

12 October 2018

Ivan Iafeta
Chief Executive
Regenerate Christchurch

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Dear Ivan

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

Christchurch City Council (the Council) thanks Regenerate Christchurch for the opportunity to provide comment on the draft Ōtākaro Avon River Corridor Regeneration Plan as a section 29 partner.

Overall, the Council supports the direction of the draft Plan and congratulates Regenerate Christchurch on their extensive and comprehensive assessment of the potential land use opportunities for the corridor. The Council further recognises the very inclusive community consultation process and it is clear that the views of the community and stakeholders have been heard and used to guide and shape the draft Plan.

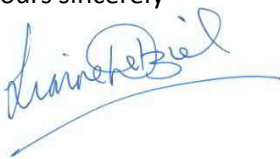
The draft Plan recognises the strategic priorities for this Council and in particular provides opportunities for the Council to give effect to its flood management and water quality improvement plans for the Ōtākaro Avon River catchment; the major cycleway network; and the City to Sea linear park promoted under the Public Open Space Strategy.

The draft Plan appropriately recognises that the Vision will be achieved over many decades, and supports the staged approach as a means to manage community expectations. It is clear in its enabling of suitable areas to facilitate private investment in the corridor and if successful, will undoubtedly have a positive impact on the surrounding communities and wider city.

It is acknowledged that at this stage that the draft Plan is a high level strategic document. As the next level of detail is developed (i.e. confirming locations, size and scale of specific elements in the draft Development Plan), that the Council supports Regenerate Christchurch to work collaboratively to provide input and review by Council technical and expert staff to support the design and planning required for successful implementation. The Council also welcomes opportunities for further discussion with Regenerate Christchurch on any points raised in the attached submission.

For any clarification on points within this submission please contact David Griffiths, Head of Planning and Strategic Transport at David.Griffiths@ccc.govt.nz.

Yours sincerely



Lianne Dalziel

MAYOR

Christchurch City Council Feedback

Ōtākaro Avon River Corridor Draft Regeneration Plan - October 2018

Regenerate Christchurch's Draft for Feedback from Section 29 Parties

Overall the Council supports the direction of the draft Ōtākaro Avon River Corridor Regeneration Plan (the draft Plan). This feedback is aimed at giving a clear single statement of Council's more specific views, issues and questions on particular section that can guide Regenerate Christchurch in refining the draft Plan.

As a partner in the project, the Council has made available a wide range of disciplines to support Regenerate Christchurch in the production of the initial research, visioning and design phases. As part of the process towards public notification of a draft Regeneration Plan for the area by the end of 2018, a continued collaborative approach with a broad range of staff is encouraged to resolve identified matters of concern or clarification, such to ensure an effective delivery framework.

The first two matters are those of particular importance to Council to resolve prior to the public consultation on the draft Plan. The second tranche of matters (being **c** - **g**) in this feedback) are more detailed and summarise those raised by Council staff who welcome further engagement with the Regenerate Christchurch team to discuss as the process continues. The second tranche are summarised under topics, rather than follow specifically the format of the draft Plan.

a) **Managing community expectations – Funding, Governance, Land Ownership and Implementation:**

The Council accept that the land uses proposed for each area (Three Reaches and the Green Spine) appropriately recognises the environmental conditions and limitations of the land, and acknowledge redeveloping the land for business and residential purposes, such to offset the public cost, is both challenging and in many areas not likely feasible. The Council is however very mindful of managing community expectations, specifically under the section titled "*Transformation Over Time*" (refer to pages 27 and 28 of the draft plan) and the section titled "*Setting up for Success*" (pages 57 to 60 of the draft plan).

At this stage, the draft Plan cannot be resolute on public sector commitments, given that significant future decisions on funding and governance arrangements are still to be made (principally through the Global Settlement with the Crown). It is important that the community are made aware of these significant decisions, at the very front of the draft Plan.

It is therefore suggested that some of the important messaging in the "*Setting up for Success*" section is brought forward as context to the "*Transformation Over Time*" section, and combined with the introduction text under the heading "*Making the Plan A Reality*". This redrafting may better serve to manage community expectations as to public sector investment in the first years, noting also that the discussion of the phasing of the plan is repeated within the first sections again could be refined/refocused.

Whilst the Council has committed under its 2018 Long Term Plan to fund some infrastructure, it is by no means certain that Council funding will be available to over the next few years undertake for instance "*ecological restoration and mahinga kai*", "*fitness courses, dog parks and similar projects*", or to "*secure first major visitor attraction investment*" (see statements on page 28 of the draft Plan). The costs of delivering and maintaining the public infrastructure and Green Spine elements are significant and these need to be articulated clearly within the document.

For example, the section titled *“Setting up for Success”* states only one figure of \$150 million as the total cost of the Green Spine, however it is not clear from this statement that this does not include any network infrastructure and other associated works within the Green Spine. Such statements can serve to underplay the challenge of implementing the plan and unduly raise community expectations. It is therefore suggested that further consideration is given to the wording (messaging) under the section titled *“Transformation Over Time”*, in particular to signal that certain works may “commence” in a given period but may not necessarily be completed (such to better align with the Council’s current funding under the 2018 Long Term Plan).

Further discussion would also be welcomed as to the activities proposed to occur *‘Right Away’* as part of *“Phase 1: Create the platform”*, against *‘Over the Next Few Years’* being part of *“Phase 2: Welcome people in”*. Again decisions on funding, governance, land ownership and the implementation programme, will have a significant bearing on timeframes for these specific activities.

For instance, there is a pre-determined sequence to the planning and execution of “front-end” works on which other development planning is dependent. Design of the floodplain and water quality management elements within the Green Spine will need to be completed so as to enable confident planning of all interfacing elements both within the Green Spine and adjacent to it.

The priority elements are the flood management works – currently envisaged as being stop-banks and pump stations – and their directly associated infrastructure including transport providing servicing access. The current timing for commencement of water management works under the current LTP is FY2021 for transport, FY2023 for flood management and FY2027 for storm water management. The draft Plan may need to highlight that any advancing of these planned timings will have significant financial implications for Council.

b) Lack of clarity and potential difficulties of implementation through the proposed District Plan provisions

Parts of the proposed District Plan provisions lack clarity, thus making it difficult for the public to understand the consenting pathway for activities, and the Council to administer the District Plan (i.e. when making decisions on resource consents).

The four highest priorities of the draft Plan of, improving water quality, managing natural hazards, restoring ecosystems and connecting people with nature are strongly supported. However the Plan's emphasis on an *“enabling planning framework”*, including a *“consent pathway”* for activities that have not been contemplated, has the potential to threaten the achievement of those priorities. This is particularly so in respect of restoring ecosystems and connecting people with nature.

For example, the Green Spine is the area of the Corridor where achieving indigenous ecological restoration is intended to be a very high priority. The range of activities and the scale of built development that are permitted without a resource consent is therefore limited. However, the rest of the proposed planning framework potentially implies that any other activity or any other scale of built development is potentially appropriate in the Green Spine. This contrasts with other areas in Christchurch where natural values are important, where the District Plan makes it clear that certain activities and certain scales of built development are not appropriate (by identifying them as non-complying activities).

A further example where greater clarification of the proposed provisions would be helpful, is in regard to the outcomes/purpose of the Horseshoe Lake and Ōtākaro Reaches, and the differences between the two. Both Reaches seek to provide for a wide range of activities and list a range of specific activities. However, these areas lack policy direction as to the sort of activities and the scale of development that is appropriate, or conversely not appropriate. Because of this, decision making on resource consent applications may be difficult, with little basis for declining inappropriate proposals.

Other specific matters have been identified in respect of potential misalignment between the draft plan statements and the proposed District Plan provisions. These are discussed later in the report.

c) The Green Spine: Managing and Living with Water

General

- Throughout the document the terminology “storm water *wetland*” is used. Consider using ‘storm water **management facilities**’.
- Parts of the document state that actions or outcomes will occur, whereas the reality is that these are dependent on future planning, design and decisions. This creates incorrect impression that the works definition process is more advanced than it is and sets unrealistic expectations on scope and timing.
- Storm water ponds are contaminated with heavy metals (as is their purpose) and they need to be dredged regularly throughout their life. Consider reviewing suggested land-use activities and opportunities near storm water management areas to reduce potential conflict.
- There may be sites within the Green Spine that become exposed to tidal inundation, presently or over time that could be contaminated. Consider what protection, management or remediation these sites may need from tidal flushing that could expose contaminated material into the river.
- “Upgrade of river navigation ...” (from Kerrs Reach to Heathcote). Further clarification is needed on what this would entail.
- There is an ability to provide for a more natural response to sea level rise/estuary expansion through providing areas for future tidal inlets to revert back to salt marsh (similar to Charlesworth Reserve). Ensure the low lying areas either side of ANZAC Drive are clearly shown for this purpose.

Stop-banks

- The purpose of stop banks is to manage potential risks of flooding by keeping flooding away from people, as opposed to “*protecting homes*”. Consider rewording so as to not place liability on the Council to protect properties, but rather manage risk to a reduced and/or tolerable level.
- The Council is currently undertaking a multi-hazard analysis to confirm if constructing replacement stopbanks is desirable or if another floodplain management approach is preferred. The draft Plan needs to provide for flexibility to allow a range of approaches to be potentially implemented to support the outcomes of this analysis.
- It is noted that the original stop banks were designed for a 5 year life. We are now extending that to 20 years through upgrade work. The design for the stop banks work programme will start in 2022/23, assuming that decisions arising from the multi-hazard investigation support the stop-bank reconstruction.
- The current Sea Level Rise allowance that the Council uses for stop bank assessment (as per the Ministry for the Environment Guidance) provides for 1 metre. Consideration is needed as to implications if Sea Level Rise goes beyond the scenario upper limit of 1.9 metres.
- Consider rewording “... *with wider future-proofed foundations*”, to reflect that the proposed stop banks are to be resilient and adaptive, in that they are able to be raised over time.

Living Laboratory

- Consider reviewing the Styx Living Laboratory Trust, and other ecological groups or organisations such as the Travis Wetlands Trust, as potential advisors to assist with guiding the development of the Living Laboratory. It is recommended that coordination occurs between like-minded Trusts to support the wider aims of Christchurch being a world-leader in living laboratories.

d) The Green Spine: Restoration and Regeneration of Nature

General:

- In order to optimise or at least balance biodiversity outcomes with public enjoyment of the environment, careful thought still needs to be put into how wildlife disturbance will be managed/minimised throughout the OARC. It is strongly recommended that a meandering walkway is provided throughout the OARC areas, in particular in parts away from the river to provide key undisturbed refuge sites. This would also provide a more varied natural experience and more resilience to rising river and sea levels, by ensuring a wider vegetated buffer between the river and walkways.
- Concerns about compatibility of farming and food production with water quality and wildlife - conflict or reverse sensitivity matters. Consider reviewing suggested land-use activities and opportunities to reduce potential conflict.

Fauna and Flora:

- Change “*weed and pest management*” to “***plant and animal*** pest management”.
- There is potential for the large-scale ecological restoration to largely rely on the Council, or governance entity, to do the planting voluntarily. The proposed rules require ecological planting of only 10% of sites, with no requirement for such planting for outdoor recreation activities, which may not achieve the overall desired ecological objectives or outcomes for the OARC.
- When referring to the “*Enhancement of biodiversity*” consideration is needed to give room for the estuary/intertidal zones to migrate with rising sea levels, thus providing habitat for coastal wetland bird species, including migratory and/or threatened bird species.
- When referring to “*..attracting bellbirds, tui and ĭnaka*”, it is noted that there is no reference to birds reliant on coastal wetlands. Consider adding in, for example, Bitten Marsh Crake, stilts, oystercatchers etc.
- In reference to - “*With 300ha of native restoration, a significant opportunity to invest in carbon sequestration*” - it is noted that this only applies to forest species, not wetland and shrubs. Given that commercial forestry is not a permitted activity, it is recommended that the reference to carbon sequestration is removed from the draft Plan.
- It is recommended that consideration is given to how plants will be sourced and supplied for the potentially enormous task of planting the OARC area. Consider adding a community-led plant nursery to connect and involve communities in restoration efforts through growing and supplying the plants required.
- “*Eco-sanctuary*” - Further clarification is needed to on what this would entail in terms of design, management and realistic visions, e.g. what birds it plans to support.
- In the use of images within the “*Restoring Identity*” section, it may be better to refer to comment on the forest type, as opposed to showing tree species at differing scales (e.g. totara dominated forest, kahikatea forest etc.). Note that the image of the whitebaiter is contravening the Fisheries Act by whitebaiting within 20m of a stream confluence. Consider reviewing this image to remove whitebaiter.
- Concerns with regards to maintenance and cleaning of ‘*landings*’ which may also be used by problem waterfowl – ducks, geese, swans. Experiences with areas of the city which have been regenerated, such as Oxford Terrace/The Terraces area, has shown that contractors tend to water blast or sweep waterfowl poo back into the waterway. Consider how cleaning of these structures may unintentionally be discharging contaminants to surface water and whether any specific operational guidance should be developed.

Design:

- Many of the images used in the draft Plan showing pathways need to indicate appropriate species selection and location for planting. This is to ensure that growth and spread impacting on the line of sight that does not create unsafe areas for users. CPTED assessments will be required when completing landscape design of pathways.
- It is recommended that Council staff are involved in providing more technical and expert advice on future detailed plans for areas, to support successful implementation and restoration of the OARC.

e) Improving Access and Movement through the OARC**Existing roads for remaining properties and potential developments:**

- There is a need to retain some road sections in the OARC area to maintain access for properties, public areas, infrastructure (i.e. storm water pumping stations), existing parks/reserves, and potential developments. Recommend that these existing roads stay as 'legal road' until the time these accesses are no longer required.

Potential new roads:

- To support regeneration there may need to be new roads/accesses created, such as those to access future network connections, cycleways or new public areas. On the other hand, there are some roads that may no longer be required, and these could be legally 'stopped'. The draft Plan could be clear that the road network details will be refined during the plan implementation. The Council are supportive of a review of these in collaboration with Regenerate Christchurch, so that the appropriate Local Government Act processes are followed.

Extension of Breezes Road to Fleete Street:

- Any changes to the roading network may have knock on effects, such as road capacity and traffic flows during peak hours. Consider wider network effects of changes proposed.
- While there may not be a business case to justify the investment required to construct a bridge and road upgrade, there is a case for this on resilience grounds given that the section of New Brighton Road along the river is prone to flooding. This needs to be clear in the draft Plan such not to raise community expectations it will implemented, certainly in the short-medium term given other transport priorities in the City.

Future cycleways:

- The Avon-Ōtākaro Major Cycle Route (MCR) has been planned to be constructed along the Avon River within the OARC. However the alignment of this, including accesses to the wider MCR network, are unknown at this stage, and this should be stated in the draft Plan. The Council looks forward to further collaboration on the proposed cycleway route with Regenerate Christchurch to ensure the MCR network connects together across the City, and takes advantage of the opportunity to combine this with to the proposed 'City to Sea Path'.
- Note that the design and location of any cycleway through the Avon River Corridor needs to be assessed in terms of a six-values approach (drainage, landscape, ecology, recreation, culture and heritage) – particularly ecology in this sensitive environment. Also note that 'transport' (apart from recreation) was never envisaged as a waterway value when the six-values philosophy was adopted. There is a real danger, as demonstrated by other cycleway projects, that a busy cycle way may have significant impacts on wildlife through disturbance and loss of riparian habitat potential, and also will make the river ecosystem less resilient over time as sea level rise creates a narrower and narrower riparian margin, eventually undermining the cycleway construction (further exacerbated by saline influence on soil structure).

City to Sea Path: Access, Movement and Design

- Consider the use of CPTED principles in the design of pathways and accesses to support safety of all users.
- Consider how the track and boardwalk design provides for effective/efficient access to maintain, repair, or rebuild.
- Consider how new, upgraded or replaced foot and road bridges allow for access of users along river bank, including potential under bridge passes.
- Consider a shared path connection from the new QEII School and Park through Atlantis Street (north-east side of the re-aligned SH74) to the Avondale suburb due to its high importance for the safety of the local community.
- Consider showing the existing walking/cycling link along Corsers Stream between Travis Road and the new footbridge near Travis Landing on the maps.
- Consider a minor relocation toward north has been proposed as an option for the Pages Road Bridge renewal to re align the bridge directly with Hawke Street. This may need the Bexley Landing and community space on the eastern side of the river to be moved slightly to the North/West to avoid the required area.

For 'Landing' areas, consideration of space and movement is required of all potential users of this space, for example whitebaiters, kayakers, dog walkers, as well as provision for shared paths, access for rubbish collection and potentially maintenance vehicles. In stream users much also be considered, e.g. rowers.

f) Enabling Activities:

General:

- Concern that the draft Plan does not list or acknowledge all existing community activity being performed in the area - it is not a barren area. Consider referencing existing users and activities in maps or in text and provide reassurance, where appropriate, that these users will be able to continue.
- Note that the water supply and wastewater infrastructure services in the OARC have largely been removed. Consider all water and waste infrastructure, and the connections required, that will be needed to support any future regeneration of the OARC, not just in the 'early enabling' phase, but also over the long term if support for private investment opportunities is to be realised.
- Concerns about 'Landings' and potential conflict with water sports and recreation activities, for example whitebaiters. Currently key access sites to water for sport and recreation within the OARC, for example Kerrs Reach, are already overcrowded during peak times (weekends and after school) . Structures that stick out into the water, such as the proposed landings create an obstacle for water craft and tend to collect water borne rubbish and other debris. There have been recent incidents of boats colliding due to current space constraints and activity. Consideration must be given to anticipated increase of water sport and recreation activity as a result of regeneration efforts. Combined with the, in-river space impacts of the "landings", we have concerns about the overall impact on the experience and health and safety of current and future users - particularly the "Avondale Landing" in the busy Kerrs Reach area.

Sport, Recreation and Leisure:

- Concern that sport is largely absent from the draft Plan. Recommend that "sport" is included, and that existing sport enabled areas are clearly identified on maps, such as existing parks and reserves, Kerrs Reach and Owles Terrace
- The map of the City showing "*Major outdoor recreation areas of Christchurch*" does not fully show the scale of outdoor recreational opportunities the City currently has on offer, such as the significant recreation, sport and leisure spaces in the Port Hills. Recommend that this map also needs to acknowledge;
 - Motor sport and Orana Park in "*The Island*"
 - Botanic Gardens in "*The Central City*"

- The current area alongside Horseshoe Lake is one of the most popular dog exercise parks, but it appears to have been removed from the maps. Consider adding in dog walking areas to existing maps.
- Existing water sports codes use the entire width of the river from Kerrs Reach right into the estuary for regattas and training. The Council supports the widening of Kerrs Reach for water sports compatible with ecological and other values of the area.
- With reference to the *“potential festival style flatwater sports short course”*, clarity is required on what this entails. At the proposed location shown on maps the river is shallow here and quite narrow and not well suited to flatwater sports. The location of this activity must take into account any modification required of the in river environment to enable this proposed activity, likely demand of use, and supporting infrastructure that may be required to enable this activity.
- Concern that courses for marathons, triathlons and road cycling have very specific technical requirements and may not be achievable within the OARC area, including aspects relating to traffic management and health and safety of events. Consider reviewing this and if required remove from the draft Plan text to avoid confusion and raising initial expectations.
- Porritt Park - There appears to be no description of who the facilities along this corridor belong to and the importance of these facilities to the sports facilities network in Christchurch. The relevant codes are currently looking to expand and the draft Plan will need to acknowledge this.
- Other proposed sport, recreation and leisure activities -
 - *“backyard sports”* - Clarification is required on what this constitutes.
 - *“Disc golf course”* - Note that there is already a disc golf course at Queenpark and one planned for QEII. Another one is also proposed for Rawhiti Domain. The need for another one within the vicinity is questionable and must be considered with a city wide perspective.
 - *“graffiti wall”* - Concern that this is in conflict with anticipated character of the Green Spine and should be removed from the draft Plan.

