

# Part 9 General City Rules

## 1.0 Information requirements for resource consents

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### 1.1 General

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Updated 14 November 2005

#### 1.1.1 Importance of information

Updated 14 November 2005

The provision of sufficient information is essential to the processing of resource consents. This information is required to ensure that:

- (a) the environmental effects of an activity can be clearly understood;
- (b) any affected persons have reasonable certainty as to how they may be effected (particularly if their written consent is to be sought);
- (c) to enable processing of an application without undue delay; and most importantly
- (d) to avoid a situation where an activity, once established, is required to be subject to a consent or to cease operations, because of adverse effects which have become apparent but were not stated at the time the activity was commenced and/or applied for. This can place affected persons, or the Council in considerable difficulty, and create insecurity and potential costs for the persons undertaking the activity.

#### 1.1.2 Provisions of the Fourth Schedule of the Act

Updated 14 November 2005

The provisions of the Fourth Schedule of the Act set out the general requirements for matters to be included in an assessment of the effects (of a proposal) on the environment, and the matters to be considered upon a resource consent.

#### 1.1.3 Specific information requirements of the City Plan

Updated 14 November 2005

Section 92 of the Act requires the Council to specify in the City Plan any additional information it may require. It is to be stressed that it is not the Council's intention that an applicant supply very extensive details of a proposal under the Fourth Schedule of the Act, or to satisfy the Council's information requirements, when circumstances do not warrant this being done. The applicant (upon consultation with Council officers) should only supply that information which is relevant to the activity and its effects on the environment. The "environment" may include the wider environment such as the neighbourhood, rivers, groundwater, the coastline, the transport system, and air quality, among others. It also refers to affected persons in the immediate vicinity of the site, particularly neighbours.

In summary, information supplied should be tailored to the scale and intensity of effects that the proposed activity will generate.

## 1.2 Land use activities

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Updated 14 November 2005

Where relevant to the circumstances of the application, the following information may be required by the Council.

- (a) A site plan(s) to the scale of 1 : 100, 1 : 200 or another recognised metric scale.
- (b) Elevations to the scale of 1 : 100, 1 : 200 or another recognised metric scale.
- (c) Any supporting written reports, photographs, models or other information relevant and appropriate to the nature and scale of proposal.

These plans and/or accompanying information will show:

- the location of any buildings on the site, including accessory buildings and existing buildings, whether to be retained or removed;
- in the case of buildings in rural zones, the location and extent of any impervious surfaces on the site;
- the distance between the buildings and all boundaries, and between buildings;
- the height and outline of buildings and the relevant recession plane;
- any balconies or other attachments to the building;
- where relevant, site levels and original ground level;
- any areas provided as outdoor living space or outdoor service space;
- the distance between buildings and any waterways (or from the coastline);
- any parking areas, the number of carparks, their dimensions and provision for access, loading, and circulation;
- in the case of non-residential or non-rural (other) activities in living and rural zones, the number of vehicle movements anticipated to or from the site, their frequency and timing, the number of heavy vehicles expected, and numbers of persons to be employed;
- any required landscaping, including areas for planting, the location and types of trees to be planted, the location of any outdoor storage areas, and how these are to be screened from view;
- any outdoor advertising proposed, including the dimensions, height, lettering and location (free-standing or on buildings) of any signage, or any illumination proposed;
- in respect to any potential for noise generation, the type and power of any proposed machinery or equipment; its location on-site or within buildings; the material of which the buildings are constructed; details of any proposed measures to reduce noise, including any insulating materials or structures; hours of operation; and the expected nature and frequency of noise events;
- in respect to any hazardous substances to be stored or used on-site, the type and volume of those substances; proposed methods of containment (including in emergencies); the location on-site or within buildings of any transfer or storage points; and transport arrangements on site;

- in respect to any potential for glare, the nature and location of any highly reflective surfaces; the location, nature and power of lighting on the site; and means of directing its spill;
- the location of any protected trees on the site or adjoining sites, and whether they are to be removed, trimmed or subject to any building or earthworks in the vicinity of the tree;
- Protected Buildings, Places and Objects and Archaeological Sites
  - For applications affecting historic buildings and structures:
 

Applicants should consult with the NZ Historic Places Trust. A full description of the cultural heritage value of the place is required. Applicants may also be required to prepare a building report or heritage inventory for the building or structure or a conservation plan. In preparing a conservation plan applicants should be guided by reference to the NZ Historic Places Trust's document: "Guidelines for Preparing a Conservation Plan" prepared by G Bowron and J Harris.

In respect of any alterations, the effect of the proposal on any protected buildings, places and objects, buildings adjoining these features or any special amenity areas including plans showing existing interior or exterior original features, and plans of these features supported by photographs (where appropriate).

(Note: For buildings subject to demolition (by approval ) see recording requirements in Part 10 Clauses 1.3.4 - 1.3.6).
  - Any proposals affecting archaeological sites:
 

Applicants should check with the NZ Archaeological Association filekeeper for previous surveys or additional sites and with iwi. Where no archaeological survey has been conducted for a particular property/area a survey should be done by the applicant to determine the effects of the proposal and provide for the avoidance, remedy and mitigation of adverse effects. Applicants should note that if an archaeological site is to be modified, an application must be made to the NZ Historic Places Trust for an authority to destroy, damage or modify the site.
- the effects on any natural features, including indigenous vegetation, ecosystems, the margins of waterways, the coastal environment or wetlands;
- any filling or excavation proposed, the type of fill, the volume and depth of fill and excavation, identification of those areas on the site subject to fill or excavation, the impact on utilities, or on any archaeological sites (to be advised to the New Zealand Historic Places Trust);
- the results of any consultation undertaken with parties who may be affected by the proposal, including Tangata Whenua; and
- any other information as specified in the Plan in relation to specific rules, e.g. protected buildings;
- for buildings in Living Zones, the identification of any parts of buildings over 5.5 m in height.

**Note :** For buildings in the Living 5 Zone, this requirement shall only apply to buildings or parts of buildings adjoining another Living Zone, or across the road from another Living Zone.

## 1.3 Subdivision activities

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Updated 22 May 2006

### (a) Plan requirements

All applications for subdivision consent shall be accompanied by a plan drawn to scale clearly showing the proposal, together with a report describing how compliance with the relevant sections of the Act can be achieved.

The plan must clearly show the intentions of the applicant and shall include, where applicable, all or any of the following:

- all the information required by Section 219 of the Act;
- new roads, with their widths and areas (and grades if on sloping ground), service lanes, pedestrian access ways and private ways or access lots;
- all topographical information including levels in terms of the Christchurch Drainage Datum, (where applicable), to determine the grade of the land, or whether or not land needs to be filled to achieve stormwater drainage or avoid inundation from any source;
- all existing underground services, springs, bores, field tiles and existing buildings, with notes to show if any buildings are to be removed;
- any significant trees, or areas of bush, or landscaping on the site; any archaeological or listed historic buildings, places, objects or trees;
- proposed and existing easements for any service, high pressure water, power, telecommunications, sanitary sewer and stormwater drainage;
- locations of any areas considered unsuitable for building purposes because of hazards such as uncompacted filling or potential flooding; and
- any other information which may assist the Council in its deliberation of the subdivision consent.

### (b) Reports

Applications shall be accompanied with a report explaining the proposal and the manner in which it will comply with the rules of the City Plan and the relevant sections of the Act.

The matters that must be addressed are as follows:

- (i) Section 106 of the Act relating to erosion, subsidence, slippage, or inundation from any source.

The application shall be accompanied by a report from a suitably qualified person for all applications for subdivision consent in the Rural H, Living H, HA, HB, and TMB Zones and in any special purpose, cultural, conservation or open space zone on the Port Hills.

Where any application involves previously filled land a suitably qualified person shall report on the suitability of the land for the subdivision.

- (ii) Development contribution

Where land is to be vested for reserves, the results of prior consultation with the Council.

- (iii) Stormwater drainage

The application must show where the existing buildings obtain their outfall for stormwater; the outfall for all proposed allotments; the volume that will be discharged; whether or not the proposed outfall is capable of accepting that discharge, taking into account the catchment served by that respective outfall; and how the stormwater discharge is to be achieved and the timing of its installation.

- (iv) Sewage disposal

Existing buildings' connections to sewage disposal system shall be shown; the proposed method of sewage disposal from the additional allotments; and the timing of the installation of their outfalls.

- (v) Filling requirements

The existing land drainage outfall; how the new allotments will achieve their land drainage; and where allotments are in a hazard zone requiring filling above flood outfalls, the proposed fill depth shall be nominated.

- (vi) Previous contributions paid, credits claimed and remissions sought

Where a development contribution is payable to the Council (in either land and/or cash) under the Council's Development Contributions Policy, a statement as to any previous contributions paid in relation to the site (such as on previous development on the site); any credits claimed for existing titles or buildings; and any remissions sought, in accordance with the Development Contributions Policy.

- (vii) Cost sharing

Where the installation of a service such as roading, stormwater outfalls, water supply or sanitary sewer will provide a benefit to other land, and a share in the installation is proposed, a submission on the cost sharing proposal in accordance with the Council's Development Contributions Policy.

(viii) Water supply

The application shall show the existing water supply system; where existing buildings are connected to a reticulated supply; the location and alignment of the pipelines; any pipelines crossing proposed boundaries and proposed by easements; the proposed timing of any lines to be severed; and the results of any prior consultation with the Council.

(ix) New roads and engineering plans

Where new roads and formed private ways are included in a subdivision proposal, the results of any prior consultation with the Council; and the provision of an engineering plan.

(x) Road or right-of-way names

Where new roads or fully formed rights-of-way are included in the application, a selection of proposed new road names or lane names;

(xi) Filled land

A certificate in accordance with the code of practice for earthfill for residential purposes NZS 4431; 1978 shall be provided.

(xii) Private ways or rights-of-ways

A description of the formation proposals shall be supplied for private ways.

(xiii) Amalgamations

Where the subdivision application proposes amalgamation of land with adjoining allotments, such proposals shall be clearly shown on the face of the plan and referred to in the report. (The subdivision approval period will not commence until after the District Land Registrar advises on the practicality of the proposal.)

(xiv) Corner rounding and road widening

All designated road widening shall be shown on the plan together with corner rounding in living zones and corner splays in business zones.

(xv) Building demolition

Information as to demolition or removal of sheds/glasshouses/garages or any other building astride common boundaries or on individual lots shall be nominated as part of the information supplied with the application.

(xvi) Tree preservation

Where any significant or notable trees or vegetation are present on the land under consideration, these shall be shown.

(xvii) State highways

Where the application has frontage to a state highway the result of consultation with New Zealand Transport Agency.

(xviii) Electric power supply

The method of existing reticulation shall be indicated both on the plan and in the report; the proposals for the supply of electricity to the proposed allotments; and the results of prior consultation with the electricity supply authority.

(xix) Telecommunications

The proposed method and installation of telecommunications.

(xx) Archaeological sites

Applicants should check with the NZ Archaeological Association filekeeper for previous surveys or additional sites and with iwi. Where no archaeological survey has been conducted for a particular property/area a survey should be done by the applicant to determine the effects of the proposal and provide for the avoidance, remedy and mitigation of effects. Applicants should note that if an archaeological site is to be modified, an application must be made to the NZ Historic Places Trust for an authority to destroy, damage or modify the site.

Finally, attention is drawn to the need to be aware of any land use consents that may be required as a result of a subdivision making that activity non-complying (e.g. a new allotment boundary which may result in an existing building having an inadequate setback).

Note: applicants are advised that the provisions of information relating to the Council's Development Contributions Policy under clause (vi) and (vii) is not a regulatory requirement of the Plan.

## 2.0 Clarification of rules

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### 2.1 Clarification of the status of activities not meeting certain standards

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Updated 14 November 2005

#### 2.1.1 Statement

##### 2.1.1 Statement

Updated 14 November 2005

This rule has been incorporated into the Plan to clarify the status of existing activities which do not comply with standards in the Plan, and which may need to have some flexibility for expansion. It provides opportunities beyond existing use rights but does not extend to scheduling listed activities in Section 3 of Part 9 of the Plan.

#### 2.1.2 General rule

Updated 14 November 2005

For the purpose of clarifying the rules in this Plan, where an activity as existing at the date of public notification is, (as a consequence of the provisions of this Plan) not in compliance with any one or more of the following critical, community, or development standards (in the zone rules or city rules), then where an extension to that activity is proposed, no account shall be taken of any existing element of non-compliance in respect to:

- any rules relating to building height or sunlight and outlook for neighbours;
- any rules relating to setbacks from boundaries, or from waterways; and
- any rules relating to the number and dimensions of carparking spaces.

The proposed extension itself must comply with all of the relevant critical, community, and development standards. (This rule applies in addition to any existing use rights that may exist

under Section 10 of the Act).

### 2.1.3 Reasons for rule

Updated 14 November 2005

Some significant activities which do not comply with the provisions of critical, community or development standards in zones are subject to scheduling in living and rural zones.

Other activities are confined to existing use rights or to conditions of consent arising from resource consents.

There has been some doubt in the past as to the position of an activity which may seek to extend (beyond existing use rights) where the extension itself complies with all of the rules, but the existing activity does not, often because it pre-dates the former district schemes and their ordinances.

In order to allow existing activities to have some scope for expansion, while not increasing any adverse effects of non compliance, this rule clarifies that in respect of certain standards, any issue of compliance is confined to the extension of the activity, provided the extension itself complies.

Examples:

(a) A church in a living zone, built without parking provision, seeks to expand its building area. The original church building requires 25 carparks under the city rules and the proposed extension another 10.

The effect of this rule is to clarify that the 10 carparks required by the complying extension be provided, but not the full 35 that the original building plus the extension would generate.

(b) A building is to be extended in a fully complying manner (including height), but part of the existing building breaches the standards relating to building height.

The rule in this case clarifies that the non-compliance of the existing building with building height standards is not a factor where the extension itself complies.

## 2.2 Temporary buildings and activities

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Updated 14 November 2005

### 2.2.1 Statement

Updated 14 November 2005

This rule has been incorporated into the plan to clarify the status of temporary buildings, structures, tents etc. which may be required for special events or for construction purposes. The rule is to provide flexibility for provision of temporary structures, limited in either scale or duration, in order to minimise adverse (particularly visual) impacts.

### 2.2.2 Development standard

Updated 31 July 2012

Notwithstanding anything to the contrary in this Plan, the following shall be permitted activities in any zone **except those zones located in the Central City**.

(a) Temporary buildings ancillary to a building or construction project, **provided that** any such building does not exceed 40m<sup>2</sup> in area, or remain on the site for longer than the duration of the project or twelve months, whichever is the lesser.

(b) Carnivals, bazaars, public meetings and ancillary buildings and structures, **provided that** such activities or buildings shall not remain on the site longer than one month.

(Any activity not complying with the above clauses (a) and (b) shall be a discretionary activity with the exercise of the Council's discretion limited to the matter subject to this standard.)

### 2.2.3 Development standard

Updated 31 July 2012

**Notwithstanding anything to the contrary in this Plan, and except as set out in Clause 2.2.4, the following shall be permitted activities in any zone in the Central City:**

**(a) Temporary buildings ancillary to a building or construction project, provided that any such building does not exceed 40m<sup>2</sup> in area, or remain on the site for longer than the duration of the project;**

**(b) Any temporary event or public meeting, including associated parking and ancillary buildings and structures, provided that such activities shall not operate from a site for more than four consecutive weeks and buildings shall not remain on the site any longer than eight weeks.**

**Resource consent applications for non-compliance with this Rule will only be assessed against the matters contained in Clause 2.2.5.**

### 2.2.4 Development standard

Updated 29 January 2015

**Notwithstanding anything to the contrary in this Plan, and except as set out in Clause 2.2.3, the following shall be permitted activities in any zone in the Central City, except the Living 4B, 4C, 5, Central City Residential Zone and Cultural 3 zones:**

- (a) On any vacant site any temporary activity or event (except Temporary Car Parks for Earthquake Recovery which are controlled by Part 13, Clause 2.4.15) and/or building, public artwork, or recreational facility shall be permitted, provided that any such temporary activity, event, building, facility or item shall not remain on the site beyond 18 April 2016;
- (b) Any temporary outdoor advertising which is for the purposes of providing information about the rebuilding or recovery work occurring on a site, provided that any such advertising shall not remain on the site beyond 18 April 2016.

Resource consent applications for non-compliance with this Rule will only be assessed against the matters contained in Clause 2.2.5.

Note: Council will monitor activities established by Clause 2.2.4(a) and (b) 12 months prior to the expiry of the temporary period to ensure that landowners are aware that the activity shall cease and where necessary buildings and signage are to be removed or a resource consent will be required.

For the avoidance of doubt this Rule shall not apply beyond 18 April 2016.

For temporary activities and buildings in the Living 4B, 4C, 5, Central City Residential Zone and Cultural 3 zone, the Canterbury Earthquake (Resource Management Act Permitted Activities) Order 2011 applies.

## 2.2.5 Assessment matters for resource consents

Updated 31 July 2012

### General

- (a) The matters contained in Sections 104 and 105 and in Part II of the Act, apply to consideration of all resource consents for land use activities.
- (b) In addition to the matters above, the Council shall also apply the relevant assessment matters set out below.

### Assessment matters

The effect of a larger building or longer time period in regard to:

- (a) any adverse effects on the amenities of the neighbourhood;
- (b) any adverse effects on adjoining properties from noise, overshadowing, privacy or loss of visual amenity;
- (c) the impact on the road network and traffic safety in the vicinity of the site; and
- (d) whether the building can comply with other standards for buildings in the relevant zone.
- (e) **Any adverse visual effects on any significant open space caused by the external appearance of buildings.**
- (f) **The extent to which the continuation of the temporary activity or building beyond 18 April 2016 compromises the long term recovery of the Central City.**

## 2.2.6 Reason for the rule

Updated 14 November 2005

This rule provides for temporary buildings and activities that otherwise might not be permitted by the relevant zone rules. The buildings and activities are limited in area and duration in order to reduce adverse impacts particularly visual, on adjoining properties.

## 2.3 Permitted setback intrusions

### 2.3 Permitted setback intrusions

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Updated 14 November 2005

#### 2.3.1 Statement

Updated 14 November 2005

The purpose of this rule is to clarify the position in respect to buildings intruding into building setbacks specified in this Plan, and to identify acceptable intrusions of parts of buildings where the intrusion has minor effects on the environment and would not compromise the purpose of the setback standard.

#### 2.3.2 General rule

Updated 14 November 2005

Where a rule in this Plan requires buildings to be setback a minimum distance from a boundary the following features of a building may intrude into the setback to the limits specified.

- (a) Eaves may intrude up to 0.6 metres into the setback.

(b) A porch, windbreak, chimney, external stairway, landing or unenclosed balcony up to 1.8 metres in length, may intrude into the setback for up to 0.8 metres, provided that any one of these features intrudes only once into each setback of each building. Intrusions by these features may occur in combination, for example, one setback can be intruded by both a chimney and a porch.

**Note:** Reference should be made back to the particular standard requiring the setback (generally street scene and separation from neighbours standards) to determine the category of resource consent required for intrusions of features other than those provided for by this rule or which exceed the specified limits.

For example a proposed residential unit in the Living 1 Zone includes a porch that intrudes 1m into the required setback from an internal boundary. In this case the separation from neighbours standard is a development standard, and as the intrusion exceeds that permitted by this rule, the activity is a discretionary activity with the exercise of the Council's discretion limited to the matter subject to that standard.

### 2.3.3 Reason for the rule

Updated 14 November 2005

Street scene and separation from neighbours standards throughout the Plan generally require buildings to be setback a minimum distance from either a road boundary or an internal boundary. This rule provides for certain building features to intrude into the required setbacks. These features generally have little impact on the amenities of adjoining properties. The intrusions are limited in order to ensure that the effects on neighbours are minimal, and the purpose of setbacks is maintained.

## 2.4 Permitted recession plane intrusions

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Updated 14 November 2005

### 2.4.1 Statement

Updated 14 November 2005

The purpose of this rule is to clarify that certain parts of buildings can intrude into recession planes, without compromising sunlight and outlook.

### 2.4.2 General rule

Updated 31 July 2012

Where a rule in this Plan requires buildings to comply with recession planes as shown in Part 2, Appendix 1 the following features may intrude through the recession plane within the limits specified.

(a) All zones, except Central City **Business** Zone:

(i) chimneys, ventilation shafts, spires, poles and masts (where poles and masts are less than 9m above ground level), provided that the maximum dimension thereof parallel to the boundary for each of these structures shall not exceed 1m and provided that for buildings over three storeys, such features are contained within or are sited directly against the outside structural walls;

and

(ii) lift shafts, stair shafts, and roof water tanks provided that there is a maximum of one intrusion of a lift shaft or stair shaft or roof water tank (or structure incorporating more than one of these) permitted for every 20 metre length of internal boundary, and the maximum dimension thereof parallel to the boundary for this structure shall not exceed 3m, and provided that the minimum distance between each of these structures shall be 20m, and provided that for buildings over three storeys, such features are contained within or are sited directly against the outside structural walls.

and

(iii) where a single gable end with a base (excluding eaves) of 7.5 metres or less faces a boundary and a recession plane strikes no lower than half way between the eaves and ridge line, the gable end may intrude through the recession plane.

(b) Central City **Business** Zone only:

Lift and stair shafts, chimneys and vents, spires, poles and masts, roof water tanks and roofing towers, together with their enclosures, provided the maximum dimension parallel to the road boundary shall not exceed 5 metres.

**Note:** The rules in this Plan requiring compliance with recession planes (sunlight and outlook for neighbours, sunlight admission to important pedestrian areas, and scale of buildings in relation to streets) are development standards. Therefore any building with recession plane intrusions of features other than those provided for by this rule, or which exceed the limits specified, shall be a discretionary activity with the exercise of the Council's discretion limited to the matter subject to that standard.

Attention is drawn to the provisions for exceptions from the height requirements for buildings (see Definitions).

### 2.4.3 Reason for rule

Updated 31 July 2012

Sunlight and outlook for neighbours standards throughout the Plan and sunlight admission to important pedestrian areas and scale of buildings in relation to street standards for the Central City **Business** Zone require buildings to comply with recession planes. This rule provides for certain building features to intrude through recession planes. These features generally have little impact on the amenities of adjoining properties. The intrusions are limited in order to ensure that the effects on neighbours are minimal.

## 2.5 Permitted open space intrusions

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Updated 14 November 2005

### 2.5.1 Statement

Updated 14 November 2005

The purpose of this rule is to clarify that certain parts of buildings can exceed the open space standards, without compromising the overall spaciousness of the zone.

## 2.5.2 General rule

## 2.5.2 General rule

Updated 14 November 2005

Where a rule in this Plan requires compliance with open space standards the following features are excluded:

- fences, walls and retaining walls;
- eaves and roof overhangs up to 600mm in width from the wall of a building;
- uncovered swimming pools up to 800mm in height above ground level; and
- decks, terraces, balconies, porches, verandahs, bay or box windows (supported or cantilevered) which:
  - are no more than 800mm above ground level and are uncovered or unroofed; or
  - where greater than 800mm above ground level and/or covered or roofed, are in total no more than 6m<sup>2</sup> in area for any one site.

## 2.5.3 Reason for rule

Updated 14 November 2005

This rule provides for certain building features to intrude in to the open space standards. These features have little impact on the amenities of adjoining properties as well as the overall spaciousness of the zone. The intrusions are limited in order to ensure that the effects on adjoining neighbours are minimal.

## 2.6 Combined activities

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Updated 14 November 2005

### 2.6.1 Statement

Updated 14 November 2005

This rule has been incorporated into the Plan to clarify the application of standards when more than one activity is proposed to establish on a site.

### 2.6.2 General rule

Updated 14 May 2012

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

### 2.6.3 Reasons for rule

Updated 14 May 2012

This rule is intended to clarify, firstly that more than one activity may establish on a site, and secondly, the application of standards. The rule clarifies that floor space, density, and open space standards for different activities cannot be added together for different activities on the same site. For example if the open space standard is 0.8 Residential Floor Area Ratio for a residential activity and 0.5 Plot Ratio for an other activity, the standards cannot be combined to give a total ratio of 1.3, rather each activity component should not exceed its own standard, and in combination should not exceed the largest maximum for any individual activity, which in this example is 0.8. The development could therefore comprise of an 'other' activity up to 0.5 plot ratio, plus an additional residential component of up to 0.3 Residential Floor Area Ratio.

## 2.7 Accessory buildings on vacant sites

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Updated 14 November 2005

### 2.7.1 Statement

Updated 14 November 2005

This rule has been incorporated to clarify that an accessory building to a residential unit may be erected prior to the erection of the residential unit.

### 2.7.2 General rule

Updated 14 November 2005

An accessory building to a proposed residential unit may be erected on any site notwithstanding that the residential unit has not as yet been erected and provided that the accessory building does not exceed 40m<sup>2</sup> in area.

Refer also to development, community and critical standards in the relevant zone and city rules.

### 2.7.3 Reasons for rule

Updated 14 November 2005

This rule clarifies that an accessory building may be erected before the residential unit to which it is accessory. The size of the accessory building is limited in order to ensure that the effects on neighbours and the amenities of the neighbourhood are minimal.

## 2.8 Maintenance of buildings and land

### 2.8 Maintenance of buildings and land

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Updated 14 November 2005

#### 2.8.1 Statement

Updated 14 November 2005

The purpose of this rule is to clarify when the state of a building or site does affect amenity values.

#### 2.8.2 General rule

Updated 14 November 2005

- (a) No building, excavation or road work shall be left abandoned for a continuous period of more than a month.
- (b) Where any building is demolished on a site, the owner and/or occupier shall:
  - (i) keep the site clear and free from rubbish;
  - (ii) prevent nuisance arising from dust or water lying on the surface of the site;
  - (iii) paint or resurface and thereafter maintain any wall exposed by the demolition of the building.

**Note :** Attention is drawn to Clause 17 (Adverse Effects) of the Act. This clause requires every person to avoid, remedy, or mitigate any adverse effects on the environment. If any person is causing an adverse effect on the environment then enforcement action can be taken under the Act.

#### 2.8.3 Reasons for rule

Updated 14 November 2005

Unfinished building work, excavations or road works can adversely affect the amenity values of those people living and working in close proximity to such sites or buildings. This rule is to ensure that amenity values are maintained and enhanced.

## 2.9 Permitted activities on land acquired for reserve purposes

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Updated 22 May 2006

#### 2.9.1 Statement

Updated 22 May 2006

This rule has been incorporated into the Plan to clarify that irrespective of the zoning shown in the Plan on land which has been acquired by the Council for any purpose specified in Part III of the Reserves Act 1977 or for open space and/or recreation under the Local Government Act 1974, activities which comply with all of the performance standards for the Open Space 1 Zone shall be a permitted activity.

#### 2.9.2 General Rule

Updated 22 May 2006

- (a) On land which has been acquired by the Council for any purpose specified in Part III of the Reserves Act 1977 or for open space and/or recreation under the Local Government Act 1974, any activity that complies with all of the development and community standards for the Open Space 1 Zone under Part 6, Clauses 2.2 and 2.3 shall be a permitted activity.
- (b) Where an activity does not comply with any one or more of these standards, Part 6, Clause 2.1.1 (b), (c), and (d) shall apply.

#### 2.9.3 Reasons for rule

Updated 22 May 2006

The purpose of this rule is to avoid the need for resource consent applications to be lodged for any use of land, as specified in Part III of the Reserves Act 1977 or for open space and/or recreation under the Local Government Act 1974, where the zoning is not yet appropriate for this use, but where this use is not likely to have any more than minor effects on the environment, including effects on land and neighbours and on the amenities of the neighbourhood.

## 3.0 Scheduled activities

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Updated 14 November 2005

Guide to using these rules

**Step 1:** Check whether the site(s) on which the activity is located is shown as containing a scheduled activity , on the planning maps.



**Step 2:** Check which specific class and category of scheduled activity applies to that site (refer to lists in Clauses 3.8.1 - 3.10.3).

(For activities other than the scheduled activity for the site, refer to the relevant zone rules.)

**Step 3:** If a Class 1 or 2 scheduled activity check whether the scheduled activity complies with all of the development standards for that category of scheduled activity.

If not, application will need to be made for a resource consent, assessed as a discretionary activity with the exercise of the Council's discretion limited to the matter(s) subject to that rule.

**Step 4:** Check whether the scheduled activity (Class 1, 2, or 3 ) complies with the critical standard for that category of scheduled activity.

If not, application will need to be made for a resource consent, assessed as a non-complying activity.

**Step 5:** Check any city rules that may apply to the activity (noted by cross-reference in the standards).

Class 1 or 2 scheduled activities

If the activity complies with all of the rules in this section and the city rules, it is a permitted activity.

Class 3 scheduled activities

If the activity complies with the critical standard in this section and the city rules, it is a discretionary activity.

If not, application will need to be made for a resource consent, assessed as a non-complying activity.

## 3.1 Statement

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Updated 29 January 2015

Scheduled activities are primarily located in living zones and to a lesser extent in rural zones. They are characterised by distinctly different function, appearance and effects to other activities within the surrounding environment. However, because of their function, they are required to be strategically distributed around the city. The activities concerned are likely to be either discretionary or non-complying in terms of the zone rules, and hence reliant on existing use rights, in the absence of some form of special recognition. Scheduled activities have been divided into three classes: Class 1, Class 2, and Class 3. The majority of scheduled activities are in Class 1.

The main categories of Class 1 scheduled activities are:

- scheduled service stations;
- scheduled hotels and taverns;
- scheduled metropolitan facilities in Living 4B and 4C *and Central City Residential Zones*;
- scheduled public utilities and depots;
- scheduled service centres and community services;
- scheduled fire stations;
- scheduled rural activity - Yaldhurst Transport and Science Museum;
- scheduled holiday park - Meadow Park Holiday Park

Class 2 scheduled activities include:

- scheduled spiritual facilities.

Class 3 scheduled activities include:

- scheduled chartered clubs;
- scheduled hotels and taverns (not listed as Class 1); and
- scheduled rural industries - sawmilling/timber processing and aggregate processing, Coutts Island Road.

The majority of Class 1 scheduled activities in this Plan are those which have been provided with a degree of permitted activity status, either through a zone, a schedule or a designation in the previous district plan. They are also well established facilities representing significant investment in building and site development, and are a type of activity which provide a service to the community and its visitors which, with some exceptions, require distribution around the city. Consequently, while in terms of local environmental effects alone most of the scheduled activities would be better located in business zones, they are also provided for on specific sites outside the business zones.

Existing spiritual facilities are included within the Class 2 Schedule. A number of existing spiritual facilities comply with the criteria mentioned in the previous paragraph. Spiritual facilities have however been listed in a separate class to recognise their unique role within the community. Spiritual facilities provide a diverse range of services to a wide range of people within the community and are an activity that is typically accepted within living environments. Spiritual facilities are also well established facilities representing significant investment in building and site development, and are a type of activity which provide a service to the community and its visitors which require distribution around the city.

Wider environmental issues such as energy efficiency and the environmental effects associated with fuel usage support the distribution of these activities in closer proximity to the customer. Walking to the site in some circumstances can be retained as an option, as well as the obvious convenience to inhabitants.

Some exceptions to the scheduled activity philosophy have been made due to historical recognition. These exceptions have been recognised as Class 3 scheduled activities and have been given discretionary activity status.

### Environmental results anticipated

- (a) A well distributed, but specific, range of established facilities in living and rural zones which provide convenient and useful services in close proximity to the user.
- (b) Maintenance of the local zone environment such that scheduled activities are not dominant and are of a scale and distribution consistent with maintaining the viability of suburban centres.
- (c) Maintenance of adequate standards of amenity in the living or rural zones, particularly with respect to visual appearance, impacts of traffic movement, noise generation, safety in terms of hazardous substances and minimised odour or other nuisances to adjoining properties from scheduled activities.
- (d) An environment which provides certainty and security for the significant investment in buildings and site development for traditionally recognised strategically located facilities.

## 3.2 General rules

### 3.2 General rules

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### 3.2.1 Application of scheduled activity rules

Updated 14 November 2005

The rules in this part of the Plan replace those zone rules specified for the site on which the activity is scheduled, in respect of the scheduled activity only.

### 3.2.2 Zone rules - activities other than scheduled activities

Updated 14 November 2005

Any activity on the site, other than that for which the site is specifically scheduled, shall be subject to the normal standards applicable to the zone which applies to the site.

### 3.2.3 Class of scheduled activity

Updated 14 November 2005

There are three classes of scheduled activities; Class 1 scheduled activities are listed in Clause 3.8 and Class 3 Clause 3.10. Class 2 scheduled activities are described in Clause 3.9.

## 3.3 Categories of activities

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Updated 14 November 2005

### 3.3.1 Scheduled activities

Updated 14 November 2005

- (a) Any Class 1 or 2 scheduled activity which complies with:
- all of the development standards under Clause 3.4; and
  - the critical standard under Clause 3.5,
- shall be a **permitted activity** .
- (b) Any Class 1 or 2 scheduled activity which complies with the critical standard under Clause 3.5, but does not comply with any one or more of the development standards under Clause 3.4, shall be a **discretionary activity** with the exercise of the Council's discretion limited to the matter(s) subject to that standard.
- (c) Any Class 3 scheduled activity which complies with the critical standard under clause 3.5 shall be a **discretionary activity** .
- (d) Any scheduled activity (Class 1, Class 2, or Class 3) which does not comply with the critical standard under Clause 3.5 shall be a **non-complying activity** .

## 3.4 Development standards

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Updated 14 November 2005

### 3.4.1 Site density and open space

Updated 29 January 2015

(a)	Site density:	
	The maximum plot ratio per site shall be:	
	Scheduled hotels and taverns in Living 1 & 2 Zones	0.4
	Scheduled fire stations in Living 1, RS & 2 Zones	0.5
	Scheduled hotels, taverns, and spiritual facilities in Living 3 Zone	0.6
	Scheduled hotels, tavern, and spiritual facilities in Living 4 Zones, scheduled fire stations in Living 4C Zones <b>and Central City Residential Zone</b> , scheduled metropolitan facilities (except for the Alpa Community Cottage which shall be 0.4)	0.8
	Scheduled holiday park - Meadow Park Holiday Park	0.4
(b)	Open Space	
	(i) The maximum site area to be covered by buildings shall be:	
	Scheduled hotels and taverns in Living 1 & 2 Zones:	40%
	Scheduled public utilities:	
	• sewage treatment facilities	5%

		• works depots	40%
		Scheduled service stations (including canopy)	50%
		Scheduled service centres and community services	50%
		Scheduled rural activity -Yaldhurst Transport and Science Museum	40%
		Scheduled spiritual facilities in the Living 1, H and 2 Zones	50%
		Scheduled holiday park - Meadow Park Holiday Park	40%
		Scheduled spiritual facilities in the rural zones	
		The maximum percentage of site area to be covered by buildings shall be as specified in Clause 2.4.9, Part 4, for the relevant rural zone.	
	(ii)	The maximum site area to be covered by buildings, or impervious surfaces used for vehicle parking and access, shall be:	
		Christchurch Academy	70%

### 3.4.2 Street scene

Updated 29 January 2015

Minimum building setback from road boundaries shall be:

Scheduled metropolitan facilities, scheduled hotels, taverns, and spiritual facilities in Living 3, 4B & 4C Zones <b>and Central City Residential Zone</b> , scheduled fire stations	3m
Scheduled rural activity - Yaldhurst Transport and Science Museum	3m
Scheduled holiday park - Meadow Park Holiday Park	4.5m
Scheduled service centres and community services, scheduled public utilities	6m
Scheduled spiritual facilities in the Living 1, H, and 2 Zones	6m
Scheduled hotels and taverns in Living 1 & 2 Zones, scheduled service stations (excluding canopy)	10m
Scheduled spiritual facilities in rural zones except that where sites are less than 0.4ha a setback of 6m is required.	15m

### 3.4.3 Separation from neighbours

Updated 29 January 2015

Minimum building setback from any internal boundary of a scheduled site shall be:

Scheduled metropolitan facilities, scheduled hotels, taverns, and spiritual facilities in Living 3 & 4B and 4C Zones <b>and Central City Residential Zone</b> , scheduled service centres and community services, scheduled public utilities, scheduled fire stations	3m
Scheduled rural activity - Yaldhurst Transport and Science Museum	3m
Scheduled holiday park - Meadow Park Holiday Park	3m
Scheduled hotels and taverns in Living 1 & 2 Zones, scheduled service stations	6m
Scheduled spiritual facilities in the Living 1, H, and 2 Zones	5m
Scheduled spiritual facilities in rural zones <b>except</b> that on sites less than 0.4ha the minimum setback shall be 3m	10m

### 3.4.4 Sunlight and outlook for neighbours

### 3.4.4 Sunlight and outlook for neighbours

Updated 14 November 2005

- (a) On sites within or adjoining a living, cultural, conservation or open space zone buildings shall not project beyond a building envelope constructed by recession planes from points 2.3m above the boundary of the scheduled site as shown in Part 2, Appendix 1.
- (b) The level of site boundaries shall be measured from filled ground level except where the site on the other side of the internal boundary is at a lower level, then that lower level shall be adopted.

