

Christchurch District Plan:

Summary of Rules for Residential Activities in the Residential Banks Peninsula Zone

excluding:

- Character Area Overlays;
- Community Housing Redevelopment Mechanism and Enhanced Development Mechanism
- Lyttelton Port Influences Overlay

The following is a summary of the relevant rules for construction of one or more residential units on the majority of sites within the Residential Banks Peninsula Zone. The wording has been extracted directly from Chapter 14 Residential of the Christchurch District Plan where applicable, however it has been abridged to delete reference to zones other than Residential Banks Peninsula as well as some particular locations or activities for which different rules apply. This summary should therefore be used as a guide only. A summary of the applicable Transport Rules from the Christchurch District Plan is also included.

Please note that these rules are current to 13 July 2017. As the rules of the Christchurch District Plan may be subject to change it is important that you check with Council Planners that this is the most up to date version of the Residential Banks Peninsula zone rules.

Please also note that any City Plan coastal hazard provisions affecting sites in this zone remain in effect.

Guide to using these rules

Step 1: Check that the site is zoned Residential Banks Peninsula and the proposal does not fall within one of the exemptions listed in the heading above. Then use the information listed below to check that the proposal is for a residential activity and complies with the built form standards. If not, an application will need to be made for a resource consent, assessed as a controlled or restricted discretionary activity (with the exercise of the Council's discretion limited to the matter(s) identified in the rule). Please refer to Chapter 2 of the District Plan for definitions of terms in *italic font*.

Step 2: Then check whether the proposed activity is listed as a controlled activity in the information below. If so, an application will need to be made for a resource consent, assessed as a controlled activity (with the exercise of the Council's control limited to the matter(s) identified in the rule).

Step 3: Then check whether the proposed activity is listed as a restricted discretionary activity in the information below. If so, an application will need to be made for a resource consent, assessed as a restricted discretionary activity (with the exercise of the Council's discretion limited to the matter(s) identified in the rule).

Step 4: Then check whether the proposed activity is listed as a discretionary activity in the information below. If so, an application will need to be made for a resource consent, assessed as a discretionary activity.

Step 5: Then check whether the proposed activity is listed as a non-complying activity. If so, an application will need to be made for a resource consent, assessed as a non-complying activity. Please note, for discretionary and non-complying activities you are strongly recommended to discuss your proposal with a Council Planner prior to lodging a consent application.

Step 6: Check that the residential unit(s) complies with any relevant rules in other parts of the District Plan. If not, a resource consent will be required in respect of the rule(s) not complied with. Check the Planning maps for any site specific matters that may trigger rules in other Chapters of the District Plan.

Otherwise, if the proposal complies with all of the permitted activity and built form standards and is not separately identified as a controlled, restricted discretionary, discretionary or non-complying activity, it is a permitted activity and does not require a resource consent.

Please note however that you will need to obtain a building consent before you can commence construction of the unit(s). If you require assistance in establishing whether your proposal complies with any of these rules please contact the Customer Centre on telephone (03) 941 8999 or the Duty Planner at DutyPlanner@ccc.govt.nz.

1. Permitted activities (14.8.1.1)

P1 Residential activity, except for residential units containing more than six bedrooms and boarding houses

- No more than one *heavy vehicle* shall be stored on the site of the *residential activity*.
- Any motor vehicles and/or boats dismantled, repaired or stored on the *site* of the *residential activity* shall be owned by people who live on the same *site*.

P2 Minor residential unit where the minor unit is a detached building and the existing site it is to be built on contains only one residential unit

- The existing *site* containing both units shall have a minimum *net site area* of 450m².
- The minor *residential unit* shall have a minimum gross floor area of 35m² and a maximum gross floor area of 80m².
- The *parking areas* of both units shall be accessed from the same *access*.
- There shall be a total *outdoor living space* on the existing *site* (containing both units) with a minimum area of 90m² and a minimum dimension of 5 metres. This total space can be provided as:
 - a single continuous area; or
 - be divided into two separate spaces, provided that each unit is provided with an *outdoor living space* that is directly *accessible* from that unit and is a minimum of 30m² in area.

