

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

Sections 95A / 95B and 104, 104A and 104C

**Application Number:** RMA/2019/2574  
**Applicant:** Suburban Estates Limited  
**Site address:** 117 Halswell Junction Road  
**Legal Description:** Lot 2 DP 23163  
**Zoning:** Residential New Neighbourhood and Residential Suburban  
**Overlays and map notations:** Liquefaction Management Area (LMA)  
**Activity Status - subdivision:** Restricted Discretionary  
**Activity Status - land use:** Restricted Discretionary  
**Activity Status – NES:** Controlled

**Description of Application:** 21 lot subdivision

### The proposal

The applicant seeks both land use and subdivision consent for a development at Lot 2 DP 23163 (CB3D/1280 comprised of an area of 2.1054 hectares), known as 117 Halswell Junction Road.

Key components of the proposed development are as follows:

- The creation of 17 residential allotments, a Local Purpose (Utility) Reserve and associated roads to be vested with Council, and an allotment containing the existing dwelling over two stages.

Lots	Purpose	Area (m <sup>2</sup> )
100	Lot with existing dwelling	8,720m <sup>2</sup>
102 and 159	Local Purpose Road Reserve to vest in Christchurch City Council	3,460m <sup>2</sup>
101	Local Purpose Reserve to vest in Christchurch City Council	110m <sup>2</sup>
1 - 17	Residential lots	Varies between 426m <sup>2</sup> and 607m <sup>2</sup>

- The subdivision will be carried out over 2 stages. Stage 1A will be undertaken first splitting the site into the development block (Stage 1) and residual parcel to be retained by the current owner. The RNN subdivision of the development block (Stage 1) will occur after that.
- Two roads are proposed as part of this subdivision. The first links the subdivision to the existing Country Palms subdivision connecting through Lot 159 DP532383, and to the adjoining property to the west. The second road provides access to the residual lot to the north with a cul de sac to the south. The east west road will have a legal width of 16m with the north-south road have a legal width of 14m.
- An Infrastructure Report has been prepared addressing all servicing requirements for the proposed subdivision. Servicing requirements have been discussed with Christchurch City Council prior to the lodgement of this application. Furthermore the servicing generally replicates what has been designed and built for the developed Country Palms subdivision.
- Earthworks (5,500m<sup>3</sup>) within the site to complete shaping of allotments, road/access formation and the filling of Coxes Drain as it passes through the site.
- The applicant requires consent to enable the future owners of each lot to establish their vehicle crossings, install a water supply connection or relocate other services within 2m of a street tree planted within the subdivision. This is required as these works are undertaken as part of the construction of each dwelling, after the trees have been planted.
- Consent for subdivision and soil disturbance (associated with remediation) under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES).

The proposed site and layout is illustrated below in *Figure 1* and *2*.



