

## Report / Decision on a Non-notified Subdivision Consent Application

Sections 95A / 95B and 104 and 104B

<b>Application Number:</b>	<b>Subdivision: RMA/2020/1953</b>
	<b>Landuse: RMA/2021/1946</b>
<b>Applicant:</b>	Danne Mora Holdings Ltd
<b>Site address:</b>	84 Sabys Road and 23 – 43 Quaifes Road
<b>Site area:</b>	12.84 hectares
<b>Legal Description:</b>	Lot 4 DP 82666, Lot 1 DP 79515, Pt Lot 2 DP 8256, Pt RS 1202
<b>Zoning:</b>	Residential New Neighbourhood
<b>Overlays and map notations:</b>	Liquefaction Management Area, Flood Management Area, High Flood Hazard Management Area, Paynes Drain (Network Waterway), South West Halswell Outline Development Plan
<b>Activity Status - subdivision:</b>	Non-complying
<b>Activity Status - land use:</b>	Non-complying
<b>Description of Application:</b>	170 residential lot subdivision and ancillary landuse

### The proposal

Subdivision consent is sought to create 170 residential allotments and associated roads and reserves. Land use consent is also sought for associated earthworks, works within 5m of a street tree and to establish a dwelling on Lots 117,118, 127-130, 142-143 & 151 which are within the High Flood Management Area layer of the District Plan. The proposal is outlined in detail in section 2 of the application. In summary the following is proposed:

- 170 residential allotments.
- Associated roads, recreation reserve and utility reserve to vest in Council.
- Access will be obtained off Quaifes Road and Sabys Road, with four new intersections.
- The subdivision will be carried out in 7 stages as per the staging plan.
- Each site will be serviced by a low pressure sewer system and connection will be made to the existing terminal sewer manhole in Quaifes Road and the southern end of the gravity sewer in Sabys Road.
- Stormwater from the development roads and lots will be directed via kerb and channel to road side sumps, where it will be piped into either the realigned Paynes Drain or straight into the first flush basin in the adjoining Creamery Road stormwater system.
- Each lot will be provided with the ability to connect to power and telecommunications systems.
- The diversion of Paynes Drain into a new naturalised channel.
- Earthworks are required for the development of lots, roading and installation of services. Earthworks of approximately 55,000m<sup>3</sup>, with the maximum depth of filling above existing ground level being 0.9m. The majority of the cut is proposed for the roads which is anticipated to be 0.5m below existing ground level, with the drain construction and trenching for stormwater at 1m-1.5m.
- Earthworks within 5m of Talbots Drain and Paynes Drain, and 7m of Creamery Pond.
- Land use consent is sought to establish dwellings on Lots 117,118, 127-130, 142-143 & 151 which are within the High Flood Management Area layer of the District Plan.

- Global consent is sought to enable the future owners of each lot to establish their vehicle crossings, install a water supply connection or relocate other services within 2m of a street tree planted within the subdivision.

The proposed subdivision can be seen figure 1 below:



Figure 1: Proposed Subdivision

**History**

Resource consent ref: RMA/2020/655 was granted in May 2020 to create a temporary 1500m<sup>2</sup> stockpile of natural material at 84 Sabys Road.

Resource consent ref: RMA/2020/254 was granted in April 2020 to extend the stormwater treatment facility at 86 Sabys Road to enable further residential development.

Resource consent ref: RMA/2021/880 was granted in May 2021 under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health for soil disturbance and soil removal.

**Description of site and existing environment**

The application site and surrounding environment are described in section 3 of the AEE submitted with the application and shown in the aerial photograph below. I adopt the applicant's description.



Aerial image of site from Canterbury Maps, aerial taken November 2018

**Relevant rules and activity status**

**Christchurch District Plan**

The site is zoned Residential New Neighbourhood.

**Land use rules**

The proposal requires land use consent for a non-complying activity under the following rule(s):

Activity status rule	Standard not met	Reason	Matters of control or discretion	Notification clause
5.4.1.5 RD2	5.4.1.1 P13 - Filling or excavation	The volume of filling above ground level will exceed 10m <sup>3</sup> – 55,000m <sup>3</sup> proposed The height of fill above ground level will exceed 0.3m – 0.9m proposed The depth of excavation below ground level will exceed 0.6m – 0.5-1.5m proposed.	Timing, location, scale and nature of earthworks Earthworks method Mitigation of effects as they impact flooding and surface drainage Criteria in 5.4.1.5 RD2 b.	No clause
5.4.6.3 NC1	-	Any subdivision which creates a vacant allotment within a High Flood Hazard Management Area is classified as a non-complying activity	N/A	No clause
5.4.6.3 NC2	Any new buildings within a High Flood Hazard Management Area is classified as a non-complying activity	The proposed allotments will enable dwellings and other structures to be built on lots located within the High Flood Hazard Management Area.	N/A	No clause
5.4.6.3 NC4	Change in use of a site that increases the occupancy of the site	The proposal will increase the occupancy of the site located within the High Flood	N/A	No clause

Activity status rule	Standard not met	Reason	Matters of control or discretion	Notification clause
		Hazard Management Area.		
5.5.2 C1	-	Any subdivision which creates a vacant allotment within the Liquefaction Management Area is classified as a controlled activity	Location, size and design of allotments, structures, roads, access, services or foundations as they relate to the liquefaction hazard; Timing, location, scale and nature of earthworks as they relate to the liquefaction hazard; and Liquefaction hazard remediation methods. Criteria in 5.5.2 C1 b.	Must not be limited or publicly notified
6.6.4.3 RD1		Earthworks will occur within the 5m of two network waterways and within 7m of an environmental asset standing waterbody	Natural hazards - Rule 6.6.7.1 Natural values - Rule 6.6.7.2 Maintenance access - Rule 6.6.7.5 Amenity and character - Rule 6.6.7.3 Cultural values - Rule 6.6.7.4 Public / Recreational access - Rule 6.6.7.6	No clause
8.9.2.3 RD1	8.9.2.1 P1 a. Earthworks volume and depth b. Depth of earthworks c. Earthworks gradient	The proposed earthworks will exceed the 20m <sup>3</sup> maximum volume in Table 9) – 55,000m <sup>3</sup> is proposed The proposed earthworks will exceed the 0.6m maximum depth by 2.4m (0.9 of fill and 1-1.5m of excavation). The proposed earthworks will be carried out on land with a gradient steeper than 1 in 6	8.9.4 Matters for discretion: 8.9.4.1 - Nuisance 8.9.4.2 - Resources and assets (versatile soils) 8.9.4.3 - Land stability 8.9.4.4 - Coastal hazard 8.9.4.6 - Amenity 8.9.4.7 - Indigenous biodiversity, natural character and landscape features 8.9.4.8 - Historic heritage 8.9.4.9 - Sites of Ngāi Tahu cultural significance 8.9.4.10 - Coastal environment	8.9.1 a. - Must not be publicly notified
9.4.4.1.3 RD 8	9.4.4.1.1. P12 a. Earthworks within 5 metres of the base of any tree in: i. parks, public open space or road corridors in Christchurch City;	Earthworks not meeting the activity specific standards in Rule 9.4.4.1.1 P12 Earthworks to be undertaken with 5m of the base of any street tree up to 2m.	Rule 8.9.4, matters 1 and 3 b. Rule 9.4.6 a.- e., g., i.- o	No Clause

### **Subdivision rules**

The proposal requires subdivision consent for a non-complying activity under the following rule(s):

Activity status rule	Standard not met	Reason	Matters of control or discretion	Notification clause
8.5.1.3 RD2	The proposed	The largest block closest to	8.7.4 - General matters	8.4.1.1

Activity status rule	Standard not met	Reason	Matters of control or discretion	Notification clause
	subdivision meets all the activity standards Rule 8.6.1-8.6.12 with the exception of 8.6.11(k). and 8.6.4 –	Sabys Road does not have a walkable block of less than 800m, 840m proposed. All roads shall be laid out, constructed and vested in accordance with the standards set out in Appendix 8.10.3 and in Chapter 7 – Collector Roads shall be 22m in width, 20m width is proposed for the Collector road – Lot 214.	8.8.7 - Flood Management Area	
8.5.1.3 RD4	-	Subdivision within a Flood Management Area is classified as a restricted discretionary activity.	8.7.4 - General matters 8.8.7 - Flood Management Area	8.4.1.1

### National Environmental Standard

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES) controls subdivision of land and soil disturbance where an activity on the Hazardous Activities and Industries List (HAIL) is being carried out or is more likely than not to have been carried out.

Resource consent ref: RMA/2021/880 was granted in May 2021 under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health for soil disturbance and soil removal.

<b>Effects on the environment and adversely affected persons [Sections 95D, 95E and 104(1)(a)]</b>
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As a non-complying activity the assessment of the effects of the subdivision and landuse is unrestricted and all actual and potential effects must be considered. The land is zoned for residential purposes and it is reasonable for the community to anticipate that there will be a change from a rural environment to an urban one. Guidance as to the effects that require consideration is contained in the relevant objectives and policies in Chapter 5, 6, 8 and 9 and any associated matters of discretion or control.

In my opinion the effects of this proposal relate to design and integration, servicing, waterways, transport, earthworks, natural hazards and street trees.

#### Design and Integration

The layout and design of the proposed subdivision is in general accordance with the requirements of the South West Halswell Outline Development Plan (ODP), meets minimum site sizes and dimensions, and provides for 15 households per hectare.

Council's Senior Urban Designer, Mr David Hattam, has reviewed the proposal and carried out an urban design assessment. Overall Mr Hattam considers that the proposal has a high standard of design through its street pattern, open space and the level of street interaction from the sections. However he considers that it does not provide for a variety of housing types as there is not much variety in lot sizes.

With regard to the relevant matters of discretion 8.8.9.1 which relate to integration, context and placemaking, the proposal is designed around a central reserve and waterway and the waterway generally lines up with the location of an anticipated road connection on Quaifes Road. Mr Hattam considers that this will connect the new reserve to the wider urban area with a physical connection and line of sight and the reserve is central to the development and is easily accessed. There will also be views from the reserve (and from within the subdivision more generally) to the rural area beyond, over the Creamery Ponds area and Mr Hattam considers there will be a meaningful network of open space that will contribute to the wider amenity of the area. I agree with Mr Hattam on this.

The subject site is a distinct parcel of land that is separate from the majority of the ODP area. However, Mr Hattam considers that the proposal does provide for a logical and complementary pattern of development, structured around the ODP road on the west boundary, and logical connections from this road to Quaifes Road and no.57 Quaifes Road which is yet to be redeveloped. The design of the subdivision will ensure connectivity through the site and into neighbouring properties.

As a result of the above, Mr Hattam considers that the proposal is well integrated with its surroundings and that it would make a positive contribution to the sense of place and I concur with him on this.

As outlined above, the subdivision allotments meet the minimum net areas and dimensions as required by the District Plan and this will enable dwellings to be designed and established in accordance with the relevant Residential New Neighbourhood rules in the District Plan.

Concern is however raised by Mr Hattam that while the proposal has some variety of lot types, the majority of lots fall in the 400m<sup>2</sup>-600m<sup>2</sup> with no provision of smaller lots and consequently smaller house options.