P4 Conversion of an elderly person's housing unit existing at 6 December 2013 into a residential unit that may be occupied by any person(s) and without the need to be encumbered by a legal instrument

Each converted unit shall have

- a minimum *gross floor area*, excluding terraces, *garages*, *sundecks*, and *verandahs*, of 35m²; and
- a separate *outdoor living space* readily accessible from its *living area* that is at least 30m² with a minimum dimension of 3 metres.

P16 Repair or rebuild of multi-unit residential complexes damaged by the Canterbury earthquakes of 2010 and 2011 on properties with cross leases, company leases or unit titles as at the date of the earthquakes

- Where the repair or rebuild of a *building* will not alter the *building* footprint, location, or *height*, the *building* need not meet any of the built form standards.

- b. Where the *building* footprint, location, or *height* is to be altered no more than necessary in order to comply with legal or regulatory requirements or the advice of a suitably qualified and experienced chartered engineer:
- the only built form standards that shall apply are those specified in Rules 14.8.2.2 – Building height and 14.8.2.5 – Daylight recession planes;
 - in relation to the *road boundary setback*, the repaired or rebuilt *building* shall have a setback of at least 3m;
 - the standards at (i) and (ii) shall only apply to the extent that the repaired or rebuilt *building* increases the level of non-compliance with the standard(s) compared to the building that existed at the time of the earthquakes.

Advice note: examples of regulatory or legal requirement that may apply include the New Zealand Building Code, *Council* bylaws, easements, and other rules within this Plan such as the requirements for minimum floor levels in Chapter 5.

- c. If paragraphs a. and b. do not apply, the relevant built form standards apply.

P17 Temporary lifting or moving of earthquake damaged buildings where the activity does not comply with one or more of:

- 14.8.2.2 – Building height;**
- 14.8.2.3 – Site coverage;**
- 14.8.2.4 – Minimum building setback from side and rear internal boundaries and railway lines; or**
- 14.8.2.5 – Daylight recession planes.**

- a. *Buildings* shall not be:
- moved to within 1 metre of an internal *boundary* and/or within 3 metres of any *water body*, scheduled tree, listed *heritage item*, areas listed as Sites of Ecological Significance (in Sub-Chapter 9.1), Natural Landscapes, Features or Character (in Sub-Chapter 9.2), or Sites of Ngāi Tahu Cultural Significance (in Sub-Chapter 9.5), any *Council* owned structure, *archaeological site*, or the coastal marine area; or
 - lifted to a *height* exceeding 3 metres above the applicable recession plane or *height* control.
- b. The *building* must be lowered back or moved back to its original position, or a position compliant with the *District Plan* or consistent with a resource consent, within 12 weeks of the lifting or moving works having first commenced.
- c. In all cases of a *building* being moved or lifted, the owners/occupiers of land *adjoining* the *sites* shall be informed of the work at least seven days prior to the lift or move of the *building* occurring. The information provided shall include details of a contact person, details of the lift or move, and the duration of the lift or move.

- d. The *Council's* Resource Consents Manager shall be notified of the lifting or moving the *building* at least 7 days prior to the lift or move of the *building* occurring. The notification must include details of the lift or move, property address, contact details and intended start date.

P20 Relocation of a building

2. Controlled Activities (14.8.1.2)

Please refer to Chapter 14 for the matters over which Council reserves its control in relation to these rules.

- C1** *Residential units* (including any *sleep-outs*) containing more than six bedrooms in total.

3. Restricted Discretionary Activities (14.8.1.3)

Please refer to Chapter 14 for the matters over which Council reserves its discretion in relation to these rules.

