

## **Te Hononga Council - Papatipu Rūnanga Committee ATTACHMENTS UNDER SEPARATE COVER**

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**Date:** Thursday 20 June 2019  
**Time:** 5.30pm  
**Venue:** Council Chambers, Level 2, Civic Offices,  
53 Hereford Street, Christchurch

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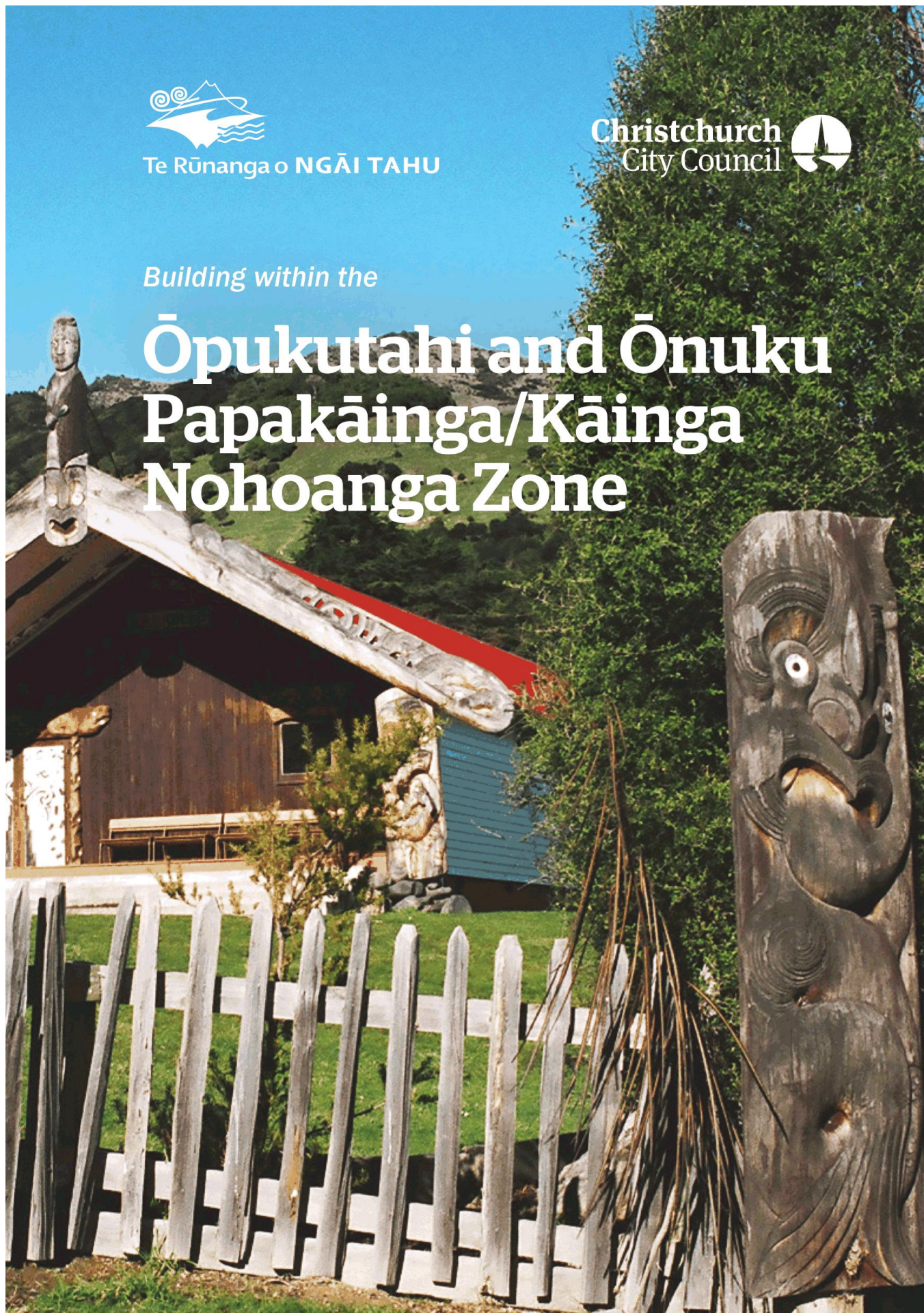
Te Rūnanga o NGĀI TAHU

Christchurch  
City Council



*Building within the*

# Ōpukutahi and Ōnuku Papakāinga/Kāinga Nohoanga Zone



*This document was prepared in September 2018 by Te Rūnanga o Ngāi Tahu and the  
Christchurch City Council.*

*No future amendments will be made to the content of this document by Christchurch City Council without  
prior consultation with Te Rūnanga o Ngāi Tahu.*



**The Papakāinga/Kāinga Nohoanga (PKN) chapter of the Christchurch District Plan (the Plan) provides for whānau to carry out PKN development on Māori land on five reserves in the Christchurch District.**

If you have land within the PKN Zone that is in Māori land ownership, then you will be able use the provisions in the new chapter to build on your site.

These rules allow more development, with less regulation than is acceptable outside the Papakāinga/Kāinga Nohoanga Zone.

This document summarises the chapter, i.e., the things you are allowed to do on Māori land within the **Ōpukutahi and Ōnuku** Papakāinga/Kāinga Nohoanga Zones. It has been prepared to be read alongside the Christchurch District Plan.

**Please note:** *This document does not cover the requirements of the Building Code, Māori Land Court or Regional Council. Building consent or regional planning consent may be required, and similarly there may be Māori Land Court processes that you will need to go through.*

*Information correct as at 10 November 2017.*

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# Chapter 01

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How do I know if I'm in  
the Papakāinga/Kāinga  
Nohoanga Zone?



**The Plan has highlighted five areas as PKN zones. These are the Māori reserves in:**

- Ōpukutahi (this zone covers MR885, and runs between Tikao Bay and Wainui)
- Ōnuku (this zone covers MR886, and is based around Ōnuku Marae)
- Wairewa (MR887)
- Rāpaki (MR875)
- Koukourārata (MR874)

If a piece of land is inside a designated PKN zone **and** is Māori customary or freehold land, or Māori land reserved for communal purposes, under Te Ture Whenua Māori Act 1993 you can develop your land based on the rules in this chapter.

If your land is **not** in one of these ownership types, or is not within a PKN Zone, you will need to follow a different set of rules in the Plan. This will be the rules for Rural Banks Peninsula.

**The Christchurch District Plan Papakāinga/Kāinga Zone chapter has five main parts:**

**01 – Objectives and policies**

These create an enabling framework to provide for PKN development. If a resource consent is needed, the objectives and policies help the Council to decide if they should approve your application. Because the objectives and policies in the PKN chapter are written to support PKN development, it makes it easier to secure a resource consent.

**02 – Rules**

The rules tell you what you can do as a permitted activity, controlled activity, restricted discretionary activity, or a discretionary activity. Consent is required for all activity types except for permitted activities – activity types are explained further in the Appendix.

**03 – Activity specific standards**

These sit with permitted activities, and place some constraints on what falls into the category of a permitted activity.

**04 – Built form standards**

Permitted activities must also comply with built form standards. These cover things like maximum building height and site coverage.

### **05 – Matters of discretion**

If you can't meet either an activity specific standard or built form standard, your application will become a restricted discretionary activity. In this case, your application will be assessed against the matters of discretion set out in the PKN chapter.

As well as the above, there are relevant rules in other chapters of the Plan that also apply to PKN development. These relate to matters that affect the whole district, like natural hazards, transport, electricity and utilities, etc.

These are covered in "What parts of the Plan outside of the PKN chapter do I need to look at?"

It is important that you look at the other chapters and rules of the Plan identified in this document, as well as the PKN chapter, as they work together to tell you if you will require resource consent for your development.

It is important to note that your development may not all be covered by the same rules or activity status. For example, while building a house may be permitted, the earthworks required to build it may be classified as a restricted discretionary activity. The most restrictive activities prevail, so in this example, the activity will be classified as restricted discretionary.

# Chapter 02

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What can I build in the  
Papakāinga/Kāinga Nohoanga  
Zone as a Permitted Activity  
under the PKN Chapter?



The rules in the PKN chapter (Chapter 12 of the Plan) list the activities that you can undertake in the zone without resource consent – if you can also comply with the activity specific standards and built form standards as a Permitted Activity.

This means that, providing you meet any activity standards, you shouldn't need a resource consent to do these things.

Let's first look at the list of permitted activities:

	<b>Marae complexes</b>		<b>Farm buildings</b>
	<b>Relocation, repair, or additions to existing residential units</b>		<b>Recreation activity facilities</b> (such as gyms or rec centres)
	<b>Community facilities</b> (e.g. whare hauora)		<b>Conservation activities</b>
	<b>Urupā</b>		<b>Farm Stay</b>
	<b>Farming, horticulture, existing forestry and rural produce manufacturing</b>		<b>Emergency services</b>
	<b>Kōhanga reo and kura kaupapa Māori*</b>		<b>Residential dwellings and home occupation</b> (including minor units or kaumātua flats)
	<b>Weekly markets</b>		<b>Mahinga kai activities</b>

*\* Under the Transport Chapter rules, if a kura has more than 150 taurira, or a kōhanga reo has more than 50 tamariki attending, it is classed as a High Trip Generator and will need resource consent. If numbers are less, then it will not need resource consent.*

Secondly, we will look at activities that are also permitted, but have activity specific standards.

The activities listed below are still **permitted**, but only if they meet a certain requirement called an Activity Specific Standard. If this requirement is met (along with built form standards, which are covered next), then, like the activities listed above, they do not need resource consent.

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These activities and their associated Activity Specific Standards are:

**Commercial/  
convenience  
activities/whare  
hoko**

This is a permitted activity as long as it does not exceed a maximum Gross Floor Area (GFA) of 100m<sup>2</sup> per business. This means each shop can be no bigger than 100m<sup>2</sup>

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**Office**

This is a permitted activity as long as it has a maximum Gross Floor Area (GFA) of 100m<sup>2</sup> per business. This means each business can be no bigger than 100m<sup>2</sup>

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**Heli-landing**

This is permitted as long as it happens on a specific site that is at least 3000m<sup>2</sup> in area

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**Flood protection  
activities**

These can only be undertaken by Christchurch City council or Environment Canterbury

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**Public  
amenities**

This is a permitted activity as long as it does not exceed a maximum Gross Floor Area (GFA) of 100m<sup>2</sup> per amenity. This means each amenity can be no bigger than 100m<sup>2</sup>

Thirdly, we will outline built form standards. Built form standards are relevant to all permitted activities:

**Water Supply for fire-fighting**

All buildings must have access to water for fire-fighting supply



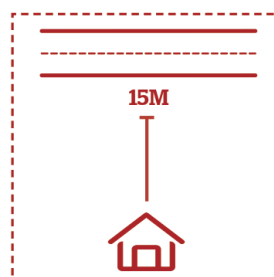
**Maximum coverage**

Maximum site coverage of 35%



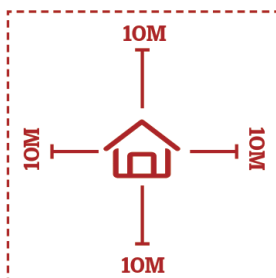
**Road boundary setback**

Development must be set back 15m from all road boundaries



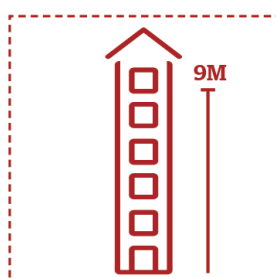
**Internal boundary setbacks**

Buildings must be setback 10m from any property boundaries\*



**Building height**

Maximum building height of 9m. This does not include carvings, art or other cultural markers



*\* Unless the adjoining property is owned by you, or is part of your development*



### What happens if I don't meet one of the activity specific standards, or the built form standards?

If you do not meet one of these standards your application will be processed as a **restricted-discretionary** (RD) activity. This means that the Christchurch City Council (CCC) can choose to approve or decline your application, and may seek the views of people they consider affected by your development (most likely your nextdoor neighbours). This is called Limited Notification.





If you want, you can discuss your proposal with your neighbor to see how you can solve any issues they might have with your proposal, and then ask them to provide a written approval to CCC which waives their right to be notified.

There is a list of specific matters that CCC can look at to decide if they will grant you resource consent in this situation. These are listed in Chapter 12 in Section 12.3 Matters of Discretion – Māori Land.

### What else can I do in the Papakāinga/Kāinga Nohoanga Zone?

There are other activities listed in the Plan that can take place within the PKN Zone. These activities are either restricted discretionary (RD) or discretionary (D) activities, and as such and as such they will need resource consent from CCC. After considering the policy framework in the Plan, CCC can choose to grant or to decline these activities.

These activities are:

-  Plantation forestry (RD activity)
-  Boarding of domestic animals (RD activity), equestrian facilities, or intensive farming
-  Quarrying activities (D activity)
-  Any activity not listed within the activity tables (D activity)

# Chapter 03

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What parts of the Plan  
outside of the PKN Chapter  
do I need to look at?

There are other parts of the Plan that you need to comply with outside of the PKN chapter. These rules are relevant because they either relate to natural hazards and natural and cultural heritage values, or they manage the effects of development that extend beyond the property. This includes things like effects on the transport network or utilities. The following chapters either apply in their entirety, or contain rules which apply to PKN:

- **Chapter 4 – Hazardous Substances and Contaminated Land (whole chapter)**
- **Chapter 5 – Natural Hazards (whole chapter)**
- **Chapter 6 – General Rules and Procedures, only the following sections apply:**
  - 6.1 Noise
  - 6.3 Outdoor Lighting and Glare
  - 6.6 Water Body Setbacks
  - 6.8 Signs
- **Chapter 7 – Transport, only the following provisions apply:**
  - Rule 7.4.2.1 P7 Access design
  - Rule 7.4.2.1 P8 Vehicle crossings
  - Rule 7.4.2.1 P9 Location of buildings and access in relation to road/rail crossings
  - Rule 7.4.2.1 P10 High trip generators
- **Chapter 8 – Subdivision, Development and Earthworks (whole chapter)**
- **Chapter 9 – Natural and Cultural Heritage (whole chapter)**
- **Chapter 11 – Utilities, and Energy and Infrastructure (whole chapter)**



# Chapter 04

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## Hazardous Substances

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This chapter specifies what you can and can't do with hazardous substances on your land. Hazardous substances include explosives, flammable substances, radioactive substances, corrosives, oxidisers, and toxic substances. As a general rule, their storage and use is **permitted**. However, there are restrictions about their storage and use near utilities. These rules can be found in Chapter 4, at Rule 4.1.4.1.5.

It is important to note that consent for these types of activities must also be provided by the regional council.

# Chapter 05

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## Natural Hazards

Parts of both the Ōpukutahi and Ōnuku PKN zones have been identified as being at risk of natural hazards. Chapter 5 contains specific rules for these areas to keep people safe. The whole chapter is applicable to PKN development, but in Ōpukutahi and Ōnuku, only the following natural hazards have been identified in the Plan:

### Slope Instability Areas

Ōpukutahi and Ōnuku have areas identified as 'Remainder of Port Hills and Banks Peninsula Slope Instability Management Area'. This area changes the following activities to **restricted discretionary**:

- Subdivision (see 5.6.1.1)
- Hazard mitigation works (see 5.6.1.1)

This means that you will need to apply for resource consent if you want to undertake either of these activities. This may require a technical assessment. In many cases you will not need to subdivide your land to carry out a PKN development.

The following activities are still a **permitted** activity under this chapter:

- Demolition of buildings
- Repair and maintenance of existing infrastructure
- Retaining walls if it has an area no larger than 6m<sup>2</sup>, and is no taller than 1.8m

# Chapter 06

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## General Rules and Procedures

Chapter 6 of the Plan contains rules that apply throughout the district. However, on Māori land in a PKN Zone, only certain rules apply. These are discussed below – if you comply with these rules, your activity will be permitted. However, if not, your activity will need a resource consent.

