

Report / Decision on a Non-notified Subdivision Consent Application

Sections 95A / 95B and 104 and 104B

Application Number: RMA/2022/3963
Applicant: Suburban Estates Limited
Site address: 102a Birkdale Drive and 148 Lake Terrace Road
Site area: 340m² and 9.4372ha
Legal Description: Lots 2 and 3 DP 24511
Zone:
District Plan: Open Space Community Parks Zone, Open Space Metropolitan Facilities
Proposed Plan Change 14: Open Space Community Parks Zone , Open Space Metropolitan Facilities

Overlays and map notations:

District Plan: Flood Management Area (Fixed Minimum Floor Level), Environmental Asset Waterway, Liquefaction Management Area, Site of Ecological Significance (SES/LP/3)
Proposed Plan Change 14: Low Public Transport Accessibility Area (Qualifying Matter)

Activity Status - subdivision: Restricted Discretionary
Activity Status - land use: Discretionary
Activity Status - NESCS: Controlled

Description of Application: 15 Lot fee simple subdivision with two road allotments and three Local Purpose reserves to vest, and associated bulk earthworks.

Corrections under s133A

The decision for this application was made on 22 June 2023 by delegated authority. The consent holder has request that minor errors be corrected under s133A. The errors identified by the consent holder are as follows:

- Condition 1.3
Lot 27 is not a Local Purpose Reserve. As previously advised it is for a power kiosk and will be owned by Orion. It needs to be removed from this condition.
- Condition 6.18 and 17.3
Whilst agreed to in draft conditions. The consent holder seeks clearer reference to Area D on the consent/survey plan. This area is being surveyed and will appear on the survey/title plan. The conditions/consent notice to read: No structures or building are to be constructed within Area D as shown on the consent plan.
- Conditions 15.1 and 15.4
The consent holder considers the height of the bund (1.5m), as reflected in condition 17.4 should be stated in 15.1 and 15.4.

The proposal

The applicant seeks resource consent for the creation of 15 residential allotments. These allotments will be accessed by a new road (to vest in Council) off the end of Birkdale Drive. The development is proposed to be undertaken in two stages; the first stage separates and creates the development block from the Christchurch Golf Club (also known and referred to in the District Plan as the Shirley Golf Club), and the second stage will create the 15 residential allotments, roading, services and utility reserves.

A landuse consent is also sought for associated earthworks including works in the Flood Management Area, works within the setback of the waterway and the creation of vacant lots in the Liquefaction Management Area.

The applicant sets out the detail of the proposal in section 2 of the application which I adopt for the purpose of this report. The main aspects include;

- An acoustic bund and fence on the northern boundary where the site adjoins State Highway 74.
- A new vehicle crossing (bridge) over the waterway (referred to as Old No. 2 Drain).
- Treatment of stormwater into dry basins within proposed Local Purpose (Utility) reserves.
- Creation of residential sites of between 620m² and 868m² (net).

A consent under National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS) is also sought.

An associated global consent is also being sought concurrently for earthworks to be undertaken within 5m of street trees that are to be installed within the site (RMA/2023/11).

The applicant has reviewed and accepted the proposed conditions of consent and as such they form part of the application.



Figure 1 – Proposed scheme plan (Source - application document).

Description of site and existing environment

The application site and surrounding environment are described in section 3 of the AEE submitted with the application. I adopt the applicant's description and note the following additional points:

The Site of Ecological Significance SES/LP/3 is described in the District Plan as follow;

The No. 2 and Old No. 2 Drain SES supports at-risk fish species and contributes to an important ecological network/linkage and migration route for migratory species.

Extent of Site of Ecological Significance The stream reach included in the SES extends from Mairehau Road downstream to the two respective discharge points into Horseshoe Lake as shown on the location map. The width of the SES varies (average of approximately ten metres) along the waterway's lengths, and is largely defined by the width of the stream between the top of banks to include the area of flowing water and marginal vegetation, and expands to include the indigenous riparian restoration plantings within the Shirley Golf Course on Old No. 2 Drain.



Figure 2 – Site and surrounding environment (source: application document)

Relevant rules and activity status

Christchurch District Plan

The access strip is zoned Open Space Community Park and the majority of the site (golf course) is zoned Open Space Metropolitan Facilities (reflecting the sporting history and use of the wider site) with an underlying zone of Residential Suburban.

Land use rules

The proposal requires land use consent for a Discretionary activity under the following rules:

Activity status rule	Standard not met	Reason	Matters of control or discretion	Notification 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) 11,350m ³ is proposed. The proposed earthworks will exceed the 0.6m maximum depth by 2.4m with 1.5m fill depth.	8.9.4 Matters for discretion: 8.9.4.1 - Nuisance 8.9.4.3 - Land stability 8.9.4.6 - Amenity 8.9.4.7 - Indigenous biodiversity, natural character and landscape features	8.9.1 a. - Must not be publicly notified

Activity status rule	Standard not met	Reason	Matters of control or discretion	Notification clause
5.4.1.5 RD2	5.4.1.1P13 Activities and earthworks in the FMA	Earthworks in FMA	Timing, location, scale and nature of earthworks, method, and mitigation of effects as they impact flooding and surface drainage.	-
6.6.4.3.RD1	Earthworks with the water body setback	Earthworks will be undertaken within 7m of an environmental asset waterway	Natural values, maintenance access, amenity and character and cultural values.	-
6.1.7.1.3 RD1	6.1.7.1.1 Sensitive Activities near roads	Compliance of dwellings on Lots 2, 3 and 5	6.1.8	-
6.6.4.4 D1	-	Activities (earthworks) located adjacent to waterbody identified as a SES (Schedule A) - SES/LP/3 Old No 3 Drain	-	-

Subdivision rules

The proposal requires subdivision consent for a restricted discretionary activity under the following rules:

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.
8.5.1.2 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	The application shall not be publicly or limited notified.
8.9.2.3 RD1	8.9.2.1 Earthworks	Exceed volumes in Table 9 – approx. 11,350m ³ proposed. Filling to depth of 1.5m Excavation to 2.4m		
8.5.1.3 RD2	8.6.8 Wastewater disposal	The proposed wastewater disposal does not comply as a waste water certificate has not been obtained.	8.7.4 - General matters 8.8.6 - Servicing	The application shall not be publicly or limited notified.
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	The application shall not be publicly or limited notified.
8.5.1.3 RD2	8.6.4 Road width and	Local roads require 16m legal and 6m formed width.	8.7.4.4 - Transport	The application shall not be

Activity status rule	Standard not met	Reason	Matters of control or discretion	Notification clause
	length	Proposed is between 5.5m and 6m formed width and between 6 and 11.6m legal width.	networks 8.8.3 – Roads	publicly or limited notified.
7.4.2.3 RD1	8.6.4 Roads (Table 7.5.11.4 - Distance between vehicle crossing from intersection).	Proposed road will be less than required 10m from existing vehicle crossing to north.	7.4.4.13 Minimum distance between vehicle crossing	The application shall not be publicly or limited notified.