- RD1** *Minor residential unit* where the minor unit is a detached *building* and does not meet any one or more of the activity specific standards in Rule 14.8.1.1 P2 a., b., c., or d.
- RD2** Temporary lifting or moving of earthquake damaged *buildings* that does not meet any one or more of the activity specific standards in Rule 14.8.1.1 P17
- RD3** *Buildings* that do not meet Rule 14.8.2.6 – Building setbacks from road boundaries.
- RD4** *Residential units* that do not meet Rule 14.8.2.1 – Site density
- RD5** Activities and *buildings* that do not meet Rule 14.8.2.3 – Site coverage
- RD6** *Buildings* that do not meet Rule 14.8.2.2 – Building height
- RD7** *Buildings* that do not meet Rule 14.8.2.5 – Daylight recession planes
- RD8** *Buildings* that do not meet Rule 14.8.2.4 (other than 14.8.2.4a.iii; refer to RD16) – Minimum building setback from side and rear internal boundaries and railway lines
- RD9** *Residential units* that do not meet Rule 14.8.2.7.
- RD10** *Multi-unit residential complexes*
- RD16** Activities and *buildings* that do not meet Rule 14.8.2.4a.iii relating to rail corridor boundary setbacks.

4. Discretionary Activities (14.8.1.4)

- D1** Any activity not provided for as a permitted, controlled, restricted discretionary, non-complying or prohibited activity.
- D2** Activities that do not comply with any one or more of the activity specific standards in Rule 14.8.1.1 for:
- P1 Residential activity; or
 - P4 Conversion of an elderly person's housing unit into a residential unit.

5. Non-Complying Activities (14.8.1.5)

- NC1 a. *Sensitive activities and buildings* (excluding *accessory buildings* associated with an existing activity):
- i. within 12 metres of the centre line of a 110kV or 220kV *National Grid transmission line* or within 12 metres of the foundation of an associated *support structure*; or
 - ii. within 10 metres of the centre line of a 66kV *National Grid transmission line* or within 10 metres of a foundation of an associated *support structure*; or
- b. Fences within 5 metres of a *National Grid transmission line support structure* foundation.
- NC2 a. *Sensitive activities and buildings* (excluding *accessory buildings* associated with an existing activity):
- i. within 10 metres of the centre line of a 66kV *electricity distribution line* or within 10 metres of a foundation of an associated *support structure*; or
 - ii. within 5 metres of the centre line of a 33kV *electricity distribution line* or within 5 metres of a foundation of an associated *support structure*.
 - iii. within 5 metres of the centre line of the 11kV Heathcote to Lyttelton *electricity distribution line* or within 5 metres of a foundation of an associated *support structure*.
- b. Fences within 5 metres of a 66kV or 33kV *electricity distribution line support structure* foundation.
- c. Fences within 5 metres of an 11kV Heathcote to Lyttelton *electricity distribution line support structure* foundation.

Advice Notes:

1. The *National Grid transmission lines* and *electricity distribution lines* are shown on the planning maps.
2. Vegetation to be planted around *National Grid transmission lines* or *electricity distribution lines* should be selected and/ or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.
3. The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation to *National Grid transmission lines* and *electricity distribution lines*. *Buildings* and activity in the vicinity of *National Grid transmission lines* and *electricity distribution lines* must comply with NZECP 34:2001.

6. Built form standards (14.8.2)

14.8.2.1 Site density

Each *residential unit* shall be contained within its own separate *site*. The *site* shall have a minimum *net site area* as follows:

- Residential Banks Peninsula Zone: 400m² (excluding residential units established under P4)
- Residential Banks Peninsula Zone – Diamond Harbour Density Overlay: 600m²
- 10 Pages Road, Lyttelton (described as Lot 2 DP 52500): 5 or fewer residential units in total may be erected on the site.
- 10 Harmans Road, Lyttelton (described as Lot 1 DP 71436): 5,000m².
- *Multi-unit residential complexes*: There shall be no minimum net site area for any site for any residential unit.

14.8.2.2 Building height

- a. The maximum *height* of any *building* shall be 7m.
- b. The maximum *height* of any *accessory buildings* shall be 4.5m.