## Outdoor Lighting and Glare

- Must be directed away from adjacent properties and roads, with the exception of lighting directed at a private road or driveway on the same site (rule 6.3.6)
- Permitted lux spill (horizontal and vertical) of 4.0lux (rule 6.3.6.1 ix)

## Waterbody Setback Rules

These rules control development near waterways. Waterways in the district have a different classification under this Plan, and the planning maps show the classification of waterways. Waterways classed as ‘Hill Waterways’ are present in both Ōpukutahi and Ōnuku PKN zones. **The setback from a Hill Waterway is 10 metres.** The rules for developing inside these setbacks include:



### Impervious Surfaces

- Must not cover more than 10% of the setback



### Extensions or alterations to existing buildings

- Can only add a maximum floor area of 10m<sup>2</sup> within the setback
- Must be at least 1.8m above ground level



### Earthworks

- are **restricted discretionary**



### Removal or demolition of building

- Cannot remove flood or erosion protection structures
- Nothing can remain on-site that could affect land drainage



### Fences

- Cannot be built over any part of the waterbody
- Must provide maintenance access
- Must be at least 3m back from bank
- Must be no more than 20% solid structure

If you want to undertake development inside the setback that doesn't meet these rules, you will need a **restricted discretionary** resource consent. Some things, however, are exempt:

- Pervious surfaces (i.e., surfaces that water can get through)
- Signage

## Signs

Most types of signs within the PKN Zone are permitted, as long as they meet the built form standards listed in Rule 6.8.4.2 in Chapter 6 of the Plan (e.g. mustn't block traffic signals, mustn't obscure windows). The exceptions are:

- Illuminated signs including flashing or intermittently illuminated signs
- Signs with moving components
- Signs with changing images/digital signs
- Captive balloons or blimps
- Off-site signs

All of these are **restricted discretionary** activities under 12.4.1.3.RD3 and will need a resource consent.

## Noise

The highest noise level (known as LA<sub>max</sub>) between 10pm and 7am within the PKN Zone is 65dB, with the average noise level of 40db (LA<sub>eq</sub>). Between 7am and 10pm, the average noise level can't be more than 50db (LA<sub>eq</sub>). There are some exceptions to these standards (i.e. children playing). These exceptions can be found in Chapter 6, Rule 6.1.4.2. If you are proposing an activity that would exceed these noise levels, you will require resource consent.



# Chapter 07

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## Transport

There are specific numbers of car parks, cycle parks, disabled parks, and loading zones you must provide if you want to have activities such as shops, schools, rec centres etc. There are also technical rules around gradients, car park designs, vehicle crossings, access design, and high trip generators. These can be found in Chapter 7 Transport under:

- Rule 7.4.2.1 P7 Access design
- Rule 7.4.2.1 P8 Vehicle crossings
- Rule 7.4.2.1 P9 Location of buildings and access in relation to road/rail crossings
- Rule 7.4.2.1 P10 High trip generator

High trip generators include, but are not limited to (see 7.4.3.10 for full list):

- developments with more than 60 houses
- schools with more than 150 tauira
- kōhanga reo with more than 50 tamariki attending

This section also regulates the conversion of unformed roads into legal roads, which is a **restricted-discretionary** activity.

# Chapter 08

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## Subdivision, development and earthworks

These are specific rules that must be followed when developing your site. They are similar to the built form standards, but these rules apply to everyone. If you do not meet these, you will need a resource consent.

## Subdivision

Due to the characteristics of PKN development you may not need to subdivide your land to build. Subdivision outside the PKN zone is subject to minimum lot sizes, but subdivision of Māori land within the PKN Zone has no minimum lot size.



### BOUNDARY ADJUSTMENTS

This is a **controlled** activity if the change is less than 10% of the original site size. Otherwise, it is **restricted discretionary**



### SUBDIVISION NEAR A SIGNIFICANT TREE

**restricted discretionary**, and must not be within dripline of significant trees



### SITE AREA

There is **no** minimum site area/lot size within the PKN zone

## Earthworks

These rules control any digging, filling, or ground disturbances on the site. As a general rule, within the PKN Zone earthworks of no more than **100m<sup>3</sup>/ha over any 12 month period** are a **permitted** activity, if the following rules are followed:

### Depth

Excavation shall not exceed a depth of .6m



### Gradient

Works should not occur on land steeper than 1 in 6



### Filling

Any filling must be clean fill



### Heritage

Earthworks should not occur within 5m of a heritage item or setting



Earthworks should not occur within the dripline of a significant tree

If you don't want to, or can't meet these rules listed above, the proposed work will be classed as a **discretionary** activity and you will need a resource consent.

Some activities are exempt from earthworks rules:

- Digging graves at urupā
- Earthworks completely inside the footprint of a building (see rule 8.9.3(a)(iv) for more information)

# Chapter 09

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## Natural and Cultural Heritage

This chapter provides rules for development in areas classified as special character and heritage value. As a general rule, this chapter has rules that restrict different activities and/or guide development differently than in places not deemed to have special character and heritage value.

Ōpukutahi has areas of Natural Character in the Coastal Environment (including HNC22.0), and Ōnuku has specifically listed significant trees.

### Natural Character in the Coastal Environment

The effect of this overlay is that almost all of the permitted activities listed above in “What can I build in the Papakāinga/Kāinga Nohoanga Zone as a Permitted Activity under the PKN chapter?” are **controlled** activities on land covered by the Natural Character in the Coastal Environment overlay. This means that you will need to get resource consent from CCC to develop in these areas. You can check on the maps to see if your land falls into the Natural Character in the Coastal Environment overlay.

CCC **must** approve applications for controlled activities (i.e. they cannot decline your application), so you can still do all of the same things that can be done in other parts of the PKN Zone. However, CCC can have a say on the building materials you use (and their reflectivity), and landscaping and planting. They are **not allowed** to comment on cultural aspects of a design (i.e. design of a wharenuī). Once you and CCC reach agreement on these matters, they will issue your resource consent.

### Significant trees

There are listed significant trees within the Ōnuku PKN Zone. There are specific rules about how these trees should be pruned and managed. If you have listed significant trees on your property, the rules that apply to them can be found in Chapter 9, under 9.4.



# Chapter 10

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## Utilities and energy

This chapter controls connecting your development to power, communication, stormwater, wastewater, and drinking water. It also includes provisions for renewable energy such as solar, wind, and rainwater collection. A summary of the relevant rules is listed below:



#### **Increasing capacity**

Increasing the capacity of electricity and communications utilities is **permitted**, as long as they are of a similar character and scale, otherwise it is **restricted discretionary**



#### **Solar panels**

Solar panels are **permitted** if they are installed on a roof, and power a maximum of 20 dwellings



#### **Wind Turbines**

Wind turbines up to 20m high are **permitted**, as long as they meet the Built Form Standards of the zone



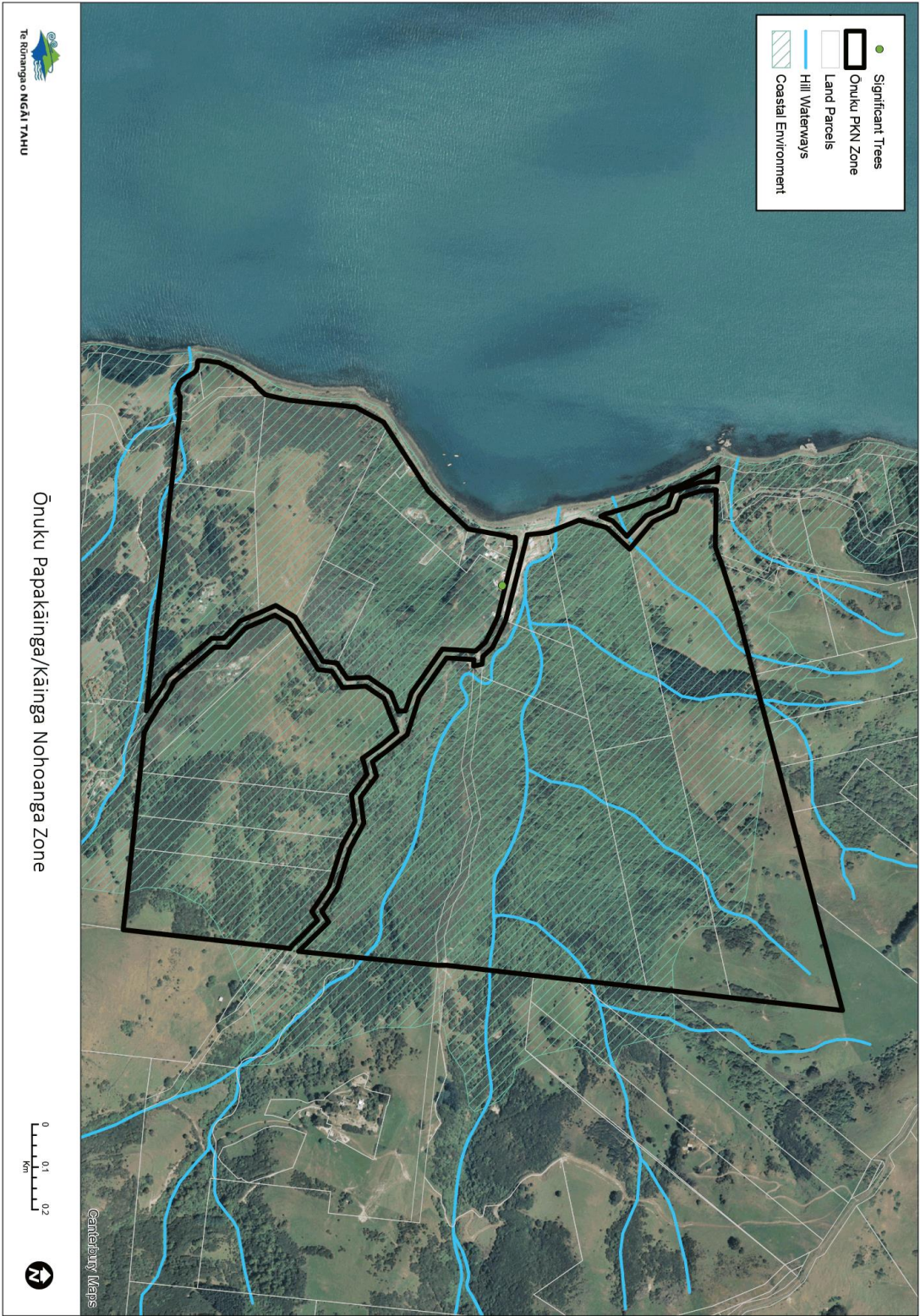
#### **Rainwater collection**

Rainwater collection is **permitted**, as long as tanks meet Built Form Standards of the Zone

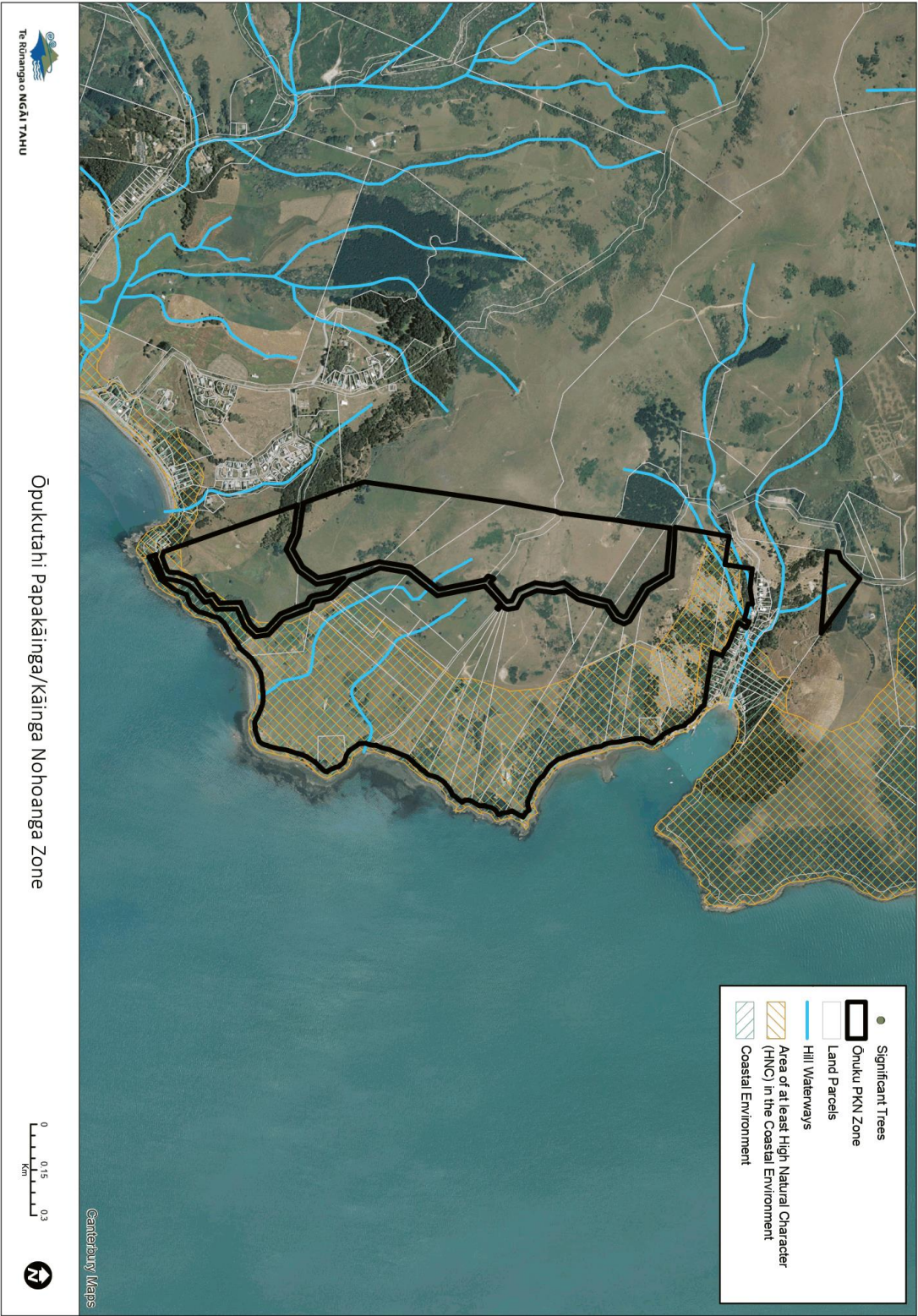
# Appendix

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## Activity Status Criteria

District and regional plans can assign different activities (such as development types) a status to show if they are allowed under the plan, and if they are, under what circumstances they are allowed. The different status types and their descriptions are listed below:

### PROHIBITED

- Activity is explicitly listed as **not allowed**
- A resource consent **cannot** be applied for and would not be granted under **any circumstances**

### NON-COMPLYING

- A resource consent **is** required
- Council **can decline** this consent
- Council can decline consent for **any** environmental reason
- Consent is only given if the applicant can demonstrate that environmental effects will be **minor** and/ or the activity does **not contradict** any objectives or policies in plan
- Council can set **conditions** that must be met to reduce environmental impact
- Are sometimes notified (meaning potentially affected parties are told the activity will happen). The plan can specify that it **must** be notified

### DISCRETIONARY

- A resource consent **is** required
- Council **can decline** this consent
- Council can decline consent for **any** environmental reason
- Council can set conditions that must be met to reduce environmental effects
- Are sometimes notified (meaning potentially affected parties are told the activity will happen). The plan can specify that it **must** be notified

### RESTRICTED DISCRETIONARY

- A resource consent **is** required
- Council **can decline** this consent
- Council can **only** decline consent or set conditions based on a set criteria of matters (these matters are listed in the plan) e.g. noise, traffic, amenity, discharge
- Are sometimes notified (meaning potentially affected parties are told the activity will happen). The plan can specify that it must be notified