However, in the wider ODP area there are provision of smaller lots less than 350m<sup>2</sup> for example:

RMA/2020/1897 – 68 Quaifes Road – 4 / 50 lots at 332-363m<sup>2</sup>  
RMA/2021/181 (not yet approved) – 4 / 89 lots at 350/353m<sup>2</sup>  
RMA/2017/2178 – 12 / 197 at < 300 and 13 at 300-370m<sup>2</sup>  
RMA/2018/164 – 8 / 70 at <400m<sup>2</sup>

Whilst there has been some modest provision of smaller lots across the ODP as shown above, Mr Hattam considers that it is not of an extent that would mitigate the shortfall of provision for this subdivision and suggest that there should be some provision for at least 9 lots of less than 375m<sup>2</sup>. The applicant has considered the provision of smaller lots but considers that given the location at the edge of the city with a lack of public transport and proximity to commercial/retail services that it is not appropriate for smaller allotments to be provided. Further, the allotment sizes provided do not prevent the future owners from providing for differing housing types. I agree with the applicant's comments and consider that given the location of the site and the provision of smaller lots in the wider ODP, on balance the size of the lots provided are considered to be acceptable in this instance.

With regard to connectivity, Mr Hattam considers that there is a good amount of connectivity provided in the proposal due to the well-connected grid street pattern both within the development and allowing for external connections. There are also additional connections through the stormwater network to the reserve and to the Creamery site beyond and although some of the blocks are quite long (for instance fronting Sabys Road) adequate connectivity is provided and the proposal will generally provide for a connected neighbourhood. I accept Mr Hattam's advice in terms of connectivity.

The width of the streets will allow for footpaths and trees and there is also a significant amount of other open space through the reserve and stormwater network. Lots are generally wide allowing outdoor living to be at the side where necessary for solar access (rather than the front) and is likely to avoid encouraging fencing to enclose the street. Mr Hattam considers that this pattern of active frontage and street planting will promote a cohesive neighbourhood and I concur with him on this.

Overall, the applicants consider that the subdivision achieves the integration and connectedness sought for developments in the Residential New Neighbourhood Zone and the South West Halswell ODP area, and I concur with them on this.

#### Services

The provision of the various services have been addressed within the applicant's assessment of environmental effects (AEE) and further information provided. I consider it to provide an accurate assessment of the likely and potential effects relating to services. The proposed allotments will all be connected to the available council reticulated services and appropriate easements for conveyance of these services has been provided. Power and telecommunications will be provided to all sites in accordance with the appropriate standards.

#### Waterway

Talbots Drain runs along a portion of the Quaifes Road frontage of the site and will remain open. Paynes Drain runs from Quaifes Road through the centre of the development and this is to be diverted into a new watercourse constructed as part of this proposal. Paynes drain will be naturalised for its full extent, with the exception of the two culverts under roads, and will run through the Local Purpose (Utility) Reserve Lots 201, 202 and 203.

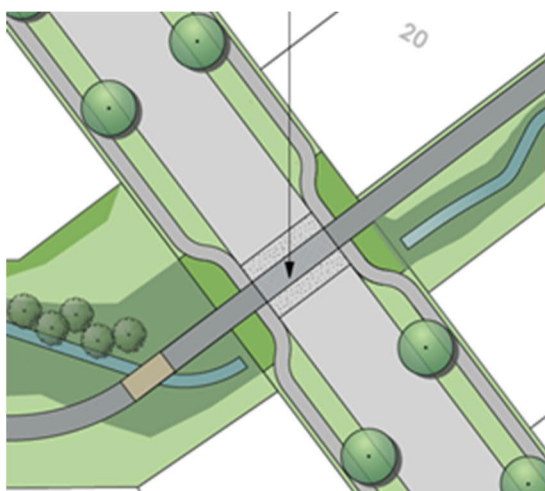
Council's Surface Water and Land Drainage Planner, Emily Tredinnick, has reviewed the proposal and provided comments and conditions. Mr Tredinnick advises the following:

*Talbots Drain joins/becomes Paynes Drain upon entering the Site. Along Quaifes Road there are springs within the vicinity of Lots 25-28, within Talbots Drain/the road reserve. The application avoids*

vehicle crossings over this section of the waterway by providing a rear access for these sections. Typical cross-sections (provided in February), show fencing and planting along the banks of the waterway. Although the indicative profile of Talbots Drain within the road reserve has steep batters, which doesn't provide much space for planting and trees, the importance of this section is the preservation of the springs and the water, which feeds the waterway. We would expect that planting will be provided along the banks of the waterway to help ensure that it will have stabilised banks, and provide appropriate riparian habitat.

For sites adjacent to the waterway, the application has also sought to protect 2m off the boundaries, in addition to the reserve the waterway sits within. This ensures that if the classification of the enhanced waterway changes in the future to reflect the enhanced environment, the development will still protect the majority of the setback area.

The applicant has also agreed to minimise the length of the culverts within Paynes Drain by removing the berms either side (as per the image below), which helps to protect fish passage through Paynes Drain.



Overall, I consider this application will result in a positive benefit when compared to the existing timber-lined waterway. I have recommended some conditions to help ensure that the indicative cross-sections and design will result in a positive outcome, in accordance with the expectations of the Waterways, Wetlands and Drainage Guide and the District Plan.

I accept the above advice of Ms Tredinnick and consider that the proposal will provide positive benefits to the amenity of this waterway and the surrounding environment subject to her recommended conditions requiring an Engineering Design Report being submitted which shows the enhancement of Talbots Drain/Paynes Drain would be in accordance with the Waterways, Wetlands and Drainage Guide and does not impede fish passage, the provision of a Fish Management Plan, and a detailed planting plan for the waterway enhancement. The applicant has reviewed and accepted these draft conditions such that they form part of the application.

#### Transport

The proposed roads will provide a fully interconnected road network that connects into the surrounding roads which generally comply with the requirements of the District Plan, with the exception of the Collector Road (Lot 214) that runs from the northern boundary through to Sabys Road. The road network is in general accordance with what is anticipated in the ODP.

Council's Transport Planner, Mike Calvert, has reviewed the proposal and provided advice. With regard to the reduced Collector Road width, Council are unlikely to upgrade Quaifes Road to meet the 22m width of the District Plan. The reduced width does not impact on the formed carriageway as 10m is proposed. However, to compensate for the reduced width a 2.5m shared path is proposed on the eastern side of the road which will eventually connect with the one the ODP requires on the northern side of Quaifes Road in Area 1. Mr Calvert has not raised any concerns with the reduced width.

Concern was raised regarding the alignment of the collector road (Lot 214) not aligning with the proposed road through to the land to the north. The width of Lot 214, which runs alongside Lots 123-130, has been reduced in width providing for a realignment of the road to the north. It is noted however that Council have not received any applications for the subdivision to the north and the realigned road is based on a proposed subdivision rather than any formal approval.

With regard to road frontage upgrades, Quaifes Road is to be upgraded with a footpath, seal widening to achieve a 10 metre carriageway, kerb and channel, undergrounding and lighting upgrade. Sabys Road frontage is to be upgraded with a 2.5 metre shared path, seal widening to achieve a 10 metre carriageway, kerb and channel and lighting upgrade. The intersection of the new collector (Lot 214) with Sabys Road is to be controlled by a roundabout which is to be constructed within Stage 5 of the development.

A concept safety audit was submitted as part of the application and a condition is proposed requiring a safety audit shall be submitted to Council at Detailed Design and Post Construction phases. This condition has been accepted by the applicant and thus forms part of the application.

Overall the applicants and Mr Calvert consider that the proposed roading will be provide for the appropriate level of service that is anticipated for a residential development and I concur with them.

#### Earthworks

The earthworks primarily involve filling to ensure that the sites sit above the 1 in 200 year flood level and to lift the site above the surrounding roads. The site will be filled to provide a finished ground level of approximately 21.56RL, which is above the 200 year flood level of approximately 21.31RL.

The estimated volume of fill will be approximately 55,000m<sup>3</sup>. Council's Subdivision Engineer, Doru Hozias, has reviewed and provided comment on the earthworks. The applicant advises all bulk filling will be compacted in accordance with NZS 4431. It is anticipated that some of the required fill material will be sourced on site from the cut associated with the roads and drainage channel, however the majority of fill will be brought into the site from the adjoining Creamery Ponds site, which are to be extended to provide stormwater detention.

Given the proximity of the Creamery Ponds to the site, there will be significant reduction to the heavy vehicle movements on the road network typically anticipated.

The site has only one shared private boundary, being the property to the north/northwest and this property falls towards the application site. The applicant advises that there is a small swale on the neighbours site that directs any surface runoff from that property to Creamery Ponds. Further, the minimal amount of filling anticipated to occur along this boundary, with depths ranging from 0.2m to 0.3m is unlikely to result in adverse effects on neighbouring property and I concur with the applicant on this.

The applicant advises that given the required filling to ensure that the appropriate finished site levels, the only excavation below natural ground level is in association with the installation of roads, trenching for infrastructure and the construction of the new channel for Paynes Drain. The anticipated depth of excavation associated with the roads is 0.5m below existing ground level, with the trenching for stormwater infrastructure and drain construction being 1-1.5m below existing ground level.

With regard to discharge of stormwater during construction, the applicant's advise that this will occur either as a permitted activity by rule 5.86A of Environment Canterbury's Land and Water Regional Plan, under Council's global consent for this area or through a separate consent obtained by the applicant. Post construction discharge will occur under the Council's Global consent CRC190445.

The applicant states that erosion and sediment control measures will be in line with Environment Canterbury guidelines and dust created on site will be controlled by water cart, dust suppression fencing or other such Council approved methods.

#### Natural Hazards

The site is shown to be a liquefaction management area. Any works in these areas where vacant allotments are created fall under a controlled activity status with the matters of control and assessment criteria focusing on liquefaction hazard remediation methods such as ground strengthening where required, foundation design and provision of resilient services and the ability of these to be incorporated into consent conditions or consent notices.

The applicant has provided a geotechnical report prepared by KGA Geotechnical Group Ltd which states that the subdivision is classified as containing both TC2 and TC3 areas. However, geotechnical completion reporting will ensure lots created under this subdivision application are not presented as TC3.

With regard to flooding, the sites are located within the Flood Management Area and High Flood Hazard Management Area. The development of this site will involve raising the site to ensure that the finished site levels are above the 1 in 200 year modelled flood level. The site will be shaped so that it drains appropriately and all stormwater including secondary flow, will eventually discharge to the Council system in the adjoin



Creamery Ponds, in accordance with the Global Stormwater consent. It is also accepted by Mr Norton that the current flood modelling is out of date and there is approximately 1m difference between the old and new modelling for this catchment for the 200 year event.

In terms of flood displacement, current modelling is identified as being out of date by up to 1m and new modelling, for the wider area, is anticipated to significantly reduce the area of FMA over the site. A condition is consent is proposed, and has been accepted by the applicant such that it forms part of the application, that prior to s224C being issued Council may serve notice to the applicant that the updated flood modelling has established revised peak flooding levels and if results exceed RL 21.05m Christchurch Datum, the applicant shall undertake works so that the filling of land shall not cause adverse flooding effects on other land.

The applicant's consider that by ensuring that the finished lots sit above the newly modelled 200 year flood level and with the provision of additional detention within the Council's stormwater system, it is considered that the proposal will appropriately address the flooding risk.

Lots 117, 118, 127-130, 142-143 and 151 are located, or partly located, within the High Flood Hazard Management Area. The District Plan defines High Flood Hazard Management Area as follows:

'an area subject to inundation events where the water depth (metres) x velocity (metres per second) is greater than or equal to 1, or where depths are greater than 1 metre, in a 0.2% AEP (1 in 500-year) flood event (as identified in the Canterbury Regional Policy Statement, Chapter 11) and shown on the planning maps'.

Based on the topographic survey and the location of the overlay, a 1m depth is approximately RL22.1. As discussed above, the site is to be raised so that the finished ground level on all sites is at least 21.56RL and therefore, the resulting water depth over the allotments in a 1 in 500 year flood event will be less than 1m and therefore would not meet the definition of High Flood Hazard.

