The extent to which the design of the stormwater infrastructure necessitates specific landscape treatment to mitigate any adverse effects on amenity values. 8. The means, design and standard of sewage treatment and disposal where a public reticulated wastewater system is not available. 9. The location, scale, construction, maintenance and environmental effects of the proposed wastewater system. 10. The adequacy and standard of electricity supply and connectivity to communication infrastructure including phone, internet and broadband.
SUB-MCD7	<p>Mana whenua</p> <ul style="list-style-type: none"> 1. The extent to which protection of sites and areas of significance to Māori as set out in SASM-SCHED1 is provided for through the subdivision. 2. Provision of public access along and in the vicinity of the Taranaki Stream. 3. The effectiveness and environmental effects of any measures proposed for mitigating the effects of subdivision on wāhi taonga identified by Te Ngāi Tuahuriri Rūnanga.

SUB-MCD8	Archaeological sites <ol style="list-style-type: none"> Any archaeological sites are identified on the allotments, and any provisions to identify and/or protect archaeological sites. Any protocols to provide for wāhi taonga, wāhi tapu, urupā and other historic cultural sites. Processes that protect the interests of Te Rūnanga o Ngāi Tahu and Te Ngāi Tuahuriri Rūnanga.
SUB-MCD9	Airport and aircraft noise <ol style="list-style-type: none"> Any reverse sensitivity effect on the operation of the Christchurch International Airport from subdivision; and⁷⁵ <u>Any reverse sensitivity effect on the operation of the Rangiora Airfield from subdivision⁷⁶</u> Any effects from aircraft noise on the use of the site for its intended purpose.⁷⁷
SUB-MCD10	Reverse sensitivity <ol style="list-style-type: none"> Any need to provide a separation distance for any residential unit or minor residential unit from existing activities, and any need to ensure that subsequent owners are aware of potential reverse sensitivity issues from locating near <ol style="list-style-type: none"> <u>Existing and permitted activities operating from the Rangiora Airfield and/or⁷⁸</u> lawfully established rural activities, including but not limited to intensive farming, <u>infrastructure and heavy industrial zones⁷⁹</u>. <u>Any measures required to minimise potential reverse sensitivity effects on existing activities and infrastructure, such as noise and vibration, through subdivision design, provision of screening, structures or other mitigation methods.⁸⁰</u>
SUB-MCD11	Effects on or from the National Grid and Major Electricity Distribution Lines <ol style="list-style-type: none"> The extent to which the subdivision allows for earthworks, buildings and structures to comply with the safe distance requirements of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances. The provision for the ongoing efficient operation, maintenance, development and upgrade of the National Grid <u>or the Major Electricity Distribution Lines</u>, including the ability for continued reasonable access to existing transmission <u>or distribution</u> lines for maintenance, inspections and upgrading. The extent to which potential adverse effects (including visual and reverse sensitivity effects) are mitigated through the location of an identified building platform or platforms. The extent to which the design and construction of the subdivision allows for activities to be set back from the National Grid <u>or the Major Electricity Distribution Lines</u>, including the ability to ensure adverse effects on, and from, the National Grid <u>or the Major Electricity Distribution Lines</u> and on public safety and property are appropriately avoided, remedied or mitigated, for example, through the location of roads and reserves under the transmission lines. The nature and location of any proposed vegetation to be planted in the vicinity of the National Grid <u>or the Major Electricity Distribution Lines</u>. The outcome of any consultation with Transpower New Zealand Limited <u>or MainPower New Zealand Limited</u>.

⁷⁵ V1 as notified⁷⁶ Daniel Smith [10.1].⁷⁷ V1 as notified⁷⁸ Daniel Smith [10.1].⁷⁹ Fulton Hogan [41.31], Daiken [145.21 and 145.22], NZPork [169.15]⁸⁰ Waka Kotahi [275.38].

	7. The extent to which the subdivision plan clearly identifies the National Grid <u>or the Major Electricity Distribution Lines</u> ⁸¹ and identified building platform or platforms.
SUB-MCD12	Liquefaction Hazard Overlay <ol style="list-style-type: none"> 1. The extent of liquefaction remediation measures to mitigate the effect on future development and associated inground infrastructure through ground strengthening, foundation design and geotechnical or engineering solutions, especially in the case where infrastructure including roads, water supply, and wastewater system are required to be extended to service the subdivision. 2. The location and layout of the subdivision, identified building platform or platforms and service locations in relation to the liquefaction hazard.
SUB-MCD13	Historic heritage, culture and notable trees <ol style="list-style-type: none"> 1. Any effect on historic heritage, its heritage values and on any associated heritage setting. 2. The extent that HNZPT has been consulted and the outcome of that consultation. 3. The extent that the site has cultural or spiritual significance to mana whenua and the outcome of any consultation undertaken with Te Ngāi Tūāhuriri Rūnanga. 4. Opportunities to incorporate representation of the association of Te Ngāi Tūāhuriri Rūnanga into the design of residential and commercial subdivision. 5. Opportunities to enhance the physical condition of historic heritage and its heritage values. 6. Any mitigation measures proposed to be implemented to protect historic heritage and its heritage values. 7. The extent to which the subdivision layout and design provides for the protection of any notable tree. 8. Any effect on a notable tree as a result of the subdivision or identified building platform or platforms, and whether alternative methods or subdivision design are available to retain or protect the tree.

<u>CONSERVATION VALUES</u>	<u>Has the same meaning as in section 229(2) of the RMA.</u> ⁸²
<u>Public Drain</u>	<u>Public drain means the Council Land Drainage System. It does not include any private drains or roadside drains not administered by the District Council.</u> ⁸³

GA-AN5	<u>Any onsite wastewater treatment system is subject to the Canterbury Land and Water Regional Plan. A building consent is also required from the District Council for any onsite wastewater treatment system.</u> ⁴⁹
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⁸¹ Mainpower [249.100]⁸² Forest and Bird [192.79]⁸³ Waka Kotahi [275.35].

MRZ - Medium Density Residential Zone

Introduction

The purpose of the Medium Density Residential Zone is to provide for residential areas predominantly used for residential activity with moderate concentration and bulk of buildings, such as detached, semi-detached and terrace housing, low rise apartments and other compatible activities. Such areas are identified close to town and neighbourhood centres, along public transport corridors, or close to public transport s stops and open space¹.

The Medium Density Residential Zone is located in the township areas of Rangiora, Kaiapoi, ~~Oxford~~Woodend, Pegasus and North Woodend (Ravenswood) ~~Silverstream~~.² It is anticipated that the character of these areas will be dynamic and provide for more intensive development as demand increases for smaller units with close access to township amenities.

The provisions in this chapter have been justified where required by a s77J qualifying matter assessment contained in the relevant section 32 evaluation report under the RMA.³

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

As well as the provisions in this chapter, district wide chapter provisions will also apply where relevant.

Objectives	
MRZ—O1	Provision of medium density housing A higher density suburban residential zone located close to amenities with a range of housing typologies providing for predominantly residential use.
<u>MRZ-O1</u>	<u>Housing types and sizes</u> <u>The Medium Density Residential Zone provides for a variety of housing types and sizes that respond to:</u> i. <u>housing needs and demand; and</u> ii. <u>the neighbourhood's planned urban built character, including 3-storey buildings.</u> ⁴
Policies	
<u>MRZ-P1</u>	<u>Housing types</u> <u>Enable a variety of housing types with a mix of densities within the zone, including 3-storey attached and detached dwellings, and low-rise apartments.</u> ⁵
<u>MRZ-P2</u>	<u>Housing Developments</u> <u>Provide for developments not meeting permitted activity status, while encouraging high-quality developments.</u> ⁶

¹ Kainga Ora [325.240].

² V1 as notified

³ V1 as notified

⁴ V1 as notified

⁵ V1 as notified

⁶ V1 as notified

MRZ-P43⁷	<p>Residential character</p> <p>Provide for activities and structures that support and maintain <u>Enable development to achieve⁸ the character and amenity values and planned built form⁹ anticipated for the zone, which provides for:</u></p> <ol style="list-style-type: none"> 1. higher medium¹⁰ density living in areas with better access for walking to parks, <u>educational facilities¹¹, public transport¹²</u>, main centres, or local commercial centre; 2. multi-unit redevelopment opportunities through flexible development controls and encouragement for multi-site redevelopment; 3. high quality building and landscape design for multi-unit residential development with appropriate streetscape landscaping and positive contribution to streetscape character; 4. provides for a peaceful residential environment, in particular minimising the adverse effects of night time noise and outdoor lighting, and limited signs; 5. appropriate internal amenity within sites; 6. a mix of detached, semi-detached and multi-unit living; 7. small-scale commercial, or community-based activities, that service the local community, and home businesses; and 8. a wider range of home business-based commercial activity in the Residential Commercial Precinct adjacent to Rangiora Town Centre; <u>and</u> 9. <u>retirement villages where these are well located and suitably designed¹³.</u>
MRZ-P4	<p><u>MRZ-P4 Medium Density Residential Standards</u></p> <p><u>Apply the Medium Density Residential Standards across all relevant residential zones in the District Plan Medium Density Residential Zone except in circumstances where a qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga).¹⁴</u></p>

Advisory Note

<p><u>How to read this section in relation to qualifying matters</u></p> <p><u>Qualifying matters that apply to the number of units per site are integrated within the rule framework below. The following qualifying matters are implemented through their respective chapter provisions and are additional to the Medium Density Residential Zone provisions</u></p> <table border="1" data-bbox="127 1496 1433 1709"> <tr> <td data-bbox="127 1496 1433 1601"> <p><u>Historic heritage qualifying matter</u> – properties identified as a Heritage listed item within the Medium Density Residential Zone of Rangiora, Kaiapoi, and Woodend. As mapped in qualifying matter heritage building or item</p> </td></tr> <tr> <td data-bbox="127 1601 1433 1709"> <p><u>Notable trees qualifying matter</u>- Properties with a notable tree within Medium Density Residential Zone of Rangiora, Kaiapoi and Woodend. As mapped in qualifying matter, notable trees</p> </td></tr> </table>	<p><u>Historic heritage qualifying matter</u> – properties identified as a Heritage listed item within the Medium Density Residential Zone of Rangiora, Kaiapoi, and Woodend. As mapped in qualifying matter heritage building or item</p>	<p><u>Notable trees qualifying matter</u>- Properties with a notable tree within Medium Density Residential Zone of Rangiora, Kaiapoi and Woodend. As mapped in qualifying matter, notable trees</p>
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<p><u>Notable trees qualifying matter</u>- Properties with a notable tree within Medium Density Residential Zone of Rangiora, Kaiapoi and Woodend. As mapped in qualifying matter, notable trees</p>		

⁷ V1 as notified

⁸ Kainga Ora [V1 80.59]

⁹ Kainga Ora [V1 80.42]

¹⁰ Kainga Ora [V1 80.42]

¹¹ Ministry of Education [277.44].

¹² Kainga Ora [325.206]

¹³ Summerset [207.30]

¹⁴ RMA Schedule 1 Clause 99

Natural character – waterbody setbacks, properties adjoining a large waterbody within Medium Density Residential Zone of Rangiora, Kaiapoi, and Woodend as mapped in scheduled natural character waterbodies, SCHED1-4¹⁵

Activity Rules

MRZ-R1 Construction or alteration of or addition to any building or other structure	
Activity status: PER Where: <ol style="list-style-type: none"> the activity complies with all built form standards (as applicable). Legal Effect This rule shall have immediate legal effect in relation to residential activities.¹⁶	Activity status when compliance not achieved: as set out in the relevant built form standards
MRZ-R2 Residential unit	
Activity status: PER Where: <ol style="list-style-type: none"> <u>the activity complies with MRZ-BFS1 to MRZ-BFS12¹⁷; and</u> <u>the activity complies with MRZ-BFS-2,3,4,5,6,7,8,9,10,11,12; and</u> <u>the activity complies with any additional and applicable district wide standards as per MRZ-R1.</u> Legal Effect This rule shall have immediate legal effect. The highlighted yellow text identifies the standards that have immediate legal effect if no qualifying matter applies.^{18,19}	Activity status when compliance not achieved: <u>N/A as set out in the relevant built form standards²⁰</u>
MRZ-R3 Minor residential unit	
Activity status: PER Where: <ol style="list-style-type: none"> <u>the maximum GFA of the minor residential unit shall be 80m²;</u> <u>there shall be only one minor residential unit per site; and</u> <u>parking and access shall be from the same vehicle crossing as the principal residential unit on the site.²¹</u> 	Activity status when compliance not achieved: <u>RDIS</u> <u>Matters of discretion are restricted to: RES-MD1—Minor residential units²²</u>

¹⁵ Waimakariri District Council [V1 47.1]

¹⁶ V1 as notified

¹⁷ Kainga Ora [V1 80.44 and 80.46]

¹⁸ V1 as notified

¹⁹ Removal of s80H identifying markup

²⁰ V1 as notified

²¹ V1 as notified

²² V1 as notified

MRZ-R43 Residential activity Storage of vehicles and boats on residential sites²³	
Activity status: PER Where: <ol style="list-style-type: none"> 1. a maximum of one heavy vehicle shall be parked or stored on the site of the residential activity; and 2. any motor vehicles and/or boats dismantled, repaired or stored on the site of the residential activity shall be owned by the people who live on the same site. 	Activity status when compliance not achieved: DIS
MRZ-R54 Gardening, cultivation and disturbance of land for fenceposts	
Activity status: PER Where: <ol style="list-style-type: none"> 1. the activity is associated with an otherwise permitted or consented activity. 	Activity status when compliance not achieved: DIS²⁴
MRZ-R65 Accessory building or structure	
Activity status: PER	Activity status when compliance not achieved: N/A
MRZ-R76 Boarding house	
Activity status: PER Where: <ol style="list-style-type: none"> 1. a maximum of eight people shall be accommodated per site, including any on site managers. 	Activity status when compliance not achieved: DIS
MRZ-R87 Residential disability care and care facility	
Activity status: PER	Activity status when compliance not achieved: N/A
MRZ-R98 Visitor accommodation	
<i>This rule does not apply to any camping ground provided for under MRZ-R28.</i>	
Activity status: PER Where: <ol style="list-style-type: none"> 1. a maximum of eight visitors shall be accommodated per site. 	Activity status when compliance not achieved: DIS
MRZ-R409 Home business	
Activity status: PER Where: <ol style="list-style-type: none"> 1. the operator permanently resides on the site; 2. the maximum area occupied by the home business shall be 40m² (within or external to buildings on the site), except in the Residential Commercial Precinct where the maximum area shall be 100m²; 	Activity status when compliance not achieved: DIS

²³ RMA Schedule 1 Clause 16(2)²⁴ Kainga Ora [325.216 and 325.247]

<ol style="list-style-type: none"> 3. hours of operation that the home business is open to visitors and clients shall be limited to 7:00am to 7:00pm; 4. there is a maximum of 20 vehicle movements generated by the home business activity per day; 5. a maximum of two non-resident staff shall be employed as part of the home business; 6. any storage of materials associated with the home business shall be undertaken within buildings as part of the site identified in (2); 7. the activity does not include any food and beverage outlet, funeral related services and facility, heavy industry, vehicle sales, or vehicle repair, storage or dismantling; and 8. where the home business involves paid childcare, a maximum of four non-resident children shall be cared for. 	
MRZ-R140 Residential unit used as a show home	
<p>Activity status: PER Where:</p> <p>hours of operation, when the site is open to visitors and clients, shall be limited to 9:00am-47:00pm Monday to <u>Friday and 9:00am-4:00pm Saturday</u>, Sunday <u>and</u>²⁵ including public holidays;</p> <ol style="list-style-type: none"> 2. the duration of use as a show home shall not exceed two<u>three</u>²⁶ years after the Code of Compliance Certificate for the subject building has been issued; and 1. the residential unit used as a show home shall not be located on local roads. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: RES-MD3 - Use of a residential unit as a show home</p>
MRZ-R121 Educational facility (<u>excluding childcare facility</u>)²⁷	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. the activity shall only be located on sites with frontage and the primary entrance to a strategic road, arterial road or collector road; 2. the maximum GFA of building occupied by the educational facility shall be 200m²; 3. the hours of operation when the site is open to visitors, students, clients, and deliveries shall be between the hours of 7:00am — 9:00pm Monday to Friday; and²⁸ 4. the facility shall not result in more than two non-residential activities within a 	<p>Activity status when compliance not achieved: DIS</p>

²⁵ Bellgrove Rangiora Ltd [408.46].