### CONTROLLED

- A resource consent **is** required
- But, the consent **will always** be granted
- Sometimes notified (meaning potentially affected parties are told the activity will happen)
- Council can set **conditions** or alter plans so that they have less environmental impact based on a set criteria of matters listed in the plan (e.g. noise, traffic, discharge, amenity)

### PERMITTED

- A resource consent is **not** required
- This activity will **not** be notified (meaning people are **not** told that the activity will happen)





For further information please call Christchurch City Council  
on 03 941 8999



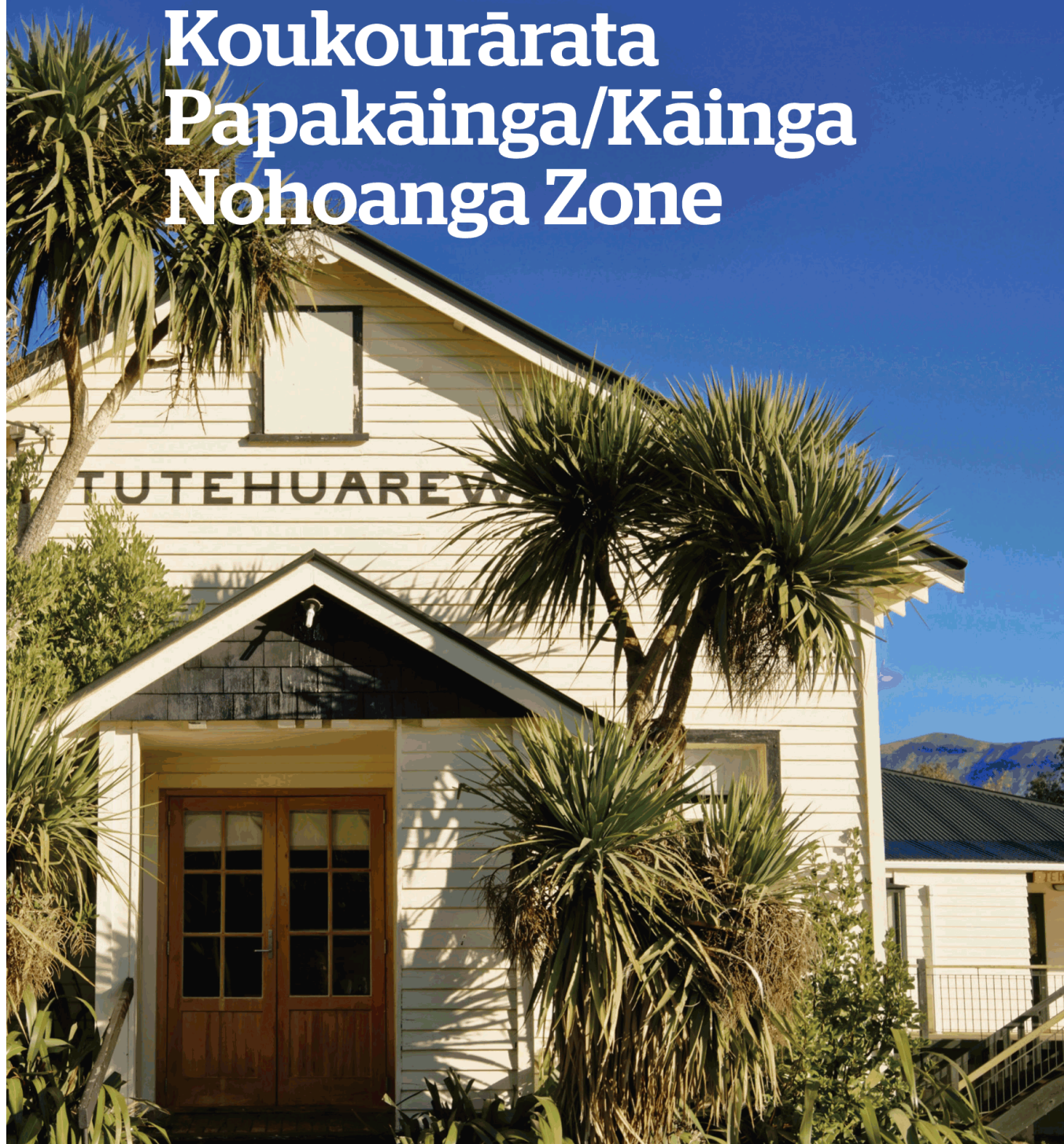
Te Rūnanga o NGĀI TAHU

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City Council



*Building within the*

# Koukourārata Papakāinga/Kāinga Nohoanga Zone



Item 7

Attachment B

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Christchurch City Council.*

*No future amendments will be made to the content of this document by Christchurch City Council without  
prior consultation with Te Rūnanga o Ngāi Tahu.*

**The Papakāinga/Kāinga Nohoanga (PKN) chapter of the Christchurch District Plan (the Plan) provides for whānau to carry out PKN development on Māori land on five reserves in the Christchurch District.**

If you have land within the PKN Zone that is in Māori land ownership, then you will be able use the provisions in the new chapter to build on your site.

These rules allow more development, with less regulation than is acceptable outside the Papakāinga/Kainga Nohoanga Zone.

This document summarises the chapter, i.e., the things you are allowed to do on Māori land within the **Koukourārata** Papakāinga/Kāinga Nohoanga Zone. It has been prepared to be read alongside the Christchurch District Plan.

**Please note:** This document does not cover the requirements of the Building Code, Māori Land Court or Regional Council. Building consent or regional planning consent may be required, and similarly there may be Māori Land Court processes that you will need to go through.

*Information correct as at 10 November 2017.*

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# Chapter 01

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How do I know if I'm in  
the Papakāinga/Kāinga  
Nohoanga Zone?



**The Plan has highlighted five areas as PKN zones. These are the Māori reserves in:**

- Koukourārata (this is based MR874, and includes the area around the marae)
- Rāpaki (MR875)
- Ōpukutahi (MR885)
- Ōnuku (MR886)
- Wairewa (MR887)

If a piece of land is inside a designated PKN Zone **and** is Māori customary or freehold land, or Māori land reserved for communal purposes, under Te Ture Whenua Māori Act 1993 you can develop your land based on the rules in this chapter.

If your land is **not** in one of these ownership types, or is not within a PKN Zone, you will need to follow a different set of rules in the Plan. This will be the rules for Rural Banks Peninsula.

**The Christchurch District Plan Papakāinga/Kāinga Zone chapter has five main parts:**

### **01 – Objectives and policies**

These create an enabling framework to provide for PKN development. If a resource consent is needed, the objectives and policies help the Council to decide if they should approve your application. Because the objectives and policies in the PKN chapter are written to support PKN development, it makes it easier to secure a resource consent.

### **02 – Rules**

The rules tell you what you can do as a permitted activity, controlled activity, restricted discretionary activity, or a discretionary activity. Consent is required for all activity types except for permitted activities – activity types are explained further in the Appendix.

### **03 – Activity specific standards**

These sit with permitted activities, and place some constraints on what falls into the category of a permitted activity.

### **04 – Built form standards**

Permitted activities must also comply with built form standards. These cover things like maximum building height and site coverage.



## **05 – Matters of discretion**

If you can't meet either an activity specific standard or built form standard, your application will become a restricted discretionary activity. In this case, your application will be assessed against the matters of discretion set out in the PKN chapter.

As well as the above, there are relevant rules in other chapters of the Plan that also apply to PKN development. These relate to matters that affect the whole district, like natural hazards, transport, electricity and utilities, etc.

These are covered in "What parts of the Plan outside of the PKN chapter do I need to look at?"

It is important that you look at the other chapters and rules of the Plan identified in this document, as well as the PKN chapter, as they work together to tell you if you will require resource consent for your development.

It is important to note that your development may not all be covered by the same rules or activity status. For example, while building a house may be permitted, the earthworks required to build it may be classified as a restricted discretionary activity. The most restrictive activities prevail, so in this example, the activity will be classified as restricted discretionary.

# Chapter 02

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What can I build in the  
Papakāinga/Kāinga Nohoanga  
Zone as a Permitted Activity  
under the PKN Chapter?

The rules in the PKN chapter (Chapter 12 of the Plan) list the activities that you can undertake in the zone without resource consent – if you can also comply with the activity specific standards and built form standards as a Permitted Activity.

This means that, providing you meet any activity standards, you shouldn't need a resource consent to do these things.

Let's first look at the list of permitted activities:

	<b>Marae complexes</b>		<b>Farm buildings</b>
	<b>Relocation, repair, or additions to existing residential units</b>		<b>Recreation activity facilities</b> (such as gyms or rec centres)
	<b>Community facilities</b> (e.g. whare hauora)		<b>Conservation activities</b>
	<b>Urupā</b>		<b>Farm Stay</b>
	<b>Farming, horticulture, existing forestry and rural produce manufacturing</b>		<b>Emergency services</b>
	<b>Kōhanga reo and kura kaupapa Māori*</b>		<b>Residential dwellings and home occupation</b> (including minor units or kaumātua flats)
	<b>Weekly markets</b>		<b>Mahinga kai activities</b>

*\* Under the Transport Chapter rules, if a kura has more than 150 taura, or a kōhanga reo has more than 50 tamariki attending, it is classed as a High Trip Generator and will need resource consent. If numbers are less, then it will not need resource consent.*

Secondly, we will look at activities that are also permitted, but have activity specific standards.

The activities listed below are still **permitted**, but only if they meet a certain requirement called an Activity Specific Standard. If this requirement is met (along with built form standards, which are covered next), then, like the activities listed above, they do not need resource consent.

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These activities and their associated Activity Specific Standards are:

**Commercial/  
convenience  
activities/whare  
hoko**

This is a permitted activity as long as it does not exceed a maximum Gross Floor Area (GFA) of 100m<sup>2</sup> per business. This means each shop can be no bigger than 100m<sup>2</sup>

**Office**

This is a permitted activity as long as it has a maximum Gross Floor Area (GFA) of 100m<sup>2</sup> per business. This means each business can be no bigger than 100m<sup>2</sup>

**Heli-landing**

This is permitted as long as it happens on a specific site that is at least 3000m<sup>2</sup> in area

**Flood protection  
activities**

These can only be undertaken by Christchurch City council or Environment Canterbury

**Public  
amenities**

This is a permitted activity as long as it does not exceed a maximum Gross Floor Area (GFA) of 100m<sup>2</sup> per amenity. This means each amenity can be no bigger than 100m<sup>2</sup>

Thirdly, we will outline built form standards. Built form standards are relevant to all permitted activities:

**Water Supply for fire-fighting**

All buildings must have access to water for fire-fighting supply



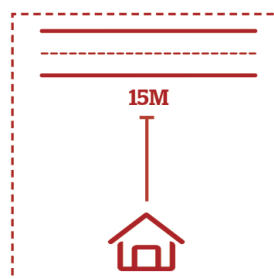
**Maximum coverage**

Maximum site coverage of 35%



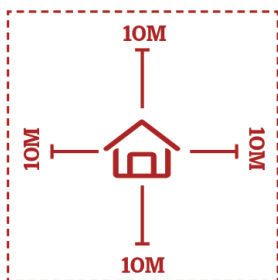
**Road boundary setback**

Development must be set back 15m from all road boundaries



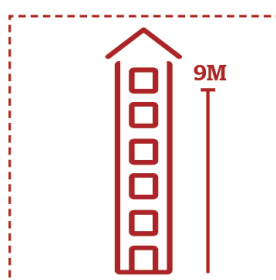
**Internal boundary setbacks**

Buildings must be setback 10m from any property boundaries\*



**Building height**

Maximum building height of 9m. This does not include carvings, art or other cultural markers



*\* Unless the adjoining property is owned by you, or is part of your development*

### What happens if I don't meet one of the activity specific standards, or the built form standards?

If you do not meet one of these standards your application will be processed as a **restricted-discretionary** (RD) activity. This means that the Christchurch City Council (CCC) can choose to approve or decline your application, and may seek the views of people they consider affected by your development (most likely your nextdoor neighbours). This is called Limited Notification





If you want, you can discuss your proposal with your neighbor to see how you can solve any issues they might have with your proposal, and then ask them to provide a written approval to CCC which waives their right to be notified.

There is a list of specific matters that CCC can look at to decide if they will grant you resource consent in this situation. These are listed in Chapter 12 in 12.3 Matters of Discretion – Māori Land.

### What else can I do in the Papakāinga/Kāinga Nohoanga Zone?

There are other activities listed in the Plan that can take place within the PKN Zone. These activities are either restricted discretionary (RD) or discretionary (D) activities, and as such they will need resource consent from CCC. After considering the policy framework in the Plan, CCC can choose to grant or to decline these activities.

These activities are:

-  Plantation forestry (RD activity)
-  Boarding of domestic animals (RD activity), equestrian facilities, or intensive farming
-  Quarrying activities (D activity)
-  Any activity not listed within the activity tables (D activity)

# Chapter 03

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What parts of the Plan  
outside of the PKN Chapter  
do I need to look at?

There are other parts of the Plan that you need to comply with outside of the PKN chapter. These rules are relevant because they either relate to natural hazards and natural and cultural heritage values, or they manage the effects of development that extend beyond the property. This includes things like effects on the transport network or utilities. The following chapters either apply in their entirety, or contain rules which apply to PKN:

- **Chapter 4 – Hazardous Substances and Contaminated Land (whole chapter)**
- **Chapter 5 – Natural Hazards (whole chapter)**
- **Chapter 6 – General Rules and Procedures, only the following sections apply:**
  - 6.1 Noise
  - 6.3 Outdoor Lighting and Glare
  - 6.6 Water Body Setbacks
  - 6.8 Signs
- **Chapter 7 – Transport, only the following provisions apply:**
  - Rule 7.4.2.1 P7 Access design
  - Rule 7.4.2.1 P8 Vehicle crossings
  - Rule 7.4.2.1 P9 Location of buildings and access in relation to road/rail crossings
  - Rule 7.4.2.1 P10 High trip generators
- **Chapter 8 – Subdivision, Development and Earthworks (whole chapter)**
- **Chapter 9 – Natural and Cultural Heritage (whole chapter)**
- **Chapter 11 – Utilities, and Energy and Infrastructure (whole chapter)**



# Chapter 04

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## Hazardous Substances

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This chapter specifies what you can and can't do with hazardous substances on your land. Hazardous substances include explosives, flammable substances, radioactive substances, corrosives, oxidisers, and toxic substances. As a general rule, their storage and use is **permitted**. However, there are restrictions about their storage and use near utilities. These rules can be found in Chapter 4, at Rule 4.1.4.1.5.

It is important to note that consent for these types of activities must also be provided by the regional council.

# Chapter 05

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## Natural Hazards

Parts of the Koukourārata PKN Zone have been identified as being at risk of natural hazards. Chapter 5 contains specific rules for these areas to keep people safe. The whole chapter is applicable to PKN development, but in Koukourārata, only the following natural hazards have been identified in the Plan:

### Slope Instability Areas

Koukourārata has areas identified as ‘Remainder of Port Hills and Banks Peninsula Slope Instability Management Area’. This area changes the following activities to **restricted discretionary**:

- Subdivision (see 5.6.1.1)
- Hazard mitigation works (see 5.6.1.1)

This means that you will need to apply for resource consent if you want to undertake either of these activities. This may require a technical assessment. In many cases you will not need to subdivide your land to carry out a PKN development.

The following activities are still a **permitted** activity under this chapter:

- Demolition of buildings
- Repair and maintenance of existing infrastructure
- Retaining walls if it has an area no larger than 6m<sup>2</sup>, and is no taller than 1.8m

# Chapter 06

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## General Rules and Procedures

Chapter 6 of the Plan contains rules that apply throughout the district. However, on Māori land in a PKN Zone, only certain rules apply. These are discussed below – if you comply with these rules, your activity will be permitted. However, if not, your activity will need a resource consent.