Adaptable housing:

- Mixing floating houses (trial amphibious) and water quality treatment devices may not be desirable as urban discharges are very high in suspended sediment and those in the housing may raise reverse-sensitivity issues. Ideally it is recommended that any floating houses should be over clean flowing water.
- Withells Island Reserve/Owles Terrace - The draft Plan indicates adaptive housing on land that Council owns. There is no indication that the current water sports will continue to operate from this site or that any green space will remain. This is an important site for water sports to relieve pressure on busy Kerrs Reach and must continue to be available. Consider reviewing this location for adaptive housing to mitigate the potential public concerns around private occupation of Council owned land if the site as a whole is shown as potential for adaptable housing.
- The issues (both technical and cost) could be quite serious and it would be advisable that servicing should be considered in the first instance before proceeding into too much planning detail.
- The cost of connection to our networks should be borne by the developer, as is the usual case for subdivisions. Depending on the location of the adaptable houses, the proximity to our networks and the capacity in those networks, this could be very expensive (or similar to other developments if networks are close by and have capacity). It is strongly recommended that details about what is proposed is provided to 3W asset planning as soon as possible so they can identify early if there are any issues.
- There is a major risk of floodwaters getting into our wastewater system and the risk of the reverse occurring.

Community uses:

- Community Gardens:
 - These activities and land uses are invariably problematic in their organisation and management. Consider providing guidance about how these might be managed in the future.
 - Community Gardens take up considerable room to be productive. The draft Plan is unclear as to exactly where they may be established.
 - A good degree of separation is required from the natural areas being created, e.g. planting edible gardens will inevitably attract vermin (rats, mice, possums, etc.) which will impact on indigenous biodiversity values, and will likely also attract pukeko, for example, that will damage/destroy crops resulting in reverse sensitivity. Consider the need to have plans in place for unwanted organisms or pest outbreak with involvement from the Ministry for Primary Industry.
 - Note that it is likely that gardens will require fertiliser application or perhaps even imported topsoil – which equals further potential damage to downstream ecosystems. Unless the community gardens are to be organic, pesticide is likely to be applied. Consider providing guidance as to management of nutrients.
 - Consider providing space for a farmers market within or adjacent to any community garden spaces.
- Aquaculture: Concerns that this may be difficult to manage nutrient loads not supported.
- Transitional projects are important to activate spaces whilst potentially reducing maintenance costs, which is an important consideration given the plan will take decades to fully implement. Consider resources being put towards promoting and supporting transitional projects within the OARC.
- Visitor attractions in the reaches:
 - Noted that a water-based adventure park in eastern reaches may be too close in location to the proposed Salt Water Pools in New Brighton to support viable commercial investment opportunities in the City. Consider wider regeneration objectives in the City and align these to ensure potential conflicts of uses, activities or investment opportunities are managed.

g) Enabling provisions: Relationship between proposed activities in the draft Plan, and draft District Plan provisions

- Concern that there may be inconsistencies with what is outlined in the draft Plan, compared to what is provided for under the draft amendments to the District Plan. In general the draft Plan may somewhat over promise what the draft District Plan provision provides for or requires. An example of this is when the draft Plan suggests certain activities are intended, but the planning provisions do not actually provide for these. This can create unrealistic expectations, confusion and challenges to the Council during the administration of the Operative District Plan. As examples within *“Transformation over time - Phase 2 - Private Investment”* where it states;
 - *“Sustainable farming, agriculture, forestry and baleage”*: The draft planning provisions do not require farming to be sustainable. They also do not provide for commercial plantation forests. Recommend that ‘forestry’ is removed from the Plan to avoid confusion. If this was to cover tree fruit crops, this is covered in the references to farming.
 - *“Camping/tourism accommodation”*: the draft provisions only allow camping ground and campervan parks, so guest or tourism accommodation is limited. Recommend the word ‘tourism’ and ‘guest’ is removed throughout the draft Plan, and only refer to ‘camping grounds’.
- Within the *“Delivering value for everyone - Business Community”*:
 - It is noted that while the draft Plan seeks to support opportunity for large-scale tourism and commercial opportunities, this is not reflected in the draft rules, for example;
 - i. General commercial activities (other than tourism) are limited in the draft rules.

- ii. Provision is made for food and beverage outlets, but retail activities are limited to Landings and Activity areas with modest floor areas allowed in each area (i.e. 70 - 350m³). Recommend amending to reflect scale restriction “..tourism, and **some commercial**”
- States “An enabling planning framework...”, and provides for those activities not anticipated to require a resource consent as a discretionary activity. However in some cases the existing District Plan makes it clear that those activities are not intended anywhere in Christchurch by making them non-complying activities. For example, activities affecting protected natural or cultural features.
As another example, it is proposed to allow construction of landings, and cycling and walking paths without having to comply with the District Plan provisions that protect waterways and sites that are specifically identified because of their high ecological, landscape or other natural values (if undertaken by the Council, ECan or the Government). As an example of the concerns this raises, three of the landing areas include known fish spawning grounds. The existing District Plan does not exempt such activities elsewhere in the District, even if undertaken by the Council, ECan or the Government. The provisions do propose a requirement for a resource consent, but the type of consent application required (a controlled activity) does not allow the Council to decline the application, only to impose conditions. It is therefore recommended that the existing District Plan provisions apply, or at the very least, that these activities be restricted discretionary activities with appropriate assessment matters.
The draft provisions already provide for some activities that are non-complying, so not all activities are enabled by the planning framework. Recommend rewording to be “A *planning framework will allow investors to propose and execute innovative and exciting developments in the area, **whilst ensuring critical outcomes are achieved. However, some activities are non-complying activities where they would adversely affect critical Regeneration Plan objectives and outcomes***”.
- Within “Enabling activities - Existing activities”:
- The statement that the existing privately owned sites can be used as if they were zoned Residential (RS) or Residential Medium Density (RMD) is not entirely correct. There are a number of permitted activities in the current District Plan in those zones that are excluded from the draft provisions for this area, such as education activities and health care facilities, which are to be regarded as discretionary. Recommend that this statement be changed to, “The amendments provide for the continued residential use of remaining privately owned residential sites as though they were....”

Ōtākaro Avon River Corridor Regeneration Plan Planning Framework for Consultation with s29 Partners

Understanding the Changes

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

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

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

It is recommended that the new Chapter 13.14 section (beginning on page 18) is read first, as this will aid understanding regarding how the other changes proposed will support the achievement of the Specific Purpose (Ōtākaro Avon River Corridor) Zone's objectives and policies.

Christchurch District Plan

Chapter 5 Natural Hazards

5.2.2.2.1 Policy – Flooding

b. Avoid subdivision, use or development in the High Flood Hazard Management Area where it will increase the potential risk to people's safety, well-being and property, except:

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

Commented [A1]: Check all numbering of sub-clauses is as per existing District Plan.

Commented [A2]: Has an assessment of liquefaction hazard been undertaken to determine whether there is a need to apply 5.5.2 and 5.5.3 type provisions more widely in the OARC considering much of it is particularly prone to liquefaction?

Commented [A3]: Add clause to HFHMA policy excluding structures within the OARC SPZ from complying with this policy. Otherwise there is a risk of inconsistency between chapter 5 and 13 as a structure which meets the direction in Policy 13.14.2.1.8 is not necessarily avoiding increasing the risk but reducing the effects on people and property.

Note that subdivision will still need to meet the direction in this policy.

This draft Regeneration Plan is provided to s29 parties to enable input into its development and may be subject to further refinement, revision and change. The draft plan is confidential to the s29 parties and should not be released to, or discussed with, any other party or member of the public at this time without the express permission of Regenerate Christchurch.

Appendix 2 –Amendments to RMA Documents

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

Table 5.4.1.1b

P13	Filling or excavation in zones other than commercial, industrial, and rural zones that is not provided for under Rule 5.4.1.1 P10-P12 or P17 - P18	a. A maximum height of 0.3m of filling above ground level and 0.6m depth of excavation below ground level; and (...)
P18	<u>Filling or excavation in the Specific Purpose (Ōtākaro Avon River Corridor) Zone that is not provided for under Rule 5.4.1.1 P10-P12</u>	a. <u>A maximum height of 0.3m of filling above ground level and 0.6m depth of excavation below ground level; and</u> b. <u>A maximum volume of filling above ground level of 20m³ per site, and a maximum cumulative volume of filling and excavation of 50m³ per hectare, in each case within any continuous period of 10 years.</u>

Commented [A4]: Difficult to administer without a realistic time period for cumulative filling.

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

Table 5.4.1.5a

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

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

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Appendix 2 –Amendments to RMA Documents

Activity	Activity specific standards
P9 <u>Public amenities</u> within the Specific Purpose (Ōtākaro Avon River Corridor) Zone, excluding visitor information centres, public toilets and changing rooms	Nil

Commented [A5]: All defined terms should be shown with a link to the definition so people know that is what is meant – in some cases the District Plan (DP) consciously did not link words to the definition where the common dictionary meaning was intended instead, particularly in objectives and policies.

Add new restricted discretionary activities (RD3 and RD4) to Table 5.4.6.2 Restricted discretionary activities as follows:

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Activity	The Council's discretion shall be limited to the following matters:
<p>RD3 <u>Any buildings</u> <u>Buildings within the</u> <u>Specific Purpose</u> <u>(Ōtākaro Avon</u> <u>River Corridor)</u> <u>Zone where the</u> <u>land has been</u> <u>raised so that the</u> <u>proposed location</u> <u>for the building no</u> <u>longer meets the</u> <u>definition of "High</u> <u>Hazard Flooding"</u></p>	<p>a. <u>Whether:</u></p> <ul style="list-style-type: none"> i. <u>the proposal can be shown, based on an evaluation prepared by a suitably qualified and experienced professional, that the filling undertaken is adequate such that the building site is no longer identified falls as High Hazard Flooding under the relevant hazard modelling within the criteria contained in the definition of a "High Flood Hazard Management Area"</u> ii. <u>Whether compensatory flood water storage capacity is provided to fully offset the loss of flood storage capacity from the land being filled and likely effects on the functioning of the floodplain during flood periods</u> iii. <u>the proposal will avoid contributing to potential cumulative transfer of natural hazard risk to other people and property; and</u> iv. <u>Whether flood risk from storm water flow paths is increased once the land is raised</u> v. <u>Whether adequate functional access and egress is will provided to access on the raised land be maintained within and beyond the site during a hazard event; or</u> <p>b. <u>Whether, based on an evaluation prepared by a suitably qualified and experienced professional:</u></p> <ul style="list-style-type: none"> i. <u>the structure proposed will maintain its sanitation and safety during inundation hazard event and whether its functionality can be maintained or reinstated within a time appropriate to its use;</u> ii. <u>the proposal will avoid contributing to potential cumulative transfer of natural hazard risk to other people and property;</u> iii. <u>in terms of land deformation, the structure will maintain its safety and be readily repairable;</u> iv. <u>functional access and egress is able to be maintained within and beyond the site during the hazard event;</u> v. <u>back-up servicing that does not rely on the Council's reticulated network is provided and is able to be used in the event the primary servicing fails;</u> vi. <u>the proposal will not result in an unacceptable risk to life or property, recognising that, over time, predictions around sea level rise will result in changes to risk and considering the ability for the relocation or removal of structures and any consent monitoring proposed;</u> vii. <u>the proposal will not exacerbate the effects of the natural hazard or generate the need for new mitigation works to protect the proposed structures; and</u> viii. <u>an adequate management plan is provided that includes where appropriate:</u> <ul style="list-style-type: none"> A. <u>information on the hazards advice system being used to monitor anticipated hazards;</u> B. <u>evidence of alternative accommodation options available;</u> C. <u>instructions on using the proposed back-up servicing; and</u> D. <u>provisions and techniques proposed in order to provide user resilience.</u>

Commented [A8]: Need to define/specify who would be qualified to make this assessment.

Commented [A9]: This term is only used in a footnote in the DP and there is no definition. The existing definition of High Flood Hazard Management Area would suffice.

Commented [A6]: Suggest just one rule (RD3) which applies to buildings in the HFHMA where either (a) filling with compensatory storage, or (b) hazard tolerant structures is able to reduce the risk

Commented [A10]: Already assessed in regards to earthworks provisions in 5.4.1, just want to ensure if earthworks already approved, that a building is appropriate

Commented [A11]: Use same wording as used for hazard tolerant structures – is more explicit and more likely to avoid unrealistic options which won't work in an actual hazard event (i.e. boat or helicopter access in a storm, with high waves and low visibility). Essentially want to avoid putting any extra pressure on emergency services by people living in these areas

Commented [A7]: This lacks the certainty for the description of an activity, as it requires a judgement. It is more appropriate that it be a matter of discretion, as already contained in the draft provisions.

Commented [A12]: The following matters are largely from what was proposed in 5.7.4.1

Commented [A13]: Need to define/specify who would be qualified to make this assessment

Commented [A14]: Clarify further what is meant by user resilience. Resilience to use of the management plan? This could potentially be explained in a different way?

Commented [A15]: These need to be matters of discretion and inserted at the end of those matters in the amended RD3 above.

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Activity	The Council's discretion shall be limited to the following matters:
RD4 Any building within the Specific Purpose (Ōtākaro Avon River Corridor) Zone, unless otherwise specified in Rule 5.4.6.1 P9 or Rule 5.4.6.2 RD3;	a. Hazard resilient structures (Rule 5.7.4.1)

Amend Rule 5.4.6.3 NC1 and NC2 as follows:

5.4.6.3 Non-complying activities

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

Activity	
NC1	Any subdivision which creates an additional vacant allotment or allotments from a site within a High Flood Hazard Management Area shown on the planning maps except where: (...) c. The additional allotment or allotments is entirely within the Specific Purpose (Ōtākaro Avon River Corridor) Zone and is not intended for non-habitable a habitable building or is intended for a hazard tolerant resilient structures that has a resource consent under 5.4.6.2 RD3; or (...)
NC2	New buildings within a High Flood Hazard Management Area shown on the planning maps, unless specified in P1 - P6 or P8 - P9 in Rule 5.4.6.1, or RD2 - RD4 in Rule 5.4.6.2.

Commented [A16]: This term is not defined in the DP and no new definition is proposed, but habitable building is a defined term.

Insert new section into Rule 5.7 General procedures – information requirements as follows:

~~5.7.4 Additional information requirements for resource consent applications within the High Flood Hazard Management Area within the Specific Purpose (Ōtākaro Avon River Corridor) Zone~~

~~5.7.4.1 Hazard Resilient Structures~~

- ~~a. Applicants will be required to supply an assessment report by a suitably qualified and experienced professional that address the matters set out below:~~

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Appendix 2 –Amendments to RMA Documents

- ~~i. Whether the structure proposed will maintain its sanitation and safety during an inundation hazard event and whether its functionality can be maintained or reinstated within a time appropriate to its use;~~
- ~~ii. For land deformation, whether the structure will maintain its safety and whether it is readily repairable;~~
- ~~iii. Whether functional access and egress is able to be maintained within and beyond the site during the hazard event;~~
- ~~iv. Whether back-up servicing that does not rely on the Council's reticulated network is provided and is able to be used in the event the primary servicing fails;~~
- ~~v. If habitable, whether the building is designed to be readily relocated;~~
- ~~vi. When determining unacceptable risk, recognise that over time, predictions around sea level rise will result in changes to risk, and take this into account when considering the relocation or removal of structures and any consent monitoring proposed;~~
- ~~vii. That the proposal will not exacerbate the effects of the natural hazard or generate the need for new mitigation works to protect the proposed structures; and~~
- ~~viii. Whether a management plan is provided that includes where appropriate:

 - ~~i. Information on the hazards advice system being used to monitor anticipated hazards;~~
 - ~~ii. Evidence of alternative accommodation options available;~~
 - ~~iii. Instructions on using the proposed back up servicing; and~~
 - ~~iv. Provisions and techniques proposed in order to provide user resilience;~~~~

Commented [A17]: These need to be matters of discretion and are inserted at the end of those matters in the amended RD3 above.

Chapter 6 General Rules and Procedures

6.1 Noise

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

Table 1: Zone noise limits outside the Central City

Zone of site receiving noise from the activity	Time (hrs)	Noise Limit (dB)	
		L _{Aeq}	L _{Amax}
a. All residential zones (other than in the Accommodation and Community Facilities Overlay)	07:00-22:00	50	n/a
b. All rural zones, except Rural Quarry Zone,			

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Appendix 2 –Amendments to RMA Documents

Zone of site receiving noise from the activity assessed at any point within a notional boundary	Time (hrs)	Noise Limit (dB)	
		L _{Aeq}	L _{Amax}
c. Specific Purpose (Flat Land Recovery) and (Ōtākaro Avon River Corridor) Zones d. Papakāinga/Kāinga Nohoanga Zone	22:00-07:00	40	65
	22:00-07:00	45	70

(...)

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

Table 4: Location-specific noise standards

	Location	Maximum No. of Days	Time limit (Hrs)	Noise limit (dB)		Qualifications
				L _{Aeq}	L _{AFmax}	
(...)		30 days per year	09:00-22:30	70	85	
h.	Specific Purpose (Ōtākaro Avon River)	5 of the above 30 days per year	09:00-23:30	75	85	in a Residential Central City Zone or

Commented [A18]: If these provisions were to stay - the RCC ref goes with g. Hagley Park You need to keep that in g., alongside the fireworks exemption and create a whole new row of qualifications for h. to be consistent with the existing table layout. It would probably be more appropriate to insert the SP(OARC) zone provisions as a new row below Victoria Square to avoid the need for consequential renumbering elsewhere in the Plan.

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Appendix 2 –Amendments to RMA Documents

	Location	Maximum No. of Days	Time limit (Hrs)	Noise limit (dB)		Qualifications
				L _{Aeq}	L _{Afmax}	
	Corridor Zone in a Medium-to-Large Scale Event Area indicated on the Development Plan contained in Appendix 13.14.6.1	New Years Eve/Day	09:00-00:30 (12:30am New Years Day)	75	85	ii. in a Residential Zone adjoining the Specific Purpose (Ōtakaro Avon River Corridor) Zone; or iii. identified in Appendix 13.14.6.2 that remains privately owned iv. Fireworks are exempt from the L _{Amax} limits.
h.i.	Cathedral Square	120 days per year	09:00-22:30	70	85	
h.j.	Victoria Square	20 days per year	09:00-22:30	70	85	

6.2 Temporary activities, Buildings and Events

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

6.2.4.1.1 Permitted activities

Events

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Commented [A19]: Rather than having a setback from residential zones or occupied houses, it would be more user friendly to identify specific areas that would be appropriate for medium-to-large scale events. We have suggested areas on the attached amended Dev. Plan that are likely to be appropriate, but more assessment would need to be done, particularly in terms of traffic. But there may be other sites in the Zone.

The zone is not generally appropriate for Tier 1 events like Sparks in the Park/Christmas in the Park/other very large scale concerts (20,000+ attendees) because the local infrastructure will not support these events well. Where these events are held in Hagley Park, a number of people will visit by bus because of the central location, whereas in the OARC most people will drive. Many parts of the zone are only serviced by local or collector roads which will cause significant traffic congestion around concerts. Large scale events also require better access to the power grid, permanent toilet facilities, good access for heavy vehicles bringing in containers and equipment and better access for emergency services.

Parts of the zone would be appropriate for Tier 2 events – medium sized concerts, food, wine and beer festivals, etc. (5,000-20,000 attendees). We consider these would be most appropriate in the areas indicated on the map. This would take the pressure off of Hagley Park without requiring significant infrastructure upgrades in the OARC. These were identified on the basis that they are reasonably distant from occupied areas, have good transport access and reasonable access to other existing or proposed facilities and are not in identified stormwater management areas.