²⁶ Ravenswood Developments Ltd [347.47].

²⁷ Bellgrove Rangiora Ltd [408.47], Ministry of Education [277.45].

²⁸ Ministry of Education [277.45].

<p>residential block frontage, except in the Residential Commercial Precinct, where there shall be no limit to the number of non-residential activities within a block; and.</p> <p>5. the facility shall not include the parking or storage of more than one heavy vehicle on the site of the activity. ²⁹</p>	
MRZ-R132 Childcare facility	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. the activity shall only be located on sites with frontage and the primary entrance to a strategic road, arterial road or collector road; 2. the maximum GFA of building occupied by the childcare facility shall be 200m²; 3. the hours of operation when the site is open to visitors, students, children, and deliveries shall be between the hours of 7:00am — 9:00pm Monday to Friday; 4. the facility shall not result in more than two non-residential activities within a residential block frontage, except in the Residential Commercial Precinct, where there shall be no limit to the number of non-residential activities within a block; and 5. the facility shall not include the parking or storage of more than one heavy vehicle on the site of the activity. 	<p>Activity status when compliance not achieved: DIS</p>
MRZ-R143 Community garden	
<p>Activity status: PER</p>	<p>Activity status when compliance not achieved: N/A</p>
MRZ-R154 Health care facility	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. the activity shall only be located on sites with frontage and the primary entrance to a strategic road, arterial road or collector road. 2. the maximum GFA of building occupied by the educational facility shall be 200m². 3. the hours of operation when the site is open to visitors, patients, clients, and deliveries shall be between the hours of 7:00am — 6:00pm Monday to Saturday. 4. the facility shall not result in more than two non-residential activities within a residential block frontage, except in the Residential Commercial Precinct, where there shall be 	<p>Activity status when compliance not achieved: DIS</p>

²⁹ Ministry of Education [277.45].

<p>no limit to the number of non-residential activities within a block.</p> <p>5. the facility shall not include the parking or storage of more than one heavy vehicle on the site of the activity.</p>	
MRZ-R165 Domestic animal keeping and breeding	
Activity status: PER	Activity status when compliance not achieved: N/A
Advisory Note <ul style="list-style-type: none"> Refer to the District Council's bylaws for further rules regarding keeping of domestic animals. 	
MRZ-R176 Recreation activities	
Activity status: PER Where: <ol style="list-style-type: none"> the activity is not a motorised recreation activity. 	Activity status when compliance not achieved: NC
MRZ-R187 Multi-unit residential development (four or more residential units)³⁰	
Activity status: RDIS Where: <ol style="list-style-type: none"> 1. any residential unit fronting a road or public open space shall have a habitable room located at the ground level; 2. at least 50% of all residential units within a development shall have a habitable space located at ground level; and 3.1.³¹ a design statement shall be provided with the application. Matters of discretion are restricted to: <ul style="list-style-type: none"> RES-MD2 – Residential design principles RES-MD7 – Outdoor storage Notification An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.	Activity status when compliance not achieved: DIS³²
MRZ-R198 Retirement village (four or more residential units)³³	
Activity status: RDIS Where: <ol style="list-style-type: none"> a design statement shall be provided with the application.³⁴ Matters of discretion are restricted to: <ul style="list-style-type: none"> RES-MD2 - Residential design principles 	Activity status when compliance not achieved: DIS <u>N/A³⁵</u>

³⁰ Retirement Industry Association [V1 67.20].

³¹ V1 as notified

³² Kainga Ora [V80.44 and 80.61]

³³ Retirement Villages Association [V1 67.20]

³⁴ Retirement Villages Association [V67.20 and 67.21]

³⁵ Retirement Villages Association [V67.20 and 67.21]

RES-MD7 - Outdoor storage Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.	
MRZ-R2019 Community facility <i>This rule does not apply to any health care facility provided for under MRZ-R15 or recreation facilities provided for under MRZ-R25.</i>	
Activity status: RDIS Matters of discretion are restricted to: RES-MD2 - Residential design principles RES-MD4 - Traffic generation RES-MD7 - Outdoor storage Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.	Activity status when compliance not achieved: N/A
MRZ-R20A Emergency service facility	
Activity status: RDIS Matters of discretion are restricted to: <u>RES-MD2 - Residential design principles</u> <u>RES-MD4 - Traffic generation</u> <u>RES-MD7 - Outdoor storage</u>	Activity status when compliance not achieved: <u>N/A³⁶</u>
MRZ-R240 Cattery	
Activity status: DIS	Activity status when compliance not achieved: N/A
MRZ-R221 Veterinary facility	
Activity status: DIS	Activity status when compliance not achieved: N/A
MRZ-R232 Convenience activity	
Activity status: DIS Where: 1. the retail or service activity shall be a maximum of 75m ² GFA.	Activity status when compliance not achieved: NC
MRZ-R243 Entertainment activity	
Activity status: DIS	Activity status when compliance not achieved: N/A
MRZ-R254 Recreation facilities <i>This rule does not apply to any motorised recreation activity provided for under MRZ-R37 or motorised vehicle events under MRZ-R38.</i>	

³⁶ Fire and Emergency NZ [303.53, and 303.55]

Activity status: DIS	Activity status when compliance not achieved: N/A
MRZ-R265 Food and beverage outlet	
Activity status: DIS	Activity status when compliance not achieved: N/A
MRZ-R276 Changes or additions to an existing supermarket	
Activity status: DIS	Activity status when compliance not achieved: N/A
MRZ-R287 Any other activity not provided for in this zone as a permitted, controlled, restricted discretionary, discretionary, non-complying, or prohibited activity, except where expressly specified by a district wide provision	
Activity status: DIS	Activity status when compliance not achieved: N/A
MRZ-R298 Funeral related services and facility	
Activity status: NC DISC³⁷	Activity status when compliance not achieved: N/A
MRZ-R3029 Vehicle or boat repair or storage services	
Activity status: NC	Activity status when compliance not achieved: N/A
MRZ-R310 Industrial activity	
Activity status: NC	Activity status when compliance not achieved: N/A
MRZ-R321 Service station	
Activity status: NC	Activity status when compliance not achieved: N/A
MRZ-R332 Supermarket	
Activity status: NC	Activity status when compliance not achieved: N/A
MRZ-R343 Large format retail	
<i>This rule does not apply to any supermarket provided for under MRZ-R33.</i>	
Activity status: NC	Activity status when compliance not achieved: N/A
MRZ-R354 Primary production	
Activity status: NC	Activity status when compliance not achieved: N/A
MRZ-R365 Boarding kennels	

³⁷ Lamb and Hayward [163.5]

Activity status: NC	Activity status when compliance not achieved: N/A
MRZ-R376 Motorised recreation activity	
Activity status: NC	Activity status when compliance not achieved: N/A
MRZ-R387 Motorised vehicle events	
Activity status: NC	Activity status when compliance not achieved: N/A
MRZ-R398 Yard-based activity	
Activity status: NC	Activity status when compliance not achieved: N/A
MRZ-R4039 Trade supplier	
Activity status: NC	Activity status when compliance not achieved: N/A

Built Form Standards

MRZ-BFS1 Site density	
<ol style="list-style-type: none"> 1. Site density shall be a maximum of one residential unit per 200m² of net site area, which can be calculated over multiple adjacent sites. 2. Where a site is less than 200m², one residential unit is allowed. 3. This rule does not apply to any minor residential unit, or residential unit in a retirement village.³⁸ 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: RES-MD2 – Residential design principles</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</p>
MRZ-BFS1 Number of residential units per site	
<ol style="list-style-type: none"> 1. <u>There shall be no more than 3 residential units per site, except where:</u> <ol style="list-style-type: none"> a. <u>Within the qualifying matters - natural hazards area and qualifying matters – airport noise³⁹, there must be no more than 1 residential unit per site.</u> <p><u>Notification</u> An application for the construction and use of 1,2 or 3 residential units that does not comply with 1 or more of MRZ-BFS-1,2,3,4,5,6,7,8,9,10 is precluded from being publicly notified</p> 	<p><u>Activity status when compliance not achieved: RDIS</u></p> <p><u>Matters of discretion are restricted to:</u> RES-MD2 - Residential design principles RESZ-MD7 – Outdoor Storage⁴² RES-MD15 – Effects from qualifying matters – airport noise⁴³ RES-MD16 - Effects from qualifying matters - natural hazards</p> <p><u>Notification</u> An application for the construction and use of 4 or more residential units that <i>does comply</i> with standards MRZ-BFS-1,2,3,4,5,6,7,8,9,10 is</p>

³⁸ V1 as notified

³⁹ Kainga Ora [V1 80.21]

⁴² Kainga Ora [80.44 and 80.61]

⁴³ Kainga Ora [V1 80.21]

~~The highlighted yellow text identifies the part of the standard that has immediate legal effect if no qualifying matter applies.~~⁴⁰⁴¹

precluded from being publicly or limited notified.

An application for the construction and use of 4 or more residential units that *does not comply* with 1 or more of MRZ-BFS-1,2,3,4,5,6,7,8,9,10 is precluded from being publicly notified.

MRZ-BFS2 Building coverage

1. Building coverage shall be a maximum of ~~50~~5% of the net site area, except that this rule shall not apply to:
 - a. any infrastructure building;
 - b. any caravan; or
 - c. deck under 1m in height above ground level.

Legal Effect

~~The highlighted yellow text identifies the part of the standard that has immediate legal effect if no qualifying matter applies.~~⁴⁴⁴⁵

Activity status when compliance not achieved:
RDIS

Matters of discretion are restricted to:
RES-MD17 - Building coverage

Notification

Refer to notification status in MRZ-BFS1.⁴⁶

MRZ-BFS3 Landscaped permeable surface

- ~~1. The minimum landscaped permeable surface of any site shall be 20% of the net site area.~~
- ~~2. For the purpose of calculating the area of landscaped permeable surface the following areas can be included:~~
 - ~~a. any paths 1.1m wide or less; or~~
 - ~~b. open slat decks under 1m in height above ground level with a permeable surface underneath.~~

~~**Activity status when compliance not achieved:**
DIS⁴⁷~~

MRZ-BFS3 Height

- ~~1. The maximum height of any building shall be 12m above ground level.~~
1. Buildings must not exceed 11 metres in height, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 metre, where the entire roof slopes 15° or more, as shown in Figure MRZ-1.

Legal Effect

Activity status when compliance not achieved:
RDIS

Matters of discretion are restricted to:

RES-MD5 - Impact on neighbouring property⁵⁰.

