

Report / Decision on a Non-notified Subdivision Consent Application

Sections 95A / 95B and 104 and 104B and 221(3)

Application Number:	RMA/2022/2214
Applicant:	Yoursection Limited
Site address:	511 Halswell Road
Legal Description:	Lots 1-3 DP 567847
Zoning:	Residential New Neighbourhood
Overlays and map notations:	Environmental Asset Waterway, Liquefaction Management Area, Flood Management Area, High Flood Hazard Management Area, Remainder of Port Hills and Banks Peninsula Slope Instability Management Area
Activity Status - subdivision:	Non-complying
Activity Status - land use:	Non-complying
Activity Status - 221(3):	Discretionary
Description of Application:	129 lot fee simple subdivision and associated earthworks

The proposal

The application is outlined in paragraphs 13 –28 of the assessment of effects. I have summarised the key points below:

- The applicant is proposing to undertake a 129 lot fee simple residential subdivision. This will be undertaken in 10 stages (Stages 1B, 2B, 5, 5A, 8, 10-14) ;
- The proposal includes 8 roads to vest, 2 local purpose (utility), 1 recreational reserve and Lots 295, 297-299 as access lots;
- It is proposed that Lots 154 -161 will obtain vehicle access directly from Halswell Road/State Highway 75;
- The unnamed drain along Halswell Road is proposed to be piped as part of the works associated with this application;
- Earthworks are proposed in addition to those consented in RMA/2021/1219. These include 55,000m³ of filling to build up the land for residential use;
- Retaining walls are proposed for properties adjoining the access leg/Council land on 10 Glovers Road;
- A two metre strip is proposed to be vested in the Crown for road widening along State Highway 75 Halswell Road and 2.5m footpath is proposed be constructed along the highway frontage.
- No enhancement of Green Stream is proposed to occur as part of this application. Council officers propose to undertake this work when developer's earthworks in terms of the stormwater basins are completed.

Description of site and existing environment

The application site and surrounding environment are described in paragraphs 7-12 of the AEE submitted with the application. I adopt the applicant's description.

Relevant rules and activity status

Christchurch District Plan

The site is zoned Residential New Neighbourhood. Policy 14.2.1.1.a describes the zone as:

"The Residential New Neighbourhood Zone generally includes new areas of [greenfield](#) land where large-scale residential development is planned. The zone will allow a wide range of residential house types and section sizes to provide for a wide spectrum of household sizes and affordable housing. People will therefore be able to remain within the neighbourhood throughout their lifetime as they move to housing types that suit their life stage. These areas are intended to achieve higher overall residential densities than traditionally achieved in suburban developments."

The subject site is part of a larger Greenfield Subdivision area controlled by the South Halswell Outline Development Plan (ODP). The intention is for this land to be developed at a minimum net density of 15 dwellings per hectare. The South Halswell ODP comprises of an illustration and is supported by text which sets out the context, some general guidance, development form and design (which are also matters of discretion for the consideration of this application) and development requirements. The development requirements are both rules for the purposes of subdivision and land use. There is also a directive under Policies 8.2.2.9(c) that subdivision, use and development shall be in accordance with the development requirements in the relevant outline development plan, or otherwise achieve similar or better outcomes.

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 within the Flood Management Area in zones other than commercial, industrial and rural	The height of filling above ground level will exceed 0.3m – 1.5m proposed. The volume of filling above ground level will exceed 10m ³ – 55,000m ³ 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 NC4	-	The proposed residential allotments (Lots 227, 230, 231) will be established partly within a High Flood Hazard Management Area. The change of use to residential allotments will increase the occupancy of the application site. ¹	n/a	No clause
6.6.4.3 RD1	-	The proposal involves earthworks within 5m of the bank of a network waterway ² .	6.6.7.1 Natural hazards 6.6.7.2 Natural values 6.6.7.5 Maintenance access	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 ³ maximum volume in Table 9) - 55,000m ³ is proposed. The proposed earthworks will exceed the 0.6m maximum depth by 0.9m	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
14.12.1.3 RD2	14.12.2.16 Outline development plan	The proposal is not in accordance with the following ODP standard:	14.15.35 Outline development plan	No clause

¹ The subdivision will not trigger Rule 5.4.6.3 NC1 as the vacant allotments are capable of containing a complying residential unit entirely outside of the High Flood Hazard Management Area.

² The network waterway is an unnamed drain which is located partially along the southern area of State Highway 75.

Activity status rule	Standard not met	Reason	Matters of control or discretion	Notification clause
		8.10.20.D.4.a – No individual property access to Halswell Road;		

Subdivision rules

The proposal requires subdivision consent for a restricted discretionary under the following rule(s):

Activity status rule	Standard not met	Reason	Matters of control or discretion	Notification clause
5.5.2 C1	-	Any subdivision which creates a vacant allotment within the Liquefaction Management Area is classified as a controlled activity under Chapter 5	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.	Shall not be limited or publicly notified.
8.5.1.3 RD2	8.6.3 Access	The proposed vehicle access does not comply as multiple accesses are proposed along the State Highway (Halswell Road).	8.7.4 - General matters 8.8.2 - Property access	8.4.1.1
5.6.1.1 RD3	-	Any subdivision within the "Remainder of the Port Hills and Banks Peninsula" Slope Instability Management Area is classified as a restricted discretionary activity.	5.6.1.6 - Slope Instability Management Areas	Must not be limited or publicly notified
8.5.1.2 C4	-	Subdivision to create allotments for access, utilities, emergency service facilities, roads and reserves is classified as a controlled activity and the minimum net site area requirements do not apply.	8.7.3 - Allotments for access, utilities, roads and reserves	8.4.1.1
8.5.1.3 RD2	8.6.11 Additional standards for the Residential New Neighbourhood Zone	The proposal is not in accordance with the following ODP standard: 8.10.20.D.4.a – No individual property access to Halswell Road;	8.7.4 - General matters 8.8.9 - Additional matters - Residential New Neighbourhood Zone	8.4.1.1
8.5.1.3 RD2	8.6.8 Wastewater disposal	The proposed wastewater disposal does not comply as Wastewater capacity certificate has not been provided	8.7.4 - General matters 8.8.6 - Servicing	8.4.1.1
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

Rule 8.4.1.1 specifies that any application for a controlled or restricted discretionary subdivision consent shall not be publicly or limited notified (except in relation to restricted discretionary applications seeking access on to a

State Highway). This provision does not apply as the application contains land use non-compliances which do not have any restrictions on the notification decision.

Planning Matters

Concerns raised by neighbouring property owners

The proposal is changing the application site from semi-rural environment to a fully developed residential area. For direct neighbouring properties and users of the locality, this will create a change in outlook and activity in the area. Given that the application site is zoned for residential use therefore it is generally anticipated that residential activities will be established in this area. I note that residential activity could be established prior to any subdivision application taking place (this routinely happens with retirement village developments – as these are often not subdivided at all).

I have received correspondence from nearby neighbouring property owners who have raised concerns with this proposal and the neighbouring consented and proposed subdivision (Including references RMA/2021/199, RMA/2021/3845, and RMA/2021/3219). I have shown approximate locations of the neighbouring properties owners in Appendix 1. I have summarised the concerns raised with me below:

- There is concern about the specific hydrology and land condition of the site and whether this is suitable for residential allotments. They set out that the site was part of the flood plain of the Waimakariri as recently as 500 to 600 years ago. It is considered the application does not provide sufficient information in relation to underground aquifers, ground hydrology (including taking into account the 2013 flood) and artesian groundwater and earthquake induced aquifer leakage (recent research has been undertaken by Dr Simon Cox and Helen Rutter). The site has always been market gardening and farmland which has experienced flooding. In 2010, the South Halswell area there was profound upwelling across almost all of the Oakvale area (eastern neighbouring site) in minutes immediately after the earthquake and all of Oakvale flooded to a considerable depth.
- The concern is that the subdivisions will create adverse environmental impacts on land, aquifers and rivers, particularly Te Waihora. the neighbouring properties do not wish for land conditions similar to the Christchurch Red Zone to be created as it poses a risk to homes and people;
- Concerns were raised about filling in the Halswell Quarry³
- It is considered all subdivision applications shall be publicly notified. Previously the Kennedys Bush Resident Neighbourhood Association submitted against the plan change in 2015/16 that the land was not suitable for housing development due to flooding and liquefaction issues. There is concern that these issues will not be properly addressed.

While the concerns raised are more directly related to the neighbouring subdivision, concerns have been raised that the overall South Halswell Outline Development Plan area contains more allotments in the locality than is considered anticipated by neighbouring properties.

I have considered these matters later in the report.

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 has previously been granted for the remediation of contaminated soils at 511 Halswell Road (RMA/2020/163) and 2-4 Glovers Road (RMA/2020/2557). The NES has been adequately addressed on the application and no further NES consents are required.

Section 221(3) Partial Cancellation of Consent Notice

Section 221(3) of the Resource Management Act 1991 provides that at any time after the deposit of survey plan, the owner may apply to the Council to vary or cancel any condition specified in a consent notice. Section 88 to 121 and 127(4) to 132 apply to such an application. Section 127(4) requires that consideration be given to persons who may be affected by the change or cancellation of the consent notice.

The granted subdivision consents RMA/2021/3845 and RMA/2021/3219 have the following consent notices proposed on the areas of the application site:

³ The creation of the Halswell quarry bund was initially proposed as part of the Council's Greens project however has since been removed from this project..

Residential New Neighbourhood Density Requirements – Lots 402, 404, 500, 501, 502

Any residential development or subdivision of Lots 402, 404, 500, 501 and 502, shall provide for a minimum net density of 15 dwellings or residential lots per hectare over that entire land area plus 15 residential dwellings or allotments.

Halswell Road - Lots 402 and 404

The future development of balance lots 402 and 404 shall provide for the upgrade of Halswell Road, including a minimum 2.5m pathway and upgraded lighting if required.

Note: Council will prepare the Consent Notice.

Residential New Neighbourhood Density Requirements Lots 500, 501, 502 and 401

g. Any residential development of Lots 500, 501, 502 and 401 shall provide for a minimum net density of 15 dwellings or residential lots per hectare over that entire land area plus 10 residential dwellings or allotments.

The proposal, if granted by the decision maker will render these consent notices irrelevant. This application is proposing to update and replace these consent notices. I note these consent notices are yet to be created by the underlying subdivision.

Effects on the environment and adversely affected persons [Sections 95D, 95E and 104(1)(a)]
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As a non-complying activity the assessment of the effects of the proposal is unrestricted and all actual and potential effects must be considered. Guidance as to the effects that require consideration is contained in the relevant objectives and policies in Chapters 5, 6.6, 8 and 14 and any associated matters of discretion or control. I have considered these matters and have outlined the key matters below.

In my opinion the effects of this proposal relate to subdivision design, servicing, transport, natural hazards and earthworks.

Anticipated Environment

The site is located within the South Halswell Outline Development Plan. I note that the ODP makes several references to the South West Area Plan (SWAP). This further discussed below.

It can be reasonably expected that the use of the RNN zoned land will change from rural to urban. For direct neighbouring properties and users of the locality, this will create a change in outlook and the predominant type of activity in the area. It is noted that south of the application site is zoned Rural Urban Fringe. Lot 403 which directly adjoins this area is not proposed to be developed for residential sites but instead stormwater facilities for the locality.

Subdivision Design

General Matters of Subdivision

Rule 8.7.4 outlines the general matters of subdivision which provides guidance to assess the proposal's subdivision design, hazard constraints, servicing and infrastructure, transport networks, open spaces, natural and cultural values and consent notices. I consider that the proposed subdivision is appropriate under these matters noting that:

- All allotments are of a size and shape to contain permitted land use activities;
- The dimensions and orientation of the allotments will provide opportunities for subsequent dwelling design to capture solar gain;
- The proposal does not disadvantage any neighbouring properties zoned residential as the subdivision layout provides roading and servicing connections to the eastern proposed development area;
- The proposed boundaries reflect the natural topography, drainage and need to provide access to allotments;
- There are no sites of cultural significance identified within the application site;
- Servicing conditions have been proposed (and accepted by the applicant) to require all allotments to be fully serviced;
- The proposal does not create any reverse sensitivity effects to any nearby national grid or electricity distribution lines;

Although the proposal does not have as large sites as established in the adjoining rural allotments or Residential Large Lots to the south east of the site, I consider the development is of an appropriate design. The allotment sizes are as anticipated in the zone, noting also the smaller allotments sited to borrow amenity from the eventual utility reserve along Greens Drain. Greens Drain helps to provide a buffer to the adjoining properties.

Overall I consider the application has satisfied the requirements in Rule 8.7.4.

Outline Development Plan

The site is located within the South Halswell Outline Development Plan and its requirements and description are located in Appendix 8.10.20 of the District Plan. The applicant is proposing multiple entries onto the State Highway – Halswell Road. The applicant has obtained written approval from Waka Kotahi (NZTA) to allow this occur for up to eight residential allotments. In terms of the residential allotments and proposed development, I consider that the proposal achieves the following:

- The enhancement of Greens Drain and recreation connections along the Drain are to be provided by the City Council at a later date once construction is completed.
- The stormwater basins and auxiliary land proposed as reserves will be able to be used for recreational and conservation use. This will provide the 'green edge' to the Halswell Entry of Christchurch. The subdivision does not prevent a gateway feature from occurring on the south western corner of the application site to symbolise the entry to Christchurch although that might better be as a public work than a private one;
- Cultural values are further discussed below;
- In earthworks consent RMA/2022/1219 previously granted for works on the site, it was identified that the former tramline to Halswell Quarry is longer present and is not considered to be an archaeological feature. I consider the absence of this feature does not create an adverse effect;
- The subdivision layout provides good connectivity within the site and road connections to the eastern neighbouring property of the ODP to provide good connectivity between developments. This includes the collector road which will connect Candys Road to Kennedy's Bush Road and can accommodate a bus route. All connections can provide for opportunities for walking, cycling and public transport. The development alongside the eastern proposed development will provide a direct connection to the Halswell Quarry Park;
- The roading and reserve connections provide pedestrian/cyclist routes to the proposed south open space where the stormwater basins are located;
- The design of the Halswell Frontage which I consider to be acceptable is further discussed below.
- No springs have been identified elsewhere on the site other than in Greens Stream. No works are proposed within Greens Stream in this application.
- The site is identified in the South West Area Plan. This plan identifies the site to include;
 - a. Proposed wetlands, first flush basins and detention ponds;
 - b. State Highway avenue tree planting;
 - c. Indigenous tree corridor along Greens Stream;
 - d. The collector road within the site is to include a key recreational route, proposed cycle way and will provide an alternative entry in the locality;
 - e. The reserve to the south is to incorporate a cycle track, tramline walkway to Halswell Quarry and to acknowledge any archaeological site located in this area.

