

8.7 Residential 1 Zone - Rules

Rule 8.7.1 Permitted Activities

The following activities are permitted activities provided that they comply with the relevant conditions in Rule 8.7.2 of the Residential 1 Zone:

- (i) Residential Activity at a density of not less than 500 m² of site area per residential unit provided that a single residential unit may be erected on an existing site of any size.
This rule does not apply to:
 - (a) Multi unit residential developments in the area shown as 'Restricted Water Supply Area' (refer Rule 8.7.4(ii)) *[Amended by C105/2001]* or
 - (b) in the area shown as "Hillhead Road Extension" (refer Rule 8.7.4(iii)) *[Amended by C105/2001]* or
 - (c) Residential Activity on land subject to the "Mosgiel East Structure Plan" in Appendix 8.2 *[Inserted by C17/2008, 12/02/08]*
- (ii) Recreational Activity provided that associated structures do not exceed 25 m² in floor area.
- (iii) Accessory buildings for permitted activities, excluding structures for recreational activities in excess of 25 m². *[Amended by Variation 6, 18/10/00]*
- (iv) Signs permitted in this zone are specified in the Signs Section.
- (v) Scheduled Activities as listed in Rule 8.7.7 subject to compliance with relevant provisions of Rules 8.7.2 and 8.7.7. *[Inserted by C175/2001]*
- (vi) Residential Activity at a density of not less than 500m² of site area per residential unit on a site located in the Mosgiel East Area in Appendix 8.2 and created pursuant to Rule 18.5.15. *[Inserted by C17/2008, 12/02/08]*

Rule 8.7.2 Conditions Attaching to Permitted Activities

- (i) **Minimum Yards**
 - (a) **Front Sites**

Front Yard	4.5 m
All Other Yards	2.0 m
 - (b) **Rear Sites**

All Yards	2.0 m
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- (ii) **Height Plane Angle**
63° (1 to 2 yard to height ratio).
- (iii) **Maximum Height**
9 m.
- (iv) **Maximum Site Coverage**

Front Sites	40% of site area
Rear Sites	40% of site area excluding the access leg <i>[Amended by Plan Change 10, 18/1/11]</i>
- (v) **Minimum Amenity Open Space**
Every residential unit shall provide at ground level an area of 35 m² of amenity open space that is capable of containing a 4.5 m diameter circle. For residential units not at ground level (ie multi-storeyed apartments and flats) Rule 8.6.2 shall apply. *[Amended by Variation 12, 7/5/03]*

(vi) Separation Distances

Development containing more than one residential unit that does not share a common wall shall be separated by a distance of no less than 4 m.

(vii) Minimum Car Parking

On-site car parking shall comply with the performance standards in Section 20 (Transportation) and shall be provided on the following basis:

(a) Residential Activity

- (i) 1 car park per residential unit up to and including 150 m² gross floor area (excluding garaging areas).
- (ii) 2 car parks per residential unit greater than 150 m² gross floor area (excluding garaging areas).
- (iii) 1 visitor car park per 5 residential units.
- (iv) 2 additional car parks for a residential unit where staff provide for between 13 and 18 residents inclusive. *[Amended by Variation 6, 18/10/00]*

(b) Recreational Activity

- (i) 1 car park per 750 m² of site area.

(viii) Loading and Access

No requirements for loading. Access requirements shall comply with the performance standards in Section 20 (Transportation).

(ix) Signs

Refer to the Signs Section.

(x) Noise, Glare, Lighting and Electrical Interference

Refer to the performance standards of the Environmental Issues Section.

(xi) Port Noise - Buildings used for Residential Purposes within the Port Outer Control Boundary (Port Chalmers)

On any site located between the Port Noise Boundary and the Port Outer Control Boundary at Port Chalmers, as shown on District Plan Maps 65 and 70, any new building to be used for residential activities shall be acoustically insulated from external noise so as to meet an indoor design level of 40 dBA Ldn within any kitchen, dining area, living room, study or bedroom.

(xii) Minimum Site**(a) Minimum Area**

- (i) Front Site 500 m²
- (ii) Rear Site 500 m² excluding the access leg *[Amended by Plan Change 10, 18/1/11]*

(b) Minimum Frontage

- (i) Front Site 3.5 m
- (ii) Rear Site where access serves up to 3 residential units 3.5 m
- (iii) Rear Site where access serves 4 or more household units 6.0 m

(xiii) **Home Occupation**

The area within any building used for home occupation(s) is limited to 50 m².