Notification

Refer to notification status in MRZ-BFS1.⁵¹

⁴⁰ V1 as notified

⁴¹ Removal of s80H identifying markup

⁴⁴ V1 as notified

⁴⁵ Removal of s80H identifying markup

⁴⁶ V1 as notified

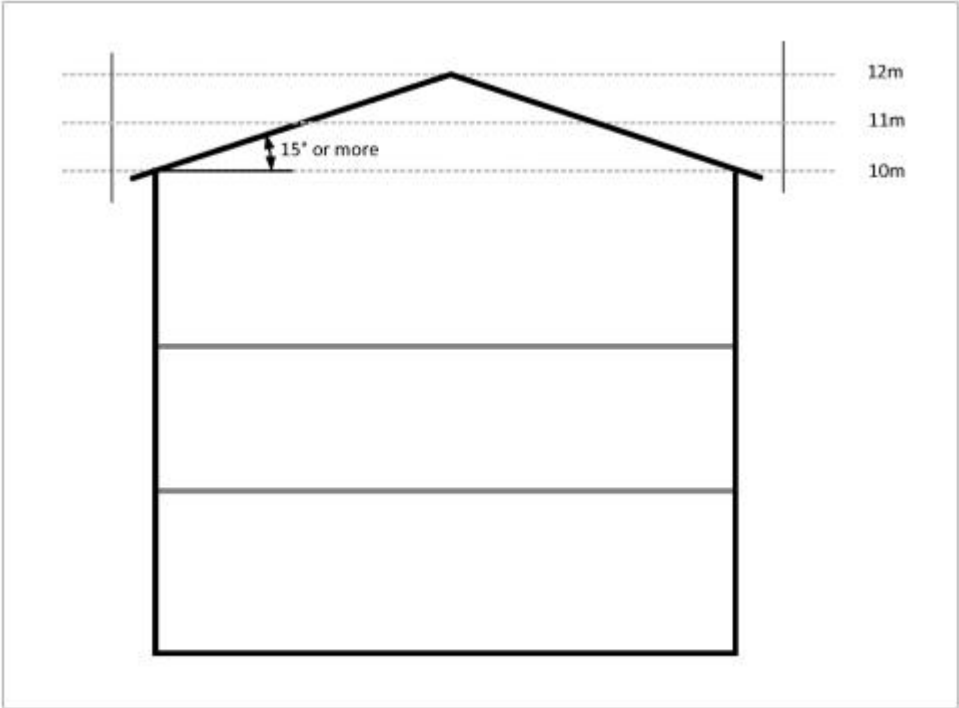
⁴⁷ Kainga Ora [V1 80.49]

⁵⁰ Kainga Ora [V1 80.5]

⁵¹ V1 as notified

The highlighted yellow text identifies the part of the standard that has immediate legal effect if no qualifying matter applies.^{48,49}

Figure MRZ-1 Building Height⁵²



MRZ-BFS⁴ Building and structure Setbacks

1. Any building or structure ~~other than a garage~~ shall be set back a minimum of ~~21.5m~~ from any road boundary (other than a strategic road or arterial road boundary where the minimum setback shall be 6m) except for:
- a. any fence permitted by MRZ-BFS8;
 - b. poles and masts up to 6.5m in height above ground level;
 - c. structures other than a fence, less than 10m² and less than 3m in height above ground level;
 - d. any caravan;
 - e. the replacement, maintenance and minor upgrading of any infrastructure; and

Activity status when compliance not achieved:
RDIS

Matters of discretion are restricted to:
~~RES-MD2 – Residential design principles⁵⁵~~
~~RES-MD5 - Impact on neighbouring property~~
~~RES-MD6 – Road boundary setback~~
RES-MD18 Effects from qualifying matters – road and rail setbacks⁵⁶

Notification
~~An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.~~
Refer to notification status in MRZ-BFS1.⁵⁷

⁴⁸ V1 as notified
⁴⁹ Removal of s80H identifying markup
⁵² V1 as notified
⁵⁵ Kainga Ora [V1 80.15]
⁵⁶ Kainga Ora [V1 80.15] and KiwiRail [V1 51.1,51.2,51.3,51.4,51.5]
⁵⁷ V1 as notified

~~f. any structure or residential unit adjoining an accessway that does not have doors or windows that open into that accessway.~~

~~2. Any garage shall be set back a minimum of 6m from the road boundary.~~

~~3. 2. Any building or structure shall be set back a minimum of 1m from any internal boundary (except on corner sites) except that buildings on adjoining sites which share a common wall, the internal setback shall not apply along that part of the internal boundary covered by such a wall.~~

~~4. Habitable room windows within any residential unit on the first floor or above shall avoid direct views into an adjacent residential unit located within 9m by:~~

- ~~a. being offset by a minimum of 0.5m in relation to any existing window in an adjacent residential unit; or~~
- ~~b. having sill heights of 1.5m above floor level; or~~
- ~~c. having fixed obscure glazing below 1.5m above floor level.~~

~~5.3. On corner sites, vegetation or structures exceeding 1m in height above ground level shall not be located within the structure and vegetation setback area identified by Figure MRZ 21.~~

~~6.4. All buildings shall be set back a minimum of 5m from any site boundary with the rail corridor.~~

~~5. Any building or structure shall be set back a minimum of 12m from any National Grid support structure as per rule must comply with EI-R51.~~

1) Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below except as listed in (2).

<u>Yard</u>	<u>Minimum depth</u>
<u>Front</u>	<u>1.5 metres</u>
<u>Side</u>	<u>1 metre</u>
<u>Rear</u>	<u>1 metre (excluded on corner sites)</u>

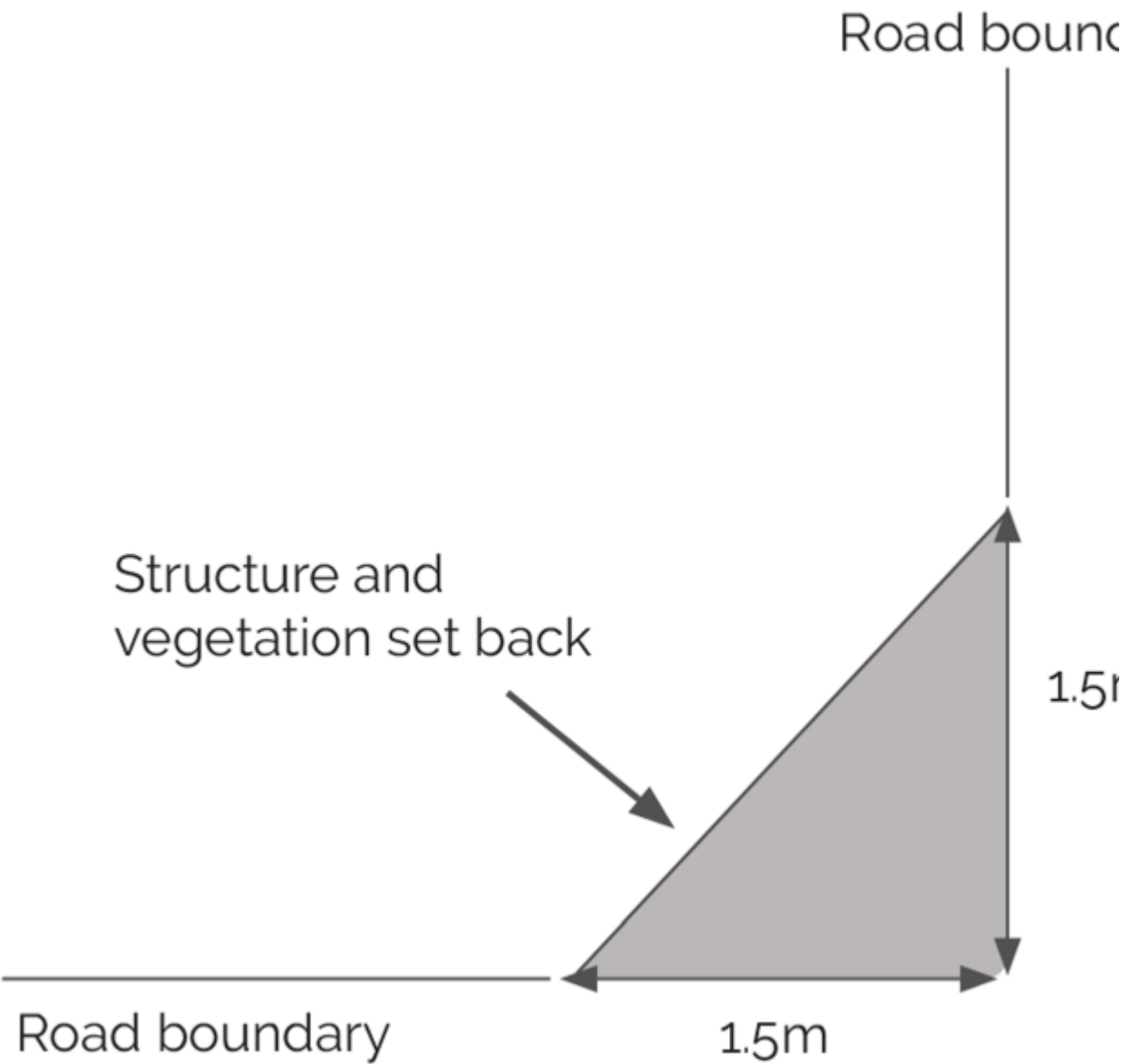
(2) Qualifying Matters:

(a) All buildings shall be set back a minimum of 4m from any site

<p><u>boundary with the rail corridor.</u></p> <p><u>(b) All buildings must be setback 6m from any strategic road or arterial road.</u></p> <p><u>(3) This standard does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.</u></p> <p>Legal Effect The highlighted yellow text identifies the part of the standard that has immediate legal effect if no qualifying matter applies.^{53 54}</p>	
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Figure MRZ-12: Structure and Vegetation Setback

⁵³ V1 as notified
⁵⁴ Removal of s80H identifying markup



MRZ-BFS6 Street interface	
<p>1. Where the site has direct road frontage, any residential unit or minor residential unit facing the road shall:</p> <ul style="list-style-type: none"> a. have at least one habitable room or kitchen located facing the street at ground level; and b. include at least 20% of the front façade in glazing (within window or door panels) of which at least half is clear; and⁵⁸ 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: RES-MD2—Residential design principles Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified. <u>Refer to notification status in MRZ-BFS1.</u>⁵⁹⁶⁰</p>

⁵⁸ V1 as notified
⁵⁹ V1 as notified
⁶⁰ Kainga Ora [V1 80.18]

<p>c. shall have a door that is directly visible and accessible from the street.</p> <p>2. Garage doors that face the street shall have a combined maximum width of 6.5m.</p>	
MRZ-BFS⁵ Height in relation to boundary	
<p>1. <u>Buildings must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown Figure MRZ-3. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way. This standard does not apply to:</u></p> <ul style="list-style-type: none"> a. <u>a boundary with a road</u> b. <u>existing or proposed internal boundaries within a site</u> c. <u>site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.</u> <p>3.2. Where the site is within the Urban Flood Assessment Overlay or Kaiapoi Fixed Minimum Finished Floor Level Overlay⁶¹, the height of the Finished Floor Level specified in a Flood Assessment Certificate can be used as the origin of the recession plane instead of ground level, but only up to an additional 1m above original ground level.</p> <p>Legal Effect The highlighted yellow text identifies the part of the standard that has immediate legal effect if no qualifying matter applies.^{62 63}</p>	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: RES-MD2—Residential design principles⁶⁴ RES-MD5 - Impact on neighbouring property</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified. Refer to notification status in MRZ-BFS1.⁶⁵</p>

Figure MRZ-3: Height in relation to boundary⁶⁶

⁶¹ Environment Canterbury [316.76]

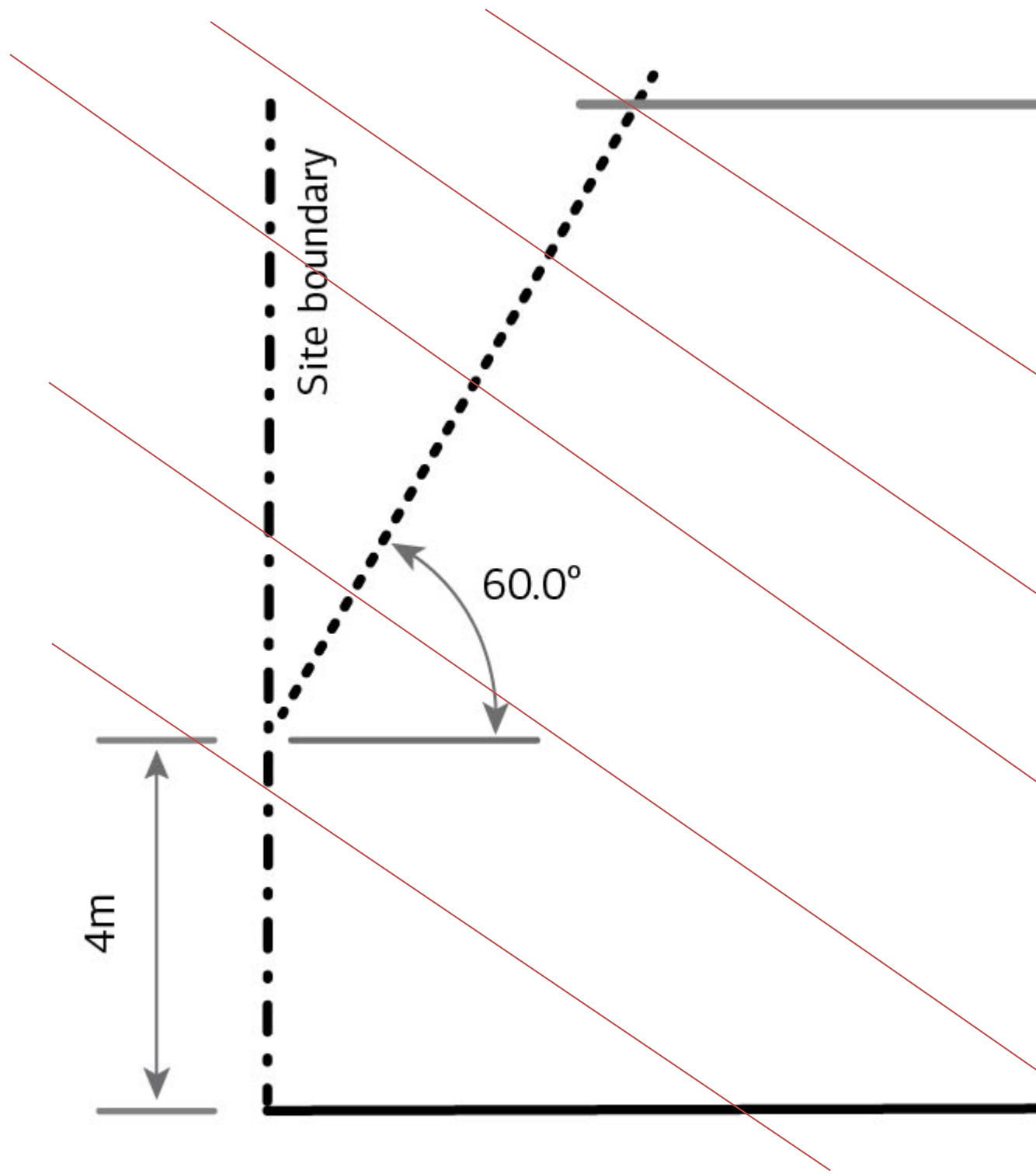
⁶² V1 as notified

⁶³ Removal of s80H identifying markup

⁶⁴ Kainga Ora [V1 80.2]

