

Report / Decision on a Non-notified Subdivision Consent Application

Sections 95A / 95B and 104 and 104C

Re-Submission Number	RMA/2021/3650
Original Application Number:	RMA/2021/1941
Applicant:	Suburban Estates
Site address:	42 Gammack Drive Halswell
Site area:	2.94ha
Legal Description:	Lot 3 DP 520321
Zoning:	Residential New Neighbourhood (RNN) South West Halswell Outline Development Plan (ODP)
Overlays and map notations:	Flood Management Area (FMA) Liquefaction Management Area (LMA)
Activity Status - subdivision:	Restricted Discretionary
Activity Status - land use:	Restricted Discretionary
Description of Application:	44 Residential lot subdivision and ancillary works

The proposal

Subdivision consent RMA/2021/1941 [was granted](#) on the 2nd/August/2021 [for](#) this development, however due to a reduction in Development Contributions under the Development Contributions Policy 2021 the applicant is seeking reassessment by way of lodging this application. The application is not materially different to that considered [under](#) the original consent the change relates only to a change in the Development Contributions.

As part of this application the applicant advises that they are seeking to surrender the original consent RMA/2021/1941 in whole under section 138 of the Act.

The applicant is seeking to undertake a 44 residential lot subdivision in three stages, in preparation for the proposed development of the site and this consent is for joint subdivision and earthworks. The applicant has also sought a separate Global land use consent (RMA/2021/2162) for earthworks within 5m any street trees within the subdivision. The proposed works will involve the following:

- Infrastructure
- Roading to vest
- Global consent for works within 5m of street trees (RMA/2021/2162)
- Local purpose utility reserve

In support of the application, the applicant has provided an Infrastructure report (Suburban Estates), Geotechnical Report (CGW Consulting Engineers) and Preliminary Site Investigation report from Sephira Environmental for issues relating to sec 106 and the national environmental standards respectively.

Gammack Drive currently finishes at the boundary of proposed Lot 3 DP 520321 and contains an existing 200mm water main, 100mm sewer main & 600mm stormwater pipes for servicing of this development. The proposed site in general is 2.94ha in total and is situated within the South West Halswell Outline Development Plan area.

Description of site and existing environment

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

There is existing residential development to the north and east (except adjacent to 121 Halswell Road and 48 Quaifes Road) for a short length along the north boundary, a stormwater basin to the south and an undeveloped Greenfield site (currently rural) to the west.

Consent RMA/2016/3297 was granted for the development of Stage 2 of the Country Palms development known as (43 Country Palms Drive & 103 Halswell Junction Rd) with the latest variation being (RMA/2016/3297/C). At that time two point strips were placed on Lots 157 DP532383 & 158 DP532383. Lots 57 & 158 were then transferred to the ownership of the Christchurch City Council. The agreed value of the point strip is (\$109,785.00 plus GST).

The applicant will need to liaise with the Transport Unit in relation to these point strips being relinquish.

A copy of the point strip agreement between the Transport Unit of the Council City Council and Suburban Estates is held under TRIM Ref 21/1011939. A copy is attached in Appendix 1 of this report.



Figure 1 site location

Technical Assessments

Through the processing of this application I have sought the assessment of a number of Council staff members to aid in the assessment of the application. These are listed below and included in Appendix 2.

- Memorandum from Mr Brian Norton Senior Stormwater Planning Engineer 21/938449
- Nigel Baker Subdivisions Engineering Officer 21/904221
- Doru Hozias Subdivisions Engineer 21/1035666
- Mike Calvert & Weng Kei Chen Transport Network Planners 21/1004868
- Isobel Stout Environmental Health Officer 21/907682
- Daniela Murugesh Senior Planning Engineer Water supply & Waste 21/936745
- Pete Barnes Senior Planner Open Space, Policy & Advisory Parks 21/1033456

Relevant rules and activity status

Christchurch District Plan

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

The New Neighbourhood Zone will be developed in accordance with an Outline Development Plan to ensure a more integrated and sustainable development is achieved. Key development features and constraints are

required to be recognised and provided for. Residents will have good access to local services and facilities, open space and recreational activities. New housing areas will also be well integrated with existing neighbouring areas. Where facilities and amenities are not already provided by adjoining residential neighbourhoods and suburban centres, the new neighbourhood will deliver new services and facilities of an appropriate scale.

It is important to set out here that the ODP includes an illustration and is accompanied by text which addresses context, guidance, development form and design and development requirements, In terms of the text, only the development requirements sit as rules in the District Plan for subdivision and land use applications (refer to 8.6.11(a) and Rule 14.12.2.16). Development requirements also have elevated importance in terms of Policy 8.2.2.9(c) and 14.2.5.1(a) in so far that use, development and subdivision shall generally meet the development requirements or otherwise achieve a similar or better outcome. The remaining text of the ODP is still a relevant consideration for any relevant resource consent application and are referenced in the matters of control and discretion for this application. They also in my view aid in the interpretation of wider objectives in Chapter 8 and 14 and help inform the anticipated environment.

Land use rules

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

Activity status rule	Standard not met	Reason	Matters of control or discretion	Notification clause
5.4.1.5 RD 2 P13	Consent is required for a restricted discretionary activity as the proposal is for earthworks within a Flood Management Area.	Earthworks within the FMA totalling 17000m ³	Councils discretion is limited to the matters set out under Table 5.4.1.5a RD2	No Clause
8.5.1.3 RD 1	Consent is required for a restricted discretionary activity as the proposal does not achieve compliance with rule P1 Earthworks Table 9 allows for a maximum depth of 0.6m and a maximum volume of 20m ³ .	The applicant is proposing 17000m ³ of earthworks.	Council's discretion is limited to the matters set out in 8.9.4	No Clause

Subdivision rules

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

Activity status rule	Standard not met	Reason	Matters of control or discretion	Notification clause
5.5.2 C1	-	Any subdivision which creates a vacant allotment within the Liquefaction Management Area is classified as a controlled activity under Chapter 5	Location, size and design of allotments, structures, roads, access, services or foundations as they relate to the liquefaction hazard; Timing, location, scale and nature of earthworks as they relate to the liquefaction hazard; and Liquefaction hazard remediation methods. Criteria in 5.5.2 C1 b.	Shall not be limited or publicly notified.
8.5.1.3 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 b. where relevant, Rules 8.7.5 - 8.7.11	No Clause

Activity status rule	Standard not met	Reason	Matters of control or discretion	Notification clause
8.5.1.3 RD2	consent is required for a restricted discretionary activity as the proposal does not achieve compliance with rule 8.6.11(i) Additional standards for the residential new neighbourhood zone which seeks (i). <i>Any block containing residential allotments shall have a publicly accessible maximum perimeter length of 800m.</i> Council's	The proposed site is unable to achieve a walkable block	Discretion is limited to the matters set out in 8.7.4 and under the matters of discretion for the purpose of imposing conditions 8.8.9.	In the instance of non-compliance with RD2 b., written approvals and either limited or public notification may apply
8.5.1.3 RD 2	Consent is required for a restricted discretionary activity as the proposal does not achieve compliance with rule 8.6.4: appendix 8.10.3 New Road Standards Collector Road Urban 22m min and 25 max	The proposed collector road will have a legal width of 17m and formed width of 10m.	Discretion is limited to the matters set out in 8.8.3.	c. In the instance of non-compliance with RD2 b., written approvals and either limited or public notification may apply.
8.5.1.3 RD 2	consent is required for a restricted discretionary activity as the proposal does not achieve compliance with rule 8.6.11 c Land area for subdivision (i) . Where land is not associated with comprehensive residential development the land subject to the subdivision application shall have a minimum area of 4 hectares.	The proposed site is 2.94ha	Council's discretion is limited to the matters set out in 8.8.9.	c. In the instance of non-compliance with RD2 b., written approvals and either limited or public notification may apply.

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

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES)

The NES controls soil disturbance on land where an activity on the Hazardous Activities and Industries List (HAIL) is being carried out, has been carried out, or is more likely than not to have been carried out.

In this case there is no evidence to suggest that the application site is HAIL land therefore the NES does not apply.

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

Land-use and Subdivision

As a restricted discretionary activity the assessment of the effects of the subdivision is limited to the matters over which the Council has limited its discretion outlined in Chapter 8 of the Christchurch District Plan. The assessment matters in Chapter 5, 7, 8, and 14 of the Christchurch District Plan provide guidance as to the matters that require consideration. In my opinion, the effects of this proposal relate to the following:

-Subdivision design;
-Natural Hazards
-Earthworks
-Servicing and Infrastructure
-Outline Development Plan
-Natural and cultural values;

Subdivision design

The relevant matters are those within Rule 8.7.4.1 a. to r. I have turned my mind to these matters and having regard to the size, shape and orientation of the allotments, I consider that the lots proposed will be adequate to provide for intended variety of uses in accordance with the Residential New Neighbourhood zoning and will be compatible with the pattern of development within the site's vicinity.

8.8.9 Additional matters - Residential New Neighbourhood Zone

8.8.9.1 Integration, context and place making

The proposal is designed to integrate with the existing context, including the pattern of development and the existing layout of the adjacent lots (particularly along the northern & eastern boundaries of lots 12, 9 Boag Pl, 38 & 11 Gammack Dr, 8 and 10 Saxby Lane). The proposal aligns with the Outline Development Plan (South West Halswell ODP), connecting through to Gammack Dr and enabling a future road connection through to the collector road indicated. The pedestrian and cycle connection (lot 156) enables ease of access and links through to Boag Pl. As a result of the above, I consider that the proposal is well integrated with its surroundings and that it would make a positive contribution to the sense of place.

