

IN THE MATTER OF section 71 of the Canterbury Earthquake Recovery Act 2011 and the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014

AND

IN THE MATTER OF proposals notified for incorporation into a Christchurch Replacement District Plan

Date of hearing: 11, 12, 15, 18, 19, 20, 22, 25, 26, 28 May,
and 2, 3, 5, 10 and 11 June 2015

Date of decision: 15 July 2016

Hearing Panel: Hon Sir John Hansen (Chair), Environment Judge John Hassan
(Deputy Chair), Dr Philip Mitchell, Ms Jane Huria

DECISION 30

NORTH HALSWELL KEY ACTIVITY CENTRE
Commercial (part) (and associated planning maps) — deferred from Decision 11

Outcomes: **Proposals changed as per Schedule 1**

Directions to update Planning Maps made as per [54]

COUNSEL AND WITNESS APPEARANCES

Refer to the list of appearances in Decision 11

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INTRODUCTION

[1] This decision, by the Panel¹ that determined Decision 11 on the Stage 1 Chapter 15 Commercial and Chapter 16 Industrial proposals ('Stage 1 proposals'), supplements that decision in determining the zoning of commercial land, and related provisions, for the Halswell Key Activity Centre ('Halswell KAC'/'Halswell KAC provisions'). We heard and considered the related evidence and submissions as part of the hearing of those Stage 1 proposals.² Decision 11 (on those proposals), which was issued on 18 December 2015, deferred determination on the Halswell KAC provisions. That was in order to ensure proper alignment with the related determination of the North Halswell ODP and related Residential New Neighbourhood zone ('RNN zone') provisions, especially given that both decisions pertain to the determination of the relative boundaries of residential and commercial zones and various matters shown on the ODP.

[2] Recapping on matters at [2] of Decision 11, Christchurch City Council ('CCC'/'Council') notified the Stage 1 Proposals together as related proposals ('Notified Version') and the Council provided an update of that version in its closing submissions ('Revised Version').

[3] As noted at [5] of Decision 11, any person who made a submission (and/or further submission) on the relevant aspects of the Notified Version, the Council and the Ministers³ may appeal our decision to the High Court, within the 20 working day time limit specified in the OIC,⁴ but only on questions of law. The procedures that now apply for implementation of this decision as part of the Christchurch Replacement District Plan ('CRDP') are as set out at [4] of Decision 11.

Decision 29 as to RNN zone

[4] We have considered the RNN decision ('Decision 29'), issued with this decision. It confirms the North Halswell ODP and related RNN provisions and we are satisfied that it does

¹ Further to what is stated at [11] of Decision 11, Ms Dawson recused herself from deliberations and consideration of this issue by reason of her prior professional involvement in matters relating this KAC.

² The hearing took place on 11, 12, 15, 18, 19, 20, 22, 25, 26, 28 May, and 2, 3, 5, 10 and 11 June 2015.

³ The Minister for Canterbury Earthquake Recovery and the Minister for the Environment, acting jointly.

⁴ Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014, cl 19.

not give rise to any need to call for or consider anything further to the evidence and submissions we have before us for this decision.

Replacement of Existing Plan provisions

[5] Our decision is required to identify those parts of the Existing Plan that are to be replaced. This decision is confined to provisions relating to the North Halswell KAC. Given this staged approach to our inquiry, it is not practical to carve out only those parts of the Existing Plan that are to be replaced by this decision on a provision by provision basis.

[6] Therefore, the only parts of the Existing Plan that are to be replaced by this decision are the zonings that the Existing Plan ascribes (as shown on the relevant Planning Maps) to land zoned by this decision.

REASONS

Statutory framework and related considerations

[7] Decision 11 sets out the matters we must and may address, including as to what Decision 11 terms the “Higher Order Documents” (including the Canterbury Regional Policy Statement 2013 (‘CRPS’)) and our evaluation, under s 32AA of the Resource Management Act 1991 (‘RMA’), of alternative options. As this decision supplements Decision 11, it adopts and incorporates all findings and interpretations given by Decision 11 on those matters and related evidential findings.⁵

Submissions

[8] In reaching our decision, we have considered all submissions and further submissions made on the Notified Version in relation to the North Halswell KAC, and had regard to the

⁵ The Canterbury Earthquake Recovery Act 2011, in force at the time of Decision 11, has now been repealed and replaced by the Greater Christchurch Regeneration Act 2016 (‘GCRA’), which came into force on 19 April 2016. However, s 148 of the GCRA provides that the OIC continues to apply and the GCRA does not effect any material change to the applicable statutory framework for our decision or to related Higher Order Documents. Hence, this legislative change has no material bearings on the findings in Decision 11 for the purposes of this supplementary decision.

Council’s recommended acceptance or rejection of those submissions, as filed.⁶ Except to the extent that those recommendations have been modified by this decision, we accept the Council’s ‘Accept/Accept in Part/Reject Table’.

Evaluation and findings

[9] The CRPS identifies a KAC at Halswell, which is still to be constructed. The Notified Version included an ODP identifying an area of land as Commercial Core Key Activity Centre (‘Notified KAC Site’/‘Notified Site’). This Notified Site is approximately 17.3 hectares and is located on Halswell Road near the corner with Augustine Drive.⁷

[10] The size and location of the Notified Site was derived from an earlier private plan change (PC 68) to the Existing District Plan. This was instigated by Danne Mora Holdings Limited (‘Danne Mora’), a land development company with significant landholdings in Halswell. Danne Mora own most of the Notified Site.⁸

[11] Terrace Development Services Limited, Hallgrow Farms Limited and Foxton Properties Limited (together submitter 966, and hereafter referred to as ‘TDS’) have an interest in about 21 hectares of land to the east side of Halswell Road, approximately opposite the Halswell Road/Aidanfield Drive intersection. Under the Notified Version, this land is also within the notified ODP, but proposed to be zoned partly Commercial Core and partly Residential New Neighbourhood (Planning Maps 44 and 45).⁹

[12] TDS sought that the KAC be expanded in size to something in the order of 25 hectares and shifted to a more central location within the Greenfield Priority Area (‘TDS alternative’).¹⁰ That would see the KAC encompass more of the land they have interests in. TDS’s position is that this increase in size and change in location is more appropriate in resource management terms, given the intended “town centre” role of the KAC. The TDS alternative was opposed

⁶ The Council’s ‘Accept/Accept in Part/Reject Table’), is contained in Attachments F and G of the evidence of Mark Stevenson, 7 September 2015.

⁷ The mediation report says the notified area was approximate 19ha. However, 2ha was trimmed off as a result of Decision 4 — Exemplar housing.

⁸ Evidence of Simon Mortlock, on behalf of Danne Mora (entitled “Submissions by Simon Mortlock, Director of Danne Mora Holdings Limited”), at para 6. In addition to Mr Mortlock, Danne Mora called Mr Tony Penny (traffic) and Mr Andrew Hall (infrastructure), but these areas proved non-contentious. While it provided written briefs from Fraser Colegrave (economist), this evidence was not relied on, following mediation.

⁹ Submission 966, at page 4.

¹⁰ Attachment C to Evidence in chief of Mark Stevenson at pages 57-58.

by the Council and Danne Mora, each of whom supported the size and location of the Notified KAC Site.¹¹

[13] Both Danne Mora and TDS sought other changes to the Notified Version. However, mediation and discussions between the parties, and expert conferencing, resulted in these matters becoming non-contentious during the hearing. Most notable amongst these other matters was TDS's request for an increase in the retail floorspace cap for permitted activities from 25,000m² to 50,000m² GFA. This was opposed by the Council and Danne Mora. However, following mediation and other discussions, Mr Hardie for TDS withdrew the economic evidence of Mr Adam Thompson, and TDS accepted a 25,000m² cap for retail floor space.¹²

[14] Similarly, initially contentious issues such as traffic management¹³ and infrastructure¹⁴ were effectively resolved, such that related evidence was not contested.

[15] On all of these ultimately non-contentious matters, we have relied upon the Council's s 32 Report and related evidence to be satisfied that related provisions in the Council's Revised Version are appropriate. Our changes in this decision on those matters are simply to improve drafting clarity.

[16] In terms of the contentious matters of the size and location of the KAC, the parties were also in substantial agreement that it should be different in nature from other established KACs in Christchurch. The Notified Version refers to the concept of an open air "Main Street" as a focus for fine grain retailing.¹⁵ While it does not go on to direct that the KAC be a "town centre", that is the common aspiration of both Danne Mora and TDS,¹⁶ and the preference of their respective urban design experts. In his closing submissions for Danne Mora, Mr Cleary

¹¹ Transcript, page 1960, lines 29-31 (Opening Statement for Danne Mora (Mr Cleary)).

¹² Transcript, pages 519-520 (Mr Hardie).

¹³ Mike Calvert on behalf of the Council; Anthony Penny on behalf of Danne Mora; Andrew Carr on behalf of TDS; Ian Clark on behalf of the Crown and Katherine Eveleigh on behalf of Progressive Enterprises Ltd.

¹⁴ Bridget O'Brien and Brian Norton on behalf of the Council; Andrew Hall on behalf of Danne Mora; and Marton Sinclair and Edward Shaw on behalf of TDS.

¹⁵ Rule 5.2.6.1.

¹⁶ For Danne Mora's intentions regarding this, see evidence in chief of Mr Mortlock, para 13, transcript, page 1607, lines 31-37 and pages 1604-1605 (Mr Mortlock) and transcript, page 1622, lines 5-8; page 1636, lines 14-23 (Mr Lunday). TDS had a similar view. In essence, their submission was that the larger amount of land was necessary in order to create a "town centre", which, as a concept, is a new form of development that is different from what has been done in Christchurch before. Rather than being a mall or intended to be a mall, TDS wishes to create a new town centre with a main street and a raft of different purposes: see transcript, page 1507, lines 18-23 (Mr Hardie's opening for TDS); evidence in chief of Michael Cullen, at paras 3.9 – 3.10, 4.2-4.5 and transcript p1533, lines 20-34 and page 1542, lines 15-21 (Mr Cullen).

observed that the Notified Version clearly intended that Halswell KAC have features strongly reminiscent of traditional town centres (e.g. high quality public open spaces, a civic square and a strong main street).¹⁷ In that sense, he submitted that the Notified Version intended that it be different in nature from a centre such as Riccarton.

[17] On the basis of that consensus, we accept the premise that the North Halswell KAC is to be, in nature, a town centre of the type described in the Notified Version.

[18] A further point of common ground between the parties is that we should assume the KAC would include approximately 50,000m² of retail GFA over the next 20 to 30 years.¹⁸ This is on the basis that, while the residential base in south-west Christchurch is not yet at a point to support this level of retail provision, it is projected to have high levels of future market growth.¹⁹ While this long term view goes beyond the immediate scope of the Replacement Plan, we accept that it is an appropriate assumption for determining the matters in contention.

[19] Therefore, the key issues became the appropriate size of a KAC in the nature of a town centre (i.e. in the range from 17.3–26 hectares) and where it should most appropriately be located (i.e. either the Notified Site or the TDS alternative). Those issues are to be answered by reference to the applicable objectives and policies, which are not challenged on the evidence.

[20] The Council's position was that the Notified Site is most appropriate both in size and location.²⁰

[21] The Council's retail expert, Mr Heath, undertook analysis underpinning the Council's s 32 Report (which is included in the Property Economics report that he co-authored and to which we referred in Decision 11). Drawing from that analysis, he explained that the 50,000m² retail GFA that will eventually be required at North Halswell is roughly equivalent to five

¹⁷ Closing submissions for Danne Mora at para 9.

¹⁸ Evidence in chief of Michael Cullen at para 1.29; Transcript, page 1488, lines 6-9 (Mr Heath); page 1517, lines 7-12 (Mr Winchester, cross-examining Mr McCracken); page 1627, lines 32-33 (Mr Lunday); Mediation Report dated 25 May 2015. Mediation participants are recorded as being (1) For TDS — Asn Nira, Mike Cullen, Kobus Mentz, Bruce Thompson, John Hardie; (2) For the Crown — Viv Smith, Jane Whyte, Alex Booker; (3) For Foodstuffs South Island Limited and Foodstuffs (South Island) Properties Limited — Aidan Prebble; (4) For P & B Stuart Property Trust — Barbara Stuart, Jill Dawson; (5) For Danne Mora — Gerard Cleary, Mark Brown, Simon Mortlock; (6) For the Council — Mark Stevenson, Alan Matheson, Sarah Scott.

¹⁹ Evidence in chief of Timothy Heath at paras 26.4–26.6.

²⁰ Closing submissions for the Council at para 8.31 (Mr Winchester).

hectares of land, and results in a land requirement of around 13 hectares. That works out to be a GFA to gross land area ratio of 38.5 per cent for the retail provision.²¹

[22] He explained how he tested those calculations, and satisfied himself that they were realistic, by comparing the GFA to land ratios for other Christchurch centres, as follows:

Centres	GFA to land (hectare) ratios
Styx	9.2ha — 45,000m ² : 49%
Barrington	3.7ha — 18,200m ² : 49%
The Hub at Hornby	6.7ha — 31,000m ² : 46% Addition of Dress Mart block across the road: 8.9 ha — 45,000m ² : 50% ²²

[23] He also referred us to the Ormiston Town Centre, which is a new greenfield town centre in Auckland which he has been involved with. He said the total gross land requirement for this centre is 20 hectares, which will allow for 40,000m² GFA of retail, 17,000m² GFA of commercial office activity (largely multi-storey), as well as 55,000m² of residential GFA (apartments and terrace house dwellings), an aquatic centre, library and community centre.²³ That comparison again satisfied him that the 17.3 hectares of the Notified Site is appropriate.

[24] As we have earlier noted, KACs are community focal points intended to provide for community services as well as commercial retail. Mr Heath considered that a number of community facilities would not need to be provided for in the Halswell KAC, as they already exist, or are under development in Halswell. Those include a new library, community facility and meeting space, and an outdoor pool and sports clubs based at the existing Halswell Domain.²⁴

[25] Mr James Lunday gave urban design evidence for Danne Mora.²⁵ He considered 17.3 hectares more than sufficient for a KAC of the scale intended for Halswell.²⁶ He presented calculations for how he derived that conclusion.

²¹ Transcript, page 1488, lines 12–16 (Mr Heath).

²² Transcript, page 1488, lines 23–45 (Mr Heath).

²³ Transcript, page 1489, lines 9–31 (Mr Heath).

²⁴ Transcript, page 1489, lines 33–43 (Mr Heath).

²⁵ Mr Lunday has a Diploma of Architecture, Bachelors of Arts and Planning with First Honours, a Diploma of Urban Design and a Masters of Urban Design (Distinction). He has 37 years' experience in architecture, strategic planning, heritage planning, urban regeneration and urban design.

²⁶ Transcript, page 1618, lines 9–28 (Mr Lunday).

[26] One was in relation to available horizontal space. For ground floor retail of 56,000m², he assumed a footprint of 5.6 hectares (i.e. equivalent to Mr Heath’s calculation). Adding space for road circulation and open space, he derived a combined area of 7.9 hectares. For carparking for 2500 cars at grade, he allowed a further 6.8 hectares, meaning a combined total of 14.7 hectares. That left 2.6 hectares unallocated, and available for either car parking or further development.²⁷

[27] His other calculation was of available vertical space, on the assumption that the bulk and location regime of the Notified Version would be applied (particularly its 14-metre height limit). For this calculation, he explained that the normal approach would be to deduct 50 per cent from an area in a subdivision for circulation. That would see the 17.3 hectares (173,000m²) reduce to something in the order of 86,500m² of available building footprint. He noted that a 14-metre height limit would, theoretically, allow for four floors. Therefore, he calculated that the bulk and location requirements could, in theory, allow for some 344,000m² of development. As such, there was more than enough space available. In his opinion, intensification over time should not result in further sprawl, but the creation of a compact centre.²⁸

[28] Mr Lunday also produced a concept town centre design to illustrate his position that the Notified KAC Site was more than of sufficient size.

[29] As to location, Mr Lunday initially strongly favoured the Notified Site over the TDS alternative.²⁹ However, in cross-examination he accepted that he had not assessed the two sites according to the same parameters and accepted that many of his “advantages” for the Notified Site could be applied to the TDS alternative.³⁰ His eventual position was that there was very little difference between the notified site and the TDS alternative.³¹ In terms of proximity to residential catchments, he considered the Notified Site somewhat ahead. That was because the Augustine Drive intersection lights would bring in the Aidanfield population, and the connection through the exemplar site to Hendersons Road would bring in the rest of the suburb. He also considered the Notified Site better located in terms of an existing area which is underserved by amenity, but a large area of greenfield development to be developed.³²

²⁷ Transcript, page 1618, lines 19–25 (Mr Lunday).

²⁸ Transcript, page 1618, lines 30–45 (Mr Lunday).

²⁹ Evidence in chief of James Lunday on behalf of Danne Mora at 31.

³⁰ Transcript, page 1625, lines 6–20 (Mr Lunday).

³¹ Transcript, page 1617, lines 36–41 (Mr Lunday).

³² Transcript, pages 1631–1632 (Mr Lunday).

[30] In response to criticisms from Mr Mentz (which we discuss shortly), Mr Lunday accepted that the corner location of the Notified KAC Site was particularly sensitive in urban design terms and that, if poor design occurred at the corner, it would have a very detrimental effect on the wider urban environment.³³ However, he considered that the consent process was designed to pick up poor design.³⁴ He thought that the Notified Version contained enough checks and balances and would pull up anything that had something wrong with it, such as a big tilt slab concrete box right at the intersection.³⁵ He also considered that the Notified Version was strong enough to protect the heritage site (Spreydon Lodge) across the road,³⁶ and that the central location favoured by TDS's experts would not necessarily protect Spreydon Lodge more.³⁷

[31] Mr Mark Brown gave planning evidence for Danne Mora.³⁸ He considered the two sites were similar in satisfying the policies, but the Notified Site was superior in terms of satisfying requirements for compact urban form and being better located than the TDS alternative in regard to transport networks.³⁹

[32] Mr Michael Cullen gave evidence for TDS.⁴⁰ He is an urban designer, who has spent most of his professional life as a town centre consultant.⁴¹ He considered that it would not be practicable to build anything other than a mall on the land area provided in the ODP.⁴² He considered the Notified KAC Site was too small for a mixed use, street-based town centre. For an urban town centre of 50,000m² of retail, with the need to cater for modern development practices, such as self-sufficient site-by-site parking, he considered that an area of around 25-32 hectares would be necessary.⁴³

[33] He challenged the validity of comparisons which other witnesses (such as Mr Heath) gave of other shopping centres. He considered the comparisons invalid in that they were dealing with a different kind of product, namely shopping centres and their associated retail

³³ Transcript, page 1632, lines 15–20 (Mr Lunday).

³⁴ Transcript, page 1632, lines 35–36 (Mr Lunday).

³⁵ Transcript, page 1634, lines 18–30 (Mr Lunday).

³⁶ Transcript, page 1634, lines 39–42 (Mr Lunday).

³⁷ Transcript, page 1635, lines 41–43 (Mr Lunday).

³⁸ Mr Brown has a Masters of Regional and Resource Planning and has practised in the field of resource management for 16 years.

³⁹ Transcript, page 1644, lines 10–18 (Mr Brown).

⁴⁰ While Mr Cullen has no formal qualifications in planning or urban design, he is an urban planner who has been involved in city centre design and economics for around 25 years.

⁴¹ Evidence in chief of Michael Cullen on behalf of TDS at para 1.3.

⁴² Transcript, page 1555, lines 8–9 (Mr Cullen).

⁴³ Evidence in chief of Michael Cullen at para 1.29.

and carparking components, rather than town centres. He commented that adding streets and network would substantially increase land requirements.⁴⁴

[34] In support of that view, he referred us to a new town in Canberra, called Gungahlin. He was involved in its planning and development and the town is now close to completion. He explained that it has a street-grid town centre, with a core town centre area of 31 hectares and a similar quantum of retail to that intended for Halswell.⁴⁵

[35] He also made comparisons with the Nelson CBD. He explained this had a total area of around 25 hectares of land, and provided for approximately 66,000m² of retail in the core area of the town centre, with additional retail off to the side and large format outside of the central area.⁴⁶ However, when cross-examined by Mr Cleary for Danne Mora, he conceded that Nelson's 66,000m² of retail was almost exclusively at ground floor level. There were also extensive offices, food and beverage services and a Council civic centre, although he was unable to comment on the proportion of non-retail gross floor area, or provide a ratio of floor area to land.⁴⁷ He also accepted that Nelson was an old established town centre, with inefficiencies such as service areas around the backs of shops.⁴⁸

[36] Mr Kobus Mentz, an urban designer, also gave evidence for TDS.⁴⁹ Drawing from his comparative study of the two site options, he explained why he favoured the central location proposed by TDS over the Notified KAC Site. His concerns about the Notified Site arose from the combined effect of its "wedged in the corner" location and its smaller size. He considered this combination of factors would lead to a poorly integrated inward looking road network, and a labyrinth of unsurveilled pedestrian routes, which would be unsafe and lack in vibrancy.

[37] He also expressed concern that the corner site would lead to adverse urban design outcomes. Drawing partly from a conceptual design of the centre that Mr Lunday had prepared, he expressed concern that a loading bay and refuse storage area would be directly opposite Spreydon Heritage Park leading to unsatisfactory public realm conditions.⁵⁰ However, he

⁴⁴ Transcript, page 1528, lines 37-43 (Mr Cullen).

⁴⁵ Evidence in chief of Michael Cullen at para 1.28.

⁴⁶ Transcript, pages 1528-1529 (Mr Cullen).

⁴⁷ Transcript, pages 1540-1541 (Mr Cullen).

⁴⁸ Transcript, page 1549, lines 7-46 (Mr Cullen).

⁴⁹ Mr Mentz has a Bachelor of Architecture and a Postgraduate Diploma in Urban Design. He has more than 25 years of international urban design experience, and is the adjunct Professor on the Urban Design Masters at the University of Auckland.

⁵⁰ Transcript, page 1569, lines 4-12 (Mr Mentz).

accepted on questioning from the Panel that it would be possible to do something different so that this did not occur.⁵¹

[38] By contrast, he considered that the larger central location preferred by TDS did not exhibit these same constraints and was flexible enough to respond to the changing needs of the future.⁵² He also undertook an assessment of the walkable catchments of both sites, concluding that the central site would enable more dwellings to be within a 400m walkable catchment than the Notified Site.⁵³

[39] Mr Mentz also opined that the Notified KAC Site would not be commercially viable. That criticism was made with particular reference to a conceptual design of the centre that Mr Lunday had prepared. Mr Mentz focused on what appeared from this illustration to be awkward large format retail building shapes and under-provision of parking.⁵⁴ He considered that this design would not get funding and would not meet a commercial need for anchor tenants, who then would not come. However, when cross-examined by Mr Winchester for the Council, Mr Mentz eventually conceded that commercial viability was a matter he was not qualified to express a view on as it relies on a range of factors beyond his knowledge or expertise.⁵⁵ We add that, when an expert proffers opinion beyond his knowledge and expertise, it demonstrates inappropriate advocacy that goes to how we weigh that expert's opinion. In this case, this was reinforced by the fact that Mr Mentz premised his opinion on a conceptual illustration, rather than on what we must focus on, namely the alternative plan regimes in issue.

[40] We deal first with the issue of size. We are satisfied on the evidence that the 17.3 hectares provided for in the Notified Version is more than sufficient for the purposes of establishing a town centre KAC. In coming to that view, we have preferred the calculations and evidence of Messrs Heath and Lunday, as being more reliably informed and sound than those of Mr Cullen.

[41] We consider Mr Cullen made a fair point in criticising Mr Heath's comparison of Halswell with other Christchurch KACs. That is, it is fair to observe that malls and town centres are quite different beasts with different associated land requirements. Acknowledging

⁵¹ Transcript, pages 1590-1591 (Mr Mentz).

⁵² Evidence in chief of Kobus Mentz on behalf of TDS at para 23.

⁵³ Evidence in chief of Kobus Mentz at para 20.

⁵⁴ Evidence in chief of Kobus Mentz at para 22.

⁵⁵ Transcript, page 1586, lines 1-20 (Mr Mentz).

the greater land requirements of a town centre configuration, however, Mr Heath's figures still suggest the Notified Site ought to be more than sufficient

[42] That just accounts for the horizontal space. In addition, as Mr Lunday pointed out, we should consider the ability to intensify upwards. Further, Mr Mentz accepted that at the very least, 17.3 hectares would accommodate 45,000m² of retail at the ground floor, with no other uses.⁵⁶

[43] We did not find Mr Cullen's comparisons with Gungahlin or Nelson CBD helpful indicators of the size requirements for the Halswell KAC. The only thing we can safely conclude they have in common is that each is a form of "town" centre. However, that label of similarity is not a safe basis for drawing any conclusions as to what is needed for the Halswell KAC. Mr Cleary's cross-examination revealed why that was so in regard to Nelson CBD. In view of the lack of sufficient comparative evidence as to Gungahlin, we draw the same conclusion for that town centre.

[44] We are strengthened in our conclusion that the 17.3 hectares provided in the Notified Version is more than sufficient by Mr Cullen's view that a town centre can be achieved that includes mall elements as long as the mall elements do not dominate over the public realm. If a mall element was included, a greater efficiency in footprint would occur.⁵⁷ He conceded that it would be possible to achieve what a town should look like on a more compact site that might include a mall.⁵⁸ This view fits with our reading of Policy 15.1.2.2 of the Notified Version.

[45] On the evidence, therefore, we are overwhelmingly satisfied that the Notified Site is of sufficient area in that it would comfortably allow for a town centre of the size intended by the relevant objectives and policies.

[46] We have considered whether, in any case, there would be any harm or risk in allowing for more space. In that regard, we are mindful that this could give TDS something of what it desires. Specifically, TDS's counsel, Mr Hardie, invited us to consider this in his closing

⁵⁶ Transcript, page 1589, lines 38–42 (Mr Mentz).

⁵⁷ Transcript, page 1550, lines 10–17 (Mr Cullen).

⁵⁸ Transcript, pages 1554–1555 (Mr Cullen).

submissions to the effect that the choice before us is not just between 17.3 hectares and 26 hectares.⁵⁹

[47] We consider it would be inappropriate to do so, in view of the CRPS to which we must give effect. Specifically, the CRPS identifies that KACs are to be “high quality” and “incorporate good urban design principles”.⁶⁰ On the evidence, we are concerned that undue generosity could pose a risk that those objectives would not be achieved. That is because it could work against the achievement of a compact town centre. Mr Lunday explained to us that the larger the land area, the more difficult it is to create a compact centre and the less well integrated it will be with surrounding housing.⁶¹ Mr Cullen also accepted that the Notified Version anticipates a compact centre that is meant to be a “high intensity area of commercial and community activity”.⁶² The Panel accepts both of those opinions. We also accept Mr Lunday’s evidence that it is important not to simply think in two dimensions, but also of the capacity to utilise space by going up, which still allows open pedestrian space to be retained when a centre is fully developed.⁶³

[48] As to the choice of location, the evidence demonstrates to us that the Notified Site is appropriate and the TDS alternative is no more appropriate when each is considered in the round.

[49] We agree with Mr Lunday that the urban design issues Mr Mentz raised concerning the Notified Site, including its sensitive relationship to the Spreydon Heritage Park, are all capable of being addressed through consent processes. If anything, the prominence and sensitivity of this location ought to be impetus to quality design. The different accessibility attributes of the two sites do not place one above the other. We accept Mr Mentz’s evidence demonstrates that the TDS alternative offers some walkability benefits, but these are relatively marginal. On the other hand, the Notified Site offers some other proximity benefits, as Mr Lunday has explained.

[50] Further, our obligations under s 32 and 32AA do not extend to having to choose the “best” site for the town centre, per se. Rather, we must adjudge what is the most appropriate set of planning provisions for giving effect to related objectives. TDS did not make a case for

⁵⁹ Closing submissions for TDS at para 16 (Mr Hardie); Transcript, pages 2007–2008 (Mr Hardie).

⁶⁰ For example, see Objective 6.2.5.

⁶¹ Evidence in chief of James Lunday at para 62.

⁶² Transcript, pages 1542–1543 (Mr Cullen).

⁶³ Transcript, pages 1637–1638 (Mr Lunday).

the TDS alternative on that basis. We are overwhelmingly satisfied on the evidence that the ODP showing the Notified Site is the most appropriate, including in regard to the size and location of the KAC.

[51] We find the Notified KAC Site is more appropriate in view of its less complex land ownership. That matter is significant in the sense that the evidence establishes that “town centres” are difficult to establish. Mr Cullen explained some of these difficulties in reference to Gungahlin, which he was involved in. His evidence was that it is very difficult to get developers to undertake such development, that it involved very tight regulation and that he had “some major concerns about these regulations in terms of its ability to deliver the sort of aspiration that we should expect from a place like North Halswell”.⁶⁴ In that regard, the fewer owners the better in terms of delivering on the specified objectives and policies.

[52] We have had regard to the Council’s s 32 report (‘Report’).⁶⁵ On matters where we have not departed from the Notified Version, we have relied on the Report and the evidence which we have discussed.

[53] On the basis of our above evaluation and findings, we decline TDS’s requested relief and confirm the Notified Site and the provisions we set out in Schedule 1 (‘Decision Version’), being satisfied that:

- (a) The Notified Site is the most appropriate for inclusion in the ODP, in terms of achieving related CRDP objectives; and
- (b) Subject to minor drafting clarity refinements that the Decision Version makes, the provisions of the Revised Version are the most appropriate for achieving the purpose of the RMA, responding to the Higher Order Documents (including in giving effect to the CRPS) and achieving related CRDP objectives.

Directions for consequential changes to Planning Maps, Figures and Appendices

[54] We direct the Council to provide the Panel, **within 10 working days of the date of this decision**, an updated set of Planning Maps, Figures and Appendices to give effect to the various

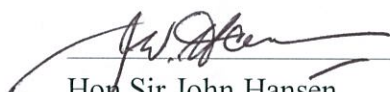
⁶⁴ Transcript, pages 1559-1560 (Mr Cullen).