We didn't identify any areas east of Horseshoe Lake on the basis that there are already events spaces in QEII Park, Rawhiti Domain and New Brighton Beach. Our concern was that additional spaces for large scale events in that part of the corridor would compete in particular with New Brighton and that this may not be consistent with broader Regeneration objectives.

Other events should comply with the noise standards in 6.1.6.2.3 for temporary activities in other parts of the district. The suggested amendments on the attached remove the permitted noise limits for Tier 1 events (75dB), retained the permitted noise limits for Tier 2 events (70dB for 30 days a year) in specified areas, and applies the normal temporary activities noise rules to the rest of the zone.

1.

Appendix 2 –Amendments to RMA Documents

P2	Community gatherings, celebrations, non-motorised sporting events and performances including: a. carnivals and fairs; b. festivals; c. holiday observances; d. races; e. parades; f. concerts; and g. exhibitions.	<p>a. Events shall not be open to participants for more than:</p> <ul style="list-style-type: none"> i. four consecutive weeks in any one year; or ii. six weekends in any one year (including public holidays where these fall adjacent to weekends); or iii. twelve non-consecutive days in any one year. <p style="text-align: center;"><u>A. Except that ii. and iii. above shall not apply the number of days is not restricted in the Specific Purpose (Ōtākaro Avon River Corridor) Zone prior to until the 1 July 2024, where these events are: Check all numbering of sub-clauses is as per existing District Plan. located more than 100m from an adjoining residential zone, Edge or Trial Housing Area, or from a site identified in Appendix 13.14.6.2 that remains privately owned-; and</u></p> <p style="text-align: center;"><u>A-B. the events are undertaken by or on behalf of the Council, the Canterbury Regional Council or the Crown.</u></p> <p>b. Events shall meet the activity standards for temporary activities and buildings in Rule 6.1.6.2.3 with the exception of fireworks in association with an event, as follows:</p> <table border="1" data-bbox="470 1227 981 1400"> <tr> <td>i.</td> <td>Any day</td> <td>From 09:00 to 22:00</td> </tr> <tr> <td>ii.</td> <td>Any day with an Event Permit allowing fireworks</td> <td>From 09:00 to midnight</td> </tr> <tr> <td>iii.</td> <td>New Years' Eve/Day</td> <td>From 09:00 to 01:00</td> </tr> <tr> <td>iv.</td> <td>Guy Fawkes Night</td> <td>From 09:00 to 23:00</td> </tr> </table> <p>c. From 22:00 to 07:00, events shall meet the rules for outdoor lighting in Rule 6.3.6, but are otherwise exempt from Rule 6.3.6.</p>	i.	Any day	From 09:00 to 22:00	ii.	Any day with an Event Permit allowing fireworks	From 09:00 to midnight	iii.	New Years' Eve/Day	From 09:00 to 01:00	iv.	Guy Fawkes Night	From 09:00 to 23:00
i.	Any day	From 09:00 to 22:00												
ii.	Any day with an Event Permit allowing fireworks	From 09:00 to midnight												
iii.	New Years' Eve/Day	From 09:00 to 01:00												
iv.	Guy Fawkes Night	From 09:00 to 23:00												

Commented [A20]: Need a rule that requires consent for activities above a certain scale as a restricted discretionary activity with matters of discretion relating primarily to traffic management. This is not needed for events on public land as they require a TMP through the public places policy and bylaws.

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

Temporary public artworks and community activities		
P7	Public and not-for-profit community activities , education activities and ancillary	Nil

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<p>retailing (except as provided for in Rule 6.2.4.1.1 P2 or P10) in:</p> <ol style="list-style-type: none"> any commercial zone; any open space zone; the Industrial General Zone; the Specific Purpose (Schools) Zone; the Specific Purpose (Tertiary Education) Zone; <u>the Specific Purpose (Ōtākaro Avon River Corridor) Zone; and</u> 7. the Transport Zone.

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

Temporary commercial activity							
P10	<p>Temporary markets (except as provided for by Rule 6.2.4.1.1 P2)</p> <p>1. Temporary markets shall not operate from a single site for more than the following number of days per year:</p> <table border="1"> <tr> <td>(...)</td> <td></td> <td></td> </tr> <tr> <td>vii.</td> <td>Specific Purpose (Ōtākaro Avon River Corridor) Zone</td> <td> <p>Unlimited where these events are located more than 100m from an adjoining residential zone, Edge or Trial Housing Area, or from a site identified in Appendix 13.14.6.2 that remains is privately owned.</p> <p>Advice Note: 1. Markets in public open spaces and reserves may require an Events Permit</p> </td> </tr> </table>	(...)			vii.	Specific Purpose (Ōtākaro Avon River Corridor) Zone	<p>Unlimited where these events are located more than 100m from an adjoining residential zone, Edge or Trial Housing Area, or from a site identified in Appendix 13.14.6.2 that remains is privately owned.</p> <p>Advice Note: 1. Markets in public open spaces and reserves may require an Events Permit</p>
(...)							
vii.	Specific Purpose (Ōtākaro Avon River Corridor) Zone	<p>Unlimited where these events are located more than 100m from an adjoining residential zone, Edge or Trial Housing Area, or from a site identified in Appendix 13.14.6.2 that remains is privately owned.</p> <p>Advice Note: 1. Markets in public open spaces and reserves may require an Events Permit</p>					

Commented [A21]: Need a rule that requires consent for activities above a certain scale as a restricted discretionary activity with matters of discretion relating primarily to traffic management. This is not needed for events on public land as they require a TMP through the public places policy and bylaws.

Commented [A22]: It needs to be clear that we look at the rule at time of application, so either the site is or isn't privately owned at that time. "remains" is irrelevant. This needs to be amended throughout the proposed DP provisions.

Consider whether all instances of the term 'privately owned' in the plan change need to be changed to 'not in public ownership' (i.e. if a property is owned by a church etc it is still considered 'privately owned?' – the term leaves scope for confusion, whereas stating not in public ownership is probably clearer.

Amend Rule 6.2.4.1.1 P12 (Temporary activities, buildings and events) as follows:

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

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Appendix 2 –Amendments to RMA Documents

Table 6.3.6.1: Light Spill Standards by Zone

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

6.6 Water Body Setbacks

Amend Rule 6.6.3 h. as follows:

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

(...)

~~xv. Any permitted buildings that are located within a Landing Area as shown on the Development Plan in Appendix 13.14.6.1, within the Specific Purpose (Ōtākaro Avon River Corridor) Zone, where a consent has been obtained and exercised to undertake earthworks to construct a Landing Area.~~

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

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

(...)

6.8 Signs

Amend Rule 6.8.4.1.1 Permitted Activities P7 as follows:

Commented [A23]: Exempting buildings on landings from the waterway setback rules would mean that there is no management of buildings in terms of the impact they may have on flood capacity, etc. of waterways – it is not a consideration in earthworks consents or Flood Management Areas. Ngā Wai sites within OARC should be considered.

Note the term “Landings” is used in the Development Plan, rather than “Landing Area”. This needs to be consistent throughout the proposed provisions. Would need reference to the rule under which the relevant “consent” was obtained.

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<p>Business and building identification signs made of three dimensional letters and/or symbols in:</p> <ol style="list-style-type: none"> a. residential zones (other than the Residential Guest Accommodation Zone or where located within a Character Area Overlay); b. the Papakāinga / Kāinga Nohoanga Zone; c. all open space and rural zones; and d. the Specific Purpose (School) Zone; <u>and</u> e. <u>5. the Specific Purpose (Ōtākaro Avon River Corridor) Zone.</u> 	<ol style="list-style-type: none"> a. The maximum symbol/lettering height shall be 200mm. b. No more than 30 letters and/or symbols shall be displayed on each building frontage. c. Letters and/or symbols shall be applied with no visible mounting structure. d. The background shall not be differentiated from the fabric and colour of the rest of the façade. e. Signs shall not extend above façade height. <p>(...)</p>
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Amend Rule 6.8.4.1.4 Discretionary Activities D1 as follows:

6.8.4.1.4 Discretionary activities

1. The activities listed below are discretionary activities.

Activity	
D1	<p>The following signs in all zones, other than signs provided for in Rule 6.8.4.1.1 P11 or P15, Rule 6.8.4.1.3 RD2, RD3 or RD5, or Rule 6.8.4.1.5 NC1 and NC2:</p> <ol style="list-style-type: none"> 1. Off-site signs, other than signs provided for by Rule 6.8.4.1.1 P2, P3, P4, P5, P6, P12, P13 or P16; 2. Illuminated signs (other than signs in industrial, commercial (excluding Commercial Banks Peninsula) and Specific Purpose airport zones); 3. Flashing or intermittently illuminated signs; 4. Signs with moving components; 5. Signs with changing images/digital signs; and 6. Captive balloons or blimps.

Commented [A24]: See below

Amend Rule 6.8.4.1.5 Non-Complying Activities as follows:

6.8.4.1.5 Non-complying activities

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

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

Commented [A25]: There is no need to add a new NC2 when the SP(OARC) zone can be added to the existing rule

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Activity
<u>NC2 Any billboard within the Specific Purpose (Ōtākaro Avon River Corridor) Zone.</u>

Amend Rule 6.8.4.2.4 Signs attached to buildings as follows:

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

Commented [A26]: Need to include this to show where the insertion goes in the table.

Amend Rule 6.8.4.2.6 Free-standing signs as follows:

Zone or scheduled activity	Number of signs per site	Maximum total area of signs	Maximum height above ground level at top of sign
<u>(...)All rural zones</u>	1 for each formed vehicle access (refer to Rule 6.8.4.2.6 c. and d. below)	1m ² per sign	4 metres
<u>Specific Purpose (Ōtākaro Avon River Corridor) Zone</u>	and 1 for each formed pedestrian entrance (refer to Rule 6.8.4.2.6 d. below).		
(...)			

Commented [A27]: As per the above, you need to have this to show where it needs to be inserted.

Zone or scheduled activity	Relating to Pedestrian Entrances			Relating to Vehicle Entrances		
	Maximum width	Maximum total area of a sign	Maximum height above ground level at top of sign	Maximum width	Maximum total area of a sign	Maximum height above ground level at top of sign

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Appendix 2 –Amendments to RMA Documents

Zone or scheduled activity	Number of signs per vehicle or pedestrian entrance	Relating to Pedestrian Entrances			Relating to Vehicle Entrances		
(...)	1 for each formed vehicle access		1m ²	2 metres	2 metres	2m ²	4 metres
All specific purpose zones, other than Specific Purpose (Lyttelton Port), Specific Purpose (Airport), Specific Purpose (Ōtakaro Avon River Corridor) and Specific Purpose (Hospital) Zones	(refer to Rule 6.8.4.2.6 c. and d. below) and 1 for each formed pedestrian entrance (refer to Rule 6.8.4.2.6 d. below), (other than billboards permitted under Rule 6.8.4.1.1 P15)	1 metre	2m ²	2 metres	2 metres	9m ²	6 metres
(...)							

Commented [A28]: SP(LP), SP(AZ) and SP(Hospital) have their own separate rules at the bottom of the table. It is not proposed to do this for SP(OARC) which will lead to confusion. There needs to be some control on signage within the zone.

6.9

Commented [A29]: Late night Sale of Alcohol provisions should apply to protect private residential properties within the zone.

Chapter 7 Transport

Commented [A30]: Some of the zone rules around car parking etc would be better suited to Ch 7 to be consistent with the structure of the Plan.

Amend Figure 20a (contained within Appendix 7.5.12 Map of Road Classification system), as follows:

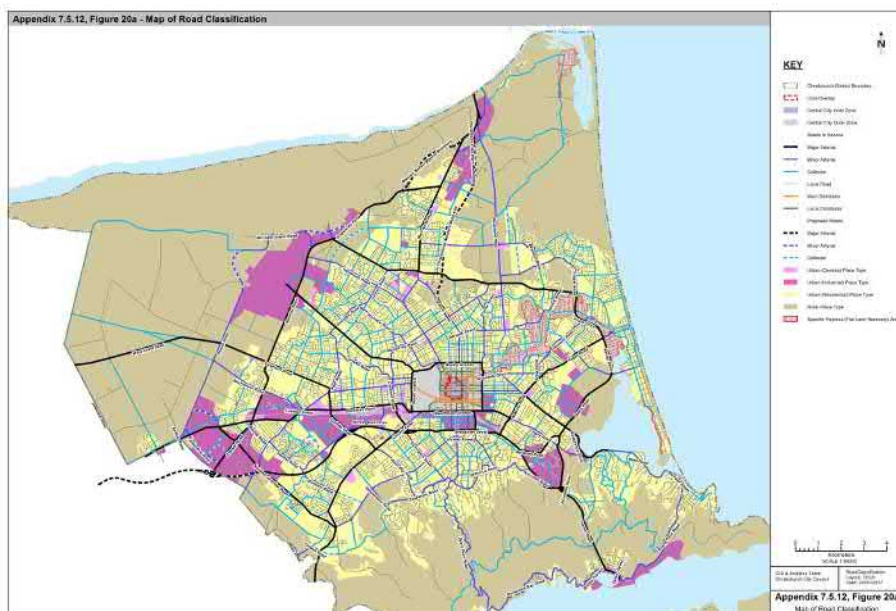
Figure 20a Map of Road Classification System

<Please note that the existing map below is a placeholder for an updated version of the same – amendments will be limited to a spatial replacement of that part of the Specific Purpose (Flat Land Recovery) Zone that runs parallel to the Ōtakaro/Avon River with the proposed land use zoning configuration>

Commented [A31]: It is unclear what is this supposed to mean?

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Appendix 2 –Amendments to RMA Documents



Chapter 8 Subdivision, Development and Earthworks

8.6.1 Minimum net site area and dimension

- a. Allotments in an Edge Housing Area identified in Appendix 13.14.6.1 shall have a minimum dimension of 13m x 16m.
- b. Allotments on a site listed in Appendix 13.14.6.2, and which is privately owned, shall have the minimum dimension applying to the zoning specified as the Alternative Zone in Appendix 13.14.6.2

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

Table 4. Minimum net site area - specific purpose zones

Zone	Minimum net site area
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Appendix 2 –Amendments to RMA Documents

a.	(...)	
f.	Specific Purpose (<u>Ōtākaro Avon River Corridor</u> Zone	<p>a. No minimum net site area: or</p> <p>b. For subdivision for the purpose of creating an allotment for residential activities within Within the Edge Housing Area identified in Appendix 13.14.6.1 – 330m² , the minimum net site area for Residential Suburban Density Transition Zone shall apply;</p> <p>or</p> <p>c. On a site that is listed in Appendix 13.14.6.2, and which remains privately owned, the minimum net site area applicable to the site based on shall be that which applies in Rule 8.6.1 Table 1 to the zoning specified as the equivalent Alternative zoning Zone under Christchurch District Plan 2017 set out in Appendix 13.14.6.2-; or</p> <p>e-d. No minimum net site area in all other cases.</p>

Commented [A32]: Easier to understand if put at the end.

Chapter 9 Natural and Cultural Heritage

9.1 Indigenous Biodiversity and Ecosystems

Add new restricted discretionary activity to Rule 9.1.4.1.3 as follows:

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Appendix 2 –Amendments to RMA Documents

RD6	a. Indigenous vegetation clearance within a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1 that: i. is not provided for by Rule 9.1.4.1.1 P1 or P3; and ii. is located within a Landing Area as shown on the Development Plan contained in Appendix 13.14.6.1. b.a. Any application arising from this rule shall not be publicly notified and shall be limited notified only to the Department of Conservation (absent its written approval).	1. Indigenous biodiversity and ecosystems Rule 9.1.5.2
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Commented [A33]: Is a non-complying activity elsewhere in the DP and no obvious reason to exclude Landings. See comments on 13.14.4.1.2 C3.

Commented [A34]: Don't really want to perpetuate this provision in the Plan – ultra vires and contrary to s77D of the RMA.

Amend Rule 9.1.4.1.5 as follows:

NC1	<p>Indigenous vegetation clearance, that is not provided for by Rule 9.1.4.1.1 P1 or P3, or Rule 9.1.4.1.3 RD3 - RD56:</p> <p>a. within a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1 or</p> <p>b. of vegetation listed in Appendix 9.1.6.6.</p> <p>(...)</p>
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9.2 Landscapes and Natural Character

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

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Appendix 2 –Amendments to RMA Documents

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

Activities	SF 2.0 Ōtūkaikino Creek 3.0 Styx River/ Pūharakekenui 7.0 Waikākāriki/ Horseshoe Lake 8.1 and 8.3 Ōtākaro/ Avon River 10.0 Heathcote River/ Ōpāwaho
(...)	
p. Any building with a footprint \leq of 100m ² or less which is listed as a permitted activity in Rule 13.14.4.1.1 and is located within a Landing Area as shown on the Development Plan contained in Appendix 13.14.6.1 – Ōtākaro Avon River Corridor Development Plan. Limited to one per Landing Area	P24

Commented [A37]: Need to indicate what is going in the other cells in this row of the table probably not applicable.

Commented [A35]: Without the name of the Dev. Plan it's hard to know what area it applies to (without having to look at the Appendix. Amend throughout the proposed provisions.

Commented [A36]: This is consistent with the only other permitted activities on all of the main waterways of Christchurch, which are restricted to one building up to 100m² per site.

Amend Rule 9.4.4.1.1 Permitted activities as follows:

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Appendix 2 –Amendments to RMA Documents

P6	<p>a. Felling of any tree, including ancillary earthworks, in:</p> <p>i. parks, public open space or road corridors in Christchurch City; or</p> <p>ii. Parks, public open space or road corridors in Akaroa as shown in Appendix 9.4.7.4.</p> <p>b. This rule does not apply to the felling of trees within Central City road corridors or the state highway road corridors, as this is provided for in Rule 9.4.4.1.1 P7.</p> <p>Advice note:</p> <p>1. For the purposes of this rule, Christchurch City means the area shown at Appendix 2.2 of</p>	<p>(...)</p> <p>v. unless:</p> <p>(...)</p> <p>H. the tree is located within the Specific Purpose (Ōtakaro Avon River Corridor) Zone.</p>
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Commented [A38]: This exempts anyone from requirement for a consent to fell significant trees. This should be assessed to determine whether the tree is of significance and should be retained, consistent with objective in the front-end of the of the Regeneration Plan to “Maintain existing exotic trees that contribute to the historic landscape character (Regenerating Nature, Heritage p.35) and the description of the Otakaro loop reach of “mature trees provide strong local character”. It will also ensure that revegetation is provided where appropriate.

Could support restricting this to only applying to trees that are above the specified height and of the specified species as opposed to the current rule which only needs one criteria to trigger the consent requirement.

Commented [A39R38]:

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Appendix 2 –Amendments to RMA Documents

	Chapter 2 Definitions.	
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Chapter 11 Utilities and Energy

Amend 11.6.4 D1 as follows:

11.6.4 Discretionary activities - **Energy**

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

Commented [A40]: Other utility rules that need to be included

Activity	
D1	Any activity listed in Rule 11.6.1 P2 that does not meet activity specific standard (a) where: <u>a.</u> The activity occurs in the Rural, Commercial (other than in the <u>Central City</u>), or Industrial <u>or Specific Purpose (Ōtākaro Avon River Corridor)</u> Zones and does not occur within the area covered by the Christchurch International Airport Protection Surfaces; and (...)

13.6 Specific Purpose (School) Zone

Amend 13.6.6 Appendices as follows:

Appendix 13.6.6.1 State Schools

	School Name	Location	Map Ref	Alternative Zone
(...)	(...)	(...)	(...)	
8	Avonside Girls' High School	Avonside Drive, Avonside	32	RS and SP(OARC) in relation to <u>land contained within the Green Spine - refer Ōtākaro Avon River Corridor Development Plan contained in Appendix 13.14.6.1</u>
(...)	(...)	(...)	(...)	

