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Central Otago District Plan

Plan Change 19 – Residential Chapter Provisions

Primary Changes

1. Amend the Planning Maps by, (except where otherwise specified in 2. below), rezoning any land currently zoned 'Residential Resource Area' as follows:

Current Zone	Proposed Zone
Residential Resource Area	Low Density Residential
Residential Resource Area 1	Large Lot Residential – Precinct 2
Residential Resource Area 2	Large Lot Residential – Precinct 3
Residential Resource Area 3	Low Density Residential – Precinct 1
Residential Resource Area 4	Large Lot Residential
Residential Resource Area 5	Large Lot Residential – Precinct 2
Residential Resource Area 6	Large Lot Residential
Residential Resource Area 7	Large Lot Residential – Precinct 3
Residential Resource Area 8	Large Lot Residential
Residential Resource Area 9	Large Lot Residential – Precinct 3
Residential Resource Area 10	Large Lot Residential – Precinct 1
Residential Resource Area 11	Low Density Residential
Residential Resource Area 12	Medium Density Residential to approximately opposite Ripponvale Road, then Low Density Residential beyond that.
Residential Resource Area 13	Low Density Residential – Precinct 1

2. Amend the Planning Maps by rezoning the properties identified in **Appendix 1** from 'Residential Resource Area' to 'Medium Density Residential'.
3. Amend the Planning Maps by rezoning the properties identified in **Appendix 2** from 'Rural Resource Area' to 'Low Density Residential' or 'Large Lot Residential' (as applicable).
4. Amend the Planning Maps by rezoning the properties identified in **Appendix 3** from 'Industrial Resource Area' to 'Medium Density Residential'.
5. Amend the Planning Maps by rezoning the properties identified in **Appendix 4** from 'Business Resource Area' to 'Low Density Residential'.
6. Amend the Planning Maps by applying a 'Future Growth Overlay' to those properties identified in **Appendix 5**.
7. Delete 'Section 7: Residential Resource Area' in full, and replace with the 'Residential Zones' section, set out in **Appendix 6**, which comprise a Large Lot Residential Zone Chapter; a Low Density Residential Chapter; a Medium Density Residential Chapter; and a Residential Subdivision chapter.
8. Insert the following definitions in Section 18 – Definitions:

Ancillary activity

means an activity that supports and is subsidiary to a primary activity.

Building Coverage

in relation to any site within a residential zone, means the percentage of the net site area covered by the building footprint.

Building footprint

in relation to any site within a residential zone, means, in relation to building coverage, the total area of buildings at ground floor level together with the area of any section of any of those buildings that extends out beyond the ground floor level limits of the building and overhangs the ground.

Convenience retail activities

Means any retail activity that provides goods required on a day to day basis and which does not exceed 150m² in gross floor area.

Educational facility

in relation to any site within a residential zone, means land or buildings used for teaching or training by child care services, schools, or tertiary education services, including any ancillary activities.

Ground level

in relation to any site within a residential zone, means:

(a) the actual finished surface level of the ground after the most recent subdivision that created at least one additional allotment was completed (when the record of title is created);

(b) if the ground level cannot be identified under paragraph (a), the existing surface level of the ground;

(c) if, in any case under paragraph (a) or (b), a retaining wall or retaining structure is located on the boundary, the level on the exterior surface of the retaining wall or retaining structure where it intersects the boundary.

Habitable room

in relation to any site within a residential zone, means any room used for the purposes of teaching or used as a living room, dining room, sitting room, bedroom, office or other room specified in the Plan to be a similarly occupied room.

Height in relation to boundary

means the height of a structure, building or feature, relative to its distance from either the boundary of:

(a) a site; or

(b) another specified reference point.

Home business

Means a commercial activity that is:

(a) undertaken or operated by at least one resident of the site; and

(b) incidental to the use of the site for a residential activity.

Industrial activity

in relation to any site within a residential zone, means an activity that manufactures, fabricates, processes, packages, distributes, repairs, stores, or disposes of materials (including raw, processed, or partly processed materials) or goods. It includes any ancillary activity to the industrial activity.

Large Format Retailing

Means a retail activity that exceeds 450m² in gross floor area, and includes supermarkets.

Minor residential unit

means a self-contained residential unit that is ancillary to the principal residential unit, and is held in common ownership with the principal residential unit on the same site.

Outdoor living space

means an area of open space for the use of the occupants of the residential unit or units to which the space is allocated.

Outlook Space

Outlook space is an area that is clear and unobstructed by buildings. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies. An outlook space must not extend over an outlook space or outdoor living space required by another residential unit, but may be over driveways and footpaths within the site, or over a public street or other public open space, or under or over a balcony and outlook spaces required from different rooms within the same building may overlap.

Relocated building

means any building that is removed from one site and relocated to another site, in whole or in parts. It excludes any new building which is designed for, or intended to be used on, a site but which is constructed or prefabricated off-site, in whole or in parts, and transported to the site.

Retirement Village

means a managed comprehensive residential complex or facilities used to provide residential accommodation for people who are retired and any spouses or partners of such people. It may also include any of the following for residents within the complex: recreation, leisure, supported residential care, welfare and medical facilities (inclusive of hospital care) and other non-residential activities.

Visitor Accommodation

means land and/or buildings used for accommodating visitors, subject to a tariff being paid, and includes any ancillary activities.

Noxious Activity

means any of the following:

- 1. the disposal of waste onto land (excluding composting activities associated with residential gardening activities).*

2. *The intensive confinement of animals (excluding the keeping of domestic animals associated with residential activities), plants or fungi (excluding domestic glasshouses).*
3. *Any activity that uses, stores or generates quantities of hazardous substances that exceed the limits specified in Schedule 19.14.*
4. *Any activity that requires a licence as an offensive trade within the meaning of the Third Schedule of the Health Act 1956.*

9. Delete the definition of 'Home occupation' from Section 18 – Definitions.

10. Amend the definition of 'Accessory Building' in Section 18 – Definitions as follows:

in relation to any site within an urban area (but excluding any residential zone) means an ancillary detached building or structure (and includes a carport or garage and excludes a wall [other than a retaining wall] or fence of a height not exceeding 2 metres above the supporting ground) if:

(a) The use of the accessory building is clearly incidental to the existing or future use of the land, and

(b) The accessory building is located on the same site as the principal building. An accessory building includes a freestanding garage or carport, but not a garage or carport which is structurally part of or attached to the principal building on a site.

in relation to any site within a residential zone, means a detached building, the use of which is ancillary to the use of any building, buildings or activity that is or could be lawfully established on the same site, but does not include any minor residential unit.

11. Amend the definition of 'Building' in Section 18 – Definitions as follows:

except in a residential zone, shall have the same meaning as that contained in section 3 of the Building Act 1991 and excludes a wall [other than a retaining wall] or fence of a height not exceeding 2 metres above the supporting ground.

in a residential zone, means a temporary or permanent movable or immovable physical construction that is:

(a) partially or fully roofed; and

(b) fixed or located on or in land;

but excludes any motorised vehicle or other mode of transport that could be moved under its own power.

12. Amend the definition of 'Community facility' in Section 18 – Definitions as follows:

except in a residential zone, includes educational facilities, (land and/or buildings used for the provision of regular instruction or training, teaching and learning, recreation for students and includes their ancillary administrative, cultural, commercial facilities and carparking and vehicle access), recreation facilities, emergency service activities as defined (see page 18:4), churches and places of worship, community centres and halls, care centres (as defined), and other similar community resources involving the use of buildings and land.

in a residential zone, means land and buildings used by members of the community for recreational, sporting, cultural, safety, health, welfare, or worship purposes. It includes provision for any ancillary activity that assists with the operation of the community facility.