Further, the applicant's consider that the proposal has been comprehensively designed, meaning that the layout and engineering have considered all relevant aspects such as the flooding with the locality and the stormwater generated by the development and wider catchment. The existing low areas on the site that result in the High Flood Hazard notation, have essentially been transferred to the realigned channel of Paynes Drain and adjoining roads.

The relevant policies (5.2.2.1.1 and 5.2.2.1. (b) require that new subdivisions and development is avoided where the risk from a natural hazard is assessed as being unacceptable, and where it will increase the potential risk to people's safety, well-being and property. Given the above, and taking into account the anticipated revised modelling, the lots having a level of 21.56RL, then this is considered to reduce any potential flood risk to people's safety, well-being and property to the future owners of Lots 117, 118, 127-130, 142-143 and 151.

Given the above, the proposed subdivision is not considered to create any unacceptable risk to property owners in terms of flooding.

#### Street trees

Earthworks within five years of the granting of this consent are proposed to be able to be carried out within 5m of street trees in order to form a vehicle crossing or minor trenching for the installation of service connections. The applicant's advise that the extent of works for each vehicle crossing is estimated to be between 12m<sup>2</sup> and 17m<sup>2</sup> depending on the width of each crossing.

The street trees will be planted prior to the issue of the s224c for this subdivision and will be approximately 2.5metres in height at the time of planting. Given the age of the trees it is unlikely that at the time of the installation of the vehicle crossing and associated earthworks, the root system would extend beyond 1m radius from the trunk of the tree. Any earthworks will be no closer than 2metres from the trunk of the street trees in accordance with the Infrastructure Design Standards.

Given the extent of earthworks and the existing zoning, the proposal will not result in a loss of versatile soils or affect land stability, and any effects are considered to be less than minor.

#### Summary

For the above reasons, I consider that the adverse effects of the proposal on the environment would be less than minor and there are no affected parties. The proposed subdivision is generally anticipated within the Residential New Neighbourhood Zone, and does not raise any issues in terms of the relevant matters of discretion in the District Plan which have been used as a guide for assessment purposes. No parties are considered to be adversely affected for the reasons outlined above and within the applicant's AEE and further information provided.

## **Notification assessment [Sections 95A and 95B]**

Sections 95A and 95B set out the steps that must be followed to determine whether public notified or limited notification of an application is required.

### **Public notification**

- Step 1. The application does not meet any of the criteria for mandatory notification in section 95A(2).
- Step 2. As the subdivision and land use activities are a non-complying activities the application does not meet any of the criteria in section 95(A)(5) that would prevent notification.
- Step 3. There are no rules or NES requiring notification, and any adverse effects on the environment will be no more than minor (section 95A(8)).
- Step 4. There are no special circumstances that warrant public notification (section 95A(9)).

### **Limited notification assessment**

- Step 1. There are no affected groups or persons as outlined in section 95B(2) and (3).
- Step 2. There are no rules or NES preventing limited notification, and the application is not for a controlled activity land use consent under the District Plan (section 95B(6)).
- Step 3. As discussed above, no persons are considered to be affected under section 95E (sections 95B(7) and (8)).
- Step 4. There are no special circumstances that warrant notification to any other persons (section 95B(10)).

### **Conclusion on notification**

There is no requirement for public or limited notification of either the subdivision or land use aspect of this application.

## **Recovery Plans and Regeneration Plans**

Section 60(2) of the Greater Christchurch Regeneration Act 2016 requires that decisions and recommendation on resource consent applications are not inconsistent with Recovery Plans and Regeneration Plans.

There are no Recovery Plans or Regeneration Plans relevant to this application.

## **Relevant objectives, policies, rules and other provisions of the District Plan [Section 104(1)(b)(vi)]**

Regard must be had to the relevant objectives and policies in the Christchurch District Plan. In my opinion the application is consistent with these as the new allotments will be appropriately designed and serviced for the anticipated purpose and construction activities will be suitably managed.

Policy 5.2.2.3 and 5.2.2.3.1 are both policies which seek to manage the risk of liquefaction. A geotechnical report has been prepared that assesses the liquefaction risk in accordance with MBIE guidance. All of the sites will be able to meet a TC2 rating in accordance with this guidance and those that are currently TC3 will be reworked to ensure this can be achieved.

Policy 5.2.2.2.1 seeks to avoid subdivision, use or development in the high flood hazard management area where there will be an increase to the potential risk to people's safety, well-being and property; main the flood storage capacity and function of natural flood plains, wetlands and ponding areas, ensure that filling in urban areas at risk of flooding in a major flood event does not transfer flooding to other people, property, infrastructure or the natural environment, and reduce potential flood damage by ensuring floor levels for new buildings are above flooding predicted to occur in a major event.

As outlined above, the site is to be raised so that the finished ground level on all sites is at least 21.56RL and therefore, the resulting water depth over the allotments in a 1 in 500 year flood event will be less than 1m and therefore would not meet the definition of High Flood Hazard.

The sites will be raised above the current modelled 1 in 200 year floor level provided by Council and stormwater generated from the site and will be appropriately managed to drain away from the development and adjoining land. I agree with the applicant who considers that given these aspects of the proposal it is considered that the development achieves the outcomes sought by the above policy of reducing the potential for flooding of the future dwellings and does not increase the risk to people's safety well-being and property.

Objective 8.2.2 Design and amenity seeks an integrated pattern of development and urban form through subdivision and comprehensive development. Related Policies 8.2.2.3 Allotments, 8.2.2.4 Identity, seek to ensure that the layout, sizes and dimensions of allotments created by subdivision are appropriate and that they create neighbourhoods which respond to their context. The proposal is considered to be in accordance with this objective and policies. Given the layout and design of the subdivision the proposal is also considered to be in accordance with policy 8.2.2.6 integration and connectivity, policy 8.2.2.7 open space and policy 8.2.2.8 urban design. The proposal is in accordance with the ODP for this area.

Objective 14.2.5 Residential New Neighbourhood Zone seeks a co-ordinated, sustainable and efficient use and development. This objective and its supporting policies seek a co-ordinated pattern of residential development with the Residential New Neighbourhood zones that promotes density and quality design outcomes. The proposed subdivision complies with the ODP and provides a range of allotment sizes and living environments.

In my opinion the application is consistent with the relevant objectives and policies in the District Plan outlined above, as subdivision has been appropriately designed and serviced for the anticipated purpose.

**Relevant provisions of a National Environmental Standard, National Policy Statement, Regional Plan, Regional Policy Statement or Coastal Policy Statement [Section 104(1)(b)]**

The NES for Assessing and Managing Contaminants in Soil to Protect Human Health is relevant to the application as a HAIL activity is being carried out or is more likely than not to have been carried out on the land. Resource consent ref: RMA/2021/880 was granted in May 2021 under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health for soil disturbance and soil removal.

**Any other matters which are relevant and reasonably necessary to determine the application [Section 104(1)(c)]**

Given the non-complying status of this application it is appropriate to have regard to the issue of precedent, as well as the effect of granting consent upon the integrity of the District Plan. These are not mandatory considerations but are matters that decision makers may have regard to, depending on the facts of a particular case including:

- Whether a proposal is contrary to the objectives and policies of the plan; and if so
- Whether it can be seen as having some distinct or unusual qualities that would set it aside from the generality of cases.

In this case the proposal is not contrary to the objectives and policies, therefore I am satisfied that issues of precedent or plan integrity do not arise.

**Part 2 of the Resource Management Act 1991 [Section 104(1)]**

The above considerations are subject to Part 2 of the Act which outlines its purpose and principles.

Taking guidance from recent case law<sup>1</sup>, the District Plan is considered to be the mechanism by which Part 2 is given effect to in the Christchurch District. The Plan has recently been reviewed, and was competently prepared via an independent hearing and decision-making process in a manner that appropriately reflects the provisions of Part 2. Accordingly, no further assessment against Part 2 is considered necessary.

**Non complying activity threshold test [Section 104D(1)]**

Both tests are met, as the application will not be contrary to the objectives and policies of the District Plan and any adverse effects will be no more than minor.

<sup>1</sup> *R J Davidson Family Trust v Marlborough District Council* [2018] NZCA 316

## Section 106

### **s106 Consent authority may refuse subdivision consent in certain circumstances**

- (1) A consent authority may refuse to grant a subdivision consent, or may grant a subdivision consent subject to conditions, if it considers that—
- (a) there is a significant risk from natural hazards; or
  - (b) (repealed)
  - (c) sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision.
- (1A) For the purpose of subsection (1)(a), an assessment of the risk from natural hazards requires a combined assessment of—
- (a) the likelihood of natural hazards occurring (whether individually or in combination); and
  - (b) the material damage to land in respect of which the consent is sought, other land, or structures that would result from natural hazards; and
  - (c) any likely subsequent use of the land in respect of which the consent is sought that would accelerate, worsen, or result in material damage of the kind referred to in paragraph (b).

This section of the Act is particularly relevant in relation to geotechnical concerns following the Canterbury earthquakes. The land is identified as being within the Liquefaction Management Area in the Christchurch District Plan and rule 5.5.2a applies. According to MBIE land classification the property is located in a “GREEN” zone and the land has been identified as a “Rural Unmapped” area. As consequence the ground has no technical category assigned to it.

The applicant has submitted a geotechnical report prepared by KGA Geotechnical Group which has been reviewed by Council’s Subdivision Engineer (Doru Hozias). In summary Mr Hozias considers that the proposal is acceptable due to the following:

- Outcome of the Geotechnical Reports (Ref; K200277-1 / 20 May 2020 and K200151-1 / 7 April 2020) produced by KGA Geotechnical Group Limited
- Seeing the circumstances with the current strata geomorphology and assessing the proposal from Section 106 point of view (mainly the risk parameter in respect to vertical settlement),
- Acknowledging the fact that the likely development over any of the proposed new lots will be in terms of NZS 3604:2011 - Timber Frame Buildings,
- Taking in account the MBIE technical requirements for different range of ground settlement (an different technical categories),
- Accepting the report conclusions, including the RMA Section 106 assessment outcome:

I accept the advice provided to me regarding the risk of natural hazards, and conclude that there are no grounds to refuse consent under section 106(1)(a). In terms of section 106(1)(c) I am satisfied that adequate legal and physical access is provided to each allotment.

## Recommendations

### **LAND USE CONSENT – RMA/2021/1946**

- (A) That the application be processed on a **non-notified** basis in accordance with Sections 95A – 95E of the Resource Management Act 1991.
- (B) That the application **be granted** pursuant to Sections 104, 104B, 108 and 108AA of the Resource Management Act 1991, subject to the following condition:
1. The development shall proceed in accordance with the information and plans submitted with the application.
  2. Earthworks (except those addressed under conditions 4 to 13) shall only be carried out in association with the approved subdivision consent.

#### Conditions for Street Trees

3. After the completion of the subdivision (i.e. the issue of a section 224(c)) certificate in each respective stage, this consent only allows works within 5m of the trunk of a street tree, within 5

years of the date of the title being issued for the lot to which the crossing applies. Conditions 4 to 13 apply to works within 5m of the trunk of the tree.

4. Any earthworks within the legal road associated with the construction of a new vehicle crossing and to install water supply connections shall be setback a minimum of 2m from the trunk of any street tree.

Advice Note: The minimum separation distances between street trees and driveways specified in the Christchurch City Council [Infrastructure Design Standards](#) (IDS) must be adhered to (refer IDS 10.9.11 Location of trees in streets).