### 3.4.5 Visual amenity

Updated 29 January 2015

- (a) Outdoor storage areas

(i) Outdoor storage areas shall not be located within the setbacks specified in Clauses 3.4.2 or 3.4.3.

(ii) Outdoor storage areas shall be screened from adjoining sites or roads by landscaping, wall(s), fence(s) or a combination, except across those parts of the road boundary used as a vehicle crossing. The minimum height of screening shall be 1.8m. Where screening is by way of landscaping, it shall be for a minimum depth of 1.5m along the road or internal boundary.

(b) Area to be landscaped

Minimum percentage of the site to be set aside as a landscaped area shall be:

Scheduled metropolitan facilities, scheduled hotels, taverns, and spiritual facilities in Living 3, 4B and 4C Zones <b>and Central City Residential Zone</b> , scheduled service stations, scheduled fire stations	5%
Scheduled rural activity - Yaldhurst Transport and Science Museum	5%
Scheduled hotels and taverns in Living 1 & 2 Zones, scheduled spiritual facilities in the Living 1, H, and 2 Zones, scheduled service centres and community services	10%
Scheduled holiday park - Meadow Park Holiday Park	10%
Scheduled public utilities	15%

(c) Location of landscaping

On sites other than rear sites, all required landscaping shall be located along the road frontage of the site. Such landscaping shall include a landscaping strip with a minimum width of 3m along the road frontage, except across vehicle crossings **except that**:

(i) for scheduled metropolitan facilities, the landscaping strip shall have a minimum width of 1.5m;

(ii) on sites adjoining a living, cultural, open space or conservation zone:

- at least half of the required landscaping shall be located along the zone boundary; and
- provision shall be made for landscaping, fence(s), wall(s), or a combination to at least 1.8m in height along the length of the zone boundary. Where landscaping is provided it shall be for a minimum depth of 1.5 m along the zone boundary, except for road frontages which are also zone boundaries, where the requirement for fencing and walls to be 1.8m in height shall not apply, and where the minimum landscape depth of 3m shall be planted in trees in accordance with (d) below.

(d) Trees

(i) Sites with road frontages of at least 10m, shall be planted with a minimum of one tree, plus one additional tree for every 10m of road frontage (e.g. 10m frontage - 2 trees, 20m - 3 trees etc.).

(ii) Where three or more trees are required, these trees shall be planted no more than 15m apart, or closer than 5m apart.

(iii) Any trees required shall be planted along the road frontage and in front of any buildings on the site.

(iv) In addition to (i) - (iii) above, one tree shall be planted for every 5 parking spaces required on the site. Trees shall be planted within or adjacent to the carparking area.

(v) Any trees required by this rule shall be of a species capable of reaching a minimum height at maturity of 8 metres and shall be not less than 1.5m high at the time of planting. Any trees listed in Part 3, Appendix 3 are deemed to comply with this rule.

(e) Protection of trees and landscaping

(i) Any trees required under Clause (c) above shall be located within a landscaping strip (see Clause (b) ) or within a planting protection area around each tree, with a minimum dimension or diameter of 1.5m.

(ii) No more than 10% of any landscaping strips (see Clause (b) ) and planting protection areas shall be covered with any impervious surfaces.

(iii) Landscaping strips and planting protection areas adjacent to a road boundary or adjacent to or within carparking areas shall be provided with wheel-stop barriers to prevent damage from vehicles. Such wheel-stop barriers shall be located at least 1m from any tree.

(f) Maintenance of landscaping

Any landscaping or trees required by these rules shall be maintained, and if dead, diseased, or damaged, shall be replaced.

### 3.4.6 Height of buildings - Class 2 Scheduled Activities (spiritual facilities) in the Living H and rural zones only

Updated 14 November 2005

The maximum height of any building shall be:

Rural zones	10m
except that the maximum height of any spire or tower shall be 12m	
Living H	7m

### 3.4.7 Continuous building length - ridgelines and parapets - residential and other activities, that part of the Stonehurst Accommodation site zoned LA4 only.

Updated 14 November 2005

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

except that:

(i) This rule shall not apply to any part of a ridgeline and/or horizontal parapet which is more than 10m from every internal boundary and more than 6m from every road boundary.

(ii) Where a step occurs within 6m of the end of the ridgeline and/or horizontal parapet at the end of the building, the length of that step need only equal the remaining length of the ridgeline and/or horizontal parapet.

(Refer to Part 2, Appendix 1A and the definition of step, length and ridgeline for further clarification of this rule.)

### 3.4.8 Continuous building length - exterior walls - residential and other activities, that part of the Stonehurst Accommodation site zoned L4A only

Updated 14 November 2005

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

Length of exterior wall	Minimum number of steps
Less than or equal to 20m	0
>20m <24m	1
>24m <28m	2
>28m <32m	3
>32m	4+1 for every additional 10m of length over 32m

(b) Where steps are required by (a) above:

- (i) One step shall have a minimum depth of 2m. Any steps required there after shall have a minimum depth of 1m.
- (ii) One step shall have a minimum length of 2m. Any steps required there after shall have a minimum length of 4m.
- (iii) No length of any exterior wall shall exceed 20m without a step of the required dimension having commenced.
- (iv) The required steps shall be provided at all levels of the exterior walls.

except that:

- (i) This rule shall not apply to any part of an exterior wall which is more than 10m from every internal boundary and more than 6m from every road boundary.
- (ii) Where no part of a building exceeds 5.5m in height, this rule shall not apply to any exterior wall of less than 28m in length.

(Refer to Part 2 Appendix 1A and the definitions of step, depth, length and ridgeline for further clarification of this rule.)

### Reference to other development standards

Updated 14 November 2005

Clarification of rules  
(refer Part 9, Clause 2)

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

Building adjacent to waterways and the coastline  
(refer Part 9, Clause 5)

Financial contributions on land use activities  
(refer Part 9, Clause 7)

Protected buildings, places and objects  
(refer Part 10, Clause 1)

Protected trees  
(refer Part 10, Clause 2)

Outdoor advertising  
(refer Part 10, Clause 3)

Relocated buildings  
(refer Part 10, Clause 5)

Sale of liquor  
(refer Part 10, Clause 4)

Hazardous substances  
(refer Part 11, Clause 3)

Transport (parking, access and manoeuvring)  
(refer Part 13)

Subdivision  
(refer Part 14)

### Reference to other community standards

Updated 14 November 2005

Protected buildings, places and objects  
(refer Part 10, Clause 1)

Protected trees  
(refer Part 10, Clause 2)

Noise  
(refer Part 11, Clause 1)

Glare  
(refer Part 11, Clause 2)

Hazardous substances  
(refer Part 11, Clause 3)

## 3.5 Critical Standard

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Updated 14 November 2005

### 3.5.1 Height

Updated 29 January 2015

The maximum height of any building shall be as follows:

Scheduled service stations, Scheduled service centres and community services, Scheduled chartered clubs, Scheduled public utilities (except those within Living 3 Zone), Scheduled hotels and taverns in Living 1 and 2 Zones, Scheduled spiritual facilities in the Living 1, H and 2 Zones, Scheduled holiday park - Meadow Park Holiday Park,  Scheduled fire stations in all zones except Living 4C <b>and Central City Residential Zone</b> and the training centre tower at 929 Ferry Road	9m
Scheduled hotels, taverns, spiritual facilities and scheduled public utilities within Living 3 Zone	11m
Scheduled hotels and taverns in Living 4C <b>and Central City Residential Zones</b> ,  Scheduled metropolitan facilities, scheduled fire stations in Living 4C Zone <b>and Central City Residential Zone</b> , and Scheduled spiritual facilities in the Living 4 Zones	In accordance with planning maps 39B and 39D
Scheduled fire station training tower at 929 Ferry Road	20m
<b>except:</b>	
that for scheduled spiritual facilities the maximum height of any spire or tower shall be:	
Living 1 and 2 Zones	12m
Living 3 Zone	13m
Living 4 Zones	20% above the maximum height permitted by planning maps 39B and 39D
Scheduled rural activity - Yaldhurst Transport and Science Museum	20m

## Reference to other critical standards

Updated 14 November 2005

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

Airport protection surfaces (prohibited activities)  
(refer Part 9, Clause 6)

Protected buildings, places and objects  
(refer Part 10, Clause 1)

Protected trees  
(refer Part 10, Clause 2)

Outdoor advertising  
(refer Part 10, Clause 3)

Noise  
(refer Part 11, Clause 1)

Hazardous substances  
(refer Part 11, Clause 3)

Subdivision  
(refer Part 14)

## 3.6 Assessment matters for resource consents

## 3.6 Assessment matters for resource consents

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Updated 14 November 2005

### **3.6.1 General**

Updated 14 November 2005

The matters contained in Sections 104 and 105, and in Part II of the Act, apply to consideration of all resource consents for land use activities.

In addition to these matters the Council shall also apply the relevant assessment matters set out in Clauses 3.6.2 - 3.6.6 below.

In considering whether or not to grant consent or impose conditions, the Council shall have regard to the following assessment matters.

### **3.6.2 Site density and open space**

Updated 14 November 2005

- (a) The ability to provide adequate landscaping, setbacks, parking and manoeuvring spaces required by the standards applicable to scheduled activities.
- (b) Any adverse visual effects of increased building coverage or site density, particularly on any adjoining residential properties.
- (c) Any adverse effects on adjoining properties in terms of dominance by buildings, loss of privacy and access to sunlight and daylight.
- (d) The ability to mitigate any adverse effects of increased coverage or site density by additional landscaping or screening.
- (e) The extent to which any reduced open space on a site adversely affects the amenity values of the surrounding rural environment.

### **3.6.3 Street scene**

Updated 14 November 2005

- (a) The ability to provide adequate opportunity for landscaping and tree planting in the vicinity of road boundaries.
- (b) Any adverse effects of the building intrusion into the street scene on the outlook and privacy of people on adjoining sites.
- (c) Whether the site has more than one road frontage and whether it would be unreasonable in the circumstances to require both frontages to comply with the rule.
- (d) The ability to mitigate any adverse effects of the proposal on the street scene; and the effectiveness of other factors in the surrounding environment in reducing the adverse effects, such as existing wide road widths, street plantings and the orientation of existing buildings on adjoining sites.

### **3.6.4 Separation from neighbours**

Updated 14 November 2005

- (a) Any potential for adverse effects from scheduled activities on adjoining residential properties.
- (b) The provision of compensating landscaping or screening.
- (c) The scale and height of buildings within the reduced setback.
- (d) The ability to better utilise the site and provide better environmental quality elsewhere on the site.
- (e) The use to be made of the setback space including any provision for landscaping.

### **3.6.5 Sunlight and outlook for neighbours**

Updated 14 November 2005

- (a) The effect of any reduced sunlight admission on any adjoining residential properties, taking into account the extent of overshadowing and the position of outdoor living spaces.
- (b) The effect of any increased height on relative building scale and the degree of privacy between the scheduled activity, and any adjoining residential properties.
- (c) The scale and length of buildings and their visual effects on the amenities of any adjoining residential property.
- (d) Any mitigating effects of landscaping proposed on the boundary of the site.

### **3.6.6 Visual amenity**

Updated 14 November 2005

- (a) The type and volume of any materials to be stored on the site, and any other means of screening.
- (b) The effect of reduced landscaping in terms of visual impacts of buildings associated with scheduled activities.
- (c) The extent to which the site is visible from adjoining sites, particularly in living zones, and the likely consequences on outlook from these sites of any reduction in landscaping standards or screening.
- (d) Any aspects of the scheduled activity which may compensate for reduced landscaping or screening, including the nature of planting or materials used, and the location of parking, manoeuvring or storage areas.
- (e) The visual appearance of the site in terms of the length of road frontage.
- (f) The relative importance of landscaping and screening on the particular site concerned, taking into account the visual quality of the surrounding environment, particularly where a low standard of visual amenity exists and improvement is necessary.
- (g) The nature of the scheduled activity itself, and any particular adverse visual impacts it may have.
- (h) The effect of any reduction in tree planting, particularly in respect to the visual character of carparking areas and building scale.

### **3.6.7 Height of buildings - Scheduled spiritual facilities in the Living H and Rural Zones only**

Updated 14 November 2005

- (a) In the Living H Zone, the extent to which the increased building height will result in decreased opportunities for views from properties in the vicinity.
- (b) In the Living H Zone, whether it would be unreasonable to require the development standard for height to be complied with given the height of existing buildings in the surrounding locality.

- (c) In the rural zones, the extent to which the character of the site and the surrounding area remains dominated by open space.
- (d) in the rural zones, the ability to provide adequate opportunity for landscaping in the vicinity or for existing planting to be retained which will mitigate the effect of increased height.

## 3.7 Reasons for rules

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Updated 14 November 2005

### 3.7.1 Site density and open space

Updated 14 November 2005

These two standards are closely related to each other, and are major determinants of the bulk and height of buildings, and their visual impact. Generally, a compromise has been reached between the scheduled activities operational needs and the need to retain the amenity values of the host zone.

The lower coverage and plot ratio for scheduled suburban hotels, taverns, and spiritual facilities is characteristic of suburban building character, while the higher plot ratio for the inner and central city areas allows more intensive use of a site with greater relative building height and bulk. This accords with the higher building densities in the inner and central city. An exception for the Alpa community cottage acknowledges its existing low density and a condition placed on its status in the previous City Plan. The rule for fire stations takes into account the existing buildings and the needs of the host zone. For scheduled spiritual facilities in the rural zones the open space standard has been set the same as the host zone in order to promote the retention of rural character and amenity.

The rule for utilities allows for ample open space around buildings acknowledging that this includes the large buildings associated with depots. For service stations a reasonably high coverage is provided to enable canopies to be included. The provisions for service centres and community services (e.g. library) operated by the Council allow for larger structures but with sufficient space for parking and landscaping.

The provision for the Christchurch Academy has been made acknowledging the effect of parking and access on the available area of open space and its park-like setting. The actual percentage permitted reflects the density of surrounding development.

### 3.7.2 Street scene

#### 3.7.2 Street scene

Updated 14 November 2005

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

Large setbacks have been specified for suburban hotels and taverns because these activities are located in environmentally sensitive areas. In the case of scheduled service stations, a setback for buildings is required to reflect operational requirements. Overhead canopies are excluded from the setback calculation for practical purposes.

The inner and central city scheduled hotels and taverns and metropolitan facilities have small setbacks in recognition of the strongly urban "built" character of these areas, the historic pattern of development, small sites and high building coverage.

The setback for utilities, service centres, community services, and spiritual facilities reflect the need to use space efficiently while allowing adequate scope for landscaping and reduction of building dominance, while the setback for fire stations recognises operational needs throughout the city.

### 3.7.3 Separation from neighbours

Updated 14 November 2005

A setback standard has been required which accords with the nature of the surrounding zone, and the scale of the scheduled activity. It will allow landscaping to enhance the visual relationship with any adjoining residential or rural dwellings, and protect the amenities of any adjoining residences. The setback is smaller for scheduled activities in the inner and central city in recognition of higher building densities, and also for utilities throughout the city where the localised environmental effects are generally less pronounced. Because of the standard design of service stations, a uniform standard is specified but is large enough to ensure a reasonable level of separation for adjoining neighbours.

### 3.7.4 Sunlight and outlook for neighbours

Updated 14 November 2005

The reason for the recession plane requirement is to ensure that adjoining residential properties are able to maintain a sufficient standard of amenity in respect to sunlight admission. The recession plane also acts as a 'de facto' height control as well as a means of protecting access to sunlight. It also reinforces requirements for setbacks to reduce impacts of building scale.

### 3.7.5 Visual amenity

Updated 14 November 2005

Standards for visual amenity are closely associated with standards for open space, coverage, setbacks and street scene. They have two components - the screening of outdoor storage areas and the appearance of the activity from road frontages and residential properties.

Outdoor storage areas are required to be screened either by landscaping, fences or both, in recognition of potential adverse effects from inadequate screening, particularly evident with some commercial activities.

The extent of landscaping required is a reflection of the location of the scheduled activity and the environmental sensitivity of the host zone. They are similar in their basis to the business zone landscaping requirements. Utilities generally are of bland appearance, and are on small sites, which require landscaping to ensure visual compatibility and a buffer from adjoining residences. Service stations have a uniform landscaping provision, which is of limited but sufficient extent, to protect residential amenities, given the operational nature of service stations and their canopies, large paved surfaces and utilitarian structures.

The inner and central city scheduled activities have a smaller landscaping requirement in reflection of higher building densities.

The location of landscaping is aimed at enhancing street scene interfaces to create a pleasant aspect.

The rules in respect to trees are intended to provide a form of landscaping which is visually effective and in particular reduces the impact of building scale, parking and storage areas. To provide certainty, the rules specify spacing of trees, and variations over shorter frontages to avoid monotony.



Provision is also required for the protection of trees within defined areas or strips to enhance their opportunity to flourish, and to avoid damage. On residential boundaries (other than roads) a vegetative screen or fence is required to ensure protection from adverse visual impacts of the scheduled activity.

Finally, the rules require trees capable of reaching a specified height, and species which will meet the landscaping requirements. This has been done both to ensure landscaping can be visually effective (in the medium term if not immediately) and to provide an element of certainty.

### 3.7.6 Height

Updated 14 November 2005

The height standards have been set with particular regard to the standards relating to height of buildings in the surrounding zone. Height limits have generally been set at critical standard level which ensures that the height of structures associated with scheduled hotels and taverns, spiritual facilities, chartered clubs, service stations, metropolitan facilities, fire stations, service centres and community services, holiday parks and public utilities are compatible with acceptable levels in the host zone. An exception has been made for the fire service training centre to allow for the training tower which has been in existence for some time. In addition, it is generally accepted that spires and towers associated with scheduled spiritual facilities do not have the same level of impact on the surrounding environment. An exception is therefore made enabling them to be up to 20% higher in most of the host zones.

In recognition of the sensitivity of the Living H Zone, particularly with respect to the maintenance of views, a development and a critical standard for scheduled spiritual facilities has been set at the host zone level with no exception for spires and towers. Scheduled spiritual facilities in the rural zones have been set at the development standard level only, to be compatible with the host zone.

### 3.7.7 Yaldhurst Transport and Science Museum

Updated 14 November 2005

Specific provisions have been continued in the City Plan for the Yaldhurst Transport and Science Museum, which is located in a more intensively settled rural area at Yaldhurst, near the Airport. The standards are intended to provide a satisfactory level of amenity for the surrounding area while providing some development scope for a facility preserving items of historic value to the community.

### 3.7.8 Scheduled Rural Activities - Coutts Island Road

Updated 14 November 2005

Recognition has been given to two adjoining sites in the Rural 4 Zone in Coutts Island Road. These sites have long been used for industrial activities, one being an aggregates processing plant adjacent to its source of raw materials in the adjacent Waimakariri River, and the other a timber processing operation. Although this area is not suitable for general industrial activities, both activities could generate significant adverse effects in an urban environment, and merit protection beyond existing use rights.

## 3.8 List of Class 1 scheduled activities and sites

Updated 14 November 2005

### 3.8.1 Scheduled service stations (excluding truck stops)

Updated 18 January 2010

Name/address	Legal Description	Zone	Map No
317 Barbadoes Street Armagh Auto	Pt TS 653 CT 243/6	L4A	39C
253 Barrington Street Shell Barrington	Lot 1 DP 44640	L2	46B
75 Bassett Street Ardrossan Motors	Lot 2 DP 14378	L1	26B
91 Beach Road Beach Road Energy Centre	Lots 1 & 2 DP 25521	L1	27B
268-270 Bealey Avenue Bealey Avenue Service Station	Lots 1-4 DP 6752, Pt TR 159	L4C	39C
324 Blenheim Road Shell Middleton	Lot 12 DP 13576	L1	38B
64 Blighs Road Blighs Road Service Station	Lot 1 DP 28218 Lots 3 & 6 DP 1978	L1	31B
427 Breezes Road Bromley Auto	Lot 1 DP 16645	L1	41B
60 Bridge Street Southshore Motors	Lot 1 DP 19586	L1	41B
238 Centaurus Road St Martin's Garage	Lot 1 DP 675	L1	47B
90 Cresswell Avenue Cresswell Motors Ltd	Lot 1 DP 18070	L1	33B
79 Edgeware Road BP Edgeware	Pt Lot 3 DP 1272 Lot 7 DP 10289	L2	32B
417-419 Ferry Road Shell Ferry Road	Lots 1-3 DP 9049, Lot 4 DP 198	L2	47B

619 Ferry Road Radley Motors	Lot 1 & Pt Lot 2 DP 39 Lot 9 DP 10453	L1	47B
332 Gloucester Street Kim and Lee Motors Ltd	Pt TR 88 CT 492/39	L4A	39B
712 Gloucester Street BP Dallington	Pt Lot 1 DP 37923	L1	40B
246 Halswell Road BP Oaklands	Lots 7-10 DP 20563	L1	52B
345 Halswell Road Nicholas Bros	Lot 2 DP 82813	L1	52B
210 Harewood Road Cardwell Motors	Lots 40-41 DP 17536 Lot 1 DP 12609	L1	24B
318 Harewood Road Bishopdale Service Station	Pt Lots 2-3 DP 18823 401/173 & 343/146	L1	24B
409 Harewood Road Bradford Auto Ltd	Lot 1 DP 46921	L1	24B
40 Hawke Street New Brighton Service Station	Lot 1 DP 25884 Pt Lot 79 DP 140 Lot 1 DP 44932	L2	34B
435 Innes Road BP Mairehau	Lots 4 & 5 DP 18127	L1	32B
55 Lincoln Road Caltex Lincoln Road	Lot 4 DP 34740	L1	45B
250 Lincoln Road Shell Raceway	Lot 1 & 2 DP 42678	L3	46B
214 Linwood Avenue Shell Linwood	Lot 1 DP 54493	L2	40B
455-457 Linwood Avenue BP Gainsborough	Lot 1 DP 75853	L1	40B
170 Main Road Redcliffs Auto Mart	Lot 1 & Pt Lot 2 DP 10599	L1	48B
315 Main North Road Caltex Main North Road	Lot 1 DP 27253	L1	25B
713 Main North Road Shell Belfast	Lot 1 DP 15151 Lot 1 DP 71863	L1	18B
720 Main South Road Shell Templeton	Lot 7 DP 18445	Ru2	43B
809 Main South Road Southway Service Station	Lots 8 & 9 DP 17308	L1	43B
432 Marshland Road BP Marshlands	Lot 1 DP 22961	Ru3	26B
1 Memorial Avenue BP Fendalton	Lot 1 DP 26482, Lot 1 & Pt Lot 2 DP 18466 Pt Lot 2 DP 12792	L1	31B
111-115 Milton Street Spreydon Auto Centre	Lots 3-5 DP 6505	L2	46B
71 North Avon Road Shirley Motors Workshop	Lot 1 DP 5913	L1	33B
3 North Parade North Avon Service Station Ltd	Lots 1 & 2 DP 2702	L2	33B
336 Pages Road Mobil Aranui	Lots 1 & 2 DP 60189	L1	34B
169 Queenspark Drive Queenspark Automat	Lot 1 DP 35894	L1	26B
33 Riccarton Road Shell Riccarton Road	Lot 4 DP 63363	L3	39B
2 Russley Road Caltex Russley Service Station	Lot 1 DP 26010	L1	37B
260-262 Sawyers Arms Road Sawyers Arms Road	Lot 2 DP 42741	L1	24B
101 Springs Road Springs Road Auto Services Ltd	Lot 14 DP 15897	L1	44B
78-80 Wainoni Road Cooks Auto Services	Lots 1 & 2 DP 20076	L1	33B

175 Wainoni Road Wainoni Energy Centre	Lot 2 DP 12297 Pt Lot 3 DP 14198	L1	33B
248 Wairakei Road Caltex Wairakei Service Station	Lots 1 & 2 DP 49982	L1	31B
24 Wakefield Avenue Marine Service Station	Lot 6 DP 10531	L3	56B
49 Warrington Street Warrington Service Station	Lot 1 & 2 DP 25764 Lot 1 DP 8257	L2	32B
202 Withells Road Caltex Withells Road Service Station	Lot 1 DP 23721	L1	30B
148-150 Yaldhurst Road BP Avonhead	Lots 2 & 3 DP 22417	L1	37B
198-200 Yaldhurst Road Shell Racecourse	Lot 1 & 2 DP 46717	L1	37B

### 3.8.2 Scheduled hotels and taverns

Updated 14 November 2005

Name/address	Legal Description	Zone	Map No
280 Blenheim Road Blenheim Road Tavern	Lot 1 DP 77136	L1	38B
101 Caledonian Road Caledonian Hotel	Lot 2 DP 44490	L3	32B
2 Flavell Street Valley Inn Tavern	Lots 32-34 DP 265	L1	55B
30 Huxley Street (264 Colombo Street) Sandridge Hotel	Lots 1-2 DP 8025 Pt Lot 3 Block 2 DP 117 Lot 1 DP 9657 Pt Lot 1 DP 39692 Lots 8-10 Pt Lot 6 DP 117 Lots 1-3 DP 5676 Lot 1 DP 60813	L3	46B
6 Inwoods Road Parklands Tavern	Lot 1 DP 57422	L1	26B
33 Lincoln Road Black Horse Hotel	Lot 2, Pt Lot 1 DP 12476 Lots 2, 12 DP 9477 Lot 2 DP 3771 Pt RS 145	L1	45B
330-340 Main North Road Redwood Inn	Lot 10 DP 60941	L1	18B
895 Main North Road Belfast Hotel	Lots 1-2 DP 44728	L1	10B
11 Marriner Street Cave Rock Hotel	Pt Lot 6c DP 13 Lot 1 DP 35818	L3	56B
Oxford Terrace/Nova Place Star & Garter Tavern	Lot 1 DP 41383 CT 19F/726	L4C	39C
122 Racecourse Road Racecourse Hotel	Lot 2 DP 51681	L1	37B
120 Withells Road Avonhead Tavern	Pt Lot 2 DP 29243	L1	30B

### 3.8.3 Scheduled metropolitan facilities in Living 4 Zones

### 3.8.3 Scheduled metropolitan facilities in Living 4 Zones

Updated 14 November 2005

Name/address	Legal description	Zone	Map No
52 Armagh Street Hostel Windsor Private Hotel	RLC9 Sec 339 CT 15F/247	L4C	39C
63 Armagh Street Hostel Croydon Private Hotel	Pt TS 308 CT 216/189	L4B	39C
69 Armagh Street Hostel Devon Private Hotel	TS 310 CT 7/95	L4B	39C

272 Barbadoes Street Hostel The Homestead	Lot 1 DP 13691	L4A	39C
294 Barbadoes Street Hall	Pt TR 16 ChCh City CT 316-191	L4A	39C
314 Barbadoes Street Hostel Round the World Backpackers	Lot 2 DP 33590	L4A	39C
66 Carlton Mill Road Church First Church of Christ Scientist	Pt Rural Sec 6 ChCh City	L4B	39B
33-41 Cashel Street New Zealand Red Cross	Lot 1 DP 49287	L4C	39C
31 Chester Street West Boarding house Chester House	Lot 2 DP 1915	L4C	39C
21 Dublin Street Geriatric hospital Wesley Hospital	Pt TR 26 CTs 141/239, 141/240, 14/241, 371/271, 70/270	L4C	39C
49-51 Gloucester Street Hostel Melville Private Hotel	Lot 1 DP 3995 CT 290/254	L4C	39C
241-249 Gloucester Street Travellers' Accommodation Stonehurst Accommodation	CT 20B/344, CT 20B/343, CT 20B/342, CT 46B/1226	L4B	39C
255-263 Gloucester Travellers' Accommodation Stonehurst Accommodation	CT 26K/1184 CT 21K/154 CT 30B/858	L4A	39C
12 Hereford Street YMCA	Pt TS 441, 443, Lots 1-3 DP 25197 CT 147/287	L4C	39C
Residential and travellers' accommodation and recreation activities, and any of the following activities which are ancillary to these on the site: <ul style="list-style-type: none"> <li>• Education activities</li> <li>• Health facility</li> <li>• Office and administration facilities</li> <li>• Parking areas</li> <li>• Retail activity and café</li> <li>• Public meeting rooms and conference facilities</li> </ul>			
36 Hereford Street Hostel Hereford Hotel	TS 457 CT 1767/66	L4C	39C
234 Hereford Street Church St Johns Anglican Church	Pt Lot 1 DP 27831	L4A	39C
275 Hereford Street Church Christchurch City Mission	Lot 2 DP 10123 Lot 1 & 2 DP 1639	L4A	39B
28 Hurlley Street Community meeting place ALPA Community Cottage	Pt TR 28 CT 8/67	L4C	39B
181 Kilmore Street Church St Luke the Evangelist	Res 17 Pt 19	L4A	39C
208 Kilmore Street Hostel Foley Towers	Lot 1 DP 60425	L4C	39C
264-8 Madras Street Hostel Charlies "B's" Backpackers	Pt TS 634 CT 171/14	L4B	39C
387 Manchester Street College (Training) Christchurch Academy	Sec 1209 SO 16202 and Sec 1 SO 17510	L4A	39C
5 Worcester Street Hostel YHA	Pt TR 364, 366, 368 CT 176/48	L4C	39C
190 Worcester Street Hall Canterbury Women's Club Inc	Lot 11 DP 3969	L4B	39C
232 Worcester Street Hostel Ayden Lodge	Pt TR 55 ChCh City CT 371/237	L4A	39B

### 3.8.4 Scheduled public utilities and works depots

Updated 14 November 2005

Name/address	Legal Description	Zone	Map No
54 Colombo Street, Beckenham Water Services yard and pumping station	Lots 6-18 DP 2527, Lot 2 CTs 241/117, 356/94, 7B/589	L1	46B
Belfast sewage treatment works Dickeys Road	Pt Res 3542 SO 11300 Pt Res 4365 SO 11824	Ru4	10B
Maddisons Road Templeton sewage treatment works	Pt Lot 5, DP 1755 & Sec 4 SO 18163 Pt Lot 4 DP 1755	Ru2	42B
280 Westminster Street Depot, Mairehau	Pt Lot 65 DP 13198	L1	32B

### 3.8.5 Scheduled service centres and community services

Updated 14 November 2005

Name/address	Legal Description	Zone	Map No
170 Clyde Road Fendalton Community Centre/Library	Lot 1 DP 25574	L1	31B
66 Colombo Street Beckenham Service Centre	Lot 1 DP 24288	L1	46B
Halswell Library 381 Halswell Road	Lot 1 DP 1590	Ru2	52B
6-10 Jeffreys Road Fendalton Service Centre (CCC)	Lot 1 DP 23970 Pt RS 188	L1	31B
180 Smith Street Linwood Service Centre (CCC)	Lot 16 DP 23797	L2	40B

### 3.8.6 Scheduled fire stations

Updated 14 November 2005

Name/address	Legal Description	Zone	Map No
200 Kilmore Street and 91 Chester Street East Central fire station	Lot 1 DP 53863	L4C	39C
276 Cranford Street Suburban fire station	Lot 3 DP 38681	L1	32B
929 Ferry Road Woolston Fire Station Suburban fire station Fire service training centre	Lots 1 and 2 DP 30985	L1	47B
82 Hawke Street Suburban fire station	Lot 1 DP 23006 Part RS 15837	L2	34B
1090 Lower Styx Road Brooklands Suburban fire station	Lot 23 DP 6159 Part RS 6540	LRS	1B
77 Simeon Street Suburban fire station	Lot 1 DP 29485 Pt RS 154	L2	46B
4-6 Wiggins Street Suburban fire station	Lot 1 DP 48338	L1	56B

### 3.8.7 Scheduled rural activities

Updated 14 November 2005

Name/address	Legal Description	Zone	Map No
26 School Road Yaldhurst Transport and Science Museum including:	Pt RS 1482	Ru5	29B
<ul style="list-style-type: none"> <li>• the display of vintage vehicles and historical equipment</li> <li>• operation of vintage vehicles</li> <li>• ancillary workshops (including heavy engineering)</li> </ul>			

• ancillary storage buildings
• staff residences
• ancillary shops and tea rooms
• car parking for staff and patrons of the museums
• accessory buildings
• ancillary picnic areas/related facilities

### 3.8.8 Scheduled Holiday Park

Updated 14 November 2005

Name/address	Legal Description	Zone	Map No
39 Meadow Street Meadow Park	Lot 1 DP 17113 Lot 20 DP 7349 Lot 2 DP 13589 Pt Lot 1 DP 36928 Pt Lot 2 DP 36928 Lot 5 DP 15296	L1 L1 Ru3/L1 L1 L1 L1	25B

### 3.9 Class 2 scheduled activities

Updated 14 November 2005

All spiritual facilities (see definitions) existing at the time of notification of this Plan (24 June 1995) and located in the rural and living zones shall be deemed to be Class 2 scheduled activities, except those scheduled as metropolitan facilities in the Living 4 Zones.

### 3.10 List of Class 3 scheduled activities and sites

Updated 14 November 2005

#### 3.10.1 Scheduled hotels and taverns

Updated 14 November 2005

Name/address	Legal Description	Zone	Map No
26 Nayland Street Marine Tavern	Lot 1 DP 5823 CT 4A/498	L3	56B
487 New Brighton Road Hargens Tavern (formerly Bowers)	Lot 1 DP 9286 Lot 18 DP 16283	L1	34B
51 Pages Road Mackenzies Hotel	Lot 1 DP 27545, Lot 2 DP 30467 Lot 1 DP 6735, Lot 1 DP 14853	L1	40B

#### 3.10.2 Scheduled chartered clubs

Updated 14 November 2005

Name/address	Legal Description	Zone	Map No
29 Crosby Street St Albans-Shirley Club Inc	Lots 1-2 DP 47111, Lot 2 DP 45217, Lot 1 DP 40441	L1	32B
43, 45 & 63 Hargood Street Woolston Working Men's Club Inc	Lot 4 and Part Lot 3 DP 11404, Lot 18 DP 9147, Part RS 42	L1	47B
88 Hunter Terrace Cashmere Club Inc	Lot 1 DP 42886	L1	46B
277 Kilmore Street Commerce Club (Canty) Inc	Part Lot 1 DP 8878 Part TR 45	L4C	39B
75 London Street Richmond Working Men's Club and MSA	Lot 1 DP 42618	L3	40B
202 Marine Parade New Brighton Working Men's Club	Lot 1 DP 54210	L3	34B
310 Sawyers Arms Road Papanui Working Men's Club Inc	Part RS 490	Ru3	24B

20 Tankerville Road Hoon Hay Club	Part Lot 6 DP 682, Part Lot 2 DP 27391, Lot 2 DP 30213	L1	45B
Wakefield Avenue Sumner Returned Services Association	Lot 1 DP 42627, Lots 3 & 4 DP 10531, Lot 1 DP 13002	L3	56B
66B Wharenui Road Riccarton Club Inc	Lot 1 Part Lot 2 DP 16840, Lot 1 DP 17542, Lots 4 - 5 DP 17612, Lot 25 DP 23756, Part Lot 1 DP 26574, Lots 1 - 2, DP 28171, Lot 1 DP 41628	L1	38B

### 3.10.3 Scheduled rural activities

### 3.10.3 Scheduled rural activities

Updated 14 November 2005

Name/address	Legal Description	Zone	Map No
Coutts Island Road			
(a) sawmilling and timber processing	Lot 1 DP 23016	Ru4	10B
(b) processing of aggregates	Lot 4 DP 8592	Ru4	3B 10B

## 4.0 Utilities

Updated 14 November 2005

#### Guide to using these rules

Step 1 Establish whether the work proposed is a utility in terms of the definition in Clause 4.2.2.

Step 2 If it is a utility, check which zone or zones the utility is to be located in.

Step 3 Check whether the utility involves:

- (a) a line or support structure; and/or
- (b) a telecommunication or radio-communication facility; and/or
- (c) electro-magnetic radiation
- (d) a building

as described in Clauses 4.4.1 - 4.4.6 and whether any of the stated exemptions in these clauses apply.

Step 4 If the utility does not meet the community or critical standards in Clauses 4.4.1 - 4.4.6 then application will need to be made for a resource consent for either a controlled activity, a discretionary activity or a non-complying activity.

Step 5 If the utility does not require consent under Clauses 4.4.1 - 4.4.6 then it is a permitted activity.

## 4.1 Statement

Updated 14 November 2005

Utilities are essential to the servicing and functioning of the city and include a wide range of infrastructure services which vary significantly in scale and function, and hence the levels of their effects.