13.11 Specific Purpose (Flat Land Recovery) Zone

Amend 13.11.1 Introduction as follows:

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13.11.1 Introduction

- a. This introduction is to assist the lay reader to understand how this chapter works and what it applies to. It is not an aid to interpretation in a legal sense.
- b. This chapter relates to activities that may occur in the Specific Purpose (Flat Land Recovery) Zone. An objective, policies, rules, standards and assessment criteria provide for activities in this zone.
- c. The Specific Purpose (Flat Land Recovery) Zone largely mirrors the flat land areas that were 'red-zoned' as a result of the Canterbury earthquakes with the exception of the Ōtākaro Avon River Corridor which was rezoned through a Regeneration Plan, ~~process under the Greater Christchurch Regeneration Act 2016 in XXX 2019.~~ The zone area includes land on the estuary side of South Brighton/Southshore and at Brooklands either side of the Avon River through to Fitzgerald Avenue.
- d. The remainder of land within the Specific Purpose (Flat Land Recovery) Zone is ~~to be the~~ subject of a separate process to determine its long term future use. ~~This process was outlined in the 'Residential Red Zone Programme' in the Recovery Strategy for Greater Christchurch, Mahere Haumanutanga o Waitaha, and referred to in the Land Use Recovery Plan, Te Mahere Whakahaumanu Tāone. In the Greater Christchurch Earthquake Recovery: Transition to Regeneration (Transition Recovery Plan) 2015, it is stated that a new Crown Council entity called 'Regenerate Christchurch' will oversee the long term development and enhancement of Christchurch's residential red zone. Regenerate Christchurch has a role in developing plans and strategies for areas within its scope such as the residential red zone. The development of these plans and strategies will occur under a different timeframe to the Replacement District Plan process.~~
- e. This chapter seeks to protect the zone from inappropriate subdivision, land use and development that would compromise or impede options for the long term recovery and future use, or increase the risk to people's safety, property and infrastructure from the effects of natural hazards. As an interim zone, activities are limited to those existing and their limited modification, temporary activities, and immediate recovery activities.
- f. The provisions in this chapter give effect to the Chapter 3 Strategic Directions Objectives.

Insert entire new 13.14 section as follows:

13.14 Specific Purpose (Ōtākaro Avon River Corridor) Zone

13.14.1 Introduction

- a. This introduction is to assist the lay reader to understand how this chapter works and what it applies to. It is not an aid to interpretation in a legal sense.
- b. This chapter relates to activities that may occur in the Specific Purpose (Ōtākaro Avon River Corridor) Zone. Objectives, policies, rules, standards and assessment criteria provide for activities in this zone.

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- c. This chapter relates to the area of land that falls within the Ōtākaro Avon River Corridor Regeneration Plan. This is predominantly areas of land that run alongside the Ōtākaro Avon River which were ‘red zoned’ as a result of the Canterbury Earthquakes in 2010 and 2011 and which were previously part of the Specific Purpose (Flat Land Recovery Zone), with some adjoining open spaces. This Zone provides for a range of activities and outcomes that have been identified in the Ōtākaro Avon River Corridor Regeneration Plan. The objectives, policies, rules, standards and assessment criteria in this chapter seek to manage activities in the Zone through identifying sub-areas in the Development Plan contained in Appendix 13.14.6.1 and setting out specific provisions for each of them.
- d. The provisions in this chapter give effect to the [Chapter 3 Strategic Directions Objectives](#).

13.14.2 Objectives and Policies

13.14.2.1 Objective – Regeneration

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

Commented [A41]: Note that the requirements of the DP will only go a small way to achieving this objective. It is largely dependent on the proposed provision which requires activities to include ecological planting on 10% of their site. However, there is an exemption to that requirement for outdoor recreation activities not involving buildings, and for public amenities. This exemption means that it will largely be up to whoever owns/manages the land to voluntarily provide the restored native vegetation and habitat. The exemption is understandable, as putting a path through the Green Spine would require 10% of the whole of the Green Spine to be planted at that time.

Commented [A42]: This wording suggests that activities may be provided which complement the above, but are not necessarily consistent with those priority outcomes.

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13.14.2.1.1 Policy – Ōtākaro Avon River Corridor Sub-Areas

- a. ~~Identify specific areas within the Ōtākaro Avon River Corridor and manage these areas according to the range of activities and characteristics identified in Table 1 below, by:~~
 - i. ~~Enabling the types of activities that are intended within the Ōtākaro Avon River Corridor as identified in the Ōtākaro Avon River Regeneration Plan; and~~
- b-a. Enabling and other activities where these are compatible with the intended character of the surrounding area and where they are complementary to, and do not detract from or compromise the delivery of the intended activities.

Table 1 – Corridor Sub-Areas

Area	Intended Activities and Character

Commented [A43]: Direction is necessary to clarify the different outcomes expected in the different areas and to justify why some activities are permitted, restricted discretionary, etc. and why this differs between sub-areas. Refer in particular to the comments on the policies below on the Ōtākaro and Horseshoe Lake Reaches and on the restricted discretionary activities. This will create difficulties for people who use the DP and for the Council in making decisions on resource consent applications.

Commented [A44]: Recommend adding "Overlay" to the titles of Activity Areas, Trial Housing Areas, Edge Housing and Landings, to make it clear that they are also still within a Reach or the Green Spine. Also the boundaries of the Reaches and the Green Spine need to more clearly be defined on the Development Plan, so that it is clear which of those areas these overlays, and features like the stormwater management areas, fall within.

Commented [A45]: The district plan objectives and policies should be clear themselves as to the outcomes intended. Referring back to the Regen. Plan front-end runs the risk of uncertainty about which activities are intended where and that all activities mentioned in the front-end are to be provided for.

Appendix 2 –Amendments to RMA Documents

Green Spine	<ul style="list-style-type: none"> i. Provide for utilities to manage stormwater and flood management infrastructure, including and stopbanks to assist in flood protection; ii. Ensure the establishment of that the Green Spine is a naturalised environment with enhanced of predominantly indigenous habitat with enhanced and mahinga kai opportunities. This includes within areas for stormwater and flood protection infrastructure in i. above, except where not reasonably practical to do so to adequately implement that infrastructure; iii. Establish Ensure that the Green Spine is a continuous area of public open space, largely free of built development, extending from the central city to the sea, with a connected network of trails, paths and footbridges; iv. Provide for a range of outdoor recreation activities compatible with i to iii above; v. Provide for small-scale built development, limited small-scale retail activities, recreation activities, public amenities and car parking that are associated with the recreational use of the Green Spine in Landing Areas. Locate the Landing Areas at identified intervals along the Ōtākaro Avon River Corridor (identified in the Development Plan contained in Appendix 13.14.6.1) which are ideally located to provide access to the river. and which contain: public amenities; small scale buildings; recreation and retail activities; and associated car parking, that are associated with the recreational use of the Green Spine; vi. Provide an for a single Activity Area (identified in the Development Plan contained in Appendix 13.14.6.1) that enables larger scale development and a wider range of activities than elsewhere in the Zone Green Spine; vii. Provide limited identified areas for housing on the edge of the Ōtākaro Avon River Corridor (identified in the Development Plan contained in Appendix 13.14.6.1) where appropriately designed residential activity fronts fronting onto the Ōtākaro Avon River Corridor. will improve improve integration between the edge of existing neighbourhoods and the activities within the Zone; and viii. Provide limited Trial Housing Areas (identified in the Development Plan contained in Appendix 13.14.6.1) that enable opportunities for testing and demonstrating adaption of potentially permanent housing to natural hazards and climate change and clustered tiny or small footprint housing.
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Commented [A46]: This would be better located under its own Landing Areas heading in this table.

Commented [A47]: Wording doesn't match Development Plan

Commented [A48]: To clarify these are not just for testing buildings but that people may live there permanently.

Commented [A49]: It would be better that these areas be solely dealt with under Policy 13.14.2.1.5, rather than having 2 sets of policies covering the same issues. Policy 13.14.2.1.5 has been amended to incorporate the missing, and useful, direction contained in these two policies. Alternatively they could be under their own separate policy heading within this table, as the outcomes sought are so different from the Green Spine and Reaches. This would also save repeating this policy direction in multiple places and so that the direction that the number of them be "limited" is viewed in terms of the OARC as a whole. However, this second option would require moving large parts of Policy 13.14.2.1.5 into these policies.

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Appendix 2 –Amendments to RMA Documents

Eastern Reaches	<p>i. Ensure that it is a naturalised environment of predominantly indigenous habitat with enhanced mahinga kai opportunities. Provide primarily for the establishment of a natural environment with enhanced indigenous ecological habitat</p> <p>+ii. and Provide for activities that relate to and are compatible with these natural values in i. above, including eco-sanctuaries, visitor attractions relating to natural values and compatible recreation activities;</p> <p>iii. Provide for other ancillary activities that are compatible with the natural values in i. above, include including public open space and ancillary and complementary activities such as food and beverage outlets;</p> <p>+iv. Provide for limited, modest sized, building development, consistent with i. above;</p> <p>v. Provide limited areas for housing on the edge of the Ōtākaro Avon River Corridor (identified in the Development Plan contained in Appendix 13.14.6.1) where appropriately designed residential activity fronting onto the Ōtākaro Avon River Corridor will improve integration between the edge of existing neighbourhoods and the activities within the Zone; and</p> <p>iii. Provide identified areas where appropriately designed residential activity fronts onto the Ōtākaro Avon River Corridor, improving integration between the edge of existing neighbourhoods and the activities within the Zone;</p> <p>+vi. Provide limited [Trial Housing Areas] (identified in the Development Plan contained in Appendix 13.14.6.1) that enable opportunities for testing and demonstrating adaption of potentially permanent housing to natural hazards and climate change and clustered tiny or small footprint housing. Provide Trial Housing Areas that enable opportunities for testing and demonstrating adaption to natural hazards and climate change and clustered tiny or small footprint housing.</p>
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Commented [A50]: Covered by recreational activities in i.

Commented [A51]: This policy direction is necessary to achieve the outcomes anticipated, as reflected in the built form standards that apply.

Commented [A52]: "Appropriately" gives no policy direction, so the

Commented [A53]: Wording doesn't match Development Plan

Commented [A54]: To clarify these are not just for testing buildings but that people may live there permanently.

Commented [A55]: It would be better that these areas be solely dealt with under Policy 13.14.2.1.5, rather than having 2 sets of policies covering the same issues. Policy 13.14.2.1.5 has been amended to incorporate the missing, and useful, direction contained in these two policies. Alternatively they could be under their own separate policy heading within this table, as the outcomes sought are so different from the Green Spine and Reaches. This would also save repeating this policy direction in multiple places and so that the direction that the number of them be "limited" is viewed in terms of the OARC as a whole. However, this second option would require moving large parts of Policy 13.14.2.1.5 into these policies.

Commented [A56]: See comments and amendments on these clauses under Green Spine.

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Appendix 2 –Amendments to RMA Documents

Horseshoe Lake Reach	<p>i. Provide for community gardens and community markets, public open space, visitor attractions farming, recreation activities, retail and food and beverage outlets; Provide predominantly for an open space naturalised environment of indigenous habitat with enhanced mahinga kai opportunities.</p> <p>ii. Provide particularly for utilities to manage stormwater, as well as recreation activities, community centred activities and visitor attractions, including moderate levels of retail activities, food and beverage outlets, and built development;</p> <p>ii. Provide for other complementary activities consistent with i. and ii. above, may include including environmental education;</p> <p>v. Provide Activity Areas that enable larger scale development and a wider range of activities than elsewhere in the Zone, but which are still compatible with the objectives of the Zone and the intended character of the Reach;</p> <p>v. Provide limited areas for housing on the edge of the Ōtākaro Avon River Corridor (identified in the Development Plan contained in Appendix 13.14.6.1) where appropriately designed residential activity fronting onto the Ōtākaro Avon River Corridor will improve integration between the edge of existing neighbourhoods and the activities within the Zone; Provide identified areas where appropriately designed residential activity fronts onto the Ōtākaro Avon River Corridor, improving integration between the edge of existing neighbourhoods and the activities within the Zone;</p> <p>vi. Provide limited [Trial Housing Areas] (identified in the Development Plan contained in Appendix 13.14.6.1) that enable opportunities for testing and demonstrating adaption of potentially permanent housing to natural hazards and climate change and clustered tiny or small footprint housing. Provide Trial Housing Areas that enable opportunities for testing and demonstrating adaption to natural hazards and climate change and clustered tiny or small footprint housing;</p> <p>ii. Provide for the establishment of areas of natural environment with enhanced indigenous ecological habitat</p>
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Commented [A57]: It is not clear what the purpose of this Reach is. The range of permitted activities seems random. The amendments suggested try to piece together what appears to be intended. But there is so little direction, that it could be almost impossible to determine what should or should not be permitted in this area, if someone applies for a resource consent. The difference between this Reach and the Otakaro one is not clear.

Commented [A58]: This should be the first policy direction, as stormwater management is intended to be a, if not the, major use of this area.

Commented [A59]: To what?

Commented [A60]: This suggests almost any other activities should be provided for in the Reach.

The Otakaro Reach allows similar levels of built development and range of activities, and Activity Areas, Landings, and Edge housing potentially more built development.

Commented [A61]: See comments and amendments above in respect of Horseshoe Lake Reach, which apply equally here.

The Introduction section of the Regen. Plan indicates that "connection with nature" is important for this Reach. There is nothing in these policies or the rules that ensures this happens to any greater degree than the Horseshoe Lake Reach.

Commented [A62]: Wording doesn't match Development Plan

Commented [A63]: To clarify these are not just for testing buildings but that people may live there permanently.

Commented [A64]: It would be better that these areas be solely dealt with under Policy 13.14.2.1.5, rather than having 2 sets of policies covering the same issues. Policy 13.14.2.1.5 has been amended to incorporate the missing, and useful, direction contained in these two policies. Alternatively they could be under their own separate policy heading within this table, as the outcomes sought are so different from the Green Spine and Reaches. This would also save repeating this policy direction in multiple places and so that the direction that the number of them be "limited" is viewed in terms of the OARC as a whole. However, this second option would require moving large parts of Policy 13.14.2.1.5 into these policies.

Commented [A65]: See comments and amendments on these clauses under Green Spine.

Commented [A66]: This is necessary to achieve the natural environment outcomes anticipated for this area, as also reflected in the requirement for ecological planting.

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Ōtākaro Reach	<p>i. Provide predominantly for an open space naturalised environment of indigenous habitat with enhanced mahinga kai opportunities.</p> <p>ii. Provides primarily for a wide range of recreation activities, public space and visitor attractions, along with moderate levels of built development and supporting activities, such as retail activities and food and beverage outlets, consistent with i. above;</p> <p>iii. Provide for other complementary activities, may include including education, consistent with i. above;</p> <p>iv. Provide Activity Areas that enable a larger scale development and a wider range of activities than elsewhere in the Zone, but which are still compatible with the objectives of the Zone and the intended character of the Reach.</p> <p>iii.</p>
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Commented [A67]: This suggests almost any other activities should be provided for in the Reach.

Commented [A68]: The Horseshoe Lake Reach allows similar levels of built development and range of activities, and Activity Areas, Landings, and Edge housing potentially more built development.

Commented [A69]: See comments and amendments above in respect of Horseshoe Lake Reach, which apply equally here.

The Introduction section of the Regen. Plan indicates that “connection with nature” is important for this Reach. There is nothing in these policies or the rules that ensures this happens to any greater degree than the Horseshoe Lake Reach.

13.14.2.1.2 Policy – Supporting Regeneration Activities

- a. Recognise that the process of regeneration is ongoing and adaptive, and provide for this through:
- i. enabling transitional activities and structures where these do not compromise the objective of the Specific Purpose (Ōtākaro Avon River) Zone;
 - ii. focussing the management of amenity effects on neighbouring properties and activities predominantly at adjacent zone boundaries and boundaries of private properties that still exist within the Ōtākaro Avon River Corridor.

Commented [A70]: This clarification is necessary to make it clear that there will be amenity controls within the Zone, e.g. as referred to in 13.14.2.1.3 c.

Commented [A71]: There are some within zone in amenity standards and matters of discretion.

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

- a. Provide for storm water management and flood hazard mitigation and protection works when undertaken by or on behalf of the Council, the Canterbury Regional Council or the Crown, having regard to potential adverse effects;
- b. Avoid activities that individually or cumulatively would significantly compromise the provision and effective functioning of identified, existing and proposed stormwater, flood management and transport infrastructure; and
- c. Provide for indigenous vegetation, mahinga kai and amenity enhancement through the design of storm water and flood hazard mitigation and protection works.
- d. Ensure that all activities involving earthworks, buildings and hard surfacing capture and treat stormwater, avoiding any direct discharge to the Ōtākaro Avon River.

Commented [A72]: The proposed wording was a very absolute direction. It meant that the provision and functioning of infrastructure can never be compromised, even to a small extent, in order to allow other activities.

13.14.2.1.4 Policy – Continuation of Pre-Earthquake Activities

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Appendix 2 –Amendments to RMA Documents

- a. Continue to provide for residential and other existing activities ~~The on~~ existing properties in private ownership in the Ōtākaro Avon River Corridor ~~continue to provide for residential and other existing uses~~ as long as they remain in private ownership.
- b. Manage activities in the Ōtākaro Avon River Corridor to ensure effects on existing privately-owned residential properties within the Zone are generally consistent with those ~~that would occur if they anticipated in the Residential zone that most closely reflects the former Living Zone in the previous City Plan. were zoned Residential Suburban or Residential Medium Zone.~~

Commented [A73]: Assume this is what is intended?

13.14.2.1.5 Policy – Residential Activities

- a. Provide for limited new residential activities in identified Trial Housing Areas to enable opportunities for testing and demonstrating adaption to natural hazards and climate change and clustered tiny or small footprint housing where these:
 - i. are comprehensively designed in one scheme plan for the whole Trial Housing location;
 - ii. avoid unacceptable risk to life and property from natural hazards;
 - iii. include designs that consist of tiny/small footprint houses or small footprint, clustered structures, which may also be amphibious floating; and
 - iv. are visually attractive of high quality design and are designed to recognise and respond to:
 - A. the natural setting of the coastal environment; or
 - B. the natural setting of the Ōtākaro Avon River; and
 - C. adjacent residential communities.
- b. Provide for new residential development in limited identified Edge Housing locations that are designed to relate to adjacent residential communities, improve integration between the edge of existing neighbourhoods and the activities within the Zone, and reflect the outcomes anticipated in the Zone
- c. Enable Provide for other new residential activities only where these are ancillary to and required to provide caretaker support to the primary activity onsite.

Commented [A74]: Unclear what this is supposed to mean.

Commented [A75]: It may be appropriate to cross reference the Ch 14 obs and pols i.e also give effect to obj 14.2.4...

Commented [A76]: Unclear what this is supposed to mean – recognise and respond to the priorities in the Objective?

13.14.2.1.6 Policy – Design

- a. Require new development to:
 - i. incorporate ecological enhancement planting to provide a high level of onsite amenity and, mitigate effects on adjacent activities, and support an improved natural environment with increased native habitats and improved surface water quality;
 - ii. incorporate on-site treatment of stormwater and/or integrate with wider stormwater management systems, where practicable;
 - iii. achieve a high quality, visually attractive setting when viewed from the street and / or other public spaces;
 - iv. reflect the context, character, and scale of building anticipated in the sub areas identified in Policy 13.14.2.1.1;
 - v. in the Green Spine and Landing Areas, provide accessible, safe, and efficient movement options for pedestrians, cyclists, and vehicles;

Commented [A77]: The outcomes expected are not clear.

Commented [A78]: What are these?