5. No other works or parking of vehicles or stockpiles or storage of materials are permitted within 5m of the trunk of a street tree, except that vehicles may park on the carriageway of the road.
6. Prior to the commencement of works, a temporary protective fence shall be erected around the tree at a minimum distance of 2m from the trunk of the tree, except that this can be reduced to 1.5m where the vehicle crossing is to be installed or to the edge of any sealed area (such as a footpath or kerb and channel).
7. The temporary protective fence shall be constructed of mesh material with a "post" system spaced at intervals of at least a metre apart and consisting of a type that has no underground strip footing.
8. The temporary protection fence shall be maintained at all times during the construction process. If the protective fencing is damaged it shall be repaired immediately.
9. No water used to wash down machinery (e.g. concrete mixers) likely to contain concrete or fuel shall be disposed of within 5m of the trunk of a street tree.
10. At the completion of works any exposed earth within the berm shall be reinstated and planted with grass.
11. Any person undertaking works within 5m of a street tree under this consent shall notify Christchurch City Council no less than five working days prior to works commencing, (email to [rcmon@ccc.govt.nz](mailto:rcmon@ccc.govt.nz)) of:
  - a) the earthworks start date and the name and contact details of the site supervisor.
  - b) the temporary protective fence being erected (provide photographic evidence)
  - c) a schedule/list of activity.
12. Within 5 working days of sealing the vehicle crossing photographs of the site shall be taken and forwarded to [rcmon@ccc.govt.nz](mailto:rcmon@ccc.govt.nz).
13. The site manager shall keep a copy of this consent on site at all times and will be responsible for informing the labour force with regard to the conditions of the consent.

## **SUBDIVISION CONSENT – RMA/2020/1953**

- (A) That the application be processed on a **non-notified** basis in accordance with Sections 95A – 95E of the Resource Management Act 1991.
- (B) That the application **be granted** pursuant to Sections 104, 104B and 106 of the Resource Management Act 1991, subject to the following conditions imposed pursuant to Sections 108, 108AA and 220 of the Resource Management Act 1991:
  1. **Compliance with Application Information**

The survey plan, when submitted to Council for certification, is to be substantially in accordance with the stamped approved application plan.
  2. **Staging**

The subdivision may be carried out in stages. If staged, each stage is to be in accordance with the staging shown on the application plan. The development may proceed in stages in no particular order in accordance with the approved subdivision plan except as set out below.

At each stage any balance land is to be left as a fully serviced allotment that retains the underlying credits, if any, for financial contributions.

### **3. Allotment to Vest as Reserve**

- 3.1 Lots 201, 202, 203, 204 and 206 are to be vested as Local Purpose (Utility) Reserve.

Advice Note – A Local Purpose (Utility) Reserve, including any landscape improvements, shall hold no credits towards the final Reserve Development Contributions Assessment

Advice note - Any underground infrastructure across land to be vested as Reserve will require an easement application in compliance with s239, prior to the issuing of s224 certificate. The application should be made to the Consent Planner, for consideration, at the Consent Holders expense.

- 3.2 Lot 200 is to be vested as Recreation Reserve, clear of any easements and the agreed value credited against the Reserve Development Contributions. The agreed improvements on the 'Accepted' landscape plans for Lot 200 are to be credited against the Reserve Development Contributions.

### **4. New Road to Vest**

The new roads, being Lots 210 - 217 are to be formed and vested in the Council to the satisfaction of the Subdivision Engineer with underground wiring for electricity supply and telecommunications.

### **5. Engineering General**

#### **5.1 Asset Design and Construction**

All infrastructure assets to be vested in the Council are to be designed and constructed in accordance with the Christchurch City Council's Infrastructure Design Standard (the IDS) and the Construction Standard Specifications (the CSS).

#### **5.2 Quality Assurance**

The design and construction of all assets is to be subject to a project quality system in accordance with Part 3: Quality Assurance of the IDS.

A. Submit a Design Report, Engineering Plans, Erosion and Sedimentation Plans, Environmental Management Plan and Design Certificate complying with clause 3.3.2 to the Subdivision Engineers (Planning Team 1). The Design Report and engineering plans are to provide sufficient detail to confirm compliance with the requirements of the IDS and this consent.

B. Submit a Contract Quality Plan for review by the Council and an Engineer's Review Certificate complying with clause 3.3.3.

*Physical works shall not commence until a Council Engineering Officer confirms that the above documentation has been received and accepted.*

C. Submit an Engineer's Report and Completion Certificate complying with clause 3.3.4.

*An Engineer's Report is a document specific to a project, which describes how the project was managed and administered in compliance with the IDS, the Construction Standard Specifications, the Contract Quality Plan and the resource consent or project brief. It provides background information to the release of the 224(c) certificate.*

*Note: Part 3 of the IDS sets out the Council's requirements for Quality Assurance. It provides a quality framework within which all assets must be designed and constructed. It also sets out the process for reporting to Council how the works are to be controlled, tested and inspected in order to prove compliance with the relevant standards. It is a requirement of this part of the IDS that certification is provided for design and construction as a pre-requisite for the release of the 224c certificate. The extent of the documentation required should reflect the complexity and/or size of the project.*

In addition to the above, all infrastructure is to be designed to resist the effects associated with earthquake induced liquefied soils. All liquefaction hazard mitigation shall be designed for a 1 in 150 year return period serviceability limit seismic design event and a 1 in 500 year return period ultimate limit state seismic design event as defined in NZS1170.5.2004.

### 5.3 Traffic Management

An approved Traffic Management Plan (TMP) shall be implemented and no works are to commence until such time as the TMP has been installed. The TMP shall be prepared by an STMS accredited person and submitted to and approved by the Christchurch Transport Operation Centre – please refer to [www.tmpforchch.co.nz](http://www.tmpforchch.co.nz)

### 5.4 Survey Plan Requirements

The surveyor is to forward a copy of the title plan and survey plan to the Subdivision Planner (that issued the consent), Resource Consents & Building Policy Unit as soon as the plan has been lodged (or earlier if possible) for checking at Land Information New Zealand for entering into the Council GIS system.

### 5.5 Laterals for rear Lots

All private sewer and stormwater laterals (serving rear lots) shall be installed under a single global Building Consent by a Licensed Certifying Drain Layer and the Code Compliance Certificate forwarded to Council's Subdivision Team as part of the Sec 224c application.

Advice Note: This will require a Building Consent unless the consent holder obtains a Building Consent exemption for the installation of the private laterals

### 5.6 CCTV Inspections

Pipeline CCTV inspections are to be carried out on all gravity pipelines in compliance with the Council Standard Specifications (CSS):

<https://www.ccc.govt.nz/consents-and-licences/construction-requirements/construction-standard-specifications/pipeline-cctv-inspections/>

### 5.7 Services As-Built Requirements

As-Built plans and data shall be provided for all above and below ground infrastructure and private work in compliance with the Infrastructure Design Standards (IDS):

<https://www.ccc.govt.nz/consents-and-licences/construction-requirements/infrastructure-design-standards/as-built-survey-and-data-requirements/>

*Note: this includes RAMM and costing data*

As-Built Plans are to be provided for any easements in gross over pipelines.

The plans are to show the position of the pipelines relative to the easements and boundaries.

## 6. Water Supply

- 6.1 The point of water supply for the subdivision shall be the DN250 OD PE100 water main at the intersection of Sabys Road and Quaifes Road. A new water main shall be installed from the point of water supply along Sabys Road and up to the intersection of Candys Road. The water main shall be sized as a DN250 PE100 water main and shall be installed into Candys Road and be terminated with a temporary hydrant to provide a future connection point. To secure the water supply to the subdivision and until the water main link to Area 1 has been established, the DN150 AC water main in Sabys Road between the intersection of Quaifes Road and O'Halloran Drive shall be upgraded to a DN250 PE 100 water main. The existing crossover shall be upgraded a DN63 OD water crossover.

Advice Note: For costs associated with the increase in diameter of the water main in Sabys Road from a DN180 to a DN250, the extension of the water main into Candys Road and the replacement of the DN150 AC water main in Sabys Road, Council will enter into an Infrastructure Provider Agreement with the developer.

- 6.2. Water mains shall be extended along the full length of roads to vest and be terminated with temporary hydrants as per the requirements of the Infrastructure Design Standard.

Advice Note: The future stages of the development will require the DN200 water main to be extended through the intersection of Halswell Road and Candys Road as part of the upgraded intersection for which Council will enter into an Infrastructure Provider Agreement with the developer.

- 6.3. The water supply shall be designed by a suitably qualified person in accordance with the Infrastructure Design Standard and in general accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice NZS 4509:2008 to the satisfaction of the Water & Wastewater Asset Planning Team. Engineering drawings supported by hydraulic model outputs shall be sent to the Subdivisions Engineer for Engineering Acceptance by the Three Waters Asset Planning Team prior to the commencement of any physical work.
- 6.4 All water mains and submains for the subdivision shall be installed in road to be vested in Council.
- 6.5 All water supply reticulation within this development shall be polyethylene (PE80B and PE100).
- 6.6 The construction of Council vested water infrastructure shall be carried out by a Council approved water supply installer at the expense of the applicant.
- 6.7 All lots shall be served with a water supply to their boundary. Submains shall be installed to 1m past each lot boundary.
- 6.8 Any rear lot or lot within a R.O.W shall be serviced by its own lateral within a shared access. An easement for the right to convey water shall be created over the lateral in favor of the lot serviced by the lateral. Laterals shall be installed by a Licensed Certified Plumber and shall not cross the boundary of the net site area of other sites.

Advice Note: This will require a Building Consent unless the consent holder obtains a Building Consent exemption for the installation of the private laterals.

- 6.9 Where laterals are installed under a building consent exemption, construction shall be in accordance with the Construction Standard Specifications (CSS) and the Infrastructure Design Standard (IDS). Dummy connection boxes shall be installed at the entrance of the shared access or R.O.W. at the public road boundary or in the event that the water main is extended into the R.O.W, in an area set aside within the R.O.W and as close as possible to the terminal fire hydrant.

## **7. Sewer**

- 7.1 The subdivision shall be serviced by a Local Pressure Sewer System designed in accordance with Council's Infrastructure Design Standards and Construction Standard Specifications. Engineering drawings supported by hydraulic calculations shall be sent to the Subdivisions Engineer for Engineering Acceptance by the Three Waters Planning Team prior to the commencement of any physical work.
- 7.2 The approved sanitary sewer outfall shall be the DN225 uPVC sewer main in Sabys Road. A single discharge point shall be provided for the subdivision.

Advice Note: The exact discharge point for the subdivision will be dictated by the odour treatment design to be accepted by Council.

- 7.3. The pressure sewer system shall be sized to accommodate local pressure sewer discharge from Lot 1 DP 72890 to the northwest of this subdivision, zoned as Residential New Neighborhood.

Advice Note: For costs associated with the increase in diameter of the sewer pressure main only, if over and above that required to service the subdivision, Council will enter into an Infrastructure Provider Agreement with the developer. Note that it is not expected that the 1.4 hectare site with a proposed number of 18 residential lots will impact the sizing of the pressure sewer main.

- 7.4 A comprehensive odour treatment and corrosion management system shall be provided for the current and future expected pressure sewer discharges into Sabys Road. The odour treatment and corrosion management system shall be designed and constructed in accordance with the following requirements:
  - The design shall be in accordance with the CCC Odour and Corrosion Management Design Guideline, the SCIRT Protective Coating for Concrete Wastewater Structures Designers Guideline, the Infrastructure Design Standards, the Construction Standard Specification and such other specifications or operations requirements to be provided / issued by Council as part of the engineering acceptance process.