The application achieves components a, b and d while providing the land to Council to implement c and e. I understand that Council officers will be undertaking these works at a time that the stormwater basins are completed. The Greens Stream has been identified as an archaeological feature which is intended to be protected via being part of the proposed reserve. It is noted that no other archaeological features were identified on the site

- Servicing is further discussed below.

I note that some works may be undertaken by Council at a later date i.e. along Greens Drain, the shared path to the east in the access leg and any entry feature to Christchurch.

In addition, with assessment of the outline development plan, I consider the proposal creates a suitable residential design and effects created from the development are less than minor. I note that some of the above works may be undertaken by Council at a later date i.e. along Greens Drain, the shared path to the east in the access leg and entry feature to the Christchurch entry

Cultural Values

The applicant has consulted with the local Rūnanga and this issue was assessed in earthworks consent RMA/2022/1219. I consider that assessment to be still relevant and the applicant has agreed to an accidental discovery protocol and erosion and sediment controls requirements being imposed as a conditions.

The Rūnanga recommended the following advice in terms of future development of the land:

- The kaitiaki recommend that the applicant construct the full capacity stormwater basins.

- The stormwater basin and riparian margins should be planted with locally sourced indigenous vegetation (leaving a 10m buffer to allow for works around Greens stream).
- The applicant should install heavy metal traps to capture contaminants as part of future development of the site.

It is noted the applicant is intending to construct the full capacity stormwater basins and that these are currently under construction. It is understood the basins will be planted with grass and indigenous vegetation once completed. The applicant has confirmed no works are to occur within 7m of the waterway Greens Stream as part of this application⁴. The allotments have been designed to ensure that no setback intrusions are to occur in these allotments. While this may not provide the 10m buffer the Rūnanga are requesting, I consider as it complies with the District Plan rules and provides significant buffer that the setback is appropriate. It is noted that the stormwater basin is setback over 10m from the Stream.

Overall I consider that the cultural values have not been adversely effected by the proposal. I consider any effects to be less than minor.

Servicing

The servicing proposed in this application has been assessed by Council's specialists. In regard to water and sewer, and stormwater, the proposal has been accepted by Council's Planning Engineers Alison Tang and Brian Norton. Ms Tang and Mr Norton have recommended conditions, which the applicant has accepted. Stormwater is also further discussed below.

Rule 8.6.8 requires that a wastewater capacity certificate is provided to confirm that the allotments have adequate wastewater capacity. This application does not include a wastewater capacity certificate. Wastewater capacity has been assessed as above and it has been identified that the site has no sewer constraints. Conditions have been recommended to enable all allotments to be connected to wastewater services. I consider the lack of a wastewater capacity certificate to create no adverse effects in this instance.

Airport and Birdstrike Effects

The application has proposed permanent stormwater systems on the site which will be vested to Council in the short term. The applicant is required to assess the following matters of control 8.7.4.3.f

"Outside the Central City, whether any proposed ponding area will be attractive to birdlife that might pose a birdstrike risk to the operation of Christchurch International Airport Limited."

The applicant has agreed to conditions that will address any potential birdstrike effect created by the stormwater system. This is either via complying with conditions ensuring maintenance of the ponds and reporting or the applicant adopts recommendations from an ornithologist. The latter option requires the applicant to obtain an assessment from an ornithologist which will outline whether any risk is created from birdstrike on the site. This ensures that any risk to birdstrike is mitigated/avoided with either option. I consider the effects to be less than minor.

Transport

The roading design was assessed by Transport Asset Engineer Weng Kei Chen. Mr Chen considers the proposed roading network and subdivision design to be acceptable. The application has also been assessed by Waka Kotahi who have provided the following comments:

- Halswell Road (State Highway 75) at this location is a Limited Access Road and the speed limit has recently been lowered to 60 km/hr.
- It is considered appropriate for the eight lots adjacent to Halswell Road to have direct access to the state highway due to the existing suburban character of the surrounding environment. There are several residential dwellings located on the western side of Halswell Road with direct access to the state highway and properties north of Glovers Road also have direct access to the state highway. As a result, the eight additional accesses are not out of place in the context of the surrounding environment and will help reinforce the reduced speed and suburban character along Halswell Road at this location.
- All accesses will be constructed to the relevant District Plan standards (no consent is sought for any transport non-compliances). It is considered that this standard will ensure the new accesses are constructed to a safe standard.
- Prior to any residential dwelling being occupied (and s224 certification being achieved) the accesses must be constructed to the relevant standard and conditions to this effect (Conditions 1 and 2 below) have been volunteered by the applicant.

⁴ No comments were raised about the filling of the drain which runs along Halswell Road

The applicant has accepted the recommended conditions from Waka Kotahi. In addition Mr Chen has recommended conditions in relation safety audits, street lighting and turning facilities which the applicant has also accepted. Overall I consider the adverse effects of transport to be less than minor.

I note that the District Plan includes acoustic insulation standards in order to protect the amenity of future dwellings and prevent reverse sensitivity effects.

Other subdivision design matters

The matters of control in Rule 8.7.4 cover a wide range of matters required to be addressed to ensure a subdivision proposal is appropriate. Conditions have been proposed for the following items:

- Engineering general conditions and the requirement for acceptance of engineering plans;
- Street lighting;
- Telecommunications and energy supply;
- Easement conditions;
- Road naming; and
- GST forms to be completed at the s224 certification stage

These conditions generally ensure that the subdivision is designed and constructed to an appropriate standard and in line with the Infrastructure Design Standard (IDS) and Construction Standard Specifications (CSS). The subdivision approval is in effect an approval in principle pending acceptance of detailed engineering design for the physical construction of the development.

They also help to secure the right form of land tenure for residential titles and public land and assets (such as easements, and reserves). Many of these are also administration conditions to ensure processes up to the s224 certification are implemented correctly. The applicant has not raised any concerns in regard to these conditions. The conditions have been accepted.

Effects on waterway setback and road frontage

The applicant is proposing to pipe the drain which runs along Halswell Road as shown below:



Figure 1: Location of drain along Halswell Road (State Highway 75)

The applicant has provided a landscape plan of the Halswell Road Frontage and an ecologist's report which determines that the ecological value of the waterway is low. As noted previously no works are proposed within 7m of the banks of Greens Stream. Specialist input has been obtained from Council's Surface Water and Land Drainage Planner Bitty Babu and Waterways Ecologist Katie Noakes. They have provided the following comments:

- It is accepted that the ecological values of the drain are low and there will be minimal effects as a result of filling/piping the drain.
- The proposed plan shows sufficient roading corridor throughout the subdivision and clearance to the channelled drain from the fenceline. As the drain is being filled, there are no concerns in terms of the proposed fencing.
- It is good that the applicant is not proposing to have any intrusion within the setback of Greens Stream as it has high ecological values

I adopt both their assessments and I consider the effects of filling on the state highway frontage waterway are less than minor. In addition to the waterway setback, the ODP requires the subdivision shall provide an attractive and appropriate treatment along Halswell Road. I consider this has been achieved for the following reasons:

- The applicant has proposed multiple trees along frontage in a consistent manner. This provides enhanced street scene as currently there is no vegetation present along the road frontage;
- The applicant will be providing a 2.5m shared pathway which provides connectivity to the subdivision and adjoining residential development;
- The applicant has proposed semi-transparent fencing ranging from 1.2m-1.8m in height. This provides a balance between privacy of future outdoor areas (due to the orientation of most accesses on the adjoining allotments are orientated south) and open street frontage. I consider this to be appropriate in this instance.

Overall I consider the effects on the waterway and road frontage to be less than minor.

221(3) Partial Cancellation of Consent Notice

The consent notices within the application in relation to density and road frontage are to be removed as these requirements are being completed as a result of this application. The applicant has agreed to the proposed conditions of this application which achieves 15 households per hectare and road frontage upgrade of Halswell Road. I consider the effect of the changes to the consent notice to be less than minor. The cancellation certificates will be issued at the same time as the 224 certifications are sought for the development.

Natural Hazards

The site is located within High Flood Hazard Management Area (partial), flood management area and liquefaction management area. Liquefaction effects are further discussed in the s106 assessment below. In terms of effects, the comments obtained from Council's Subdivision Engineer Mr Doru Hozias have outlined any liquefaction risk can be mitigated via conditions in regard to ground improvement and specific foundation design. I consider the effects to be less than minor, and that the use of the land will not create an effect on neighbouring properties and is appropriate.

In terms of flooding, specialist input has been obtained from Council's Senior Stormwater Planning Engineer Brian Norton. Mr Norton has provided following comments:

"The plan for delivery of stormwater infrastructure within the South Halswell ODP area has shifted from one collective single stormwater facility to a series of two separate stormwater facilities to be delivered by each of the two primary developers within the area. There are several reasons for the changes, including but not limited to: 1) recent difficulties encountered citywide with acquiring the appropriate Regional Council consents for large wetland areas due to their change in approach to groundwater takes; 2) the cost and constructability of a large siphon under Greens Stream, and; 3) the delays in acquiring the required approvals to construct a stormwater retention bund upstream of Kennedys Bush Road.

Stormwater effects on the environment from development include both water quality and water quantity and mitigation for those effects is still required, but will now be implemented by the developer entirely on their own land, for their own development and utilising assets that will vest to Council through subdivision.

For surface water quality, the applicant is providing a first flush basin and constructed stormwater wetland in accordance with the WWVG to treat the runoff generated from the first 25mm of rain falling on impervious areas within the site (all stages).

In terms of groundwater quality, the formation of the first flush basin and wetland are to be constructed with a topsoil layer over compacted natural silts. The natural silts have very low-permeability, therefore I consider it unlikely that contaminants from stormwater will leach into shallow groundwater through the floor of the basins.

For water quantity, the applicant is providing sufficient overall detention storage to control peak stormwater flows to pre-developed flow rates for all storms up to and including the 2% annual exceedance probability storm of 60-hours duration (critical for Halswell River catchment). They propose to implement this storage through the use of the first flush basin and wetland, plus the addition of a third detention storage basin. I consider that water quantity effects of the new development will be sufficiently mitigated by the new storage areas proposed by the applicant.

The applicant has determined that the interception of groundwater within the excavated basins will fall within the permitted activity thresholds of the Canterbury Land and Water Regional Plan (that is, less than 100m³ of groundwater intercepted, per day). Greens Stream may experience a minor increase in base flow as a result of the intercepted groundwater (just over 1 litre per second, maximum). This will not affect any water supply wells in the area and will likely benefit to stream ecology.

The application proposes filling of some land within the predicted floodplain (the yellow outlined area on Figure 1). Filling within ponding areas causes that water to be displaced onto other, low lying land. If additional “compensatory” storage is not provided, this can have the effect of raising the overall flood levels of the floodplain, or increasing the extent of flooding. While the only properties likely to be affected by filling within the floodplain are the applicant’s site and CCC stormwater land at 10R Glovers Road, I have recommend a condition requiring the consent holder to provide Council with a report summarizing the effects of the filling proposed. As the applicant holds a significant portion of balance land, if the modelling indicates that compensatory storage is required to maintain existing flood levels beyond that being provided in the form of the three excavated basins, I consider the applicant is able to provide any required additional storage simply by performing additional shallow earthworks excavations within their balance allotment to create compensatory flood storage.

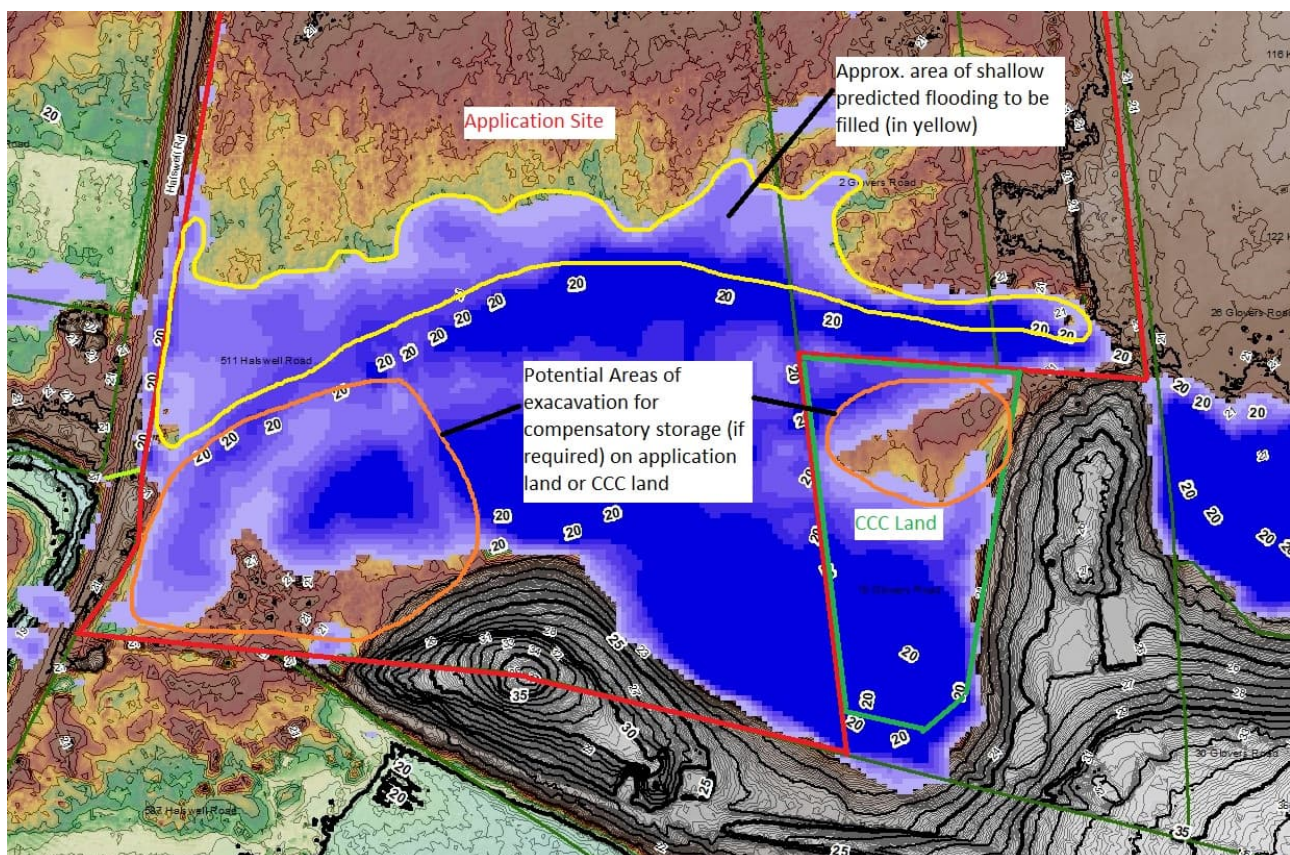


Figure 1 – Predicted 2% AEP Flooding of Application Site

Overall, I consider the application provided, in combination with the conditions of consent recommend below, will ensure that the development will mitigate any adverse effects from the development on stormwater and flooding.”