Proposed Plan Change 14 Housing and Business Choice

Proposed Plan Change 14 (PC14) was notified on 17 March 2023 and proposes amendments to the objectives, policies and rules associated with residential subdivision and development across 'relevant residential zones', in accordance with the Medium Density Residential Standards (MDRS) in [Schedule 3A](#) of the RMA (as modified by the sunlight access/recession plane qualifying matter). It also includes other residential intensification provisions directed by the National Policy Statement on Urban Development 2020 and seeks to amend the objectives, policies and rules associated with commercial development within and around the central city, suburban commercial centres and planned high frequency and capacity public transport.

The submission period closed on 12 May 2023. The only rules currently in legal effect are those relating to heritage protection, which are not relevant to this application.

In terms of the MDRS, the site is identified as being within a qualifying matter area (Low Public Transport Accessibility). Neither the residential unit rules nor the subdivision provisions have immediate legal effect¹, so the operative district plan rules continue to apply. The MDRS objectives and policies have legal effect from the date of notification but are not relevant to this application due to the qualifying matter².

There are no other provisions in PC14 relevant to this application.

Planning Matters

The proposal is changing the application site from an environment that is landscaped and open 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. Notwithstanding, the application site has an underlying residential zone should the land not be required by the owner for the recreational use and it can generally be anticipated that residential activities could be established in this area. I note that residential activity could be established prior to any subdivision application taking place.

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.

The application site has been identified as HAIL land therefore the NES applies. The proposal requires consent as a controlled activity under the following regulation:

Activity status regulation	Regulation not met	Reason	Matters of control or discretion	Notification clause
Regulation 9(1) Controlled activities	Regulation 8(3) Disturbing soil	A Detailed Site Investigation exists and the report states that soil contamination does not exceed the applicable standard in Regulation 7.	Specified in Regulation 9(2)	Must not be publicly notified

¹ Under Section 86BA(1)(c)(ii) the MDRS rules for residential units do not have immediate legal effect in a qualifying matter area, and there is no provision in the RMA for the subdivision rules to have immediate legal effect.

² MDRS Policy 2 (PC14 Policy 14.3.2.3) states that the MDRS provisions do not apply where a qualifying matter is relevant.

Written approvals [Sections 95D, 95E(3)(a) and 104(3)(a)(ii)]

The applicant has obtained written approval from the following persons:

Name(s)	Property address	Location	Owner / Occupier
The Christchurch Golf Club Inc (President and General Manager)	148 Lake Terrace, Shirley	Adjacent property to the east	Both

Any adverse effects on these persons must be disregarded.

Effects on the environment and adversely affected persons [Sections 95D, 95E and 104(1)(a)]

As a Discretionary activity the assessment of the effects of the proposal is unlimited to the matters however, I have used the relevant District Plan Matters of Discretion as guidance for my assessment.

In my opinion the effects of this proposal relate to subdivision design, servicing, transport, natural hazards (flooding and liquefaction risk), land contamination, protection of the waterway and its ecological value, cultural values, earthworks and acoustic protection for future dwellings.

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 meets the requirements of Rule 8.7.4 for the following reasons:

- The allotments are of sufficient size and dimensions for any permitted land use.
- The dimensions of the allotments are all of a compliant size.
- Each allotment will have opportunities for solar gain.
- The proposed subdivision is compatible with adjacent subdivisions and land use activities as they are of a similar sizes as the proposed allotments.
- The design for stormwater and drainage management has determined boundaries whereby Council's experts have determined such boundaries to be acceptable.
- Conditions for stormwater, wastewater and water supply services have been proposed in this application to create fully serviced allotments. This is discussed in more detail within this report.
- A condition is proposed to require all allotments to have access to telecommunications and power supply.
- The design of the development provides allotments of a size and dimension that promotes building typologies with a high level of visual interaction with the street and other public spaces, while providing for a cohesive street scene and neighbourhood.
- The site is not located within a site of cultural significance and no springs are present within the subdivision site.
- The proposal has been designed to manage surface or ground water such that it will not be displaced onto neighbouring properties.
- Consent notices have been proposed for geotechnical matters as discussed in the s106 assessment.

Servicing

The application has been assessed by staff in the Three Waters Team for the ability to provide adequate servicing to the development. Ms Alison Tang has reviewed the capacity for provision of wastewater management. There is a wastewater network (DN150 gravity sewer main) near the site in Birkdale Drive which drains to the west discharging to the pumpstation at the north corner of Fairway Reserve available to service the development.

Ms Tang has recommended a suite of conditions required for the provision of wastewater disposal including the requirement for odour treatment and corrosion protection for pressure sewer from this development.

With regard to water supply, the lots are located in the Parklands water supply pressure zone, which is currently low pressure and a water main is located near the site in Birkdale Drive. Future zoning is to be the Marshlands pressure zone which will remain low pressure. In regard to fire fighting capacity, while Council's network itself has sufficient pressure to supply fire flows, the main is undersized for the proposed development and will require upgrade (at the developers expense) to provide adequate firefighting for the new lots.

I accept Ms Tang's assessment and recommended conditions and conclude the proposed development can be adequately serviced.

Management of Stormwater and Flooding Hazard

The subject site is in the Flood Management Area where Council's flood modelling shows there will be some shallow flooding in the eastern part of the new development lot, with levels reaching approximately 12.45m RL and filling within this flood-prone area will displace the flooding. Council's Surface Water Planning Engineer Mr Nik Kumar has advised that despite the flooding risk, the flooding is considered very shallow, and any effects from developing this site for residential sites are considered to be less than minor.

For the purpose of managing stormwater, the development proposes three lots of 370m² (Lot 21), 1,415m² (Lot 22) and 1,856m² (Lot 23) to vest in Council as a Local Purpose (Utility) reserve. Lots 21 and 22 are linear reserves immediately adjacent to the waterway and Lot 23 will contain a first flush basin 'dry' sediment basin and wetland basin.

The proposed stormwater management system is to include a series of channels, sumps, pipes, swales and basins. Stormwater from roofs and hard surfaces is to be collected in the roadside and discharged through a 'first flush' sediment basin before entering the live storage basin and then towards Old Drain No 2.

The applicant proposes a 5m buffer from the top of the banks of the basins to the residential boundaries of proposed Lots 11 and 12. In terms of the setback with the golf course boundary, it is proposed to place a consent notice on proposed Lot 101 to require the vesting of a 5m strip adjoining the reserve that contains the basin. This consent notice has been agreed with the owner of Lot 101 (the Golf Course), and their written approval has been provided.

Council's Stormwater Planning Engineer Mr Brian Norton has reviewed the proposed stormwater services and flood modelling and has recommended conditions to manage the stormwater systems so they will meet the requirements of the CCC Waterways, Wetlands and Drainage Guide (WWDG 2003 including updates), the Infrastructure Design Standard (IDS 2018) and the Construction Standard Specifications (CSS 2018).

Stormwater during construction phase has the potential to generate adverse effects and is also required to be managed. For this development the consent holder will be required to demonstrate that authorisation for the discharge of construction and operational phase stormwater has been obtained from Christchurch City Council prior to commencement of works, otherwise separate authorisation from Environment Canterbury shall be obtained.

I accept Mr Norton's expert advice and conclude that stormwater can be managed to avoid flooding of the proposed lots along with not adversely impacting on neighbouring sites.