Utilities include buildings, lines, underground cables, towers and other structures associated with communications, power, water supply, gas, sewerage and navigation facilities. Large scale infrastructure, such as large substations and sewage treatment facilities are provided with specialised rules through zoning, scheduling or designation.

Provision for smaller scale utilities was previously covered by a blanket permitted activities provision under Section 64 of the Town and Country Planning Act. The City Plan also provides for these essential basic utilities in a manner which allows their establishment and operation without undue delay through resource consent processes (a principle of the old Section 64). At the same time, it also has sufficient controls to ensure consent is required when impacts of utilities are significant.

These impacts, actual or potential, mainly relate to the visual effects of utilities. This is particularly the case with overhead lines and towers, and to some extent buildings. Accordingly the threshold standards for resource consents have been set with visual impacts as a major factor, but also taking account of public health and the realities of operational requirements.

#### Environmental results anticipated

- (a) Continued provision, and extension, of utilities in an economic manner, which enables the health and convenience of city residents to be maintained.
- (b) Minimised visual impacts of necessary overhead lines to the maximum extent practicable, with a progressive reduction in the length of such lines in the city.
- (c) The establishment and design of communication facilities and other utilities in locations which minimise their visual effects to the maximum extent practicable.
- (d) A high standard of landscaping and presentation around fixed utility buildings.
- (e) Minimised visual impacts, or loss of natural values in environmentally sensitive areas, particularly living, cultural, conservation zones, and the Central City and Rural Hills Zone.
- (f) Minimised exposure to radio frequency emissions and low frequency magnetic fields that may adversely affect health.

## 4.2 General rules

Updated 14 November 2005

## 4.2.1 Application of these rules

Updated 14 November 2005

- (a) These rules on utilities replace any zone rules which may otherwise apply to utilities in zones through which utilities pass, or within which they are sited unless specifically stated to the contrary.
- (b) Any existing utility legally established as at the date of notification of this Plan (24 June 1995), including maintenance and vegetation trimming and removal required to continue the operation of those utilities, is a permitted activity, subject to any extensions to such utilities complying with these rules; except vegetation removal in the C1, C1A, C1B (east of Cuthberts Road), C2, C3 and ecological heritage site No 5.01 refer to Part 5 Clause 2.3.2.

## 4.2.2 Definition of utility

Updated 14 November 2005

Utilities comprise the following:

- (a) transformation, transmission, generation or distribution of electricity provided by network utility operators or requiring authorities, and private connections to such utilities;
- (b) drainage or sewerage reticulation provided by network utility operators or requiring authorities and private connections to such utilities;
- (c) the distribution of water for supply, including irrigation;
- (d) telecommunication and radio communication facilities including transmitting/receiving devices such as aerials, dishes, wires, insulators, casings, tunnels and associated equipment as well as support structures such as towers, masts and poles and ancillary buildings and private receiving dish antennae;
- (e) pipes for the distribution or transmission of petroleum or natural or manufactured gas, and necessary incidental equipment provided by network utility operators or requiring authorities, and private connections to such utilities;
- (f) pipes for the conveyance of irrigation water, or drainage of water or sewerage, and necessary incidental equipment including pumping stations provided by network utility operators or requiring authorities, and private connections to such utilities; and
- (g) light houses, meteorological facilities, navigational aids and beacons including approach control services within the meaning of the Civil Aviation Act 1990.
- (h) Transmission lines including a wire or wires or a conductor of any other kind (including a fibre optic cable) used or intended to be used for telecommunications or the transmission of electricity; and includes any insulator, casing, tunnel or other equipment or material used or intended to be used for enclosing, surrounding or protecting any such wire or conductor.
- (i) Aerially suspended incidental equipment for facilitating electricity or telecommunication transmission, including any fixture used or intended to be used for the transmission of electricity or telecommunications or any other utility; (including but not limited to amplifiers and power boxes), forming part of, or used or intended to be used for the maintenance or functioning of telecommunications or electricity transmission.

## 4.3 Categories of activities

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Updated 14 November 2005

### 4.3.1 Rules

Updated 14 November 2005

Any utility which is not listed as a controlled, discretionary or non-complying activity under Clause 4.4 shall be a **permitted activity**.

## 4.4 Community standards and critical standards

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Updated 14 November 2005

### 4.4.1 Lines and support structures - discretionary activities

Updated 14 November 2005

Any utility that forms part of an aerial network utility is a discretionary activity where it involves any of the following:

- (i) Erecting any support structure for overhead transmission lines, not including lattice towers, in all zones with the exception of:
  - (1) Rural 1, 2, 3, 4, 5, 7, Rural Quarry Zones; and
  - (2) Special Purpose (Road) Zone and Special Purpose (Rail) Zone which is adjacent to any Rural 1, 2, 3, 4, 5, 7, Rural Quarry Zones.
- (ii) Erecting any lattice tower support structure for overhead transmission lines in the Rural Zones, except Rural Hills and Rural 6.
- (iii) Transmission lines which have a diameter exceeding 20mm attached to existing support structures; and/or are located in any of the following areas:
  - (1) Special Amenity areas;
  - (2) Business 4T and Business 4P zones;
  - (3) Conservation 1A zone.
- (iv) Transmission lines are located less than 5.5 metres above the road reserve.
- (v) Overhead incidental equipment for facilitating electricity or telecommunications with dimensions exceeding 300mm wide, 200mm deep and 150mm high not located within 400mm of support structures.
- (vi) Overhead incidental equipment for facilitating electricity or telecommunications with dimensions exceeding 260mm wide, 180mm deep and 500mm high not directly affixed to a support structure.

### 4.4.2 Lines and support structures - non complying activities

### 4.4.2 Lines and support structures - non complying activities



Updated 09 January 2015

Erecting any support structure for overhead transmission lines, including lattice towers, in the Business 1, Business 2, Living, Conservation, Open Space, Cultural, Central City **Business**, Central City **Mixed Use**, **Central City (South Frame) Mixed Use**, and Rural Hills, Rural 6 and Special Purpose Zones (except the Special Purpose (Road) and Special Purpose (Rail) Zones) shall be a non-complying activity.

**Except** where (for clause 4.4.1 and clause 4.4.2):

- (i) new poles and lines are to provide power supplies to electric tramway trolley bus or rail systems; or
- (ii) any new poles are solely for the purpose of providing street lighting; or
- (iii) any new poles or lines are for the reinstatement of existing facilities; or
- (iv) any new lines and associated support structures in Area D of the Special Purposes (Ferrymead) Zone; or
- (v) minor upgrading:

minor upgrading of existing lines and support structures, defined as follows:

- (1) the reconducting of the line with higher capacity conductors;
- (2) the resagging of conductors;
- (3) the addition of longer and more efficient insulators;
- (4) on electricity lines on lattice towers, the addition of earth wires which may contain telecommunication lines, earthpeaks, and lightning rods;
- (5) the replacement of an existing line or support structure with another line or support structure;
- (6) seismic strengthening of existing pole transformers structures;
- (7) the replacement of poles that are a traffic hazard with poles in a different position.
- (8) the replacement of existing overhead lines and support structures with others in a different position where there is aerial trespass or where ground clearance does not comply with the relevant regulations or where foundation conditions require replacement;

Provided that the effects of the works above are the same or similar character and scale to those which existed prior to the alterations.

Except as provided above, minor upgrading shall not include:

- (1) the addition of circuits, conductors, lines or utility structures;
- (2) an increase in the voltage of the line unless the line was originally constructed to operate at the higher voltage;
- (3) an increase in the diameter of any individual wire, cable, or other similar conductor that exceeds 20mm or the bundling together of any wire, cable, or other similar conductor so that the bundle exceeds 20mm in diameter, provided that this exclusion does not apply to electricity lines carried on lattice towers.

#### 4.4.3 Telecommunication and radio communication facilities

Updated 31 July 2012

Any utility, except lines and support structures for lines, is a discretionary activity where it involves any of the following:

- (a) Erecting any telecommunication or radio communication facility above ground level (including any mast, antenna, tower, or support structure) which is:
  - (i) within any conservation zone, Open Space 1 Zone, Rural Hills Zone, Special Purpose (Pedestrian Precincts) Zone, or Cultural 1 Zone, where any of the development or community standards for that zone are not complied with, or in any case (except the Rural Hills Zone) where the height exceeds 3.5m or the area exceeds 15m<sup>2</sup>; except that in any conservation zone, the Open Space 1 Zone and Rural Hills Zone, this rule shall not apply to any structure 1.8m or less in height, or 1.5m<sup>2</sup> or less in area and such structures shall be a permitted activity;
  - (ii) located on any site containing a protected building, place or object, listed in Part 10 of these rules, except that for Group 3 and 4 buildings the utility will be a controlled activity;
  - (iii) located in a living zone and is:
    - (A) over 12m in height and located within 20 metres of a residential unit sited within any living zone. This rule shall not apply if (1) or (2) below apply;
    - (B) located within 20 metres of a residential unit sited within any living zone and has a support structure with a diameter greater than 0.4m. This rule shall not apply if (1) or (2) below apply:
      - (1) it complies with all the development and community standards for the zone in which it is located, in which case it shall only be a discretionary activity if it exceeds a height of 18m or a diameter greater than 0.9m; or
      - (2) it is a mast and/or antennae not exceeding 17m in height and provided that:
        - The centre of the structure is located at least 6m from all boundaries; and
        - No part of the structure extends beyond the site boundary; and
        - The mast or antenna is unguyed above 10m; and
        - Where the antenna is other than simple wire dipole the distance from the centre of the mast to the furthest elements tip shall not exceed 7.5m; and
        - The mast which supports the antenna has a cross section diagonal measurement not greater than 226mm for a distance of 6m from ground level and 142mm between a height of 6m and the maximum permitted height; and
        - Any temporary extendable structure is nested at all times when not in use; and
        - There is only one such structure on any one site; and
        - Any antennae at a height exceeding 6m has a horizontal dimension of less than 55mm.
  - (iv) located in any zone other than a Living Zone and is situated within 20m of a residential unit in any living zone and has a support structure that either:
    - (A) exceeds any of the dimensions in the table below:

Mast Structure	Maximum Diameter
Top 20%	700mm
Middle 60%	220mm
Bottom 20% (above ground level)	500mm with an average diameter no greater than 400mm

- (B) is setback from living zone boundaries by less than 3m.

(v) over 20m in height in any other zone (any 'other' zone being any zone not referred to in rule 4.4.3(a)(i) except that where the facility is attached to a building in the Central City **Business** Zone, any business zone, or the Special Purpose (Airport) Zone, the facility is a permitted activity in terms of rule 4.4.3(a)

(v) provided that the zone rules relating to building height and sunlight applicable to the building are not exceeded by:

- (a) 1.5m in height and 5m in any other dimension in the Central City Zone;
- (b) 1.5m in height and 3m in any other dimension in the Business 1, Business 2, and Business 2P zones.
- (c) 2.2m in height and 3m in any other dimension in the Business 3, 4, 5 and 6 zone, and the Special Purpose (Airport) zone, except that where an existing building in these zones exceeds the zone rules for height, an attached facility may exceed the existing height of the building by no more than 2.2m in height and 3m in any other dimension as a permitted activity.

(b) Erecting any telecommunication or radio communication facility in a living zone which includes any dish antenna, which is more than 1.5m in diameter and does not comply with the zone rules, and which exceeds the limit for permitted activities as set out in Clause 4.4.3 (a) (iii).

(c) Erecting any telecommunication or radio communication facility which includes any dish antenna, more than 3m in diameter in any other zone where it does not comply with one or more of the zone rules and which exceeds the limits for permitted activities as set out in Clause 4.4.3 (a) (v).

#### 4.4.4 Other utility structures

Updated 31 July 2012

Any utility structure (other than those subject to clauses 4.4.1, 4.4.2 and 4.4.3 above) except for an underground facility shall be a discretionary activity in the following cases:

- (a) Where it is located in the Conservation 1, 1B, 2, 3 or 5 Zones and exceeds a gross floor area of 5m<sup>2</sup>, or a height of 3 metres;
- (b) Where it is located in the Special Purpose (Road) Zone and exceeds a gross floor area of 5m<sup>2</sup>, or a height of 3 metres;
- (c) Where it is located in a Living Zone, and:
  - (i) exceeds a height of 5 metres; or
  - (ii) occupies more than 40% of the site area; or
  - (iii) is set back less than 2 metres from the street boundary; or
  - (iv) exceeds a gross floor area of 40m<sup>2</sup>; or
  - (v) projects beyond a building envelope constructed by recession planes from points 2.3m above the boundary of an adjoining property within a Living Zone, as shown in Appendix 1, Part 2 (Living Zones);

except that subclauses (c) (ii) and (iii) shall not apply where the structure has a gross floor area of less than 5m<sup>2</sup>, or a height of less than 2m.

- (d) Where it is located in the Rural Hills Zone; and
  - (i) is located more than 50m from a Living Hills or Rural 2 Zone boundary and exceeds a gross floor area of 5m<sup>2</sup> or a height of 3m; or
  - (ii) is located above the 160 metre height contour (shown on the planning maps) except any line or pipe for the supply of fuel, water or for the disposal of sewage or effluent and which is for rural or residential activities.
- (e) Within the Rural 6 Zone and is more than 50m from the zone boundary; and exceeds a gross floor area of 5m<sup>2</sup> or a height of 3m.
- (f) Where it is located in any rural zone (except those parts of the Rural Hills and Rural 6 Zones covered by subclauses (d) and (e) above); and
  - (i) exceeds a height of 5 metres; or
  - (ii) is set back less than 2 metres from the road boundary; or
  - (iii) exceeds a gross floor area of 60m<sup>2</sup>; or
  - (iv) occupies more than 40% of the site area.
- (g) Utility structures in other zones shall be subject to the provisions applicable to buildings generally in these zones, except that this subclause shall not apply where the structure has a gross floor area of less than 10m<sup>2</sup>, or a height of less than 3m, and in these circumstances the structure shall be a permitted activity.

#### 4.4.5 Landscaping of utility sites

Updated 14 November 2005

Any utility except for an underground facility shall be a discretionary activity if it does not comply with any landscaping requirement contained in the rules for the zone in which it is located.

#### 4.4.6 Electromagnetic radiation

Updated 14 November 2005

For the purpose of this rule:

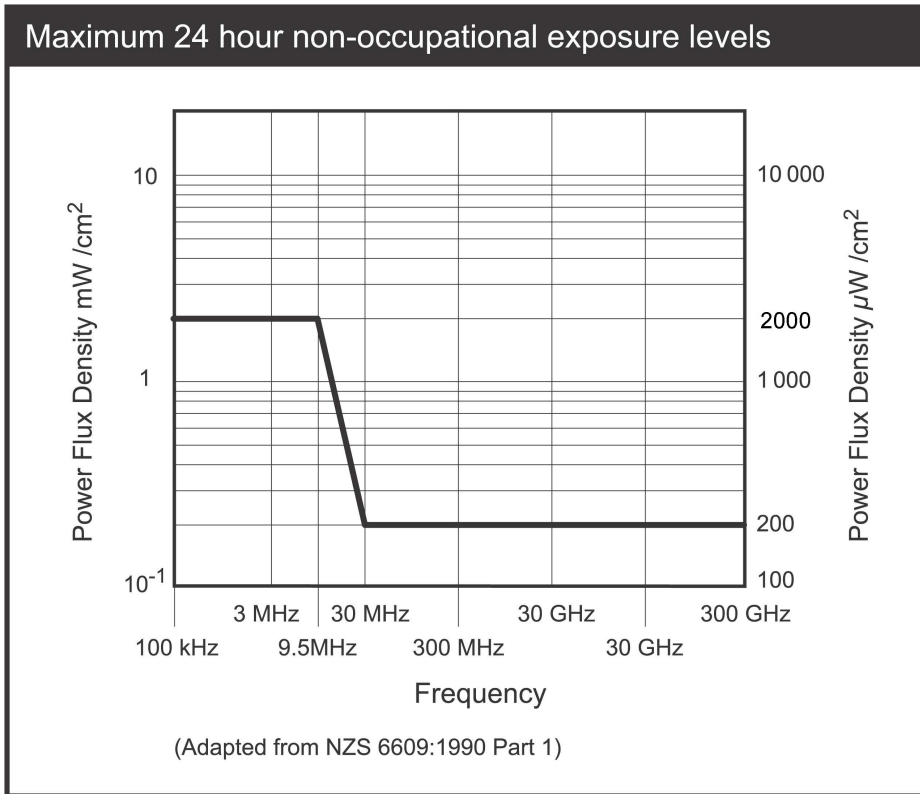
Measurement or estimates of "general public" exposure shall be made in respect of areas reasonably accessible to the general public, as provided by the New Zealand Standard (NZS). In addition, for the purposes of these rules, "areas reasonably accessible to the general public" shall, for any site adjacent to the site on which the utility is located, be deemed to include airspace up to 2 metres above the permitted activity building height of that adjacent site, where building development on that adjacent site is a permitted activity in the City Plan.

(a) Any utility which emits radiofrequency electro-magnetic radiation, where it is not regulated by an amateur radio licence, that is measured in accordance with NZS 6609 (1990) Part 2 and will comply with the applicable reference levels for the "general public" exposure category as specified in Table 6 of NZS 2772.1:1999 Radiofrequency Fields Part 1: Maximum exposure level 3kHz -300GHz ("the New Zealand Standard"), is permitted where the following information is provided to the Environmental Services Unit of the Council at least 20 working days prior to the installation of the utility:

- (i) written advice of the locality of the utility; and
- (ii) a report prepared by a suitably qualified radio engineer/technician containing:
  - an estimate (undertaken in accordance with the NZS) of radiofrequency exposures relative to the applicable reference levels for the "general public" exposure category as specified in Table 6 of the NZS 2772.1:1999 so as to determine whether the NZS will be complied with;
  - Radiofrequency field diagrams illustrating in plan view and elevation: firstly the spatial area where, in accordance with the above-mentioned estimate, radiofrequency exposure levels will not exceed the applicable reference levels for the "general public" exposure category as specified in Table 6 of NZS 2772.1:1999; and secondly the spatial area where such estimate determined that such exposure levels will not exceed 25% of those reference levels, and
  - A scale diagram of the facility located on the site, including the site boundaries and orientation of the radiofrequency emissions; and
  - Details of the qualifications and relevant experience of the person(s) undertaking and assessing the estimate; and
- (iii) where the report provided to the Council under (ii) above estimates that radiofrequency exposure levels in any areas reasonably accessible to the general public will exceed 25% of the applicable reference levels for the "general public" exposure category as specified in Table 6 of NZS 2772.1:1999, then, within 3

months of radiofrequency emissions commencing, a report from the National Radiation Laboratory certifying compliance with NZS 2772.1:1999, based on measurements at the site will be provided to the Environmental Services Unit of the Christchurch City Council.

- (b) Any utility which emits radiofrequency electro-magnetic radiation, that is measured in accordance with NZS 6609 (1990) Part 2, and will not comply with the applicable reference levels for the "general public" exposure category as specified in Table 6 of NZS 2772.1.1999 shall be a non-complying activity.
- (c) Any utility which creates exposures to power frequency electric and magnetic fields in areas normally accessible to the public exceeding 5 kilovolts per metre and 100 microtesla as measured and assessed in accordance with the International Commission on Non-Ionising Radiation Protection guidelines, shall be a non-complying activity.



#### 4.4.7 Electricity Transmission Line Corridor - Restricted Discretionary Activity

Updated 15 April 2013

For the transmission lines shown on Part 2, Appendix 3T - Outline Development Plan (Awatea), Part 3, Appendix 18, Outline Development Plan Business 8 Zone - Islington, and Part 3, Appendix 21, Outline Development Plan - Sir James Wattie Drive, and Part 4 Appendix 6 Outline Development Plan (Templeton Special Rural Zone), the:

- Erection of a building; or
- Erection of any other structure that exceeds 3m in height.

shall be a restricted discretionary activity where located between 12 and 32 metres from the centre line at ground level of the transmission corridor.

Except that:

This rule shall not apply to buildings or structures erected for the purposes of electricity transmission by a Network Utility Operator.

For the purpose of this rule the 12 and 32 metres shall be measured horizontally from the centre point at ground level.

Advice note:

The Electricity Transmission Line network utility owner or operator shall be considered an affected party for any activity requiring consent.

Any application within the transmission line corridor in the Templeton Special Rural Zone, Business 5 Zone at Sir James Wattie Drive and Business 8 Zone need not be publicly notified and need not be served on any affected party other than Transpower New Zealand Limited.

Vegetation to be planted within the transmission corridors should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulation 2003. To discuss works, including tree planting near any electrical line, contact the line operator.

#### 4.4.8 Electricity Transmission Line Corridor - Non Complying Activity

Updated 15 April 2013

Within 12 metres either side of the centre line of the transmission lines shown on Part 2, Appendix 3T - Outline Development Plan (Awatea) Part 3, Appendix 18 Outline Development Plan Business 8 Zone (Islington), and Part 3, Appendix 21, Outline Development Plan - Sir James Wattie Drive, and Part 4 Appendix 6 Outline Development Plan (Templeton Special Rural Zone), there shall be no:

- Erection of a building; or
- Erection of any other structure that exceeds 3m in height.

Except that:

this rule shall not apply to buildings or structures erected for the purposes of electricity transmission by a Network Utility Operator.

For the purpose of this rule the 12m shall be measured horizontally from the centre point of the transmission line at ground level.

## 4.5 Assessment matters for resource consents

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Updated 14 November 2005

### 4.5.1 General

Updated 14 November 2005

- (a) The matters contained in Sections 104 and 105, and in Part II of the Act, apply to consideration of all resource consents for land use activities.
- (b) In addition to the matters above, the Council shall also apply the relevant assessment matters set out in Clause 4.5.2 below in deciding whether or not to grant consent or impose conditions.

### 4.5.2 Assessment matters

Updated 14 November 2005

- (a) The visual impacts of the utility in terms of likely effects on:
  - (i) residential or recreational use of land in the vicinity, including land in living, cultural, conservation or open space zones;
  - (ii) ridge lines and view planes from public places, including roads, particularly in the Rural Hills Zone; and/or
  - (iii) design elements in relation to the locality, with reference to the existing character of the locality and amenity values.
- (b) The extent and opacity of screening or landscaping of the utility and any modifications to its colour and design, to ensure reasonable compatibility with the character of the surrounding environment.
- (c) The practicality of screening or landscaping the utility, with regard to its operational requirements (excluding overhead lines and towers which cannot be screened).
- (d) The siting of any building or other structure in relation to existing dwellings, and the effect on views of, or from such dwellings.
- (e) Any unreasonable additional costs or environmental impacts of placing lines underground, where it is relevant to take this into account.
- (f) The visual appearance and design of utility buildings and structures with regard to the character and amenity of the surrounding environment, and the adequacy of landscaping, or screening treatment.
- (g) The cumulative visual effects with respect to existing facilities within an area, particularly radio communication and telecommunication facilities.
- (h) The appropriateness of, and necessity for the scale and height of buildings or other structures proposed, in terms of their intended function.
- (i) Whether the best contemporary engineering practice has been adopted to reduce unnecessary public exposure to radio frequency and low frequency magnetic radiation or emission and the need for monitoring.
- (j) Summit Road (Canterbury) Protection Act 1963 and any amendments in respect of any landscaping or screening in the area that this Act applies to.
- (k) With regard to facilities attached to buildings; the degree to which the facility is placed within the visual envelope of the existing building, and the extent to which the colour and design of the facility corresponds to that of the existing building.
- (l) With regard to facilities attached to buildings; consideration of the number and size of any other existing utility facilities on the building, and the need to avoid the cumulative effects of utilitarian 'clutter'.

### 4.5.3 Assessment matters - Electricity Transmission Line Corridor - applicable to the area shown on Part 2, Appendix 3T - Outline Development Plan (Awatea), Part 3, Appendix 18, Outline Development Plan Business 8 Zone (Islington) and Part 3, Appendix 21

Updated 15 April 2013

- (a) Where an application for resource consent for building(s) is considered, the Council's discretion shall be restricted to the following:
  - the risk to the structure and functioning of the transmission line;
  - the effects on the ability of the transmission line owner (or an authorised agent) to operate, maintain and upgrade the high-voltage transmission network;
  - the proximity of buildings to electrical hazards;
  - the risk of electrical hazards affecting public safety, and/or risk of property damage;
  - the risk of electrical faults causing disruption to electrical supply;
  - the extent of earthworks required, and use of mobile machinery near the transmission line corridor which may put the line at risk;
  - the risk of electrical hazards due to the mature height of any associated vegetation, including within the landscaped areas;
  - the siting of building(s) in relation to transmission lines to minimise visual effects from transmission lines;
  - the risk of generating radio interference or earth potential rise;
  - any other matters set in plans for buildings;
  - extent of compliance with NZECP34:2001.

## 4.6 Reasons for rules

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Updated 15 October 2012

Utilities, particularly those involving the provision of essential services such as power, water, gas, sewerage and telecommunications are an essential and expected part of urban and rural infrastructure. The provision of such utilities, by public or private bodies, inevitably entails some environmental impacts which have to be balanced against the need to establish, improve or maintain essential services quickly and at minimal financial cost to the community and end users.

A number of utilities, particularly underground lines and services, have been defined in the Plan and are allowed as of right. Limitations have been made to ensure the general provision of utilities is undertaken by responsible, approved operators, and to avoid proliferation of facilities with adverse visual impacts. Control has been confined to specified circumstances, including overhead lines, towers, dish antennae, masts and other structures above a specified size. The reason for these controls is related to the height, bulk, location, design and visual appearance

of the utilities, according to the sensitivity of the environment within particular zones. In particular, the rules provide control over tall or bulky structures although for reasons of distribution, and to avoid large numbers of such facilities as cell sites, some facilities will need to be in or near residential areas.

Provision for dish antennae has been made to recognise likely developments in technology and communications. It is recognised that further refinement of the rules may be necessary over time.

Overhead lines can have a major visual impact and their detracting from amenities can be readily appreciated by contrast to those areas and streets where they are not present. There is, however, a substantially higher cost in providing underground reticulation. While existing lines (of similar scale) can be replaced under Section 10 of the Act, new overhead lines are controlled in areas where natural or amenity values are particularly important (eg Rural Hills Zone and conservation zones) and zones which serve an important community - related function (Business 1, and 2 zones or cultural zones) or within living zones. High costs of installation, low user densities or potential capacity difficulties means that control of overhead lines in most of the rural area and industrial areas is unwarranted. Overhead lines are also essential for the operation of some forms of transport, such as electric trams, trolley bus and railway systems.

A special provision for the area defined on Part 2, Appendix 3T - Outline Development Plan (Awatea) requires a minimum separation distance between buildings, structures and vegetation and high voltage transmission lines. The reasons for this rule include minimising the health and safety risk to persons, maintaining a high level of security supply, and preserving access for maintenance. It is anticipated that the current position of the high voltage transmission lines will be used as a future open space connection point to Westlake Park. In Islington it is anticipated that the current position of the high voltage lines will, in part, align with road corridors and stormwater attenuation areas. An exemption is made for buildings and structures erected for the purpose of electricity transmission. On occasion plant and equipment that supports and ensures the continuing function of electricity transmission will be required to be erected in the minimum separation distances.

Greater control on utilities in certain zones (e.g. Rural Hills) recognises that in some cases they must be located in these zones for operational reasons, and accordingly the intention of the rule is not necessarily to prevent establishment, but to enable options such as alternative siting, landscaping or co-location to be considered.

However, in the case of high voltage power lines (in excess of 110MVA) any overhead power lines are inevitably placed on large support structures or lattice towers where control over appearance and/or location is important to protect amenity values. The rule recognises that such facilities will be required and will have some adverse visual impacts, but allows control over location.

Overhead lines are not particularly suited to screening or softening by planting and trees, and screening in close proximity to these lines could be hazardous to their safe operation and maintenance.

Buildings are frequently associated with utilities such as pumping stations, kiosks, reservoirs or transmitting facilities such as masts, towers or dish antennae. Such structures require some control on location, design and appearance in sensitive environments such as the Rural Hills Zone and conservation zones.

In other rural and urban zones, small scale structures such as kiosks and masts are commonly associated with provision of services. Small scale activities of low impact which have adequate setbacks and landscaping are provided for as of right, while those above this size are subject to discretionary activity status so that matters of design, appearance and location can be assessed. This recognises that utilitarian structures will usually have greater impacts than, say, a dwelling of the same size. In the Central City Zone, business and special purpose zones, the controls imposed on buildings are those for buildings in those zones in recognition of their compatibility with such environments.

An attempt was made through decisions on submissions on the Proposed Plan, to make the utility rules no more restrictive than the zone rules. However in some cases the scope of submissions did not allow this to be achieved for all utilities in all zones. This has resulted in some inconsistencies. In particular the provisions applying to the Rural Hills Zone in Clause 4.4.2 (a) (i) are more liberal than those for other sensitive zones. This has occurred because the scope of submissions on the other sensitive zones did not enable utilities to be permitted to the same extent that the zone rules permit other structures in those zones.

In respect of radio frequency emissions, the New Zealand Standard 6609 (1990) has been adopted having regard to the potential effect of such facilities on the health of persons in the vicinity. All such facilities exceeding that standard will require a non-complying activity resource consent.

Although a number of studies suggest potential risks to public health from low level electro magnetic field strengths, scientists do not yet know whether these fields, other factors, or methodological problems are responsible for the findings of such associations. To date, there is no demonstrable link to adverse health effects from these fields and even if proved the level of risk is extremely small. The Council has used the ICNIRP guidelines as the basis for controls as they represent a very conservative level of exposure to established effects.

General public exposure, previously referred to as the non-occupational exposure levels, forms the basis of where exposure limits are defined. It incorporates any area "where the public may reasonably gain access", and should also be taken to incorporate the potential for where the general public may gain access. This potential is important, as the rules need to ensure that any development that is permitted by the Plan is incorporated within the estimates made by operators in terms of delineating exposure levels.

## 5.0 Filling, excavation and building adjacent to waterways

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Updated 15 April 2013

### Guide to using these rules

**Step 1** Determine the zoning of the land to be filled, excavated or upon which the building is to occur.

All filling and excavation:

**Step 2** Check whether the materials to be used for filling, or to be excavated, comply with the rule in Clause 5.8. If not, application will need to be made for a resource consent, assessed as a non-complying activity.

Filling, excavation or building adjacent to a waterway or mean high water springs:

**Step 3** If the proposed filling, excavation, or building is adjacent to a waterway or mean high water springs (the coastline), establish whether it is within a setback specified within clause 5.2.4.

**Step 4** If it is, establish whether the filling, excavation, or building is covered by an exemption to the rule as specified in Clause 5.2.6.

**Step 5** If the filling, excavation, or building is within a setback specified in Clause 5.2.4, and it is not covered by an exemption specified in Clause 5.2.6, an application will need to be made for a resource consent assessed as a discretionary activity.

Filling or building within a flood management area:

**Step 6** Establish whether the filling or building is within an area which identified as a flood management area on the planning maps

**Step 7** If it is, an application will need to be made for a resource consent assessed as a restricted discretionary activity.

Filling, and excavation in ponding areas and on the Cashmere Stream floodplain:

**Step 8** Establish whether the proposed filling, excavation or building is within a ponding area or on the Cashmere Stream floodplain.

**Step 9** If it is, establish whether the proposed filling, excavation or building is covered by an exemption specified in Clause 5.4.5.

**Step 10** Establish whether the proposed filling, and excavation is subject to clause 5.4.3 or clause 5.4.4(a). An application will need to be made for;

(a) a resource consent assessed as a restricted discretionary activity if the filling, and excavation is subject to Clause 5.4.3; or

- (b) a resource consent assessed as a non-complying activity if the filling, and excavation is subject to Clause 5.4.4.

Filling, excavation and building within the Waimakariri River stopbank floodplain

**Step 11** Establish whether the location of the activity is shown on the planning maps as being within the Waimakariri River stopbank floodplain.

**Step 12** Establish whether the location of the activity is shown on the planning maps as being within a high hazard area, or within 100m of a primary stopbank, or 50m of a secondary stopbank.

**Step 13** If so, check the summary table below to determine activity status.

	Residential Unit or Other Habitable Building	Accessory building	Filling & excavation
Within 100m of the primary stopbank	Non-complying	Non-complying	Non-complying
High hazard	Non-complying	Permitted*	Subject to Table 1 requirements
Within 50m of the secondary stopbank	Restricted Discretionary	Restricted Discretionary	
Remainder of the floodplain		Permitted*	Subject to Table 1 requirements

\* Subject to compliance with other rules in the City Plan.

(see Clause 5.5.6 for exemptions that may affect the activity status included in the above Table)

All development within the Waimakariri River stopbank floodplain taking place within 100m of the primary stopbank and 50m of the secondary stopbank requires consent. Residential units and other habitable buildings require consent throughout the floodplain. Filling and excavation and accessory buildings beyond 100m of the primary stopbank and 50m from the secondary stopbank are subject to the underlying zone rules.

**Step 14** Establish whether any filling, excavation or building is covered by an exemption to the rules as specified in Clause 5.5.6.

**Step 15** Establish whether any filling, excavation and/or accessory building permitted by these Rules complies with all other Rules elsewhere in the City Plan.

Filling and building on land that is not adjacent to a waterway or mean high water springs, in ponding areas, on the Cashmere Stream floodplain or within a flood management area

and

Excavation on land that is not adjacent to a waterway or mean high water springs, in ponding areas, or on the Cashmere Stream floodplain:

and

Filling and excavation on land not within the Waimakariri River stopbank floodplain:

**Step 16** Check whether the filling or excavation proposed exceeds the volume, depth or landslope standards in Table 1 of Clause 5.5.

If it does, then application will need to be made for:

- (a) a resource consent if the volumes/depth/landslope of filling or excavation exceed those standards in Columns A, C, D or E of Table 1, assessed as a discretionary activity in respect to filling and excavation; or
- (b) a resource consent if the volumes of filling or excavation exceed those in Column B of Table 1, assessed as a non-complying activity.

If the filling, excavation or building proposed complies with all of these rules, it shall be a permitted activity in respect of these rules.

**Note:** Ecological heritage areas. Special limitations apply to filling and excavation in the whole of the Conservation 1, 1A, Rural 6 and Rural Hills Zones, and to a small number of individual sites outside these zones. These sites are listed in Appendix 2, Part 4, Rural Zones.

## 5.1 Statement

Updated 15 April 2013

Filling and excavation of land can have significant environmental effects on drainage patterns, visual amenities, erosion potential, loss of versatile soils, disturbance of ecosystems and dust nuisance. The rules on filling and excavation are intended to address these effects. These rules also act as a control on quarrying and removal of topsoil, outside Rural Quarry Zones.

Filling, excavation and building can also have adverse effects adjacent to the coastline, waterways and ponding areas and within other areas that are subject to a risk of flooding, in terms of flood management, and in the case of waterways and the coastline, their ecological and natural values.

Rules controlling buildings adjacent to waterways may initially seem to be unrelated to excavation and filling, but there is a close association in terms of the issues of waterway flood management and ecology. Accordingly rules related to excavation, filling and building have been integrated to promote adequate management of waterway margins, an issue applicable across various zone boundaries. Building activity can also affect access for waterway management purposes.

The width of setbacks from waterways for building excavation and filling is related to the nature and size of the waterway, and the width of its floodplain.

In some areas of the City, identified as flood management areas, rules require a resource consent to be obtained for filling of sites and the erection of buildings. These rules provide the Council with discretion over the floor level of buildings and potential adverse flood management related effects of new buildings, additions and the filling of sites. As large portions of these areas are already developed these rules will primarily affect people who are redeveloping existing sections or erecting large new buildings or additions. Many areas however are largely undeveloped, especially in or around ponding areas. A 0.5% annual exceedence probability flood has been identified as an appropriate event on which to base minimum floor levels for buildings or additions within these areas.

Within the Waimakariri River stopbank floodplain, the erection of, or addition to, residential units and other habitable buildings not falling within the exemptions require consent. In the areas identified as either high hazard or within 100m of the primary stopbank dwellings and other habitable buildings are non-complying activities. This is due to the volume and depth of floodwaters likely to be experienced in such locations, which represent a significant hazard to life and property. Filling, excavation and accessory buildings similarly require consent if undertaken within the setback from either a primary (100m) or secondary (50m) stopbank. Beyond these setbacks the underlying zone rules apply.

Finally, there is the related issue of the content of fill material. Such material is often utilised for general filling or as backfill in worked out quarry areas. Such material has the ability to contaminate groundwater, particularly on the more porous soils west of the city. In addition, unsuitable fill material may create a poor foundation for any future building activities through subsidence and damage to structures or services.