I accept and adopt Mr Norton's assessment. As outlined by Mr Norton, no flooding effects are expected to occur on neighbouring properties as any flooding is limited to the site or Council land. Mr Norton considers there not to be a downstream effect as a result of the proposal.

While flooding could occur on the site, Mr Norton has confirmed that there is sufficient land to south to mitigate the flooding through engineering design and construction of compensatory storage if needed. While small areas are classified as High Flood Hazard Management Area and the proposal is increasing in occupancy, the filling or use of this area will not create a significant adverse effect on the site as the areas will be mitigated against flooding. The applicant has accepted the conditions recommended by Mr Norton and these are therefore considered as part of the application. I consider that the effects of flooding onsite to be mitigated, acceptable, and less than minor.

Earthworks

The proposal create an exceedance of earthworks in Chapters 5 and 8.9 of the District Plan. The earthworks are in relation to filling the allotments. The effect of filling within the waterway setback has been addressed above. I consider the primary effects relate to nuisance, land stability, amenity and natural values. The proposed works have potential to create nuisance effects which include dust, noise, sedimentation, erosion, change of drainage patterns, effect on ground water and surface water in which could affect neighbouring properties, roading networks, waterways and the wider environment. It could also result in land stability issues which could further exacerbate these nuisances.

Specialist input has been obtained from Council's Senior Subdivision Engineer Mr Doru Hozias. He considers most nuisance effects can be controlled via conditions in line with what is proposed/adopted by the applicant.

There is limited opportunity for overlooking and other amenity related effects associated with the construction of fences in this application and future buildings on lots. This is because the future residential lots in the subdivision estate face out onto public open space where overlooking is a desirable trait (fences are proposed to allow this). Internally finished levels of adjoining are design to 'match' and there are no significant changes of grade. Overall I consider that the amenity of the site and neighbouring properties will not greatly change to due to the proposed earthworks.

Along the eastern boundary filling is proposed which directly adjoins the Council owned land. The adjoining site will be established as a shared pathway in the middle of the ODP. While the proposed fill (and the fence on top) may cause some shadowing and some feeling of enclosure of the pathway width, it will not affect the amenity or CPTED principles of the council land. This has also been assessed by Council's stormwater engineer Brian Norton who has not raised any concerns with the proposed fill. It is noted the applicant has proposed fill within 1m of the retaining wall will not be engineered to ensure adequate aeration and filtration within the soil for the benefit of the roots of adjoining trees. I have proposed conditions which ensure the tree's health will be retained where possible which the applicant has accepted. Overall I consider the earthworks effects to be less than minor.

Draft Conditions

As part of this process, draft conditions have been adopted by the applicant as part of the proposal, should this application be consented. They mostly reflect what was originally proposed by the applicant. The conditions also ensure that:

- The subdivision is designed and constructed to an appropriate standard and in line with the Infrastructure Design Standard (IDS) and Construction Standard Specifications (CSS).
- They help to secure the right form of land tenure for residential titles, public land and assets (such as easements, reserves and amalgamation).

I note also that many are administration type conditions to ensure processes up to the s224 certification are implemented correctly.

Overall assessment of effects of adjoining neighbouring properties

As noted by the above, the application would change the appearance and use of the site from semi-rural to an established urban development. I consider Policy 6 of the National Policy Statement on Urban Development 2020 to be relevant to this application as development is planned in this area due to its zoning and requirements of the Outline Development Plan. The urban zoning which was created prior to the NPS, is intended to accommodate urban development. I consider the proposed development is fit for purpose which is accordance with the ODP. I consider the development creates an appropriate buffer (having consideration to the District Plan provisions) from the neighbouring properties by the large reserves proposed in the southern part of the site. In terms of flooding and hydrology concerns, it is considered that the effects are less than minor and volunteered conditions will address any potential effects on the site.

It is accepted that during the earthquakes there was liquefaction present in the locality. The application includes a geotechnical report and statement of professional opinion from a suitably qualified and experienced

professional. It has recommended mitigation to manage but not eliminate this risk including land remediation (where required) and a specific foundation design. Further the recommended conditions of consent include provisions to ensure that infrastructure can withstand the impact of earthquakes under the IDS. This is a standard approach that has applied to many greenfield areas since the key earthquake sequences. I rely on the assessment in the application and the review of it by Mr Hozias.

Conclusion

In summary, the adverse effects of the non-compliances with Plan standards are less than minor and there are no affected parties and no wider environment effects. I consider the proposal to be appropriate. The applicant has accepted draft conditions as part of their application.

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. The application does not meet any of the criteria in section 95(A)(5) precluding public notification. Although Rule 8.4.1.1 a. precludes public notification of the subdivision consent there is no such rule for the land use activity.
- Step 3. There are no rules or NES requiring public 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. The application does not meet any of the criteria in section 95B(6) precluding limited notification, as there are no rules precluding it and the application is not for a controlled activity land use consent.
- 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)). I have received communications from neighbouring land owners raising concerns of the development however I do not consider this constitutes a special circumstance as a result.

Conclusion on notification

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

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

The applicant has provided an assessment of objectives and policies in sections 62-79 of the assessment of effects. I adopt this and note the additional points:

- Consistent with the relevant objectives, policies and matters of discretion in the District Plan which essentially seek to maintain or enhance the amenities of the built environment, and ensure that the creation of new allotments does not adversely impact on physical infrastructure or the cost of its provision.
- I have reviewed the relevant objectives and policies in chapters 3, 5, 6, 7, 8 and 14 of the District Plan. Given the above assessment I consider that the proposal is consistent with the objectives and policies in those chapters. The objectives and policies anticipate urban development of the site and wider locality. Many of the themes in the District Plan are encapsulated in the ODP. Having reviewed the relevant provisions of the District Plan, I am of the view that the way the subdivision and land use proposal is appropriate and consistent with the objectives and policies of the District Plan.

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

The National Policy Statement for Freshwater Management 2020 and Resource Management (National Environmental Standards for Freshwater) Regulations 2020 are of relevance to this application. The NPS Freshwater Management sets out the following objective:

The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises:

- (a) first, the health and well-being of water bodies and freshwater ecosystems*
- (b) second, the health needs of people (such as drinking water)*
- (c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.*

There are fifteen policies that implement this objective. The proposal includes the piping and filling of the manmade drain/swale along Halswell Road which has been confirmed to have low ecological value. As such, I do not consider the works to be inconsistent with the policy framework.

The National Policy Statement for Highly Productive Land 2022 seeks to protect highly productive land for use in land-based primary production, both now and for future generations. The application site is shown as LUC Class 2 in the Manaaki Whenua Landcare Research Land Use Capability system, which is defined as “Arable. Very good multiple-use land, slight limitations, suitable for cropping, viticulture, berry fruit, pastoralism, tree crops and forestry.” However, as set out in clause 3.5(7) of the NPS, until identified as such in the regional policy statement the references to highly productive land apply only where, as of the date of commencement, the land is zoned general rural or rural production *and* within LUC Classes 1-3, *and are not* identified for future urban development or subject to a plan change to rezone the land from general rural or rural production to urban or rural lifestyle. On this basis (the land being zoned Residential New Neighbourhood) I do not consider the site to currently meet the requirements of being considered highly productive land under the NPS.

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health is not relevant to this application as there is no evidence to suggest that the land has been used, or is more likely than not to have been used, for an activity on the Hazardous Activities and Industries List.

For completeness, I note that the District Plan gives effect to the relevant provisions of higher order instruments referred to in s104(1)(b), including the Regional Policy Statement and Regional Plans. As such, there is no need to specifically address them in this report.

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 law⁵, 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.

⁵ *R J Davidson Family Trust v Marlborough District Council* [2018] NZCA 316

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.

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 as vacant allotments are proposed. The land is classified by CERA as green zoned with no technical category.

The applicant has submitted a geotechnical report prepared by Miyamoto and Southern Geophysical which has been reviewed by Council's Subdivision Engineer Doru Hozias. It is noted that the geotechnical report was provided for entire Riverstone development and was accepted in Resource Consents RMA/2021/3219 and RMA/2021/3845. Mr Hozias considers this report is still relevant in this application and adopts it's assessment.

I have summarised the report below:

- The sub-surface conditions comprise mainly topsoil over sand-silt mixtures underlain by soft clayey silts and shallow gravels. The ground conditions are highly variable in horizontal and vertical spread;
- Minor to moderate expression of liquefaction which identifies the land as a TC2 category. The values of LSN at the upper end of the ranges estimated are generally located in the southeast portion of the residential development area (where ejecta has been observed following the CES events) and in the proposed stormwater management area.
- Our site-specific investigation encountered groundwater levels between 0.3m and 1.0m bgl however, it should be noted that standing surface water was present at the time of assessment.
- The most significant geotechnical hazards at the site comprise the potential for earthquake-induced soil liquefaction and potential static subsidence of the soft compressible soils. These hazards can be partly mitigated by providing strengthened foundations, which reduce the potential for differential settlement of the buildings and are designed to be re-levellable. Area wide (bulk) filling will induce additional loading of the underlying soft compressible deposits and potentially lead to consolidation settlement of the fill and / or construction above. This is geotechnical feasible and preloading may not be required in all areas.
- A significant benefit of the above option is that all required areas of the site would be treated including areas of proposed infrastructure and services and the risk of future differential settlement is low.
- The southern extent of the filling (in proximity of Green's Stream) will be the maximum height of fill (and pre-load) required and will require detailed design to ensure stability.
- Subsequent to completion of the above works the following foundation solutions would be considered suitable for the construction of NZS3604 compliant structures:
 - MBIE TC2 (Options 1 to 4) enhanced foundation slab;
 - Specifically designed, enhanced NZS 3604 perimeter foundation wall and shallow piles.

In addition I have summarised Mr Hozias' additional comments:

- It is considered that the proposed development is going create better management of the overall area as the proposed new basin based stormwater management system will provide for the output in terms of the proposed fill levels;

- The upgrade of Glovers Road will control road surface water and alleviates any pre-development flooding issues (including anything that is historically linked to Larsen Street);
- Some concerns have been raised in regard to flooding within the site and to the east. It is noted the groundwater levels are varying with the season and the site is currently being developed.
- The proposed fill will elevate the pre-development ground levels between 0.4 -1.2m to mitigate any flooding effects. This allows the sites to be built up to ensure finished floor levels of buildings are compliant and suitable stormwater drainage is in place.
- The geotechnical report comments that filling of the site will cause static some consolidation settlements in the soft compressible soils underlying the site, though this is not expected to be a significant risk to the development based on the pre-loading trial undertaken by MINZ previously. Mr Hozias has adopted the assessment in the geotechnical report.
- As outlined by the report, the land has been classified as TC2 land. This classification is quite common around the majority of the Christchurch District and can be mitigated by specific foundation design.

Mr Hozias has recommended specific foundation design conditions and ground improvement to mitigate any effects arising from liquefaction which the applicant has accepted. I consider flooding has been adequately addressed by Mr Norton and additional comments from Mr Hozias. Although there have been some concerns from neighbouring properties, Council specialists and the application reports have provided assessments that conclude that the site can be developed for residential uses without material damage to land or property.

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

PARTIAL CANCELLATION OF CONSENT NOTICE RMA/2022/2214

- (A) That the application be processed on a **non-notified** basis in accordance with Sections 221(3), 95A – 95E of the Resource Management Act 1991.
- (B) That the application **be granted** pursuant to Sections 104, 104B and 221 of the Resource Management Act 1991
 - 1. The cancellation for the consent notice shall occur at the time of s224 certification of subdivision consent RMA/2022/2214.

This is in relation to density and road frontage upgrade consent notices on the balance allotments relating to density in Subdivision Consents RMA/2021/3219 and RMA/2021/3845

LAND USE CONSENT

- (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, 104C, 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. All earthworks associated with the creation and formation of the subdivision shall be carried out in accordance with the conditions of subdivision consent.

Birdstrike Management Area – Lot 265

- 3. During the operation of the stormwater basin, the following must be complied with:
 - a. Regular monitoring for bird usage or evidence of bird activity (e.g. guano) shall be undertaken after a moderate rain event (10mm or more in a 24 hour period);
 - b. The grass sward shall be maintained between 200-300 millimetres, to reduce the attractiveness of the grass to birds;
 - c. Assessment of water retention and appropriate water discharge after moderate rain events (10mm or more in a 24 hour period) shall be undertaken to confirm that appropriate drainage is occurring, with no obstructions;

- d. The basin shall be maintained to prevent hollows that hold standing water and the banks should remain as steep as feasibly possible; If birds do congregate after a rain event, Christchurch International Airport shall be informed. The birds shall not be disturbed without guidance on the best dispersal techniques as this could increase any bird strike risk. *Note: Birds on the ground pose no threat to aircraft.*
 - e. If birds are attracted to the basin - either when it is dry or after storm events - a management plan shall be drafted to the satisfaction of the consenting authority by a suitably qualified avifauna ecologist with waterfowl experience, that guides how to discourage birds from using the basin.
4. The consent holder shall report to Council on a quarterly basis (email to rcmon@ccc.govt.nz) of compliance of the condition 3 including actions taken during rain events, maintenance undertaken and communication with the Christchurch International Airport.
 5. Alternatively the consent holder shall provide a report prepared by a suitably qualified and experienced Avifauna Specialist the recommendations of which are adopted and implemented.

If condition 5 is complied with, conditions 3-4 do not apply.

Advice Notes

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. The current monitoring charges are:

- (i) A monitoring programme administration fee of \$102.00 to cover the cost of setting up the monitoring programme; and
- (ii) A monitoring fee of \$116.80 for the first monitoring inspection to ensure compliance with the conditions of this consent; and
- (iii) Time charged at an hourly rate if more than one inspection, certification of conditions, or additional monitoring activities (including those relating to non-compliance with conditions), are required.

The monitoring programme administration fee and inspection fees will be charged to the applicant with the consent processing costs. Any additional monitoring time will be invoiced to the consent holder when the monitoring is carried out, at the hourly rate specified in the applicable Annual Plan Schedule of Fees and Charges.

SUBDIVISION CONSENT

- (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. Scheme Plan and Staging

1.1 General Survey Plan

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

1.2 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. That 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.