Transport

The scheme plan provides access to the proposed lots via a road approximately 200m long terminating in a cul-de-sac. A single pedestrian footpath is proposed within the road corridor and due to the limited width available for the first 57m from Birkdale Drive the footpath is proposed to be located in the adjoining Council reserve. While this road is to be vested with Council, its width is less than the required 14m minimum for 15 lots; 6m formed width for the first 57m to the waterway and then increasing to a road width of 11.4m with a formed carriageway of 6m. A complying formed width of 7m is required. The cul-de-sac turning head is less than the required 25m radius with approximately 19m proposed.

I have sought the expert advice of Council's Network Transport Planner Mr Simon Andrew. Mr Andrew has advised that the reduced width and turning head dimension is acceptable given the slow-speed environment.

With regard to the proposed footpaths, the submitted safety audit recommends path widths of 1.8m wide rather than the 1.5m proposed. Mr Andrew has advised that a pathway 1.5m wide through the subdivision will accommodate expected levels of pedestrian movements and is acceptable. However the width of the pathway should be increased to 1.8m where it adjoins the existing reserve to match the existing widths in this area and that it can narrow to 1.5m at the bridge.

The applicant does not propose to create vehicle crossings at time of subdivision, rather their creation will be at time of building consent. I consider this is acceptable alternative and can be adequately dealt with at time of building design and site layout and building consent.

There is an existing vehicle crossing providing access to the existing residential property to the north at 61 Birkdale Drive that will be located close to the intersection with the new road (3m separation distance). Given

the low speed environment at the head of the cul-de-sac and the turning head at the end of Birkdale Drive allowing for one-way movements vehicles exiting the site will have good visibility of the intersection with the proposed new road.

I accept Mr Andrew's advice and have recommended conditions of consent to cover the new roading requirements. I conclude that the layout and design of the proposed road is acceptable and will have less than minor effects on the safety and efficiency of the roading network.

Ecology and the Effects on the Waterway

Environmental Asset Waterway referred to as 'Old Drain No. 2' runs along the western boundary of the site and is required to be crossed to gain access to the development site from Birkdale Drive. The waterway is also a site of ecological significance as it supports at-risk fish species and contributes to an important ecological network/linkage and migration route for migratory species. A kākahi (freshwater mussel) population is also present in this location and the application is supported by an Ecology Assessment from Wildland Consultants to assist with the management of the potential ecological impacts from the construction of the bridge and stormwater outfall.

The applicant proposes to install a bridge to create a crossing point necessitating works within the 7m waterway setback. Earthworks associated with the installation of the bridge are also proposed. A Local Purpose (Utility) reserve along the eastern bank of the waterway is proposed where the applicant proposes to retain the existing established vegetation along this water margin.

I have sought the expert advice of Council's Surface Water and Land Drainage Planner, Ms Bitty Babu and external ecologist Mr Greg Burrell. These experts are largely supportive of the overall plan to undertake works within the 7m waterway setback. They also consider that a single span bridge is preferable to a box culvert as it removes the need for any structure within the waterway.

Ms Babu has recommended a suite of conditions requiring sediment and erosion control for earthworks near to the waterway, a landscape planting plan in the area of the bridge and the preparation of a fish and kākahi management plan for the salvage of fish prior to works starting. I accept these recommended conditions as adequate mitigation of potential adverse effects on the waterway and its ecology.

Earthworks

Bulk earthworks of approximately 11,350m³ are required over the entire site to achieve site contouring and formation of the stormwater management areas, roading and residential lots. Maximum cut depth of 2.4m bgl for the stormwater basins and fill of 1.5m for the formation of a 1.5m high acoustic bund are proposed. The bund gradient is proposed as one vertical to two horizontal and it will be planted. Filling on the eastern boundary with the golf course will be battered into that land. The application states that filling will comply with NZS 4431 and some imported material (3,250m³) will be required. A retaining wall is potentially required in part on the western boundary.

The proposed earthworks have potential to create nuisance effects, which include dust, noise, sedimentation, erosion, change of drainage patterns, effect ground water and surface water, which could affect neighbouring properties, roading networks, waterways and the wider environment. Earthwork can also result in land stability issues, which could further exacerbate these nuisances. In terms of adverse amenity effects as a result of the fill where up to approximately 500mm is proposed on the eastern boundary, I consider there are no persons adversely affected by loss of privacy or amenity given the adjoining land use is a golf course.

The application assesses construction phase discharge consents and dust suppression methods with sediment control to address the works in the waterway with a proposed management plan to be provided for engineering acceptance. I note no draft plan has been provided at this stage. I have sought the advice of Council's Senior Subdivision Engineer Ms McDonald. Ms McDonald has reviewed the information and assessed the works acceptable subject to the consent holder adhering to a recommended a suite of conditions for managing the effects of earthworks.

I accept Ms McDonald's advice and conclude earthworks can be managed so that they will have a less than minor effect.

Acoustic Effects

The proposed lots at the northern end of the land fall within 80m of the highway designation and so future dwellings on proposed Lots 2, 3 and 5 will trigger the acoustic insulation from traffic noise rules. The applicant proposes an acoustic bund and fence along the northern boundary where the site adjoins SH74 (QEII Drive). The application is supported by an acoustic assessment from Powell Fenwick which concludes noise attenuation can be achieved from a 1.5m high earth bund with a 1.8m 19mm thick close boarded fence on top.

Council's Environmental Health Officer Ms Isobel Stout considers the bund and fence an acceptable solution to mitigating noise generated from SH74 whereby future proposed dwellings on Lots 2, 3 and 5 will have an acceptable level of acoustic amenity.

I accept Ms Stout's advice and consider it appropriate to recommend conditions requiring the bund and fence to be constructed and maintained in perpetuity. A landscape planting plan will be required for the northern side of the fence to match with the existing bund and landscaping established on properties to the west of the site the adjoin SH74.

Contaminated Land

A detailed Site Investigation has been provided for the site where soil investigations show that the majority of the site is suitable for residential use. However, testing in the area of a burn pad found arsenic above the residential SCS and topsoils contain heavy metals and DDT above background levels. I have sought the expert advice of Council's Environmental Health Officer Ms Agnes van der Erf whose comments I incorporate into this assessment.

The burn pad remediation area is limited to a small area and the applicant proposes to supply a Remedial Action Plan (RAP) but proposes to remediate this as a permitted activity given the small area. Ms van der Erf advises that subject to the provision of the RAP, the balance of the earthworks will be controlled under the NES. Further the applicants are proposing a Site Validation Report (SVR) to confirm the site's suitability for residential use which is an acceptable method. Ms van der Erf has proposed conditions of consent requiring the RAP and SVR along with a contamination discovery protocol.

I accept Ms van der Erf's advice and consider that working with contaminated soils can be managed in a way to have a less than minor effect on human health.

Conclusion

The land has been zoned residential and development is anticipated, and I consider that any adverse effects on the environment can be adequately mitigated by the recommended conditions of consent. The effects of the non-compliances are less than minor and there are no affected parties.

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.
- 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)).

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)]

Regard must be had to the relevant objectives and policies in the Christchurch District Plan and Proposed Plan Change 14. In my opinion the application is consistent with these as the new allotments will be appropriately designed and serviced for the anticipated purpose and take into account features of the natural and built environment and enable the recovery of the City through development of identified greenfield and intensification areas.