Rule 8.7.3 Controlled Activities

[Deleted by Variation 6: 18/10/00]

Rule 8.7.4 Discretionary Activities (Restricted)

The following activities are discretionary activities (restricted):

- (i) Any permitted or controlled activity which does not comply with the relevant conditions in Rule 8.7.2 of the Residential 1 Zone or, for scheduled activities, the relevant conditions in Rule 8.7.2 or 8.7.7. The Council's discretion is restricted to the condition or conditions with which the activity fails to comply. An assessment of the effects of non-compliance with the conditions in Rule 8.7.7.1 shall include an assessment of the effects of shading on adjacent properties and roads. *[Amended by C175/2001 and C213/2001]*
- (ii) Multi-unit residential activity at a density of not less than 500 m² of site area per residential unit in the area shown as 'Restricted Water Supply Area'. The Council's discretion is restricted to the requirements of Rule 8.7.2 and the use of and demand for water created by the proposal.
- (iii) Multi-unit residential activity at a density of not less than 500 m² of site area per residential unit in the area shown as "Hillhead Road Extension". The Council's discretion is restricted to: the requirements of Rule 8.7.2; and the use of and demand for water created by the proposal; and the demands on and the capacity of the waste water system. *[Inserted by C105/2001]*
- (iv) Residential activity at a density of not less than 500m² of site area per residential unit on a site located in the Mosgiel East Area in Appendix 8.2 but not created pursuant to Rule 18.5.12. The Council's discretion is restricted to the Mosgiel East Structure Plan and Design Assessment Criteria in Appendix 8.2. *[Inserted by C17/2008, 12/02/08]*

Rule 8.7.5 Discretionary Activities (Unrestricted)

The following activities are discretionary activities (unrestricted):

- (i) Community Support Activity.
- (ii) Structures for recreational activities with a floor area greater than 25 m².
- (iii) Accessory buildings for discretionary activities.
- (iv) Commercial Residential Activity.

Rule 8.7.6 Non-Complying Activities

- (i) Forestry Activity.
- (ii) Quarrying, except for Fairfield Sand Pit No 1 (see Rule 8.7.1(v)). *[Amended by C175/2001]*

- (iii) Any activity not specifically identified as permitted, controlled or discretionary by the rules in this zone or in the rules of Sections 17 to 22 of this Plan is non-complying. This rule does not apply to activities identified as permitted, controlled or discretionary in the rules of Sections 13 to 16 of the Plan, regardless of where in the zone those activities are undertaken.

Rule 8.7.7 Scheduled Activities

8.7.7.1 Columba College, on the site comprised of the following parcels:

Pt Lot 91 Deeds Plan 85 (CT 202/206)
Pt Lot 1 DP 1994 (CT 256/150)
Pt Lots 90-92 Deeds Plan 85 (CT 269/286)
Pt Lot 91 Deeds Plan 85 (CT 305/115)
Lot 2 DP 11030 (CT 2D/974)
Lot 2 DP 2958, Lot 1 DP 17605 (CT 8D/147)
Pt Lot 3 DP 2958 (CT 8D/148)
Lot 1 DP 17790 (CT 8D/1451)
Pt Lot 1 DP 1994, Lot 1 DP 25738 (CT 17D/480)
Lots 1–2 DP 7983, Lots 8-12 DP 1994, Pt Lot 85–86, Deeds Plan 85 (CT 18C/474)
Lot 88 Deeds Plan 85, Pt Lot 1 DP 2958 (CT 18C/475)

The following conditions shall apply to development at Columba College:

- (a) All yards on the site as defined above - 4.5m provided that there shall be no building:
 - (i) within 16 metres of the Oban Street boundary; or
 - (ii) within 16m of the western boundary of Pt Lots 90 and 92, Deeds Plan 85 (CT 213/283);
or
 - (iii) on the land described as Lot 1 DP 17790 (CT 8D/1451).
- (b) Height Plane Angle – 45°
- (c) The maximum height condition at rule 8.7.2 shall not apply at Columba College.
- (d) Minimum Car parking – one car park per 10 pupils (calculated on the total school roll).
- (e) Maximum Site Coverage – 40% of the total land area
- (f) Access - Access requirements shall comply with the performance standards in Section 20 (Transportation).
- (g) Signs – Refer to the Signs Section.
- (h) Noise, Glare, Lighting and Electrical Interference – Refer to the performance standards of the Environmental Issues section.