8.8.9.2 Subdivision design (including provision for range of housing types)

The proposal provides 44 residential lots in total with a variety of sizes. It has 9 lots smaller than 400m² and 11 lots 500m² or larger, with the majority of lots falling in the 400-500m² range. The subdivision provides for standard house types, with some provision of larger lot options and smaller house options, which provides for a diversity of housing types. A number of the corner lots are larger, which can enable buildings with scale to assist with neighbourhood legibility. Lots are orientated to benefit from solar gain and to enable typologies that will be complementary to protect privacy and outlook. Although there is one right of way, the majority of the lots are designed to enable a consistent built interface with the street.

The subdivision has been designed to provide efficient access for all modes of transport. The safety of pedestrians has been considered through the change in paving at the intersections and in particular at the road crossing where the pedestrian path links through to the future collector road. Overall, the proposal has a high stand of design through the street pattern and level of street interaction from the sections.

8.8.9.3 Movement networks

There is a good amount of connectivity provided in the proposal due to the well-connected street pattern within the development and the links through to external network (including the pedestrian connections). Street trees provide amenity and the road design encourages a slower vehicle environment through the change in paving at the intersections. (While no application is currently before Council, the neighbouring sites to the east and northwest will provide for further connectivity and access between the southern and northern blocks).

8.8.9.4 Public spaces (including interaction between private and public spaces)

The streets are considered wide enough for footpaths and trees and there is opportunity for larger tree planting along the collector road. Although, no reserves are proposed within this site, there is an opportunity to provide for increased amenity of the proposal through the proposed stormwater reserve to the south which will provide for walkways/paths for pedestrians and cyclists to utilise. The roads support connections through to the reserve located south of the subdivision.

Natural Hazards

Effects relating to natural hazards are addressed in the assessment of this report, which addresses section 106. Effects associated with natural hazards are considered to be internal to the application site and primarily relate to specific foundation design being required for vacant sites.

Earthworks/Geotechnical

A separate Earthworks consent has been determined for any works within 5m of future trees within this subdivision under land use consent (RMA/2021/2162).

The applicant has submitted a geotechnical report report is signed by Robert Smith (Senior Geotechnical Engineer – MEngNZ – IPENZ / 1008943) and Martin Robert Williams (Principal Geotechnical Engineer, CP Engineer – IPENZ / 1029431), which has been reviewed by Council's Subdivision Engineer (Doru Hozias).

Mr Hozias report is held on TRIM file 21/1035666.

Potential effects from earthworks activity relates to natural hazards, nuisance, and amenity. The applicant has provided assessment in their infrastructure report under Appendix B of their application AEE. The application for subdivision was reviewed by Subdivision Engineer Doru Hozias, Mr Hozias comments are held under TRIM reference 21/21/1035666:

Mr Hozias recommends conditions to manage erosion and sediment, site run off, dust, filling / unloading of trucks. I consider these conditions will appropriately mitigate adverse nuisance effects on persons within adjoining properties and on the wider environment, such that they will be less than minor. I accept Mr Hozias proposed conditions of consent and these have also been accepted by the applicant under TRIM reference 21/1172417.

I am therefore satisfied that proposed earthworks are able to be appropriately managed on site through compliance with recommended conditions of consent. Any adverse effects from general earthwork activity would be temporary and less than minor.

I do not have any drainage or amenity concerns as a result of the proposed earthworks. Impacts on cultural values and waterway ecology are considered in a later section of this report.

Servicing and Infrastructure

Waste Water Mitigation

Specialist advice was provided by Daniela Murugesh Senior Planning Engineer from the –Water & Wastewater, Planning & Delivery Team. Ms Murugesh's report is held under TRIM reference 21/925908. I have included a summary of Ms Murugesh's comments below;

In summary;

The South West Halswell ODP provides for "Wastewater infrastructure requirements and any upgrades needed will be determined following the development of a wastewater master plan for the South West Halswell ODP area"

The development site will be part of Council's Country Palms Local Pressure Pump Zone. An existing DN90 wastewater pressure main has been laid along Gammack Drive to the northern boundary of 42 Gammack Drive.

The Approved Sanitary Sewer outfall for this subdivision shall be the existing DN90 PE100 wastewater pressure main (WwPipeId 92365) at the northern boundary of 42 Gammack Drive. The DN90 PE100 wastewater pressure main shall be extended along the full length of Roads to Vest (to the southern end of Gammack Drive, along Collector Road B to the eastern and western boundaries, and along Road C to the northern boundary of 42 Gammack Drive).

Each lot shall have a Boundary Kit located just inside the road reserve. Easements in gross will be required over any LPS installed within private rights of way. The entire LPS system including the pump units will be vested with CCC upon completion of the defects period. 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.

I accept Ms Murugesh's comments that subject to conditions all allotments can be serviced to Council's reticulated system. I accept her recommended conditions of consent which have also been accepted by the applicant under TRIM reference 21/1172417.

Water Supply

Specialist advice was provided by Daniela Murugesh Senior Planning Engineer from the –Water & Wastewater, Planning & Delivery Team. Ms Murugesh's report is held under TRIM reference 21/925908. I have included a summary of Ms Murugesh's comments below;

In summary;

The development site will be part of Council's West water supply zone which has a target pressure of 450 kPa. An existing DN200 water main has been laid along Gammack Drive to the northern boundary of 42 Gammack Drive.

The Point of Supply for this subdivision shall be the DN200 uPVC PN12 water main (WsPipeId 231654) at the northern boundary of 42 Gammack Drive. DN150 uPVC PN12 water mains shall be extended along the full length of the remaining Roads to Vest (along Road C to the northern boundary of 42 Gammack Drive) and to within 65m of the end of a cul-de-sac (Road A) as per the provisions of the Infrastructure Design Standard.

The water supply shall be designed by a suitably qualified person in accordance with the Infrastructure Design Standard and in general accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice NZS 4509:2008 to the satisfaction of the Water & Wastewater Asset Planning Team. Engineering drawings supported by hydraulic model outputs shall be sent to the Subdivisions Engineer for Engineering Acceptance by the Three Water & Waste Asset Planning Team prior to the commencement of any physical work.

Any rear lot or lot within a right of way shall be serviced by its own DN32 lateral within a shared access. The water supply lateral connections shall be located within the property, immediately (less than 1.0m) behind the legal road boundary and within a shared access as shown in IDS Part 7, Figure 3. If the water main is extended into the right of way, the water supply lateral connections shall be located in an area set aside within the right of way and as close as possible to the terminal fire hydrant. An easement for the right to convey water shall be created over the lateral in favor of the lot serviced by the lateral. Laterals shall be installed by a Licensed Certified Plumber and shall not cross the boundary of the net site area of other sites.

Advice Note: This will require a Building Consent unless the consent holder obtains a Building Consent Exemption for the installation of the private laterals. Where laterals are installed under a building consent exemption, construction shall be in accordance with the Building Code.

I accept Ms Murugesh's comments that subject to conditions all allotments can be serviced to Council's reticulated system. I accept her recommended conditions of consent which have also been accepted by the applicant under TRIM reference 21/1172417.

Stormwater

Specialist advice was provided by Brian Norton Senior Planning Engineer from the –Stormwater & Waterways, Planning & Delivery Team. Mr Norton's report is held under TRIM reference 21/938449. I have included a summary of Mr Norton's main points below;

Stormwater generated from all roofs, roads and hardstanding areas within all allotments shall be collected via channels, sumps, pipes or swales and discharged into the permanent stormwater mitigation facility within Council land at 60 & 66 Quaifes Road ("Quaifes-Coxs Basins").

The surface water management system shall be designed to ensure complete capture and conveyance of all stormwater runoff from the site and all upstream contributing catchments (assuming Maximum Probable Development) for all rainfall events up to and including the critical two percent annual exceedance probability storm. This will require internal reticulation and conveyance to meet Council's inundation standards as specified in the WWDG. The conveyance system shall be designed to ensure that even for events where the critical peak stormwater runoff flow rate occurs that all resulting runoff shall actually reach the stormwater mitigation facility. A combination of primary and secondary conveyance systems may be used to ensure this level of service is achieved.

The primary stormwater reticulation network shall be designed to convey (at minimum) the stormwater generated from all contributing catchments for the critical twenty percent annual exceedance probability storm event. No flooding of private property shall occur during the critical ten percent annual exceedance probability storm event and no flooding of buildings shall occur during the critical two percent annual exceedance probability storm event.

The designer of the surface water management system shall provide a report which identifies all overland flow paths proposed for storm events that exceed the capacity of the stormwater management and mitigation system. All overland stormwater flow paths are to be identified and protected by an easement in favour of Christchurch City Council, if required.

These are reflected in draft conditions that are adopted by the applicant.

Summary

In summary the site can be serviced to meet the needs of the proposed subdivision and conditions will be put in place which will look to facilitate this outcome. For this reason and given the information stated above I consider this site meets the required outcomes sought under section 8.7.4.3 of the Operative District Plan.

