

19 December 2018

Ivan Iafeta
Chief Executive
Regenerate Christchurch

Email: info@regeneratechristchurch.nz

Dear Ivan

Christchurch City Council comments on the draft **Ōtākaro** Avon River Corridor Regeneration Plan

Christchurch City Council (the Council) thanks Regenerate Christchurch for the opportunity to provide comment on the draft Ōtākaro Avon River Corridor Regeneration Plan. Overall, the Council supports the general direction of the draft Plan as it recognises the strategic priorities for this Council. In particular the plan provides opportunities for the Council to give effect to its flood management and water quality improvement plans for the Ōtākaro Avon River catchment; the major cycleway network; and the City to Sea linear park promoted under the Public Open Space Strategy.

The Council congratulates Regenerate Christchurch on their extensive and comprehensive assessment of the potential land use opportunities for the corridor. We recognise the very inclusive community consultation process and it is clear that the views of the community and stakeholders have been heard and used to guide and shape the draft Plan. Whilst it appears also that our feedback as section 29 partners has been considered and contributed to some better clarification and improvements to the previous version, the Council still has some concerns about parts of the Draft Plan.

The plan provides a strong vision for the area, however greater clarity and consistency is required as to what and how land-uses will be provided for, including in the District Plan provisions. This is particularly important to ensure community and investor expectations are managed, and future governing and regulatory bodies are effective in their delivery of the plans objectives. The Council's concerns are outlined in more detail in the attachments to this letter.

As the next level of detail is developed (i.e. governance arrangements and development of the Implementation Plan), the Council supports working collaboratively with Regenerate Christchurch and commits to providing technical input, expertise and review to support the design and planning required to ensure successful implementation and delivery.

The Council welcomes opportunities for further discussion with Regenerate Christchurch on any points raised in the attached comments. For any clarification on points within this submission please contact David Griffiths, Head of Planning and Strategic Transport in the first instance - David.Griffiths@ccc.govt.nz.

Yours sincerely



Lianne Dalziel

MAYOR

Christchurch City Council comments on the Ōtākaro Avon River Corridor Draft Regeneration Plan – 19 December 2018

Introduction

As a partner in the project, the Council has made available a wide range of disciplines to support Regenerate Christchurch in the production of the initial research, visioning and design phases. As part of the process towards public notification of a draft Ōtākaro Avon River Corridor (OARC or the 'corridor') Regeneration Plan (the draft Plan) for the area, the Council wishes to acknowledge and thank Regenerate Christchurch for the opportunity to complete an early review of the draft Plan through the section 29 parties' process and commends Regenerate Christchurch on the changes that have been made that take into account those earlier comments.

This feedback is aimed at giving a clear single statement of Council's more specific views and issues and questions on particular sections that can guide Regenerate Christchurch in refining the draft Plan, and includes feedback from the Coastal-Burwood and Central-Linwood-Heathcote Community Boards. The main matter raised by our community boards is the need for a robust and inclusive governance model for this Regeneration Area. The local Community Boards would like to be part of discussions about the development of a governance model. It is pleasing to see the need for local community involvement in decision-making recognised and supported in the draft Plan.

The draft Plan also appropriately recognises that it is unable to be resolute on public sector commitments, given that significant future decisions on funding and governance arrangements are still to be made (principally through the Global Settlement with the Crown). It is important that the community are made aware of these significant decisions, and it is pleasing to see that this is now mentioned at the very front of the draft Plan and reiterated in places throughout the document.

Whilst the Council has committed under its 2018 Long Term Plan to fund some infrastructure, it is by no means certain that Council funding will be available over the next few years to undertake the physical delivery of some projects. The Council acknowledge that under the section "Making the plan a reality", the extent of funding required to deliver the plan has been expressed well. However it could be reiterated in this section that delivery will take time and likely occur over three consecutive Long Term Plan periods (i.e. 30yrs or more) which will be integral to setting the pace for the plans implementation.

Overall the Council supports the general direction of the draft Plan, but continues to have concerns relating to the directions set within the body of the draft Plan and alignment with the proposed District Plan provisions.

With regards to the position of the landings and inanga spawning areas, the Council supports the avoidance of development or any interference with these areas. It is strongly preferred that the locations of the relevant landings be relocated/moved so they don't interfere with inanga spawning areas, or alternatively the district plan provisions should be strengthened so that development near the spawning areas would be a restricted discretionary activity.

The Council encourages a continued collaborative approach with a broad range of staff to continue to resolve identified matters of concern or clarification, such to ensure an effective implementation and delivery framework in the future.

The following matters summarise those raised by Council staff who welcome further engagement with the Regenerate Christchurch team to discuss as the process continues.

Our Comments

The basis of our comments concerns a lack of clarity and potential difficulties of implementation through the proposed District Plan provisions. Our specific points are detailed below.

- I. The draft Plan has, in places, become somewhat broad, seeking an ambitious broad vision for the future use of the land, with an implication that outcomes are not necessarily required or set in stone. This is reflected in the use of the term “guidance” throughout the draft Plan. However, it is important that the draft Plan provide clear direction on those outcomes that are required to be achieved. In particular, this should be clear in respect of the objectives and the different outcomes, characteristics and intended activities sought for each sub-area within the Regeneration Area - including the nature of activities which would not be appropriate. Such clarity of direction is important to avoid uncertainty and potential confusion for the community and potential investors, and potential difficulties for the administration of the District Plan. This includes difficulties in making decisions on resource consent applications if there is an inadequate basis for determining whether proposals are appropriate or not.
- II. Consistency between frontend chapters of the draft Plan and the specific amendments to the District Plan that it contains is also important, to avoid uncertainty and because Council’s administration of the District Plan is legally required to be consistent with the whole of the Regeneration Plan, not just the District Plan amendments.
- III. The previous outcomes that the Council supported, namely “The four highest priorities of the draft Plan of, improving water quality, managing natural hazards, restoring ecosystems and connecting people with nature” are no longer included as priorities in the draft Plan. They are reflected in the objective proposed to be included in the District Plan. However, greater clarity would be achieved if these were more clearly identified in Chapter 1 to support, and be consistent with, the emphasis placed on them in the Greenprint and throughout the draft Plan, including the proposed amendments to the District Plan. Alignment of outcomes and priorities would avoid uncertainty and confusion. As these priorities are understood to be derived from the community feedback, it could be made clear that this feedback establishes priorities for the draft Plan. It is noted that there is already a statement in the draft Plan that lists the community feedback (page 19).
- IV. It would assist if Chapter 2 included a clear statement that the draft Plan establishes two management processes that will determine what land uses will ultimately occur in the Regeneration Area, namely; the District Plan provisions and the decisions by the landowner(s)/governance entity. In addition, a statement that both processes are given direction by the draft Plan should be included. As mentioned earlier, the draft Plan should provide more direction in places, for both the governance entity and the District Plan in particular, distinguishing between the two if necessary and ensuring that there are no inconsistencies.
- V. It would also aid understanding if Chapter 2 clearly stated at the start that the Spatial Plan identifies different sub-areas of the OARC that are intended to achieve different aspects of the objectives and to have different characteristics and outcomes. This is reflected in different provision being made for activities in those sub-areas. In short, that not all the preferred activities will be provided for in all areas of the OARC. It would also assist if it was clarified that not all unanticipated activities may be appropriate in the OARC.
- VI. It is noted that not all the suggested District Plan amendments sought by the Council (section 29 feedback) have been incorporated in to the current draft Plan proposed District Plan provisions. This included the request that the development of the landings and walking/biking paths, which impact on protected natural features or do not comply with normal waterway setback requirements, should require a resource consent that can be declined. They remain as controlled activities, which would allow the Council to impose conditions on the activity, but not decline them.

Policy direction has been added which recognises that, although there will be some loss of indigenous biodiversity associated with the development of the landings and paths, there will be a net gain in indigenous biodiversity over time. That approach could be appropriate in most circumstances, but should be strengthened in the District Plan provisions to ensure that where specific indigenous species and habitats are removed or disturbed, they are replaced, so that there is no net loss of specific species or habitat.

The ecological values that would be most difficult to replicate are the inanga spawning sites due to the very specific river conditions required, which only occur in a specific stretch of the river. That stretch of river includes all of one Landing and most of another. The controlled activity status currently proposed in the draft Plan would allow conditions to be imposed requiring walking and cycling paths to be set back from the bank of the river along that stretch, enabling appropriate vegetation to be retained/planted along the bank. But the landings are inherently intended to provide access to the river, including steps or other structures which would preclude vegetation on banks necessary for spawning. In recognition of this, landings should be restricted discretionary activities if located along the identified inanga spawning grounds, to enable the Council to decline an application if appropriate. In all other locations we believe the controlled activity status of such development proposed in the draft Plan is appropriate.

- VII. The proposed District Plan policies provide less direction and are less clear than the Council was seeking. This will create uncertainty for the community and potential investors and make it more difficult for the Council to assess resource consent applications and administer the plan generally.

More direction is particularly needed for the policy that provides the critical direction on what sort of activities are, or are not appropriate, in the Reaches and Green Spine. The policy does not provide sufficient direction to support the District Plan rules that follow or to enable the assessment of activities that require resource consent. In addition, it appears to direct that development is to be controlled in respect of certain aspects, whereas those aspects are not controlled through the rules that follow, except in limited circumstances. It does not clearly recognize ecological restoration as being a priority outcome to be achieved by the Green Spine. The preferred approach would be to revert to the section 29 format with wording generally along the lines of the amendments in the Council's section 29 response.

- VIII. In the Reaches, the policy direction appears to be largely limited to avoiding incompatibility with the listed "Intended Activities" and ensuring a predominantly open environment for the Reach as a whole, but larger buildings are anticipated if they do not dominate the surrounding environment. Considering the size of the Reaches (30 ha. or more) this would allow a wide range of activities and considerable built development. If the intention is allow almost any activities, subject to limited provisos, the policies should be rewritten to make that much clearer. As the policy and rules could potentially allow such activities as a moderate sized commercial centre as a discretionary activity, in one of the Reach "Activity Areas", there should be more direction on the nature of activities that are not appropriate. This is particularly an issue in respect of the Activity Areas, where there is no clear direction in respect of constraints on the range of activities, whereas the rules clearly indicate that some may, or will, generally be inappropriate, i.e. with some activities being discretionary or non-complying in those Areas.

Other specific and detailed matters have been identified in respect of the proposed District Plan provisions (Attachment B)

Attachment B: Comments on the proposed District Plan provisions

Proposed Amendments to Resource Management Act Documents

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Understanding the changes

The changes to the Resource Management Act 1991 documents are varied. In some instances, it has been necessary to replace entire provisions, whereas in other cases changes have been made to individual words or parts of existing provisions. In each instance the proposed deletions are shown in strike-through and bold, while new provisions are underlined and in bold. Text before a changed provision and text after a changed provision is indicated by the use of '(...)'. Section 13.14 Specific Purpose (Ōtākaro Avon River Corridor) Zone is an entirely new section and is shown in bold and underline. Instructions to aid understanding of what is to be amended are included in a text box.

Further clarity and understanding of the changes can be gained by reviewing the 'Enabling the Activities' section of the Draft Ōtākaro Avon River Corridor Regeneration Plan and the Supplementary Information Document. These documents combined provide an overview of the changes made, together with the rationale for such changes.

Every effort has been made to ensure that the changes specified in the Draft Ōtākaro Avon River Corridor Regeneration Plan give the reader a full and fair understanding of the exact change proposed. However, given the complexity of the changes proposed (particularly in respect to the Christchurch District Plan), readers are encouraged to view these amendments alongside the relevant Resource Management Act 1991 instrument they apply to. The original documents are available on the websites of Christchurch City Council and the Canterbury Regional Council.

It is recommended that the new Section 13.14 (beginning on page 29) is read first, as this will aid understanding regarding how the other changes proposed will support the achievement of the Specific Purpose (Ōtākaro Avon River Corridor) Zone's objectives and policies.

Christchurch District Plan

Chapter 2 Abbreviations and Definitions

Amend definition of 'Site' as follows:

Site

means an area of land or volume of space shown on a plan with defined boundaries, whether legally or otherwise defined boundaries. It includes:

(...)

Site includes the access to the site.

For the purposes of the Specific Purpose (Ōtākaro Avon River Corridor) Zone, a site is as per the above or the area that is used for all the buildings and activities in a particular proposal!

Commented [A1]: All numbering needs to be checked to be consistent with the District Plan numbering convention and all formatting

Commented [A2]: On consideration, this amendment to the definition is not necessary as the existing definition adequately covers all rule matters.

In terms of the issue of calculating the percentage of "site" for the ancillary activities in P5 & 6 does not need further explanation in the definition to tie it to a particular activity, as the term "ancillary" already does that.

If it is to be amended for the SP(OARC)Zone, the amendment should not provide for both "otherwise defined boundaries" and "the area that is used for all the buildings and activities in a particular proposal" in the Zone as they overlap and could cause uncertainty.

Chapter 5 Natural Hazards

Amend Policy 5.2.2.2.1 as follows:

5.2.2.2.1 Policy – Flooding

(...)

b.

In the High Flood Hazard Management Area:

i. provide for development of a residential unit on residentially zoned land where the flooding risk is predominantly influenced by sea-level rise and where appropriate mitigation can be provided that protects people's safety, well-being and property from unacceptable risk; Avoid subdivision, use or development in the High Flood Hazard Management Area where it will increase the potential risk to people's safety, well-being and property, except:

ii. within the Specific Purpose (Ōtākaro Avon River Corridor) Zone, provide for structures in accordance with Policy 13.14.2.1.8

iii. in all other cases, avoid subdivision, use or development where it will increase the potential risk to people's safety, well-being and property.

Amend Table 5.4.1.1b (under Rule 5.4.1.1 Permitted activities) as follows:

Table 5.4.1.1b

Commented [A3]: Have added changes that were proposed changes to the District Plan in relation to the Residential Unit Overlay through Section 71 of the GCR Act. The Minister has accepted those provisions.

Based on the new policy structure, the SPZ policy exception fits best as (b)(i).

P13	Filling or excavation in zones other than commercial, industrial, and rural zones that is not provided for under Rule 5.4.1.1 P10-P12 or P17 - P18	a. A maximum height of 0.3m of filling above ground level and 0.6m depth of excavation below ground level; and (...)
P18	Filling or excavation in the Specific Purpose (Ōtakaro Avon River Corridor) Zone that is not provided for under Rule 5.4.1.1 P10-P12	a. A maximum height of 0.3m of filling above ground level and 0.6m depth of excavation below ground level; and b. A maximum volume of filling above ground level of 20m ³ per site, and a maximum cumulative volume of filling and excavation of 50m ³ per hectare, in each case within any continuous period of 10 years. <u>The volume threshold shall be applied as a ratio.</u>

Commented [A4]: This is the standard explanation used throughout the Plan whenever a threshold is based on a land area, rather than per site, to explain that if dealing with only 0.5ha. of land than the maximum cumulative volume of filling and excavation is 25m³. Refer Chapter 8.9 Table 9 note b. as an example.

Amend Table 5.4.1.5a (under Rule 5.4.1.5 Restricted discretionary activities) as follows:

Table 5.4.1.5a

Activity	The Council's discretion shall be limited to the following matters:
RD2 Filling or excavation which is not a permitted activity under P10, P11, P12, or P17 set out in Rule 5.4.1.1, or filling or excavation that exceeds the standards in P13 - P15 or P18 set out in Rule 5.4.1.1.	(...)

Add a new permitted activity (P9) to Rule 5.4.6.1 Permitted activities as follows:

Proposed Amendments to Resource Management Act Documents

Activity	Activity specific standards
P10 <u>P10</u> <u>Public amenities</u> within the Specific Purpose (<u>Ōtākaro Avon River Corridor</u>) Zone, excluding visitor information centres, public toilets and changing rooms	Nil

Commented [A5]: Proposed Section 71 Residential Unit Overlay changes have proposed a new P2 to Rule 5.4.6.1, meaning that if accepted, this change would need to be P10

Add a new restricted discretionary activity (RD3) to Table 5.4.6.2 Restricted discretionary activities as follows:

Activity	The <u>Council's</u> discretion shall be limited to the following matters:
RD3 Any n <u>New buildings</u> within the Specific Purpose (<u>Ōtākaro Avon River Corridor</u>) Zone, <u>other than as provided for in 5.4.6.1 P1</u>	<p>a. <u>Whether, based on an evaluation prepared by suitably qualified and experienced professionals:</u></p> <ul style="list-style-type: none"> i. <u>The proposal can be shown, based on an evaluation prepared by suitably qualified and experienced professionals, that the filling undertaken is adequate such that the building site no longer falls within the criteria contained in the definition of High Flood Hazard Management Area;</u> ii. <u>The proposal will avoid contributing to potential cumulative transfer of natural hazard risk to other people and property; and</u> iii. <u>functional access and egress will be maintained within and beyond the site during a hazard event; or</u> <p>b. <u>Whether, based on an evaluation prepared by suitably qualified and experienced professionals:</u></p> <ul style="list-style-type: none"> i. <u>the structure proposed will maintain its sanitation and safety during an inundation hazard event and whether its functionality can be maintained or temporary loss of functionality reinstated within a time appropriate to its use;</u> ii. <u>the proposal will avoid contributing to potential cumulative transfer of natural hazard risk to other people and property;</u> iii. <u>functional access and egress is able to be maintained within and beyond the site during the hazard event;</u> iv. <u>back-up servicing that does not rely on the Council's reticulated network is provided and is able to be used in the event the</u>

Activity	The <u>Council's</u> discretion shall be limited to the following matters:
	<p><u>primary servicing fails;</u></p> <p>v. <u>the proposal will not result in an unacceptable risk to life or property, recognising that, over time, predictions around sea level rise will result in changes to risk and considering the ability for the relocation or removal of structures and any consent monitoring proposed;</u></p> <p>vi. <u>the proposal will not exacerbate the effects of the natural hazard or generate the need for new mitigation works to protect the proposed structures; and</u></p> <p>vii. <u>an adequate management plan is provided that includes where appropriate:</u></p> <p><u>A. information on the hazards advice system being used to monitor anticipated hazards;</u></p> <p><u>B. evidence of alternative accommodation options available; and</u></p> <p><u>C. instructions on using the proposed back-up servicing.</u></p>

Amend Rule 5.4.6.3 NC1 and NC2 as follows:

5.4.6.3 Non-complying activities

- a. The activities listed below are non-complying activities where the activity is located within the area shown on the planning maps as High Flood Hazard Management Area.

Activity	
NC1	<p>Any subdivision which creates an additional vacant <u>allotment</u> or <u>allotments</u> from a <u>site</u> within a <u>High Flood Hazard Management Area</u> shown on the planning maps except where:</p> <ul style="list-style-type: none"> a. <u>the additional allotment or allotments is entirely within the Specific Purpose (Ōtākaro Avon River Corridor) Zone and is not intended for a habitable building or is intended for a hazard resilient structure building that has a resource consent under Rule 5.4.6.2 RD3; or</u> a. <u>b.</u> <u>the additional allotment or allotments is entirely outside the High Flood Hazard Management Area; or</u> b. <u>c.</u> <u>if the additional allotment or allotments is partially within the High Flood Hazard Management Area, the additional allotment or allotments contains a net site area capable of containing a complying residential unit entirely outside of the High Flood Hazard Management Area.</u>
NC2	<p>New buildings within a <u>High Flood Hazard Management Area</u> shown on the planning maps, unless specified in P1 - P6 or P8 - P9 in Rule 5.4.6.1, or RD2 - RD4 in Rule 5.4.6.2.</p>

Commented [A6]: Matches the wording in 5.4.6.2 RD3 which refers to building and avoids the use of a term that is not defined, i.e. "hazard resilient structure".