⁶⁵ V1 as notified

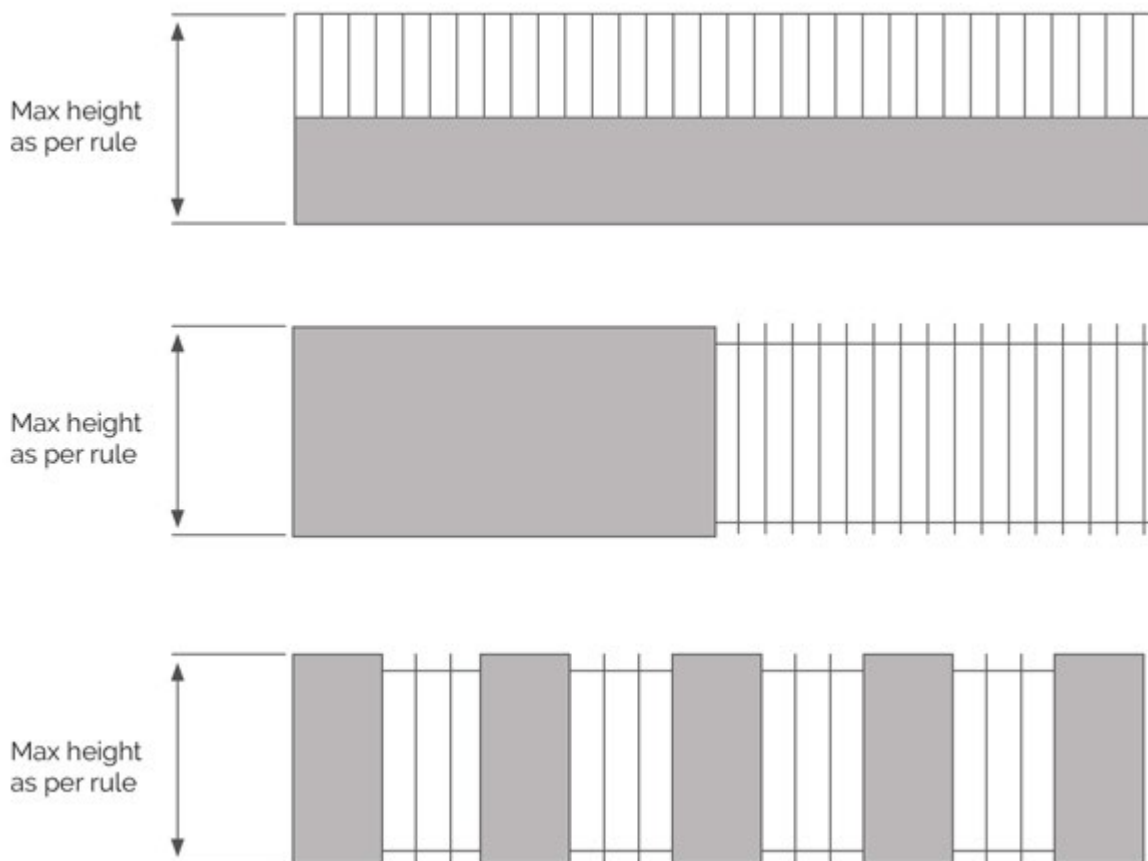
⁶⁶ V1 as notified



MRZ-BFS6 Fencing	
<div>4. All fencing or walls fronting the road boundary; a. no higher than 1.2m above ground level; or</div>	<div>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to:</div>

<p>b. where the site is a corner site, on one road boundary the height can be increased to 1.8m above ground level where at least 45% of the fence is visually permeable.</p> <p>2. Any fence greater than 0.9m in height above ground level shall be at least 45% visually permeable as depicted in Figure MRZ-4, within 5m of any accessway, or within the structure and vegetation set back area shown in Figure MRZ-2.</p>	<p>RES-MD2 – Residential design principles⁶⁷ RES-MD6 - Road boundary setback</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</p>
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Figure MRZ-42: Examples of Visually Permeable Fencing



MRZ-BFS7 Outdoor living space (<u>per unit</u>)		
<p>1. 1. Outdoor living space shall be provided as follows:</p> <p>a. a. a minimum of 30m² of continuous outdoor living space able to contain a circle with a diameter of 4m shall be contained at ground level within the site of the</p>	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: RES-MD8 - Outdoor living space</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</p>	

⁶⁷ Kainga Ora [V1 80.22]

<p>residential unit (except a residential unit within a retirement village) or</p> <p>b. b. a balcony of at least 10m² with a minimum depth of 1.5m.</p> <p>2. 2. The required minimum area of outdoor living space shall not be occupied by any structure, driveway, or parking space, other than an outdoor swimming pool or washing line.</p> <p>3. 3. Where outdoor living space is provided communally between two or more residential units under (1)(a), the minimum outdoor living space shall be 25m² for each residential unit.</p> <p>1. <u>A residential unit at ground floor level must have an outdoor living space that is at least 20 square metres and that comprises ground floor, balcony, patio, or roof terrace space that, -</u></p> <p>a. <u>where located at ground level, has no dimension less than 3 metres; and</u></p> <p>b. <u>where provided in the form of a balcony, patio, or roof terrace, is at least 8 square metres and has a minimum dimension of 1.8 metres; and</u></p> <p>c. <u>is accessible from the residential unit; and</u></p> <p>d. <u>may be-</u></p> <p>i. <u>grouped cumulatively by area in 1 communally accessible location; or</u></p> <p>ii. <u>located directly adjacent to the unit; and</u></p> <p>e. <u>is free of buildings, parking spaces, and servicing and manoeuvring areas.</u></p> <p>2. <u>A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that-</u></p> <p>a. <u>is at least 8 square metres and has a minimum dimension of 1.8 metres; and</u></p>	<p><u>Refer to notification status in MRZ-BFS1.⁷⁰</u></p>
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⁷⁰ V1 as notified

- b. is accessible from the residential unit; and
- c. may be-
 - i. grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or
 - ii. located directly adjacent to the unit.

Legal Effect

~~This standard has immediate legal effect if there is no qualifying matter affecting an individual property.~~^{68 69}

MRZ-BFS8 Outlook space (per unit)

1. An outlook space must be provided for each residential unit as specified in this clause.
2. An outlook space must be provided from habitable room windows as shown in Figure MRZ-5.
3. The minimum dimensions for a required outlook space are as follows:
 - a. a principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and
 - b. all other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.
4. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
5. Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.
6. Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.
7. Outlook spaces may be under or over a balcony.
8. Outlook spaces required from different rooms within the same building may overlap.
9. Outlook spaces must -
 - a. be clear and unobstructed by buildings; and

Activity status when compliance not achieved: RDIS

Matters of discretion are restricted to:

RES-MD12- Outlook space

Notification

Refer to notification status in MRZ-BFS1.⁷³

⁶⁸ V1 as notified

⁶⁹ Removal of s80H identifying markup

⁷³ V1 as notified

- b. not extend over an outlook space or outdoor living space required by another dwelling.

Legal Effect

~~This standard has immediate legal effect if there is no qualifying matter affecting an individual property.~~⁷⁴⁷²

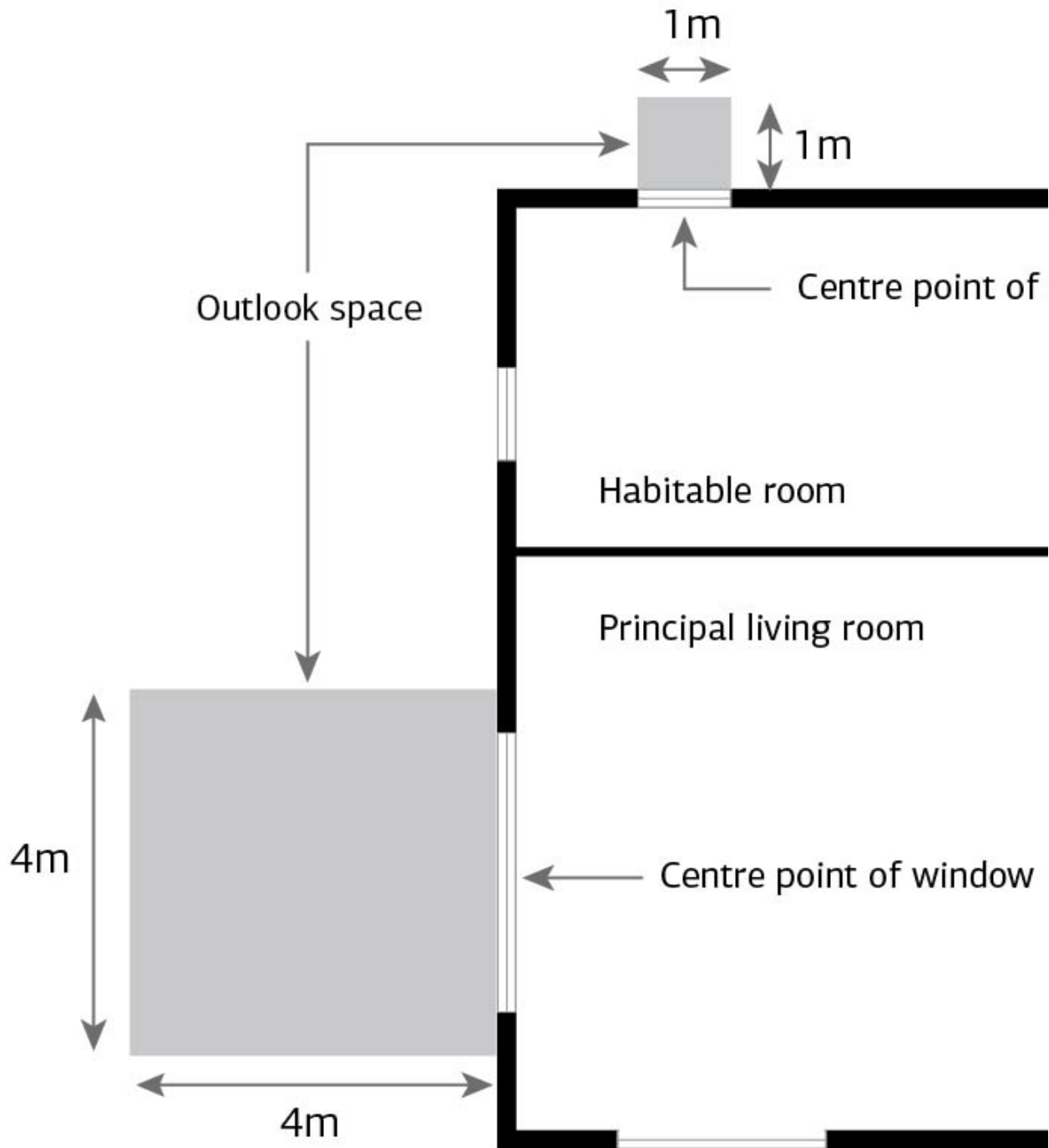
Figure MRZ-5: ~~Outdoor Outlook~~⁷⁴ Space⁷⁵

⁷¹ V1 as notified

⁷² Removal of s80H identifying markup

⁷⁴ Kainga Ora [V1 80.26]

⁷⁵ V1 as notified



MRZ-BFS9 Windows to street	
1. <u>Any residential unit facing the street must have a minimum of 20% of the street-facing facade in glazing. This can be in the form of windows or doors.</u>	<u>Activity status when compliance not achieved: RDIS</u> <u>Matters of discretion are restricted to: RES-MD13 - Windows to street</u>

<p>Legal Effect This standard has immediate legal effect if there is no qualifying matter affecting an individual property.⁷⁶</p>	<p>Notification <u>Refer to notification status in MRZ-BFS1.</u>⁷⁷</p>
<p>MRZ-BFS10 Landscaped area</p>	
<p>1. <u>A residential unit at ground floor level must have a landscaped area of a minimum of 20% of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them.</u></p> <p>2. <u>The landscaped area may be located on any part of the development site, and does not need to be associated with each residential unit.</u></p> <p>Legal Effect This standard has immediate legal effect if there is no qualifying matter affecting an individual property.^{78 79}</p>	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>RES-MD14 - Landscaped area</u> Notification <u>Refer to notification status in MRZ-BFS1.</u>⁸⁰</p>

EI-R51	Activities and development (other than earthworks) within a National Grid Yard	
<p>All Zones</p>	<p>Activity status: PER Where: <u>1. the activity is not a sensitive activity;</u> <u>2. buildings or structures comply with NZECP34: 2001 and are:</u> <u>a. for a network utility;</u> <u>or</u> <u>b. a fence not exceeding 2.5m in height above ground level; or</u> <u>c. a non-habitable building or structure used for agricultural and horticultural activities (including irrigation) that is not:</u> <u>i. a milking shed/dairy shed (excluding the stockyards and</u></p>	<p>Activity status when compliance not achieved: NC Notification An application under this rule is precluded from being publicly notified, but may be limited notified only to Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.</p>

⁷⁶ V1 as notified

⁷⁷ V1 as notified

⁷⁸ V1 as notified

⁷⁹ Removal of s80H identifying markup

⁸⁰ V1 as notified

	<p><u>ancillary platforms);</u></p> <p>ii. <u>a wintering barn;</u></p> <p>iii. <u>a building for intensive indoor primary production;</u>^{81 82}</p> <p>iv. <u>a commercial greenhouse; or</u></p> <p>v. <u>produce packing facilities;</u></p> <p>d. <u>building alterations or additions to an existing building or structure that do not increase the height above ground level or footprint of the existing building or structure;</u></p> <p>3. <u>a building or structure provided for by (2)(a) to (d) must:</u></p> <p>a. <u>not be used for the handling or storage of hazardous substances with explosive or flammable intrinsic properties in greater than domestic scale quantities;</u></p> <p>b. <u>not permanently obstruct existing vehicle access to a National Grid support structure;</u></p> <p>c. <u>be located at least 12m from the outer visible edge of a foundation of a National Grid support structure, except where it is a fence not exceeding 2.5m height above ground level that is located at least 6m from the outer visible edge of a</u></p>	
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⁸¹ Transpower [195.43].

⁸² Horticulture NZ [295.80].

	<p><u>foundation of a National Grid support structure.</u>⁸³</p> <p>4. the activities and development within a National Grid Yard in (a) to (i) below comply with the safe electrical clearance distances set out in the NZECP; and where the activities and development in (d) to (i) below are set back 12m from any National Grid support structure:</p> <p>a. network utilities (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes) undertaken by network utility operators;</p> <p>b. fences no greater than 2.5m in height above ground level and no closer than 6m from the nearest National Grid support structure;</p> <p>c. artificial crop protection and support structures between 8m and 12m from a single pole or pi-pole and any associated guy wire (but not a tower) that:</p> <p>i. meets the requirements of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances for separation distances from the conductor;</p> <p>ii. is a maximum of 2.5m in height</p>	
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⁸³ Transpower [195.43].