[Inserted by C213/2001]

8.7.7.2 Roman Catholic Schools

- (i) St Brigid's School, on the site comprised of the following parcels:
 - Lot 1 DP 3291, Pt Secs 3 & 4 BLK III (CT A2/69)
 - Lot 2 DP 15956, Lot 4 & Pt Lots 5 & 6 DP 3291 & Pt Lot 2 DP 7352, Pt Secs 3 & 4 BLK III (CT 6D/1398)
 - Lot 17 DP 3291, Pt Secs 3 & 4 BLK III (CT A2/56)
 - Lot 1 DP 7352, Pt Secs 3 & 4 BLK III (CT A2/100)
- (ii) St Bernadette's School, on the site comprised of the following parcels:
 - Lots 4 & 5 DP 4674, Pt Secs 43 & 116R BLK VII (CT 3D/366)
 - Lots 5 DP 1273, Pt Sec 42 BLK VII (CT 3D/363)
 - Lot 6 DP 1273, Pt Sec 42 BLK VII (CT 3D/362)
 - Pt Lot 7 DP 941, Pt Secs 43 & 116R BLK VII (3D/364)
 - Lots 1 & 2 DP 5214 & Pt lot 2 DP 2063, Pt Secs 43, 44 & 116R BLK VII (CT 7B/935)
 - Lot 3 DP 4674, Pt Secs 43 & 116R BLK VII (CT 3D/365)
- (iii) St Francis Xavier School, on the site comprised of the following parcels:
 - Lot 2 DP 20800 & Lots 11, 12, 13, 14 & 15 DP 2402 & Pt Lots 5, 6 & 7 DP 2284, Pt Sec 62 BLK VI (CT 12C/131)
 - Lots 1 & 2 DP 10493, Pt Sec 62 BLK VI (CT 3D/228)
 - Lot 16 DP 2402, Pt Sec 62, BLK VI (CT 3D/230)
- (iv) St Josephs School (Port Chalmers), on the site comprised of the following parcels:
 - Secs 197 & 411 & Pt Secs 196 & 199, DP 4111 & DP 4070 (CT 10B916)
- (v) St Mary's School, Kaikorai, on the site comprised of the following parcels:
 - Lots 1, 2, 30 & 31 DP 158, Pt Secs 108 & 109 (CT 3D/399)
 - Lots 28 & 29 DP 158, Pt Secs 107 & 108 (CT 8C/681)
 - Part of Berwick St, DP 158, Pt Secs 107 & 108 (CT 3D/400)
 - Lots 36, 37 & 38 DP 158, Pt Secs 107 & 108 (CT 3D/398)
 - Lot 8 DP 51, Pt Secs 16 & 17 BLK IV (CT 3D/397)
- (vi) St Peter Chanel School, on the site comprised of the following parcels:
 - Pt Sec 116 BLK V (CT 12C/901)
 - Pt Lot 1 DP 9196 & Pt Secs 83, 84, 95, 96 & 102 BLK V (CT 12C/902)
- (vii) Sacred Heart School, on the site comprised of the following parcels:
 - Lot 1 DP 17939, Pt Sec 3 (CT 9A/707)

The following conditions shall apply to development at the above schools 8.7.7.2 (i) – (vii):

- (a) Minimum Yards
 - (i) Front Yard 4.5 m except that the front yard may be reduced in depth to the forward most part of existing buildings on the site (excluding accessory buildings).
 - (ii) All others yards 4.5 m
- (b) Height Plane Angle – 63° provided that this requirement will not apply to site boundaries facing the street.

- (c) Maximum Height – 9m
- (d) Minimum Car Parking – 1 car park per 3 additional classrooms on the site
- (e) Maximum Site Coverage – 40% of the total land area
- (f) Access - Access requirements shall comply with the performance standards in Section 20 (Transportation).
- (g) Signs – Refer to the Signs Section.
- (h) Noise, Glare, Lighting and Electrical Interference – Refer to the performance standards of the Environmental Issues section.