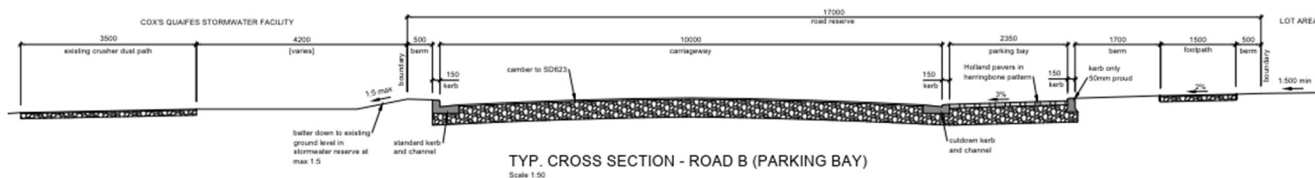
Transport Networks

Under General Matters 8.7.4.4 Transport networks, the provision, location, design, safety and efficiency of any road, frontage road, access (including access for fire-fighting), pedestrian access way, service lane, cycle way/route/lane, corner rounding, intersections, landscaping or parking area including the formation and construction, is suited to the development it serves and is acceptable to the Council.

The applicant has provided for a fully interconnected local road network within the neighbourhood which connects to the wider area via existing access points to the north at Gammack Drive, pedestrian/cycle access to Boag Place and has provided for connection points east and west for the proposed collector road connection. The applicant has provided for a further connection point to the north with Lot 1 DP 81444 (121 Halswell Junction Road). To the south is the newly created Quaifes Drainage reserve which is connected via the proposed collector road way.

At this time, no application has been lodged for the land to the east or west and the applicant has followed likely roading pattern in regards to the points of possible connection.

The applicant in this case is creating one Right of Way, Road to vest and as stated above Road B (the Skibbieren Drive Collector road connection) will be 17m with a road carriage of 10m. Collector roads are shown under appendix 8.10.3 New Road Standards which requires a road width of between 22 to 25 metres for urban roads. The applicant has provided a cross section of the collector road under appendix 2 of their application which shows the south side being (Cox's/Quaifes Stormwater Facility side) having a 3.5m crusher dust path, then a 4.2m area. Then the road reserve shows a 0.5m berm, 150 kerb, 10m carriageway, 150 kerb, 1.7m berm, 1.5m footpath & 0.5m berm to the boundary.



Expert advice was therefore sought from Mike Calvert a transport network planner with the Transport Unit. I have summarised Mr Calvert's report and have included some of his comments within this report in italics below.

In summary Mr Calvert is happy with the proposed layout and does not consider the reduction in width given the location of the reserve to the south to be a factor. The reserve allows for a pedestrian / cycle pathway and Mr Calvert was satisfied that the proposed berm and footpath area to the north would therefore be sufficient. The carriageway meets the minimum standard of 10m and room for services have been allowed for.

Mr Calvert's report can be found on Council TRIM records system under 21/1004868.

Mr Calvert has considered the matter of non-compliance relating to the visibility splay and reduced collector roading width and commented that, I have reviewed the application for subdivision at 42 Gammack Drive and note the following:

The width of the collector road (Skibbieren Drive) is less than the DP requirement of 22 metres at a legal width of 17 metres. The cross-section of this section of Skibbieren Drive was discussed with DLS some time ago and it was agreed that given the frontage onto the stormwater reserve the cross-section could be modified to allow for the path and landscape strip being within the reserve. This results in a cross-section that has the usual 10 metre carriageway, parking/landscaping, footpath and service strip.

I note that the intersection of Gammack Drive with Skibbereen Drive is shown with a paved treatment across the road and anticipate that this treatment will not include any vertical elements given its classification and likelihood that it will form part of a local bus route in the future.

Gammack Drive complies with a legal width of 16 metres and a formed width of 9 metres, which matches into the section of road constructed to the north of this site in the Suburban Estates development. Roads A & C comply with the DP design criteria with Road A being less than 100 metres and therefore reduced to a legal width of 14 metres with one footpath.

The footpath alignments within the proposed development need to be realigned at the intersections to provide a direct path for pedestrians and there is a requirement to have crossing points on each side of the intersection (other than Road A) to make adequate provision for people to cross the road – see attached plan.

I also note that ROW 1 does not include visibility triangles as required by Appendix 7.5.7(d) although I see that the width of the ROW at 6.8 metres should afford the opportunity to provide the visibility triangles at detailed design. This could form the basis of a condition requiring the provision of visibility triangles – due to the width of ROW 1 the visibility requirement is provided (i.e. the 2x1.5 triangle is within the width of the trafficked area).

I also suggest that the long parking bay in front of Lots 137 to 142 be split into two bays with landscaping separating them to break up the area of seal.

I accept Mr Calvert's comments and conclusions as stated in his report and consider any effects to be less than minor. I further note that a traffic safety audit was provided which has been reviewed by both Weng-Kei Chen Asset Engineer Policy, Asset Planning & Transport, and Andy Milne a Senior Transport Planner for the Transport team. Mr Chen accepts the report with any changes being required to be addressed at the time of final engineering design. (TRIM Ref 21/1088533).

I further note;

Roading Dedication Lots 154 & 155 DP 532383

The applicant will seek the roading dedication of Lots 154 & 155 DP 532383. These lots are owned by Council and act as a point strip to capture required contributions before connections can be made through to the Country Palms block. I understand that Council will agree to this upon the required payments being made as set out below which have been provided by Weng-Kei Chen & Victor Mthamo.

The agreed value of the point strip is (\$109,785.00 plus GST).

The applicant will need to liaise with the Transport Unit in relation to these point strips being relinquish.

A copy of the point strip agreement from RMA/2016/3297 between the Transport Unit of the Council City Council and Suburban Estates is held under TRIM Ref 21/1011939. A copy is attached in Appendix 1 of this report.

Outline Development Plan

The relevant matters under the Outline Development Plan (ODP) for South West Halswell are those within Rule 8.6.14C and D. I have turned my mind to these matters and again having regard to the size, shape and orientation of the allotments, I consider that the lots will be adequate to provide for intended variety of uses in accordance with the desired outcomes of the ODP and will be compatible with the pattern of development within the site's vicinity.

Development Form and Design

Under the development form and design, the ODP considers the main features such as views to the south west & south, with connections to the communities and facilities of west Halswell and Halswell to the north and east, and provides for good interface treatment which will generally be consistent along the length of the roads, and that appropriate interface is created between future housing, and where existing properties are to remain or where the boundary of the RNN abuts properties in the RS zone larger section sizes or planting buffers may be required.

The applicant has provided a contours plan that shows levels which include the interface with the existing levels of the adjacent properties on the northern western and eastern boundaries. Levels along the southern boundary finish at the collector road. To date some of the land to the north-west and east is undeveloped.

The applicant confirms in their RFI response dated 19 July 2021 (TRIM REF 21/1028387) that this development does not have any height differentials between the neighbouring lands that will result in any hazardous effects such as ponding or loss of natural servitude to neighbours on the boundary interface.

Development Requirements

Under the development requirements the ODP, the outline development plan considers the integration, open space, access & transport, stormwater, water, wastewater and staging of the proposal.

As discussed above the servicing of the site has been provided for and I consider this to be consistent with the requirements as set down under the ODP. In relation to point 1 Integration, the proposed site borders an existing site to the north, and to the east and provides for a connection to the vacant land yet to be developed to the north, east and west of this site. The road links are important for the development of communities on this site are in line with the expectations of the RNN and ODP. Within the ODP, the requirement for a fully interconnected local road network with a high level of accessibility for people including opportunities for walking, cycling and public transport has been met.

In considering the open space, the ODP shows an indicative location for reserves located partially over the applicant's site. This was assessed by the parks unit on an earlier stage of the Country Palms development under RMA/2019/2574 where it was considered that any future reserve may be located on the neighbouring site to the west and or located closer to a collector road. There are therefore no reserves required within this development.

The development requirements of the outline development plan 8.10.21.D Stormwater (c) requires existing waterways/drains which traverse Area 1 and Area 2 are to be naturalised, enhanced and realigned as necessary, to run into the new stormwater facility in Quaifes Road. It is noted that part of Cox's drain was located on the south east corner of this site. This waterway was filled as a part of the works to the south of the site. This is consistent with the topographical survey.

The site provides for stormwater infrastructure and can be provided with both water and sewer connections to the required outfalls.

In summary I consider the proposed application to have provided for;

- Good connectivity by way of an interconnected roading pattern that aligns with the existing environment, while providing for connections to undeveloped sites and has provided for cycle/pedestrian access to the north.
- A roading linkage to the stormwater reserve to the south.
- Has met the required 15hh/ha,
- Has provided for diversity in lot sizes ranging between 365m² sites to 599m² thereby allowing for a range of housing options with sites having a suitable size and orientation
- Servicing is available to all future sites and neighbouring sites within the ODP
- Appropriate interface treatment with the existing environment

Overall for these reasons it is considered that the proposed site will achieve the desired outcomes anticipated for residential development with the RNN zone in so far that it is practical to do so.

Natural and cultural values;

There are no areas identified.

Consent Notices

A consent notice is proposed which has been accepted by the applicant and which relate to the following;

- Clause 29 Visibility Splays and Specific Foundation Design

The consent notice has been accepted under condition 8.7.4.7a of the district plan as a requirement for a condition to be complied with on a continuing basis.

I consider any adverse effect to be less than minor.