- The necessary investigations, assessments and tests shall be carried out to inform the design, including to determine the most optimal location for the air extraction point and vented manholes.
- A concept and preliminary design will be presented to Council for review and acceptance by the Three Waters team prior to embarking upon the detailed design phase.
- The detailed design complete with engineering drawings shall be sent to the Subdivisions Engineer for Engineering Acceptance by the Three Waters team prior to the commencement of any physical work.
- Council to review and accept a draft Operations and Maintenance Manual as part of the design.

Advice Note: For costs associated with the odour treatment facility, if over and above that required to service the subdivision and calculated based on the upgraded sizing which may be required, Council will enter into an Infrastructure Provider Agreement with the developer.

- 7.5 The consent holder shall put in place measures to enable the initial operation of the local pressure sewer system within and from the subdivision during the build phase, including (but not limited to) ensuring self-cleansing flow and limiting sewage retention time within the system when the design number of pressure sewer tanks are not yet in operation. These measures shall be reported to the Subdivisions Engineer prior to seeking section 224(c) certification.
- 7.6 Each lot shall have a Boundary Kit located within the legal road or R.O.W. outside the boundary of the lot. The pressure lateral from the Boundary Kit is to extend at least 600mm into the net site of each lot.
- 7.7 Properties in a R.O.W. shall be serviced by a single pressure main. An isolation valve shall be installed on the pressure main at the boundary of the R.O.W and the public road. Easements in gross shall be created over Pressure Sewer Systems in private R.O.Ws.
- 7.8 Installation of the pressure sewer mains and boundary kits shall be carried out by a Council Authorised Drainlayer (Pressure Sewer Reticulation).
- 7.9 The following conditions shall be recorded pursuant to Section 221 of the RMA in a consent notice registered on the titles of each residential Lot:
- The property shall be served by a local pressure sewer unit comprising a pump and storage chamber which can accommodate at least 24 hours average dry weather flow to be supplied by either Aquatec or EcoFlow and installed by a Council Authorised Drainlayer (Pressure Sewer Tanks) at building consent stage in accordance with the Requirements for Local Pressure Sewer Units specified under a Building Consent. The local pressure sewer unit will be supplied complete with an IOTA OneBox Control Panel.
  - Ownership and control of the local pressure pump, chamber, boundary kit and OneBox Control Panel shall be vested with Council. The property owner shall enter into a Deed with the Christchurch City Council, drafted in terms approved by the Christchurch City Council, vesting ownership in the system prior to Code Compliance Certificate being issued for a dwelling on the relevant site.
  - The Council and its agents or contractors shall have the right of access to the property for the purpose of maintenance, monitoring or renewal of any part of the local pressure sewer system vested with Council.
  - The property owner shall ensure that the local pressure sewer unit is connected at all times to an electricity supply and shall remain responsible for the cost of the electricity required to operate it.
  - The property owner shall adhere to the user requirements of the local pressure sewer unit. In the event that the local pressure sewer unit is damaged as a result of a breach of this obligation, the Council may recover the costs of repair from the property owner.

Advice Note: This is an on-going condition and a consent notice will be issued under section 221 of the Act at the time of section 224(c) certificate.

## **8. Stormwater**

- 8.1. The stormwater management system shall be comprised of channels, sumps, pipes and/or swales. In addition to the below conditions, the system shall meet the requirements of the CCC Waterways, Wetlands and Drainage Guide (WWDG 2003 including Chapters 6, 21 and Appendix 10 updated 2011/12), the Infrastructure Design Standard (IDS 2018), the Construction Standard Specifications (CSS 2018) Huritini/Halswell River Stormwater Management Plan.
- 8.2. The consent holder shall demonstrate that the authorisation for discharge of construction and/or operational phase stormwater has been obtained either from Christchurch City Council or by separate resource consent from Environment Canterbury.
- 8.3. Stormwater generated from all roofs, roads and hardstanding areas within all allotments shall be collected via channels, sumps, pipes or swales and discharged into a permanent first flush sedimentation basin and extended detention wetpond "Creamery Ponds" within Council land at 86 Sabys Road.
- 8.4. The applicant shall demonstrate that the Creamery Ponds first flush basin has sufficient capacity to capture and treat the volume of stormwater runoff generated from the first 25mm of rain falling on impervious areas within the development site.
- 8.5. Stormwater in excess of the temporary first flush basin shall discharge into the extended detention wetpond. The applicant shall demonstrate that the Creamery Ponds extended detention wetpond shall be sufficiently sized to provide "Full Flood Attenuation" for the 2 percent annual exceedance probability storm event of 60-hours duration.
- 8.6. The filling of land shall not cause adverse flooding effects on other land. The consent holder shall provide a report summarizing any effects of displacement of ponded flood waters and/or disruption of overland flow caused by filling within the site, and identify all measures proposed to avoid, remedy or mitigate those effects. This report shall form part of the Engineering Design Report.
- 8.7. Prior to s224c being issued Council may serve notice to the consent holder in writing that the Council's updated flood modelling has established revised peak flooding levels for the critical 2 percent annual exceedance probability storm. If revised modelling results for the critical 2 percent annual exceedance probability storm exceed RL 21.05m Christchurch Drainage Datum, the applicant shall, undertake any and all works required to comply with Condition 8.6 above.
- 8.8. If under Condition 8.7, works are required to comply with Condition 8.6, s224c shall be issued for any particular stage provided it can be demonstrated that any design and construction changes needed to comply with Condition 8.6 can be made within subsequent stages. In the event that the works required are not able to occur within the site, s224c may be issued upon acceptance of an Engineering Design Report that addresses the matters in Condition 8.6.
- 8.9. The stormwater water management system shall be designed to ensure complete capture and conveyance of all stormwater runoff from the site for all rainfall events up to and including the critical two percent annual exceedance probability storm. This will require internal reticulation and conveyance to meet Council's inundation standards as specified in the WWDG. The conveyance system shall be designed to ensure that even for events where the critical peak stormwater runoff flow rate occurs that all resulting runoff shall actually reach the first flush treatment system. A combination of primary and secondary conveyance systems may be used to ensure this level of service is achieved.
- 8.10. The primary reticulated stormwater network shall be designed to convey (at minimum) the critical twenty percent annual exceedance probability storm event. No flooding of private property shall occur during the critical ten percent annual exceedance probability storm event and no flooding of buildings shall occur during the critical two percent annual exceedance probability storm event.
- 8.11. Paynes Drain shall be realigned and naturalised within proposed Lots 201-204. The design of Paynes Drain shall provide sufficient capacity to convey the critical 2 percent annual exceedance probability flowrate generated from its upstream catchment assuming the maximum probable development scenario.
- 8.12. The consent holder shall submit an Engineering Design Report for acceptance by 3 Waters and Waste and Resource Consents Units. The Engineering Design Report shall demonstrate how the

design will meet all of the applicable standards and shall contain all of the plans, specifications and calculations for the design and construction of all stormwater infrastructure and mitigation systems.

- 8.13 Stormwater laterals are to be laid to at least 600mm inside the boundary of all lots at the subdivision stage. Unless otherwise approved by Council Engineers, the laterals are to be laid at sufficient depth to ensure protection and adequate fall is available to serve the furthestmost part of the lot.
- 8.14 The designer of the surface water management system shall provide a report which identifies all secondary flow paths proposed for storm events that exceed the capacity of the primary stormwater network. All overland stormwater flow paths shall be identified and protected by an easement in favour of Christchurch City Council, if required.
- 8.15 Safe and adequate access to stormwater mitigation facilities for maintenance and sediment removal shall be provided and designed in accordance with WWDG Sections 6.8 & 6.9.
- 8.16 The consent holder shall provide easements in gross over all public stormwater infrastructure located outside of legal road or utility reserve areas to be vested with Council.
- 8.17 The consent holder shall operate and maintain surface water mitigation facilities and infrastructure to vest into Council for at least 12 months following the issue of the Section 224(c) certificate.
- 8.18 The consent holder shall provide as-built plans of the stormwater management systems and confirm that they have been constructed in accordance with the approved plans and comply with the IDS, particular Part 3: Quality Assurance and Part 12: As-Built.

#### **9. Local Purpose (Utility) Reserve Land**

- 9.1 All boundaries between residential allotments and Local Purpose (Utility) Reserves shall be fenced prior to issuing of the Section 224(c) certificate. The design and placement of fencing shall form part of the Engineering or Landscape acceptance.

#### **10. Reserve Landscape Plans**

- 10.1 Landscape Plans for Reserves (Lots 200, 201, 202, 203, 204 and 206) are to be submitted to the Technical Design Services (Parks and Landscapes Team) for acceptance. All landscaping is to be carried out in accordance with the Accepted plan.
- 10.2 The Landscape Plans are to provide sufficient detail to confirm compliance with the requirements of the IDS, the CSS, and the WWDG: 2003. All landscaping required by this condition is to be carried out in accordance with the accepted plan(s) at the Consent Holder's expense, unless otherwise agreed.
- 10.3 The Consent holder shall maintain plants/trees on Reserve Lots 200, 201, 202, 203, 204 and 206 for the 24 months Establishment Period (Defects Maintenance), until a final inspection and acceptance of the landscaping by the relevant Council Unit. Acceptance shall be based upon the criteria outlined in the CSS, Part 7 Landscapes (current version).
- 10.4 The Consent Holder is to maintain an accurate and up-to-date monthly report on the condition of plants/trees and the works undertaken during the Establishment Period. The report shall be submitted to the Engineer within five days of the end of each month during the Establishment Period, if requested (Refer sample report: Landscape Construction Monthly Establishment Report, CSS, Part 7 Landscape (current version)).
- 10.5 The relevant Council Unit staff may carry out an inspection of the reserve plants/trees after the first 6-12 months, and a final inspection will be carried out at the end of the 24 month Establishment Period (Defects Maintenance). Where it is not possible to determine the condition of plants/trees due to seasonal constraints (e.g. trees not being in full leaf) then the final inspection and final completion may be delayed until the condition of trees can be accurately determined.
- 10.6 The Consent holder shall enter into a separate bond with the Parks Unit (Policy and Advisory Team) to the value of 50% of the cost to replace and replant all plants/trees on reserves. The bond shall be held for the Establishment Period of a minimum of 24 months and shall be extended by a further 12 - 24 months for the replacement planting(s), as required (e.g. in a situation where 50%

or more of the landscaping is not accepted). The bond shall be released after the plants and trees have been inspected and Accepted by the relevant Council Parks Operations staff.

- 10.7 Any replacement plantings and extended establishment period required due to plants/trees not being accepted are to be carried out at the Consent Holder's expense.