13. Amend the definition of 'Comprehensive Residential Development' in Section 18 – Definitions as follows:

Comprehensive Residential Development Plan

in the Wooing Tree Overlay Area, a Comprehensive Residential Development means a comprehensively planned and designed ~~collection of residential development buildings,~~ where the application site is greater than 3,000m², ~~and where the land use and subdivision consents are submitted and assessed together.~~

14. Amend the definition of 'Height' in Section 18 – Definitions as follows:

except in a residential zone, means the vertical distance measured from any point on the ground to the point directly above it, provided that the following structures are excluded for the purposes of calculating height in all resource areas: aerials and/or antennas, mounting fixtures, mast caps, lightening rods or similar appendages for the purpose of telecommunication and/or radiocommunication, but not including dish antennas and chimneys no greater than 750mm in width or depth.

in a residential zone, means the vertical distance between a specified reference point and the highest part of any feature, structure or building above that point.

15. Amend the definition of 'Residential activity' in Section 18 – Definitions as follows:

except in a residential zone, means a use of land and buildings by people for the purpose of living accommodation in a household unit and includes a dwelling. It includes accessory buildings, sleepouts, leisure activities associated with needs generated principally from living on the site; home occupation as defined; and homestay as defined.

in a residential zone, means the use of land and building(s) for people's living accommodation.

16. Amend the definition of 'Residential unit' in Section 18 – Definitions as follows:

except in a residential zone, means one detached self-contained building used or capable of being used solely or principally for residential purposes and occupied or intended to be occupied exclusively as the home or residence of not more than one household unit.

in a residential zone, means a building(s) or part of a building that is used for a residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities.

17. Amend the definition of 'Site' in Section 18 – Definitions as follows:

except in a residential zone, means an area of land held in one Certificate of Title, which may be sold or otherwise disposed of separately without reference to the Council, provided that a site may contain one or more certificates of title where a restriction has been registered on the title preventing sale or lease of individual titles except in conjunction with each other. Any land required to be dedicated for road or road widening shall be excluded as a part of any site for the purposes of this plan.

Where any land held in one Certificate of Title is crossed by any Resource Area boundary that Resource Area boundary shall be deemed to be a site boundary and there shall be deemed to be more than one site.

(a) 'Front site' means a site which has frontage to only one road.

(b) 'Rear site' means a site which is situated to the rear of another site, having access to a road by means of an access strip or access lot.

(c) 'Corner site' means a site which has frontage to two or more roads that are contiguous and that have an included angle measured within the site between the frontages of not greater than 135 degrees.

(d) 'Through site' means a site that has frontage to two roads that are not contiguous.

in a residential zone, means

(a) *an area of land comprised in a single record of title under the Land Transfer Act 2017; or*

(b) *an area of land which comprises two or more adjoining legally defined allotments in such a way that the allotments cannot be dealt with separately without the prior consent of the council; or*

(c) *the land comprised in a single allotment or balance area on an approved survey plan of subdivision for which a separate record of title under the Land Transfer Act 2017 could be issued without further consent of the Council; or*

(d) *despite paragraphs (a) to (c), in the case of land subdivided under the Unit Titles Act 1972 or the Unit Titles Act 2010 or a cross lease system, is the whole of the land subject to the unit development or cross lease.*

18. Delete Schedule 19.17: Concept Plan – Residential Resource Area (10)

19. Delete Schedule 19.18: Concept Plan – Residential Resource Area (6) – South of Roxburgh

20. Delete Schedule 19.19: Concept Plan – Residential Resource Area (3) – North of Cromwell

21. Delete Schedule 19.22: Concept Plan – Residential Resource Area (13)

Consequential Changes

22. Amend Section 1.1.3 'District Plan Layout' as follows:

... Section 4 to 10 – Rural Resource Area, Water Surface and Margin Resource Area, Urban Areas, Residential Zones, Business Resource Area, Industrial Resource Area and Rural Settlement Resource Areas sections deal with resource management issues and objectives, policies and methods of implementation particular to the different environments found throughout the District...

Planning Maps are contained in Volume 2 and identify the location of the various Resource Areas, **zones**, designations and other provisions that form part of the Plan. The extent of various Resource Areas has been determined on the basis of particular environmental

characteristics and shared characteristics of each area and in conjunction with comprehensive land use surveys and consultation, particularly in terms of comments received to the consultative draft of the Proposed District Plan. **The extent of the Residential zones has been determined through comprehensive assessment and consultation undertaken on the Vincent and Cromwell spatial plans.**

23. Amend Section 1.2.8 'Designations' as follows:

... Land subject to designations are also subject to underlying resource areas **or zones**. These are listed in Schedule 19.2 on page 19:7 for each site subject to designation or requirement. The provisions of this Plan (including those that apply in the underlying resource area **or zone**) apply in relation to any land that is subject to a designation only to the extent that the land is used for a purpose other than the designated purpose. All legal roads have been designated and have been given the underlying resource area **or zone** of the ~~resource~~ area in which they are located (see Schedule 19.2). A resource area **or zone** boundary shown following the legal road boundary shall be deemed to follow the centreline of that road for the purposes of determining the underlying resource area **or zone**...

24. Amend Section 2.6 'Built Environment' as follows:

... The character of rural and urban areas differ greatly. The Resource Area/**Zone** approach implemented in Sections 4 to 10 of the Plan recognises the differing amenities of these areas...

25. Amend Rule 4.7.6 E.(a) as follows:

E. Noise

(a) All activities shall be conducted so as to ensure the following noise limits are not exceeded at any point within the notional boundary of any dwelling, resthome or hospital, or at any point within any Residential ~~Zone Resource Area (2)~~ or any Rural Settlements Resource Area: ...

26. Amend Rule 4.7.6 E.(b) as follows:

(b) Audible Bird Deterrent Devices

Any audible bird deterrence device shall be so sited and operated that the following noise limits shall not be exceeded at any point within the notional boundary (as defined in (a)) of any dwelling, resthome or hospital other than a dwelling on the same site as the device:

Percussive devices	65 dB ASEL provided that the noise limit is 70 dB ASEL where the device is sited 500 metres or more from any Residential Zone Resource Area or Rural Settlements Resource Area
Non-percussive devices	55 dBA L ₁₀

27. Amend Rule 4.7.6 E.(c)(3) as follows:

3. the wind machine is located no closer than 300 metres to any Residential **Zone** or Rural Settlement Resource Area, or within 100 metres of a dwelling house not located on the property

28. Amend Section 6.2.5 'Density of Development' as follows:

... Conversely, some settlements and residential areas of towns are valued because of their low density of development, which often affords greater privacy and access to sunlight and views for residents, with less noise and traffic. **Greater density is however anticipated within the Medium Density Residential Zone.**

29. Amend Section 6.5.1 as follows:

The Creation of Resource Areas, Zones and Heritage Precincts

The District Planning maps identify the following “Resource Areas” or “Zones” for urban areas;

- Residential **zones**
- Business **Resource Areas**
- Industrial **Resource Areas**
- Rural Settlements **Resource Areas**

Heritage precincts are also identified.

Reason

These areas have been identified on the basis of the particular environmental characteristics of each area. It is considered that this identification and the management of effects on the basis of distinct resource areas, zones and heritage precincts will best promote the sustainable management of the natural and physical resources of the urban areas of the district. The creation of the Resource Areas and zones has also allowed for the expansion of the urban area in circumstances where Policy 6.4.2 is not compromised.

30. Amend Section 6.5.2 ‘Rules’ as follows:

Each Resource Area or Zone will have a particular set of rules with the purpose of avoiding, remedying or mitigating the adverse effects of land use and subdivision, and maintaining and enhancing the amenity values of that area. Heritage precinct rules complement Resource Area and Zone rules.

31. Amend the following ‘Cross References’ in Section 6:

Section	Change
6.2.1	Section 2.6.1 Objectives 6.3.1, 7.1.1, 7.1.2 LLRZ-O1, LLRZ-O2, LRZ-O1, LRZ-O2, MRZ-O1, MRZ-O2, SUB-O1
6.2.4	Objectives 6.3.1, 7.1.1, 7.1.2 LLRZ-O1, LLRZ-O2, LRZ-O1, LRZ-O2, MRZ-O1, MRZ-O2, SUB-O1
6.2.6	Objective 7.1.2 LLRZ-O2, LRZ-O2, MRZ-O2, SUB-O1
6.5.2	Sections 7.3 , 8.3, 9.3, 10.3, 11.3
6.6	Sections 6.4 and 6.5 Section 7 Residential Resource Area Zones Section 8 Business Resource Area Section 9 Industrial Resource Area Section 10 Rural Settlements Section 11 Heritage Precincts

32. Amend Policy 8.2.4 as follows:

Policy - Mitigation of Effects on Residential Resource Areas Zones

To ensure that the adverse effects that activities carried out within the Business Resource Area can potentially have on activities in neighbouring Residential ~~Resource Areas~~ Zones are avoided, remedied or mitigated by:

...

Explanation

Amenity values differ greatly between Residential **Zones** and Business Resource Areas...

33. Amend Rule 8.3.3(i)4. as follows:

4. The effect on the amenity values of neighbouring Residential **Resource Areas Zones**.

34. Amend Rule 8.3.6(i)(c) as follows:

(c) No shop (as defined at page 18:10) in the Business Resource Area (2) in the Wooing Tree Overlay Area shall be located closer than 60 metres to the northern boundary of the Wooing Tree Overlay Area (~~being the boundary with the adjoining Residential Resource Area (6)~~).

35. Amend Rule 8.3.6(ii) as follows:

... Side and Rear Yards

No side or rear yards are required except where the site adjoins a Residential **Resource Area-Zone** without the intervention of a road or service lane in which case a yard of 5 metres shall be required to each boundary adjoining ~~any the~~ Residential **Resource Area Zone** provided that adequate provision is made for the requirements of 8.3.6(v) and (viii)...

Reason

*To maintain the existing amenity values of these areas, front yards are not required. Side and rear yards are only required where the site adjoins a Residential **Resource Area Zone** in order to mitigate adverse effects on residential activities...*

36. Amend Rule 8.3.6(vi) as follows:

...

*Provided that the following noise limits shall not be exceeded at any point within ~~the a~~ Residential **Resource Area Zone**:*

<i>On any day</i>	<i>7:00am - 10:00pm</i>	<i>55dBA L₁₀</i>
	<i>10:00pm - 7:00am the following day</i>	<i>45dBA L₁₀</i>
		<i>70dBA L_{max}</i>

37. Amend Rule 8.3.6(viii) as follows:

...

Reason

*Large areas of gravel, sealed or paved carparking or service areas can have an adverse effect on the visual amenity values of the Business Resource Area and adjoining Residential **Resource Areas Zones**.*

38. Amend Rule 8.3.6(ix) as follows:

... A wall of similar construction is to be maintained at any adjacent boundary where such wall will be contiguous with the wall required at any Moa Street and Kenmare Street boundary and where the neighbouring site is located in the **Medium Density Residential Zone Resource Area** having frontage to Kenmare Street, Alexandra.

39. Amend Rule 8.3.6(xiv) as follows:

In the Business Resource Area (2) in the Wooing Tree Overlay Area no building shall be located within 30 metres to the northern boundary of the Wooing Tree Overlay Area (~~being the boundary with the adjoining Residential Resource Area (6)~~).

40. Amend Rule 9.3.5(ii) as follows:

... Side and Rear Yards

Rear and side yards of 5 metres shall be provided where a site adjoins a Residential **Zone** or Business Resource Area or any area of public open space, without the intervention of a road.

Height

The maximum height for buildings shall be 1.5 times the distance from the boundary of any adjacent Resource Area **or Residential Zone** or 10 metres whichever is the lesser.

Reason

*Council considers that yards are only necessary in the Industrial Resource Area where the site adjoins a sensitive environment such as Residential **Zone** or Business Resource Area or public open space. Yard and height requirements in these circumstances will minimise adverse effects on adjoining properties.*

41. Amend Rule 9.3.5(iii)(a) as follows:

...

*Provided that the following noise limits shall not be exceeded at any point within ~~the a~~ Residential **Resource Area Zone**:*

<i>On any day</i>	<i>7:00am - 10:00pm</i>	<i>55dBA L₁₀</i>
	<i>10:00pm - 7:00am the following day</i>	<i>45dBA L₁₀</i>
		<i>70dBA L_{max}</i>

42. Amend Rule 9.3.5(iv)(a) as follows:

All site boundaries adjacent to Residential **Zone** or Business Resource Areas, shall have a solid fence of not less than 2 metres in height.

43. Amend Rule 10.3.2(ii) as follows:

(ii) **Non-Residential Activities**

Except as provided for in Rule 10.3.3, Rule 10.3.4 and Rule 10.3.5, non-residential activities that comply with Rule 10.3.6 (excluding the bulk and location requirements of Rules 10.3.6(i) ~~and 7.3.6(iii)~~) are controlled activities ...

2. The bulk and location of buildings where they exceed the minimum standards specified in Rule ~~10.3.6(i)7.3.6(iii)~~ and their effects on the amenity values of adjoining properties and the settlement in general.

44. Amend Rule 10.3.3(ii) as follows:

(ii) **Breach of Standards**

Any activity that fails to comply with any of the standards contained in Rule 10.3.6 (except for standard ~~10.3.6(v)7.3.6(xi), incorporated by Rule 10.3.6(i)~~) is a discretionary (restricted) activity.

45. Amend Rule 10.3.3(iii) as follows:

(iii) **Relocatable Buildings**

The relocation of a previously used building intended for use as a dwelling (excluding previously used accessory buildings or garages) that does not comply with standard ~~10.3.6(v) 7.3.6(xi) (incorporated by Rule 10.3.6(i))~~ is a discretionary (restricted) activity.

46. Amend Standard 10.3.6(i) as follows:

~~(i) **Residential Amenity**~~

~~All activities shall comply with the standards applied also in the Residential Resource Area set out in Rule 7.3.6(iii),(iv),(v),(vii) and (xi), of this Plan.~~

~~*Reason*~~

~~*The standards identified in these rules relate to:*~~

~~*1. Bulk and location of buildings*~~

~~*2. Maximum coverage*~~

~~*3. Carparking*~~

~~*4. Signs*~~

~~*These standards are applicable to Rural Settlements*~~

~~(i) **Bulk and Location of Buildings**~~

~~The minimum separation distances from boundaries required and the maximum height permitted shall be as follows:~~

~~(a) **Yards adjacent to the margin of a lake**~~

~~Where any site has a boundary adjacent to the margin of a lake, a 15 metre yard shall be applied to that boundary.~~

~~(b) **Front Yards**~~

~~A minimum front yard of 4.5 metres provided that:~~

~~(i) A garage or carport either freestanding or structurally forming part of or attached to the principal building on the site may be erected in the front yard where:-~~

~~1. The garage or carport does not occupy more than 50% of the street frontage or 7.5 metres whichever is the lesser.~~

~~2. The garage or carport is setback a minimum of 1.5 metres from the street boundary and a minimum of 4.5 metres from an intersection. Where a site has a curved boundary at the intersection, the intersection shall be deemed to be a point defined by planes that continue the line of the front boundaries of the site that exist beyond the curve.~~

~~3. Written consent of the immediate adjoining owner is received and submitted to Council with the building consent application if the garage or carport is located within any space that forms a continuation of the side yard.~~

4. The location of the garage or carport does not adversely effect the safe and efficient operation of the adjoining road.

(ii) Where the intersection of roads change the angle of such roads by more than 45 degrees no fence, boundary wall or retaining wall in excess of 1 metre in height above road level shall be erected in the triangle of land within 4.5 metres of the intersection. Where a site has a curved boundary at the intersection, the intersection shall be deemed to be a point defined by the planes that continue the line of the front boundaries of the site that exist beyond the curve.

Note: See also Rule 12.7.7

(c) Side and Rear yards

Minimum rear yard of 3.0 metres and minimum side yards of one of 3.0 metres and one of 1.8 metres provided that:

(i) An accessory building or a garage or carport either freestanding or structurally forming part of or attached to the principal building on the site may be erected in the side or rear yards where:-

1. 3.0 metres unobstructed access to the rear of the site is provided on at least one side yard.
2. The length of the building or buildings within the yard does not exceed 10 metres in total length adjacent to any one boundary.
3. The height of the building within the yard does not exceed a maximum of 2.7 metres at the boundary or encroach into the plane referred to in (f)(1)(ii) below if the plane is extended from the minimum side or rear yard to the boundary.
4. Written consent of adjoining owners is received and submitted to Council with the building consent application.

(d) Determination of Yards

For the purposes of determining yards on a site, the following shall be complied with –

(i) Front site of generally rectangular shape

The front, side and rear yards shall be as defined.

(ii) Rear site of generally rectangular shape

Two rear yards and two side yards shall apply to boundaries nominated by the owner other than the access strip.

(iii) Corner and through sites

Where a front site has more than one road frontage the following shall apply –

A front yard to each road frontage, a rear yard to one boundary to be nominated by the owner; and a side yard to the remaining boundary. In each case the rear and side yard shall not include that part of the site that is included in the front yard.

(iv) Triangular Shapes

Where a triangular shaped site exists with converging side boundaries the following shall apply– A front yard to the road frontage, a rear yard encompassed by an arc of a 9 metre radius drawn with its centre at the intersection of the side boundaries, and side yards to each side boundary.

(v) Sites of Irregular Shape

For any site of irregular shape not described in this rule the Council shall determine the required front, side and rear yards having regard to the particular characteristics of the site.

(f) Height

(1) Normal Standard

Except on land identified in (2) below and as set out in (c) above for accessory buildings, the maximum height of all buildings shall be as follows:

- (i) Along the line of the 1.8 metre side yard, no part of any building shall exceed 3.6 metres and along the line of the 3.0 metre side or rear yard, no part of any building shall exceed 4.2 metres, as measured from the natural ground level prior to any excavation or filling of the site, averaged between the extremities of the building foundations adjacent to the yard under consideration, provided that the apex of a single gable end of a building may have a maximum height of 6 metres.
- (ii) Beyond the line of the minimum side and rear yard, no part of any building shall exceed the height determined by an inclined plane and originating from the height determined in (i) above and inclined upwards at an angle of 25° to the horizontal provided that the apex of a single gable end may protrude through any plane to a height not greater than that permitted in (i) above and provided further that the maximum height of any building that is contained within the recession plane shall not exceed 7.5 metres.

Note: Application of this rule is illustrated in Figures 10.1 – 10.3.

(2) Sloping Sites

On sloping sites that exceed 6 degrees (ie greater than 1 in 9.5) the maximum height of all buildings shall be as follows –

- (i) 5 metres - within 4.5 metres of a front, side or rear boundary.
- (ii) 7 metres - beyond 4.5 metres of a front, side or rear boundary.

where the maximum height shall be the actual height of a building vertically above any given point and measured from the natural ground level.

Reason

Separation and height controls maintain and enhance amenity values of the residential area. They also assist in reducing the impact on neighbouring properties access to sunlight and privacy.

The variance in yard standards reflects the differing amenity standards found within the Districts residential areas.

Breach:

discretionary (restricted) activity see Rule 10.3.3(ii)

(ii) Maximum Coverage

The maximum site coverage by the principal building and accessory buildings (including garages and carports) shall be 40%.

Reason

Open space is essential to the maintenance of amenity values in residential areas and providing for the outdoor living requirements of residents. A maximum site coverage is considered to be the most practicable way of providing for this.

Breach:

discretionary (restricted) activity see Rule 10.3.3(ii)

(iii) Carparking

A minimum of one carpark space per household unit shall be provided on site provided that an additional carpark shall be required in association with home occupations.

Reason

The provision of on-site carparking maintains amenity values and the safe and efficient operation of residential streets.

Breach:

discretionary (restricted) activity see Rule 10.3.3(ii)

(iv) Signs

Except as provided for in Rule 12.7.5(i) of this plan, signs shall be limited to the following:

(a) Only one sign may be erected on a property and that sign must relate to the property upon which it is erected.

- (b) The sign shall not exceed 0.5m2 in area.
- (c) The sign shall not be illuminated or utilise reflective materials.
- (d) The sign shall be fixed and shall not move.
- (e) The sign shall not obscure driver visibility to and from access ways.

Reason

Signs can have a significant adverse effect on the amenity values of residential areas. These standards will mitigate those effects.

Breach:

discretionary (restricted) activity see Rule 10.3.3(ii)

(v) Relocatable Dwellings

- (a) Any relocated building intended for use as a dwelling (excluding previously used garages and accessory buildings) must have previously been designed, built and used as a dwelling.
- (b) A building inspection report shall accompany the application for a building consent. That report is to identify all reinstatement works that are to be completed to the exterior of the building.
- (c) All reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within six months of the building being delivered to the site. Reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.
- (d) The proposed owner of the relocated building must certify that the reinstatement work will be completed within the six month period.

Reason

Non-residential buildings in a residential area can have an adverse effect on amenity values.

Incompletely reinstated relocated buildings can have an adverse effect on the amenity values of residential areas.

Breach:

discretionary (restricted) activity see Rule 10.3.3(iii)

47. Amend Standard 10.3.6(ii) as follows:

~~(#)~~**(vi) Keeping of Animals**

...

48. Amend Standard 10.3.6(iii) as follows:

~~(iii)~~ **(vii) Provision of Services**

...

49. Insert the following at the end of Section 10, as Figures 10.1 – 10.3:

Figure 10.1 – Height Control (see Rule 10.3.6(i)(f))

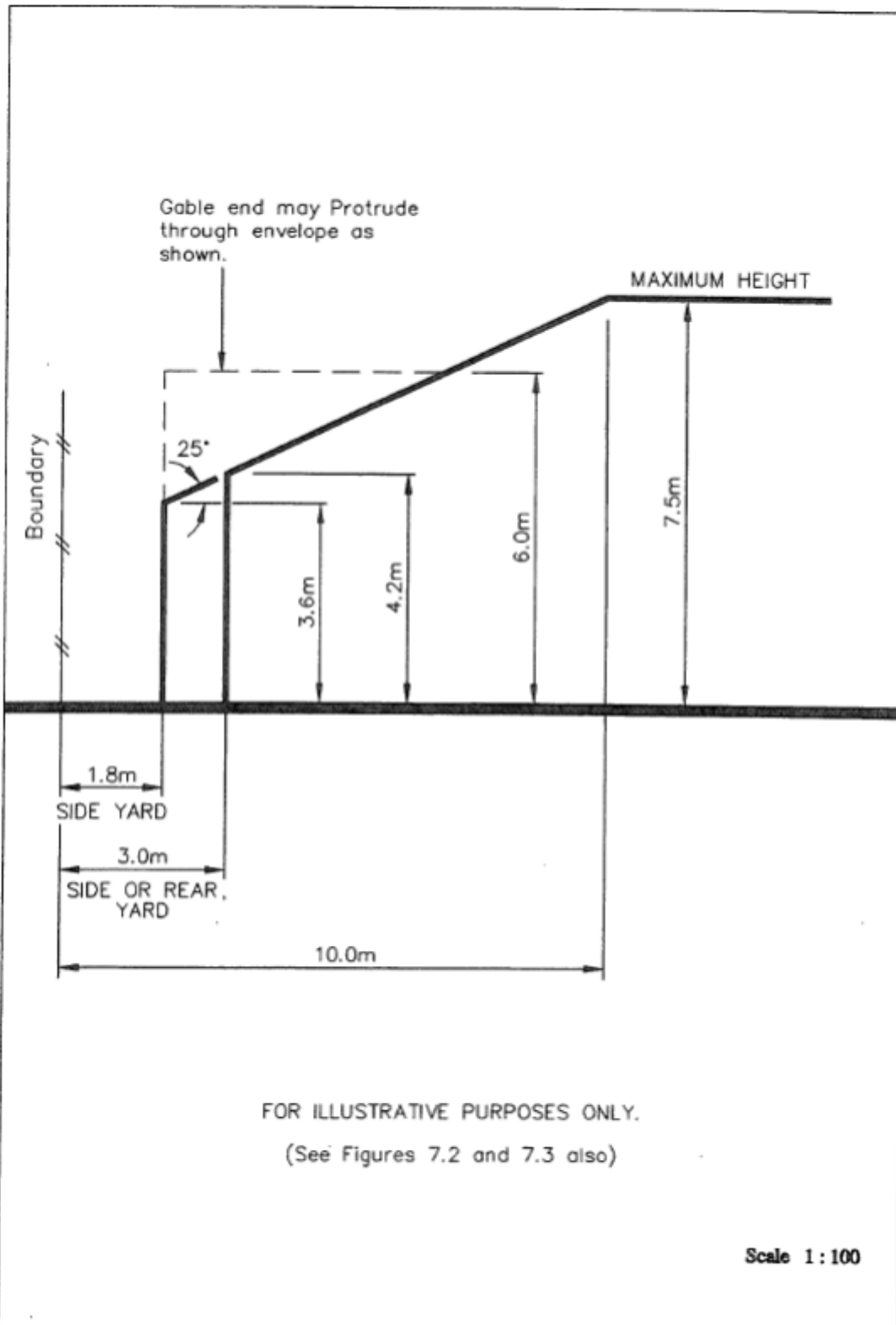


Figure 10.2 – Height Control in Operation

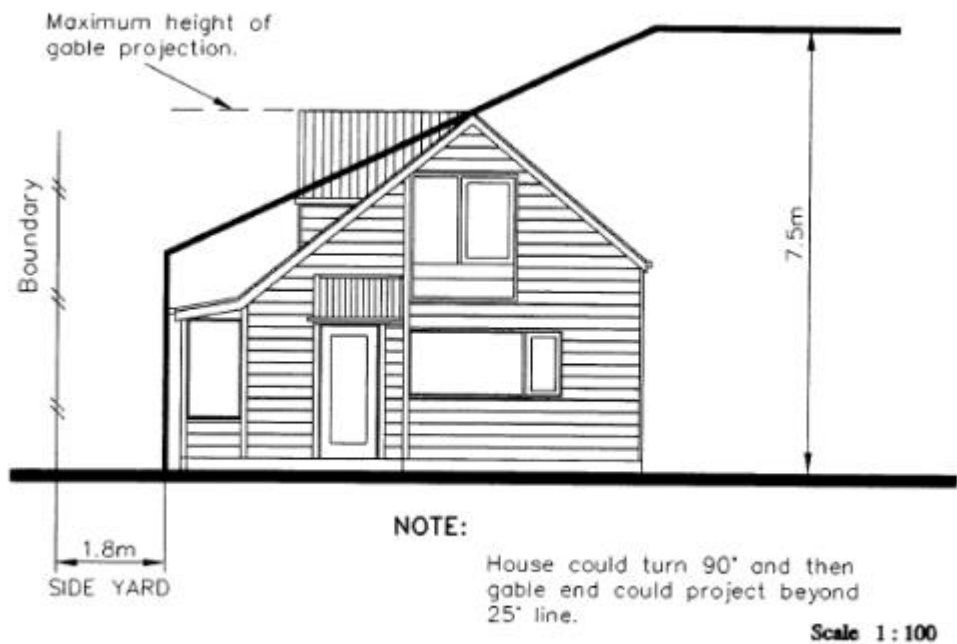
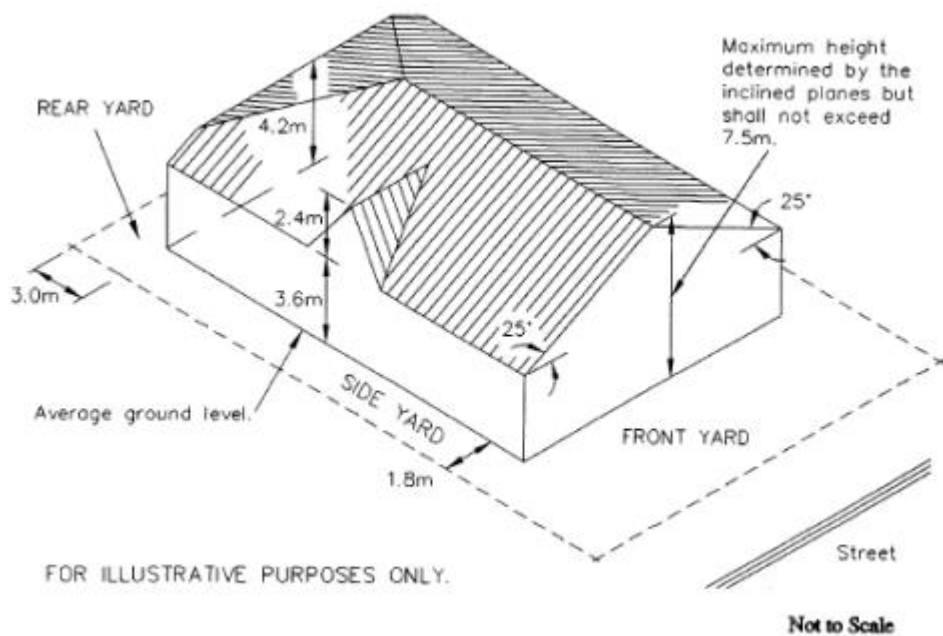


Figure 10.3 – Sketch of Height Control Construction



50. Amend Section 11.1 as follows:

This section applies to some areas within the Residential **Zones** and Business Resource **Areas**.

51. Amend Section 12.1 as follows:

... Section 12 addresses issues that are relevant throughout the District and to the various resource areas **and zones**...

52. Amend Section 12.7 as follows:

... Any activity or development undertaken within the District (excluding those subject to Rules 5.7.1(ii) and 13.7.4) must comply with rules contained in Section 12 as well as the rules that apply to each specific resource area **or zone**.

53. Amend Rule 12.7.3(i) as follows:

... All such loading areas shall be so located that no vehicle or machinery engaged in any loading or unloading operation shall stand on or be required to manoeuvre on any part of the formed road or cause vehicles to reverse onto State highways or any other road nominated in the rules that apply to a particular Resource Area **or Zone**.

54. Amend Rule 12.7.4(iii)(iii) as follows:

In any Residential **Resource Area Zone** to activities of a normal domestic nature including recreational activities, such as sporting events, that do not involve powered motorsport, powered aviation, gunfire or amplified music.

55. Amend Rule 12.7.4(iv) as follows:

...

Reason

... *Because of the short term nature of temporary activities, Council considers it overly restrictive to require applications for resource consent where the noise standards of the Resource Areas **or Zones** are not met...*

56. Amend 'Note' under Rule 12.7.8 (v) as follows:

Note: The status of a subdivision is also determined by the rules that apply to subdivision in the context of the Resource Area **or Zone** concerned.

57. Amend the following 'Cross References' in Section 12:

Section	Change
12.4.2	... Rules throughout Resource Areas and Zones
12.4.4	... Rules throughout Resource Areas and Zones
12.4.9	... Rules throughout Resource Areas and Zones
12.7.7	...Resource Area and Zone Policies...

58. Amend Table 12.3 as follows:

<u>ACTIVITY OR USE OF LAND OR BUILDING</u>	<u>SPACES REQUIRED</u>
---	-------------------------------

RESIDENTIAL	
Dwelling	1 per unit
Home Occupation Business	1 space in addition to the requirement for a household unit

59. Amend Rule 13.7.4(ii) as follows:

Any new activity associated with a power generation facility that has status as a scheduled activity in Clause 19.3.5 of Schedule 19.3 (excluding any activity that would result in an increase in the height of a dam) and that does not comply with one or more of the standards of the relevant Resource Area **or Zone** or the standards or rules contained in Sections 12, 14 and 15 of this plan is a discretionary (restricted) activity.

60. Amend Rule 13.7.10(i)(b) as follows:

(b) Discretionary (restricted) activities in all other Resource Areas **Or Zones** of the District,

61. Amend Rule 13.7.11(i)(a) as follows:

Dish antenna do not exceed 1.2 metres in diameter in ~~the any~~ Residential **Zone** and Rural Settlement Resource Areas and 3 metres diameter in all other Resource Areas.

62. Amend Rule 13.7.12(b) as follows:

The maximum height of all structures including masts shall not exceed 7 metres in Residential **Zones**, Business and Rural Settlements Resource Areas and 20 metres elsewhere.

63. Amend Rule 13.7.14(ii) as follows:

Substations not provided for in (i) above are discretionary activities provided that in the Industrial Resource Area substations of any size are permitted activities except where the substation adjoins or faces across a road a Residential **Zone**, Business or Rural Settlement Resource Area in which case substations are discretionary activities.

64. Amend Rule 13.7.15(e) as follows:

Rule 12.7.4 and the standards of the relevant Resource Areas **or Zone** shall apply to noise.

65. Amend Rule 13.7.17 'Subdivision' as follows:

In accordance with the following rules, subdivision for network and public utilities is a controlled activity;

- Rule 4.7.2(ii)(b) page 4:40
- ~~Rule 7.3.2(i) page 7:9 SUB-R2~~
- Rule 8.3.2(ii) page 8:6
- Rule 9.3.2(i) page 9:5
- Rule 10.3.2(i) page 10:4

Reason

Subdivision is provided for within the various Resource Areas or Zones.

66. Amend Section 14.5.1 as follows:

... In addition to the provisions of the relevant resource area or zone the specific objectives, policies and rules of Section 11 Heritage Precincts also apply to these areas.

67. Amend Section 14.7.3(2) as follows:

Such works are consistent with the general rules of this plan and the rules of the Resource Area or Zone that applies to the site.

68. Amend Section 15.6.1(1) as follows:

A financial contribution of money (except as determined in accordance with Policy 15.4.5) towards the provision and/or enhancement of open space, recreation and reserve needs of the District may be levied on subdivision resource consents in ~~the a~~ Residential Zone, or the Rural, Business, Industrial and Rural Settlement Resource Areas...

69. Amend Section 15.6.1(1)(a)(i) as follows:

Subdivision in Residential Zones, Business and Industrial Resource Areas - \$1000.00 per allotment.

70. Amend Section 15.6.1(1)(b)(ii) as follows:

Reserve for recreation purposes in Residential Zones and Rural Settlement Resource Areas - 100m² per allotment provided that in no case where land is to vest for reserve purposes shall the area be insufficient in area for the intended use and the land shall be acceptable to Council for vesting for reserve purposes.

71. Amend Section 15.6.1(2)(a) as follows:

Level of Contribution in Residential Zones, Business and Industrial Resource Areas - \$ 1000

72. Amend Section 16.5.3 'Rules' as follows:

The rules of the various Resource Areas and Zones require that an application for resource consent must be applied for in respect of all subdivision activities...

73. Amend Section 16.7 'General Standards' as follows:

... The general standards generally identify "minimum" standards for subdivision design and construction, and should be read in conjunction with the subdivision rules in each Resource Area or Zone. These standards...

74. Amend the following 'Cross References' in Section 16:

Section	Change
16.4.4	... Rules 4.7.2(ii) SUB-S1 7.3.3(i) , 8.3.2(ii) 9.3.2(i), 10.3.3(i)
16.4.7	... Rules 4.7.2(ii) SUB-R4 7.3.3(i) , 8.3.2(ii), 9.3.2(i), 10.3.3(i)
16.4.8	... Rules 4.7.4(iii) SUB-R5 7.3.4(iii) , 10.3.4(iii)
16.5.3	... Rules contained in various Resource Areas and Zones
16.7.2	... Residential <u>Zone Subdivision Chapter</u> rules <u>Resource Area 7.3.2(i)</u> , <u>7.3.3(i)</u> , <u>7.3.4(ii)</u>

75. Amend the following 'Cross References' in Section 17:

Section	Change
17.4.5	... Rules 4.7.5(iii) LLRZ-R17, LRZ-R17, MRZ-R18 7.3.5(i) , 8.3.5, 9.3.4, 10.3.5(i)
17.5.2	... Rules 4.7.4(ii), 4.7.4(iii), 4.7.5(ii), 4.7.5(iii), 5.7.4(A), LLRZ-R18, LRZ-R18, MRZ-R19, SB-R5 7.3.4(ii), 7.3.5(i), 7.3.5(ii) , 8.3.5, 9.3.4, 10.3.4(iii), 10.3.5(i), 10.3.5(ii)

76. Amend the Definition for 'Urban Areas' as follows:

means the Residential **Zones**, Business, Industrial and Rural Settlement Resource Areas.

77. Amend the Definition for 'Site boundary' as follows:

means any legal boundary of a site, including road boundary, and any Resource Area **or Zone** boundary which crosses within the site.

78. Amend the Definition of 'Underlying resource area' as follows:

'Underlying resource area **or Zone**' means the Resource Area **or Zone** which would apply to land if the existing designation was removed.

79. Amend Schedule 19.1 'Information Requirements for Resource Consent applications', Section 2 as follows:

To determine whether a resource consent is required –

- (i) Establish from the planning maps which resource area **or zone** the proposed activity is located in and whether the site is subject to any notation, designation, identified natural hazard, or other specific control (eg heritage precinct).
- (ii) Check whether the proposed activity is listed as a controlled, discretionary (restricted), discretionary, non-complying or prohibited within the rules for the resource area **or zone**.
- (iii) Check whether the proposed activity complies with all of the rules for the resource area **or zone**.
- (iv) Check whether the proposed activity complies with all of the rules that apply across the District (See Sections 12 to 17).

If the activity is classified as an activity of the type listed in (ii) or is in breach of the rules/standards for the particular resource area **or zone**, or the general rules that apply across the district, a resource consent is required prior to the commencement of that activity. Resource consent cannot be sought with respect to a prohibited activity...

80. Amend Schedule 19.2 'Designations' as follows:

4. Underlying Resource Area or Zone

A Resource Area or Zone boundary shown following the legal road boundary shall be deemed to follow the centreline of that road for the purposes of determining the underlying resource area or zone.

81. Amend Schedule 19.2 'Designations' – Part C: Interpretation of Designations - as follows:

4. The 'Underlying Resource Area' identifies the relevant Resource Area or Zone provisions that apply to any land use or subdivision activity other than the Designation Purpose.

82. Amend Schedule 19.7 'Roading Classification' as follows:

...Urban State Highways and Urban Arterial Roads

- All State highways passing through Residential Zones, Business, Industrial and Rural Settlement Resource Areas

• ...

Urban Local Roads

All other formed roads in Residential Zones, Business, Industrial and Rural Settlement Resource Areas.

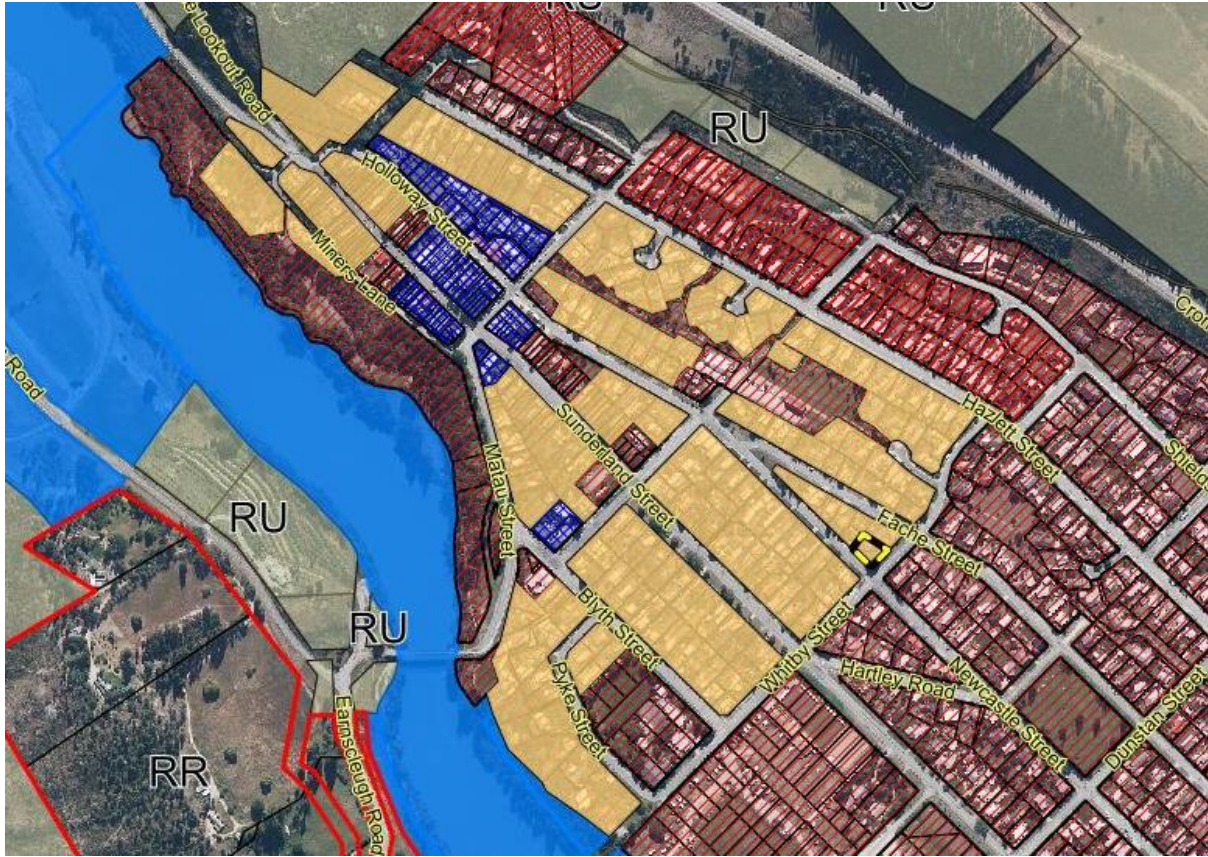
83. Amend Schedule 19.14 'Classification of Hazardous Substances' as follows:

QUANTITY LIMITS FOR HAZARDOUS SUBSTANCES IDENTIFIED IN SCHEDULE 19.14
RESIDENTIAL ZONES AND RURAL SETTLEMENTS RESOURCE AREA

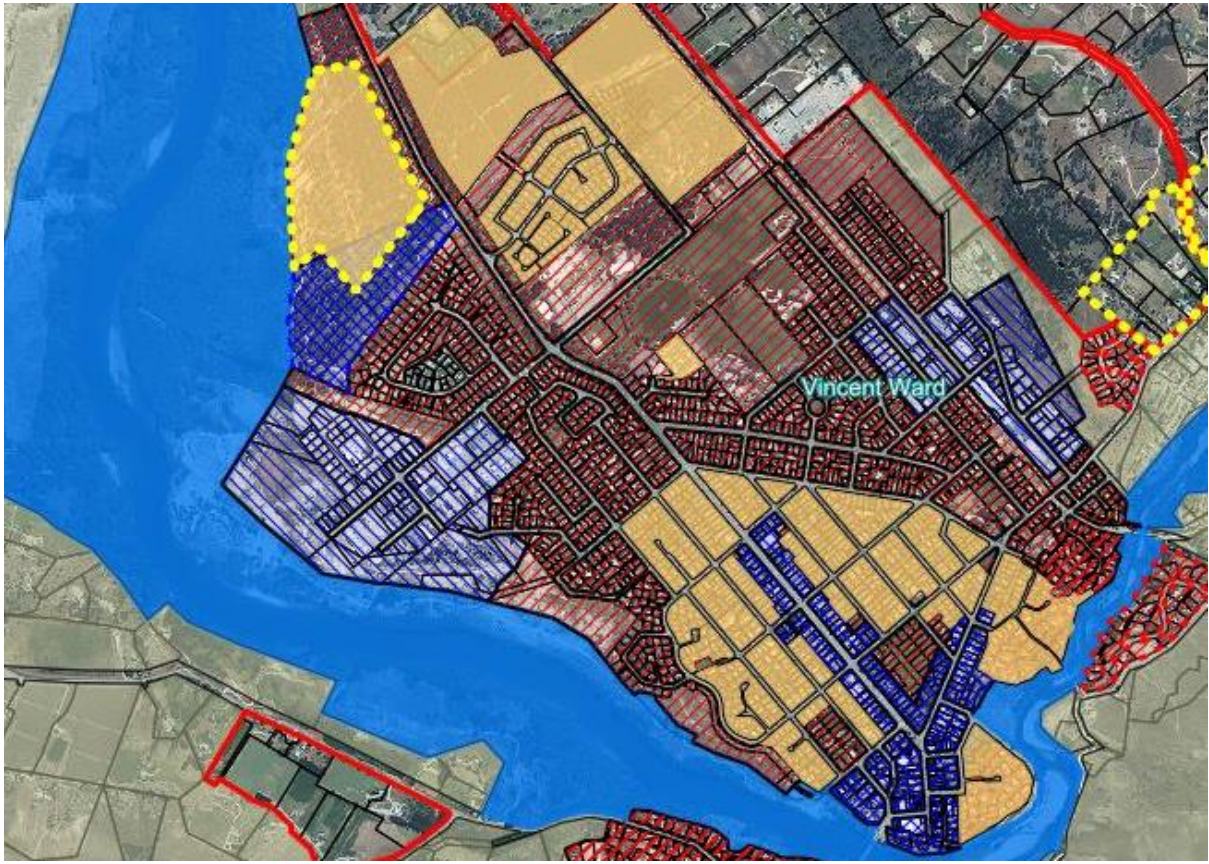
Appendix 1 – Proposed Areas of Medium Density Residential Zoning

New medium density residential zone

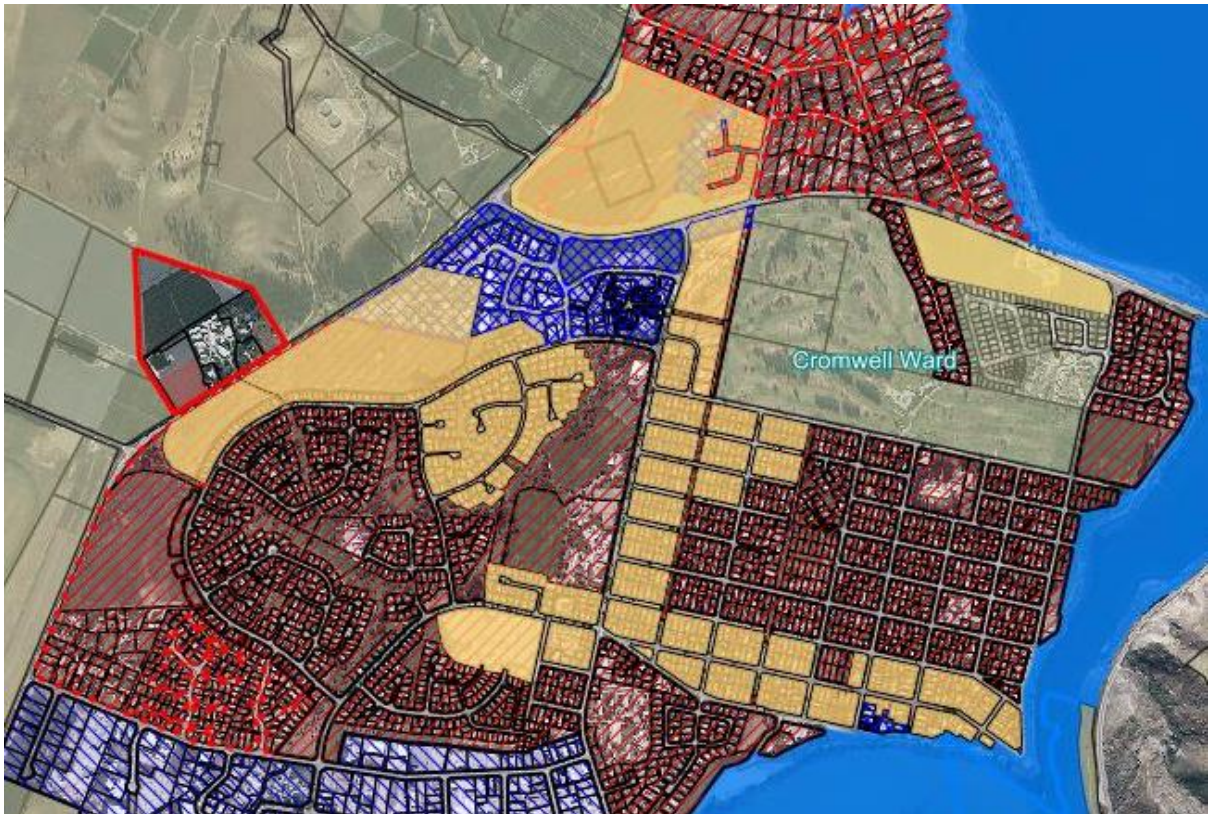
Clyde



Alexandra



Cromwell



Appendix 2 – Re-Zoning of Rural Resource Area Properties

Clyde

- Muttontown Road (LDZ)



- Shields Street (LDZ)



Alexandra

- Dunstan Road (LLRZ)



- Graveyard Gully (LLRZ)



Cromwell

- Freeway Orchard (MDZ)



- Prospectors Park Development (LDZ)



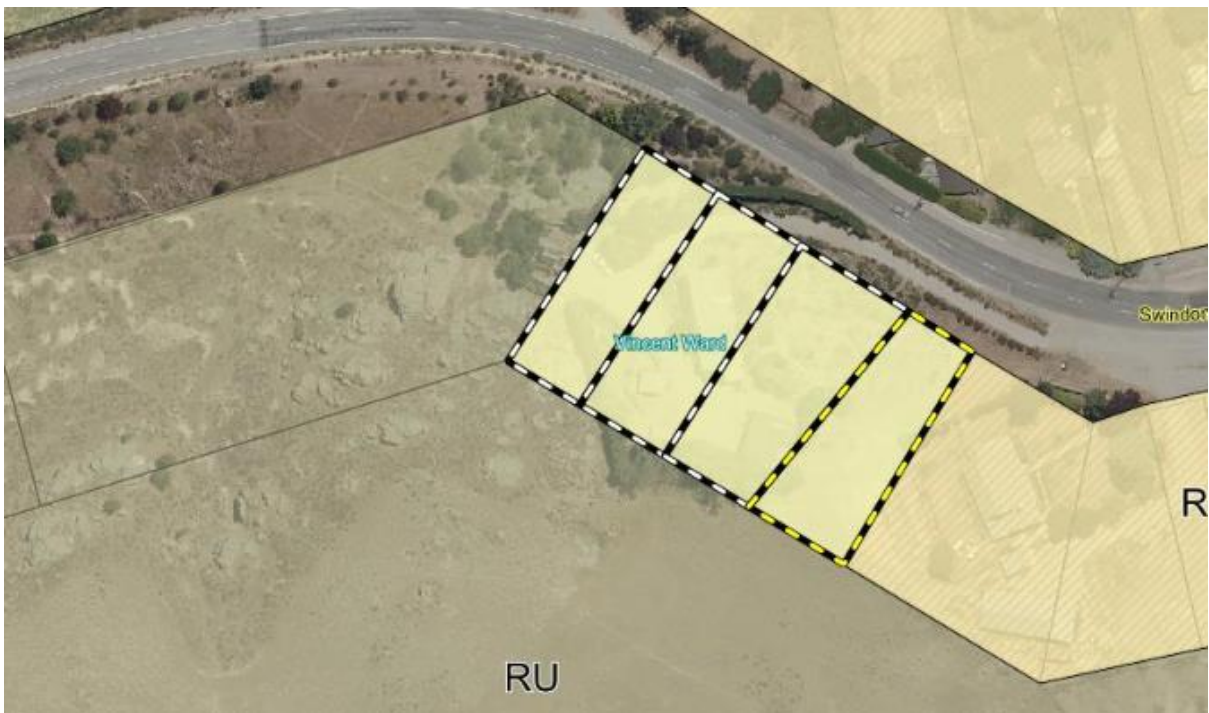
Bannockburn

- Domain Road Vineyard (LLRZ)



Ophir

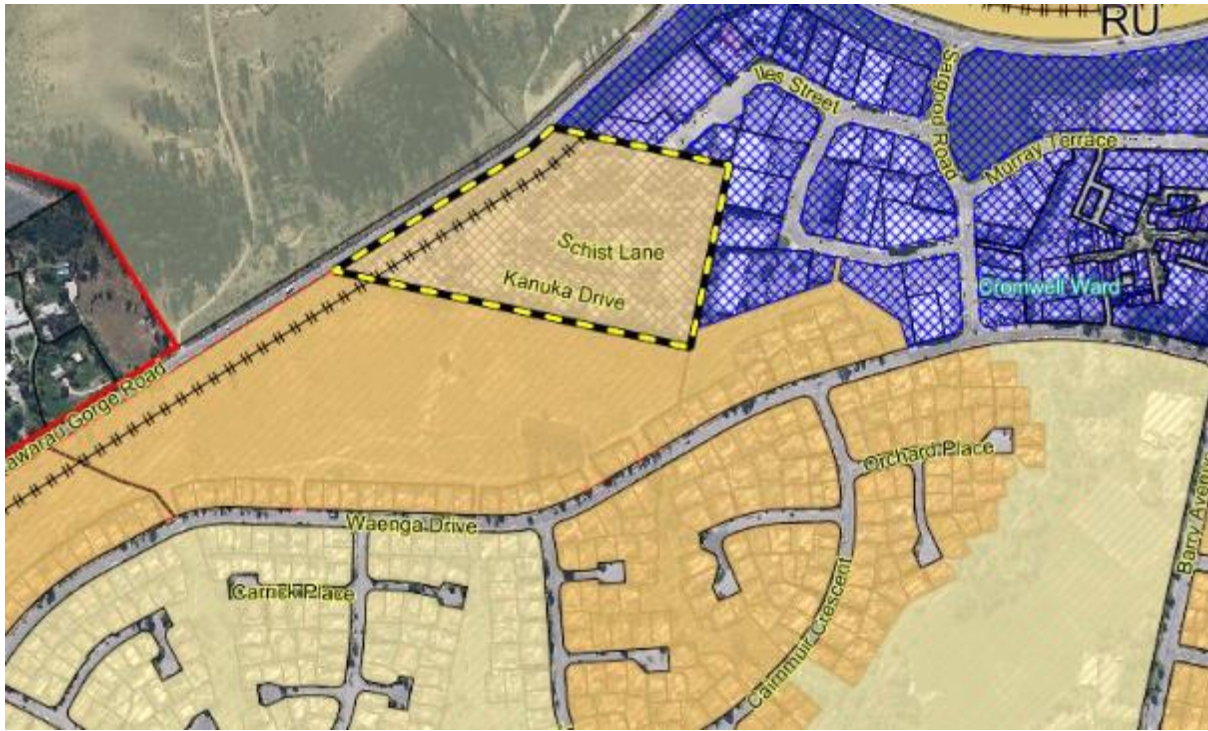
- Swindon Street (LDZ)



Appendix 3 – Re-Zoning of Industrial Resource Area Properties

Cromwell

- Cromwell Retirement Village (MDZ)



Appendix 4 – Re-Zoning of Business Resource Area Properties

Omakau

- Plunket Street (LDZ)



Appendix 5 – Future Growth Overlay

Clyde-Alexandra

- Mutton Town Road – (LDZ)
- Springvale Road and Young Lane (LLRZ)



Alexandra

- The Pines (MDZ)



- Manuherikia Road (LLRZ)



Omakau

- Racecourse Road (LDZ)



- Wilton/Burton Street