	<p>above-ground level;</p> <p>iii. is removable or temporary, to allow clear working space 12m from the pole when necessary for maintenance and emergency repair purposes;</p> <p>iv. allows all weather access to the pole and a sufficient area for maintenance equipment, including a crane;</p> <p>d. any new non-habitable building less than 2.5m in height above ground level and 10m² in floor area;</p> <p>e. non-habitable buildings or structures used for agricultural and horticultural activities, provided they are not a milking shed/dairy shed (excluding the stockyards and ancillary platforms), a wintering barn, a building for intensive farming activities, or a commercial greenhouse;</p> <p>f. mobile irrigation equipment used for agricultural and horticultural activities;</p> <p>g. other than reticulation and storage of water in dams or reservoirs in (a) above, reticulation and storage of water for irrigation purposes provided that it does not permanently physically obstruct</p>	
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	<p>vehicular access to a National Grid support structure;</p> <p>h. building alteration and additions to an existing building or other structure that does not involve an increase in the height above ground level or footprint of the building or structure; and</p> <p>a. a building or structure where Transpower NZ Ltd has given written approval in accordance with clause 2.4.1 of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.⁸⁴</p>	
All Zones	<p>Activity status: NC</p> <p>Where:</p> <p>1. activities and development within a National Grid Yard involve the following:</p> <p>a. any activity and development that permanently physically impedes vehicular access to a National Grid support structure;</p> <p>b. any new building for a sensitive activity;</p> <p>c. any change of use to a sensitive activity or the establishment of a new sensitive activity;</p> <p>d. dairy/milking sheds or buildings for intensive farming or wintering barns; and</p> <p>e. any hazardous facility that involves the storage and handling of hazardous substances with</p>	<p>Activity status when compliance not achieved:</p> <p>N/A⁸⁵</p>

⁸⁴ Transpower [195.43].

⁸⁵ Transpower [195.43].

	<p>explosive or flammable intrinsic properties within 12m of the centreline of a National Grid transmission line.</p> <p>Notification</p> <p>An application under this rule is precluded from being publicly notified, but may be limited notified only to Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.</p>	
	<p>Advisory Note</p> <ul style="list-style-type: none"> National Grid transmission lines are shown on the planning map. 	

EI-R56 Activities and development (other than earthworks or network utilities) adjacent to a 66kV or 33kV major ⁸⁶ electricity distribution line		
All Zones	<p>Activity status: NC</p> <p>Where:</p> <ol style="list-style-type: none"> new, or expansion or extension of existing.⁸⁷ activities and development adjacent to a 66kV or 33kV major⁸⁸ electricity distribution line involve the following: <ol style="list-style-type: none"> new a sensitive activity and or a new buildings or structure⁸⁹ (excluding accessory buildings)⁹⁰ within 6m⁹¹ of the centreline of a 66kV or 33kV major⁹² electricity distribution line or within 40m 6m⁹³ of the visible outer edge of a⁹⁴ foundation of an 	<p>Activity status when compliance not achieved:</p> <p>N/A</p>

⁸⁶ Mainpower [249.94].

⁸⁷ Mainpower [249.95].

⁸⁸ Mainpower [249.94].

⁸⁹ Mainpower [249.94].

⁹⁰ Mainpower [249.94].

⁹¹ Mainpower [249.94].

⁹² Mainpower [249.94].

⁹³ Mainpower [249.94].

⁹⁴ Mainpower [249.94].

	<p>associated a pole, pi-pole⁹⁵ or tower; and/or</p> <p>a.b. does not comply with the requirements of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.⁹⁶</p> <p>b. new fences more than 2.5m high and within 5m of the visible outer edge of a foundation for a 66kV or 33kV electricity distribution line, pole or tower.⁹⁷</p> <p>Notification</p> <p>An application under this rule is precluded from being publicly notified, but may be limited notified only to the relevant electricity distribution line operator where the consent authority considers this is required, absent its written approval.</p>	
	<p>Advisory Notes</p> <ul style="list-style-type: none"> • 66kV/33kV Major⁹⁸ electricity distribution lines are shown on the planning map. • Vegetation to be planted around electricity distribution lines should be selected and managed to ensure that it will not breach the Electricity (Hazards from Trees) Regulations 2003. • The NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances contains restrictions on the location of activities and development in relation to electricity distribution lines. Activities and development in the vicinity of these lines must comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances. 	

⁹⁵ Mainpower [249.94].

⁹⁶ Mainpower [249.94].

⁹⁷ Mainpower [249.94].

⁹⁸ Mainpower [249.94].

Matters of Discretion for all Residential Zones

RES-MD1	<p>Minor residential units</p> <ol style="list-style-type: none"> The extent to which the minor residential unit fits within its context taking into account: <ol style="list-style-type: none"> location, size and visual appearance of the minor residential unit so that it appears from the street or any other public place as an integrated ancillary part of the principal residential unit; the adverse visual effects on the street-scene associated with parking areas and visual and pedestrian safety effects arising from the provision of any additional driveway to accommodate the minor residential unit; the convenience of the location of outdoor living space in relation the respective residential units, or whether other shared outdoor living spaces or public open space is immediately or easily accessible; and the adequacy of size and dimension of the outdoor living space to provide for the amenity needs of future occupants.
RES-MD2	<p>Residential design principles</p> <ol style="list-style-type: none"> Context and character: <ol style="list-style-type: none"> The extent to which the design of the development is in keeping with, or complements, the scale and character of development anticipated for the surrounding area and relevant significant natural, heritage and cultural features. The relevant considerations are the extent to which the development: <ol style="list-style-type: none"> includes, where relevant, reference to the patterns of development in and/or anticipated for the surrounding area such as building dimensions, forms, setback and alignments, and secondarily materials, design features and tree plantings; and retains or adapts features of the site that contribute significantly to local neighbourhood character, potentially including existing historic heritage items, Sites of Ngāi Tahu Cultural Significance shown on the planning map, site contours and mature trees. Relationship to the street and public open spaces: <ol style="list-style-type: none"> Whether the development engages with and contributes to adjacent streets, and any other adjacent public open spaces to contribute to them being lively, safe and attractive <u>(including impacts of setback requirements for road or rail).^{1,2}</u> The relevant considerations are the extent to which the development: <ol style="list-style-type: none"> orientates building frontages including entrances and windows to habitable rooms toward the street and adjacent public open spaces; designs buildings on corner sites to emphasise the corner; needs to minimise south-facing glazing to minimise heat loss; and avoids street façades that are blank or dominated by garages. Built form and appearance: <ol style="list-style-type: none"> The extent to which the development is designed to minimise the visual bulk of the buildings and provide visual interest. The relevant considerations are the extent to which the development: <ol style="list-style-type: none"> divides or otherwise separates unusually long or bulky building forms and limits the length of continuous rooflines; utilises variety of building form and/or variation in the alignment and placement of buildings to avoid monotony;

¹ V1 as notified

² KiwiRail [373 and V1 51]

	<ul style="list-style-type: none"> iii. avoids blank elevations and façades dominated by garage doors; and iv. achieves visual interest and a sense of human scale through the use of architectural detailing, glazing and variation of materials. <p>4. Residential amenity:</p> <ul style="list-style-type: none"> a. In relation to the built form and residential amenity of the development on the site (i.e. the overall site prior to the development), the extent to which the development provides a high level of internal and external residential amenity for occupants and neighbours. b. The relevant considerations are the extent to which the development: <ul style="list-style-type: none"> i. provides for outlook, sunlight and privacy through the site layout, and orientation and internal layout of residential units; ii. directly connects private outdoor spaces to the living spaces within the residential units; iii. ensures any communal private open spaces are accessible, usable and attractive for the residents of the residential units; and iv. includes tree and garden planting particularly relating to the street frontage, boundaries, accessways, and parking areas. <p>5. Access, parking and servicing:</p> <ul style="list-style-type: none"> a. The extent to which the development provides for good access and integration of space for parking and servicing. b. The relevant considerations are the extent to which the development: <ul style="list-style-type: none"> i. integrates access in a way that is safe for all users, and offers convenient access for pedestrians to the street, any nearby parks or other public recreation spaces; ii. provides for parking areas and garages in a way that does not dominate the development, particularly when viewed from the street or other public open spaces; and iii. provides for suitable storage and service spaces which are conveniently accessible, safe and/or secure, and located and/or designed to minimise adverse effects on occupants, neighbours and public spaces. <p>6. Safety:</p> <ul style="list-style-type: none"> a. The extent to which the development incorporates CPTED principles as required to achieve a safe, secure environment. b. The relevant considerations are the extent to which the development: <ul style="list-style-type: none"> i. provides for views over, and passive surveillance of, adjacent public and publicly accessible spaces; ii. clearly demarcates boundaries of public and private space; iii. makes pedestrian entrances and routes readily recognisable; and iv. provides for good visibility with clear sightlines and effective lighting.
RES-MD3	<p>Use of residential unit as a show home</p> <p>1. The extent to which use of the residential unit will impact on neighbouring properties in terms of the following matters:</p> <ul style="list-style-type: none"> a. hours of operation and movement to and from the site by members of the public; b. duration of the activity and its impact on residential amenity values; c. traffic generation including consideration of on-site and off-site parking; and d. impacts on adjacent residents in terms of privacy, in particular adjacent outdoor living spaces.
RES-MD4	<p>Traffic generation</p> <p>1. The extent to which the traffic generated is appropriate to the residential character, amenity, safety and efficient functioning of the access and road network taking into account:</p> <ul style="list-style-type: none"> a. in the case of effects on residential character and amenity values:

	<ul style="list-style-type: none"> i. any adverse effects in terms of noise and vibration from vehicles entering and leaving the site or adjoining road, and their incompatibility with the noise levels acceptable in the respective living environments; ii. any reduction in the availability of on-street parking for residents, occupants or visitors to adjoining residential sites to the point that it becomes a nuisance; and iii. the ability to mitigate any adverse effects of the additional traffic generation such as through the location and design of vehicle crossings, parking areas and loading areas or through the provision of screening and other factors that will reduce the effect of the additional traffic generation, such as infrequency of the activity, or limited total time over which the traffic movements occur; and b. in the case of the safe and efficient functioning of the road network: <ul style="list-style-type: none"> i. any cumulative effect of traffic generation from the activity in conjunction with traffic generation from other activities in the vicinity; ii. adverse effects of the proposed traffic generation on activities in the surrounding living environment; iii. consistency of levels of traffic congestion or reduction in levels of traffic safety with the classification of the adjoining road; iv. the variance in the rate of vehicle movements throughout the week and coincidence of peak times with peak traffic movements on the wider network; and v. the location of the proposed access points in terms of road and intersection efficiency and safety, and the adequacy of existing or alternative access points.
RES-MD5	<p>Impact on neighbouring property</p> <ol style="list-style-type: none"> 1. The extent to which the increased height, reduced setback, or recession plane intrusion would result in buildings that do not compromise the amenity values of adjacent properties taking into account: <ul style="list-style-type: none"> a. overshadowing of adjoining sites resulting in reduced sunlight and daylight admission to internal living spaces and external living spaces, or open space beyond that anticipated by the recession plane; b. any loss of privacy through being overlooked from neighbouring buildings; c. dominance and character effects arising from scale; d. whether development on the adjoining site, such as a large building setback, location of outdoor living spaces, or separation by land used for vehicle access, reduces the need for protection of adjoining sites from overshadowing; e. whether there are alternative practical options for meeting the functional requirements of the building in a compliant manner; and f. the ability to mitigate any adverse effects of increased height or recession plane breaches through increased separation distances between the building and adjoining sites, the provision of landscaping, screening or any other methods.
RES-MD6	<p>Road boundary setback</p> <ol style="list-style-type: none"> 1. The effect of a building's reduced setback on amenity and visual streetscape values, especially where the frontage is to an arterial road or collector road that has a gateway function to a township. 2. The extent to which the reduced setback of the building is opposite any Residential Zones, Rural Zones, or Open Space and Recreation Zones and the effects of a reduced setback on the amenity and outlook of those zones.

	<ol style="list-style-type: none"> 3. The extent to which the building presents a visually attractive frontage to the street through the inclusion of glazing, ancillary offices, and showrooms in the front façade. 4. The extent to which the visual effects of a reduced setback are mitigated through site frontage landscaping, the width of the road corridor, and the character of existing building setbacks in the wider streetscape.
RES-MD7	Outdoor storage <ol style="list-style-type: none"> 1. The extent of visual impacts of outdoor storage on the adjoining environment. 2. The extent to which site constraints and/or the functional requirements of the activity necessitate the location of storage within the setback. 3. The extent of the effects on the amenity values generated by the type and volume of materials to be stored. 4. The extent to which any proposed landscaping or screening mitigates effects on amenity values of the outdoor storage.
RES-MD8	Outdoor living space <ol style="list-style-type: none"> 1. The extent to which outdoor living spaces provide useable space and contribute to overall onsite spaciousness. 2. The extent to which the size and quality of communal outdoor space or other open space in the immediate vicinity of the residential unit compensates for the reduction in outdoor living space requirements. 3. The extent to which the retention of mature vegetation compensates for a reduction in outdoor living space provision by providing an alternative form of amenity for the site.
RES-MD9	Impact of trees on neighbouring property <ol style="list-style-type: none"> 1. The extent the planting of trees will affect the amenity values or create shading on adjoining property.
RES-MD10	Rural sales <ol style="list-style-type: none"> 1. The extent to which the intensity and scale of the activity and built form is compatible with the character and amenity of the zone. 2. The extent to which the activity may result in conflict and/or reverse sensitivity effects with other activities occurring on adjacent sites. 3. Hours and days of operation and whether they are compatible with the residential zone. 4. Access and vehicle movements on the site and the safety and efficiency of the roading network. 5. For rural produce retail (excluding farmers' markets) whether the scale and intensity of the activity is appropriate on the site. 6. The extent to which the adverse effects of the activity can be avoided, remedied or mitigated.
RES-MD11	Housing of animals <ol style="list-style-type: none"> 1. The extent to which the nature and scale of activity, including the number and type of animals is appropriate for the proposed site and the receiving environment. 2. Any measures to internalise adverse effects and avoid conflict and potential reverse sensitivity effects on activities anticipated in the zone. 3. The extent to which the activity, including any buildings, compounds or part of a site used for animals are sufficiently designed and located or separated from sensitive activities, residential units to avoid adverse effects on residents. 4. The extent to which the nature and scale of the activity and built form will maintain residential character and amenity values.