Subdivision

The objectives and policies for subdivision and development are focused on connectivity and suitability of subdivision design, preserving amenity/natural features, and providing allotments for the anticipated use. The relevant objectives and policies for this application are set out in Objective 8.2.2 – Design and Amenity and related policies, 8.2.2.1 - 8.2.2.6, 8.2.2.8, 8.2.2.9, 8.2.2.11 and Objective 8.2.3 – Infrastructure and Transport and related policies 8.2.3.2, 8.2.3.3, 8.2.3.4 and 8.2.3.5.

The proposed allotments are suitable for the anticipated land use of residential activity as discussed previously in this report. I consider the proposal to be consistent with the objectives and policies of Chapter 8.

Residential

The relevant objectives and policies of Chapter 14 are Objective 14.2.1 – Housing supply and supporting policy, 14.2.1.1, Objective 14.2.4 – High quality residential environments and support policies 14.2.4.1 and 14.2.4.2.

Although the development application has not proposed any residential dwellings it has provided the basis on which good residential development can occur. Overall, the proposal is consistent with the objectives and policies of chapter 14 of the District Plan.

Earthworks

The objectives and policies for earthworks focus on ensuring earthworks will not increase the risks of hazards, increase of effects on neighbouring properties or water quality/ground water, amenity values and does not cause risk to the health and safety of people. The relevant objectives and policies in regard to this proposal Objective 8.2.4 – Earthworks and supporting policies 8.2.4.1 and 8.2.4.4, and Objective 8.2.5 Earthworks health and safety and supporting policies 8.2.5.1, 8.2.5.2 and 8.2.5.3.

The purpose of the earthworks for this subdivision is to shape the allotments to drain back to front and works to create the stormwater basins and proposed roads. Conditions have been proposed to ensure effects in regard to nuisance, shading, visual email and loss of privacy are reduced. I consider the proposal to be consistent with the objectives and policies of Chapter 8.9.

Natural Hazards

The relevant objectives and policies of Chapter 5 are 5.2.2.1 – Natural Hazards and supporting policies 5.2.2.1.2, - 5.2.2.1.5. Also relevant is Policy 5.2.2.2 – Managing risk from flooding and 5.2.2.3 Managing risk from liquefaction. These policies ensure no development occurs in places where effects of natural hazards are unacceptable. The objectives and policies also provide guidance for managing and assessing natural hazards. As outlined in the s104 and 106 assessment, the adverse effects of natural hazards are less than minor and the proposal is consistent with the objectives and policies of Chapter 5.

Transport

The relevant objectives and policies of Chapter 7 are Objective 7.2.1 - Integrated transport system and Objective 7.2.2 -Adverse effects from the transport system. As outlined in the s95/104 assessment above I consider that the road layout and access to proposed lots are appropriate and ensures the safety and efficiency of the transport network. I consider the proposal is consistent with the objectives and policies of Chapter 7.

With regard to PC14, given the early stage in the process and that these are subject to challenge via submissions, I give little weight to these provisions.

Conclusion

The proposal is 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)]
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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)]

There are no other matters relevant to the consideration of this application.

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 law³, 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.

Section 106

s106 Consent authority may refuse subdivision consent in certain circumstances

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

This section of the Act is particularly relevant in relation to geotechnical concerns following the Canterbury earthquakes. The land is identified as being within the Liquefaction Management Area in the Christchurch District Plan and rule 5.5.2a applies. The land is classified by CERA as Technical Category 2 where minor to moderate land damage from liquefaction is possible in future significant earthquakes.

The applicant has submitted a geotechnical report prepared by CGW Ltd which has been reviewed by Council's Subdivision Engineer (Ms McDonald).

CGW undertook a desktop review including of a LandTech Geotechnical Assessment Report. They undertook a site investigation including nine hand augers and boreholes to a target 3.0m bgl, two cone penetrometer tests to 15m bgl and two piezometers to support a liquefaction analysis.

The site is within an area of 'medium liquefaction vulnerability' in the Christchurch Vulnerability Study and is adjacent to Technical Category 2 land. No evidence of damage or otherwise can be viewed over the Canterbury Earthquake Sequence because of the vegetation and the site was not mapped. The site was 'sufficiently tested' to SLS levels in February 2011. CGW state they believe minor liquefaction damage is considered possible on the basis of past performance.

CGW reviewed three CPT tests from the New Zealand Geotechnical Database that are within 100m of the site, complying with the MBIE recommended deep test density.

³ R J Davidson Family Trust v Marlborough District Council [2018] NZCA 316

Site subsoils were determined as 0.2-0.4m sandy topsoil over medium dense to very dense dune sand with localised silt lenses. Groundwater was found at between 1.5m – 2.7m, with two locations not finding water probably due to elevation. The CPT tests refused around 10m depth.

CW undertook a liquefaction analysis to the three MBIE recommended events and using methodologies incorporating liquefaction triggering, fines correction (2014) and assessing post liquefaction ground subsidence. Their assessment used a groundwater level of 1.0m bgl. Settlements determined were under 5mm for all events and locations. Lateral spread due to the No.2 Drain was assessed at an 8m offset from the creek as under 5mm for SLS events and between 75-145mm for ULS events ie minor to moderate lateral displacement. CGW consider the site be categorised as at minor to moderate risk of global lateral movement and lateral stretch also. Static settlement is not anticipated to be a risk.

CGW carried out a section 106 assessment and state the natural hazard risks at the site are liquefaction and settlement and flooding (assessed by others). On the basis of their above assessment, they classify the land as Technical Category 2. I agree with their assessment.

Subject to my recommended conditions of consent for this subdivision, any adverse effects as a result of the geotechnical risks will be mitigated, avoided or remedied and there will be no adverse effects on neighbouring properties (taking into consideration the relevant matters of discretion). Should consent be granted, I suggest the following conditions related to Chapter 5 of the District Plan be imposed.

- All infrastructure is to be designed to resist the effects associated with earthquake induced liquefied soils. All liquefaction hazard mitigation shall be designed for a 1 in 25 year return period serviceability limit seismic design event and a 1 in 500 year return period ultimate limit state seismic design event as defined in NZS1170.5.2004.
- 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.

- 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 3.1. 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.

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

Recommendations

LAND USE CONSENT

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

Advice Note: Any monitoring required will be dealt with under the subdivision consent.

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, 104C 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. Staging shall be as follows:

Stage 1 – Lots 100 and 101

Lot 100 is a development lot and is not serviced by reticulated infrastructure.

Stage 2 – Lots 1-27

1.3 Allotment to Vest Local Purpose (Utility) Reserve Lots – 21, 22, 23 and 27

Lots 21, 22, 23 and 27 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.

1.4 New Road to Vest

The new road, being Lots 25 and 26 is 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 Naming

The new road is to be named and shown on the survey plan submitted for certification.

Advice Notes: The process for naming roads is set out at <https://ccc.govt.nz/consents-and-licences/resource-consents/resource-consent-activities/subdivision-consents/road-and-right-of-way-naming/>. The approval of roads names is by the relevant Community Board and may take six weeks. The processing of that application will be on a time and costs basis and charged under this consent.

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.

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 Right of Way Easements (Private Ways)

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

1.7 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.

1.8 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.

1.9 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.

1.10 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.

1.11 Easements in Gross

The legal instruments to create the required easements in gross in favour of the Council must be prepared and 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.

1.12 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.

2. Quality Assurance

2.1 Asset Design and Construction

The design and construction of all assets shall be subject to a project quality system in accordance with Part 3: Quality Assurance of the Infrastructure Development Standard (IDS).