## Outdoor Lighting and Glare

- Must be directed away from adjacent properties and roads, with the exception of lighting directed at a private road or driveway on the same site (rule 6.3.6)
- Permitted lux spill (horizontal and vertical) of 4.0lux (rule 6.3.6.1 ix)

## Waterbody Setback Rules

These rules control development near waterways. Waterways in the district have a different classification under this Plan, and the planning maps show the classification of waterways. Waterways classed as ‘Hill Waterways’ are present in the Koukourārata PKN Zone. **The setback from a Hill Waterway is 10 metres measured from the centreline of the waterway.** The rules for developing inside these setbacks include:



### Impervious Surfaces

- Must not cover more than 10% of the setback



### Extensions or alterations to existing buildings

- Can only add a maximum floor area of 10m<sup>2</sup> within the setback



### Earthworks

- are **restricted discretionary**



### Removal or demolition of building

- Cannot remove flood or erosion protection structures
- Nothing can remain on-site that could affect land drainage



### Fences

- Cannot be built over any part of the waterbody
- Must provide maintenance access
- Must be at least 3m back from bank
- Must be no more than 20% solid structure

If you want to undertake development inside the setback that doesn't meet these rules, you will need a **restricted discretionary** resource consent. Some things, however, are exempt:

- Pervious surfaces (i.e., surfaces that water can get through)
- Signage

## Signs

Most types of signs within the PKN Zone are permitted, as long as they meet the built form standards listed in Rule 6.8.4.2 in Chapter 6 of the Plan (e.g. mustn't block traffic signals, mustn't obscure windows). The exceptions are:

- Illuminated signs including flashing or intermittently illuminated signs
- Signs with moving components
- Signs with changing images/digital signs
- Captive balloons or blimps
- Off-site signs

All of these are **restricted discretionary** activities under 12.4.1.3.RD3 and will need a resource consent.

## Noise

The highest noise level (known as L<sub>Amax</sub>) between 10pm and 7am within the PKN Zone is 65dB, with the average noise level of 40db (L<sub>Aeq</sub>). Between 7am and 10pm, the average noise level can't be more than 50db (L<sub>Aeq</sub>). There are some exceptions to these standards (i.e. children playing). These exceptions can be found in Chapter 6, Rule 6.1.4.2. If you are proposing an activity that would exceed these noise levels, you will require resource consent.

# Chapter 07

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## Transport



There are specific numbers of car parks, cycle parks, disabled parks, and loading zones you must provide if you want to have activities such as shops, schools, rec centres etc. There are also technical rules around gradients, car park designs, vehicle crossings, access design, and high trip generators. These can be found in Chapter 7 Transport under:

- Rule 7.4.2.1 P7 Access design
- Rule 7.4.2.1 P8 Vehicle crossings
- Rule 7.4.2.1 P9 Location of buildings and access in relation to road/rail crossings
- Rule 7.4.2.1 P10 High trip generator

High trip generators include, but are not limited to (see 7.4.3.10 for full list):

- developments with more than 60 houses
- schools with more than 150 taura
- kōhanga reo with more than 50 tamariki attending

This section also regulates the conversion of unformed roads into legal roads, which is a **restricted-discretionary** activity.

# Chapter 08

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## Subdivision, development and earthworks

These are specific rules that must be followed when developing your site. They are similar to the built form standards, but these rules apply to everyone. If you do not meet these, you will need a resource consent.

## Subdivision

Due to the characteristics of PKN development you may not need to subdivide your land to build. Subdivision outside the PKN Zone is subject to minimum lot sizes, but subdivision of Māori land within the PKN Zone has no minimum lot size.

### ⇒ BOUNDARY ADJUSTMENTS

This is a **controlled** activity if the change is less than 10% of the original site size. Otherwise, it is **restricted discretionary**

### ⇒ SUBDIVISION NEAR A SIGNIFICANT TREE

**restricted discretionary**, and must not be within dripline of significant trees

### ⇒ SITE AREA

There is **no** minimum site area/lot size within the PKN zone

## Earthworks

These rules control any digging, filling, or ground disturbances on the site. As a general rule, within the PKN Zone earthworks of no more than **100m<sup>3</sup>/ha over any 12 month period** are a **permitted** activity, if the following rules are followed:

### Depth

Excavation shall not exceed a depth of .6m



### Gradient

Works should not occur on land steeper than 1 in 6



### Filling

Any filling must be clean fill



### Heritage

Earthworks should not occur within 5m of a heritage item or setting



Earthworks should not occur within the dripline of a significant tree

If you don't want to, or can't meet these rules, the proposed work will be classed as a **discretionary** activity and you will need a resource consent.

Some activities are exempt from earthworks rules:

- Digging graves at urupā
- Earthworks completely inside the footprint of a building (see rule 8.9.3(a)(iv) for more information)

# Chapter 09

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## Natural and Cultural Heritage

This chapter provides rules for developing in areas of special character and heritage value. As a general rule, this chapter has rules that restrict different activities and/or guide development differently than in places not deemed to have special character and heritage value.

Koukourārata has areas of Natural Character in the Coastal Environment and Outstanding Natural Feature/Landscape (ONL 6.4).

### Natural Character in the Coastal Environment

The effect of this overlay is that almost all of the permitted activities listed above in “What can I build in the Papakāinga/Kāinga Nohoanga Zone as a Permitted Activity under the PKN chapter?” are controlled activities on land covered by the Natural Character in the Coastal Environment overlay. This means that you will need to get resource consent from CCC to develop in these areas. You can check on the maps to see if your land falls into the Natural Character in the Coastal Environment overlay.

CCC **must approve** applications for controlled activities (i.e. they cannot decline your application), so you can still do all of the same things that can be done in other parts of the PKN Zone. However, CCC can have a say on the building materials you use (and their reflectivity), and landscaping and planting. They are **not allowed** to comment on cultural aspects of a design (i.e. design of a wharenuī). Once you and CCC reach agreement on these matters, they will issue your resource consent.

### Outstanding Natural Landscape

The effect of this overlay is that almost all of the permitted activities listed above in “What can I build in the Papakāinga/Kāinga Nohoanga Zone as a Permitted Activity under the PKN chapter?” are controlled activities on land covered by the Outstanding Natural Landscape overlay. This means that you will need to get resource consent from CCC to develop in these areas. You can check on the maps if your land is covered by this overlay.

CCC **must approve** applications for controlled activities (i.e. they cannot decline your application), so you can still do all of the same things that can be done in other parts of the PKN Zone. However, CCC can have a say on the building materials you use (and their reflectivity), and landscaping and planting. They are **not allowed** to comment on cultural aspects of a design (i.e. design of a wharenuī). Once you and CCC reach agreement on these matters, they will issue your resource consent.

# Chapter 10

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## Utilities and energy

This chapter controls connecting your development to power, communication, stormwater, wastewater, and drinking water. It also includes provisions for renewable energy such as solar, wind, and rainwater collection. A summary of the relevant rules is below:



#### **Increasing capacity**

Increasing the capacity of electricity and communications utilities is **permitted**, as long as they are of a similar character and scale, otherwise it is **restricted discretionary**



#### **Solar panels**

Solar panels are **permitted** if they are installed on a roof, and power a maximum of 20 dwellings



#### **Wind Turbines**

Wind turbines up to 20m high are **permitted**, as long as they meet the Built Form Standards of the zone



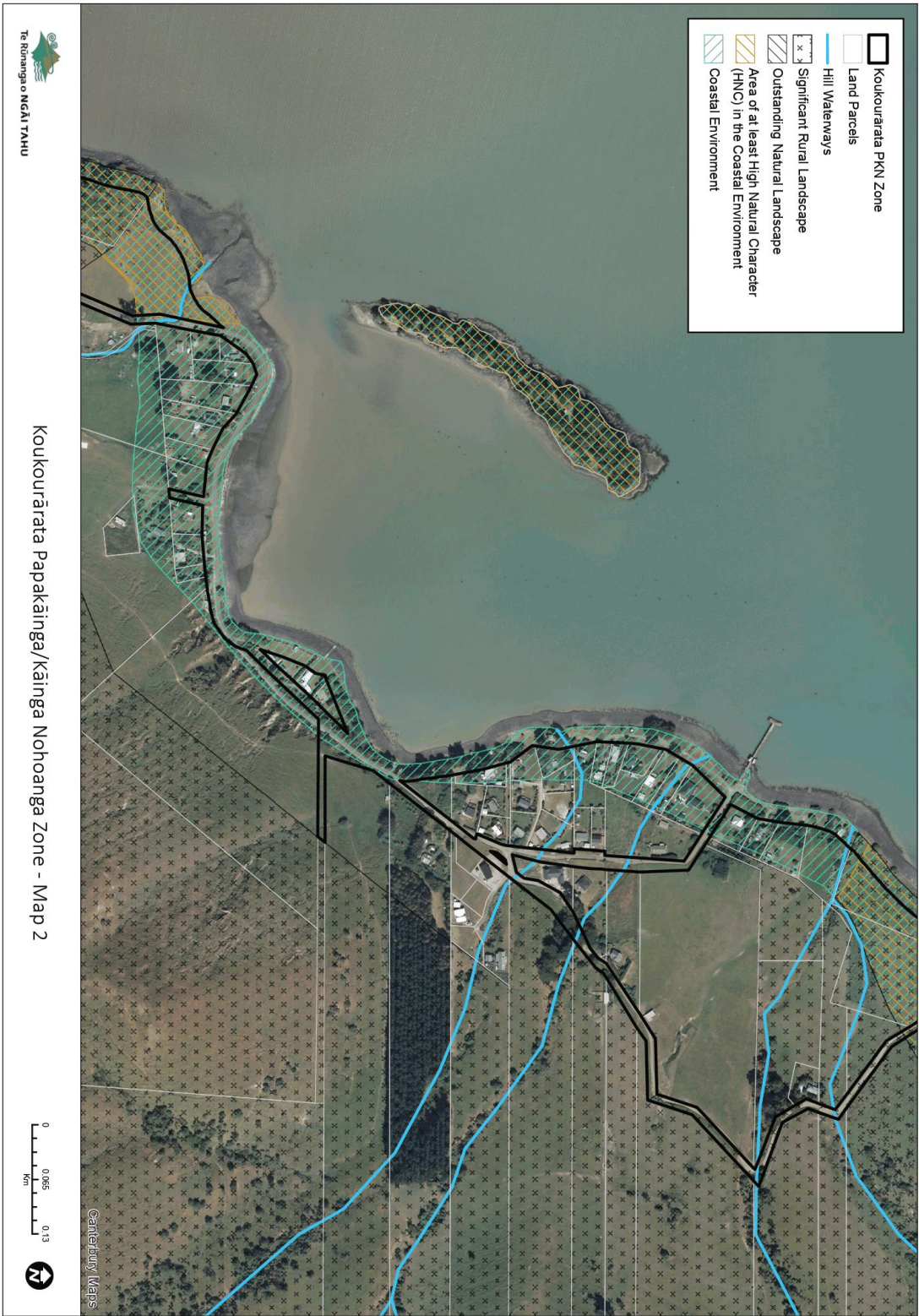
#### **Rainwater collection**

Rainwater collection is **permitted**, as long as tanks meet Built Form Standards of the Zone

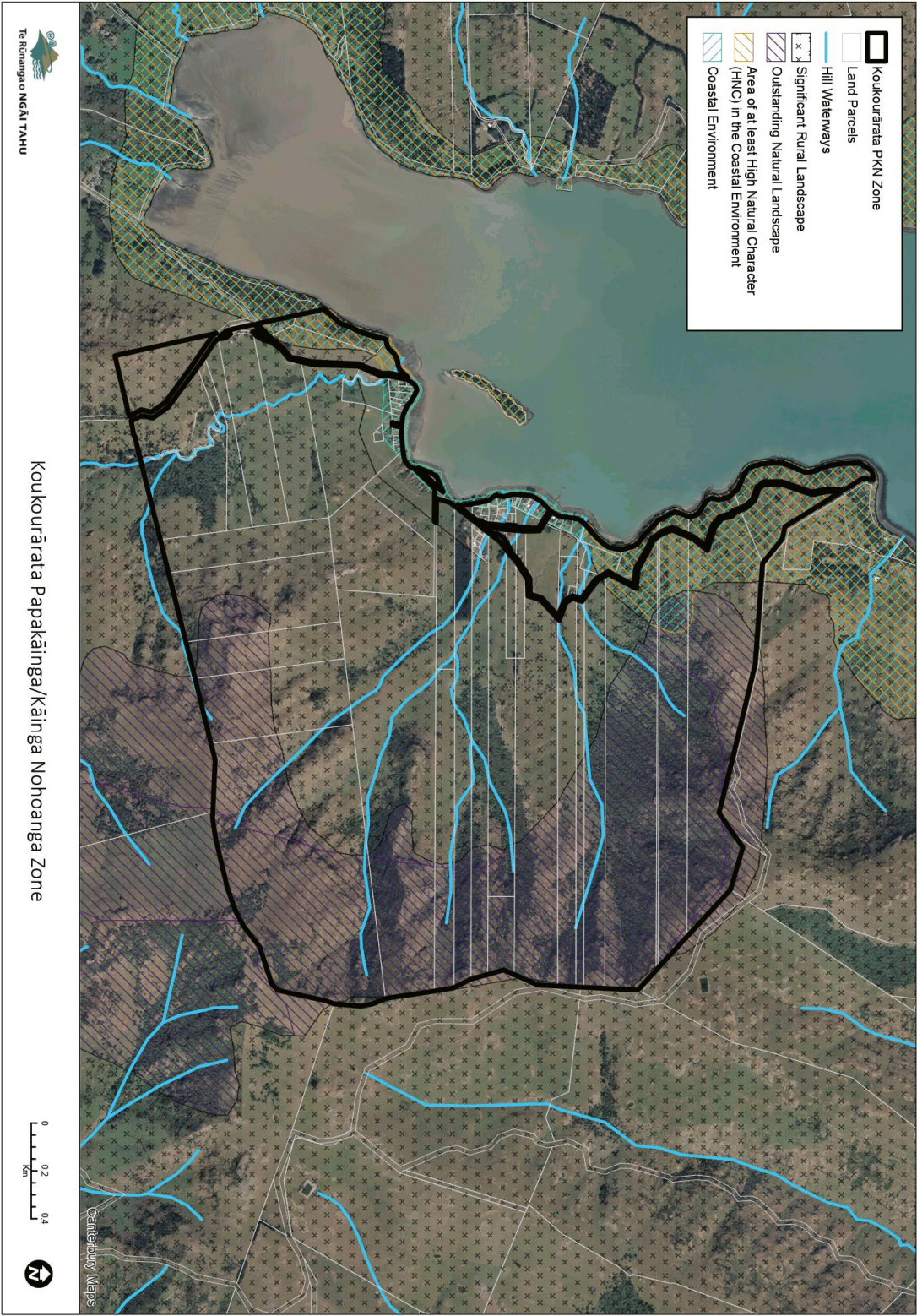


# Appendix

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## Activity Status Criteria

District and regional plans can assign different activities (such as development types) a status to show if they are allowed under the plan, and if they are, under what circumstances they are allowed. The different status types and their descriptions are listed below:

### PROHIBITED

- Activity is explicitly listed as **not allowed**
- A resource consent **cannot** be applied for and would not be granted under **any circumstances**

### NON-COMPLYING

- A resource consent **is** required
- Council **can decline** this consent
- Council can decline consent for **any** environmental reason
- Consent is only given if the applicant can demonstrate that environmental effects will be **minor** and/ or the activity does **not contradict** any objectives or policies in plan
- Council can set **conditions** that must be met to reduce environmental impact
- Are sometimes notified (meaning potentially affected parties are told the activity will happen). The plan can specify that it **must** be notified

### DISCRETIONARY

- A resource consent **is** required
- Council **can decline** this consent
- Council can decline consent for **any** environmental reason
- Council can set conditions that must be met to reduce environmental effects
- Are sometimes notified (meaning potentially affected parties are told the activity will happen). The plan can specify that it **must** be notified