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- vi. maintain and enhance the natural character, biodiversity, health and life supporting capacity of water bodies and their margins; and
- vii. be designed to deter crime and encourage a sense of safety, reflecting the principles of Crime Prevention through Environmental Design (CPTED);
- viii. Provide an adequate firefighting water supply ~~in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice.~~

13.14.2.1.7 Policy – Mana Whenua and the Ōtākaro Avon River Corridor

- a. Recognise the Ōtākaro Avon River as a taonga and a cultural landscape for which Te Ngāi Tuāhuriri exercise kaitiakitanga to ensure values of cultural importance are managed, enhanced and/or protected.
- b. The Ensure the restoration of the Ōtākaro Avon River Corridor for mahinga kai and the improvement of water quality ~~are key cultural outcomes.~~
- c. ~~To recognise sites and artefacts uncovered through earthworks or development activities as wāhi tapu.~~

13.14.2.1.8 Policy – Natural Hazards

- a. Recognise the ability to comprehensively manage development within the Specific Purpose (Ōtākaro Avon River Corridor) Zone to mitigate increasing or transferring potential risk from natural hazards and enable experimental approaches to living with water that can be applied elsewhere in New Zealand, particularly in response to climate change.
- b. Provide for structures within the High Flood Hazard Management Area in the Specific Purpose (Ōtākaro Avon River Corridor) Zone where the potential increased risk to people, property and infrastructure can be mitigated by structures located and designed to:
 - i. minimise potential flood damage or loss to ~~property, including buildings,~~ servicing, and infrastructure during an inundation hazard event;
 - ii. return functionality after an event;
 - iii. ~~for land deformation,~~ maintain safety and reparability in the case of for land deformation;
 - iv. ensure safe and functional access and egress for the duration of the hazard event;
 - v. be relocated ~~where if~~ the future risk increases to an unacceptable level;
 - vi. ~~does not avoid exacerbate exacerbating~~ the effects of the natural hazard or generate the need for new mitigation works to protect the structures-;
 - vii. provide compensatory flood storage where the land has been raised to avoid unacceptable risk from High Flood Hazards.
- c. Provide compensatory flood storage where the land has been raised to avoid unacceptable risk from High Flood Hazards.
- e. When determining unacceptable risk, recognise that over time, predictions ~~around about~~ sea level rise ~~will result in changes to indicate increased risk, and therefore adopt a precautionary approach when considering consent durations or conditions including take this into account when considering consent conditions relating to~~ the relocation or removal of structures.

Commented [A79]: There are a large number of permitted activities that are not subject to rules requiring the achievement of any of these, other than i. & viii. in most cases. Note the comment on the "advice note" on on-site treatment under 13.14.4.2.10.

Some of these are applied to activities listed as restricted discretionary activities. The policy needs to clarification which of these assessment matters will apply to what sorts of activities and why. It seems inconsistent that it is possible to have in a Reach food and beverage outlets, retail activities, education activities, entertainment activities, etc. which do not require design assessment, whereas conference facilities, gyms, cultural activities, emergency service facilities and public transport facilities do.

Commented [A80]: Leave to the rules to specify.

Commented [A81]: This is not reflected in the waterway setback exemptions in 13.14.3c.iii. b. & c.

Commented [A82]: It is understood that a wahi tapu is a place, and an artefact can't be a wahi tapu. Artefacts would be covered under non- RMA legislation eg Heritage NZ Pouhere Taoanga Act

Commented [A83]: This is inconsistent with Chapter 9 policy 9.5.2.2.1 which directs avoiding disturbance of urupa and protect wāhi tapu sites from inappropriate development etc. Suggest deletion of this policy to avoid unnecessary repetition and reliance on Chapter 9, specifically policy 9.5.2.2.4 – Archaeological sites seeking to avoid damage or destruction.

Commented [A84]: Not an issue relating to structures.

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

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13.14.3 How to interpret and apply the rules

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

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

4 Hazardous Substances and Contaminated land;

5 Natural Hazards;

6 General Rules and Procedures;

7 Transport;

8 Subdivision, Development and Earthworks;

9 Natural and Cultural Heritage;

~~10 Designations;~~ and

11 Utilities, Energy and Infrastructure.

c. Where undertaken by or on behalf of the Council, Canterbury Regional Council or the Crown, the rules in the following chapters do not apply to the activities listed in i. to iii. below in the Specific Purpose (Ōtākaro Avon River Corridor) Zone:

5 Natural Hazards

6.6 Water Body Setbacks

8.9 Earthworks

9.1 Indigenous Biodiversity and Ecosystems; and

9.2 Landscapes and Natural Character;

do not apply to:

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

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

iii. Any earthworks or vegetation clearance associated with:

a. the above activities; or

b. ~~the construction of a Landing Area identified on the Development Plan contained within Appendix 13.14.6.1; or~~

Commented [A85]: chapter 10 is not relevant as there are not activity status tables and standards relating to designations. Indeed the designations effectively sit outside the plan provisions. Therefore delete reference to chapter 10. This approach is consistent with other chapters.

Commented [A86]: It is not clear what this means. A Landing Area is just an area identified on the Development Plan, it is not a "construction". If the intention is that all earthworks and vegetation clearance in a Landing Area is to be exempt, these words can be deleted. If the intention is that the construction of only particular structures in the Landing Area are to be exempt, this wording will need to be amended to specify what those structures are.

Appendix 2 –Amendments to RMA Documents

- c. the creation of cycling and walking paths.

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

13.14.4.1 Activity status tables

13.14.4.1.1 Permitted activities

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

Activity	Activity specific standards:
P1 <u>Recreation activity and/or recreation facility, excluding land-based motorised activities</u>	a. These Buildings shall not be located <u>within an area identified for to preclude the establishment or operation of any</u> indicative or as built existing stormwater management areas, <u>pedestrian, cycle and road linkages, bridges, and stopbanks. City to Sea Promenade, new pedestrian / cycle/ vehicle bridges and road linkages to be investigated</u> as identified on the Development Plan contained within Appendix 13.14.6.1.
P2 <u>Public amenities</u>	a. <u>Any building containing toilets and/or changing rooms shall have a minimum setback of 20 metres from the boundary with any residential zone, or the boundary of a site listed in Appendix 13.14.6.2.</u>
P3 <u>Retail activity in a Landing Area or Activity Area, as shown on the Development Plan contained in Appendix 13.14.6.1, excluding second-hand goods outlets and food and beverage outlets</u>	a. Shall be located within a Landing Area, as shown on the Development Plan contained in Appendix 13.14.6.1, and shall cumulatively occupy no more than 70m² of gross floor area per Landing Area; or b. Shall be located within an Activity Area as shown on the Development Plan contained in Appendix 13.14.6.1 and shall cumulatively occupy no more than: i. <u>350m² of gross floor area GFA for the Activity Area in the Horseshoe Reach;</u> ii. <u>150m² of gross floor area GFA for the Activity Area in the Ōtākaro Reach; or</u> iii. <u>150m² of gross floor area GFA for the Activity Area in the the Green Spine</u>
P4 <u>Food and beverage outlets within a Reach or Landing Area as shown on the Development Plan contained in Appendix 13.14.6.1</u>	a. If located within Within the Horseshoe Lake Reach as shown on the Development Plan contained in Appendix 13.14.6.1, it each outlet shall involve no more than <u>have a maximum of 250m² of GFA per</u>

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Commented [A87]: The activities in iii. b. and c. should preferably not be exempt from the above chapters or, at the very least, it is recommended that they be restricted discretionary activities in respect of these matters, subject to appropriate assessment matters.

The Ōtākaro/Avon River and Waikākāriki /Horseshoe Lake are identified in the existing District Plan as being Sites of Ecological Significance and Significant Features for their natural and cultural values. The clearance of indigenous vegetation is generally a non-complying activity in a Site of Ecological Significance.

As an example of the concerns that arise from the draft rules, the Landing Areas 1, 5 and 6, (going from east to west) are in identified inanga or trout spawning areas. Unless the Landing areas are shifted to exclude these spawning areas such development should require RD consent at least.

Making these activities controlled activities, as proposed in C3 & C4, does not take into account that there may be circumstances where the proposal should be declined because of the effects on such natural and landscape values or in terms of flooding. Particularly where trying to impose appropriate conditions is not possible without having the effect of declining the application.

These issues are particularly relevant in the Green Spine, which is where these activities are intended to be located, to accord with the priority natural environment and ecological restoration objectives of that area.

It is acknowledged that the exemptions and controlled activity status applies only when the works are undertaken by the Council, Regional Council or the Crown. However, there is still a risk that the asset delivery arms of those

Commented [A88R87]:

Commented [A89]: This avoids the rules applying to recreation in grassed areas, etc.

Commented [A90]: This part of the provision lacks the certainty necessary for a rule and the most that can be done is limit activities within a clearly identified area. Note that the only areas that, for indicative features, it will only be the area shown on the Development Plan, not other possible locations. Nor is it possible to include other land that may be necessary for the construction or operation of the features. It is not appropriate for a permitted activity to require the assessment and determination of the final location of these features or the other land that may be necessary for the establishment and operation of these features.

Commented [A91]: Cumulative floor area limits in this and later rules will make it difficult for those seeking to set up businesses in a Landing/Reach/ Activity Area/etc. to know if there is any development capacity left in the area. It will also be difficult for the Council to administer and keep track of the level of development in each area, particularly as much development may occur as a permitted activity.

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Activity	Activity specific standards:
	<p>building; and shall the combined cumulatively GFA of all outlets shall involve occupy no more than 1,200m² of GFA within the Reach; or</p> <p>b. If located within Within the Ōtākaro or Eastern Reaches as shown on the Development Plan contained in Appendix 13.14.6.1, it each outlet shall have a maximum of involve no more than 250m² GFA per building; and the combined shall cumulatively GFA of all outlets shall involve occupy no more than 500m² of GFA within each Reach; or</p> <p>c. If located within Within a Landing Area as shown on the Development Plan contained in Appendix 13.14.6.1 it shall involve the combined cumulative GFA of all outlets shall occupy no more than 70m² GFA per Landing Area; or</p> <p>d. If ancillary to a permitted activity, it shall occupy no more than 10% of the GFA of all buildings solely used for the activity;</p>
P5	<p>a. All a Ancillary offices shall cumulatively occupy no more than 250 m² of GFA; or 10% of the GFA of all buildings solely used for the activity in the tenancy, whichever is the lesser.</p>
P6	<p>a. All a Ancillary retail activity shall cumulatively occupy no more than 250m² of GFA; or 10% of the GFA of all buildings in the tenancy solely used for the activity, whichever is the lesser.</p>
P7	Nil
P8	<p>a. Shall not include There shall be no permanent buildings as part of the activity.</p>
P9	<p>b. Shall be located within the Ōtākaro Reach or Horseshoe Lake Reach as shown on the Development Plan contained in Appendix 13.14.6.1; or</p> <p>c. Shall be limited to education activities that:</p> <p>i. are ancillary to conservation activities; or</p> <p>ii. increase awareness of the natural environment, conservation issues, historic heritage, and Ngāi Tahu culture</p> <p>c. The maximum cumulative gross floor area of all Any buildings associated with the activity shall occupy no more than is 150m² per Reach or within the Green Spine.</p>

Commented [A92]: •Delete (d) because ancillary food and beverage outlets are already covered by Rule P6 (retail activity is defined in the district plan to include Food and Beverage Outlets).

Commented [A93]: Unnecessary – inconsistent with the rest of the DP

Commented [A94]: There may be a need to have a localised greenhouse, machinery depot/storage or even ancillary office. Either add a permitted building limit here for each of the different area types or leave to the site coverage and building footprint rules.

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Activity	Activity specific standards:
P10 Park management activity and/or park management facility	a. Shall be limited to no more than Maximum of 100m ² of gross floor area GFA per building; and b. Shall not occur within a Landing Area or the Horseshoe Lake Reach as shown on the Development Plan contained in Appendix 13.14.6.1.
P11 Community market within the Ōtākaro Reach, Horseshoe Lake Reach or Eastern Reaches as shown on the Development Plan contained in Appendix 13.14.6.1.	a. Shall be located within the Ōtākaro Reach, Horseshoe Lake Reach or Eastern Reaches as shown on the Development Plan contained in Appendix 13.14.6.1.
P12 Customary harvesting	Nil
P13 Community gardens	a. These Buildings shall not be located within an area identified for to preclude the establishment or operation of any indicative or as built existing stormwater management areas, pedestrian, cycle and road linkages, bridges, and stopbanks, City to Sea Promenade, new pedestrian / cycle/ vehicle bridges and road linkages to be investigated as identified on the Development Plan contained within Appendix 13.14.6.1.
P14 Vehicle-Car parking within a Landing Area	a. Shall be limited to 20 at grade car parks, formed in accordance with the standards in Chapter 7.
P15 Entertainment activities located either: a. in an Activity Area shown on the Development Plan contained in Appendix 13.14.6.1; or a-b. in the "Green Spine" shown on the Development Plan contained in Appendix 13.14.6.1, and not include permanent buildings as part of the activity.	b. Shall be located within an Activity Area as shown on the Development Plan contained in Appendix 13.14.6.1; or b. Shall be located within the "Green Spine" as shown on the Development Plan contained in Appendix 13.14.6.1, and not include permanent buildings as part of the activity.
P16 Cultural activity located within the existing building listed in Appendix 13.14.6.2 on Part Rural Section 33, held in Computer Register CB159/132	Nil
P17 Guest Accommodation limited to camping grounds and campervan parks	a. These Buildings shall not be located within an area identified for to preclude the establishment or operation of any indicative or as built existing stormwater management areas, pedestrian, cycle and road linkages, bridges, and stopbanks, City to Sea Promenade, new pedestrian / cycle/ vehicle bridges and road linkages to be investigated as identified on the

Commented [A95]: This seems too small for a machinery/equipment depot or even a decent greenhouse. Either add a permitted building limit here for each of the different area types or leave to the site coverage and building footprint rules.

Commented [A96]: This avoids the rules applying to planted areas, etc.

Commented [A97]: This part of the provision lacks the certainty necessary for a rule and the most that can be done is limit activities within a clearly identified area. Note that the only areas that, for indicative features, it will only be the area shown on the Development Plan, not other possible locations. Nor is it possible to include other land that may be necessary for the construction or operation of the features. It is not appropriate for a permitted activity to require the assessment and determination of the final location of these features or the other land that may be necessary for the establishment and operation of these features.

Commented [A98]: There is no such listing in the Appx. Is it the Bill Sutton house at 20 Templar Street? That address is not in the Appx either. Suggest that line number /entry ID column is added to the Appx and any references to a property within the table should include the listing number/ID and/or address.

Commented [A99]: This part of the provision lacks the certainty necessary for a rule and the most that can be done is limit activities within a clearly identified area. Note that the only areas that, for indicative features, it will only be the area shown on the Development Plan, not other possible locations. Nor is it possible to include other land that may be necessary for the construction or operation of the features. It is not appropriate for a permitted activity to require the assessment and determination of the final location of these features or the other land that may be necessary for the establishment and operation of these features.

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Activity	Activity specific standards:
	Development Plan contained within Appendix 13.14.6.1.
P18 Residential unit /residential activity for caretaker and site management purposes only.	a. Shall be used for caretaker and site management purposes only.
P19 Rural tourism activity	Nil
P20 Maintenance and upgrade of existing flood and/or bank erosion mitigation and protection works and associated earthworks, where undertaken by the Council, Canterbury Regional Council or the Crown.	Nil
P21 Farming located within the Horseshoe Lake or Eastern Reaches as shown on the Development Plan contained in Appendix 13.14.6.1	a. Buildings shall be no larger than not exceed 100m ² GFA. b. All farming areas shall be fenced to exclude stock from waterways and stormwater management areas as shown on the Development Plan contained in Appendix 13.14.6.1.
P22 Grazing of animals prior to until 1 July 2024.	a. All grazing areas shall be fenced to exclude stock from waterways and stormwater management areas as shown on the Development Plan contained in Appendix 13.14.6.1.
P23 Any activities or facilities within an existing building, located within the Edge Housing Areas shown on the Development Plan contained in Appendix 13.14.6.1 which would be permitted activities in the Residential Suburban Density Transition Zone.	a. The activity shall meet the activity specific standards of the applicable activity under the Residential Suburban Density Transition Zone rules.
P24 Recreation activities on the surface of water and public amenities on the surface of water	a. Any activity shall exclude the use of motorised water craft. Where the activity involves the use of water craft, it shall be non-motorised, except as specified in P25 below.
P25 Use of motorised water craft	a. Shall be limited to: i. the Ōtākaro Avon River in association with rowing events at Kerrs Reach; and/or ii. for emergency, safety or maintenance purposes
P26 Plant nurseries located within a Reach identified on the Development Plan contained within Appendix 13.14.6.1.	a. These Buildings shall not be located within an area identified for to preclude the establishment or operation of any indicative or as built existing stormwater management areas, pedestrian, cycle and road linkages, bridges, and stopbanks, City to Sea Promenade, new pedestrian / cycle/ vehicle bridges and

Commented [A100]: Covered by Chapter 5.

Commented [A101]: Is this supposed to be a cumulative total per Reach?

Commented [A102]: This part of the provision lacks the certainty necessary for a rule and the most that can be done is limit activities within a clearly identified area. Note that the only areas that, for indicative features, it will only be the area shown on the Development Plan, not other possible locations. Nor is it possible to include other land that may be necessary for the construction or operation of the features. It is not appropriate for a permitted activity to require the assessment and determination of the final location of these features or the other land that may be necessary for the establishment and operation of these features.

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Activity	Activity specific standards:	
	road linkages to be investigated as identified on the Development Plan contained within Appendix 13.14.6.1.	
P27	Community halls <u>within a Reach</u> Nil	
P28	Boat ramps, jetties and recreational boat launching facilities. Nil	
P29	Recreational boat storage, sheds and repair and maintenance facilities. Nil	
P30	<p>Temporary activities, buildings and events.</p> <p>For P30 the following Built Form Standards do not apply:</p> <p>i. 13.14.4.2.6 Building height;</p> <p>ii. 13.14.4.2.7 Building footprint, site coverage and impervious surfaces; and</p> <p>iii. 13.14.4.2.10 Ecological enhancement planting.</p>	<p>a. These shall meet the activity specific standards for the applicable activity under Rule 6.2.4 - Temporary Activities, Buildings and Events; and</p> <p>b. These Buildings shall not be located to preclude the establishment or operation of within an area identified for any indicative or as built existing stormwater management areas, pedestrian, cycle and road linkages, bridges, and stopbanks, City to Sea Promenade, new pedestrian / cycle/ vehicle bridges and road linkages to be investigated as identified on the Development Plan contained within Appendix 13.14.6.1.</p>
P31	Removal and disposal of any buildings, fences, paths or other debris undertaken by or on behalf of the Crown, City or Regional Council. Nil	
P32	<p>Any activities or facilities on a site listed in Appendix 13.14.6.2 and identified as with an Alternative Zone of RSD or RSDT-;</p> <p>a. which are permitted activities under Residential Suburban Zone and Residential Suburban Density Transition Zone Rule 14.4.1.1 P1, P13 – P15, or P25 – P28; and</p> <p>a.b. where the site is in private ownership.</p>	<p>a. The site shall remain in private ownership; and</p> <p>b. The activity shall meet the applicable activity specific standards and built form standards of the Residential Suburban Zone and Residential Suburban Density Transition Zone.</p>
P33	<p>Any activities or facilities on a site listed in Appendix 13.14.6.2 and identified with an Alternative Zone of as RMD-;</p> <p>a. which are permitted activities under Residential</p>	<p>a. The site shall remain in private ownership; and</p> <p>b. The activity shall meet the applicable activity specific standards and built form standards of the Residential Medium Density Zone.</p>

Commented [A103]: These provisions should be in Chapter 6, which applies to this zone?

Commented [A105]: This seems unnecessary considering the activities are temporary

Commented [A106]: This part of the provision lacks the certainty necessary for a rule and the most that can be done is limit activities within a clearly identified area. Note that the only areas that, for indicative features, it will only be the area shown on the Development Plan, not other possible locations. Nor is it possible to include other land that may be necessary for the construction or operation of the features. It is not appropriate for a permitted activity to require the assessment and determination of the final location of these features or the other land that may be necessary for the establishment and operation of these features..