#### Environmental results anticipated

- (a) Protection of the functioning of river margins for flood management and avoidance of damage to property caused by flooding associated with impeded waterways and floodplains.
- (b) Protection of the function of natural floodplains, particularly the Upper Heathcote and the Lower Styx, and consequent ability to manage flood discharges.
- (c) Prevention of contamination of groundwater from the deposition of unsuitable fill material.
- (d) The avoidance of building in proximity to waterways and the coastline which would impede flood or erosion management, or detract from natural values.
- (e) The protection and enhancement of water quality and ecological values of waterways.
- (f) Avoidance of development which may compromise the protection of water quality or aquatic habitats along the river margins.
- (g) Avoidance of changes to patterns of surface drainage which may create adverse effects on neighbouring properties.
- (h) Avoidance of filling and excavation which may promote erosion.
- (i) Prevention of deposition of material which renders land unsuitable for permitted activities.
- (j) Avoidance of filling, excavation, or building that may detract from the amenity value of waterways and their margins.
- (k) To ensure the effects of buildings on the openness, spaciousness, visual qualities and natural values of waterways are avoided or mitigated.
- (l) Filling, excavation and erection or addition to buildings restricted to areas where the hazard from flooding can be managed.
- (m) Avoidance of development in areas where the risk to people, their safety, well-being and property from flooding is high.
- (n) Avoidance of development that could undermine the integrity and functioning of flood protection works.

## 5.2A Rules - Repair of land used for residential purposes damaged by earthquakes until 31 December 2018

Updated 05 September 2014

1. Any filling or excavation undertaken to repair land use for residential purposes damaged by earthquakes is a permitted activity provided it:
  - i. complies with the standards below where relevant;
  - ii. occurs in a zone listed in Table 1 or (b) below; and
  - iii. is commenced prior to the expiry of Rule 5.2.A on 31 December 2018.

(a) Where the land repair and earthworks are not designed, supervised or certified by a suitably qualified and experienced chartered geotechnical engineer, any filling, excavation or disturbance of soils shall not exceed the criteria in Table 1 below or any of the standards at (c).

	<b>Column A</b> <b>Max. Volume</b> <b>(Cumulative)</b>	<b>Column B</b> <b>Max.</b> <b>depth</b> <b>(m)</b>	<b>Column C</b> <b>Max. depth of</b> <b>fill (m) [below</b> <b>ground level]</b>	<b>Column D</b> <b>Fill</b> <b>above</b> <b>ground</b> <b>level</b>	<b>Column E</b> <b>Setback from site boundary</b>
Living Zones (excluding the Living H, H deferred, HB and 1D Zones), where a site or part of a site is located OUTSIDE a Flood Management Area*	50m <sup>3</sup> /site	0.6	0.6	0.3m max. depth;	Setback from site boundary must be equivalent to or greater than the depth of filling or excavation
Rural 1 - 5 Zones, where a site or part of a site is located OUTSIDE a Flood Management Area*	2000m <sup>3</sup> /site	0.6	0.6	0.3m max. depth;	
Any site or part of a site in a zone listed in the above rows is located WITHIN a Flood Management Area*	50m <sup>3</sup> /site	0.6	0.6	0.3m max. depth; and 10m <sup>3</sup> /site max. volume	
Land repair works in any zone listed in this table involving soil mixing aggregate piers, or grout.	Not more than 10m <sup>3</sup> of grout per site	1.0	1.0	0.3m max. depth;	

\* shown on planning maps

(b) In Living Zones (excluding the Living H, H deferred, HB and 1D Zones) and Rural 1-5 Zones, where the land repair and earthworks are designed, supervised or certified by a suitably qualified and experienced chartered geotechnical engineer, any filling, excavation or disturbance of soils shall not exceed any of the criteria below or the standards at (c):

- i. Where a site or part of a site is located within a Flood Management Area (as shown on planning maps) earthworks shall not exceed a depth above ground level of 0.3m or fill above ground level of 10m<sup>3</sup> per site.
- ii. Where a site or part of the site is located within a silent file (as shown in the Mahaanui Iwi Management Plan), or statutory acknowledgement area.

- iii. Not more than 80m<sup>3</sup> of grout shall be used per site.
- iv. Land repair works involving soil mixing aggregate piers, or grout shall not occur within 1.0m of a boundary.
- v. At least 3 working days prior to commencing any work on the site (including stockpiling and preparatory works):
  - a. written notice shall be provided to the Council informing of the location of the land repair and the name and contact details of the supervising engineer;
  - b. written notice shall be provided to any occupier of a residential dwelling adjoining the land repair site to inform them that the works will be taking place, the expected duration of the works and provide contact details of the site supervisor; and
  - c. a sign shall be erected at the front of the property including the name and contact details of the site supervisor.
- vi. A statement of professional opinion completed by a suitably qualified and experienced chartered geotechnical engineer must be provided to the Council within 3 months of the land repair being completed to the effect that the works will meet all applicable standards and requirements and be suitable for its intended purpose. This shall include as-built plans of the works.

(c) General standards

- i. There shall be no filling, excavation or disturbance of soil within 3m of any utility waterway to be piped or 5m of any open utility waterway.  
Note: Canterbury Regional Council manages earthworks within 10m of other rivers and lakes and 20m of the coast and land use consent may be required from it. Refer to the Natural Resource Regional Plan rule WQL36A, and the Land and Water Regional Plan Rules 8.5.2, 9.5.6 and 11.5.1
- ii. Any filling, excavation or disturbance of soil:
  - a. is not within the dripline of a heritage or notable tree listed at Volume 3 Part 10 Appendix 4; or
  - b. is not within an Ecological Heritage Area; or
  - c. is not at or within 5m of a heritage item listed at Volume 3 Part 10, including items of significance to tangata whenua.
- iii. Erosion and sediment control measures are implemented and maintained in accordance with Environment Canterbury's Erosion and Sediment Control Guidelines for Small Sites to minimise erosion and the discharge of sediment laden water to surface water.
- iv. All filling greater than 0.3m in depth shall be in accordance with New Zealand Standard NZS 4431:1989 Code of Practice for Earth Fill for Residential Development. Certification is not required except as specified at (b)(v).
- v. All land repair works are to be managed in accordance with New Zealand Standard NZS 6803:1999 Acoustics - Construction Noise and DIN 4150 1999-02 Structural Vibration.
- vi. Land repair works involving mixing or insertion of grout shall not involve:
  - a. mixtures with a flow time greater than 30 seconds when tested in accordance with the grout flow test at NZS 3112: Part 1: 1986 (Test 3) or a flowable concrete/grout including cement and inert additives which exceed a diameter of 300mm when tested in accordance with inverted cone test at NZS 3112: Part 1: 1986 (Test 11) except for in-situ mixing; or
  - b. pressurised injection of grout into the ground.
- vii. a. Where grout is deposited into land using in-situ mixing the grout shall be mixed evenly through the augured soil column and the percentage of grout within the augured soil column shall not exceed 20%; or  
b. Where grout is deposited into land using methods other than in-situ mixing, the percentage of cement in the dry grout mixture shall not exceed 30%.
- viii. Land repair materials shall consist only of:
  - a. soil, gravel, rocks, concrete, sand, silt (such as exists on site already), or clean, inert material;
  - b. cement and/or bentonite grout including inert additives; or
  - c. timber foundation piles.
 and shall not:
  - d. include or disturb putrescible, pollutant, inflammable or hazardous components; and/or
  - e. include fill which comprises more than 5% vegetation of any load by volume.
- ix. Land repair works, other than dust and sediment control measures, shall not be undertaken outside of the hours of 7.30am to 6.00pm Monday to Friday and 8.00am to 5.00pm on Saturday. No works shall occur on public holidays.

2. Any filling or excavation undertaken to repair land use for residential purposes damaged by earthquakes that does not comply with Rule 5.2A.1 shall be a restricted discretionary activity with the exercise of Council's discretion limited to the matter(s) addressed in the assessment matters at clauses 5.9.2, 5.9.3, 5.9.4 and 5.9.6 (Volume 3 Part 9). Any restricted discretionary activity application arising from non-compliance with Rule 5.2A.1 will not require the written approval of other persons and shall be non-notified.

3. Exemptions to Rules 5.2A (1) :

- i. Works involving the establishment, repair or replacement of any permitted utilities or the maintenance of existing drains or ponds by a utility operator.
- ii. Works permitted by or exempted from a building consent (including works forming part of foundations for a building) do not require resource consent under Rules 5.2A.1 where:
  - a) they comply with criteria in Table 1 and (b) controlling fill above ground level in Flood Management Areas; and
  - b) they are designed, supervised and certified by a suitably qualified and experienced chartered geotechnical engineer, and
  - c) they comply with criteria (c)(i) and (c)(ii).
- iii. Testing or investigation preceding land repairs or remediation as a result of land damaged by earthquakes are permitted provided it meets the criteria at rule 5.2A.1(c).
- iv. filling or excavation associated with the maintenance of flood protection works.

4. For the avoidance of doubt, where the earthworks are associated with the repair of land damaged by earthquakes. Rule 5.2A substitutes other earthworks Rules 5.2, 5.3(b) and (c), 5.4, 5.5, 5.6, 5.7 and 5.8.1.

Clarification of rule

- i. Measurement of volume shall include only areas which have been disturbed, including by filling, excavation, soil mixing or injection of materials. Soil above or between these areas which remain undisturbed does not form part of the allowable volume, including where those undisturbed soils are compacted or otherwise altered by the works.
- ii. For the purposes of this rule, the building consent platform extends to a maximum of 2.5m from the exterior wall of an enclosed structure or support structures of open structures.
- iii. For the purposes of this rule, when land repairs are being undertaken over a number of properties at the same time and by the same contractor, the site boundary for the purpose of the setback is the outer perimeter of the properties the subject of the land repair works.

Advice Notes:

- i. For the purposes of this rule, "repair land used for residential purposes damaged by earthquakes" does not include repair of land on the Port Hills or Banks Peninsula. It does include all other residential land whether or not an EQC payment has been made and residential land which was unimproved when damage occurred.
- ii. People intending to do land repair earthworks are responsible for complying with the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (2011). People should contact the Christchurch City Council or ECan to find out whether their land has been used for hazardous activities which might trigger the need for compliance with the NES.
- iii. Any vegetation removed during land repairs should not be replaced with pest species as listed in Appendix 1 to the Infrastructure Design Standard (Part 10).

## 5.2 Rules : Filling, excavation and building adjacent to waterways and the coastline

### 5.2.1 Reference to other rules



Updated 31 January 2011

Attention is drawn to the provisions of the zone rules as well as the other City rules (including those within clause 5) that may separately result in an activity being identified as requiring resource consent as a, non-complying, discretionary, restricted discretionary, or controlled, activity in addition to the provisions of these rules.

It should be noted that the consent of the Regional Council may be required for activities in, on, under or over the bed of a river (Section 13 RMA).

## 5.2.2 Bylaws and other relevant legislation

Updated 14 November 2005

- (a) Attention is drawn to Council bylaws on earthworks which relate to the structural suitability of fill material for engineering works and building.
- (b) Attention is drawn to Part I of the Historic Places Act 1993 which states that no work may be undertaken on an archaeological site (whether recorded or unrecorded) until an archaeological authority to destroy, damage or modify a site has been granted by the New Zealand Historic Places Trust in accordance with that Act.

## 5.2.3 Application and clarification of these rules

Updated 06 December 2013

- (a) All setbacks specified in Clause 5.2.4 and 5.2.5(b) are measured from the bank of the waterway (see definition of bank in Appendix 2), except for the category of hill waterways, where the setback is measured from the centreline of the waterway.
- (b) In the case of the coastline, the setback specified is from mean high water springs (the landward boundary of the coastal marine area).
- (c) The rules in respect to building adjacent to waterways shall be interpreted to mean that part of the building which may be within the setback.
- (d) The filling and excavation rules apply whether or not the work is undertaken on the same site
- (e) ***With respect to Rule 5.2.4, the effects of land improvement measures undertaken in the Living G (Highfield) Zone are to be considered in conjunction with associated filling, excavation, building and compaction activities.***

## 5.2.4 Development standard

Updated 15 August 2011

- (a) Any filling or excavation, or the erection of buildings shall be a discretionary activity within the setbacks specified below:

Waterway category/coastline	Setback
(Refer Appendix 1 - Schedule of waterways. This schedule identifies environmental asset waterways, upstream rivers, downstream rivers, and the coastline. Utility waterways (with the exception of those utility waterways which are to be piped) are not identified in Appendix 1 but means any waterway legally defined as an open public or private drain (excluding sewerage). Hill waterways are not identified in Appendix 1, but means any waterway as defined in Part 1.)	
Utility waterway: to be piped (Refer Appendix 1, Section 1)	3m
Open utility waterway	5m
Environmental asset waterways (refer Appendix 1, Section 2)	7m
In addition to those waterways defined in Appendix 1, any new or diverted open waterway usually created subsequent to any subdivision or land use consent from the Council, except for new waterways created in the Open Space 3D (Clearwater Resort and Christchurch Golf Resort) Zone, shall be deemed to be an environmental asset waterway for the purposes of these rules.	
Upstream rivers (Rural zones)	20m
Upstream rivers (Other zones),(refer Appendix 1, Section 1)	10m
Downstream rivers, (refer Appendix 1, Section 1)	30m
Downstream River (Mona Vale)	15m
(Includes the true left bank of the Avon River from the confluence with the Wairarapa Stream extending downstream to the Carlton Mill Bridge, and also including that part of the true right bank fronting Lot 2 DP 26862 (Church Of Jesus Christ of the Latter Day Saints)	
Hill waterways	10m
Coastline (means the line of mean high water springs except in Conservation 1A Zone refer to Part 5)	20m

The Council shall consult with tangata whenua upon any application being required under these rules in respect to upstream and downstream rivers.

- (b) The Council's discretion shall be limited to the matter(s) subject to the standard, provided also that where a site adjoining a downstream river is separated by an esplanade reserve or legal road, then the Council's discretion is limited to those assessment matters relating to flood management only.

## 5.2.5 Critical standards

Updated 31 January 2011

- (a) The erection of any building or addition between the Waimakariri River and the building setback line shown on planning maps 1B, 3B, 4B, 7B to 10B, 14B and 15B, shall be a non-complying activity.
- (b) In the Business 4 zoned land known as Kennaway Park (being the land bounded by Tunnel Road and Heathcote River, shown on the Outline Development Plan in Part 3 Appendix 9) any filling or excavation of land within the Landscape Area adjacent to the Heathcote River (as shown on the Outline Development Plan) shall be a non-complying activity.

## 5.2.6 Exemptions from development standard 5.2.4

Updated 10 October 2013

The rules set out in Clause 5.2.4 above do not apply to:

- (a) filling, excavation, or structures associated with the maintenance of flood protection and bank erosion protection works;
- (b) any works involving the establishment, repair or replacement of any permitted utilities, or the maintenance of existing drains or ponds;
- (c) post holes for the erection of fences;
- (d) planting holes for trees and plants except that in the Rural Hills, Rural 6, Conservation 1 and Conservation 1A Zones, such planting shall only be associated with species indigenous to the site or permitted exotic species;
- (e) excavation and fill in the Conservation 3W Zone within the bed of the Waimakariri River;
- (f) excavation for any approved wells;
- (g) any works permitted pursuant to a subdivision consent under Clauses 7 or 9 of Part 14; or
- (h) any filling or excavation permitted pursuant to a building consent.
- (i) any filling, excavation or structures permitted pursuant to a land use consent granted by the Canterbury Regional Council.
- (j) any filling or excavation permitted pursuant to rule 5.2A.

## 5.2.7 Exemptions from critical standards 5.2.5(a) and 5.2.5(b)

Updated 10 October 2013

The rule set out in Clause 5.2.5 above does not apply to:

- (a) additions to existing buildings of a maximum of 25m<sup>2</sup> in any five year period;
- (b) the erection of unenclosed buildings without floors; and
- (c) the erection of non-habitable buildings with a maximum floor area of 40m<sup>2</sup>.
- (d) any works including utilities that are permitted by Chapter 9 or the maintenance, repair or replacement of existing utilities.
- (e) any filling or excavation permitted pursuant to rule 5.2A.

The rule set out in Clause 5.2.5(b) above does not apply to:

1. any works involving the establishment, repair or replacement of any permitted utilities;
2. any works associated with the establishment or maintenance of stormwater detention basins; and
3. the excavation of any planting holes for trees and plants.
4. any earthworks associated with landscaping and the creation of paths for pedestrian and cyclist.
5. any filling or excavation permitted pursuant to rule 5.2A.

## 5.3 Rules: Filling and building within flood management areas

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Updated 31 January 2011

### 5.3.1 Reference to other rules

Updated 31 January 2011

Attention is drawn to the provisions of the zone rules as well as the other General City Rules (including those within Clause 5) that may separately result in an activity being identified as an activity requiring resource consent as non-complying, discretionary, restricted discretionary, controlled, or permitted, in addition to the provisions of these rules.

### 5.3.2 Bylaws and other relevant legislation

Updated 31 January 2011

- (a) Attention is drawn to Council bylaws on earthworks that relate to the structural suitability of fill material for engineering works and building.
- (b) Attention is drawn to Part I of the Historic Places Act 1993, which states that no work may be undertaken on an archaeological site (whether recorded or unrecorded) until an archaeological authority to destroy, damage or modify a site has been granted by the New Zealand Historic Places Trust in accordance with that Act.

### 5.3.3 Development standards

Updated 31 January 2011

- (a) The erection of any building or addition within a flood management area, shall be a restricted discretionary activity with the Council's discretion restricted to the floor level of the building with respect to the assessment matters set out in clause 5.9.3 below. Any application arising from this rule shall be processed without public notification and need not be served on any party.
- (b) Filling within a flood management area that is located within a living zone shall be a restricted discretionary activity with the Council's discretion restricted to the assessment matters set out in clause 5.9.3 below.

(c) Filling within a flood management area that is located within a business, cultural, or open space zone shall be a controlled activity with the Council's discretion limited to the assessment matters set out in clause 5.9.3 below.

### 5.3.4 The rules set out in Clause 5.3.3 above do not apply to:

Updated 10 October 2013

- (a) garages of no more than 40m<sup>2</sup> in area and any other accessory building that is of no more than 25m<sup>2</sup> in area, except in rural zones where the rules set out in Clause 5.3.3 above do not apply to accessory buildings which are of no more than 200m<sup>2</sup> in area, or to plastic covered tunnel houses;
- (b) any additions to existing buildings that do not increase the area of the building footprint.
- (c) additions to existing buildings of a maximum of 25m<sup>2</sup> in any five year period, except in rural zones where the rules set out in Clause 5.3.3 above do not apply to additions to accessory buildings which are of a maximum of 200m<sup>2</sup> in any five year period.
- (d) unenclosed buildings and swimming pools.
- (e) filling associated with the maintenance of flood protection and bank erosion works;
- (f) any works involving utilities that are permitted by Chapter 9, or the replacement, repair or maintenance of existing utilities, or the maintenance of existing drains or ponds;
- (g) any filling permitted pursuant to a land use consent granted by the Canterbury Regional Council; and
- (h) filling of building platforms only to achieve the identified minimum floor level. (Building platform for the purposes of this clause is that area of a site, excluding the required minimum setbacks from all boundaries, that is less than or equal to the maximum permitted area of site covered by buildings applicable to the subject site. If there is no applicable maximum permitted area of site covered by buildings, the platform shall not extend further than the footprint of a permitted building on this site.)
- (i) filling to enable a subdivision to comply with Clause 7.2.2 Cashmere and Worsleys, Part 14, which complies with Clause 4.3.2 Minimum Standards - Living Zones (F)(e), Part 14.
- (j) the erection of buildings on land for which a subdivision complying with Clauses 4.3.2 Minimum Standards - Living Zones (F)(e) and 7.2.2 Cashmere and Worsleys, Part 14, has been issued for the subdivision by the Council in accordance with Section 224 of the Act.
- (k) the erection of buildings located in the Academy, Driving Range, Maintenance and Resort Community Activity Areas in the Open Space 3D (Christchurch Golf Resort) Zone provided that the floor level of any building achieves or exceeds RL 12.3
- (l) any filling or excavation permitted pursuant to rule 5.2A.

## 5.4 Rules : Filling, excavation and building in ponding areas and on the Cashmere Stream floodplain

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Updated 31 January 2011

### 5.4.1 Reference to other rules

Updated 31 January 2011

Attention is drawn to the provisions of the zone rules as well as the other General City Rules (including those within Clause 5) that may separately result in an activity being identified as requiring resource consent as a non-complying, discretionary, restricted discretionary, or controlled activity in addition to the provisions of these rules.

### 5.4.2 Bylaws and other relevant legislation

Updated 31 January 2011

- (a) Attention is drawn to Council bylaws on earthworks that relate to the structural suitability of fill material for engineering works and building.
- (b) Attention is drawn to Part I of the Historic Places Act 1993 that states that no work may be undertaken on an archaeological site (whether recorded or unrecorded) until an archaeological authority to destroy, damage or modify a site has been granted by the New Zealand Historic Places Trust in accordance with that Act.

### 5.4.3 Development standard

Updated 31 January 2011

- (a) Notwithstanding clause 5.3.3 filling of up to a total of 1000m<sup>2</sup> of land in a ponding area or on the Cashmere Stream floodplain for the purpose of developing a dwelling and any associated accessory buildings, outdoor living and service areas and vehicular access shall be a restricted discretionary activity with the Council's discretion restricted to the assessment matters set out in clause 5.8.4 below. Any application arising from this rule shall be processed without public notification and need not be served on any party.
- (b) filling or excavation within Henderson Basin for the creation and enhancement of waterbodies, wetlands or public accessways associated with the recreation values of the waterways or wetlands within the basin, or for flood mitigation works shall be a restricted discretionary activity with the Council's discretion restricted to the assessment matters set out in Clause 5.8.4 below.
- (c) filling or excavation on any land within a ponding area or the Cashmere Stream floodplain for any utilities not otherwise exempted by clause 5.4.6(b) shall be a restricted discretionary activity with the Council's discretion restricted to the assessment matters set out in Clause 5.8.4 below.

### 5.4.4 Critical standard

Updated 31 January 2011

Notwithstanding clause 5.3.3 and except as provided for in clauses 5.3.4 and 5.4.3 above, any filling or excavation on any land on the Cashmere Stream floodplain or within the Hendersons Basin ponding area, Cashmere-Worsleys ponding area, Hoon Hay Valley ponding area or Lower Styx ponding area shall be a non-complying activity.

### 5.4.5 Exemptions from development and critical standards, Clauses 5.4.3 and 5.4.4

Updated 10 October 2013

The rules set out in Clauses 5.4.3 and 5.4.4 above do not apply to:

- (a) filling, excavation, or structures associated with the maintenance of flood protection and bank erosion protection works;
- (b) any works involving utilities that are permitted by Chapter 9, or the maintenance, repair or replacement of existing utilities, or the maintenance of existing drains or ponds;
- (c) post holes for the erection of fences;
- (d) planting holes for trees and plants;
- (e) excavation for any approved wells;
- (f) any filling, excavation or structures permitted pursuant to a land use consent granted by the Canterbury Regional Council.
- (g) any filling or excavation for the maintenance of existing farm tracks and existing farm yards, or the establishment of new farm track and farm yards provided the finished ground level is maintained to within 100mm of the natural ground level.
- (h) any filling or excavation for the purposes of establishing and maintaining accessways to dwellinghouses provided the finish ground level is maintained to within 200mm of the natural ground level, and provided that accessways are constructed so as not to impede the flow of surface water.
- (i) any filling or excavation for the purposes of establishing and maintaining accessways to dwellinghouses provided the finished ground level is maintained to within 200mm of the natural ground level.
- (j) the filling of up to 10m<sup>3</sup> per site for the purposes of landscaping around dwellinghouses in association with domestic gardening.
- (k) the maintenance and upgrade of existing roads on legal road.
  - (l) filling to enable a subdivision to comply with Clause 7.2.2, Part 14, and which complies with Clause 4.3.2(F)(e): Part 14.
  - (m) any additions to existing buildings that do not increase the area of the building footprint.
  - (n) cultivation activities and harvesting of crops.
  - (o) the application of fertiliser, lime or other soil enhancers such as bark and trace elements provided the finished ground level is maintained to within 200mm of natural ground level and provided that such filling is limited to a total volume of not more than 100m<sup>3</sup> per ha.
  - (p) composting or silage making.
  - (q) any filling or excavation involving the recontouring of land in the Lower Styx Ponding area, provided that all material to be excavated or used for filling is both sourced from and used within the same property and within the boundary of the ponding area.
  - (r) filling or excavation involving the recontouring of land within the Hendersons Basin ponding area on the Cashmere Stream floodplain, provided that all material to be excavated or used for filling is both sourced from and used within the same property and within the boundary of the ponding area or floodplain, and provided that finished ground level is maintained to within 200mm of natural ground level, and that filling or excavation is limited to a total volume of not more than 100m<sup>3</sup> per ha.
  - (s) any other filling not covered by the clauses 5.4.5 above, of up to 200mm in depth and not more than 100m<sup>3</sup> per ha where the finished ground level does not exceed the level of the surrounding land.
  - (u) any other excavation for farming purposes where the excavated area is subsequently filled so that there is no net effect on flood storage.
  - (v) any filling or excavation of land in the Lower Styx Ponding Area which is located in the Open Space 3D (Christchurch Golf Resort) Zone. Filling and excavation of land in the Lower Styx Ponding Area shall be dealt with under Part 6, clause 2.2.10 and 2.2.11.
  - (w) any filling or excavation permitted pursuant to rule 5.2A.

## 5.5 Rules: Filling, excavation and building within the Waimakariri stopbank floodplain

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Updated 15 April 2013

### 5.5.1 Reference to other rules

Updated 15 April 2013

Attention is drawn to the provisions of the zone rules as well as the other General City Rules (including those within Clause 5) that may separately result in an activity being identified as requiring resource consent as a non-complying, discretionary, restricted discretionary or controlled activity in addition to the provisions of these rules.

### 5.5.2 Bylaws and other relevant legislation

Updated 15 April 2013

- (a) Attention is drawn to Council bylaws on earthworks that relate to the structural suitability of fill material for engineering works and building.
- (b) Attention is drawn to Part I of the Historic Places Act 1993 that states that no work may be undertaken on an archaeological site (whether recorded or unrecorded) until an archaeological authority to destroy, damage or modify a site has been granted by the New Zealand Historic Places Trust in accordance with that Act.
- (c) Land use consents, or water or discharge permits may be required by the Canterbury Regional Council under the Waimakariri River Regional Plan or Natural Resources Regional Plan for activities within the beds of lakes or rivers, or in close proximity to them. In addition, the Canterbury Regional Council (Environment Canterbury) is the lead agency for gathering and providing information on flood hazard within the Waimakariri River stopbank Floodplain (WSFP), and is responsible for the construction and management of the stopbanks. Before undertaking development within the WSFP, particularly within the stopbank setbacks, it is advisable to consult Environment Canterbury.

### 5.5.3 Application of these rules

Updated 15 April 2013

- (a) The rules relating to excavation and filling referring to Table 1 below are to be applied in accordance with Clause 5.6.1.

### 5.5.4 Development standards

Updated 15 April 2013

- (a) Any filling or excavation which exceeds any one of the standards relating to the volume of material in column A, the depth specified in columns C or D, or the landslope in column E of Table 1 below, shall be a restricted discretionary activity with the exercise of Council's discretion restricted to the assessment matters set out in clause 5.9.5 below.

The Council shall consult with tangata whenua upon any application being required under these rules for areas containing sites of significance to tangata whenua identified in Part 10, Appendix 3 of these rules.

Applicants should note that all archaeological sites (whether recorded or unrecorded) are protected under the provisions of Part 1 of the Historic Places Act 1993 and no work may be undertaken on a site until an archaeological authority to destroy, damage or modify a site has been granted by the Trust in accordance with that Act.

(b) Any filling or excavation within 50m of a secondary stopbank as shown on the planning maps shall be a restricted discretionary activity, with the Council's discretion restricted to the assessment matters set out in clause 5.9.5 below.

(c) The erection of, or addition to, any accessory building within 50m of a secondary stopbank shall be a restricted discretionary activity, with the Council's discretion restricted to the assessment matters set out in clause 5.9.5 below.

(d) The erection of, or addition to, any residential unit or other habitable building:

- 100m or greater from a primary stopbank; and
- outside the high hazard area as shown on the planning maps

shall be a restricted discretionary activity, with the Council's discretion restricted to the assessment matters set out in clause 5.9.5 below.

(see Clause 5.5.6 for exemptions to these development standards).

## 5.5.5 Critical standards

Updated 15 April 2013

The following shall be non-complying activities:

(a) Any filling or excavation, which exceeds any one of the standards relating to the volume of material in column B of Table 1 below.

The Council shall consult with tangata whenua upon any application being required under this rule for areas containing sites of significance to tangata whenua identified in Part 10, Appendix 3 of these rules.

(b) Any excavation or filling within 100 metres of a primary stopbank.

(c) The erection of, or addition to, any accessory building within 100m of a primary stopbank.

(d) The erection of, or addition to, any residential unit or other habitable building within:

- 100m of a primary stopbank; or
- a high hazard area as shown on the planning maps.

(see Clause 5.5.6 for exemptions to these critical standards).

## 5.5.6 Exemptions from development standards set out in Clause 5.5.4 and critical standards in Clause 5.5.5

Updated 10 October 2013

For the purposes of the following list of exemptions, the time period applicable to filling and excavation in terms of volume shall be interpreted to mean the maximum volumes specified may not be exceeded within any continuous period of ten years.

The rules set out in Clauses 5.5.4 and 5.5.5 above do not apply to:

(a) Quarrying activity within the Open Space 3D Zone (Isaac Conservation Park) Area Q approved by way of land use consent RMA 92012793 issued by the Christchurch City Council as at 20 January 2009;

(b) the erection of unenclosed buildings without floors;

(c) garages and any other accessory buildings of no more than 40m<sup>2</sup> in area, except in rural zones and the Open Space 3A Zone where the rules set out in Clauses 5.5.4 and 5.5.5 above do not apply to accessory buildings which are of no more than 200m<sup>2</sup> in area, or to plastic covered tunnel houses;

(d) additions to existing residential units or other habitable buildings or to accessory buildings of a maximum of 25m<sup>2</sup> in any continuous five year period, except in rural zones and the Open Space 3A Zone where the rules set out in Clauses 5.5.4 and 5.5.5 above do not apply to additions to accessory buildings which are of a maximum of 200m<sup>2</sup> in any five year period.

(e) additions to existing residential units or other habitable buildings or to accessory buildings that do not increase the area of the building footprint;

(f) filling, excavation or structures associated with the maintenance of flood protection and bank erosion protection works;

(g) any works involving utilities that are permitted by Chapter 9, or the replacement, repair or maintenance of existing utilities, or the maintenance of existing drains or ponds;

(h) post holes for the erection of fences, and post holes for shade cloth structures and tunnel houses;

(i) planting holes for trees and plants;

(j) excavation for any approved wells;

(k) any sitework permitted pursuant to a building consent, excluding accessways;.

(l) any filling permitted pursuant to a land use consent granted by the Canterbury Regional Council;

(m) any filling for the maintenance of existing farm tracks and existing farm yards, or the establishment of new farm track and farm yards provided the finished ground level is maintained to within 200mm of the natural ground level;

(n) any filling for the purposes of establishing and maintaining accessways to residential units provided the finished ground level is maintained to within 200mm of the natural ground level, and provided that accessways are constructed so as not to impede the flow of surface water;

(o) filling associated with flood protection on the parts of 50 to 72 Johns Road adjoining the terrace that forms part of the secondary flood protection, provided the filling on any property does not exceed 2,000m<sup>3</sup> in total, creates slopes no steeper than one vertical to three horizontal, is constructed according to good engineering practice so as to minimise the possibility of flood scour or diversion, forms a continuous extension to the natural terrace, and does not create any discontinuity of landform at property boundaries.

(p) the maintenance of existing railways, and the re-alignment of the railway at Steam Scene (621 McLeans Island Road, Lot 2 DP 28931) provided such re-alignment does not impede the flow of surface water to a greater extent than the present structure.

(q) the filling of up to 10m<sup>3</sup> per site for the purposes of landscaping around residential units in association with domestic gardening;

(r) the maintenance and upgrade of existing roads on legal road, provided that the work does not impede the flow of surface water;

(s) cultivation activities and harvesting of crops;

(t) the application of fertiliser, lime or other plant growth enhancers such as topsoil, bark and trace elements provided the finished ground level is maintained to within 200mm of natural ground level, and provided that such filling is limited to a total volume of not more than 100m<sup>3</sup> per ha; and

- (u) composting or silage making.
- (v) any other filling not covered by the clauses of 9-5.5.6 above, of up to 200mm in depth and not more than 100m<sup>3</sup> per ha, provided that filling does not impede the flow of surface water.
- (w) any other filling for farming purposes of not more than 100m<sup>3</sup> per ha where the finished ground level does not exceed the level of the surrounding land.
- (x) any other excavation for farming purposes where the excavated area is subsequently filled so that there is no net effect on flood storage.
- (y) development within the Open Space 3D (Clearwater) Zone, except as provided for under Table 1 following Rule 5.5.4 (filling and excavation on other land).
- (z) any filling or excavation permitted pursuant to rule 5.2A.

## 5.6 Rules : Filling and excavation on other land

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Updated 15 April 2013

### 5.6.1 Application of these rules

Updated 06 December 2013

- (a) The rules within Clause 5.6 are applicable to:
  - (i) all filling and building on land that is not: adjacent to a waterway or mean high water springs; in a ponding area or on the Cashmere Stream floodplain; or within a flood management area; or within the Waimakariri River stopbank floodplain; and
  - (ii) all excavation on land that is not adjacent to a waterway or mean high water springs, in ponding areas or on the Cashmere Stream floodplain; or within the Waimakariri River stopbank floodplain.
- (b) The maximum filling or excavation volumes in columns A and B of Table 1 below, are to be used as a ratio (eg. 2000m<sup>3</sup> /ha for Business 5 Zone equates to 200m<sup>3</sup> for a site area of 1000m<sup>2</sup>).
- (c) The volume/area ratio in Column A applies to each area within a site which is subject to fill or excavation.
- (d) The time period applicable to filling and excavation in terms of volume shall be interpreted to mean the maximum volumes specified may not be exceeded within any continuous period of ten years.
- (e) The filling and excavation rules apply whether or not the work is undertaken on the same site; and the volumes of fill and excavation apply independently of each other.
- (f) ***With respect to Rule 5.6.2 and Table 1, the effects of land improvement measures undertaken in the Living G (Highfield) Zone are to be considered in conjunction with associated filling, excavation, building and compaction activities.***

**Note:** Building consents - any person contemplating filling or excavation should note that the Building Act requires that the land and other property be protected from erosion, falling debris, slippage, subsidence, inundation, alluvion or avulsion regardless of whether or not any other consent is required for the proposed activity.

### 5.6.2 Development standard

Updated 31 January 2011

Any filling or excavation which exceeds any one of the standards relating to the volume of material in column A, the depth specified in columns C or D, or the landslope in column E of Table 1, shall be a discretionary activity with the exercise of Council's discretion limited to the matter(s) subject to the standard.

The Council shall consult with tangata whenua upon any application being required under these rules for areas containing sites of significance to tangata whenua identified in Part 10, Appendix 3 of these rules.

Applicants should note that all archaeological sites (whether recorded or unrecorded) are protected under the provisions of Part 1 of the Historic Places Act 1993 and no work may be undertaken on a site until an archaeological authority to destroy, damage or modify a site has been granted by the Trust in accordance with that Act.

### 5.6.3 Critical standards

Updated 31 January 2011

- (a) Any filling or excavation, which exceeds any one of the standards relating to the volume of material in column B of Table 1 shall be a **non-complying activity**.

The Council shall consult with tangata whenua upon any application being required under this rule for areas containing sites of significance to tangata whenua identified in Part 10, Appendix 3 of these rules.

- (b) Any filling on that part of the land described as Lots 7 and 8 DP 5998 and Lot 3 DP 17557 in the Rural Zone, excluding that part of the Living 1 Deferred Zone (Philpotts Road), shall be a **non-complying activity**.