Staging

I have considered the proposed staging strategy for this application and generally find it logical.

Conclusion

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

Conclusion on notification

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

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

Section 60(2) of the Greater Christchurch Regeneration Act 2016 requires that decisions and recommendation on resource consent applications are not inconsistent with Recovery Plans and Regeneration Plans. For restricted discretionary activities, Section 60(5) states that such plans are a matter over which discretion is restricted and that section 87A (3) of the RMA applies accordingly.

Excepting the Land Use Recovery Plan (LURP), none of the current Recovery Plans, nor the Cranford Regeneration Plan, are relevant to this application.

The LURP is relevant; however, the new District Plan provisions against which this consent has been assessed above, align with the LURP and accordingly no specific further consideration of the higher order documents is considered necessary.

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. Chapters 5, 6, 8, 9 and 14 include objectives and policies that are relevant to subdivision and development in the RNN.

In my opinion the application is consistent with the relevant objectives and policies, as the new allotments will be appropriately designed and serviced for the anticipated purpose enable the recovery of the City through development of identified Greenfield and intensification areas.

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 law¹, 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 (*Any subdivision which creates an additional vacant allotment or allotments in the Liquefaction Management Area is a controlled activity*). The land is classified by CERA as Green zone.

The applicant has submitted a geotechnical report report is signed by Robert Smith (Senior Geotechnical Engineer – MEngNZ – IPENZ / 1008943) and Martin Robert Williams (Principal Geotechnical Engineer, CP Engineer – IPENZ / 1029431), which has been reviewed by Council's Subdivision Engineer (Doru Hozias).

Mr Hozias report is held on TRIM file 21/1035666 and I have included his conclusion below;

Conclusion:

I am of opinion that further building development on the land subject to proposed subdivision may be carried out with use of specific foundation design as specified under the MBIE Guidelines for a TC2 land area.

Mr Hozias has provided a raft of standard conditions which I adopt as part of this consent under conditions 11 to 12.

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

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

- (A) That the application be processed on a **non-notified** basis in accordance with Sections 95A – 95E of the Resource Management Act 1991.
- (B) That the application **be granted** pursuant to Sections 104, 104C, 108 and 108AA of the Resource Management Act 1991, subject to the following condition:
 1. The development shall proceed in accordance with the information and plans submitted with the application.
 2. Earthworks under this land use consent shall only be undertaken in conjunction with the conditions of the subdivision consent and prior to the issue of the final section 224(c) application.

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. Compliance with Application Information

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

2. Staging

The subdivision may be carried out in stages as set out in Approved Plans page 1.

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

3. New Road to Vest

The new roads, being lots 151 to 155, are to be formed and vested in the Council to the satisfaction of the Subdivision Engineer with underground wiring for electricity supply and telecommunications.

4. Engineering General

4.1 Asset Design and Construction

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

4.2 Quality Assurance

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

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

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

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

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

An Engineer's Report is a document specific to a project, which describes how the project was managed and administered in compliance with the IDS, the Construction Standard Specifications,

the Contract Quality Plan and the resource consent or project brief. It provides background information to the release of the 224(c) certificate.

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

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

4.3 Traffic Management

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

4.4 Survey Plan Requirements

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

4.5 Laterals for rear Lots

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

4.6 CCTV Inspections

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

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

4.7 Services As-Built Requirements

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

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

Note: this includes RAMM and costing data

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

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

5. Water Supply

5.1 The Point of Supply for this subdivision shall be the DN200 uPVC PN12 water main (WsPipeld 231654) at the northern boundary of 42 Gammack Drive.

5.2 The DN200 uPVC PN12 water main shall be extended south along Gammack Drive and along the full length of Collector Road B to the eastern and western boundaries of 42 Gammack Drive.

5.3 DN150 uPVC PN12 water mains shall be extended along the full length of the remaining Roads to Vest (along Road C to the northern boundary of 42 Gammack Drive) and to within 65m of the end of a cul-de-sac (Road A) as per the provisions of the Infrastructure Design Standard.

5.4 All water mains shall be terminated with hydrants at the boundaries of the subdivision in accordance with the provisions of the Infrastructure Design Standard.

- 5.5 The water supply shall be designed by a suitably qualified person in accordance with the Infrastructure Design Standard and in general accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice NZS 4509:2008 to the satisfaction of the Water & Wastewater Asset Planning Team. Engineering drawings supported by hydraulic model outputs shall be sent to the Subdivisions Engineer for Engineering Acceptance by the Three Water & Waste Asset Planning Team prior to the commencement of any physical work.
- 5.6 All water mains and sub mains for the subdivision shall be installed in road to be vested in Council.
- 5.7 Sub mains shall be installed to 1m past each lot boundary.
- 5.8 The construction of Council vested water infrastructure shall be carried out by a Council Authorised Water Supply Installer at the expense of the applicant.
- 5.9 All lots shall be served with a water supply lateral connection to their boundary.
- 5.10 Each water supply lateral connection within a Right of Way shall be installed with a dummy connection spacer rod in accordance with CSS Part 4, SD 403.
- 5.11 Any rear lot or lot within a Right of Way shall be serviced by its own DN32 lateral within a shared access. The water supply lateral connections shall be located within the property, immediately (less than 1.0m) behind the legal road boundary and within a shared access as shown in IDS Part 7, Figure 3. 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 unless the consent holder obtains a Building Consent exemption for the installation of the private laterals.

- 5.12 Where laterals are installed under a building consent exemption, construction shall be in accordance with the Construction Standard Specifications (CSS) and the Infrastructure Design Standard (IDS).

6. Sewer

- 6.1 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.
- 6.2 The Approved Sanitary Sewer outfall for this subdivision shall be the existing DN90 PE100 wastewater pressure main (WwPipeId 92365) at the northern boundary of 42 Gammack Drive.
- 6.3 The DN90 PE100 wastewater pressure main shall be extended along the full length of Roads to Vest (to the southern end of Gammack Drive, along Collector Road B to the eastern and western boundaries, and along Road C to the northern boundary of 42 Gammack Drive).
- 6.4 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.
- 6.5 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.
- 6.6 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. Easements in gross shall be created over Pressure Sewer Systems in private Rights of Way.
- 6.7 Installation of the pressure sewer mains and boundary kits shall be carried out by a Council Authorised Drain layer (Pressure Sewer Reticulation).

6.8 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:

- The property shall be served by a local pressure sewer unit comprising a pump and storage chamber which can accommodate at least 24 hours average dry weather flow to be supplied by either Aquatec or EcoFlow and installed by a Council Authorised Drain layer (Pressure Sewer Tanks) at building consent stage in accordance with the Requirements for Local Pressure Sewer Units specified under a Building Consent. The local pressure sewer unit will be supplied complete with an IOTA OneBox Control Panel.
- Ownership and control of the local pressure pump, chamber, boundary kit and OneBox Control Panel shall be vested with Council. The property owner shall enter into a Deed with the Christchurch City Council, drafted in terms approved by the Christchurch City Council, vesting ownership in the system prior to Code Compliance Certificate being issued for a dwelling on the relevant site.
- The Council and its agents or contractors shall have the right of access to the property for the purpose of maintenance, monitoring or renewal of any part of the local pressure sewer system vested with Council.
- The property owner shall ensure that the local pressure sewer unit is connected at all times to an electricity supply and shall remain responsible for the cost of the electricity required to operate it.
- The property owner shall adhere to the user requirements of the local pressure sewer unit. In the event that the local pressure sewer unit is damaged as a result of a breach of this obligation, the Council may recover the costs of repair from the property owner.

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

7. Stormwater

- 7.1 The stormwater management system shall be comprised of channels, sumps, pipes, swales and waterways. In addition to the below conditions, the system shall meet the requirements of the CCC Waterways, Wetlands and Drainage Guide (WWDG 2003 including Chapters 6, 21 updated 2011/12), the Infrastructure Design Standard (IDS 2018), the Construction Standard Specifications (CSS 2018) and the South West Area Christchurch Stormwater Management Plan.
- 7.2 The consent holder shall demonstrate that authorisation for operational and construction phase stormwater discharge has been obtained from Christchurch City Council, otherwise separate authorisation from Environment Canterbury shall be obtained.
- 7.3 Stormwater generated from all roofs, roads and hardstanding areas within all allotments shall be collected via channels, sumps, pipes or swales and discharged into the permanent stormwater mitigation facility within Council land at 60&66 Quaifes Road ("Quaifes-Coxs Basins").
- 7.4 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 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.
- 7.5 The surface water management system shall be designed to ensure complete capture and conveyance of all stormwater runoff from the site and all upstream contributing catchments (assuming Maximum Probable Development) for all rainfall events up to and including the critical two percent annual exceedance probability storm. This will require internal reticulation and conveyance to meet Council's inundation standards as specified in the WWDG. The conveyance system shall be designed to ensure that even for events where the critical peak stormwater runoff flow rate occurs that all resulting runoff shall actually reach the stormwater mitigation facility. A combination of primary and secondary conveyance systems may be used to ensure this level of service is achieved.
- 7.6 The primary stormwater reticulation network shall be designed to convey (at minimum) the stormwater generated from all contributing catchments for the critical twenty percent annual exceedance probability storm event. No flooding of private property shall occur during the critical ten percent annual exceedance probability storm event and no flooding of buildings shall occur during the critical two percent annual exceedance probability storm event.