Chapter 6 General Rules and Procedures

6.1 Noise

Amend Table 1: Zone noise limits outside the Central City (under Rule 6.1.5.2.1 Zone noise limits outside the Central City) as follows:

Table 1: Zone noise limits outside the Central City

Zone of site receiving noise from the activity	Time (hrs)	Noise Limit (dB)	
		L_{Aeq}	L_{Amax}
a. All residential zones (other than in the Accommodation and Community Facilities Overlay)	07:00-22:00	50	n/a
b. All rural zones, except Rural Quarry Zone, assessed at any point within a <u>notional boundary</u>	22:00-07:00	40	65
c. Specific Purpose (Flat Land Recovery) and (<u>Ōtākaro Avon River Corridor</u>) Zones	22:00-07:00	45	70
d. Papakāinga/Kāinga Nohoanga Zone			
(...)			

Amend Table 4: Location-specific noise standards (under Rule 6.1.6.2.3 Temporary Activities) as follows:

Table 4: Location-specific noise standards

	Location	Maximum No. of Days	Time limit (Hrs)	Noise limit (dB)		Qualifications
				L _{Aeq...}	L _{Afmax}	
(...)						
i.	Victoria Square	20 days per year	09:00-22:30	70	85	
i.	Specific Purpose (Ōtākaro Avon River Corridor) Zone	30 days per year	09:00-22:30	70	85	<p>a. Assessed at the boundary of any property:</p> <p>i. In a Residential residential Zone-zone adjoining the Specific Purpose (Ōtākaro Avon River Corridor) Zone; or</p> <p>ii. Identified in Appendix 13.14.6.2 that is not in public ownership.</p>

Commented [A7]: It would be more immediately understandable to replace this with "... is in private ownership". The same applies to the other rules that include the same wording.

6.2 Temporary activities, Buildings and Events

Amend Rule 6.2.4.1.1 P2 (Temporary activities, buildings and events) as follows:

6.2.4.1.1 Permitted activities

Events														
P2	Community gatherings, celebrations, non-motorised sporting events and performances including: <ul style="list-style-type: none"> a. carnivals and fairs; b. festivals; c. holiday observances; d. races; e. parades; f. concerts; and g. exhibitions. 	<ul style="list-style-type: none"> a. Events shall not be open to participants for more than: <ul style="list-style-type: none"> i. four consecutive weeks in any one year; or ii. six weekends in any one year (including public holidays where these fall adjacent to weekends); or iii. twelve non-consecutive days in any one year. iv. Except that the number of days is not restricted in the Specific Purpose (Ōtākaro Avon River Corridor) Zone until 1 July 2024, where these events are: <ul style="list-style-type: none"> A. <u>located more than 100m from an adjoining residential zone, Edge Housing Area Overlay or Trial Housing Area Overlay, or from a site identified in Appendix 13.14.6.2 that is not in public ownership; and</u> B. are <u>undertaken by or on behalf of the Council, the Canterbury Regional Council or the Crown.</u> b. Events shall meet the activity standards for <u>temporary activities and buildings</u> in <u>Rule 6.1.6.2.3</u> with the exception of fireworks in association with an event, as follows: <table border="1" style="margin-left: 20px; width: 100%;"> <tbody> <tr> <td style="width: 5%;">i.</td> <td style="width: 75%;">Any day</td> <td style="width: 20%;">From 09:00 to 22:00</td> </tr> <tr> <td>ii.</td> <td>Any day with an Event Permit allowing fireworks</td> <td>From 09:00 to midnight</td> </tr> <tr> <td>iii.</td> <td>New Years' Eve/Day</td> <td>From 09:00 to 01:00</td> </tr> <tr> <td>iv.</td> <td>Guy Fawkes Night</td> <td>From 09:00 to 23:00</td> </tr> </tbody> </table> c. From 22:00 to 07:00, events shall meet the rules for outdoor lighting in <u>Rule 6.3.6</u>, but are otherwise exempt from <u>Rule 6.3.6</u>. 	i.	Any day	From 09:00 to 22:00	ii.	Any day with an Event Permit allowing fireworks	From 09:00 to midnight	iii.	New Years' Eve/Day	From 09:00 to 01:00	iv.	Guy Fawkes Night	From 09:00 to 23:00
i.	Any day	From 09:00 to 22:00												
ii.	Any day with an Event Permit allowing fireworks	From 09:00 to midnight												
iii.	New Years' Eve/Day	From 09:00 to 01:00												
iv.	Guy Fawkes Night	From 09:00 to 23:00												

Commented [A8]: Numbering changed to a. – g. to be consistent with the Plan format.

Amend Rule 6.2.4.1.1 P7 (Temporary activities, buildings and events) as follows:

Temporary <u>public artworks</u> and <u>community activities</u>	
P7	Public and not-for-profit <u>community activities, education activities and ancillary retailing</u> (except as provided for in Rule 6.2.4.1.1 P2 or P10) in: <ol style="list-style-type: none"> 1. any commercial zone; 2. any open space zone; 3. the Industrial General Zone; 4. the Specific Purpose (Schools) Zone; 5. the Specific Purpose (Tertiary Education) Zone; 6. <u>the Specific Purpose (Ōtākaro Avon River Corridor) Zone; and</u> 6.7. the Transport Zone.

Commented [A9]: Renumber a. – g.

Amend Rule 6.2.4.1.1 P10 (Temporary activities, buildings and events) as follows:

Temporary <u>commercial activity</u>							
P10	<p>Temporary markets (except as provided for by Rule 6.2.4.1.1 P2) <u>limited in the Specific Purpose (Ōtākaro Avon River Corridor) Zone to temporary markets located more than 100m from an adjoining residential zone, Edge Housing Area Overlay or Trial Housing Area Overlay, and from a site identified in</u></p> <ol style="list-style-type: none"> 1. Temporary markets shall not operate from a single site for more than the following number of days per year: <table border="1" data-bbox="311 1115 1038 1435"> <tr> <td>(...)</td> <td></td> <td></td> </tr> <tr> <td>vii.</td> <td>Specific Purpose (Ōtākaro Avon River Corridor) Zone</td> <td> <ol style="list-style-type: none"> a. Unlimited where these events are located more than 100m from an adjoining residential zone, Edge Housing Area Overlay or Trial Housing Area Overlay, or from a site identified in Appendix 13.14.6.2 that is not in public ownership. <p>Advice Note: <ol style="list-style-type: none"> 1. <u>Markets in public open spaces and reserves may require an Events Permit.</u> </p> </td> </tr> </table> 	(...)			vii.	Specific Purpose (Ōtākaro Avon River Corridor) Zone	<ol style="list-style-type: none"> a. Unlimited where these events are located more than 100m from an adjoining residential zone, Edge Housing Area Overlay or Trial Housing Area Overlay, or from a site identified in Appendix 13.14.6.2 that is not in public ownership. <p>Advice Note: <ol style="list-style-type: none"> 1. <u>Markets in public open spaces and reserves may require an Events Permit.</u> </p>
(...)							
vii.	Specific Purpose (Ōtākaro Avon River Corridor) Zone	<ol style="list-style-type: none"> a. Unlimited where these events are located more than 100m from an adjoining residential zone, Edge Housing Area Overlay or Trial Housing Area Overlay, or from a site identified in Appendix 13.14.6.2 that is not in public ownership. <p>Advice Note: <ol style="list-style-type: none"> 1. <u>Markets in public open spaces and reserves may require an Events Permit.</u> </p>					

Commented [A10]: Renumber a. not 1.

Commented [A11]: Numbered a.

Commented [A12]: As the intention appears to be to provide for temporary markets only if they are set back at least 100m, that restriction should be under the permitted activity description, as done elsewhere. Otherwise the rule as currently proposed raises uncertainty as to whether markets can be closer than that setback and, if so, what duration limit applies.

<p>Appendix 13.14.6.2 that is not in public ownership.</p>	
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Amend Rule 6.2.4.1.1 P12 (Temporary activities, buildings and events) as follows:

<p>P12</p>	<p>Food trucks not <u>ancillary</u> to another <u>temporary activity and building</u>, after 30 April 2018.</p>	<p>(...) b. In all zones other than the Central City Business and Avon River Precinct/Te Papa Ōtakaro and Specific Purpose (<u>Ōtakaro Avon River Corridor</u>) Zones, food trucks shall be limited to 30m² <u>GFA</u> per <u>site</u>. (...)</p>
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Amend Table 6.3.6.1: Light Spill Standards by Zone (under Rule 6.3.6) as follows:

Table 6.3.6.1: Light Spill Standards by Zone

Zone or scheduled activity	Permitted lux spill (horizontal and vertical)
(...)	
xv. Specific Purpose (Cemetery) Zone; Specific Purpose (Hospital) Zone other than Christchurch Hospital; Specific Purpose (School) Zone; Specific Purpose (Tertiary Education) Zone; Specific Purpose (Flat Land Recovery) Zone; <u>Specific Purpose (Ōtākaro Avon River Corridor) Zone</u>	4.0
(...)	

6.6 Water Body Setbacks

Amend Rule 6.6.3 h. as follows:

- h. The following activities are exempt from Rules 6.6.4 - 6.6.6, except where specified in Rule 6.6.3(i). below:

(...)

xv. Any permitted buildings that are located within a Landing Overlay as shown on the Development Plan in Appendix 13.14.6.1, within the Specific Purpose (Ōtākaro Avon River Corridor) Zone, where a consent has been obtained and exercised to undertake earthworks and vegetation clearance within a Landing Overlay under Rule 13.14.4.1.2 C3 or Rule 13.14.4.1.3 RD7.

- i. The exemptions in h. above do not apply in the following circumstances:

i. outside of the Specific Purpose (Ōtākaro Avon River Corridor) Zone, within a Ngā Wai site of Ngāi Tahu Cultural Significance identified in Schedule 9.5.6.4, other than in the Specific Purpose (Ōtākaro Avon River Corridor) Zone, the exemptions listed in h. iii-v do not apply.

(...)

Commented [A13]: It is essential that buildings within Landings, and within the 30m waterway setback that normally applies along the Avon River, should still be able to be assessed in terms of the potential impact on indigenous species and habitat, particularly inanga spawning sites which would be difficult to recreate, due to the very specific conditions required. Such buildings should be at least a controlled activity to enable conditions to be imposed if necessary. Refer to Rule 13.14.4.1.2 C6 which is proposed to achieve this.

Commented [A14]: Refer to proposed Rule 13.14.4.1.3 RD7

Commented [A15]: Reworded for clarity, but no change in effect.

6.8 Signs

Amend Rule 6.8.4.1.1 Permitted Activities P7 as follows:

	<p>Business and <u>building</u> identification <u>signs</u> made of three dimensional letters and/or symbols in:</p> <ol style="list-style-type: none"> 1. <u>residential zones</u> (other than the Residential Guest Accommodation Zone or where located within a Character Area Overlay); 2. the Papakāinga / Kāinga Nohoanga Zone; 3. all open space and rural zones; 4. the Specific Purpose (School) Zone; <u>and</u> 5. the Specific Purpose (<u>Ōtākaro Avon River Corridor</u>) Zone. 	<ol style="list-style-type: none"> 1. The maximum symbol/lettering height shall be 200mm. 2. No more than 30 letters and/or symbols shall be displayed on each <u>building</u> frontage. 3. Letters and/or symbols shall be applied with no visible mounting structure. 4. The background shall not be differentiated from the fabric and colour of the rest of the façade. 5. <u>Signs</u> shall not extend above façade <u>height</u>. <p>(...)</p>
--	--	--

Commented [A16]: Renumber a. – e.

Amend Rule 6.8.4.1.5 Non-Complying Activities as follows:

6.8.4.1.5 Non-complying activities

1. The activities listed below are non-complying activities.

	Activity
NC1	Any <u>billboard</u> within the Industrial Park Zone (Memorial Avenue) <u>or the Specific Purpose (Ōtākaro Avon River Corridor) Zone</u> .

Amend Rule 6.8.4.2.4 Signs attached to buildings as follows:

Zone or scheduled activity	Maximum <u>total area of signs</u> per <u>building</u>	Maximum <u>height</u> above <u>ground level</u> at top of <u>sign</u>
(...)	2m ²	4 metres or façade <u>height</u> , whichever is lower
<u>Rural Banks Peninsula Zone</u>		
<u>Specific Purpose (Ōtākaro Avon River Corridor) Zone</u>		
(...)		

Amend Rule 6.8.4.2.6 Free-standing signs as follows:

Zone or scheduled activity	Number of signs per site	Maximum total area of signs	Maximum height above ground level at top of sign
All residential zones (other than Residential Guest Accommodation Zone) <u>Within Edging Housing and Trial Housing Overlays of the Specific Purpose (Ōtākaro Avon River Corridor) Zone, as shown on the Development Plan in Appendix 13.14.6.1.</u> <u>(...)</u>	1	0.2m ² , or <u>in residential zones</u> as specified in an activity status table for permitted non-residential activities in Chapter 14 Residential Zones.	4 metres
(...) All rural zones	1 for each formed vehicle access (refer to Rule 6.8.4.2.6 c. and d. below) and 1 for each formed	1m ² per sign	4 metres

Commented [A17]: Need this to distinguish that what follows is not relevant to the Edge and trial Housing overlays that the standard now also applies to.

Commented [A18]: Applying these standards for Edge and trial Housing overlays maintains consistency with other residential areas.

Zone or scheduled activity	Number of signs per site	Maximum total area of signs	Maximum height above ground level at top of sign
Specific Purpose (Ōtākaro Avon River Corridor) Zone, other than in Edging Housing and Trial Housing Overlays as shown on the Development Plan contained in Appendix 13.14.6.1.	pedestrian entrance (refer to Rule 6.8.4.2.6 d. below).		
(...)			

Commented [A19]: Refer comment above.

Zone or scheduled activity	Number of signs per vehicle or pedestrian entrance	Relating to Pedestrian Entrances			Relating to Vehicle Entrances		
		Maximum width	Maximum total area of a sign	Maximum height above ground level at top of sign	Maximum width	Maximum total area of a sign	Maximum height above ground level at top of sign
(...)	1 for each formed vehicle access	1 metre	2m ²	2 metres	2 metres	2m ²	4 metres
		1 metre	2m ²	2 metres	2 metres	9m ²	6 metres

Commented [A20]: This row of standards should be removed as they do not relate to the Specific Purpose Zones

Zone or scheduled activity		Relating to Pedestrian Entrances			Relating to Vehicle Entrances		
All specific purpose zones, other than Specific Purpose (Lyttelton Port), Specific Purpose (Airport), Specific Purpose (Ōtākaro Avon River Corridor) and Specific Purpose (Hospital) Zones (...)	(refer to Rule 6.8.4.2.6 c. and d. below) and 1 for each formed pedestrian entrance (refer to Rule 6.8.4.2.6 d. below), (other than billboards permitted under Rule 6.8.4.1.1 P15)						

Amend Rule 6.9.4.1.3 Restricted Discretionary Activities RD1 as follows:

6.9.4.1.3 Restricted discretionary activities

Activity	The <u>Council's</u> discretion shall be limited to the following matters:
<p>RD1 Sale and/or supply of alcohol between the hours of 23:00 and 07:00 from any site located within 75m of a residential zone, <u>an Edging Housing and Trial Housing Overlay as shown on the Development Plan contained in Appendix 13.14.6.1, or from of a privately owned site identified in Appendix 13.14.6.2 that is not in public ownership</u>, other than the sale and/or supply of alcohol:</p> <ul style="list-style-type: none"> a. to any person residing on the premises; b. for consumption off the premises; c. authorised by a special licence; d. accompanying a meal served by a <u>guest accommodation</u> premises; and e. in a Category 2 Entertainment and Hospitality Precinct (as identified on the <u>Central City Entertainment and Hospitality Precinct Overlay planning map</u>) where the restricted hours are 23:00 to 07:00 along Victoria Street and 01:00 to 07:00 for other Category 2 precincts. 	<p>1. Amenity - <u>Rule 6.9.5.1</u></p>

Commented [A21]: Refer comment above.

Commented [A22]: Suggest using "privately owned" rather than "not in public ownership" throughout the District Plan provisions, as is easier to formulate rules with greater clarity.