⁶⁵ As updated and contained in Attachment B to the evidence of David Ian Falconer, 7 September 2015.

zoning and other changes to the Notified Version that we have made by this decision. A further decision will then issue to the effect of further amending the Notified Version by inclusion of updated Planning Maps, Figures and Appendices.

[55] We direct that any party seeking minor corrections to provisions determined by this decision must file a memorandum of counsel making such request **within 15 working days of the date of this decision.**

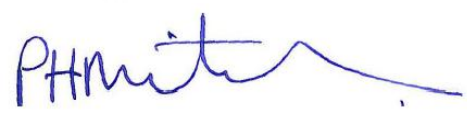
For the Hearings Panel:



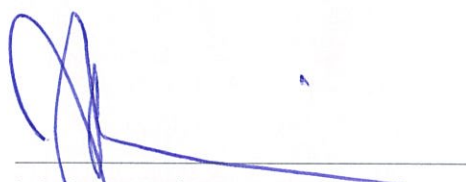
Hon Sir John Hansen
Chair



Environment Judge John Hassan
Deputy Chair



Dr Phil Mitchell
Panel Member



Ms Jane Huria
Panel Member

SCHEDULE 1: CHAPTER 15 — COMMERCIAL

The notified proposal is amended by our decision as follows.

Text that is highlighted **grey** indicates text from previous decisions and is not the subject of this decision.

Text in **red bold and underlined** is the decision text for this decision relating to the North Halswell KAC.

Chapter 15 – Commercial (excludes Central City commercial provisions)

15.1 Objectives and policies

15.1.1 Objective – Recovery of commercial activity

- a. The critical importance of commercial activity to the recovery and long term growth of the city is recognised and facilitated in a framework that supports commercial centres.

15.1.2 Objective - Centres-based framework for commercial activities

- a. Commercial activity is focussed within a network of centres (comprising the Central City, District, Neighbourhood, Local and Large Format centres) to meet the wider community's and businesses' needs in a way and at a rate that:
 - i. supports intensification within centres;
 - ii. enables the efficient use and continued viability of the physical resources of commercial centres and promotes their success and vitality, reflecting their critical importance to the local economy;
 - iii. supports the function of District Centres as major focal points for commercial, employment, transport and community activities, and Neighbourhood Centres as a focal point for convenience shopping and community activities;
 - iv. gives primacy to the Central City, followed by District Centres and Neighbourhood Centres identified as Key Activity Centres;
 - v. is consistent with the role of each centre as defined in 15.1.2.1 Policy – Role of centres Table 15.1;
 - vi. supports a compact and sustainable urban form that provides for the integration of commercial activity with community, residential and recreational activities in locations accessible by a range of modes of transport;
 - vii. supports the recovery of centres that sustained significant damage or significant population loss from their catchment including the Central City, Linwood, and Neighbourhood Centres subject to 15.1.4.3 Policy – Suburban centre master plans;
 - viii. enhances their vitality and amenity and provides for a range of activities and community facilities;
 - ix. manages adverse effects on the transport network and public and private infrastructure;
 - x. is efficiently serviced by infrastructure and is integrated with the delivery of infrastructure; and
 - xi. recognises the values of, and manages adverse effects on, sites of significance to Ngāi Tahu and natural waterways (including waipuna).

15.1.2.1 Policy – Role of centres

- a. Maintain and strengthen the Central City and commercial centres as the focal points for the community and business through intensification within centres that reflects their functions and catchment sizes, and in a framework that:
- i. gives primacy to and supports the recovery of the Central City;
 - ii. supports and enhances the role of District Centres; and
 - iii. maintains the role of Neighbourhood, Local and Large Format centres

as set out in Table 15.1 – Centre’s role.

Table 15.1 – Centre’s role

	Role	Centre and size (where relevant)
A.	<p>Central Business District</p> <p>Principal employment and business centre for the city and wider region and to become the primary destination for a wide range and scale of activities including comparison shopping, dining and night life, entertainment, guest accommodation, events, cultural and tourism activities.</p> <p>Provides for high density residential activity, recreational and community activities and facilities (including health and social services) as well as civic and cultural venues/ facilities (including museums, art galleries).</p> <p>Serves the district’s population and visitors.</p> <p>The focus for the district, sub-regional and wider transport services with a central public transport interchange, providing access to large areas of the district and the surrounding districts of Selwyn and Waimakariri.</p>	Centre: Central City
B.	<p>District Centre - Key Activity Centre</p> <p>Major retail destination for comparison and convenience shopping and a focal point for employment (including offices), community activities and facilities (including libraries, meeting places), entertainment (including movie theatres, restaurants, bars), and guest accommodation.</p> <p>Medium density housing is contemplated in and around the centre.</p> <p>Anchored by large retailers including department store(s) and supermarket(s).</p> <p>Accessible by a range of modes of transport, including multiple bus routes. Public transport facilities, including an interchange, may be incorporated.</p>	<p>Centres: Riccarton, Hornby, Papanui/Northlands, Shirley/Palms, Eastgate/Linwood, Belfast/ Northwood, North Halswell (emerging) (All Key Activity Centres)</p> <p>Size: Greater than 30,000m²</p>

	Role	Centre and size (where relevant)
	<p>The extent of the centre:</p> <ol style="list-style-type: none"> is the Commercial Core Zone and Commercial Retail Park Zone at Hornby, Belfast/ Northwood and Papanui/Northlands; and is the Commercial Core Zone in all other District centres; and includes community facilities within walking distance (400 metres) of the commercial zone. 	
C.	<p>Neighbourhood Centre</p> <p>A destination for weekly and daily shopping needs as well as for community facilities.</p> <p>In some cases, Neighbourhood Centres offer a broader range of activities including comparison shopping, entertainment (cafes, restaurants and bars), residential activities, small scale offices and other commercial activities. Anchored principally by a supermarket(s) and in some cases, has a second or different anchor store.</p> <p>Serves the immediately surrounding suburbs and in some cases, residents and visitors from a wider area.</p> <p>Medium density housing is contemplated in and around the centre.</p> <p>Accessible by a range of modes of transport, including one or more bus services.</p> <p>The extent of the centre:</p> <ol style="list-style-type: none"> is the Commercial Core Zone in the identified centres, Commercial Local Zone at Wigram and Beckenham and Commercial Banks Peninsula Zone at Lyttelton and Akaroa; and Community facilities within walking distance (400 metres) of the centre. 	<p>Centres: Spreydon/ Barrington (Key Activity Centre), New Brighton (Key Activity Centre), Bush Inn/Church Corner, Merivale, Bishopdale, Prestons (emerging), Ferrymead, Sydenham (Colombo Street between Brougham Street and Moorhouse Avenue); Addington, Avonhead, Sumner, Akaroa, Colombo/Beaumont (Colombo Street between Devon Street and Angus Street), Cranford, Edgeware, Fendalton, Beckenham, Halswell, Lyttelton, Ilam/Clyde, Parklands, Redcliffs, Richmond, St Martins, Stanmore/Worcester, Sydenham South (Colombo Street between Brougham Street and Southampton Street), Wairakei/Greens Road, Wigram (emerging), Woolston, Yaldhurst (emerging), West Spreydon (Lincoln Road), Aranui, North West Belfast.</p> <p>Size: 3,000 to 30,000m².</p>
D.	<p>Large Format Centre</p> <p>Standalone retail centre, comprising stores with large footprints, yard based suppliers, trade suppliers including building improvement centres, and other vehicle oriented activities.</p> <p>Provision of other commercial activities and residential and community uses is limited. This includes limiting office activity to an ancillary function, and at Tower Junction, providing for a limited amount of commercial services.</p>	<p>Centres: Moorhouse Avenue, Shirley Homebase, Tower Junction, Langdons Road, Harewood Road.</p>

	Role	Centre and size (where relevant)
	<p>Serves large geographical areas of the city.</p> <p>Not necessarily connected to a residential catchment.</p> <p>Primarily accessed by car with limited public transport services.</p> <p>The extent of the centre is the Commercial Retail Park Zone.</p>	
E.	<p>Local Centre</p> <p>A small group of primarily convenience shops and, in some instances, community facilities.</p> <p>Accessible by walking, cycling from the area served and on a bus route in some instances.</p> <p>Also includes standalone supermarkets serving the surrounding residential community.</p> <p>The extent of the centre is the Commercial Local Zone, except Wainoni and Peer Street where the Commercial Core Zone applies.</p>	<p>Centres: Wainoni (174 Wainoni Road),</p> <p>Upper Riccarton (57 Peer Street), both zoned Commercial Core,</p> <p>All other commercial centres zoned Commercial Local.</p> <p>Size: Up to 3,000m² (Excluding Wainoni and Upper Riccarton)</p>

15.1.2.2 Policy - Comprehensive approach to development of the Belfast/ Northwood Key Activity Centre

- a. Require development within the Belfast/Northwood Key Activity Centre to:
 - i. be planned and co-ordinated in accordance with an outline development plan;
 - ii. provide for a high quality, safe commercial centre which is easily accessible by a range of transport modes and well connected to the surrounding area; and
 - iii. be integrated with the transport network and developed in a manner aligned with improvements to the transport network to avoid adverse effects on the safe, efficient and effective functioning of the road network.
- b. Require development within the Belfast/ Northwood Key Activity Centre to:
 - i. provide for Ngai Tahu/ Manawhenua values through a high quality of landscaping and avoid adverse effects on the natural character, ecology and amenity values of the Styx River corridor; and
 - ii. for office and retail activity at the Styx Centre, be developed to a scale that:
 1. protects the Central City's role as the region's primary commercial area; and
 2. ensures the role of District and Neighbourhood centres within the city and commercial centres in Waimakariri District is maintained.

15.1.2.3 Policy – New centres in residential greenfield areas

- a. In new greenfield residential areas, land identified through zoning and/or on an outline development plan for a commercial centre shall be developed and used primarily for commercial and community activity including health care facilities to serve the needs of existing and future residents.
- b. The development of new centres in greenfield areas shall recognise and provide for Ngāi Tahu/manawhenua values while not impacting on the character, coherence or amenity of the adjoining residential area.

15.1.2.4 Policy – Accommodating growth

- a. Growth in commercial activity is focussed within existing commercial centres.
- b. Any outward expansion of a commercial centre must:
 - i. ensure the expanded centre remains commensurate with the centre's role within a strategic network of centres while not undermining the function of other centres;
 - ii. be integrated with the provision of infrastructure including the transport network;
 - iii. be undertaken in such a manner that manages adverse effects at the interface with the adjoining zone; and
 - iv. be consistent with:
 - 1. the scale of increasing housing development opportunities to meet intensification targets in and around centres, and
 - 2. revitalising the Central City as the primary community focal point.

15.1.2.5 Policy – Banks Peninsula commercial centres

- a. Recognise and protect the special character and role of the commercial areas in Banks Peninsula, including Lyttelton and Akaroa, which provide a range of activities and services meeting the needs of their respective communities as well as visitors to the townships and the wider area of Banks Peninsula.

15.1.3 Objective - Office parks and mixed use areas

- a. Recognise the existing nature, scale and extent of commercial activities within areas zoned Commercial Office and Commercial Mixed Use, but avoid the expansion of existing, or the development of new office parks and/or mixed use areas.

15.1.3.1 Policy – Office parks

- a. Recognise and enable office activities in the existing Addington and Russley office parks, zoned Commercial Office.

15.1.3.2 Policy – Mixed use areas

- a. Recognise the existing nature, scale and extent of retail and office activities in Addington, New Brighton, off Mandeville Street and adjoining Blenheim Road, while limiting their future growth and development to ensure commercial activity in the city is focussed within the network of commercial centres.

15.1.4 Objective - Urban form, scale and design outcomes

- a. A scale, form and design of development that is consistent with the role of a centre, and which:
 - i. recognises the Central City and District Centres as strategically important focal points for community and commercial investment;
 - ii. contributes to an urban environment that is visually attractive, safe, easy to orientate, conveniently accessible, and responds positively to local character and context;
 - iii. recognises the functional and operational requirements of activities and the existing built form;
 - iv. manages adverse effects on the surrounding environment; and
 - v. recognises Ngāi Tahu/ manawhenua values through landscaping and the use of low impact urban design, where appropriate.

15.1.4.1 Policy – Scale and form of development

- a. Provide for development of a significant scale and form in the core of District Centres and Neighbourhood Centres, and of a lesser scale and form on the fringe of centres.
- b. The scale and form of development in centres will:
 - i. reflect the context, character and the anticipated scale of the zone and centre's function;
 - ii. increase the prominence of buildings on street corners;
 - iii. for local centres, maintain a low rise built form to respect and integrate with their suburban residential context;
 - iv. for Key Activity Centres and Large Format Centres, enable larger floor plates while maintaining a high level of amenity in the centre; and
 - v. manage adverse effects on the surrounding environment, particularly at the interface with residential areas, sites of significance to Ngāi Tahu/ manawhenua and natural waterways.

15.1.4.2 Policy – Design of new development

- a. Require new development to be well-designed and laid out by:
 - i. encouraging pedestrian activity and amenity along streets and in adjoining public spaces, to a degree that is appropriate to the location and function of the road;

- ii. providing a principal street facing façade of visual interest that contributes to the character and coherence of a centre;
 - iii. facilitating movement within a site and with the surrounding area for people of all mobilities and ages, by a range of modes of transport through well-defined, convenient and safe routes;
 - iv. enabling visitors to a centre to orientate themselves and find their way with strong visual and physical connections with the surrounding area;
 - v. promoting a safe environment for people and reflecting principles of Crime Prevention through Environmental Design;
 - vi. enabling re-use of buildings and sites while recognising the use for which the building is designed;
 - vii. incorporating principles of environmentally sustainable low impact design including energy efficiency, water conservation, the reuse of stormwater, on-site treatment of stormwater and/or integration with the wider catchment based approach to stormwater management, where practicable;
 - viii. achieving a visually attractive setting when viewed from the street and other public spaces while managing impacts on adjoining environments; and
 - ix. providing adequate and convenient space for storage while ensuring it is screened to not detract from the site's visual amenity.
- b. Recognise the scale, form and design of the existing built form within a site and the immediately surrounding area and the functional and operational requirements of activities.
- c. Require residential development to be well-designed and laid out by ensuring:
- i. a high quality healthy living environment through:
 - 1. the provision of sufficient and conveniently located internal and outdoor living spaces;
 - 2. good accessibility within a development and with adjoining areas; and
 - 3. minimising disturbance from noise and activity in a centre (and the potential for reverse sensitivity issues to arise).

15.1.4.3 Policy – Suburban centre master plans

- a. Support the recovery and long term growth of, and ensure a high level of amenity in, the following suburban centres:
- i. Lyttelton;
 - ii. Sydenham;
 - iii. Linwood Village;
 - iv. Selwyn Street shops;
 - v. Sumner;
 - vi. Edgware;

- vii. Ferry Road
- viii. Main Road; and
- ix. New Brighton

by having regard to the relevant suburban centre Master Plan developed by the Christchurch City Council under the Suburban Centres Programme when considering resource consent applications for development within those centres.

15.1.4.4 Policy – Recognition of Ngāi Tahu/ manawhenua values

- a. To encourage the use of indigenous species, appropriate to the local environment, in landscaping and tree planting to recognise sites and landscapes of significance to Ngāi Tahu manawhenua and their cultural values.

15.1.4.5 Policy – Greenfield development/ strategic infrastructure

- a. Support a comprehensive approach to the planning, design and implementation of development and infrastructure in greenfield areas, including stormwater management. This may be achieved through low impact design.
- b. Provide for the effective development, operation, maintenance and upgrade of strategic infrastructure and avoid adverse effects of development on strategic infrastructure through managing the location of activities and the design of stormwater areas. This includes but is not limited to avoiding sensitive activities within commercial zones located within the 50 dBA Ldn air noise contour line, and the Lyttelton Port Influences Overlay Area.

15.2 Rules- Commercial Core Zone

15.2.1 How to use the rules

- a. The rules that apply to activities in the Commercial Core Zone are contained in:
 - i. The activity status tables (including activity specific standards) in Rule 15.2.2; and
 - ii. Built form standards in 15.2.3.

- b. Area specific rules also apply to activities within the Commercial Core Zone in the following areas:
 - i. Belfast/ Northwood (as identified in Appendix 15.10.1) - Rule 15.2.4.1
 - ii. Ferrymead (as identified in Appendix 15.10.2) - Rule 15.2.4.2,
 - iii. **North Halswell (as identified in Appendix 15.10.3) - Rule 15.2.4.3,**
 - iv. Prestons - Rule 15.2.4.4
 - v. Yaldhurst - Rule 15.2.4.5
 - vi. Other areas- Rule 15.2.4.6

- c. The activity status tables and standards in the following chapters also apply to activities in all areas of the Commercial Core Zone (where relevant):
 - 5** Natural Hazards;
 - 6** General Rules and Procedures
 - 7** Transport;
 - 8** Subdivision, Development and Earthworks;
 - 9** Heritage and Natural Environment;
 - 11** Utilities, Energy and Infrastructure; and
 - 12** Hazardous Substances and Contaminated Land.

- d. Where the word 'facility' is used in the rules e.g. spiritual facility, it shall also include the use of a site/building for the activity that the facility provides for, unless expressly stated otherwise.

Similarly, where the word/ phrase defined includes the word 'activity' or 'activities', the definition includes the land and/or buildings for that activity unless expressly stated otherwise in the activity status tables.

15.2.2 Activity status tables- Commercial Core Zone

15.2.2.1 Permitted activities

In the Commercial Core Zone the activities listed below are permitted activities if they comply with any activity specific standards set out in this table and the built form standards in Rule 15.2.3. Note, the built form standards do not apply to an activity that does not involve any development.

Activities may also be controlled, restricted discretionary, discretionary, non-complying or prohibited as specified in Rules 15.2.2.2, 15.2.2.3, 15.2.2.4, 15.2.2.5 and 15.2.2.6.

The activities listed below include any associated landscaping, access, parking, loading, waste management and other hardstanding areas.

Activity		Activity specific standards
P1	Any new building or addition to a building for any permitted activity listed in P2 to P23 below.	Nil
P2	Department store, supermarket, unless specified below. (refer to Rule 15.2.2.4 D2)	
P3	Retail activity excluding supermarket and department store, unless otherwise specified	a. Any activity shall have a maximum tenancy size of 500m ² GLFA in a Neighbourhood Centre. This clause does not apply to the Key Activity Centre at Spreydon.
P4	Trade supplier	
P5	Second-hand goods outlet	
P6	Commercial services	
P7	Entertainment facility	
P8	Food and beverage outlet	
P9	Gymnasium	
P10	Office activity	a. Any office activity shall have a maximum tenancy size of 500m ² GLFA in a Neighbourhood Centre.

Activity		Activity specific standards
		This clause does not apply to the Key Activity Centre at Spreydon/Barrington.
P11	Guest accommodation	a. Any bedroom in guest accommodation must be designed and constructed to achieve an external to internal noise reduction of not less than 35 dB $D_{tr,2m,nTw} + C_t^r$.
P12	Community facility	Nil
P13	Health care facility	
P14	Education activity	
P15	Pre-school	
P16	Care facility	
P17	Spiritual facility	
P18	Public artwork	
P19	Public transport facility	
P20	Residential activity	<p>a. Residential activity shall be:</p> <ul style="list-style-type: none"> i. located above ground level; or ii. located to the rear of activities P1 – P17 on the ground floor frontage to the street, excluding: <ul style="list-style-type: none"> A. any pedestrian entrance including lobby and/or reception area associated with residential activity; or B. the Brougham Street and Buchan Street frontages of the site at 350 Colombo Street in Sydenham. <p><u>b. Clause (a)(ii) shall not apply to the Commercial Core Zone at North Halswell where all residential activity shall be above ground level.</u></p>

Activity	Activity specific standards																
	<p>c. Any residential activity shall have a minimum net floor area (including toilets and bathrooms but excluding lobby and/or reception area, car parking, garaging and balconies) per unit of:</p> <ul style="list-style-type: none">i. Studio 35m²ii. 1 Bedroom 45m²iii. 2 Bedroom 60m²iv. 3 Bedroom 90m² <p>d. Each residential unit shall be provided with:</p> <ul style="list-style-type: none">i. an outdoor service space of 3m² and a waste management area of 2m² per unit, each with a minimum dimension of 1.5 metres in either a private or communal area;ii. a single, indoor storage space of 4m³ with a minimum dimension of 1 metre.iii. any space designated for waste management, whether private or communal, shall not be located between the road boundary and any building and shall be screened from adjoining sites, roads, and adjoining outdoor living spaces by screening from the floor level of the waste management area to a height of 1.5 metres. <p>e. Each residential unit shall be provided with an outdoor living space with a minimum area and dimension as set out in the following table, located immediately outside and accessible from an internal living area of the residential unit.</p> <table><tr><th></th><th>Type</th><th>Area</th><th>Dimension</th></tr><tr><td>i.</td><td>Studio, 1 bedroom</td><td>6m²</td><td>1.5 metres</td></tr><tr><td>ii.</td><td>2 or 3 bedroom</td><td>10m²</td><td>1.5 metres</td></tr><tr><td>iii.</td><td>More than 3 bedrooms</td><td>15m²</td><td>1.5 metres</td></tr></table> <p>f. Any bedroom must be designed and constructed to achieve an external to internal noise reduction of not less than 35 dB $D_{tr,2m,nTw}+C_{tr}$.</p>		Type	Area	Dimension	i.	Studio, 1 bedroom	6m ²	1.5 metres	ii.	2 or 3 bedroom	10m ²	1.5 metres	iii.	More than 3 bedrooms	15m ²	1.5 metres
	Type	Area	Dimension														
i.	Studio, 1 bedroom	6m ²	1.5 metres														
ii.	2 or 3 bedroom	10m ²	1.5 metres														
iii.	More than 3 bedrooms	15m ²	1.5 metres														

Activity		Activity specific standards
P21	Emergency service facility	Nil
P22	Parking lot	
P23	High technology industrial activity	

15.2.2.2 Controlled activities

The activities listed below are controlled activities.

C1	Activities P1-P23 requiring consent under built form standard 15.2.3.1 (b). Any application for this activity will not require written approvals and shall not be limited or publicly notified.
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15.2.2.3 Restricted discretionary activities

The activities listed below are restricted discretionary activities.

Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in 15.8.1, 15.8.2 and 15.8.3 for each standard, as set out in the following table.

	Activity	The Council's discretion shall be limited to the following matters:
RD1	Residential activity that does not comply with one or more of the activity specific standards a – e for activities P20 in 15.2.2.1. Any application for this activity will not require written approvals and shall not be limited or publicly notified.	a. Residential activity - 15.8.2.3 b. Activity at ground floor level - 15.8.2.2
RD2	Activities P1-P23 in 15.2.2.1 and RD3 to RD7, that do not meet one or more of the built form standards in 15.2.3.1 c and 15.2.3.2 – 15.2.3.9, unless otherwise specified.	As relevant to the breached built form standard: a. Urban design – 15.8.1. b. Maximum building height – 15.8.3.1 c. Minimum building setback from road boundaries/ street scene – 15.8.3.2

	Activity	The Council's discretion shall be limited to the following matters:
	Refer to relevant built form standard for provisions regarding notification and written approval.	<ul style="list-style-type: none"> d. Minimum separation from the internal boundary with a residential zone – 15.8.3.3 e. Sunlight and outlook at boundary with a residential zone – 15.8.3.4 f. Outdoor storage areas – 15.8.3.5 g. Landscaping and trees – 15.8.3.6 h. Water supply for fire fighting – 15.8.3.8 i. Minimum building setback from the railway corridor - 15.8.3.10 j. Refer to 15.2.4 for the matters of discretion for a non-compliance with area specific standards.
RD3	Yard-based supplier Any application for this activity will not require written approvals and shall not be limited or publicly notified.	a. Centre vitality and amenity – 15.8.2.4
RD4	Service station Any application for this activity will not require written approvals and shall not be limited or publicly notified.	
RD5	Drive-through services Any application for this activity will not require written approvals and shall not be limited or publicly notified.	a. Drive-through services – 15.8.3.12
RD6	Activities P3 – P10 in 15.2.2.1 that do not meet the activity specific standards. Any application for this activity will not require written approvals and shall not be limited or publicly notified.	<ul style="list-style-type: none"> a. Maximum tenancy size – 15.8.2.1 b. Centre vitality and amenity - 15.8.2.4
RD7	Parking building Any application for this activity will not require written approvals and shall not be limited or publicly notified.	a. Urban design – 15.8.1.

15.2.2.4 Discretionary activities

The activities listed below are discretionary activities.

	Activity
D1	Any activity not provided for as a permitted, restricted discretionary or non-complying activity.
D2	Department store or supermarket on land at 75 London Street (Lot 1 DP 69452) and 311 Stanmore Road (Lot 2 DP 67066)

15.2.2.5 Non-complying activities

The activities listed below are non-complying activities.

	Activity
NC1	Any residential activity or guest accommodation not complying with rules 15.2.2.1 P11(a)(Guest accommodation) or P20(f) (Residential activity).
NC2	Sensitive activities within the air noise contour (50 dBA Ldn) as defined on the planning maps.
NC3	<p>a. Sensitive activities within 10 metres of the centre line of a 66kV electricity distribution line or within 10 metres of a foundation of an associated support structure.</p> <p>b. Buildings on greenfield sites within 10 metres of the centre line of a 66kV electricity distribution line or within 10 metres of a foundation of an associated support structure.</p> <p>c. Buildings, other than those in (b) above, within 10 metres of the foundation of an associated support structure.</p> <p>d. Fences within 5 metres of a 66kV electricity distribution line support structure foundation.</p> <p>Any application made in relation to this rule shall not be publicly notified or limited notified other than to Orion New Zealand Limited or other electricity distribution network operator.</p> <p>Notes:</p> <p>i. The 66kV electricity distribution lines are shown on the planning maps.</p> <p>ii. Vegetation to be planted around the electricity distribution lines should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.</p> <p>iii. The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation</p>

	Activity
	the electricity distribution line. Buildings and activities in the vicinity of electricity distribution lines must comply with the NZECP 34:2001.

15.2.2.6 Prohibited activities

The activities listed below are prohibited activities.

There are no prohibited activities.

15.2.3 Built form standards- Commercial Core Zone

The following built form standards shall be met by all permitted activities and restricted discretionary activities RD3- RD7 unless otherwise stated.

15.2.3.1 Urban design

	Activity status	Applicable to	Matters of control or discretion
a.	Permitted activity	Any new building or addition to a building for activities P1-P23 in 15.2.2.1 that does not exceed: <ul style="list-style-type: none"> i. 4,000m² (gross leasable floor area) where located in a District Centre as identified in Table 15.1; or ii. 1,000m² (gross leasable floor area) where located in neighbourhood centre identified in Table 15.1. 	Nil
b.	Controlled activity	Any new building or addition to a building for activities P1-P23 in 15.2.2.1 that exceed permitted standards a. i or ii and is certified by a qualified urban design expert on a Council approved list as meeting each of the urban design provisions / outcomes in 15.8.1 Urban design i-xiii. Certification shall include sufficient detail to demonstrate how the relevant urban design provisions / outcomes in 15.8.1 have been met.	The Council's control is reserved to the following matters: <ul style="list-style-type: none"> a. That the new building or addition to a building is built in accordance with the urban design certification.
c.	Restricted discretionary activity	Any new building or addition to a building that is not a permitted or controlled activity under 15.2.3.1 a or b.	a. Urban design – 15.8.1

Any application arising from non-compliance with this rule will not require written approvals and shall not be limited or publicly notified.

Note:

1. Any building or an addition to a building requiring resource consent under 15.2.3.1 is exempt from complying with 15.2.3.3.
2. The following forms of development are exempt from compliance with this rule:
 - i. Repairs, maintenance, and seismic, fire and/or access building code upgrades; or
 - ii. Refurbishment, reinstatement works.
3. The following activities in Rule 15.2.2.1 are exempt from compliance with this rule:
 - i. P12 Community facility; P13 Health care facility; P14 Education activity; P15 Pre-school; P16 Care facility; P17 Spiritual facility; P21 Emergency service facility.

15.2.3.2 Maximum building height

	Applicable to	Permitted	Restricted discretionary	Matters of discretion
a.	All sites in a District Centre	20 metres	Greater than 20 metres	a. Maximum building height – 15.8.3.1
b.	Any building in a District Centre within 30 metres of an internal boundary with a residential zone	12 metres	Greater than 12 metres	
c.	All sites in a Neighbourhood Centre	12 metres	Greater than 12 metres	
d.	Other locations	17 metres	Greater than 17 metres	

Any application arising from non-compliance with this rule shall not be publicly notified.

15.2.3.3 Building setback from road boundaries/ street scene

	Permitted	Restricted discretionary	Matters of discretion
a.	<p>On the road frontage of a site identified as a Key Pedestrian Frontage (identified on the planning maps), all buildings shall:</p> <ul style="list-style-type: none"> i. be built up to the road boundary except for: <ul style="list-style-type: none"> A. a setback of up to a maximum of 4 metres from the road boundary for a maximum width of 10 metres. B. any pedestrian or vehicle access. ii. have visually transparent glazing for a minimum of 60% of the ground floor elevation facing the street. iii. have visually transparent glazing for a minimum of 20% of each elevation above ground floor and facing the street. iv. This rule shall not apply to emergency service facilities (P21). v. On Colombo Street, between Moorhouse 	Non-compliance with permitted standard	a. Minimum building setback from road boundaries/ street scene – 15.8.3.2

	Permitted	Restricted discretionary	Matters of discretion
	Ave and Brougham Street, buildings shall be set back no more than 2 metres from the road boundary and the setback shall not be used for car parking.		
b.	<p>On the road frontage of a site that is not identified as a Key Pedestrian Frontage on the planning maps, all buildings shall:</p> <ul style="list-style-type: none"> i. be set back a minimum distance of 3 metres from the road boundary unless the building is built up to the road boundary; and ii. have visually transparent glazing for a minimum of 40% of the ground floor elevation facing an arterial or collector road. <p>On sites opposite a residential zone:</p> <ul style="list-style-type: none"> iii. the road frontage shall have a landscaping strip with a minimum width of 1.5 metres, and a minimum of 1 tree for every 10 metres of road frontage or part thereof, for that part of the building not built up to the road boundary. 		
c.	<p>On the road frontage of a site that is not identified as a Key Pedestrian Frontage on the planning maps and is opposite a residential zone, and/or has a road frontage to a local road:</p> <ul style="list-style-type: none"> i. the road frontage shall have a landscaping strip with a minimum width of 1.5 metres, and a minimum of 1 tree for every 10 metres of road frontage or part thereof for that part of the frontage not built up to the road boundary. 		