### 5.6.4 Exemptions from these rules

Updated 09 January 2015

The rules set out in Clause 5.6.1 above and in Table 1 do not apply to:

- (a) land adjacent to waterways, mean high water springs or in ponding areas (refer to Clauses 5.2.3 and 5.2.4);
- (b) filling or excavation associated with the maintenance of flood protection works;
- (c) any works involving the establishment, repair or replacement of any permitted utilities or the maintenance of existing drains or ponds;
- (d) post holes for the erection of fences or for permitted or approved buildings and signs;
- (e) planting holes for trees and plants, except that in the Rural Hills, Rural 6, Conservation 1 and Conservation 1A Zones, such planting shall only be associated with species indigenous to the site or permitted exotic plantings;
- (f) excavation for any approved wells;
- (g) any works authorised pursuant to a subdivision consent under Clauses 7 or 9 of Part 14;
- (h) any works permitted pursuant to a building consent;

- (i) any spoil from drain clearance work on a property; or
- (j) The construction or maintenance of vehicle or foot tracks in the Conservation 1, Conservation 1A, Rural Hills, Rural 6 Zones, and on ecological heritage sites outside these zones\* provided their width is no greater than 1.5m.
- (k) filling to enable subdivision to comply with Clause 7.2.2, Part 14, and which complies with Clause 4.3.2(F)(e), Part 14.
- (l) any filling or excavation permitted pursuant to rule 5.2A.

(\* Refer to note 3, Table 1)

Table 1 - Filling and excavation - volume and depth of material:						
		Column A	Column B	Column C	Column D	Column E
		Max. volume	Max. volume	Max. depth of excavation (m)	Max. depth of fill (m)	Max. slope of land to be filled or excavated
		(Development standard)	(Critical standard)	(Development standard)	(Development standard)	(Development standard)
(a)	Living H Zone <sup>(3)</sup> , Living HA Zone <sup>(3)</sup>	10m <sup>3</sup> /site		0.5	0.5	na
(b)	Living 1D Zone <sup>(2)</sup>					
(c)	All other living zones, Cultural 1, 2 and 3 <sup>(3)</sup> Zones, Open Space 1 Zone <sup>(3)</sup> , Business 1 Zone, Special Purpose (Hospital) Zone, except Living TMB Zone	150m <sup>3</sup> /ha	na	0.5	0.5	na
(d)	All Conservation Zones and the Living TMB Zone (except Conservation 1, 1A, 3W and 4 Zones) <sup>(3)</sup>	50m <sup>3</sup> /ha	na	0.15	0.15	15° on Port Hills
(e)	Conservation 1 <sup>(3)</sup> , 1A <sup>(3)</sup> Zones	25m <sup>3</sup> /ha and no more than 100m <sup>2</sup> surface area	na	0.15	0.15	15° on Port Hills
(f)	Business 2, 2P, 3, 4 <sup>(3)</sup> , 4P, 4T, 7 (except on that area shown as hatched on Part 3, Appendix 12) and Central City Mixed Use <b>and Central City (South Frame) Mixed Use</b> Zones	1000m <sup>3</sup> /ha	na	0.5	0.15	na
(g)	Business 5, 6 and 8 Zones, Business 7 Zone on that area shown as hatched on Part 3, Appendix 12, Central City Business, Special Purpose (Ferryroad) Zone, - Area D Special Purpose (Wigram) Zone - Areas B	2000m <sup>3</sup> /ha	na	0.5	0.5	na
(h)	Rural 1 <sup>(3)</sup> and 4 <sup>(3)</sup> Zones	2000m <sup>3</sup> /ha	na	1.0	1.0	na
(i)	Rural Hills Zone <sup>(1)</sup> <sup>(3)</sup> , Rural 6 Zone, Rural 7 Zone, Ecological heritage sites <sup>(3)</sup>	25m <sup>3</sup> /ha and no more than 100m <sup>2</sup> surface area	na	0.5	0.5	15° on Port Hills
(j)	Rural 2, 3 and 5 <sup>(3)</sup> Zones Special Purpose (Wigram) Zone - Area A Special Purpose (Ferryroad) Zone - Areas A, B and C <sup>(3)</sup>	100m <sup>3</sup> /ha	1000m <sup>3</sup> /ha	0.5	0.5	
(k)	Rural Quarry Zone	2000m <sup>3</sup> /ha (fill only)	na	na	na	na
(l)	All open space zones (except Open Space 1 Zone and Ruapuna Park Raceway) <sup>(3)</sup>	500m <sup>3</sup> /ha	na	0.5	0.5	na
(m)	Ruapuna Park Raceway	5000m <sup>3</sup> /ha	na	0.5	1.3	na
(n)	Special Purpose (Airport) Zone	5000m <sup>3</sup> /ha	na	1.0	1.0	na
(o)	Templeton Special Rural Zone	150m <sup>3</sup> /ha	na	0.5	0.5	na

**Notes:**

<sup>(1)</sup> The provisions of the Living H Zone apply to any land zoned Rural Hills within 100m of a Living H or Living HA zone boundary.

<sup>(2)</sup> Any filling in the Living 1D Zone is a non-complying activity except where the exemptions in Clause 5.5.4 apply.

(3) Except for ecological heritage sites where the filling and excavation rules shall be as for the Rural 6 Zone. Those sites outside the Conservation 1A, Rural 6, Rural Hills Zones are listed in Part 4 (Rural Zones) - Appendix 2.

## 5.7 Rule: Filling and Excavation Under Transmission Lines Business 5 Zone at Sir James Wattie Drive, Templeton Special Rural Zone, and Business 8 Zone

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Updated 15 April 2013

Except for earthworks for existing and new Network Utilities, no earthworks (including both filling and excavation) shall be carried out within 12 metres from the centre line of the electricity transmission lines shown on outline development plans for the Templeton Special Rural Zone, Business 5 Zone at Sir James Wattie Drive and the Business 8 Zone Islington.

Any application for earthworks within the transmission line corridor need not be publicly notified and need not be served on any affected party other than Transpower New Zealand Limited.

## 5.8 Rule : Content of fill and excavation material

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Updated 31 January 2011

### 5.8.1 Critical standard

Updated 31 January 2011

In addition to compliance with the standards relating to the volume and depth of filling and excavation in Clauses 5.2 and 5.3 of these rules, any filling or excavation of land, is a non-complying activity where:

- (a) the fill or excavated material contains putrescible, pollutant, inflammable or hazardous components; and/or
- (b) fill consists of material other than soil, gravel, sand, silt, or demolition material, and/or has a particle size in excess of 200mm; and/or
- (c) fill material consists of vegetation which comprises more than 5% of any load by volume, and/or which is derived from a different site to the rest of the fill material **except that** this rule shall not apply to any filling or excavation on any land within the Special Purpose (Landfill) Zone, and rule 5.4.1 (b) shall not apply to the Rural Quarry Zone in respect to particle size.

## 5.9 Assessment matters for resource consents

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Updated 31 January 2011

### 5.9.1 General

Updated 31 January 2011

- (a) The matters contained in Sections 104 and 105, and in Part II of the Act, apply to consideration of all resource consents for land use activities.
- (b) In addition to the matters covered in (a) above, the Council shall also apply the relevant assessment matters set out in clauses 5.7.2 and 5.7.3 below to **discretionary activities** .

### 5.9.2 Discretionary activity - Filling, excavation and building adjacent to waterways and the coastline

Updated 06 December 2013

- (a) Any adverse effects on the natural qualities of the waterway and the ecology of areas within and adjacent to the waterway.
  - (b) Any benefits associated with waterway enhancement, or flood management.
  - (c) Any adverse effects on the amenities of adjoining land, including visual impacts, effects on surface drainage, or any likely sedimentation or dust nuisance.
  - (d) The likely effects of proposed excavation or building on the functioning of the waterway during flood periods, including any likelihood of work undertaken exacerbating inundation, erosion, alluvion or avulsion whether upstream or downstream of the site.
  - (e) Where relevant, any adverse effects likely on land as a result of tidal influences during flood periods including the potential for exacerbation of those effects with potential sea level rise.
  - (f) The potential risk of damage to buildings proposed to be erected in the setback.
  - (g) The effectiveness and environmental impact of any measures that may be proposed to mitigate the effects of filling, excavation or building.
  - (h) Any adverse effects on access to and along the waterway or the coastline for maintenance or flood protection works.
  - (i) The width, depth, and alignment of the waterway within and adjacent to the site, the relevance of these factors to the circumstances applying to the proposed work.
  - (j) Any impact on sites or areas of significance to tangata whenua, particularly significant areas as shown in Part 10, Appendix 3.
  - (k) Any beneficial effects, including the provision of public access, or for enhancing the ecological or visual qualities of the waterway.
  - (l) Any relevant provisions of a Regional Plan that may apply to the waterway.
  - (m) The degree to which building development impacts on the existing waterway amenity values through reduced views of the waterway from adjoining sites and the privacy of adjoining neighbours.
  - (n) The location and orientation of existing neighbouring buildings and outdoor living areas in relation to the waterway.
  - (o) The degree to which the proximity or bulk of the structure dominates and detracts from the spaciousness and openness of the waterway.
  - (p) The ability to mitigate any adverse effects on the amenity values of the waterway including existing planting and the ability to screen the building.
- Avon River - Upstream Rivers (other zones)



In addition to the assessment matters listed in (a) to (p) above, the Council shall also apply the following assessment matters below when considering resource consents for activities that breach Volume 3, Part 9, Rule 5.2.4 in relation to setbacks from the Avon River where it is demarcated in Volume 3, Part 9, Appendix 1 as an Upstream River (other zones):

- (q) The physical relationship between the waterway setback standard and flood events and the location of the building or structure thereon.
- (r) The absence of natural, ecological and amenity values due to the existence of buildings and hard surfaces.
- (s) Any adverse effect on the quality of groundwater.
- (t) **Any adverse effects of noise and vibration associated with filling, excavation and land improvement in the Living G (Highfield) Zone, and the effectiveness of methods to mitigate such effects.**

### **5.9.3 Restricted discretionary activity - Filling and building within flood management areas**

Updated 31 January 2011

Filling and buildings:

- (a) The effectiveness and environmental impact of any proposed mitigation methods.
- (b) Any likelihood that the proposed activity may exacerbate inundation or erosion upstream or downstream of the site.
- (c) The extent to which other properties will be adversely affected as a result of disturbances to surface drainage patterns.
- (d) Any benefits associated with flood management.
- (e) Any likelihood that the proposed activity may disturb sites of potential archaeological value requiring the imposition of conditions for an Accidental Discovery Protocol, the training of contractors in the recognition of archaeological sites, monitoring by a suitably qualified archaeologist and notification to Tangata Whenua of the commencement, staging and duration of works.

Additional criteria with respect to buildings:

- (f) Whether the floor level of the building is above the predicted 0.5% Annual Exceedence probability flood level plus an allowance for freeboard not exceeding 400mm;
- (g) If the building is in a location where the height of flood waters may be influenced by tides, whether the floor level of the building is 11.8m above CCC datum.
- (h) The way in which the building is sited and constructed and its intended use.
- (i) The frequency at which the building or addition is predicted to be inundated by floodwaters and the extent of damage that is likely to occur in such an event .

### **5.9.4 Restricted discretionary activity - Filling and excavation in ponding areas and on the Cashmere Stream floodplain**

Updated 31 January 2011

- (a) The likely effects of proposed filling, or excavation on the functioning of the ponding area or floodplain during flood periods.
- (b) Any potential impacts of excavation or filling on the rate, level or volume of flood discharges to the Heathcote and Styx Rivers and their tributary streams and margins.
- (c) Any adverse effects on the natural qualities, amenity values or ecology of waterways and wetland areas.
- (d) In respect to the Lower Styx Ponding Area, any adverse effects likely on land as a result of tidal influences during flood periods including the potential for exacerbation of those effects with potential sea level rise.
- (e) Any adverse effects on access for maintenance or flood protection works.
- (f) The effectiveness and environmental impact of any measures that may be proposed to mitigate the effects of filling or excavation.
- (g) Any beneficial effects, including the provision of public access, or the enhancement of the natural qualities, amenity values or ecology of waterways and wetland areas.

### **5.9.5 Restricted discretionary activity - Filling, excavation and/or building within the Waimakariri River stopbank floodplain**

Updated 15 April 2013

- (a) The likely effects of proposed filling, excavation and/or building on the functioning of the Waimakariri River stopbank floodplain during and after flood events, including any likelihood of work undertaken exacerbating inundation, erosion, alluvion or avulsion whether upstream or downstream of the site.
- (b) The frequency at which the building or addition is predicted to be inundated by floodwaters and the extent of damage that is likely to occur in such an event.
- (c) Whether the floor level of any new building/building addition is above the predicted 0.5% Annual Exceedence Probability (AEP) or 1 in 200 year flood event level with a stopbank breach plus an allowance for freeboard not exceeding 400mm.
- (d) Whether the integrity and/or function of either the Primary or Secondary stopbanks will be adversely affected by the method to achieve the floor level set out in (c).
- (e) Where relevant, any adverse effects likely on land as a result of tidal influences during flood periods including the potential for exacerbation of those effects with potential sea level rise.
- (f) The way in which any building is sited and constructed and its intended use.
- (g) Any adverse effects on access for maintenance of flood protection works.
- (h) The effectiveness and environmental impact of any measures that may be proposed to mitigate the effects of filling, excavation or building.
- (i) The extent to which other properties will be adversely affected as a result of disturbances to surface drainage patterns.
- (j) Any benefits associated with flood management, including the provision of public access, or the enhancement of the natural qualities, amenity values or ecology of waterways and wetland areas.
- (k) The extent to which development could result in surface water ponding in the event of flooding, and hence and increased risk of birdstrike.

### **5.9.6 Discretionary activity - Filling and excavation of other land (i.e. not adjacent to waterways, the coastline or within ponding areas)**

Updated 06 December 2013

- (a) The effect of filling and excavation with respect to the extent of any versatile soils on the site, and the degree to which this would be lost to production, or have its physical and biochemical qualities compromised.

- (b) Any potential impacts of the filling or excavation in terms of water or wind erosion, and including dust nuisance and sedimentation.
  - (c) Any adverse visual effects of the filling or excavation.
  - (d) The extent of vehicular traffic generated as a result of filling and excavation on neighbouring properties, and on the road network particularly heavy vehicles.
  - (e) Any potential changes to the patterns of surface drainage or subsoil drains, and whether adjoining land will be at higher risk of inundation runoff, or a raised water table.
  - (f) The stability of adjoining land, and its susceptibility to subsidence or erosion upon excavation taking place.
  - (g) Any alteration to natural ground levels in the vicinity, and consequently on the height and bulk of buildings that may be erected on the site.
  - (h) The significance of ecological or natural values of the land affected, and whether these would be adversely compromised by filling or excavation.
  - (i) The future development potential of land for permitted activities, taking account of the nature of fill material proposed.
  - (j) Any impact on sites or areas of significance to tangata whenua, particularly significant areas as shown in Part 10, Appendix 3.
  - (k) Any adverse effect on an archaeological site.
  - (l) Any adverse effect on the quality of groundwater.
- (m) Any adverse effects of noise and vibration associated with filling, excavation and land improvement in the Living G (Highfield) Zone, and the effectiveness of methods to mitigate such effects.**

## 5.9.7 Filling and Excavation Under Transmission Lines - Business 5 Zone at Sir James Wattie Drive, Templeton Special Rural Zone, and Business 8 Zone

Updated 15 October 2012

- (a) Any effects on the integrity of the transmission line.
- (b) The volume, area and location of the works, including temporary activities such as stockpiles in relation to the transmission line corridor and infrastructure.
- (c) The timing and duration of the works.
- (d) The effectiveness of the proposed site remediation and the long-term protection of effects on the transmission line.
- (e) The use of mobile machinery near the transmission line which may put the line at risk.
- (f) The extent to which the proposal will comply with NZECP 34:2011.
- (g) Outcomes of any consultation with Transpower New Zealand Limited.

## 5.10 Reasons for rules

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Updated 31 January 2011

### 5.10.1 Filling, excavation and building adjacent to waterways and the coastline

Updated 20 December 2013

There are seven main reasons for rules requiring setbacks for filling, excavation and buildings from waterways.

Firstly, filling and/or associated building activity can adversely impact the on function of floodplain areas adjacent to waterways, by impeding flood discharges and exacerbating inundation upstream of a site.

Secondly, filling, particularly associated with bank works, can damage or destroy the ecological value of rivers and river margins by creating an artificial or sterile environment, as well as temporary adverse effects such as sedimentation.

Thirdly, filling and building can detract from the amenities of adjoining properties. Filling can have an adverse visual effect as well as artificially modifying the natural character of river margins. Likewise building may affect the visual qualities, spaciousness and natural values along the waterways.

The setback will provide a buffer between development and the waterway margins which will promote an open and spacious amenity. The setback may also provide an opportunity for riparian planting to maintain and enhance water quality through filtering non-point discharge and protect aquatic habitat.

Fourthly, filling, excavation and particularly building, can reduce the opportunity to protect riparian margins where there are high conservation values.

Fifthly, building activity can permanently alienate potential river access as well as exacerbating risk of flood damage to the structures on the site.

Sixthly, setbacks provide for improvement of the waterway which may involve any of the following: bank regrading, riparian planting and modifications to the stream bed to create diversity of aquatic habitat.

Finally, the ability of the Council to undertake necessary waterway management and maintenance can be diminished by filling, excavation or building adjacent to waterways.

The City's waterways have been classified into a number of categories. Environmental asset waterways are tributaries of upstream rivers, downstream rivers, estuaries or other environmental asset waterways. They are smaller in width than upstream or downstream rivers and generally have some natural character with a high potential for restoration. Hill waterways are relatively steep watercourses on the Port Hills which have seasonally dry channels with a high potential for restoration. A utility waterway is generally an artificial waterway without a natural floodplain but often having potential for enhancement. Upstream rivers are the mid to upper reaches of rivers and major streams. In terms of width, they are the intermediate category between environmental asset waterways and downstream rivers. They have a distinctive natural character with a high potential for restoration. Downstream rivers are the large Christchurch waterways with wide floodplains. They have distinctive natural character with high potential for restoration and are tidal in their lower reaches. A new waterway is any waterway which is created, usually associated with development. New waterways are treated as environmental asset waterways.

The width of the setbacks specified for particular categories of waterway are related to the size and character of the waterway, being greater generally downstream where water volumes are greater and floodplains wider. Large development setbacks are required on the upstream and downstream rivers for restoration, enhancement of amenity values, to avoid flood damages, particularly the inundation of buildings, and for the natural functioning of their floodplains. Environmental asset waterways have a high potential for restoration, and the greater setback is primarily required for restoration, enhancement of amenity values and the natural functioning of their floodplains. Utility waterways often have potential for enhancement but a smaller setback is generally sufficient to achieve this. Hill waterways (also subject to regional rules) also have higher setbacks because of the steeper nature of their margins and higher risk of erosion and sedimentation.

Some waterways will be redeveloped into open "natural" watercourses upon development of adjoining land, particularly in the north of the city. Most of the city's coastline is already protected within conservation zones and subject to separate rules, but a 20m setback has been required on other parts of the city's coastline to ensure a

minimum buffer for ecological, access, recreation and erosion protection reasons. This includes small sections of coastline in areas such as South New Brighton and Redcliffs which are within living zones.

Waterways and activities which affect them are potentially of concern to tangata whenua and accordingly the rules emphasise attention to waterway values, potential impacts on water quality, or on sites.

Exemptions from the rules have been provided for works which have minor effects, or where consents have been obtained under other procedures. In the latter case this will include subdivisions (covered under Part 14 of this Plan), buildings approved under the Building Act, and works covered by regional rules where it is desirable to avoid multiple assessment and consent processes. Essential utilities and floodbank protection works are also excluded.

The 100m setback from the Waimakariri River stopbank has been imposed to reduce the possibility of loss of life and extensive damage to property in the event of stopbank failure or overtopping. Stopbank failure may result from:

- decreased channel capacity; or
- gravel accumulation; or
- changing river courses; or
- structural damage to the stopbank.

Exemptions from the rules have been provided for works that have minor effects, essential utilities, and floodbank protection works.

In the Business 4 zoned land known as Kennaway Park (being the land bounded by Tunnel Road and the Heathcote River, shown on the Outline Development Plan in Part 3 Appendix 9) the landscape area adjacent to the Heathcote River is to provide for planting to act as screening for Business 4 activities on site and to enhance the visual amenity and ecological values of the river margin.

## 5.10.2 Filling and building within flood management areas

Updated 31 January 2011

A number of 'flood management areas' have been identified as being subject to a greater risk of flooding than the City as a whole.

An increased frequency and severity of flooding is anticipated within the identified areas as a result of climate change. It is predicted an increased number of buildings could be inundated by flood waters in these areas. This would result in significant adverse effects on the general and economic wellbeing and safety of the community. If infill development and redevelopment of these areas were permitted without additional protection from rules and standards in the City Plan the extent of adverse effects would increase over time. It is also likely that the demand for physical protection works would increase.

A requirement has been introduced for a resource consent to be obtained for new buildings and additions within the identified flood management areas. This provides the Council with the discretion over the finished floor level of those buildings.

Two distinct levels have been identified as necessary in order to manage the effects of tidal and non-tidal influenced flood risks. Tidal influenced flooding may result directly from seawater during extreme tide and/or storm events. Alternatively, it may result from back up of river waters during such events. 'Non-tidal' flooding results from heavy or sustained rainfall within the catchments of the rivers that flow through the City.

An 11.8m level (CCC datum) has been identified with respect to 'tidal' flooding. This level includes a 0.5m allowance for the sea level rise, being the best estimate from IPCC (Inter-Government Panel on Climate Change) for sea level rise over the next 100 years as adjusted for Christchurch's coastline. This level reflects tidal flooding within a 2% to 1% annual exceedence probability storm event, once the sea level rise has occurred, depending upon whether a 300mm or 400mm buffer (or freeboard) is provided. The minimum finished floor level that has been identified with respect to non-tidal flooding is that which would result from 0.5% annual exceedence probability rainfall event plus an allowance for freeboard. Some tidal influenced area such as parts of Sumner and Redcliffs are also subject to local drainage constraints and the minimum finished floor level for these areas will be that which would result from a 0.5% annual exceedence probability rainfall event plus freeboard.

These finished floor levels have been chosen because they reduce the potential for damage in moderate to significant flood events over the life of the building, taking into account the anticipated effects of climate change, in particular sea level rise.

While these rules will provide some benefits for individual land owners the overriding reason for their imposition is the benefit to the City as a whole in terms the sustainable management of the City's resources.

Both of these floor levels include a 'free board' for factors such as wave and wind run up, vehicle wash, blockages, and survey errors. Each of these factors is explained below:

- Wave and wind run up can cause a significant variation to computed levels. Flood events in Christchurch are frequently accompanied by very strong winds. Strong southerly winds increase sea levels in Pegasus Bay and across the estuary. Wind and waves can also elevate flood levels in ponding areas and open reaches of the rivers.
- Vehicle wash flooding in the past has been exacerbated by vehicles travelling along flooded roads, for example a vehicle travelling in 100 mm of water could generate a 200 mm high wave, and runup of 150 mm will occur when the wave hits the building. The impact of this can be reduced by fencing or planting.
- Inevitably blockages in waterways, secondary flowpaths and structures such as culverts, inlets, etc occur during flood events. As an example the event in October 2000 when very strong winds brought down numerous trees across the Heathcote River. The impact of blockages on property flooding will vary depending on location, and the ability for floodwaters to spread out.
- Inevitably errors in setting the appropriate floor level do occur. Provision for checks on levels once the floor has been constructed will help to alleviate this.

Additional filling restrictions have also been imposed within the identified flood management areas as filling can disturb drainage patterns between properties. Furthermore, filling may have an adverse cumulative impact on the river catchment and could result in an increase flood risk in other parts of the catchment.

## 5.10.3 Filling, and excavation in ponding areas and on the Cashmere Stream floodplain

Updated 31 January 2011

Rules also apply to the rural zoned area of the Cashmere Stream floodplain, three ponding areas within the upper Heathcote River catchment, and to the Lower Styx Ponding Area. Although all of these areas extend well beyond the waterway margins, they can become inundated following prolonged rainfall.

The storage of floodwaters within the Upper Heathcote River ponding areas and the Cashmere Stream floodplain reduces the rate at which floodwaters are discharged downstream through residential areas (hence reducing the exposure of these residential areas to flood damage). Excavation and filling within these storage areas may reduce the existing storage capacity in the catchment and potentially reduce future options to enhance flood mitigation functions downstream of the ponding areas. Accordingly excavation and filling is controlled within these areas. In recognition of the existing activities within these areas provision is only made for excavation and filling normally associated with that which will have minor effect, as well as work associated with future waterway and wetland enhancement.

In the lower Styx River, the discharge of floodwaters to the sea is restricted during high tides and an extensive low lying area of the floodplain acts as a ponding area for floodwaters. The storage capacity of this area would be substantially reduced if filling and development were allowed to take place on a large scale in this area. Controls on filling and excavation are required.

Exemptions from the rules have been provided for works that have minor effects. Essential utilities and floodbank protection works are also excluded.

## 5.10.4 Filling, excavation and building within the Waimakariri River stopbank floodplain

Updated 15 April 2013

Filling and excavation of land can result in a number of adverse physical effects, including erosion, subsidence, sedimentation, impacts on the natural drainage pattern (and hence adjoining land), and in some circumstances on sites of ecological value. There are also potential amenity effects of filling and excavation including dust nuisance, traffic generation (heavy vehicles) and artificial disturbance of the natural land surface.

To deal with these potential effects, controls are included which set threshold levels for excavation and filling based on volumes (per site or land area) and depth of both fill and excavation, beyond which a restricted discretionary activity resource consent is required. Such applications would be assessed in terms of the factors identified above.

However, within a floodplain filling and excavation below these thresholds can adversely impact on the function by impeding flood discharges and/or disturbing drainage patterns thereby exacerbating inundation on adjoining properties. For this reason additional restrictions apply within 100m of a primary stopbank and 50m of a secondary stopbank. Furthermore, filling may have an adverse cumulative impact on the river catchment and could result in an increase flood risk in other parts of the floodplain.

Building activity, particularly buildings intended for human occupation, can exacerbate risk of flood damage to life and property within the floodplain. The of erection or addition to residential units and other habitable buildings within the Waimakariri River stopbank floodplain close to the primary stopbank and within high hazard areas is a non-complying activity given the high risk to life and property of deep and/or fast moving floodwaters. In that context avoidance is preferred to mitigation, which is unlikely to prove effective and may contribute to adverse flooding effects elsewhere in the floodplain. The potential effects in relation to the secondary stopbank relate more to potential impacts on structural integrity rather than direct threat to life and property. On that basis a reduced setback of 50m applies to the secondary stopbank, with restricted discretionary consent being required to undertaken activity within this setback distance.

The 100m setback from the Waimakariri River primary stopbank and additional restriction within the identified high hazard area have been imposed to reduce the possibility of loss of life and extensive damage to property in the event of stopbank failure or overtopping. Stopbank failure may result from:

- decreased channel capacity; or
- gravel accumulation; or
- changing river courses; or
- structural damage to the stopbank.

Exemptions from the rules have been provided for small scale works including accessory buildings which will have minor effects, both in the rural and Open Space 3A (McLeans Island) Zones, or where consents have been obtained under other procedures. In the latter case this will include subdivisions (covered under Part 14 of this Plan), buildings approved under the Building Act, and works covered by regional rules where it is desirable to avoid multiple assessment and consent processes. Essential utilities and floodbank protection works are also excluded.

## 5.10.5 Filling and excavation on other land

Updated 20 December 2013

Filling and excavation of land can result in a number of adverse physical effects, including erosion, subsidence, sedimentation, impacts on the natural drainage pattern (and hence adjoining land), and in some circumstances on sites of ecological value.

Secondly filling, and more especially excavation of land, can result in the loss of versatile soils. In this respect the restrictions on excavation act to limit topsoil extraction and quarrying in rural zones (except the Rural Quarry Zone).

Thirdly, there are potential amenity effects of filling and excavation including dust nuisance, traffic generation (heavy vehicles) and artificial disturbance of the natural land surface.

To deal with these potential effects, controls are included which set threshold levels for excavation and filling based on volumes (per site or land area) and depth of both fill and excavation, beyond which a discretionary activity resource consent is required. Such applications would be assessed in terms of the factors identified above.

These rules have been set acknowledging that in many cases filling and excavation is undertaken in conjunction with subdivision and building. The procedures associated with these processes provide adequate controls, but these rules deal with filling and excavation on land which is unrelated to these processes. The rules are intended to control volumes according to the nature of physical impacts, soil values and amenities, in particular zones. In general, restrictions are greater on the Port Hills (visual, erosion, stability factors), living zones generally (amenities), in zones containing versatile soils, and in areas of high amenity, natural or heritage values (e.g. cultural and conservation zones).

The rules have stronger application in the Rural Hills, Rural 6, Conservation 1 and Conservation 1A Zones where ecological values, particularly the presence of indigenous plant species is an important factor.

Special restrictions apply in the Living 1D Zone in Sparks Road and in part of Rural 3 Zone described as Lots 7 and 8 DP 5998 and Lot 3 DP 17557, excluding that part zoned Living 1 Deferred (Philpotts Road), in recognition of known problems with stormwater disposal and the undesirability of filling in the zone. The limits on depth of fill and excavation complement those on volumes, and act to prevent excavation or filling of material over a wide area, or concentrated into a small area with greater depth.

In the rural zones containing versatile soils, an upper threshold volume is specified to ensure larger volumes of excavated or fill material is a non-complying activity, while on the Port Hills a limit is placed on land of a slope greater than 15° to ensure filling and excavation does not create unreasonably risk of erosion or subsidence.

Filling and excavation of land may entail disturbance of sites having significance to tangata whenua, and the rules address the need to consider this in areas known to be of historic significance to them. In addition archaeological sites may be disturbed and the rules address the protection of these sites under the Historic Places Act 1993.

## 5.10.6 Content of fill material

Updated 31 January 2011

The nature of acceptable fill material is specified in the plan to ensure that materials deposited are "inert" - that is, will not have the potential to contaminate groundwater. Provision for deposition of some hardfill material is appropriate, (even allowing for a degree of enforcement difficulties) because of the large volumes of material generated from site clearance works in the city would, if deposited at the landfill site, reduce the life of that facility. Furthermore, it is useful to allow filling of quarried land as one, of a number of means, of restoring such land upon completion of excavation.

The rules are also intended to ensure fill material which is unsuitable as a future building platform, is not deposited. This could result in subsidence and damage to subsequent buildings and services, or the creation of land with limited end uses. Where soil has been contaminated in the past, it may be preferable to provide a sealing layer rather than distribute such contaminated soil as fill material elsewhere in the city.

## 5.10.7 Other matters and exclusions from rules

Updated 31 January 2011

Matters relating to the structural implications of building on filled land are identified on the Register of Natural Hazards and site characteristics and dealt with city bylaws and the Building Act.

Exceptions to the rules are provided for utilities (subject to separate rules) holes for fences, signs and planting, wells, and retention basins. These exclusions are not expected to result in significant effects, and would allow necessary activities to proceed without undue restriction. Maintenance (but not construction) of flood protection works are also excluded.

Exclusions are also provided from the filling and excavation rules for the Special Purpose (Landfill) Zone, the Special Purpose (Road) Zone, the Special Purpose (Rail) Zone, the Conservation 3W (Waterway Conservation Waimakariri) Zone, the Conservation 4 (Cemeteries) Zone, and the Rural Quarry Zone where filling and excavation is a necessary part of activities anticipated in these zones. In the Conservation 3W Zone activities on the bed of the Waimakariri River are subject to regional rules, and removal of aggregates is encouraged as an alternative to dry land quarrying. Accordingly, restrictions on filling and excavation are of little relevance in this zone.

In the case of the content of fill material, exceptions are provided for the landfill zone (as its purpose is as a managed filling facility) and for the quarry zones in respect to particle size. The latter exception is to allow for disposal of large demolition material (e.g. concrete) as a supplement to the landfill zone.

As noted earlier, works associated with subdivision and building consents are covered under these separate procedures. In the case of the Cashmere and Worsleys Valleys, specific provisions are included in the subdivision rules to deal with these matters before the urban development of that area occurs.

## 6.0 Airport Protection Surfaces

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### 6.1 Statement

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Updated 14 November 2005

An essential part of the operations of airfields, and in particular major facilities such as the Christchurch International Airport, are rules which protect the airspace of aircraft leaving and approaching the runways. They also protect the operation of lighting, instruments and navigation facilities essential to the operation of aircraft in the vicinity of the airport.

The controls are of necessity technical in nature and require specific calculation in respect to the extent to which the height of structures or vegetation may be limited by the angle and height of the approach planes in the rules.

#### Environmental results anticipated

- (a) Maintenance of the operational safety of aircraft operations at Christchurch International Airport.
- (b) Maintenance of the effectiveness of lighting, instruments and other navigational aids in and around the airport, and consequent aircraft safety.

### 6.2 Prohibited Activity

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Updated 24 January 2011

An activity shall be a **prohibited activity** for which no resource consent shall be granted where:

- (a) a building, or any utility, as defined in this plan (except a navigational aid for aircraft) shall penetrate the protection surfaces described in Clauses 6.2.1-6.2.6, or be located within the REPA indicated on Appendix 4;

excluding

- structures associated with upgrades for State Highway 1;
- maintenance or repair works on any existing permitted building or utility;
- enclosed walkways associated with vehicle parking areas which are no greater than 2.4m in height and 1.8m in width

or

- (b) any tree that penetrates the protection surfaces described in Clauses 6.2.1-6.2.6;

or

- (c) an activity that results in the following effects within the REPA indicated on Appendix 4:

- mass assembly of people, including but not limited to gathering associated with recreation activities, public entertainment events, or fairs. Golf course recreation does not amount to mass assembly of people;
- the release of any substance which will impair visibility or otherwise interfere with the operation of aircraft, including the creation of smoke, dust and steam;
- Notwithstanding the zoning applicable to land within the REPA, the use or storage of hazardous substances in excess of the quantities specified for a Group 1 Zone in Volume 3, Part 11 (Hazardous Substances) in the City Plan;
- production of direct light beams, or reflective glare which will interfere with the vision of a pilot, provided that for the purposes of this rule the following are excluded:

- (i) Reflections from glass and mirrors used in motor vehicles; and
- (ii) Light from motor vehicle lights.

Note: refer also Rule 11-2.3.5 with regard to glare restrictions within a 500m distance of the runway thresholds.

- production of radio or electrical interference which could affect aircraft communication or navigational equipment;
- the use of land for activities which may attract birds, including but not limited to crops, orchards, and waterbodies (including swales or retention basins for the management of stormwater).

#### 6.2.1 Explanation of protection surface

Updated 14 November 2005

The environs of Christchurch International Airport are protected by a series of protection surfaces.

These surfaces are in accordance with the Civil Aviation Authority of New Zealand Advisory Circular 139.06A (AC139.06A).

The protection surfaces of an aerodrome are defined surfaces in the airspace above and adjacent to the aerodrome. These protection surfaces are necessary to enable aircraft to maintain

a satisfactory level of safety while manoeuvring at low altitude in the vicinity of the aerodrome. These surfaces shall be free of obstacles and subject to control such that the erection of buildings, masts, growing of trees or any other obstacles which infringe the surfaces are prohibited.

## 6.2.2 Conical surface

Updated 14 November 2005

(a) Description

A surface sloping upwards and outwards from the periphery of the inner horizontal surface (Appendix 4).

(b) Characteristics

- (i) The lower edge is coincident with the periphery of the inner horizontal surface and rises to an elevation of 150m above the aerodrome datum level. RL 38.00 AMSL above mean sea level. It rises upwards and outwards from the periphery of the inner horizontal surface at a gradient of 1:20.
- (ii) The slope is measured in a vertical plane perpendicular to the periphery of the inner horizontal surface i.e. 5%.

## 6.2.3 Inner horizontal surface

Updated 14 November 2005

(a) Description

A surface located in a horizontal plane above an aerodrome and its environs. (See Appendix 4 )

(b) Characteristics

- (i) The inner horizontal surface is contained in a horizontal plane having its outer limits at a locus of 4000m measured from the periphery of the runway strip.
- (ii) The plane is located 45m above aerodrome elevation datum, (RL 38.00 AMSL) being 83m AMSL.

## 6.2.4 Approach surfaces

Updated 14 November 2005

Each strip is provided with an inclined approach surface such that aeroplanes approaching to land have a clear, obstacle-free path with a guaranteed clearance surface. This approach path is located within a defined area called the approach fan (see Appendix 4).

(a) Description

The origin of the approach fan is an inclined plane originating at the end of the strip, the co-ordinates of the centre line of which are shown in Appendix 4.

(b) Characteristics

- (i) The fan is essentially a truncated triangle with the cut-off apex line called the inner edge. The width of this inner edge is 300m for RW02/RW20 and 300m for RW 11/29.
- (ii) The expanding sides of the approach fan diverge at a constant rate of 1:6.6 (15% , 8 ° 31' 51") related to the distance from the end of the strip, and extend to a distance of 15000m from the origin.

(c) Elevation

- (i) The elevation of the inner edge of the approach fan is the same as the highest point on the extended centre line between the end of the runway and the end of the strip ie RW02 RL37.7. RW20 RL26.4. RW11 RL36.0. RW29 RL28.8.
- (ii) The slope of the approach surface is 1:50 (2% , 1 ° 8 ' 45") and is measured in the vertical plane containing the centre line of the runway.