Chapter 7 Transport

Amend Figures 20a, 20c and 20e (contained within Appendix 7.5.12 Road classification system) to reflect the proposed spatial replacement of the affected part of the Specific Purpose (Flat Land Recovery) Zone with the Specific (Ōtākaro Avon River Corridor) Zone as follows:

Figure 20a – Map of Road Classification

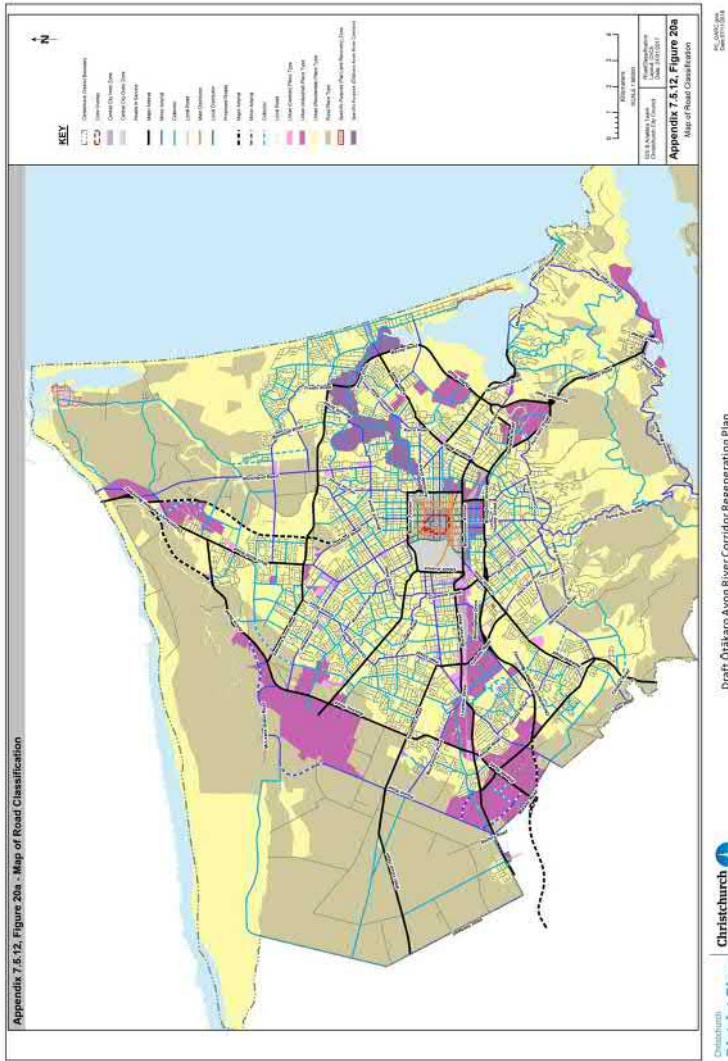
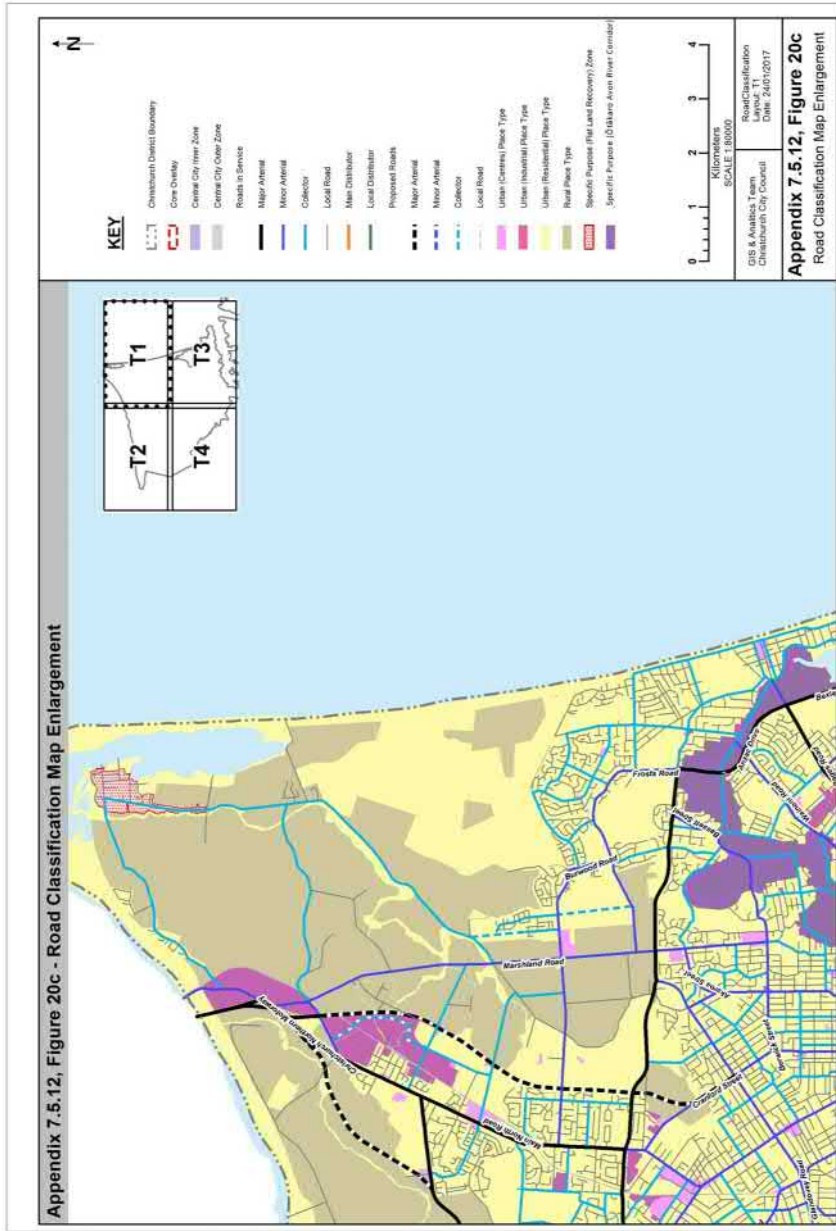


Figure 20c – Road Classification Map Enlargement

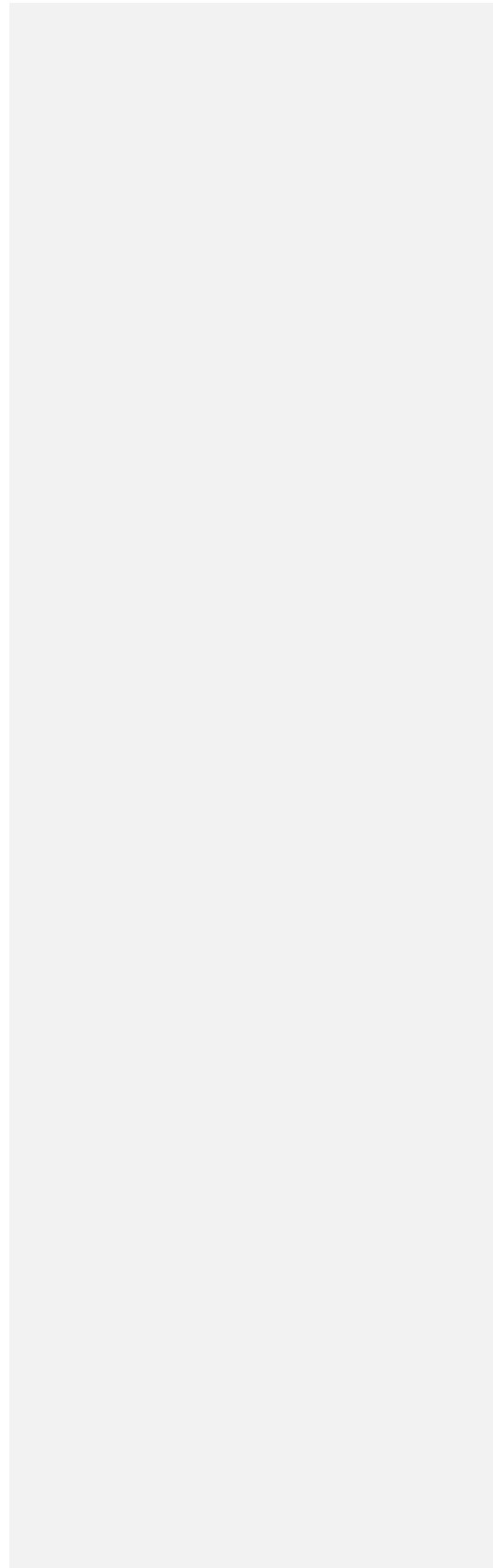


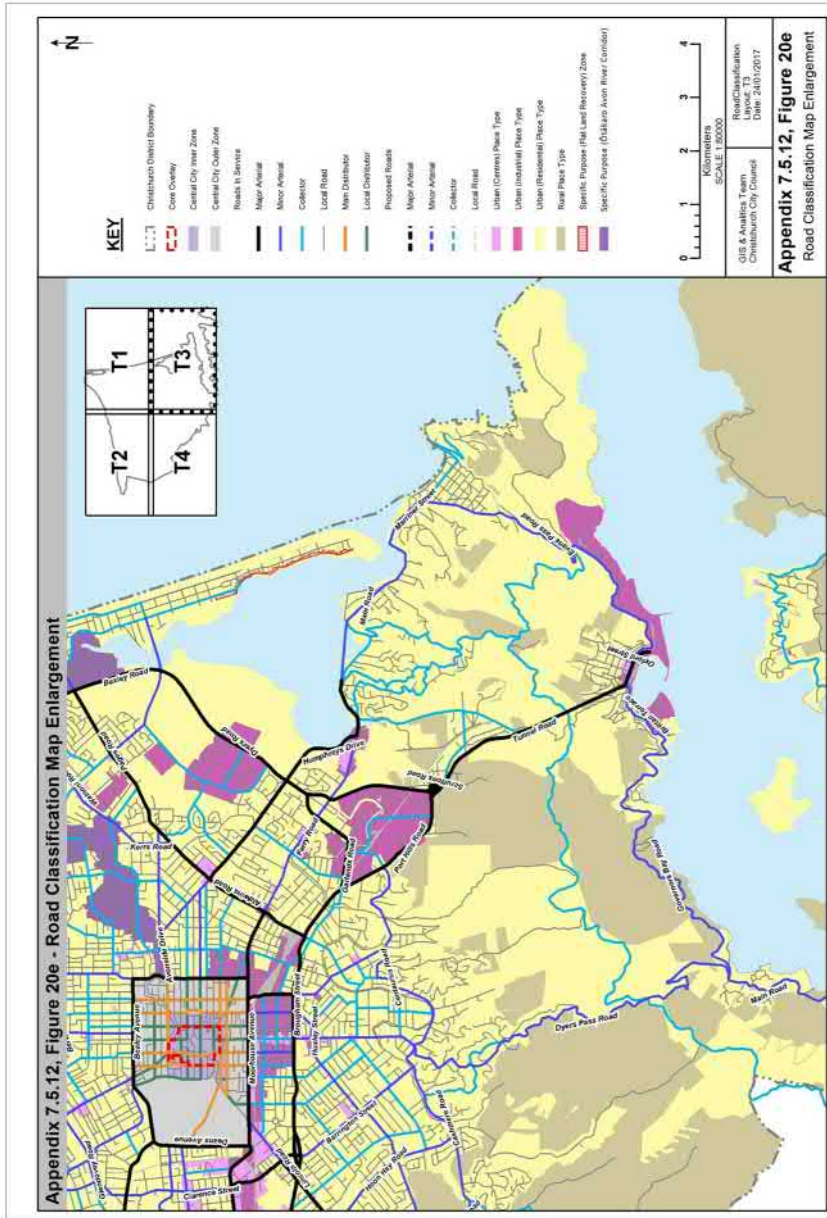
PC_OARC.pwg
Date:07/11/2016

Draft Otākaro Avon River Corridor Regeneration Plan



Figure 20e – Road Classification Map Enlargement





Chapter 8 Subdivision, Development and Earthworks

Commented [A23]: No subdivision standards are included for Trial Housing, and no clear reason why there should not be, so they are included below.

Amend Rule 8.6.1 Minimum net site area and dimension, as follows:

8.6.1 Minimum net site area and dimension

(...)

- b. Allotments in the Residential Suburban Density Transition, ~~and~~ Open Space Metropolitan Facilities (Addington Racecourse and Rugby Park) and within an Edge Housing Area Overlay or Trial Housing Area Overlay identified in Appendix 13.14.6.1 within the Specific Purpose (Ōtākaro Avon River Corridor) Zones shall have a minimum dimension of 13m x 16m.

(...)

- g. Allotments on a site listed in Appendix 13.14.6.2, and which is not in public ownership, shall have the minimum dimension applying to the zoning specified as the Alternate Zone in Appendix 13.14.6.2.

Amend Table 4 (under Rule 8.6.1 Minimum net site area and dimension), as follows:

Table 4. Minimum net site area – specific purpose zones

Zone	Minimum net site area
a. (...)	
f. <u>Specific Purpose (Ōtākaro Avon River Corridor) Zone</u>	<p>a. <u>Within the Edge Housing Area Overlay or Trial Housing Area Overlay identified in Appendix 13.14.6.1 – 330m²;</u></p> <p>b. <u>On a site listed in Appendix 13.14.6.2, and which is not in public ownership, the minimum net site area shall be that which applies in Rule 8.6.1 Table 1 to the zoning specified as the Alternate Alternative Zone in Appendix 13.14.6.2; or</u></p> <p>c. <u>No minimum net site area in all other cases.</u></p>

Commented [A24]: Consistent with similar existing provisions elsewhere in the Plan.

Amend Appendix 8.10.3 (New road standards), as follows:

Appendix 8.10.3 New road standards

Road classification	Road widths (m)		Roadway widths (m)		Minimum lanes	Minimum Number of Footpaths	Median	Amenity strip	Cycle facilities
	Min	Max	Min	Max					
(...)									
<u>Local road</u> – Residential	16##	20	**	12	2	2##	No	Yes	*
<u>Local roads which serve an Edge Housing Area Overlay in the Specific Purpose (Ōtākaro Avon River Corridor) Zone</u>	16##	20	6***#	9#	1	1	No	No	-
<u>Local road</u> - Rural	16	20	7	14	2	No	No	No	*

Clarification of standards	
1	"Yes" means that the provision of those facilities shall be incorporated into the design and construction of the <u>road</u> .
2	* means that the provision of those facilities is allowed for in the standards for <u>road</u> design and construction and/or shall be considered as conditions of consent on <u>subdivision</u> .
3	** means that a local residential <u>road</u> with a <u>roadway</u> width 7m or wider, but not greater than 9m is a controlled activity. A local residential <u>road</u> with a <u>roadway</u> width greater than 9m, but not greater than 12m is a restricted discretionary activity. A local residential <u>road</u> with a <u>roadway</u> width less than 7m or greater than 12m is a full discretionary activity.
4	*** means that a local residential <u>road</u> with a <u>roadway</u> width between 6m and 9m is a controlled activity. A local residential road with a <u>roadway</u> width less than 6m or greater than 9m is a restricted discretionary activity.

4-5	Amenity strips shall only be required on <u>rural roads</u> where these adjoin a residential zone.	
5-6	Local hillside <u>roads</u> (on any part of a zone on the slopes of the Port Hills and <u>Banks Peninsula</u>) may only require one footpath.	
6-7	Some localised <u>road</u> widening may be required at <u>intersections</u> to increase capacity.	
7-8	The minimum diameter for a cul-de-sac turning head is:	
	Residential	25 metres
	Business	30 metres
8-9	# means excludes any parking	
9-10	For more information on the Road Classification, refer to Appendix 7.5.12 of Chapter 7	
10-11	## A 14m <u>road</u> width and one footpath is optional where a <u>road</u> only provides access to less than 20 <u>residential units</u> and is less than 100m in length.	

Chapter 9 Natural and Cultural Heritage

9.1 Indigenous Biodiversity and Ecosystems

Add new restricted discretionary activity to Rule 9.1.4.1.3 as follows:

RD6	<p>a. <u>Indigenous vegetation clearance within a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1 that:</u></p> <p>i. <u>is not provided for by Rule 9.1.4.1.1 P1 or P3;</u> <u>and</u></p> <p>ii. <u>is located within a Landing Overlay as shown on the Development Plan contained in Appendix 13.14.6.1.</u></p> <p><u>Advice Note: Chapter 13 contains separate provisions on indigenous vegetation clearance in Landing Areas.</u></p>	<p>1. <u>Indigenous biodiversity and ecosystems - Rule 9.1.5.2</u></p>
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Amend Rule 9.1.4.1.5 as follows:

NC1	<p><u>Indigenous vegetation clearance</u>, that is not provided for by Rule 9.1.4.1.1 P1 or P3, or Rule 9.1.4.1.3 RD3 - RD56:</p> <ul style="list-style-type: none"> a. within a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1 or b. of vegetation listed in Appendix 9.1.6.6. <p>(...)</p>
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9.2 Landscapes and Natural Character

Amend Table 2 in Rule 9.2.5 (under [Rule 9.2.5](#) Landscape overlays – significant features and rural amenity landscapes) as follows:

Table 2: Rules - Landscape overlays - significant features and rural amenity landscapes

Activities	<p>SF</p> <p>2.0 Ōtūkaikino Creek</p> <p>3.0 Styx River/ Pūharakekenui</p> <p>7.0 Waikākāriki/ Horseshoe Lake</p> <p>8.1 and 8.3 Ōtākaro/ Avon River</p> <p>10.0 Heathcote River/ Ōpāwaho</p>
(...)	
<p>p. <u>Any building with a footprint of 100m² or less for an activity which is listed as a permitted activity in Rule 13.14.4.1.1 and is located within a Landing Overlay as shown on the Development Plan contained in Appendix 13.14.6.1 – Ōtākaro Avon River Corridor Development Plan. Limited to one per Landing Overlay.</u></p>	P24

9.4 Significant and Other Trees

Amend Rule 9.4.4.1.1 Permitted P6-activities P6 as follows:

<p>P6</p>	<p>a. Felling of any tree, including ancillary earthworks, in:</p> <p>i. parks, public open space or road corridors in Christchurch City; or</p> <p>ii. Parks, public open space or road corridors in Akaroa as shown in Appendix 9.4.7.4.</p> <p>b. This rule does not apply to the felling of trees within Central City road corridors or the state highway road corridors, as this is provided for in Rule 9.4.4.1.1 P7.</p> <p>Advice note:</p> <p>1. For the purposes of this rule, Christchurch City means the area shown at Appendix 2.2 of Chapter 2 Definitions.</p>	<p>(...)</p> <p>v. unless:</p> <p>(...)</p> <p>H. the tree is located within the Specific Purpose (Ōtākaro Avon River Corridor) Zone and is being felled for an activity that has resource consent under Rules 13.14.4.1.2 C1, C2, C3, C4 or 1314.4.1.3 RD7.</p>
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Commented [A25]: This amendment provides a better balance, recognizing the importance of the infrastructure covered under the rules specified, while still protecting trees where the need to remove them is activities of less significance.

Chapter 11 Utilities and Energy

Amend 11.6.4 Discretionary activities D1 as follows:

11.6.4 Discretionary activities - Energy

1. The activities listed below are discretionary activities, provided they meet the activity standards in Rule 11.9.

Activity	
D1	<p>Any activity listed in Rule 11.6.1 P2 that does not meet activity specific standard (a) where:</p> <p><u>a.</u> The activity occurs in the Rural, Commercial (other than in the <u>Central City</u>), or Industrial or <u>Specific Purpose (Ōtākaro Avon River Corridor)</u> Zones and does not occur within the area covered by the Christchurch International Airport Protection Surfaces; and</p> <p>a.b. <u>Any solar concentrator does not reflect light into a residential zone, an Edge Housing Area Overlay or Trial Housing Area Overlay identified in Appendix 13.14.6.1, or a site listed in Appendix 13.14.6.2 which is not in public ownership, for more than 15 hours per annum.</u></p> <p>(...)</p>

Commented [A26]: Consistent with existing rules.

Chapter 13 Specific Purpose Zones

13.6 Specific Purpose (School) Zone

Amend 13.6.6 Appendices as follows:

Appendix 13.6.6.1 State Schools

	School Name	Location	Map Ref	Alternative Zone
(...)	(...)	(...)	(...)	
8	Avonside Girls' High School	Avonside Drive, Avonside	32	RS and SPOA in relation to land contained within the Green Spine and or Ōtākaro Loop Reach – refers indicated in the Ōtākaro Avon River Corridor Development Plan contained in Appendix 13.14.6.1
(...)	(...)	(...)	(...)	