(Definition of “Height” – in relation to a building means the vertical distance between ground level at any point and the highest part of the building immediately above that point. For the purpose of calculating height account shall be taken of parapets, but not of:

- (a) radio and television aerials, provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 2.5m; and
- (b) finials, provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 1.5m;
- (d) chimneys (not exceeding 1.1m in any direction)
- (e) any utility or part of a utility with a horizontal dimension of less than 55mm.)

(Definition of “Ground level” means the natural ground level or, where the land has been subdivided, the level of the ground existing when works associated with any prior subdivision of the land were completed, but before filling or excavation for new buildings on the land has commenced).

14.8.2.3 Site coverage

The maximum percentage of the *net site area* covered by *buildings* shall be 35%, excluding:

- a. fences, walls, retaining walls;
- b. eaves and roof overhangs up to 600mm in width and guttering up to 200mm in width from the wall of a *building*;
- c. uncovered swimming pools up to 800mm in *height* above *ground level*; and

- d. 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 are covered or roofed, are in total nor more than 6m² in area for any one *site*.

14.8.2.4 Minimum building setbacks from side and rear internal boundaries and railway lines

- a. The minimum *building* setback from side and rear internal *boundaries* shall be:

i.	Side internal <i>boundaries</i>	One of 1.5 metres and one of 2 metres
ii.	Rear internal <i>boundaries</i>	2 metres
iii.	<i>Buildings, balconies</i> and decks on sites adjacent to or abutting a designated rail corridor	4 metres from the rail corridor boundary

- b. There shall be no minimum setback from internal *boundaries* for *accessory buildings* where the length of any wall within the setbacks specified in a. is less than 6 metres.
- c. For the purposes of this rule this excludes guttering up to 200mm in width from the wall of a building.

14.8.2.5 Daylight recession planes

- a. No part of any *building* shall project beyond a *building* envelope contained by a 45 degree recession plane measured at any point 2 metres above *ground level* at any *adjoining site boundary*, that is not a *road boundary*.
- b. Where the *building* is located in a *Flood Management Area*, the exemptions in Rule 5.4.1.3 apply (for activities P1–P4 in Table 5.4.1.1b).

14.8.2.6 Building setbacks from road boundaries

Minimum *building setback* from *road boundaries* shall be:

Applicable to:

- Where a *garage* contains a vehicle entrance way which general faces a *road*: 5m
- All other *buildings*: 3m

14.8.2.7 Water supply for fire fighting

- a. Sufficient water supply and access to water supplies for fire fighting shall be made available to all *residential units* via *Council's* urban fully reticulated system (where available) in accordance with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice (SNZ PAS:4509:2008).

- b. Where a reticulated water supply compliant with SNZ PAS:4509:2008 is not available, or the only supply available is the controlled restricted rural type water supply which is not compliant with SNZ PAS:4509:2008, water supply and access to water supplies for firefighting that is in compliance with the alternative firefighting water sources provisions of SNZ PAS 4509:2008 must be provided.

Christchurch District Plan Chapter 7: Transport

7.4.2.1 Permitted activities

P1 and P2 Parking Space Numbers and Dimensions

Each residential unit less than 150m² gross floor area shall provide 1 parking space within the site. Units greater than 150m² shall provide 2 parking spaces. Units without a garage shall provide 1 cycle parking space per unit.

Parking spaces shall have a stall width of 2.4m and stall depth of 5m. The minimum widths of parking spaces shall be increased by 300mm where there is a permanent obstruction such as a wall on one side of the parking space. Where there is such an obstruction on both sides of a parking space the minimum width shall be increased by 600mm.

Cycle parking spaces shall be located in a covered and secure area easily accessible for all residents.

P4 Manoeuvring

All on-site manoeuvre areas shall be designed in accordance with Appendix 7.5.6 and to accommodate at least an 85 percentile design motor car, as shown in Appendix 7.5.4.