## 6.2.5 Transitional side surfaces

Updated 14 November 2005

(a) Description

A complex surface originating along the side of the strip and part of the side of the approach surface that slopes upwards and outwards to the inner horizontal surface (see Appendix 4).

(b) Characteristics

From the sides of the strip and the approach surface, the transitional side surface slopes upwards and outwards at a gradient of 1:7, extending until it reaches the inner horizontal surface. No obstacle should penetrate the transitional side surface.

## 6.2.6 Take-off climb surface

Updated 14 November 2005

(a) Each runway strip is provided with a take-off climb surface such that aeroplanes taking off have a clear, obstacle-free path with a guaranteed clearance surface over which to climb. This climb path is located within a defined area called the take off fan which originates from the end of the runway strip (see Appendix 4)

(b) Characteristics

- (i) The fan is essentially a truncated triangle with the cut-off apex line called the inner edge. The width of this inner edge is 180m. It is located 61m from the runway ends of 20 and 11, 433.15m from the runway end of 02 and 305m from the runway end of 29.
- (ii) The expanding sides of the take-off fan diverge at a constant rate of 1:8 (12.5%, 7 ° 07' 30") related to the distance from the origin. It expands to a maximum width of 1,200m and then the sides remain parallel for a distance of 15,000m.
- (iii) The elevation of the inner edge is equal to the highest ground level along the centre line between the runway end and the end of the strip. RW02 RL26.4. RW20 RL37.7. RW11 RL 28.8. RW29 RL 36.0.
- (iv) The slope of the take-off climb is 1:62.5 (1.6%) and is measured in the vertical plane containing the centre line of the runway.

## 6.3 Reasons for rules

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Updated 14 November 2005

Unobstructed airspace is essential for the approach orbit and manoeuvring of aircraft in the vicinity of airfields. The comprehensive provisions in the City Plan are a modification of long-

standing provisions in earlier district schemes, and are necessary for the operation of the large and increasing numbers and types of aircraft using the International Airport. The rules are essential to maintaining the safety of aircraft operations, and because these cannot be compromised, no provision is made to break the protection surfaces (hence prohibited activity status).

The rules logically relate to diverging fans from the airport with increasing restriction over structures closer to the airport. This is supplemented by controls on height around the airfield.

The impact of the rules extends over private land beyond the Special Purpose (Airport) Zone, although only very high structures and trees would be affected at distant points within the protection surfaces.

To be effective the controls must contain proposed buildings, or any other structures (including utilities not related to navigation). In addition, trees must not be allowed to grow through the protection surfaces consideration must be given to the type of trees planted within these surfaces, to ensure that they will not grow to a height that will obstruct them.

REPAs are provided at the end of each runway strip. These areas are required to be free of obstructions or activities which could interfere with aeronautical navigational aids. They are also areas in which statistically there are greater chances of aircraft related accidents. It is therefore desirable that the public's exposure to such risks be reduced by limiting the range of activities permitted in the REPAs.

The REPAs comprise fan shaped areas commencing at the ends of the runway strips as shown in Appendix 4 (defined in the Section Airport Protection Surfaces) consistent with the dimensions shown in the diagram Runway End Protection Areas.

While the likelihood of concentrations of people occurring on land within the REPA's is low, the consequences of any aircraft accident related effect are potentially of major impact (refer section 3(f) of the Act). Activities which result in a substantial number of people gathering on land within the REPA's have the potential to exacerbate loss of life in the event of an aircraft accident. A number of these activities are addressed indirectly through controls on buildings. Others, which occur outside or independently of buildings include sports or entertainment events. Golf courses do not normally involve intensive gatherings of people and/or spectators, and are therefore excluded from the application of the rule.

Other activities may attract birds and increase the risk of bird strike accidents, particularly in take off/landing operations; light sources or smoke, dust, or steam could impair pilot visibility, while the presence of significant quantities of hazardous substances could exacerbate the effects of an aircraft accident. A balance has to be struck between the reasonable use of land within the REPA's and the degree of risk associated with potentially incompatible activities. Some potentially incompatible activities already exist and have been recognised. Exclusions have been provided for reasons of practical necessity, for example effects of vehicles on traffic routes passing across parts of the REPA's

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## 7.0 Financial Contributions

Updated 22 May 2006

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### 7.1 Statement

Updated 22 May 2006

The Local Government Act enables Councils to require development contributions (cash and/or land) to be paid for reserves (for open space and recreation), network infrastructure and community infrastructure, at the time of a resource consent (land use or subdivision), a building consent or a service connection. The Council has decided to require these contributions under the Local Government Act, rather than under the financial contribution provisions of the Resource Management Act.

The Council has prepared a Development Contributions Policy, by way of the special consultative procedure, as part of its Long Term Council Community Plan (LTCCP). Under this Policy, development contributions are required for the following:

- Land and/or cash for reserves at the time of development and/or subdivision of additional residential units;
- Cash for the upgrading or development of network infrastructure (for water supply, wastewater, roading and other transport, and surface water management services) by way of city-wide infrastructure contributions, local cost share areas and contributions for works adjacent to development and/or subdivision.
- Cash for community infrastructure (to provide public amenities on Council land) at the time of additional, non-residential, building development.

The Council has decided that three financial contributions will remain in the City Plan, because they do not fall within the scope of the Local Government Act 2002 provisions for development contributions. These are:

- Esplanade reserves and/or strips;
- Heritage Conservation Contributions; and
- Cash-in-lieu of parking contributions.

Where land has recently been subdivided, esplanade reserves and strips within or adjoining the coastal marine area or along the margins of rivers or streams as defined by Section 230(4) of the Act have usually been fully provided where the Plan requires such provision. However, in some instances, new land use activities are established on sites that have not been recently subdivided. This can also apply to business activities which are more likely to involve the amalgamation of allotments rather than subdivision to create new parcels. Intensification or redevelopment of residential or other building activity on a site also provides an opportunity for ongoing acquisition of esplanade reserves and/or strips, including along waterways, as though the development of the building(s) was in conjunction with subdivision of the site.

Where resource consent has been granted for demolition or alteration, of a protected heritage item under Part 10, Appendix 1, involving the erection of a new building and/or additional floorspace being added to an existing building(s), a heritage conservation contribution may be appropriate for heritage items dependent upon the value of the development (where the building consent value exceeds \$200,000.00).

Where the physical provision of parking on site is impracticable, a cash-in-lieu of parking contribution is to be used by the Council to acquire land and provide off street parking in existing business areas where there is a large number of individual titles and fully developed sections, making it difficult to provide on site parking. This provision is included in Volume 3, Part 13, Section 2, Clause 2.2.1.

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## 7.2 Categories of activities

Updated 22 May 2006

- (a) Any activity which complies with all of the development standards under Clause 7.3 shall be a **permitted activity** .
- (b) Any activity which does not comply with any one or more of the development standards under Clause 7.3 shall be a **discretionary activity** with the exercise of the Council's discretion limited to the matter(s) subject to that standard.

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## 7.3 Development standards

Updated 22 May 2006

### 7.3.1 Esplanade reserves or strips

Updated 22 May 2006

In any zone where:

- (a) one or more additional residential units are to be erected on, or added to, an allotment or certificate of title; or created by dividing an existing building; or by adding to an existing building on an allotment, whether in conjunction with a subdivision consent or not; or
- (b) any building(s) for a land use activity other than a residential activity either:
  - increase(s) the gross floor area of buildings on the site, used for activities other than residential activities, over and above the gross floor area as of 1 June 2002, by more than 50%; or
  - exceed(s) a site coverage of greater than 40%;whichever is the lesser

and the site of the residential unit(s) or other land use activity adjoins or is within the coastal marine area, or a river or stream as defined by Section 230(4) of the Act;

and the planning map for the locality shows a requirement to make provision for esplanade purposes;

a contribution towards esplanade reserves and/or strips, assessed in accordance with Part 14, Clauses 6.2 and 6.3 shall be provided as though the development of the residential unit(s) or other building(s) is in conjunction with a subdivision. For land use activities, other than residential activities, where the requirement in Part 14, Clauses 6.2 and 6.3 requires the vesting of land as reserve to the Council, the requirement shall only relate to an esplanade strip, to be created pursuant to Section 232 of the Act.

### 7.3.2 Savings for previous contributions

Updated 22 May 2006

- (a) Where the activity is being undertaken in conjunction with a subdivision consent, the financial contributions under Clause 7.3.1 above shall be assessed as part of, and not in addition to, the subdivision consent requirements.
- (b) Where, a financial contribution for esplanade reserves or strips, has been made to the Council on the subdivision of the land or pursuant to a previous development of residential units on the land, that contribution shall be assessed as a credit and deducted from the value of the relevant contribution above.

### 7.3.3 Heritage conservation contributions

Updated 31 July 2012

Where any land use activity is proposed on a site **outside the Central City** where a resource consent has been granted for the demolition or alteration of a protected building, place or object listed in Part 10, Appendix 1 and involves:

- (a) the erection of a new building; and/or
  - (b) additional floorspace being added to an existing building(s);
- and

the building consent value exceeds \$200,000.00, a cash contribution shall be made to the Council towards purchasing, compensating owners or restoring heritage items listed in Part 10, Appendix 1. This cash contribution shall be assessed at 0.5% of the building consent value.

### 7.3.4 Payment of contributions

Updated 22 May 2006

All respective financial contributions under Clauses 7.3.1 and 7.3.3 above shall be paid to the Council at the time of the issue of the building consent, except where application for subdivision consent is made in conjunction with the undertaking of the activity. In such cases, the subdivision consent will specify when the payment shall be made.

## 7.4 Assessment matters for resource consents

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Updated 22 May 2006

- (a) In considering any application relating to financial contributions for esplanade reserves and/or strips from developments, the Council shall in considering whether or not to grant consent or impose conditions, have regard to the respective assessment matters for financial contributions on subdivision activity applications in Part 14, as though the application for a building development was for a subdivision activity.
- (b) In considering any application relating to heritage conservation contributions towards purchasing, compensating owners or restoring listed heritage items, the Council shall in considering whether or not to grant consent or impose conditions, have regard to the following assessment matters:
  - (i) The extent to which cash contributions towards the purchase, compensating owners or restoration of listed heritage items is consistent with the objectives and policies of the Plan in relation to the protection of such items.
  - (ii) Whether the proposed development involves, or will achieve, the protection or restoration of a listed item.

## 7.5 Reasons for rules

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Updated 22 May 2006

The reasons for the rules relating to financial contributions for esplanade reserves and/or strips from developments shall be the same as the reasons for the rules relating to the provision of esplanade reserves and/or strips on subdivision activities, as though the building development was a subdivision activity (Refer Part 14, Clause 19.5). Esplanade provision on subdivision is a statutory requirement under the Act, with the onus of justifying lesser or non provision of such land being placed upon the Council. This contribution ensures, to the maximum extent possible, equality of esplanade provision irrespective of whether the land is being subdivided or not.

In addition, these rules contain a rule relating to cash contributions towards purchasing, compensating or restoring listed heritage items. This rule recognises the importance of these features to the heritage of the city and impacts on the cultural wellbeing and amenity values of the city which would result from their loss. Although there are rules in Part 10 of the Plan which aim to protect listed heritage items, it is recognised that their protection can restrict the ability of the owner to realise what would otherwise be the full potential of their land and buildings. Accordingly, it may not always be possible to protect an item and have it remain in private ownership without compensating the owner. The reason for this rule is to provide a source of funds from which the Council, if necessary, may provide compensation to owners, purchase the item, or contribute towards restoration.



## 8.0 Wigram Airfield Protection Surfaces

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### 8.1 Statement

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Updated 11 July 2011

An essential part of facilities such as the New Zealand Defence Force Wigram are rules which protect the airspace of aircraft leaving and approaching the site. The rules also protect the operation of lighting, instruments and navigation facilities essential to the operation of aircraft in the vicinity of the site.

The controls are of necessity technical in nature and require specific calculation in respect to the extent to which the height of structures or vegetation may be limited by the angle and height of the approach planes in the rules.

Environmental results anticipated

- (a) Maintenance of the operational safety of aircraft operations at Wigram.
- (b) Maintenance of the effectiveness of lighting, instruments and other navigational aids in and around NZDF land at Wigram, and consequent aircraft safety.

### 8.2 Critical Standard

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Updated 11 July 2011

An activity shall be a prohibited activity for which no resource consent will be granted where:

- (a) a building or other structure, or any utility (except a navigational aid for aircraft) shall penetrate the protection surfaces described in Clauses 8.2.1 - 8.2.2 and Appendix 5; and
- (b) any tree penetrates the protection surfaces described in Clauses 8.2.1 and 8.2.2 and Appendix 5.

#### 8.2.1 Explanation of protection surface

Updated 11 July 2011

The environs of the New Zealand Defence Force Land at Wigram are protected by a series of protection surfaces.

These surfaces are in accordance with the Civil Aviation Authority of New Zealand Advisory Circular 139 - 8, Chapter 4, page 11, paragraphs 4.1.1 to 4.1.2 (revision 2, April 2007).

The protection surfaces are defined surfaces in the airspace above and adjacent to the helipad. These protection surfaces are necessary to enable aircraft to maintain a satisfactory level of safety while manoeuvring at low altitude in the vicinity of the helipad. These surfaces shall be free of obstacles and subject to control such that the erection of buildings, masts, growing of trees or any other obstacles which infringe the surfaces are prohibited.

#### 8.2.2 Approach Protection surfaces

Updated 11 July 2011

Associated with the helipad safety area are geometrically defined Obstacle Limitation Surfaces (OLS) or protection surfaces. The protection surfaces for the NZDF land at Wigram are both an approach slope and a take-off climb surface.

The protection surfaces commence in the vicinity of the helipad safety area with an inclined approach surface such that helicopters approaching to land or taking off have a clear, obstacle-free path with a guaranteed clearance surface.

Two alignments are included in the Plan. An alignment for use in strong NW winds which retain the approach slope width that applied when Wigram operated as an Airfield. In addition a SW alignment provides for safe operations during the predominant NE wind.

(a) Description

The origin of the approach fan is an inclined plane originating at the edge of the helipad as shown in Appendix 5.

(b) Characteristics

- (i) The fan is essentially a truncated triangle with the cut-off apex line called the inner edge.
- (ii) The expanding sides of the NW protection surface diverge at a constant rate of 1:6.6 (15% 80 31' 51") from the helipad and extend to a distance of 1225m.

The SW protection surface expands outwards at a gradient of 1:10 (day) and 1:6 (night) until it reaches the widths described in Appendix 5. Beyond that point the sides extend parallel to a distance of 1225m from the helipad.

(c) Elevation

- (i) The elevation of the inner edge of the protection surface is the same as the highest point on the helipad.
- (ii) The slope of the approach protection surfaces rise upwards at 1.8 (12.5%) from the centre edge of the helipad to an elevation of 152.4 metres.

### 8.3 Reasons for rules

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Updated 11 July 2011

Unobstructed airspace is essential for the approach orbit and manoeuvring of aircraft in the vicinity of airfields. The comprehensive provisions in the City Plan are a modification of long-standing provisions in earlier district schemes, and are necessary for the operations at the New Zealand Defence Force land at Wigram. The rules are essential to maintaining the safety of aircraft operations, and because these can not be compromised, no provision is made to break the protection surfaces (hence prohibited activity status).

The impact of the rules extends over private land, although only very high structures would be affected at distant points within the protection surfaces.

To be effective the controls must contain proposed buildings, or any other structures (including utilities not related to navigation). In addition, trees must not be allowed to grow through the protection surfaces.

## 9.0 Canterbury Earthquake Recovery

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Updated 31 August 2011

### 9.1 Statement

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Following the Canterbury earthquakes of 2010 and 2011, demolition works, alterations of buildings, and related earthworks need to be carried out promptly to enable recovery in a timely manner. Works carried out under the control of the Canterbury Earthquake Recovery Authority pursuant to section 38 of the Canterbury Earthquake Recovery Act 2011 can be exempted from the usual requirements to obtain resource consent.

(Pursuant to section 27(1)(a) of the Canterbury Earthquake Recovery Act 2011)

#### Rule 9.1 Demolition works carried out by CERA permitted activities

Notwithstanding any other rule in this plan, works carried out or commissioned by or on behalf of the chief executive of the Canterbury Earthquake Recovery Authority, pursuant to section 38 of the Canterbury Earthquake Recovery Act 2011 are a permitted activity.

(Pursuant to section 27(1)(a) of the Canterbury Earthquake Recovery Act 2011)

### 9.2 Workers' temporary accommodation for the greater Christchurch rebuild

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Updated 29 January 2015

**Note:** The objective and policies in this section of the Plan are intended to provide a complete code for workers' temporary accommodation to which this section applies.

#### Objective

Suitable accommodation is available to meet the needs of workers supporting the rebuild of greater Christchurch following the 2010/11 earthquakes without creating significant effects over its duration or long term impacts beyond the rebuild period.

#### Policy: Providing for workers' accommodation for the greater Christchurch rebuild

- (A) To recognise the importance of the availability of workers' accommodation during the peak rebuild period of greater Christchurch by providing for workers' accommodation through:
- (i) Permanent accommodation that is consistent with the long term outcomes anticipated for the locality; or
  - (ii) Temporary use of permanent accommodation buildings where the temporary use will be discontinued by 31 December 2022 and the temporary use may not be consistent with the long term outcomes anticipated for the locality but will not result in significant adverse effects for that duration; or
  - (iii) Temporary buildings that will be removed in the period up to 31 December 2022 where the erection and use of buildings may not be consistent with the long term outcomes anticipated for the locality but will not result in significant adverse effects for that duration.

#### Explanation

An area of housing pressure in greater Christchurch is accommodating large numbers of people coming into greater Christchurch to work on the rebuild. The priority of this type of accommodation is recognised in the Recovery Strategy for greater Christchurch Mahere Haumanutanga o Waitaha. A range of accommodation types, sizes and locations will be required. There is likely to be substantial and short-term demand for a large number of temporary units during the peak rebuild period over a 5-10 year period up to the end of 2022.

#### Policy: Temporary use of permanent buildings for workers' temporary accommodation

- (B) To enable temporary use up to 31 December 2022 of accommodation and non-accommodation buildings where use of that building for workers' temporary accommodation will not result in significant adverse effects for that duration.

#### Explanation

The temporary use of buildings such as motels, student accommodation, or commercial buildings provides a solution for workers' accommodation during the peak rebuild period.

#### Policy: Temporary buildings for workers' temporary accommodation

- (C) To manage the potential adverse effects of workers' temporary accommodation for the rebuild of greater Christchurch in accordance with the "Guideline for Temporary Accommodation for Workers" managing:
- (i) Decommissioning; and
  - (ii) Location and size of the development; and
  - (iii) Site layout and building design; and
  - (iv) On-site management.
- (D) To maintain the zone and neighbourhood characteristics anticipated in the longer term by requiring that before 31 December 2022, all temporary accommodation buildings be removed; all use for workers' temporary accommodation cease; and the site restored in accordance with a project decommissioning strategy and the "Guideline for Temporary Accommodation for Workers".
- (E) To ensure location choice and project design achieves quality living for occupants while avoiding, remedying or mitigating significant adverse effects on the characteristics of local neighbourhoods in accordance with the "Guideline for Temporary Accommodation for Workers".
- (F) To recognise that effective operation of workers' temporary accommodation contributes significantly to its quality and effects by requiring workers' temporary accommodation to be owned and managed as one development including on-site management in accordance with the "Guideline for Temporary Accommodation for Workers".

#### Explanation

These policies seek to ensure that key matters are considered and addressed to achieve quality accommodation while managing the potential adverse effects on the location. Removal of the temporary buildings is critical to ensure a development does not have permanent effects on the environment. The "Guideline for Temporary Accommodation for Workers" outlines key considerations and possible responses for location choice, site layout, building design, effective decommissioning, and on-site management.

## **Rules: This section of the District Plan a complete code**

1. The rules in this section of the District Plan provide a complete code for workers' temporary accommodation activities to which the rules in this section apply. The erection and/or use of a building for workers' temporary accommodation that is a permitted activity, controlled activity, restricted discretionary activity, non-complying activity or prohibited activity by virtue of these rules for workers' temporary accommodation, retains that status despite anything to the contrary in the district plan. No other provisions of the district plan (including objectives, policies, rules and other methods) apply to erecting and/or using workers' accommodation unless specifically referenced in this section.

## **Temporary use of permanent buildings for workers' temporary accommodation**

### **Permitted Activity - temporary use of permanent accommodation buildings for workers' temporary accommodation**

2. The erection and/or use of any permanent accommodation building for temporary use for workers' accommodation is a permitted activity if the following standards and terms are met:

#### **Standards and terms**

- (i) At the time the temporary use commences, the permanent accommodation building complies with all relevant District Plan requirements or resource consent for that permanent use; and
- (ii) The temporary use for workers' temporary accommodation is only for the period, or part of the period, up to 31 December 2022; and
- (iii) The temporary use for workers' temporary accommodation does not result in an existing activity on the site failing to comply or increasing the degree of non-compliance with a rule in the District Plan or resource consent; and
- (iv) On-site management is provided for the workers' temporary accommodation.

## **Conversion from temporary use to a previous use**

3. Within 12 months of the cessation of any temporary workers accommodation use of a site, the previous use of that site may be reinstated, provided that such reinstatement is in accordance with either:

- i. an existing use certificate issued under section 139A of the RMA; or
- ii. a resource consent issued under section 114 of the RMA; and

in relation to (i) and (ii) above, the certificate or resource consent was issued prior to conversion to workers accommodation and was still valid at the time of the conversion.

This reinstatement is permitted whether or not the certificate or resource consent would have otherwise lapsed or ceased to have effect.

### **Restricted Discretionary Activity - temporary use of permanent non-accommodation buildings for workers' temporary accommodation**

4. The erection and/or use of any permanent non-accommodation building for temporary use for workers' accommodation is a restricted discretionary activity if the following standards and terms are met:

#### **Standards and terms**

- (i) At the time the temporary use commences, the permanent non-accommodation building complies with all relevant district plan requirements or resource consent for that permanent use; and
- (ii) The temporary use for workers' temporary accommodation is only for the period, or part of the period, up to 31 December 2022; and
- (iii) The site is not located within
  - a Rural or Rural-Residential Zone; or
  - a Conservation Zone or Open Space 3A or 3D Zone in the Christchurch City Plan; and
- (iv) On-site parking is provided for use by the workers' temporary accommodation at a minimum of one space per four beds; and
- (v) The temporary use for workers' temporary accommodation does not result in an existing activity on the site failing to comply or increasing the degree of non-compliance with a rule in the District Plan or resource consent. This standard does not apply to a density rule for the existing activity; and
- (vi) On-site management is provided for the workers' temporary accommodation; and
- (vii) A change of use strategy is provided as part of the temporary use which sets out the steps that will be followed to change the use from workers' temporary accommodation to the permanent use provided for by the District Plan or resource consent.

#### **Matters of discretion**

In considering any application for resource consent under Rule 4, the Council shall, in deciding whether to grant or refuse consent and in deciding whether to impose conditions, exercise its discretion over the following matters:

- (a) Location suitability; and
- (b) Period for which the building is used for workers' temporary accommodation; and
- (c) Nature of the permanent use and the effects of the site or building not being available for that permanent use until after the peak rebuild period; and
- (d) Nature of on-site management; and
- (e) Change of use strategy and its implementation; and
- (f) Parking; and
- (g) Financial contributions (if applicable under the District Plan); and
- (h) Monitoring.

#### **Notification**

In respect of Rule 4, any applications are not to be publicly notified and are not to be limited notified.

## Other temporary use of permanent accommodation buildings or permanent non-accommodation buildings

5. Notwithstanding anything to the contrary in Rule 1, for the erection and/or use of any permanent accommodation building or non-accommodation building for temporary use for workers' accommodation which does not comply with Rule 2 or Rule 4, the relevant district plan provisions will apply.

## Temporary buildings for workers' temporary accommodation

### Permitted Activity - Workers' temporary accommodation in Christchurch Central City

6. The erection or establishment of a workers' temporary accommodation unit or workers temporary accommodation complex is a permitted activity if the following standards and terms are met:

#### Standards and terms

- (i) The workers' temporary accommodation is located on a site in the Central City Mixed Use Zone of Christchurch City; and
- (ii) No more than 200 people are accommodated in the workers' temporary accommodation; and
- (iii) Where the site shares a boundary with a Living Zone, in relation to that boundary, all buildings shall comply with the permitted activity development standards in the District Plan in respect of sunlight and outlook for neighbours; and separation from neighbours; and
- (iv) There is no alteration or destruction of any building or tree scheduled in the District Plan; and
- (v) The workers' temporary accommodation is only for the period, or part of the period, up to 31 December 2022; and
- (vi) On-site management is provided for the workers' temporary accommodation.

### Controlled Activity - Workers' temporary accommodation for up to 20 people in specified zones

7. The erection or establishment of a workers' temporary accommodation unit or workers' temporary accommodation complex is a controlled activity if the following standards and terms are met:

#### Standards and terms

- (i) The workers' temporary accommodation unit or workers' temporary accommodation complex is located on a site in:
  - Christchurch City within the Living 2, 3, 4B, 4C Zone or Business 1 or 2 Zone of the City Plan or within the Lyttelton Town Centre Zone of the Banks Peninsula District Plan; or
  - Selwyn District within any Living Zone within the greater Christchurch Urban Development Strategy area as shown on Map A below, or within the Business 1 Zone; or
  - Waimakariri District within the Residential 1, 2, 3, 6, 6A, 7 Zone or Business 2 Zone; and
- (ii) No more than twenty people are accommodated in the workers' temporary accommodation on any one site; and
- (iii) The workers' temporary accommodation unit or workers' temporary accommodation complex does not result in an existing activity on the site failing to comply or increasing the degree of non-compliance with a rule in the district plan or resource consent. This standard does not apply to a density rule; and
- (iv) In relation to a boundary adjoining a neighbouring site (not a road boundary), all buildings shall comply with the permitted activity standards in the District Plan in respect of sunlight and outlook for neighbours, recession planes, setbacks and separation from neighbours; and
- (v) On-site parking is provided for use by the workers' accommodation at a minimum of one space per four beds.
- (vi) There is no alteration or destruction of any building or tree scheduled in the District Plan; and
- (vii) A decommissioning strategy is provided as part of the proposed activity to remove the unit no later than 31 December 2022 or after it is unoccupied as workers' temporary accommodation for a period of more than 6 months, whichever is the sooner; and
- (viii) On-site management is provided for the workers' temporary accommodation; and
- (ix) A site design statement is provided.

#### Matters of control

In considering any application for resource consent under Rule 7, the Council shall, in deciding whether to impose conditions, exercise its control over the following matters:

- (a) Site layout and building design; and
- (b) The decommissioning strategy and its implementation; and
- (c) Nature of on-site management; and
- (d) Car parking; and
- (e) Financial contributions (if applicable under the District Plan); and
- (f) Monitoring.

#### Notification

In respect of Rule 7, any applications are not to be publicly notified and are not to be limited notified.



Map A - Rule 7(i), Rule 8(i) and Rule 9(i)

#### Restricted Discretionary Activity - Workers' temporary accommodation unit

8. Except as provided in Rule 6 or 7, the erection or establishment of one workers' temporary accommodation unit accommodating up to 4 people is a restricted discretionary activity if the following standards and terms are met:

#### Standards and terms

- (i) The workers' temporary accommodation unit is located on a site within the greater Christchurch Urban Development Strategy area as shown on Map A above; and
- (ii) The workers' temporary accommodation unit does not result in an existing activity on the site failing to comply or increasing the degree of non-compliance with a rule in the District Plan or resource consent. This standard does not apply to a density rule; and
- (iii) In relation to a boundary adjoining a neighbouring site (not a road boundary), all buildings shall comply with the permitted activity standards in the District Plan in respect of sunlight and outlook for neighbours, recession planes, setbacks and separation from neighbours; and
- (iv) On-site parking is provided for use by the workers' accommodation at a minimum of one space per four beds.
- (v) There is no alteration or destruction of any building or tree scheduled in the District Plan; and
- (vi) A decommissioning strategy is provided as part of the proposed activity to remove the unit no later than 31 December 2022 or after it is unoccupied as workers' temporary accommodation for a period of more than 6 months, whichever is the sooner; and
- (vi) On-site management is provided for the workers' temporary accommodation; and
- (viii) A site design statement is provided.

#### Matters of discretion

In considering any application for resource consent under Rule 8, the Council shall, in deciding whether to grant or refuse consent and in deciding whether to impose conditions, exercise its discretion over the following matters:

- (a) Location suitability; and
- (b) Site layout and building design; and
- (c) The decommissioning strategy and its implementation; and
- (d) Nature of on-site management; and
- (e) Car parking; and
- (f) Financial contributions (if applicable under the District Plan); and
- (g) Monitoring.

#### Notification

In respect of Rule 8, any applications are not to be publicly notified and are not to be limited notified.

### **Restricted Discretionary Activity - Workers' temporary accommodation**

9. The erection or establishment of a workers' temporary accommodation unit or workers' temporary accommodation complex which does not comply with Rule 6 or 7 is a restricted discretionary activity if it complies with the following standards and terms:

#### **Standards and terms**

- (i) The workers' temporary accommodation unit or workers' temporary accommodation complex is located on a site within the greater Christchurch Urban Development Strategy area as shown on Map A above but is not located on a site within
  - a Rural or Rural-Residential Zone; or
  - a Conservation Zone or Open Space 3A or 3D Zone in the Christchurch City Plan; and
- (ii) There is no alteration or destruction of any building or tree scheduled in the District Plan; and
- (iii) A decommissioning strategy is provided to remove the workers' temporary accommodation no later than 31 December 2022 or after it is unoccupied as workers' temporary accommodation for a period of more than 6 months, whichever is the sooner; and
- (iv) On-site management is provided for the workers' temporary accommodation; and
- (v) A site design statement is provided.

#### **Matters of discretion**

In considering any application for resource consent under Rule 9, the Council shall, in deciding whether to grant or refuse consent and in deciding whether to impose conditions, exercise its discretion over the following matters:

- (a) Location suitability; and
- (b) Number of units; and
- (c) Site layout; and
- (d) Building design; and
- (e) The decommissioning strategy and its implementation; and
- (f) Nature of on-site management; and
- (g) Financial contributions (if applicable under the District Plan); and
- (h) Monitoring.

#### **Notification**

In respect of Rule 9, any applications are not to be publicly notified. In respect of Rule 9, any applications for workers' temporary accommodation for up to 200 people are not to be limited notified.

#### **Non-Complying Activity - Workers' temporary accommodation**

10. The erection or establishment of a workers' temporary accommodation unit or workers' temporary accommodation complex which does not comply with Rule 8 or 9 is a non-complying activity.

#### **Notification**

In respect of Rule 10, any applications are not to be publicly notified.

#### **Prohibited Activity - Workers' temporary accommodation after 31 December 2022**

11. Any workers' temporary accommodation unit or a workers' temporary accommodation complex, and the use of any building for workers' temporary accommodation from 1 January 2023, shall be a prohibited activity for which no resource consent shall be granted.

#### **Prohibited Activity - Subdivision**

12. Any subdivision activity creating an allotment on a site occupied by workers' temporary accommodation is a prohibited activity for which no resource consent shall be granted.

## **Definitions**

### **Accommodation building**

means residential unit, traveller or visitor accommodation, family flat, student or educational accommodation, elderly persons housing, retirement complex, or care home, or similar such activities, and any related accessory buildings, as provided for in the district plan.

### **Change of use strategy**

means a statement of how the use of a building will change from workers' temporary accommodation to its permanent use including:

- Timing including any phasing; and
- Alterations required to site, buildings or services for the permanent use.

### **Decommissioning strategy**

means a statement of how all temporary accommodation buildings will be removed and the site reinstated ready for its anticipated permanent use including:

- Building design to facilitate removal;
- Timing and phasing;
- Remediation works including any clearance of services, landscaping or hard surfacing;
- The use for any buildings or services to remain on site in accordance with the district plan; and
- Responsibility for the successful completion of the decommissioning strategy.

## **Non-accommodation building**

means industrial, commercial, office, retail or other building that is not an accommodation building, and any related accessory buildings.

## **On-site management**

means functions performed to maintain the quality of the workers' temporary accommodation, to minimise potential adverse effects on the surrounding neighbourhood, and to provide services to the occupants and must include:

- A live-in manager on-site or a nominated occupant as appropriate for the size and nature of the workers' temporary accommodation;
- Security services;
- Cleaning, maintenance and servicing;
- Communication procedures; and
- On-site rules and policies.

## **Peak rebuild period**

means the period up to 31 December 2022.

## **Permanent**

means for a period that extends beyond 31 December 2022.

## **Definitions**

### **Rural or Rural-Residential Zone**

means the following Zones as shown on the relevant District Plan maps:

- In Christchurch City the Rural 1, 2, 3, 4, 5, 6, 7, Rural H, Rural Q and Templeton Special Rural Zones in the City Plan; and the Rural or Rural Residential Zones in the Banks Peninsula District Plan; or
- In Selwyn District the Inner Plains, Outer Plains, Malvern Hills, High Country, Port Hills Zones and any Existing Development Area listed in Table C10.1 of the Rural Rules; or
- In Waimakariri District the Rural Zone, Mapleham Rural 4B, and the Residential 4A and 4B Zones.

### **Site**

means an area of land:

- Held in a single Computer Freehold Register; or
- Comprised of two or more adjoining Computer Freehold Register held together in such a way that they cannot be dealt with separately without the prior consent of the Council; or
- For which a separate Computer Freehold Register could be issued without further consent of the Council.

### **Site design statement**

means an outline of how the project is designed and operated in accordance with the relevant guidelines for site and building design in the Guideline for Temporary Accommodation for Workers.

### **Temporary**

means for a defined period, or part of the period, up to 31 December 2022.

### **Workers' temporary accommodation unit**

means a temporary building and related infrastructure used for workers' temporary accommodation for no more than 4 people operating as a household unit with shared facilities.

### **Workers' temporary accommodation complex**

means temporary building(s), facilities and related infrastructure used for workers' temporary accommodation for 5 or more people either in a single unit or in two or more units on the same site. The complex may include provision of communal facilities such as dining and recreation.

## **Attachment to Rules: Guideline for Temporary accommodation for workers**

### **Introduction**

#### **Why has this guideline been developed?**

This guideline has been developed because special provision must be made to accommodate the additional workers and their families who will be in greater Christchurch for the rebuild. Housing demand analysis suggests additional accommodation will be needed for this substantial number of workers, many of whom will be coming from outside the region. Some will be accommodated in permanent housing (either existing or new), some in other types of accommodation such as motels, and others will be accommodated in temporary housing buildings or complexes developed specifically to accommodate construction workers.

An important part of meeting this housing demand will be to offer options for temporary accommodation. For example, bulk unit complexes may be desirable for the large construction gangs who are expected to temporarily migrate to greater Christchurch. The demand for this type of development, particularly at the numbers anticipated, is unique in New Zealand. Current District Plans, design guidelines and standards did not anticipate this type of temporary accommodation so have few rules, standards or guidance that apply to such a situation.

This imperative for workers' accommodation is for the short term only. At the same time, this accommodation still needs to be of high quality and suitably located, have minimal if any impacts on surrounding neighbourhoods, be effectively operated, and be guaranteed as temporary only. This guideline therefore responds to the gap in current guidance on this unique type of accommodation.

#### **Purpose of the guideline and how to use it**

This guideline is intended to assist in delivering high-quality temporary accommodation to support the rebuild, with resulting benefits for the occupants, existing communities that host the accommodation, and greater Christchurch.

The purpose of this guideline is to:

- outline considerations for planning and designing workers' temporary accommodation in a way that encourages innovative and high-quality development
- provide guidance to applicants and councils on the key considerations in determining resource consent applications
- provide information to existing residents and communities on critical considerations for workers' temporary accommodation.

The guideline complements District Plan provisions for workers' temporary accommodation. It sets out considerations and good practice examples. However, as each case will be different, the various considerations and examples may be more relevant in some situations than in others.

**Other consents and approvals**

This guideline is specifically about temporary accommodation for workers and is specifically about design and planning considerations. It is to assist in assessments by Christchurch City Council, Selwyn District Council and Waimakariri District Council under the Resource Management Act. It is not intended to apply to building consents or other regulatory assessments by the greater Christchurch councils. In addition to resource consent, a workers' accommodation project may require consent or approval under the Building Act, Health Regulations, or under the Resource Management Act from Environment Canterbury. A separate information sheet is available on broader regulatory requirements.