13.11 Specific Purpose (Flat Land Recovery) Zone

Amend 13.11.1 Introduction as follows:

13.11.1 Introduction

- a. This introduction is to assist the lay reader to understand how this chapter works and what it applies to. It is not an aid to interpretation in a legal sense.
- b. This chapter relates to activities that may occur in the Specific Purpose (Flat Land Recovery) Zone. ~~An~~ Objective, policies, rules, standards and assessment criteria provide for activities in this zone.
- c. The Specific Purpose (Flat Land Recovery) Zone ~~applies to parts of largely mirrors~~ the flat land areas that were 'red-zoned' as a result of the Canterbury earthquakes ~~, on the estuary side of South Brighton/Southshore and at Brooklands. The long term future use of these areas will be the subject of a separate process to determine its long term future use. with the exception of~~
- d. ~~The~~ The Ōtākaro Avon River Corridor ~~portion of the 'red zone' which was has been rezoned from Specific Purpose (Flat Land Recovery) to Specific Purpose Otakaro Avon River Corridor through a Regeneration Plan. The zone area includes land on the estuary side of South Brighton/Southshore and at Brooklands either side of the Avon River through to Fitzgerald Avenue.~~
- e. The ~~remainder of the land within the Specific Purpose (Flat Land Recovery) Zone is to be the subject of a separate process to determine its long term future use. This process was~~

Commented [A27]: These amendments better focuses on the situation in respect of the SP (Flat Land Recovery) Zone, which is the zone this introduction relates to, with a brief explanation of what has happened to the rest of the red zone at the end.

outlined in the 'Residential Red Zone Programme' in the Recovery Strategy for Greater Christchurch, Mahere Haumanutanga o Waitaha, and referred to in the Land Use Recovery Plan, Te Mahere Whakahaumanu Tāone. In the Greater Christchurch Earthquake Recovery: Transition to Regeneration (Transition Recovery Plan) 2015, it is stated that a new Crown Council entity called 'Regenerate Christchurch' will oversee the long-term development and enhancement of Christchurch's residential red zone. Regenerate Christchurch has a role in developing plans and strategies for areas within its scope such as the residential red zone. The development of these plans and strategies will occur under a different timeframe to the Replacement District Plan process.

e.f. This chapter seeks to protect the Specific Purpose (Flat Land Recovery) zone from inappropriate subdivision, land use and development that would compromise or impede options for the long term recovery and future use, or increase the risk to people's safety, property and infrastructure from the effects of natural hazards. As an interim zone, activities are limited to those existing and their limited modification, temporary activities, and immediate recovery activities.

f.g. The provisions in this chapter give effect to the Chapter 3 Strategic Directions Objectives.

Insert entire new 13.14 section as follows:

13.14 Specific Purpose (Ōtākaro Avon River Corridor) Zone

13.14.1 Introduction

- a. This introduction is to assist the lay reader to understand how this chapter works and what it applies to. It is not an aid to interpretation in a legal sense.
- b. This chapter relates to activities that may occur in the Specific Purpose (Ōtākaro Avon River Corridor) Zone. Objectives, policies, rules, standards and assessment criteria provide for activities in this Zone.
- c. This chapter relates to the area of land that falls within the Ōtākaro Avon River Corridor Regeneration Plan. ~~This is~~These are predominantly areas of land that run alongside the Ōtākaro Avon River which were 'red zoned' as a result of the Canterbury Earthquakes in 2010 and 2011 and which were previously part of the Specific Purpose (Flat Land Recovery) Zone, with some adjoining public open spaces. This ~~Zone-zone~~ provides for a range of activities and outcomes that have been identified in the Ōtākaro Avon River Corridor Regeneration Plan. The objectives, policies, rules, standards and assessment criteria in this chapter seek to manage activities in the Zone through identifying sub-areas in the Development Plan contained in Appendix 13.14.6.1 and setting out specific provisions for each of them.
- d. The provisions in this chapter give effect to the Chapter 3 Strategic Directions Objectives.

13.14.2 Objectives and Policies

13.14.2.1 Objective – Regeneration

- a. The regeneration of the Ōtākaro Avon River Corridor achieves the following priority outcomes:
- i. Significant areas of restored natural environment ~~which containing a predominance of indigenous planting, wetlands and restored habitat for indigenous fauna, birdlife and indigenous species,~~ improved surface water quality and provision for the practice of mahinga kai, ~~birdlife and indigenous species;~~
 - ii. Flood hazard and stormwater management infrastructure that mitigates natural hazard risks for the Ōtākaro Avon River Corridor and surrounding areas and is ~~integrated with the natural landscape;~~
 - iii. Accessibility and connectivity across and along the Ōtākaro Avon River Corridor, and with existing communities; and
 - iv. A predominance of natural and open spaces, with limited areas of built development concentrated in specific Reaches, residential areas, Activity Area Overlays and Landing Overlays.
- b. The Ōtākaro Avon River Corridor supports opportunities for other uses and activities that are compatible with the priority outcomes in a. above, including:
- i. Increased opportunities for recreation and ~~participation in community-based focussed~~ activities, including community gardens and markets;
 - ii. A range of visitor attractions and limited small-scale ~~commercial~~ retail activities;
 - iii. Limited residential development on the outer edge of the Zone ~~which to improves~~ integration between the edge of existing neighbourhoods and the activities within the Corridor;
 - iv. Opportunities for learning, experimenting and research, including testing and demonstrating adaptation to natural hazards and climate change; and
 - v. Transitional activities and structures where these do not compromise the priority outcomes in a. above.
- c. The continuation of pre-earthquake activities on privately owned properties that still exist within the Ōtākaro Avon River Corridor.

Commented [A28]: The meaning of the term "community focussed" is not clear and it is suggest that what is sought is to provide opportunities for community-based activities. "Community-based", although still possibly a little vague, would to most include things like community gardens, markets, social events and other gatherings.

Commented [A29]: Don't need this as retail is commercial.

Commented [A30]: This policy as proposed, particularly the overall format of 'General Character Descriptions' and 'Intended Activities' in Table 1 results in unnecessary repetition and less clarity of policy direction. The amendments proposed below attempt to improve the policy in it's current form, but a better approach would be to revert to the s.29 format with wording along the lines of the amendments in the Council's s.29 response.

13.14.2.1.1 Policy – Areas within the Ōtākaro Avon River Corridor Areas

- a. Recognise that areas within the Ōtākaro Avon River Corridor ~~should~~ have different priorities, characteristics and expected levels of built form, by ~~spatially~~ defining different areas and overlays within the Ōtākaro Avon River Corridor and managing these areas to:
- i. Provide for the activities identified as 'Intended Activities' in Table 1 below, and ~~for ensure~~ other activities ~~where they~~ are compatible with the '~~General~~ Character Description'-Outcomes' and 'Intended Activities' in Table 1 below.
 - ii. Avoid ~~other~~ activities that ~~that~~ are not compatible with the '~~General~~ Character Description'-Outcomes' or 'Intended Activities' in Table 1 below.

In respect of the Reaches, the policy direction appears to be largely limited to avoiding incompatibility with the listed "Intended Activities" and ensuring a predominantly open environment for the Reach as a whole, but larger buildings are anticipated if they do not dominate the surrounding environment. Considering the size of the Reaches (30 ha. or more) this would allow a wide range of activities and considerable built development. If the intention is to allow almost any activities, subject to limited provisos, the policies should be rewritten to make that much clearer. As the policy and rules could potentially allow such activities as a moderate sized commercial centre as a discretionary activity, in one of the Reach "Activity Areas", there should be more direction on the nature of activities that are not appropriate.

The policy contains no clear guidance on the nature of activities that are, or are not appropriate in the Activity Areas. It only states that the range will be wider and the building development larger than elsewhere.

Table 1 – Corridor Areas and Overlays

Area/Overlay	General Character Description/Outcomes	Intended Activities
Green Spine	<p>The Green Spine is <u>intended to be a predominantly natural open space area that is developed to provide providing for stormwater management, and flood protection and significant ecological restoration with enhanced indigenous habitat and mahinga kai opportunities.</u></p> <p><u>These key elements will Stormwater management and flood protection activities are to be integrated into a that naturalised and ecologically restored environment with enhanced indigenous habitat and mahinga kai opportunities.</u></p> <p><u>The Green Spine will provide a be largely free of built development, providing a continuous area of public open space, largely free of built development, extending from the central city to the sea. This arealt will include a connected network of trails, paths and footbridges and provision of communitypublic spaces.</u></p> <p><u>The Green Spine also containsBuilt development and other activities will be largely limited to and concentrated in the Landing Overlays, Edge Housing Area Overlays, an Activity Area Overlay and Trial Housing Area Overlays (refer below).</u></p> <p><u>Retail activities will be limited to Landing Overlays and an</u></p>	<p>a. <u>stormwater management, and flood protection infrastructure including stopbanks, and ecological restoration and enhancement</u></p> <p>b. <u>public open space</u></p> <p>b-c <u>outdoor recreation activities where compatible with a above</u></p> <p>c-d <u>outdoor community-based activities, including community gardens, markets, social events and other gatherings compatible with a. above community focussed spaces</u></p> <p>d-e <u>transport connections</u></p>

Commented [A31]: Consistent with p.48 Chapter 2 of the frontend of the Regeneration Plan.

Commented [A35]: See comment above

Commented [A32]: Ecological restoration is one of the 4 priorities in the objective and the Green Spine is the part of the OARC that is intended to be the main contributor to that outcome - up to 80% of the Green Spine according to p.48 Chapter 2 of the frontend.

Commented [A36]: "Outdoor" is specified here to reflect the stated Green Spine outcome of being largely open space and free of built development, except as provided for in the specific Landings, Activity, and Housing areas, which have their own separate policy direction.

Commented [A37]: This term has no commonly understood meaning, so has been replaced clearer terms that reflect the frontend of the Regeneration Plan and the permitted activities in the rules.

Commented [A33]: The policy direction should be the Green Spine as a whole is largely free of built development, not just the city to sea link, e.g. the large parts of the Green Spine around Horseshoe Lake and extending up to Travis Rd. should also be largely free of built development.

Commented [A34]: This policy direction is important to clarify where built development and a wider range of activities can go, having said that they are largely excluded from the rest of the Green Spine.

	Activity Area Overlay (refer below).	
Eastern Reaches	<p>These Reaches will <u>are to be focussed on the predominantly open and natural environment with restored ecological areas and activities that relate to, and are compatible with, those restored natural values and environment. A low density and small scale of built form is generally anticipated within the Reach, with structures located and designed to relate to the predominantly natural landscape. While smaller structures associated with ecologically focussed activities are generally anticipated, large-scale buildings may also be appropriate, where they integrate well with the landscape setting and do not dominate the natural landscape.</u></p> <p>The Eastern Reaches also contains <u>More significant built development and other activities will be provided for in Trial Housing Area Overlays and an Edge Housing Area Overlay (refer below).</u></p>	<p>a. <u>ecological restoration and enhancement,</u> a-b <u>eco-sanctuaries,</u> b-c <u>visitor attractions relating to, and compatible with, the natural values,</u> c-d <u>compatible recreation activities compatible with the natural environment and restored ecology,</u> d-e <u>supporting activities supporting recreation and visitor attraction activities in a. – c. above that are limited in scale,</u> <u>such as food and beverage outlets, but other retail activities are not intended,</u> e-f <u>transport connections</u></p>
Horseshoe Lake Reach	<p>The northern portion of this Reach will provide for a large stormwater management area that is expected to assist in with <u>creating ecologically restored areas with-in a predominantly open and natural character environment, including enhanced indigenous habitat and mahinga kai opportunities. This area also has particular cultural significance to manawhenua. Beyond this area. The remainder of the Reach is expected to will be a</u></p>	<p>a. <u>stormwater management,</u> b. <u>ecological restoration and enhancement,</u> c. <u>urban farms, community gardens and community markets,</u> d. <u>recreation activities and public open space,</u> e. <u>visitor attractions,</u> f. retail and food and beverage outlets g. <u>community, educational and cultural-based activities that</u></p>

Commented [A38]: Consistent with p.50 Chapter 2 of the frontend of the Regeneration Plan.

Commented [A42]: It is not clear what recreation activities have to be compatible with.

Commented [A39]: Consistent with the building footprint and coverage rules.

Commented [A43]: Consistent with p.50 Chapter 2 of the frontend of the Regeneration Plan.

Commented [A44]: It is not clear what activities are being supported

Commented [A40]: There are no rules requiring compliance with this policy direction for permitted activities and this issue is covered below in respect of buildings that will require resource consent.

Commented [A41]: This text is not needed as it is already stated above.

Commented [A45]: This policy direction is necessary for the limitations contained in the rules.

Commented [A50]: Moved further down list

Commented [A51]: The meaning of this term is unclear.

	<p>predominantly open natural environment and provide for activities focussed on relating to the productive use of the land—, resulting in a fine-grained and agricultural landscape character. It is to provide a transition between the naturalised and ecologically restored environment of the Green Spine and the adjoining urban edges. A low density and small scale of built form is generally anticipated. Buildings within this Reach are expected to reflect the landscape character. Large-scale buildings may also be appropriate where they integrate well with the landscape setting and do not dominate the natural landscape. with large buildings that dominate or do not integrate with their setting avoided. More significant built development and other activities will be provided for in This Reach also contains Edge Housing Area Overlays and an Activity Area Overlay.</p>	<p>enablerelating to Ngāi Tahu's to provide for their enduring relationship and cultural associations with the area. g-h activities supporting activities in a. – g. above that are limited in scale, such as food and beverage outlets, and retail activity in Landing and Activity Area Overlays (refer below). h-i transport connections, h-j activities that are compatible with a. – h-j. Aboveabove and the Character Outcomes for the Reach.</p>
<p>Ōtākaro Loop Reach</p>	<p>The character of this This Reach is expected to evolve over time, to provide for activities within and integrated into an open park-like environment, setting, including activities with an outdoor focus, while integrating with the naturalised environment of the Green Spine. Larger buildings may be appropriate where they integrate with the landscape setting and do not dominate the surrounding natural environment. More significant built development and other</p>	<p>a. a wide range of recreation activities, public open space, visitor attractions and cultural experiences. b. transport connections j-k supporting activities activities supporting activities in a. that are limited in scale, such as retail and food and beverage outlets, and retail activity in Landing and Activity Area Overlays (refer below). c. activities that are compatible with a. – b.</p>

Commented [A46]: The intent of this wording is unclear and there are no rules requiring such an outcome for permitted productive activities.

Commented [A47]: The difference between the Reach and the Green Spine is that the Green Spine will have a predominantly ecologically restored natural environment, while this portion of the Reach will have a natural landscape with more obvious human influence, e.g. farming.

Commented [A48]: Consistent with the building footprint and coverage rules.

Commented [A49]: There are no rules requiring compliance with this policy direction for permitted activities and this issue is covered below in respect of buildings that will require resource consent in the wording that follows.

	<u>activities will be provided for in This Reach also contains a Trial Housing Overlay and an Activity Area Overlay (refer below).</u>	<u>above and the Character Outcomes for the Reach, including education education.</u>
<u>Activity Area Overlay</u>	<u>Activity areas are where larger scale development and a wider range of activities are anticipated than elsewhere within the Zone. It is expected that while containing a higher density of development, structures will be clustered within the overall Activity Area and relate to the landscape character of the wider area they are located within, providing a balance between built form and the landscape setting. The character of each Activity Area will also be influenced by the Reach or Green Spine area within which it sits.</u>	<u>limited small scale retail activities, the Intended Activities indicated for the Reach or Green Spine in which the Activity Area is located, ?</u>
<u>Trial Housing Area Overlay</u>	Refer Policy 13.14.2.1.5	a. <u>residential activities</u>
<u>Edge Housing Overlay</u>	Refer Policy 13.14.2.1.5	a. <u>residential activities</u>
<u>Landing Overlay</u>	<u>Limited Landings are located within the Green Spine at as identified in the Development Plan contained in Appendix 13.14.6.1 intervals along the Ōtākaro Avon River Corridor and are intended to, which provide access to, and interaction with, the river, and complemented with a surrounding node of small-scale buildings and activities that support the recreational use of the Green Spine.</u>	a. <u>public amenities</u> b. <u>recreation activities</u> c. <u>complementary limited and small scale retail activities</u> d. <u>associated carparking</u>

Commented [A52]: The defined term of "education" would appear to be too narrow for what is intended.

Commented [A56]: This policy direction is necessary for the limitations contained in the rules.

Commented [A53]: There needs to be clear policy direction on the nature of activities that are, or are not appropriate in the Activity Areas. There is no indication that there will be constraints on the range of activities even in these areas, whereas the rules clearly indicate that some may, or will, be inappropriate, i.e. with some activities being discretionary or non-complying in those Areas.

Commented [A54]: There are no rules that manage these outcomes for permitted activities.

Commented [A55]: The character outcomes of Activity Areas are clearly intended to be different from the Reach/Green Spine within which they are located, but there is no clear policy direction as to how they are to differ and the nature of activities that would, or would not, be appropriate.

Commented [A57]: There are no rules relating to "complementary", but there are limits on size and scale of such activities.

Commented [A58]: This policy direction is necessary for the limitations contained in the rules.

Commented [A59]: Carparking associated with an activity is part of that activity. Note it is not listed as a separate activity elsewhere.

13.14.2.1.2 Policy – Supporting Regeneration Activities

a. Recognise that the process of regeneration is ongoing and adaptive, and provide for this through:

- i. enabling transitional activities and structures where these do not compromise the priority outcomes in Objective 13.14.2.1a. or the Character outcomes and Intended Activities indicated in Policy 13.14.2.1.1 ;
- ii. focusing the management of amenity effects on neighbouring properties and activities, predominantly at adjacent zone boundaries and boundaries of private properties that still exist within the Zone;
- iii. utilising global ~~consents~~ consent applications where appropriate to provide for large scale and ongoing ~~stormwater, hazard protection and pedestrian and cycle linkages activities~~;
- iv. updating the Development Plan contained in Appendix 13.14.6.1 to reflect the locations of facilities as they are developed; and
- v. acknowledging that there will be some loss of indigenous biodiversity associated with the development of Landings and new infrastructure, but also ensuring that:
 - A. indigenous species and habitats removed or disturbed as part of development are restored, and in addition
 - B. in respect of development in Landings adjacent to an inanga spawning site, assess whether the development is appropriate in light of the difficulty in providing replacement habitat.

and that over time there will be a significant net gain in indigenous biodiversity.

13.14.2.1.3 Policy – Providing for Stormwater Management, Flood Hazard Mitigation and Transport ~~Connectivity~~ Infrastructure

- a. Provide for stormwater management and flood hazard mitigation and protection works when undertaken by or on behalf of the Council, the Canterbury Regional Council or the Crown, having regard to potential adverse effects;
- b. Avoid activities that would individually or cumulatively significantly compromise the provision and effective functioning and integrity of identified, existing and proposed stormwater, flood management and transport infrastructure; and
- c. Provide for indigenous flora, fauna, habitat ~~vegetation~~, mahinga kai and amenity protection or restoration, and enhancement, through in the design of stormwater and flood hazard mitigation and protection works.

13.14.2.1.4 Policy – Continuation of Pre-Earthquake Activities

- a. Continue to provide for residential activities and other existing activities on the existing properties in private ownership in the Ōtākaro Avon River Corridor.
- b. Manage activities in the Ōtākaro Avon River Corridor to ensure effects on the existing privately-owned residential properties within the Zone are generally consistent with those anticipated in the ~~Alternate~~ Alternative Zone specified in Appendix 13.14.6.2.

Commented [A60]: These are the priority infrastructure activities where this is likely to be appropriate.

Commented [A61]: This is an unusual policy if it is simply intended to identify a process available under the RMA. However, if it is intended to imply a policy direction that such applications should be granted, that would be inappropriate, e.g. potentially overriding the relevant assessment matters and policies contained in the Plan. Amendments are sought to ensure it could not be inferred as directing the latter.

Commented [A62]: It is critical that if this loss of indigenous biodiversity occurs that such proposals are required to include provision for a net gain in indigenous biodiversity.

Commented [A63]: There should be no net loss of particular species or habitat.

Commented [A64]: For the reasons outlined in the comments attached to the Council's letter, the Council seeks, as its strong preference, that the Landings adjoining the stretch of river covering inanga spawning sites be relocated to avoid that stretch of river. As an alternative, development of those Landings should be a restricted discretionary activity adjacent to that stretch or river. If the latter alternative is adopted, this provision should be included, as well as the other Council amendments indicated elsewhere to the proposed District Plan provisions.