- 7.7 Any subsoil drainage is used to manage groundwater levels within the development shall be designed in accordance with WWDG Chapter 5. The outfall for any permanent subsoil drainage shall be approved by the Council Engineer.
- 7.8 The consent holder shall submit an Engineering Design Report for acceptance by 3 Waters and Waste and Resource Consents Units. The Engineering Design Report shall demonstrate how the design will meet all of the applicable standards and shall contain all of the plans, specifications and calculations for the design and construction of all stormwater infrastructure.
- 7.9 Stormwater laterals are to be laid to at least 600mm inside the boundary of all lots at the subdivision stage. Unless otherwise approved by Council Engineers, the laterals are to be laid at sufficient depth to ensure protection and adequate fall is available to serve the furthestmost part of the lot.
- 7.10 The designer of the surface water management system shall provide a report which identifies all overland flow paths proposed for storm events that exceed the capacity of the stormwater management and mitigation system. All overland stormwater flow paths are to be identified and protected by an easement in favour of Christchurch City Council, if required.
- 7.11 Safe and adequate access to stormwater facilities for maintenance and sediment removal shall be provided and designed in accordance with WWDG Sections 6.8 & 6.9.
- 7.12 The consent holder shall provide easements in gross over all stormwater infrastructure or overland flow paths located outside of legal road or utility reserve areas to be vested with Council.
- 7.13 The consent holder shall operate all stormwater infrastructure to vest into Council for at least 12 months following the issue of the Section 224(c) certificate, after such time Council may accept responsibility for operation and maintenance.
- 7.14 The consent holder shall provide as-built plans of the stormwater management systems and confirm that they have been constructed in accordance with the approved plans and comply with the IDS, particular Part 3: Quality Assurance and Part 12: As-Built.
- 7.15 **Erosion and Sedimentation Control**
An Erosion and Sediment Control Plan (ESCP) is to be submitted for review as part of the design report. The ESCP is to include (but is not limited to):
- Site description, i.e. topography, vegetation, soils etc.
 - Details of proposed activities.
 - A report including the method and time of monitoring to be undertaken.
 - A locality map.
 - Drawings showing the site, type and location of sediment control measures, onsite catchment boundaries and offsite sources of runoff.
 - Drawings and specifications showing the positions of all proposed mitigation areas with supporting calculations if appropriate.

The performance criteria for the ESCP, unless directed by Council through the engineering acceptance process, will be based on Environmental Canterbury's Erosion and Sediment Control Guidelines: <http://escscanterbury.co.nz/>

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

The ESCP is to be designed by a suitably qualified person and a design certificate supplied with the plan. (Use the certificate from Appendix IV of the CCC Infrastructure Design Standard Part 3)

Note: Pursuant to Section 128 of the Resource Management Act 1991 Council reserves the right, during the construction phase, to review this condition to impose further controls in respect to Sedimentation Control and Management

8.0 Minimum Levels & Filling

- 8.1 To be considered satisfactory for sewer and stormwater drainage minimum ground levels shall be based on a level of 100mm above the kerb at the street frontage and right of way, plus a grade of 1:300 to the rear boundary.

- 8.2 Any filling exceeding 300mm above excavation level shall be in accordance with the Code of Practice for Earth fill for Residential Purposes NZS 4431:1989. At the completion of the work an Engineers Earth fill Report, including a duly completed certificate in the form of Appendix A of NZS 4431, shall be submitted to Council at rcmon@ccc.govt.nz so that the information can be placed on the property record. This report shall detail depths, materials, compaction test results and include as-built plans showing the location and finished surface level of the fill.
- 8.3 The consent holder is to submit a report and calculations detailing any filling proposed against existing boundaries and the mitigation proposed to avoid adverse effects on adjoining properties.
- 8.4 The construction details of any retaining wall required to retain the fill are to be submitted to the Subdivisions Engineer for acceptance. The wall construction and materials are to be certified in addition to the NZS 4431 certification.

9. Access Construction Standards

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

10. Earthworks Quality Assurance

- 10.1 The earthworks and construction work shall be under the control of a nominated and suitably qualified engineer.
- 10.2 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. Topsoil stockpiles shall not exceed 2.0 m in height to protect the integrity of the soil microbes. Stockpiles shall be placed as far as practicable from internal boundaries adjoining residential properties.

All filling and excavation work shall be carried out in accordance with an Environmental Management Plan that includes:

- 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, 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.
- 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.

Note: IDS clause 3.8.2 contains further details on Environmental Management Plans.

- 10.3 Dust emissions shall be appropriately managed within the boundary of the property and in accordance with the Regional Air Plan. Dust mitigation measures such as water carts or sprinklers shall be used on any exposed areas. The roads to and from the site are to remain tidy at all times.
- 10.4 All loading and unloading of trucks with excavation or fill material shall be carried out within the subject site.
- 10.5 No work, other than maintenance of dust and erosion and sediment control measures, shall be undertaken on Sundays, Public Holidays or outside the hours of 7.00am to 6.00pm Monday to Friday and 8.00am to 6.00pm Saturday, without the Council's prior consent.

- 10.6 All construction work shall be designed, managed and conducted to ensure that construction noise complies with the requirements of NZS 6803:1999 Acoustics – Construction Noise (see Table 3, Page 11 of this standard).
- 10.7 Any change in ground levels shall not cause a ponding or drainage nuisance to neighbouring properties.
- 10.8 Any change in ground levels shall not affect the stability of the ground or fences on neighbouring properties. Fill batters shall be retained or formed wholly within the consent holder's property.
- 10.9 The fill sites shall be stripped of vegetation and any topsoil prior to filling. The content of fill shall be clean fill.
- 10.10 At the completion of the earthworks operations, the berm areas outside the line of the roadway construction shall be sown down with grass seed.
- 10.11 All bared surfaces shall be adequately top-soiled and vegetated as soon as possible to limit sediment mobilisation.
- 10.12 Any public road, footpath, landscaped area or service structure that has been affected / damaged by the contractor(s), consent holder, developer, persons involved with earthwork development or vehicles and machinery used in relation to the earthworks / construction works shall be reinstated as specified in the Construction Standard Specifications (CSS) at the expense of those identified above and to the satisfaction of Council.
- 10.13 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 at first take adequate preventative and remedial 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.

11. Geotechnical Conditions

11.1. Liquefaction Hazard Mitigation

- 11.1.1 Liquefaction hazard mitigation measures as indicated the Geotechnical Assessment Report prepared by CGW Consulting Engineer Limited (Reference 20714-RPTGEO - 001 - A, dated 26 November 2020) shall be integrated in the design of the civil work for the subdivision and shall be used on site at subdivision engineering works stage.

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

11.2 Asset Design and Construction

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

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

11.3 Quality Assurance

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

- 11.3.1. Prior to the commencement of physical works on site for the construction of the subdivision including infrastructure, the Consent Holder shall submit to the Council's Subdivision Engineer a Design Report, Plans and Design Certificate complying with clause 3.3.2 of the IDS – Part 3. The Design Report and engineering plans are to provide sufficient detail to confirm compliance with the requirements of the IDS

and this consent, including compliance with consent conditions requiring mitigation measures in respect to liquefaction related hazards.

This report can be submitted as two individual design reports being infrastructure as one part and the remainder of the site as a second part.

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

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

- 11.3.3. Prior to the issue of certification pursuant to section 224(c) of the Resource Management Act, the Consent Holder shall submit to the Council's Subdivision Engineer the "Engineer's Report" complying with clause 3.3.4 of the IDS and an "Engineer's Completion Certificate" (Appendix VII of IDS – Part 3).

The "Engineer's Report" shall provide sufficient detail to confirm compliance with the requirements of the IDS and this consent, including compliance with consent conditions requiring mitigation measures in respect to liquefaction related hazards.

Note:

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

The extent of the documentation required should reflect the complexity and/or size of the project.

12. Foundation Design

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

- a. *Any structure requiring a Building Consent (in terms of Building Act provisions) shall have specific foundation design by a chartered geotechnical engineer or by an appropriately qualified geotechnical engineer.*

Consideration shall be given to the potential for vertical settlements (from liquefaction) in terms of a TC2 equivalent range of values. It is recommended that the foundation design where a 200kPa bearing response is achieved and will be used as support for an enhanced type of TC2 foundation (Option 2 to Option 4, in accordance with MIBE Guidelines).

The consent notice shall be registered on the (residential allotments) titles requiring the above.

13. Engineering Plans

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

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

14. Visibility Splay

All fencing is to be setback 1m from the road boundary and any fencing on the right of ways boundary (eastern boundary of Lot 116 and western boundary of Lot 124) is to be setback 2m with a taper back to 1m.