Any application arising from non-compliance with this rule will not require written approvals and shall not be limited or publicly notified.

15.2.3.4 Minimum building setback from the internal boundary with a residential zone

	Applicable to	Permitted	Restricted discretionary	Matters of discretion
a.	All buildings within sites which share an internal boundary with a residential zone.	3 metres	Less than 3 metres	a. Minimum separation from the internal boundary with a residential zone – 15.8.3.3

Any application arising from non-compliance with this rule shall not be publicly notified.

15.2.3.5 Sunlight and outlook at boundary with a residential zone

	Permitted	Restricted discretionary	Matters of discretion
a.	Where an internal boundary adjoins a residential zone, no part of any building shall project beyond a building envelope contained by a recession plane measured from any point 2.3 metres above the internal boundary in accordance with the diagrams in Appendix 15.10.9.	Non-compliance with permitted standard	a. Sunlight and outlook at boundary with a residential zone – 15.8.3.4

Where sites are located within a Flood Management Area, recession plane breaches created by the need to raise floor levels will not require written approvals and shall not be limited or publicly notified.

Any application arising from non-compliance with this rule shall not be publicly notified.

15.2.3.6 Outdoor storage areas

	Permitted	Restricted discretionary	Matters of discretion
a.	<p>i. Any outdoor storage area shall be screened by 1.8 metre high fencing or landscaping from any adjoining site; and</p> <p>ii. Outdoor storage areas shall not be located within the setback specified in Rule 15.2.3.4.</p> <p>This rule shall not apply where the storage of vehicles, equipment, machinery, and/or natural or processed products is for periods of less than 12 weeks in any year.</p>	Non-compliance with permitted standard	a. Outdoor storage areas – 15.8.3.5

Any application arising from non-compliance with this rule will not require written approvals and shall not be limited or publicly notified.

15.2.3.7 Landscaping and trees

	Permitted	Restricted discretionary	Matters of discretion
a.	<p>i. On sites adjoining a residential zone, trees shall be provided adjacent to the shared internal boundary at a ratio of at least 1 tree for every 10 metres of the boundary or part thereof, and evenly spaced extending to the road boundary within the setback.</p> <p>ii. On all sites, one tree shall be planted for every 5 car parking spaces provided between buildings and the street. Trees shall be planted within or adjacent to the car parking area at the front of the site.</p> <p>iii. All landscaping / trees required under these rules shall be in accordance with the provisions in Appendix 16.6.1.</p>	Non-compliance with permitted standard	a. Landscaping and trees – 15.8.3.6

Any application arising from non-compliance with clause (ii) will not require written approvals and shall not be limited or publicly notified.

15.2.3.8 Water supply for fire fighting

	Permitted	Restricted discretionary	Matters of discretion
a.	Sufficient water supply and access to water supplies for fire fighting to all buildings via Council's urban fully reticulated water supply system in accordance with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice (SNZ PAS: 4509:2008)	Non-compliance with permitted standard	a. Water supply for fire fighting – 15.8.3.8

Any application arising from this rule will not require the written approval of any entity except the New Zealand Fire Service and shall not be publicly notified. Limited notification, if required, shall only be to the New Zealand Fire Service.

15.2.3.9 Minimum building setback from railway corridor

	Applicable to	Permitted	Restricted discretionary	Matters of discretion
a.	Buildings, balconies and decks on sites adjacent to or abutting railway line.	4 metres or greater from the rail corridor boundary	Less than 4 metres	a. Minimum building setback from the railway corridor - 15.8.3.10

Any application arising from this rule will not require the written approval of any entity except KiwiRail and shall not be publicly notified. Limited notification, if required, shall only be to KiwiRail.

15.2.4 Area specific rules – Commercial Core Zone

The following rules apply to the areas specified. All activities specified are also subject to the rules in 15.2.2 and 15.2.3 unless specified otherwise in 15.2.4.

15.2.4.1 Commercial Core Zone (Belfast/ Northwood) Outline Development Plan area

15.2.4.1.1 Activity status tables - Commercial Core Zone (Belfast/ Northwood) Outline Development Plan area

15.2.4.1.1.1 Restricted discretionary activities

The activities listed below are restricted discretionary activities.

Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in 15.2.4.1.3, 15.8.1 and 15.8.3 for each standard, as set out in the following table.

	Activity	The Council's discretion shall be limited to the following matters:
RD1	Any activity or building in the Commercial Core Zone (Belfast/ Northwood): a. complying with the built form standards in Rules 15.2.3 (excluding Rule 15.2.3.1) and 15.2.4.1.2.	a. Matters of discretion for Belfast/ Northwood Outline Development Plan area - 15.2.4.1.3 b. The extent to which development is in general accordance with the outline development plan in Appendix 15.10.1 c. Urban design - 15.8.1
RD2	Any activity or building that does not comply with one or more of the built form standards in 15.2.4.1.2 unless otherwise specified in D1 or NC1. Refer to relevant built form standard for provisions regarding notification and written approval.	As relevant to the breached built form standard: a. Maximum building height – 15.8.3.1 b. Landscaping – 15.2.4.1.3.3 c. Roading, access and parking - 15.2.4.1.3.4 d. Maximum total number of vehicles exiting the site – 15.2.4.1.3.6 and e. Matters of discretion for Belfast/ Northwood Outline Development Plan area - 15.2.4.1.3 f. The extent to which development is in general accordance with the outline development plan in Appendix 15.10.1 g. Urban design - 15.8.1 h. Maximum retail / office activity thresholds – 15.2.4.1.3.5

15.2.4.1.1.2 Discretionary activities

The activities listed below are discretionary activities.

	Activity
D1	Any activity or building not complying with Rule 15.2.4.1.2.6 (Maximum threshold for office activities)

15.2.4.1.1.3 Non-complying activities

The activities listed below are non-complying activities.

	Activity
NC1	Any activity or building not complying with Rule 15.2.4.1.2.2 (Building setback and size).

15.2.4.1.2 Built form standards- Commercial Core Zone (Belfast/ Northwood) Outline Development Plan area**15.2.4.1.2.1 Maximum building height**

	Applicable to	Permitted	Restricted discretionary	Matters of discretion
a.	Land within area identified as 'Special Area A' on the outline development plan in Appendix 15.10.1.	12 metres	Non-compliance with permitted standard	a. Maximum building height – 15.8.3.1
b.	Land within area identified as 'Special Area B' on the outline development plan in Appendix 15.10.1.	5 metres		

Any application arising from non-compliance with this rule shall not be publicly notified.

15.2.4.1.2.2 Building setback and size

	Permitted	Non-complying
a.	Any buildings set back a minimum distance of 20 metres from the outer edge of any esplanade reserve adjoining the Styx River.	

	Permitted	Non-complying
b.	Any buildings set back a minimum distance of 150 metres from the southern boundary of the zone.	Non-compliance with permitted standard
c.	Any buildings between 150 metres and 200 metres from the southern boundary of the zone not exceeding a gross floor area of 500m ² .	

Any application arising from non-compliance with this rule shall not be publicly notified.

15.2.4.1.2.3 Landscaping

	Permitted	Restricted discretionary	Matters of discretion
a.	For any sites adjoining the Styx River, the setback required under clause (a) of rule 15.2.4.1.2.2 shall be planted with native species prior to any retail activities being open to the public within the zone.	Non-compliance with permitted standard	a. Landscaping – 15.2.4.1.3.3

Any application arising from non-compliance with this rule will not require written approvals and shall not be limited or publicly notified.

15.2.4.1.2.4 Roading, access and parking

	Permitted	Restricted discretionary	Matters of discretion
a.	All vehicle access points shall only be provided in the locations specified on the outline development plan in Appendix 15.10.1 with a road running between the southern most access point and access to Radcliffe Road (defined on the outline development plan as 'Vehicle Access Point').	Non-compliance with permitted standard	a. Roading, access and parking – 15.2.4.1.3.4
b.	The point marked on the outline development plan in Appendix 15.10.1 for a 'future left in / left out vehicle access point' shall only be provided following the completion and opening of the Northern Arterial.		

Any application arising from non-compliance with this rule shall not be publicly notified.

15.2.4.1.2.5 Maximum total number of vehicles exiting the site

	Applicable To	Permitted	Restricted discretionary	Matters of discretion
a.	Thursday Evening Peak Hour, until the Northern Arterial has been constructed and open to traffic.	625 vehicles	Non-compliance with permitted standard	a. Maximum total number of vehicles exiting the site – 15.2.4.1.3.6
b.	Saturday Peak Hour, until the Northern Arterial has been constructed and open to traffic.	700 vehicles	Non-compliance with permitted standard	a. Maximum total number of vehicles exiting the site – 15.2.4.1.3.6

Any application arising from non-compliance with this rule shall not be publicly notified. Written approval may only be required and limited notification shall only be to the New Zealand Transport Agency.

Note:

1. The traffic volumes emerging from the site shall be based on the trip rates for activities specified in NZTA Research Report 453 or any updated version.
2. For the purpose for estimating trips exiting the site, any traffic going from the Commercial Core Zone (Belfast/ Northwood) to the Commercial Retail Park Zone on the north side of Radcliffe Road shall be excluded from calculations.

15.2.4.1.2.6 Maximum thresholds for office activities

	Applicable to	Permitted	Discretionary	Matters of discretion
a.	Up until 1 February 2020	The total amount of office floorspace within the 'Styx centre boundary' as defined on the outline development plan (Appendix 15.-10.1) shall not exceed 8,000m ² GLFA.	Non-compliance with permitted standard	a. Maximum retail/ office activity thresholds - 15.2.4.1.3.5
b.	1 February 2020 onwards	The total amount of office floorspace within the 'Styx centre boundary' as defined on the outline development plan (Appendix 15.10.1) shall not exceed 12,000m ² GLFA.		

15.2.4.1.2.7 Maximum thresholds for retailing activities

	Permitted	Restricted discretionary	Matters of discretion
a.	The total amount of floorspace for retailing within the 'Styx centre boundary' as defined on the outline development plan (Appendix 15.10.1) shall not exceed 20,000m ² GLFA.	Non-compliance with permitted standard	a. Maximum retail/office activity thresholds - 15.2.4.1.3.5

15.2.4.1.2.8 Maximum threshold for non- residential activities

	Permitted	Restricted discretionary	Matters of discretion
a.	The total amount of floorspace for non-residential activities within the 'Styx centre boundary' as defined on the outline development plan (Appendix 15.10.1) shall not exceed 45,000m ² GLFA.	Non-compliance with permitted standard	a. Maximum retail/office activity thresholds - 15.2.4.1.3.5

15.2.4.1.3 Matters of discretion - Commercial Core Zone (Belfast/ Northwood) Outline Development Plan area**15.2.4.1.3.1 Outline development plan****a. Community facilities**

- i. Ensures that community facilities are publicly accessible and can be easily accessed from Main North Road and Radcliffe Road.
- ii. Ensures that sufficient floor space is provided for community facilities across the zone, being a minimum gross floor area of 1,600m².

b. Open space

- i. Ensures that external public open space is provided in convenient, publicly accessible locations within the zone.
- ii. Ensures that sufficient open space is provided across the zone, being 1200m² of public open space with at least one space making up 1200m² and capable of containing a circle with a minimum diameter of 1.8 metres.

c. Connectivity

- i. Ensures the proposed development includes and/or provides for future development of an open air main street connecting Main North Road and Radcliffe Road as a route through the site and which provides a high quality pedestrian environment.
 - ii. Ensures that linkages are made from the development to the Styx River and which contributes to improved public accessibility along the river.
- d. Public transport interchange
- i. Ensures provision is made for the future development of an area for a public transport interchange in the location shown on the outline development plan that is at least 4,000m².
 - ii. The degree to which interim uses of land identified for a public transport interchange affect the ability to develop a public transport interchange at a future date.

15.2.4.1.3.2 Design and amenity

- a. Whether any proposed signage, building colours or fences associated with development will adversely impact on the natural character and values of the Styx River.
- b. The visual appearance and attractiveness of the development.
- c. The extent to which development is consistent with the Styx River/ Purakaunui Area Stormwater Management Plan.

15.2.4.1.3.3 Landscaping

- a. The extent of native and other planting within the Styx River riparian setback to enhance the ecological values associated with the Styx River and to screen buildings adjacent to the Styx River.
- b. The extent to which the value of the area as mahinga kai and the historic use of the area for market gardening and, horticultural activities is recognised through landscaping or other features.

15.2.4.1.3.4 Roading, access and parking

- a. The extent to which the transport network creates safe and efficient movement within the site and ensures connectivity and convenience for pedestrians and cyclists.
- b. The extent to which any underground or basement car parking structure is integrated into the development to avoid adverse visual effects.
- c. Any adverse effects of vehicle access points on the safe and efficient operation of the transport network.
- d. Any adverse effects of parking areas/access points on adjoining zones and whether mitigation minimises these effects.
- e. The extent to which the location and design of parking, access and manoeuvring areas supports pedestrian safety.

15.2.4.1.3.5 Maximum retail/ office activity thresholds

The extent to which the additional gross leasable floor area:

- a. avoids adverse effects on the function and recovery of the Central City and District Centres within the District and Kaiapoi and Rangiora in Waimakariri District; and
- b. limits adverse effects on people and communities who rely on the Central City and District Centres for their social and economic wellbeing, and allows ease of access to these centres by a variety of transport modes.

15.2.4.1.3.6 Maximum total number of vehicles exiting the site

- a. Prior to the opening of the Northern Arterial motorway, the extent to which any significant adverse effects arise on the safety and efficiency of the transport network as a result of the proposed activity.

15.2.4.2 Commercial Core Zone (Ferryroad) Outline Development Plan area

15.2.4.2.1 Activity status tables- Commercial Core Zone (Ferryroad) Outline Development Plan area

15.2.4.2.1.1 Permitted activities

The activities listed below are permitted activities in the Commercial Core Zone (Ferryroad) Outline Development Plan area:

	Activity	Activity specific standards
P1	Any activity or building.	<p>Compliance with:</p> <ol style="list-style-type: none"> a. All the following Key Structuring Elements shown on the Ferryroad Outline Development Plan (see Appendix 15.10.2): <ol style="list-style-type: none"> i. Pedestrian Link ii. Pedestrian Accessway iii. Key Mixed Modal Link iv. Future and Secondary Vehicular and Pedestrian Accessways v. Boundary with Sensitive Environment vi. Pedestrian Interface vii. Key Public Vehicle Access viii. Landscape Setback b. Built form standards in Rule 15.2.4.2.2, and Rule 15.2.3 unless specified otherwise in Rule 15.2.4.2.2

	Activity	Activity specific standards
P2	Key Structuring Elements identified on the outline development plan in Appendix 15.10.2.	a. Development is to be in accordance with the Key Structuring Elements on the outline development plan

15.2.4.2.1.2 Restricted discretionary activities

The activities listed below are restricted discretionary activities.

Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in 15.2.4.2.3 and 15.8.3 for each standard, as set out in the following table.

	Activity	The Council's discretion shall be limited to the following matters:
RD1	Any retail activity resulting in the total GLFA in the Commercial Core Zone (Ferryroad), excluding 2 Waterman Place, to exceed 30,000m ² . Any retail activity resulting in the total GLFA at 2 Waterman Place to exceed 6,500m ² .	a. Maximum retail/office activity thresholds - 15.2.4.2.3.3
RD2	Any activity at 2 Waterman Place that generates more than 250 vehicle trips per day with vehicle egress to Waterman Place.	a. Roading and access – 15.2.4.2.3.2
RD3	Any activity or building not complying with one or more of the Key Structuring Elements on the outline development plan in Appendix 15.10.2.	a. Matters of discretion in 15.2.4.2.3
RD4	Any activity or building that does not meet one or more of the built form standards in 15.2.4.2.2 unless otherwise specified. Refer to relevant built form standard for provisions regarding notification and written approval.	a. Maximum building height – 15.8.3.1 b. Landscaping and trees – 15.8.3.6

Note: For RD2, the vehicle trips per day shall be based on the trip rates for activities specified in NZTA Research Report 453 or any updated version.

15.2.4.2.2 Built form standards- Commercial Core Zone (Ferrymead) Outline Development Plan area

15.2.4.2.2.1 Maximum building height

	Permitted	Restricted discretionary	Matters of discretion
a.	20 metres, unless specified below	Greater than 20 metres, unless specified below	a. Maximum building height- 15.8.3.1
b.	12 metres at 2 Waterman Place	Greater than 12 metres at 2 Waterman Place	

Any application arising from non-compliance with this rule shall not be publicly notified.

15.2.4.2.2.2 Landscaping - Minimum width of landscaping strip

	Applicable to	Permitted	Restricted discretionary	Matters of discretion
a.	A landscaped strip with a minimum width as specified shall be provided adjacent to the boundary with Charlesworth Reserve, using native species.	5 metres	Less than 5 metres	a. Landscaping and trees – 15.8.3.6

Any application arising from non-compliance with this rule will not require written approvals and shall not be limited or publicly notified.

15.2.4.2.3 Matters of discretion - Commercial Core Zone (Ferrymead) Outline Development Plan area

15.2.4.2.3.1 Pedestrian and cycle movement to and from adjoining area

- a. The degree to which safe, landscaped pedestrian and cycle access is provided through the site, to connect with the wider movement network (particularly with the key cycleway along Humphreys Drive and to public transport stops on Ferry Road) and with open spaces (i.e. the Ihutai/Estuary edge, Charlesworth Reserve, the Ōpāwaho/Heathcote River Towpath) while avoiding adverse effects on ecological areas.

15.2.4.2.3.2 Roading and access

- a. The effect of any additional access points on the safety and efficiency of the adjoining road network, having regard to the level and type of traffic that will use the proposed access point, the location and design of the proposed access point and the adequacy of existing or alternative access points.

- b.** The extent to which the location of vehicular access points, the design of the transport network including intersection design and connections with the wider network, may individually or cumulatively impact on amenity of the zone and the surrounding area, and the safety and efficiency of the transport network.
- c.** The extent to which traffic generated by the development may individually or cumulatively impact on amenity of the zone and the surrounding area, and the safety and efficiency of the transport network.
- d.** The extent to which future access through to Waterman Place for pedestrians and vehicles is enabled.

15.2.4.2.3.3 Maximum retail/office activity thresholds

- a.** The extent of adverse effects created by increased vehicular traffic from the development on the adjoining road network, including both access and the wider network.
- b.** The extent to which retail activity above ground floor level creates the potential for over-intensification of the site, decreases the ability to achieve a variety of activities on-site or compromise development of the zone as shown in the outline development plan.

15.2.4.3 Commercial Core Zone (North Halswell) Outline Development Plan area

15.2.4.3.1 Activity status tables- Commercial Core Zone (North Halswell) Outline Development Plan area

15.2.4.3.1.1 Restricted discretionary activities

The activities listed below are restricted discretionary activities.

Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in 15.2.4.3.3 and 15.8.3 for each standard, as set out in the following table.

	<u>Activity</u>	<u>The Council's discretion shall be limited to the following matters:</u>
<u>RD1</u>	<u>Any activity in the Commercial Core Zone at North Halswell complying with the built form standards in Rules 15.2.3 (excluding Rule 15.2.3.1) and 15.2.4.3.2.</u>	<ul style="list-style-type: none"> <u>a. All matters in 15.2.4.3.3</u> <u>b. The extent to which development is in general accordance with the Outline Development Plan in Appendix 15.10.3.</u>
<u>RD2</u>	<u>Any activity that does not comply with built form standard 15.2.4.3.2.1. Refer to relevant built form standard for provisions regarding notification and written approval.</u>	<ul style="list-style-type: none"> <u>a. Maximum building height – 15.8.3.1</u>

15.2.4.3.1.2 Discretionary activities

The activities listed below are discretionary activities.

	<u>Activity</u>
<u>D1</u>	<u>Any activity not complying with Rule 15.2.4.3.2.3 (Maximum retail activity threshold) and/or Rule 15.2.4.3.2.4 (Maximum office activity threshold)</u>

15.2.4.3.1.3 Non-complying activities

The activities listed below are non-complying activities.

	<u>Activity</u>
<u>NC1</u>	<u>Any retail activity not complying with the Rule 15.2.4.3.2.2 (Intersection upgrades)</u>

15.2.4.3.2 Built form standards — Commercial Core Zone (North Halswell) Outline Development Plan area**15.2.4.3.2.1 Maximum building height**

	<u>Permitted</u>	<u>Restricted discretionary</u>	<u>Matters of discretion</u>
<u>a.</u>	<u>14 metres</u>	<u>Greater than 14 metres</u>	a. <u>Maximum building height - 15.8.3.1</u>

Any application arising from non-compliance with this rule shall not be publicly notified.

15.2.4.3.2.2 Intersection upgrades

	<u>Permitted</u>	<u>Non-complying</u>
<u>a.</u>	<u>No retail activity within the Commercial Core Zone (North Halswell) shall be open to the public until the construction of the upgrade of the intersection of Augustine Drive and Halswell Road to traffic lights has been completed.</u>	<u>Non-compliance with permitted standard</u>

Any application arising from non-compliance with this rule shall not be publicly notified. Written approval may only be required and limited notification shall only be to the New Zealand Transport Agency.

15.2.4.3.2.3 Maximum retail activity threshold

	<u>Permitted</u>	<u>Discretionary</u>
<u>a.</u>	<u>The total amount of retail floorspace within the Commercial Core Zone (North Halswell) shall not exceed 25,000m² (GFA)</u>	<u>Greater than 25,000m² (GFA)</u>

15.2.4.3.2.4 Maximum office activity threshold

	<u>Permitted</u>	<u>Discretionary</u>
<u>a.</u>	<u>The total amount of office floorspace within the Commercial Core Zone (North Halswell) shall not exceed 5,000 m² (GFA)</u>	<u>Non-compliance with permitted standard</u>

15.2.4.3.3 Matters of discretion — Commercial Core Zone (North Halswell) Outline Development Plan area**15.2.4.3.3.1 General****a. The extent to which development:**

- i. supports the role of the North Halswell Key Activity Centre as a high intensity area of commercial and community activity; and**

- ii. enables people to orientate themselves and find their way with strong visual and physical connections with the surrounding neighbourhoods and wider area.

15.2.4.3.3.2 Commercial layout

a. The extent to which development :

- i. ensures a critical mass of activity is centred upon the open air Main Street including an appropriate balance of large format retailing and concentration of finer grain commercial activities;
- ii. supports a retail mix (large format and finer grain retailing) which ensures the centre meets its role as a District Centre and Key Activity Centre and meets the needs of the catchment population; and
- iii. functions operationally and visually as an integrated commercial entity.

15.2.4.3.3.3 Design and amenity

a. The extent to which development :

- i. provides a strong visual relationship and high quality urban interface with State Highway 75;
- ii. provides primary active ground floor frontages on all sites intended for commercial and community focussed activity where they face an accessible public open space;
- iii. enables a continuous frontage of retailing on the Main Street in order to ensure a high intensity of commercial activity;
- iv. orientates buildings, streets, and open space to take advantage of solar access and views, and to mitigate other climatic effects such as wind;
- v. provides high quality public open space, including streets, squares and lanes;
- vi. provides for a multi-value approach to stormwater management that supports objectives of stormwater retention, water quality treatment, biodiversity enhancement, and landscape amenity, and that recognises Ngāi Tahu/manawhenua values;
- vii. provides for the protection of springs and associated Ngāi Tahu values through the use of landscaping and setbacks;
- viii. recognises and enables existing land use activities to continue while managing effects on those activities; and
- ix. At the intersection of Augustine Drive/Halswell Road provides a high quality gateway to the North Halswell Key Activity Centre and a high quality interface with the proposed Spreydon Lodge Heritage Park.

15.2.4.3.3.4 Transport

a. The extent to which development:

- i. provides for an easily accessible, readily visible Public Transport Interchange located centrally within the commercial core of the Key Activity Centre;

- ii. provides car parking as shared spaces, available for shared use, which does not visually or physically dominate the area;
- iii. provides for pedestrian priority within the retail core, particularly in respect to the open air Main Street environment;
- iv. provides a high level of physical connectivity between the Key Activity Centre, surrounding neighbourhoods and the wider area including the need for and effects of the third access point;
- v. identifies safe crossing facilities on Halswell and Sparks Road between the Halswell North Outline Development Plan area and adjacent areas/communities and within the development;
- vi. supports a high level of permeability within the Key Activity Centre;
- vii. supports the strategic importance of the Dunbars Road extension as the primary link through the Outline Development Plan area;
- viii. provides opportunities for walking, cycling and public transport use; and
- ix. supports the construction and operation of the movement network as shown on the Outline Development Plan.

15.2.4.3.3.5 Civic Square

- a. The extent to which development:
 - i. connects the civic square and the Main Street, both visually and physically;
 - ii. provides for a civic square of a sufficient size to allow for a range of community activities, events and interaction; and
 - iii. provides a high quality civic square laid out and designed in a manner that achieves a high quality and safe, open space environment.

15.2.4.4 Commercial Core Zone (Prestons)

15.2.4.4.1 Activity status tables - Commercial Core Zone (Prestons)

15.2.4.4.1.1 Restricted discretionary activities

The activities listed below are restricted discretionary activities.

Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in 15.2.4.4.3 and 15.8.3 for each standard, as set out in the following table.

	Activity	The Council's discretion shall be limited to the following matters:
RD1	Any activity or building that does not comply with one or more of the built form standards in 15.2.4.4.2 unless otherwise specified. Refer to relevant built form standard for provisions regarding notification and written approval.	As relevant to the breached built form standard: a. Minimum building setback from road boundaries/ street scene – 15.8.3.2 b. Minimum separation from the internal boundary with a residential zone – 15.8.3.3 c. Landscaping and trees – 15.8.3.6 d. Staging of development to align with intersection upgrades – 15.2.4.4.3.1

15.2.4.4.1.2 Non-complying activities

The activities listed below are non-complying activities.

	Activity
NC1	Any activity not complying with Rules 15.2.4.4.2.5 (Staged development) and 15.2.4.4.2.6 (Maximum retail activity thresholds)

15.2.4.4.2 Built form standards - Commercial Core Zone (Prestons)

15.2.4.4.2.1 Minimum building setback from road boundaries

	Applicable to	Permitted	Restricted discretionary	Matters of discretion
a.	Marshland Road boundary	10 metres	Less than 10 metres	a. Minimum building setback from road boundaries/ street scene – 15.8.3.2

Any application arising from non-compliance with this rule will not require written approvals and shall not be limited or publicly notified.

15.2.4.4.2.2 Minimum building setback from the zone boundary

	Applicable to	Permitted	Restricted discretionary	Matters of discretion
a.	Southern boundary of the zone, adjoining the Rural Urban Fringe Zone	3 metres	Less than 3 metres	a. Minimum separation from the internal boundary with a residential zone – 15.8.3.3

Any application arising from non-compliance with this rule shall not be publicly notified.

15.2.4.4.2.3 Landscaping

	Applicable to	Permitted	Restricted discretionary	Matters of discretion
a.	A landscaped strip with a minimum width as specified shall be provided along and adjacent to the boundary with Marshland Road.	10 metres	Less than 10 metres	a. Landscaping and trees – 15.8.3.6

Any application arising from non-compliance with this rule will not require written approvals and shall not be limited or publicly notified.

15.2.4.4.2.4 Staging of development to align with intersection upgrades

	Permitted	Restricted discretionary	Matters of discretion
a.	No non-residential activities shall occur until upgrade of the following intersection has commenced: <ul style="list-style-type: none"> i. Lower Styx Road / Marshland Road (including traffic signals). 	Non-compliance with permitted standard	a. Staging of development to align with intersection upgrades – 15.2.4.4.3.1
b.	No more than 7200m ² of non-residential activities (comprising 4000m ² for a supermarket (where an individual tenancy is greater than 1,000m ² GLFA) and 3200m ² for other non-residential activities) shall occur until such time as: <ul style="list-style-type: none"> i. Construction of the Northern Arterial and the 4-laning of QEII Drive between Main North Road and Innes Road together with either the Northern Arterial extension or the Hills Road extension has commenced; and 		

	Permitted	Restricted discretionary	Matters of discretion
	ii. The portion of the main primary road linking Prestons Road to Mairehau Road is open to traffic.		

Note:

1. The 7,200m² of non-residential development referred to in this rule is inclusive of existing commercial activities contained within the zone (as at 27 March 2010).
2. For the purposes of this rule, the Northern Arterial is defined as being one of the New Zealand Transport Agency Roads of National Significance, and is a new road extending the existing Christchurch Northern Motorway from just north of Belfast (Chaney's) to connect with QEII Drive. The scheme also includes an extension being progressed by Christchurch City Council from QEII Drive to Cranford Street. The Hills Road extension is a Christchurch City Council roading scheme, extending Hills Road from Innes Road to join QEII Drive east of Philpotts Road.

Any application arising from non-compliance with this rule shall not be publicly notified. Written approval may only be required and limited notification shall only be to the New Zealand Transport Agency.

15.2.4.4.2.5 Staged development

	Permitted	Non-Complying
a.	<p>No development shall occur until:</p> <p>i. Either:</p> <p>A. a comprehensive plan which shows the overall wastewater system for all activities is provided; or</p> <p>B. it is demonstrated that such a plan has already been provided to Council pursuant to clause (i) above or as part of a subdivision application.</p> <p>And, either:</p> <p>C. an approved wastewater system is established within the zone and as required, beyond the zone to service the activity; or</p> <p>D. it is demonstrated that such an approved wastewater system has already been established.</p>	<p>Non-compliance with permitted standard</p>

Any application arising from non-compliance with this rule will not require written approvals and shall not be limited or publicly notified.