Commented [A65]: The indigenous restoration and enhancement should cover more than just vegetation, and include fauna and habitats. It may include such things as the temporary relocation and then return of animal species, or the creation of river bed and water flow conditions to provide suitable habitat for spawning.

Commented [A66]: The policy needs to include restoration of indigenous species and habitats that aren't protected, but are removed or disturbed as part of the development of this infrastructure.

Commented [A67]: Should be amended to "Alternative Zone" throughout the proposed District Plan amendments to be consistent with the terminology used elsewhere in the Plan.

13.14.2.1.5 Policy – Residential Activities

- a. Provide for limited new temporary and permanent residential activities in identified Trial Housing Areas ~~that to~~ enable opportunities for testing and demonstrating adaptation to natural hazards and climate change, and for clustered, tiny or small footprint housing, where these:
 - i. are comprehensively designed in one plan for the whole Trial Housing location to:
 - A. complement and integrate with the surrounding natural and cultural environment, including the intended indigenous natural environment of the Ōtākaro Avon River Corridor area;
 - B. provide safe and social communal spaces; and
 - C. provide visually attractive buildings and structures; and
 - ii. avoid unacceptable risk to life and property from natural hazards;
- b. Provide for limited new residential development in identified Edge Housing Area Overlays where these are designed to front on to the Ōtākaro Avon River Corridor and improve integration between the edge of existing neighbourhoods and the activities within the Zone.
- c. Provide for other new residential activities only where these are ancillary to, and required for, the primary activity on the site to provide caretaker ~~support to the primary activity~~ onsite accommodation.

13.14.2.1.6 Policy – ~~Design~~

a. Provide for built development where it is of a design, scale and character that is consistent and ~~integrates~~ integrated with the intended character of the area within which it is located, through:

~~i. permitting development of a limited scale, relative to the sub-area and/or overlay within which it is located; or~~

~~ii. a consenting pathway that requires new development to:~~

~~A. enhancement of the natural character, indigenous biodiversity, health and life supporting capacity of water bodies and their margins, and mahinga kai, including through the incorporate~~ incorporation of ecological enhancement planting and designs that complement the intended natural and cultural environment;

~~A.B. to provide provision of a high level of onsite amenity and mitigate~~ mitigation of effects on adjacent activities, and support an improved natural environment with increased native habitat and improved surface water quality;

~~B. complement the surrounding natural and cultural environment, including the intended indigenous natural environment of the Ōtākaro Avon River Corridor area;~~

~~C. incorporate~~ incorporation of on-site treatment of stormwater and/or integrate integration with wider stormwater management systems, where practicable;

~~D. achieve a high quality, visually attractive development when viewed from the street and / or other public spaces;~~

~~E. reflect the context, character, and scale of building anticipated in that part of the area and/or overlay;~~

~~F. provide provision of accessible, safe, and efficient movement options for pedestrians, cyclists, and vehicles;~~

~~G. maintain and enhance the natural character, indigenous biodiversity, health and life supporting capacity of water bodies and their margins;~~

~~H. be designed~~ designs that to deter crime and encourage a sense of safety, reflecting the principles of CPTED;

~~I. management of the interface with adjacent residential and open space-zoned areas to create better connections between those areas;~~

~~J. promote~~ promotion of active engagement with any adjacent streets or public spaces, and contribute contribution to, the vibrancy and attractiveness of, any adjacent streets or public ~~those spaces; and~~

~~K. Provide provision of an~~ adequate firefighting water supply.

13.14.2.1.7 Policy – Mana Whenua and the Ōtākaro Avon River Corridor

a. Recognise the Ōtākaro Avon River as a taonga and a cultural landscape for which Te Ngāi Tuāhuriri exercise kaitiakitanga ~~to by ensure~~ ensuring values of cultural importance are managed, enhanced and/or protected.

Commented [A68]: Rewording and condensing this policy as indicated will simplify, add clarity, and avoid repetition.

Commented [A69]: It would give better policy direction, and be more consistent with the rules, if the policy did not make this distinction between permitted activities and those requiring consent. All the matters in A. to K. apply to both. The rules for permitted activities require achievement of those outcomes, e.g. the ecological planting, with some of them more likely to be achieved at the subdivision stage. Also the permitted activity rules cover a lot more than just scale.

Commented [A70]: If visible from both a street and another public places it should be assessed from both viewpoints.

Commented [A71]: This is unnecessary as it repeats the first two lines of the policy

Commented [A72]: It is unclear what policy direction is intended by this that is not already covered by “protected” and “enhanced”.

- b. Manage activities within the Zone to restore the Ōtākaro Avon River Corridor for mahinga kai and to improve water quality, recognising that land use activities can have adverse impacts on water ~~resources~~ resource values, including mahinga kai.
- c. Where resource consent is required, require earthworks within the Zone to be undertaken in accordance with cultural best practice, including the adoption of an Accidental Discovery Protocol, the training of contractors in identification of archaeological sites, cultural monitoring, recording and other measures as informed by mana whenua.
- d. Recognise that sites where evidence of historic Māori occupation is uncovered through earthworks or development activities are wāhi tapu to mana whenua and mana whenua should be consulted.
- e. Provide for customary access for the purposes of mahinga kai as part of ecological restoration ~~and other~~ activities.

Commented [A73]: This would provide additional clarity.

Commented [A74]: Customary access is also required to be considered for activities other than just ecological restoration.

13.14.2.1.8 Policy – Natural Hazards

- a. Recognise the ability to comprehensively manage development within the Specific Purpose (Ōtākaro Avon River Corridor) Zone to mitigate increasing or transferring potential risk from natural hazards and ~~enable provide for~~ experimental approaches to living with water that can be applied elsewhere in New Zealand, particularly in response to climate change.
- b. Provide for structures within the ~~High Flood Hazard Management Area~~ in the Zone where the potential increased risk to people, property and infrastructure can be mitigated by structures located and designed to:
 - i. minimise potential flood damage or loss to buildings, servicing, and infrastructure during an inundation hazard event;
 - ii. return functionality after an event;
 - iii. ensure safe and functional access and egress for the duration of the hazard event;
 - iv. be relocated if the future risk increases to an unacceptable level; and
 - v. avoid ~~s~~ exacerbating the effects of the natural hazard or ~~generate-generating~~ the need for new mitigation works to protect the structures.
- c. Provide compensatory flood storage where the land has been raised to avoid unacceptable flooding risk in ~~High Flood Hazard Management Areas~~.
- d. When determining ~~unacceptable the level of risk~~, recognise that ~~over time~~, predictions about sea level rise indicate increased risk ~~over time~~, and therefore adopt a precautionary approach when considering consent durations or conditions, including ~~requirements for the relocation or removal of structures~~.

Commented [A75]: Two different risk thresholds used in b. 'increased risk' (in regards to mitigation of structures) and c. 'unacceptable risk' (in terms of mitigation of land). Suggest rewording d. so that it applies to both.

Advice note – This policy provides specific guidance for the management of structures within the High Flood Hazard Management Area within the Specific Purpose (Ōtākaro Avon River Corridor) Zone, that is in addition to the provisions in Chapter 5 relating to natural hazards. The rules which implement this policy are also contained in Chapter 5.

13.14.3 How to interpret and apply the rules

a. The rules that apply to activities in the Specific Purpose (Ōtākaro Avon River Corridor) Zone are contained in the activity status tables (including any activity specific standards) in Rule 13.14.4.1 and the built form standards in Rule 13.14.4.2.

b. The activity status tables and standards in the following chapters also apply to activities in the Specific Purpose (Ōtākaro Avon River Corridor) Zone except as specified in c. below:

4 Hazardous Substances and Contaminated Land;

5 Natural Hazards;

6 General Rules and Procedures;

7 Transport;

8 Subdivision, Development and Earthworks;

9 Natural and Cultural Heritage; and

11 Utilities, Energy and Infrastructure.

c. Where undertaken by or on behalf of the Council, Canterbury Regional Council or the Crown, the rules in the following chapters:

5 Natural Hazards;

6.6 Water Body Setbacks;

8.9 Earthworks;

9.1 Indigenous Biodiversity and Ecosystems; and

9.2 Landscapes and Natural Character.

~~Do~~ not apply to:

i. New buildings and structures (including stopbanks) for the purposes of flood and/or bank erosion mitigation and/or protection;

ii. The installation of stormwater management basins, swales or reticulated open-channelised drainage, including necessary incidental equipment such as pumping stations; and

iii. Any earthworks or vegetation clearance:

a. Associated with the above activities; or

b. Within a Landing Overlay identified on the Development Plan contained within Appendix 13.14.6.1; or

c. Associated with the creation of cycling and walking paths.

d. Reference should also be made to any other applicable rules or constraints within other legislation or ownership requirements including the following:

Commented [A76]: The numbering for these 3 sub-clauses should be capitals A. – C.

Commented [A77]: The use of this shorter wording throughout the proposed provisions will make the Plan more concise.

- i. Reserves Act;
- ii. Wildlife Act;
- iii. Conservation Act;
- iv. Regional ~~Rules~~ rules under Canterbury Regional Council Plans;
- v. Christchurch City Council Traffic and Parking Bylaw 2008;
- vi. The Heritage New Zealand Pouhere Taonga Act 2014 in relation to any modification or destruction of archaeological sites;
- vii. The Council Marine and River Facilities Bylaw 2008; and
- viii. Canterbury Regional Council Navigation Safety Bylaws 2016.

13.14.4 Rules – Specific Purpose (Ōtākaro Avon River Corridor) Zone

13.14.4.1 Activity status tables

13.14.4.1.1 Permitted activities

- a. The activities listed below are permitted activities in the Specific Purpose (Ōtākaro Avon River Corridor) Zone if they meet the activity specific standards set out in the following table and the built form standards in Rule 13.14.4.2 unless otherwise specified.
- b. Activities may also be controlled, restricted discretionary, discretionary, non-complying or prohibited as specified in Rules 13.14.4.1.2, 13.14.4.1.3, 13.14.4.1.4, 13.14.4.1.5 and 13.14.4.1.6.

Activity	Activity specific standards:
P1 Recreation <u>Outdoor recreation activity and/or recreation facility, excluding land-based motorised sport activities</u>	<ul style="list-style-type: none"> a. Except for walking and cycling tracks, no permanent activity or facility shall be located within an area identified on the Development Plan contained within Appendix 13.14.6.1 as a: <ul style="list-style-type: none"> i. <u>Stormwater Management Area;</u> ii. <u>Stopbank;</u> iii. <u>City to Sea Path;</u> iv. <u>New pedestrian/cycle/vehicle bridge;</u> v. <u>Proposed new road; or</u> vi. <u>Proposed Road linkage.</u>
P2 <u>Public amenities</u>	<ul style="list-style-type: none"> a. <u>Any building containing toilets and/or changing rooms shall have a minimum setback at least of 20 metres from the boundary with a residential zone, the boundary of a site listed in Appendix 13.14.6.2, or the edge bank of any water body, as defined in the definition of “waterbody setback” and Appendix 6.11.5.3.</u>
P3 <u>Retail activity within a Landing Overlay or Activity Area Overlay, as shown on the Development Plan contained in Appendix 13.14.6.1, excluding second-hand</u>	<ul style="list-style-type: none"> a. <u>Shall cumulatively occupy no more than 70m² of GFA per Landing or.</u> b. <u>Shall cumulatively occupy no more than:</u> <ul style="list-style-type: none"> i. <u>350m² of GFA for the Activity Area Overlay in the Horseshoe Lake Reach;</u>

Commented [A78]: Amended to be consistent with the stated policy direction.

Commented [A79]: That is, not including vehicles used for general transport.

Commented [A80]: It would be seem appropriate to apply this activity specific standard to all of the listed activities that are not one of the 6 listed in the standard, e.g. P9 education activities, community halls, etc.

Commented [A81]: “Edge” is not defined, but banks is.

Commented [A82]: The term “edge” is not a defined term. Bank is used and defined in the the existing District Plan and Appendix 6.11.5.3 illustrate how its location is defined.

Commented [A83]: Link to definition wherever this abbreviation is used.

Commented [A84]: “Or” would suggest that the current clause and the following clause are mutually exclusive, which does not appear to be the intention. Using “and” would be better, but it would be simpler and clearer to use neither and full stops instead of semi-colons where appropriate.

Activity	Activity specific standards:
<p><u>goods outlets and food and beverage outlets</u></p>	<p>ii. 150m² of GFA for the Activity Area Overlay in the Ōtākaro Loop Reach or</p> <p>iii. 150m² of GFA for the Activity Area Overlay in the Green Spine.</p>
<p>P4</p>	<p><u>Food and beverage outlets within a Reach or Landing Overlay as shown on the Development Plan contained in Appendix 13.14.6.1</u></p> <p>a. <u>Within the Horseshoe Lake Reach as shown on the Development Plan contained in Appendix 13.14.6.1:</u></p> <p>i. Each outlet shall have a maximum of 250m² of GFA per building; and</p> <p>ii. The combined GFA of all outlets shall occupy no more than not exceed 1,200m² of GFA within the Reach or.</p> <p>b. <u>Within the Ōtākaro Loop or and Eastern Reaches as shown on the Development Plan contained in Appendix 13.14.6.1:</u></p> <p>i. each outlet shall have a maximum of 250m² of GFA per building; and</p> <p>ii. The combined GFA of all outlets shall not exceed occupy no more than 500m² of GFA within each Reach or.</p> <p>c. <u>Within a Landing Overlay as shown on the Development Plan contained in Appendix 13.14.6.1</u> the combined GFA of all outlets shall not exceed occupy no more than 70m² of GFA per Landing.</p>
<p>P5</p>	<p><u>Ancillary offices</u></p> <p>a. <u>Ancillary offices</u> shall occupy no more than 250 m² of GFA per building; or 10% of the GFA of all buildings on the same site used for the activity the office is ancillary to, whichever is the lesser.</p>
<p>P6</p>	<p><u>Ancillary retail activity including food and beverage outlets</u></p> <p>a. <u>Ancillary retail activity</u> shall cumulatively occupy no more than 250m² of GFA per building; or 10% of the GFA of all buildings on the same site used for the activity the retail activity is ancillary to, whichever is the lesser.</p>
<p>P7</p>	<p><u>Public artwork</u></p> <p>Nil</p>
<p>P8</p>	<p><u>Conservation activity</u></p> <p>a. Any restoration planting shall be limited to indigenous plant species which are sourced from within the ecological district.</p>
<p>P9</p>	<p><u>Education activities and/or Education facility, either:</u></p> <p>a. <u>Located within the Ōtākaro Loop Reach or Horseshoe Lake Reach as shown on the Development Plan contained in Appendix 13.14.6.1;</u> or</p> <p>b. <u>Limited to education activities that:</u></p> <p>a. <u>Where located outside of the Ōtākaro Loop Reach or Horseshoe Lake Reach as shown on the Development Plan contained in Appendix 13.14.6.1,</u> the maximum cumulative GFA of all buildings associated with the activity will shall be 150m² of GFA.</p>

Commented [A85]: This should be the defined term.

Activity	Activity specific standards:	
<ul style="list-style-type: none"> i. <u>are ancillary to conservation activities;</u> or ii. <u>increase awareness of the natural environment, conservation issues, historic heritage, or Ngāi Tahu culture</u> 		
P10	<u>Park management activity and/or park management facility</u>	<ul style="list-style-type: none"> a. <u>Shall have a maximum of 100m² of GFA per building; and</u> b. <u>Shall not occur within a Landing Overlay or the Horseshoe Lake Reach as shown on the Development Plan contained in Appendix 13.14.6.1.</u>
P11	<u>Community market</u>	Nil
P12	<u>Customary harvesting</u>	Nil
P13	<u>Community gardens</u>	<ul style="list-style-type: none"> a. <u>Except for walking and cycling tracks, no permanent activity or building shall be located within an area identified on the Development Plan contained within Appendix 13.14.6.1 as a:</u> <ul style="list-style-type: none"> i. <u>Stormwater Management Area;</u> ii. <u>Stopbank;</u> iii. <u>City to Sea Path</u> iv. <u>New pedestrian/cycle/vehicle bridge;</u> v. <u>Proposed new road; or</u> vi. <u>Proposed Road linkage.</u>
P14	<u>Car parking within a Landing Overlay</u>	<ul style="list-style-type: none"> a. <u>Shall be limited to 20 at grade car parking spaces.</u>
P15	<u>Entertainment activities located either:</u> <ul style="list-style-type: none"> a. <u>in an Activity Area Overlay shown on the Development Plan contained in Appendix 13.14.6.1; or</u> b. <u>in the Green Spine shown on the Development Plan contained in Appendix 13.14.6.1</u> 	<ul style="list-style-type: none"> a. <u>Where located within the Green Spine it shall not include permanent buildings as part of the activity.</u>
P16	<u>Cultural activity located within the existing building on Part Rural Section 33, held in Computer Register CB159/132 (20 Templar St)</u>	Nil
P17	<u>Guest Accommodation limited to camping grounds, campervan parks and associated camp facilities</u>	<ul style="list-style-type: none"> a. <u>Shall include no more than 10 cabins;</u> a. <u>Except for walking and cycling tracks, no permanent activity or building shall be located within an area</u>

Commented [A86]: Needs an advice note that the Chapter 7 minimum parking requirements also apply - which in some circumstances may result in the need for a resource consent, i.e. if more than 20 are required by Chapter 7 for all the activities within the Landing.

Commented [A87]: Add address for easier identification

Commented [A88]: Unnecessary

Proposed Amendments to Resource Management Act Documents

Activity	Activity specific standards:
	<p>identified on the Development Plan contained within Appendix 13.14.6.1 as a:</p> <ul style="list-style-type: none"> i. <u>Stormwater Management Area;</u> ii. <u>Stopbank;</u> iii. <u>City to Sea Path;</u> iv. <u>New pedestrian/cycle/vehicle bridge;</u> v. <u>Proposed new road; or</u> vi. <u>Proposed Road linkage.</u> <p>b. <u>The activity, including buildings, shall be setback 20m from the edge-bank of any water body, as defined in the definition of “waterbody setback” and Appendix 6.11.5.3;</u></p>
P18	Residential unit for caretaker and site management purposes only Nil
P19	Rural tourism activity Nil
P20	Maintenance and upgrade of existing flood and/or bank erosion mitigation and protection works and associated earthworks, where undertaken by the Council, Canterbury Regional Council or the Crown Nil
P21	Farming located in the Horseshoe Lake or Eastern Reaches shown on the Development Plan contained in Appendix 13.14.6.1 a. All farming areas shall be fenced to exclude stock from water bodies and stormwater management areas as shown on the Development Plan contained in Appendix 13.14.6.1.
P22	Grazing of animals until 1 July 2024 a. All grazing areas shall be fenced to exclude stock from water bodies and stormwater management areas as shown on the Development Plan contained in Appendix 13.14.6.1.
P23	Any activities or facilities within a building-residential unit established under <u>13.14.4.1.3 RD6RD5</u> , located within an Edge Housing Area Overlay shown on the Development Plan contained in Appendix 13.14.6.1 which would be permitted activities in the Residential Suburban or Residential Suburban Density Transition Zone under Rules <u>14.4.1.1 P1, P13-P15, P25 – P28, unless specified in RD6</u> a. The activity shall meet the activity specific standards of the applicable activity under the Residential Suburban or Residential Suburban Density Transition Zone rules <u>Rules 14.4.</u>
P24	Recreation activities on the surface of water and public amenities on the surface of water a. Any activity shall exclude the use of <u>motorised water craft</u> , except as specified in P25 below.
P25	Use of <u>motorised water craft</u> a. Shall be limited to:

Commented [A89]: The term “edge” is not a defined term. Bank is used and defined in the the existing District Plan and Appendix 6.11.5.3 illustrate how its location is defined.