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

- 15. Street Lighting**
Street lighting is to be installed in the new road(s) to vest in compliance with Part 11 (Lighting) of the Infrastructure Design Standard.
- 16. Local Purpose (Utility) Reserve Land Lot 156**
All boundaries between residential allotments and Local Purpose (Utility) Reserves shall be fenced prior to issuing of the Section 224(c) certificate. The design and placement of fencing shall form part of the Engineering or Landscape acceptance.
- 17. Plans for Geodata Plot**
As soon as practical after the Section 223 certificate has been issued the consent holder is to advise the handling officer that the digital dataset for the subdivision is available in Land online and can be used for creation of the parcels in Council's digital database.
- 18. Telecommunications and Energy Supply**
All lots shall have telecommunications and electrical supply laid to the net site area of each lot.
- As-built plans and photographic evidence of the telecommunications and energy supply ducts or cables is to be supplied showing that the ducts or cables have been laid to the net area of each lot.
- The consent holder is to provide a copy of the reticulation agreement letter from the telecommunications network operator and a letter from the electrical energy network operator, or their approved agent, to confirm capacity is available to adequately service the sites.
- 19. Right of Way Easements (Private Ways)**
The rights of way easements as set out on the application plan shall be duly granted or reserved.
- 20. 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.
- 21. Existing Easements over areas of Road to Vest**
Any existing easements shown to extend over the road to vest are to be surrendered. The applicant is responsible to ensure these easements can be extinguish or surrendered where other parties have an interest.
- 22. Easements over Reserves**
Any easements over land that is to vest in the Council as reserve are to be shown on the survey plan in a Schedule of Easements. A solicitors undertaking shall be provided to ensure that the easement is registered on the subject reserve at the time title is created. Easements
- A section 223 certificate will not issue until such time as a section 239 certificate is issued by Council.***
- Advice Notes:
The issue of a 239(2) will take a minimum of 2 weeks and early consultation on this process should be undertaken with Russel Wedge Team Leader Parks Policy & Advisory. Russel.Wedge@ccc.govt.nz
- 23. Existing easements under reserve to vest**
If the Council requires the retention of existing easements over land that is to vest in the Council as Reserve a certificate pursuant to Section 239(2) of the Resource Management Act 1991 will be issued.
- 24. Easements in Gross**
The legal instruments for easements in gross in favour of the Council are to be prepared by Council's consultant solicitor at the consent holder's cost. The consent holder's solicitor is to contact Anderson Lloyd Lawyers (Mike Kerr) requesting the preparation of the easement instruments. As built plans for the services covered by the easement are to be provided at Section 223 certification stage.
- 25. Road and/or Lane Names**
The new roads are to be named.

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

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

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

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

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

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

26. Rooding

- 26.1 Fences are to be restricted to a maximum height of 1.0 metres within the visibility triangle for Right of Way 1.

Consent notices are to be placed on the titles of Lot 116 and Lot 124 restricting the fences to a maximum height of 1.0 metres within the visibility triangle for ROW 1

- 26.2 Lots 154 and 155 are to be dedicated as road prior to the issue of a section 224(c) certificate. Note: The agreed value of the point strip is (\$109,785.00 plus GST). A copy is held in appendix 1.

Note:

The point of contact for the dedication of the road and its invoicing, will be Weng Kei Chen Asset Engineer Policy, Asset Planning Transport (wengkei.chen@ccc.govt.nz). It is recommended that the above process is initiated at the earliest possible timeframe to avoid delays in the processing of the 224c. This should be undertaken well in advance of any 224 request.

27. 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.

28. Consent Notice

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

Visibility Splay – Lots 116 & 124

All fencing is to be setback 1m from the road boundary and any fencing on the right of ways boundary (eastern boundary of Lot 116 and western boundary of Lot 124) is to be setback 2m with a taper back to 1m.

Specific Foundation Design – All Residential Allotments

Any structure requiring a Building Consent (in terms of Building Act provisions) shall have specific foundation design by a chartered geotechnical engineer or by an appropriately qualified geotechnical engineer.

29. Earthworks Conditions

- 29.1 All earthworks to be carried out in general accordance with the approved plan entered into Council records under RMA/2021/1941 Approved Consent Plans (Pages 2-4) consisting of:
- Draft Cut Fill Plan – Drawing No: P3, Revision C*
 - Design Levels Plan – Drawing No: P2 Revision C*
- 29.2 Prior to the commencement of any construction work, the consent holder shall prepare an Erosion and Sediment Control Plan (ESCP) covering all earthwork associated with the consented development. The ESCP shall be designed by a suitably qualified person and a design certificate (template available on request from CCC) supplied with the ESCP. The performance criteria for the ESCP, unless directed otherwise by the Subdivision Engineering section of Council, will be based on Environment Canterbury's Erosion and Sediment Control Toolbox for Canterbury (ESCT) (<http://escscanterbury.co.nz/>). The ESCP shall include (but is not limited to):
- A map showing the location of all works;
 - Detailed plans showing the location of sediment and dust control measures, on-site catchment boundaries and sources of runoff;
 - Drawings and specifications of designated sediment and dust control measures;
 - A programme of works including a proposed timeframe and completion date;
 - Installation of devices until the site is stabilised (i.e. grassed); and
 - Inspection and maintenance schedules for the sediment and dust control measures.
- 29.3 The consent holder shall submit this ESCP to Council, Attention: Subdivision Engineer, by way of email to rcmon@ccc.govt.nz at least 10 working days prior to the commencement of any works associated with this resource consent. Unless approved as part of a separate ECan resource consent for stormwater discharge or excavation/filling the ESCP will require acceptance by the Council Subdivision Engineer (or their nominee) as meeting the requirements of this condition, prior to any construction work commencing. Once accepted, the ESCP will thereafter form part of the Approved Consent Document.
- 29.4 No construction work shall commence on site until such time as:
- The ESCP has been accepted by Council in accordance with Condition 8.2;
 - The approved ESC measures are in place and;
 - The consent holder has submitted an "Engineering Completion Certificate" (as per IDS – Part 3, Appendix VII) to the Council. This Certificate shall be signed by an appropriately qualified and experienced engineer and attest that the erosion and sediment control measures have been properly installed and in accordance with ECan Erosion and Sediment Control Toolbox for Canterbury (<http://escscanterbury.co.nz/>). This certificate shall also name the person(s) responsible for the maintenance of these measures. The consent holder shall submit this certificate to the Council, Attention: Subdivision Engineer, by way of email to rcmon@ccc.govt.nz at least 5 working days prior to the commencement of any construction work.
- 29.5 All construction work shall be carried out in accordance with the approved Erosion and Sediment Control Plan (ESCP), referred to in Condition 30.2 above. These measures shall be effectively maintained until the soil/materials associated with the project works are reinstated to an erosion-free state.
- 29.6 Any changes to the approved Erosion and Sediment Control Plan required under Condition 30.2 shall be confirmed in writing by the consent holder following consultation with, and the written acceptance of, the Council's Subdivision Engineer (or their nominee), prior to the implementation of any proposed changes.
- 29.7 Adequate dust control measures must be in place at all times so as to minimise any nuisance to neighbouring properties. Appropriate equipment (e.g. water hose, sprinkler system) shall be available on site at all times and used whenever required by adverse conditions (windy weather, etc.) as well as to reduce dust emission from heavy traffic within the site. Adequate dust control measures must be in place at all times so as to minimise any nuisance to neighbouring properties.
- 29.8 The earthworks and construction work shall be under the control of a nominated and suitably qualified engineer.
- 29.17 All proposed works shall be carried out in accordance with an approved Traffic Management Plan (TMP). The consent holder shall prepare a TMP and submit this to Council through the TMP portal on <http://tmpforchch.co.nz/submit-a-tmp/>, at least 10 working days prior to the commencement of

construction work associated with this consent. The TMP shall identify the nature and extent of temporary traffic management and how all road users will be managed by the use of temporary traffic management measures and comply with the NZTA Code of Practice for Temporary Traffic Management (CoPTTM). The TMP shall also identify the provision of on-site parking for construction staff. Activities on any public road should be planned so as to cause as little disruption, peak traffic delay or inconvenience to road users as possible without compromising safety.

30. 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

Surrender of Consent

The Council hereby provides notice that under section 138(4) of the Act that consent RMA/2021/1941 is surrendered in whole under section 138 of the Act.

Your Rights of Objection

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

Commencement of this consent

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

Lapsing of this consent

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

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

Lapsing of s223 Certification

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

Relinquishing of Point Strips

The applicant will need to liaise with the Transport Unit in relation to the point strips being relinquished, in order for the proposed vesting/dedication of legal road of Lots 154 & 155. A copy has been placed on Appendix 1 of this report.

Contact Details: *WengKei.Chen@ccc.govt.nz*

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/2021/3650									
Customer Name		Assessment									
Project Address		Suburban Estates Limited									
Assessment Date		42 Gammack Drive									
		2/11/2021									
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	West	1.00	44.00	43.00	0.00%	43.00	\$1,849.24	\$79,517.32	\$0.00	\$79,517.32	
Wastewater Collection	South West	1.00	44.00	43.00	0.00%	43.00	\$8,038.26	\$345,645.18	\$0.00	\$345,645.18	
Wastewater Treatment & Disposal	Christchurch	1.00	44.00	43.00	0.00%	43.00	\$1,075.65	\$46,252.95	\$0.00	\$46,252.95	
Stormwater & Flood Protection	Halswell	1.00	44.00	43.00	0.00%	43.00	\$15,489.90	\$666,065.70	\$0.00	\$666,065.70	
Road Network	Growth	1.00	44.00	43.00	0.00%	43.00	\$3,863.84	\$166,145.12	\$0.00	\$166,145.12	
Active Travel	Metro Zone	1.00	44.00	43.00	0.00%	43.00	\$979.46	\$42,116.78	\$0.00	\$42,116.78	
Public Transport	Metro Zone	1.00	44.00	43.00	0.00%	43.00	\$553.63	\$23,806.09	\$0.00	\$23,806.09	
Community Infrastructure	District Wide	1.00	44.00	43.00	0.00%	43.00	\$988.43	\$42,502.49	\$0.00	\$42,502.49	
Total Network & Community Infrastructure								\$1,412,051.63		\$1,412,051.63	
Reserves											
Regional Parks	District Wide	1.00	44.00	43.00	0.00%	43.00		\$4,997.91	\$0.00	\$4,997.91	
Garden & Heritage Parks	District Wide	1.00	44.00	43.00	0.00%	43.00		\$6,941.03	\$0.00	\$6,941.03	
Sports Parks	District Wide	1.00	44.00	43.00	0.00%	43.00		\$16,673.23	\$0.00	\$16,673.23	
Neighbourhood Parks	Growth	1.00	44.00	43.00	0.00%	43.00		\$23,374.76	\$0.00	\$23,374.76	
Total Reserves								\$51,986.93		\$51,986.93	
							GST 15%			\$190,961.55	
							Total Development Contribution				\$1,464,038.56

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.