15.2.4.4.2.6 Maximum retail activity threshold

	Applicable to	Permitted	Non- Complying
a.	The maximum gross leasable floor area for retail activities within the Commercial Core Zone (Prestons) shall be: Note: This includes all existing lawfully established retail activity as at 27 March 2010.	12,000m ²	Non-compliance with permitted standard
b.	The maximum gross leasable floor area of any single tenancy for a retail activity (excluding a supermarket) within the Commercial Core Zone (Prestons) shall be:	150m ²	

15.2.4.4.3 Matters of discretion- Commercial Core Zone (Prestons)**15.2.4.4.3.1 Staging of development to align with intersection upgrades**

- a. The nature and extent of any adverse effect arising on the transport network from a proposal that:
- i. deviates from the design of specific intersection upgrades approved by Council; and/or
 - ii. exceeds the quantum of non-residential activities anticipated as maximums before specific transport network upgrades are commenced.

15.2.4.5 Commercial Core Zone (Yaldhurst)**15.2.4.5.1 Activity status tables- Commercial Core Zone (Yaldhurst)****15.2.4.5.1.1 Non-complying activities**

The activities listed below are non-complying activities.

	Activity
NC1	Any activity or building not complying with the built form standards specified in 15.2.4.5.2.

15.2.4.5.2 Built form standards- Commercial Core Zone (Yaldhurst)**15.2.4.5.2.1 Minimum building setback for residential activities on sites adjoining Yaldhurst Road**

	Applicable to	Permitted	Non-complying
a.	Residential activities where no acoustic mitigation is provided (as specified in (b) and (c) below).	80 metres	Non-compliance with permitted standard
b.	Residential activities where the following measures are proposed: <ul style="list-style-type: none"> i. Mounding, or other physical barrier to noise transmission, capable of reducing traffic noise intrusion to all parts of any site by at least 10dBA is to be provided within 20 metres of the road boundary across the entire width of the site, provided that such mounding or barrier shall be screened from the adjoining road by landscaping. ii. The landscaping required under (i) shall have a minimum depth of 1.5 metres, a minimum height of 1.8 metres (at the time of planting) and should be located between the mounding or fencing and the adjoining road. 	40 metres	
c.	Residential activities where the following measures are proposed: <ul style="list-style-type: none"> i. In addition to (b) above, all external windows and doors of residential units including those installed in the roof should be acoustically treated to achieve an external to internal noise reduction of at least 25dBA with windows and doors closed. 	20 metres	

Any application arising from non-compliance with this rule shall not be publicly notified.

15.2.4.5.2.2 Roading and access

	Permitted	Non-complying
a.	Sites having frontage to Yaldhurst Road shall not have any direct vehicular access to Yaldhurst Road, other than in the location marked as "Road access point Fixed location" on the outline development plan in Appendix 8.6.28 - Yaldhurst Outline Development Plan.	Non-compliance with permitted standard

Any application arising from non-compliance with this rule shall not be publicly notified. Written approval may only be required and limited notification shall only be to the New Zealand Transport Agency.

15.2.4.6 Commercial Core Zone – Other area specific rules

15.2.4.6.1 Activity status tables- Commercial Core Zone - Other area specific rules

15.2.4.6.1.1 Permitted activities

The activities listed below are permitted activities.

Activity		Activity specific standards
P1	Any activity or building in the Commercial Core Zone between Huxley Street and King Street (Refer to Appendix 15.10.10)	a. Development is to comply with the outline development plan for the land between Huxley Street and King Street (Refer to Appendix 15.10.10).

15.2.4.6.1.2 Restricted discretionary activities

The activities listed below are restricted discretionary activities.

Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table.

	Activity	The Council's discretion shall be limited to the following matters:
RD1	Any activity or building not complying with the outline development plan for the land between Huxley Street and King Street (Refer to Appendix 15.10.10)	a. Outline Development Plan for land between Huxley Street and King Street - 15.8.3.11
RD2	Vehicle access from Otara Street to the Commercial Core Zone (Fendalton)	a. Access off Otara Street at Commercial Core Zone (Fendalton) – 15.8.3.14

Any application made under RD2 will not require written approvals and shall not be limited or publicly notified.

15.3 Rules - Commercial Local Zone

15.3.1 How to use the rules

- a. The rules that apply to activities in the Commercial Local Zone are contained in:
 - i. The activity status tables (including activity specific standards) in Rule 15.3.2; and
 - ii. Built form standards in 15.3.3.
- b. Area specific rules also apply to activities within the following specific areas zoned Commercial Local.
 - i. St Albans (Rule 15.3.4, Appendix 15.10.4)
- c. The activity status tables and standards in the following chapters also apply to activities in all areas of the Commercial Local Zone (where relevant):
 - 5 Natural Hazards;
 - 6 General Rules and Procedures
 - 7 Transport;
 - 8 Subdivision, Development and Earthworks;
 - 9 Heritage and Natural Environment;
 - 11 Utilities, Energy and Infrastructure; and
 - 12 Hazardous Substances and Contaminated Land.
- d. Where the word 'facility' is used in the rules e.g. spiritual facility, it shall also include the use of a site/building for the activity that the facility provides for, unless expressly stated otherwise.
 Similarly, where the word/ phrase defined includes the word 'activity' or 'activities', the definition includes the land and/or buildings for that activity unless expressly stated otherwise in the activity status tables.

15.3.2 Activity status tables – Commercial Local Zone

15.3.2.1 Permitted activities

In the Commercial Local Zone the activities listed below are permitted activities if they comply with any activity specific standards set out in this table and the built form standards in Rule 15.3.3. Note that the built form standards do not apply to an activity that does not involve any development.

Activities may also be controlled, restricted discretionary, discretionary, noncomplying or prohibited as specified in Rules 15.3.2.2, 15.3.2.3, 15.3.2.4, 15.3.2.5 and 15.3.2.6.

The activities listed below include any associated landscaping, access, parking, loading, waste management and other hardstanding areas.

Activity		Activity specific standards
P1	Any new building or addition to a building for any permitted activity listed in P2 to P24 below, except for any new building or addition to a building requiring consent under RD3 below.	Nil
P2	Supermarket	<p>a. The maximum tenancy size at ground floor level shall be 1,000 m² GLFA unless specified below.</p> <p>b. The maximum size for an individual tenancy in the Commercial Local Zones at Wigram (The Runway) shall be 2,600m² GLFA.</p>
P3	Retail activity excluding supermarket unless otherwise specified	<p>a. The maximum tenancy size for an individual tenancy at ground floor level shall be 350 m² GLFA unless specified below.</p> <p>b. The maximum size for an individual tenancy in the Commercial Local Zone at Halswell West (Caulfield Avenue) shall be 1,000m² GLFA</p>
P4	Yard-based supplier	<p>a. The maximum tenancy size at ground floor level shall be 250 m² gross leasable floor area.</p>
P5	Trade supplier	
P6	Second-hand goods outlet	
P7	Commercial services	
P8	Service station	Nil
P9	Food and beverage outlets	
P10	Office activity	<p>a. The office activity shall comprise a maximum tenancy size of 350 m² GLFA, except for office activity at 20 Twigger Street (Lot 1 DP78639) which shall not have any floorspace limit.</p>

Activity		Activity specific standards
P11	Guest accommodation	a. Any bedroom in guest accommodation must be designed and constructed to achieve an external to internal noise reduction of not less than 30 dB $D_{tr,2m,nTw} + C_{tr}$.
P12	Community facility	Nil
P13	Health care facility	
P14	Education activity	
P15	Care facility	
P16	Pre-school	
P17	Spiritual facility	
P18	Public artwork	
P19	Residential activity	<p>a. Residential activity shall be</p> <ul style="list-style-type: none"> i. located above ground level or ii. located to the rear of an activities P1 – P17, P21 – P22 (15.3.2.1) on the ground floor frontage to the street, excluding: <ul style="list-style-type: none"> A. any pedestrian entrance including lobby and/or reception area associated with a residential activity. <p>b. Any residential activity shall have a minimum net floor area (including toilets and bathrooms but excluding lobby and/or reception area, car parking, garaging and balconies) per unit of:</p> <ul style="list-style-type: none"> i. Studio 35m² ii. 1 Bedroom 45m² iii. 2 Bedroom 60m² iv. 3 Bedroom 90m² <p>c. Each residential unit shall be provided with:</p> <ul style="list-style-type: none"> i. an outdoor service space of 3m² and a waste management area of 2m² per unit, each with a minimum dimension of 1.5 metres in either a private or communal area; ii. a single, indoor storage space of 4m³ with a minimum dimension of 1 metres; and

Activity		Activity specific standards																
		<p>iii. any space designated for waste management, whether private or communal, shall not be located between the road boundary and any building and shall be screened from adjoining sites, roads, and adjoining outdoor living spaces by screening from the floor level of the waste management area to a height of 1.5 metres.</p> <p>d. Each residential unit shall be provided with an outdoor living space with a minimum area and dimension as follows, located immediately outside and accessible from an internal living area of the residential unit.</p> <table><tr><td></td><td>Type</td><td>Area</td><td>Dimension</td></tr><tr><td>i.</td><td>Studio, 1 bedroom</td><td>6m²</td><td>1.5 metres</td></tr><tr><td>ii.</td><td>2 or 3 bedroom</td><td>10m²</td><td>1.5 metres</td></tr><tr><td>iii.</td><td>More than 3 bedrooms</td><td>15m²</td><td>1.5 metres</td></tr></table> <p>e. Any bedroom must be designed and constructed to achieve an external to internal noise reduction of not less than 30 dB $D_{tr,2m,nTw} + C_{tr}$.</p>		Type	Area	Dimension	i.	Studio, 1 bedroom	6m ²	1.5 metres	ii.	2 or 3 bedroom	10m ²	1.5 metres	iii.	More than 3 bedrooms	15m ²	1.5 metres
	Type	Area	Dimension															
i.	Studio, 1 bedroom	6m ²	1.5 metres															
ii.	2 or 3 bedroom	10m ²	1.5 metres															
iii.	More than 3 bedrooms	15m ²	1.5 metres															
P20	Public transport facility	Nil																
P21	P1 to P20 in the Commercial Local Zones at East Belfast (Blakes Road), Upper Styx/Highsted (Claridges Road), Redmund Spur and Wigram (The Runway)	<p>a. The maximum amount of floorspace for retail activity in the following local centres shall be as follows:</p> <p>i. East Belfast (Blakes Road) 2,000m² (GLFA)</p> <p>ii. Wigram (The Runway) 6,000m² (GLFA)</p> <p>iii. Upper Styx/Highsted (Claridges Road) 2,000m² (GLFA)</p> <p>iv. Redmund Spur 2500 m² (GLFA)</p>																
P22	Emergency service facilities	Nil																
P23	Parking lot																	
P24	Drive-through services																	

15.3.2.2 Controlled activities

The activities listed below are controlled activities.

There are no controlled activities.

15.3.2.3 Restricted discretionary activities

The activities listed below are restricted discretionary activities.

Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in 15.8.1, 15.8.2 and 15.8.3 for each standard, as set out in the following table.

	Activity	The Council's discretion shall be limited to the following matters:
RD1	<p>Activities P1-P24 and RD2, that do not meet one or more of the built form standards in Rule 15.3.3, unless otherwise specified</p> <p>Refer to relevant built form standard for provisions regarding notification and written approval.</p>	<p>As relevant to the breached built form standard:</p> <ul style="list-style-type: none"> a. Maximum building height – 15.8.3.1 b. For the Commercial Local Zone (Wigram), Building height in the Commercial Local Zone at Wigram - 15.3.5.3 c. Minimum building setback from road boundaries/ street scene – 15.8.3.2 d. Minimum separation distance from the internal boundary with a residential zone – 15.8.3.3 e. Sunlight and outlook at boundary with a residential zone– 15.8.3.4 f. Outdoor storage areas – 15.8.3.5 g. Landscaping and trees – 15.8.3.6 h. Water supply for fire fighting – 15.8.3.8 i. Minimum building setback from the railway corridor - 15.8.3.10
RD2	<p>Activities P2 - P7, P10, P19 a - d and P21 that do not meet one or more of the activity specific standards specified in Rule 15.3.2.1.</p> <p>Any application for this activity will not require written approvals and shall not be limited or publicly notified.</p>	<ul style="list-style-type: none"> a. For P2 – P7, P10 - Maximum tenancy size – 15.8.2.1. b. For P19 – Activity at ground floor level – 15.8.2.2 c. For P19– Residential activity – 15.8.2.3 d. For P19 in the Commercial Local Zone at Highfield - Residential activities in the Commercial Local Zone at Highfield - 15.3.5.2 e. For P2, P3 and P21 applicable to East Belfast, Halswell West (Caulfield Avenue), Wigram and

	Activity	The Council's discretion shall be limited to the following matters:
		Upper Styx/ Highsted - Maximum retail activity threshold - 15.3.5.1
RD3	Any building or addition to a building for activities P2-P24 in the Commercial Local Zone at Redmund Spur	a. Urban design – 15.8.1

15.3.2.4 Discretionary activities

The activities listed below are discretionary activities.

	Activity
D1	Any activity not provided for as a permitted, restricted discretionary, or non-complying activity.

15.3.2.5 Non-complying activities

The activities listed below are non-complying activities.

	Activity
NC1	Any residential activity or guest accommodation not complying with Rules 15.3.2.1 P11(a) (Guest accommodation) or P19(e) (Residential activity).
NC2	Sensitive activity within the air noise contour (50 dBA Ldn) as defined on the planning maps
NC3	<p>a. Sensitive activities</p> <ul style="list-style-type: none"> i. within 10 metres of the centre line of a 66kV electricity distribution line or within 10 metres of a foundation of an associated support structure. ii. within 5 metres of the centre line of a 33 kV electricity distribution line or within 5 metres of a foundation of an associated support structure. <p>b. Buildings on greenfield sites:</p> <ul style="list-style-type: none"> i. within 10 metres of the centre line of a 66kV electricity distribution line or within 10 metres of a foundation of an associated support structure. ii. within 5 metres of the centre line of a 33 kV electricity distribution line or

	Activity
	<p>within 5 metres of a foundation of an associated support structure.</p> <p>c. Buildings, other than those in (b) above:</p> <p>i. within 10 metres of the foundation of a 66kV electricity distribution support structure.</p> <p>ii. Within 5 metres of the foundation of a 33kV electricity distribution support structure.</p> <p>d. Fences within 5 metres of a National Grid transmission line support structure foundation or 5 metres of a 66kV and 33 kV electricity distribution line support structure foundation.</p> <p>Any application made in relation to this rule shall not be publicly notified or limited notified other than to Transpower New Zealand Limited and/or Orion New Zealand Limited or other electricity distribution network operator.</p> <p>Notes:</p> <ol style="list-style-type: none"> 1. The National Grid transmission lines and 66kV and 33kV electricity distribution lines are shown on the planning maps. 2. Vegetation to be planted around the National Grid or electricity distribution lines should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003. 3. The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation to the National Grid transmission lines and electricity distribution line. Buildings and activities in the vicinity of National Grid transmission lines or electricity distribution lines must comply with the NZECP 34:2001.

15.3.2.6 Prohibited activities

The activities listed below are prohibited activities.

There are no prohibited activities.

15.3.3 Built form standards – Commercial Local Zone

The following built form standards shall be met by all permitted activities and restricted discretionary activity RD2 unless otherwise stated.

15.3.3.1 Maximum building height

	Applicable to	Permitted	Restricted discretionary	Matters of discretion
a.	All sites unless specified below	8 metres	Greater than 8 metres	a. Maximum building height – 15.8.3.1
b.	Commercial Local Zone at Wigram (The Runway) excluding the ‘Special building height area’ defined on the outline development plan in Appendix 15.10.8.	15 metres	Greater than 15 metres	
c.	Within the ‘Special building height area’ defined on the outline development plan in Appendix 15.10.8.	2 buildings up to 32 metres with a maximum GFA of 800m ² on any single floor	Non-compliance with the permitted activity standard	
d.	2 Carrs Road, Awatea	11 metres	Greater than 11 metres	

Any application arising from non-compliance with this rule shall not be publicly notified.

15.3.3.2 Building setback from road boundaries

	Permitted	Restricted discretionary	Matters of discretion
a.	<p>On sites with a road frontage, all buildings shall:</p> <ul style="list-style-type: none"> i. be built up to the road boundary, with buildings occupying the full length of the road frontage of the site, except for any pedestrian or vehicle access or for a setback of up to 3 metres from the road boundary for a maximum width of 6 metres; ii. provide pedestrian access directly from the road boundary; iii. have visually transparent glazing for a minimum of 60% of the ground floor elevation facing the 	Non-compliance with permitted standard	a. Minimum building setback from road boundaries/ street scene – 15.8.3.2

	Permitted	Restricted discretionary	Matters of discretion
	<p>street; and</p> <p>iv. have visually transparent glazing for a minimum of 20% of each elevation above ground floor and facing the street.</p> <p>This rule shall not apply to service stations, drive-through services and emergency service facilities.</p>		

Any application arising from non-compliance with this rule will not require written approvals and shall not be limited or publicly notified.

15.3.3.3 Minimum building setback from residential zones

	Applicable to	Permitted	Restricted discretionary	Matters of discretion
a	All buildings within sites which share a boundary with a residential zone.	3 metres	Less than 3 metres	a. Minimum separation from the internal boundary with a residential zone – 15.8.3.3

Any application arising from non-compliance with this rule shall not be publicly notified.

15.3.3.4 Sunlight and outlook at boundary with a residential zone

	Permitted	Restricted discretionary	Matters of discretion
a.	Where an internal boundary adjoins a residential zone no part of any building shall project beyond a building envelope contained by a recession plane measured from any point 2.3m above the site boundary in accordance with the diagrams in Appendix 15.10.9.	Non-compliance with permitted standard	a. Sunlight and outlook at boundary with a residential zone – 15.8.3.4
b.	<p>In the Commercial Local Zone Wigram (The Runway), where a site boundary adjoins a residential zone and</p> <p>i. Immediately adjoins an access or part of an access, the recession plane shall be constructed from points 2.3</p>		

	Permitted	Restricted discretionary	Matters of discretion
	<p>metres above the far side of the access; and</p> <p>ii. where buildings on adjoining sites have a common wall along an internal boundary or a wall is not setback from the internal boundary, the recession plane shall not apply along that part of the boundary covered by such a wall.</p>		

Where sites are located within a Flood Management Area, recession plane breaches created by the need to raise floor levels will not require written approvals and shall not be limited or publicly notified.

Any application arising from non-compliance with this rule shall not be publicly notified.

15.3.3.5 Outdoor storage areas

	Permitted	Restricted discretionary	Matters of discretion
a.	<p>Any outdoor storage area shall be screened by 1.8 metre high fencing or landscaping from any adjoining site.</p> <p>This rule shall not apply where the storage of vehicles, equipment, machinery, and/or natural or processed products is for periods of less than 12 weeks in any year.</p>	Non-compliance with permitted standard	a. Outdoor storage areas – 15.8.3.5

Any application arising from non-compliance with this rule will not require written approvals and shall not be limited or publicly notified.

15.3.3.6 Landscaping and trees

	Permitted	Restricted discretionary	Matters of discretion
a.	<p>i. On sites adjoining a residential zone, trees shall be provided adjacent to the shared internal boundary at a ratio of at least 1 tree for every 10 metres of the boundary or part thereof, and evenly spaced.</p>	Non-compliance with permitted standard	a. Landscaping and trees – 15.8.3.6

	Permitted	Restricted discretionary	Matters of discretion
	ii. All landscaping/trees required for these rules shall be in accordance with the provisions in Appendix 16.6.1.		

15.3.3.7 Water supply for fire fighting

	Permitted	Restricted discretionary	Matters of discretion
a.	Sufficient water supply and access to water supplies for fire fighting to all buildings via Council's urban fully reticulated water supply system in accordance with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice (SNZ PAS: 4509:2008)	Non-compliance with permitted standard	a. Water supply for fire fighting – 15.8.3.8

Any application arising from this rule will not require the written approval of any entity except the New Zealand Fire Service and shall not be publicly notified. Limited notification, if required, shall only be to the New Zealand Fire Service.

15.3.3.8 Minimum building setback from railway corridor

	Applicable to	Permitted	Restricted discretionary	Matters of discretion
a.	Buildings, balconies and decks on sites adjacent to or abutting railway line.	4 metres from the rail corridor boundary	Less than 4 metres	a. Minimum building setback from the railway corridor - 15.8.3.10

Any application arising from this rule will not require the written approval of any entity except KiwiRail and shall not be publicly notified. Limited notification, if required, shall only be to KiwiRail.

15.3.4 Area specific rules – Commercial Local Zone

The following rules apply to the areas specified. All activities specified are also subject to the rules in 15.3.2 and 15.3.3 unless otherwise specified.

15.3.4.1 Activity tables

15.3.4.1.1 Permitted activities

The activities listed below are permitted activities.

	Activity	Activity specific standards
P1	<p>a. Any activity or building complying with the Key Structuring Elements on the Commercial Local Zone (St Albans) Outline Development Plan (see Appendix 15.10.4):</p> <p>i. Public access and circulation within Commercial Local Zone to enable permeability through the site; and</p> <p>ii. Semi-public access and circulation with Residential Zone.</p>	Nil

15.3.4.1.2 Restricted discretionary activities

The activities listed below are restricted discretionary activities.

Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion in 15.3.4.3, as set out in the following table.

	Activity	The Council's discretion shall be limited to the following matters:
RD1	Any activity or building that does not comply with one or more of the Key Structuring Elements on the Commercial Local Zone (St Albans) Outline Development Plan (see Appendix 15.10.4)	a. Outline Development Plan – 15.3.4.3.1
RD2	Any activity or building that does not comply with Rule 15.3.4.2.1.	a. Maximum retail activity threshold - 15.3.4.3.2

15.3.4.2 Area specific built form standards

15.3.4.2.1 Maximum retail floorspace limits in the Commercial Local Zone (St Albans)

	Permitted	Restricted discretionary	Matters of discretion
a.	<p>There shall be a maximum total GLFA of 3500m² for non-residential activities within combined areas A and B defined on the Commercial Local Zone (St Albans) Outline Development Plan (see Appendix 15.10.4); and</p> <ol style="list-style-type: none"> one individual tenancy in areas A and B shall have a GLFA of up to 800m²; and no other individual tenancy in areas A and B shall have a GLFA of greater than 450m². <p>Any application arising from non-compliance with these rules will not require written approvals and shall not be limited or publicly notified.</p>	Non-compliance with permitted standard	a. Maximum retail activity threshold - 15.3.4.3.2

Any application arising from non-compliance with this rule will not require written approvals and shall not be limited or publicly notified.

15.3.4.3 Matters of discretion – Commercial Local Zone (St Albans)

15.3.4.3.1 Outline development plan

- The extent to which comprehensive, mixed-use development would continue to be achieved.
- The nature and degree of any adverse effects caused by proposals not in accordance with the outline development plan.
- The relationship and integration of proposals with any other existing development within the block.
- Whether the scale and nature of development is consistent with that anticipated for a local centre.
- The degree to which vehicle, cycle and pedestrian access has provided for internal pedestrian and cycle circulation, including the connections with that part of the blocked zoned Residential Medium Density Zone.
- The extent to which comprehensive design enables greater use of open space within the development than would be the case with piecemeal development.
- The extent to which stormwater treatment areas are integrated with open space.

15.3.4.3.2 Maximum retail activity threshold

- a. The effects of any larger floor space for non-residential activity on District and Neighbourhood Centres.
- b. Any effects in terms of traffic generation and access.
- c. The maintenance of permeability within the block for internal pedestrian and cycle circulation including the connections with that part of the block within the residential zone.
- d. Form, amenity and function of the Commercial Local Zoned area as a local centre would be maintained.
- e. Any potential for the role of other commercial centres to be eroded by development or urban form effects, and any wider transport network effects from any associated transport generation.

15.3.5 Matters of discretion for Commercial Local Zone in greenfield areas

15.3.5.1 Maximum retail activity threshold at East Belfast (Blakes Road), Halswell West (Caulfield Avenue), Wigram (the Runway) and Upper Styx/ Highsted (Claridges Road)

- a. The extent to which the local centre will remain dominated by finer grain retailing.
- b. The potential for strategic effects on the function and amenity values of the Central City, District and Neighbourhood centres and their role in providing for the future needs of their communities.
- c. Any adverse effects, created by increased vehicular traffic from the development, on the adjoining road network.
- d. Any adverse effects on the amenity of neighbouring residential properties.
- e. In Wigram, the extent to which convenient access to retailing and community uses may be positively or adversely affected by the proposed quantum of retail activity.

15.3.5.2 Residential activities in the Commercial Local Zone at Highfield

- a. The impact of any additional residential accommodation on the ability of existing or future permitted commercial activities to operate or to establish without undue constraint.
- b. The effects of establishing any residential accommodation on the amenity, safety and convenience of on-site residents, having regard to existing or future potential business activities.
- c. The effect of any residential buildings or units on the development scope of the site or adjoining sites.
- d. The impact on the amenity values and community function of the centre resulting from the use of ground floor space for residential activity.

- e. Any beneficial effects of residential units as a buffer for adjoining zones while still permitting commercial development on the site or adjoining sites.
- f. The site layout, building specifications, nature and/or purpose of the proposed residential accommodation, and the need or likely demand for residential accommodation of that kind in the general area.

15.3.5.3 Building height in the Commercial Local Zone at Wigram

- a. Whether the additional building bulk and activities will have an adverse effect on the amenity of the town centre and surrounds.
- b. The extent to which the character of the residential areas surrounding the Commercial Local Zone (Wigram) remains reasonably open rather than being dominated by buildings.
- c. The extent to which the additional height results in a built form which would strengthen the role of the Commercial Local Zone as the physical, visual and activity centre for the community.

15.4 Rules – Commercial Banks Peninsula Zone

15.4.1 How to use the rules

- a. The rules that apply to activities in the Commercial Banks Peninsula Zone are contained in:
 - i. The activity status tables (including activity specific standards) in Rule 15.4.2; and
 - ii. Built form standards in 15.4.3.
- b. The activity status tables and standards in the following chapters also apply to activities, other than port activities south of Norwich Quay, in all areas of the Commercial Banks Peninsula Zone (where relevant):
 - 5 Natural Hazards;
 - 6 General Rules and Procedures
 - 7 Transport;
 - 8 Subdivision, Development and Earthworks;
 - 9 Heritage and Natural Environment;
 - 11 Utilities, Energy and Infrastructure; and
 - 12 Hazardous Substances and Contaminated Land.
- c. The activity status tables and standards in the following chapters also apply to port activities south of Norwich Quay (where relevant):
 - 5 Natural Hazards;
 - 8 Subdivision, Development and Earthworks; and
 - 9 Heritage and Natural Environment.
- d. Where the word 'facility' is used in the rules e.g. community facility, it shall also include the use of a site/building for the activity that the facility provides for, unless expressly stated otherwise. Similarly, where the word/ phrase defined includes the word 'activity' or 'activities', the definition includes the land and/or buildings for that activity unless expressly stated otherwise in the activity status tables.

15.4.2 Activity status tables – Commercial Banks Peninsula Zone

15.4.2.1 Permitted activities

In the Commercial Banks Peninsula Zone the activities listed below are permitted activities if they comply with any activity specific standards set out in this table and the built form standards in Rule

15.4.3. Note the built form standards do not apply to an activity that does not involve any development.

Activities may also be controlled, restricted discretionary, discretionary, non-complying or prohibited as specified in Rules 15.4.2.2, 15.4.2.3, 15.4.2.4, 15.4.2.5 and 15.4.2.6.

The activities listed below include any associated landscaping, access, parking, loading, waste management and other hardstanding areas.