1.3 Amalgamations

The following amalgamation condition requires approval by Land Information New Zealand. The condition is to be included in the digital Title Plan dataset with the approved wording from Land Information New Zealand. The proposed wording is as follows:

That Lot 290 DP (legal access) be held as to three undivided one-ninth shares by the owners of Lots 11-13 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith

That Lot 292 DP (legal access) be held as to four undivided one-ninth shares by the owners of Lots 45-48 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith

That Lot 295 hereon (legal access) be held as to eighteen undivided one-eighteenth shares by the owners of Lots 107-124 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith

That Lot 297 hereon (legal access) be held as to six undivided one-sixth shares by the owners of Lots 162, 163, 166-169 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith

That Lot 298 hereon (legal access) be held as to four undivided one-quarter shares by the owners of Lots 170, 173, 174-175 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith

That Lot 299 hereon (legal access) be held as to six undivided one-sixth shares by the owners of Lots 199-204 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith

LINZ request No 182331

1.4 New Road to Vest

The new roads, being lots 277-281 are to be formed and vested in the Council to the satisfaction of the Subdivision Engineer with underground wiring for electricity supply and telecommunications.

1.5 Road/Right of Way Naming

The consent holder shall supply 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.

1.6 Road Widening/Corner Rounding to Vest

Lot 261, 286, 287 shall be vested in the Crown as road widening being 2m wide.

Any existing fences or walls outside the new road frontage boundary are to be removed.

1.7 Right of Way Easements (Private Ways)

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

1.8 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.

1.9 Existing Easements over areas of Road to Vest

The portion of the existing easements shown on the approved scheme plan that extend over the road to vest are to be surrendered.

1.10 Easements over Reserves (Local Purpose Reserves)

Easements over land that is to vest in the Council as local purpose 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 obtained from Council.

Advice note: Council does not issue s239 approval for recreation reserves.

1.11 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 Local Purpose Reserve a certificate pursuant to Section 239(2) of the Resource Management Act 1991 will be required to be obtained.

Advice note: Council does not issue s239 approval for recreation reserves.

1.12 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.

1.13 Plans for Geodata

The surveyor is to forward a copy of the title plan and survey plan to the Subdivision Planner (that issued the consent), Resource Consents 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.

1.14 Easements in Gross

The legal instruments to create the required easements in gross in favour of the Council must be prepared & registered by the Council's solicitor at the consent holder's cost and will be based on the Council's standard easement instrument templates (as appropriate) as determined by the Council's solicitor. The consent holder's solicitor is to contact the Council's solicitor (Anderson Lloyd Lawyers) requesting the preparation and registration of the required easement instruments. Areas which are to be the subject of easements in gross in favour of the Council must not be the subject of any other easements for the same purpose, unless otherwise agreed by Council.

As built plans for the services covered by the easement(s) are to be provided to the Council at Section 223 certification stage.

1.15 Allotment to Vest as Recreation Reserve

Lot 266 shall be vested as Recreation Reserve, clear of any easements.

Advice Note: The agreed value will be credited against the Reserve Development Contributions. The agreed improvements on the 'Accepted' landscape plans for Lot 266 are to be credited against the Reserve Development Contributions.

1.5. Allotment to Vest Local Purpose (Utility) Reserve Lots - Stages

Lots 264 and 265 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.

Advice note: A private development agreement between Council and the Consent Holder will be entered into in terms of purchasing Lot 264.

2. Quality Assurance

2.1 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 (IDS) and the Construction Standard Specifications (CSS).

2.2 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.

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 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.

General Advice Note for Quality Assurance

Landscape plan acceptance can be submitted at a separate time to the engineering design acceptance and is to be approved by Council. Landscape Plans shall be submitted to landscape.approvals@ccc.govt.nz as well as the Subdivision Engineer.

2.3 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 must be submitted to the Council through the following web portal <http://www.myworksites.co.nz>.

2.4 Laterals for rear Lots

All private stormwater laterals (serving rear lots) shall be installed under a single global Building Consent or Building Act Exemption by a Licensed Certifying Drain Layer and the compliance documents forwarded to Council's Subdivision Team as part of the Section 224c application.

If approved under a building consent, passed 252 (FS and SW drains) mandatory building inspections pursuant to the Building Code and the Code Compliance Certificate is required prior to the issue of the s224 Certificate.

If approved under a Building Act Exemption, a PS3 form and as-builts will be required to be provided and accepted prior to the issue of the s224 Certificate.

2.5 CCTV Inspections

Pipeline CCTV inspections are to be carried out on all gravity pipelines to be vested in compliance with the Council Standard Specifications (CSS): <https://www.ccc.govt.nz/consents-and-licences/construction-requirements/construction-standard-specifications/pipeline-cctv-inspections/>

2.6 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/>

Advice Note: this includes RAMM and costing data (GST)

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.

As-Builts (Reserves and Street Trees)

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 once the trees are planted.

Advice note: The as-builts can be supplied post s224 certifications on the provision of a 100% bond.

2.7 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 or right of way frontage, plus a grade of 1:300 to the rear boundary.

2.8 Earthworks

2.8.1 Earthworks shall be carried out in accordance with stamped approved plan page 8.

Erosion and Sediment Control

2.8.2 The earthworks and construction work shall be under the control of a nominated and suitably qualified engineer.

2.8.3 Run-off must be controlled to prevent muddy water flowing, or earth slipping, onto neighbouring properties, legal road (including kerb and channel), 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. (Possible sources of contaminants from construction activities include uncontrolled runoff, dewatering, sawcutting and grooving).

Advice note: For the purpose of this condition muddy water is defined as water with a total suspended solid (TSS) content greater than 50mg/L.

2.8.4 The Erosion and Sediment Control Plan shall show the positions of all stockpiles on site. Temporary mounds shall be grassed or covered to prevent erosion until such time as they are removed. Stockpiles shall be placed as far as practicable from internal boundaries adjoining residential properties.

Advice note: Topsoil shall not be worked excessively, to protect the integrity of the soil microbes.

2.8.5 The draft Environmental Management Plan (EMP) provided with the application is accepted in principle. All filling and excavation work shall be carried out in accordance with an EMP which identifies how the environmental risks of the project will be managed. Unless approved as part of a separate Environment Canterbury (ECan) resource consent for stormwater discharge or ECan resource consent for excavation/filling, the EMP will require formal acceptance by Christchurch City Council's Subdivision Engineer (via email to rcmon@ccc.govt.nz) prior to any work starting on site.

2.8.6 The EMP shall include an Erosion and Sediment Control Plan (ESCP) covering all earthwork associated with the consented development. The ESCP shall be designed by a suitably qualified and experienced professional and a design certificate ([Appendix IV in IDS Part 3](#)) supplied with the ESCP for acceptance by the Council under clause 3.8.2 of the IDS at least ten days prior to the works commencing.

2.8.7 The ESCP shall follow best practice principles, techniques, inspections and monitoring for erosion and sediment control, and be based on ECan's Erosion and Sediment Control Toolbox for Canterbury <http://escscanterbury.co.nz/>.

Advice Note: Any changes to the accepted ESCP must be submitted to the Council in writing and the changes must be accepted by the Subdivision Engineer prior to implementation.

2.8.8 The EMP shall include (but is not limited to):

- The identification of environmental risks including erosion, sediment and dust control, spills, wastewater overflows, dewatering, and excavation and disposal of material from contaminated sites;
- A site description, i.e. topography, vegetation, soils, sensitive receptors such as waterways etc;
- Details of proposed activities;
- A locality map;

- Drawings showing the site, type and location of sediment control measures, on-site catchment boundaries and off-site sources of runoff, stockpiles;
- Drawings and specifications showing the positions of all proposed mitigation areas with supporting calculations if appropriate;
- Drawings showing the protection of natural assets and habitats;
- A programme of works including a proposed timeframe and completion date;
- Emergency response and contingency management;
- Procedures for compliance with resource consents and permitted activities;
- Environmental monitoring and auditing, including frequency;
- Corrective action, reporting on solutions and update of the EMP;
- Procedures for training and supervising staff in relation to environmental issues;
- Contact details of key personnel responsible for environmental management and compliance.

Advice note: IDS clause 3.8.2 contains further detail on Environmental Management Plans.

- 2.8.9 The accepted EMP shall be implemented on site over the construction phase. No earthworks shall commence on site until:
- The Council has been notified (via email to rcmon@ccc.govt.nz) no less than 3 working days prior to work commencing, of the earthworks start date and the name and details of the site supervisor.
 - The contractor has received a copy of all resource consents and relevant permitted activity rules controlling this work
 - The works required by the EMP have been installed.
 - An Engineering Completion Certificate (IDS – Part 3, Appendix VII), signed by an appropriately qualified and experienced engineer, is completed and presented to Council. This is to certify that the erosion and sediment control measures have been properly installed in accordance with the accepted EMP.

Nuisance

- 2.8.10 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, sprinklers or polymers shall be used on any exposed areas. The roads to and from the site, and the site entrance and exit, must remain tidy and free of dust and dirt at all times.
- 2.8.11 All loading and unloading of trucks with excavation or fill material shall be carried out within the subject site.

Works within the Legal Road

- 2.8.12 All work within the legal road, or activities outside the legal road that affect the normal operating conditions of the legal road, cannot start until the consent holder has been issued with the following:
- Approved Works Access Permit (WAP); and
 - Approved Traffic Management Plan (TMP).

Advice Note: A Corridor Access Request (CAR) application and TMP can be submitted to the Council through the following web portal <http://www.myworksites.co.nz>.

Fill

- 2.8.13 Any change in ground levels shall
- not cause a ponding or drainage nuisance to neighbouring properties.
 - not affect the stability of the ground or fences on neighbouring properties.
 - maintain existing drainage paths for neighbouring properties.
- 2.8.14 The fill sites shall be stripped of vegetation and any topsoil prior to filling. The content of fill shall be clean fill (as defined by the Christchurch District Plan – Chapter 2 Definitions).
- 2.8.15 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 Engineers 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 for all lots, including utility reserves, within the subdivision that contain filled ground. This report shall detail depths, materials, compaction test results and include as-built plans showing the location and depth of fill and a finished level contour plan.

- 2.8.16 The consent holder shall submit a design report and calculations detailing any filling proposed against existing boundaries and the means by which to comply with the Earthfill Report in respect to adjoining properties.

Advice note: Any retaining wall that exceeds 6m² is regarded as a building and requires a separate resource consent if not specifically addressed within the application supporting this consent.

Advice note: This report may be presented as part of the Design Report for the subdivision works under condition 7.1.

- 2.8.17 Any retaining wall construction shall be included and certified as part of the Earthfill Report.
- 2.8.18 Retaining walls shall be located outside of legal road or reserve area. Walls retaining fill shall be located within the lot containing that fill.

Final Completion

- 2.8.19 All disturbed surfaces shall be adequately topsoiled and vegetated as soon as possible to limit sediment mobilisation. Areas of land disturbed at any one time shall not exceed 2ha.
- 2.8.20 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.
- 2.8.21 Should the Consent Holder cease or abandon work on site for a period longer than 6 weeks, or be required to temporarily halt construction during earthworks, they shall first install preventative measures to control sediment discharge / run-off and dust emission, and shall thereafter maintain these measures for as long as necessary to prevent sediment discharge or dust emission from the site.
- 2.8.22 Any fill adjoining Lots 201-204, 206, 215-233, 244-252 (within Lot 264), where batter to existing levels is required, shall be placed outside of the 7m waterway setback. The batter design (cross sections) along the interface shall be submitted to Council for acceptance prior to works commencing.

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 below district plan standard - failure to do so may result in enforcement action and the need for additional land-use consent:

- Rule 6.1.6.1.1 P2 - All earthworks related construction activities shall meet relevant noise limits in Tables 2 and 3 of [NZS 6803:1999 Acoustics - Construction Noise](#), when measured and assessed in accordance with that standard.
- Rule 8.9.2.1 P1 Activity Standard e. - [Earthworks](#) involving mechanical or illuminating equipment shall not be undertaken outside the hours of 07:00 – 19:00 in a Residential Zone. Between the hours of 07:00 and 19:00, the noise standards in Chapter 6 Rule [6.1.5.2](#) and the light spill standards at Chapter 6 Rule [6.3.6](#) both apply.
- Earthworks involving soil compaction methods which create vibration shall comply with German Standard DIN 4150 1999-02 (Structural Vibration – Effects of Vibration on Structures) and compliance shall be certified via a statement of professional opinion provided to the Council (via email to rcmon@ccc.govt.nz) from a suitably qualified and experienced chartered or registered engineer. The statement of professional opinion is to be submitted to Christchurch City Council via rcmon@ccc.govt.nz a minimum of five working days prior to any compacting activities commencing.

3. Geotechnical

- 3.1 All liquefaction hazard and lateral spread mitigation on site shall be designed in accordance with the recommendations in the Geotechnical Investigation Reports:
- 3.2 All infrastructural assets to be vested in the Council shall be designed and constructed in accordance with the Infrastructure Design Standard (IDS) 2018 and the Construction Standard Specifications (CSS).

- 3.3 Asset structures shall include but not be limited to gravity and pressure pipelines, manholes, chambers, valves, hydrants, stormwater treatment devices, culverts or any other physical asset to be vested in Council including road pavements. Bridges and pump stations shall be designed to importance level 3 (IL3) as defined in NZS 1170.
- 3.4 In addition to the above, to be considered suitable in terms of section 106(1A)(a) and (b) of the Resource Management Act, all proposed infrastructure shall be designed to resist the effects associated with earthquake induced liquefiable soils and lateral spread from a seismic event as defined in condition 3.5.
- 3.5 To mitigate liquefaction (vertical settlement) hazards and lateral spread (horizontal displacement), any proposed asset structures shall be designed for a seismic event with a 25 year return period under the serviceability limit state (SLS) event and with a 500 year return period for the ultimate limit state (ULS) event as defined by NZS 1170.5:2004.

Beyond a SLS seismic event, it is recognised asset structures may become progressively less serviceable.

Ground Improvement

- 3.6 Site earthworks and remediation shall be carried out to improve the ground performance in terms of the MBIE guidelines '*Repairing and rebuilding houses affected by the Canterbury earthquakes*' (3rd Edition 15 March 2017) or subsequent revisions. Ground performance shall achieve a minimum technical categorisation on all residential lots equivalent to TC2. The technical category will be confirmed in the Engineers Report prepared for the section 224(c) certificate under condition 2.2A. As recommended in the geotech reports provided, post fill monitoring should be carried out over a period of 2 months following the placement of fill. Any settlement in excess of that found in the trial shall be discussed with council and a subsequent action agreed.

3.7 Specific Foundation Design

Any structure requiring a Building Consent, in terms of Building Act provisions, shall have specific foundation design by a suitably experienced chartered engineer or by an appropriately qualified geotechnical engineer. The design shall take into consideration the potential for liquefaction and associated effects (vertical settlement and lateral spread) appropriate for Technical Category 2 land and shall be investigated and designed in accordance with MBIE Guidelines '*Repairing and rebuilding houses affected by the Canterbury earthquakes*' (3rd Edition 15 March 2017) or subsequent revisions."