#### **11. Street Tree Landscape Plans**

- 11.1 Street tree landscape plans are to be submitted to the Technical Design Services (Parks and Landscapes Team) for acceptance. All landscaping is to be carried out in accordance with the Accepted plan.
- 11.2 The Landscape Plans are to provide sufficient detail to confirm compliance with the requirements of the IDS (current version) and the CSS (current version).
- 11.3 The Consent Holder shall maintain the street trees for the 24 months Establishment Period (Defects Maintenance) until final inspection and acceptance of the trees by the relevant Council Unit. Acceptance shall be based upon the criteria outlined in the CSS, Part 7 Landscapes.
- 11.4 The Consent Holder is to maintain an accurate and up-to-date monthly report on the condition of the trees and the works undertaken during the Establishment Period (Defects Maintenance). The report shall be submitted to the Engineer within five days of the end of each month during the Establishment Period, if requested. (Refer sample report: Landscape Construction Monthly Establishment Report, CSS, Part 7 Landscape (current version).
- 11.5 The Team Leader Road Amenity & Asset Protection, or their nominee, may carry out an inspection of the trees after the first 6-12 months and a final inspection will be carried out at the end of the 24 month Establishment Period. Where it is not possible to determine the condition of trees due to seasonal constraints (e.g. trees not being in full leaf) then the final inspection and final completion may be delayed until the condition of trees can be accurately determined).
- 11.6 The Consent Holder shall enter into a separate bond with the Parks Unit (Policy and Advisory Team) to the value of 50% of the cost to supply, replant and establish all street trees. The bond shall be held for the Establishment Period of a minimum of 24 months and shall be extended by a further 24 months for the trees(s), if required (e.g. in a situation where 50% or more of the trees are not accepted). The bond shall be released after the trees have been Accepted by the Team Leader Road Amenity & Asset Protection or their nominee.
- 11.7 Any replacement plantings and extended establishment period required due to trees not being accepted are to be carried out at the Consent Holder's expense.

#### **12. Final Completion / Handover (Reserves and Street Trees)**

- 12.1 The Consent Holder shall submit, the required completion documentation in accordance with IDS Part 2:2.12 Completion of Land Development Works and the Quality Assurance System to provide evidence that the work is completed in accordance with the agreed standards and conditions of this consent. This is to be submitted, on completion of the 24 month Establishment Period, prior to final inspection for formal handover to Council and release of the Establishment Bond.

#### **13. As – Builts (Reserves and Street Trees)**

- 13.1 The Consent Holder shall submit As-Built plans for any landscape improvements on land to be vested as reserve and for any street trees, in accordance with IDS, Part 12 As-Builts records and validated before the s224 certificate is issued.

#### **14.1 Minimum Levels**

To be considered satisfactory for sewer and stormwater drainage minimum ground levels shall be based on a level of 100mm above the kerb at the street frontage, plus a grade of 1:500 to the rear boundary.

All filling exceeding 300mm above excavation level shall be in accordance with the Code of Practice for earthfill for residential purposes NZS 4431: 1989. A duly completed certificate in the form of Appendix A of NZS 4431 shall be submitted to the Council for all lots within the subdivision that contain filled ground, prior to the issue of a Section 224 Conditions Certificate.

The consent holder is to submit a report and calculations detailing any filling proposed against existing boundaries and the mitigation proposed to avoid adverse effects on adjoining properties.

The construction details of any retaining wall required to retain the fill are to be submitted to the Subdivisions Engineer for acceptance. The wall construction and materials are to be certified in addition to the NZS 4431 certification.

#### **15.1 Access Construction Standard**

The access formation shall be designed and constructed in accordance with the CCC Infrastructure Design Standard. Physical works shall not commence until a Council engineering officer confirms that the Design Report, Plans and Design Certificate complying with clause 3.3.1 of the IDS and the Contract Quality Plan and Engineer's Review Certificate complying with clause 3.3.2 has been received by Council.

#### **16. Street Lighting**

Street lighting is to be installed in the new road(s) to vest in compliance with Part 11 (Lighting) of the Infrastructure Design Standard.

#### **17. Engineering Plans**

Engineering plans for the construction of the new roads, access to rear lots, street lighting, drainage, sediment control, water supply, earthworks, landscaping and tree planting shall be lodged with the Subdivisions Engineer and approved prior to the commencement of any physical works. All works are to be in accordance with Council's Infrastructure Design Standard.

Engineering works are to be installed in accordance with the approved plans.

#### **18. Plans for Geodata Plot**

As soon as practical after the Section 223 certificate has been issued the consent holder is to advise the handling officer that the digital dataset for the subdivision is available in Land online and can be used for creation of the parcels in Council's digital database.

#### **19. As Built Plans**

As built plans of stormwater retention/detention basins and swales are to be forwarded to the Subdivision Engineer together with capacity calculations to confirm that the works have been constructed in accordance with the engineering plan.

#### **20. Existing Buildings**

The demolition or removal of buildings located over the new lot boundaries and/or as shown on the application plan.

Part of the existing building is over the lots 36/170 boundary. That part of the building over the boundary is to be removed or a party wall easement is required to ensure that the building continues to enjoy structural support from the wall on the adjoining property. In addition a report from a registered engineer will be required specifying that the proposed party wall is structurally suitable for its intended purpose. An alternative to the building removal or registration of the party wall is the erection of a structural wall to support the building within the site boundary. Building Consent will be required for the installation of the structural wall.

Building Consent may be required for the removal of the building or part thereof.

#### **21. Earthworks**

21.1 The earthworks shall be carried in accordance with Approved Plan 2.

21.2 All filling and excavation work shall be carried out in accordance with an Erosion and Sediment Control Plan (ESCP). Unless approved as part of a separate Environment Canterbury (ECan) resource consent for stormwater discharge or ECan resource consent for excavation/filling, the ESCP will require formal approval by Christchurch City Council's Subdivision Engineer (email to [rcmon@ccc.govt.nz](mailto:rcmon@ccc.govt.nz)) prior to any work starting on site.

The approved ESCP shall be implemented on site during the construction phase and no works are permitted to commence until such time as the ESCP has been accepted.

The ESCP is to be designed by a suitably qualified person and a design certificate ([Appendix IV in IDS Part 3](#)) supplied with the ESCP for acceptance.

The performance criteria for the ESCP shall be based on ECan's Erosion and Sediment Control Guidelines (2007).

The ESCP shall include (but is not limited to):

- Site description, i.e. topography, vegetation, soils etc.
- Details of proposed activities.
- A report including the method and time of monitoring to be undertaken.
- A locality map.
- Drawings showing the site, type and location of sediment control measures, on-site catchment boundaries and off-site sources of runoff.
- Drawings and specifications showing the positions of all proposed mitigation areas with supporting calculations if and where appropriate.
- Environmental monitoring and auditing, including frequency.
- Corrective action, reporting on solutions and update of the EMP.

- 21.3. The consent holder shall be responsible for all contracted operations relating to the exercise of this consent and shall ensure that all personnel working on the site are made aware of the conditions of this consent, have access to the contents of this consent document and all associated erosion and sediment control plans and methodology, and shall ensure compliance with consent conditions.
- 21.4. Any change that is required by the on-site specific or unaccounted matters and proposed to be shown proposed on the "Erosion and Sediment Control Plan" (to be approved as part of the engineering plans package) shall firstly be confirmed in writing by the consent holder following consultation and based on written acceptance of the CCC subdivision engineer / subdivision planner (at a stage prior to the implementation).
- 21.4 The ESCP shall be implemented on site and maintained over the construction phase, until the site is stabilised (i.e. no longer producing dust or water-borne sediment). The ESCP shall be improved if initial and/or standard measures are inadequate. All disturbed surfaces shall be adequately topsoiled and vegetated as soon as possible to limit sediment mobilisation.
- 21.5 The consent holder must notify Christchurch City Council no less than three working days prior to works commencing, (email to [rcmon@ccc.govt.nz](mailto:rcmon@ccc.govt.nz)) of the earthworks start date and the name and contact details of the site supervisor.
- 21.6 An approved Traffic Management Plan (TMP) shall be implemented for this earthworks / construction activity and no works are to commence until such time as the TMP has been installed. The TMP shall be prepared by an STMS accredited person, submitted through the web portal [www.myworksites.co.nz](http://www.myworksites.co.nz) and approved by the Christchurch Transport Operation Centre – please refer to [www.tmpforchch.co.nz](http://www.tmpforchch.co.nz).
- 21.7. Should the Consent Holder cease, abandon earth related works on site, stop the works for a period longer than 6 weeks, or be required to allow time gaps along the earthworks proposed timeline, it shall first take adequate preventive and remedial measures to control sediment discharge / run-off and dust emission, and shall thereafter maintain these measures for so long as necessary to prevent sediment discharge or dust emission from the site. All such measures shall be of a type and to a standard which are to the satisfaction of the Council's subdivision engineer.
- 21.8 The earthworks and construction work is to be under the control of a nominated and suitably qualified engineer.
- 21.9 Earthworks involving mechanical equipment, other than in residential zones, shall not occur outside the hours of 07:00 and 19:00 except where compliant with NZS 6803:1999. Between the hours of 07:00 and 19:00 the noise standards in Chapter 6 Rule 6.1.5.2 apply except where NZS 6803.1999 is complied with, and the light spill standards in Chapter 6 Rule 6.3.6 apply.

*Advice Note: It is the consent holder's responsibility to ensure that the activity, including where carried out by contractors on their behalf, complies with the above mentioned District Plan /*

*Standard - failure to do so may result in enforcement action and the need for additional land-use consent.*

21.20 Dust emissions shall be appropriately managed within the boundary of the property in compliance with the *Regional Air Plan*. Dust mitigation measures such as water carts or sprinklers shall be used on any exposed areas. The roads to and from the site, and entrance and exit, must remain tidy and free of dust and dirt at all times.

21.21 Any change in ground levels shall not cause a ponding or drainage nuisance to neighbouring properties.

All filled land shall be shaped to fall to the road boundary. Existing drainage paths from neighbouring properties shall be maintained

Special treatment shall be provided to any interface between proposed subdivision and neighbouring properties (boundary line) where any proposed difference in levels is required.

21.22 Run-off must be controlled to prevent muddy water flowing, or earth slipping, onto neighbouring properties, legal road, or into a river, stream, drain or wetland. Sediment, earth or debris must not fall or collect on land beyond the site or enter the Council's stormwater system. All muddy water must be treated, using at a minimum the erosion and sediment control measures detailed in the site specific Erosion and Sediment Control Plan, prior to discharge to the Council's stormwater system.

21.23. All filling exceeding 300mm above excavation level shall be in accordance with the Code of Practice for Earthfill for residential Purposes NZS 4431:1989. At the completion of the work an Earthfill report including a duly completed certificate in the form of Appendix A of NZS 4431 shall be submitted to Council at [rcmon@ccc.govt.nz](mailto:rcmon@ccc.govt.nz) so that the information can be placed on the property record.

This report shall have detail about fill depths, fill materials, compaction test results, material test results and include as-built plans showing location of fill, the old and new levels contour lines (coloured), the finished surface level of the fill, the finished ground levels at the corner of each lot, finished ground levels along boundaries with properties adjacent to development site.

The fill shall be carried out only using clean fill material in accordance with Christchurch Replacement District Plan definition.

21.24 Following the completion of the filling and associated work an engineering report including a finished section level as built, with retained wall height and slope batter details, shall be submitted to the Subdivision Engineering Section of the Council. This report must be undertaken by a suitably qualified engineer. The information contained in this report will be placed on the property record.

21.25 In the event that soils are found that have visible staining, odours and/or other conditions that indicate soil contamination, then work must cease until an Environmental Consultant has assessed the matter and advised of the appropriate remediation and/or disposal options for these soils. The applicant shall notify the Compliance and Monitoring Team, Christchurch City Council, of this matter as soon as possible.

21.26 All loading and unloading of trucks with excavation or fill material is to be carried out within the subject site.

21.27 Surplus or unsuitable material is to be disposed of away from the site to a council approved destination.

21.28 All bared surfaces shall be adequately top-soiled and vegetated as soon as possible to limit sediment mobilisation.

21.29 Any public road, shared access, footpath, landscaped area or service structure that has been damaged, by the persons involved with the development or vehicles and machinery used in relation to the works under this consent, shall be reinstated as specified in the Construction

Standard Specifications (CSS) at the expense of the consent holder and to the satisfaction of Council.