	Activity	Activity specific standards
P1	In Lyttelton or Akaroa, the use of an existing building for activities P3-P21 in Rule 15.4.2.1.	Nil
P2	The erection of a building, relocatable building or relocation of a building, external additions, alterations, and repairs for activities P3-P21 in Rule 15.4.2.1 in the Commercial Banks Peninsula Zone at Governors Bay, Diamond Harbour, Church Bay and Little River.	Nil
P3	Retail activity	Nil
P4	Second-hand goods outlet	
P5	Supermarket	
P6	Commercial services	
P7	Office activity	
P8	Entertainment facility	
P9	Gymnasium	
P10	Community facility	
P11	Health care facility outside the Lyttelton Port Influences Overlay Area defined on the planning maps	<p>The following shall apply in Lyttelton only:</p> <p>a. Any habitable space must be designed and constructed to achieve an external to internal</p>

	Activity	Activity specific standards
		<p>noise reduction of not less than 25 dB Dtr,2m,nTw+Ctr.</p> <p>b. Any bedroom or area occupied by beds for overnight care must be designed and constructed to achieve an external to internal noise reduction of not less than 30 dB Dtr,2m,nTw+Ctr.</p>
P12	Education activity outside the Lyttelton Port Influences Overlay Area defined on the planning maps	<p>The following shall apply in Lyttelton only:</p> <p>a. Any habitable space must be designed and constructed to achieve an external to internal noise reduction of not less than 25 dB Dtr,2m,nTw+Ctr.</p> <p>b. Any bedroom must be designed and constructed to achieve an external to internal noise reduction of not less than 30 dB Dtr,2m,nTw+Ctr.</p>
P13	Care facility outside the Lyttelton Port Influences Overlay Area defined on the planning maps	
P14	Pre-school outside the Lyttelton Port Influences Overlay Area defined on the planning maps	<p>a. The following shall apply in Lyttelton only:</p> <p>i. Any habitable space must be designed and constructed to achieve an external to internal noise reduction of not less than 25 dB Dtr,2m,nTw+Ctr.</p> <p>ii. Any bedroom or sleeping area must be designed and constructed to achieve an external to internal noise reduction of not less than 30 dB Dtr,2m,nTw+Ctr.</p>
P15	Public artwork	Nil
P16	Residential activity outside the Lyttelton Port Influences Overlay Area	<p>a. Any residential activity shall:</p> <p>i. be located above ground floor level or at the rear of a commercial activity. In Akaroa this shall only apply to sites fronting Beach Road between Rue Jolie and Bruce Terrace;</p> <p>ii. have a minimum net floor area (including toilets and bathrooms but excluding lobby and/or reception area, car parking, garaging and balconies) per unit of:</p> <p>A. Studio 35 m²</p> <p>B. 1 Bedroom 45 m²</p> <p>C. 2 Bedroom 60 m²</p>

	Activity	Activity specific standards																
		<p>D. 3 Bedroom 90 m²; and</p> <p>b. Each residential unit shall be provided with:</p> <p>i. an outdoor service space of 3 m² and a waste management area of 2 m² per unit, each with a minimum dimension of 1.5 metres in either a private or communal area;</p> <p>ii. a single, indoor storage space of 4m³ with a minimum dimension of 1 metre; and</p> <p>iii. any space designated for waste management, whether private or communal, shall not be located between the road boundary and any building and shall be screened from adjoining sites, roads, and adjoining outdoor living spaces by screening of the waste management area to a height of 1.5 metres.</p> <p>c. Each residential unit shall be provided with an outdoor living space with a minimum area and dimension as follows, located immediately outside and accessible from an internal living area of the residential unit.</p> <table><tr><th></th><th>Type</th><th>Area</th><th>Dimension</th></tr><tr><td>i.</td><td>Studio, 1 bedroom</td><td>6m²</td><td>1.5 metres</td></tr><tr><td>ii.</td><td>2 or 3 bedroom</td><td>10m²</td><td>1.5 metres</td></tr><tr><td>iii.</td><td>3 or more bedrooms</td><td>15m²</td><td>1.5 metres</td></tr></table> <p>d. In Lyttelton:</p> <p>i. Any bedroom must be designed and constructed to achieve an external to internal noise reduction of not less than 30 dB Dtr,2m,nTw+Ctr.</p> <p>ii. Any habitable space must be designed and constructed to achieve an external to internal noise reduction of not less than 25 dB Dtr,2m,nTw+Ctr.</p>		Type	Area	Dimension	i.	Studio, 1 bedroom	6m²	1.5 metres	ii.	2 or 3 bedroom	10m²	1.5 metres	iii.	3 or more bedrooms	15m²	1.5 metres
	Type	Area	Dimension															
i.	Studio, 1 bedroom	6m²	1.5 metres															
ii.	2 or 3 bedroom	10m²	1.5 metres															
iii.	3 or more bedrooms	15m²	1.5 metres															

	Activity	Activity specific standards
P17	Guest accommodation outside the Lyttelton Port Influences Overlay Area defined on the planning maps	<p>a. In Akaroa:</p> <p>i. Guest accommodation shall be located above ground floor level or to the rear of a commercial activity on Beach Road, between Rue Jolie and Bruce Terrace, except for a pedestrian entrance/ ground floor lobby/ reception area.</p> <p>b. In Lyttelton:</p> <p>i. Any habitable space must be designed and constructed to achieve an external to internal noise reduction of not less than 25 dB Dtr,2m,nTw+Ctr.</p> <p>ii. Any bedroom must be designed and constructed to achieve an external to internal noise reduction of not less than 30 dB Dtr,2m,nTw+Ctr.</p>
P18	Public transport facility	Nil
P19	Emergency service facilities	
P20	Parking building	
P21	Parking lot	
P22	Port activities, within that part of Lyttelton south west of the intersection of Norwich Quay and Oxford Street.	Unless otherwise permitted by Rule 15.4.2.1, shall only occur within the period, or part of the period, up to 1 January 2026.

15.4.2.2 Controlled activities

The activities listed below are controlled activities.

There are no controlled activities.

15.4.2.3 Restricted discretionary activities

The activities listed below are restricted discretionary activities.

The matters over which the Council has restricted its discretion are specified for each restricted discretionary activity listed below.

	Activity	The Council's discretion shall be limited to the following matters:
RD1	<p>Activities P3-P21 in Rule 15.4.2.1 and RD2, that do not meet one or more of the built form standards in 15.4.3, unless otherwise specified.</p> <p>Refer to relevant built form standard for provisions regarding notification and written approval.</p>	<p>As relevant to the breached built form standard:</p> <ul style="list-style-type: none"> a. Maximum building height – 15.8.3.1 b. Site coverage – 15.8.3.7 c. Minimum building setback from road boundaries/ street scene – 15.8.3.2 d. Minimum separation from the internal boundary with a residential zone (for non-compliance with Rule 15.4.3.4) – 15.8.3.3 e. Sunlight and outlook at boundary with a residential zone – 15.8.3.4 f. Outdoor storage areas – 15.8.3.5 g. Water supply for fire fighting – 15.8.3.8 h. Minimum building setback from the railway corridor - 15.8.3.10
RD2	<p>Activities P11-P14, P16 and P17 in Rule 15.4.2.1 that do not meet one or more of the activity specific standards in Rule 15.4.2.1, unless otherwise specified.</p> <p>Any application for this activity will not require written approvals and shall not be limited or publicly notified.</p>	<ul style="list-style-type: none"> a. For P16 Residential activity – <ul style="list-style-type: none"> i. Residential activity - 15.8.2.3 ii. Activity at ground floor level – 15.8.2.2 b. For P11- P14 and P17 - 15.8.2.3 (f)
RD3	<p>Activities P3 to P21 in Rule 15.4.2.1 in Lyttelton or Akaroa which involve the erection of a building, relocatable building or relocation of a building, external additions or alterations to a building, which comply with the activity specific standards in 15.4.2.1 and built form standards in 15.4.3, unless specified otherwise in 15.4.3.</p> <p>Any application for this activity will not require written approvals and shall not be limited or publicly notified.</p> <p>This rule shall not apply where the development is one of the following:</p> <ul style="list-style-type: none"> a. the development is limited to repairs, maintenance, and seismic, fire and/or access building code upgrades. 	<ul style="list-style-type: none"> a. Urban design – 15.8.1. b. Lyttelton Design Guidelines (Appendix 15.10.6) and Akaroa Design Guidelines (Appendix 15.10.5). c. DEFERRED

15.4.2.4 Discretionary activities

The activities listed below are discretionary activities.

	Activity	The Council will consider the matters of discretion specified below and any other relevant matter under Section 104 of the Act:
D1	<p>Activities P3 to P21 in Rule 15.4.2.1 in Lyttelton or Akaroa which involve the erection of a building, relocatable building or relocation of a building, external additions or alterations to a building, which do not comply with one or more of the built form standards in 15.4.3 or activity specific standards in 15.4.2.1.</p> <p>Refer to relevant built form standard for provisions regarding notification and written approval.</p>	<p>a. Built form standards (as relevant to the breached standard):</p> <ul style="list-style-type: none"> i. Maximum building height – 15.8.3.1 ii. Site coverage – 15.8.3.7 iii. Minimum building setback from road boundaries/ street scene – 15.8.3.2 iv. Minimum separation from the internal boundary with a residential zone (for non-compliance with Rule 15.4.3.4) – 15.8.3.3 v. Sunlight and outlook at boundary with a residential zone – 15.8.3.4 vi. Outdoor storage areas – 15.8.3.5 vii. Water supply for fire fighting – 15.8.3.8 viii. Minimum building setback from the railway corridor – 15.8.3.10 <p>b. For any non-compliance with any one of the built form standards or activity specific standards in Lyttelton – Lyttelton Design Guidelines for Commercial Banks Peninsula Zone (Appendix 15.10.6).</p> <p>c. DEFERRED</p> <p>d. For any non-compliance with any one of the built form standards or activity specific standards in Akaroa – Akaroa Design Guidelines for Commercial Banks Peninsula Zone (Appendix 15.10.5)</p> <p>e. Urban design – 15.8.1.</p> <p>f. Activity specific standard:</p> <ul style="list-style-type: none"> i. For residential activity – 15.8.2.3. ii. For residential and guest accommodation - Activity at ground floor - 15.8.2.2.

	Activity	The Council will consider the matters of discretion specified below and any other relevant matter under Section 104 of the Act:
D2	Industrial activity Any application for this activity will not require written approvals and shall not be limited or publicly notified.	a. Centre vitality and amenity – 15.8.2.4 b. Nuisance – 15.8.2.5 c. Urban design – 15.8.1.
D3	Service station Any application for this activity will not require written approvals and shall not be limited or publicly notified.	a. Centre vitality and amenity – 15.8.2.4 b. Nuisance – 15.8.2.5 c. Urban design – 15.8.1.
D4	Trade supplier Any application for this activity will not require written approvals and shall not be limited or publicly notified.	a. Centre vitality and amenity – 15.8.2.4 b. Urban design – 15.8.1.
D5	Any activity not provided for as a permitted, restricted discretionary, non-complying or prohibited activity	
D6	Port activities within that part of Lyttelton south west of the intersection of Norwich Quay and Oxford Street, beyond 1 January 2026.	

15.4.2.5 Non-complying activities

The activities listed below are non-complying activities.

NC1	Sensitive activity in the Lyttelton Port Influences Overlay Area defined on the planning maps.
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15.4.2.6 Prohibited activities

The activities listed below are prohibited activities.

There are no prohibited activities.

15.4.3 Built form standards – Commercial Banks Peninsula Zone

The following built form standards shall be met by all permitted activities and for restricted discretionary activity RD2 unless otherwise stated.

15.4.3.1 Maximum building height

	Applicable to	Permitted	Restricted discretionary	Matters of discretion
a.	All sites in Lyttelton unless specified below	12 metres	Greater than 12 metres	a. Maximum building height – 15.8.3.1
b.	All other parts of the Commercial Banks Peninsula Zone including Akaroa	8 metres	Greater than 8 metres	

Any application arising from non-compliance with this rule shall not be publicly notified.

15.4.3.2 Maximum site coverage

	Applicable to	Permitted	Restricted discretionary	Matters of discretion
a	Sites in all areas	65% of the net site area	Greater than 65% of the net site area	a. Site coverage – 15.8.3.7

Any application arising from non-compliance with this rule will not require written approvals and shall not be limited or publicly notified.

Within that part of Lyttelton south west of the intersection of Norwich Quay and Oxford Street, this rule only applies to buildings.

15.4.3.3 Building setback from road boundaries/ street scene

	Permitted	Restricted discretionary	Matters of discretion
a.	i. All buildings shall: A. be built up to the road frontage with buildings occupying the full length of the road frontage of the site, except where necessary to provide pedestrian	Non-compliance with permitted standard	a. Minimum building setback from road boundaries/

	Permitted	Restricted discretionary	Matters of discretion
	<p>or vehicle access to the rear of the site;</p> <p>B. provide pedestrian access directly from the road boundary;</p> <p>C. provide a veranda or other means of weather protection along the full width of the building fronting a road;</p> <p>D. have visually transparent glazing for a minimum of 60% of the ground floor elevation facing the street, and</p> <p>E. have visually transparent glazing for a minimum of 20% of each elevation above ground floor and facing the street.</p> <p>ii. Rule 15.4.3.3 shall not apply to Akaroa.</p> <p>iii. This rule shall not apply to emergency service facilities.</p>		street scene— 15.8.3.2

Any application arising from non-compliance with this rule will not require written approvals and shall not be limited or publicly notified.

15.4.3.4 Minimum building setback from the boundary with Residential Banks Peninsula, Residential Conservation Zones

	Permitted	Restricted discretionary	Matters of discretion
a.	3 metres or more	Less than 3 metres	a. Minimum separation from the internal boundary with a residential zone – 15.8.3.3

Any application arising from non-compliance with this rule shall not be publicly notified.

15.4.3.5 Sunlight and outlook at boundary with a residential zone or any public space

	Permitted	Restricted discretionary	Matters of discretion
a.	Where a site boundary adjoins a residential zone, or public space (other than a road) in the block between London Street, Norwich Quay, Oxford Street and Canterbury Street, no part of any building shall project beyond a building envelope contained by a 45 degree recession plane measured at any point 2 metres above the site boundary, unless specified below.	Non-compliance with permitted standard	a. Sunlight and outlook at boundary with a residential zone – 15.8.3.4

Where sites are located within a Flood Management Area, recession plane breaches created by the need to raise floor levels will not require written approvals and shall not be limited or publicly notified.

Any application arising from non-compliance with this rule shall not be publicly notified.

15.4.3.6 Outdoor storage areas

	Permitted	Restricted discretionary	Matters of discretion
a.	Any outdoor storage area shall be screened by 1.8 metre high fencing or landscaping from any adjoining site. This rule shall not apply where the storage of vehicles, equipment, machinery, and/or natural or processed products is for periods of less than 12 weeks in any year.	Non-compliance with permitted standard	a. Outdoor storage areas – 15.8.3.5

Any application arising from non-compliance with this rule will not require written approvals and shall not be limited or publicly notified.

This rule shall not apply to activities permitted in accordance with Rule 15.4.2.1 P22.

15.4.3.7 Water supply for fire fighting

	Permitted	Restricted discretionary	Matters of discretion
a.	Sufficient water supply and access to water supplies for fire fighting to all buildings via Council's urban fully reticulated water supply system in accordance with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice (SNZ PAS: 4509:2008)	Non-compliance with permitted standard	a. Water supply for fire fighting – 15.8.3.8

Any application arising from this rule will not require the written approval of any entity except the New Zealand Fire Service and shall not be publicly notified. Limited notification, if required, shall only be to the New Zealand Fire Service.

15.4.3.8 Minimum building setback from railway corridor

		Permitted	Restricted discretionary	Matters of discretion
a.	Buildings, balconies and decks on sites adjacent to or abutting railway line.	4 metres from the rail corridor boundary	Less than 4 metres	a. Minimum building setback from the railway corridor - 15.8.3.10

Any application arising from this rule will not require the written approval of any entity except KiwiRail and shall not be publicly notified. Limited notification, if required, shall only be to KiwiRail.

15.5 Rules – Commercial Retail Park Zone

15.5.1 How to use the rules

- a. The rules that apply to activities in the Commercial Retail Park Zone are contained in:
 - i. The activity status tables (including activity specific standards) in Rule 15.5.2; and
 - ii. Built form standards in 15.5.3.
- b. The activity status tables and standards in the following chapters also apply to activities in all areas of the Commercial Retail Park Zone (where relevant):
 - 5 Natural Hazards;
 - 6 General Rules and Procedures
 - 7 Transport;
 - 8 Subdivision, Development and Earthworks;
 - 9 Natural and Cultural Heritage;
 - 11 Utilities and Infrastructure; and
 - 12 Hazardous Substances and Contaminated Land.
- c. Where the word 'facility' is used in the rules e.g. Health care facility, it shall also include the use of a site/building for the activity that the facility provides for, unless expressly stated otherwise.

Similarly, where the word/ phrase defined includes the word 'activity' or 'activities', the definition includes the land and/or buildings for that activity unless expressly stated otherwise in the activity status tables.

15.5.2 Activity status tables – Commercial Retail Park Zone

15.5.2.1 Permitted activities

In the Commercial Retail Park Zone the activities listed below are permitted activities if they comply with any activity specific standards set out in this table and the built form standards in Rule 15.5.3. Note that the built form standards do not apply to an activity that does not involve any development.

Activities may also be controlled, restricted discretionary, discretionary, noncomplying or prohibited as specified in Rules 15.5.2.2, 15.5.2.3, 15.5.2.4, 15.5.2.5 and 15.5.2.6.

The activities listed below include any associated landscaping, access, parking, loading, waste management and other hardstanding areas.

	Activity	Activity specific standards
P1	Any new building or addition to a building for any permitted activity listed in P2 to P17 and P19-P20 below.	Nil
P2	Retail activity, unless specified below	a. The minimum tenancy size of any single retail activity shall be 450m ² GLFA.
P3	Supermarket	Nil
P4	Trade supplier	
P5	Yard-based supplier	
P6	Second-hand goods outlet	
P7	Service station	
P8	Food and beverage outlet	
P9	Ancillary office activity on the same site as a permitted activity	a. Any ancillary office activity shall occupy no more than 500m ² or 30% of the gross floor area of all buildings on the same site, whichever is the lesser.
P10	Public transport facility	Nil
P11	Emergency service facilities	
P12	Health care facility	
P13	Pre-school	
P14	Gymnasium	
P15	Drive-through services	
P16	Parking lot	
P17	Parking building	

	Activity	Activity specific standards
P18	Any activity within the Commercial Retail Park Zone located north of Langdons Road.	<p>a. All activities within the zone shall not result in more than 950 trips per hour being generated during the Thursday PM peak period of 4.00pm to 6.00pm.</p> <p>Compliance with this rule is to be determined by undertaking traffic counts at the zone during the Thursday PM peak period of 4pm to 6pm over a consecutive three week period. The peak hour within each surveyed two hour period is to be determined from count data. The 950 trip value used for compliance assessment purposes is to be determined from the average peak hour value from the three week data set.</p>
P19	Office activity within the Commercial Retail Park Zone located north of Langdons Road.	<p>a. Office activity shall be limited to a total of 10,000m² gross floor area in the Commercial Retail Park Zone north of Langdons Road.</p>
P20	Commercial services within the Commercial Retail Park Zone located at Tower Junction.	<p>a. The maximum gross leasable floor area per tenancy shall be 250 m².</p> <p>b. The maximum gross leasable floor area of commercial services within the Commercial Retail Park Zone at Tower Junction shall be 10% of the total gross leasable floor area.</p>
P21	Any permitted activity within the Commercial Retail Park Zone at 121 Briggs Road.	<p>a. Use of this site shall be limited to access and its associated landscaping.</p>

15.5.2.2 Controlled activities

The activities listed below are controlled activities.

There are no controlled activities.

15.5.2.3 Restricted discretionary activities

The activities listed below are restricted discretionary activities.

Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in 15.8.1, 15.8.2 and 15.8.3, as set out in the table below.

	Activity	The Council's discretion shall be limited to the following matters:
RD1	Activities P2 - P21 in Rule 15.5.2.1, and RD2 and RD3, that do not meet one or more of the built form standards in 15.5.3, unless otherwise specified. Refer to relevant built form standard for provisions regarding notification and written approval.	As relevant to the breached built form standard: a. Maximum building height – 15.8.3.1 b. Minimum building setback from road boundaries/ street scene – 15.8.3.2 c. Minimum separation from the internal boundary with a residential zone – 15.8.3.3 d. Sunlight and outlook at boundary with a residential zone – 15.8.3.4 e. Outdoor Storage Areas – 15.8.3.5 f. Landscaping and trees- 15.8.3.6 g. Water supply for fire fighting – 15.8.3.8. h. Minimum building setback from the railway corridor - 15.8.3.10.
RD2	Activity P9 in Rule 15.5.2.1 that does not meet the activity specific standard in 15.5.2.1. Any application for this activity will not require written approvals and shall not be limited or publicly notified.	a. For P9 – (Ancillary office activity) - 15.8.2.6
RD3	Activity P18 in Rule 15.5.2.1 that does not meet the activity specific standard in 15.5.2.1	a. Transport effects at Commercial Retail Park Zone (Langdons Road) – 15.8.3.13

15.5.2.4 Discretionary activities

The activities listed below are discretionary activities.

	Activity
D1	Any activity not provided as a permitted, restricted discretionary, or non-complying activity.
D2	Any activity not complying with the activity specific standard for 15.5.2.1 P19, (Office activity) or P20 (Commercial services).

15.5.2.5 Non-complying activities

The activities listed below are non-complying activities.

	Activity
NC1	Any non-compliance with the activity specific standard for 15.5.2.1 P2 (Retail activity).
NC2	Any activity or building not complying with the activity specific standard for 15.5.2.1 P21 (121 Briggs Road).

15.5.2.6 Prohibited activities

The activities listed below are prohibited activities.

There are no prohibited activities.

15.5.3 Built form standards – Commercial Retail Park Zone

The following built form standards shall be met by all permitted activities, and for restricted discretionary activity RD2 and RD3, unless otherwise stated.

15.5.3.1 Maximum building height

	Applicable to	Permitted	Restricted discretionary	Matters of discretion
a.	All sites	15 metres	Greater than 15 metres	a. Maximum building height – 15.8.3.1

Any application arising from non-compliance with this rule shall not be publicly notified.

15.5.3.2 Minimum building setback from road boundaries

	Applicable to	Permitted	Restricted discretionary	Matters of discretion
a.	Any activity unless specified in b – c below	3 metres	Less than 3 metres	a. Minimum building setback from road boundaries/
b.	Ancillary Office activity	1.5 metres	Less than 1.5 metres	

	Applicable to	Permitted	Restricted discretionary	Matters of discretion
c.	For sites with frontage to two intersecting roads in the Commercial Retail Park Zone	1.5 metres on one road boundary and 3 metres on the other road boundary	Less than 1.5 metres on one road boundary and/or less than 3 metres on the other road boundary	street scene – 15.8.3.2

Any application arising from non-compliance with this rule will not require written approvals and shall not be limited or publicly notified.

15.5.3.3 Minimum building setback from residential or open space zones

	Applicable to	Permitted	Restricted discretionary	Matters of discretion
a.	All buildings within sites which share a boundary with a residential or open space zone.	3 metres	Less than 3 metres	a. Minimum separation from the internal boundary with a residential or open space zone – 15.8.3.3

Any application arising from non-compliance with this rule shall not be publicly notified.

15.5.3.4 Sunlight and outlook at boundary with a residential zone

	Permitted	Restricted discretionary	Matters of discretion
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 from any point 2.3 metres above the internal boundary in accordance with the diagrams in Appendix 15.10.9.	Non-compliance with permitted standard	a. Sunlight and outlook at boundary with a residential zone -15.8.3.4

Where sites are located within a Flood Management Area, recession plane breaches created by the need to raise floor levels will not require written approvals and shall not be limited or publicly notified.

Any application arising from non-compliance with this rule shall not be publicly notified.

15.5.3.5 Outdoor storage areas

	Permitted	Restricted discretionary	Matters of discretion
a.	Any outdoor storage area shall be screened by 1.8 metre high fencing or landscaping from any adjoining road or adjoining site; and	Non-compliance with permitted standard	a. Outdoor storage areas – 15.8.3.5

Any application arising from non-compliance with this rule will not require written approvals and shall not be limited or publicly notified.

15.5.3.6 Landscaping and trees

Permitted	Restricted discretionary	Matters of discretion
<p>a. The area adjoining the road frontage of all sites shall be landscaped in accordance with the following standards:</p> <ul style="list-style-type: none"> i. Minimum width - 1.5 metres ii. Minimum density of tree planting - 1 tree for every 10 metres of road frontage or part thereof, evenly spaced. <p>b. On sites adjoining a residential zone, trees shall be planted adjacent to the shared internal boundary at a ratio of at least 1 tree for every 10 metres of the boundary or part thereof, with the trees evenly spaced along that boundary.</p> <p>c. 1 tree shall be planted for every 5 car parking spaces within any car parking area and along any pedestrian routes.</p> <p>d. All landscaping / trees required for these rules shall be in accordance with the provisions in Appendix 16.6.1.</p>	Non-compliance with permitted standard	a. Landscaping and trees – 15.8.3.6

Note:

- Any landscaping required by rule 15.5.3.6 may be located in common areas, where the development comprises land and/or buildings in separate unit titles.
- Stormwater facilities that support multiple values such water quality treatment, biodiversity enhancement and landscape amenity, should be incorporated into landscaped areas, where practicable, to achieve effective stormwater management in an integrated manner.

Any application arising from non-compliance with clauses a and c of this rule will not require written approvals and shall not be publicly or limited notified.

15.5.3.7 Water supply for fire fighting

	Permitted	Restricted discretionary	Matters of discretion
a.	Sufficient water supply and access to water supplies for fire fighting to all buildings via Council's urban fully reticulated water supply system in accordance with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice (SNZ PAS: 4509:2008)	Non-compliance with permitted standard	a. Water supply for fire fighting – 15.8.3.8

Any application arising from this rule will not require the written approval of any entity except the New Zealand Fire Service and shall not be publicly notified. Limited notification, if required, shall only be to the New Zealand Fire Service.

15.5.3.8 Minimum building setback from railway corridor

	Applicable to	Permitted	Restricted discretionary	Matters of discretion
a.	Buildings, balconies and decks on sites adjacent to or abutting railway line.	4 metres from the rail corridor boundary	Less than 4 metres	a. Minimum building setback from the railway corridor – 15.8.3.10

Any application arising from this rule will not require the written approval of any entity except KiwiRail and shall not be publicly notified. Limited notification, if required, shall only be to KiwiRail.

15.6 Rules – Commercial Office Zone

15.6.1 How to use the rules

- a. The rules that apply to activities in the Commercial Office Zone are contained in:
 - i. The activity status tables (including activity specific standards) in Rule 15.6.2; and
 - ii. Built form standards in 15.6.3.
- b. The activity status tables and standards in the following chapters also apply to activities in all areas of the Commercial Office Zone (where relevant):
 - 5 Natural Hazards;
 - 6 General Rules and Procedures
 - 7 Transport;
 - 8 Subdivision, Development and Earthworks;
 - 9 Heritage and Natural Environment;
 - 11 Utilities, Energy and Infrastructure; and
 - 12 Hazardous Substances and Contaminated Land.
- c. Where the word 'facility' is used in the rules e.g. trade and industry training facility, it shall also include the use of a site/building for the activity that the facility provides for, unless expressly stated otherwise.

Similarly, where the word/ phrase defined includes the word 'activity' or 'activities', the definition includes the land and/or buildings for that activity unless expressly stated otherwise in the activity status tables.

15.6.2 Activity status tables - Commercial Office Zone

15.6.2.1 Permitted activities

In the Commercial Office Zone the activities listed below are permitted activities if they comply with any activity specific standards set out in this table and built form standards in Rule 15.6.3. Note that the built form standards do not apply to an activity that does not involve any development.

Activities that are not listed in this table will be restricted discretionary, discretionary, non-complying or prohibited, as specified in Rules 15.6.2.2, 15.6.2.3, 15.6.2.4, 15.6.2.5 and 15.6.2.6.

The activities listed below include any associated landscaping, access, parking, loading, waste management and other hardstanding areas.

	Activity	Activity specific standards
P1	Any new building or addition to a building for any permitted activity listed in P2 to P12 below.	Nil
P2	Office activity	
P3	Food and beverage outlet	
P4	Commercial services	
P5	Trade and industry training facility	
P6	Public transport facility	
P7	Gymnasium	
P8	Parking lot	
P9	Parking building	
P10	Pre-school	
P11	Community facility	
P12	Emergency service facilities	

15.6.2.2 Controlled activities

The activities listed below are controlled activities.

There are no controlled activities.

15.6.2.3 Restricted discretionary activities

The activities listed below are restricted discretionary activities.

Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in 15.8.3 for each standard, as set out in the following table.

	Activity	The Council's discretion shall be limited to the following matters:
RD1	Activities P1-P12 in Rule 15.6.2.1 that do not comply with one or more of the built form standards in Rule 15.6.3. Refer to relevant built form standard for provisions regarding notification and written approval.	As relevant to the breached built form standard: a. Maximum height of buildings – 15.8.3.1 b. Minimum building setback from road boundaries/street scene – 15.8.3.2 c. Minimum separation from the internal boundary with a residential zone – 15.8.3.3 d. Sunlight and outlook at boundary with a residential zone – 15.8.3.4 e. Outdoor storage areas – 15.8.3.5 f. Landscaping and trees - 15.8.3.6 g. Water supply for fire fighting – 15.8.3.8 h. Access to the Commercial Office Zone (Wrights Road) – 15.8.3.9. i. Minimum building setback from the railway corridor - 15.8.3.10

15.6.2.4 Discretionary activities

The activities listed below are discretionary activities.

	Activity
D1	Any activity not provided for as permitted, restricted discretionary or non-complying.

15.6.2.5 Non-complying activities

The activities listed below are non-complying activities.

	Activity
NC1	Heavy industrial activity.
NC2	Sensitive activity inside the air noise contour (50 dBA Ldn) as defined on the planning maps.

15.6.2.6 Prohibited activities

The activities listed below are prohibited activities.

There are no prohibited activities.

15.6.3 Built form standards – Commercial Office Zone

The following built form standards shall be met by all permitted activities unless otherwise stated.

15.6.3.1 Maximum height for buildings and fences or screening structures

	Applicable to	Permitted	Restricted discretionary	Matters of discretion
a.	Buildings - all areas	15 metres	Greater than 15 metres	a. Maximum height for buildings – 15.8.3.1

Any application arising from non-compliance with this rule shall not be publicly notified.

15.6.3.2 Minimum building setback from road boundaries

	Applicable to	Permitted	Restricted discretionary	Matters of discretion
a.	All sites	3 metres	Less than 3 metres	a. Minimum building setback from road boundaries/ street scene – 15.8.3.2

Any application arising from non-compliance with this rule shall not require written approvals and shall not be publicly or limited notified.

15.6.3.3 Minimum building setback from the boundary with a residential zone

	Permitted	Restricted discretionary	Matters of discretion
a.	3 metres	Less than 3 metres	a. Minimum separation from the internal boundary with a residential zone – 15.8.3.3

Any application arising from non-compliance with this rule shall not be publicly notified.

15.6.3.4 Sunlight and outlook at boundary with a residential zone

	Permitted	Restricted discretionary	Matters of discretion
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 from any point 2.3 metres above the internal boundary in accordance with the diagrams in Appendix 15.10.9.	Non-compliance with permitted standard	a. Sunlight and outlook at boundary with a residential zone- 15.8.3.4

Where sites are located within a Flood Management Area, recession plane breaches created by the need to raise floor levels will not require the written consent of other persons and shall be non-publicly notified.

Any application arising from non-compliance with this rule shall not be publicly notified.

15.6.3.5 Outdoor storage of materials/ car parking

	Permitted	Restricted discretionary	Matters of discretion
a.	<p>i. Any outdoor storage area shall be screened by 1.8 metre high fencing or landscaping from any adjoining road or adjoining site; and</p> <p>ii. Outdoor storage areas shall not be located within the setback specified in Rules 15.6.3.2.</p> <p>This rule shall not apply where the storage of vehicles, equipment, machinery, and/or natural or processed products is for periods of less than 12 weeks in any year.</p>	Non-compliance with permitted standard	a. Outdoor storage areas – 15.8.3.5

Any application arising from non-compliance with this rule shall not be publicly notified.