Note: These requirements are contingent upon TC1 and TC2 land equivalence being achieved by the proposed earthworks and remediation works.

Note: Condition 3.7 is an ongoing condition of Consent for which a consent notice pursuant to s221 of the Resource Management Act will be issued.

3.8 Geotechnical Completion Report

Prior to the request for the section 224 certificate the Consent Holder shall supply a Final Geotechnical Report on the mitigation measures put in place during the construction phase to minimise both the liquefaction and lateral spread potential of the land during the SLS and a ULS seismic event in condition 3.5. The report shall recommend the Technical Category of the land in terms of the MBIE guidance document '*Repairing and Rebuilding Houses Affected by the Canterbury Earthquakes*' and include a Statement of Professional Opinion on the Suitability of Land for Building Construction, using the template in IDS Part 4 Appendix II.

4. Water Supply

- 4.1. 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 Water and Wastewater Asset Planning Team prior to the commencement of any physical work.

Advice Note: Since RMA/2022/2214 deviates from the original lot layout and increases the number of lots in Stages 1B, 2B, 5, 5A, 8 and 10-14, an accordingly revised water supply services plan must be submitted for renewed engineering acceptance review.

- 4.2 The Point of Supply for all residential lots in this subdivision shall be the existing DN200 AC water main in Kennedys Bush Road.

Advice Note: Although a full water reticulation design was completed and submitted to Council for approval as part of the engineering approval for River Stone Stages 1, 2, 2c, 3 and 3b (RMA/2020/3076) which is for the subdivision in its entirety and was approved on 25/11/2021, the servicing conditions for RMA/2022/2214 must refer to an existing point of supply rather than a point of supply yet to be installed under an earlier subdivision stage. However, it is likely that the actual point of supply will be infrastructure accepted under RMA/2020/3076.

- 4.3 The DN250 PE100 water main in Road 02 shall be extended through the intersection of Halswell Road and Candys Road as part of the intersection upgrade and shall be terminated with hydrants, as per the provisions of the Infrastructure Design Standard.

Advice Note 1: Refer to the stamped, approved water supply plans for the termination point of the DN250 PE100 water main.

Advice Note 2: For costs associated with the increase in diameter of the water main only, if over and above that required to service the subdivision, Council will enter into an Infrastructure Provider Agreement with the developer. It is believed that the existing and future subdivision will require a DN200 water main for most of the water main to be established within Lot 270, 271 and 272 and the design report must therefore clearly demonstrate the design requirements for the existing and future subdivisions only. The Infrastructure Provider Agreement will include the extension of the water main through the Halswell Road/Candys Road intersection.

- 4.4 DN180 PE100 water mains shall be extended along the full lengths of all legal roads to vest and shall be terminated with hydrants, as per the provisions of the Infrastructure Design Standard.

- 4.5 All water mains and submains for the subdivision shall be installed in road to be vested in Council.

- 4.6 The construction of Council vested water infrastructure shall be carried out by a Council Authorised Water Supply Installer at the expense of the applicant.

Advice Note: Refer to <https://ccc.govt.nz/assets/Documents/Consents-and-Licences/construction-requirements/Authorised-Water-Supply-Installer-Register.pdf> for a list of authorised water supply installers.

- 4.7 All lots shall be served with a water supply to their boundary. Submains shall be installed to 1m past each lot boundary as per the provisions of the Infrastructure Design Standard.

- 4.8 Any rear lot or lot within a Right of Way shall be serviced by its own DN32 lateral within a shared access. The water supply lateral connections shall be located within the property, immediately (less than 1.0m) behind the legal road boundary and within a shared access as shown in IDS Part 7, Figure 3. Each water supply lateral connection to a vacant lot shall be installed with a dummy connection spacer rod in accordance with CSS Part 4, SD 403. 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.

5. Sewer

- 5.1 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 Water and Wastewater Asset Planning Team prior to the commencement of any physical work.

Advice Note: Since RMA/2022/2214 deviates from the original lot layout and increases the number of lots in Stages 1B, 2B, 5, 5A, 8 and 10-14, an accordingly revised wastewater services plan must be submitted for renewed engineering acceptance review.

- 5.2 The approved sanitary sewer outfall for the subdivision shall be the existing DN180 PE100 pressure sewer main in Muirhill Street.

Advice Note 1: Although a full pressure sewer design was completed and submitted to Council for approval as part of the engineering approval for River Stone Stages 1, 2, 2c, 3 and 3b (RMA/2020/3076) which is for the subdivision in its entirety, the servicing conditions for RMA/2022/2214 must specify an existing outfall rather than an outfall yet to be installed under an earlier subdivision stage. However, it is likely that the actual outfall will be infrastructure accepted under RMA/2020/3076.

- 5.3 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.
- 5.4 Each lot shall have a Boundary Kit located within the legal road or Right of Way 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.
- 5.5 Properties in a Right of Way shall be serviced by a single pressure main. An isolation valve shall be installed on the pressure main at the boundary of the Right of Way and the legal road. Easements in gross shall be created over Pressure Sewer Systems in private Rights of Way.
- 5.6 Installation of the pressure sewer mains and boundary kits shall be carried out by a Council Authorised Drainlayer (Pressure Sewer Reticulation).

Advice Note: Refer to <https://ccc.govt.nz/assets/Documents/Consents-and-Licences/construction-requirements/Authorised-Drainlayer-Register.pdf> for a list of authorised drainlayers.

- 5.7 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.

- e. 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.

6. Stormwater

- 6.1 In addition to the below conditions, the stormwater management system to be constructed under this application shall meet the requirements of the Waterways, Wetlands and Drainage Guide (2003, including updates), the Infrastructure Design Standard (IDS 2018) and the Construction Standard Specifications (CSS 2018).
- 6.2 The consent holder shall demonstrate that authorisation for the discharge of operational phase stormwater has been obtained from Christchurch City Council.
- 6.3 The consent holder shall submit an Engineering Design Report for acceptance by the 3 *Waters Asset Planning - Stormwater & Waterways* 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 systems.
- 6.4 Stormwater generated from all roofs, roads and hardstanding areas of all allotments shall be collected via channels, sumps, pipes or swales and discharged into a first flush sedimentation basin. Unless otherwise approved by the Council Engineer, the first flush sedimentation basin(s) shall:
 - a. Provide sufficient storage to hold, at minimum, the volume of stormwater runoff generated from the first 25mm depth of rain falling on impervious areas within this application site and RMA/2021/3219, and;
 - b. Have batter slopes of 1 vertical in 4 horizontal average, or flatter, and;
 - c. Be vegetated with an approved grass species mixture and/or landscape vegetation, and;
 - d. Discharge into a stormwater wetland via an outfall fitted with a flow-control choke.
- 6.5 Unless otherwise approved by the Council Engineer, the stormwater wetland shall:
 - a. Be designed in accordance with the Christchurch City Council Simplistic Method for Wetland Sizing, and;
 - b. Be vegetated with approved landscape vegetation, and;
 - c. Discharge into Greens Stream.
- 6.6 Stormwater generated in excess of the first flush basin capacity shall be diverted into a stormwater detention basin using a flow splitter or weir upstream of the first flush basin. Unless otherwise approved by the Council Engineer, the stormwater detention basin(s) shall:
 - a. Have sufficient storage (when combined with live storage available in the first flush basin and the wetland) to ensure that peak flows do not exceed pre-developed flow rates from this application site and RMA/2021/3219 for all storms up to and including the 2 percent annual exceedance probability storm of 60-hours duration;
 - b. Have batter slopes of 1 vertical in 4 horizontal average, or flatter, and;
 - c. Be vegetated with an approved grass species mixture and/or landscape vegetation, and;
 - d. Discharge into Greens Stream via an outfall fitted with a flow-control choke and an overflow spillway.
- 6.7 Fill levels of building footprints within allotments shall be a minimum of RL 21.11m CDD.
- 6.8 The filling of land shall not cause adverse flooding effects on other land. The consent holder shall provide a report summarizing any effects such as displacement of ponded flood waters 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.

- 6.9 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.
- 6.10 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.
- 6.11 The stormwater 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. A combination of primary and secondary conveyance systems may be used to ensure this level of service is achieved.
- 6.12 The primary stormwater reticulation 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.
- 6.13 A stormwater design and flood modelling report shall be provided for the subdivision which addresses the critical 10%, 2% and 0.5% annual exceedance probability rainfall events in the post-development scenario. This report shall form a part of the Engineering Design Report and shall include (but may not be limited to) following information in PDF and GIS *.shp file format:
- a. A plan showing design ground levels (100mm contours or appropriate) and proposed secondary flow paths.
 - b. A plan showing the predicted extent of flooding (for flood depths in excess of 100mm) for the critical 2 percent and 0.5 percent annual exceedance probability rainfall events.
- A plan showing predicted floodwater levels for the critical 2 percent and 0.5 percent annual exceedance probability rainfall events marked at every 10m interval along all overland flow paths
- 6.14 The designer of the stormwater management system shall provide a report which identifies all overland flow paths proposed for storm events that exceed the capacity of the reticulated stormwater network. All overland stormwater flow paths are to be identified and protected by an easement in favour of Christchurch City Council, if required.
- 6.15 Safe and adequate access to all stormwater management and mitigation facilities for operation and maintenance, including sediment removal, shall be provided and designed in accordance with WWDG Sections 6.8 & 6.9.
- 6.16 The consent holder shall provide easements in gross over all underground public stormwater infrastructure located outside of legal road.
- 6.17 A Maintenance and Operations manual for all stormwater water management systems shall be provided and shall form part of the Resource Consents and 3 Waters Planning Unit acceptance. This manual is to include a description of the activity, the design assumptions, maintenance schedule and monitoring requirements.
- 6.18 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, after such time Council may accept responsibility for operation and maintenance.
- 6.19 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.
- 7. Access Construction Standards**
- 7.1 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 and accepted by Council.

8. Transport

8.1 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.

8.2 Traffic Safety Audit

The applicant shall provide traffic safety audits undertaken by a suitable qualified independent traffic engineer at the engineering acceptance stage (design) and at works completion (post construction).

Detailed engineering design for the transport network shall ensure the recommendations of the Safety Engineer in the preliminary scheme design (concept) safety audit are incorporated in the design.

8.3 Halswell Road State Highway 75

Halswell Road (State Highway 75) frontage is to be upgraded to 2.5 metre shared path

Prior to the issuing of a certificate pursuant to Section 224(c) of the Resource Management Act 1991, the consent holder shall provide to Council, correspondence from the New Zealand Transport Agency confirming that works in the State Highway, including vehicle crossing construction, have been constructed to the New Zealand Transport Agency standards.

Prior to the issuing of a certificate pursuant to Section 224(c) of the Resource Management Act 1991, the consent holder shall provide to Council confirmation that the New Zealand Transport Agency has been advised of relevant documentation (such as proposed title references, draft LT (Land Transfer) plan, or SO (Survey Office) plan) to facilitate the registration of any new Crossing Place (CP) Notices against those new titles, under Section 91 of the Government Rounding Powers Act 1989.

8.4 Turning Facilities

The subdivision design shall provide for adequate rubbish truck turning facilities which is legally secured within the application site at each stage.

Advice note: The subdivision engineer may accept turning facilities outside of the site where required for staging if the Consent Holder legally secures adjacent land.

9. Greenspace

Reserve Landscape Plans

9.1.1 Landscape Plans for Reserves (Lots 264-266) are to be submitted to the Technical Design Services (Parks and Landscapes Team at landscape.approvals@ccc.govt.nz) for acceptance.

9.1.2 The Landscape Plans are to provide sufficient detail to confirm compliance with the requirements of the IDS, the CSS, and the WWDG: 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.

9.1.3 The Consent Holder shall maintain plants/trees on Reserve Lots x for the **24 months** Establishment Period (Defects Maintenance), until a final inspection and acceptance of the landscaping by the Council. Acceptance shall be based upon the criteria outlined in the CSS, Part 7 Landscapes (current version).

9.1.4 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).

9.1.5 Council 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.

9.1.6 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.

9.1.7 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.

9.2 Street Tree Landscape Plans

9.2.1 Street tree landscape plans are to be submitted to the Technical Design Services (Parks and Landscapes Team at landscape.approvals@ccc.govt.nz) for acceptance. All landscaping is to be carried out in accordance with the Accepted plan.

9.2.2 The Landscape Plans are to provide sufficient detail to confirm compliance with the requirements of the IDS (current version) and the CSS (current version).

9.2.3 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 Council. Acceptance shall be based upon the criteria outlined in the CSS, Part 7 Landscapes.

9.2.4 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)).

9.2.5 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).

9.2.6 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.

9.2.7 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.

9.3 Final Completion / Handover (Street Trees)

9.3.1 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.

10. **Fencing and Building Setbacks**

10.1 All boundaries between residential allotments and reserves and other Council Land 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 and shall meet the requirements of condition 10.2 and 10.3.

10.2 Fencing along boundaries with reserves - Lots 1,11-13, 45-50, 115-121, 243, 252-253

Any fencing along, or within 2m of, the shared boundary with Council land (Lot 3 DP 83635) shall not exceed 2m in height. Such fencing shall be:

a) No greater than 1.2m in height, where solid; or

- b) Open style fencing that is at least 80% open where between 1.2m and 2m in height.

Except that, the above requirements do not apply to fencing along a site boundary that is not shared with a reserve.

Advice Note: Condition 10.2 is an ongoing condition of Consent for which a consent notice pursuant to s221 of the Resource Management Act will be issued.

10.3 Fencing along boundaries with reserves - Lots 201-206, 215-233, 244-252

Any fencing along, or within 2m of, the shared boundary with Council land (Lot 264) shall not exceed 2m in height. Such fencing shall be:

- a) No greater than 1.2m in height, where solid; or
b) Open style fencing that is at least 80% open where between 1.2m and 2m in height.

Except that, the above requirements do not apply to fencing along a site boundary that is not shared with a reserve.

Advice Note: Condition 10.3 is an ongoing condition of Consent for which a consent notice pursuant to s221 of the Resource Management Act will be issued.

10.4 Tree Protection Strip: Lots 201-206, 215-233, 244-252.

No filling, excavation, structures, paving or buildings shall be located within 1m of the eastern boundary shared with Lot 3 DP 83635 (other than those in condition 10.2 above). Note: This area may contain fill that is not compacted (in order to protect adjoining trees). Any foundation design for a dwelling will need to have regard to this.