2.2 Quality Assurance

2.2.1 Prior to the commencement of physical works on site for the construction of the subdivision including infrastructure, the Consent Holder shall submit to the Planning Team - Subdivision Engineers a Design Report, Plans and Design Certificate complying with clause 3.3.2 of the IDS for review and acceptance under clause 2.10 of the IDS 2022. The Design Report and engineering plans shall provide sufficient detail to confirm compliance with the requirements of the IDS and this consent, including compliance with condition 2.1 (Asset Design and Construction). This report can be submitted as two individual design reports addressing infrastructure as one part and the second part as a Geotechnical Report.

- 2.2.2 Prior to the commencement of physical works on site, the Consent Holder shall submit to the Council's Planning Team - Subdivision Engineers a Contract Quality Plan and supporting Engineer's Review Certificate, complying with clause 3.3.3 of the IDS, for review and acceptance by Council under Clause 2.11 of the IDS 2022.
- 2.2.3 Prior to the issue of certification pursuant to section 224(c) of the Resource Management Act, the Consent Holder shall submit to the Planning Team - Subdivision Engineers an Engineer's Report complying with clause 3.3.3 of the IDS and an Engineer's Completion Certificate complying with clause 3.3.4 of the IDS for review and acceptance under clause 2.12 of the IDS 2022. The Engineer's Report shall provide sufficient detail to confirm compliance with the requirements of the IDS, the CSS and this consent, including compliance with consent conditions requiring mitigation measures with respect to any liquefaction and lateral spread hazards.

Advice Note: Part 3 of the IDS sets out the Council's requirements for Quality Assurance. It provides a quality framework within which all assets must be designed and constructed. It also sets out the process for reporting to Council how the works are to be controlled, tested and inspected in order to prove compliance with the relevant standards. It is a requirement of this part of the IDS that 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.

Waterway enhancement/works acceptance can be submitted at a separate time to the engineer design acceptance and is to be approved by both the Subdivision Engineer and other relevant Council Officers. The Landscape Plans shall be submitted to stormwaterapprovals@ccc.govt.nz.

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 sewer and 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-Built (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-Built 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 5 (Cut and Fill Depth Plan Sheet 103, Revision B).

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 All filling and excavation work shall be carried out in accordance with an Environmental Management Plan (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://esccanterbury.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 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 4431:2022. At the completion of the work an Engineers Earthfill Report, including a duly completed certificate in the form of Appendix D 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 notes: 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.

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 reserve area. Retaining walls shall be located outside of legal road unless supporting the legal road. 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.

Advice Notes: 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 infrastructure is to be designed to resist the effects associated with earthquake induced liquefied soils. All liquefaction hazard mitigation shall be designed for a 1 in 25 year return period

serviceability limit seismic design event and a 1 in 500 year return period ultimate limit state seismic design event as defined in NZS1170.5.2004.

3.2 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.

This is an ongoing condition which will be secured by consent notice.

3.3 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 3.1. 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 point of water supply for the subdivision shall be the DN100 PVC water main in Birkdale Drive.

Advice Note 1: the existing DN100 water main in Birkdale Drive may be too small to supply required firefight flow rates. Consent application's hydraulic modelling report must include hydrant testing results to confirm available pressures, and design for water main upgrades if results show the pressure is too low.

Advice Note 2: the existing water connections in and across the alignment of the proposed site access road must be abandoned and formally decommissioned in accordance with Part 5.3.3 of Council's Construction Standards and Specifications.

- 4.2 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, subject to Council engineering acceptance. Engineering drawings supported by hydraulic model outputs shall be sent to the Subdivisions Planning Engineer for Engineering Acceptance by the Three Water & Waste Asset Planning Team prior to the commencement of any physical work.
- 4.3 All water mains and submains for the subdivision shall be installed in road to be vested in Council.
- 4.4 DN150 PVC water mains shall be extended to within 65m of the end of Lot 25 and be terminated with a hydrant as per the requirements of the Infrastructure Design Standard.
- 4.5 The construction of Council vested water infrastructure shall be carried out by a Council approved water supply installer at the expense of the applicant.
- 4.6 All lots shall be served with a water supply to their boundary. Submains shall be installed to 1m past each lot boundary.
- 4.7 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 footpath. Each water supply lateral connection 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 favour 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 Three Water and Waste Planning Team prior to the commencement of any physical work.
- 5.2 The approved sanitary sewer outfall for the proposed 15 residential allotments shall be the existing DN150 PVCu network in Birkdale Drive.
- 5.3 Provision will be made for odour treatment and corrosion protection at the discharge point in Birkdale Road in accordance with Council's Infrastructure Design Standards, Construction Standard Specification and operational requirements. Engineering drawings supported by design calculations and specifications for the odour treatment and corrosion protection works shall be sent to the Subdivision Engineer for acceptance prior to the commencement of any physical work.
- 5.4 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.
- 5.5 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.
- 5.6 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 public road.
- 5.7 Installation of the pressure sewer mains and boundary kits shall be carried out by a Council Authorised Drainlayer (Pressure Sewer Reticulation).
- 5.8 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:
 - a. The property shall be served by a local pressure sewer unit comprising a pump (or pumps) and storage chamber which can accommodate at least 24 hours average dry weather flow at building consent stage in accordance with the Requirements for local pressure sewer units specified under a Building Consent.
 - b. The property owner shall retain ownership of the local pressure sewer unit complete with pump(s), chamber and control panel(s). The property owner will be responsible for the operations and maintenance of the complete system.

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 2022) and the Construction Standard Specifications (CSS 2022).

- 6.2 The consent holder shall demonstrate that authorisation for the discharge of construction and operational phase stormwater has been obtained from Christchurch City Council, otherwise separate resource consent from Canterbury Regional Council shall be obtained.
- 6.3 The consent holder shall submit an Engineering Design Report for acceptance by the 3 Waters Asset Planning - Stormwater and 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 roading and 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 Planning 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;
 - 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 designed to drain from full over 96 hours.
- 6.5 Unless otherwise approved by the Council Planning 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. Provide for a maximum of 500mm of "live" flood storage over the static operating water depth, and;
 - d. Discharge into Old No.2 Drain.
- 6.6 The total live storage of the stormwater management system shall have sufficient storage to ensure that developed stormwater flows into Old No.2 Drain do not exceed pre-developed flow rates for all storms up to and including a 2% annual exceedance probability storm of 18 hours duration.
- 6.7 Stormwater generated in excess of the stormwater management system capacity shall be diverted into Old No.2 Drain via an overland flow path designed to avoid scour and erosion.
- 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 Vehicular access to the site across Old. No.2 Drain shall be provided by a bridge crossing. The bridge design shall meet the requirements of the WWDG, particular Chapter 13 – Waterway Structures.
- 6.10 Stormwater laterals shall be laid to at least 600mm inside the boundary of all lots at the subdivision stage. The laterals shall be laid at sufficient depth to ensure protection and adequate fall is available to serve the furthestmost part of the lot.
- 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) the following information in PDF and GIS *.shp file format:
- A plan showing design ground levels (100mm contours or appropriate) and proposed secondary flow paths.
 - 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 and 6.9.
- 6.16 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.
- 6.17 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.
- 6.18 ~~Future structures / dwellings on Lot 101 shall be setback a minimum of 5m from the boundary of Lot 23.~~ **No structures or building are to be constructed within Area D as shown on the consent plan.**

Advice Note: This is an ongoing condition which will be secured by consent notice.