15.6.3.6 Landscaped areas

	Permitted	Restricted discretionary	Matters of discretion
a.	<p>The minimum percentage of the site to be landscaped shall be 20%, excluding those areas required to be set aside for trees within or adjacent to parking areas (refer to clause (d) below).</p> <p>This clause shall not apply to emergency service facilities</p>	Non-compliance with permitted standard	a. Landscaping and trees - 15.8.3.6
b.	<p>The area adjoining the road frontage of all sites shall have a landscape strip in accordance with the following standards:</p> <ul style="list-style-type: none"> a. Minimum width - 1.5 metres b. Minimum density of tree planting – 1 tree for every 10 metres of road frontage or part thereof, evenly spaced with shrubs between each tree. <p>This clause shall not apply to emergency service facilities</p>		
c.	<p>On sites adjoining a residential zone, trees shall be planted adjacent to the shared internal boundary at a ratio of at least 1 tree for every 10 metres of the boundary or part thereof, with the trees evenly spaced along that boundary.</p>		
d.	<p>In addition to clauses (a), (b) and (c) above, where car parking is located at the front of a site, 1 tree shall be planted for every 5 car parking spaces within any car parking area.</p>		
e.	<p>All landscaping/trees required for these rules shall be in accordance with the provisions in Appendix 16.6.1.</p>		

Note:

1. Stormwater facilities shall be incorporated into any development to achieve effective stormwater management and to protect groundwater.
2. The stormwater facilities, which support multiple values such as stormwater retention, water quality treatment, biodiversity enhancement, Ngāi Tahu/manawhenua values and landscape amenity, should be incorporated into landscaped areas, where practicable, to achieve effective stormwater management and the protection of groundwater in an integrated manner. Stormwater treatment sites or treatment facilities should be separated from natural waterways with vegetated

buffers to ensure stormwater is treated before it is discharged into natural waterways or natural wetlands.

Any application arising from non compliance with clauses (a) and (b) of this rule will not require written approvals and shall not be publicly or limited notified.

15.6.3.7 Water supply for fire fighting

	Permitted	Restricted discretionary	Matters of discretion
a.	Sufficient water supply and access to water supplies for fire fighting to all buildings via Council's urban fully reticulated water supply system in accordance with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice (SNZ PAS: 4509:2008)	Non-compliance with permitted standard	a. Water supply for fire fighting – 15.8.3.8.

Any application arising from this rule will not require the written approval of any entity except the New Zealand Fire Service and shall not be publicly notified. Limited notification, if required, shall only be to the New Zealand Fire Service.

15.6.3.8 Access to Commercial Office Zone (Wrights Road)

	Permitted	Restricted discretionary	Matters of discretion
a.	<p>Road connections to the Commercial Office Zone (Wrights Road) on the corner of Wrights Road and Jack Hinton Drive, shall be limited to:</p> <ul style="list-style-type: none"> i. no more than two points of road access from Wrights Road, which shall be at least 50 metres apart and be set back at least 25 metres from the intersection of Jack Hinton Drive and Wrights Road; and ii. one road connection from Jack Hinton Drive, set back at least 15 metres from the intersection of Jack Hinton Drive and Wrights Road. 	Non-compliance with permitted standard	a. Access to the Commercial Office Zone (Wrights Road) – 15.8.3.9
b.	There shall be no individual site access to Jack Hinton Drive or Wrights Road.		

Any application arising from non-compliance with this rule will not require written approvals and shall not be limited or publicly notified.

15.6.3.9 Minimum building setback from railway corridor

		Permitted	Restricted discretionary	Matters of discretion
a.	Buildings, balconies and decks on sites adjacent to or abutting railway line.	4 metres from the rail corridor boundary	Less than 4 metres	a. Minimum building setback from the railway corridor - 15.8.3.10

Any application arising from this rule will not require the written approval of any entity except KiwiRail and shall not be publicly notified. Limited notification, if required, shall only be to KiwiRail.

15.7 Rules – Commercial Mixed Use Zone

15.7.1 How to use the rules

- a. The rules that apply to activities in the Commercial Mixed Use Zone are contained in:
 - i. The activity status tables (including activity specific standards) in Rule 15.7.2; and
 - ii. Built form standards in 15.7.3.
- b. The activity status tables and standards in the following chapters also apply to activities in all areas of the Commercial Mixed Use Zone (where relevant):
 - 5 Natural Hazards;
 - 6 General Rules and Procedures;
 - 7 Transport;
 - 8 Subdivision, Development and Earthworks;
 - 9 Natural and Cultural Heritage;
 - 11 Utilities and Infrastructure; and
 - 12 Hazardous Substances and Contaminated Land.
- c. Where the word 'facility' is used in the rules e.g. public transport facility, it shall also include the use of a site/building for the activity that the facility provides for, unless expressly stated otherwise.

Similarly, where the word/ phrase defined includes the word 'activity' or 'activities', the definition includes the land and/or buildings for that activity unless expressly stated otherwise in the activity status tables.

15.7.2 Activity status tables – Commercial Mixed Use Zone

15.7.2.1 Permitted activities

In the Commercial Mixed Use Zone the activities listed below are permitted activities if they comply with any activity specific standards set out in this table and the built form standards in Rule 15.7.3. Note that the built form standards do not apply to an activity that does not involve any development.

Activities may also be controlled, restricted discretionary, discretionary, noncomplying or prohibited as specified in Rules 15.7.2.2, 15.7.2.3, 15.7.2.4, 15.7.2.5 and 15.7.2.6.

The activities listed below include any associated landscaping, access, parking, loading, waste management and other hardstanding areas.

	Activity	Activity specific standards
P1	Any new building or addition to a building for any permitted activity listed in P3 to P8 and P11 to P27 below.	Nil
P2	<p>a. Existing retail activity in an existing building, or</p> <p>b. Existing consented retail activity and associated building;</p> <p>at the DATE OF DECISION AS NOTIFIED</p>	Nil
P3	Ancillary retail activity	<p>a. Any ancillary retail activity shall:</p> <p>i. occupy no more than 250m² or 25% of the gross floor area of all buildings on the same site, whichever is the lesser; and</p> <p>ii. have visually transparent glazing on the ground floor elevation facing the street for a minimum of 20% of that elevation where goods are displayed for sale within the building and the retail activity fronts the street.</p> <p>iii. be limited to the display and sale of goods produced, processed or stored on the site.</p>
P4	Food and beverage outlet	Nil
P5	Trade supplier	
P6	Yard-based supplier	
P7	Second-hand goods outlet	
P8	Service station	
P9	<p>a. Existing commercial services in an existing building, or</p> <p>b. Existing consented commercial services and associated building;</p> <p>as at the DATE OF DECISION AS NOTIFIED</p>	

	Activity	Activity specific standards
P10	a. Existing office activity in an existing building, or b. Existing consented office activity and associated building; as at the DATE OF DECISION AS NOTIFIED	
P11	Ancillary office activity	a. Any ancillary office activity shall: <ul style="list-style-type: none"> i. occupy no more than 500m² or 30% of the gross floor area of all buildings on the same site, whichever is the lesser; and ii. have visually transparent glazing on the ground floor elevation facing the street for a minimum of 20% of that elevation where the office activity fronts the street.
P12	Industrial activity in the Commercial Mixed Use Zone on Blenheim Road and Main South Road	Nil
P13	Warehousing and distribution activities	
P14	Service industry	
P15	High technology industrial activity	
P16	Trade and industry training facility	
P17	Emergency service facilities	
P18	Public transport facility	
P19	Health care facility	
P20	Pre-school	
P21	Gymnasium	
P22	Drive-through services	
P23	Parking lot	

	Activity	Activity specific standards
P24	Parking building	
P25	Tertiary education and research activities	
P26	Guest accommodation	
P27	Residential activity in Addington, Mandeville Street and New Brighton	<p>a. Residential activity shall be:</p> <ul style="list-style-type: none"> i. located above ground floor or ii. located to the rear of activities P2 – P12, P14– P23 on the ground floor frontage to the street, excluding <ul style="list-style-type: none"> A. any pedestrian entrance including lobby and/or reception area associated with residential activity, and: <p>b. Any residential activity shall have a minimum net floor area (including toilets and bathrooms but excluding lobby and/or reception area, car parking, garaging and balconies) per unit of:</p> <ul style="list-style-type: none"> i. Studio 35m² ii. 1 Bedroom 45m² iii. 2 Bedroom 60m² iv. 3 Bedroom 90m² <p>c. Each residential unit shall be provided with:</p> <ul style="list-style-type: none"> i. an outdoor service space of 3m² and a waste management area of 2m² per unit, each with a minimum dimension of 1.5 metres in either a private or communal area; ii. a single, indoor storage space of 4m³ with a minimum dimension of 1 metre. iii. any space designated for waste management, whether private or communal, shall not be located between the road boundary and any building and shall be screened from adjoining sites, roads, and adjoining outdoor living spaces by screening from the floor level of the waste management area to a height of 1.5 metres. <p>d. Each residential unit shall be provided with an outdoor living space with a minimum area and dimension as set out in the following table, located immediately outside and accessible from an internal living area of the residential unit.</p>

	Activity	Activity specific standards																
		<table><tr><td></td><td>Type</td><td>Area</td><td>Dimension</td></tr><tr><td>i.</td><td>Studio, 1 bedroom</td><td>6m²</td><td>1.5 metres</td></tr><tr><td>ii.</td><td>2 or 3 bedroom</td><td>10m²</td><td>1.5 metres</td></tr><tr><td>iii.</td><td>More than 3 bedrooms</td><td>15m²</td><td>1.5 metres</td></tr></table> <p>e. Any bedroom must be designed and constructed to achieve an external to internal noise reduction of not less than 35 dB $D_{tr,2m,n}T_w + C_{tr}$.</p>		Type	Area	Dimension	i.	Studio, 1 bedroom	6m ²	1.5 metres	ii.	2 or 3 bedroom	10m ²	1.5 metres	iii.	More than 3 bedrooms	15m ²	1.5 metres
	Type	Area	Dimension															
i.	Studio, 1 bedroom	6m ²	1.5 metres															
ii.	2 or 3 bedroom	10m ²	1.5 metres															
iii.	More than 3 bedrooms	15m ²	1.5 metres															

15.7.2.2 Controlled activities

The activities listed below are controlled activities.

There are no controlled activities.

15.7.2.3 Restricted discretionary activities

The activities listed below are restricted discretionary activities.

The matters over which the Council has restricted its discretion are specified for each restricted discretionary activity listed below.

	Activity	The Council's discretion shall be limited to the following matters:
RD1	<p>Activities P1 – P27 in Rule 15.7.2.1, and RD2, that do not meet one or more of the built form standards in 15.7.3, unless otherwise specified</p> <p>Refer to relevant built form standard for provision regarding notification and written approval</p>	<p>As relevant to the breached built form standard:</p> <ul style="list-style-type: none"> a. Maximum building height – 15.8.3.1 b. Minimum building setback from road boundaries/ street scene – 15.8.3.2 c. Minimum separation from the internal boundary with a residential zone – 15.8.3.3 d. Sunlight and outlook at boundary with a residential zone – 15.8.3.4 e. Outdoor storage areas – 15.8.3.5

	Activity	The Council's discretion shall be limited to the following matters:
		f. Landscaping and trees- 15.8.3.6 g. Water supply for fire fighting – 15.8.3.8 h. Minimum building setback from the railway corridor - 15.8.3.10
RD2	Activities P3, P11 and P27 a – d in Rule 15.7.2.1 that do not meet one or more of the activity specific standards in 15.7.2.1. Any application for this activity will not require written approvals and shall not be limited or publicly notified.	a. For P3 and P11 (Ancillary retail and Ancillary office activity): i. Ancillary office and retail activity 15.8.2.6 b. For P27 (Residential activity): i. Residential activity 15.8.2.3; and ii. Activity at ground floor level - 15.8.2.2

15.7.2.4 Discretionary activities

The activities listed below are discretionary activities.

	Activity	The Council will consider the matters of discretion specified below and any other relevant matter under Section 104 of the Act:
D1	Any activity not provided as a permitted, restricted discretionary, or non-complying activity.	

15.7.2.5 Non-complying activities

The activities listed below are non-complying activities

NC1	Any residential activity not complying with rule 15.7.2.1 P27 (e).
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15.7.2.6 Prohibited activities

The activities listed below are prohibited activities

There are no prohibited activities.	
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15.7.3 Built form standards – Commercial Mixed Use Zone

The following built form standards shall be met by all permitted activities and restricted discretionary activities RD2 unless otherwise stated.

15.7.3.1 Maximum building height

	Permitted	Restricted discretionary	Matters of discretion
a.	15 metres	Greater than 15 metres	a. Maximum building height – 15.8.3.1

Any application arising from non-compliance with this rule shall not be publicly notified.

15.7.3.2 Minimum building setback from road boundaries

	Applicable to	Permitted	Restricted discretionary	Matters of discretion
a.	Any activity unless specified below	3 metres	Less than 3 metres	a. Minimum building setback from road boundaries/ street scene – 15.8.3.2
b.	For sites with frontage to two intersecting roads in the Commercial Mixed Use Zone	1.5 metres on one road boundary and 3 metres on the other road boundary	Less than 1.5 metres on one road boundary and/or less than 3 metres on the other road boundary	

Any application arising from non-compliance with this rule will not require written approvals and shall not be limited or publicly notified.

15.7.3.3 Minimum building setback from residential zones

	Applicable to	Permitted	Restricted discretionary	Matters of discretion
a.	All buildings within sites which share a boundary with a residential zone.	3 metres	Less than 3 metres	a. Minimum separation from the internal boundary with a residential zone – 15.8.3.3

Any application arising from non-compliance with this rule shall not be publicly notified.

15.7.3.4 Sunlight and outlook at boundary with a residential zone

	Permitted	Restricted discretionary	Matters of discretion
a.	Where an internal boundary adjoins a residential zone, no part of any building shall project beyond a building envelope contained by a recession plane measured from any point 2.3 metres above the internal boundary in accordance with the diagrams in Appendix 15.10.9.	Non-compliance with permitted standard	a. Sunlight and outlook at boundary with a residential zone – 15.8.3.4

Where sites are located within a Flood Management Area, recession plane breaches created by the need to raise floor levels will not require written approvals and shall not be limited or publicly notified.

Any application arising from non-compliance with this rule shall not be publicly notified.

15.7.3.5 Outdoor storage areas

	Permitted	Restricted discretionary	Matters of discretion
a.	Any outdoor storage area shall be screened by 1.8 metre high fencing or landscaping from any adjoining road or adjoining site.	Non-compliance with permitted standard	a. Outdoor storage areas – 15.8.3.5

Any application arising from non-compliance with this rule will not require written approvals and shall not be limited or publicly notified.

15.7.3.6 Landscaping and trees

Permitted	Restricted discretionary	Matters of discretion
<p>a. The area adjoining the road frontage of all sites shall be landscaped in accordance with the following standards:</p> <ul style="list-style-type: none"> i. Minimum width - 1.5 metres ii. Minimum density of tree planting - 1 tree for every 10 metres of road frontage or part thereof, evenly spaced. <p>b. On sites adjoining a residential zone, trees shall be planted adjacent to the shared</p>	Non-compliance with permitted standard	a. Landscaping and trees – 15.8.3.6

Permitted	Restricted discretionary	Matters of discretion
<p>boundary at a ratio of at least 1 tree for every 10 metres of the boundary or part thereof, with the trees evenly spaced along that boundary.</p> <p>c. 1 tree shall be planted for every 5 car parking spaces within any car parking area and along any pedestrian routes.</p> <p>d. All landscaping / trees required for these rules shall be in accordance with the provisions in Appendix 16.6.1.</p> <p>Clause (a) shall not apply to emergency service facilities</p>		

Note: Stormwater facilities that support multiple values such water quality treatment, biodiversity enhancement and landscape amenity, should be incorporated into landscaped areas, where practicable, to achieve effective stormwater management in an integrated manner.

Any application arising from non-compliance with clauses a and c of this rule will not require written approvals and shall not be publicly or limited notified.

15.7.3.7 Water supply for fire fighting

	Permitted	Restricted discretionary	Matters of discretion
a.	Sufficient water supply and access to water supplies for fire fighting to all buildings via Council's urban fully reticulated water supply system in accordance with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice (SNZ PAS: 4509:2008)	Non-compliance with permitted standard	a. Water supply for fire fighting – 15.8.3.8

Any application arising from this rule will not require the written approval of any entity except the New Zealand Fire Service and shall not be publicly notified. Limited notification, if required, shall only be to the New Zealand Fire Service.

15.7.3.8 Minimum building setback from railway corridor

	Applicable to	Permitted	Restricted discretionary	Matters of discretion
a.	Buildings, balconies and decks on sites adjacent to or abutting railway line.	4 metres from the rail corridor boundary	Less than 4 metres from the rail corridor boundary	a. Minimum building setback from the railway corridor - 15.8.3.10

Any application arising from this rule will not require the written approval of any entity except KiwiRail and shall not be publicly notified. Limited notification, if required, shall only be to KiwiRail.

15.8 Matters of discretion

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. For the Commercial Banks Peninsula Zone, where specified, the Council shall also have regard to Design Guidelines for Lyttelton (Appendix 15.10.6) and Akaroa (Appendix 15.10.5).

15.8.1 Urban design

- a. The extent to which the development:
 - i. Recognises and reinforces the centre's role, context, and character, including any natural, heritage or cultural assets;
 - ii. Promotes active engagement with, and contributes to the vibrancy and attractiveness of, any adjacent streets, lanes or public spaces;
 - iii. Takes account of nearby buildings in respect of the exterior design, architectural form, scale and detailing of the building;
 - iv. Provides a human scale and minimises building bulk while having regard to the functional requirements of the activity;
 - v. Is designed to incorporate Crime Prevention Through Environmental Design (CPTED) principles, including encouraging surveillance, effective lighting, management of public areas and boundary demarcation;
 - vi. Incorporates landscaping or other means to provide for increased amenity, shade, and weather protection;
 - vii. Provides safe, legible, and efficient access for all transport users;
 - viii. Where relevant, has regard to the actions of the Suburban Centre Master Plan to support their recovery, long term growth and a high level of amenity.

15.8.2 Matters of discretion for non-compliance with activity specific standards

15.8.2.1 Maximum tenancy size

- a. The extent to which the scale of the activity:
 - i. affects recovery of the Central City and its function as the principal Centre;
 - ii. supports the intended role of the Centre having regard to the Centres Hierarchy (Refer to 15.1.2.1 Policy – Role of centres);

15.8.2.2 Activity at ground floor level

- a. The operational and functional requirements of the activity and the existing nature of activities and built form on and around the site.
- b. The visual impact of any activity upon the street façade of a building and streetscene.
- c. Any potential for residential activity to restrict the ability of existing or future commercial activities to operate or establish without undue constraint.
- d. Any beneficial effects of the activity in providing for natural surveillance, and its contribution to the night-time economy.
- e. **In the Commercial Core Zone at North Halswell, the effect of residential activity at ground floor on the ability to accommodate commercial activities over the long term while achieving a compact and mixed use centre.**

15.8.2.3 Residential activity

- a. In relation to minimum unit size, whether:
 - i. The floorspace available and the internal layout represents a viable residential unit that would support the amenity of current and future occupants;
 - ii. Other on-site factors compensate for a reduction in unit sizes e.g. communal facilities;
 - iii. The balance of unit mix and unit sizes within the overall development is such that a minor reduction in the area of a small percentage of the overall units may be warranted;
 - iv. The units are to be a part of a development delivered by a social housing provider and have been designed to meet any specific needs of future social housing tenants and/or atypical housing needs.
- b. In relation to the amount of storage and waste management spaces, whether:
 - i. The amount of space to store rubbish and recycling, whether communal, outdoors or indoors is adequate;
 - ii. The volume of space provided for personal storage is adequate.
- c. In relation to the configuration of storage and waste management space, whether:
 - i. The location of rubbish and recycling space for residents is convenient;
 - ii. The lack of screening of any outdoor service space will impact on the visual amenity within the site and of any adjoining site, activity, or the street scene;
 - iii. The size and flexibility of the residential unit layout provides other indoor storage options where an indoor storage space is not provided for each unit;
 - iv. The alternative storage areas provided on the site are adequate, accessible and convenient, where indoor storage space is not provided for each residential unit.
- d. In relation to the amount of outdoor living space, whether:
 - i. There is any alternative provision of publicly available space on, or in close proximity to the site to meet the needs of occupants now and in the future;

- ii. The reduction in outdoor living space is proportional to the size of the residential unit and the demands of the likely number of occupants now and in the future;
 - iii. The reduction in outdoor living space or the lack of its access to sunlight is compensated for by alternative space within buildings with access to ample sunlight and fresh air.
- e. In relation to the location and configuration of outdoor living space:
 - i. Whether the allocation between private and communal outdoor living spaces within the site is adequate and appropriately located to meet the current and future needs of occupants of the site;
 - ii. Where the communal outdoor/indoor spaces are not contiguous on a large site, the ability of the spaces to meet the needs of occupants and provide a high level of residential amenity;
 - iii. Whether the reduction in outdoor living space will result in additional loss of mature on-site vegetation and/or spaciousness of the area.
- f. For sensitive activities in Lyttelton:
 - i. The potential for reverse sensitivity effects on port activities located at Lyttelton Port;
 - ii. Whether any methods to reduce the potential for reverse sensitivity effects on the port operator, other than acoustic insulation, have been incorporated into the design of the proposal;
 - iii. Whether any resultant outdoor living could create an increased potential for a complaint against port noise thus causing a potential reverse sensitivity effect on port activities.

15.8.2.4 Centre vitality and amenity

- a. The extent to which the scale, character, form and location of the activity:
 - i. Contributes to the vitality of the centre, particularly along Key Pedestrian Frontages;
 - ii. Supports the intended role of the centre the development is proposed in, while not eroding the role of the Central City and District Centres in the centres hierarchy (Refer to 15.1.2.1 Policy – Role of centres);
 - iii. Impacts upon the diversity of activities within the centre;
 - iv. Promotes the efficient use of land within the centre to achieve a compact urban form;
 - v. Reflects the functional requirements of the activity.

15.8.2.5 Nuisance

- a. Whether the scale, character and intensity of an activity is compatible with the amenity values of the centre and adjoining properties in terms of noise, traffic generation, odour, operating hours and lighting.

15.8.2.6 Ancillary office and retail activity

- a. The extent to which the activity and its scale is consistent with the function of the zone.
- b. The effect of the development on the capacity to accommodate future demand for large format retail activities in the Commercial Retail Park Zone.
- c. The extent to which the activity is ancillary to the primary use of a site.
- d. The extent to which the site that the activity is proposed on relates to another site that the activity is ancillary to.
- e. The extent to which the activity contributes to the agglomeration of other non-industrial activities that may discourage or displace large format retail activities in the Commercial Retail Park Zone.
- f. The extent to which further retail and office activity supports the function of the Central City, District Centres and Neighbourhood Centres as the focus for these uses and the community.
- g. The visual effect of the extent of areas of glazing facing the street particularly at ground level.

15.8.3 Matters of discretion for built form standards

15.8.3.1 Maximum building height

- a. The extent to which an increase in height of the development:
 - i. Is visually mitigated through the design and appearance of the building, and the quality and scale of any landscaping and tree planting proposed;
 - ii. May allow better use of the site and the efficient use of land in the centre;
 - iii. Enables the long term protection of significant trees or natural features on the balance of the site through more intensive development;
 - iv. Improves the legibility of a centre in the context of the wider area;
 - v. Contributes to variety in the scale of buildings in a centre, and creates landmarks on corner sites;
 - vi. Reflects functional requirements of the activity;
 - vii. Results in adverse effects on adjoining residential zones or on the character, quality and use of public open space;
 - viii. Contributes to the visual dominance of the building when viewed from the surrounding area, having regard to the anticipated scale and form of buildings in the surrounding environment.
 - ix. If in New Brighton, provides for residential activity above ground floor, promoting a mix of uses and greater levels of activity in the centre.

15.8.3.2 Minimum building setback from road boundaries/ street scene

- a. The extent to which the setback of the building from the street and the design of the building facades:
 - i. Provides for continuity of facades along the street frontage;
 - ii. Provides visual interest appropriate to the context and character of the site and surrounds;
 - iii. Incorporates architectural variation into the façade and building form to provide interest and to break up the bulk of a building;
 - iv. Provides for main entrances, openings and display windows onto the street, and maintains clear and visible visual and physical connections between the interior of a building and public spaces;
 - v. Provides for functional and quality space for public amenity and accessibility, such as for outdoor dining, and contributes to the functional width of a public footpath, without compromising the overall character of the street frontage and its continuity;
- b. The extent to which a setback of the building from the street results in the visual dominance of vehicles through the use of space for car parking, vehicle manoeuvring or loading.
- c. The extent to which functional requirements and/or the existing form, scale and design of buildings on the site necessitates a non-compliance.

15.8.3.3 Minimum separation from the internal boundary with a residential or open space zone

- a. The extent to which building intrusion into the setback:
 - i. Allows for better utilisation and outcomes for the site, for example, the protection of significant trees or significant environmental features on the site;
 - ii. Impacts on the outdoor living spaces and main living areas of residential buildings, and/or activities undertaken within the space affected;
 - iii. Impacts on the privacy for an adjoining site;
 - iv. Is mitigated by the extent and quality of any landscaping proposed.

15.8.3.4 Sunlight and outlook at boundary with a residential zone

- a. The extent to which building intrusion into a recession plane:
 - i. Allows for better utilisation and outcomes for the site, for example, the protection of significant trees or significant environmental features on the site;
 - ii. Overshadows and impacts on the outdoor living spaces and main living areas of residential buildings, and/or activities undertaken within the space affected, while having regard to the time of year that over shadowing is expected to occur;
 - iii. Impacts on the privacy of an adjoining site;
 - iv. Is mitigated by the extent and quality of any landscaping proposed;

- v. is necessary in order to avoid, remedy or mitigate adverse effects on the building resulting from a natural hazard including inundation or flooding;
- b. The extent to which shading by buildings impacts on the use and amenity of London Street in Lyttelton or other public space.

15.8.3.5 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;
 - ii. the materials or goods stored within the setback have an adverse visual effect.

15.8.3.6 Landscaping and trees

- a. The extent to which the proposed landscaping and tree 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 vegetation and its protection through the provision of space, or other methods e.g. barriers;
 - iii. continues to recognise Ngāi Tahu/manawhenua values through the use of indigenous species in riparian areas, where appropriate, that supports the establishment of ecological corridors;
- 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.

15.8.3.7 Site coverage

- a. The extent to which a greater site coverage:
 - i. provides adequate area for site access, manoeuvring, stormwater management and other activities;
 - ii. affects the amenity of adjoining sites or public spaces due to the visual dominance and/or scale of development;
 - iii. is mitigated through the provision of landscaping/screening;
 - iv. impacts on the ability to manage stormwater on the site where connection to a catchment based stormwater treatment system is not available.

15.8.3.8 Water supply for fire fighting

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

15.8.3.9 Access to the Commercial Office Zone (Wrights Road)

- a. Whether any conflict may be created by vehicles queuing across the vehicle crossing.
- b. Whether there may be potential confusion between vehicles turning at the crossing or the intersection.
- c. The effect on safety for all road users of the proposed road access points to the Commercial Office Zone (Wrights Road).
- d. Whether the speed and volume of vehicles on the road will exacerbate the adverse effects of access on the safety of users of all transport modes.
- e. Whether the geometry of the frontage road and intersections will mitigate the adverse effects of the access.
- f. The present traffic controls along the road corridor where vehicular access is proposed.
- g. Any cumulative effects when considered in the context of existing access points serving other activities in the vicinity.
- h. The proposed traffic mitigation measures such as medians, no right turn or left turn signs, or traffic calming measures.

15.8.3.10 Minimum building setback from the railway corridor

- a. Whether the reduced setback from the rail corridor will enable buildings to be maintained without requiring access above, over, or on the rail corridor.

15.8.3.11 Outline development plan for land between Huxley Street and King Street

- a. Whether there may be potential confusion between vehicles turning at the crossing or the intersection.
- b. The effect on safety for all road users of the proposed road access points.
- c. Whether the geometry of the frontage road and intersections will mitigate the adverse effects of the access.
- d. The present traffic controls along the road corridor where vehicular access is proposed.
- e. Any cumulative effects when considered in the context of existing access points serving other activities in the vicinity.
- f. The proposed traffic mitigation measures such as medians, no right turn or left turn signs, or traffic calming measures.

- g. Whether residential amenity is maintained on the frontage with King Street through the provision of landscaping and setback of buildings.
- h. The provision made for trees and planting to mitigate any effects.

15.8.3.12 Drive-through services

- a. The extent to which the activity and development is consistent with the following criteria:
 - i. Whether the development:
 - 1. considers the local context to identify the grain, scale and character of the surrounding development and determined the appropriateness of either consistency or divergence from that character.
 - 2. retains and incorporates on-site protected heritage assets and, where relevant, existing character buildings and structures, the landscape qualities of the site and surrounds, sites of cultural significance to Ngāi Tahu/ Manawhenua, springs and waterways, and existing trees and mature vegetation.
 - ii. Whether the functional requirements of the activity necessitates a different design outcome while contributing to a high quality urban environment.
 - iii. Whether the development relates to the street, by:
 - 1. Orientating the principal façade of the building and its main pedestrian access to the street;
 - 2. Providing a high level of glazing across the principal facade and orientating active areas of buildings, towards the street and other publicly accessible spaces.
 - 3. Providing the opportunity for open space to connect with the street.
 - 4. Avoiding the visual dominance of car parking when viewed from the street by means including but not limited to car park position and orientation, and landscape design.
 - 5. Orientating corner buildings to each street frontage and enabling additional building height to give prominence to the corner while having regard to the functional requirements of the activity, the street type, adjacent land uses and level of pedestrian activity.
 - iv. Whether the development ensures the safety, security and comfort of people using the site and centre by providing connectivity, where beneficial, for safe movement and passive surveillance.
 - v. Whether the development provides for safe, legible, efficient access for all transport users and site servicing, by:
 - 1. Locating and designing the provision of storage, servicing and vehicle parking areas to minimise visual impacts on the street, public areas or neighbouring residential uses, having regard to the functional requirements of the activity, the street type, and adjacent development and land uses.
 - 2. Providing for legible vehicle movement to the site and links to key connections external to the site.