### RESTRICTED DISCRETIONARY

- A resource consent **is** required
- Council **can decline** this consent
- Council can **only** decline consent or set conditions based on a set criteria of matters (these matters are listed in the plan) e.g. noise, traffic, amenity, discharge
- Are sometimes notified (meaning potentially affected parties are told the activity will happen). The plan can specify that it must be notified

### CONTROLLED

- A resource consent **is** required
- But, the consent **will always** be granted
- Sometimes notified (meaning potentially affected parties are told the activity will happen)
- Council can set **conditions** or alter plans so that they have less environmental impact based on a set criteria of matters listed in the plan (e.g. noise, traffic, discharge, amenity)

### PERMITTED

- A resource consent is **not** required
- This activity will **not** be notified (meaning people are **not** told that the activity will happen)



For further information please call Christchurch City Council  
on 03 941 8999





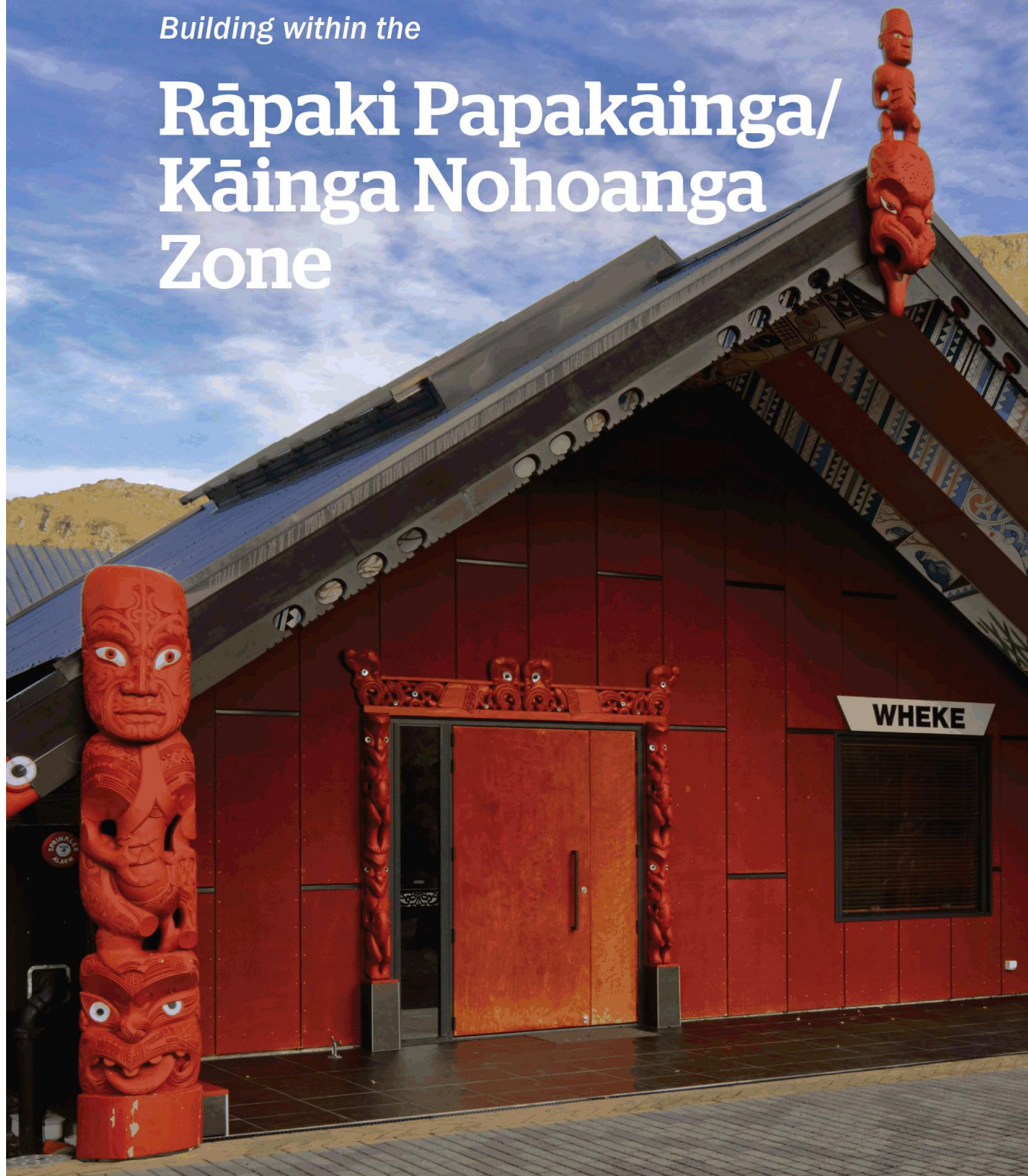
Te Rūnanga o NGĀI TAHU

Christchurch  
City Council



*Building within the*

# Rāpaki Papakāinga/ Kāinga Nohoanga Zone



Attachment C  
Item 7

*This document was prepared in September 2018 by Te Rūnanga o Ngāi Tahu and the  
Christchurch City Council.*

*No future amendments will be made to the content of this document by Christchurch City Council without  
prior consultation with Te Rūnanga o Ngāi Tahu.*



**The Papakāinga/Kāinga Nohoanga (PKN) chapter of the Christchurch District Plan (the Plan) provides for whānau to carry out PKN development on Māori land on five reserves in the Christchurch District.**

If you have land within the PKN Zone that is in Māori land ownership then you will be able use the provisions in the new chapter to build on your site.

These rules allow more development, with less regulation than is acceptable outside of the Papakāinga/Kāinga Nohoanga Zone.

This document summarises the chapter, i.e., the things you are allowed to do on Māori land within the **Rāpaki** Papakāinga/Kāinga Nohoanga Zone. It has been prepared to be read alongside the Christchurch District Plan.

**Please note:** *This document does not cover the requirements of the Building Code, Māori Land Court or Regional Council. Building consent or regional planning consent may be required, and similarly there may be Māori Land Court processes that you will need to go through.*

*Information correct as at 10 November 2017.*

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# Chapter 01

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How do I know if I'm in  
the Papakāinga/Kāinga  
Nohoanga Zone?

**The Plan has highlighted five areas as PKN zones. These are the Māori reserves in:**

- Rāpaki (this is based around MR875, and covers the Rāpaki settlement)
- Ōpukutahi (MR885)
- Ōnuku (MR886)
- Wairewa (MR887)
- Koukourārata (MR874)

If a piece of land is inside a designated PKN Zone **and** is Māori customary or freehold land, or Māori land reserved for communal purposes, under Te Ture Whenua Māori Act 1993 you can develop your land based on the rules in this chapter.

If your land is **not** in one of these ownership types, or is not within a PKN Zone, you will need to follow a different set of rules in the Plan. This will be the rules for Rural Banks Peninsula.

**The Christchurch District Plan Papakāinga/Kāinga Zone chapter has five main parts:**

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These create an enabling framework to provide for PKN development. If a resource consent is needed, the objectives and policies help Christchurch City Council (CCC) to decide if they should approve your application. Because the objectives and policies in the PKN chapter are written to support PKN development, it makes it easier to secure resource consent.

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These sit with permitted activities, and place some constraints on what falls into the category of a permitted activity.

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It is important that you look at the other chapters and rules of the Plan identified in this document, as well as the PKN chapter, as they work together to tell you if you will require resource consent for your development.

It is important to note that your development may not all be covered by the same rules or activity status. For example, while building a house may be permitted, the earthworks required to build it may be classified as a restricted discretionary activity. The most restrictive activities prevail, so in this example, the activity will be classified as restricted discretionary.

# Chapter 02

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This means that, providing you meet any activity standards, you shouldn't need a resource consent to do these things.

Let's first look at the list of permitted activities:

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	<b>Farming, horticulture, existing forestry and rural produce manufacturing</b>		<b>Emergency services</b>
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These activities and their associated Activity Specific Standards are:

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This is a permitted activity as long as it does not exceed a maximum Gross Floor Area (GFA) of 100m<sup>2</sup> per business. This means each shop can be no bigger than 100m<sup>2</sup>

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**Office**

This is a permitted activity as long as it has a maximum Gross Floor Area (GFA) of 100m<sup>2</sup> per business. This means each business can be no bigger than 100m<sup>2</sup>

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**Heli-landing**

This is permitted as long as it happens on a specific site that is at least 3000m<sup>2</sup> in area

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**Flood protection  
activities**

These can only be undertaken by Christchurch City council or Environment Canterbury

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**Public  
amenities**

This is a permitted activity as long as it does not exceed a maximum Gross Floor Area (GFA) of 100m<sup>2</sup> per amenity. This means each amenity can be no bigger than 100m<sup>2</sup>



Thirdly, we will outline built form standards. Built form standards are relevant to all permitted activities:

**Water Supply for fire-fighting**

All buildings must have access to water for fire-fighting supply



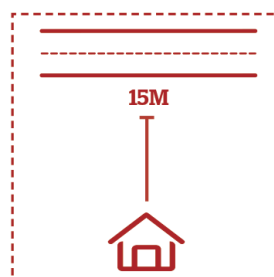
**Maximum coverage**

Maximum site coverage of 35%



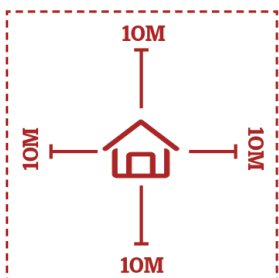
**Road boundary setback**

Development must be set back 15m from all road boundaries



**Internal boundary setbacks**

Buildings must be setback 10m from any property boundaries\*



**Building height**

Maximum building height of 9m. This does not include carvings, art or other cultural markers



*\* Unless the adjoining property is owned by you, or is part of your development*

### What happens if I don't meet one of the activity specific standards, or the built form standards?

If you do not meet one of these standards your application will be processed as a **restricted-discretionary** (RD) activity. This means that the Christchurch City Council (CCC) can choose to approve or decline your application, and may seek the views of people they consider affected by your development (most likely your nextdoor neighbours). This is called Limited Notification.





If you want, you can discuss your proposal with your neighbor to see how you can solve any issues they might have with your proposal, and then ask them to provide a written approval to CCC which waives their right to be notified.

There is a list of specific matters that CCC can look at to decide if they will grant you resource consent in this situation. These are listed in Chapter 12 in Section 12.3 Matters of Discretion – Māori Land.

### What else can I do in the Papakāinga/Kāinga Nohoanga Zone?

There are other activities listed in the Plan that can take place within the PKN Zone. These activities are either restricted discretionary (RD) or discretionary (D) activities, and as such they will need resource consent from CCC. After considering the policy framework in the Plan, CCC can choose to grant or to decline these activities.

These activities are:

-  Plantation forestry (RD activity)
-  Boarding of domestic animals (RD activity), equestrian facilities, or intensive farming
-  Quarrying activities (D activity)
-  Any activity not listed within the activity tables (D activity)

# Chapter 03

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What parts of the Plan  
outside of the PKN Chapter  
do I need to look at?

There are other parts of the Plan that you need to comply with outside of the PKN chapter. These rules are relevant because they either relate to natural hazards and natural and cultural heritage values, or they manage the effects of development that extend beyond the property. This includes things like effects on the transport network or utilities. The following chapters either apply in their entirety, or contain rules which apply to PKN:

- **Chapter 4 – Hazardous Substances and Contaminated Land (whole chapter)**
- **Chapter 5 – Natural Hazards (whole chapter)**
- **Chapter 6 – General Rules and Procedures, only the following sections apply:**
  - 6.1 Noise
  - 6.3 Outdoor Lighting and Glare
  - 6.6 Water Body Setbacks
  - 6.8 Signs
- **Chapter 7 – Transport, only the following provisions apply:**
  - Rule 7.4.2.1 P7 Access design
  - Rule 7.4.2.1 P8 Vehicle crossings
  - Rule 7.4.2.1 P9 Location of buildings and access in relation to road/rail crossings
  - Rule 7.4.2.1 P10 High trip generators
- **Chapter 8 – Subdivision, Development and Earthworks (whole chapter)**
- **Chapter 9 – Natural and Cultural Heritage (whole chapter)**
- **Chapter 11 – Utilities, and Energy and Infrastructure (whole chapter)**

# Chapter 04

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## Hazardous Substances

Christchurch City Council

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This chapter specifies what you can and can't do with hazardous substances on your land. Hazardous substances include explosives, flammable substances, radioactive substances, corrosives, oxidisers, and toxic substances. As a general rule, their storage and use is. However, there are restrictions about their storage and use near utilities. These rules can be found in Chapter 4, at Rule 4.1.4.1.5.

It is important to note that consent for these types of activities must also be provided by the regional council.

# Chapter 05

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## Natural Hazards

Parts of the Rāpaki PKN Zone have been identified as being at risk of natural hazards. Chapter 5 contains specific rules for these areas to keep people safe. The whole chapter is applicable to PKN development, but in Rāpaki, only the following natural hazards have been identified in the Plan:

### **Slope Instability Areas**

Rāpaki has three different types of slope instability areas within the PKN Zone. These are Rockfall Management Area 1, Rockfall Management Area 2, and Remainder of Port Hills and Banks Peninsula Slope Instability Management Area. Each area has slightly different rules which are explained below, and their locations can be found on the Rāpaki PKN maps included with this document.

**Any** applications for resource consent in any Slope Instability Areas (which is most of the Rāpaki PKN Zone) will need to include technical reports by a Chartered Professional Engineer with experience in geotechnical engineering or a Professional Engineering Geologist (IPENZ registered). These reports need to include the following:

- the geological and geotechnical constraints across the site, including any relationship to or effect on areas of actual or potential instability of the site, including the location of any inferred faults.
- the location of the site in relation to the natural hazard, or the location of the hazard on the site itself, and the location of building platforms in relation to the hazard.
- the nature of the proposed activities on the site and the impact on other sites potentially affected by the natural hazard, and the effect of the hazard on the activity and vice versa.

If you are planning to do something that is a permitted activity and doesn't require resource consent, then you do not need to supply one of these reports.

### **Rockfall Management Area**

Rāpaki has areas identified as 'Rockfall Management Area 1' and 'Rockfall Management Area 2'. These areas change the range of activities that you will need resource consent for.



### Rockfall Management Area 1

If your land is in this area, the following activities become **non-complying**:

- Subdivision
- Buildings or structures (except those specifically mentioned in 5.6.1.1)
- Activities not specifically listed in 5.6.1.1
- Earthworks

The following activities become **restricted discretionary**:

- Hazard mitigation works (including hazard removal or associated earthworks)
- Demolition of buildings
- Upgrading of existing, or development of new infrastructure
- Retaining walls which are less than 6m<sup>2</sup> in area and 1.8m in height
- Farm buildings and farm tracks

This means you will need to apply for resource consent if you want to undertake any of these activities, unless you are able to obtain an exemption. Obtaining an exemption is covered below.

The following activities are still **permitted**:

- Repair and maintenance of existing infrastructure
- Signage or fencing for warning or exclusion
- Recreation activities within parks and reserves and associated management

### Rockfall Management Area 2

If your land is in this area, the following activities become **restricted discretionary**:

- Subdivision
- Earthworks
- Hazard mitigation works (including hazard removal or associated earthworks)
- Demolition of buildings
- Farm buildings, and farm tracks over 2m wide
- Buildings or structures (except those specifically mentioned in 5.6.1.1)
- Activities not specifically listed in 5.6.1.1

This means you will need to apply for resource consent if you want to undertake any of these activities, unless you are able to obtain an exemption. Obtaining an exemption is covered below.