Commented [A90]: The term “edge” is not a defined term. Bank is used and defined in the the existing District Plan and Appendix 6.11.5.3 illustrate how its location is defined.

Commented [A91]: This provision is unnecessary as it is already provided for in Chapter 5.

Commented [A92]: It is not clear what this means, even if the reference is supposed to be RD5. RD5 only provides for resource consents for residential units and so could not cover other activities.

Commented [A93]: Show as a defined term.

Activity	Activity specific standards:
	<ul style="list-style-type: none"> i. <u>the Ōtākaro Avon River in association with rowing events at Kerrs Reach; or</u> ii. <u>for emergency, safety or maintenance purposes.</u>
P26	<p><u>Plant nurseries located within a Reach identified on the Development Plan contained in Appendix 13.14.6.1</u></p> <ul style="list-style-type: none"> a. <u>Except for walking and cycling tracks, no permanent activity shall be located within an area identified on the Development Plan contained within Appendix 13.14.6.1 as a:</u> <ul style="list-style-type: none"> i. <u>Stormwater Management Area;</u> ii. <u>Stopbank;</u> iii. <u>City to Sea Path;</u> iv. <u>New pedestrian/cycle/vehicle bridge;</u> v. <u>Proposed new road; or</u> vi. <u>Proposed Road linkage.</u>
P27	<p><u>Community halls</u></p> <ul style="list-style-type: none"> a. <u>Shall have a maximum of 100m² of GFA per building in the Green Spine, shown on the Development Plan in Appendix 13.14.6.1 Nil</u>
P28	<p><u>Boat ramps, jetties and recreational boat launching facilities located within a Landing Overlay or Activity Area Overlay</u></p> <p>Nil</p>
P29	<p><u>Recreational boat storage, sheds and boat repair and maintenance facilities</u></p> <p>Nil</p>
P30	<p><u>Short term buildings Buildings for a permitted activity that are removed by the 1st June 2024</u></p> <p>Nil</p>
P31	<p><u>Removal of any buildings, fences, paths or other debris undertaken by or on behalf of the Council, Canterbury Regional Council or the Crown</u></p> <p>Nil</p>
P32	<p><u>Any activities or facilities on a site listed in Appendix 13.14.6.2 and identified with an Alternate Zone of RSD or RSDT, which are permitted activities under Residential Suburban Zone or and Residential Suburban Density Transition Zone Rule 14.4.1.1 P1, P13 – P15, P25 – P28</u></p> <ul style="list-style-type: none"> a. <u>The built form standards in Rule 13.14.4.2 do not apply.</u> b. <u>The activity shall meet the applicable activity specific standards and built form standards of the applicable Alternate Zone.</u>
P33	<p><u>Any activities or facilities on a site listed in Appendix 13.14.6.2 and identified with an Alternate Zone of RMD, which are permitted activities under Residential</u></p> <ul style="list-style-type: none"> a. <u>The built form standards in Rule 13.14.4.2 do not apply.</u> b. <u>The activity shall meet the applicable activity specific standards and built form standards of the Residential Medium Density Zone.</u>

Commented [A94]: Considering the stated policy outcomes for the Green Spine are an open space environment largely free of built development, non-compliance with this size limit should be a discretionary activity, similar to the activity specific standard applied to activities such as park management facilities. Considering the lack of connection with the outside natural environment, i.e. a priority focus for the Green Spine, such activities would be more appropriate if located in the Reaches.

Commented [A95]: Unnecessary

Commented [A96]: This rule needs to be clear what activities these buildings can relate to, e.g. does it include all non-complying activities, or ones inconsistent with the infrastructure on the development plan, etc.?

Activity	Activity specific standards:
Medium Density Zone Rule 14.5.1.1 P1, P4 – P6, P16 – 17, P20 – P21	
P34 Commercial activities that occur within an existing commercial building on the following sites listed in Appendix 13.14.6.2: a. Part Lot 1 DP 785; or b. Lots 1 to 2 DP 23072	Nil
P35 Commercial activities on the following sites listed in Appendix 13.14.6.2: i. Lot 18 DP 16283 and Lot 1 DP 9286	Nil
P36 Alterations and additions, maintenance and repair of to existing commercial buildings; accessory buildings; or built structures; on the following sites listed in Appendix 13.14.6.2: i. Part Lot 1 DP 785 ii. Lot 18 DP 16283 and Lot 1 DP 9286; or iii. Lots 1–2 DP 23072	a. <u>The activity shall meet the applicable site coverage built form standards for the Alternate Zone listed for that site in Appendix 13.14.6.2.</u>
P37 Spiritual activities on the following sites listed in Appendix 13.14.6.2: i. Part Lot 1 DP 12070 and Part Lot 2 DP 26713, or ii. Lot 1 DP 76065	Nil
P38 Alterations and additions, maintenance and repair of to existing buildings or built structures; on the following sites listed in Appendix 13.14.6.2: iii. Part Lot 1 DP 12070 and Part Lot 2 DP 26713, or iv. Lot 1 DP 76065	a. <u>The activity shall meet the applicable site coverage built form standards for the Alternate Zone listed for that site in Appendix 13.14.6.2.</u>
P39 Storage of heavy vehicles, on a site listed in Appendix 13.14.6.2.	a. <u>No more than one vehicle shall be stored on the site.</u>
P40 Dismantling, repair, or storage of motor vehicles and boats on a site listed in Appendix 13.14.6.2.	a. <u>The vehicles and/or boats shall be owned by people who live on the same site.</u>
P41 Preschools on Lot 49 DP 15044, listed in Appendix 13.14.6.2.	a. <u>The built form standards in Rule 13.14.4.2 do not apply.</u> b. <u>The activity shall meet the applicable activity specific standards in Rule 14.4.1.1 P17 and built form</u>

Commented [A97]: A street address or appendix listing number in the Appendix and included here would assist and wherever rules refer to legal descriptions in the Appendix.

Commented [A98]: Maintenance and repair would not require resource consent anyway.

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Activity	Activity specific standards:
	standards of the Residential Suburban Zone in Rule 14.4.2.
P42	<u>Emergency service facilities located within a Reach shown on the Development Plan contained in Appendix 13.14.6.1</u>
P43	<u>Cultural activities, excluding the open-air operation of heritage vehicles, trains and machinery, located within a Reach shown on the Development Plan contained in Appendix 13.14.6.1.</u>
P44	<u>Public transport facilities, excluding park and ride facilities, located within a Reach as shown on the Development Plan contained in Appendix 13.14.6.1.</u>

13.14.4.1.2 Controlled activities

- a. The activities listed below are controlled activities **if they meet the built form standards in Rule 13.14.4.2 unless otherwise specified.**
- b. Discretion to impose conditions is restricted to the matters over which control is reserved, as set out in the following table:

Commented [A99]: This addition, and the same for restricted discretionary activities, is needed to make it clear that the built form standards apply.

Activity	The matters over which Council reserves its control:
C1 Flood management infrastructure, including new buildings, structures and stopbanks for the purposes of flood and/or bank erosion mitigation and/or protection including associated earthworks and vegetation clearance, where undertaken by or on behalf of the Council, Canterbury Regional Council or the Crown.	a. Development Plan – Rule 13.14.5.1 b. Green Spine Infrastructure – Rule 13.14.5.2
C2 Stormwater management infrastructure, including stormwater management basins, wetlands, swales, pipes, or reticulated open channelised drainage, and necessary incidental equipment such as pumping stations, and associated earthworks and vegetation clearance where undertaken by or on behalf of the Council, Canterbury Regional Council or the Crown.	a. Development Plan – Rule 13.14.5.1 b. Green Spine Infrastructure – Rule 13.14.5.2
C3 Any earthworks or vegetation clearance within a Landing Overlay identified on the Development Plan contained within Appendix 13.14.6.1 where undertaken by or on behalf of the Council, Canterbury Regional Council or the Crown.	a. Green Spine Infrastructure – Rule 13.14.5.2
C4 Any earthworks or vegetation clearance associated with the creation of walking and cycling paths, where undertaken by or on behalf of the Council, Canterbury Regional Council or the Crown.	a. Green Spine Infrastructure – Rule 13.14.5.2
C5 Any activities or facilities which would be controlled activities in the Residential Suburban Density Transition Zone, within a building established under RD6RD5, located within an Edge Housing Area Overlay shown in Appendix 13.14.6.1 which	a. The matters of control for the applicable activity or facility listed in the Residential Suburban Density Transition Zone, Rule 14.4.1.2.

Commented [A100]: Easier to understand with this wording moved to the start of the rule.

Activity	The matters over which Council reserves its control:
<p><u>would be controlled activities in the Residential Suburban Density Transition Zone.</u></p>	
<p><u>C6 Any building within a Landing Overlay identified on the Development Plan contained within Appendix 13.14.6.1 and within 30m of the banks of the Avon River, as defined in the definition of “waterbody setback” and Appendix 6.11.5.3.</u></p>	<p><u>a. Green Spine Infrastructure – Rule 13.14.5.2</u></p> <p><u>b. Inanga spawning sites – Rule 13.14.5.15</u></p>

Commented [A101]: It is essential that there is some control over the impact of buildings adjacent to the Avon River on indigenous species and habitat, in light of the amendment proposed above to 6.6.3 h. to remove buildings in Landings from the normal waterway setback rules. This is particularly so for inanga spawning sites which would be difficult to recreate due to the very specific conditions required. However, it is accepted that buildings could be appropriately managed as a controlled activity that enables conditions to be imposed if necessary, rather than through the normal waterway setback provisions.

13.14.4.1.3 Restricted discretionary activities

a. The activities listed below are restricted discretionary activities **if they meet the built form standards in Rule 13.14.4.2 unless otherwise specified.**

b. Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in Rule 13.14.5, as set out in the following table:

Activity	The Council's discretion shall be limited to the following matters:
<p><u>RD1</u> Any activity listed in Rule 13.14.4.1.1 P1 – P44 and Rule 13.14.4.1.3 RD2 – RD6 that does not meet one or more of the built form standards in Rule 13.14.4.2, unless otherwise specified.</p> <p>Any application arising from this rule shall not be publicly notified.</p>	<p>As relevant to the built form standard that is not met:</p> <ul style="list-style-type: none"> a. Road boundary setback – Rule 13.14.5.3 b. Internal boundary setback – Rule 13.14.5.4 c. Outdoor storage areas – Rule 13.14.5.5 d. Fencing – Rule 13.14.5.6 e. Recession planes – Rule 13.14.5.7 f. Water supply for firefighting – Rule 13.14.5.8 g. Ecological enhancement planting – Rule 13.14.5.9
<p><u>RD2</u> Any activity listed in Rule 13.14.4.1.1 P2 that does not meet the activity specific standards.</p> <p>Any application arising from this rule shall not be publicly notified.</p>	<ul style="list-style-type: none"> a. Public amenities – Rule 13.14.5.10
<p><u>RD3</u> Any activity listed in Rule 13.14.4.1.1 P14 that does not meet the activity specific standards.</p> <p>Any application arising from this rule shall not be publicly notified.</p>	<ul style="list-style-type: none"> a. On-site car parking – Rule 13.14.5.11
<p><u>RD4</u> Any activity listed in Rules 13.14.4.1.1 P24 &-or P25 that does not meet one or more of the activity specific standards.</p>	<ul style="list-style-type: none"> a. Development Plan – Rule 13.14.5.1 b. Activities on the surface of water bodies – Rule 13.14.5.12 c. Within a site of Ngāi Tahu cultural significance identified in Appendix 9.5.6 – Rule 9.5.5 as relevant to the site classification.
<p><u>RD5</u> Residential units located within an Edge Housing Area Overlay shown on the Development Plan contained in Appendix 13.14.6.1.</p> <p>Any application arising from this rule shall not be publicly notified.</p>	<ul style="list-style-type: none"> a. Edge and Trial Housing residential design principles – Rule 13.14.5.13
<p><u>RD6</u> Residential units located within a Trial Housing Area Overlay shown on</p>	<ul style="list-style-type: none"> a. Edge and Trial Housing residential design principles – Rule 13.14.5.13

<u>Activity</u>	<u>The Council's discretion shall be limited to the following matters:</u>
the Development Plan contained in Appendix 13.14.6.1, including where these activities occur on the surface of water. Any application arising from this rule shall not be publicly notified.	
<u>RD7</u> Any earthworks or vegetation clearance within a Landing Overlay adjacent to an inanga spawning site identified in Appendix 13.14.6.3, where undertaken by or on behalf of the Council, Canterbury Regional Council or the Crown.	<p>a. <u>Green Spine Infrastructure – Rule 13.14.5.2</u></p> <p>b. <u>Inanga spawning sites – Rule 13.14.5.15</u></p>

13.14.4.1.4 Discretionary activities

a. The activities listed below are discretionary activities.

<u>Activity</u>	
<u>D1</u>	Any activity not provided for as a permitted, controlled, restricted discretionary, non-complying or prohibited activity within a Reach or Landing Overlay shown on the Development Plan in Appendix 13.14.6.1.
<u>D2</u>	<u>Major sports facility</u> , excluding those specified in Rule 13.14.4.1.1 P28 – P29
<u>D3</u>	Any activity listed in Rule 13.14.4.1.1 P1 – P42 and Rule 13.14.4.1.3 RD2 – RD6 that does not comply with Built Form Standards 13.14.4.2.2, 13.14.4.2.6 or 13.14.4.2.7, except unless otherwise specified in 13.14.4.1.5 where covered by NC11.

13.14.4.1.5 Non-complying activities

a. The activities listed below are non-complying activities.

<u>Activity</u>	
<u>NC1</u>	<u>Intensive farming (excluding land-based aquaculture)</u>
<u>NC2</u>	<u>Industrial activity</u>
<u>NC3</u>	<u>Trade supplier</u>
<u>NC4</u>	<u>Yard-based supplier</u> , except as specified within P26
<u>NC5</u>	<u>Service industry</u>
<u>NC6</u>	<u>Warehousing and distribution activities</u>
<u>NC7</u>	<u>Commercial services</u>
<u>NC8</u>	<u>High technology industrial activity</u>
<u>NC9</u>	<u>Trade and industry training activities</u>
<u>NC10</u>	<u>Second-hand goods outlet</u>

Activity	
NC11	<u>Buildings in the Green Spine, shown on the Development Plan in Appendix 13.14.6.1, that do not meet Rule 13.14.4.2.6 where the height is over 10 metres, but excluding residential activities in an Edge Housing Area Overlay shown on the Development Plan in Appendix 13.14.6.1.</u>
NC12	<u>Any residential activity that is not otherwise specified in Rule 13.14.4.1.1 P18, P32, P33 or Rule 13.14.4.1.3 RD5 or RD6.</u>
NC13	<u>Heavy industrial activity.</u>
NC14	<u>Quarrying activity.</u>
NC15	<u>Any activity listed in Rule 13.14.4.1.1 P1 – P42 that is located within the Green Spine, shown on the Development Plan in Appendix 13.14.6.1, (excluding within a Landing Overlay), that does not meet Rule 13.14.4.2.10a(i).</u>
NC16	<u>Any activity not provided for as a permitted, controlled, restricted discretionary, discretionary or prohibited activity within the Green Spine, shown on the Development Plan in Appendix 13.14.6.1, (excluding within a Landing Overlay).</u>

13.14.4.1.6 Prohibited activities

a. There are no prohibited activities.

13.14.4.2 Rules - Built form standards

13.14.4.2.1 Road boundary setback

a. The minimum building setback from a road boundary shall be as follows:

	Applicable to	Standard
i.	All buildings in relation to all sites road boundaries, unless specified in ii., iii., iv. or, v. or vi. below	5 metres, except that this shall not apply to buildings located within a Landing Overlay identified on the Development Plan contained in Appendix 13.14.6.1
ii.	Road boundaries with a state-State highwayHighway	20 metres
iii.	Sites in a Reach where the road-facing facade of the building is at least 40% glazed, and the internal space behind the glazing is used for <u>retail activities or entertainment activities</u>	There is no minimum building setback Nil
iv.	<u>Residential units located within an Edge Housing Area Overlay as shown on the Development Plan contained in Appendix 13.14.6.1</u>	4.5 metres
v.	<u>Road boundaries with local roads in the Green Spine shown on the Development Plan contained in Appendix 13.14.6.1</u>	10 metres
vi.	<u>Buildings within a Landing Overlay identified on the Development Plan in Appendix 13.14.6.1</u>	Nil

Commented [A102]: As the rules that follow apply to a mixture of different road boundaries or specific building types, rather than sites, it would be better to use those terms here.

Commented [A103]: Moved to the bottom of the table for greater clarity

13.14.4.2.2 Boundary setback from Development Plan Infrastructure

a. The minimum building setback from the infrastructure listed below shall be as follows:

	Applicable to	Standard
i.	a. Stormwater Management Areas; and b. Stopbanks outside of a Landing Overlay as shown on the Development Plan contained in Appendix 13.14.6.1, or as built	15 metres
ii.	b. Stopbanks within a Landing Overlay; c. <u>new pedestrian/cycle/vehicle bridges;</u> d. <u>City to Sea Path;</u> e. <u>Proposed new roads; and</u> f. <u>Proposed road linkage</u>	5 metres

Commented [A104]: Renumber

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<u>Applicable to</u>	<u>Standard</u>
<u>as shown on the Development Plan contained in Appendix 13.14.6.1</u>	

13.14.4.2.3 Internal boundary setback

a. The minimum building setback and parking area setback from an internal boundary shall be as follows:

Commented [A105]: Show as defined terms

	Applicable to	Standard
i.	All <u>buildings in relation to all sites internal boundaries</u> , unless specified in ii., iii. and iv. below	5 metres
ii.	<u>Residential buildings unit and accessory buildings</u> located within an Edge Housing Area Overlay as shown on the Development Plan contained in Appendix 13.14.6.1	a. <u>2 metres from an internal boundary with a residential zone;</u> b. <u>1 metre from an internal boundary with a site in an Edge Housing Area Overlay</u>
iii.	<u>Activities Buildings for activities other than residential activities</u> that adjoin a residential or open space zone	10 metres
iv.	<u>Buildings for aActivities other than residential activities</u> that adjoin a site listed in Appendix 13.14.6.2 which is not in public ownership	10 metres

Commented [A106]: "Residential building" is not a defined term, but "Residential unit" is, and is used throughout the Plan.

13.14.4.2.4 Outdoor storage

a. Any outdoor storage area shall not be located within the minimum setbacks specified in Rules 13.14.4.2.1, ~~and 13.14.4.2.2, and 13.14.4.2.3.~~

b. Outdoor storage areas shall be screened from adjoining sites, roads, cycle ways and walkways by either planting, wall(s), fence(s), or any combination of these, to at least 1.8 metres in height along the length of the storage area. Where such screening is by way of planting it shall be for a minimum depth of 3 metres.