**Who has prepared the guideline?**

As part of the new District Plan provisions for workers' temporary accommodation, this guideline has been prepared jointly by the Canterbury Earthquake Recovery Authority, Christchurch City Council, Selwyn District Council, Waimakariri District Council, Environment Canterbury, New Zealand Transport Agency and Te Runanga o Ngai Tahu. Staff from the Stronger Christchurch Infrastructure Rebuild Team, Hawkins Construction and Fletchers EQR have also provided input.

**Principles**

This guideline has four overarching principles guiding the development of workers' temporary accommodation.

1. Workers' temporary accommodation is designed to respond to the characteristics of the locality and avoid, remedy or mitigate significant adverse effects on the characteristics of local neighbourhoods.
2. Workers' temporary accommodation provides high-quality accommodation with good on-site amenity.
3. On-site management and operation of workers' temporary accommodation effectively contribute to high-quality accommodation for occupants and minimise impacts on surrounding neighbourhoods.
4. Workers' temporary accommodation is genuinely temporary in place no longer than 31 December 2022.

**Guidelines for location suitability**

It is acknowledged that workers' temporary accommodation is only there for the short term and may be of a modular, repeated or re-locatable style that would not normally be expected in a residential or commercial environment. It is not expected that temporary accommodation can fully integrate into an existing community, nor is it expected that temporary accommodation will have only minor effects. However, site selection, site design and building design can help to avoid significant adverse effects on existing neighbourhoods and to provide suitable accommodation for occupants.

Location suitability consideration	Examples of good practice
<p>Consideration 1: Location suitability</p> <p>Whether a site is suitable for workers' temporary accommodation will be assessed on a case by case basis, taking into account:</p> <ul style="list-style-type: none"> <li>• the scale of the development</li> <li>• who will occupy the complex and the nature/location of the occupants' work</li> <li>• transport options</li> <li>• adjoining uses</li> <li>• the availability and capacity of infrastructure to service the site</li> <li>• physical constraints and hazards such as flood risk</li> </ul>	<p>Key measures</p> <ul style="list-style-type: none"> <li>• Location in the Christchurch central city is encouraged.</li> <li>• Location within the existing urban areas, particularly in existing residential or commercial areas, is encouraged.</li> <li>• Locations within incompatible adjoining or nearby uses should be avoided. Large developments should not be undertaken next to sensitive activities such as schools, because they may affect the amenity, character or social aspects of the area. Sites should not be chosen if adjoining uses generate significant effects on the workers that are not mitigated (eg noise, discharges or hazardous substance risk).</li> <li>• Water, wastewater and stormwater infrastructure should be available to the site and have the capacity required for the number of workers in the accommodation. Locations within the existing urban area have more infrastructure availability. Areas where infrastructure capacity is not currently available or is particularly fragile is shown as the EQ damaged area on the Christchurch Wastewater Overview Map below.</li> <li>• The land should be physically suitable for this type of accommodation. It will usually be necessary to avoid areas of flood risk, sensitive aquifer zones, sites on the listed land-use register, or other sites with physical constraints, unless the specific site, design or duration of the accommodation provides exceptions for developing there.</li> </ul> <p>Other considerations</p> <ul style="list-style-type: none"> <li>• Location in medium or high density residential zones may be more appropriate than low density residential zones.</li> <li>• Location near to the work site(s) and near to public services and facilities such as retail and entertainment areas is encouraged</li> <li>• The suitability of the location will depend on the scale, nature and term of the development. For example, if migrant workers are living in accommodation on short-term rotation, (eg, three month rotation for a five year period), a development may be acceptable in an industrial zone or close to the airport, but this location is less likely to be acceptable for workers who are employed for a continuous 10 year period.</li> <li>• Sites should not displace permanent uses that are planned within an overlapping timeframe. For example, it would be inappropriate to choose a greenfield residential site that will be needed for permanent residential development before the temporary accommodation units are due for removal. Similarly, it would be inappropriate to use a commercial building if that type of building is in high demand due to displacement.</li> <li>• An acceptable size of development will be smaller in a low density residential area than in a high density residential, commercial or mixed use area.</li> <li>• The nature of transport arrangements to be provided for occupants will determine the appropriate distance between the accommodation site and the primary work site(s). For example, a distance within 5km would be desirable if no transport is to be provided between the two sites, but a distance of up to 10km would be acceptable if transport is provided.</li> <li>• Selecting a location where public transport options are available, such as to work sites and retail/entertainment centres, is encouraged.</li> <li>• The traffic and transport effects of a location include how the development will affect amenity, traffic safety and transport efficiency. The nature of the effects depends on the size of the development and the type of road used for access to the project site. Selecting a site which avoids significant traffic or transport effects is encouraged.</li> </ul>



## Guidelines for site layout and building design

The standard of the design of buildings and the layout and orientation of buildings and activities on the site are a major influence on both the quality of the accommodation and its effects on the surrounding neighbourhood. Although the development is temporary, it may be the primary residence for an occupant for a number of months or years. A temporary accommodation project may be larger and more intense than anticipated and may have some temporary adverse effects, but site design can help to minimise the effects on the surrounding neighbourhood.

Site layout and building design considerations	Examples of good practice
<p>Consideration 2: Minimising effects on existing neighbourhoods</p> <p>It is desirable that developments are compatible with the streetscape and mitigate potential effects on the amenity of an established environment. This is a particular consideration for residential environments.</p>	<p>Key measures</p> <ul style="list-style-type: none"> <li>• Buildings such as the manager's residence, site office, communal facility, or other buildings which are not individual units should be located on street frontage if they assist in creating a compatible street frontage and a 'street address'.</li> <li>• Facilities or services on the site that are to be available for public or community use should be located on street frontages to limit public access through the site. This will also help to create a 'street address'.</li> <li>• Fencing and landscaping along road boundaries should be provided. Road fencing should not provide extensive lengths of solid screening - any fencing above 1m height should be at least 50 per cent transparent.</li> <li>• Building placement and orientation should internalise effects such as noise or lighting rather than directing effects towards neighbouring sites. Design and layout should achieve the noise standards for the zone in the District Plan. Screening or landscaping around outdoor activities that generate effects also helps to internalise effects.</li> </ul> <p>Other considerations</p> <ul style="list-style-type: none"> <li>• Screen fencing between 1.8m and 2m should be provided along boundaries adjoining residential neighbours. Fencing should be designed to be compatible with the adjoining use; for example, security fencing is not compatible with a residential environment. Landscaping along boundaries is also encouraged.</li> <li>• A separation between residential boundaries and buildings, service areas and recreation areas is encouraged. For example, it might take the form of a 3m setback.</li> <li>• The site can be designed to link with existing neighbourhood services, for example by providing an appropriate location for vehicle and pedestrian access points.</li> <li>• The working patterns of the occupants and the timing of traffic movements will influence how compatible the development is with surrounding uses. For example, a large site with shift workers travelling late at night may not be suitable in a residential area.</li> <li>• Location and design of carparking and vehicle accessways should minimise internal traffic movement, minimise vehicle movements and avoid locations next to neighbouring sites.</li> </ul>
<p>Consideration 3: District Plan guidance on site and building design</p> <p>The District Plan provides relevant guidance on appropriate site and building design to achieve the outcomes anticipated for the zone.</p>	<p>Key measures</p> <ul style="list-style-type: none"> <li>• If buildings and related services comply with the standards in the District Plan for permanent buildings, the project design is more likely to be similar to what the District Plan anticipates for the location. This measure is particularly relevant in the residential environment, and should be given particular attention near site boundaries, for example, in relation to height and setbacks from boundaries.</li> </ul>
<p>Consideration 4: Unit and building design</p> <p>The appearance and design of workers' temporary units and buildings is not expected to be to the standard anticipated for permanent accommodation. However, the choice of materials, type of construction, building size, design, and layout can contribute to a development that minimises impact on the neighbourhood while providing quality living space for occupants.</p>	<p>Other considerations</p> <ul style="list-style-type: none"> <li>• Where communal facilities are provided (for example, cooking, dining, showers or recreational facilities), individual units can be small, for example a floor area of 14m<sup>2</sup> may be appropriate.</li> <li>• Where units are completely self-contained with no communal or on-site facilities, individual units should be larger to provide more living space within each unit.</li> <li>• Buildings that are highly visible from adjoining residential sites can use materials, finishes, designs and techniques to minimise effects. For example, large continuous walls could be broken, or changes in building height and scale could be used to be more compatible with the building bulk anticipated by the District Plan.</li> <li>• The design and appearance of large communal facility buildings are of particular importance as these buildings are often a focus and significant visual feature of a site.</li> <li>• There may be location-specific considerations relevant to building design. For example, design, construction and operation to reduce noise may be relevant in some locations near the airport or heavy industry for noise insulation. Another example of location-specific considerations would be effects relevant to a special amenity area identified in the district plan.</li> <li>• Providing weather protection at unit and building entrances is encouraged.</li> <li>• Units can be designed, constructed and located to make the most of the sun and to provide a warm and dry living environment.</li> <li>• Building design should facilitate building removal or relocation as proposed in the decommissioning strategy.</li> </ul>
<p>Consideration 5: On-site facilities and services</p> <p>The need for on-site facilities and services will be identified on a case-by-case basis depending on the nature and size of the development. On-site facilities will help to improve the quality of accommodation, contribute to the successful operation of the site, and reduce any impact beyond the site.</p>	<p>Other considerations</p> <ul style="list-style-type: none"> <li>• Sites should either be connected to council water, stormwater and wastewater networks, or be self-contained. Each site will need to determine the expected demand on services and how that demand will be met.</li> <li>• Communal facilities and services provided on-site will depend on the needs of the occupants. For example, a recreation facility may be warranted on a site of more than 100 workers. Alternatively, on-site facilities may not be necessary where public services and facilities are operating close by.</li> <li>• Where communal recreation or open space is provided, it is not necessary to provide open space with each unit, but this design is encouraged.</li> <li>• There needs to be servicing arrangements and adequate space for this. For example, the site may manage its own solid waste or may rely on the council service. The site may offer laundry service or laundry facilities may be contained in each unit.</li> </ul>

<p>Consideration 6: Parking and access</p> <p>Providing appropriate parking and access contributes to meeting the needs of occupants while also avoiding or mitigating effects on the streetscape. Parking needs will depend on the characteristics of the occupants and the transport services provided.</p>	<p>Key measures</p> <ul style="list-style-type: none"> <li>• Where communal transport services are provided or public transport will be used between the accommodation site and work site, a minimum of one parking space per four occupants should be provided. Where no transport services are provided, the District Plan parking requirements provide relevant guidance.</li> <li>• Where transport services are provided, a bus or van drop-off/pick-up area should be provided within the site.</li> <li>• Communal transport services to both work sites and other activities should be provided on sites with more than 100 occupants.</li> </ul> <p>Other considerations</p> <ul style="list-style-type: none"> <li>• Where developments accommodating over 200 people have road frontage to the Strategic Road Network (as defined in the Canterbury Regional Land Transport Strategy), access should be provided to another road unless this is not reasonably practicable.</li> <li>• Grouping parking spaces together will reduce vehicle movements within the site.</li> <li>• Avoid parking areas and accessways that adjoin residential neighbours as far as possible.</li> <li>• Providing secure, covered cycle parking is encouraged.</li> </ul>
<p>Consideration 7: Incorporating safety and security into design</p> <p>Adopting the principles of crime prevention through environmental design (CPTED) and limiting the potential for hazards and risks will contribute to providing accommodation that is safe for the occupants and local community.</p>	<p>Key measures</p> <ul style="list-style-type: none"> <li>• Site layout and features should incorporate key crime prevention through environmental design (CPTED) principles. For example, they should provide good internal site lighting, and avoid high fencing or planting at the street frontage. A reference to the national CPTED guidelines is provided at the end of this guideline.</li> </ul> <p>Other considerations</p> <ul style="list-style-type: none"> <li>• A locking system for the doors and windows of each unit will provide security.</li> <li>• There should be suitable access for emergency vehicles and on-site emergency management procedures.</li> </ul>

### Guidelines for on-site management and operation

The quality of workers' temporary accommodation projects will be improved through comprehensive management. In addition, the potential adverse impacts are likely to be reduced where accommodation is comprehensively managed as a 'complex'. Depending on the size and nature of the accommodation, management as a complex may include providing services such as cleaning, catering, security, transport, health services, social support and communal recreation facilities.

On-site management considerations	Examples of good practice
<p>Consideration 8: On-site management arrangements</p> <p>Effective on-site management contributes significantly to the quality and successful operation of accommodation, and minimises potential impacts on the local community.</p> <p>On-site management linked to employment arrangements can be most effectively maintained and administered on an on-going basis.</p>	<p>Key measures</p> <ul style="list-style-type: none"> <li>• On-site management arrangements should be in place. The type of on-site management involved will depend on the size and nature of the complex. For example, for accommodation for less than 10 people, a nominated occupant could provide the on-site management role. For medium sized complexes, an appointed professional property manager could provide management services. For larger complexes a full time live-in manager would be required.</li> </ul> <p>Other considerations</p> <ul style="list-style-type: none"> <li>• Depending on the size and nature of the project, a written management plan will set out all site management procedures and 'rules' including: <ul style="list-style-type: none"> <li>- roles and responsibilities</li> <li>- procedures for communication with neighbours and community</li> <li>- servicing, cleaning and maintenance arrangements</li> <li>- security and crime prevention measures</li> <li>- drug and alcohol policy</li> <li>- management of transport of workers</li> <li>- health and safety measures</li> <li>- emergency management</li> <li>- animal control</li> <li>- catering arrangements</li> <li>- noise management</li> <li>- on-site behaviour expectations</li> <li>- management of disturbances</li> <li>- parking management</li> <li>- public facility management</li> <li>- management of requests and complaints.</li> </ul> </li> <li>• Linking the on-site 'rules' to employment arrangements increases the status of those rules. It is possible to make this more formal link if occupancy is arranged through a specific employer.</li> </ul>
<p>Consideration 9: Support services</p> <p>Providing workers with broader support will help to improve the overall quality of accommodation and help to integrate them into the local community.</p>	<p>Other considerations</p> <ul style="list-style-type: none"> <li>• Providing appropriate support services - for example, pastoral care and migrant support - is encouraged.</li> </ul>

### Guidelines for decommissioning

While the rebuild will continue for many years, its peak is anticipated to occur over a 5 to 10 year period. It is during this peak period that the majority of construction workers and the associated purpose-built accommodation will be required in greater Christchurch. As the standard District Plan expectations are being varied to provide for this special type of accommodation, it is critical that the temporary buildings are removed so that each development is indeed temporary and does not permanently affect the environment. A decommissioning strategy will provide confidence that these buildings are genuinely temporary and will set up the mechanisms for their removal.

Decommissioning considerations	Examples of good practice
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<p>Consideration 10: Decommissioning strategy</p> <p>Workers' temporary accommodation will be assessed on the basis that it does not become permanent accommodation.</p> <p>An enforceable decommissioning strategy is a critical component of any workers' temporary accommodation project.</p>	<p>Key measures</p> <ul style="list-style-type: none"> <li>• A decommissioning strategy should be in place to confirm the long-term plan for buildings, phasing of decommissioning and removal of buildings and how the site will be reinstated ready for its anticipated permanent use.</li> <li>• All temporary units must be removed by 31 December 2022, or earlier.</li> </ul> <p>Other considerations</p> <ul style="list-style-type: none"> <li>• Building design should be a consideration in the decommissioning strategy to ensure design does not inhibit the implementation of the strategy.</li> <li>• Use of legal instruments to assist make future owners aware of the removal requirement or provide an additional means of assuring removal are encouraged, for example an encumbrance may be registered.</li> <li>• After it has been used for workers' temporary accommodation, a site may need to be remediated to make it suitable for its anticipated long-term use.</li> <li>• If landscaping of the site has been completed, it may be possible to retain some or all of the landscaping at the reinstatement stage.</li> </ul>
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### Guidelines for communicating with neighbours

It is important to keep adjoining neighbours and the wider neighbourhood informed about the project as it develops and also during operation so that a project can respond to perceived or actual concerns about the accommodation. Communication procedures will normally be part of the site management plan but are also a consideration during the design phase. While the new District Plan provisions may not require the approval of affected parties and may not require limited notification for a workers' temporary accommodation project, communicating with neighbours is encouraged.

Communication considerations	Examples of good practice
<p>Consideration 12:</p> <p>Communicating with neighbours throughout the design, development and operation of the accommodation project will help to contribute positively to the local neighbourhood and minimise effects on neighbours.</p>	<p>Other considerations</p> <ul style="list-style-type: none"> <li>• A written communication statement or plan can identify: <ul style="list-style-type: none"> <li>- key points of contact for the accommodation project during the design, development and operation of the complex</li> <li>- contact details of immediate neighbours and any local neighbourhood groups</li> <li>- when neighbours will be notified and about what.</li> </ul> </li> <li>• Key times to notify neighbours may be during site selection, when the design is complete, when construction is due to start, when occupation commences, key phases of occupancy changes, and when decommissioning commences. More regular communication during operations may be appropriate depending on the size of the accommodation complex.</li> <li>• Information that may be of interest to neighbours includes the site design, occupancy numbers, staffing, site management rules, on-site management arrangements, safety/security arrangements and occupants' employment locations.</li> <li>• Information that may be of interest to occupants includes opportunities to participate in or support community activities, sport and other recreational or cultural activities.</li> <li>• Larger accommodation projects may hold regular meetings or events with neighbours to discuss operational matters.</li> </ul>

### References to further information and guidance

The following information and guidance are either referred to in this guideline or provided as additional references in considerations for the design, assessment and operation of temporary accommodation for workers.

National Guidelines for Crime Prevention through Environmental Design in New Zealand (Ministry of Justice, November 2005)

**Part 1: Seven Qualities of Safer Places:** <http://www.justice.govt.nz/publications/global-publications/n/national-guidelines-for-crime-prevention-through-environmental-design-in-new-zealand-part-1-seven-qualities-of-safer-places-part-2-implementation-guide-november-2005/publication>

**Part 2: National Guidelines for Crime Prevention through Environmental Design in New Zealand Part 2: Implementation Guide:** <http://www.justice.govt.nz/publications/global-publications/n/national-guidelines-for-crime-prevention-through-environmental-design-in-new-zealand-part-2-implementation-guide>

*Council information on planning and resource consent applications*

**Christchurch City Council:**

<http://www.ccc.govt.nz/homeliving/buildingplanning/resourceconsents/index.aspx>

**Selwyn District Council:**

<http://www.selwyn.govt.nz/services/planning>

**Waimakariri District Council:**

<http://www.waimakariri.govt.nz/services/planning-resource-consents.aspx>

*Non-resident worker accommodation: Guideline for locating and designing high quality accommodation facilities (Queensland Urban Land Development Authority, Guideline No. 3, August 2011):*  
[http://www.ulda.qld.gov.au/01\\_cms/details.asp?ID=157](http://www.ulda.qld.gov.au/01_cms/details.asp?ID=157)

*Workers' accommodation, Processes and standards (International Finance Corporation and European Bank, November 2009):*

[http://www1.ifc.org/wps/wcm/connect/topics\\_ext\\_content/ifc\\_external\\_corporate\\_site/ifc+sustainability/publications/publications\\_qpn\\_workersaccommodation](http://www1.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/ifc+sustainability/publications/publications_qpn_workersaccommodation)

*Information about the New Zealand Building Code:*

<http://www.dbh.govt.nz/bcr-about-the-building-code>

# Christchurch Wastewater Overview Map



## Appendix 1 - Schedule of waterways (refer also to maps following this appendix)

Updated 14 November 2005

Appendix 1 - Schedule of waterways (refer also to maps following this appendix)				
Section 1 - Upstream and downstream rivers Appendix 1				
Waterway	Downstream River	Upstream River	Waterway Ref. No.	Map No.
Avon River	From junction with Wairarapa Stream at Mona Vale downstream to estuary	From junction with Wairarapa upstream to Peer Street		
Cashmere Stream	N/A	From junction with Heathcote River upstream to junction with Hoon Hay Valley Stream	258	2
Avon River	From junction with Wairarapa Stream at Mona Vale downstream to estuary	From junction with Wairarapa upstream to Peer Street		
Cashmere Stream	N/A	From junction with Heathcote River upstream to junction with Hoon Hay Valley Drain	258	4
Dudley Creek	N/A	From junction with Avon River upstream to east side of Hills Road	52	3
Halswell River	From south side of Sabys Road downstream to boundary with Selwyn District near Old Tai Tapu Road	N/A		4
Heathcote River	From junction with Cashmere Stream downstream to estuary	From junction with Cashmere Stream upstream to north/east side of Nash Road		4
Hewlings Stream	N/A	From junction with Wairarapa Stream upstream to south side of Grahams Road	22	2
Kaputone Creek	N/A	From junction with Styx River upstream to Belfast east boundary of Main North Road	231	1
Knights Stream	N/A	From junction with Halswell River at Sabys Road upstream to near Halswell Junction Road		4
Nottingham Stream	N/A	From junction with Halswell River near Candys Road upstream to Nottingham Avenue	353	4
Waimakariri River (Otukaikino)	From east boundary Lot 1 DP 5456 (Groynes) downstream to Waimakariri River	From Lot 1 DP 54 56 (Groynes) upstream to branches at grid references NZMS 260/M35 735 499, 748 501, 752 505		1
Styx River	From west boundary Lot 2 DP 29189 (Selkirk Road) downstream to CMA boundary at Waimakariri River	From west boundary Lot 2 DP 29189 upstream to south boundary Lot 2 DP 28744 (west of Gardiners Road)		1

Continued

Wai-iti Stream	N/A	From junction with Wairarapa Stream upstream to south side of Wai-iti Terrace	18	2
Waimairi Stream	N/A	From junction with Wairarapa upstream to north/west boundary Lot 24 DP 17367, at end of Barlow Street	25	2
Waimakariri River	N/A	N/A		
Wairarapa Stream	N/A	From junction with Avon River upstream to south side of Grahams Road	19 & 19A	2
Waterbodies and Lakes				
Horseshoe Lake	From culvert in Horseshoe Lake Road (Shirley Golf Course) downstream to Avon River)	N/A		

Victoria Lake	Lake margin in North Hagley Park	N/A		
Section 2 - Tributary waterways (Environmental Asset) Appendix 1				
Waterway	From	To	Waterway Ref. No.	Map No.
Addington Waterway	East side, Deans Avenue opposite Lester Lane	Avon River in Hagley Park hospital grounds	37	2
Austins Stream	Rear of 84D Waimairi Road	Avon River	183	2
Avoca Valley Stream	Corner Mary Duncan Park and Port Hills Road	Heathcote River	171	5
Avon River (Upper reaches)	Road boundary, 74 Nortons Road	South side Peer Street	27	2
Awatea Waterway	East side of Warren Park	152/168 Awatea Road	274	4
Barkers Waterway and Branch	North-east corner Frosts/Travis Roads	Avon River	87B	3
Bay View Waterway	South corner Lot 4 DP 18695, 91A Bay View Road	Rifle Range Drain	437	5
Bowis Stream	514m east of Sutherlands Road, 88m north	Cashmere Stream	410	4
Bridge Street Outfall	South side, Bridge Street opposite Kibblewhite	Estuary	402	3
Bridle Path Waterway	East side, Tunnel Road, near tunnel	Malting Company	187	5
Broomfield Waterway	Broomfield Terrace	Horseshoe Lake Road	186	3
Bullers Waterway (Papanui)	180/218 Winters Road	Walter Park, Kellys Road	48	3
Butts Valley Road Waterway	East side Horotane Valley Road	Avoca Valley Stream	189	5
Cashmere Brook (Cashmere High School)	Ashgrove Terrace	Heathcote River	142	4
Cashmere Stream (Upper part)	Near Kennedys Bush Road	Junction with Hoon Hay Valley Stream	258	4
Cashmere Valley Waterway	311 Worsleys Road	Cashmere Stream	380	4
Cavendish Road Stream	Corner of Sturrocks and Cavendish Roads	Styx River	1	1
Charlesworth Street Waterway (northeast of Linwood Avenue)	238 Dyers Road	Estuary	101	3
Collies Waterway (Harewood)	306/312 Highsted Road	Styx Drain at rear boundary	3	1
Corsers Stream	Travis Road (mid block Bassett/Barkers)	Avon River	87	3
Couling Creek	Opposite north end of Wherstead Road	Heathcote River near end of Nutfield Lane	481	4
Couling Creek	Thorrington Street	Earnlea Terrace	481	4
Cross Stream (Taylors Stream/Wairarapa Stream)	South road boundary of Normans Road, east of shops	Wairarapa Stream (Strowan Road)	14A	2
Cross Stream (Upstream of 14A)	East side of 29 Aorangi Road	End of Alpha Avenue	14	2
Cross Waterway (Travis Road)	Junction with Travis Wetland Drain (No. 355)	Barkers Road Drain	87A	3
Curletts Road Stream and Branch	South side of Main South Road at end of Magdala Place	Heathcote River	271	2

Dudley Creek (Upper Reaches)	South-east side, Greers Road at Ruddenklau Lane	West side Hills Road	52, 52b, 52c	3
Dunbars Waterway	South side Halswell Road 50m east of Dunbars	Cashmere Stream	251	4
Estuary Waterway (Bexley)	Rear boundary 63 St Helliers Crescent	Avon River north of bridge	119	3
Estuary Waterway Branch	100m west of Bexley Road 205m north	Estuary Waterway	119A	3
Fendalton Main Stream	East boundary of Tui Street	Waimairi Stream	23	2
Frosts Road Drain	West side Frosts Road near Beach Road	Cross Drain at Travis Road	315	3
Gardiners Road Waterway	Highsted Road	Styx Drain	4	1
Gibsons Waterway	Between Prestons Road and Lower Styx Road	Styx River at Janet Stewart Reserve	313	1
Glenstrae Stream	Base of waterfall	Basil Place cul-de-sac	61	5
Harris Waterway (Papanui)	South side, 225 Highsted Road	Styx Drain	5	1
Haytons Stream	South side of Washbournes Road and along Haytons Road	Heathcote River	272	2
Heathcote River (Upper reaches)	Opposite Wilmers/Awatea Road corner	Heathcote River at north-east side Nash Road	273	4
Hendersons Road Stream	Hendersons Road north of Sparks Road	Cashmere Stream	254	4
Hewlings Stream	West side Grahams Road	Near Witbrock Crescent	22	2
Hillsborough Waterway	West side of Park, east side Bishopworth Street Nos 1 & 2	Road boundary 284 Opawa Road	309/382	5
Hoon Hay Valley Stream	Rear boundary Valley of Peace	Junction with Cashmere Stream	347	4
Horners Waterway	North side of Winters Road west of Philpotts Road	Rhodes Main Drain	44	3
Ilam Stream	Commencing in Crosbie Park recommencing in grounds of College of Education	North side of Avonhead Road	27A	2
		Avon River	27A	2
Jacksons Creek	Commencing east side Wrights Road	450mm diameter pipeline	91	2
	Recommencing at Lincoln Road	14/16 Ward Street	91	2
	Recommencing at Ruskin Street	Road boundary at 7 Austin Street	91A	2
	Recommencing at Brougham Street upstream from Wilsons Road	Road boundary at 22 Opawa Road	91A	4
	Recommencing at Ensors/Opawa Roads	Heathcote River	91A	5
Jervois Street Outlet	West end Jervois Street	Avon River	208	3
Judds Waterway (Mairehau)	10m onto Golf Course land	Old No. 2 Waterway (see Waterway No 81)	109	3
Kainga Waterway	Grit Pit Kainga	Styx River opposite 969 Lower Styx Road	416	1
Kaputone Creek	South of Johns Road	West Boundary Main North Road	231	1
Kauri Street and Branches	Rear boundary at 99 Totara Street along south Riccarton Bush boundary	Rear of 17 Kauri Street	145	2
King Park Stream	King Park	Main Road	429	5
Kruses Stream	East side of Chapel Street	Railway Line	12	2

McKenzies Waterway	Near Fendalton Road in access to No. 67B	Waimairi Stream at rear boundary of 67B	364	2
Milnes Waterway (Part branches)	To north side Milnes Road Halswell Domain off Halswell Road	Cashmere Stream	253	4
Mt Pleasant Outfall	187A Mt Pleasant Road	North boundary, 4 Cadiz Lane	190A	5
Mt Pleasant Stream	Mt Pleasant Road	Arataro Place	190	5
Munnings Waterway	West boundary, 131 Bridle Path Road	Heathcote River	349	5
No 2 Waterway (Burwood)	Diversion Weir	Horseshoe Lake	80	3
No. 1 Waterway (Shirley)	Golf Links Road opposite Joy Street	Culvert in Horseshoe Lake Road	78	3
Northern Plant Waterway	East of Railway and south of Kainga Road	Kainga Waterway	398	1
Okeover Stream	North boundary, Ilam sports ground	Avon River at 90 Clyde Road	28	2
Old Lake Outlet (Horseshoe Lake)	Horseshoe Lake (Goodman Street)	West side New Brighton Road	86	3
Old Mill Race	Road boundary at 45 Rossall Street	Wairarapa Stream	31B	2
Old No. 2 Waterway (Lakewood Drive)	North side Queen Elizabeth II Drive, diversion weir	Corner Lake Terrace/Horseshoe Lake Roads	81	3
Outfall basin, Linwood Avenue	St John Street	Estuary	95A	3
Papanui Creek and branch	End of Meldrum Place	End of Melville Place	13	2
Papanui Stream	Extension of Horner Street	Dudley Creek, rear boundary 8 Ketton Place	50	3
Paparua Main Waterway	Rear boundary 276 Buchanans Road	Rear boundary 114 Middlepark Road and section of stream running parallel to Hayton Road from Junction of Hayton Stream, to Hayton Road bend	275, 275a, b, c, d, e, f.	2
Paparua South Branch	North side Buchanans/Gilberthorpes Roads Corner 312m east of Sutherlands Road, 113m north of Sutherlands Road	Junction with Paparua Main Drain	27	2
		Cashmere Stream	285	4
Part Kruses Waterway	St Bede's grounds	Rear boundary 79 Grimseys Road	43	3
Pleasant Point Domain Waterway	West end of Sandra Street	140m north	225	3
Porritt Park Loop	Junction of Avon River opposite 830 Avonside Drive	Junction of Avon River opposite 952 Avonside Drive	480	3
Porritt Park Loop	Start of Kerrs Reach	End of Kerrs Reach	480	3
Preeces Waterway	East side Frosts Road, south side Beach Road	Cross Drain at Travis Road	88	3
Pyne Goulds Stream	264 Withells Road	Waimairi Stream at rear boundary of 19 Hadlow Place	239	2
Quarry Road Waterway	West of Sutherlands Road	Cashmere Stream	260	4
Railway Waterway (Styx)	North side Barnes Road adjacent railway	Main North Road opposite Cunliffe Road	34	1
Rawhiti Domain Waterway	42 Shaw Avenue	294 Keyes Road	473	3
Regents Park Waterway	Railway Styx Waterway (upstream) along Regents Park Drive	Railway Styx Waterway (downstream)	482	1
Rhodes Main Waterway	McSaveney's/Hills Road intersection	Styx River	71	2
Riccarton Bush Waterway	Rear boundary of 17 Ngahere Street	Rear boundary at 99 Totara Street	108	2

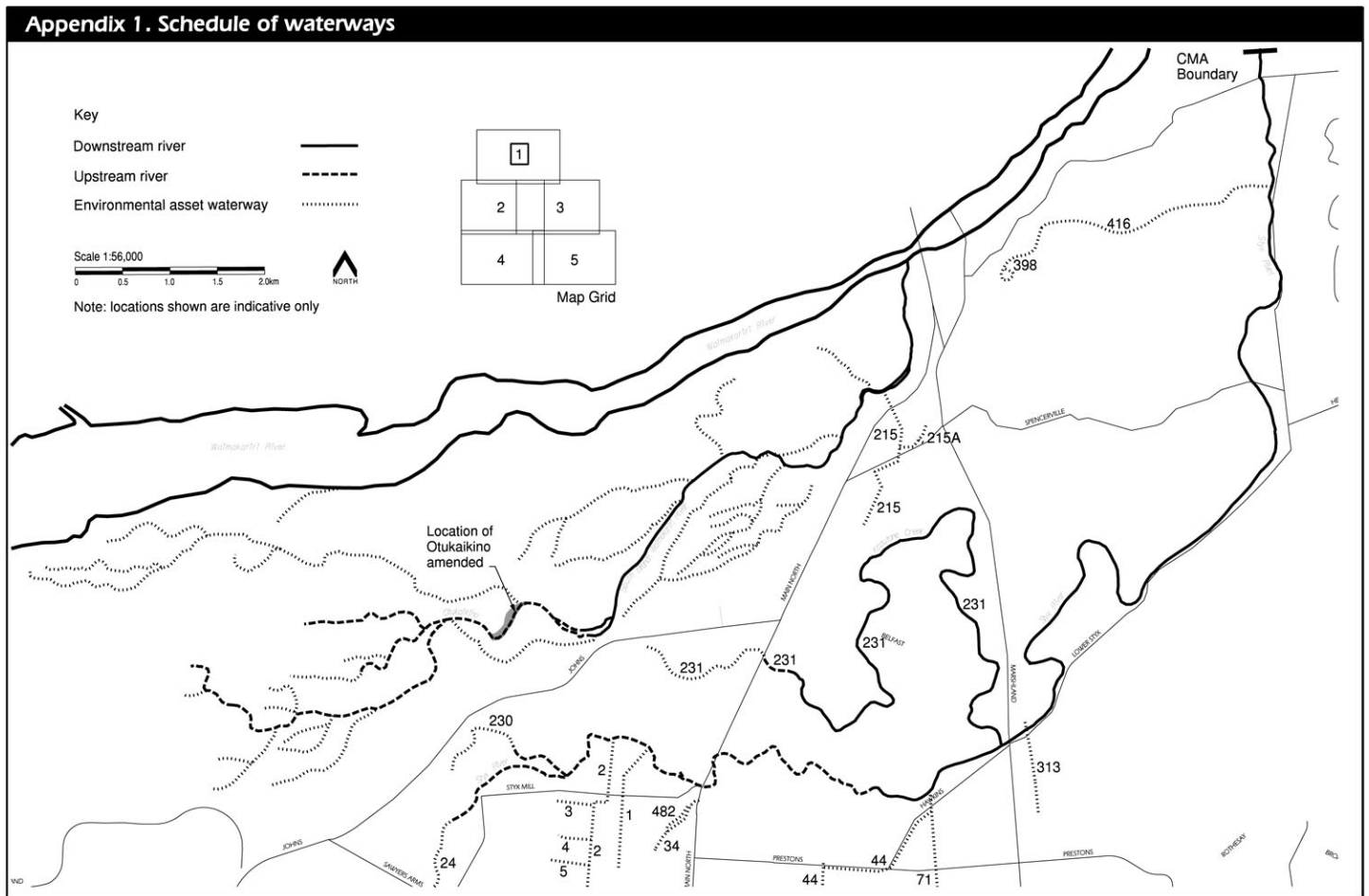


Riccarton Main Drain	Opposite 117 Deans Avenue	Avon River near tennis club	33	2
Richmond Hill Waterway	East side of Richmond Hill Road at first bend	West side Nayland Street	153	5
Rifle Range Overflow (Moncks Bay)	South end Barnett Park	South side, Main Road at 226	152	5
Scarborough Outfall	South west end of private right of way, Scarborough Fare	Heberden Avenue	428	5
Scruttons Road Waterway	Tunnel Road	Avoca Valley Stream	234	5
Shirley Road Waterway	Corner Aylesford/Westminster Streets	Dudley Creek opposite Thornton Street	53	3
Shirley Stream	Corner Emmet/Akaroa Streets	Dudley Creek north of Warden Street	76	3
Sissons Stream (Northcote)	Under railway in Papanui High School	Rear of 59 Sawyers Arms Road	12A	2
Smacks Creek (Styx)	North side Wilkinsons Road in Johns Road Crematorium property	Styx River branch at 51 Husseys Road	230	1
Snelling Waterway	South side in 194 Mairehau Road	Clare Park north side Queen Elizabeth II Drive	82	3
St Albans Creek	St Andrew's College (Normans Road)	Dudley Creek, at Dudley Street/ Stapletons Road	58	2
Steamwharf Stream	27 Portman Street	Heathcote River	94	3
Styx River (Upper reaches)	Western boundary of 281 Wooldridge Road	Styx River east side Gardiners Road at 147/149 Claridges Road	24	2
Styx Waterway (Papanui)	North side at 14/18 Claridges Road	Styx River	2	1
Sumner Main Waterway (Upper Section)	Near end of Upper Sumnervale Drive	South side Wakefield Avenue opposite Van Asch College	151A	5
Sumner Main Waterway	East side Wakefield Avenue near Paisley Street	Rear of 136 Esplanade	151	5
Taylor's Stream	Runs parallel to Wairakei Road starting opposite and north of Pitcairn Crescent	West side Strowan near Normans Road	17	2
Thorrington Creek	32 Thorrington Road	Reserve	64	4
Travis Wetland Waterway	Rear of 7B Allstone Street	North side Travis Road near Bassett Street	355	3
Truscotts Road Stream Branch	East side Truscotts Road	Cooktown Stream/Munnings Stream Junction	203	5
Victory Drain	The Crescent	Chorley Place	149/1	4 and 5
Victory Waterway Branch	Top end of Albert Terrace	South side Willock Street	149A	5
Wai-iti Stream	Rear boundary at 3 Sealy Place	South side Wai-iti Terrace	18	2
Waimairi South Branch	Road boundary at 166 Ilam Road	North west boundary Lot 24 DP 17367 (see 25)	26	2
Waimairi Stream	East side of Avonhead Road in Burnside Park	North-west boundary Lot 24 DP 17367 off end of Barlow Street	25	2
Waimakariri River (Otukaikino) Tributaries South Branch	All waterways within the South Branch Waimakariri River Catchment between McLeans Island Road and Johns Road in the south, Waimakariri River in the north, Templars Islands in the west, and Main North Road in the east not scheduled as an Upstream River or a Downstream River			1
Wairarapa Stream (Nunweek Park)	East side Wooldridge Road	North side Wairakei Road	19B	2