**22. Telecommunications and Energy Supply**

All lots shall have telecommunications and electrical supply laid to the net site area of each lot.

As-built plans and photographic evidence of the telecommunications and energy supply ducts or cables is to be supplied showing that the ducts or cables have been laid to the net area of each lot.

The consent holder is to provide a copy of the reticulation agreement letter from the telecommunications network operator and a letter from the electrical energy network operator, or their approved agent, to confirm capacity is available to adequately service the sites.

**23. Right of Way Easements (Private Ways)**

The rights of way easements as set out on the application plan shall be duly granted or reserved.

**24. Service Easements**

The service easements as set out on the application plan or required to protect services crossing other lots shall be duly granted or reserved.

Easements over adjoining land or in favour of adjoining land are to be shown in a schedule on the Land Transfer Plan. A solicitor's undertaking will be required to ensure that the easements are created on deposit of the plan.

**25. Easements over Reserves**

Easements over land that is to vest in the Council as reserve are to be shown on the survey plan in a Schedule of Easements. A solicitor's undertaking shall be provided to ensure that the easement is registered on the subject reserve at the time title is created. A section 223 certificate will not issue until such time as a section 239 certificate is issued by Council.

**26. Existing easements under reserve to vest**

If the Council requires the retention of existing easements over land that is to vest in the Council as Reserve a certificate pursuant to Section 239(2) of the Resource Management Act 1991 will be issued.

**27. Easements in Gross**

The legal instruments for easements in gross in favour of the Council are to be prepared by Council's consultant solicitor at the consent holder's cost. The consent holder's solicitor is to contact Anderson Lloyd Lawyers (Mike Kerr) requesting the preparation of the easement instruments. As built plans for the services covered by the easement are to be provided at Section 223 certification stage.

**28. Road and/or Lane Names**

The new roads are to be named.

A selection of names in order of preference is to be submitted for each new road. For historical purposes a brief explanation of the background for each submitted name is preferred. The names are to be in accordance with the Council's Policy on Naming of Roads and Rights of Way dated 2 November 1993.

The allocated names when approved are to be shown on the survey plan submitted for certification.

*Advice Note: Road names are required to be approved by the Community Board. Community Board meetings are only held approximately once a fortnight, however Council Reports need to be completed two weeks prior to the meeting date. It would be in your interest to start the naming process early so that this process does not hold up this development as it can take up to six weeks. To request a road name, find the form and more information at <https://ccc.govt.nz/consents-and-licences/resource-consents/subdivision-consents/road-and-right-of-way-naming/>*

The consent holder shall order and install the road's nameplates. The nameplates shall be designed and installed in accordance with the IDS and CSS.



The location of the nameplates shall be submitted to Council's Subdivision Engineer for approval prior to their installation.

*Advice Note: Nameplates usually take six weeks to manufacture. The location of the nameplates can be submitted in a plan which identifies the road's landscaping and location of street lighting as required by this application. The consent holder is responsible for the cost of providing and installing the nameplates.*

## **29. Geotechnical**

### **29.1 Liquefaction Hazard Mitigation**

For mitigation of liquefaction (vertical settlement) and lateral spread (horizontal displacement) hazards, any of the proposed public structures shall be designed, in respect to a seismic event for a 1 in 150 years period of return under the serviceability limit state (SLS) and for 1 in 500 years period of return for the ultimate limit state (ULS).

### **29.2 Asset Design and Construction**

All infrastructure assets that are to be vested in the Council shall be designed and constructed in accordance with the latest version of the IDS (post-earthquake) and of the Construction Standard Specifications (CSS).

In addition to the above, to be considered suitable in terms of section 106(1)(a) and (b) of the Resource Management Act, the applicant is to design all infrastructure to resist the effects associated with earthquake induced liquefiable soils. In particular, the infrastructure must be designed in accordance with Conditions of this consent.

### **29.3 Quality Assurance**

29.3.1 The design and construction of the subdivision and all assets shall be subject to a project quality system in accordance with Part 3 - Quality Assurance, of the IDS.

29.3.2 Prior to the commencement of physical works on site for the construction of the subdivision including infrastructure, the Consent Holder shall submit to the Council's Subdivision Engineer a Design Report, Plans and Design Certificate complying with clause 3.3.2 of the IDS – Part 3. The Design Report and engineering plans are to provide sufficient detail to confirm compliance with the requirements of the IDS and this consent, including compliance with consent conditions requiring mitigation measures in respect to liquefaction related hazards. This report can be submitted as two individual design reports being infrastructure as one part and the remainder of the site as a second part.

29.3.3 Prior to the commencement of physical works on site, the Consent Holder shall submit to the Council's Subdivision Engineer a Contract Quality Plan for review by the Council subdivision engineer and the Engineer's Review Certificate", complying with clause 3.3.3 of the IDS.

Physical works shall not commence until a Council's Subdivision Engineer confirms that the above documentation has been received and accepted.

29.3.4 Prior to the issue of certification pursuant to section 224(c) of the Resource Management Act, the Consent Holder shall submit to the Council's Subdivision Engineer the "Engineer's Report" complying with clause 3.3.4 of the IDS and an "Engineer's Completion Certificate" (Appendix VII of IDS – Part 3). The "Engineer's Report" shall provide sufficient detail to confirm compliance with the requirements of the IDS and this consent, including compliance with consent conditions requiring mitigation measures in respect to liquefaction related hazards

*Advice Note: Part 3 of the IDS sets out the Council's requirements for Quality Assurance. It provides a quality framework within which all assets must be designed and constructed. It also sets out the process for reporting to Council how the works are to be controlled, tested and inspected in order to prove compliance with the relevant standards. It is a requirement of this part of the IDS that the Consent Holder provides certification for design and construction as a pre-requisite for the release of the section 224(c) certificate. The extent of the documentation required should reflect the complexity and/or size of the project.*

## **29.4 Ground Improvement**

Any land area identified as having a potential quake response / behaviour similar to that associated to a standard TC3 area, as well as any of the development land area where we have presence of Peat at shallow depth (within the first 2.00 meters of depth), as identified in the

geotechnical reports produced by KGA Geotechnical Group Limited (reference - K200277-1 / 20 May 2020 and K200151-1 / 7 April 2020) shall undertake ground remediation works at the subdivision civil and land development work stage.

For any proposed lots over land area at west of collector road (along existing waterways) or for lots located adjacent to / along any enhanced / naturalised waterway or existing waterway alignments the ground improvement shall be also related to the high potential for lateral spread.

The measures to reduce the risk from lateral spread shall be part of the ground improvement and shall be shown as part of the engineering documentation (earthworks design) required for proposed subdivision.

For the areas identified as per above condition 2.1, where ground improvement work is carried out as part of subdivision engineering works, a post-works geotechnical report, provided at Section 224 stage, shall show that the new achieved liquefaction deformation performance / quake stress has, at least, achieved a potential quake related response that is similar to TC2 like area.

### **29.5 Specific Foundation Design**

A consent notice, in terms of Section 221 of the Resource Management Act, shall be placed on each lot title with this subdivision development, demanding specific foundation design.

‘Any structure requiring a Building Consent, in terms of Building Act provisions, shall have specific foundation design by a chartered engineer or by an appropriately qualified geotechnical engineer. The design shall take in consideration the potential for liquefaction induced vertical settlement and associated effects from that and shall be at least in accordance with MBIE Guidelines – Foundation Design for a TC2 area’.

*Note: This is an ongoing condition of Consent for which a consent notice pursuant to s221 of the Resource Management Act will be issued.*

### **30. Public Utility Sites**

Any public utility site and associated rights of way easements and/or service easements required by a network operator are approved provided that they are not within any reserves to vest in the Council.

### **31. Consent Notice**

The following consent notice pursuant to Section 221 of the Resource Management Act 1991 will be issued by the Council:

#### **Specific Foundation Design**

Any structure requiring a Building Consent, in terms of Building Act provisions, shall have specific foundation design by a chartered engineer or by an appropriately qualified geotechnical engineer. The design shall take in consideration the potential for liquefaction induced vertical settlement and associated effects from that and shall be at least in accordance with MBIE Guidelines – Foundation Design for a TC2 area.

#### **Sewer**

- The property shall be served by a local pressure sewer unit comprising a pump and storage chamber which can accommodate at least 24 hours average dry weather flow to be supplied by either Aquatec or EcoFlow and installed by a Council Authorised Drainlayer (Pressure Sewer Tanks) at building consent stage in accordance with the Requirements for Local Pressure Sewer Units specified under a Building Consent. The local pressure sewer unit will be supplied complete with an IOTA OneBox Control Panel.
- Ownership and control of the local pressure pump, chamber, boundary kit and OneBox Control Panel shall be vested with Council. The property owner shall enter into a Deed with the Christchurch City Council, drafted in terms approved by the Christchurch City Council, vesting ownership in the system prior to Code Compliance Certificate being issued for a dwelling on the relevant site.

- The Council and its agents or contractors shall have the right of access to the property for the purpose of maintenance, monitoring or renewal of any part of the local pressure sewer system vested with Council.
- The property owner shall ensure that the local pressure sewer unit is connected at all times to an electricity supply and shall remain responsible for the cost of the electricity required to operate it.
- The property owner shall adhere to the user requirements of the local pressure sewer unit. In the event that the local pressure sewer unit is damaged as a result of a breach of this obligation, the Council may recover the costs of repair from the property owner.

*Note: Council will prepare the Consent Notice.*

### **32. Waterways**

32.1 The consent holder shall submit an Engineering Design Report for acceptance by the Council 3 Waters and Waste Unit and Resource Consents Unit. The Engineering Design Report shall demonstrate how the design will meet all of the applicable standards and shall contain all of the plans, specifications and calculations for the design and construction of the surface water management systems, including the design profiles of Talbots Drain/Paynes Drain. To ensure that the enhancement of Talbots Drain/Paynes Drain will be in accordance with the Waterways, Wetlands and Drainage Guide and does not impede fish passage, detailed design is to be submitted well in advance of construction to provide evidence that:

- Downstream of the springs (in the general location of the confluence of Coxs, Paynes and Talbots Drain), a minimum water depth of 150mm is achieved (by way of a long section)
- Low flow channel width is 300mm, to maximise water depth;
- Larger rocks and wood (even small lengths are useful) to provide in-stream variation and habitat every 3 – 5 metres. A suitably qualified aquatic ecologist shall also advise on placement of rocks and logs to maximise habitat variation and refuge for fish in Paynes Drain. Written confirmation of this involvement shall be provided to Christchurch City Council Surface Water and Land Drainage Planner and the Waterways Ecologist, by way of email to [rcmon@ccc.govt.nz](mailto:rcmon@ccc.govt.nz)
- Formed grade of banks (4:1) should be used as an average, steeper banks are acceptable with planting for stabilisation;
- Substrate to be placed in the channel shall consist of rounded gravels.
- Bends will provide sinuosity and variation in hydraulic habitat, as well as pools to provide habitat for larger fish;

32.2. Prior to construction of the waterway, the applicant shall engage a suitably qualified aquatic ecologist to provide a Fish Management Plan, which should form part of the EMP. All practicable measures shall be carried out to ensure that fish are not stranded or harmed during the works within the waterway and its setback; fish salvage measures shall be in accordance with best practice guidelines/methods, and fish salvaging shall be carried out by a suitably qualified person. Results of the fish salvage should be entered into the NZ Freshwater Fish Database and supplied to the Council's Waterways Surface Water and Land Drainage Planner by way of email to [rcmon@ccc.govt.nz](mailto:rcmon@ccc.govt.nz)

32.3 A Detailed Planting Plan for the waterway enhancement is to be submitted and approved by the Christchurch City Council Surface Water and Land Drainage Planner by way of email to [rcmon@ccc.govt.nz](mailto:rcmon@ccc.govt.nz). The planting plan for the setback shall:

- (a) Be in accordance with the Christchurch City Council streamside planting guide or the Dry Plains – Houhere list (attached);
- (b) Include ground-level plants and tall trees, to provide screening and shading to the waterway, this is especially important around the pond; and
- (c) Consist of indigenous and locally-sourced species, and not species that have high leaf fall.