Commented [A104]: These exceptions need to be in the relevant built form standards.

Commented [A107]: Not within the SP(OARC)Zone, particularly anything that is not hard fill..

Commented [A108]: Some of these rules overlap with the matters that are also controlled under the built form standards for the SP(OARC) Zone. It is also not clear if these are the only built form standards to apply. This will cause confusion as to what applies.

The built form standards that are to apply should be under the Built Form Standards part of this chapter.

If the purpose of referring to the Residential Zone built form standards in the activity status column is so that non-compliance with them defaults to a discretionary activity, a new discretionary activity needs to be added to that part of the Chapter that makes non-compliance with these specific built form standards a discretionary activity. However, it would seem more appropriate that non-compliance with the Residential zone built form standards that are to apply should default to the same activity status as in the relevant Residential zone.

Commented [A109]: Some of these rules overlap with the matters that are also controlled under the built form standards for the SP(OARC) Zone. It is also not clear if these are the only built form standards to apply. This will cause confusion as to what applies.

The built form standards that are to apply should be under the Built Form Standards part of this chapter.

If the purpose of referring to the Residential Zone built form standards in the activity status column is so that non-compliance with them defaults to a discretionary activity, a new discretionary activity needs to be added to that part of the Chapter that makes non-compliance with these specific built form standards a discretionary activity. However, it ...

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Activity	Activity specific standards:
<p>Medium Density Zone Rule 14.5.1.1 P1, P4 – P6, P16 – 17, P20 - P21; and a.b. where the site is in private ownership.</p>	
<p>P34 Commercial activities that occur within an existing commercial building on the following sites listed in Appendix 13.14.6.2 on: a. Part Lot 1 DP 785 b. Lot 18 DP 16283 and Lot 1 DP 9286; or c. Lots 1 to 2 DP 23072; where the site is in private ownership</p>	<p>a. The site shall remain in private ownership.</p>
<p>P35 Alterations, additions, maintenance and repair of an existing commercial; buildings; or accessory buildings; or built structures; on a the following sites listed in Appendix 13.14.6.2, on: i. Part Lot 1 DP 785 ii. Lot 18 DP 16283 and Lot 1 DP 9286; or iii. Lots 1 to 2 DP 23072; where the site is in private ownership</p>	<p>a. The site shall remain in private ownership; and b. Any increase in gross floor area shall not exceed 25m² within any continuous period of 10 years. c. Where the activity relates to a commercial activity in an existing commercial building, the activity shall meet the following built form standards of the Commercial Local Zone: Rules 15.5.2.1, 15.5.2.2, 15.5.2.3, and 15.5.2.4</p>
<p>P36 Use, maintenance and repair of spiritual activities on the following sites listed in Appendix 13.14.6.2 on: i. Part Lot 1 DP 12070 and Part Lot 2 DP 26713; or ii. Lot 1 DP 76065; where the site is in private ownership</p>	<p>a. The site shall remain in private ownership.</p>
<p>P37 Storage of heavy vehicles, on a site listed in Appendix 13.14.6.2, where the site is in private ownership.</p>	<p>a. The site shall remain in private ownership; and b. No more than one vehicle shall be stored on the site. c. The activity shall meet the following built form standards of the Residential Suburban Zone: Rules 14.4.2.1, 14.4.2.3, 14.4.2.4, 14.4.2.5, 14.4.2.6, 14.4.2.7, 14.4.2.8, 14.4.2.9 and 14.4.2.11.</p>
<p>P38 Dismantling, repair, or storage of motor vehicles and boats on a site listed in Appendix 13.14.6.2,</p>	<p>a. The site shall remain in private ownership; and b. All vehicles and/or boats shall be owned by people who live on the same site.</p>

Commented [A110]: Is this supposed to be only the commercial activities currently undertaken in the existing buildings (which is probably ultra vires under the existing use provisions of the RMA) or commercial activities permitted in a particular Commercial Zone?

Commented [A111]: Please include street addresses for all the activities in the provisions that list legal descriptions as they are much easier to find in the appendix and on the ground.

Commented [A112]: Covered by the definition of building".

Commented [A113]: Some of these rules overlap with the matters that are also controlled under the built form standards for the SP(OARC) Zone. It is also not clear if these are the only built form standards to apply. This will cause confusion as to what applies.

All the Commercial Local zone built form rules need to apply, unless a variation of them is appropriate for this zone. The built form standards that are to apply should be under the Built Form Standards part of this chapter. Those standards can refer to and apply certain built form standards in the Commercial Local zone, by specifying that they apply to certain specified activities.

If the purpose of referring to these Commercial built form standards in the activity status column is so that non-compliance with them defaults to a discretionary activity, a new discretionary activity needs to be added to that part of the Chapter that makes non-compliance with these specific built form standards a discretionary activity.

Commented [A114]: Refer to comments on the activity specific standards applying to P35 that refer to built form standards in other chapters. The same applies here.

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Activity	Activity specific standards:
<u>where the site is in private ownership.</u>	c. <u>The activity shall meet the following built form standards of the Residential Suburban Zone: Rules 14.4.2.1, 14.4.2.3, 14.4.2.4, 14.4.2.5, 14.4.2.6, 14.4.2.7, 14.4.2.8, 14.4.2.9 and 14.4.2.11.</u>
P39 <u>Any activities or facilities on Lot 49 DP 15044, listed in Appendix 13.14.6.2, which are permitted activities under Rule 14.4.1.1 P17 Pre-schools, and where the site is in private ownership.</u>	a. <u>The site shall remain in private ownership; and</u> b. <u>The activity shall meet the applicable activity specific standards and built form standards of the Residential Suburban Zone.</u>

Commented [A115]: Refer to comments on the activity specific standards applying to P35 that refer to built form standards in other chapters. The same applies here.

Commented [A116]: Some of these rules overlap with the matters that are also controlled under the built form standards for the SP(OARC) Zone. It is also not clear if these are the only built form standards to apply. This will cause confusion as to what applies.

The built form standards that are to apply should be under the Built Form Standards part of this chapter. Those standards can refer to and apply certain built form standards in the Commercial Local zone, by specifying that they apply to certain specified activities.

If the purpose of referring to the Residential Zone built form standards in the activity status column is so that non-compliance with them defaults to a discretionary activity, a new discretionary activity needs to be added to that part of the Chapter that makes non-compliance with these specific built form standards a discretionary activity. However, it would seem more appropriate that non-compliance with the Residential zone built form standards that are to apply should default to the same activity status as in the relevant Residential zone.

Commented [A117]: Check all cover all relevant considerations

13.14.4.1.2 Controlled activities

- a. Activities C1, C2, C4 and C5 listed below are controlled activities.
- b. Activity C3 is a controlled activity where it complies with the built form standards in Rule 13.14.4.2.
- c. Discretion to impose conditions is restricted to the matters over which control is reserved, as set out in the following table:

Activity	The matters over which Council reserves its control:
C1 <u>Flood management infrastructure, including New buildings, and structures (including and stopbanks) for the purposes of flood and/or bank erosion mitigation and/or protection including associated earthworks, where undertaken by the Council, Canterbury Regional Council or the Crown.</u>	a. <u>Development Plan – Rule 13.14.5.1</u> b. <u>Green Spine Infrastructure – Rule 13.14.5.2</u>
C2 <u>The installation of stormwater management infrastructure, including stormwater management basins, wetlands, swales, pipes, or reticulated open channelised drainage, including necessary incidental equipment such as pumping stations, where undertaken by or on behalf of the Council, Canterbury Regional Council or the Crown.</u>	a. <u>Development Plan – Rule 13.14.5.1</u> b. <u>Green Spine Infrastructure – Rule 13.14.5.2</u>
C3 <u>Earthworks associated with the construction of a Landing Area where undertaken by or on</u>	a. <u>Green Spine Infrastructure – Rule 13.14.5.2</u>

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Activity	The matters over which Council reserves its control:
behalf of the Council, Canterbury Regional Council or the Crown.	
C4 Earthworks associated with the construction of walking and cycling paths, where undertaken by or on behalf of the Council, Canterbury Regional Council or the Crown.	a. <u>Green Spine Infrastructure – Rule 13.14.5.2</u>
C5 <u>Any activities or facilities within an existing building, located within the Edge Housing Area set outshown in Appendix 13.14.6.1 which would be controlled activities in the Residential Suburban Density Transition Zone.</u>	a. The matters of control for the applicable activity or facility listed in the Residential Suburban Density Transition Zone.

Commented [A117]: Check all cover all relevant considerations

Commented [A118]: Earthworks for these activities should preferably be managed under the rules and the chapters that normally apply to such activities, as per the comments on 13.14.3c.iii. It is recommended that, at the very least, these activities should be restricted discretionary activities.
Also note the comments on 13.14.3c.iii. relating to "construction of a Landing Area", if this clause remains. It would be better worded, "Earthworks or indigenous vegetation clearance for a Landing Area where undertaken ..."

Commented [A119]: Earthworks for these activities should preferably be managed under the rules and the chapters that normally apply to such activities, as per the comments on 13.14.3c.iii. It is recommended that, at the very least, these activities should be restricted discretionary activities. If it remains it should refer to vegetation clearance as well as earthworks.

13.14.4.1.3 Restricted discretionary activities

- a. The activities listed below are restricted discretionary activities.
b. Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in Rule 13.14.5, as set out in the following table:

Activity	The Council's discretion shall be limited to the following matters:
RD1 <u>Any activity listed in Rule 13.14.4.1.1 P1 – P39 and Rule 13.14.4.1.2 C3, and Rule 13.14.4.1.3 RD7 – RD12 that does not meet one or more of the built form standards in Rule 13.14.4.2, unless otherwise specified.</u> <u>Advice note:</u> 1. Refer to relevant built form standard for provisions regarding notification.	As relevant to the built form standard that is not met: a. <u>Development Plan – Rule 13.14.5.1</u> b. <u>Green Spine Infrastructure -Rule 13.14.5.2</u> c. <u>Road boundary setback – Rule 13.14.5.3</u> d. <u>Internal boundary setback – Rule 13.14.5.4</u> e. <u>Outdoor storage areas – Rule 13.14.5.5</u> f. <u>Fencing – Rule 13.14.5.6</u> g. <u>Recession planes – Rule 13.14.5.7</u> h. <u>Water supply for firefighting – Rule 13.14.5.8</u> i. <u>Ecological enhancement planting – Rule 13.14.5.9</u> j. <u>Site and Building Design – 13.14.5.16</u>
RD2 a. <u>Any activity listed in Rule 13.14.4.1.1 P2 that does not meet one or more of the activity specific standards.</u>	a. <u>Public amenities – Rule 13.14.5.10</u>

Commented [A120]: It is not clear why many of the listed activities in this section are restricted discretionary activities and need a resource consent, when they can be of a similar scale and intensity as permitted activities such as entertainment activities, rural tourism activities, education activities, retail and food and beverage activities. Particularly obvious ones are highlighted below.

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Activity	The Council's discretion shall be limited to the following matters:
Any application arising from this rule shall not be publicly notified	
RD3 Any activity listed in Rule 13.14.4.1.1 P14 that does not meet one or more of the activity specific standards.	a. <u>On-site car parking – Rule 13.14.5.12</u>
RD4 Any activity listed in Rules 13.14.4.1.1 P24 & P25 that does not meet one or more of the activity specific standards.	a. <u>Development Plan – Rule 13.14.5.1</u> b. <u>Activities on the surface of water bodies – Rule 13.14.5.13</u> c. <u>Within a site of Ngāi Tahu cultural significance identified in Appendix 9.5.6 – Rule 9.5.5 as relevant to the site classification.</u>
RD5 Any activities or facilities within an existing building, within the in an Edge Housing Area as shown on the Development Plan contained in Appendix 13.14.6.1, which would be restricted discretionary activities in the Residential Suburban Density Transition Zone.	a. <u>The matters of discretion for the activity or facility listed in the Residential Suburban Density Transition Zone.</u> a-b. <u>In addition, for Residential activities would be restricted discretionary activities in the Residential Suburban Density Transition Zone, Edge Housing residential design principles – Rule 13.14.5.14.</u>
RD6 a. <u>Residential activities located within the in an Edge Housing Area as shown on the Development Plan contained in Appendix 13.14.6.1., other than as provided for in 13.14.4.1.3 RD5.</u> Any application arising from this rule shall not be publicly notified	a. <u>Edge Housing residential design principles – Rule 13.14.5.14</u>
RD7 a. <u>Residential activities located within the Trial Housing Area as shown on the Development Plan contained in Appendix 13.14.6.1, including where these activities occur on the surface of water.</u> Any application arising from this rule shall not be publicly notified	a. <u>Trial Housing design principles – Rule 13.14.5.15</u>
RD8 <u>Conference / convention facilities located within a Reach as shown on the Development Plan contained in Appendix 13.14.6.1.</u>	a. <u>Development plan – Rule 13.14.5.1</u> b. <u>Site and building design – Rule 13.14.5.16</u> c. <u>Traffic generation and access – Rule 13.14.5.17</u> d. <u>Scale of activity – Rule 13.14.5.18</u>

Commented [A121]: Numbering should be as per the convention used in the existing DP throughout the proposed provisions.

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Activity	The Council’s discretion shall be limited to the following matters:
RD9 <u>Emergency service facilities</u> located within a Reach as shown on the Development Plan contained in Appendix 13.14.6.1 Any application arising from this rule shall not be publicly notified	a. <u>Development plan – Rule 13.14.5.1</u> b. <u>Site and building design – Rule 13.14.5.16</u> c. <u>Traffic generation and access – Rule 13.14.5.17</u> d. <u>Scale of activity – Rule 13.14.5.18</u>
RD10 <u>Gymnasiums</u> located within a Reach as shown on the Development Plan contained in Appendix 13.14.6.1	a. <u>Development plan – Rule 13.14.5.1</u> b. <u>Site and building design – Rule 13.14.5.16</u> c. <u>Traffic generation and access – Rule 13.14.5.17</u> d. <u>Scale of activity – Rule 13.14.5.18</u>
RD11 <u>Cultural activities</u> located within a Reach as shown on the Development Plan contained in Appendix 13.14.6.1	a. <u>Development plan – Rule 13.14.5.1</u> b. <u>Site and building design – Rule 13.14.5.16</u> c. <u>Traffic generation and access – Rule 13.14.5.17</u> d. <u>Scale of activity – Rule 13.14.5.18</u>
RD12 <u>Public transport facilities, excluding park and ride facilities, located within a Reach as shown on the Development Plan contained in Appendix 13.14.6.1.</u> Any application arising from this rule shall not be publicly notified	a. <u>Development plan – Rule 13.14.5.1</u> b. <u>Site and building design – Rule 13.14.5.16</u> c. <u>Traffic generation and access – Rule 13.14.5.17</u> d. <u>Scale of activity – Rule 13.14.5.18</u>

Commented [A122]: Inconsistent with the way emergency service facilities are treated in other zones, where they are permitted.

Commented [A123]: Why not a permitted activity – similar to/overlap with education and entertainment activities that are permitted activities.

Commented [A124]: Public transport facilities would seem to be an appropriate activity to be a permitted activity.

Commented [A125]: Activities not otherwise specified as permitted, restricted discretionary, etc. should not default to being a discretionary activities in all areas of the SP(OARC) Zone, rather should be non-complying activities, particularly in the Green Spine.

This has the potential to threaten the achievement of the priorities of the Regen. Plan, particularly in respect of restoring ecosystems and connecting people with nature.

In the existing District Plan the Ōtākaro/Avon River is zoned Open Space Water and Margins Zone or the Avon River Precinct/Te Papa Ōtākaro Zone and Waikākāriki /Horseshoe Lake is zoned Open Space Natural. These zones limit activities and development, reflecting the important natural and cultural values of those areas. Activities that are not specifically provided for in those zones are specified as being non-complying activities. A similar approach is taken in other areas where such values are important, e.g. the Rural Banks Peninsula Zone.

Discretionary activity status for any activities not specifically provided for in the SP(OARC) leaves the door open for someone to claim, as extreme examples, that putting a supermarket or shopping centre anywhere in the Green Spine is potentially appropriate in some circumstances. Likewise restricted discretionary activity status for non-compliance with the built form standards opens the door for a scale or form of development that would be inconsistent with the intended outcomes. This is particularly so in respect of non-compliance with those standards relating to site coverage and ecological planting. Non-compliance with those standards should be at least a discretionary activity.

These issues are particularly important in the Green Spine and the Eastern Reaches, where the natural environment and ecological restoration are a particularly high priority. In these areas, activities and forms of development not specifically provided for should be non-complying activities to ensure the achievement of the priority outcomes.

Commented [A126]: Refer to comments on D1.

Commented [A127]: Shouldn't this be expanded to include P1, P8-P11, P13, P15, P17-P18, P21-P22, P26, P28-P30, P32-P39, or was the intention that they default to an RD status when breaching activity specific standards –they are not listed as RDs.

13.14.4.1.4 Discretionary activities

a. The activities listed below are discretionary activities.

Activity
D1 <u>Any activity not provided for as a permitted, controlled, restricted discretionary, non-complying or prohibited activity, except in the Green Spine</u>
D2 <u>Major sports facility, excluding those specified in P28 – P29</u>
D3 <u>Any activity listed in Rule 13.14.4.1.1 P1 – P39 and Rule 13.14.4.1.3 RD2 – RD12 that does not comply with Built Form Standard 13.14.4.2.2, 13.14.4.2.6, or 13.14.4.2.7, or 13.14.4.2.10, except where covered by NC12 and N16.</u>
D4 <u>Any activity listed in Rule 13.14.4.1.1 P3 – P6 that does not meet one or more of the activity specific standards, except as specified in NC13 and N14.</u>

13.14.4.1.5 Non-complying activities

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

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Activity	
NC1	<u>Intensive farming (excluding land-based aquaculture)</u>
NC2	<u>Industrial activitiesactivity</u>
NC3	<u>Trade supplier</u>
NC4	<u>Yard-based supplier, except as specified within P26</u>
NC5	<u>Service industry</u>
NC6	<u>Warehousing and distribution activities</u>
NC7	<u>Commercial services</u>
NC8	<u>High tech industrial activity</u>
NC9	<u>Trade and industry training activities</u>
NC10	<u>Second-hand goods outlet</u>
NC11	<u>Buildings in the Green Spine that do not meet Rule 13.14.4.2.6 (i) where as the height is over 10 metres in the Green Spine, but excluding residential activities in Edge Housing Areas.</u>
NC12	<u>Any residential activity that is not otherwise specified in Rule 13.14.4.1.1 P18, P32, P33 or Rule 13.14.4.1.3 RD1, RD6, RD7 or RD8.</u>
NC13	<u>Any activity listed in Rule 13.14.4.1.1 P4 that does not meet the Activity Specific Standardsexceeds the cumulative limit for a Reach.</u>
NC14	<u>Any activities listed in P3 that does not meet the Activity Specific Standards</u>
NC15	<u>Any activity in the Green Spine not provided for as a permitted, controlled, restricted discretionary, discretionary or prohibited activity</u>
NC16	<u>Any activity in the Green Spine or the Eastern Reaches that does not meet the built form standards in Rules 13.14.4.2.7 or 13.14.4.2.10</u>
NC17	<u>Quarrying</u>
NC18	<u>Motorised sports facility</u>
NC19	<u>Heavy industrial activity</u>

Commented [A128]: An individual activity may not exceed the cumulative limit, but in combination with other existing activities may result in the cumulative limit being exceeded.

Commented [A129]: Alternatively, that these activities become non-complying activities if they exceed a second higher tier of size limits.

Commented [A130]: See comments in respect of D1.

Commented [A131]: By definition this is only land-based

13.14.4.1.6 Prohibited activities

a. There are no prohibited activities.