3. Providing for car parking, where required, that is designed, located and configured to benefit from natural surveillance, facilitate shared use and create flexible space.
4. Siting buildings, and locating pedestrian access points and through routes to integrate with pedestrian and cycling networks and desire lines, including access to and from public transport infrastructure.
- vi. The extent to which the character, form and location of the activity will contribute to the vitality of the centre where located within a Key Pedestrian Frontage.
- vii. Where adjoining a residential zone, whether the scale, character and intensity of an activity is compatible with the amenity values of the centre and adjoining residential properties in terms of noise, traffic generation, odour, and lighting.

15.8.3.13 Transport effects at Commercial Retail Park Zone (Langdons Road)

- a. The extent to which the location of vehicular access points, the design of the transport network (including road alignment, intersection design and connections with the wider network) and the associated vehicle movements (including the type and volume of vehicles) may individually or cumulatively impact on the amenity of the adjoining residential area and the safety and efficiency of the transport network.

15.8.3.14 Access off Otara Street at Commercial Core Zone (Fendalton)

- a. The extent to which the use of sympathetic design and landscaping treatment integrate the proposed vehicle access into the surrounding environment.
- b. The extent to which the location of the proposed vehicular access and the associated vehicle movements (including the type and volume of vehicles) may individually or cumulatively impact on the safety and efficiency of the immediately adjacent transport network.

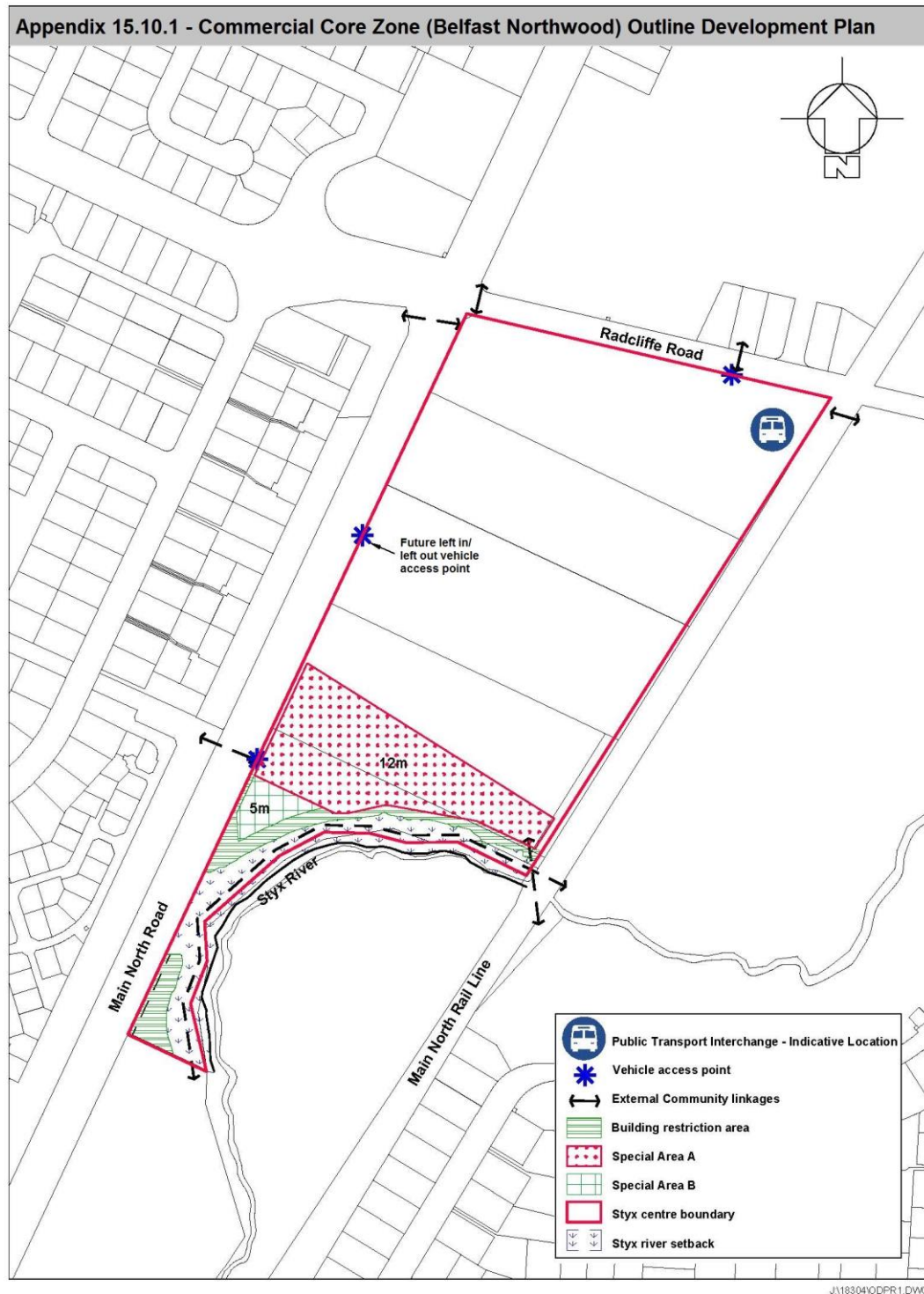
15.9 Rules – Other methods

15.9.1 Non-regulatory methods

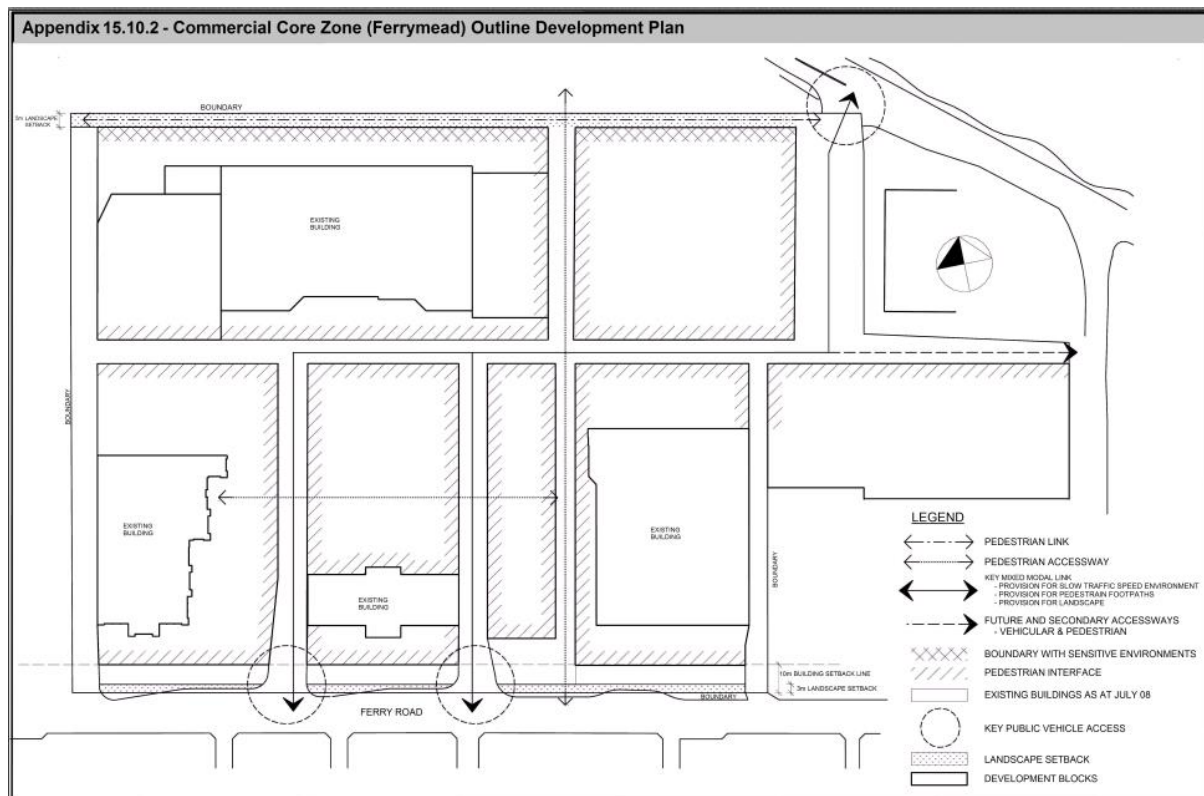
- 15.9.1.1 Planning studies to investigate issues and opportunities in Key Activity Centres and initiate appropriate mechanisms over time to address these.
- 15.9.1.2 Undertake regular monitoring of District and Neighbourhood Centres including surveys to determine whether a centre is performing as anticipated.
- 15.9.1.3 Apply a case management approach to the rebuild of centres, facilitating discussions with landowners and developers.
- 15.9.1.4 Apply a consistent approach to the assessment of applications with additional guidance to aid the applicant and Council.
- 15.9.1.5 Require development contributions to provide for network infrastructure and community infrastructure maintenance and improvements to service growth in centres.

15.10 Appendices

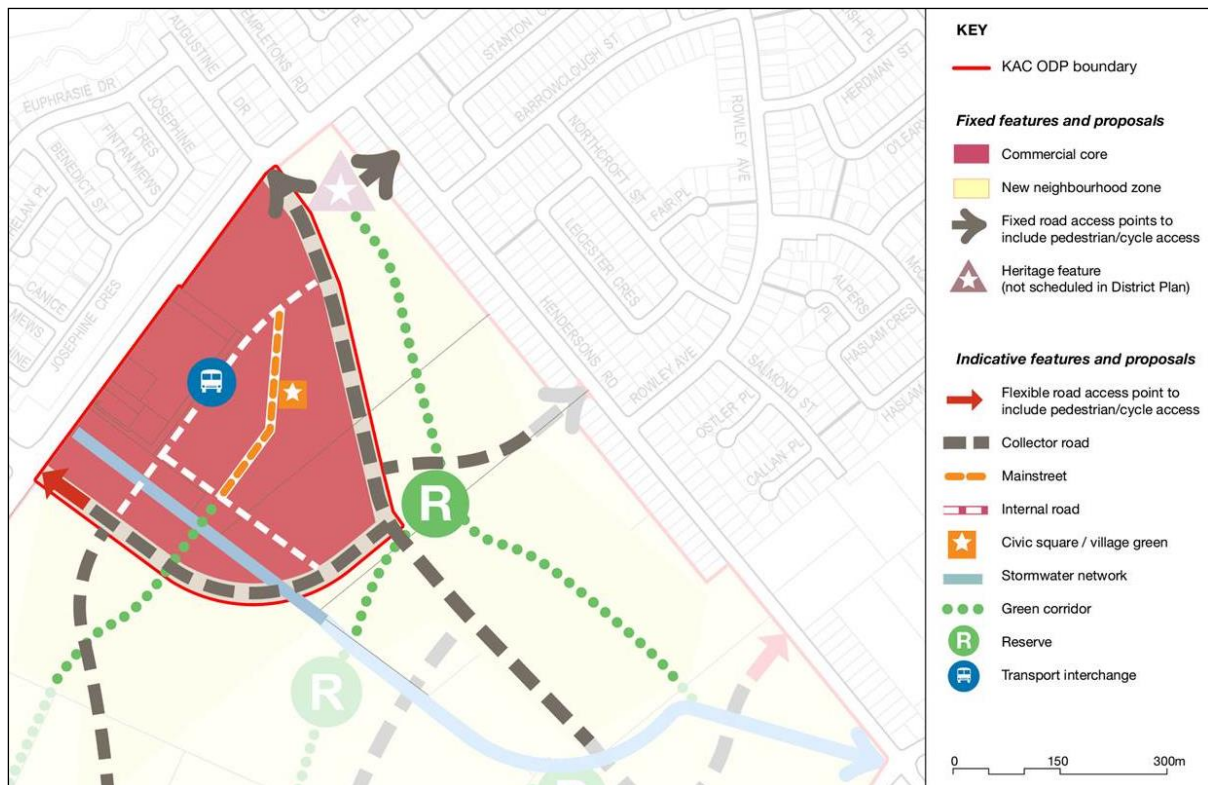
15.10.1 Commercial Core Zone (Belfast/Northwood) Outline Development Plan



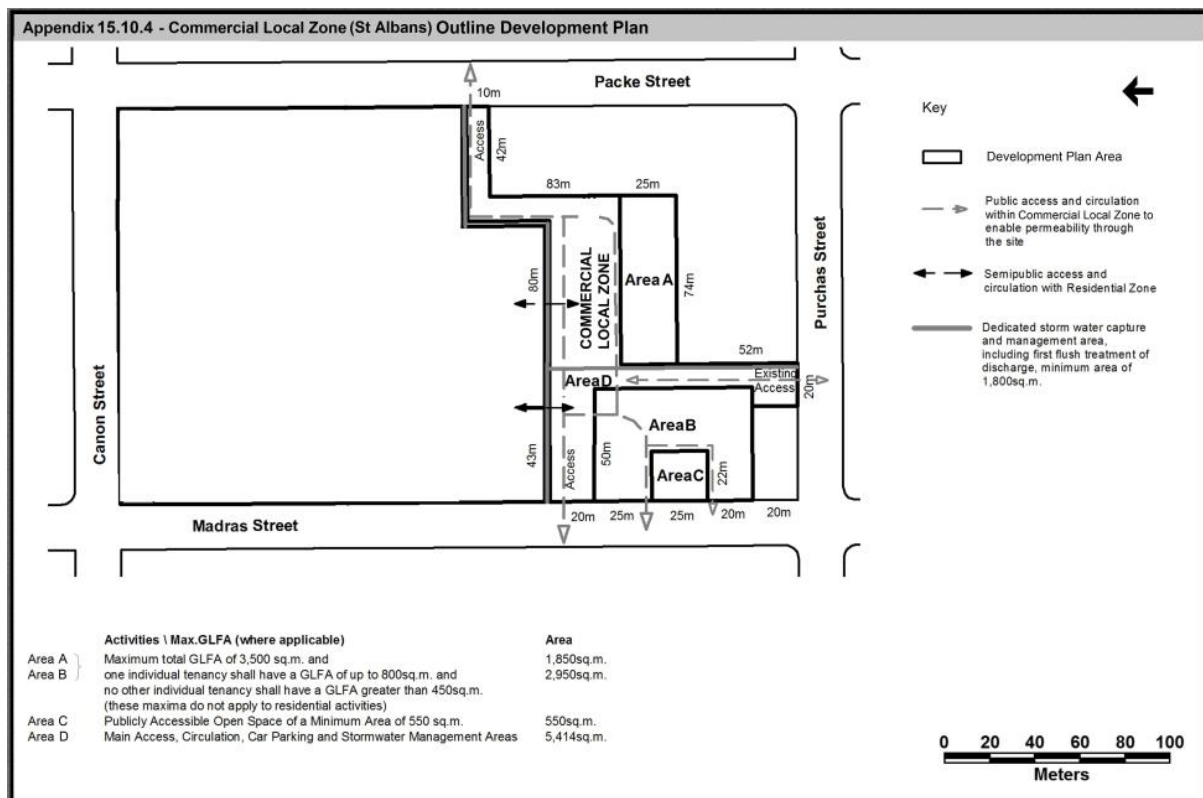
15.10.2 Commercial Core Zone (Ferryroad) Outline Development Plan



15.10.3 Commercial Core Zone (North Halswell) Outline Development Plan



15.10.4 Commercial Local Zone (St Albans) Outline Development Plan



15.10.5 Design guidelines – Akaroa Commercial Banks Peninsula Zone

a. Introduction

- i. The illustrations used in the guidelines are provided to assist in understanding the points expressed in the text. These are not all existing buildings but are stylised designs. These guidelines have been prepared to help you if you are thinking of building in the Commercial Banks Peninsula zone at Akaroa. They are intended to help you achieve the building you want, while at the same time ensuring that new buildings fit in with the town's surviving historic buildings and maintaining or enhancing the town's present character.



- ii. Figure 1: Typical Akaroa streetscape
- iii. You will find in this document a brief discussion of Akaroa's architectural history, and more importantly, a description of its architecture and value as a well preserved small scale historic town with a range of architectural styles. The historical and architectural importance of the town has been recognised by the local community, Heritage New Zealand Pouhere Taonga and the Council. The guidelines outline the key principles which the Council will take into account in considering any consent applications.
- iv. This document will elaborate on those principles, which can, in essence, be summarised as follows:
 1. New development and additions to existing structures should:
 - A Recognise and respect the unique historic character of Akaroa.
 - B Relate well to surrounding buildings and the general environment.
 - C Avoid dominating neighbouring buildings.
 - D Respect important views from public places.

b. Why guidelines?

- i. Akaroa has a distinctive visual character, based on its physical setting, its buildings and its open spaces and gardens. A large part of the centre of Akaroa has been recognised by Heritage New Zealand Pouhere Taonga and registered as a Historic Area. The Council has similarly recognised that this special character is worth protecting by including in its District Plan, provisions, which allow for consideration of the effects of proposed new buildings and alterations to existing buildings.

- ii. The Council's aim, through these guidelines, is to ensure that the special historical character of Akaroa is maintained, as development of the town proceeds. In endeavouring to meet that objective, the other main goals are to provide property owners and developers with design and appearance guidance and to encourage early discussion of proposed building plans with the Council.
- iii. The primary concern of these guidelines is to protect, for cultural and aesthetic reasons, the attractive appearance of the town after more than 150 years of growth and change. Adherence to these guidelines also promises economic advantage for the town. Akaroa's appealing appearance and atmosphere help make it a desirable place to live, and an attractive place to visit. The town's architectural and historical heritage contributes greatly to its appeal as a holiday destination. By helping to protect the intrinsic characteristics of the town, the guidelines will assist in strengthening the town's major economic base and potentially enhance the value of your property.
- iv. New buildings, or significant alterations to existing buildings in the Commercial Banks Peninsula Zone are the main concern of these guidelines. However, many of the principles and specific guidelines could also be applied to the town's advantage in the residential areas which surround the Commercial Banks Peninsula Zone.

c. The Planning Framework

- i. The Council can consider the design and appearance of proposed work in Commercial Banks Peninsula Zone through the resource consent process. Any building work in the Commercial Banks Peninsula Zone should comply with the standards of the District Plan and have regard to these design guidelines.
- ii. The relevant section of the District Plan is Chapter 15 for the Commercial Banks Peninsula Zone.
- iii. These guidelines set out issues which the Council will take into account when assessing a resource consent application required for design and appearance reasons. The guidelines are intended to help applicants who require resource consents to undertake building work in the Commercial Banks Peninsula Zone understand how the Council will evaluate the design and appearance aspects of proposed work.
- iv. The Commercial Banks Peninsula Zone lies within the Historic Area registered by Heritage New Zealand Pouhere Taonga. This area has been recognised nationally as having a high percentage of original historic buildings which are of aesthetic and architectural importance in their own right, and form an inter-related group of historic places. As such the area is a vital part of the historical and cultural heritage of New Zealand. Approval from the Heritage New Zealand Pouhere Taonga is needed for work on any building within the Historic Area, or on any building elsewhere in the town which has been registered by the Trust.
- v. In considering the design and appearance aspects of proposed building work in the Commercial Banks Peninsula Zone, the Council may take advice from Heritage New Zealand Pouhere Taonga or any qualified expert. Individuals who need resource consent for building work in these areas are urged to study these guidelines and to discuss their plans with the District Council, the Akaroa Design and Appearance Advisory Committee and Heritage New Zealand Pouhere Taonga before formally applying for resource consent for the work. Early consultation can often facilitate subsequent consent processes, resulting in reduced time delays and costs.

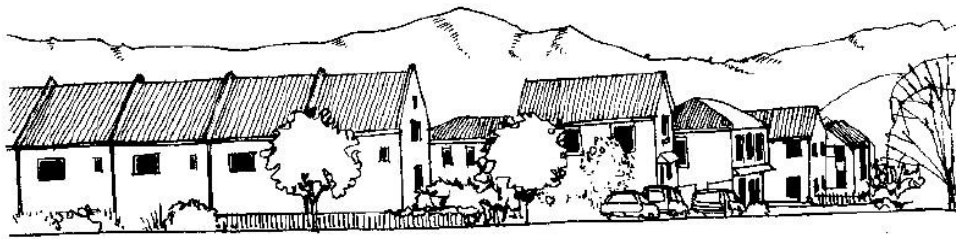
d. Akaroa's architectural history

- i. Akaroa has a distinctive architectural quality that stems, in part, from the high number of colonial buildings that have been retained to this day. Akaroa is one of New Zealand's most charming and romantic towns, although its origins as a French settlement are not strongly reflected in much of its architecture today. The earliest buildings of the French had steeply pitched roofs, small dormers, casement windows divided into many panes, louvered shutters and symmetrical facades. As early as the mid 1850s, Akaroa's buildings were no longer markedly different from other New Zealand buildings. A great number were cottages with reasonably large dormers, verandas and lean-to's. Almost all were built of horizontal weatherboards with steep roofs initially of shingles, then of corrugated iron. These were typical New Zealand colonial buildings.
- ii. The one and a half storey, gable ended cottage with veranda, lean-to and dormers is often idealised as the archetypal Akaroa building. Though these cottages are still abundant, and valued, the town's architectural traditions are much richer and more varied.
- iii. Later building designs in the town also followed general New Zealand trends, with horizontal weatherboard and corrugated iron the predominant building materials. Thus, nineteenth century churches are variants of colonial wooden Gothic, while Italianate was favoured for public and commercial buildings. Many commercial premises were two-storied and differed from residences only in being somewhat larger, and in being built-up to the street line. All were still relatively small buildings and almost all were built of "timber and tin". This uniformity in styles and materials for residences and public and commercial buildings, and little variation in building size, have been characteristic of Akaroa's architecture since the nineteenth century.
- iv. Figure 2: Examples of early colonial cottages



- v. In the late twentieth century there was a new development in Akaroa's architectural history. A demand emerged for multi-unit, privately owned apartments. These were up to three storeys high, built up to or close to the street line, and often of masonry construction. These buildings marked a significant departure from the single family houses and cottages, standing in individual sections, which were previously characteristic of most of the town. In retrospect many of these structures, individually or collectively, have not been successful in maintaining the intimate, mostly small scale of the town and the use of complementary building materials.

- vi. Figure 3: Townhouse block demonstrating overly repetitive elements. The buildings to the right display a pleasing variety and interest.



- vii. Akaroa's diverse range of buildings of different sizes, shapes, styles, set-backs, roof forms and materials mean there is a very large architectural vocabulary on which architects can draw for new building design, without introducing styles, or details that would appear out of place. It is important that new buildings and extensions reflect existing architectural themes and styles.
- e. Akaroa's setting and urban form
- i. Preserving and enhancing what is appealing about Akaroa requires careful consideration of more than the design of individual buildings. The spaces between matter too. Gardens and trees are generously dispersed throughout the town and large open spaces separate different built-up areas. Building has mostly been concentrated on the foreshore and up three small valleys, with the intervening spurs remaining open or bush-covered. The close integration between the natural and urban worlds in Akaroa also results from the town's position facing onto an extensive harbour, and being ringed by grand hills. Applicants are encouraged to consider the impact of their design or building extension on the existing views of water and hills from the town and of the integration of the built and the natural environment.
 - ii. The town's development, and the proximity of commercial premises and residences give the town the relaxed, convivial atmosphere of a village. The maintenance of public and retail activities at street level is important to sustaining the town's vitality and is protected in certain areas along Beach Road between Rue Jolie and Bruce Terrace. The maintenance of open spaces and of private gardens is also important to maintaining the town's atmosphere.
- f. Diversity and innovation
- i. New designs will generally be acceptable if their proportions fit in well with nearby older buildings and maintain the scale of existing streetscapes. New buildings of contemporary design, built using up-to-date materials and building technologies can be added to Akaroa, provided they avoid or mitigate any adverse visual effects through careful use of scale, density, bulk, exterior cladding, external detailing and through their site location and setback.
 - ii. Successful approaches are:
 1. Compatible design: new buildings, or new work on old buildings may vary the design but maintain the proportions, scale, materials, textures and colours of the original.
 2. New design: work of completely contemporary design which uses modern materials and building technologies, but shows respect for the character of existing old

buildings in the area. Care must be taken that the historic character of the town is maintained when new designs are introduced.

- iii. Figure 4: Modern buildings incorporating key architectural themes such as steeply pitched gabled roofs, verandas and vertically oriented windows.

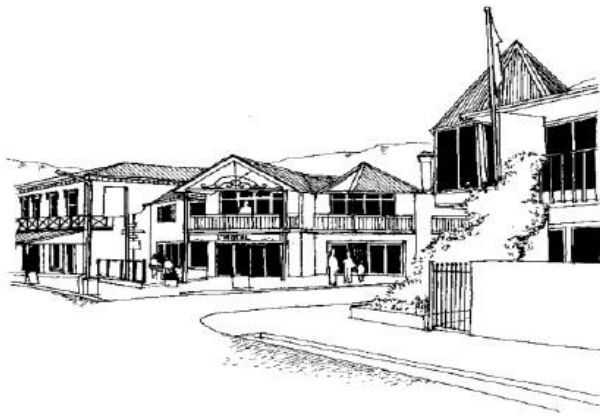


- iv. While nineteenth and early twentieth century buildings largely set the character of Akaroa, new development should generally reflect, rather than exactly replicate, these historic styles. Sympathetic design, whereby certain characteristics of historic buildings are incorporated into new buildings, is encouraged. Contemporary design, if carefully conceived to fit with the town's character, is often preferable to replica buildings.
- v. Figure 5: New residence demonstrating site specific sympathetic small scale forms and details, and vertical windows.



g. Building on specific sites

- i. Each individual site has different buildings adjoining it, and sits in a different relationship to the wider landscape. What is suitable for one particular site may be quite unsuitable on another site. Corner sites need particular care, since they form a visual focal point. In some situations larger buildings on corner sites will be desirable to define streetscapes, on other corner sites, it may be desirable to avoid overpowering historic buildings nearby.
- ii. Figure 6: Corner Treatment- both buildings strongly define the corner yet include smaller scale forms that the pedestrian can relate to.

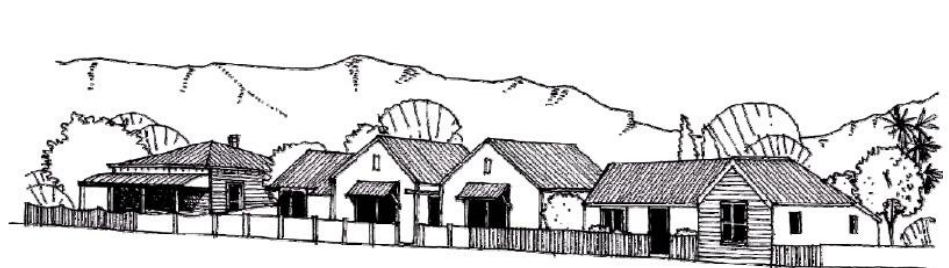


- iii. The size and scale of new buildings in relation to their neighbours are as important as the materials or architectural style of the new building.
- iv. The use of materials and architectural style of any development may add or detract from the overall proposal, its visual impact on the streetscape and historic character of the town.

h. Key concepts

i. Streetscape, rhythm and scale

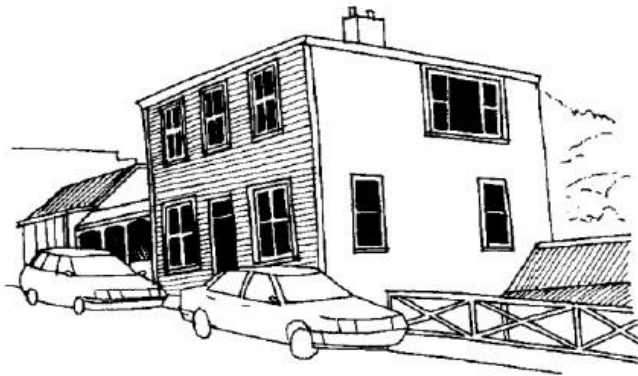
1. The goal is to maintain appealing streetscapes, characterised by sequences of buildings which are in scale and exhibit a pleasing modulation. Streetscape refers to the ways in which buildings form, together with gardens and trees, attractive combinations of mass and colour. Buildings are in harmony when, while not identical, they share similar elements and are of a compatible size and form. When a rhythm is discernible in a sequence of buildings there are no abrupt transitions, in size, form or architectural detail, from one building to the next.
2. It may be appropriate for a contemporary building to sit beside a traditional weatherboard one provided there is some relationship to the rhythm and scale of windows, doors, roof pitch and other design elements.
3. Figure 7: Height and rhythm- a pleasing relationship between height and rhythm is evident.



4. The goal is to maintain appealing streetscapes, characterised by sequences of buildings which are in scale and exhibit a pleasing modulation. Streetscape refers to the ways in which buildings form, together with gardens and trees, attractive combinations of mass and colour. Buildings are in harmony when, while not identical, they share similar elements and are of compatible size and form. When a

rhythm is discernible in a sequence of buildings there are no abrupt transitions, in size, form or architectural detail, from one building to the next.

5. It may be appropriate for a contemporary building to sit beside a traditional weatherboard one provided there is some relationship to the rhythm and scale of windows, doors, roof pitch and other design elements.
6. Figure 8: Scale- an out of scale building which dominates adjacent buildings by size, bulk and height.