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 All roads shall be designed and formed to comply with the District Plan requirements, except for Lot 25 which shall be designed with a legal width of 11.4m and Lot 26 which shall be designed with a legal width of 6m and a single footpath located within the adjoining reserve.
- 8.2 A 1.5m wide footpath through the subdivision is to be provided with the pathway increasing to 1.8m wide where it adjoins the reserve (Lot 101 DP 335396).
- 8.3 Street lighting is to be installed in the new roads to vest, where possible, in compliance with Part 11 (Lighting) of the Infrastructure Design Standard.

9. Greenspace

- 9.1 Reserve Landscape Plans

- 9.1.1 Landscape Plans for Reserves (Lots 21, 22 and 23) 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 21, 22 and 23 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 (Reserves and Street Trees)

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

- 10.1 All boundaries between residential allotments and reserves (Lots 21, 22 and 23) 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.

10.2 Fencing along boundaries with reserves - Lots 21, 22 and 23

Any fencing along, or within 2m of, the shared boundary with a reserve (Lots 21, 22 and 23) shall not exceed 2m in height. Such fencing shall be:

- a) No greater than 1.2m in height, where solid; or
- b) Pool 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.

11. Waterways

- 11.1 Excavation, filling and construction shall not commence on site until an Erosion and Sediment Control Plan (ESCP), which mitigates the potential discharge of sediment to Old No.2 drain, and the discharge of dust to air, is submitted and approved by Christchurch City Council (via email:rcmon@ccc.govt.nz). The ESCP shall comply with Environment Canterbury's Erosion and Sediment Control Guidelines for the Canterbury Region, and include:

- a. A map showing the location of all works;
- b. Detailed plans showing the location of sediment and dust control measures, on-site catchment boundaries and sources of runoff;
- c. Drawings and specifications of designated sediment and dust control measures;
- d. A programme of works, which includes but is not limited to, a proposed timeframe for the works;
- e. Detailed methodology on the steps taken to ensure sediment will not be discharged downstream during the construction of bridge and associated works, including a timeline of events;
- f. Inspection and maintenance schedules for the sediment and dust control measures.

- 11.2 The consent holder must notify Christchurch City Council no less than three working days prior to works commencing, (via email to rcmon@ccc.govt.nz) of the earthworks start date and the name and contact details of the site supervisor. The consent holder shall at this time also provide confirmation of the installation of ESCP measures as per the plan referred to in Condition 11.1 above.

- 11.3 The consent holder shall engage a suitably qualified freshwater ecologist to oversee design and construction, and if required by the design undertake fish and fresh water mussels salvage for the section of Old Drain No.2, along the site where the bridge construction is taking place. Results of the fish and kākahi salvage should be entered into the NZ Freshwater Fish Database and supplied to the Council's Waterways Ecologist/Surface Water and Land Drainage Planner by way of email to rcmon@ccc.govt.nz.

- 11.4 Detailed drawings for the bridge design and cross sections where relevant and a landscape planting plan for this area shall be provided and approved by Christchurch City Council Waterways Planner (via email to rcmon@ccc.govt.nz).
- 11.5 Within 6 months of the construction of proposed bridge, indigenous plants in this area shall be planted in accordance with Christchurch City Council stream side planting guide including the native species that provides, shading, habitat and ecological values and mitigate the effects of additional impervious surface, artificial lights and the developments. All new planting shall be locally sourced, non-cultivar species, native to the area with different height and low leaf fall.
- 12. Terrestrial Ecology**
- 12.1 Any incidental discoveries of lizards while undertaking construction within the project footprint should be documented and reported to the Councils 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.
- 13. Health of Land**
- 13.1 The Council shall be notified at least ten working days prior to the commencement of earthworks. The notification shall be emailed to rcmon@ccc.govt.nz
- 13.2 All contaminated soils removed from the site must be disposed of at a facility whose waste acceptance criteria permit the disposal.
- 13.3 A Remedial Action Plan (RAP) shall be prepared by a Suitably Qualified and Experienced Practitioner and provided to Council at rcmon@ccc.govt.nz no later than 10 working days prior to the commencement of the development works.
- 13.4 Evidence of waste disposal such as weighbridge receipt should be submitted to the Christchurch City Council within three months of completion of works. The documentation shall be included in the site validation report.
- 13.5 In the event of contamination discovery e.g. visible staining, odours and/or other conditions that indicate soil contamination, then work must cease until a Suitably Qualified and Experienced Practitioner (SQEP) has assessed the matter and advised of the appropriate remediation and/or disposal options for these soils.
- 13.6 Within three (3) months of the completion of the earthworks a Site Validation Report (SVR) shall be prepared and submitted to Council. Delivery of the SVR may be by way of email to rcmon@ccc.govt.nz. The SVR shall be written in accordance with the Ministry for the Environment Guidelines for Reporting on Contaminated Sites in New Zealand (revised 2021). The SVR shall include as a minimum:
- a. Details of any variations to the proposed work plan;
 - b. Details of any discharges or contingency measures employed during the earthworks;
 - c. Photographic evidence of the site works;
 - d. Evidence the objectives of the final site remediation have been met with regard to residential land use.
 - e. Evidence of the disposal of any soils off site to an authorised facility.
- 14. Telecommunications and Energy Supply**
- 14.1 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.
- 14.2 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.

15. Acoustic Bund and Fence

- 15.1 A **1.5m high** compacted earth bund shall be formed along the northern boundary of Lots 2, 3 and 5 and extend 15m beyond the east boundary of Lot 5 to provide acoustic mitigation from traffic noise on SH74.
- 15.2 A 1.8m high timber acoustic fence of 19mm thick dressed timber palings which overlap and extend to the ground shall be constructed on the top of the acoustic earth bund.
- 15.3 The bund shall be finished with 300mm topsoil and planted. A landscape plan is to be submitted to Christchurch City Council for acceptance (via rcmon@ccc.govt.nz).
- 15.4 The **1.5m high** earth-bund and the 1.8m high timber acoustic fence of 19mm thick dressed timber palings required by Condition 15.2 shall be maintained at the designed and constructed height. The bund and fence shall be maintained in good order. Any diseased or dying plants must be replaced with the same or similar, and if the fence is damaged it shall be repaired.

Advice Note: Condition 15.4 is an ongoing condition of Consent for which a consent notice pursuant to s221 of the Resource Management Act will be issued.

16. Accidental Discovery

- 16.1 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.

- 16.2 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.

17. Consent Notices

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

17.1 Specific Foundation Design – All residential lots

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.

17.2 Sewer – All residential lots

The property shall be served by a local pressure sewer unit comprising a pump (or pumps) and storage chamber which can accommodate at least 24 hours average dry weather flow at building consent stage in accordance with the Requirements for local pressure sewer units specified under a Building Consent.

The property owner shall retain ownership of the local pressure sewer unit complete with pump(s), chamber and control panel(s). The property owner will be responsible for the operations and maintenance of the complete system.