On-site manoeuvring shall be provided to ensure that a vehicle can manoeuvre in a forward gear on to or off a site where any activity has a vehicle access to:

- A major or minor arterial road; or
- a collector road where three or more parking spaces are provided on site; or
- six or more car parking spaces.

Parking spaces shall be located so that no vehicle has to carry out:

- any reverse manoeuvring when moving from any vehicle access to any parking spaces (except for parallel parking spaces)
- more than one reverse manoeuvre when manoeuvring out of any parking space

P6 Design of Parking Areas

The surface of all parking, loading, and associated access areas (except parking areas for residential activities providing less than three spaces) shall be formed, sealed and drained and parking spaces permanently marked.

P7 Access Design

All vehicular access to a site shall be in accordance with the following standards (note for access to 1 or 2 car parks the maximum gradients can be 1 in 4 (25%) for any length). The minimum and maximum widths shall be measured at the road boundary and apply within the site until the first vehicle control point.

Potential # of units	Legal width (m)	Formed width (m)	Maximum gradient
1 to 3	3.0	2.7 min 4.5 max	Up to 20m: 1 in 4 (25%)
4 to 8	3.6	3.0 min 6.0 max	More than 20m: 1 in 5 (20%) Where footpath on frontage road: Gradient of first 4.5m no greater than 1 in 10 (10%)
9 to 15	5.0 +1.5m ped/cycle access	6.0	See Appendix 7.7 1(f) and 2. for access to firefighting gradient requirements

All vehicle access to and within a site in a residential zone shall allow clear visibility above 1m within a triangle measured for a width of at least 1.5m either side of the entrance for at least 2m measured from the road boundary (see diagram below). This rule does not apply to sites that have an existing vehicle access, unless there has been a change in the location of the entrance of the vehicle access (at the road boundary) and/or an increase in the number of residential units that the vehicle access serves. Where the vehicle access is located less than 1.5m from a side boundary of the site, then the required width of clear visibility triangle on that side of the access shall be the distance between the vehicle access and the side boundary.

Queuing spaces are required for accesses serving 4 or more residential units when accessed from arterial roads, or 11 or more spaces when accessed from all roads.

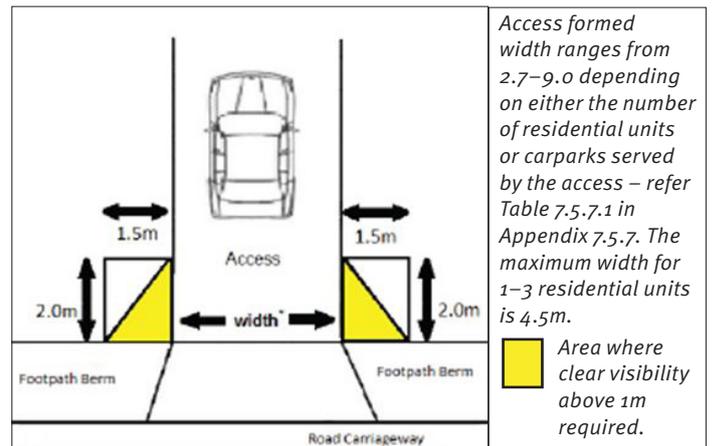
A queuing space of 6m is required:

- For 4–10 residential units where the car parks are accessed from arterial roads.
- For 11–20 residential units where the car parks are accessed from local and collector roads

A queuing space of 12m is required:

- For 11–20 residential units where the car parks are accessed from arterial roads; and for 21–50 residential units.
- Larger queuing spaces are required for greater numbers of residential units, refer Table 7.5.8.1 in Appendix 7.5.8 of Chapter 7.