13.14.4.2 Rules - Built form standards

a. For the purposes of the Built form standards contained in Rule 13.14.4.2, a site is:

- i. As defined in Chapter 2 of this Plan; or
- ii. The ~~demarkated~~ area that is used for all the buildings and activities ~~proposed~~related to a particular activity.

Commented [A132]: This definition of site for the SP(OARC) Zone needs to be incorporated the definition of "site" in the definitions chapter using wording along the lines of "For the purposes of the SP(OARC) Zone ...". This is because the term site is used in general city wide chapters that are being amended to include this zone, e.g. 6.2.4.1.1 P12.

13.14.4.2.1 Road boundary setback

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

	Applicable to	Standard
i.	<u>All sites, unless specified in ii, iii, iv and v below</u>	<u>5 metres, except that this shall not apply to buildings located within a</u>

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	Applicable to	Standard
		Landing Area identified on the Development Plan contained in Appendix 13.14.6.1.
ii.	Sites fronting Road boundary with a state highway	20 metres
iii.	Sites in the Reaches where the road-facing facade is at least 40% glazed, and the internal space behind the glazing is used for retail activities or entertainment activities.	There is no minimum building setback
iv.	Residential units located within the Edge Housing Area as shown on the Development Plan contained in Appendix 13.14.6.1.	4.5 metres
v.	Road boundary with local roads in the Green Spine shown on the Development Plan contained in Appendix 13.14.6.1	10 metres

Commented [A133]: Need to clarify that it is the state highway setback only that is 20m (ie.. if dual frontages/corner sites etc)

13.14.4.2.2 Infrastructure boundary setback

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

Commented [A134]: This needs a definition as existing definition only applies to Rule 5.6and does not include stormwater management facilities or stopbanks.

	Applicable to	Standard
i.	Stormwater management areas shown on the Development Plan contained in Appendix 13.14.6.1	15 metres
ii.	Cycle-Pedestrian, cycle commuter and road linkages, new pedestrian / cycle / vehicle bridges, and stopbanks, road linkages to be investigated, and the City to Sea Promenade shown on the Development Plan contained in Appendix 13.14.6.1	5 metres, except that this shall not apply to buildings located within a Landing Area identified on the Development Plan contained in Appendix 13.14.6.1.

Commented [A136]: Insufficient for some activities.

Commented [A135]: Rules can only apply to fixed locations, not some uncertain future possibility.

13.14.4.2.3 Internal boundary setback

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

	Applicable to	Standard
i.	All sites, unless specified in ii, iii and iv. below	5 metres
ii.	Residential activities buildings located within the Edge Housing Area as shown on the Development Plan contained in Appendix 13.14.6.1	<p>a. 2 metres from any internal boundary with a residential zone;</p> <p>b. 1 metre from an internal boundary with other a site in an Edge Housing Area</p>

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	Applicable to	Standard
iii.	Proposals other than residential activities that adjoin a residential or open space zone	10 metres
iv.	Proposals other than residential activities that adjoin a site listed in Appendix 13.14.6.2 which remains privately owned.	10 metres

13.14.4.2.4 Outdoor storage

- a. Any outdoor storage area shall not be located within the minimum setbacks specified in Rules 13.14.5.1 and 13.14.5.2.
- b. Outdoor storage areas shall be screened from adjoining sites, roads, cycleways and walkways by either planting, wall(s), fence(s), or any combination of these, to at least 1.8 metres in height along the length of the storage area. Where such screening is by way of planting it shall be for a minimum depth of 3 metres.

Commented [A137]: These are matters of discretion. Think they mean 13.14.4.2.1 and 13.14.4.2.2 or .3?

13.14.4.2.5 Fencing

- a. The maximum height of any fence in the Green Spine shall be 1.2 metres; and
- b. The maximum height of any internal boundary fence in the Reaches shall be 1.8 metres, except that the maximum height for any front road boundary fence shall be 1.2 metres;
- c. The rules in a. and b. above except that these rules do not apply to predator proof fencing required for an eco-sanctuary.

13.14.4.2.6 Building height

- a. The maximum height of any building shall be as follows:

	Applicable to	Standard
i.	All buildings unless specified below	8 metres
ii.	Residential units located within the Edge Housing Area as shown on the Development Plan contained in Appendix 13.14.6.1.	8 metres
iii.	Except as specified in ii. All buildings located within the Otākaro Reach, Horseshoe Lake Reach or Eastern Reaches as shown on the Development Plan contained in Appendix 13.14.6.1., other than as specified in ii. above.	12 metres
iii	All other buildings not listed in i. and ii. above	8 metres

13.14.4.2.7 Building footprint, site coverage and impervious surfaces

- a. The maximum single building footprint, site coverage of all buildings, and area covered by impervious surfaces, shall be as follows:

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	<u>Applicable to</u>	<u>A</u> <u>(Single</u> <u>building</u> <u>footprint)</u>	<u>B</u> <u>(Site</u> <u>coverage)</u>	<u>C</u> <u>(Impervious</u> <u>surfaces)</u>
i.	<u>Green Spine, except where covered under iv specified in iv.</u>	100m ²	5%	10%
ii.	<u>Ōtakaro Reach or Horseshoe Lake Reach, except where specified in iv.covered under iv</u>	500m ²	20%	30%
iii.	<u>Eastern Reaches, except where specified in iv.covered under iv</u>	150m ²	15%	5%
iv.	<u>Activity and Landing Areas</u>	250m ²	25%	30%

13.14.4.2.8 Recession planes

- a. Where an internal site boundary adjoins a residential zone, no part of any building shall project beyond a building envelope contained by a recession plane measured at any point 2.3 metres above the internal site boundary in accordance with the diagrams in Appendix 18.11.3.
- b. Where sites are located within a Flood Management Area, recession plane breaches created by the need to raise floor levels will not require written approvals and shall not be limited or publicly notified.

Commented [A138]: Which zone? Need to refer to the correct diagrams in accordance with the alternative zoning of the site.

Commented [A139]: Inconsistent with Chapter 5. Need to clearly state only to achieve the floor level so people can't build a tower etc that shades unnecessarily. Would be more appropriate to defer to the existing Ch 5 recession plane rule which takes the recession plane from the floor level and still enables affected party consideration.

13.14.4.2.9 Water supply for firefighting

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

Commented [A140]: RMA does not provide for the DP to specify in advance who you will limited notify to.

13.14.4.2.10 Ecological enhancement planting

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a. Ecological enhancement planting shall be provided as follows:

	Standard
i.	<p>A minimum of 10% of the net site area shall be planted and maintained with predominantly at least 75% being indigenous vegetation that is naturally occurring and sourced from within the relevant ecological district within which the planting is to take place, comprising a combination of trees, shrubs and ground cover species. and Planting may include some ancillary lawn or other amenity features areas not exceeding 10% of the planted area of lawn or other amenity features, and shall be set aside as one or more landscaped or open space areas.</p> <p>This rule does not apply to outdoor recreation activities not involving buildings, and or to public amenities.</p>
ii.	<p>a. In addition to ai. above, one indigenous tree shall be planted for every 5 ground level uncovered car parking spaces provided on the site. Trees shall be planted within or adjacent to the car parking area-</p> <p>b. Trees shall be planted within or adjacent to the car parking area at the front of the site.</p> <p>On sites adjoining a Residential Zone, trees shall be provided adjacent to the shared boundary at a ratio of at least 1 tree for every 10 metres of the boundary or part thereof, and evenly spaced.</p>
iii.	<p>a. On sites adjoining a Residential Zone, or sites adjoining a residential activity on a site listed in App 13.14.6.2 which remains privately owned, a minimum 2 metre wide ecological enhancement planting area shall be provided adjacent to the shared boundary, except that this shall not apply to residential activities proposed in the Edge Housing or Trial Housing Area as shown on the Development Plan contained in Appendix 13.14.6.1. The ecological enhancement planting areas shall be planted with at least 75% being predominantly indigenous vegetation comprising a combination of trees, shrubs and ground cover species.</p> <p>a-b. On sites adjoining a Residential Zone, trees shall be provided adjacent to the internal boundary at a ratio of at least 1 tree for every 10 metres of the boundary or part thereof, and evenly spaced.</p>

Commented [A141]: This percentage and the others are suggested as being necessary to achieve the ecological restoration objectives of the Corridor.

Commented [A142]: Expect that the whole Corridor is in one ecological district.

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	<u>Standard</u>
iv.	<u>On sites adjoining a residential activity on a site that is listed in Appendix 13.14.6.2 and which remains privately owned, a minimum 2 metre wide ecological enhancement planting strip shall be provided adjacent to the shared boundary. The ecological enhancement planting areas shall be planted with predominantly indigenous vegetation comprising a combination of trees, shrubs and ground cover species.</u>
v.	<u>All ecological enhancement planting required by these rules shall be in accordance with the provisions in Appendix 6.11.6 of Chapter 6.</u>

Advice note:

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

13.14.5 Rules – Matters of control and discretion

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

13.14.5.1 Development Plan

- a. The extent to which the proposal:
 - i. Is in general accordance with the Development Plan contained in Appendix 13.14.6.1
 - ii. Is consistent with the character and activities intended in the area within which it is located, with reference to Policy 13.14.2.1.1:
 - iii. Will reduce the ability for the range of intended activities, as set out in Policy 13.14.2.1.1, to be delivered;
 - iv. Relates to or integrates with any other existing or consented development within the area;

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Commented [A143]: This not an advice note if it starts with "shall", but is a rule. However most of it does not have the certainty for a rule. The only way that judgements as to whether the proposals were "effective" and what was "practicable", "integrated", etc. would be to require assessment through a resource consent. The last sentence could possibly be work up into a rule if it said "shall", but is likely to need more details as to what is required. If such a rule is developed it should have its own rule heading and number as it is not a rule about "ecological planting".

Appendix 2 –Amendments to RMA Documents

- v. May have adverse effects on the water body and water body margins, ecosystems, water quality and stormwater management.
- b. Whether the proposed development will compromise the provision or function of any area identified as stormwater management areas, stopbanks, City to Sea Promenade, ~~new~~ pedestrian / cycle/ vehicle ~~linkages and bridges and road linkages to be investigated~~, within the Development Plan contained in Appendix 13.14.6.1.

13.14.5.2 Green Spine Infrastructure

- a. The extent to which the proposal is in accordance with the Development Plan contained in Appendix 13.14.6.1.
- b. The extent the proposal recognises and/or provides for values of importance to Ngāi Tahu/ mana whenua and in particular the maintenance and enhancement of water quality and mahinga kai values.
- c. The extent to which the design enables recreational and amenity opportunities.
- d. The visual impact of the proposal on open space and any neighbouring sites and public places, and any mitigation proposed.
- e. The potential effects of earthworks associated with construction of infrastructure, both within and surrounding the site, including increased erosion and sedimentation, noise, dust and traffic, and any mitigation proposed.
- f. The adequacy and appropriateness of measures proposed to reinstate the area affected by the works post construction.
- g. The extent to which planting and landscaping is proposed that will restore and enhance the ecological and landscape integrity of the site and provide increased natural habitat for mahinga kai and an increase in indigenous biodiversity, particularly where sites of ecological significance are affected.
- h. For stopbanks, the extent to which the stopbanks ~~have been~~are designed to naturalise the river bank and water edges, including form and planting.
- i. For stormwater management works, the extent to which these ~~have been~~are designed to naturalise the area, including form and planting.
- j. Where ~~w~~Within a Site of Ngāi Tahu Cultural Significance identified in Appendix 9.5.6, the matters set out in Rule 9.5.5 as relevant to the site classification:
 - i. Rule 9.5.5.2 – Ngā Tūranga Tūpuna; and
 - ii. Rule 9.5.5.3 – Ngā Wai.
- k. Where relevant to the location, ~~t~~he extent to which the proposals align with the cross sections contained in Appendix 13.14.6.1.(b)
- l. Whether the proposal recognises the context and values of historic and cultural significance and the relationship, culture and traditions of Ngāi Tahu;
- m. In relation to the removal of any indigenous vegetation within a Sites of Ecological Significance listed in Schedule A of Appendix 9.1.6.1, those matters set out in 9.1.5.2. ~~OR:~~
 - i. Whether the removal of vegetation has been minimised to the extent practicable/ ~~A~~, including any locational, technical or operational requirements of the proposed activity and the practicality of ~~avoiding/conserving~~ indigenous vegetation, including the viability of ~~alternatives~~alternative locations/designs of the infrastructure.

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Appendix 2 –Amendments to RMA Documents

- ii. The extent to which any vegetation removal will adversely affect indigenous biodiversity and ecosystems and how this will be mitigated or offset through additional planting
- iii. The extent to which the areas of significant indigenous vegetation and/or significant habitats of indigenous fauna will be protected to ensure no net loss of indigenous biodiversity.
- iv. The extent to which adverse effects on indigenous biodiversity and Ngāi Tahu values will be managed to ensure indigenous biodiversity in the Christchurch District is maintained and enhanced.
- v. To what extent the proposed activity overall will protect, maintain or enhance ecosystems and indigenous biodiversity, including through the use of biodiversity offsets, covenants and/or restoration and enhancement
- n. The extent to which the qualities of the significant feature (7.0 Waikākāriki/Horseshoe Lake and 8.1 and 8.3 Ōtākaro/ Avon River) will be enhanced.
- o. Where within an area of Natural character in the coastal environment:
 - i. the extent to which the proposal is consistent with preserving the natural character qualities of the coastal environment; and
 - ii. Whether any restoration or rehabilitation of the natural character of the coastal environment is proposed;
- p. The extent to which the proposal provides public access and access for customary use to and along the Ōtākaro Avon River.
- q. Whether the development incorporates Crime Prevention Through Environmental Design (CPTED) principles as required to achieve a safe, secure environment.
- r. The extent to which the transfer of flood waters and impact on land drainage in surrounding areas is avoided.
- s. The extent to which access for maintenance to or along the water body is not impeded.
- ~~t.~~ The extent to which the proposal has regard to any relevant operative Council-approved master plans or management plans.
- ~~u.~~ The adequacy of the measures to be implemented during construction concerning the accidental discovery of archaeological sites or artefacts including the training of contractors, cultural monitoring and ~~adoption of an consistency~~ accidental discovery protocol in accordance with the Mahaanui Iwi Management Plan.

13.14.5.3 Road boundary setback

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

Commented [A144]: There needs to be clarity as to which matters are to apply, or in what circumstances one or other will apply. These ones listed appear to be less clear/certain than the ones already in the DP and so the existing DP provisions in 9.1.5.2 should apply.

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- iv. Is ~~necessitated-necessary~~ due to functional requirements and/or the existing form, scale and design of buildings on the site.

13.14.5.4 Internal boundary setback

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

13.14.5.5 Outdoor storage areas

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

13.14.5.6 Fencing

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

13.14.5.7 Recession planes

- a. The extent to which the recession plane intrusion:
 - i. Would result in overshadowing of adjoining sites resulting in reduced sunlight and daylight admission to internal living spaces and external living spaces beyond that anticipated by the recession plane;
 - ii. Impacts on the privacy of an adjoining site;
 - iii. Is mitigated by the extent and quality of any landscaping proposed;
 - iv. ~~The nature of~~Will adversely affect activities undertaken within any space ~~affected by~~ increased shadowing caused by any proposed building or alteration to a building.

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

13.14.5.8 Water supply for fire fighting

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

13.14.5.9 Ecological Enhancement Planting

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

13.14.5.10 Public amenities

- a. For public amenity buildings containing toilets and/or changing rooms, whether the reduced setback will:
- i. detract from amenity of adjoining residents and give rise to nuisance effects;
 - ii. promote a safe physical environment and reflect principles of CPTED.

~~13.14.5.11 Commercial activities~~

- ~~a. The extent to which the scale, character, form and location of the activity, in addition to other commercial activities, will compromise the role and functioning of the Central City and other existing commercial centres;~~
- ~~b. The extent to which food and beverage activities will compromise existing commercial activities in the vicinity of the Cossar Street local centre;~~
- ~~c. The extent to which the activity and its scale is consistent with the character of the area and is complementary to and services the range of activities anticipated, as outlined in Policy 13.14.2.1.1.~~
- ~~d. The effect of the development on the capacity for the area to accommodate other activities that are anticipated within the area as outlined in Policy 13.14.2.1.1.~~
- ~~e. Any effects in terms of traffic generation and access.~~

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Commented [A145]: There do not appear to be any restricted discretionary activities that require consideration of these matters. Breaches of commercial floorspace scale limits now default to full discretionary activity status.

13.14.5.12 Onsite car parking

- a. The extent to which the car parking area:
 - i. Will be visually dominant in the surrounding environment
 - ii. Is of a scale that will detract from the character or function of the area within which it is located, as outlined in Policy 13.14.2.1.1.
 - iii. Will give rise to nuisance effects
 - iv. Will be designed and landscaped to mitigate visual effects. ~~Reference, including consideration of the should be made to~~ General Rules and Procedures, Appendix 6.11.6, Part B for guidance and information on tree species.
 - i. Will reduce the ability for the range of activities anticipated in Policy 13.14.2.1.1 to be delivered
 - ii. Will promote a safe physical environment and reflect principles of Crime Prevention through Environmental Design (CPTED).

Commented [A146]: This is unlikely to be able to be assessed in a meaningful way. Even allowing permitted activities will have the effect of reducing the ability of other permitted activities to occur. Could be applied to the activities indicated in the Development Plan instead.

13.14.5.13 Activities on the surface of water bodies

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

Commented [A147]: This seems to be moving into matters outside of those the DP can control. Better to concentrate on potential effects covered by the remaining matters listed.

13.14.5.14 Edge Housing residential design principles

- a. ~~New developments~~ Edge Housing shall be assessed against the six residential design principles c.- h. set out below. Each residential design principle is accompanied by relevant considerations which are a guide to applicants and consent officers when considering an application against the residential design principles themselves.
- b. The relevance of the considerations under each residential design principle will vary from site to site and, in some circumstances, some of the considerations may not be relevant at all.
- c. Context and character:
 - i. ~~The Whether the~~ design of the development should complements the surrounding natural, heritage and cultural environment, whilst not compromising the amenity of adjacent existing development , and the extent to which the development:-
The relevant considerations are the extent to which the development:
 - A. includes, where relevant, reference to the patterns of development in and/or anticipated for the surrounding area such as building dimensions, forms, setbacks and alignments, and secondarily materials, design features and tree plantings; and

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- B. retains or adapts features of the site that contribute significantly to local neighbourhood character, ~~potentially including such as~~ existing heritage items, Sites of Ngāi Tahu Cultural Significance identified in Appendix 9.5.6, site contours and mature trees.
- C. has an ~~architectural~~ and landscape character that complements the ~~emerging landscaped~~ intended indigenous natural environment of the Ōtākaro Avon River Corridor area.

Commented [A148]: This requires further elaboration, as there is nothing in the objectives, policies or other provisions that explains what architectural character is intended.

d. Relationship to the street and public open spaces

- i. Whether the development engages with and contributes to the adjacent street and any other adjacent public open spaces ~~to contribute to them~~ being lively, safe and attractive, and the extent to which the development:-

The relevant considerations are the extent to which the development:-

- A. orientates building frontages including entrances and windows ~~to of~~ habitable rooms toward the street and adjacent public open spaces;
- B. locates buildings on corner sites to emphasise the corner;
- C. avoids street facades that are blank or where ~~the street facades of garages are greater~~ make up more than 25% of building frontage;
- D. has front fences under 1.2m; and
- E. ~~for edge housing provides~~ parking ~~should be~~ accessed from a rear lane ~~for Edge housing.~~

e. Built form and appearance

- i. Whether the development is designed to minimise the visual bulk of the buildings and provide visual interest, and the extent to which the development:-

The relevant considerations are the extent to which the development:-

- A. ~~Divides or otherwise separates~~ Breaks up unusually long or bulky building forms and limits the length of continuous rooflines;
- B. utilises variety of building form and/or variation in the alignment and placement of buildings to avoid monotony;
- C. avoids blank elevations and facades dominated by garage doors; and
- D. achieves visual interest and a sense of human scale through the use of architectural detailing, glazing, verandas and balconies and variation of materials.

f. Residential amenity

- i. Whether the development provides a high level of internal and external residential amenity for occupants and neighbours, and the extent to which the development:-

ii. The relevant considerations are the extent to which the development:-

- A. provides for outlook, sunlight and privacy through the site and building layout, and orientation and internal layout of residential units;
- B. Maintains a level of amenity ~~of for~~ adjacent existing housing consistent with ~~what could be anticipated~~ the outcomes provided for in a Residential Suburban zone.