[Inserted by Consent Order 16/08/02]

8.7.7.3 St Hildas Collegiate School and Hostel

- (i) St Hildas Collegiate School on the sites comprised of the following parcels:

Section 13 BLK XXIV (CT332/205)
 Lot 1 DP 895 (CT 3B/1343)
 Lot 2 DP 895 (CT 7D/211)
 Lot 4 DP 895 Pt Lot 3 DP 895 (CT 7D/212)
 Pt Lot 5 DP 895 Pt Lot 3 DP 895 (CT 7D/213)
 Pt Section 12 BLK XXIV (CT 10D/804)
 Lot 6 DP 895 (CT 10D/805)
 Section 11 BLK XXIV (CT 33/276)
 Pt Section 12 BLK XXIV (CT 114/228)
 Pt Section 12 BLK XXIV (CT 114/229)
 Lot 1 DP 33325 (CT 13D/1010)

The following conditions shall apply to development at St Hildas Collegiate School:

- (a) All yards 4.5m except that:
For buildings facing Cobden Street and Herriot Row no front yard is required.
- (b) Height Plane Angle – 63o except that:
The height plane angle requirement shall not apply to buildings facing Cobden Street.
- (c) Maximum Height – 9m
- (d) Minimum Car Parking –1 car park per 5 additional school pupils above a school roll of 450 pupils.
- (e) Maximum Site Coverage – 40% of the total land area
- (f) Access - Access requirements shall comply with the performance standards in Section 20 (Transportation).
- (g) Signs – Refer to the Signs Section.
- (h) Noise, Glare, Lighting and Electrical Interference – Refer to the performance standards of the Environmental Issues section.

- (ii) St Hildas Collegiate School Hostel on the sites comprised of the following parcels:
Lot 3 DP 4089 (CT A1/1395)

The following conditions shall apply to development at St Hildas Collegiate School Hostel:

- (a) All yards 4.5m
- (b) Height Plane Angle – 63°
- (c) Maximum Height – 9m
- (d) Minimum Car Parking – one car park per 10 pupils
- (e) Maximum Site Coverage – 40% of the total land area
- (f) Access - Access requirements shall comply with the performance standards in Section 20 (Transportation).
- (g) Signs – Refer to the Signs Section.
- (h) Noise, Glare, Lighting and Electrical Interference – Refer to the performance standards of the Environmental Issues section.
- (i) Activity on site to be restricted to the operation of boarding facilities for school pupils

[Inserted by Consent Order, 11/12/02]

8.7.7.4 Liberton Christian School on the site comprised of the following parcels:

Lot 1 DP 8540(CT 8D/655)

The following conditions shall apply to development at Liberton Christian School:

- (a) All yards 4.5m
- (b) Height Plane Angle – 63°
- (c) Maximum Height – 9m
- (d) Minimum Car Parking – 1 car park for every 2 additional classrooms above 5 classrooms
- (e) Maximum Site Coverage – 40% of the total land area
- (f) Access - Access requirements shall comply with the performance standards in Section 20 (Transportation).
- (g) Signs – Refer to the Signs Section.
- (h) Noise, Glare, Lighting and Electrical Interference – Refer to the performance standards of the Environmental Issues section.

[Inserted by Consent Order, 27/8/03]

8.7.7.5 Dunedin Rudolph Steiner School on the site comprised of the following parcels:

Lots 76-79 and part Lot 81 DP 168 (CT 243/43)

The following conditions shall apply to development at Dunedin Rudolph Steiner School:

- (a) (i) Front yard 3m
- (a) (ii) All other yards 2m
- (b) Height Plane Angle – 63° except that:
The height plane angle requirement shall not be applied on the Afton Terrace boundary.
- (c) Maximum Height – 9m
- (d) Minimum Car Parking –1 car park per 10 additional school pupils above a School roll of 30 pupils.
- (e) Maximum Site Coverage – 40% of the total land area
- (f) Access - Access requirements shall comply with the performance standards in Section 20 (Transportation).
- (g) Signs – Refer to the Signs Section.
- (h) Noise, Glare, Lighting and Electrical Interference – Refer to the performance standards of the environmental Issues section.