Diagram showing area where clear visibility required:



P8 and P9 Vehicle crossings

Any activity with vehicle access to a road or service lane requires a vehicle crossing to be constructed. A vehicle crossing permit is required from the Council (separate from the resource consent process) for this construction. Where activities access roads with speed limits greater than 70km/hr specific standards apply under the District Plan (refer 7.4.3.8)

Standards setting the minimum distance between vehicle crossings also apply:

Minimum distance (m)	Types of road frontage		
Frontage road speed limit (km/h)	Arterial	Collector	Local
70	40	40	40
80	100	70	50
90	200	85	65
100	200	105	80

In addition there are controls on the location of vehicle crossings near rail level crossing limit lines (30m minimum unless the boundaries of the site do not permit this).

Maximum number of vehicle crossings

The maximum number of vehicle crossings permitted on each road frontage of any site shall be in accordance with the following:

Frontage length (m)	Type of road frontage		
	Local and collector	Minor arterial	Major arterial
0–16	1	1	1
>16–60	2	1	1
>60–100	2	2	1
>100	3	2	2

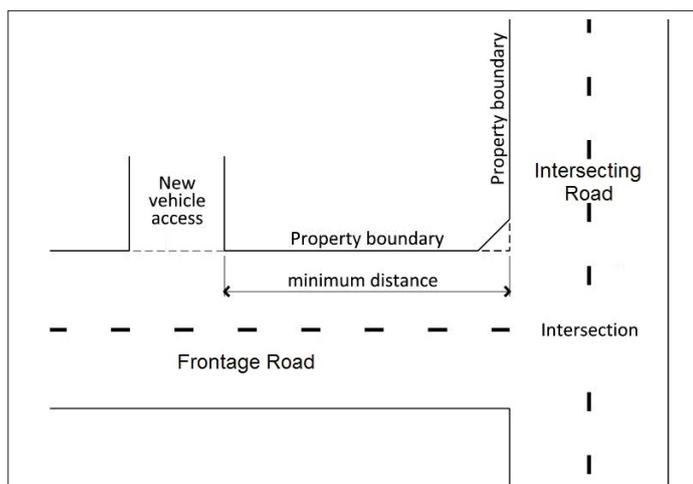
Distances of vehicle crossings from intersections

Any part of any vehicle crossing shall not be located closer to the intersection of any roads than the distances specified below (applies to an intersection on the same side road as the site only):

Speed limit <70km/h Intersecting road type (distance in m)			
Frontage road	Arterial	Collector	Local
Arterial	30	30	30
Collector	20	20	10
Local	20	15	10

Speed limit 70–90km/h Intersecting road type (distance in m)			
Frontage road	Arterial	Collector	Local
Arterial	100	100	100
Collector	45	45	45
Local	45	45	45

Speed limit >90km/h Intersecting road type (distance in m)			
Frontage road	Arterial	Collector	Local
Arterial	200	200	200
Collector	60	60	60
Local	60	60	60



1. The measurement of the distances between vehicle crossings and intersections shall be as per the figure above.
2. Where the boundaries of a site do not allow the provision of any vehicle crossing whatsoever in conformity with the above distances, a single vehicle crossing may be constructed in the position which most nearly complies with the provisions of the above table.

Note: The classification of roads is contained in Chapter 7, Appendix 7.5.12 of the District Plan.

Reference to other standards

Please note that in addition to the rules for the Residential Banks Peninsula Zone, your proposal will also need to comply with all of the general rules contained in the Christchurch District Plan.

These include but are not limited to:

- Earthworks (Chapter 8.9)
- Water Body Setbacks (Chapter 6.6)
- Historic Heritage (Chapter 9.3)
- Significant and Other trees (Chapter 9.4)
- Signs (Chapter 6.8)
- Subdivision (Chapter 8)
- Activities within areas affected by Natural Hazards (Chapter 5)
- Sites of Ngāi Tahu Cultural Significance (Chapter 9.5)
- Indigenous Biodiversity and Ecosystems (Chapter 9.1)
- Landscapes and Natural Character (Chapter 9.2)
- Noise (Chapter 6.1 – including activities near infrastructure rule 6.1.7)

In addition, City Plan provisions in relation to Coastal Hazards still apply

85 Percentile Design Motor Car:

