

SECTION 7 : RESIDENTIAL RESOURCE AREA

Note: Refer to Section 6 for Issues, Methods of Implementation, and Environmental Results Anticipated.

7.1 OBJECTIVES

The objectives contained in this section are specific to the Residential Resource Area. The objectives contained in the following sections, particularly Section 6, are also relevant to the subdivision, use, development and protection of land in the Residential Resource Area:

- Section 3.3 (Manawhenua)
- Section 6.3 (Urban Areas)
- Section 11.2 (Heritage Precincts)
- Section 12.3 (District Wide Issues)
- Section 13.3 (Infrastructure, Energy and Utilities)
- Section 14.3 (Heritage)
- Section 15.3 (Financial Contributions)
- Section 16.3 (Subdivision)
- Section 17.3 (Hazards)

7.1.1 Objective - Maintenance of Residential Character

To manage urban growth and development to maintain and enhance the built character and amenity values of those parts of the district that have been identified as the Residential Resource Area as well as the social, economic and cultural wellbeing, and health and safety of the residents and communities within those areas.

Cross Reference
Issue 6.2.1, 6.2.4,
6.2.5, 6.2.6
Policies 7.2.1 to
7.2.6

7.1.2 Objective - Protection of Living Environment

To manage the use of land to promote a pleasant living environment by ensuring that adverse effects of activities are avoided, remedied or mitigated, while accommodating appropriate change at the interface with other resource areas.

Cross Reference
Issue 6.2.1, 6.2.4,
6.2.5, 6.2.6
Policies 7.2.1 to
7.2.6

7.1.3 Objective – Management of Change

To recognise that it is inevitable that the use of land shall change over the period of this plan and beyond in order to enable the community to provide for its wellbeing. The process of change can occur randomly within the various resource areas but will be most obvious at the interface between different resource areas. It is a purpose of this plan to manage that change.

Cross Reference
Issue 6.2.1, 6.2.4
Policy 7.2.8

7.2 POLICIES

The policies contained in this section are specific to the Residential Resource Area. The policies contained in the following sections are also relevant to the subdivision, use, development and protection of land in the Residential Resource Area:

- Section 3.4 (Manawhenua)
- Section 6.4 (Urban Areas)
- Section 11.3 (Heritage Precincts)
- Section 12.4 (District Wide Issues)
- Section 13.4 (Infrastructure, Energy and Utilities)
- Section 14.4 (Heritage)
- Section 15.4 (Financial Contributions)
- Section 16.4 (Subdivision)
- Section 17.4 (Hazards)

7.2.1 Policy - Residential Character

To ensure that the character and amenity values of residential areas are protected by ensuring that the adverse effects of:

- (a) Excessive noise including noise associated with traffic generation and night time operations,
- (b) The generation of traffic over and above that normally associated with residential activities and in particular heavy vehicles, and demand for parking,
- (c) Glare, particularly from building finish, and security lighting,
- (d) Structures at the street frontages that do not complement the character and/or scale of development in the neighbourhood,
- (e) A reduction in privacy, access to daylight and sunlight
- (f) A reduction in visual amenity due to excessive signage, large areas of hard standing surfaces, and the storage of goods or waste products on the site,
- (g) The generation of odour, dust, wastes and hazardous substances,
- (h) The use and/or storage of hazardous goods or substances, and
- (i) The loss of a sense of amenity, security and companionship caused by non-residential activities.

are avoided, remedied or mitigated.

Explanation

The residential areas of the District are generally characterised by landscaped front yards; plantings and landscaping within gardens and reserve areas; space between buildings; buildings being set back from streets; and reasonably wide streets with verges which enhance the open space characteristics of the neighbourhood. Buildings themselves are generally of a varied design and a compatible scale, and are usually no more than two storeys high. Groups of residential allotments are often interspersed with reserve areas. Non-residential development has the potential to compromise residential amenity values and will therefore be subject to more rigorous controls than residential activities.

The matters identified in this policy are those which have the potential to have a significant adverse effect on the character and

Cross Reference
Objectives 7.1.1,
7.1.2
Rules 7.3.1 to
7.3.6

amenity values of the District's residential areas. Resource consent procedures for activities that may have these effects will ensure a thorough environmental impact assessment is carried out before a decision is taken to permit such development.

7.2.2 Policy - Amenity Values

To ensure that the amenity values of residential sites, including privacy and ability to access adequate daylight and sunlight, are not significantly compromised by the effects of adjoining development.

*Cross Reference
Objectives 7.1.1,
7.1.2
Rule 7.3.6(iii)*

Explanation

The use and enjoyment of land can be restricted by the siting and size of buildings on adjoining properties. Privacy and access to sunlight are important to people living in the District's residential areas. These values will be protected through the use of yard and height controls.

7.2.3 Policy – Environmental Quality

To preserve the environmental quality found within particular areas of the District's residential environment.

*Cross Reference
Objectives 7.1.1,
7.1.2
Rules 7.3.3(i),
7.3.6(iii)*

Explanation

There are particular neighbourhoods and localities within the residential area that were specifically created by zones forming part of earlier planning instruments and which have the intention of achieving a certain environmental quality and density of development. Future subdivision and development in these areas must recognise this to the extent provided for in this district plan.

7.2.4 Policy - Recreation Activities

To provide for the wellbeing of the District's communities by requiring developments to recognise and provide for the recreational needs of the community.

*Cross Reference
Objectives 7.1.1,
7.1.2
Rules 7.3.2(i) and
7.3.3(i)*

Explanation

Recreation reserves, playgrounds and parks are an integral part of residential areas, and are important in providing for the community's social wellbeing and health. These areas also enhance the amenity values of residential areas by maintaining open space and a pleasant visual appearance. However, the use of these sites can generate adverse effects such as noise and traffic. Their specific location and design must therefore be assessed when resource consent applications for substantial developments are considered.

7.2.5 Policy - Open Space

To maintain the amenity value of open space within the District's residential environments.

*Cross Reference
Objective 7.1.1,
7.1.2, Rule 7.3.6(iii)
and (iv)*

Explanation

The open space within the District's residential environment is an essential component in the amenity values of the Residential Resource Area. The provision of outdoor living areas and set-backs from property boundaries and road frontages maintain these values.

7.2.6 Policy - Safety and Efficiency of Residential Roads

To require appropriate access and on-site parking to ensure that the amenity of neighbouring properties and the safe and efficient operation of roads is maintained while acknowledging that these requirements may be relaxed where this will result in retention of a heritage item or site that would otherwise be lost.

*Cross Reference
Objective 7.1.1, 7.1.2
Rule 7.3.6(v) and
Rule 12.7.1*

Explanation

Requiring the establishment of appropriate access and on-site parking will ensure that the function of residential roads is protected while ensuring amenity values are not unduly compromised by parking congestion on roads.

7.2.7 Policy - Residential Resource Areas (1) – (13)

To ensure that subdivision and development in the areas shown as Residential Resource Areas (1) – (13) complement the character and amenity of these areas and provide for the protection of significant landscape features, where such features are present.

*Cross Reference
Objective: 7.1.1,
7.1.2
Rule: 7.3.2(ii),(iii)
(iv), 7.3.3*

Explanation

Within the Residential Resource Area specific areas have been identified where it is appropriate to apply different standards for subdivision allotment sizes, bulk and location or with respect to other effects of activities. In most instances the areas concerned have had specific planning provisions applied to them in the Transitional District Plan that recognise their particular characteristics. These characteristics are discussed below.

The area identified as Residential Resource Area (1) includes limited areas of land suitable for development at Northburn, Quartz Reef Point, Cornish Point and Brewery Creek. These areas include isolated pockets of land suitable for residential development in close proximity to Lake Dunstan. These areas are sensitive in regards to the visual effects of development, and, because of their close proximity to the lakeshore, stability of building platforms and satisfactory on site effluent disposal require particular attention.

The area of land identified as Residential Resource Area (2) applies to the land in the vicinity of Bannockburn-Cromwell Road and Cairnmuir Road close to the Bannockburn Inlet. Residential Resource Area (2) provides for the development of pockets of lower density residential development at suitable locations near Lake

Dunstan. Within this area minimum allotment requirements will enable generous separation of dwellings to be achieved and will facilitate rural orientated activities on site. Development within this area must also recognise the proximity to the lakeshore which requires particular attention in terms of the stability of building platforms and on site disposal of effluent.

The area of land identified as Residential Resource Area (3) is located between the Clutha Arm of Lake Dunstan and State Highway 6. The area identified, that includes much of Pisa Moorings and Wakefield Bay, has the capability of providing for integrated residential and marina development. Public access to foreshore areas from the lake and adjacent areas of land is to be recognised and provided for. Development is dependent upon the availability of satisfactory reticulated effluent disposal and water supply. The Residential Resource Area (3) has also been applied to land generally to the north-east of the Alexandra Town Belt, to an elevated portion of the Alexandra Town Belt and Brandon Street and to land at Naseby which is considered suitable for low density residential subdivision and development. The Residential Resource Area (3) has also been applied to land within the Wooing Tree Overlay Area within the Cromwell urban area to manage interface effects between existing residential activities, the State Highways and new development.

The area of land identified as Residential Resource Area (4) applies to Bannockburn, on the eastern side of Bannockburn Road and both sides of Hall Road west until just beyond Miners Terrace. The area is capable of accommodating low density residential development in a manner that provides privacy for the occupiers of dwelling houses and maintains the rural character of Bannockburn. An open form of development is promoted.

The area of land identified as Residential Resource Area (5) is located west of Lowburn Valley Road. This area is capable of accommodating low density residential development in a manner which will promote settlement of an open character.

The area of land identified as Residential Resource Area (6) comprises land in four areas. The first is bound on the south by State Highway 8B, on the west by Shortcut Road, the east by Lake Dunstan, and the north by the lake margins. The second is located between State Highway 6, and Waenga Drive at Cromwell. The Residential Resource Area (6) also applies to land adjacent to Barry Avenue Cromwell and south of Roxburgh that is suited to development of a rural-residential character. The land south of Roxburgh includes areas adjacent to State Highway 6 and the Clutha River. The areas identified provide for rural residential activity. Development will offer the advantage of maintaining an open character in this part of the District, while containing concentrated urban development to the south of State Highway 8B at Cromwell and to the north of the Residential Resource Area (6) at Roxburgh.

The area of land identified as Residential Resource Area (7) is located adjacent to the junction of Pataeroa Hamilton Road and Ranfurly Pataeroa Road. This area is capable of accommodating

limited residential development in the vicinity of Pataeroa. Development within this area is likely to be of a rural-residential type that will retain an open environment.

The area identified as Residential Resource Area (8) is located between State Highway 8 and Lake Dunstan near the site of Crippletown. This area is capable of accommodating limited residential development in a manner that is in keeping with the amenities of the locality.

The area of land identified as Residential Resource Area (9) applies to the former golfcourse at Bridge Hill, Alexandra. This land is elevated and contains some significant rock outcrops and escarpments. The view of the rocky faces above Chapman Road and the skyline in the vicinity of this area is particularly dominant when viewed from certain parts of Earnsclough Road and is significant in a local context. Development of this area will need to respect the visual amenity of the area.

The area identified as Residential Resource Area (10) is located between Little Valley Road and the Shaky Bridge at Alexandra. This is also a visually sensitive location and has significant landscape value. Again development in this area must recognise these values. This has been provided for through the imposition of restrictive covenants on the relevant certificates of title.

The area identified as Residential Resource Area (11) is located at Pisa Moorings. This is the residual portion of the original Residential Resource Area (11), being land subdivided under a former village – vineyard concept. The Residential Resource Area (11) has also been applied to land within the Wooing Tree Overlay Area within the Cromwell urban area to manage interface effects between existing residential activities, the State Highways and new development.

The area identified as Residential Resource Area (12) is located to the rear of properties in the Residential Resource Area that have frontage to Waenga Drive at Cromwell. The area is considered suitable for conventional residential subdivision at a lower density than is permissible in the Residential Resource Area. This is consistent with the character of residential subdivision and development that exists in newer residential areas of Cromwell near Waenga Drive and it is expected that the Cromwell greenway system will continue within the Residential Resource Area (12) with provision for the creation of a walkway adjacent to State highway 6, a continuation of the buffer adjacent to the Business Resource Area (1) and connections to the existing Cromwell greenway system. Such greenway system in the Residential Resource Area (12) is to be provided for via a concept plan or plans.

The area identified as Residential Resource Area (13) is located at Pisa Moorings. The area concerned is considered suitable for conventional residential subdivision at a higher density than the adjacent Residential Resource Area (3).

7.2.8 Policy – Management of Change

In recognition of the difficulty anticipating the timing and extent of change to the pattern of land use that is necessary to enable the community to provide for its wellbeing and to reconcile with the foregoing policies, it is appropriate that any major change at the interface between the various resource areas be considered within the wider context of the plan as a whole.

*Cross Reference
Objective 7.1.2,
7.1.3*

Explanation

It is a purpose of this plan to manage change at the interface between resource areas. Such change can be addressed through the resource consent process (where conditions of consent may be applied) or through the plan change process.

7.3 RULES

Note: In considering a resource consent application under rules in this Plan, in the absence of specific policy in this Plan the Council may have regard to other policies related to assessment matters, including relevant policies in the Regional Policy Statement for Otago, and regional plans.

See also Sections 3, 11 and 14 – Manawhenua, Heritage Precincts and Heritage Buildings, Places, Sites, Objects and Trees.

Note: Any reference to the “Residential Resource Area in the Wooing Tree Overlay Area” in these rules refers to the Residential Resource Area only, and not to the Residential Resource Area (3) and Residential Resource Area (11) in the Wooing Tree Overlay Area.

7.3.1 PERMITTED ACTIVITIES

*Cross Reference
Policy 7.2.1*

(i) Compliance with Standards

Any activity that is not listed as a controlled, discretionary (restricted), discretionary, or non-complying activity and that complies with the rules and standards set out in Sections 11 to 15 of this Plan and the standards set out in Rule 7.3.6 is a permitted activity.

Reason

Activities that comply with the standards set out in Rule 7.3.6 and that are not listed below are activities that maintain and enhance the amenity values of these areas. The standards contained in Rule 7.3.6 address the following:

- 1. Traffic generation and characteristics of activities*
- 2. Sense of amenity, security and companionship*
- 3. Bulk and location of buildings*
- 4. Coverage (open space)*
- 5. Carparking*
- 6. Signs*
- 7. Keeping of animals*

Note: *Sections 11 to 15 contain a number of rules that apply across the district. Section 11 contains rules in respect of buildings within Heritage Precincts. These rules act as an overlay to the rules contained in the Resource Areas. Section 12 addresses access, parking, noise, signs and lightspill. Section 13 deals with the development of infrastructure, energy production facilities and utilities. Section 14 addresses general heritage issues. Section 15 deals with rules relating to financial contributions. Section 16 that relates to subdivision and Section 17 that relates to hazards contain general provisions to complement Resource Area rules. Section 18 contains the definitions of terms used throughout this Plan.*

(ii) Scheduled Activities and Existing Community Facilities

(a) Any scheduled activity identified in Clauses 19.3.1 and 19.3.4 (subject to compliance with standards specified in Clause 19.3.4) of Schedule 19.3 and identified as a scheduled activity on the planning maps and any other community facility lawfully

established prior to notification of this plan is a permitted activity.

(b) Scheduled activity No. 127 in Schedule 19.3.6 is a permitted activity, subject to compliance with Rule 7.3.6(iii) Bulk and Location of Buildings and Rule 12.7 District Wide Rules and Performance Standards and provided that no vehicular access is achieved direct to Pisa Moorings Road.

Reason

See reference at Section 1.2.9 of this plan (page 1:12). A number of these activities were specifically provided for under previous planning schemes. This investment must be recognised in the management of the residential land resource.

7.3.2 CONTROLLED ACTIVITIES

(i) Subdivision

Subdivision for the following purposes shall be a controlled activity:

- (a) Network and public utilities.
- (b) The creation of reserves.
- (c) Preservation of heritage items.
- (d) Boundary adjustments.
- (e) Community facilities.

*Breach:
discretionary
activity see Rule
7.3.4(i)*

Council shall exercise its control in respect of the following matters:

1. The area of the proposed allotment taking into consideration the proposed use of the allotment, the amenities of neighbouring properties and the site's ability to dispose of waste (if required).
2. The location, design and construction of access, and its adequacy for the intended use of the subdivision.
3. Public access requirements.
4. The provision of services and their adequacy for the intended use of the subdivision.
5. Any amalgamations and easements that are appropriate.
6. Any financial contributions necessary for the purposes set out in Section 15 of the Plan.
7. Any other matters provided for in section 220 of the Act.

Any application made under this rule will generally not be notified or require the written consent of affected persons except that where a State highway is affected the written comment of Transit New Zealand will be required.

Reason

Subdivision for these activities has only a limited effect on the environment. A minimum allotment size to control density of development is not considered appropriate given the purpose of these activities.

(ii) **Residential Activities in Residential Resource Area (8)**

Residential activities that comply with the following standards are controlled activities:

(a) No more than one dwelling house shall be permitted on each allotment.

(b) All buildings shall meet the following requirements -

(i) **Building coverage**

The maximum building coverage for all buildings on any site shall be 25% or 290m², whichever is the smaller.

(ii) **Set-back from roads**

The minimum set-back from road boundaries of any building shall be:

(a) 10 metres from any eastern boundary.

(b) 6 metres back from any western boundary.

(iii) **Set-back from internal boundaries**

The minimum set-back from internal boundaries for any building shall be 4 metres.

(iv) **Building proportion**

No single structure shall exceed a floor area of 120m². Roof pitch shall be between 25° and 40°

The maximum vertical stud allowable shall be 3.0 metres and maximum building height 5.0 metres.

(v) **Colour and finish of building**

All buildings shall be finished in any of the following materials:

(a) Timber (vertical or horizontal)

(b) Plaster/Adobe

(c) Schist

(d) Corrugated iron; Desert Sand, Lichen, Sandstone Grey, Kauri, Grey Friars, New Denim Blue (Coloursteel Colours).

Detailing around verandah posts, windows and doors may differ. The exterior walls of all buildings shall be finished in the colour range of browns, dark greens and greys.

(vi) **Fences**

No boundary fences other than post (unpainted) and wire and rabbit fences shall be built.

(vii) **Garages and accessory buildings**

Garages and accessory buildings shall not exceed a maximum floor area of 60m² and shall be clad and roofed in the same material as the dwelling.

(viii) **Roofing**

Roofing shall be constructed of one of the following:

*Breach:
discretionary
activity see Rule
7.3.4(i)*

Unpainted natural products, ie, timber shingles, or corrugated iron in one of the following colours:

Lignite, Ironsand, Kauri, Grey Friars, New Denim Blue (Coloursteel colours).

(ix) Landscaping

- (a) All applications for consent to erect a dwelling shall be accompanied by a landscape plan which identifies tree species, position and layout.
- (b) The landscape plan shall provide for the planting of tree species that will integrate with the existing tree planting framework around the lake edge.
- (c) A simple planting structure is to be encouraged and representative of endemic flora.

Recommended species are as follows:-

<u>Botanical Name</u>	<u>Common Name</u>
Populus alba x glandulosa 'Yeogi'	Silver poplar
Populus yunnanensis	Chinese poplar
Populus euramericana 'Tasman'	Tasman poplar
Populus nigra 'Italica'	Italian or Lombardy poplar
Populus deltoides	Cottonwood
Salix babylonica	Weeping Willow
Salix babylonica aurea	Golden Weeping Willow
Salix matsudana	Pekin Willow
Quercus robur	English Oak
Quercus palustris	Pin Oak
Eucalyptus gunnii	Cider Gum
Eucalyptus rodwayii	Swamp Gum

(d) Planting Design

Contour and cluster tree planting is preferred over linear and boundary planting. The main reason for boundary planting is to achieve privacy which can be accomplished by using shrubs.

- (e) Landscaping is to be provided to soften the visual impact of buildings upon Lake Dunstan, the shoreline and State Highway 8.

- (x)** Power and telephone reticulation are to be underground.
- (xi)** Road access and internal driveways are to be provided with a minimum of cut and fill.
- (xii)** No direct physical access is to be achieved from allotments onto State Highway 8.
- (xiii)** A supply of potable water is available to each dwelling house and satisfactory provision is made for the disposal of effluent and household waste.

Council shall exercise its control in respect of the following matters:

1. Design and appearance of buildings.
2. Landscaping in terms of mitigating adverse visual impacts.

(iii) Residential Activities in Residential Resource Area (9)

Residential activities in the Residential Resource Area (9) that comply with the standards set out in Rule 7.3.6 are controlled activities.

*Breach:
discretionary
activity see Rule
7.3.4(iii)*

Council shall exercise its control in respect of the following matters:

The location of all buildings within individual allotments in respect of the buildings impact on landscape values. In particular:

- (a) No building is to be visible on the skyline when viewed from any point on Earnsclough Road between the Earnsclough Road – Chapman Road intersection and a point 750 metres west of that intersection on Earnsclough Road.
- (b) No building shall be located closer to that boundary than 25 metres on all sites situated adjacent to the northern and western boundaries of this Resource Area. On all sites adjacent to the southern boundary of Section 84 Block I Fraser Survey District (the old golf course site) no building shall be located closer to that boundary than 20 metres and no buildings are to be located on the south facing slope that is adjacent to the existing orchard on Part Section 57 and Section 72 Block I Fraser Survey District.

(iv) Residential Activities in Residential Resource Area (10)

Residential activities that comply with the following standards are controlled activities:

- (a) The dwelling and any ancillary garaging are contained wholly within the site building platform identified in the Concept Plan attached as Schedule 19.17, and
- (b) The standards set out in Rule 7.3.6 are complied with, and
- (c) The application for resource consent is to be accompanied by a detailed landscape plan showing any existing trees which are required to be removed together with the details of any proposed planting. Such a landscape plan shall be designed to mitigate the effects on the environment of the removal of any existing vegetation and trees shall be planted to compensate for any trees that are removed. It shall be a condition of consent that any landscaping works shown on a plan shall be completed not later than 2 planting seasons after the completion of any residential dwelling on the site.

*Breach:
discretionary
activity see Rule
7.3.4(i)*

Council shall exercise its control in respect of the following matters:

1. The design and colour of the dwelling and any ancillary buildings.
2. Landscaping.

(v) Scheduled Activities and Existing Community Facilities

Any extension, upgrade or expansion that changes the character or increases the intensity or scale of the effects of a use that has status as a scheduled activity identified in Clauses 19.3.1 or 19.3.4 of Schedule 19.3 and identified as a scheduled activity on the planning maps or of any other community facility lawfully established prior to notification of this plan or a scheduled activity which breaches the standards which apply to scheduled activities specified in Clause 19.3.4 is a controlled activity.

Council shall restrict the exercise of its control to the following matters:

1. The provision of access, parking, loading and manoeuvring areas.
2. The size, design and location of any signs.
3. Methods to avoid, remedy or mitigate effects on existing activities including the provisions of screening, landscaping and noise control. The design and colour of buildings.
4. Impact on landscape values.

Any application made under this rule will generally not be notified if the written consent of affected persons is received.

(vi) Care Centre or Community Facility (limited to a childrens educational facility) in the Residential Resource Area (11) in the Wooing Tree Overlay Area

One care centre or community facility (limited to a childrens educational facility) in the Residential Resource Area (11) in the Wooing Tree Overlay Area located no closer than 150 metres to the northern (adjoining the Residential Resource Area (6)) or eastern boundary (adjoining Shortcut Road) of the Wooing Tree Overlay Area is a controlled activity.

Breach:
discretionary
activity see Rule
7.3.4(i)

Council shall restrict the exercise of its control to the following matters:

- (i) Urban Design and External Appearance; and
- (ii) The provision of access, parking, loading and manoeuvring areas associated with the building; and
- (iii) Landscaping; and
- (iv) Hours of operation; and
- (v) Servicing.

7.3.3 DISCRETIONARY (RESTRICTED) ACTIVITIES

(i) Subdivision

Except as provided for in Rule 7.3.2(i) and Rule 7.3.4(ii),

Cross Reference
Policies 7.2.1 to

subdivision shall be a discretionary (restricted) activity provided that:

7.2.6

- (a) Where a reticulated sewerage system is available or is installed as part of the subdivision the minimum size of allotments in the Residential Resource Area shall be 250m².

*Breach:
discretionary
activity see Rule
7.3.4(i)*

OR

- (b) Where a reticulated sewerage system is not installed or available the minimum size of allotments in the Residential Resource Area shall be that which can effectively assimilate waste provided that in no case shall the minimum size of allotments be less than 800m².

*Breach:
discretionary
activity see Rule
7.3.4(i)*

PROVIDED THAT

- (c) Notwithstanding (a) and (b) above, the following minimum size for allotments and other standards shall apply in the areas set out below:

*Breach:
non-complying
activity see Rule
7.3.5(iv)*

Residential Resource Area – Wooing Tree Overlay Area

Any subdivision of the Residential Resource Area in the Wooing Tree Overlay Area shall not:

- (i) Exceed a maximum lot size of 350m²; and
(ii) Exceed a total of 50 residential allotments.

*Cross Reference
Policy 7.2.7
Maps 12, 13,
13A, 14, 16, 41A,
B & C*

Residential Resource Area (1)

Minimum Allotment Area – 3000m²

Residential Resource Area (2)

Minimum Allotment Area – 4000m² provided that the average allotment size is no less than 1 hectare.

*Cross Reference
Policy 7.2.7,
Maps 8 & 44*

Residential Resource Area (3)

Minimum Allotment Area – 1000m² provided that:

- (i) any subdivision of Lot 1 DP 23948 shall be in general accordance with the concept plan attached as Schedule 19.19 (subject to further consideration being given to landscaping in the consent process) and no more than 21 residential allotments shall be permitted.
(ii) any subdivision of the Residential Resource Area (3) in the Wooing Tree Overlay Area shall not exceed 40 residential allotments.

*Cross Reference
Policy 7.2.7,
Maps 2, 12, 13,
13A, 14, 28 & 29*

Residential Resource Area (4)

Minimum Allotment Area - 1500m² provided that the average allotment size is no less than 2000m².

*Cross Reference
Policy 7.2.7,
Bannockburn,
Maps 7, 8 & 8A*

Residential Resource Area (5)

Minimum Allotment Area - 3000m²

*Cross Reference
Policy 7.2.7,*

*Lowburn, Maps
18 & 19*

Residential Resource Area (6)

- (i) Minimum Allotment Area - 4000m².
- (ii) On land described as Sections 2, 9, 12, 28, 1279R and Part Section 1 Block XIV Benger Survey District and Section 31 Block II Teviot Survey District any allotment having an area of less than 1 hectare shall be connected to a reticulated sewerage scheme and access shall be limited to the two access points located in the positions shown as A and B on the Concept Plan attached as Schedule 19.18.

*Cross Reference
Policy 7.2.7,
Cromwell &
Roxburgh, Maps
12, 13, 13A, 14,
15, 36 & 36A*

Residential Resource Area (7)

Minimum Allotment Area - 1 hectare

*Cross Reference
Policy 7.2.7,
Patearoa, Maps
26 & 27*

Residential Resource Area (8)

- (i) The minimum allotment area to accommodate a dwelling shall be 1500m² provided that the maximum number of allotments intended to accommodate a dwelling house shall be no more than 8 within Residential Resource Area (8).
- (ii) A landscape plan shall be prepared that provides for planting to screen allotments at the southern portion of the Resource Area and adjacent to the State Highway 8 boundaries of allotments. The subdivider shall be responsible for establishing such planting.

*Cross Reference
Policy 7.2.7,
Crippletown,
Map 41E*

Residential Resource Area (9)

Minimum Allotment Area - 6000m²

*Cross Reference
Policy 7.2.7,
Alexandra, Map
5*

Residential Resource Area (10)

The subdivision shall be in general accordance with the concept plan attached as Schedule 19.17_ and no more than 25 residential allotments shall be permitted. The minimum allotment area for residential purposes shall be 800m².

*Cross Reference
Policy 7.2.7,
Alexandra, Map
4*

Residential Resource Area (11)

Minimum Allotment Area - 400m² provided that:

- (i) the Minimum Allotment Area for the Residential Resource Area (11) in the Wooing Tree Overlay Area to the east of the Business Resource Area (2) shall be 500m²; and

*Cross Reference
Policy 7.2.7,
Maps 12, 13,
13A, 14 and 29*

(ii) Any subdivision in the Residential Resource Area (11) in the Wooing Tree Overlay Area shall not exceed 120 residential allotments.

Residential Resource Area (12)

- (i) Minimum Allotment Area - 500m² provided that the minimum allotment area adjacent to State highway 6 is no less than 1000m²
- (ii) Prior to an application for subdivision consent being made in the Residential Resource Area (12) the landowner shall provide a concept plan which provides for the following, to the extent that this is relevant to the land concerned:
- Connection with the extended designation D72 and D73, including a 10 metre wide reserve adjacent to the northern boundary of the Residential Resource Area (12) that is shared with Lot 1 DP 23737.
 - Provision for a strip of greenway adjacent to State highway 6 that is wide enough to accommodate a walkway.
 - Provision of additional land to complement the existing pedestrian link in D74.
 - Opportunity to link with existing greenways on the opposite side of Waenga Drive (D77).
- (iii) The plan of subdivision shall be in general accordance with the concept plan referred to in (ii) above, subject to any amendments that result from the consultation with the Chief Executive with respect to the contents of the concept plan

Cross Reference
Policy 7.2.7,
Cromwell Maps
13, 15 & 44

Residential Resource Area (13)

Minimum Allotment Area – 600m² provided that the average allotment size is no less than 800m², the minimum allotment size for allotments with frontage to Ferry Lane is 1000m² and the minimum allotment size for allotments that abut land in the Residential Resource Area (3) is 800m²; and provided that any subdivision shall be in general accordance with the concept plan attached as Schedule 19:22.

Cross Reference
Policy 7.2.7
Pisa Moorings
Map 29

Note: For (a) to (c) above, minimum allotment areas for rear allotments are exclusive of access strips.

Council shall restrict the exercise of its discretion to the following:

1. The provision of adequate network utility services (given the intended use of the subdivision) and in particular the location, design and construction of these services.
2. The location, design and construction of access to public roads and its adequacy for the intended use of the subdivision.
3. The provision of landscaping, including road berms.
4. Earthworks necessary to prepare the site for development occupation, and/or use.
5. Subdivisional design including the shape and arrangement of allotments to:
 - Facilitate convenient, safe, efficient and easy access.
 - Facilitate access to passive solar energy sources.
 - Facilitate the safe and efficient operation and the economic provision of roading and network utility services to secure an appropriate and co-ordinated ultimate pattern of development.
 - Maintain and enhance amenity values.
 - Facilitate adequate access to back land.
 - Protect existing water races.
6. The provision of or contribution to the open space and recreational needs of the community.
7. The provision of buffer zones adjacent to roads, network utilities or natural features.
8. The protection of important landscape features, including significant rock outcrops and escarpments.
9. Provision for pedestrian movement, including the provision of walkways.
10. The provision of esplanade strips or reserves and/or access strips.
11. Any financial contributions necessary for the purposes set out in Section 15 of this Plan.
12. Any amalgamations and easements that are appropriate.
13. The extension of the Cromwell greenway system into the Residential Resource Area (12).
14. Any other matters provided for in section 220 of the Act.
15. The provision of screening at the southern end of any residential subdivision of part Lot 2 DP 347065 to provide partial screening of future residential development from the Ranfurly Naseby Road.
16. The provision of design controls to address the scale, external design and appearance of future buildings on the block of land in the Residential Resource Area (3) that has frontage to Broom Street, Rannoch Street, Avoca Street, Oughter Street, Carrowmore Street and Lomond Street at Naseby, such design controls to be sympathetic to the heritage values of the Heritage Precinct at Naseby.
17. In the Wooing Tree Overlay Area, the provision for pedestrian and cyclist movement and linkages within and through the Wooing Tree Overlay Area, including the provision of footpaths and cycling infrastructure.

Cross Reference
See Rule
7.3.2(iii)

Note: see Section 16.7 General Standards (page 16:14) for the standards that are likely to be imposed as conditions of consent.

Any application made under this rule will generally not be notified or require the written approval of affected parties except that where a State highway is affected the written comment of Transit New Zealand will be required. Transit New Zealand has control of access where a site is adjacent to a Limited Access Road that is a State highway.

Reason

The adverse effects of subdivision can generally be overcome by appropriate conditions and standards. The minimum allotment sizes identified reflect the existing density of development in these areas. A maximum lot size has been imposed on the Residential Resource Area in the Wooing Tree Overlay Area to encourage high density development with a large amount of open space. A maximum number of residential lots has been imposed in the Residential Resource Area, in the Residential Resource Area (3) and in the Residential Resource Area (11) in the Wooing Tree Overlay Area to contain and manage growth.

(ii) Breach of Standards

Any activity that fails to comply with the following rules:

Policy 7.2.1,
7.2.2, 7.2.5

Rule 7.3.6(iii)	<u>Bulk and Location of Buildings</u>
Rule 7.3.6(iv)	<u>Maximum Coverage</u>
Rule 7.3.6(v)	<u>Carparking</u>
Rule 7.3.6(vii)	<u>Signs</u>
Rule 7.3.6(x)	<u>Excavation</u>
Rule 7.3.6(xii)(a)	<u>Acoustics : Residential Resource Area (13)</u>
Rule 7.3.6(xii)(b)	<u>Acoustics : Residential Resource Area, Residential Resource Area (3) and Residential Resource Area (11) in the Wooing Tree Overlay Area.</u>
Rule 7.3.6(xii)(c)	<u>Acoustics : Clyde Residential Extension</u>

is a discretionary (restricted) activity.

Council shall restrict the exercise of its discretion to the following matters:

1. The effect on amenity values of neighbouring properties in particular access to sunlight, maintenance of privacy, and the adverse effects of noise.
2. The effect on the natural character of water bodies and their margins.
3. The effect on amenity values of the neighbourhood in particular the character of the streetscape.
4. The effect on the safe and efficient operation of the roading network.

5. The effect on the heritage values of the site or area, with particular regard to any heritage buildings and/or archaeological values on or adjoining the site.
6. The effect on infrastructure.
7. The effect on the safety of neighbours.
8. The effect on the amenity of persons nearby as a consequence of noise generated by activities on the State highway network in the event that Rule 7.3.6(xii) is breached.

Any application made under this rule will generally not be notified where the written approval of affected persons is received.

Reason

Failure to conform with these standards has been identified as a discretionary (restricted) activity to enable assessment in terms of section 105 of the Act. Council has flexibility in terms of whether to notify any application made under these rules. In some instances discretionary (restricted) activities will only have a minor effect and do not justify notification. Applications will be processed under delegated authority where affected neighbours have given their written approval to the proposal. Applicants have greater certainty in that attention can be focused upon those matters identified for consideration. This in turn will increase efficiency in processing such applications.

(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 the standards set out in Rule 7.3.6(xi) is a discretionary (restricted) activity.

Council shall restrict the exercise of its discretion to the following:

- The proposed timetable for completion of the work required to reinstate the exterior of the building and connections to services.
- The design and appearance of the building following reinstatement.

Any application made under this rule will generally not be notified or served where the written approval of affected persons has been obtained.

Reason

In the past Council has experienced difficulties with the completion of reinstatement works in respect of dwellings relocated to new sites. These buildings sometimes require exterior upgrading and repair and may be left on the site in an unfinished state. Consequently they can have significant adverse effect on local amenity values. Discretionary (restricted) activity status enables the Council to consider whether a delay in

completing the exterior reinstatement of a particular building is appropriate and to impose conditions that will ensure amenity standards are maintained. Previously used accessory buildings and garages are not subject to this rule.

(iv) Family Flat

Accommodation for a dependent member of the household in a family flat that is in addition to an existing dwelling on a site is a discretionary (restricted) activity.

Council shall restrict the exercise of its discretion to the effect that the additional building may have on the amenity values of neighbouring properties and the subject property, any servicing requirements and measures necessary to ensure that the family flat remains on the site for a temporary duration.

Any application under this rule will generally not be notified where the written approval of affected persons has been obtained.

Reason

While provision for dependent household members serves a community need, consideration must be given to the effects such development may have on neighbouring property owners and services.

(v) Keeping of Bees

The keeping of bees is a discretionary (restricted) activity provided that:

- a) There are no more than 3 hives per property.
- b) Bee stock is to be of a gentle strain.
- c) Bee stock is to be requeened every two years.
- d) Hive/s to be sited with hive entrance/s towards a 1.8 metre fence or hedge to force bees' flight above human head height.
- e) Hive/s to be positioned in a sunny, sheltered spot.
- f) Water is available for bees on site.

*Breach:
discretionary
activity see Rule
7.3.4(i)*

Council shall restrict the exercise of its discretion to the effect on the amenity values of neighbouring properties.

Any application under this rule will generally not be notified where the written approval of the immediate neighbours has been obtained.

Reason

The keeping of bees is appropriate where they are maintained and managed to recognised standards to mitigate potential adverse effects.

(vi) Multi-Unit Development

- (a) More than one residential activity on site is a discretionary (restricted) activity provided a site area of 250m² per residential activity is achieved where a reticulated sewerage system is installed or available and a site area of 800m² per residential activity is achieved where a reticulated sewerage system is not installed or available.

*Breach:
discretionary
activity see Rule
7.3.4(i)*

(b) More than one residential activity on a site is a discretionary (restricted) activity in the Residential Resource Area (13) provided a site area of 450m² per residential activity is achieved and provided that the site does not have frontage to Ferry Lane.

Breach:
non-complying activity see Rule 7.3.5(v)

(c) Notwithstanding (a) above within the Residential Resource Area in the Woongi Tree Overlay Area there shall be no more than four residential activities on a site.

Breach:
discretionary activity see Rule 7.3.4(i)

Council shall restrict the exercise of its discretion to the following matters –

1. The effect on amenity values of neighbouring properties in particular access to sunlight, maintenance of privacy, and the adverse effects of noise.
2. The effect on amenity values of the neighbourhood in particular the character of the streetscape.
3. The effect on the safe and efficient operation of the roading network and infrastructure.
4. Financial contributions.
5. Construction of access, based on standards applied when a subdivision occurs (see Standard 16.7.4).

Reason

Multi-unit developments have potential adverse effects that can be addressed through the consent process.

(vii) Relocatable Buildings

The relocation of previously used buildings for any purpose, other than for use as a dwelling (excluding previously used accessory buildings or garages), is a discretionary (restricted) activity.

Council shall restrict the exercise of its discretion in respect to the effect the building may have on the amenity values of the neighbourhood and adjoining properties including (but not limited to) the following:

1. Ensuring the buildings finish is of a reasonable standard.
2. Ensuring the building is of a character in keeping with the remainder of the neighbourhood.
3. The provision of landscaping and fencing for the purpose of screening.

Council may exercise the bond provisions of section 108(1)(b) of the Act in respect of such activities.

Any application made under this rule will generally not be notified where the written approval of affected persons has been obtained.

Reason

In the past Council has experienced difficulties and expressions of community concern with dwellings relocated to new sites. These buildings sometimes require exterior upgrading and repair

and may be left on the site in an unfinished state. Consequently they have a significant adverse effect on local amenity values. Discretionary (restricted) activity status enables Council to consider whether a particular development is appropriate and impose conditions that will ensure amenity standards are maintained. Previously used accessory buildings and garages are not subject to this rule.

(viii) **Comprehensive Residential Development in the Residential Resource Area in the Wooing Tree Overlay Area**

Comprehensive Residential Development in the Residential Resource Area in the Wooing Tree Overlay Area shall be a discretionary (restricted) activity.

Council shall restrict the exercise of its discretion to the following matters:

1. Urban Design and External Appearance; and
2. The provision of access, parking, loading and manoeuvring areas associated with the building(s); and
3. Landscaping and the provision of open space; and
4. Servicing.

7.3.4 DISCRETIONARY ACTIVITIES

*Cross Reference
Policy 7.2.1*

(i) **Breach of Standards**

Any activity that fails to comply with the following rules:

Rule 7.3.2(i) Subdivision

Rule 7.3.2(ii) Residential Activities in Residential Resource Area (8)

Rule 7.3.2(iii) Residential Activities in Residential Resource Area (9)

Rule 7.3.2(iv) Residential Activities in Residential Resource Area (10)

Rule 7.3.2(vi) Care Centre or Community Facility (limited to a childrens educational facility) in the Residential Resource Area (11) in the Wooing Tree Overlay Area

Rule 7.3.3(i)(a) and (b) Subdivision

Rule 7.3.3(v) Keeping of Bees

Rule 7.3.3(vi)(a) and (c) Multi-Unit Development

Rule 7.3.6(i) Traffic Generation and Characteristics of Activities

Rule 7.3.6(ii) Sense of Amenity, Security and Companionship

Rule 7.3.6(vi) Access (a) to (c)

Rule 7.3.6(viii) Keeping of Animals

Rule 7.3.6(ix) Tree Planting – Residential Resource Area (8)

Rule 7.3.6(xiii) Landscaping – Clyde Residential Extension

is a discretionary activity.

Reason

Breach of the rules listed can have significant adverse effects on the character and amenity values of the residential environment.

(ii) Subdivision of Land Subject to Hazards

Any subdivision that involves land that is subject to or potentially subject to the effects of any hazard as identified on the planning maps or land that is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage or inundation from any source is a discretionary activity.

Any application under this rule will generally not be notified but is to be accompanied by written comment obtained from a qualified professional that addresses the risk associated with the hazard within the proposed development and any remedial measures necessary to avoid, remedy or mitigate the hazard.

Reason

Subdivision of land subject to the effects of a hazard will be subject to careful consideration. See Section 16 Subdivision and Section 17 Hazards.

(iii) Travellers Accommodation

Except as provided for in Rule 7.3.5(iii) travellers accommodation is a discretionary activity.

Reason

The effects of these activities have the potential to significantly compromise residential amenity values through large buildings, generation of traffic and noise.

7.3.5 NON-COMPLYING ACTIVITIES

(i) Noxious Effects

Any activity that:

- (a) Disposes of waste onto land (excluding composting activities associated with normal residential gardening activities), or
- (b) Houses or involves the intensive confinement of animals (excluding the keeping of domestic animals associated with residential activities), plants or fungi (excluding domestic glasshouses), or
- (c) Stores bulk materials other than in connection with

Cross Reference
Policy 7.2.1
17.4.5

- normal residential activities occurring on the site, or
- (d) Uses, stores or generates quantities of hazardous substances that exceed the limits specified in Schedule 19.14, or
 - (e) Requires a licence as an offensive trade within the meaning of the Third Schedule of the Health Act 1956, is a non-complying activity.

Reason

These activities may generate significant adverse effects that can have a major impact on residential neighbourhoods. Codes of practice and guidelines recognised by industry may be relevant to the consideration of applications. Examples include the Code of Practice for the Design, Installation and Operation of Underground Petroleum Storage Systems 1992; Supplement No 1 Management of Existing Underground Petroleum Storage Systems. June 1995; Environmental Guideline for Above ground Bulk Tank Containment Systems; and the Australian/New Zealand Standard 1596:1997 LP Gas Storage and Handling and Supplement 1, 1994 Siting of LP Gas Automotive Outlets.

(ii) Buildings on Land Subject to Hazards

The erection of any building (excluding buildings and/or structures associated with network utilities) on any part of a site identified on the planning maps as being subject to a hazard or land that is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage or inundation from any source is a non-complying activity.

Reason

Locating buildings on areas of known hazard can compromise the health and safety of people and communities. Establishment of buildings in these areas would need to avoid, remedy or mitigate risk before being permitted.

(iii) Travellers Accommodation - Residential Resource Areas (1) to (13)

Travellers accommodation in Residential Resource Areas (1) to (13) is a non-complying activity.

Reason

These particular localities were specifically created by zones forming part of earlier planning instruments and which have the intention of achieving a certain environmental quality and density of development. The effects of travellers accommodation are not compatible with these environments.

(iv) Subdivision – Residential Resource Areas (1) – (13)

Subdivision of land in Residential Resource Areas (1) to (13) that is in breach of Rule 7.3.3(i)(c) is a non-complying activity.

Reason

These particular localities are subject to specific subdivision standards which establish a pattern for future subdivision and development consistent with the amenities of these areas.

Subdivision that is in breach of these stated standards has the potential to compromise the amenities of these areas.

(v) **Multi-Unit Development – Residential Resource Area (13)**

More than one residential activity on a site in the Residential Resource Area (13) where the site area per residential activity is less than 450m² or where the site has frontage to Ferry Lane is a non-complying activity.

Reason

The Residential Resource Area (13) is subject to specific subdivision standards which establishes a particular level of amenity based on a density of development consistent with the amenity of the area. Multi-unit development inconsistent with this established subdivision density has the potential to compromise residential amenity.

(vi) **Access – Wooing Tree Overlay Area**

Any activity that fails to comply with Rule 7.3.6(vi)(d) to (g) which relate to the Wooing Tree Overlay Area is a non-complying activity.

*Cross Reference
Rule 7.3.6(vi)(d)
to (g)*

(vii) **Access – Clyde Residential Extension**

Any activity that fails to comply with Rule 7.3.6(vi)(h) and (i) is a non-complying activity.

(viii) **Subdivision and Residential Development – Clyde Residential Extension**

(a) Subdivision and residential development on Lot 2 DP 18990, Lot 1 DP 525753, Lot 2 DP 525753, Lot 1 DP 331535, Lot 2 DP 331535 and part of Mutton Town Road (to be stopped) prior to the provision of a reticulated wastewater disposal scheme at Clyde that is capable of servicing this land is a non-complying activity.

(b) Subdivision and residential development on Lot 2 DP 18990, Lot 1 DP 525733, Lot 2 DP 525733, Lot 1 DP 331535, Lot 2 DP 331535 and part of Mutton Town Road (to be stopped) prior to the provision of an outline development plan that relates to all of the land and which shows the following:

(i) Indicative roading that shows:

- all of the land subject to this rule achieving access onto Sunderland Street via a new intersection designed in consultation with Waka Kotahi NZ Transport Agency, and
- space for a suitable upgrade of the Mutton Town Road/Hospital Street/Sunderland Street intersections to serve possible future development of all land that has frontage to Mutton Town Road; and

(ii) Indicative roading that shows a road connection to land immediately to the south-east that is beyond the land subject to this rule; and

(iii) Indicative cycle and pedestrian connections that integrate with the wider transport network including

- cycle and pedestrian movements to the Otago Central Rail Trail across the Sunderland Street/State Highway 8 intersection; and
- (iv) The location of any proposed retirement village and provision for access via internal roading on the land. is a non-complying activity.

7.3.6 **STANDARDS**

The following standards relate specifically to activities which occur within the Residential Resource Area. There are other rules and standards contained in Sections 11, 12, 13, 14, 15 and 16 of this Plan which may also apply to activities which occur in the Residential Resource Area.

*Cross Reference
Policy 7.2.1 to
7.2.6*

(i) **Traffic Generation and Characteristics of Activities**

- (a) No activity shall attract vehicles to the site for the purpose of refuelling, servicing, maintaining and/or storing those vehicles.
- (b) No activity shall involve the retailing of goods and services except as provided for by the definition of home occupation and in association with temporary activities as defined.
- (c) No activity shall involve the attraction of the public to the site for any public or private assembly provided this does not apply to the use of reserves or open public space; gatherings associated with normal residential activities; and temporary activities as defined.

*Breach:
discretionary
activity see Rule
7.3.4(i)*

Reason

The generation of high levels of traffic including heavy trade vehicles has significant adverse effects on amenity values of residential areas particularly in terms of noise levels, visual impacts and the safe and efficient operation of residential streets. The traffic generating effects of these activities are greater than existing community facilities because they generate a consistent flow of traffic at far greater volumes.

(ii) **Sense of Amenity, Security and Companionship**

All land use activities shall be associated with the use of the site for residential purposes unless that activity is provided for in terms of Rules 7.3.1(ii) or 7.3.2(v).

*Breach:
discretionary
activity see Rule
7.3.4(i)*

Reason

A sense of amenity, security and companionship can be lost when premises are dormant at those times when neighbours are present. The requirement to have associated residential activity is to avoid such loss and to contribute to the cohesion of residential areas.

(iii) **Bulk and Location of Buildings**

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

*Breach:
discretionary
(restricted)
activity see Rule
7.3.3(ii)*

- (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 which ever 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.

Provided that this rule does not apply in Residential Resource Areas (1), (2), (6) and (7).

- (ii) A minimum front yard of 7 metres is required in Residential Resource Areas (1), (2), (6), (7) and (9).

- (iii) A minimum front yard of 3 metres is required in the Residential Resource Area in the Wooring Tree Overlay Area.

Note: See also Rule 7.3.6(iii)(d) for yards adjacent to road boundaries in Residential Resource Areas (6) and (9).

- (iv) 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 7.3.6(iii)(d) and 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.

(ii) Minimum side yards of 3 metres are required on all side yards in Residential Resource Areas (1) to (7) and (9).

(iii) Minimum side yards of 1.8 metres are required on all side and rear yards in the Residential Resource Area in the Wooing Tree Overlay Area, unless the development is a comprehensive residential development under Rule 7.3.3(viii) and buildings are adjoined by a common wall in which case no side yard is required.

(iv) A minimum yard of 10 metres is required in the Residential Resource Area (3) in the Wooing Tree Overlay Area where a site adjoins Shortcut Road, provided that:

(i) No building shall be located within this minimum yard, with the exception of one garden shed per site measuring no more than 6m² floor area and 2 metres in height with exterior walls finished in the colour range of browns, dark greens and greys.

(ii) No fence exceeding a height of 1.2 metres shall be erected within this minimum yard.

(d) **Yards adjacent to Road Boundaries**

(i) A minimum yard of 6 metres shall be required to road boundaries in Residential Resource Area (9).

(ii) A minimum yard of 30 metres shall be required to State highways in Residential Resource Area (6).

(e) **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**

(I) **Normal Standard**

Except on land identified in (2), (3) and (5) 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 7.1 – 7.3 presented on pages 7:32 and 7:33

- (iii) The maximum height in the Residential Resource Area (8) shall be 5 metres.

(2) Sloping Sites

On sloping sites that exceed 6 degrees (ie greater than 1 in 9.5) and those areas identified as R* on the planning maps 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.

(3) Residential Resource Area (10)

Within Residential Resource Area (10) maximum height is 7 metres. The maximum height shall be the actual height of the building vertically above any given point and measured from the natural ground level.

(4) Residential Resource Area (13)

Any building located within the Residential Resource Area (13) on the terrace riser depicted as Lots 13-30 on the concept plan in Schedule 19:22 shall not exceed a height of 3 metres above the terrace edge above the terrace riser, as measured from the northwest (resource area) boundary of the land concerned.

(5) Residential Resource Area in the Wooing Tree Overlay Area

For comprehensive residential development under Rule 7.3.3(viii) in the Residential Resource Area in the Wooing Tree Overlay Area no recession plane applies for buildings which are adjoined by a common wall.

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.

(iv) Maximum Coverage

The maximum site coverage by the principal building and accessory buildings (including garages and carports) shall be 40%; except within the Residential Resource Area in the Wooing Tree Overlay Area where the maximum site coverage shall be 80%.

*Breach:
discretionary
(restricted)
activity see Rule
7.3.3(ii)*

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. An exception has been provided for in the Residential Resource Area in the Wooing Tree Overlay Area due to special density controls including a maximum residential lot size and maximum number of residential lots. This ensures that a significant proportion of the Residential Resource Area in the Wooing Tree Overlay Area will be retained in open space.

(v) **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
7.3.3(ii)

(vi) **Access**

(a) No vehicle access is permitted directly on to State Highways 6 and 8B from land within Residential Resource Area (6) and Residential Resource Area (3).

(b) Any vehicle access from Shortcut Road to land within Residential Resource Area (6) shall be located at least 30 metres from State Highways 6 and 8B.

(c) Any vehicle access to land within the Residential Resource Area (6) south of Roxburgh shall be located in the positions shown as A and B on the concept plan attached as Schedule 19.18.

(d) No vehicle access is permitted from the Residential Resource Area, the Residential Resource Area (3) and the Residential Resource Area (11) in the Wooing Tree Overlay Area to a State Highway except:

(i) Within 10 years of Plan Change 12 becoming operative via a single lane roundabout constructed to the NZ Transport Agency's standards at the intersection of State Highway 8B and Barry Avenue.

(ii) After 10 years of Plan Change 12 becoming operative via a roundabout constructed to the NZ Transport Agency's standards at the intersection of State Highway 8B and Barry Avenue (which may or may not require the roundabout to be double-lane).

(e) No new development (other than a new temporary access from the existing Wooing Tree Tasting Room to Shortcut Road or internally within the property to a new road to access Shortcut Road) west of and including the Business Resource Area (2) in the Wooing Tree Overlay Area shall be permitted until the roundabout referred to in Rule 7.3.6 (vi)(d) and a pedestrian/cyclist underpass incorporated into

Breach (a) to (c):
discretionary
activity see Rule
7.3.4(i)

Breach (d) to (g):
non-complying
activity see Rule
7.3.5(vi)

the western side of the roundabout across State Highway 8B (unless such location on the west side is found to be impracticable in which case the underpass is to be provided on the eastern side of the roundabout) are completed and operational. Development that is permitted to occur shall be designed to connect to the roundabout referred to in Rule 7.3.6(vi)(d) as the primary access to State Highway 8B once the roundabout is completed and operational.

- (f) Legal road access shall be included in the design of subdivision in the Wooing Tree Overlay Area so that Shortcut Road connects via the internal roading network to the roundabout referred to in Rule 7.3.6 (vi)(d). This access shall have its access point on Shortcut Road positioned at least 60 metres but no more than 140 metres from the Shortcut Road intersection with State Highway 8B.
- (g) No residential lots in the Wooing Tree Overlay Area shall have direct access onto Shortcut Road.
- (h) No residential lots on Lot 2 DP 18990, Lot 1 DP 525753, Lot 2 DP 525753, Lot 1 DP 331535, Lot 2 DP 331535 and part of Mutton Town Road (to be stopped) near Clyde shall have direct access to State Highway 8, Sunderland Street, Hospital Street and Mutton Town Road. Road access to any subdivision and residential development on Lot 2 DP 18990, Lot 1 DP 525753, Lot 2 DP 525753, Lot 1 DP 331535, Lot 2 DP 331535 and part of Mutton Town Road (to be stopped) shall be achieved only onto Sunderland Street until such time as the Mutton Town Road intersection with State Highway 8 is either closed or reconfigured to enhance safety to the requirements of Waka Kotahi NZ Transport Agency.
- (i) Prior to subdivision and residential development occurring on Lot 2 DP 18990, Lot 1 DP 525753, Lot 2 DP 525753, Lot 1 DP 331535, Lot 2 DP 331535 and part of Mutton Town Road (to be stopped) the Sunderland Street/State Highway 8 intersection shall be improved by providing a painted median such that the view to the right from Sunderland Street is not restricted by a vehicle slowing in the left turn lane on State Highway 8 (that may otherwise obscure a following straight through vehicle).

*Breach (h) & (i):
non-complying
activity see Rule
7.3.5(vii)*

Reason

Development in these areas must not effect the safe and efficient operation of the State highway network.

(vii) 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
7.3.3(ii)*

(viii) Keeping of Animals

The keeping of animals on a property is limited to small domestic animals provided that:

- (a) No pigs are permitted to be kept.
- (b) The numbers of domestic fowls do not exceed 12 and no roosters are permitted to be kept.
- (c) Horse, sheep or goats may graze vacant residential sites.
- (d) The activity is conducted so that it does not create a nuisance to the occupants of adjoining or nearby properties.

Reason

The keeping of animals can have significant adverse effects such as noise, smell and the creation of other nuisances.

Breach:
*discretionary
activity
see Rule 7.3.4(i)*

(ix) Tree Planting – Residential Resource Area (8)

There shall be no planting of evergreen trees with dark green, blue or gold foliage (ie conifers) in particular species from the pinus genus, or any species with wilding spread and self seeding capabilities in the Residential Resource Area (8).

Reason

The Residential Resource Area (8) is a visually sensitive location. Evergreen trees (specified above) along with the wilding spread of self seeding trees are not in keeping with the amenities of this locality. Wilding spread of self seeding trees may also add to a fire risk.

Breach:
*discretionary
activity see Rule
7.3.4(i)*

(x) Excavation

Any extraction of material shall not exceed 1 metre in depth within 2 metres of any site boundary.

Breach:
*discretionary
(restricted)
activity see Rule
7.3.3(ii)*

Reason

Significant excavation in the context of the Residential Resource Area can adversely effect amenities and the safety of the neighbours.

(xi) 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.

Breach:
*discretionary
(restricted)
activity see Rule
7.3.3(vii)*

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.

(xii) (a) Acoustics : Residential Resource Area (13)

New residential buildings located in the Residential Resource Area (13) within 80m of the seal edge of State Highway 6 shall be designed and constructed to meet noise performance standards for noise from traffic on State Highway 6 that will not exceed 35dBA Leq (24hr) in bedrooms and 40dBA Leq (24hr) for other habitable rooms in accordance with the satisfactory sound levels recommended by Australian and New Zealand Standard AS/NZ2107:2000 Acoustics – Recommended design sound levels and reverberation times for building interiors.

Breach:
*Discretionary
(restricted)
activity see Rule
7.3.3(ii)*

This shall take account of any increases in noise from projected traffic growth during a period of not less than 10 years from the commencement of construction of the development.

b) Acoustics: Residential Resource Area, Residential Resource Area (3) and Residential Resource Area (11) in the Wooing Tree Overlay Area

New residential buildings located in the Residential Resource Area, the Residential Resource Area (3) and the Residential Resource Area (11) in the Wooing Tree Overlay Area within 80m of the seal edge of State Highway 6 or 8B shall be designed and constructed to meet noise performance standards for noise from

traffic on State Highway 6 or 8B that will not exceed 35dBA Leq (24hr) in bedrooms and 40dBA Leq (24hr) for other habitable rooms in accordance with the satisfactory sound levels recommended by Australian and New Zealand Standard AS/NZ2107:2000 Acoustics – Recommended design sound levels and reverberation times for building interiors.

This shall take account of any increases in noise from projected traffic growth during a period of not less than 10 years from the commencement of construction of the development.

(c) Acoustics - Clyde Residential Extension

New residential buildings located on Lot 2 DP 18990, Lot 2 DP 525753 and Lot 1 DP 331535 within 80m of the seal edge of State Highway 8 shall be designed and constructed to meet noise performance standards for noise from traffic on State Highway 8 that will not exceed 35dBA Leq (24hr) in bedrooms and 40dBA Leq (24hr) for other habitable rooms in accordance with satisfactory sound levels recommended by Australian and New Zealand Standard AS/NZ 2107:2000 Acoustics – Recommended design sound levels and reverberation times for building interiors.

This shall take account of any increases in noise from projected traffic growth during a period of not less than 10 years from the commencement of construction of the development.

Reason

Reverse sensitivity effects arise where noise sensitive activities such as residential dwellings are located either adjacent to, or in close proximity to State Highways.

(xiii) Landscaping – Clyde Residential Extension

On Lot 2 DP 18990, Lot 2 DP 525753 and Lot 1 DP 331535 adjacent to State Highway 8 a landscaped strip shall be provided within the 20m wide Building Line Restriction shown on the planning map. The strip shall not be paved or have any structures erected on it (including fences) and shall create the opportunity for landscaping to provide visual enhancement or screening. Landscaping shall not impede traffic visibility or shade State Highway 8 and shall be maintained in a healthy and tidy condition at all times. Provision shall be made for the landscaped strip on the plan of subdivision and landscaping shall be established along the entire landscaped strip at the time of subdivision. The retention and future maintenance of the landscaping in the landscaped strip shall be provided for as a condition of subdivision consent that is to be subject to a consent notice.

Reason

Landscaped buffers within the District's urban areas along State Highways assist in mitigating reverse sensitivity effects, provide for beautification of the entrances into the District's urban areas, screen built form from users of the highway and enhance the privacy and amenity of dwellings adjoining the highway.

*Breach:
discretionary
activity see Rule
7.3.4(i)*

Figure 7.1 – Height Control (see Rule 7.3.6(iii)(f))

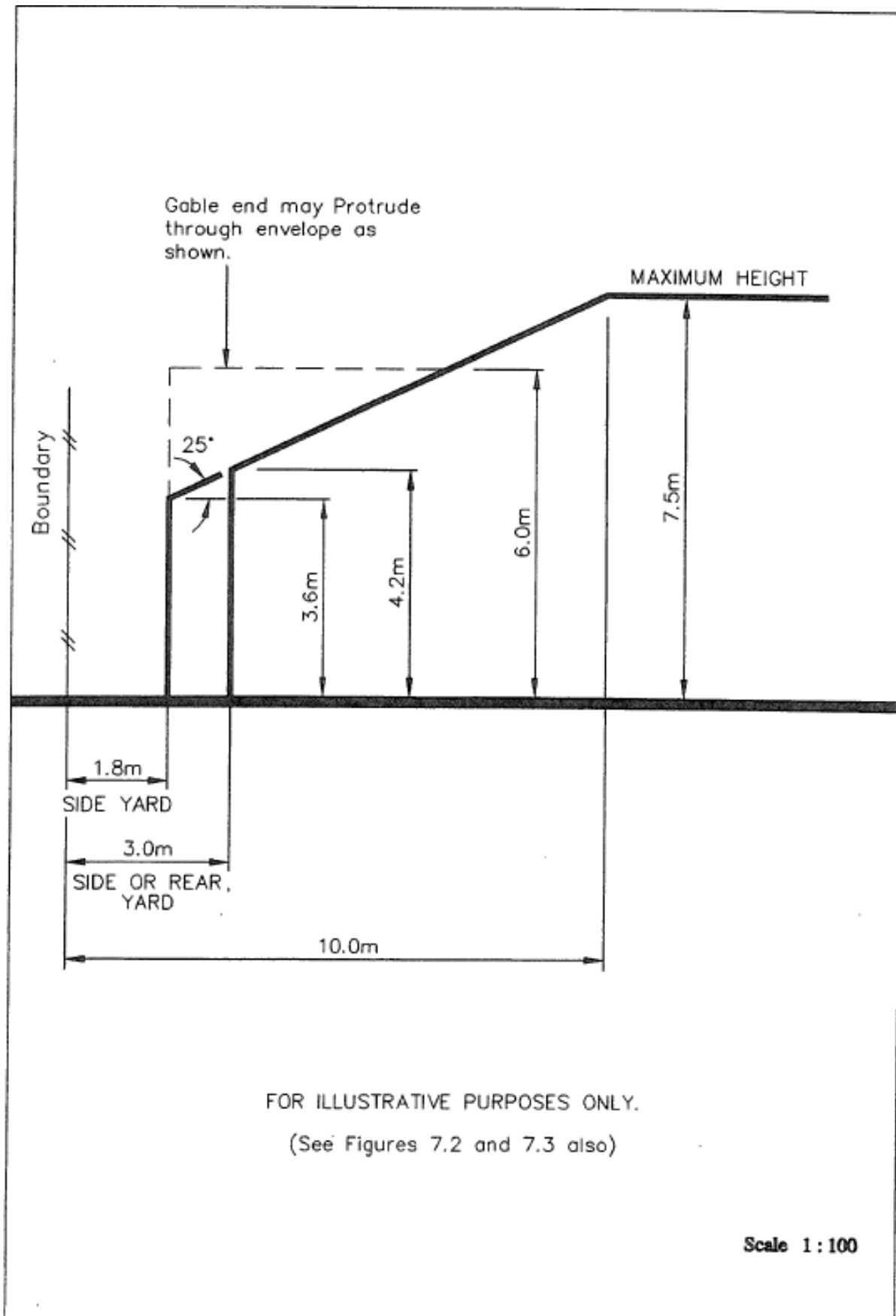


Figure 7.2 – Height Control in Operation

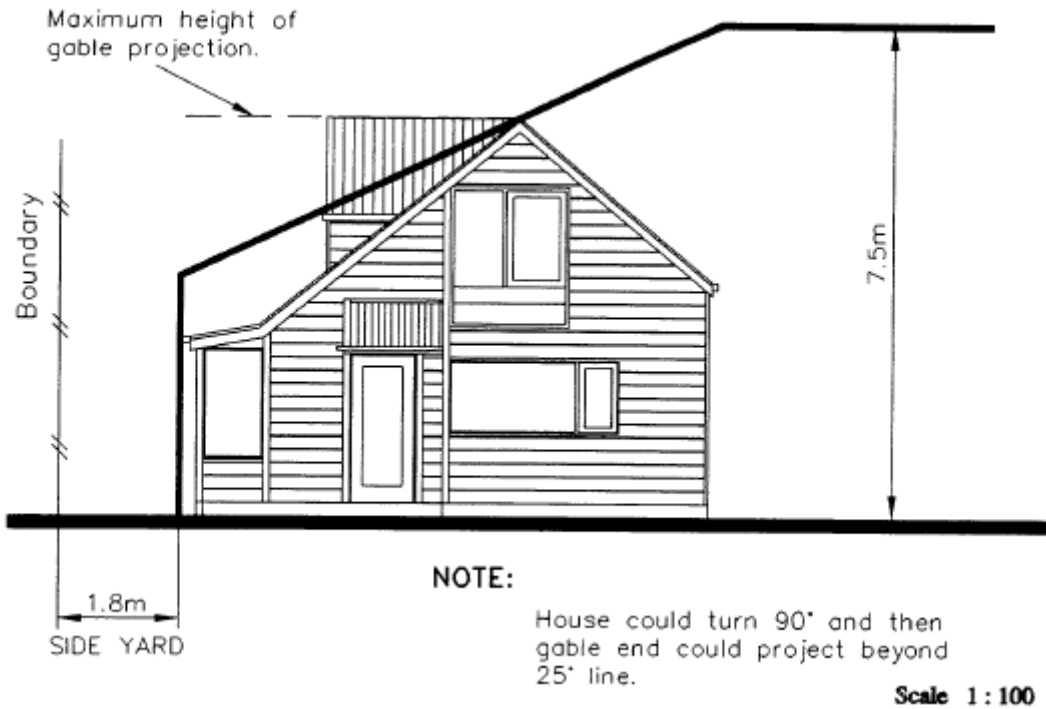


Figure 7.3 – Sketch of Height Control Construction