7. Larger, bulkier buildings can reflect the smaller scale of surrounding buildings by repetition of design elements such as gables, steps in the plan of the building, the use of different roof shapes, or dividing the building into visually separate units by using different treatments or colours for cladding.
8. Generally, designers of new buildings are asked to look at the existing historic buildings in the vicinity of the site, not to imitate them, but to consider whether the new building is sensitive to the surroundings in which it is to be placed.

ii. Replica buildings

1. Replica buildings, in the context of these guidelines, means an exact copy of the size, proportions, and architectural details of an older building. While it is generally undesirable to have new buildings replicate the exact design of historic buildings, design elements of older buildings can be used to achieve an overall visual harmony. Replica buildings can devalue the authentic historic character of Akaroa.
2. Attempts at 'replication' with inaccurate detailing, inappropriate materials and distorted proportions can become a caricature of the original building style.

iii. Additions and alterations to historic buildings

1. The character of Akaroa depends to a large extent on the survival of its many historic buildings. The preservation of these surviving buildings is important in maintaining its overall character. The demolition of historic buildings has had detrimental effects on the character of the town. The retention of the remaining older buildings will generally be to the town's advantage.

2. Registration by Heritage New Zealand Pouhere Taonga, or listing by the District Council in its District Plan, are indications that particular historic buildings should be preserved and maintained for future generations.
3. Adaptive re-use is recommended. New developments on sites occupied by older buildings should use the historic structures whenever possible by building around or adding to them in a sympathetic way.
4. Key principles to bear in mind when adding to an historic building are:
 - i. Alterations should be the minimum necessary.
 - ii. They should not detract from the heritage value of the place and/or building.
 - iii. They should be compatible with the original form and fabric of the building, but should be able to be read as new work, although this need not be obvious particularly for minor additions.
 - iv. They should be of a quality that does not detract from the heritage values of the place.
5. Ideally changes should also be reversible, to allow future generations to return the buildings to their original forms. When work is being done on historic buildings, previous inappropriate alterations should be reversed and unsympathetic additions removed whenever possible. Heritage New Zealand Pouhere Taonga can provide advice on these matters.
6. Figure 9: Sensitive alteration to an historic building.



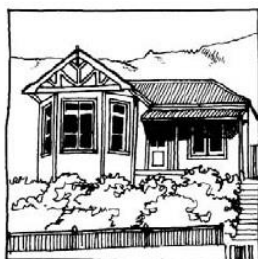
7. In the example to the right similar roof forms and window details have been used.
8. When work on an historic building is being undertaken the Conservation Guidelines published by Heritage New Zealand Pouhere Taonga should be consulted. Where major work is envisaged, an architect who has experience in conserving or adapting older buildings should be engaged.
9. Both the Akaroa Civic Trust and Heritage New Zealand Pouhere Taonga are available to advise owners of historic buildings who are considering major repairs or alterations to their buildings.

i. Specific guidelines

i. Roof forms

1. On Akaroa's older buildings, roofs are generally of relatively steep pitch, with gable ends. Hipped roofs are evident within the Commercial Banks Peninsula Zone. More recent buildings in the town exhibit a great variety of roof forms, including hip roofs, roofs of shallow pitch, and flat, or mono-pitch, roofs. While there is a variety of existing roof forms, those which are steeply pitched (i.e. 25 degrees and steeper) maintain an attractive streetscape and achieve a pleasing relationship with adjacent and nearby buildings and are to be encouraged.

2. Figure 10: Roof shapes and forms



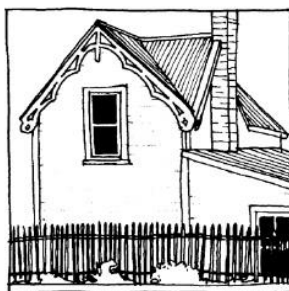
Villa Gable and Verandah



Verandah and simple gable with roof dormers



Two Storey Hipped Roof dormers



Two Storey Gable with Lean-to at rear



Multiple Gable Ends Roofs

ii. Cladding, texture and roofing materials

1. Historically, weatherboard has predominated in Akaroa. Roofs have been mostly corrugated iron with door, and window frames of wood. Brick and other forms of masonry construction are unusual in Akaroa. Consequently, the use of traditional vernacular materials, such as weatherboard cladding, and corrugated iron roofing is encouraged in Akaroa. Some recent examples have not worked well because they lack detail and texture. An example of a modern application which reflects the character of the adjoining buildings, and has been successful, can be seen on the additions to the Akaroa museum.
2. To harmonise contemporary with traditional buildings, extensive, blank masonry walls, lacking in texture, should be avoided where masonry walls are necessary. Careful detailing and placement of wall openings, sensitive selection of colours or

judicious planting can be useful in reducing adverse visual impacts to a limited degree.

iii. Windows

1. Attention should be paid to the sizes, symmetry and proportions of window openings and their placement, or grouping, in relation to neighbouring buildings. In the Commercial Banks Peninsula Zone any departure from the vertical orientation of windows of historic buildings is not encouraged. Timber windows are preferable to aluminium but if aluminium windows are used, they should be faced with timber.
2. Figure 11: Window orientation- the illustration on the right demonstrates appropriate vertical orientation and facings and has pleasing symmetry.

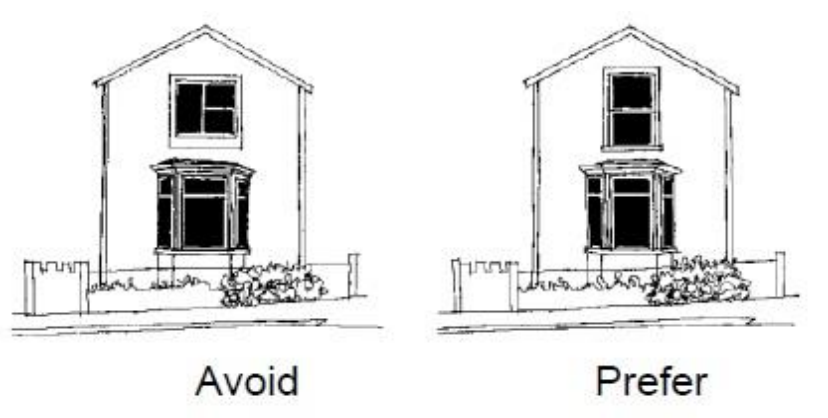


Figure 12: Window shapes and types



Dormer in a roof



Modern blend of windows
- all simple shapes

iv. Colours

1. There is no reason, when choosing colours for the walls, facings and roofs of new buildings, or when repainting older buildings, not to use today's much wider palette of colours than the palette available in earlier years, provided the new colours are in accordance with the historic character of the town and its streetscapes. Simple combinations of discreet individual colours are particularly preferable in areas where there are a large number of older buildings, however, the colour of new structures should not visually dominate heritage buildings or the streetscape. Owners of historic buildings are encouraged to consider using heritage colours and information about these is available from major paint manufacturers and retailers. In the Commercial Banks Peninsula Zone the preference is for painted or coloured

surfaces. Corporate colour schemes and large corporate logos are not appropriate in the Akaroa Historic Area.

v. Verandas

1. The only sequence of nearly continuous shop verandas over footpaths in Akaroa is found along Beach Road. On Rue Lavaud occasional shop verandas contribute to the variety and modulation of the streetscape. Where new buildings are being erected in either of these precincts, maintenance of the sequence along Beach Road, and of the pattern of occasional verandas along Rue Lavaud, should be the goal.
2. Figure 13: Akaroa street verandas



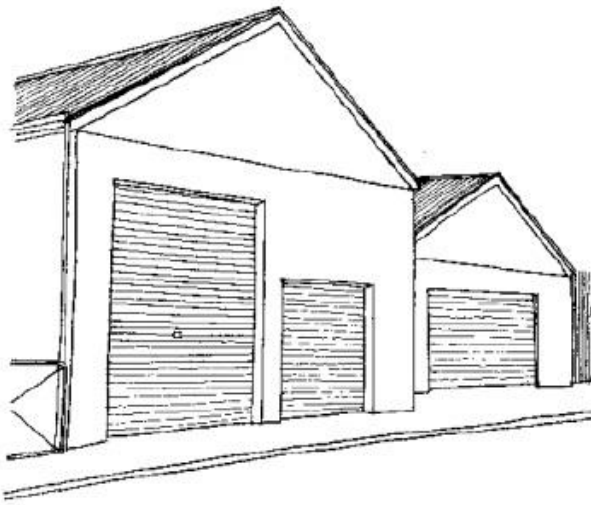
vi. Setback and fences

1. Akaroa's charm and historic character depend, in part, on gardens and trees remaining key elements in Akaroa's streetscapes. Setbacks will help ensure plantings continue to be a major element in most residential streetscapes. Only in existing commercial areas of the town, where setbacks are already small or non-existent, is it desirable to maintain the sense of a fully built-up townscape.
2. Having some buildings hard up against the street, even in predominantly residential areas, gives the town's streetscapes attractive variety.
3. To be able to look into and enjoy gardens along the street has long been the character of the settlement. Tall fences break this pattern, therefore low fences are encouraged. If taller fences are required, then they should be of a picket type so that the garden aspect is presented to the street.

vii. Parking and garages

1. Garages should have a minimal visual impact on the historic character and amenity of the streetscape. They should be located further back from the road boundary than the main building and the repetitious sequences of multiple garage doors should be avoided. Within the Akaroa Historic Area, garages facing the street are required to be sited behind dwellings.

2. Figure 14: Garages on street front - these buildings detract from the streetscape.



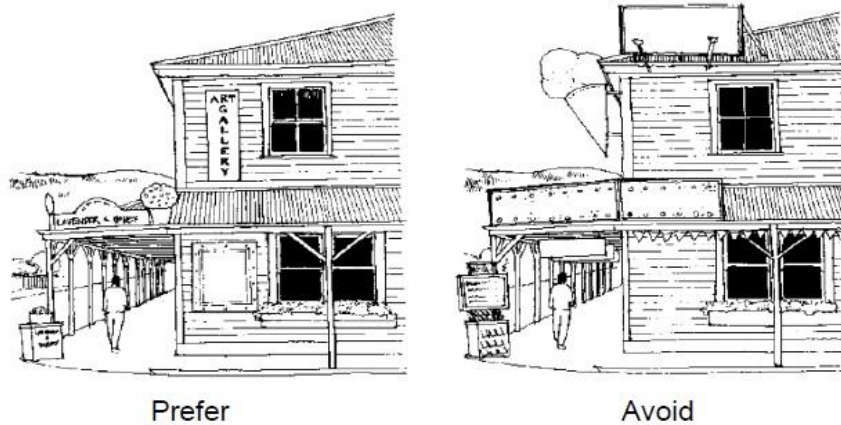
3. Car parking, especially with larger developments, should be concealed behind the main buildings, with minimal access points. Where this is not practical or possible, attention should be given to screening parking areas from view from adjoining streets.
4. Figure 15: Car parking visually softened by location behind buildings and screen planting



viii. Signs

1. Rules in the District Plan govern the size and placement of signs. Besides conforming with these rules, new signs will help preserve the character of Akaroa if they are simple, not excessively large and do not obscure interesting architectural details of buildings. Signs incorporating simple backgrounds, borders and text are preferable to complex graphics, particularly photomontage based signage and large-scale advertising hoardings. The proliferation of signs which are obtrusive because of their size, colour or placement, could undermine the pleasing character of Akaroa. Neon, moving, illuminated or brightly lit signs will generally detract from the historic character of Akaroa and are discouraged.

2. Figure 16: Signage



3. In this illustration the signs on the right detract from the form of the building and create a sense of visual clutter.

ix. Site work

1. The District Plan controls the heights of buildings in Akaroa, but again a building, which meets the requirements of the Plan, may not be satisfactory in its design, or impact on townscapes.

15.10.6 Design guidelines – Lyttelton Commercial Banks Peninsula Zone

a. Introduction

- i. Lyttelton town centre (as defined by the Commercial Banks Peninsula Zone) is the focal point of the town, providing retail and commercial facilities and the opportunity for community exchange and interaction. The town centre has a distinct character, with a clear change in nature between it and the residential and port zones. Lyttelton has been described as quirky and creative, with a mix of old and new development, but overall, the buildings create a sense of place because, although they are all different, they are unified by their similarity in scale, form and relationship to the street.
- ii. The town centre was significantly damaged in the 2011 Canterbury earthquakes, with the loss of many of the buildings that provided the heritage values and identity of the commercial heart. Despite the loss of buildings much of the physical framework for a vital and vibrant town centre remains in place.

b. Purpose

- i. The purpose of these guidelines is to identify the physical framework and explain the principles of designing new buildings and spaces, or additions to existing buildings, to uphold and strengthen the enduring character of the town centre. These are the key principles to consider in designing any new development in accordance with the rules in order to achieve the objectives and policies contained in the District Plan. The intention of the guidelines is not to stifle flair or creativity, but by paying attention to and incorporating the aspects of Lyttelton town centre that make it special, the development can support, rather than diminish, its character and identity.

c. How the design guidelines work

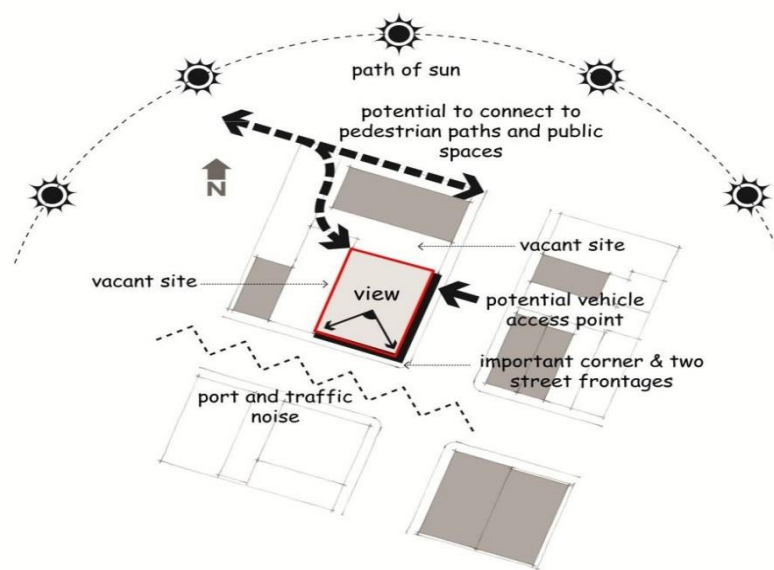
- i. The District Plan requires that the design of all new developments and external alterations to existing buildings within the Commercial Banks Peninsula Zone in Lyttelton is assessed through the resource consent process. All development proposals will be assessed against the principles in these guidelines, as applicable.



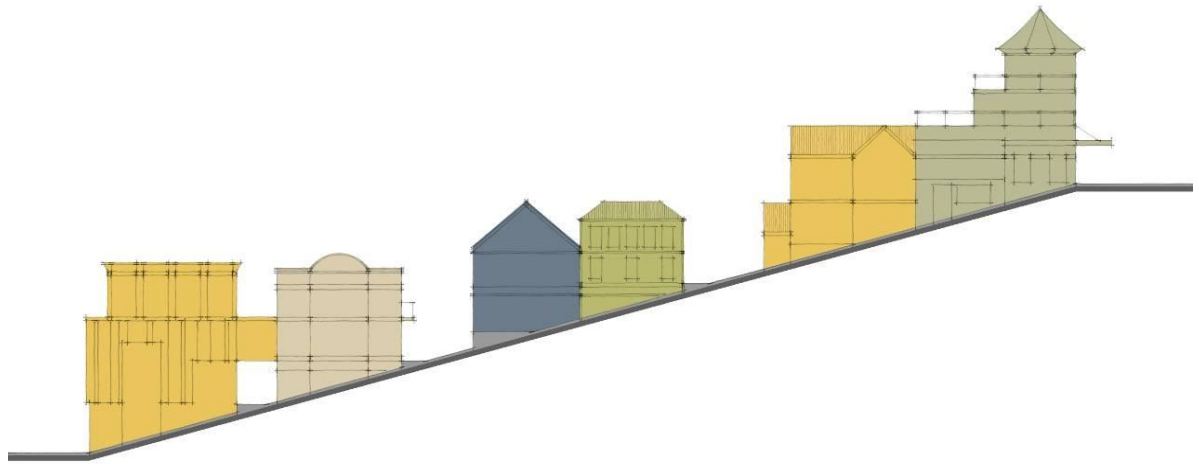
d. Principle 1: Reflect the context

- i. Lyttelton has a special character due to its sloping topography, portside location, layout of streets and lots, and eclectic mix of buildings. The area also has a special significance to Ngāi Tahu due to their historic and contemporary occupation of the area and use of Whakaraupo / Lyttelton Harbour.

- ii. The four primary streets (London, Oxford and Canterbury Streets and Norwich Quay) have different characteristics, but are all important in defining and reinforcing the formality of the town centre layout. The land in the middle of the block without street frontage, and the area around Donald Street, lend themselves to more informal designs.
- iii. A thorough evaluation of the development site's context and the site itself prior to the design process, including an understanding of the colonial and Ngāi Tahu cultural heritage, will help identify the influences on and attributes of the site and its surroundings.
- iv. Cultural heritage is an expression of the ways of living developed by a community and passed on from generation to generation and includes built and natural environment and artefacts, including customs, practices, places, objects, artistic expressions and values.
- v. Figure 1: A simple context analysis identifying influences on the development site.



- vi. Reflecting the context means:
 1. Considering how the development builds on and contributes to Lyttelton's cultural heritage in respect to the built and natural environment.
 2. Recognising the site topography, particularly building to suit and take advantage of sloping ground.
 3. Recognising that the streets and spaces within the town centre have differing character attributes. On Norwich Quay designs will need to take account of traffic and port noise.
 4. Taking advantage of the views to the south and sunny aspect to the north.
 5. Incorporating mid-block pedestrian lanes and outdoor spaces at the rear of sites.
 6. Taking primary design references from the town centre character attributes rather than the surrounding residential buildings or the port.
 7. Figure 2: Addressing the slope, views and existing building form



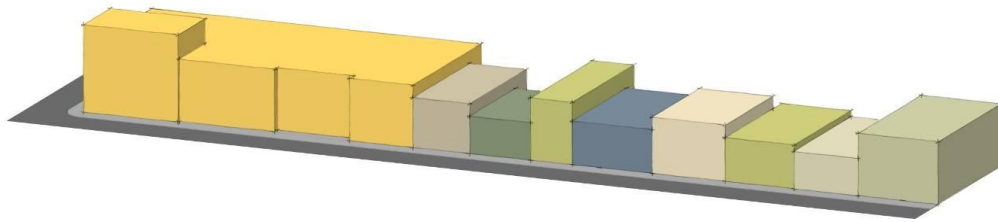
e. The scale of a building is the product of its height and size as well as the design details. While the town centre buildings vary considerably in height and size they are all compatible in terms of scale. The width of lots has played a large part in establishing the existing scale of development.

i. To keep in scale means:

1. Maintaining the generally low built form up to 3 storeys, but considering options for higher feature elements.
2. Figure 3: Keeping in scale, through a combination of height, form, development gain and detailing



3. Considering the scale of neighbouring buildings and the overall scale of the street in which the building is to be located. London Street has an enclosed, intimate scale. Norwich Quay is a wider street, single sided for the majority of its length, with an open outlook to the port and beyond. As such taller buildings would be more appropriate in this streetscape than in London Street.
4. If building next to a character building, ensuring that its visual presence is not dominated or diminished by the new building or addition.
5. If building a single storey building, ensuring that the building height is sufficiently high to maintain a similar scale of building on the street frontage to those buildings adjacent and the streetscape as a whole.
6. Breaking a large building into modules so that it reads as smaller joined buildings rather than one monolithic one. As a rule of thumb, modules of 4m to 12m in width on London Street and up to 20 metres elsewhere will reflect the historic subdivision pattern.
7. Figure 4: Creating vertical and horizontal modulation in a large development block



8. Designing the building with both horizontal and vertical divisions (articulation), particularly on elevations facing the street or adjacent to high use pedestrian lanes and spaces. Identifying each storey is important.

f. Principle 3: Respect the street pattern and building form

- i. The grid pattern of wide straight streets is defined by building frontages along the street, which enclose the street space. The building forms are solid, rectilinear and positioned square to the street.
- ii. Respecting the street pattern and building form means:
 1. Building right up to the street edge, particularly on London Street, Norwich Quay and the western side of Oxford Street, and across the whole of the street frontage, (except where access is required from Norwich Quay).
 2. Figure 5: Reinforcing the corner aspect and increasing way-finding for visitors to the town centre



3. If building on a corner site, reinforcing the corner and supporting the street form with a taller building of a minimum of two storeys in height.
4. Restricting irregular forms and shapes to feature elements or to internal block locations away from the primary street frontages.
5. Keeping the building façade generally up to, but not beyond, the street boundary, except for verandas and small feature elements.

6. Using flat, symmetrically pitched, or hipped rooflines or parapets where buildings face the street.

7. Where there is an un-built frontage on Oxford Street or Canterbury Street, consider defining the street edge with a low wall.

g. Principle 4: Address the street

i. Buildings in Lyttelton address the street. The building frontages are interesting and encourage activity, creating a lively atmosphere. Good visibility from buildings to the street and publicly accessible areas allows for casual surveillance. Addressing the street means:

1. Providing windows on all street elevations or elevations adjacent to pedestrian lanes and public spaces. On Canterbury and Oxford Streets windows will also be needed at lower ground level.

2. Providing highly legible pedestrian entrances accessed directly from the street.

3. On corner sites, wrapping the building around the corner and providing a high level of architectural detail particularly in respect to entrances and windows, and the quality of façade materials.

4. Incorporating generous shop windows on the ground floor along London Street.

5. Avoiding building designs and layouts which create hidden, potentially unsafe alcoves and areas.

6. Ensuring universal access (access for all people), with particular attention being paid to sites with sloping frontages.

7. Where required, providing verandas that are in keeping with or complement adjacent verandas in respect to design, width and continuity.

8. Figure 6: Creating a street frontage with a high level of visual interest, including ground floor windows and entrances to the street



h. Principle 5: Incorporate variety and pay attention to detail

i. Lyttelton had a wide variety of buildings of different ages and styles which, as a collection, created an eclectic, vibrant townscape. Although diminished, this variety, and particularly the level of detail within the building facades, remains. There is the opportunity for creative design and to incorporate features and details which are characteristic of Lyttelton, or a contemporary take on them. Incorporating variety and paying attention to detail means:

1. Distinguishing any new building from its neighbours and, if a large building, incorporating variety within the building design.

2. Avoiding being exactly the same height as the neighbouring building.
3. Avoiding repetition of the same design module along the street frontage, typically no more than a 12 metre run.
4. Figure 7: Creating interest and variety along the street frontage



- ii. Creating depth to the building surface through the utilisation of, for example, recessed windows and doorways, protruding window and door surrounds, textured cladding and applied decorative features.
- iii. Providing variation in building materials and colours. Avoid large expanses of the same material, colour or pattern.
- iv. Picking up on historical references and traditional features such as angled corners, high parapets with a curvilinear top, corner towers, volcanic stone walls or mural.
- v. Orientating windows vertically to reinforce the fine grain of the town centre.
- vi. Creating interest and contrast where building additions are proposed, through the choice of materials and detailing.
- vii. Integrating signage, where needed, within the design of the building to ensure that it does not visually dominate or detract from the architectural form and quality of the building.
- viii. Figure 8: Integrated signage within the building form and design features



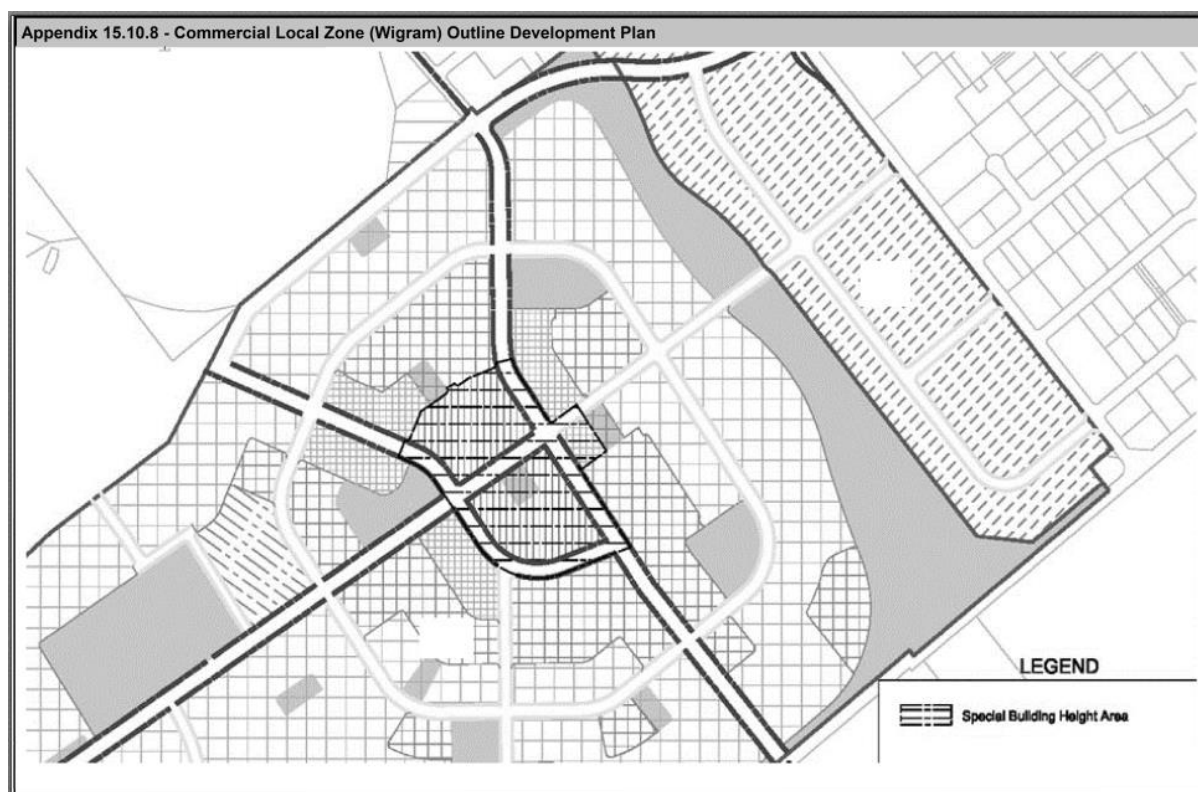
i. Principle 6: Promote sustainable building initiatives

- i. Lyttelton town centre has the opportunity to incorporate designs, technologies and systems that promote more sustainable practice from concept design, through to the construction, use and maintenance of buildings and spaces, which means:
 1. Using design and construction methods that minimise waste to landfill and cleanfill, and the implementation of environmental management systems to ensure other impacts are managed throughout the construction process.
 2. Incorporating design and technologies that conserve energy and water, promote renewable energy, encourage recycling, achieve a high level of thermal comfort and support natural ventilation and natural light penetration.
 3. Selecting materials that are durable, low maintenance, non-toxic and where possible, that have independent environmental certification and are from local and renewable sources.
 4. Providing facilities that encourage walking, cycling and the use of public transport, including high quality pedestrian access, showers, change facilities, storage and bicycle racks for staff and visitors.
 5. Designing for outdoor comfort by creating pleasant micro-climates and inviting, sheltered, sunny, spaces such as courtyards or balconies using verandas, planting or screens to help moderate temperature and wind.
 6. Improving ecology and stormwater management on the site through the provision of rain gardens, landscaping, pot plants or living roofs and walls.

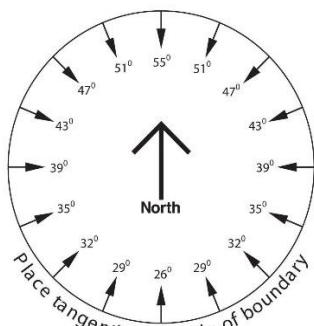
15.10.7 Lyttelton Master Plan Overlay

DEFERRED

15.10.8 Commercial Local Zone (Wigram) Outline Development Plan

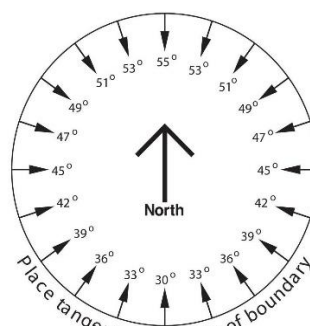


15.10.9 Recession plane diagrams



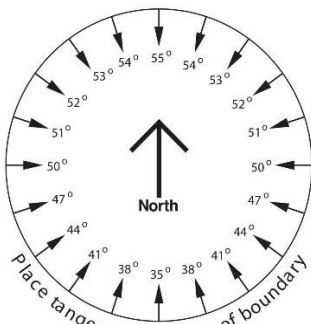
A Applicable to all buildings:

- in the Residential Suburban Zone
- on sites in other non residential zones that adjoin the Residential Suburban Zone



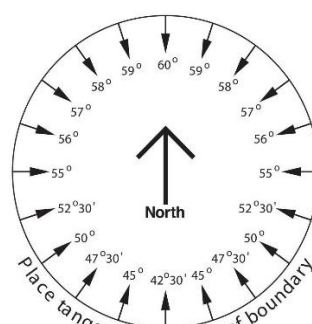
B Applicable to all buildings:

- Residential Suburban density overlay
- On sites on other non residential zones that adjoin the Residential Suburban density overlay area



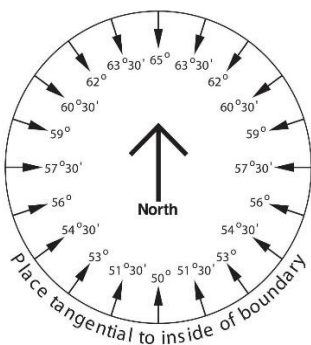
C Applicable to all buildings:

- in the Residential Medium Density Zone
- on sites in other non residential zones that adjoin the Residential Medium Density Zone



D Applicable to all buildings:

- in the medium density higher height limit zones
- on sites in other non residential zones that adjoin the medium density higher height limit zones
- in the medium density higher height limit zones (except those buildings over 11 metres in height)
- on sites in other non residential zones that adjoin the medium density (except those buildings over 11 metres in height)



E Applicable to all buildings:

- over 11 metres in height in the medium density higher height limit zones
- over 11 metres in height on sites in other non residential zones that adjoin the medium density higher height limit zones

Note: North is true north

15.10.10 Commercial Core Zone (land between Huxley Street and King Street) Outline Development Plan