[Inserted by Consent Order, 27/8/03]

8.7.7.6 John McGlashan College and Hostel on the site comprised of the following parcels:*Main College Area*

Lot 2 DP 11333 (CT 2D/1014)

Pt Sec 4 BLK II Upper Kaikorai SD(CT 2D/1015)

Hostel and Ancillary College Area

Pt Lot 61, Pt Lot 62 DP 1824(CT 168/53)

Lot 63 DP 1824 (Lots1, 2 DP 5163)(CT 144/176)

Lots 65 DP1824(CT 6A/1012)

Lot 3 DP 15296(CT 5D/1216)

Lot 4 DP 15296(CT 6A/1202)

Lot 71 DP 1824, Lot 2 DP 10183(CT A2/801)

Lot 73 DP 1824 Lot 4 DP 10183(CT B1/17)

Lot 67 DP 1824 (Lot 5 DP 15296)(CT 162/87)

Lot 69 DP 1824 (Lot 5 DP 15296)(CT 316/209)

Part Lot 68 1824 (Lot 5 DP 15296)(CT 173/16)

Part Lot 70 1824 (Lot 5 DP 15296)(CT 149/40)

Lots 75, 77 Part lots 76, 78 DP 1824(CT 144/238)

The following conditions shall apply to development at John McGlashan College and Hostel:

- (a) All yards 3.0m except that:
For sites fronting Passmore Crescent, Grater Street and Cannington Road a front yard of 4.5m is required.
- (b) Height Plane Angle – 63° except that:
For the main college area identified above, a height plane angle of 45o applies from site boundaries facing Pilkington Street, Balmacewan Road and Cannington Road.
- (c) Maximum Height – 9m except that:
For the main college area identified above there is no maximum height and the maximum height condition at rule 8.7.2 shall also not apply.
- (d) Minimum Car Parking: 1 car park per 5 additional school pupils above a school roll of 500 pupils.
- (e) Maximum Site Coverage – 40% of the total land area
- (f) Access - Access requirements shall comply with the performance standards in Section 20 (Transportation).
- (g) Signs – Refer to the Signs Section.
- (h) Noise, Glare, Lighting and Electrical Interference – Refer to the performance standards of the Environmental Issues section.

[Inserted by Consent Order 20/10/03]

8.7.7.7 Quarrying situated at:

- (i) Fairfield Sand Pit No 1 as defined by Pt Secs 32 – 38 and Pt Sec 53 Green Island West SD, provided that there is no blasting or aggregate processing.

In addition to the conditions in Rule 8.7.2, the following conditions apply to Quarrying Activities

- (a) For quarrying the noise levels in the Environmental Issues Section apply but are subject to an adjustment of minus 5 dBA for noise emissions having special audible characteristics. Noise level readings are to be provided by the quarry operator, for two hours at times representative of the operation and at which maximum noise levels can be assessed, for the purpose of determining compliance with the noise conditions. These readings shall initially be provided within 1 week of the quarry being operated following the date on which this plan becomes operative. Thereafter, readings shall be provided at 12 monthly intervals.
- (b) Hours of operation: Monday to Friday 6am to 8pm and Saturday 7am to 5pm.
- (c) A programme of screen planting designed to mitigate adverse visual effects as viewed from the adjacent residential areas, road and other viewing areas shall be commenced within one month of this plan becoming operative. All planting shall be in accordance with a landscape plan prepared by a qualified landscape architect and all vegetation established as part of this programme shall be maintained in a healthy state at all times. Where practical existing screening vegetation within 15m of an adjoining property boundary which is used for residential purposes shall be retained.
- (d) A programme of landscaping to encourage the revegetation of areas no longer quarried shall be commenced within one month of this plan becoming operative. All planting shall be in accordance with a landscape plan prepared by a qualified landscape architect and all vegetation established as part of this programme shall be maintained in a healthy state at all times. The site shall be rehabilitated to an appearance and character similar to that of the surrounding environment.
- (e) No land shall be quarried within 15m of any adjoining property boundary which is used for residential purposes. The edge of the quarried area shall be designed and certified by a suitably qualified geotechnical engineer to ensure that the edge will not adversely affect any adjoining property boundary.

[Inserted by C175/2001]

- (f) No earthworks shall be located:
 - (i) Within 12m of the closest visible edge of the foundation of a high voltage transmission line support structure as shown on District Plan Maps 4-6, 8-10, 16-19, 29-32, 45-47, 49 & 53; or
 - (ii) Within 12m of the centreline of a high voltage transmission line as shown on District Plan Maps 4-6, 8-10, 16-19, 29-32, 45-47, 49 & 53, if the earthworks result in an increase in the ground level.

[Inserted by Plan Change 11, 11/10/10]