### **33. Traffic**

33.1 Quaifes Road frontage is to be upgraded with a footpath, seal widening to achieve a 10 meter carriageway, kerb and channel, undergrounding and lighting upgrade if required.

33.2 A Private Development Agreement is to be entered into with Council for the road works required at the intersection of Quaifes/Sabys Roads and for the realignment of Sabys Road.

- 33.3 Sabys Road frontage is to be upgraded with a 2.5 metre shared path, seal widening to achieve a 10 metre carriageway, kerb and channel and lighting upgrade.
- 33.4 The upgrading of the Sabys Road frontage is to include the realignment of Sabys Road to an alignment agreed with the Council's Asset Engineer Policy, Asset Planning Unit.
- 33.5 The intersection of the new collector (Lot 214) with Sabys Road is to be controlled by a roundabout which is to be constructed within Stage 5 of the development.
- 33.6 A safety audit shall be submitted to Council at Detailed Design and Post Construction phases.
- 33.7 Each road end in each stage shall have provision for heavy vehicles (rubbish trucks) to turn.
- 34. Goods and Services Taxation Information**  
The subdivision will result in non-monetary contributions to Council in the form of land and/or other infrastructure that will vest in Council. Council's GST assessment form is to be completed to enable Council to issue a Buyer Created Tax Invoice.
- 35. Lapsing of Consent**  
The period within which this consent may be given effect to shall be 5 years from the date on which consent was granted. The consent will be given effect to when the survey plan has been certified pursuant to Section 223 of the Resource Management Act 1991.

## **ADVICE NOTES FOR CONSENT HOLDERS, TO BE READ IN CONJUNCTION WITH THE DECISION**

### **Your Rights of Objection**

If you do not agree with the Council's decision on this resource consent application, the conditions, or any additional fees that have been charged, you may lodge an objection with the Council under Section 357 or 357B of the Resource Management Act 1991. You have 15 working days from the date you receive this letter within which to lodge your objection **to the decision**. Objections **to additional fees** must be received within 15 working days of the date on which you receive the invoice. Your objection must be in writing and should clearly explain the reasons for your objection.

### **Commencement of this consent**

The commencement date for your resource consent is the date of this letter advising you of the Council's decision, unless you lodge an objection against the decision. The commencement date will then be the date on which the decision on the objection is determined.

### **Lapsing of this consent**

This resource consent for subdivision will lapse 5 years after the date of commencement of consent (i.e. the date of this letter) unless it has been given effect to by the Council issuing a certificate pursuant to Section 223 of the Resource Management Act 1991.

Application may be made under Section 125 of the Resource Management Act 1991 to extend the duration of the resource consent, and this must be submitted and approved prior to the consent lapsing.

### **Lapsing of s223 Certification**

The s223 certification will lapse 3 years after the date of issue, the Section 223 certificate will lapse (if that certified plan has not been deposited in accordance with Section 224 of the Resource Management Act 1991). The s223 certificate can be re-certified only if the subdivision consent has not lapsed.

### **Development Contributions**

This proposal has been assessed for development contributions (DCs) under the provisions of the [Christchurch City Council Development Contributions Policy](#) (DCP). The proposal has been found to create additional demand on network and community infrastructure or reserves.

To help fund community facilities, the Local Government Act 2002 (LGA) allows a council to require development contributions if the effect of a development requires the council to provide new or upgraded infrastructure.

This Notice informs you of the DCs required by the Council for the development but is not a request for payment. An invoice will be issued by the Council when it requires payment of the DC's. Payment will be required before issue of a code compliance certificate for a building consent, commencement of the resource consent activity, issue of a section 224(c) certificate for a subdivision consent or authorisation of a service connection, whichever is first. An invoice can be issued earlier at your request. Council may also issue an invoice, at its discretion, if it considers the development is already utilising Council infrastructure for which DCs are being required.

### Development contribution assessment summary

DEVELOPMENT CONTRIBUTIONS SUMMARY			PIM or Consent Ref:		RMA/2020/1953				
Customer Name	Danne Mora Holdings Ltd				ASSESSMENT				
Project Address	23 and 43 Quaifes Road and 84 Sabys Road								
Assessment Date	9/09/2020								
<b>Assessment Summary</b>									
			HUE Credits						
			Current	Assessed	Discounts	Assessed HUE After Discount	Change	DC Rate (incl GST)	DC Charge (incl GST)
<b>Activity</b>	<b>Catchment</b>		<b>HUE A</b>	<b>HUE B</b>	<b>C</b>	<b>HUE D</b>	<b>HUE E</b>	<b>G</b>	<b>F= E x G</b>
<b>Network Infrastructure</b>									
Water supply	District-wide		3.00	169.00	0.0%	169.00	166.00	\$2,395.45	\$397,644.70
Wastewater collection	District-wide		3.00	169.00	0.0%	169.00	166.00	\$6,349.15	\$1,053,958.90
Wastewater treatment and disposal	District-wide		3.00	169.00	0.0%	169.00	166.00	\$2,904.90	\$482,213.40
Stormwater & flood protection	Halswell		3.00	169.00	0.0%	169.00	166.00	\$5,436.05	\$902,384.30
Road network	Greenfield		3.00	169.00	0.0%	169.00	166.00	\$3,315.45	\$550,364.70
Active travel	District-wide		3.00	169.00	0.0%	169.00	166.00	\$425.50	\$70,633.00
Public transport	District-wide		3.00	169.00	0.0%	169.00	166.00	\$717.60	\$119,121.60
<b>Total Community and Network Infrastructure</b>									\$3,576,320.60
<b>Reserves</b>									
Regional parks	District-wide		3.00	169.00			166.00		\$447,469.58
Garden and heritage parks	District-wide		3.00	169.00			166.00		\$26,726.00
Sports parks	District-wide		3.00	169.00			166.00		\$419,979.98
Neighbourhood parks	Greenfield		3.00	169.00			166.00		\$1,582,942.73
<b>Total Reserve Contributions</b>									\$2,477,118.29
<b>Value of Vested Reserves or encumbered</b>									\$0.00
<b>Total Reserve Contributions Less Value of Vested Reserves</b>									\$2,477,118.29
									<b>GST 15%</b>
									\$789,578.99
<b>Total Development Contribution</b>									<b>\$6,053,438.89</b>

Where both a resource consent and building consent are required as part of the same development, a development contribution (DC) assessment will be undertaken for both consents. However the applicant need only pay for one assessment. As a result, the Council will only invoice in accordance with either the assessment on the resource consent or the assessment on the building consent, whichever is the lower of the two (after any corrections or reassessments undertaken in accordance with the DCP).

The DC assessment is valid for 24 months from the date the assessment is issued (usually with the consent). If the original assessment expires before payment is made, reassessment of the DCs required will be carried out at the same time the invoice is generated.

Reassessments will incorporate any increases to the development contribution requirement in line with the Producers Price Index (PPI) as described in Parts 2.9 and A.7.3 of the DCP. PPI adjustments will incorporate all years between the original application and the time the reassessment is carried out.

### Reconsiderations and objections

Under section 199A of the Local Government Act 2002 you can request that the Council reconsider the required DC on the following grounds:

- the development contribution was incorrectly calculated or assessed under the DCP; or
- the Council incorrectly applied its DCP; or
- the information used to assess your development against the DCP, or the way the Council has recorded or used it when requiring a development contribution, was incomplete or contained errors.

A Request for Reconsideration form must be lodged with Council within 10 working days of receiving this DC Notice.

Under section 199C of the Local Government Act 2002 you can object to the assessed DC requirement on the following grounds:

- the development contribution was incorrectly calculated or assessed under the DCP; or
- the territorial authority incorrectly applied its DCP; or
- the information used to assess your development against the DCP, or the way the territorial authority has recorded or used it when requiring a development contribution, was incomplete or contained errors.

An Objection to DCs form must be lodged with the Council within 15 working days of receiving this DC Notice or a reconsidered assessment. A deposit of \$1,000.00 will be required to lodge an objection.

A form to request a reconsideration or lodge an objection can be found on our website.

To request an invoice please contact a Development Contributions Assessor by phone on (03) 941-8999 or email [developmentcontributions@ccc.govt.nz](mailto:developmentcontributions@ccc.govt.nz). Once an invoice has been issued payment is required within 30 days. Please quote the project number with all correspondence.

Further information regarding development contributions can be found on our website [www.ccc.govt.nz](http://www.ccc.govt.nz) or by contacting a Development Contributions Assessor on (03) 941-8999.

### **Payments to Council**

If any payments to Council are to be made through internet banking please email the details to [resourceconsentapplications@ccc.govt.nz](mailto:resourceconsentapplications@ccc.govt.nz) and a tax invoice will be raised. The internet banking details are:

Bank: *Bank of New Zealand*  
Account Name: *Christchurch City Council*  
Account Number: *02 0800 0044765 003*

The information you need to enter to help us identify your payment will be specified at the bottom of the invoice (i.e. Particulars, Code and Reference details).

Please note that all payments will be credited to our account on the next business day. Any payment made without the details above may take some time to be lodged against the correct account.

Please email [resourceconsentapplications@ccc.govt.nz](mailto:resourceconsentapplications@ccc.govt.nz) to notify us when you have made payment.

### **Health of Land**

In the event that soils are found to have visible staining, odours and/or other conditions that indicate soil contamination, then work must cease until a Suitably Qualified and Experienced Practitioner (SQEP) engaged by the consent holder has assessed the matter and advised of the appropriate remediation and/or disposal options for these soils. The consent holder shall immediately notify the Council Attention: Team Leader Environmental Health, by way of email to [rcmon@ccc.govt.nz](mailto:rcmon@ccc.govt.nz). Any measures to manage the risk from potential soil contamination shall also be communicated to the Council prior to work re-commencing.

### **Allocated Street Numbers**

Street number allocation was not available at time of granting this consent. For any street number allocation enquiries please email [streetnumbering@ccc.govt.nz](mailto:streetnumbering@ccc.govt.nz)

### **Non-Complying Garage Position**

The subdivision application plan shows a garage in a non-complying position for which separate resource consent is required. This subdivision consent does not approve the location of the garage in this position. The subdivision has been approved on the basis that the garage can be erected in a complying position elsewhere on the site.

### **Lighting in Private Ways**

The Council does not require lighting within private ways, nor will it accept the ongoing maintenance or running costs associated with lighting within the private way. Any proposal to light the private way shall include a method of payment of the ongoing costs by the benefiting owners.

**Building consent requirements**

This subdivision consent has been processed under the Resource Management Act 1991 and relates to planning matters only. You will also need to comply with the requirements of the Building Act 2004. Please contact a Building Consent Officer (941-8999) for advice on the building consent process.

**Monitoring**

The Council will require payment of its administrative charges in relation to monitoring of conditions, as authorised by the provisions of section 36 of the Resource Management Act 1991.

**Reported and recommended by:** Paul Lowe, Team Leader

**Date:** 1 July 2021

<b>Decision</b>
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That the above recommendations be adopted for the reasons outlined in the report.

**Delegated officer:**



Paul Lowe  
Team Leader Planning  
01/07/2021 04:59 PM