	5. The potential for the activity to produce adverse effects, including dust, noise, odour and any measures to internalise adverse effects within the site and any mitigation measures to address effects that cannot be internalised.
RES-MD12	<p>Outlook space</p> <ol style="list-style-type: none"> <u>1. The ability of the affected habitable room to receive natural light sunlight and daylight especially on the shortest day of the year.</u> <u>2. The extent to which habitable rooms have an outlook and the visual and landscape quality of that spacesense of space.</u> <u>3. The degree to which a reduction in outlook space would contribute to a visual perception of cramped living conditions.³</u> <u>4. The extent to which visual privacy is provided between habitable rooms of different residential units, on the same site or adjacent sites.</u> <u>5. The extent to which the development provides additional outlook spaces from habitable rooms.</u>⁴
RES-MD13	<p>Windows to street</p> <ol style="list-style-type: none"> <u>1. The extent to which the development engages with adjacent streets and any other adjacent public open spaces and contributes to them being lively, safe and attractive.</u> <u>2. The extent to which the development is designed to minimise the visual bulk of the buildings and provide visual interest, when viewed from the street.</u> <u>3. The extent to which the development incorporates CPTED principles as required to achieve a safe, secure environment.</u>⁵
RES-MD14	<p>Landscaped areas</p> <ol style="list-style-type: none"> <u>1. The extent to which the proposed landscaping enhances residential amenity and is integrated within the site design to:</u> <ol style="list-style-type: none"> <u>a. define and enhance on-site outdoor living spaces;</u> <u>b. reduce the visual impact of large buildings through screening and planting;</u> <u>c. screen service areas, loading areas, and outdoor storage areas from public vantage points; and</u> <u>d. mitigate the heat effects from intensification and impervious surfaces.</u> <u>2. The extent to which the development incorporates CPTED principles as required to achieve a safe, secure environment.⁶</u> <u>3. The effects on the permeability of the site for stormwater run-off and subsequent effects on adjoining sites.</u>⁷
RES-MD15	<p>Effects from qualifying matters – airport noise</p> <ol style="list-style-type: none"> <u>1. The extent to which effects, as a result of the sensitivity of activities to current and future noise generation from aircraft, are proposed to be managed, including avoidance of any effect that may limit the operation, maintenance or upgrade of Christchurch International Airport.⁸</u>
RES-MD16	<p>Effects from qualifying matters - natural hazards</p> <ol style="list-style-type: none"> <u>1. The setting of minimum floor levels, minimum land levels and the predicted sea water and other inundation that will occur on the site.</u>

³ Kainga Ora [V1 80.53]⁴ Kainga Ora [V1 80.53]⁵ V1 as notified⁶ Kainga Ora [V1 80.55]⁷ V1 as notified⁸ Kainga Ora [V1 80.21]

	<ol style="list-style-type: none"> 2. <u>The frequency at which any proposed building or addition is predicted to be damaged and the extent of damage likely to occur in such an event, including taking into account the building material and design proposed; the anticipated life of the building, whether the building is relocatable, and for redevelopments, the extent to which overall risk will change as a result of the proposal.</u> 3. <u>The extent to which site access will be compromised in a natural hazard event and any alternative access provided.</u> 4. <u>The extent to which the proposal causes flood water displacement or flow path disruption onto other sites.</u> 5. <u>The extent to which any flood mitigation measures are proposed, their effectiveness and environmental effects, and any benefits to the wider area associated with flood management.</u> 6. <u>The extent to which the proposal relies on Council infrastructure and the risks to that infrastructure from natural hazards, including taking into account maintenance and repair costs that might fall on the wider community.</u> 7. <u>The extent to which there are any positive effects from a reduction in floor levels in relation to neighbouring buildings or the streetscape.⁹</u>
<u>RES-MD17</u>	<u>Building Coverage</u> <ol style="list-style-type: none"> 1. <u>Effects on visual amenity values, including dominance, and the compatibility with the anticipated built form of the surrounding receiving environment.</u> 2. <u>Provision of adequate outdoor living space on site.^{10 11}</u>
<u>RES-MD18</u>	<u>Effects from qualifying matters – road and rail setbacks</u> <ol style="list-style-type: none"> 1. <u>Effects of noise</u> 2. <u>Effects on visual amenity values</u> 3. <u>Effects on safety¹²</u>

⁹ V1 as notified

¹⁰ V1 as notified

¹¹ Kainga Ora 80.58

¹² Kiwirail [V1 51.1,51.2,51.3,51.4,51.5]

NCZ - Neighbourhood Centre Zone

Introduction

The purpose of the Neighbourhood Centre Zone is to provide for the smallest commercial centres in the District.

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

As well as the provisions in this chapter, district wide chapter provisions will also apply where relevant.

Objectives	
NCZ-O1	Neighbourhood Centre Zone activities Neighbourhood Centres: <ol style="list-style-type: none"> 1. provide for a range of activities and scale that directly support the immediate or nearby residential neighbourhood; 2. do not <u>provide for development that results in significant adverse effects on adversely affect</u>¹ the role and function of Town and Local Centres, nor undermine investment in their public amenities and facilities; and 3. amenity values are managed within the zone and at the interface with adjacent Residential Zones.
Policies	
NCZ-P1	Design and integration Within Neighbourhood Centres: <ol style="list-style-type: none"> 1. enable a limited range of convenience activities that provide for the immediate residential neighbourhood and do not <u>result in significant adverse effects on adversely affect</u>² the role and function of Town and Local Centres; 2. enable a range of Centre sizes that generally comprise up to 450m² total floor space <u>and up to five shops with a maximum retail tenancy of 350m² GFA;</u>³ 3. ensure activities are accessible by walking and cycling from the area served; and 4. adverse amenity effects are managed within the zone and at the interface with <u>neighbouring</u>⁴ more sensitive zones; and 5. <u>enable above ground floor residential activity.</u>⁵

Activity Rules

How to interpret and apply the rules

¹ Woolworths [282.11]

² Woolworths [282.12]

³ Woolworths [282.146 and 282.12] and Kāinga Ora [325.284].

⁴ Kāinga Ora [325.284]

⁵ Kāinga Ora [325.284]

1. This chapter includes definitions covered by the Definitions Nesting table included in the Interpretation chapter. The relationship between listed defined terms is set out in that table. Within that table, activities are listed with the more general activity on the left and the more specific activity on the right. For example, 'retail activities' is the more general activity which includes food and beverage, large format retail and bars and taverns as more specific activities. Those more specific components may also include furthermore specific activities. Where an activity table for an overlay, zone, district wide or precinct lists a general activity in a nesting table, that general activity includes all of the nested specific activities unless otherwise specified in that activity table.
2. For example, if a rule covers 'retail activity' and there are no other retail rules in the chapter, then that rule covers all the different types of retail activity included under the definition of 'retail activity'. Conversely, if specific types of retail activity are separately listed, such as 'Food and Beverage' or 'large format retail' or 'supermarkets', then these more specific rules apply to the identified retail activity, rather than the general retail rule.⁶

NCZ-R1 Construction or alteration of or addition to any building or other structure	
Activity status: PER Where: 1. the activity complies with all built form standards (as applicable).	Activity status when compliance not achieved: as set out in the relevant built form standards
NCZ-R2 Public amenities	
Activity status: PER	Activity status when compliance not achieved: N/A
NCZ-R3 Emergency service facility	
Activity status: PER	Activity status when compliance not achieved: N/A
NCZ-R4 Retail activity, <u>including supermarkets</u> ⁷	
<i>This rule does not apply to large format retail provided for under NCZ-R19.</i>	
Activity status: PER Where: 1. the maximum activity size shall be 200m ² GFA; <u>or</u> 2. <u>for supermarkets, the maximum activity size shall be less than 450m² GFA.</u> ⁸	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD11 - Residential development CMUZ-MD12 - Commercial activity distribution
NCZ-R5 Commercial services	
Activity status: PER Where: 1. the floor area of the activity shall be a maximum of 200m ² GFA.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD12 - Commercial activity distribution
NCZ-R6 Office	

⁶ Woolworths [282.132]

⁷ Woolworths [282.146]

⁸ Woolworths [282.146 and 282.72]

Activity status: PER Where: 1. the floor area of the activity shall be a maximum 200m ² GFA.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD12 - Commercial activity distribution
NCZ-R7 Gymnasium	
Activity status: PER Where: 1. the floor area of the activity shall be a maximum of 200m ² GFA.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD11 - Residential development
NCZ-R8 Residential unit	
Activity status: PER Where: 1. any residential activity shall be above the ground floor.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD11 - Residential development Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.
NCZ-R9 Residential activity	
Activity status: PER Where: 1. any residential activity shall be above the ground floor.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD11 - Residential development Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.
NCZ-R10 Recreation activities	
Activity status: PER Where: 1. the activity is not a motorised recreation activity.	Activity status when compliance not achieved: NC
NCZ-R11 Education activities⁹	
<u>Activity status: PER</u> <u>Where:</u> 1. <u>the floor area of the activity shall be a maximum of 200m² GFA.</u>	<u>Activity status when compliance not achieved: RDIS</u> <u>Matters of discretion are restricted to:</u> <u>CMUZ-MD12 - Commercial activity distribution</u>
NCZ-R124 Public transport facility	
Activity status: DIS	Activity status when compliance not achieved: N/A
NCZ-R132 Entertainment activity	

⁹ Ministry of Education [277.52] for all of NCZ-R11.

Activity status: DIS	Activity status when compliance not achieved: N/A
NCZ-R143 Visitor accommodation	
Activity status: DIS	Activity status when compliance not achieved: N/A
NCZ-R154 Trade supplier	
Activity status: DIS	Activity status when compliance not achieved: N/A
NCZ-R165 Yard-based activity	
Activity status: DIS	Activity status when compliance not achieved: N/A
NCZ-R176 Any other activity not provided for in this zone as a permitted, controlled, restricted discretionary, discretionary, non-complying, or prohibited activity, except where expressly specified by a district wide provision.	
Activity status: DIS	Activity status when compliance not achieved: N/A
NCZ-R187 Industrial activity	
Activity status: NC	Activity status when compliance not achieved: N/A
NCZ-R198 Heavy industry	
Activity status: NC	Activity status when compliance not achieved: N/A
NCZ-R2019 Large format retail <i><u>This rule does not apply to supermarkets, which are covered under NCZ-R4.¹⁰</u></i>	
Activity status: NC	Activity status when compliance not achieved: N/A

Built Form Standards

NCZ-BFS1 Height	
1. The maximum height of any building, calculated as per the height calculation, shall be 8 <u>12</u> ¹¹ m above ground level.	Activity status when compliance not achieved: DIS <u>RDIS</u> <u>Matters of discretion are restricted to:</u> <u>CMUZ-MD19 - Height¹²</u>
NCZ-BFS2 Height in relation to boundary when adjoining residential zones, rural zones or open space and recreation zones	

¹⁰ Woolworths [282.146]

¹¹ V1 – RMA Schedule 1 Clause 99

¹² Kāinga Ora [325.288] for all NCZ-BFS1 changes.

<p>1. Where an internal boundary adjoins Residential Zones, Rural Zones, or Open Space and Recreation Zones, the height in relation to boundary for the adjoining zone shall apply. and where specified s Structures shall not project beyond a building envelope defined by recession planes measuring 2.5m from ground level above any site boundary¹³ in accordance with the diagrams in Appendix APP3.</p>	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD4 - Height in relation to boundary Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
NCZ-BFS3 Internal boundary building setback	
<p>1. The minimum building setback from internal boundaries of site that adjoin any Residential Zones, Rural Zones, or Open Space and Recreation Zones shall be 3m.</p>	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD5 - Internal boundary setback Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
NCZ-BFS4 Internal boundary landscaping	
<p>1. Landscaping shall be provided along the full length of all internal boundaries with any residential or open space and recreation zones. This landscape strip shall be a minimum of 2m deep.</p> <p>2. Any landscape strip required in (1) shall include a minimum of one tree for every 10m of shared boundary or part thereof, spaced at a maximum distance of 5m, with the trees to be a minimum of 1.5m in height at time of planting.</p>	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD6 - Internal boundary landscaping Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
NCZ-BFS5 Road boundary landscaping	
<p>1. Where a site is not built to the road boundary, landscaping shall be provided along the full length of the road boundary, except for vehicle crossings, outdoor seating or dining areas, or where buildings are built to the road boundary under NCZ-BSF6. This landscape strip shall be a minimum of 2m deep.</p> <p>2. The landscape strip required in (1) shall include a minimum of one tree for every 10m of road frontage or part thereof, spaced at a maximum distance of 5m with the trees to be</p>	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD8 - Road boundary landscaping Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>

¹³ Kainga Ora [325.289]

a minimum of 1.5m in height at time of planting.	
NCZ-BFS6 Road boundary setback, glazing and verandah	
<p>1. All buildings shall:</p> <ul style="list-style-type: none"> a. be built to the road boundary; b. provide pedestrian access directly from the road boundary; c. have visually transparent glazing for a minimum of 60% of the ground floor elevation facing the street; d. have a verandah that extends along the full length of the building elevation facing the road; e. verandahs are to extend a minimum of 3m from the building façade; and f. verandahs are to be set back a minimum of 0.5m from the kerb line of a public road. This rule does not apply to pedestrian laneways. The minimum depth of 3m required under (5) may be reduced where necessary to comply with this rule. 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: CMUZ-MD7 - Road boundary setback, glazing and verandah</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</p>
NCZ-BFS7 Rail boundary setback	
<p>1. All buildings shall be set back a minimum of 4m from any site boundary with the rail corridor.</p>	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: CMUZ-MD13 - Rail boundary setback</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to KiwiRail where the consent authority considers this is required, absent its written approval.</p>
NCZ-BFS8 Outdoor storage areas	
<p>1. Any outdoor storage or parking¹⁴ areas shall be screened by 1.8m high solid fencing or dense hedge landscaping from any adjoining site in Rural Zones, Residential Zones, Commercial and Mixed Use Zones, or Open Space and Recreation Zones or the road boundary.</p>	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: CMUZ-MD9 - Outdoor storage and waste management</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
NCZ-BFS9 Residential units	
<p>1. The minimum net floor area (excluding garages, balconies, and any communal</p>	<p>Activity status when compliance not achieved: RDIS</p>

¹⁴ Bellgrove Rangiora Ltd [408.65]

<p>lobbies stairwells and plant rooms) per residential unit shall be:</p> <ol style="list-style-type: none"> studio 35m²; one bedroom 45m²; two bedrooms 60m²; three or more bedrooms 90m². <p>2. Each residential unit shall be provided with a private outdoor living space with a minimum area of 6m² and a minimum dimension of 1.5m.</p> <p>3. Where a garage is not provided with the residential unit, each residential unit shall have:</p> <ol style="list-style-type: none"> an internal storage space that is a minimum of 4m³ and a minimum dimension of 1m; and a waste management area for the storage of rubbish and recycling of <u>at least</u>¹⁵ 5m² with a minimum dimension of 1.5m; and waste management areas shall be screened or located behind buildings when viewed from any road or public open space. 	<p>Matters of discretion are restricted to:</p> <p>CMUZ-MD9 - Outdoor storage and waste management</p> <p>CMUZ-MD11 - Residential development</p> <p>Notification</p> <p>An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</p>
NCZ-BFS10 Waste management requirement for all commercial activities	
<p>1. All commercial activities shall provide:</p> <ol style="list-style-type: none"> a waste management area for the storage of rubbish and recycling of <u>at least</u>¹⁶ 5m² with a minimum dimension of 1.5m. waste management areas shall be screened or located behind buildings when viewed from any road or public open space. 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>CMUZ-MD9 - Outdoor storage and waste management</p> <p>Notification</p> <p>An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</p>
NCZ-BFS11 Building coverage	
<p>1. The maximum building coverage shall be 55%.</p>	<p>Activity status when compliance not achieved with: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>CMUZ-MD16 - Coverage</p> <p>Notification</p> <p>An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>

EI-R51	Activities and development (other than earthworks) within a National Grid Yard
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¹⁵ RMA Schedule 1 Clause 16(2)

¹⁶ RMA Schedule 1 Clause 16(2)

All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> <u>1. the activity is not a sensitive activity;</u> <u>2. buildings or structures comply with NZECP34: 2001 and are:</u> <ol style="list-style-type: none"> <u>a. for a network utility;</u> <u>or</u> <u>b. a fence not exceeding 2.5m in height above ground level; or</u> <u>c. a non-habitable building or structure used for agricultural and horticultural activities (including irrigation) that is not:</u> <ol style="list-style-type: none"> <u>i. a milking shed/dairy shed (excluding the stockyards and ancillary platforms);</u> <u>ii. a wintering barn;</u> <u>iii. a building for intensive indoor primary production;¹⁷</u> ¹⁸ <u>iv. a commercial greenhouse; or</u> <u>v. produce packing facilities;</u> <u>d. building alterations or additions to an existing building or structure that do not increase the height above ground level or footprint of the existing building or structure;</u> <u>3. a building or structure provided for by (2)(a) to (d) must:</u> <ol style="list-style-type: none"> <u>a. not be used for the handling or storage of hazardous substances with explosive or flammable intrinsic properties in greater</u> 	<p>Activity status when compliance not achieved: NC Notification</p> <p>An application under this rule is precluded from being publicly notified, but may be limited notified only to Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.</p>
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¹⁷ Transpower [195.43].