Whites Waterway	East boundary Lot 2 DP 34615, 144 Bridle Path	East roadside at 150 Bridle Path	412	5
Wilson's Stream	End of Tyrone Street	South Branch Waimakariri River	215	1
Wilson's Stream Branch	South boundary of 115 Main North Road	Wilson's Stream 215	215A	1
Winters Road Waterway	South side Winters Road opposite Grimseys Road	Corner Winters/Philpotts Roads	47	3

## Appendix 1 - Schedule of Waterways Maps

Updated 31 July 2008

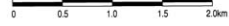


# Appendix 1. Schedule of waterways

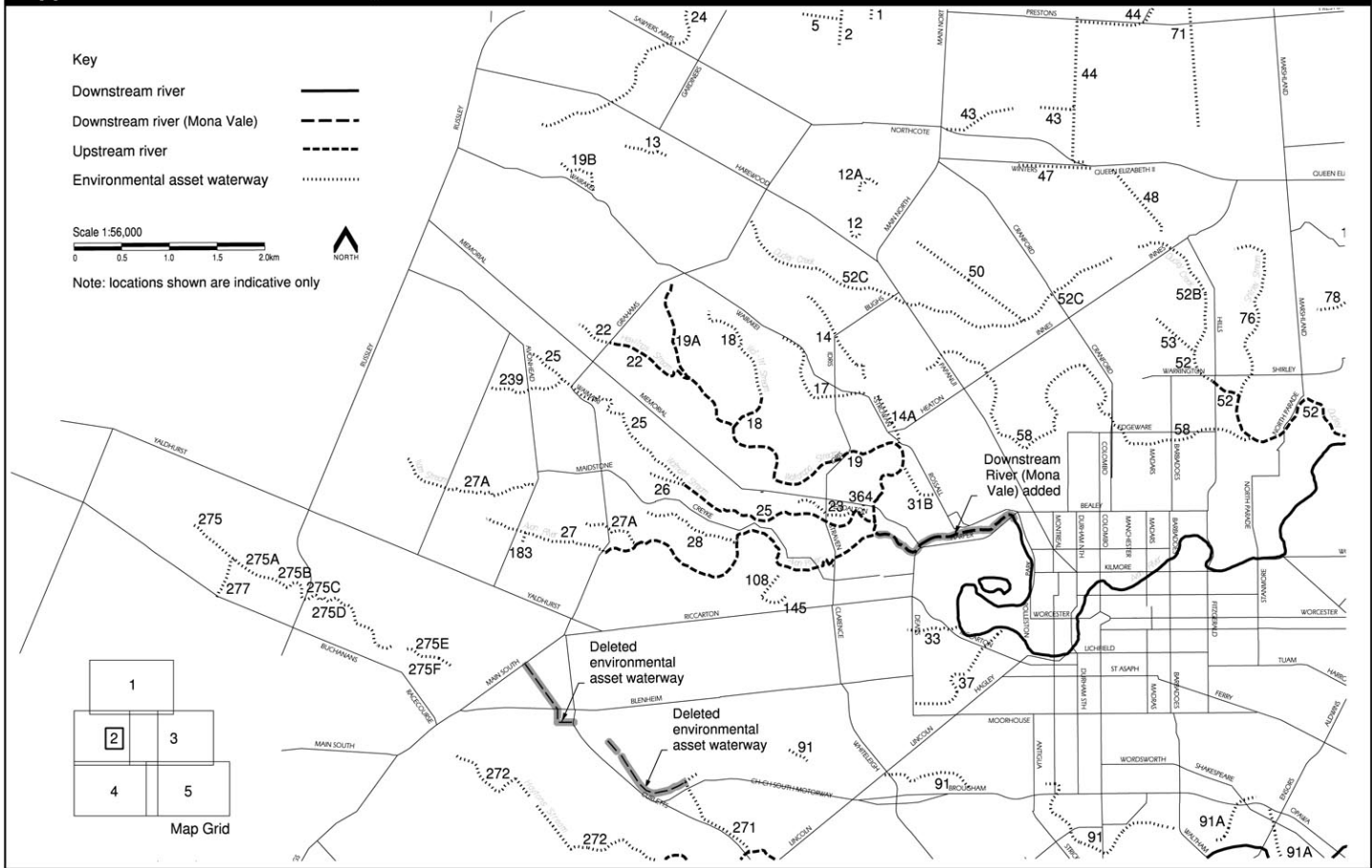
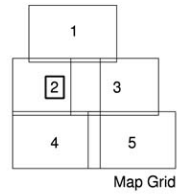
## Key

- Downstream river
- Downstream river (Mona Vale)
- Upstream river
- Environmental asset waterway

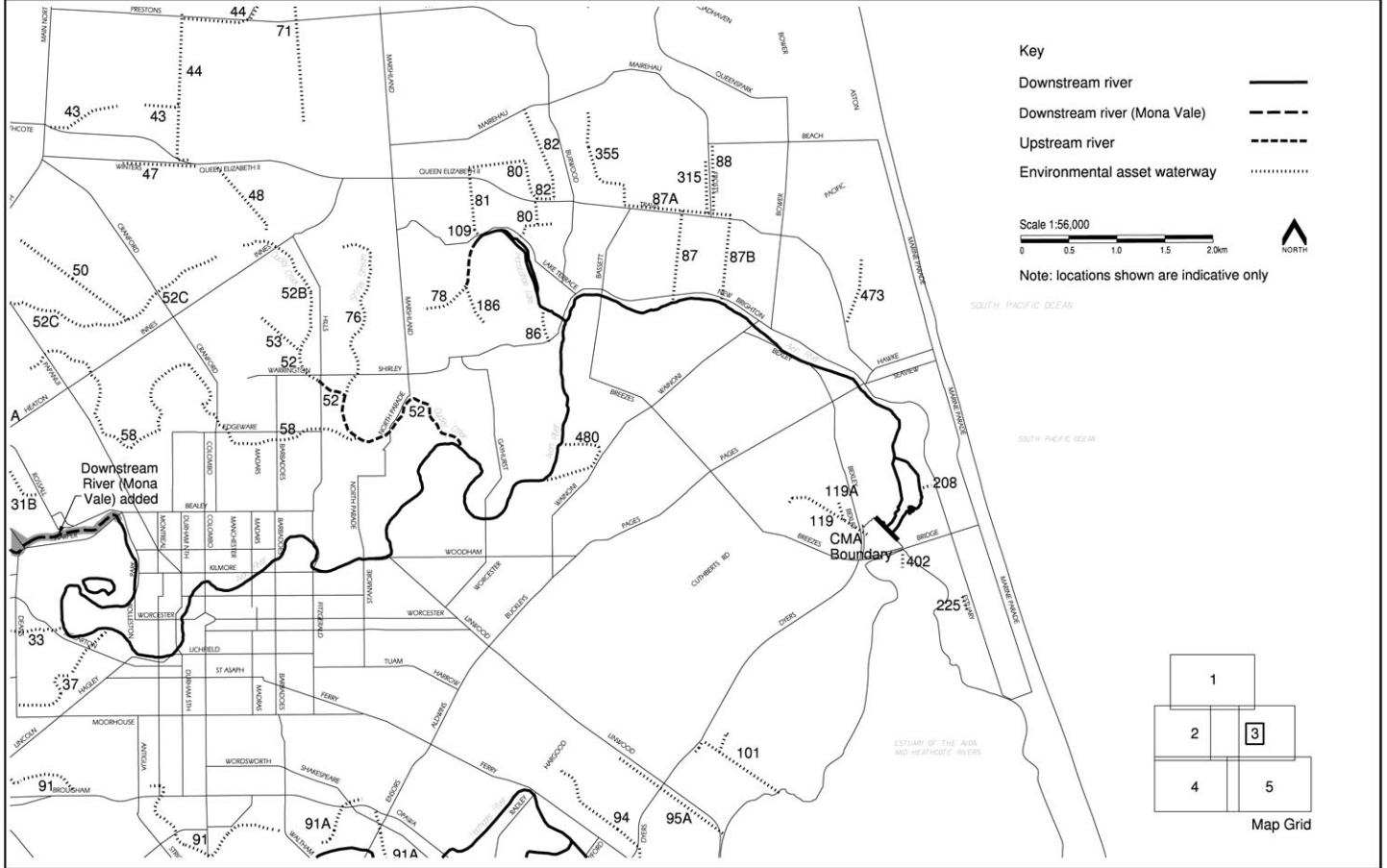
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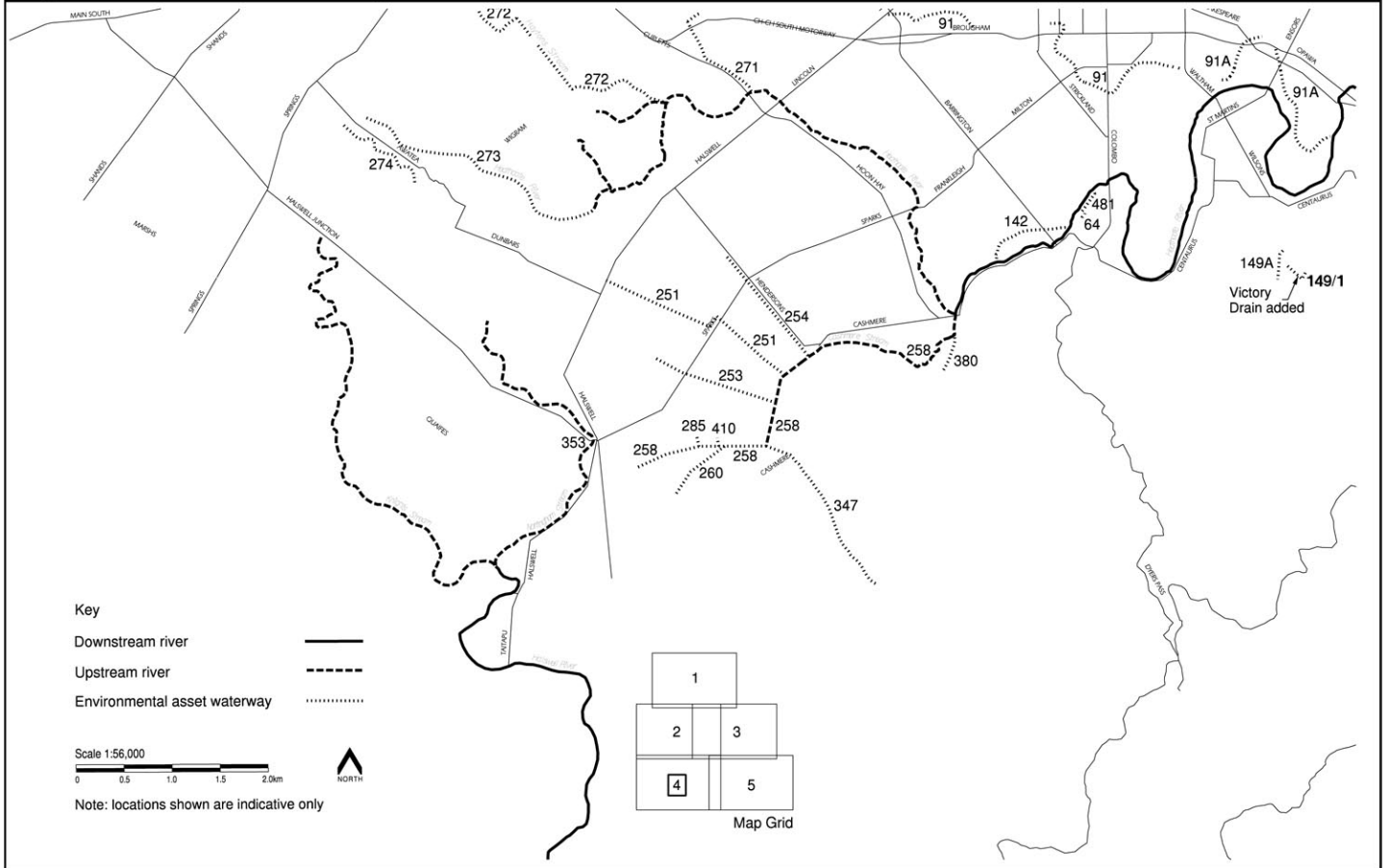
Note: locations shown are indicative only



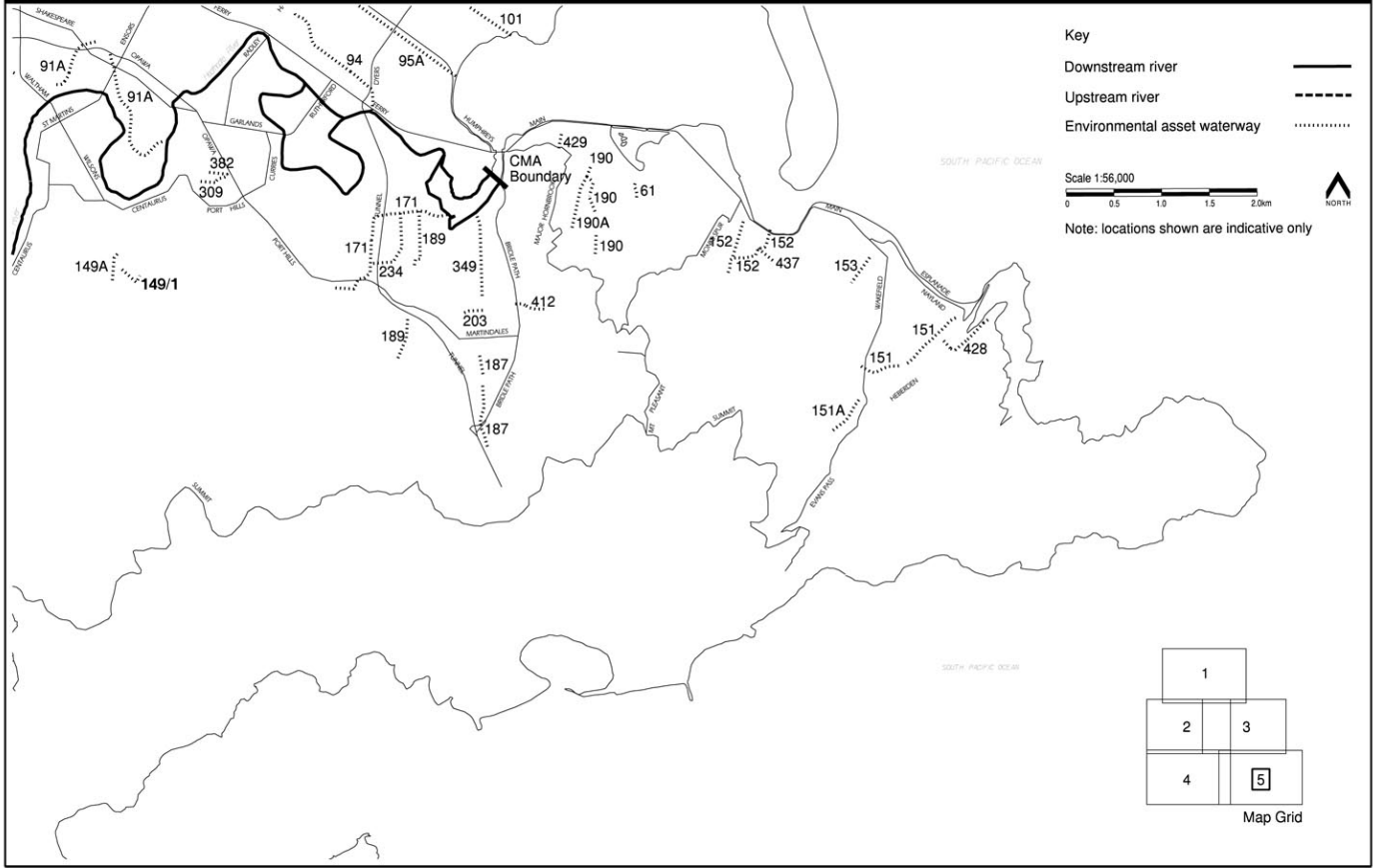
# Appendix 1. Schedule of waterways



# Appendix 1. Schedule of waterways



**Appendix 1. Schedule of waterways (Part 9 General City Rules)**

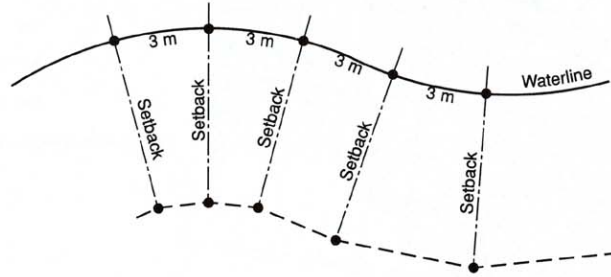


**Appendix 2 - Definition of banks of waterways**

Updated 14 November 2005

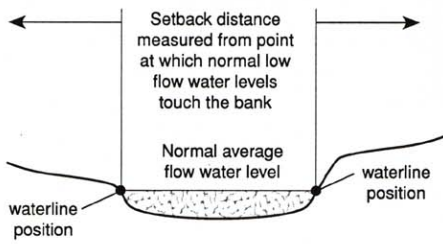
Appendix 2 – Definition of banks of waterways

Filling excavation adjacent to waterways and mean high water springs

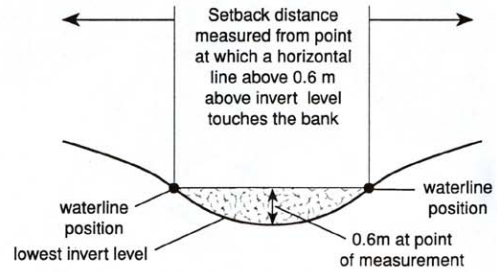


Where the waterline position follows a meandering alignment setback distance shall be measured along a line that is as nearly as practicable radial to the curvature of the waterline, and at 3 m intervals along the waterline as illustrated.

Waterways carrying a continuous low flow

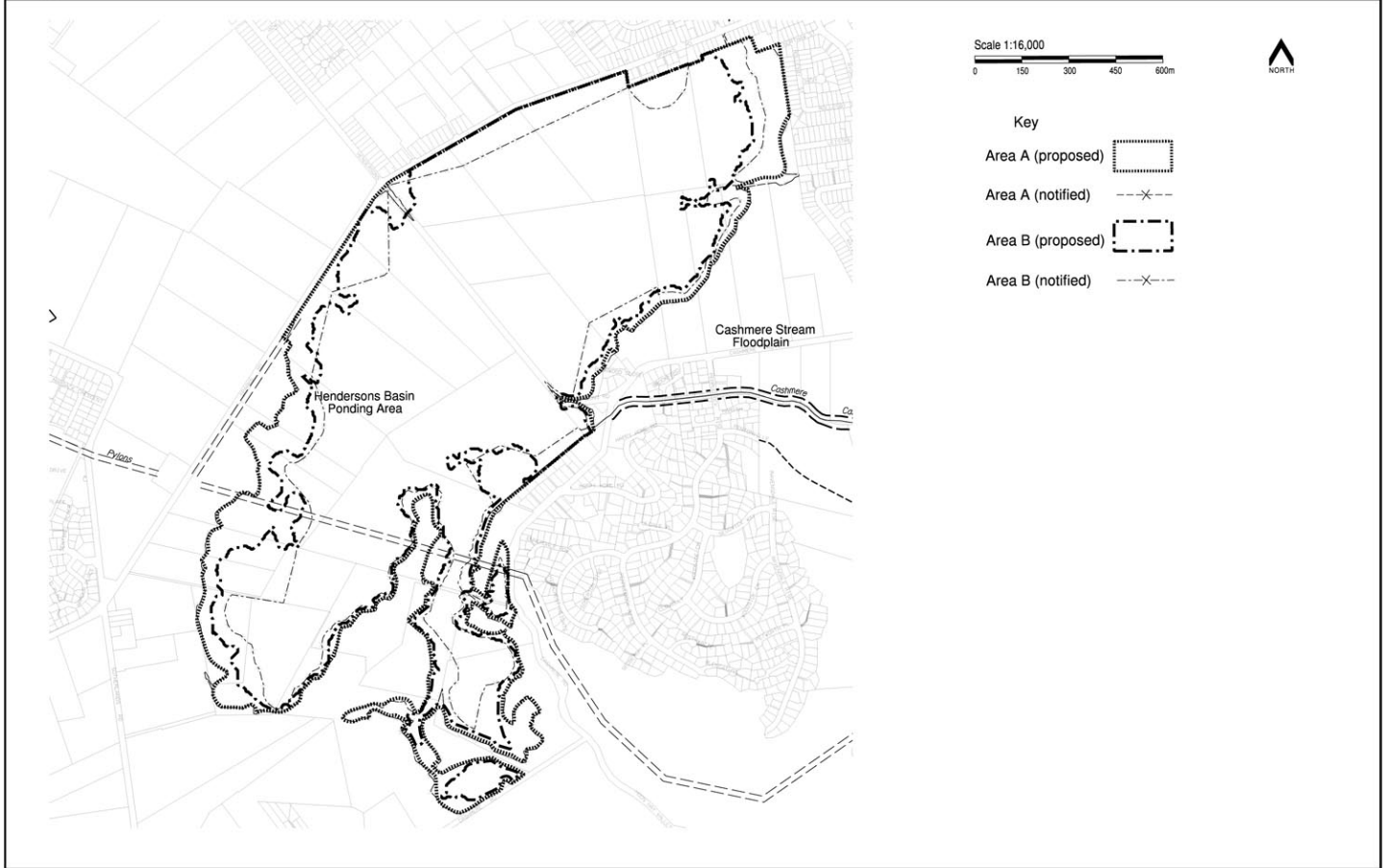


Normally dry waterways on the flat part of Christchurch



Appendix 3 -Hendersons Basin Area

### Appendix 3 - Hendersons Basin Area



### Appendix 4 - Map for interpretation of airport protection surfaces

#### Appendix 4 - Map for interpretation of airport protection surfaces

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Updated 14 November 2005

#### Map for interpretation of airport protection surfaces - CIAL

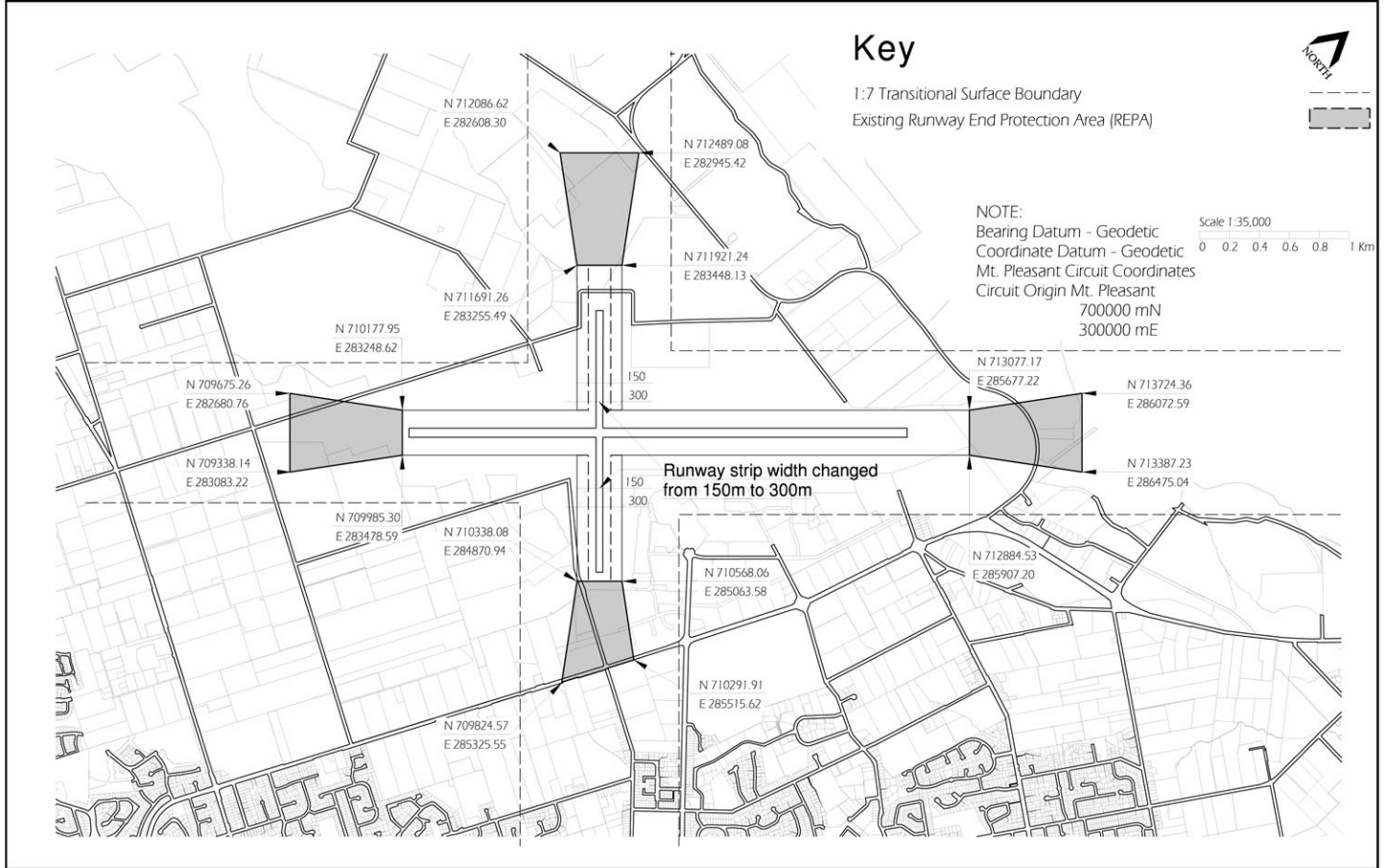


**Appendix 4 - Map for interpretation of airport protection surfaces - CIAL**



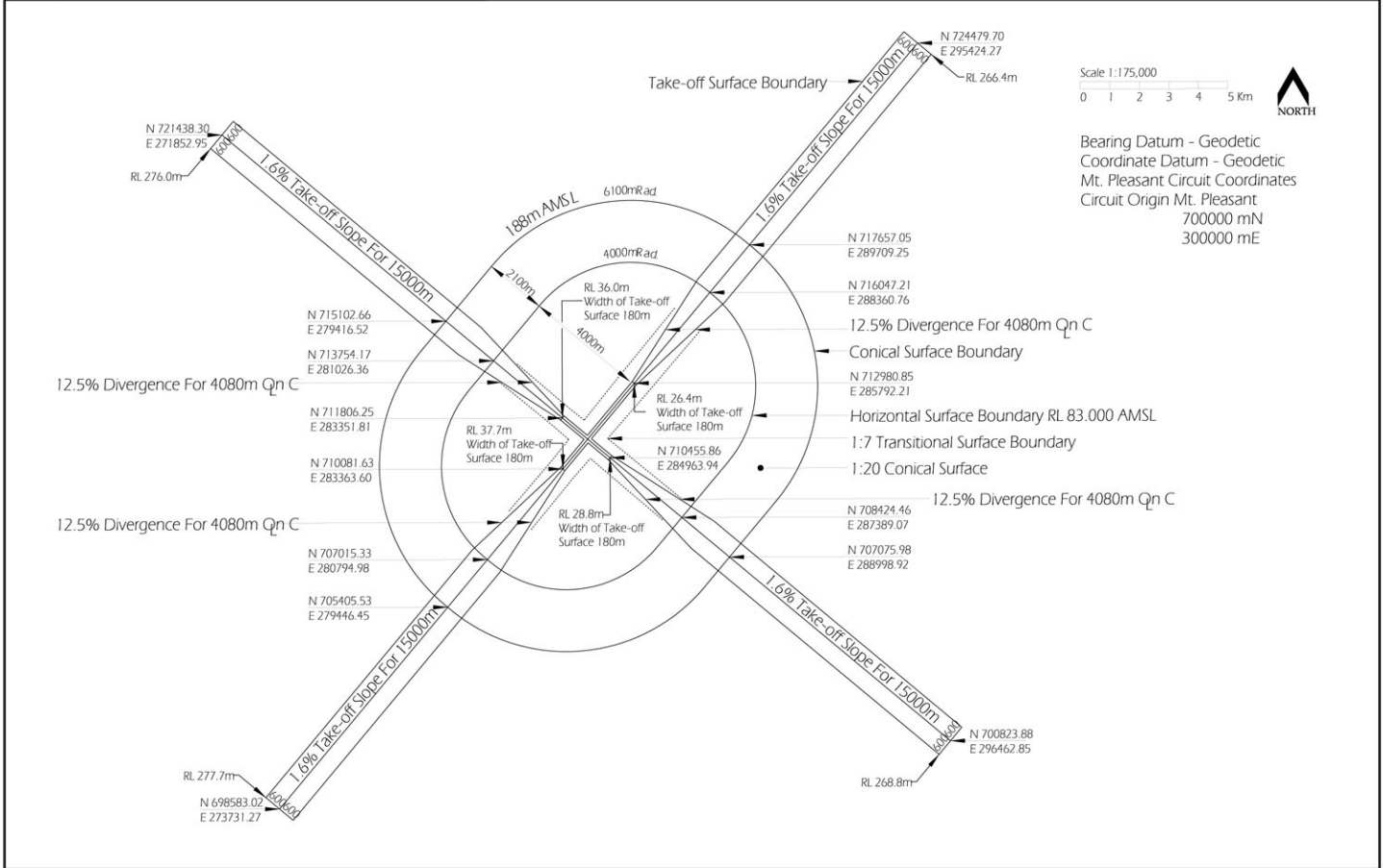
**Map for interpretation of runway end protection area (REPA) - CIAL**

Appendix 4 - Map for interpretation of runway end protection area (REPA) - CIAL



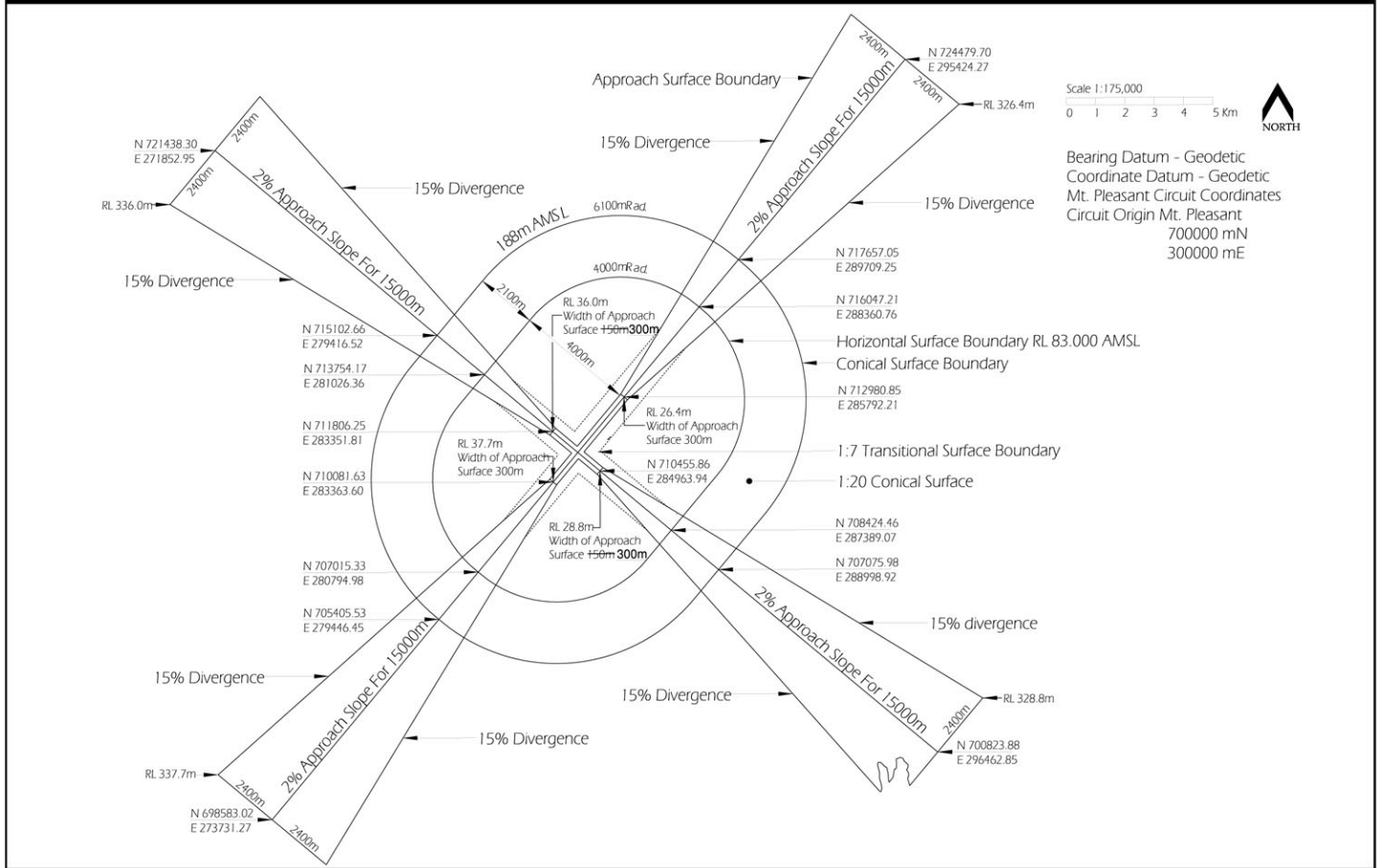
Map for interpretation of airport protection surfaces - CIAL - Take-off slopes

# Appendix 4 - Map for interpretation of airport protection surfaces - CIAL - Take-off slops



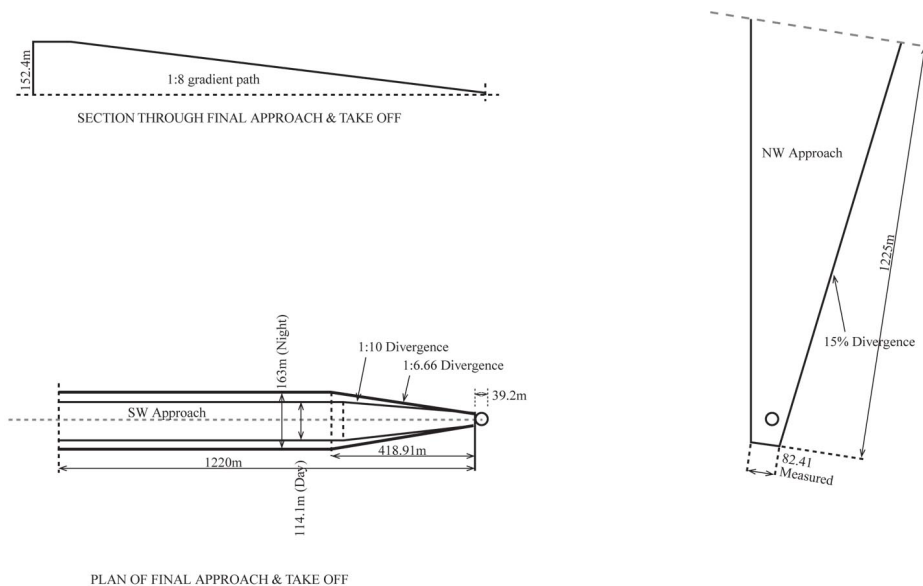
Map for interpretation of airport protection surfaces - CIAL - Approach slopes

**Appendix 4 - Map for interpretation of airport protection surfaces - CIAL - Approach slopes**



**Appendix 5 - Map for interpretation of airport protection surfaces - NZDF Wigram**

Updated 30 April 2011



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