Council Site Characteristics Information

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

Development Constraint	Council records show there is a specific condition on the use of this site: Well on Property
District Plan	Property or part of property within the Liquefaction Management Area (LMA) Overlay which is operative.
District Plan	Property or part of property is within an Outline Development Plan area which is affected by specific provisions that are operative.
District Plan Zone	Property or part of property within the Residential New Neighbourhood 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).
Electoral Ward	Property located in Halswell Electoral Ward
Flooding Related	Property or part of property within the Flood Management Area (FMA) Overlay which is operative.
Flooding Related	This property is not in a tsunami evacuation zone. It is not necessary to evacuate in a long or strong earthquake or during an official Civil Defence tsunami warning. Residents may wish to offer to open their home to family or friends who need to evacuate from a tsunami zone, and should plan with potential guests to do so in

	advance. More information can be found at https://ccc.govt.nz/services/civil-defence/hazards/tsunami-evacuation-zones-and-routes/
Ground Characteristic	Christchurch City Council holds indicative information on liquefaction hazard for Christchurch. Information on liquefaction, including an interactive web tool, can be found on the Council website at ccc.govt.nz/liquefaction . Depending on the liquefaction potential of the area that the property is in, the Council may require site-specific investigations before granting future subdivision or building consent for the property.
Utility Related	This property is in a local pressure sewer system catchment within the Christchurch wastewater network. If there is a house on the property, there will already be a wastewater pressure pump and tank. If a house is yet to be built, a new wastewater pressure pump and tank will need to be installed. General information about pressure sewer systems can be found on the Council website. More detailed information can be obtained by contacting Council Customer Services on 03 941 8999.

Health of Land

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

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.

Reported and recommended by: John James Planner

Date: 3rd of November 2021

Decision

That the above recommendation be accepted for the reasons outlined in the report.

- I have viewed the application and plans.
- I have read the report and accept the conclusions and recommendation.

Delegated officer:



Paul Lowe
Team Leader Planning
10/11/2021 09:55 AM

Kim Sanders

From: Chen, Weng-Kei <WengKei.Chen@ccc.govt.nz>
Sent: Tuesday, 12 February 2019 1:46 p.m.
To: Kim Sanders; McDonald, Michele; Hozias, Doru; Mthamo, Victor
Cc: Johnson, Ian
Subject: RE: Country Palms - Extra Over Costs
Attachments: 20190211_170226.pdf

Kim

Road Corridor width ---to service the current development, road width required could be reduced to 12m, hence the inclusion of value of 6m strip of road land 6m strip; extra 3m of carriageway./ K/C, path,and excavation is appropriate

Other infrastructures cost to service neighbouring lots are fine

I can confirm the point value is \$109,785 + GST

Please note Extra for sewer and water is not items that can be included in the Point Strip.

From: Kim Sanders [mailto:kim@sel.kiwi]
Sent: Monday, 11 February 2019 5:01 p.m.
To: McDonald, Michele <Michele.McDonald@ccc.govt.nz>; Hozias, Doru <Doru.Hozias@ccc.govt.nz>; Chen, Weng-Kei <WengKei.Chen@ccc.govt.nz>; Mthamo, Victor <Victor.Mthamo@ccc.govt.nz>
Cc: Johnson, Ian <Ian.Johnson@ccc.govt.nz>
Subject: RE: Country Palms - Extra Over Costs

Dear All, hopefully this makes reasonable sense. I will see you Wednesday or Thursday when a suitable time is found.

Regards
Kim

Kim Sanders
Company Engineer

t. 03 366 3729 | m. 0274 33 65 83 | e. kim@sel.kiwi
26 Peterborough Street, Christchurch 8013 | PO Box 13349, Armagh, Christchurch 8141
www.sel.kiwi

From: McDonald, Michele [mailto:Michele.McDonald@ccc.govt.nz]
Sent: Monday, 11 February 2019 3:31 p.m.
To: Hozias, Doru <Doru.Hozias@ccc.govt.nz>; Chen, Weng-Kei <WengKei.Chen@ccc.govt.nz>; Mthamo, Victor <Victor.Mthamo@ccc.govt.nz>
Cc: Kim Sanders <kim@sel.kiwi>; Johnson, Ian <Ian.Johnson@ccc.govt.nz>
Subject: RE: Country Palms - Extra Over Costs

Dear Doru / Chen – Wednesday will be fine for me, however, I have requested Kim to provide an estimate for extra-over involved for both sewer and water – as this would be critical for us in making decisions on how best to deal with this at this stage. So the meeting can continue, but we will need cost estimate prior / at meeting.

Regards

Michele McDonald

Senior Planning Engineer - Growth
Asset Planning - Water & Wastewater



SUBURBAN ESTATES
Developing land for better living

MEMO to: Christchurch City Council

FROM: Kim Sanders

RE: COUNTRY PALMS - HALSWELL - RC185446 - Point Strip Value and Extra Over Items

This is a summary/discussion document on extra costs incurred on the above subdivision, due to CCC requiring infrastructure to be increased for the adjacent ODP land to the south. Note, it is likely that Suburban Estates will purchase some of this land (owned by CCC) and therefore the point strip value is almost hypothetical:

1. Point Strip

- a. The attached plan shows in blue the length of road which is being set up to be adjacent to the neighbouring land.
- b. Suburban's view is the point strip should be valued at half the road, but Chen's view is we would have had to build a 6m road so therefore can only charge 3m of carriageway (and 6m of land), along with one footpath and berm.
- c. Chen also said we could not charge half of a watermain BUT we have charged the water submain and sewer submain (as it services only the point strip land).
- d. Summary of point strip costs:
 - i. Land. 90mx6m = 540m² @ \$70/m² (agreed rate with Justin Sims) = \$37,800.
 - ii. Road Construction. Kerb \$70, 3m carriageway \$180, path \$90, berm \$40, excavation \$87 = \$462/m X 90m = \$41,625.
 - iii. Sewer submain. 75m of 50mm @ \$37 = \$2,775 plus 6 boundary kits @ \$980 = \$8,655.
 - iv. Water submain. 75m of 63mm @ \$35 = \$2,625.
 - v. Stormwater laterals. 6 @ 5m @ \$56 = \$1,680.
 - vi. Power cable. 6 lots @ \$2500 = \$15,000.
 - vii. Enable telecommunications 6 @ \$400 = \$2,400.
 - viii. **Total \$109,785+GST**

2. Extra Over Sewer.

- a. In accordance with Victor's email of 6/9/16 (previously supplied), the extra over costs of the 90mm and 125mm LP sewer pipes are to be paid as you prefer. Chen says we cannot put into the point strip.
- b. Our stage has 42 LP sewer lots, which would have needed a 63mm (max) main, therefore extra over costs are:
 - i. 90mm instead of 63mm is 115m @ \$55 = \$6,325 (see KB Contracting schedule).
 - ii. 125mm instead of 63mm is 110m @ \$70 = \$7,700.
 - iii. Total = \$14,025 plus 10% fittings = \$15,427+GST.
- c. The active Green Dome Odour Control is due to be installed this month. Supply price \$12,475+GST (see attached). Cost to install to come but estimate \$7,525. Power supply PC Sum \$3,000 Total = \$23,000+GST.

3. Extra Over Water

- a. In accordance with Victor's email of 6/9/16, the pipe shown in green on the attached plan is 340m long and a 200mm pipe costs \$131 as compared to a 150mm costing \$105 (see KB Contracting schedule).
- b. $340\text{m} \times \$26 = \8840 plus 10% fittings = $\$9,724 + \text{GST}$.

4. Meeting.

- a. At the proposed meeting with CCC we can discuss the above costs. Note, I believe Item 1 total should be higher, but a quick comparison could be by using a per lot construction basis for 4 normal sized lots @ \$40,000 = \$160,000. As the Item 1 total is discounted, that provides a reasonable comparison.
- b. As the point strip value is likely to be hypothetical (as we are purchasing the land), I am happy to agree to the lesser figure.

Any queries please contact me. I hope to see you Wednesday or Thursday.

Kim.



Point strip agreement

Christchurch City Council

Suburban Estates Limited

**anderson
lloyd.**

Date: 24 April 2019

Parties

- (1) Christchurch City Council (**Council**)
- (2) Suburban Estates Limited (**Developer**)

Background

- A. The Council granted the Developer the Consent in respect of the Property.
- B. As a condition of the Consent, the Council has permitted the creation of the Point Strips that are to be transferred to and held by the Council in accordance with this Agreement.
- C. The parties enter into this Agreement to give effect to the condition of the Consent and the transfer of the Point Strips.