Commented [A107]: Consistent with the spelling elsewhere

13.14.4.2.5 Fencing

a. The maximum height of any fence in the Green Spine shall be 1.2 metres.

b. The maximum height of any internal boundary fence in the Reaches shall be 1.8 metres, except that the maximum height for any ~~road boundary fence, or fence adjacent adjoining~~ to a public open space shall be 1.2 metres.

Commented [A108]: Adjacent is a vague term.

c. The maximum height of any fence on a road boundary shall be 1.2 metres.

Commented [A109]: Road boundaries are not internal boundaries, so this aspect is separated out of the rule above.

d. The rules in a. and ~~bc.~~ above do not apply to predator proof fencing required for an eco-sanctuary and screening of outdoor storage areas as specified in 13.14.4.2.4 above.

13.14.4.2.6 Building height

- a. The maximum height of any building shall be as follows, except that this shall not apply to activities specified in Rule 13.14.4.1.1 P30:

	Applicable to	Standard
i.	All buildings within the Green Spine, or residential units in an Edge Housing Area Overlay or Trial Housing Area Overlay, as shown on the Development Plan in Appendix 13.14.6.1, unless specified in ii. below	8 metres
ii.	All buildings, except residential units located within an Edge Housing Area Overlay, located within the Ōtākaro Loop Reach, Horseshoe Lake Reach or Eastern Reaches as shown on the Development Plan contained in Appendix 13.14.6.1, unless otherwise specified in i. above.	12 metres

Commented [A110]: This wording is recommended to clarify that 8m applies to the Green Spine and residential units in any Edge Housing Area or Trial Housing Area, but 12m applies to all other areas of the Reaches.

13.14.4.2.7 Building footprint, site coverage and impervious surfaces

- a. The maximum single building footprint, site coverage of all buildings, and area covered by impervious surfaces, shall be as follows, except that this shall not apply to activities specified in Rule 13.14.4.1.1 P30, P36 and P38:

	Applicable to the areas shown on the Development Plan in Appendix 13.14.6.1 as follows:	A (Single building footprint)	B (Site coverage)	C (Impervious surfaces)
i.	Green Spine, except where as specified in iv. to vii. below	100m ²	5%	10%
ii.	Ōtākaro Loop Reach or Horseshoe Lake Reach, except where as specified in iv., vi. or vii. below	250m ²	15%	30%
iii.	Eastern Reaches, except where as specified in vi. or vii. below	150m ²	10%	5%
iv.	Activity Area Overlay	350m ²	25%	30%
v.	Landing Overlay	150m ²	25%	30%
vi.	Edge Housing Area Overlay	N/A	35%	N/A
vii.	Trial Housing Area Overlay	N/A	N/A	N/A

13.14.4.2.8 Recession planes

- a. Where an internal site boundary adjoins a residential zone, no part of any building shall project beyond a building envelope contained by a recession plane measured at any point 2.3 metres above the internal site boundary in accordance with the applicable diagrams in Appendix 18.11.3.
- b. Where an internal site boundary adjoins a site listed in Appendix 13.14.6.2, which is not in public ownership, no part of any building shall project beyond a building envelope contained by a recession plane measured at any point 2.3 metres above the internal site

boundary in accordance with the diagram in Appendix 18.11.3 that applies to the Alternate Zone listed for that site in Appendix 13.14.6.2.

- c. Where an internal site boundary adjoins the boundary with an Edge Housing Area Overlay shown on the Development Plan in Appendix 13.14.6.1, no part of any building shall project beyond a building envelope contained by a recession plane measured at any point 2.3 metres above the internal site boundary in accordance with Diagram B in Appendix 18.11.3.

13.14.4.2.9 Water supply for firefighting

- a. Provision for sufficient water supply and access to water supplies for firefighting shall be made available to all buildings (excluding accessory buildings that are not habitable buildings) via Council's urban reticulated system (where available) in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice (SNZ PAS: 4509:2008).
- b. Where a reticulated water supply compliant with SNZ PAS:4509:2008 is not available, or the only supply available is the controlled restricted rural type water supply which is not compliant with SNZ PAS:4509:2008, water supply and access to water supplies for firefighting shall be in accordance with the alternative firefighting water sources provisions of SNZ PAS 4509:2008.

13.14.4.2.10 Ecological enhancement planting

- a. Ecological enhancement planting shall be provided as follows, except that this shall not apply to activities specified in Rule 13.14.4.1.1 P30:

	<u>Standard</u>
<u>i.</u>	<p>a. <u>A minimum of 10% of the net site area shall be planted and maintained with at least 75% being indigenous vegetation that is sourced from within the ecological district, comprising a combination of trees, shrubs and ground cover species. Planting may include some ancillary lawn or other amenity features not exceeding 10% of the planted area, set aside as landscaped or open space areas.</u></p> <p>b. <u>This rule does not apply to outdoor recreation activities not involving buildings, or to public amenities.</u></p>

Standard	
ii.	<p>a. <u>On sites adjoining a Residential-residential Zonezone, or sites adjoining a residential activity on a site listed in App 13.14.6.2, a minimum 2 metre wide ecological enhancement planting area shall be provided adjacent to the shared boundary, except that this shall not apply to residential activities proposed in the Edge Housing Area Overlay or Trial Housing Area Overlay as shown on the Development Plan contained in Appendix 13.14.6.1. The ecological enhancement planting areas shall be planted with at least 75% indigenous vegetation comprising a combination of trees, shrubs and ground cover species.</u></p> <p>b. <u>On sites adjoining a Residential-residential Zonezone, trees shall be provided, as part of a. above, adjacent to the internal boundary at a ratio of at least 1 tree for every 10 metres of the boundary or part thereof, and evenly spaced.</u></p>
iii.	<p><u>All ecological enhancement planting required by these rules shall be in accordance with the provisions in Appendix 6.11.6 of Chapter 6.</u></p>

Commented [A111]: Assumed to be the intention.

Commented [A112]: Note that not all of this appendix consists of rules – a big chunk of it (Part B) is guidance, so is not a provision. If the intention was to require compliance with Part B, this rule should specifically say so. It is questionable whether that is really appropriate.

13.14.4.2.11 Car Parking

- a. Excluding any residential activity, car Car parking spaces shall be located at the rear or side of buildings on a site, except for any residential activity,.
- b. One indigenous tree shall be planted for every 5 ground level uncovered car parking spaces provided on the a site.
- c. Where the a car parking area is greater than 5000m², car parking shall be divided into areas of no more than 2500m² in size area, with car parking areas being separated from each other by a minimum 2 metre wide ecological enhancement planting area planted in accordance with Rule 13.14.4.2.10.

Commented [A113]: Add definition formatting to 'parking spaces' and 'parking area' wherever used.

13.14.5 Rules – Matters of control and discretion

- a. When considering applications for controlled activities, the Council's power to impose conditions is restricted to the matters over which control is reserved in the relevant rule, and as set out for that matter below.
- b. When considering applications for restricted discretionary activities, the Council's power to decline consent, or to grant a consent and impose conditions, is restricted to the matters over which discretion is restricted in the relevant rule and as set out for that matter below.

Commented [A114]: All defined terms in this section need to be identified.

13.14.5.1 Development Plan

- a. The extent to which the activity:

- i. Is in ~~general~~ accordance with the Development Plan contained in Appendix 13.14.6.1;
 - ii. Is consistent with the general character description of the area within which it is located, with reference to Policy 13.14.2.1.1;
 - iii. Will reduce the ability for the range of intended activities, as set out in Policy 13.14.2.1.1, to be delivered;
 - iv. Relates to or ~~integrates~~ with any other existing or consented development within the area;
 - v. May have adverse effects on the ~~water body~~ and ~~water body~~ margins, ecosystems, biodiversity corridors and riparian planting, water quality and stormwater management; and
 - vi. Departs from the Development Plan because to do so provides better outcomes in terms of indigenous ecological enhancement and mahinga kai opportunities.
- b. Whether the activity will compromise the provision or function of any area identified as a Stormwater Management Area; Stopbank; City to Sea Path; new pedestrian/cycle/vehicle bridges; proposed new roads; ~~and or~~ proposed road linkages, within the Development Plan contained in Appendix 13.14.6.1.
- c. Whether the activity better responds to ~~current and future~~ changes in natural hazard risks ~~to and~~ enables an adaptive management approach.

Commented [A115]: Not needed, as the wording "the extent" already allows for varying degrees of compliance.

Commented [A116]: It is unclear what this means. If it means visually integrates it needs to explain how, eg. same materials, same size of forms, similar roof? Explanation is necessary as to what is meant by area, e.g. in the same Reach or some other area?

13.14.5.2 Green Spine Infrastructure

- a. The extent to which the activity is in accordance with the Development Plan contained in Appendix 13.14.6.1.
- b. Whether the proposal recognises and/or provides for the context and values of historic and cultural significance and the relationship, culture and traditions of Ngāi Tahu/ mana whenua, and in particular the maintenance and enhancement of water quality and mahinga kai values.
- c. The extent to which the design enables recreational and amenity opportunities.
- d. ~~The~~ Any adverse visual impact of the activity on open space and any neighbouring sites and public places, and any mitigation proposed.
- e. The potential effects of earthworks associated with construction of buildings and infrastructure, both within and surrounding the site, including increased erosion and sedimentation, noise, dust and traffic, and any mitigation proposed.
- f. The adequacy and appropriateness of measures proposed to reinstate the area affected by the works post construction.
- g. The extent to which ~~planting and landscaping is proposed that the proposal~~ will restore and enhance the ecological- removed or disturbed indigenous species and habitats and the landscape integrity of the site and adjoining areas, and provide increased natural habitat for mahinga kai and an increase in net indigenous biodiversity, particularly where sites of ecological significance are affected.
- h. The extent to which the proposal has been designed to naturalise the river bank and water edges, including form and planting.
- i. The extent to which hard or engineered banks and in-river works are avoided or minimised in the location and design of walking and cycling tracks, and landings, to minimise adverse effects on aquatic and riparian margin ecology, and increase positive effects (e.g. through riparian planting) on the river.
- j. Whether ~~the~~ proposed stormwater management areas and stopbanks have been designed to reduce adverse geotechnical effects on adjacent properties.
- k. Whether the activity compromises the integrity and function of ~~the~~ a stopbank.
- l. Whether any proposed buildings are required to locate within the required setback for functional reasons, are located within a Landing Overlay, or will not adversely impact on the Green Spine infrastructure or the riparian margin and aquatic ecology.
- m. The matters set out in Rule 9.5.5.
- n. Where relevant to the proposal, the extent to which the activity aligns with the cross sections contained in Appendix 13.14.6.1.(b).
- o. In relation to the removal of any indigenous vegetation within a Sites of Ecological Significance listed in Schedule A of Appendix 9.1.6.1, those matters set out in Rule 9.1.5.2.
- p. The extent to which the qualities of the significant feature (7.0 Waikākāriki/Horseshoe Lake and 8.1 and 8.3 Ōtākaro/ Avon River) will be maintained or enhanced.
- q. Where within an area of natural character in the coastal environment identified in Chapter 9, Appendix 9.2.9.2:
 - i. the extent to which the proposal is consistent with preserving the natural character qualities of the coastal environment; and
 - ii. ~~Whether-whether~~ any restoration or rehabilitation of the natural character of the coastal environment is proposed.

- r. The extent to which the proposal provides public access and access for customary use to and along the Ōtākaro Avon River.
- s. Whether the development incorporates CPTED principles as required to achieve a safe, secure environment.
- t. ~~The extent to which~~ Whether the transfer of flood waters and impact on land drainage in surrounding areas ~~is avoided~~ avoids creating unacceptable risk.
- u. The adequacy of the measures to be implemented during construction concerning the accidental discovery of archaeological sites or artefacts including the training of contractors, cultural monitoring and consistency with the Mahaanui Iwi Management Plan, including the need for an Accidental Discovery Protocol.
- v. The extent to which access for maintenance to or along the ~~water body~~ is not impeded.
- w. The extent to which existing vegetation is to be retained.

Commented [A117]: This better reflects the policy wording.

13.14.5.3 Road boundary setback

- a. Whether the reduced setback:
 - i. ~~Results in buildings that remain~~ Will adversely affect the compatible-compatibility of the buildings with the character and amenity values anticipated in the Zone;
 - ii. Compromises the safety or functioning of the road;
 - iii. Will be mitigated by visual screening, topography, location, or design and appearance of the building;
 - iv. Provides for continuity of facades along the street frontage;
 - v. Provides visual interest appropriate to the context and character of the site and surrounds;
 - vi. Results in the visual ~~prominence dominance~~ of vehicles and parking areas through the use of space for car parking, vehicle manoeuvring or loading; and
 - vii. Is necessary due to functional requirements and/or the ~~existing~~ form, scale and design of existing buildings on the site.

Commented [A118]: Needs to be more specific on what visual interest means and the sorts of ways that can be achieved.

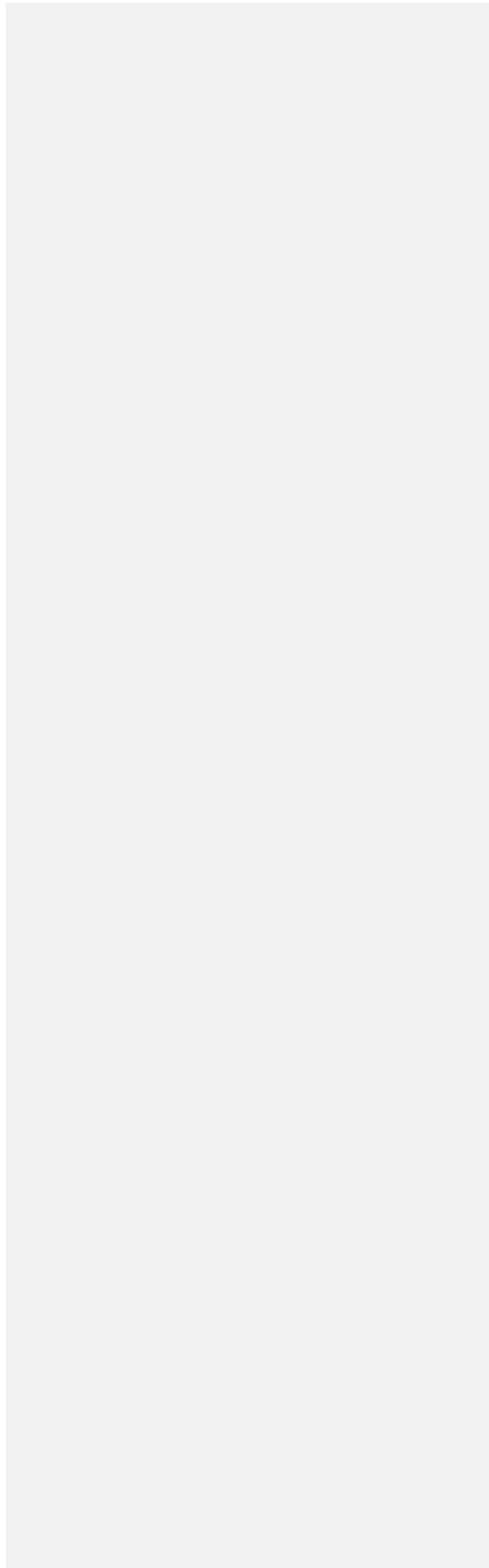
Commented [A119]: This is a more appropriate test, as the car parking does not have to be "dominant" to significantly affect amenity.

13.14.5.4 Internal boundary setback

- a. The extent to which building intrusion into the setback will result in:
 - i. Adverse visual effects on adjoining residents or other users of the adjoining site(s);
 - ii. Impacts on the privacy of an adjoining site;
 - iii. Impacts on the activities undertaken within the space affected;
 - iv. Potential for activities within the building to give rise to disturbance to neighbours or nuisance effects; and
 - v. A more efficient, practical and better use of the balance of the site.
- b. The extent to which the provision of planting or screening ~~may~~ will mitigate adverse effects of the encroachment.
- c. Whether the development is designed and laid out to promote a safe environment and reflects principles of CPTED.
- d. ~~Within an Edge Housing Area Overlay and Trial Housing Area Overlay shown in the Development Plan in Appendix 13.14.6.1, whether the development has been designed as part of a comprehensive scheme involving terrace, or otherwise attached, housing;~~

Commented [A120]: It is unclear how the fact that the development involves terrace/attached housing should influence the decision.

Proposed Amendments to Resource Management Act Documents



13.14.5.5 Outdoor storage areas

a. The extent to which:

- i. The quality and form of fencing, landscaping or other screening minimises the visual effects of outdoor storage as viewed from the street or an adjoining property; and
- ii. The materials or goods stored within the setback have an adverse visual effect.

13.14.5.6 Fencing

a. Whether the fencing:

- i. Maintains visibility between the ground floor of the building and the road or public space;
- ii. Addresses CPTED principles in respect to the location, height and design of the fence; and
- iii. Takes into account any operational, accessibility and security requirements.

13.14.5.7 Recession planes

a. The extent to which the recession plane intrusion:

- i. ~~Would-Will~~ result in overshadowing of adjoining sites, ~~resulting in and~~ reduced sunlight and daylight admission to internal living spaces and external living spaces beyond that anticipated by the recession plane;
- ii. Impacts on the privacy of an adjoining site; and
- iii. Is mitigated by the extent and quality of any landscaping proposed;

b. The nature of activities undertaken within any space affected by increased shadowing caused by any proposed building or alteration to a building.

c. Whether development on the adjoining site, such as large building setbacks, location of outdoor living spaces, or separation by land used for vehicle access, reduces the need for protection of adjoining sites from overshadowing.

13.14.5.8 Water supply for fire fighting

a. Whether sufficient firefighting water supply is available to ensure the health and safety of the community, including neighbouring properties.

13.14.5.9 Ecological Enhancement Planting

- a. The extent to which the proposed ecological enhancement planting:
- i. achieves a high level of on-site amenity while minimising the visual effects of activities and buildings on the surroundings;
 - ii. supports the growth of ~~other~~ vegetation and the restoration of habitat for indigenous species;
 - iii. is protected through the provision of space, or other methods, including plant protection barriers; and
 - iv. recognises and provides for Ngāi Tahu/mana whenua values through the inclusion of indigenous species that support the establishment of ecological corridors, mahinga kai and general ecological restoration.
- b. The extent to which the non-compliance is mitigated through the design, scale and type of landscaping proposed, including the species used.
- c. The appropriateness and design of landscaping having regard to the potential adverse effects on safety for pedestrians and vehicles, for example visibility and other CPTED principles.

Commented [A121]: Presumably this is what is intended.

13.14.5.10 Public amenities

- a. For public amenity buildings containing toilets and/or changing rooms, whether the reduced setback will:
- i. Detract from the amenity of adjoining residents and give rise to nuisance effects;
 - ii. Promote a safe physical environment and reflect principles of CPTED; and
 - iii. Provide an appropriate separation from stormwater management areas and water bodies to avoid adversely impacting cultural values.