Advice Note: Condition 10.4 is an ongoing condition of Consent for which a consent notice pursuant to s221 of the Resource Management Act will be issued. Condition references will be updated in the final consent notice

11. Terrestrial Ecology

- 11.1 Any incidental discoveries of lizards while undertaking construction within the project footprint should be documented and reported to the Council's herpetologist:

- Construction activities will stop/be restricted to beyond 10 meters of the place of discovery.
- Report to the herpetologist the location and a description of the lizard sighted (as much detail of the lizard as possible).
- If the lizard is in danger of being injured or killed, capture the lizard using both hands being careful not to grab it by the tail and place in a container with damp soil and some leaf litter. Ensure to create breathing holes in the container for the lizard.
- If the lizard appears uninjured, contact the Herpetologist or Environmental manager for direction on where to relocate the lizard.
- If the lizard is injured, then contact the project herpetologist for advice on how to proceed.

12. Telecommunications and Energy Supply

- 12.1 All lots shall be provided with the ability to connect to a telecommunications and electrical supply network at the boundary of the net area of each lot. For rear lots, evidence shall be provided by the surveyor (in the form of as-builts and / or photos) that ducts or cables have been laid to the net area of each lot.

- 12.2 The consent holder is to provide a copy of the reticulation completion letter from the telecommunications network operator and the s224 clearance letter from the electrical energy network operator.

13. Accidental Discovery

- 13.1 In the event of the discovery/disturbance of any archaeological material or sites, including taonga (treasured artefacts) and kōiwi tangata (human remains), the consent holder shall immediately:
- a) Cease earthmoving operations in the affected area of the site; and
b) Advise the Council of the disturbance via email to rcmon@ccc.govt.nz
c) Advise appropriate agencies, including Heritage New Zealand Pouhere Taonga and the local Mana Whenua (Ngāi Tūāhuriri Rūnanga) of the disturbance.

Advice Note: Please be aware that an archaeological site may be any place that was associated with human activity in or after 1900, and provides or may be able to provide, through investigation

by archaeological methods, significant evidence relating to the historical and cultural heritage of New Zealand.

- 13.2 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 EnvResourceMonitoring@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.

14. Birds – Lots 264-265

- 14.1 Works within bird breeding and nesting seasons (mid-August to mid-February annually) shall occur in accordance with an accepted Bird Management Plan.
- 14.2 The Bird Management Plan shall be submitted to the Subdivision Engineer for acceptance by Council's Ornithologist (via email to rcmon@ccc.govt.nz) 15 working days before works commence. No works are to commence on site until the acceptance is received, except that if acceptance is not received within 15 working days it shall be deemed to have been received.

Note: Council officers will undertake a survey of birds protected by the wildlife act and report back within 8 working days prior to the commencement of works.

- 14.3 The bird management plan shall include but is not limited to:
- a) A description of what measures will be undertaken in order to limit bird occupation of disturbed areas prior to nesting;
 - b) A requirement to avoid works within 20m of the top of the bank of the eastern drain, south of Greens Stream, until further investigation has occurred;
 - c) Confirmation that a 1.5m high temporary fence shall be constructed 20m from the top bank of the drain described in 18(b). The fence shall consist of Hessian, Linen or Manuka Brush material or an otherwise approved material and shall be of a neutral colour. The fence line shall be erected prior to commencement of construction on any part of the site south of Greens Stream;
 - d) Accidental discovery protocols if bird nest/habitats are found;
 - e) Incorporation of any recommendations arising from Bird Surveys (conducted on behalf of Council in Mid-winter-Spring 2022) in terms of Marsh Crake or other bird protected by the wildlife act species identified.

Note: the Bird Management Plan will be reviewed by Council's ornithologist during the acceptance stage. It is unlawful to harass bird species under the Wildlife Act 1953. The bird management plan shall not use noise devices as part of the deterrence works.

- 14.4 Further actions shall be implemented if identified in the Bird Survey performed within 8 working days of works commencing.
- 14.5 The Bird Management Plan shall be provided to the contractor controlling this work and retained on site for the duration of works.
- 14.6 Where work ceases for more than eight consecutive days, the consent holder shall make contact with Council and an additional bird survey will be performed. Further actions shall be implemented if identified in the Bird Survey.

Note: Council officers will undertake a bird survey prior to the re-commencement of works.

- 14.7 There shall be no dogs brought onto the site by persons exercising or working under this consent.
- 14.8 If works are performed outside of bird breeding and nesting seasons and a nest is found, then work within 20m of the nest shall cease and the consent holder shall contact Council's Ornithologist for advice. No works in these areas shall occur until Council's Ornithologist has assessed the nest and associated birds and determined that appropriate steps are being taken to avoid adverse effects on birds.

Note: Council's Ornithologist is Andrew Crossland –andrew.crossland@ccc.govt.nz

Conditions 14.1 to 14.8 are to occur in conjunction with the conditions imposed in earthworks consent RMA/2022/1219

15 Birdstrike Management

- 15.1 During the operation of the stormwater basin, the following must be complied with:
- Regular monitoring for bird usage or evidence of bird activity (e.g. guano) shall be undertaken after a moderate rain event (10mm or more in a 24 hour period);
 - The grass sward shall be maintained between 200-300 millimetres, to reduce the attractiveness of the grass to birds;
 - Assessment of water retention and appropriate water discharge after moderate rain events (10mm or more in a 24 hour period) shall be undertaken to confirm that appropriate drainage is occurring, with no obstructions;
 - The basin shall be maintained to prevent hollows that hold standing water and the banks should remain as steep as feasibly possible; If birds do congregate after a rain event, Christchurch International Airport shall be informed. The birds shall not be disturbed without guidance on the best dispersal techniques as this could increase any bird strike risk. *Note: Birds on the ground pose no threat to aircraft.*
 - If birds are attracted to the basin - either when it is dry or after storm events - a management plan shall be drafted to the satisfaction of the consenting authority by a suitably qualified avifauna ecologist with waterfowl experience, that guides how to discourage birds from using the basin.
- 15.2 The consent holder shall report to Council on a quarterly basis (email to rcmon@ccc.govt.nz) of compliance of the condition 3 including actions taken during rain events, maintenance undertaken and communication with the Christchurch International Airport.
- 15.3 Alternatively the consent holder shall provide a report assessed by a suitably qualified and experienced Avifauna Specialist in which any recommendations provided are adopted.

If condition 15.3 is complied with, conditions 15.1 and 15.2 do not apply. If 15.1 and 15.2 are complied with, these shall form as ongoing condition of consent for which a consent notice is issued.

16. Trees protection within Lot 1 DP 574113

- 16.1 A construction management plan shall be prepared in accordance with good arboriculture practices setting out how trees will be retained and protected during works in accordance with the CSS. This includes but is not limited to:
- Details of proposed works within the utility reserve and potential effects on trees;
 - Measures to allow any pruning;
 - Protection of tree (including their roots) from all works including earthworks, trenching and construction activities;
 - Avoiding soil compaction and severing of tree roots;
 - Replacement of damaged or removed trees with a similar species in a location as close as practical to the original location of that tree; and
 - Supervision of works by an arborist.
- 16.2 A report (in accordance with the CSS) shall be provided at completion of works detailing the health of the trees and their suitability to be retained in public ownership.
- 16.3 Trees may be removed if they are in poor health or located within the road corridor. All efforts shall be made to retain as many trees as practicable.

17. Consent Notice

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

Sewer – All residential allotments

- 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.

- b. 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.
- c. 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.
- d. 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.
- e. 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.

Fencing along boundaries with reserves - Lots 1,11-13, 45-50, 115-121, 243, 252-253

Any fencing along, or within 2m of, the shared boundary with Council land (Lot 3 DP 83635) shall not exceed 2m in height. Such fencing shall be:

- a) No greater than 1.2m in height, where solid; or
- b) Open style fencing that is at least 50% open where between 1.2m and 2m in height.

Except that, the above requirements do not apply to fencing along a site boundary that is not shared with a reserve.

Fencing along boundaries with reserves - Lots 201-206, 215-233, 244-252

Any fencing along, or within 2m of, the shared boundary with Council land (Lot 264) shall not exceed 2m in height. Such fencing shall be:

- a) No greater than 1.2m in height, where solid; or
- b) Open style fencing that is at least 80% open where between 1.2m and 2m in height.

Except that, the above requirements do not apply to fencing along a site boundary that is not shared with a reserve.

Tree Protection Strip: Lots 201-206, 215-233, 244-252.

No filling, excavation, structures, paving or buildings shall be located within 1m of the eastern boundary shared with Lot 3 DP 83635 (other than those in condition 10.2 above). Note: This area may contain fill that is not compacted (in order to protect adjoining trees). Any foundation design for a dwelling will need to have regard to this.

Advice Note: Condition references will be updated in the final consent notice.

Birdstrike Management – Lot 265 – If applicable.

During the operation of the stormwater basin, the following must be complied with:

- a. Regular monitoring for bird usage or evidence of bird activity (e.g. guano) shall be undertaken after a moderate rain event (10mm or more in a 24 hour period);
- b. The grass sward shall be maintained between 200-300 millimetres, to reduce the attractiveness of the grass to birds;
- c. Assessment of water retention and appropriate water discharge after moderate rain events (10mm or more in a 24 hour period) shall be undertaken to confirm that appropriate drainage is occurring, with no obstructions;
- d. The basin shall be maintained to prevent hollows that hold standing water and the banks should remain as steep as feasibly possible; If birds do congregate after a rain event, Christchurch International Airport shall be informed. The birds shall not be disturbed without guidance on the best dispersal techniques as this could increase any bird strike risk. *Note: Birds on the ground pose no threat to aircraft.*
- e. If birds are attracted to the basin - either when it is dry or after storm events - a management plan shall be drafted to the satisfaction of the consenting authority by a suitably qualified avifauna ecologist with waterfowl experience, that guides how to discourage birds from using the basin.

The consent holder shall report to Council on a quarterly basis (email to rcmon@ccc.govt.nz) of compliance of the condition 3 including actions taken during rain events, maintenance undertaken and communication with the Christchurch International Airport.

Specific Design Foundation – Lots TBC

Any structure requiring a Building Consent, in terms of Building Act provisions, shall have specific foundation design by a suitably experienced chartered engineer or by an appropriately qualified geotechnical engineer. The design shall take into consideration the potential for liquefaction and associated effects (vertical settlement and lateral spread) appropriate for Technical Category 2 land and shall be investigated and designed in accordance with MBIE Guidelines 'Repairing and rebuilding houses affected by the Canterbury earthquakes' (3rd Edition 15 March 2017) or subsequent revisions.

Note: These requirements are contingent upon TC1 and TC2 land equivalence being achieved by the proposed earthworks and remediation works.

Note: Council will prepare the Consent Notice.

18. Goods and Services Taxation Information

- 18.1 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.

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		Application Ref:					RMA/2022/2214			
		Assessment								
Customer Name	Yoursection Limited									
Project Address	511 Halswell Road									
Assessment Date	11/07/2022									
		Existing HUE	Proposed HUE	Net Increase to HUE Demand	Discount	Chargeable HUE	HUE Rate (incl GST)	DC Charge (incl GST)	Reduction (incl GST)	Net DC Charge (incl GST)
Activity	Catchment	A	B	C	D	E	F	G	H	I
Network Infrastructure										
Water Supply	West	1.00	130.00	129.00	0.00%	129.00	\$1,849.24	\$238,551.96	\$0.00	\$238,551.96
Wastewater Collection	South West	1.00	130.00	129.00	0.00%	129.00	\$8,038.26	\$1,036,935.54	\$0.00	\$1,036,935.54
Wastewater Treatment & Disposal	Christchurch	1.00	130.00	129.00	0.00%	129.00	\$1,075.65	\$138,758.85	\$0.00	\$138,758.85
Stormwater & Flood Protection	Halswell	1.00	130.00	129.00	0.00%	129.00	\$15,489.90	\$1,998,197.10	\$0.00	\$1,998,197.10
Road Network	Growth	1.00	130.00	129.00	0.00%	129.00	\$3,863.84	\$498,435.36	\$0.00	\$498,435.36
Active Travel	Metro Zone	1.00	130.00	129.00	0.00%	129.00	\$979.46	\$126,350.34	\$0.00	\$126,350.34
Public Transport	Metro Zone	1.00	130.00	129.00	0.00%	129.00	\$553.63	\$71,418.27	\$0.00	\$71,418.27
Community Infrastructure	District Wide	1.00	130.00	129.00	0.00%	129.00	\$988.43	\$127,507.47	\$0.00	\$127,507.47
Total Network & Community Infrastructure								\$4,236,154.89		\$4,236,154.89
Reserves										
Regional Parks	District Wide	1.00	130.00	129.00	0.00%	129.00		\$14,993.73	\$0.00	\$14,993.73
Garden & Heritage Parks	District Wide	1.00	130.00	129.00	0.00%	129.00		\$20,823.10	\$0.00	\$20,823.10
Sports Parks	District Wide	1.00	130.00	129.00	0.00%	129.00		\$50,019.70	\$0.00	\$50,019.70
Neighbourhood Parks	Growth	1.00	130.00	129.00	0.00%	129.00		\$70,124.29	\$0.00	\$70,124.29
Total Reserves								\$155,960.82		\$155,960.82
							GST 15%			\$572,884.66
							Total Development Contribution			\$4,392,115.71

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. 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 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 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 to notify us when you have made payment.

Council Site Characteristics Information

The Councils Site Characteristics Information on this site is as follows:

Development Constraint	Council records show there is a specific condition on the use of this site: Consent Notice
District Plan	This property or parts of, are within the High Flood Hazard Management Area (HFHMA) in the Christchurch District Plan. A resource consent is likely to be required for new buildings or to subdivide this property. Further information can be found at www.ccc.govt.nz/hfhma .
District Plan	Property or part of property within the Liquefaction Management Area (LMA) Overlay which is operative.
District Plan	Property or part of property is within an Outline Development Plan area which is affected by specific provisions that are operative.
District Plan	Property or part of property within the Christchurch District Plan Remainder of Port Hills and Banks Peninsula Slope Instability Management Area overlay.
District Plan	This property or part of this property is close to at least one waterway. It may be within the setback for a Downstream Waterway. Within that setback, District Plan rules apply to activities including buildings, earthworks, fences and impervious surfacing. Any part of the property within the setback will be affected by those rules.
District Plan	This property or part of this property is close to at least one waterway. It may be within the setback for an Environmental Asset Waterway. Within that setback, District Plan rules apply to activities including buildings, earthworks, fences and impervious surfacing. Any part of the property within the setback will be affected by those rules.
District Plan Zone	Property or part of property within the Residential New Neighbourhood Zone which is operative.
District Plan Zone	Property or part of property within the Rural Urban Fringe Zone which is operative.
Ecan Requirement	There may be objectives, policies or rules in a regional plan or a regional bylaw that regulate land use and activities on this site. Please direct enquiries to Canterbury Regional Council (Environment Canterbury).