The following activities are still **permitted**:

- Repair and maintenance of existing infrastructure
- Signage or fencing for warning or exclusion
- Recreation activities within parks and reserves and associated management
- Retaining walls if it has an area no greater than 6m<sup>2</sup>, and a height of less than 1.8m

### **Exemption to Rockfall Management 1 and 2 Provisions**

In some circumstances, it is possible to get an exemption from the above rockfall rules. You will need to get an Annual Individual Fatality Risk (AIFR) certificate. An AIFR is calculated by Council for the specific land you want to build on. The AIFR can change the activity status if the hazard has been removed or it is believed that the District Plan assessment is inaccurate. If you can secure an AIFR you will only be bound by the Remainder of Port Hills and Banks Peninsula Slope Instability Management Area rules (below).

To get an AIFR certificate for your piece of land you must organise to get a report from an appropriately experienced Chartered Professional Engineer, or a Professional Engineering Geologist (IPENZ registered). Section 5.6.1.2 explains what needs to be covered in this report. CCC will then need to commission a peer review of this report to validate it.

This certificate is only valid for two years, so you if you do not start building or lodge a resource consent within two years of getting your certificate it will expire and you will need a new one.

### **Remainder of Port Hills and Banks Peninsula Slope Instability Management Area**

Rāpaki has areas identified as 'Remainder of Port Hills and Banks Peninsula Slope Instability Management Area'. This area changes the following activities to **restricted discretionary**:

- Subdivision (see 5.6.1.1)
- Hazard mitigation works (see 5.6.1.1)

This means that you will need to apply for resource consent if you want to undertake either of these activities, but only if you are within the Remainder of Port Hills and Banks Peninsula Slope Instability Management Area. This may require a technical assessment. In many cases you will not need to subdivide your land to carry out a PKN development.

The following activities are still a **permitted** activity under this chapter:

- Demolition of buildings
- Repair and maintenance of existing infrastructure
- Retaining walls if it has an area no larger than 6m<sup>2</sup>, and is no taller than 1.8m

# Chapter 06

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## General Rules and Procedures

Chapter 6 of the Plan contains rules that apply throughout the district. However, on Māori land in a PKN Zone, only certain rules apply. These are discussed below – if you comply with these rules, your activity will be permitted. However, if not, your activity will need a resource consent.

## Outdoor Lighting and Glare

- Must be directed away from adjacent properties and roads, with the exception of lighting directed at a private road or driveway on the same site (rule 6.3.6)
- Permitted lux spill (horizontal and vertical) of 4.0lux (rule 6.3.6.1 ix)

## Waterbody Setback Rules

These rules control development near waterways. Waterways in the district have a different classification under this Plan, and the planning maps show the classification of waterways. Waterways classed as ‘Hill Waterways’ are present in the Rāpaki PKN Zone. **The setback from a Hill Waterway is 10 metres.** The rules for developing inside these setbacks include



### Impervious Surfaces

- Must not cover more than 10% of the setback



### Extensions or alterations to existing buildings

- Can only add a maximum floor area of 10m<sup>2</sup> within the setback
- Must be at least 1.8m above ground level



### Earthworks

- are **restricted discretionary**



### Removal or demolition of building

- Cannot remove flood or erosion protection structures
- Nothing can remain on-site that could affect land drainage



### Fences

- Cannot be built over any part of the waterbody
- Must provide maintenance access
- Must be at least 3m back from bank
- Must be no more than 20% solid structure

If you want to undertake development inside the setback that doesn't meet these rules, you will need a **restricted discretionary** resource consent. Some things, however, are exempt:

- Pervious surfaces (i.e., surfaces that water can get through)
- Signage

## **Signs**

Most types of signs within the PKN Zone are permitted, as long as they meet the built form standards listed in Rule 6.8.4.2 in Chapter 6 of the Plan (e.g. mustn't block traffic signals, mustn't obscure windows). The exceptions are:

- Illuminated signs including flashing or intermittently illuminated signs
- Signs with moving components
- Signs with changing images/digital signs
- Captive balloons or blimps
- Off-site signs

All of these are **restricted discretionary** activities under 12.4.1.3.RD3 and will need a resource consent.

## **Noise**

The highest noise level (known as LA<sub>max</sub>) between 10pm and 7am within the PKN Zone is 65dB, with the average noise level of 40db (LA<sub>eq</sub>). Between 7am and 10pm, the average noise level can't be more than 50db (LA<sub>eq</sub>). There are some exceptions to these standards (i.e. children playing). These exceptions can be found in Chapter 6, Rule 6.1.4.2. If you are proposing an activity that would exceed these noise levels, you will require resource consent.

# Chapter 07

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## Transport

Christchurch City Council

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There are specific numbers of car parks, cycle parks, disabled parks, and loading zones you must provide if you want to have activities such as shops, schools, rec centres etc. There are also technical rules around gradients, car park designs, vehicle crossings, access design, and high trip generators. These can be found in Chapter 7 Transport under:

- Rule 7.4.2.1 P7 Access design
- Rule 7.4.2.1 P8 Vehicle crossings
- Rule 7.4.2.1 P9 Location of buildings and access in relation to road/rail crossings
- Rule 7.4.2.1 P10 High trip generator

High trip generators include, but are not limited to (see 7.4.3.10 for full list):

- developments with more than 60 houses
- schools with more than 150 taurira
- kōhanga reo with more than 50 tamariki attending

This section also regulates the conversion of unformed roads into legal roads, which is a **restricted-discretionary** activity.



# Chapter 08

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## Subdivision, development and earthworks

Christchurch City Council

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These are specific rules that must be followed when developing your site. They are similar to the built form standards, but these rules apply to everyone. If you do not meet these, you will need a resource consent.

## Subdivision

Due to the characteristics of PKN development you may not need to subdivide your land to build. Subdivision outside the PKN Zone is subject to minimum lot sizes, but subdivision of Māori land within the PKN zone has no minimum lot size.



### BOUNDARY ADJUSTMENTS

This is a **controlled** activity if the change is less than 10% of the original site size. Otherwise, it is **restricted discretionary**



### SUBDIVISION NEAR A SIGNIFICANT TREE

**restricted discretionary**, and must not be within dripline of significant trees



### SITE AREA

There is **no** minimum site area/lot size within the PKN zone

## Earthworks

These rules control any digging, filling, or ground disturbances on the site. As a general rule, within the PKN Zone earthworks of no more than **100m<sup>3</sup>/ha over any 12 month period** are a permitted activity, if the following rules are followed:

### Depth

Excavation shall not exceed a depth of .6m



### Gradient

Works should not occur on land steeper than 1 in 6



### Filling

Any filling must be clean fill



### Heritage

Earthworks should not occur within 5m of a heritage item or setting

Earthworks should not occur within the dripline of a significant tree



If you don't want to, or can't meet these rules, the proposed work will be classed as a **discretionary** activity and you will need a resource consent.

Some activities are exempt from earthworks rules:

- Digging graves at urupā
- Earthworks completely inside the footprint of a building (see rule 8.9.3(a)(iv) for more information)

This chapter provides rules for development in areas classified as special character and heritage value. As a general rule, this chapter has rules that restrict different activities and/or guide development differently than in places not deemed to have special character and heritage value.

Rāpaki has areas of at least High Natural Character in the Coastal Environment (HNC 2.0) and Natural Character in the Coastal Environment, and Outstanding Natural Feature/Landscape (ONL 2.0).

# Chapter 09

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## Natural and Cultural Heritage

## Natural Character in the Coastal Environment

The effect of this overlay is that almost all of the permitted activities listed above in “What can I build in the Papakāinga/Kāinga Nohoanga Zone as a Permitted Activity under the PKN chapter?” are **controlled** activities on land covered by the Coastal Natural Character. This means that you will need to get resource consent from CCC to develop in these areas. You can check on the maps if your land falls into the Coastal Natural Character overlay.

CCC **must** approve applications for controlled activities (i.e. they cannot decline your application), so you can still do all of the same things that can be done in other parts of the PKN Zone. However, CCC can have a say on the building materials you use (and their reflectivity), and landscaping and planting. They are **not allowed** to comment on cultural aspects of a design (i.e. design of a wharenuī). Once you and CCC reach agreement on these matters, they will issue your resource consent.

## Outstanding Natural Landscape

The effect of this overlay is that almost all of the permitted activities listed above in “What can I build in the Papakāinga/Kāinga Nohoanga Zone as a Permitted Activity under the PKN chapter?” are controlled activities on land covered by the Outstanding Natural Landscape overlay. This means that you will need to get resource consent from CCC to develop in these areas. You can check on the maps to see if your land falls into the Outstanding Natural Landscape overlay.

CCC **must** approve applications for controlled activities (i.e. they cannot decline your application), so you can still do all of the same things that can be done in other parts of the PKN Zone. However, CCC can have a say on the building materials you use (and their reflectivity), and landscaping and planting. They are **not allowed** to comment on cultural aspects of a design (i.e. design of a wharenuī). Once you and CCC reach agreement on these matters, they will issue your resource consent.

# Chapter 10

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## Utilities and energy

This chapter controls connecting your development to power, communication, stormwater, wastewater, and drinking water. It also includes provisions for renewable energy such as solar, wind, and rainwater collection. A summary of the relevant rules is listed below:



#### **Increasing capacity**

Increasing the capacity of electricity and communications utilities is **permitted**, as long as they are of a similar character and scale, otherwise it is **restricted discretionary**



#### **Solar panels**

Solar panels are **permitted** if they are installed on a roof, and power a maximum of 20 dwellings



#### **Wind Turbines**

Wind turbines up to 20m high are **permitted**, as long as they meet the Built Form Standards of the zone



#### **Rainwater collection**

Rainwater collection is **permitted**, as long as tanks meet Built Form Standards of the Zone

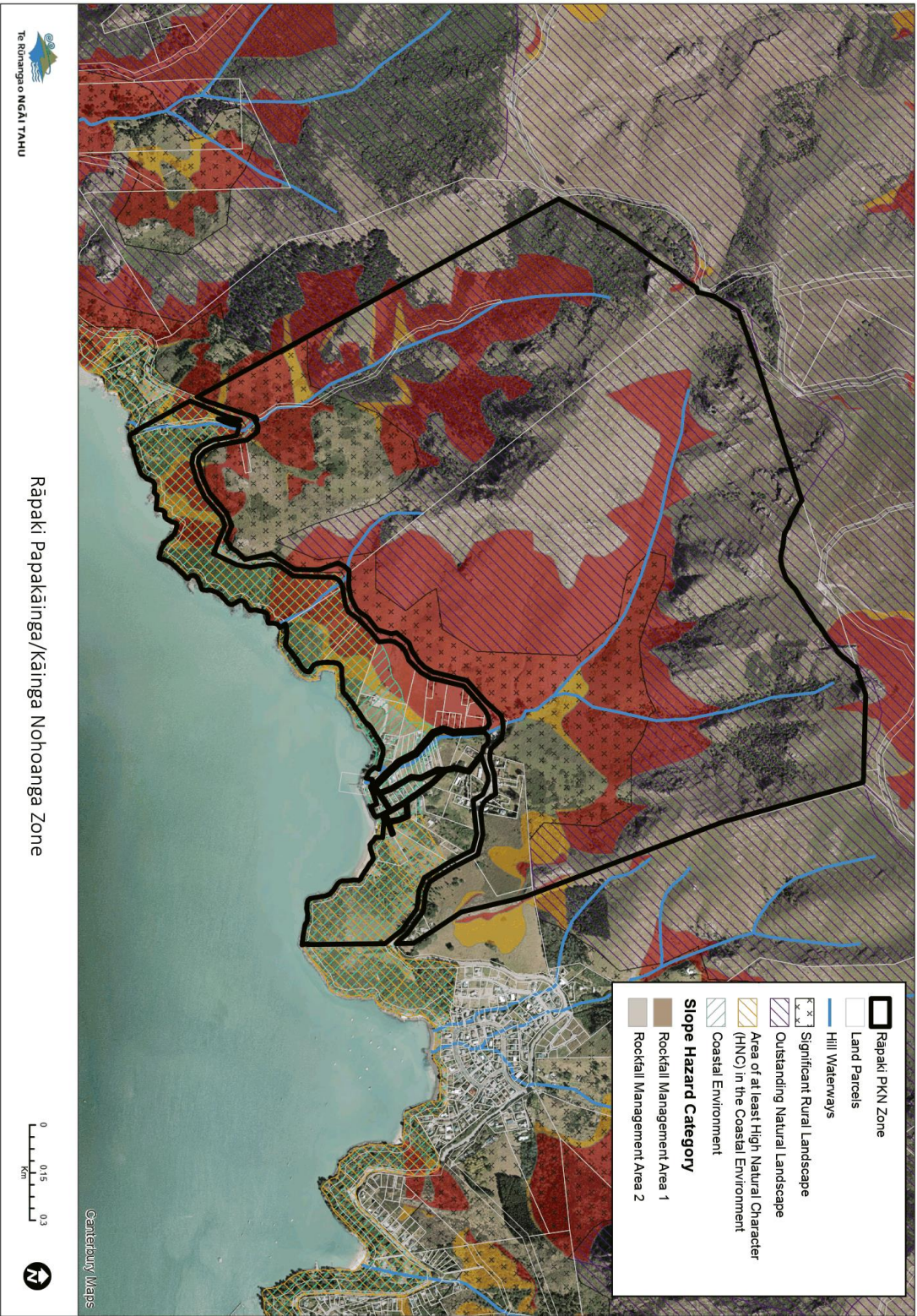
# Appendix

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## Activity Status Criteria

District and regional plans can assign different activities (such as development types) a status to show if they are allowed under the plan, and if they are, under what circumstances they are allowed. The different status types and their descriptions are listed below:

### PROHIBITED

- Activity is explicitly listed as **not allowed**
- A resource consent **cannot** be applied for and would not be granted under **any circumstances**

### NON-COMPLYING

- A resource consent **is** required
- Council **can decline** this consent
- Council can decline consent for **any** environmental reason
- Consent is only given if the applicant can demonstrate that environmental effects will be **minor** and/ or the activity does **not contradict** any objectives or policies in plan
- Council can set **conditions** that must be met to reduce environmental impact
- Are sometimes notified (meaning potentially affected parties are told the activity will happen). The plan can specify that it **must** be notified

### DISCRETIONARY

- A resource consent **is** required
- Council **can decline** this consent
- Council can decline consent for **any** environmental reason
- Council can set conditions that must be met to reduce environmental effects
- Are sometimes notified (meaning potentially affected parties are told the activity will happen). The plan can specify that it **must** be notified

### RESTRICTED DISCRETIONARY

- A resource consent **is** required
- Council **can decline** this consent
- Council can **only** decline consent or set conditions based on a set criteria of matters (these matters are listed in the plan) e.g. noise, traffic, amenity, discharge
- Are sometimes notified (meaning potentially affected parties are told the activity will happen). The plan can specify that it must be notified

### CONTROLLED

- A resource consent **is** required
- But, the consent **will always** be granted
- Sometimes notified (meaning potentially affected parties are told the activity will happen)
- Council can set **conditions** or alter plans so that they have less environmental impact based on a set criteria of matters listed in the plan (e.g. noise, traffic, discharge, amenity)

### PERMITTED

- A resource consent is **not** required
- This activity will **not** be notified (meaning people are **not** told that the activity will happen)