17.3 Geotechnical – Lot 101

~~Future structures / dwellings on Lot 101 shall be setback a minimum of 5m from the boundary of Lot 23.~~ **No structures or building are to be constructed within Area D as shown on the consent plan.**

17.4 Acoustic Fence – Lot 2, 3, 5 and 101

The 1.5m high earth-bund and the 1.8m high timber acoustic fence of 19mm thick dressed timber palings on the bund shall be maintained in good order in perpetuity. Any diseased or dying plants on the bund must be replaced with the same or similar, and if the fence is damaged it shall be repaired.

17.5 Fencing – Lots 1, 2 and 11 - 15

Any fencing along, or within 2m of, the shared boundary with a reserve (Lots 21, 22 and 23) shall not exceed 2m in height. Such fencing shall be:

- a) No greater than 1.2m in height, where solid; or
- b) Pool 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.

Note: Council will prepare the Consent Notices.

18. Goods and Services Taxation Information

The subdivision will result in non-monetary contributions to Council in the form of land and/or other infrastructure that will vest in Council. Council's GST assessment form is to be completed to enable Council to issue a Buyer Created Tax Invoice.

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

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.

Firefighting

Water supply line for each unit needs to be ran individually in the common land or R.O.W to future proof for subdivision. Only one connection is permitted per rating unit or individually titled property.

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

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.

Transport

On-street parking restrictions may be required near the proposed road access on Birkdale Drive This can be addressed at detailed design stage.

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.

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/2022/3963								
Customer Name		Assessment								
Project Address	Suburban Estates Ltd									
Assessment Date	148 Lake Terrace Road									
	10/01/2023									
Activity	Catchment	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)
		A	B	C	D	E	F	G	H	I
Network Infrastructure										
Water Supply	Marshlands	1.00	15.00	14.00	0.00%	14.00	\$5,469.06	\$76,566.84	\$0.00	\$76,566.84
Wastewater Collection	East	1.00	15.00	14.00	0.00%	14.00	\$297.06	\$4,158.84	\$0.00	\$4,158.84
Wastewater Treatment & Disposal	Christchurch	1.00	15.00	14.00	0.00%	14.00	\$1,075.65	\$15,059.10	\$0.00	\$15,059.10
Stormwater & Flood Protection	Avon	1.00	15.00	14.00	0.00%	14.00	\$954.01	\$13,356.14	\$0.00	\$13,356.14
Road Network	Suburban	1.00	15.00	14.00	0.00%	14.00	\$1,090.87	\$15,272.18	\$0.00	\$15,272.18
Active Travel	Metro Zone	1.00	15.00	14.00	0.00%	14.00	\$979.46	\$13,712.44	\$0.00	\$13,712.44
Public Transport	Metro Zone	1.00	15.00	14.00	0.00%	14.00	\$553.63	\$7,750.82	\$0.00	\$7,750.82
Community Infrastructure	District Wide	1.00	15.00	14.00	0.00%	14.00	\$988.43	\$13,838.02	\$0.00	\$13,838.02
Total Network & Community Infrastructure								\$159,714.38		\$159,714.38
Reserves										
Regional Parks	District Wide	1.00	15.00	14.00	0.00%	14.00		\$1,627.23	\$0.00	\$1,627.23
Garden & Heritage Parks	District Wide	1.00	15.00	14.00	0.00%	14.00		\$2,259.87	\$0.00	\$2,259.87
Sports Parks	District Wide	1.00	15.00	14.00	0.00%	14.00		\$5,428.49	\$0.00	\$5,428.49
Neighbourhood Parks	Suburban	1.00	15.00	14.00	0.00%	14.00		\$8,619.14	\$0.00	\$8,619.14
Total Reserves								\$17,934.73		\$17,934.73
							GST 15%			\$23,171.62
							Total Development Contribution			\$177,649.11

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.

Property Information

Property Condition Group Description	Property Condition
Administrative Purposes	Guest accommodation (including whole unit listings on Airbnb; BookaBach; etc.) generally requires a resource consent in this zone when the owner is not residing on the site. For more information, please refer to: https://ccc.govt.nz/providing-guest-accommodation/ .
Community Board	Property located in Coastal-Burwood-Linwood Community Board.
District Plan	Property contains an ecological site (Schedule B, Appendix 9.1.6.1) within which there are restrictions on indigenous vegetation clearance.
District Plan	Property or part of property within the Liquefaction Management Area (LMA) Overlay which is operative.
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 Open Space Metropolitan Facilities Zone which is operative.
District Plan Zone	Property or part of property within the Residential Suburban 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 Burwood Electoral Ward
Flooding Related	The Council has a report, Coastal Hazard Assessment for Christchurch and Banks Peninsula (2017), that indicates this property or part of this property may be susceptible to coastal inundation (flooding by the sea). The 2017 report considers four sea level rise scenarios through to the year 2120. A copy of the 2017 report and other coastal hazard information can be found at www.ccc.govt.nz/coastalhazards .

Flooding Related	Property or part of property within the Flood Management Area (FMA) Overlay which is operative.
Flooding Related	This property or parts of the property are located within the Fixed Minimum Floor Overlay level in the Christchurch District Plan. Under this plan pre-set minimum floor level requirements apply to new buildings and additions to existing buildings. The fixed minimum floor level can be searched at http://ccc.govt.nz/floorlevelmap . For more information please contact a CCC duty planner on 941 8999.
Flooding Related	This property may be affected by flooding by some tsunami scenarios as shown in reports by GNS and NIWA commissioned by ECan and CCC. Links to reports can be found at https://ccc.govt.nz/tsunami-evacuation-zones-and-routes/ and on ECan's web site https://www.ecan.govt.nz by searching for the terms tsunami hazard.
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.
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.

Reported and recommended by: Marilyn Regnault, Principal Advisor Resource Consents **Date:** 22/06/2023

Decision

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

Delegated officer:



Jonathan Gregg
Team Leader Planning
22/06/2023 04:04 pm

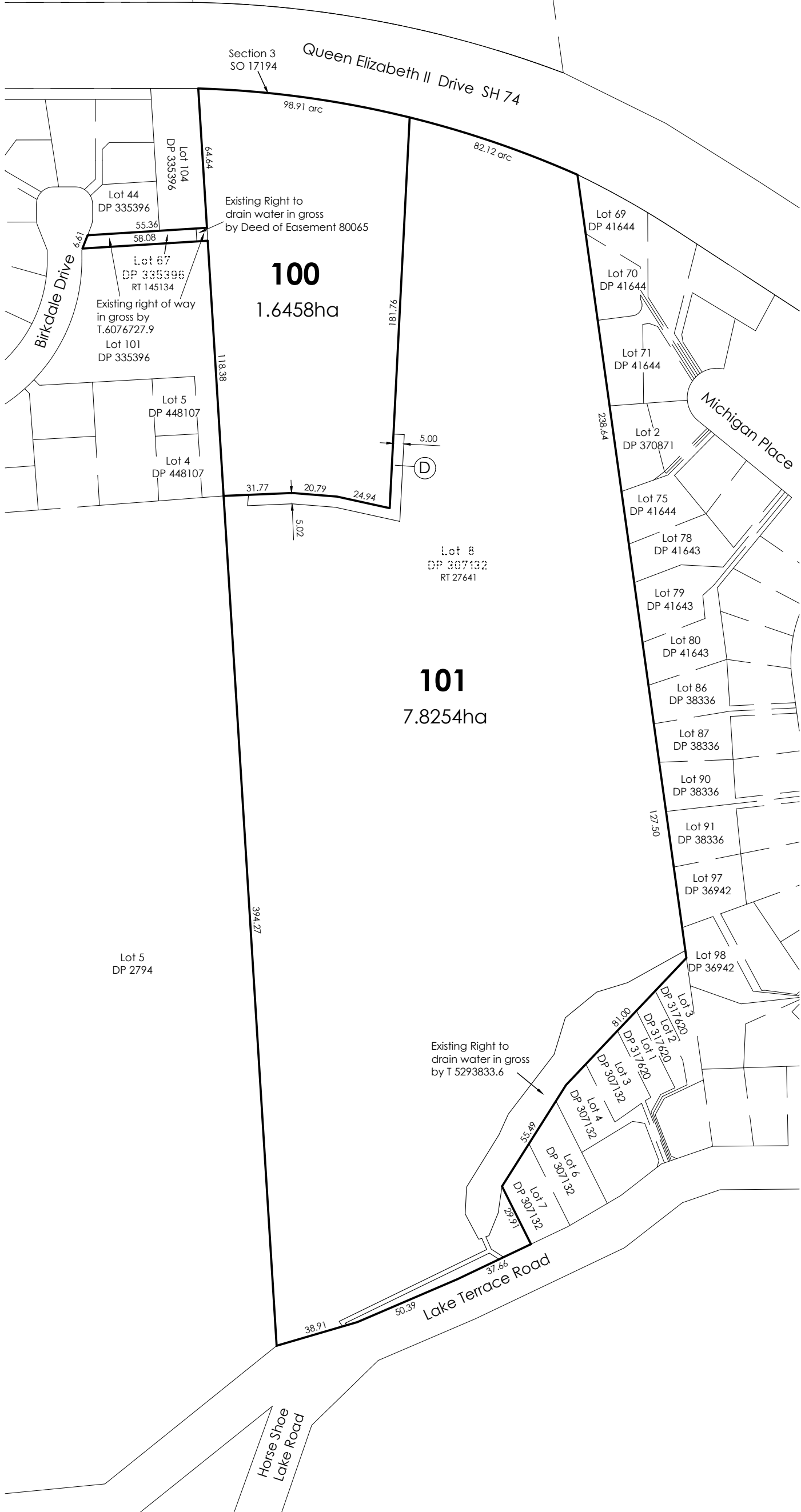
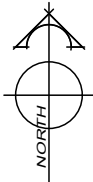
S133A Decision

Approval to amendments made under s133A.

Delegated officer:



Sean Ward
Team Leader Planning
29/06/2023



AMENDMENTS :

AMENDMENT	DATE	DESCRIPTION
R1	21.03	CONSENT NOTICE AREA ADDED

NOTES :

1) Areas and dimensions are subject to final survey and deposit of plans.

2) Service easements to be created as required.

3) This plan has been prepared for subdivision consent purposes only. No liability is accepted if the plan is used for any other purpose.

4) This plan has been prepared for the use of our client and no liability is accepted in relation to any other parties.

5) Any measurements taken from information which is not dimensioned on the electronic copy are at the risk of the recipient.

6) This plan is subject to the granting of subdivision and/or resource consents and should be treated as a proposal until such time as the necessary consents have been granted by the relevant authorities.

PROPOSED CONSENT NOTICE

Area D is a proposed consent notice area.
(5.00m setback from future Stormwater basin)

Total Area: 9.4712ha

Comprised in: RT's 27641 & 145134



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 :
Suburban Estates,
Birkdale Drive, Shirley

SHEET TITLE :
Proposed Subdivision of
Lot 8 DP 307132 &
Lot 67 DP 335396

DRAWING STATUS
For Subdivision Consent

SCALE : 1:2000@A3

DATE : March 2023

CAD FILE : J:\20734\SUBCON\H20734 Development Lot Subcon R1.dwg

DRAWN : GC

DRAWING No : H20734

SHEET No : 1

REVISION : R1



AMENDMENTS:			
AMENDMENT	DATE	DESCRIPTION	
R1	21.03.23	LAYOUT UPDATED	
R2	28.04.23	LOT 20 REMOVED, LOTS 2, 3 & 5 AMENDED	
R3	14.06.23	LOT 24 REMOVED, LOT 15 AMENDED	
R4	20.06.23	EASEMENTS IN GROSS ADDED, LOT 27 ADDED	
NOTES:			
1) Areas and dimensions are subject to final survey and deposit of plans.			
2) Service easements to be created as required.			
3) This plan has been prepared for subdivision consent purposes only. No liability is accepted if the plan is used for any other purpose.			
4) This plan has been prepared for the use of our client and no liability is accepted in relation to any other parties.			
5) Any measurements taken from information which is not dimensioned on the electronic copy are at the risk of the recipient.			
6) This plan is subject to the granting of subdivision and/or resource consents and should be treated as a proposal until such time as the necessary consents have been granted by the relevant authorities.			
PROPOSED MEMORANDUM OF EASEMENTS			
Purpose	Servient Tenement (Burdened Land)		Dominant Tenement (Benefited Land)
	Lot No.	Shown	
Right of way, right to drain water & sewage & to convey water, electricity & telecommunications.	3	A	Lots 5 & 6
	5	B	Lots 3 & 6
	6	C	Lots 3 & 5
PROPOSED SCHEDULE OF EASEMENTS IN GROSS			
Purpose	Servient Tenement (Burdened Land)		Grantee
	Lot No.	Shown	
Right to drain sewage & to convey water in gross	Lot 101 DP 335396 RT 145137	G & H	Christchurch City Council
Right to convey electricity in gross	Lot 101 DP 335396 RT 145137	H & I	Orion New Zealand Ltd
Right to convey telecommunications in gross	Lot 101 DP 335396 RT 145137	H & I	Enable Networks Ltd
Right to drain water in gross	Lot 104 DP 335396 RT 145139	J	Christchurch City Council
SCHEDULE OF EXISTING EASEMENTS IN GROSS TO BE SURRENDERED			
Purpose	Servient Tenement (Burdened Land)		Document
	Lot No.	Shown	
Right of way in gross.	26	E & F	T.60767227.9
Drainage easement in gross.	26	F	Deed of Easement 80065
SCHEDULE OF AREAS			
Description			Area
Residential Lots - (Lots 1 - 15)			1.0588ha
Local Purpose (Utility) Reserve to vest in CCC (Lots 21 - 23)			3646m²
Road to vest in CCC (Lots 25 & 26)			2215m²
Kiosk (Lot 27)			5m²
Total Area :		1.6458 ha	
Comprised in: Lot 100 RMA/2022/3963 Yet to issue			
 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:			
Suburban Estates, Birkdale Drive, Shirley			
SHEET TITLE:			
Proposed Subdivision of Lot 100 RMA/2022/3963			
DRAWING STATUS			
Proposed Subdivision			
SCALE: 1:750@A3		DATE: June 2023	
CAD FILE : J:\20734\SUBCON\H20734 Subcon R4.dwg			REVISION :
DRAWING No : H20734		SHEET No: 1 OF 1	
		R4	

PROPOSED CONSENT NOTICE

Area D is a proposed consent notice area.
(5.00m setback from future Stormwater basin)

**Electricity and Telecommunications
Utility lots to be created as required
by the utility providers.**