Ecan Requirement	A resource consent or permit may also be required from the Canterbury Regional Council or other territorial authority, particularly with respect to water bodies managed by those authorities. Please refer to the relevant regional plan and any relevant bylaws, and contact the Christchurch City Council if you are uncertain which authority manages the water body in question.
Electoral Ward	Property located in Halswell Electoral Ward
Flooding Related	Property or part of property within the Flood Management Area (FMA) Overlay which is operative.
Flooding Related	This property is not in a tsunami evacuation zone. It is not necessary to evacuate in a long or strong earthquake or during an official Civil Defence tsunami warning. Residents may wish to offer to open their home to family or friends who need to evacuate from a tsunami zone, and should plan with potential guests to do so in advance. More information can be found at https://ccc.govt.nz/services/civil-defence/hazards/tsunami-evacuation-zones-and-routes/
Ground Characteristic	Christchurch City Council holds indicative information on liquefaction hazard for Christchurch. Information on liquefaction, including an interactive web tool, can be found on the Council website at ccc.govt.nz/liquefaction . Depending on the liquefaction potential of the area that the property is in, the Council may require site-specific investigations before granting future subdivision or building consent for the property.
Ground Characteristic	Council records show a spring on the property.
Land Characteristic Other	Land Information New Zealand (LINZ) engaged Tonkin and Taylor to provide a Geotechnical Report on Ground Movements that occurred as a result of the Canterbury Earthquake Sequence. The report indicates this property may have been effected by a degree of earthquake induced subsidence. The report obtained by LINZ can be accessed on their website at https://www.linz.govt.nz and search Information for Canterbury Surveyors.
Land Characteristic Other	The Tonkin & Taylor Darfield Earthquake 4 September 2010 Geotechnical Land Damage Assessment & Reinstatement Stage 1 Report indicates areas of observed surface manifestations of liquefaction resulting from the earthquake. This property is within one of the identified areas. The report can be viewed at www.eqc.govt.nz/canterbury-quake/stage-one/stage1.aspx
Utility Related	This property is in a local pressure sewer system catchment within the Christchurch wastewater network. If there is a house on the property, there will already be a wastewater pressure pump and tank. If a house is yet to be built, a new wastewater pressure pump and tank will need to be installed. General information about pressure sewer systems can be found on the Council website. More detailed information can be obtained by contacting Council Customer Services on 03 941 8999.

Archaeological Sites

This site may be an archaeological site as declared by Heritage New Zealand Pouhere Taonga. Under Section 43 of the Heritage New Zealand Pouhere Taonga Act 2014, an archaeological site may be any place that was associated with human activity in or after 1900, and provides or may be able to provide, through investigation by archaeological methods, significant evidence relating to the historical and cultural heritage of New Zealand. **Please contact Heritage New Zealand Pouhere Taonga on infosouthern@heritage.org.nz or (03) 357 9629 before commencing work on the land.**

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

Future Cancellation of Amalgamation Condition

To cancel the amalgamation condition a document pursuant to section 241(3) of the Resource Management Act 1991 will be required from the Council. Although the execution of such a document is not a subdivision consent

the Council will need to be satisfied that similar requirements to a subdivision consent have been met before cancelling the amalgamation condition. There is a fee for this, as per the Subdivisions Fees Schedule.

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.

Reported and recommended by: Rachel Cottam, Senior Planner

Date: 09/11/2022

Decision

That the above recommendations be adopted for the reasons outlined in the report.

Delegated officer:

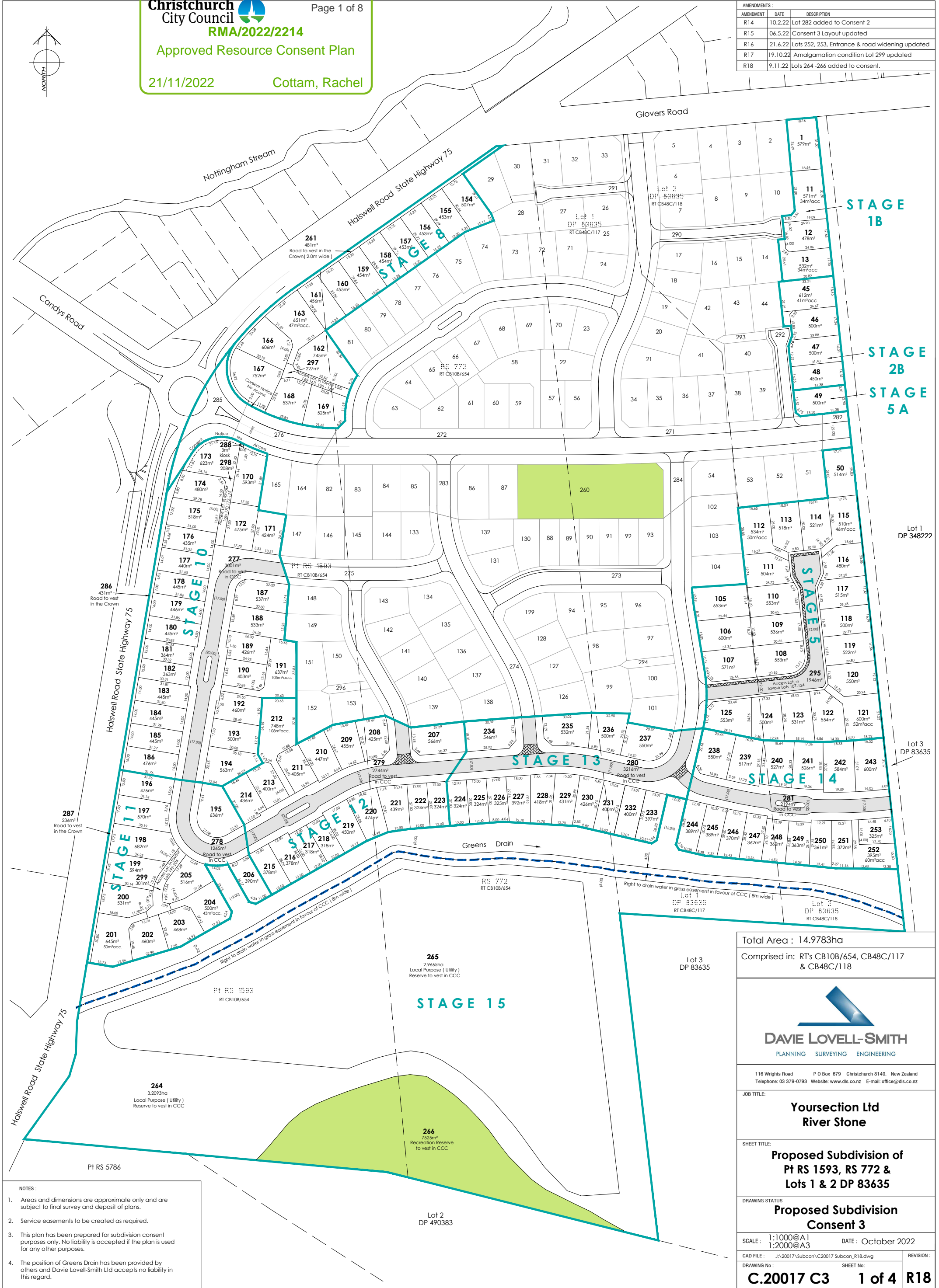



Paul Lowe
Manager Resource Consents
21/11/2022

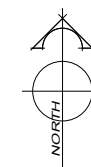
Appendix 1 – Approximate location of neighbouring property owners



AMENDMENTS :		
AMENDMENT	DATE	DESCRIPTION
R14	10.2.22	Lot 282 added to Consent 2
R15	06.5.22	Consent 3 Layout updated
R16	21.6.22	Lots 252, 253, Entrance & road widening updated
R17	19.10.22	Amalgamation condition Lot 299 updated
R18	9.11.22	Lots 264-266 added to consent.



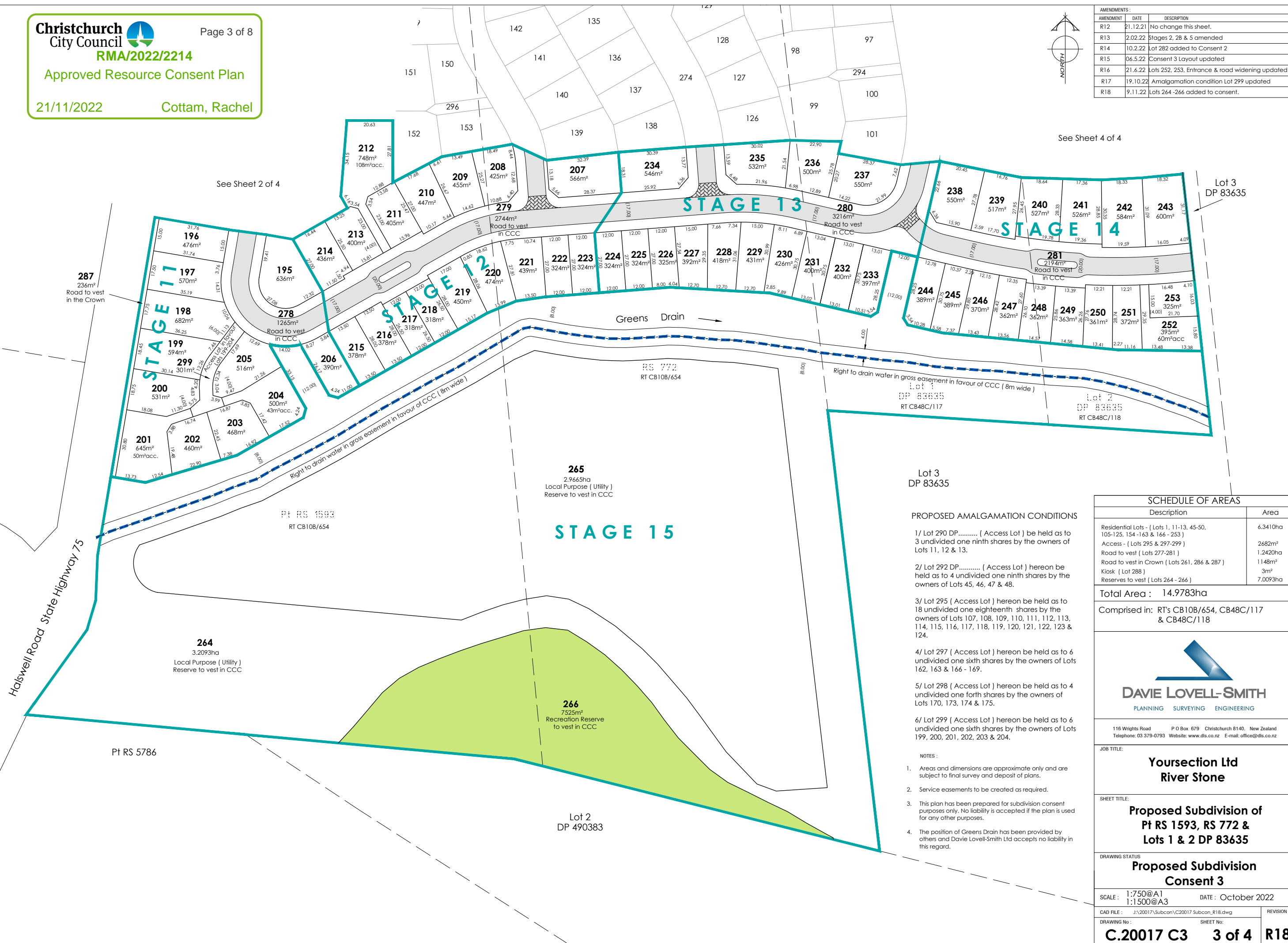
Total Area : 14.9783ha	
Comprised in: RT's CB10B/654, CB48C/117 & CB48C/118	
 DAVIE LOVELL-SMITH PLANNING SURVEYING ENGINEERING	
116 Wrights Road P O Box 679 Christchurch 8140, New Zealand Telephone: 03 379-0793 Website: www.dls.co.nz E-mail: office@dls.co.nz	
JOB TITLE: Yoursection Ltd River Stone	
SHEET TITLE: Proposed Subdivision of Pt RS 1593, RS 772 & Lots 1 & 2 DP 83635	
DRAWING STATUS: Proposed Subdivision Consent 3	
SCALE : 1:1000@A1 1:2000@A3	DATE : October 2022
CAD FILE : J:\2017\Subcon\C20017 Subcon_R18.dwg	REVISION :
DRAWING No : C.20017 C3	SHEET No : 1 of 4
R18	



AMENDMENTS:		
AMENDMENT	DATE	DESCRIPTION
R12	21.12.21	No change this sheet.
R13	2.02.22	Stages 2, 28 & 5 amended
R14	10.2.22	Lot 282 added to Consent 2
R15	06.5.22	Consent 3 Layout updated
R16	21.6.22	Lots 252, 253, Entrance & road widening updated
R17	19.10.22	Amalgamation condition Lot 299 updated
R18	9.11.22	Lots 264-266 added to consent.

See Sheet 4 of 4

See Sheet 2 of 4

Lot 3
DP 83635

PROPOSED AMALGAMATION CONDITIONS

1/ Lot 290 DP..... (Access Lot) be held as to 3 undivided one ninth shares by the owners of Lots 11, 12 & 13.

2/ Lot 292 DP..... (Access Lot) hereon be held as to 4 undivided one ninth shares by the owners of Lots 45, 46, 47 & 48.

3/ Lot 295 (Access Lot) hereon be held as to 18 undivided one eighteenth shares by the owners of Lots 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123 & 124.

4/ Lot 297 (Access Lot) hereon be held as to 6 undivided one sixth shares by the owners of Lots 162, 163 & 166 - 169.

5/ Lot 298 (Access Lot) hereon be held as to 4 undivided one fourth shares by the owners of Lots 170, 173, 174 & 175.

6/ Lot 299 (Access Lot) hereon be held as to 6 undivided one sixth shares by the owners of Lots 199, 200, 201, 202, 203 & 204.

NOTES:

- Areas and dimensions are approximate only and are subject to final survey and deposit of plans.
- Service easements to be created as required.
- This plan has been prepared for subdivision consent purposes only. No liability is accepted if the plan is used for any other purposes.
- The position of Greens Drain has been provided by others and Davie Lovell-Smith Ltd accepts no liability in this regard.