¹⁸ Horticulture NZ [295.80].

	<p>than domestic scale quantities;</p> <p>b. not permanently obstruct existing vehicle access to a National Grid support structure;</p> <p>c. be located at least 12m from the outer visible edge of a foundation of a National Grid support structure, except where it is a fence not exceeding 2.5m height above ground level that is located at least 6m from the outer visible edge of a foundation of a National Grid support structure.¹⁹</p> <p>1. the activities and development within a National Grid Yard in (a) to (i) below comply with the safe electrical clearance distances set out in the NZECP; and where the activities and development in (d) to (i) below are set back 12m from any National Grid support structure:</p> <p>a. network utilities (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes) undertaken by network utility operators;</p> <p>b. fences no greater than 2.5m in height above ground level and no closer than 6m from the nearest National Grid support structure;</p> <p>c. artificial crop protection and support</p>	
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¹⁹ Transpower [195.43].

	<p>structures between 8m and 12m from a single pole or pi-pole and any associated guy wire (but not a tower) that:</p> <ul style="list-style-type: none"> i. meets the requirements of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances for separation distances from the conductor; ii. is a maximum of 2.5m in height above ground level; iii. is removable or temporary, to allow clear working space 12m from the pole when necessary for maintenance and emergency repair purposes; iv. allows all weather access to the pole and a sufficient area for maintenance equipment, including a crane; d. any new non-habitable building less than 2.5m in height above ground level and 10m² in floor area; e. non-habitable buildings or structures used for agricultural and horticultural activities, provided they are not a milking shed/dairy shed (excluding the stockyards and ancillary platforms), a 	
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	<p>wintering barn, a building for intensive farming activities, or a commercial greenhouse;</p> <p>f. mobile irrigation equipment used for agricultural and horticultural activities;</p> <p>g. other than reticulation and storage of water in dams or reservoirs in (a) above, reticulation and storage of water for irrigation purposes provided that it does not permanently physically obstruct vehicular access to a National Grid support structure;</p> <p>h. building alteration and additions to an existing building or other structure that does not involve an increase in the height above ground level or footprint of the building or structure; and</p> <p>a. a building or structure where Transpower NZ Ltd has given written approval in accordance with clause 2.4.1 of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.²⁰</p>	
All Zones	<p>Activity status: NC</p> <p>Where:</p> <p>1. activities and development within a National Grid Yard involve the following:</p> <p>a. any activity and development that permanently physically impedes vehicular</p>	<p>Activity status when compliance not achieved:</p> <p>N/A²¹</p>

²⁰ Transpower [195.43].

²¹ Transpower [195.43].

	<p>access to a National Grid support structure;</p> <p>b. any new building for a sensitive activity;</p> <p>c. any change of use to a sensitive activity or the establishment of a new sensitive activity;</p> <p>d. dairy/milking sheds or buildings for intensive farming or wintering barns; and</p> <p>e. any hazardous facility that involves the storage and handling of hazardous substances with explosive or flammable intrinsic properties within 12m of the centreline of a National Grid transmission line.</p> <p>Notification An application under this rule is precluded from being publicly notified, but may be limited notified only to Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.</p>	
	<p>Advisory Note</p> <ul style="list-style-type: none"> National Grid transmission lines are shown on the planning map. 	

EI-R56	Activities and development (other than earthworks or network utilities) adjacent to a 66kV or 33kV <u>major</u>²² electricity distribution line	
All Zones	<p>Activity status: NC</p> <p>Where:</p> <ol style="list-style-type: none"> <u>new, or expansion or extension of existing,</u>²³ activities and development adjacent to a 66kV or 33kV<u>major</u>²⁴ electricity distribution line involve the following: 	<p>Activity status when compliance not achieved:</p> <p>N/A</p>

²² Mainpower [249.94].

²³ Mainpower [249.95].

²⁴ Mainpower [249.94].

	<p>a. new a sensitive activity and or a new buildings or structure²⁵ (excluding accessory buildings)²⁶ within 6m²⁷ of the centreline of a 66kV or 33kV major²⁸ electricity distribution line or within 10m 6m²⁹ of the visible outer edge of a³⁰ foundation of an associated a pole, pi-pole³¹ or tower; and/or</p> <p>a-b. does not comply with the requirements of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.³²</p> <p>b. new fences more than 2.5m high and within 5m of the visible outer edge of a foundation for a 66kV or 33kV electricity distribution line, pole or tower.³³</p> <p>Notification An application under this rule is precluded from being publicly notified, but may be limited notified only to the relevant electricity distribution line operator where the consent authority considers this is</p>	
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²⁵ Mainpower [249.94].

²⁶ Mainpower [249.94].

²⁷ Mainpower [249.94].

²⁸ Mainpower [249.94].

²⁹ Mainpower [249.94].

³⁰ Mainpower [249.94].

³¹ Mainpower [249.94].

³² Mainpower [249.94].

³³ Mainpower [249.94].

	required, absent its written approval.	
	Advisory Notes <ul style="list-style-type: none">• 66kV/33kV <u>Major</u>³⁴ electricity distribution lines are shown on the planning map.• Vegetation to be planted around electricity distribution lines should be selected and managed to ensure that it will not breach the Electricity (Hazards from Trees) Regulations 2003.• The NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances contains restrictions on the location of activities and development in relation to electricity distribution lines. Activities and development in the vicinity of these lines must comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.	

³⁴ Mainpower [249.94].

LCZ - Local Centre Zone

Introduction

The purpose of the Local Centre Zone is to provide for activities to support local communities and small settlements at a scale between neighbourhood centres and town centres.

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

As well as the provisions in this chapter, district wide chapter provisions will also apply where relevant.

Objectives	
LCZ-O1	Local Centre Zone activities Local Centres: <ol style="list-style-type: none"> 1. are the focal point for a range of commercial, community and service activities at a smaller scale than Town Centres to provide for the daily/weekly shopping needs of the local residential or nearby rural area, including enabling a range of convenience activities; 2. activities do not provide for development that results in <u>significant</u> adversely affect <u>effects on</u>¹ the role and function of Town Centres; and 3. amenity values are managed within the zone and at the interface with adjacent residential zones.
Policies	
LCZ-P1	Design and integration Within Local Centres: <ol style="list-style-type: none"> 1. enable commercial, community, convenience and service activities that provide for the daily/weekly shopping needs of the local residential or nearby rural catchment and do not adversely affect <u>result in significant adverse effects on</u>² the role and function of Town Centres, nor undermine investment in their public amenities and facilities; 2. enable a range of Local Centres which, excluding the Woodend Local Centre, generally comprise 1,000m² to 4,000m² total floor space and up to 15 shops with a maximum retail tenancy of 350m² GFA;³ 3. ensure Local Centres are integrated into the transport system to promote efficient safe and accessible modal choice, and manage adverse effects on the operation of the transport system; and 4. adverse amenity effects are managed within the zone and at the interface with neighbouring more sensitive zones; <u>and</u>⁴ 5. <u>enable above ground floor residential activity.</u>⁵

¹ Woolworths [282.13]

² Woolworths [282.14]

³ Woolworths [282.14], Kāinga Ora [325.300] and Bellgrove Rangiora Ltd [408.56].

⁴ Kāinga Ora [325.300]

⁵ Kāinga Ora [325.300]

Activity Rules

How to interpret and apply the rules

1. This chapter includes definitions covered by the Definitions Nesting table included in the Interpretation chapter. The relationship between listed defined terms is set out in that table. Within that table, activities are listed with the more general activity on the left and the more specific activity on the right. For example, 'retail activities' is the more general activity which includes food and beverage, large format retail and bars and taverns as more specific activities. Those more specific components may also include further more specific activities. Where an activity table for an overlay, zone, district wide or precinct lists a general activity in a nesting table, that general activity includes all of the nested specific activities unless otherwise specified in that activity table.
2. For example, if a rule covers 'retail activity' and there are no other retail rules in the chapter, then that rule covers all the different types of retail activity included under the definition of 'retail activity'. Conversely, if specific types of retail activity are separately listed, such as 'Food and Beverage' or 'large format retail' or 'supermarkets', then these more specific rules apply to the identified retail activity, rather than the general retail rule.⁶

LCZ-R1 Construction or alteration of or addition to any building or other structure	
Activity status: PER Where: <ol style="list-style-type: none"> 1. the activity complies with: <ol style="list-style-type: none"> a. all built form standards (as applicable); and b. the building or addition is less than 450m² GFA. 	Activity status when compliance not achieved with LCZ-R1(1)(a): as set out in the relevant built form standards Activity status when compliance not achieved with LCZ-R1(1)(b): RDIS Matters of discretion are restricted to: CMUZ-MD3 - Urban design
LCZ-R2 Public amenities	
Activity status: PER	Activity status when compliance not achieved: N/A
LCZ-R3 Emergency service facility	
Activity status: PER	Activity status when compliance not achieved: N/A
LCZ-R4 Retail activity	
Activity status: PER Where: <ol style="list-style-type: none"> 1. the floor area of the activity shall be within the following maximum GFA limits: <ol style="list-style-type: none"> a. within Woodend there is no limit; b. for Mandeville, the maximum gross retail area for all retail activities in the zone shall be 2700m²; 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD11 - Residential development CMUZ-MD12 - Commercial activity distribution

⁶ Woolworths [282.132] and Bellgrove Rangiora Ltd [408.58]

c. for all other sites the activity shall be a maximum of 300m ² GFA, <u>or 1000m² for supermarkets⁷.</u>	
LCZ-R5 Commercial activity	
Activity status: PER	Activity status when compliance not achieved: N/A
LCZ-R6 Commercial services	
Activity status: PER	Activity status when compliance not achieved: N/A
LCZ-R7 Office	
Activity status: PER Where: 1. the floor area of the activity shall be a maximum of 300m ² GFA.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD11 - Residential development CMUZ-MD12 - Commercial activity distribution
LCZ-R8 Gymnasium	
Activity status: PER	Activity status when compliance not achieved: N/A
LCZ-R9 Residential unit	
Activity status: PER Where: 1. any residential activity shall be above the ground floor.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD11 - Residential development Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.
LCZ-R10 Residential activity	
Activity status: PER Where: 1. any residential activity shall be above the ground floor.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD11 - Residential development Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.
LCZ-R11 Community facility	
Activity status: PER	Activity status when compliance not achieved: N/A
LCZ-R12 Visitor accommodation	
Activity status: PER	Activity status when compliance not achieved: N/A

⁷ Woolworths [282.71, 282.13 and 282.145].

LCZ-R13 Cultural facility	
Activity status: PER	Activity status when compliance not achieved: N/A
LCZ-R14 Educational facility	
Activity status: PER	Activity status when compliance not achieved: N/A
LCZ-R15 Health care facility	
Activity status: PER	Activity status when compliance not achieved: N/A
LCZ-R16 Food and beverage outlet	
Activity status: PER Where: 1. the floor area of the activity shall be within the following maximum GFA limits: a. within Woodend there is no limit; b. for all other sites the activity shall be a maximum of 300 <u>500</u> m ² GFA. ⁸	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD11 - Residential development CMUZ-MD12 - Commercial activity distribution
LCZ-R17 Entertainment activity	
Activity status: PER Where: 1. the floor area of the activity shall be within the following maximum GFA limits: a. within Woodend there is no limit; b. for all other sites the activity shall be a maximum of 300m ² GFA.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD11 - Residential development
LCZ-R18 Drive through restaurants	
Activity status: PER Where: 1. the restaurant shall not be located within 30m of any Residential Zones.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD2 - Drive through restaurants and service stations
LCZ-R19 Service Station	
Activity status: PER Where: 1. the service station shall not be located within 30m of any Residential Zones.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD2 - Drive through restaurants and service stations
LCZ-R20 Recreation activities	
Activity status: PER Where: 1. the activity is not a motorised recreation activity.	Activity status when compliance not achieved: NC

⁸ Bellgrove Rangiora Ltd [408.60]

LCZ-R21 Trade supplier	
Activity status: RDIS Matters of discretion are restricted to: CMUZ-MD1 - Trade suppliers and Yard based suppliers	Activity status when compliance not achieved: N/A
LCZ-R22 Yard-based activity	
Activity status: RDIS Matters of discretion are restricted to: CMUZ-MD1 - Trade suppliers and Yard based suppliers	Activity status when compliance not achieved: N/A
LCZ-R23 Parking lot and Parking building	
Activity status: RDIS Matters of discretion are restricted to: CMUZ-MD18 - Parking lots and Parking buildings	Activity status when compliance not achieved: N/A
LCZ-R24 Any other activity not provided for in this zone as a permitted, controlled, restricted discretionary, discretionary, non-complying, or prohibited activity, except were expressly specified by a district wide provision.	
Activity status: DIS	Activity status when compliance not achieved: N/A
LCZ-R25 Industrial activity	
Activity status: NC	Activity status when compliance not achieved: N/A
LCZ-R26 Heavy industry	
Activity status: NC	Activity status when compliance not achieved: N/A

Built Form Standards

LCZ-BFS1 Height	
1. The maximum height of any building, calculated as per the height calculation, shall be 40 ¹² ⁹ m above ground level.	Activity status when compliance not achieved: <u>DIS RDIS</u> <u>Matters of discretion are restricted to:</u> <u>CMUZ-MD19 - Height ¹⁰</u>
LCZ-BFS2 Height in relation to boundary when adjoining residential zones, rural zones or open space and recreation zones	
1. Where an internal boundary adjoins Residential Zones, Rural Zones or Open Space and Recreation Zones, the height in relation to boundary for the adjoining zone	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD4 - Height in relation to boundary

⁹ V1 – RMA Schedule 1 Clause 99

¹⁰ Bellgrove Rangiora Ltd [408.610], Kāinga Ora [325.304] and Templeton Group Ltd [412.22] for all changes to LCZ-BFS1.