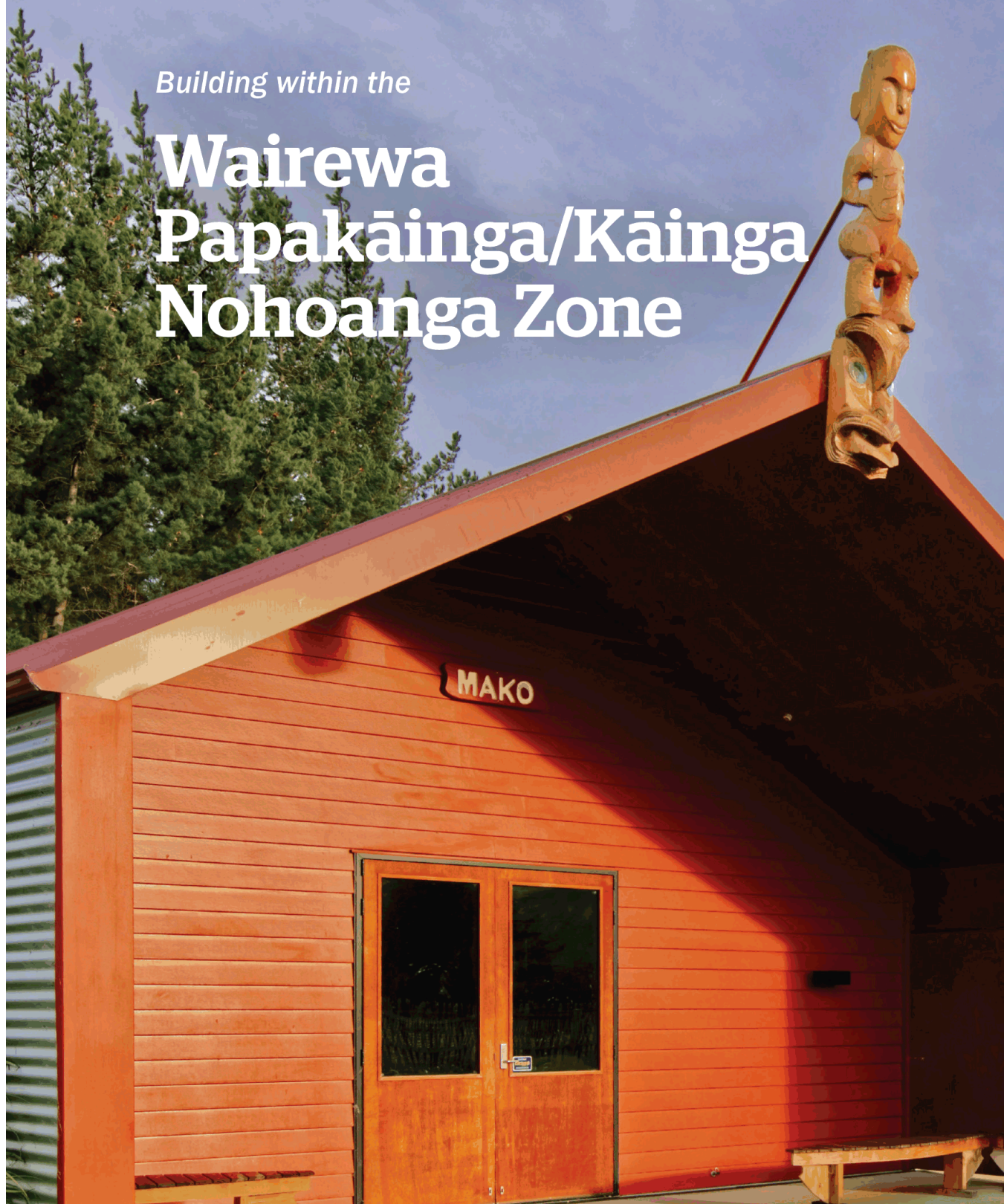
For further information please call Christchurch City Council  
on 03 941 8999





*Building within the*

# Wairewa Papakāinga/Kāinga Nohoanga Zone



*This document was prepared in September 2018 by Te Rūnanga o Ngāi Tahu and the  
Christchurch City Council.*

*No future amendments will be made to the content of this document by Christchurch City Council without  
prior consultation with Te Rūnanga o Ngāi Tahu.*



**The Papakāinga/Kāinga Nohoanga (PKN) chapter of the Christchurch District Plan (the Plan) provides for whānau to carry out PKN development on Māori land on five reserves in the Christchurch District.**

If you have land within the PKN Zone that is in Māori land ownership, then you will be able use the provisions in the new chapter to build on your site.

These rules allow more development, with less regulation than is acceptable outside the Papakāinga/Kāinga Nohoanga Zone.

This document summarises the chapter, i.e., the things you are allowed to do on Māori land within the **Wairewa** Papakāinga/Kāinga Nohoanga Zone. It has been prepared to be read alongside the Christchurch District Plan.

**Please note:** *This document does not cover the requirements of the Building Code, Māori Land Court or Regional Council. Building consent or regional planning consent may be required, and similarly there may be Māori Land Court processes that you will need to go through.*

*Information correct as at 14 February 2017.*

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# Chapter 01

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How do I know if I'm in  
the Papakāinga/Kāinga  
Nohoanga Zone?

The Plan has highlighted five areas as PKN zones. These are the Māori reserves in:

- Wairewa (the Wairewa PKN Zone covers MR887, and runs along the western side of Christchurch–Akaroa Road through Little River, and around Wairewa Marae)
- Rāpaki (MR875)
- Koukourārata (MR874)
- Ōnuku (MR886)
- Ōpukutahi (MR885)

If a piece of land is inside a designated PKN zone **and** is Māori customary or freehold land, or Māori land reserved for communal purposes, under Te Ture Whenua Māori Act 1993 you can develop your land based on the rules in this chapter.

If your land is **not** in one of these ownership types, or is not within a PKN Zone, you will need to follow a different set of rules in the Plan. This will be the rules for Rural Banks Peninsula.

The Christchurch District Plan Papakāinga/Kāinga Zone chapter has five main parts:

### **01 – Objectives and policies**

These create an enabling framework to provide for PKN development. If a resource consent is needed, the objectives and policies help the Council to decide if they should approve your application. Because the objectives and policies in the PKN chapter are written to support PKN development, it makes it easier to secure resource consent.

### **02 – Rules**

The rules tell you what you can do as a permitted activity, controlled activity, restricted discretionary activity, or a discretionary activity. Consent is required for all activity types except for permitted activities – activity types are explained further in the Appendix. Most PKN development in Wairewa will be permitted.

### **03 – Activity specific standards**

These sit with permitted activities, and place some constraints on what falls into the category of a permitted activity.

### **04 – Built form standards**

Permitted activities must also comply with built form standards. These cover things like maximum building height.

### **05 – Matters of discretion**

If you can't meet either an activity specific standard or built form standard, your application will become a restricted discretionary activity. In this case, your application will be assessed against the matters of discretion set out in the PKN chapter.

As well as the above, there are relevant rules in other chapters of the Plan that also apply to PKN development. These relate to matters that affect the whole district, like natural hazards, transport, electricity and utilities, etc.

These are covered in "What parts of the Plan outside of the PKN chapter do I need to look at?"

It is important that you look at the other chapters and rules of the Plan identified in this document, as well as the PKN chapter, as they work together to tell you if you will require resource consent for your development.

It is important to note that your development may not all be covered by the same rules or activity status. For example, while building a house may be permitted, the earthworks required to build it may be classified as a restricted discretionary activity. The most restrictive activities prevail, so in this example, the activity will be classified as restricted discretionary.

# Chapter 02

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What can I build in the  
Papakāinga/Kāinga Nohoanga  
Zone as a Permitted Activity  
under the PKN Chapter?

The rules in the PKN chapter (Chapter 12 of the Plan) list the activities that you can undertake in the zone without resource consent – if you can also comply with the activity specific standards and built form standards as a Permitted Activity.

This means that, providing you meet any activity standards, you shouldn't need a resource consent to do these things.

Let's first look at the list of permitted activities:

	<b>Marae complexes</b>		<b>Farm buildings</b>
	<b>Relocation, repair, or additions to existing residential units</b>		<b>Recreation activity facilities</b> (such as gyms or rec centres)
	<b>Community facilities</b> (e.g. whare hauora)		<b>Conservation activities</b>
	<b>Urupā</b>		<b>Farm Stay</b>
	<b>Farming, horticulture, existing forestry and rural produce manufacturing</b>		<b>Emergency services</b>
	<b>Kōhanga reo and kura kaupapa Māori*</b>		<b>Residential dwellings and home occupation</b> (including minor units or kaumātua flats)
	<b>Weekly markets</b>		<b>Mahinga kai activities</b>

*\* Under the Transport Chapter rules, if a kura has more than 150 taura, or a kōhanga reo has more than 50 tamariki attending, it is classed as a High Trip Generator and will need resource consent. If numbers are less, then it will not need resource consent.*

Secondly, we will look at activities that are also permitted, but have activity specific standards.

The activities listed below are still **permitted**, but only if they meet a certain requirement called an Activity Specific Standard. If this requirement is met (along with built form standards, which are covered next), then, like the activities listed above, they do not need resource consent.

Christchurch City Council

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These activities and their associated Activity Specific Standards are:

**Commercial/  
convenience  
activities/whare  
hoko**

This is a permitted activity as long as it does not exceed a maximum Gross Floor Area (GFA) of 100m<sup>2</sup> per business. This means each shop can be no bigger than 100m<sup>2</sup>

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**Office**

This is a permitted activity as long as it has a maximum Gross Floor Area (GFA) of 100m<sup>2</sup> per business. This means each business can be no bigger than 100m<sup>2</sup>

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**Heli-landing**

This is permitted as long as it happens on a specific site that is at least 3000m<sup>2</sup> in area

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**Flood protection  
activities**

These can only be undertaken by Christchurch City council or Environment Canterbury

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**Public  
amenities**

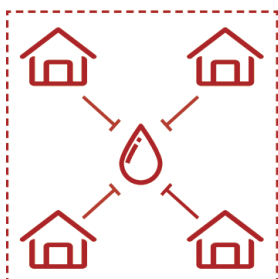
This is a permitted activity as long as it does not exceed a maximum Gross Floor Area (GFA) of 100m<sup>2</sup> per amenity. This means each amenity can be no bigger than 100m<sup>2</sup>



Thirdly, we will outline built form standards. Built form standards are relevant to all permitted activities:

**Water Supply for fire-fighting**

All buildings must have access to water for fire-fighting supply



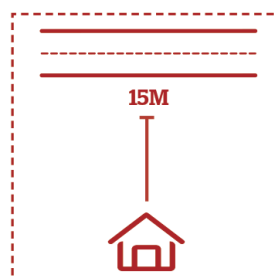
**Maximum coverage**

Maximum site coverage of 35%



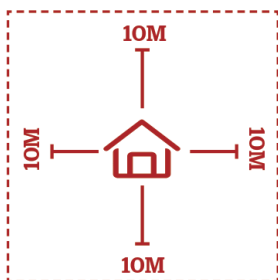
**Road boundary setback**

Development must be set back 15m from all road boundaries



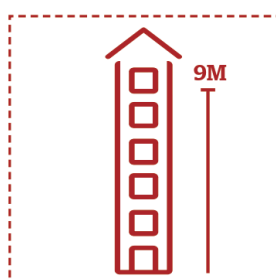
**Internal boundary setbacks**

Buildings must be setback 10m from any property boundaries\*



**Building height**

Maximum building height of 9m. This does not include carvings, art or other cultural markers



*\* Unless the adjoining property is owned by you, or is part of your development*

### What happens if I don't meet one of the activity specific standards, or the built form standards?

If you do not meet one of these standards your application will be processed as a **restricted-discretionary** (RD) activity. This means that the Christchurch City Council (CCC) can choose to approve or decline your application, and may seek the views of people they consider affected by your development (most likely your nextdoor neighbours). This is called Limited Notification.





If you want, you can discuss your proposal with your neighbor to see how you can solve any issues they might have with your proposal, and then ask them to provide a written approval to CCC which waives their right to be notified.

There is a list of specific matters that CCC can look at to decide if they will grant you resource consent in this situation. These are listed in Chapter 12 in 12.5 Matters of Discretion – Māori Land.

### What else can I do in the Papakāinga/Kāinga Nohoanga Zone?

There are other activities listed in the Plan that can take place within the PKN Zone. These activities are either restricted discretionary (RD) or discretionary (D) activities, and as such they will need resource consent from CCC. After considering the policy framework in the Plan, CCC can choose to grant or to decline these activities.

These activities are:

-  Plantation forestry (RD activity)
-  Boarding of domestic animals (RD activity), equestrian facilities, or intensive farming
-  Quarrying activities (D activity)
-  Any activity not listed within the activity tables (D activity)

# Chapter 03

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What parts of the Plan  
outside of the PKN Chapter  
do I need to look at?

There are other parts of the Plan that you need to comply with outside of the PKN chapter. These rules are relevant because they either relate to natural hazards and natural and cultural heritage values, or they manage the effects of development that extend beyond the property. This includes things like effects on the transport network or utilities. The following chapters either apply in their entirety, or contain rules which apply to PKN:

- **Chapter 4 – Hazardous Substances and Contaminated Land (whole chapter)**
- **Chapter 5 – Natural Hazards (whole chapter)**
- **Chapter 6 – General Rules and Procedures, only the following sections apply:**
  - 6.1 Noise
  - 6.3 Outdoor Lighting and Glare
  - 6.6 Water Body Setbacks
  - 6.8 Signs
- **Chapter 7 – Transport, only the following provisions apply:**
  - Rule 7.4.2.1 P7 Access design
  - Rule 7.4.2.1 P8 Vehicle crossings
  - Rule 7.4.2.1 P9 Location of buildings and access in relation to road/rail crossings
  - Rule 7.4.2.1 P10 High trip generators
- **Chapter 8 – Subdivision, Development and Earthworks (whole chapter)**
- **Chapter 9 – Natural and Cultural Heritage (whole chapter)**
- **Chapter 11 – Utilities, and Energy and Infrastructure (whole chapter)**

# Chapter 04

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## Hazardous Substances

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This chapter specifies what you can and can't do with hazardous substances on your land. Hazardous substances include explosives, flammable substances, radioactive substances, corrosives, oxidisers, and toxic substances. As a general rule, their storage and use is **permitted**. However, there are restrictions about their storage and use near utilities. These rules can be found in Chapter 4, at Rule 4.1.4.1.5.

It is important to note that consent for these types of activities must also be provided by the regional council.

# Chapter 05

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## Natural Hazards

Parts of the Wairewa PKN Zone have been identified as being at risk of natural hazards. Chapter 5 contains specific rules for these areas to keep people safe. The whole chapter is applicable to PKN development, but in Wairewa, only the following natural hazards have been identified in the Plan:

### Slope Instability Areas

Wairewa has areas identified as 'Remainder of Port Hills and Banks Peninsula Slope Instability Management Area'. This area changes the following activities to **restricted discretionary**:

- Subdivision (see 5.6.1.1)
- Hazard mitigation works (see 5.6.1.1)

This means that you will need to apply for resource consent if you want to undertake either of these activities. This may require a technical assessment. In many cases you will not need to subdivide your land to carry out a PKN development.

The following activities are still a **permitted** activity under this chapter:

- Demolition of buildings
- Repair and maintenance of existing infrastructure
- Retaining walls if it has an area no larger than 6m<sup>2</sup>, and is no taller than 1.8m

### Flood Management Areas

Areas of Wairewa's PKN Zone are identified as Flood Management Areas. You can check on the planning maps if your land is within the Flood Management Area. This mainly affects the floor levels that buildings need to be a permitted activity.

If you are building new buildings or putting extension on existing buildings they have to be raised. The Council will tell you how high they need to be raised and then issue you with a Minimum Floor Level Certificate. for more information, see 5.4.1.2 in the Plan

There are some structures exempt from this rule:

- Additions that don't increase the floor area by more than 25m<sup>2</sup>
- Garages under 40m<sup>2</sup> in area



- Accessory buildings under 200m<sup>2</sup> in area or without floors
- Decks
- Swimming pools

There are also conditions around excavation and filling, for reasons other than raising building platforms to required heights, or flood protection (see 5.4.2).

# Chapter 06

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## General Rules and Procedures

Chapter 6 of the Plan contains rules that apply throughout the district. However, on Māori land in a PKN Zone, only certain rules apply. These are discussed below – if you comply with these rules, your activity will be permitted. However, if not, your activity will need a resource consent.