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- C. directly connects private outdoor spaces to the living spaces within the residential units;
- D. ensures any communal private open spaces are accessible, usable and attractive for the residents of the residential units; and
- E. includes tree and garden planting particularly relating to adjoining the street frontage, boundaries, access ways, and parking areas.
- g. Access, parking and servicing
 - i. Whether the development provides for good access and integration of space for parking and servicing, and the extent to which development:-
 - ii. The relevant considerations are the extent to which the development:
 - A. integrates access in a way that is safe for all users, and offers convenient access for pedestrians to the street, any nearby parks or other public recreation spaces;
 - B. provides for parking areas and garages in a way that does not dominate views of the development, particularly when viewed from the street or other public open spaces; and
 - C. provides for suitable storage and service spaces which are conveniently accessible, safe and/or secure, and located and/or designed to minimise adverse effects on occupants, neighbours and public spaces.
- h. Safety
 - i. Whether the development incorporates Crime Prevention Through Environmental Design (CPTED) principles to achieve a safe, secure environment, and the extent to which development:-
 - ii. The relevant considerations are the extent to which the development:
 - A. provides for views over, and passive surveillance of, adjacent public and publicly accessible open spaces;
 - B. clearly demarcates boundaries of public and private space;
 - C. makes pedestrian entrances and routes readily recognisable; and
 - D. provides for good visibility with clear sightlines and effective lighting.

Commented [A149]: Don't need the word "suitable" as all the rest explains in what way they will be suitable.

13.14.5.15 Trial Housing Design Principles

- a. The extent to which the housing:
 - i. Is comprehensively designed as part of a scheme plan for the whole Trial Housing location;
 - ii. includes designs that consist of clustered structures;
 - iii. is designed to respond to the natural setting of the coastal environment or the Ōtakaro Avon River Corridor, if applicable, through design, colour palette, materials; and
 - iv. addresses and integrates with adjacent residential development.
- b. Whether the development is designed to mitigate the visual bulk of the buildings and provide visual interest.
- c. Whether the development incorporates Crime Prevention Through Environmental Design (CPTED) principles as required to achieve a safe, secure environment.

Commented [A150]: This covers a lot of issues already been covered above for Edge Housing and Trial Housing. It would be better to just have one consistent set of urban design assessment matters for all, with any extra matters for specific Areas clearly identified as such.

13.14.5.16 Site and building design

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Appendix 2 –Amendments to RMA Documents

a. Whether the development:

- i. Is in general accordance with the Development Plan contained in Appendix 13.14.6.1.
- ii. Is consistent with the Ōtākaro Avon River Corridor Regeneration Plan
- iii. Is of a bulk and scale that is appropriate for the area within which it is located,
- iv. Relates-Is consistent with, and relates to, the area within which it is located, including existing or proposed buildings in the vicinity, as well as activities that are anticipated in the area
- v. Results in adverse visual and amenity effects on adjoining residential neighbours/sites and public space;
- vi. Is designed to incorporate Crime Prevention Through Environmental Design (CPTED) principles;
- vii. Promotes active engagement with, and contributes to the vibrancy and attractiveness of, any adjacent streets, lanes or public spaces
- viii. In terms of its built form and design, generates visual interest in the street scene and contributes to the amenity values of the surrounding area, including through architectural detailing and variety of materials such as articulation, fenestration, rooflines, verandahs, materials and colour that avoids large featureless facades;
- ix. Provides safe, legible, and efficient access for all transport users;
- x. Is designed in a manner that supports and enhances pedestrian movement and cycling;
- xi. Minimises overshadowing, privacy and building dominance effects on residential neighbours and/or public spaces;
- xii. Minimises visual and nuisance effects of traffic movement on neighbours and public space; and
- xiii. Where located within a Site of Ngāi Tahu Cultural Significance identified in Appendix 9.5.6, the extent of provision for the matters set out in Rule 9.5.5 as relevant to the site classification;
- xiv. Incorporates landscaping to achieve a high level of on-site amenity and minimise the visual effects of activities and buildings on the surroundings.
- xv. If located on a site of an existing activity listed within Appendix 13.14.6.2, the extent to which the proposal meets the relevant matters of discretion in the Residential Suburban, Residential Suburban Density Transition, or Residential Medium Density Zones.

Commented [A151]: If this means something more than CPTD covered above, it would be useful to give examples of what is intended.

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

- i. protect the amenity of landscape and adjoining streetscapes, including using scale, landscaping and screening as mitigating measures;
- ii. avoid large areas of at grade car parking
- iii. avoids locating in/be away from the fronts of buildings
- iv. integrate and support adjoining activities
- v. reduce, store and treat storm water run-off.

13.14.5.17 Traffic generation and access

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- a. Whether traffic generation and vehicle access will adversely affect the character and amenity of the surrounding area and/or safety and efficient functioning of the road network.
- b. The ability to cater for increased traffic generation taking into account:
 - i. The classification and formation of the connecting road network; and
 - ii. The hourly, daily and weekly pattern of vehicle movements;
 - iii. The ability to provide safe vehicle access and adequate on-site car parking and circulation;
 - iv. Traffic Management plans.
- c. Any adverse effects in terms of noise, vibration, dust, nuisance, glare and fumes that are incompatible with the amenity of the open space and/or adjoining residents.

13.14.5.18 Scale of activity

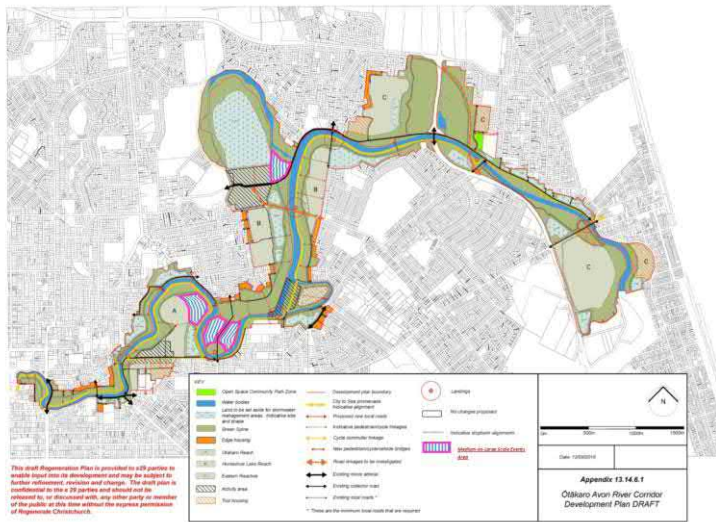
- a. The extent to which the scale of the activity is compatible with the character and amenity values of the surrounding area.
- b. Whether the proposed hours of operation are compatible with the surrounding environment.
- c. The extent to which the site layout and building design will mitigate effects including noise, lighting and traffic.

Commented [A152]: Would be better to refer to the assessment matters in Chapter 7, as none of the issues raised here are unique to the Zone.

13.14.6 Appendices

Appendix 13.14.6.1 Development Plan and Stopbank Cross Section

(a) Ōtākaro Avon River Corridor Development Plan



Commented [A153]: The Development Plan needs to identify the extent of the Landings more precisely. We need precise boundaries for the Landings to be able to administer the Plan and determine the rules that apply.

If the circles are supposed to identify the extent of the Landings, this raises issues with small portions of the Landings being on the opposite side of the river and extending beyond the OARC into surrounding zones. The circles also overlap with Activity Areas and Trial Housing Areas, creating confusion where different rules apply. For example, P13 allows retailing occupying no more than 70m2 per Landing, but 150/350 m2 in Activity Areas. (Note, this rule also needs to clarify if the floor areas are per retail activity or per Activity Area as per previous drafts).

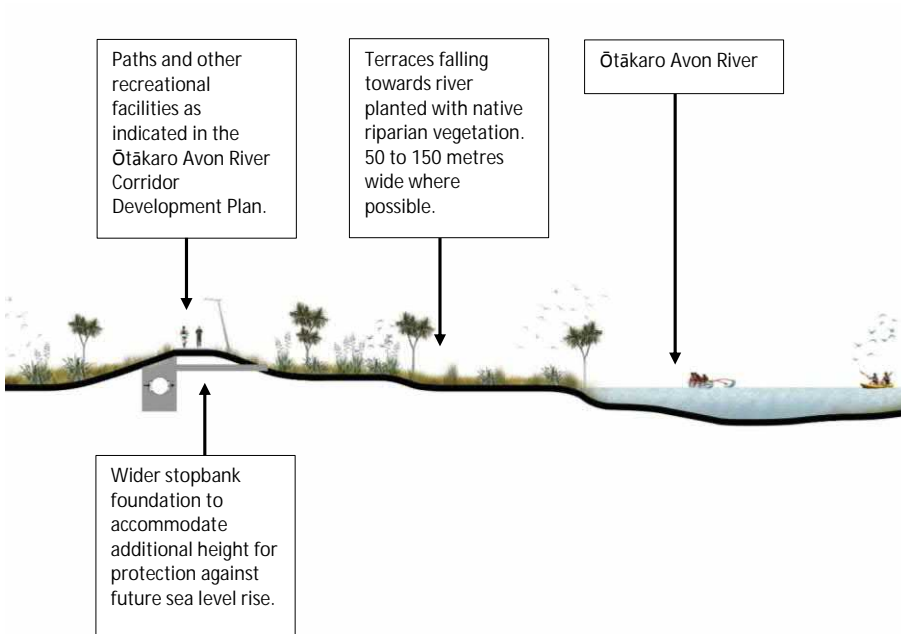
The Development Plan Key needs to indicate that the stormwater management areas are in fact part of the Green Spine, and not for example, part of the Reach which it also adjoins. Recommend wording along the following lines "Areas for stormwater management within the Green Spine. Size and shape are indicative.

The attached version of the Dev. Plan includes the recommended medium-to-large scale events areas.

Amended the Key so "Area" is added to Trial Housing, Edge Housing and Landings.

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(b) Ōtākaro Avon River Corridor Stopbank Cross Section



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Appendix 13.14.6.2 Pre-Earthquake Activities List

Commented [A154]: Suggest this is structured like the SP(School) zone appendix.

Another column should be added to the appendix to identify sites with residential activities, commercial activities, etc., as the rules refer, for example, to "privately owned residential activities".

Street Address	Suburb	Legal Description	Map Ref	Pre- Earthquake Zone	Equivalent/Alternative Zone Under Christchurch District Plan 2017	
					<u>Note: Zone which would apply if not subject to the Otākare Avon River Corridor Area provisions:</u>	Commented [A155]: Delete this whole column Commented [A156]: Delete this whole column
76 Atlantis St	New Brighton	LOT 1 DP 66188	26	L1 (Map 27A)	RSDRS	Commented [A157]: Change all RSDs to RS
122 Avonside Dr	Linwood	PT LOT 1 DP 12070 AND PT LOT 2 DP 26713	32	L2 (Map 39A)	RSDT	
202 Avonside Dr	Avonside	PT LOT 2 DP78	32	L1 (Map 40A)	RSD	
878 Avonside Dr	Wainoni	LOT 1 DP 76065		L1 (Map 34A)	RSD	
92 Bexley Rd	Bexley	LOT 10 DP 27561	26	L1 (Map 34A)	RSD	
7 Chale Lane	Avondale	LOT 245 DP 37943	26	L1 (Map 34A)	RSD	
30 Cowlshaw St	Avonside	LOT 1 DP 7732	32	L1 (Map 40A)	RSD	
42A Cowlshaw St	Avonside	PT LOT 41 DP 78	32	L1 (Map 40A)	RSD	
2/53A Dallington Tce	Dallington	FLAT 2, GARAGE 2 DP 34966 ON LOT 4 DP 30967	32	L1 (Map 33A)	RSD	
238 Fitzgerald Ave	Richmond	LOT 8 DP 23850	32	L2 (Map 39A)	RSDT	
1/256 Fitzgerald Ave	Richmond	FLAT 1 DP 46703 ON LOT 1 DP 46513	32	L3 (Map 39A)	RMD	
2/256 Fitzgerald Ave	Richmond	FLAT 2 DP 46703 ON LOT 1 DP 46513	32	L3 (Map 39A)	RMD	
3/256 Fitzgerald Ave	Richmond	FLAT 3, BALCONY AND STAIRS 3 DP 46703 ON LOT 1 DP 46513	32	L3 (Map 39A)	RMD	
4/256 Fitzgerald Ave	Richmond	FLAT 4, BALCONY AND STAIRS 4 DP 46703 ON LOT 1 DP 46513	32	L3 (Map 39A)	RMD	
123 Hulverstone Dr	Avondale	LOT 32 DP 54073	26	L1 (Map 33A)	RSD	

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137 Locksley Ave	Dallington	LOT 48 DP 18848	33	L1 (Map 33A)	RSD
6 Moyna Ave	Dallington	LOT 12 DP 17824	33	L1 (Map 33A)	RSD
15 Mundys Rd	Dallington	LOT 2 DP 371520		L1 (Map 33A)	RSD
485 New Brighton Rd	New Brighton	LOT 18 DP 16283	26	L1 (Map 34A)	RSD
487 New Brighton Rd	New Brighton	LOT 1 DP 9286	26	L1 (Map 34A)	RSD
615 Pages Rd	Bexley	LOTS 1-2 DP 23072	33	B4 (Map 34A)	N/A (See P35)
47 Rawson Street	New Brighton	PT LOT 1 DP785		L1 (Map 34A)	RSD
57 River Rd	Richmond	LOT 1 DP 365556	32	L2 (Map 40A)	RSDT
1/213A River Road	Richmond	FLAT 1, CARPORT 1, SHED 1 DP 39357 ON LOT 1 DP 23515		L1 (Map 40A)	RSD
333 River Rd	Richmond	LOT 49 DP 15044	32	L1 (Map 33A)	RSD
18 Tasman Pl	Burwood	LOT 26 DP 24416	25	L1 (Map 33A)	RSD
9 Tilbury Pl	Dallington	LOT 4 DP 18546	33	L1 (Map 33A)	RSD
9 Velsheda St	Bexley	LOT 32 DP 81219	33	L1 (Map 34A)	RSD
46A Vogel St	Richmond	LOT 2 DP 82681	32	L3 (Map 40A)	RMD
50 Wainoni Rd	Wainoni	LOT 4 DP 6463	33	L1 (Map 33A)	RSD
20 Templar St	Richmond	PT Rural Section 33, CB159/132	32	L2 (Map 39A)	RSDT

Commented [A158]: 13.14.4.1.1 P16 refers to this property in the Appendix but it was not listed here. BTW, A consent is currently being processed for this property (Bill Sutton's house /museum) as well as the adjoining 18 Templar St and 22-36 Harvey Tce to create Sutton Park with Bill Sutton's house within it as a museum. Artist in residence house + studio is proposed to be built to the north of Bill's house on the adjoining 22-26 Harvey Tce. The 'Cultural Activity' would effectively cover 20 Templar St and 22-26 Harvey Tce so perhaps this listing should include these properties too?

Address → → Certificate of Title Legal Description:
20 Templar Street CB159/132, Part Rural Section 33
22 Harvey Terrace CB29B/1157, Part Rural Section 33
26 Harvey Terrace CB32F/602, Part Rural Section 33

Planning Maps

Amend the Planning Maps Natural Hazards layer ~~to remove the Specific Purpose (Ōtākaro Avon River Corridor) Zone from so that~~ the Fixed Minimum Floor Level Overlay within Flood Management Area ~~currently identified within the Specific Purpose (Ōtākaro Avon River Corridor) Zone is instead identified as Flood Management Area.~~

Amend the Planning Maps Zones and Designations layer to rezone the area ~~identified in the map~~ below to the Specific Purpose (Ōtākaro Avon River Corridor) Zone ~~and to show except~~ where other zones ~~are shown in the map to~~ remain or are ~~proposed~~ to be changed spatially.

Commented [A159]: As per maps already provided - need to remove the eastern end of the Ōtākaro Avon River from the SP(OARC) Zone which is in the CMA and not within the Christchurch District and add in the end of Lychgate Close, which is within the SP(FLR) Zone.

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Please note: ~~It is intended that the relevant Planning Maps also show the extent of transport zoning within the Regeneration Area therefore the~~ The draft Planning Maps to be issued for public notification will also show the extent of Transport zoning ~~reflect the proposed configuration.~~

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Canterbury Land and Water Regional Plan

Insert the following Objective on page 176 under 9.3 Fresh water Outcomes

Ōtākaro Avon River Corridor Regeneration

Objective 9.3.1 The benefits of a regenerated Ōtākaro Avon River Corridor to Christchurch and its communities are recognised and enabled.

Amend the title and insert the following new policies on page 177

Earthquake Recovery and Regeneration

(...)

9.4.8a Enable the regeneration of the Ōtākaro Avon River Corridor Area as shown on Map 9.3, provided the adverse effects on the environment are mitigated.

9.4.8b Ensure a focused and expedited decision-making process for the Ōtākaro Avon River Corridor Area by requiring specified resource consent applications to be processed and considered without public notification.

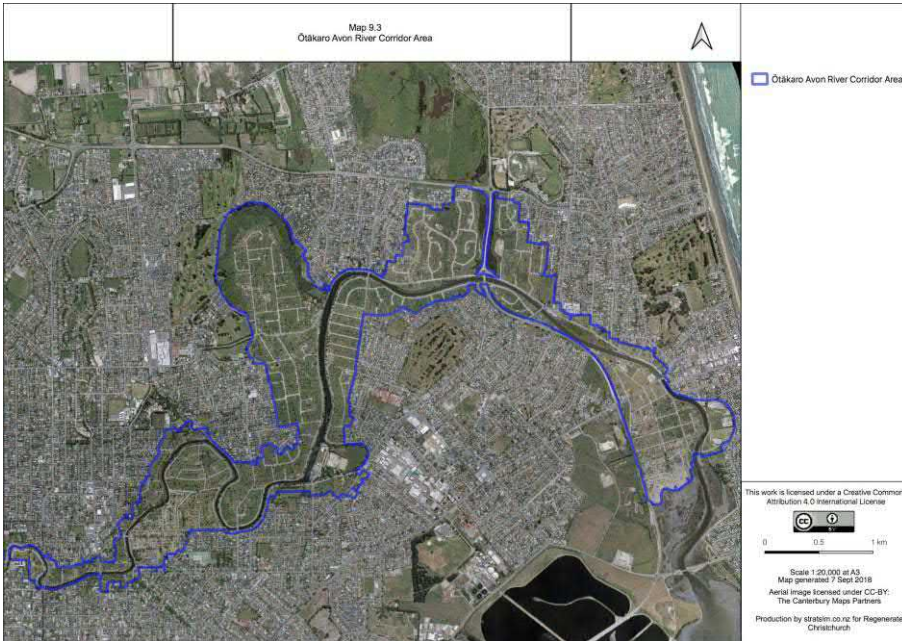
Insert the following in Section 5 General Rules on page 74 as follows:

5.6A Pursuant to section 95A of the RMA, an application for a controlled, restricted discretionary or discretionary activity resource consent within the Ōtākaro Avon River Corridor Area will be processed and considered without public notification.

Insert a Map 9.3 of the Ōtākaro Avon River Corridor Area on page 196

Map 9.3 Ōtākaro Avon River Corridor Area

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