<p>shall apply. and where specified s Structures shall not project beyond a building envelope defined by recession planes measuring 2.5m from ground level above any site boundary¹¹ in accordance with the diagrams in Appendix APP3.</p>	<p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
LCZ-BFS3 Internal boundary setback	
<p>1. The minimum building setback from internal boundaries of sites that adjoin Residential Zones, Rural Zones, or Open Space and Recreation Zones shall be 3m.</p>	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD5 - Internal boundary setback Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
LCZ-BFS4 Internal boundary landscaping	
<p>1. Landscaping shall be provided along the full length of all internal boundaries that adjoins Residential Zones, Rural Zones, or Open Space and Recreation Zones. This landscape strip shall be a minimum of 2m deep.</p> <p>2. Any landscape strip required in (1) shall include a minimum of one tree for every 10m or part thereof, spaced at a maximum distance of 5m of shared boundary, with the trees to be a minimum of 1.5m in height at time of planting.</p>	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD6 - Internal boundary landscaping Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
LCZ-BFS5 Road boundary landscaping	
<p>1. Where a site does not have a building is not built along the entire to a road boundary, landscaping shall be provided along the full length of the road boundary not occupied by building,¹² except for vehicle crossings, outdoor seating or dining areas. This landscape strip shall be a minimum of 2m deep.</p> <p>2. The landscape strip required in (1) shall include a minimum of one tree for every 10m of road frontage or part thereof, spaced at a maximum distance of 5m, with the trees to be a minimum of 1.5m in height at time of planting.</p>	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: CMUZ-MD8 - Road boundary landscaping Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
LCZ-BFS6 Road boundary setback, glazing and verandah	

¹¹ Kainga Ora [325.305]

¹² RMA Schedule 1 Clause 16(2) and Bellgrove Rangiora Ltd [408.64].

<p>1. All buildings shall:</p> <ul style="list-style-type: none"> a. be built to the road boundary; b. provide pedestrian access directly from the road boundary; c. have visually transparent glazing for a minimum of 60% of the ground floor elevation facing the road; d. have a verandah that extends along the full length of the building elevation facing the road; e. verandahs are to extend a minimum of 3m from the building façade; and f. verandahs are to be set back a minimum of 0.5m from the kerb line of a public road. This rule does not apply to pedestrian laneways. The minimum depth of 3m required under (e) may be reduced where necessary to comply with this rule. 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: CMUZ-MD7 - Road boundary setback, glazing and verandah</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
LCZ-BFS7 Rail boundary setback	
<p>1. All buildings shall be set back a minimum of 4m from any site boundary with the rail corridor.</p>	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: CMUZ-MD13 - Rail boundary setback</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to KiwiRail where the consent authority considers this is required, absent its written approval.</p>
LCZ-BFS8 Outdoor storage areas	
<p>1. Any outdoor storage or parking¹³ areas shall be screened by 1.8m high solid fencing or dense hedge landscaping from any adjoining site in Residential Zones, Rural Zones, Commercial and Mixed Use Zones or Open Space and Recreation Zones or the road boundary.</p>	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: CMUZ-MD9 - Outdoor storage and waste management</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
LCZ-BFS9 Residential units	
<p>1. The minimum net floor area (excluding garages, balconies, and any communal lobbies stairwells and plant rooms) per residential unit shall be:</p> <ul style="list-style-type: none"> a. studio 35m²; b. one bedroom 45m²; c. two bedroom 60m²; 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: CMUZ-MD9 - Outdoor storage and waste management CMUZ-MD11 - Residential development</p> <p>Notification</p>

¹³ Bellgrove Rangiora Ltd [408.65].

<p>d. three or more bedrooms 90m².</p> <p>2. Each residential unit shall be provided with a private outdoor living space with a minimum area of 6m² and a minimum dimension of 1.5m.</p> <p>3. Where a garage is not provided with the residential unit, each residential unit shall have:</p> <ul style="list-style-type: none"> a. an internal storage space that is a minimum of 4m³ and a minimum dimension of 1m; and b. a waste management area for the storage of rubbish and recycling of <u>at least</u>¹⁴ 5m² with a minimum dimension of 1.5m; and c. waste management areas shall be screened or located behind buildings when viewed from any road or public open space. 	<p>An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</p>
LCZ-BFS10 Waste management requirements for all commercial activities	
<p>1. All commercial activities shall provide:</p> <ul style="list-style-type: none"> a. a waste management area for the storage of rubbish and recycling of <u>at least</u>¹⁵ 5m² with a minimum dimension of 1.5m. b. waste management areas shall be screened or located behind buildings when viewed from any road or public open space. 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: CMUZ-MD9 - Outdoor storage and waste management</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</p>
LCZ-BFS11 Building coverage	
<p>1. The maximum building coverage shall be 55%.</p>	<p>Activity status when compliance not achieved with: RDIS</p> <p>Matters of discretion are restricted to: CMUZ-MD16 - Coverage</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
LCZ-BFS12 Mandeville North	
<p>1. Development in the zone shall meet the following requirements:</p> <ul style="list-style-type: none"> a. any outdoor storage area for the temporary or permanent storage of goods shall not be located within any required structure setbacks or 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: CMUZ-MD17 - Mandeville North Business Area</p> <p>Notification</p>

¹⁴ RMA Schedule 1 Clause 16(2)

¹⁵ RMA Schedule 1 Clause 16(2)

<p>landscaping areas;</p> <p>b. landscaping, footpath, and Mandeville Road access design shall occur:</p> <ol style="list-style-type: none"> i. for a minimum depth of 2m, with a minimum average depth of 4m along the length of the Tram Road boundary except for the vehicle entrance locations, including: <ol style="list-style-type: none"> a. trees to be capable of reaching a minimum height of 8m; b. a minimum of one tree per 10m of road boundary frontage; and c. a maximum tree spacing of 15m. ii. by a landscaping strip between the vehicle accessway linking Mandeville Road and the south-eastern boundary with a minimum depth of 950mm. iii. by an accessway with a minimum width of 6m. iv. by a landscaping strip with a minimum width of 1.7m between the vehicle accessway linking Mandeville Road and the proposed footpath, which shall be planted with specimen trees, capable of reaching a height of 3m, planted at maximum intervals of 10m. v. as a 3m wide footpath adjacent to the north-western boundary; c. the site shall be fenced to prevent pedestrian access from and onto Tram Road; d. any building shall be finished to achieve a light reflectance value of less than 45%; e. within the car parking area, there shall be a minimum of one tree, planted for every 10 parking spaces provided; f. any access from Tram Road shall be formed to prevent right hand turn vehicle movements from Tram Road. 	<p>An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
<p>Advisory Note</p> <ul style="list-style-type: none"> For the avoidance of doubt, where an Activity or Built Form Standard is in conflict with this specific rule, this specific rule shall substitute the provision. 	

EI-R51	Activities and development (other than earthworks) within a National Grid Yard	
All Zones	Activity status: PER	Activity status when compliance not achieved: NC

	<p>Where:</p> <ol style="list-style-type: none"> <u>1. the activity is not a sensitive activity;</u> <u>2. buildings or structures comply with NZECP34: 2001 and are:</u> <ol style="list-style-type: none"> <u>a. for a network utility;</u> <u>or</u> <u>b. a fence not exceeding 2.5m in height above ground level; or</u> <u>c. a non-habitable building or structure used for agricultural and horticultural activities (including irrigation) that is not:</u> <ol style="list-style-type: none"> <u>i. a milking shed/dairy shed (excluding the stockyards and ancillary platforms);</u> <u>ii. a wintering barn;</u> <u>iii. a building for intensive indoor primary production;¹⁶</u> ¹⁷ <u>iv. a commercial greenhouse; or</u> <u>v. produce packing facilities;</u> <u>d. building alterations or additions to an existing building or structure that do not increase the height above ground level or footprint of the existing building or structure;</u> <u>3. a building or structure provided for by (2)(a) to (d) must:</u> <ol style="list-style-type: none"> <u>a. not be used for the handling or storage of hazardous substances with explosive or flammable intrinsic properties in greater than domestic scale quantities;</u> 	<p>Notification</p> <p>An application under this rule is precluded from being publicly notified, but may be limited notified only to Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.</p>
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¹⁶ Transpower [195.43].

¹⁷ Horticulture NZ [295.80].

	<p><u>b. not permanently obstruct existing vehicle access to a National Grid support structure;</u></p> <p><u>c. be located at least 12m from the outer visible edge of a foundation of a National Grid support structure, except where it is a fence not exceeding 2.5m height above ground level that is located at least 6m from the outer visible edge of a foundation of a National Grid support structure.</u>¹⁸</p> <p>4. the activities and development within a National Grid Yard in (a) to (i) below comply with the safe electrical clearance distances set out in the NZECP; and where the activities and development in (d) to (i) below are set back 12m from any National Grid support structure:</p> <p>a. network utilities (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes) undertaken by network utility operators;</p> <p>b. fences no greater than 2.5m in height above ground level and no closer than 6m from the nearest National Grid support structure;</p> <p>c. artificial crop protection and support structures between 8m and 12m from a single</p>	
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¹⁸ Transpower [195.43].

	<p>pole or pi-pole and any associated guy wire (but not a tower) that:</p> <ul style="list-style-type: none"> i. meets the requirements of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances for separation distances from the conductor; ii. is a maximum of 2.5m in height above ground level; iii. is removable or temporary, to allow clear working space 12m from the pole when necessary for maintenance and emergency repair purposes; iv. allows all weather access to the pole and a sufficient area for maintenance equipment, including a crane; d. any new non-habitable building less than 2.5m in height above ground level and 10m² in floor area; e. non-habitable buildings or structures used for agricultural and horticultural activities, provided they are not a milking shed/dairy shed (excluding the stockyards and ancillary platforms), a wintering barn, a building for intensive 	
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	<p> farming activities, or a commercial greenhouse; f. mobile irrigation equipment used for agricultural and horticultural activities; g. other than reticulation and storage of water in dams or reservoirs in (a) above, reticulation and storage of water for irrigation purposes provided that it does not permanently physically obstruct vehicular access to a National Grid support structure; h. building alteration and additions to an existing building or other structure that does not involve an increase in the height above ground level or footprint of the building or structure; and a. a building or structure where Transpower NZ Ltd has given written approval in accordance with clause 2.4.1 of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.¹⁹ </p>	
All Zones	<p>Activity status: NC</p> <p>Where:</p> <p> 1. activities and development within a National Grid Yard involve the following: a. any activity and development that permanently physically impedes vehicular access to a National Grid support structure; </p>	<p>Activity status when compliance not achieved:</p> <p>N/A²⁰</p>

¹⁹ Transpower [195.43].

²⁰ Transpower [195.43].

	<p>b. any new building for a sensitive activity;</p> <p>c. any change of use to a sensitive activity or the establishment of a new sensitive activity;</p> <p>d. dairy/milking sheds or buildings for intensive farming or wintering barns; and</p> <p>e. any hazardous facility that involves the storage and handling of hazardous substances with explosive or flammable intrinsic properties within 12m of the centreline of a National Grid transmission line.</p> <p>Notification An application under this rule is precluded from being publicly notified, but may be limited notified only to Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.</p>	
	<p>Advisory Note</p> <ul style="list-style-type: none"> National Grid transmission lines are shown on the planning map. 	

EI-R56 Activities and development (other than earthworks or network utilities) adjacent to a 66kV or 33kV <u>major</u> ²¹ electricity distribution line		
All Zones	<p>Activity status: NC</p> <p>Where:</p> <ol style="list-style-type: none"> <u>new, or expansion or extension of existing</u>²² activities and development adjacent to a 66kV or 33kV <u>major</u>²³ electricity distribution line involve the following: <p><u>a.</u> new a sensitive activity and or a new buildings <u>or</u></p>	<p>Activity status when compliance not achieved:</p> <p>N/A</p>

²¹ Mainpower [249.94].

²² Mainpower [249.95].

²³ Mainpower [249.94].

	<p>structure²⁴ (excluding accessory buildings)²⁵ within 6m²⁶ of the centreline of a 66kV or 33kVmajor²⁷ electricity distribution line or within 10m 6m²⁸ of the visible outer edge of a²⁹ foundation of an associated a pole, pi- pole³⁰ or tower; and/or a.b. does not comply with the requirements of NZECF 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.³¹ b. new fences more than 2.5m high and within 5m of the visible outer edge of a foundation for a 66kV or 33kV electricity distribution line, pole or tower.³²</p> <p>Notification An application under this rule is precluded from being publicly notified, but may be limited notified only to the relevant electricity distribution line operator where the consent authority considers this is required, absent its written approval.</p>	
	Advisory Notes	

²⁴ Mainpower [249.94].²⁵ Mainpower [249.94].²⁶ Mainpower [249.94].²⁷ Mainpower [249.94].²⁸ Mainpower [249.94].²⁹ Mainpower [249.94].³⁰ Mainpower [249.94].³¹ Mainpower [249.94].³² Mainpower [249.94].

	<ul style="list-style-type: none">• 66kV/33kV <u>Major</u>³³ electricity distribution lines are shown on the planning map.• Vegetation to be planted around electricity distribution lines should be selected and managed to ensure that it will not breach the Electricity (Hazards from Trees) Regulations 2003.• The NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances contains restrictions on the location of activities and development in relation to electricity distribution lines. Activities and development in the vicinity of these lines must comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.
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³³ Mainpower [249.94].