SCHEDULE OF AREAS

Description	Area
Residential Lots - (Lots 1, 11-13, 45-50, 105-125, 154-163 & 166 - 253)	6.3410ha
Access - (Lots 295 & 297-299)	2682m ²
Road to vest (Lots 277-281)	1.2420ha
Road to vest in Crown (Lots 261, 286 & 287)	1148m ²
Kiosk (Lot 288)	3m ²
Reserves to vest (Lots 264 - 266)	7.0093ha

Total Area : 14.9783ha

Comprised in: RT's CB10B/654, CB48C/117 & CB48C/118

116 Wrights Road P O Box 679 Christchurch 8140, New Zealand
Telephone: 03 379-0793 Website: www.dls.co.nz E-mail: office@dls.co.nz

JOB TITLE:

Yoursection Ltd
River Stone

SHEET TITLE:

Proposed Subdivision of
Pt RS 1593, RS 772 &
Lots 1 & 2 DP 83635

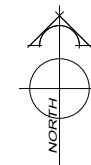
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C.20017 C3 3 of 4 R18



AMENDMENTS :		
AMENDMENT	DATE	DESCRIPTION
R12	21.12.21	No change this sheet.
R13	2.02.22	Stages 2, 2B & 5 amended
R14	10.2.22	Lot 282 added to Consent 2
R15	06.5.22	Consent 3 Layout updated
R16	21.6.22	Lots 252, 253, Entrance & road widening updated
R17	19.10.22	Amalgamation condition Lot 299 updated
R18	9.11.22	Lots 264 -266 added to consent.

1/ Lot 290 DP..... (Access Lot) be held as to
3 undivided one ninth shares by the owners of
Lots 11, 12 & 13.

2/ Lot 292 DP..... (Access Lot) hereon be held as to 4 undivided one ninth shares by the owners of Lots 45, 46, 47 & 48.

3/ Lot 295 (Access Lot) hereon be held as to
18 undivided one eighteenth shares by the
owners of Lots 107, 108, 109, 110, 111, 112, 113,
114, 115, 116, 117, 118, 119, 120, 121, 122, 123 &
124.

4/ Lot 297 (Access Lot) hereon be held as to 6 undivided one sixth shares by the owners of Lots 162, 163 & 166 - 169.

5/ Lot 298 (Access Lot) hereon be held as to 4 undivided one forth shares by the owners of Lots 170, 173, 174 & 175.

6/ Lot 299 (Access Lot) hereon be held as to 6 undivided one sixth shares by the owners of Lots 199, 200, 201, 202, 203 & 204.

NOTES :

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& CB48C/118



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JOB TITLE:

Yoursection Ltd
River Stone

	SHEET TITLE:
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**Proposed Subdivision of
Pt RS 1593, RS 772 &
Lots 1 & 2 DP 83635**

	DRAWING STATUS
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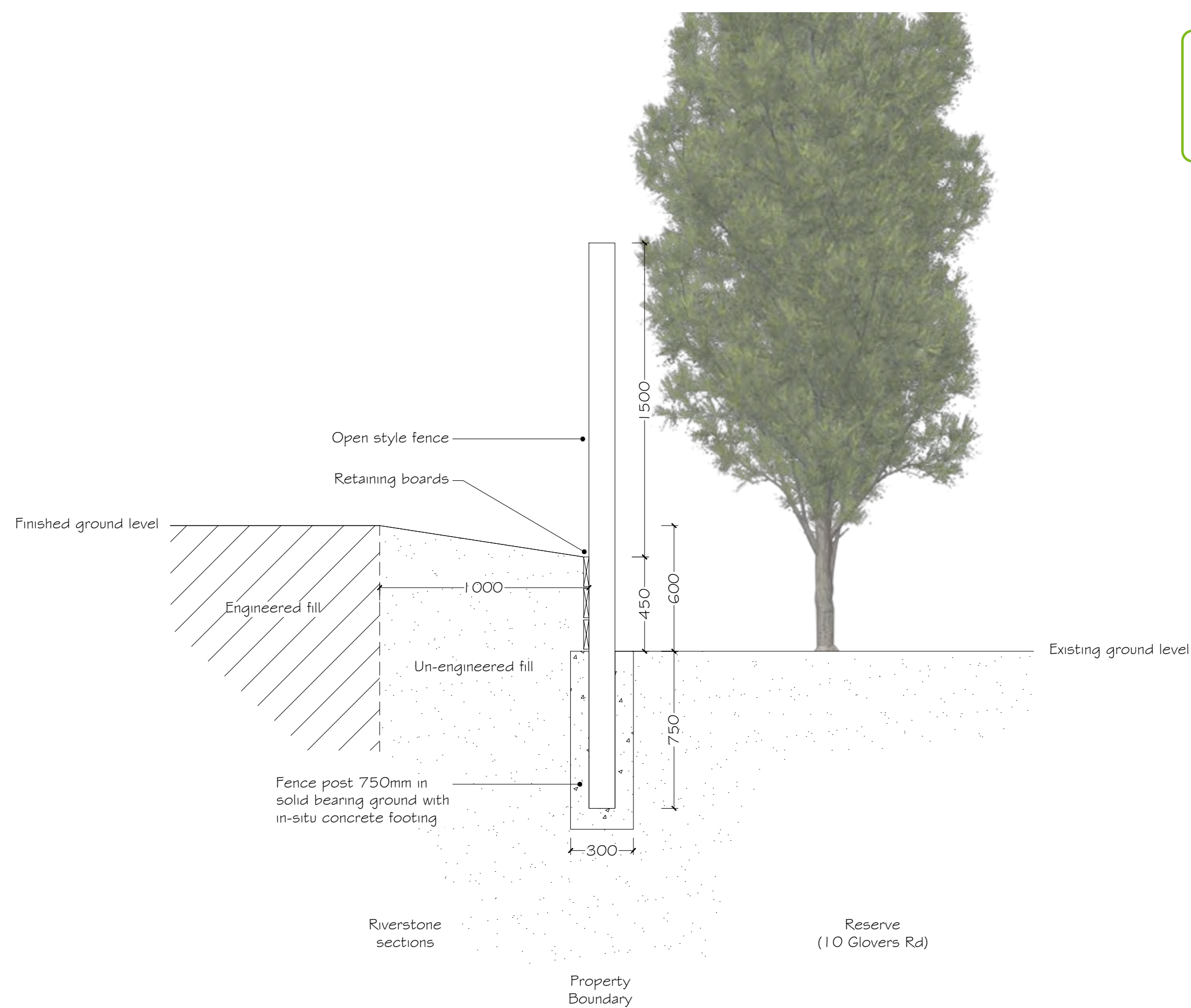
Proposed Subdivision Consent 3

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DRAWING No :	SHEET No:
C.20017 C3	4 of 4 R18

REVISION :

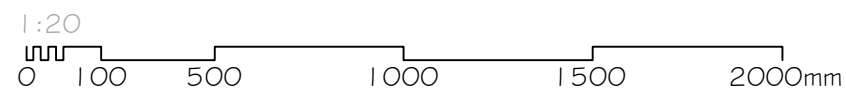


PLEASE NOTE

FOR CONSTRUCTION PURPOSES USE ONLY FIGURED DIMENSIONS. THIS DRAWING MUST ALWAYS BE READ IN CONJUNCTION WITH ALL RELEVANT PROJECT DETAILS. ALL DIMENSIONS MUST BE CHECKED ON SITE PRIOR TO COMMENCEMENT. PLEASE REPORT ANY DISCREPANCY TO THE ARCHITECT OR CONTRACT ADMINISTRATOR

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Revisions
AO 08/06/22 For Approval
A1 23/06/22 For Approval



Drawing Boundary Elevation - 511 Halswell Rd		Project Date Feb 2022	
Project/Client Riverstone Subdivision Yoursection RS Ltd		Scale @ A3 1:20	
Job reference Drawing number 20082-04-024	Revision A1	Purpose of Issue Approval	



441 Papanui Road, PO Box 36-511
Christchurch 8146

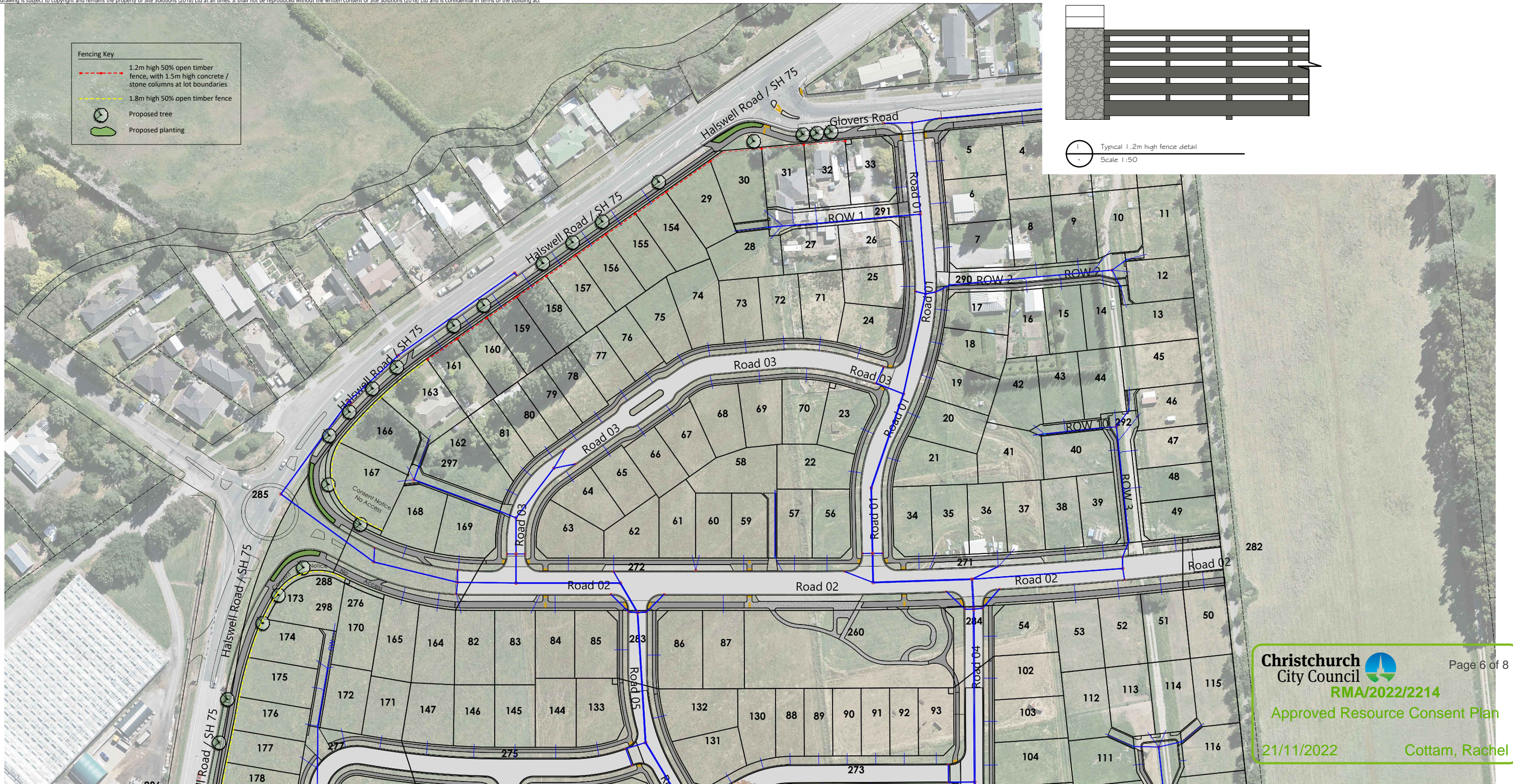
m: 021 433 418

t: 03 421 8460

hayden@xteriorscapes.nz

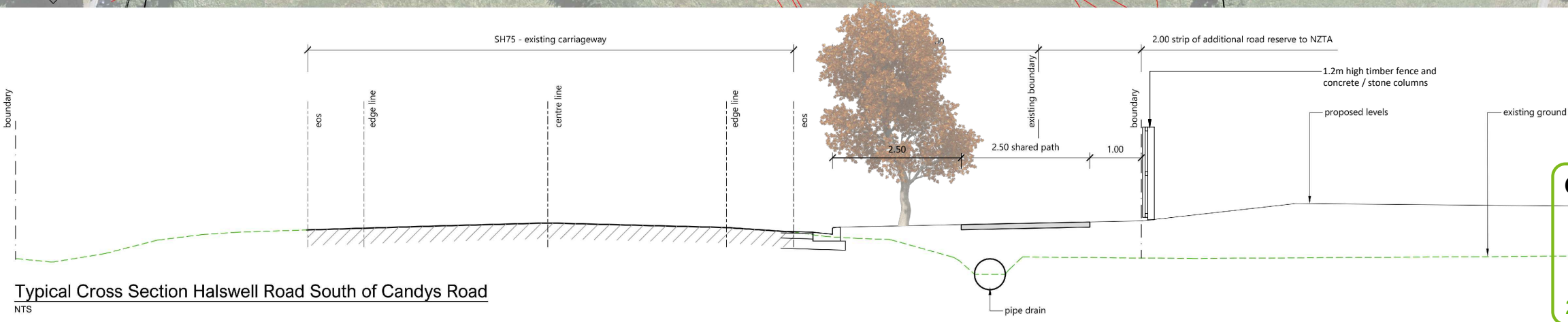
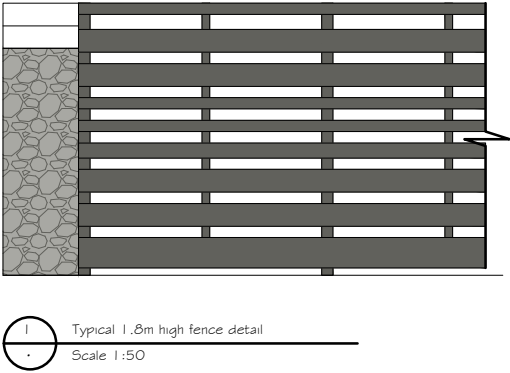
www.xteriorscapes.nz

LANDSCAPE ARCHITECTS



Notes

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Typical Cross Section Halswell Road South of Candys Road

NTS

Notes

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Christchurch City Council

RMA/2022/2214

Approved Resource Consent Plan

21/11/2022

Cottam, Rachel

Page 7 of 8

Surface Analysis: Elevation Ranges				
Number	Color	Minimum Elevation (m)	Maximum Elevation (m)	
1		-1.750	-1.250	
2		-1.250	-1.000	
3		-1.000	-0.750	
4		-0.750	-0.500	
5		-0.500	-0.250	
6		-0.250	-0.075	
7		-0.075	0.075	
8		0.075	0.250	
9		0.250	0.500	
10		0.500	0.750	
11		0.750	1.000	
12		1.000	1.250	
13		1.250	1.500	

Christchurch City Council
ACCEPTED
RMA/2020/3076
ESC MEASURES and EARTHWORK
Doru Hozias
8 October 2021