13.14.5.11 On-site car parking

- a. The extent to which the car parking area:
- i. Will be visually ~~dominant~~ prominent in the surrounding environment;
 - ii. Is of a scale that will detract from the general character of the area within which it is located, as outlined in Policy 13.14.2.1.1;
 - iii. Will give rise to nuisance effects;
 - iv. Will be designed and landscaped to mitigate visual effects, including consideration of the General Rules and Procedures, Appendix 6.11.6, Part B guidance and information on tree species;
 - v. Will promote a safe physical environment and reflect principles of CPTED; and
 - vi. May impact on cultural considerations including provision for the integrated management of stormwater, impacts on access including mahinga kai, and the extent of indigenous planting and habitats, and the relationship to sites and features that are wāhi tapu and wāhi taonga.

Commented [A122]: This is a more appropriate test, as the car parking does not have to be "dominant" to significantly affect amenity.

13.14.5.12 Activities on the surface of water bodies

- a. The extent to which activities on the surface of the water body will, on their own, and cumulatively, adversely affect:
 - i. The natural values of water bodies and their margins;
 - ii. Margin and bank stability and the likelihood of erosion;
 - iii. Wildlife, including disturbance to nesting, feeding or spawning sites;
 - iv. Residents in adjoining residential zones, particularly in terms of noise impacts;
 - v. Public access to the water body and potential congestion where vessels are loaded and unloaded; and
 - vi. Ngāi Tahu/mana whenua cultural values, including indigenous biodiversity and mahinga kai.

13.14.5.13 Edge and Trial Housing residential design principles

- a. The extent to which the design of the development will complement the surrounding natural and cultural environment, including the intended indigenous natural environment of the Ōtākaro Avon River Corridor area.
- b. The extent to which the development engages with/contributes to the adjacent street and public open spaces (including the river) within the Ōtākaro Avon River Corridor, to contribute to them being lively, safe and attractive, including:
 - i. The extent to which the development orientates building frontages including entrances and windows to habitable rooms toward the street and adjacent public open spaces;
 - ii. The avoidance of garages that are greater than 25% of building frontage or parking areas that will dominate the frontage of the development; and
 - iii. The degree to which fencing enables interaction between the house and public space. Front fences that are 1.2m or less, or are visually opaque.
- c. The incorporation of CPTED principles to achieve a safe, secure environment, including the extent to which the development:
 - i. provides for views over, and passive surveillance of, adjacent public and publicly accessible open spaces; and
 - 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.
- d. In addition, for Trial Housing:
 - i. The extent to which the development is comprehensively designed and clustered;
 - ii. Where adjacent to an existing residential area, the extent to which it integrates with the adjacent development;
 - iii. Where relevant, the extent to which the development provides opportunities for testing and demonstrating adaptation of housing to natural hazards and climate change;
 - iv. The extent to which the development provides communal open spaces that are accessible, usable and attractive for the residents of the Trial Housing units;

Commented [A123]: It would be more appropriate if these assessment matters included, or referred to, the residential design principles already included in the District Plan under 14.15.1, particularly those relating to Built Form and Appearance, Residential Amenity, Access parking and servicing

Commented [A124]: This assessment matter is written as a rule. It should be replaced with the assessment matters contained in 14.15.1. (Note that limiting building frontage to 25% of the front yard is considered unnecessarily restrictive and 50% is likely to be appropriate).

Commented [A125]: This is a rule, so inappropriate. The other assessment matters enable consideration of this issue. It would be appropriate to include the equivalent of 14.15.1g Access Parking and servicing

Commented [A126]: Other relevant principles should be included, e.g. the principles in 14.15.1h..

Commented [A127]: It is unclear what this means and needs clarification, e.g. is it required to face the adjacent development?

- v. The appropriateness of the extent and design of landscaping and external spaces within the Trial Housing development; and
- vi. Whether the development achieves visual interest through the use of architectural detailing, glazing, verandas and balconies, ~~and~~ variation of materials, breaks up long and bulky building forms and limits the length of continuous rooflines.

13.14.5.14 Site and building design

a. Whether the development:

- i. Is in general accordance with the Development Plan contained in Appendix 13.14.6.1;
- ii. Complements the surrounding natural and cultural environment, including the intended indigenous natural environment of the Ōtākaro Avon River Corridor area;
- iii. Is of a bulk and scale that is appropriate for the area within which it is located;
- iv. Is consistent with, and relates to, the area within which it is located, including the cumulative effects of existing or proposed buildings in the vicinity, as well as activities that are anticipated in that part of the Zone;
- v. Results in adverse visual and amenity effects on adjoining residential sites and public space;
- vi. Is designed to incorporate CPTED principles;
- vii. Promotes active engagement with, and contributes to the vibrancy and attractiveness of, any adjacent streets or public spaces;
- viii. In terms of its built form and design, generates visual interest in the street scene and contributes to the amenity values of the surrounding area, including through architectural detailing and variety of materials such as articulation, fenestration, rooflines, verandahs, materials and colour that avoids large featureless facades;
- ix. Provides safe, legible, and efficient access for all transport users, ~~and that~~ supports and enhances pedestrian movement and cycling; and
- x. Incorporates landscaping to achieve a high level of on-site amenity and minimise the adverse visual effects of activities and buildings on the surroundings.

b. The matters set out in Rule 9.5.5.

c. The extent to which parking, manoeuvring, driveways and outdoor service areas have been designed and located to:

- i. Protect the amenity of landscape and adjoining streetscapes, including ~~using limiting the scale of these areas~~ or using landscaping and screening as mitigating measures;
- ii. Avoid large areas of at grade car parking;
- iii. Avoid ~~being located~~ located in the front of buildings; and
- iv. Reduce, store and treat stormwater run-off on-site or integrate with the nearby stormwater treatment infrastructure.

13.14.5.15 Inanga spawning sites

a. The extent of loss of inanga spawning grounds and whether it is possible to provide replacement habitat and the degree to which it is to be provided.

Commented [A128]: These do not appear to be identified as assessment matters for any activities requiring controlled or restricted discretionary resource consent.

Commented [A129]: Needs clarification on how it should relate to the area and what aspects of the area it should be consistent with.

Commented [A130]: Needs to be more specific on what visual interest means and the sorts of ways that can be achieved.

Commented [A131]: If there are other ways, than those listed at the start of this sentence, that pedestrian and cyclist movement is intended to be enhanced/supported, it should be specified.

Commented [A132]: This is presumably what is intended.

Commented [A133]: This effectively requires rear lane access, which is unlikely to be viable for the scale of development permitted and considering the narrow depth of most of the housing areas. There is a lack of policy direction supporting such a requirement that could be relied on when assessing resource consents.

If it is retained, provisions need to be added to the subdivision chapter to ensure this is factored in at that stage.

Preferably car parking should be provided through communal car parking, which could also overcome the need for extensive rear vehicle lanes. This would require amendment of Chapter 7 if the housing was on a separate site to the parking.

13.14.6 Appendices

Appendix 13.14.6.1 Development Plan and Stopbank Cross-section

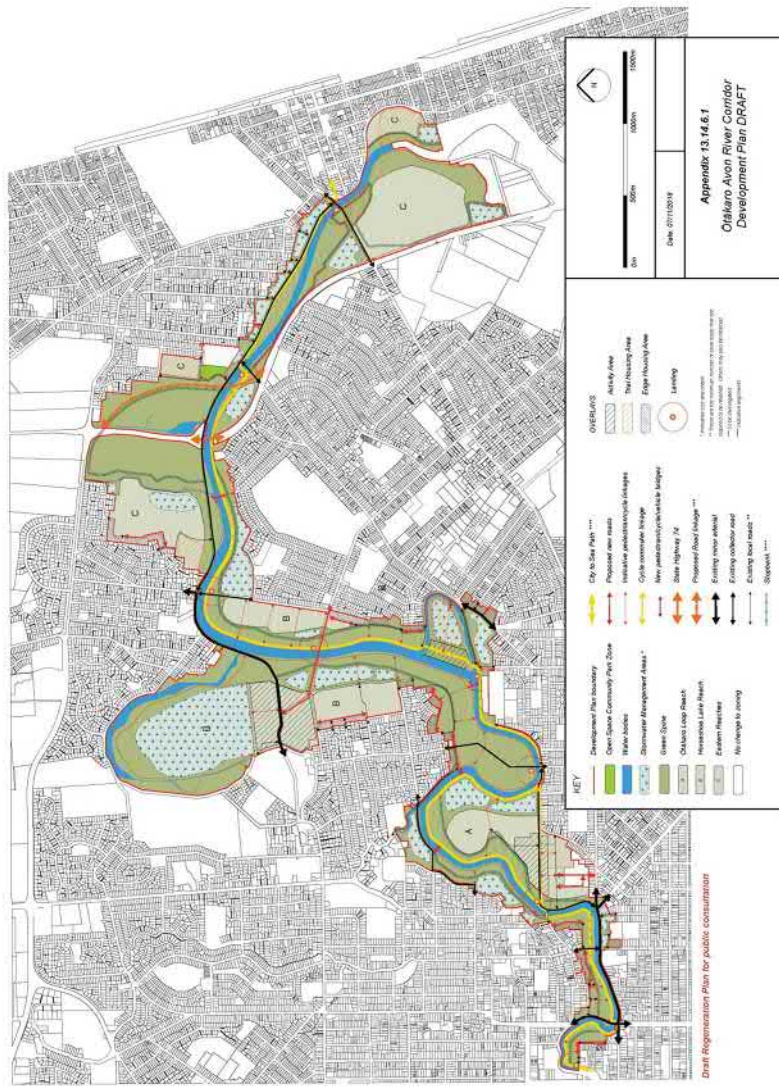
Ōtākaro Avon River Corridor Development Plan

Commented [A134]: Insert Appendix 13.14.6.3 Inanga Spawning Sites

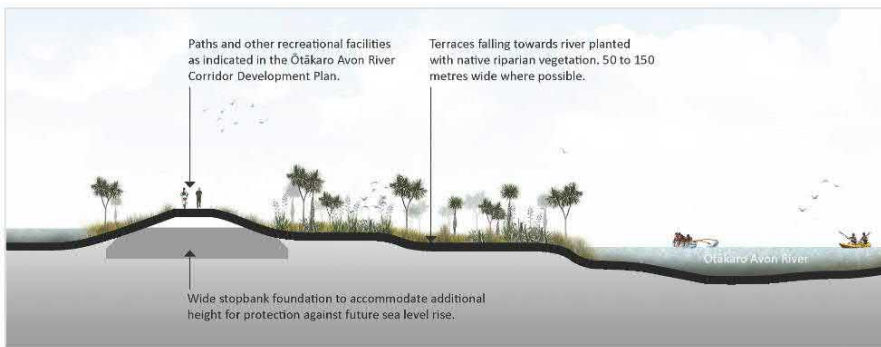
Commented [A135]: For the reasons outlined in the comments attached to the Council's letter, the Council seeks, as its strong preference, that the Landings adjoining the stretch of river covering inanga spawning sites be relocated to avoid that stretch of river.

It is difficult to identify some of the features in this appendix. The Edge Housing is very difficult to see, even at A3 scale. Suggest using the solid orange colour for the areas, as per the version circulated to s.29 parties.

It is also difficult to identify the extent of the Reaches., e.g. the fact that the stormwater management area at the northern end of the Horseshoe Lake Reach is part of the Reach and not part of the Green Spine. The inclusion of "B" on that stormwater management area, still leaves some uncertainty, as the Key does not indicate what a stormwater management area with a letter on it means. The extent of the Reaches would be much more immediately apparent if a line, e.g. a dotted red line, were included just inside the Reach, to indicate the boundary between a Reach and the Green Spine.



Ōtākaro Avon River Corridor Indicative Stopbank cross-section



Appendix 13.14.6.2 Pre-Earthquake Activities List

Legal Description	Map Ref	Pre-Earthquake Zone	Alternate-Alternative Zone
LOT 1 DP 66188	26	L1 (Map 27A)	RS
PT LOT 1 DP 12070 AND PT LOT 2 DP 26713	32	L2 (Map 39A)	RS/DT
PT LOT 2 DP 78	32	L1 (Map 40A)	RS
LOT 1 DP 76065	26	L1 (Map 34A)	RS
LOT 10 DP 27561	26	L1 (Map 34A)	RS
LOT 245 DP 37943	26	L1 (Map 34A)	RS
LOT 1 DP 7732	32	L1 (Map 40A)	RS
PT LOT 41 DP 78	32	L1 (Map 40A)	RS
LOT 8 DP 23850	32	L2 (Map 39A)	RS/DT
FLAT 1 DP 46703 ON LOT 1 DP 46513 HAVING SHARE IN 2408M ²	32	L3 (Map 39A)	RMD
FLAT 2 DP 46703 ON LOT 1 DP 46513 HAVING SHARE IN 2408M ²	32	L3 (Map 39A)	RMD
FLAT 3, BALCONY AND STAIRS 3 DP 46703 ON LOT 1 DP 46513 HAVING SHARE IN 2408M ²	32	L3 (Map 39A)	RMD
FLAT 4, BALCONY AND STAIRS 4 DP 46703 ON LOT 1 DP 46513 HAVING SHARE IN 2408M ²	32	L3 (Map 39A)	RMD
LOT 32 DP 54073	26	L1 (Map 33A)	RS
LOT 48 DP 18848	33	L1 (Map 33A)	RS
LOT 12 DP 17824	33	L1 (Map 33A)	RS
LOT 2 DP 371520	33	L1 (Map 33A)	RS
LOT 18 DP 16283	26	L1 (Map 34A)	RS
LOT 1 DP 9286	26	L1 (Map 34A)	RS
LOTS 1-2 DP 23072	33	B4 (Map 34A)	CL
PT LOT 1 DP 785	33	L1 (Map 34A)	RS
LOT 1 DP 365556	32	L2 (Map 40A)	RS/DT
FLAT 1, CARPORT 1, SHED 1 DP 39357 ON LOT 1 DP 23515 HAVING SHARE IN 923M ²	32	L1 (Map 40A)	RS
LOT 49 DP 15044	32	L1 (Map 33A)	RS
LOT 26 DP 24416	25	L1 (Map 33A)	RS
LOT 32 DP 81219	33	L1 (Map 34A)	RS
LOT 2 DP 82681	32	L3 (Map 40A)	RMD
LOT 4 DP 6463	33	L1 (Map 33A)	RS

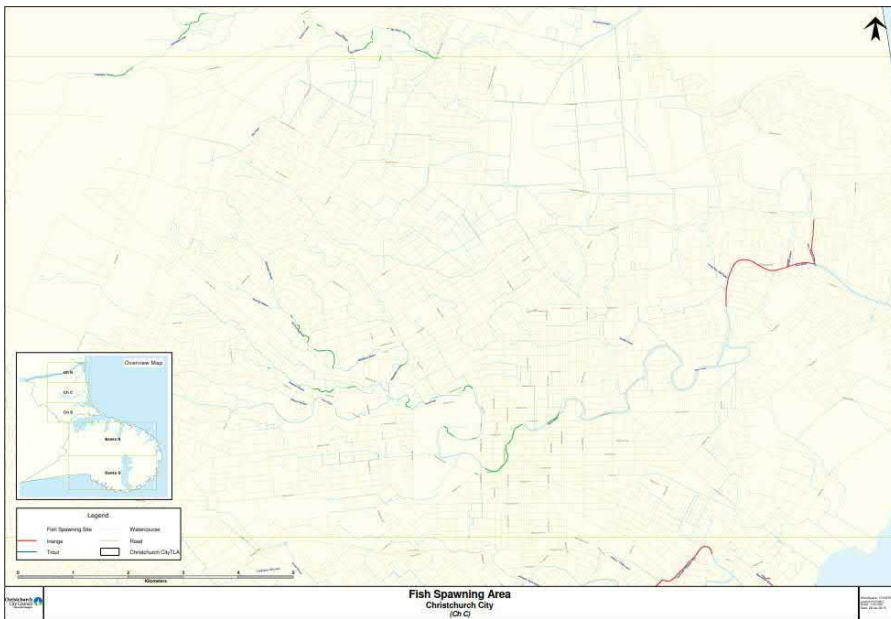
Commented [A136]: Street addresses and appendix listing numbers would assist in identification of sites and ease of use of the District Plan. The Council can provide appropriate details.

Commented [A137]: Is this really part of the legal description?

Commented [A138]: As above

Commented [A139]: As above

Appendix 13.14.6.3 Inanga Spawning Sites



Planning Maps

- Amend the 'Central City Maximum Building Height Planning Map' to the extent that the current building overlays (14m and 11m) that apply to that part of the Regeneration Area within the Central City are removed.
- Amend 'Zones, Other Notations, Designations and Heritage Orders Planning Maps 25A, 26A, 32A, 33A, 34A and Central City Zoning to the extent that Planning Maps 2–7 [below](#) require.
- Amend 'Legend – Zones, Other Notations, Designations and Heritage Orders' to the extent that Legend [7-8 below](#) requires.
- Amend 'Natural Hazards and Water Bodies' Planning Maps 25B, 26B, 32B, 33B, 34B and Central City to the extent that the 'Fixed Minimum Floor Level Overlay within Flood Hazard Management Area' overlay is removed from the Regeneration Area and wholly replaced with the 'Flood Management Area' overlay – as per Planning Maps 9–14 [below](#).

Amend any other Maps, Appendices, Tables or Diagrams to the extent ~~that to be consistent with~~ Planning Maps 1–7 and 9–14 [below](#) require.

Note:

To understand the extent of the proposed amendments, it is recommended that Maps 1–7 are ~~cross checked~~compared with the Christchurch District Plan: 'Central City Maximum Building Height Planning Map', 'Central City Zoning, Other Notations, Designations and Heritage Orders Planning' Map and 'Zones, Other Notations, Designations and Heritage Orders' Planning Maps 25A, 26A, 32A, 33A, 34A. Furthermore, it is recommended that Maps 9–14 are compared~~cross checked~~ with the Christchurch District Plan 'Natural Hazards and Water Bodies' Planning Map Central City and 'Natural Hazards and Water Bodies' Planning Maps 25B, 26B, 32B, 33B and 34B. The Christchurch District Plan Planning Maps can be accessed at: <https://districtplan.ccc.govt.nz/pages/plan/book.aspx?exhibit=DistrictPlan>.

Map/Legend

1. Central City Maximum Building Height Planning Map
2. Central City Zoning, Other Notations, Designations and Heritage Orders Planning Map
3. Zones, Other Notations, Designations and Heritage Orders Planning Map 25A
4. Zones, Other Notations, Designations and Heritage Orders Planning Map 26A
5. Zones, Other Notations, Designations and Heritage Orders Planning Map 32A
6. Zones, Other Notations, Designations and Heritage Orders Planning Map 33A
7. Zones, Other Notations, Designations and Heritage Orders Planning Map 34A
8. Legend – Zones, Other Notations, Designations and Heritage Orders
9. Natural Hazards and Water Bodies Planning Map 25B
10. Natural Hazards and Water Bodies Planning Map 26B
11. Natural Hazards and Water Bodies Planning Map 32B
12. Natural Hazards and Water Bodies Planning Map 33B
13. Natural Hazards and Water Bodies Planning Map 34B
14. Natural Hazards and Water Bodies Planning Map Central City
15. Legend – Natural Hazards and Water Bodies (for information purposes only)