Agreement

1. Definitions

1.1 In this Agreement, unless the context requires otherwise:

- (a) **Access** means passage on foot or by vehicle and extends to include the provision of services (including but not limited to electric power, gas, telephone, computer media, water supply, sewage disposal and stormwater disposal) whether overhead or underground.
- (b) **Adjoining Owner** means the owner(s) of the Adjoining Property (or any part of the Adjoining Property) from time to time and includes any agents, servants, invitees, contractors or employees of the Adjoining Owner.
- (c) **Adjoining Property** means Lot 1 Deposited Plan 512367, being the all the land comprised in Record of Title 788812, including any land comprised in records of title which are issued as a result of a subdivision of the Adjoining Property.
- (d) **Agreed Sum** means the total amount of \$109,785.00 plus GST, whether paid by a single owner or multiple owners of the Adjoining Property jointly, subject to clause 5.1;
- (e) **Agreement** means this agreement and all schedules;
- (f) **Consent** means subdivision consent RMA/2016/3297 (as amended from time to time);
- (g) **CPI** means the New Zealand Consumers Price Index (all groups) as published by Statistics New Zealand;
- (h) **Lot 157** means Lot 157 shown on the Title Plan attached at Schedule One, to be comprised in Record of Title 871290;
- (i) **Lot 158** means Lot 158 shown on the Title Plan attached at Schedule One, to be comprised in Record of Title 871291;
- (j) **Point Strips** means Lot 157 and Lot 158;

18006779 | 4229458v02

- (k) **Property** means the property situated at 103 Halswell Junction Road, Christchurch and comprised in Record of Title 820194;
- (l) **Title Plan** means LT 532383; and
- (m) **Working Days** means any day on which registered banks are open for ordinary over-the-counter business in Christchurch, New Zealand, excluding Saturdays, Sundays and statutory public holidays in New Zealand.

2. Interpretation

2.1 In this Agreement, unless the context requires otherwise:

- (a) a reference to a party in this Agreement includes that party's successors in title, personal representatives and permitted assigns;
- (b) a reference to a person includes any other entity or association recognised by law and vice versa;
- (c) words referring to the singular include the plural and vice versa;
- (d) clause headings are for reference purposes only;
- (e) everything expressed or implied in this Agreement which involves more than one person binds and benefits those people jointly and severally; and
- (f) a reference to a statute includes:
 - (i) all regulations under that statute;
 - (ii) all amendments to that statute; and
 - (iii) any statute substituting for it which incorporates any of its provisions.

3. Transfer of Point Strips

3.1 Following the execution of this Agreement by the parties and the deposit of the Title Plan, the Developer will transfer the Point Strips to the Council for the sum of \$1.00 (including GST), receipt of which is acknowledged by the Developer.

4. Payment of Agreed Sum

4.1 Subject to clause 7.1, once the Point Strips have been transferred to the Council in accordance with clause 3.1, the Council will not permit the Adjoining Owner or the Adjoining Property to have Access over, through, under or across the Point Strips until:

- (a) the Adjoining Owner has paid to the Council the Agreed Sum; and
- (b) the Council has paid to the Developer the Agreed Sum.

4.2 On payment of the Agreed Sum by the Council to the Developer in accordance with clause 4.1(b), the Council may, but shall not be obliged to, vest the Point Strips in itself as road.

4.3 The Developer authorises the Council to issue a GST invoice to the Adjoining Owner on behalf of the Developer in respect of the Agreed Sum prior to or at the time of payment of the Agreed Sum by the owner(s) of the Adjoining Property.

A handwritten signature in blue ink is written over a circular stamp. The stamp contains the letters 'al' in a stylized font.

5. Adjustment of Agreed Sum

5.1 The Agreed Sum will be adjusted at the time of payment to reflect movements in the CPI using the following formula:

$$A = B \times (C / D)$$

5.2 For the purposes of the formula specified in clause 5.1:

- (a) **A** = the Agreed Sum following adjustment to reflect movements in the CPI;
- (b) **B** = the Agreed Sum;
- (c) **C** = the CPI for the quarter ending immediately before the date of payment of the Agreed Sum by the owner(s) of the Adjoining property to the Council;
- (d) **D** = the CPI for the quarter ending immediately before the date of this Agreement; and
- (e) **(C / D)** shall not be less than 1.

5.3 If the CPI is discontinued and not replaced, or if there is a material change to the basis of calculation of the CPI, or a resetting of the CPI, an appropriate index which reflects the change in the cost of living in New Zealand as agreed between the parties shall be used.

6. Consent notice

6.1 Following the execution of this Agreement by the parties and upon the deposit of the Title Plan, the Developer shall register a consent notice against the respective Records of Title of the Point Strips to record the existence of this Agreement.

7. Expiry of Agreement

7.1 This Agreement shall expire [20] years after the date on which the Certificate under Section 224(c) of the Resource Management Act 1991 for the Consent is issued.

7.2 Following the expiry of this Agreement in accordance with clause 7.1, the Council may, but shall not be obliged to, vest the Point Strips in itself as road.

8. Disputes

8.1 If any dispute arises between the parties in relation to this Agreement and the dispute cannot be resolved by the parties within 10 Working Days of the date one party notifies the other party of the dispute, then the dispute shall be determined by a single arbitrator should the parties agree upon one, or failing agreement, by a single arbitrator to be appointed by the President of the New Zealand Law Society, in accordance with the Arbitration Act 1996 or any statute enacted in substitution of that Act and for the time being in force.

9. Assignment

9.1 The Developer must not assign any of its rights and obligations under this Agreement without the prior written consent of the Council, such consent not to be unreasonably withheld or delayed by the Council.

9.2 The Council must not assign any of its rights and obligations under this Agreement.

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A handwritten signature in black ink is positioned above a logo. The logo consists of the letters 'al' in a stylized, lowercase font, with a vertical line to the right of the 'l'.

10. General

- 10.1 **Amendments:** No amendment to this Agreement will be effective unless it is agreed to in writing and signed by the parties.
- 10.2 **Costs:** The Developer shall pay the Council's reasonable costs (including legal costs) incurred in the negotiation, preparation and implementation of this Agreement.
- 10.3 **Entire agreement:** This Agreement constitutes the entire agreement between the parties as to its subject matter, and supersedes all prior representations and agreements in connection with that subject matter.
- 10.4 **Further assurances:** Each party shall take all actions and sign all documents reasonably required to give effect to the terms of this Agreement.
- 10.5 **Severance:** If any portion of this Agreement is found to be void or unenforceable, the remaining portions will be binding on the parties and will be enforceable with the same effect as though the void and unenforceable portions were deleted.
- 10.6 **Waiver:** The failure of either party at any time to insist on performance of any provision of this Agreement is not a waiver of that party's right at any later time to insist on performance of that or any other provision of this Agreement.
- 10.7 **Governing law and jurisdiction:** This Agreement is governed by the laws of New Zealand and the parties submit to the non-exclusive jurisdiction of the courts of New Zealand in respect of all matters relating to this Agreement.
- 10.8 **Third parties:** Except as specifically provided, nothing in this Agreement is intended to confer a benefit upon any third party under the Contract and Commercial Law Act 2017.
- 10.9 **Counterparts:** This Agreement may be executed in any number of counterparts, each of which when executed will constitute an original, but all of which together will constitute one and the same instrument. The parties acknowledge that this Agreement may be executed on the basis of an exchange of fax or pdf copies and confirm that their respective execution of this Agreement by such means will be a valid and sufficient execution.

11. Notices

- 11.1 Any notice to be given under this Agreement shall be in writing and delivered or transmitted to the addresses set out below or to such other address that the parties may notify each other of in writing from time to time.

Christchurch City Council

Attention: John James
Address: 53 Hereford Street, Christchurch 8011
Email: John.James@ccc.govt.nz
Solicitor: Mike Kerr – Anderson Lloyd
Solicitor email: mike.kerr@al.nz

Suburban Estates Limited

Attention: Christopher Wilson

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Handwritten signature and a circular stamp.

Address: 26 Peterborough Street, Christchurch 8013

Email: []

Solicitor: Ari Segaran – Cameron & Co

Solicitor as@cameronco.co.nz

11.2 In any event, a notice shall be sufficiently given or served if actually received by the parties or their respective solicitors.

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Execution

Signed by **Christchurch City Council** by affixing its Common Seal in the presence of:



Common Seal



Authorised Witness



Authorised Witness

Signed by **Suburban Estates Limited** as Developer in the presence of:

Christopher Ian Glynn Wilson

Signature of witness

Name of witness

Occupation

Address

Execution

Signed by **Christchurch City Council** by affixing its Common Seal in the presence of:

Authorised Witness

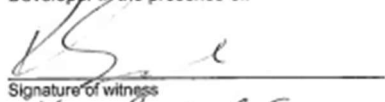
Authorised Witness

Common Seal

Signed by **Suburban Estates Limited** as Developer in the presence of:



Christopher Ian Glynn Wilson



Signature of witness

Kim Stander

Name of witness

COMPANY ENGINEER

Occupation

26 PETERBOROUGH ST, CATH

Address



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Schedule One

Refer to the **attached** plan.

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