## Outdoor Lighting and Glare

- Must be directed away from adjacent properties and roads, with the exception of lighting directed at a private road or driveway on the same site (rule 6.3.6)
- Permitted lux spill (horizontal and vertical) of 4.0lux (rule 6.3.6.1 ix)

## Waterbody Setback Rules

These rules control development near waterways. Waterways in the district have a different classification under this Plan, and the planning maps show the classification of waterways. The Ōkana is classed as a downstream waterway in some places, and an upstream waterway in others. **The setback from an Upstream Waterway is 30 metres, and the setback from a Downstream Waterway is 10 metres.** The upper reaches (near the marae) have no classification and therefore have no setback rules. The rules for developing inside these setbacks are:



### Impervious Surfaces

- Must not cover more than 10% of the setback



### Extensions or alterations to existing buildings

- Can only add a maximum floor area of 10m<sup>2</sup> within the setback and must be at least 1.8m above ground level



### Earthworks

- are **restricted discretionary**



### Removal or demolition of building

- Cannot remove flood or erosion protection structures
- Nothing can remain on-site that could affect land drainage



### Fences

- Cannot be built over any part of the waterbody
- Must provide maintenance access
- Must be at least 3m back from bank
- Must be no more than 20% solid structure

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If you want to undertake development inside the setback that doesn't meet these rules, you will need a **restricted discretionary** resource consent. Some things, however, are exempt:

- Pervious surfaces (i.e., surfaces that water can get through)
- Signage

## **Signs**

Most types of signs within the PKN Zone are permitted, as long as they meet the built form standards listed in Rule 6.8.4.2 in Chapter 6 of the Plan (e.g. mustn't block traffic signals, mustn't obscure windows). The exceptions are:

- Illuminated signs including flashing or intermittently illuminated signs
- Signs with moving components
- Signs with changing images/digital signs
- Captive balloons or blimps
- Off-site signs

All of these are **restricted discretionary** activities under 12.4.1.3.RD3 and will need a resource consent.

## **Noise**

The highest noise level (known as LA<sub>max</sub>) between 10pm and 7am within the PKN Zone is 65dB, with the average noise level of 40db (LA<sub>eq</sub>). Between 7am and 10pm, the average noise level can't be more than 50db (LA<sub>eq</sub>). There are some exceptions to these standards (i.e. children playing). These exceptions can be found in Chapter 6, Rule 6.1.4.2. If you are proposing an activity that would exceed these noise levels, you will require resource consent.

# Chapter 07

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## Transport

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There are specific numbers of car parks, cycle parks, disabled parks, and loading zones you must provide if you want to have activities such as shops, schools, rec centres etc. There are also technical rules around gradients, car park designs, vehicle crossings, access design, and high trip generators. These can be found in Chapter 7 Transport under:

- Rule 7.4.2.1 P7 Access design
- Rule 7.4.2.1 P8 Vehicle crossings
- Rule 7.4.2.1 P9 Location of buildings and access in relation to road/rail crossings
- Rule 7.4.2.1 P10 High trip generator

High trip generators include, but are not limited to (see 7.4.3.10 for full list):

- developments with more than 60 houses
- schools with more than 150 taurā
- kōhanga reo with more than 50 tamariki attending

This section also regulates the conversion of unformed roads into legal roads, which is a **restricted-discretionary** activity.

# Chapter 08

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## Subdivision, development and earthworks

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These are specific rules that must be followed when developing your site. They are similar to the built form standards, but these rules apply to everyone. If you do not meet these, you will need a resource consent.

## Subdivision

Due to the characteristics of PKN development you may not need to subdivide your land to build. Subdivision outside the PKN Zone is subject to minimum lot sizes, but subdivision of Māori land within the PKN Zone has no minimum lot size.



### BOUNDARY ADJUSTMENTS

This is a **controlled** activity if the change is less than 10% of the original site size. Otherwise, it is **restricted discretionary**



### SUBDIVISION IN A FLOOD MANAGEMENT AREA

This is a **restricted discretionary** activity in some parts of Wairewa PKN Zone



### SUBDIVISION NEAR A SIGNIFICANT TREE

**restricted discretionary**, and must not be within dripline of significant trees



### SITE AREA

There is **no** minimum site area/lot size within the PKN zone



## Earthworks

These rules control any digging, filling, or ground disturbances on the site. As a general rule, within the PKN Zone earthworks of no more than **100m<sup>3</sup>/ha over any 12 month period** are a **permitted** activity, if the following rules are followed:

### Depth

Excavation shall not exceed a depth of .6m



### Gradient

Works should not occur on land steeper than 1 in 6



### Filling

Any filling must be clean fill



### Heritage

Earthworks should not occur within 5m of a heritage item or setting



Earthworks should not occur within the dripline of a significant tree

If you don't want to, or can't meet these rules listed above, the proposed work will be classed as a **discretionary** activity and you will need a resource consent.

Some activities are exempt from earthworks rules:

- Digging graves at urupā
- Earthworks completely inside the footprint of a building (see 8.5A.3)

# Chapter 09

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## Natural and Cultural Heritage

This chapter provides rules for developing in areas of special character and heritage value. As a general rule, this chapter has rules that restrict different activities and/or guide development differently than in places not deemed to have special character and heritage value.

Wairewa has areas of indigenous biodiversity, and some specifically listed significant trees.

## **9.1 Indigenous Biodiversity**

You can check on the planning maps if the place you want to develop is within an area of Significance Indigenous Biodiversity. If you are, it is important to know that:

- Indigenous vegetation clearance within the biodiversity area is only permitted for some management purposes (see 9.1.4.1.1)
- Customary harvest of a taonga species is permitted within the PKN Zone with written permission from the relevant papatipu rūnanga (see Rule 9.1.4.1.1 P3)
- Any planting must be naturally occurring indigenous species

## **Significant trees**

A number of significant trees are listed within the Wairewa PKN Zone. There are specific rules about how these trees should be pruned and managed. If these trees are on your property, the relevant rules can be found at 9.4.

# Chapter 10

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## Utilities and energy

This chapter controls connecting your development to power, communication, stormwater, wastewater, and drinking water. It also includes provisions for renewable energy such as solar, wind, and rainwater collection. A summary of the relevant rules is below:



#### **Increasing capacity**

Increasing the capacity of electricity and communications utilities is **permitted**, as long as they are of a similar character and scale, otherwise it is **restricted discretionary**



#### **Solar panels**

Solar panels are **permitted** if they are installed on a roof, and power a maximum of 20 dwellings



#### **Wind Turbines**

Wind turbines up to 20m high are **permitted**, as long as they meet the Built Form Standards of the zone



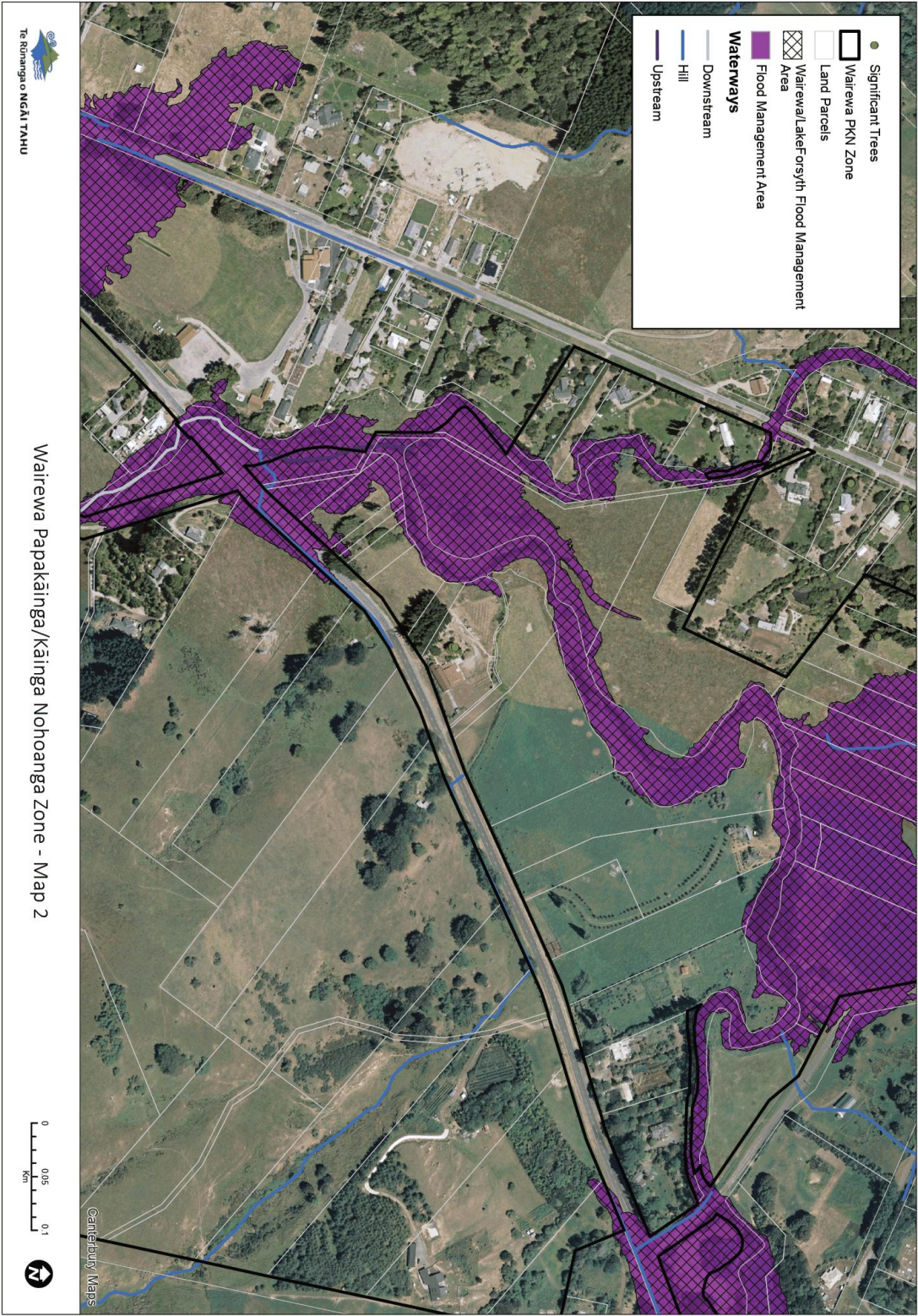
#### **Rainwater collection**

Rainwater collection is **permitted**, as long as tanks meet Built Form Standards of the Zone

# Appendix

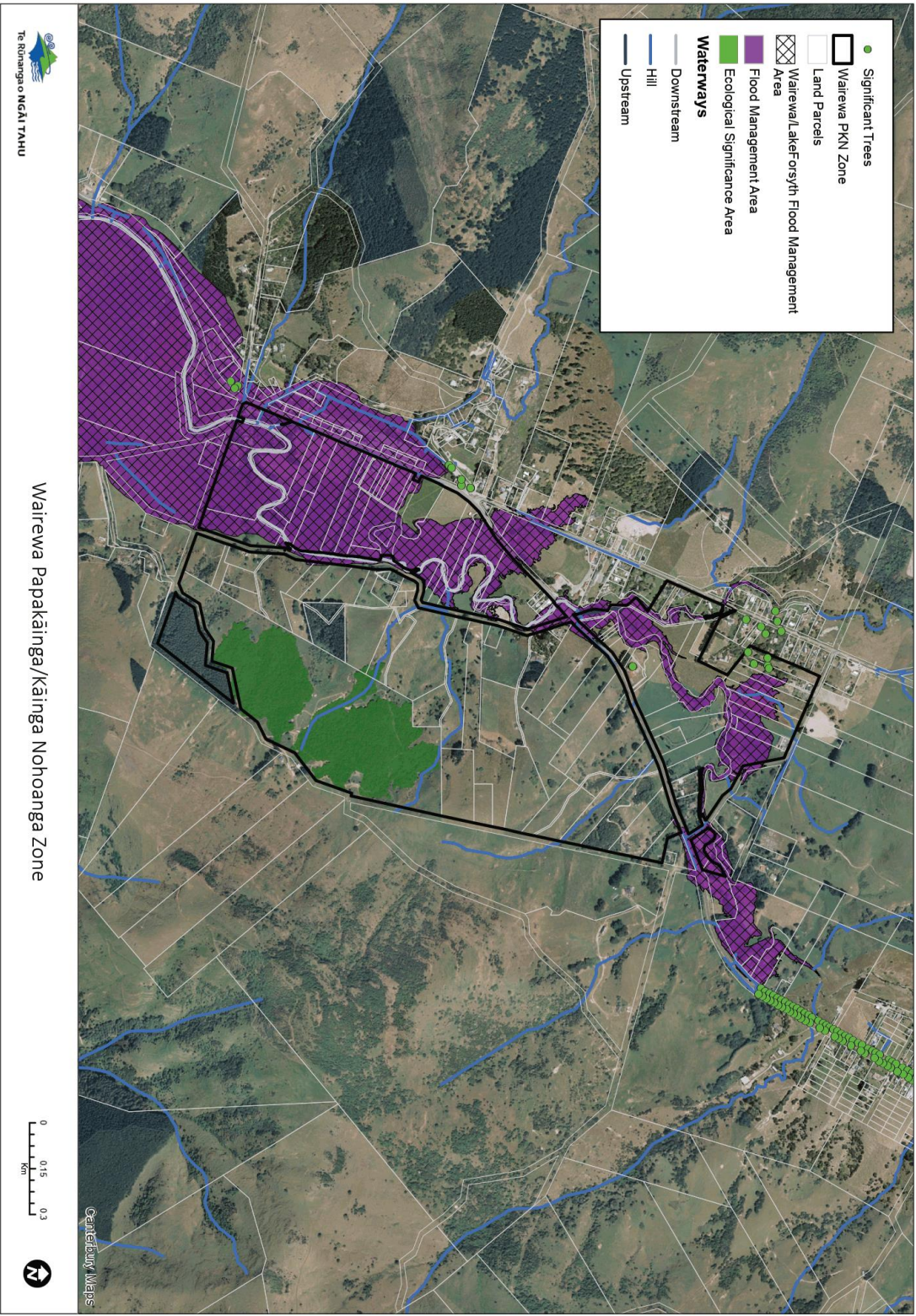
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## Activity Status Criteria

District and regional plans can assign different activities (such as development types) a status to show if they are allowed under the plan, and if they are, under what circumstances they are allowed. The different status types and their descriptions are listed below:

### PROHIBITED

- Activity is explicitly listed as **not allowed**
- A resource consent **cannot** be applied for and would not be granted under **any circumstances**

### NON-COMPLYING

- A resource consent **is** required
- Council **can decline** this consent
- Council can decline consent for **any** environmental reason
- Consent is only given if the applicant can demonstrate that environmental effects will be **minor** and/ or the activity does **not contradict** any objectives or policies in plan
- Council can set **conditions** that must be met to reduce environmental impact
- Are sometimes notified (meaning potentially affected parties are told the activity will happen). The plan can specify that it **must** be notified

### DISCRETIONARY

- A resource consent **is** required
- Council **can decline** this consent
- Council can decline consent for **any** environmental reason
- Council can set conditions that must be met to reduce environmental effects
- Are sometimes notified (meaning potentially affected parties are told the activity will happen). The plan can specify that it **must** be notified

### RESTRICTED DISCRETIONARY

- A resource consent **is** required
- Council **can decline** this consent
- Council can **only** decline consent or set conditions based on a set criteria of matters (these matters are listed in the plan) e.g. noise, traffic, amenity, discharge
- Are sometimes notified (meaning potentially affected parties are told the activity will happen). The plan can specify that it must be notified

### CONTROLLED

- A resource consent **is** required
- But, the consent **will always** be granted
- Sometimes notified (meaning potentially affected parties are told the activity will happen)
- Council can set **conditions** or alter plans so that they have less environmental impact based on a set criteria of matters listed in the plan (e.g. noise, traffic, discharge, amenity)

### PERMITTED

- A resource consent is **not** required
- This activity will **not** be notified (meaning people are **not** told that the activity will happen)









For further information please call Christchurch City Council  
on 03 941 8999