**Figure 1:** Location of site (pink) and surrounds



**Figure 2:** Proposed subdivision layout

## Description of site and existing environment

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

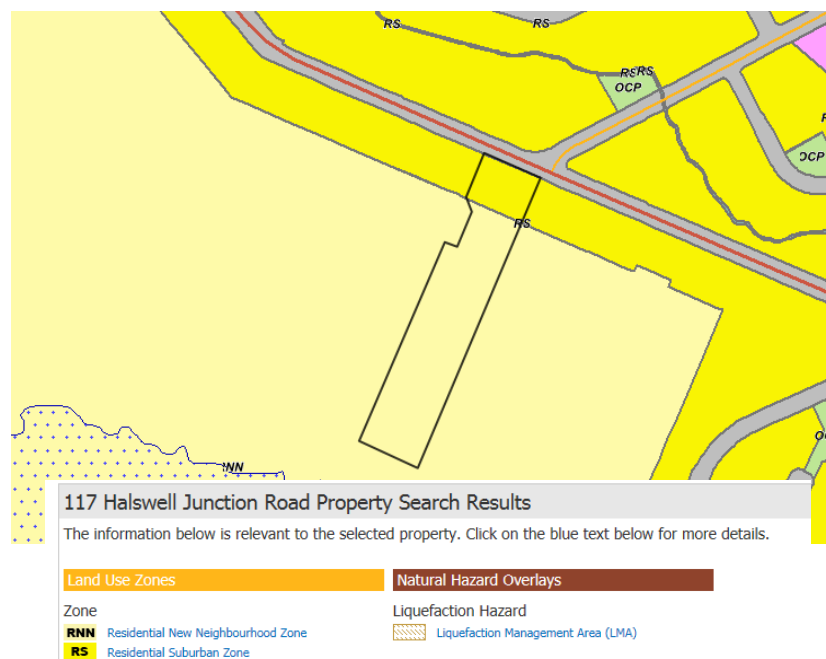
## Relevant rules and activity status

### Christchurch District Plan

As set out in Appendix 8.6.21 South West Halswell Outline Development Plan, Halswell has a history of early Maori occupation, followed by European settlement. This area has been farmed since the mid-19th Century. Quaifes Road and Candys Road were named after prominent early settlers. The Murphys, longstanding landowners, ran a dairy farm and dairy business. There is a large reserve to the west of Murphys Road (Longhurst Reserve) a large stormwater management area close to Sabys Road, Nottingham Stream runs along the southern edge of the new neighbourhood and several drains traverse the site. Views are afforded of the Port Hills to the south east and rural land to the south and west.

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

The site is also partially zoned Residential Suburban (*Figure 3*). The northern portion of the site containing the existing dwelling is zoned Residential Suburban, with the majority of the site being zoned Residential New Neighbourhood, as illustrated below. Notwithstanding this the proposed 17 new residential lots will be located within the Residential New Neighbourhood zone.



**Figure 3:** District Plan planning map

### 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
8.9.2.3 RD1	8.9.2.1 P1 a. Earthworks volume and depth	The proposed earthworks will exceed the 20m <sup>3</sup> maximum volume in Table 9) – 5,500m <sup>3</sup> is proposed	8.9.4 Matters for discretion: 8.9.4.1 - Nuisance 8.9.4.2 - Resources and assets (versatile soils)	8.9.1 a. - Must not be publicly notified

Activity status rule	Standard not met	Reason	Matters of control or discretion	Notification clause
			8.9.4.3 - Land stability 8.9.4.4 - Coastal hazard 8.9.4.6 - Amenity 8.9.4.7 - Indigenous biodiversity, natural character and landscape features 8.9.4.8 - Historic heritage 8.9.4.9 - Sites of Ngāi Tahu cultural significance 8.9.4.10 - Coastal environment	
9.4.4.1.3 RD8	Earthworks not meeting the activity specific standards in Rule 9.4.4.1.1 P12.	Earthworks for the purposes of constructing vehicle crossings when the future owners build their houses may occur within 5 metres of the newly planted street trees in a road corridor. The works will not be undertaken by or under the supervision of a works arborist employed by or contracted by the Council.	Rule 8.9.4, matters 1 and 3 Rule 9.4.6 a - e., g., i - o.	-

### 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 RD2	8.6.11 Additional standards for the Residential New Neighbourhood Zone	Subdivisions within the Residential New Neighbourhood zone shall achieve a minimum net density within residential development areas of 15 households per hectare. The proposed development will result in only 14 households per hectare.	8.7.4 - General matters 8.8.8 - Compliance with outline development plans and density 8.8.9 - Additional matters - Residential New Neighbourhood Zone	8.4.1.1
8.5.1.3 RD2	8.6.11 Additional standards for the Residential New Neighbourhood Zone	Subdivisions not associated with a comprehensive residential development shall have a minimum site of 4ha. The underlying title is only 2.1ha, and the area that is subject to Stage 1 is only 1.2312ha.	8.7.4 - General matters 8.8.8 - Compliance with outline development plans and density 8.8.9 - Additional matters - Residential New Neighbourhood Zone	8.4.1.1



Activity status rule	Standard not met	Reason	Matters of control or discretion	Notification clause
8.5.1.3 RD2	8.6.11 Additional standards for the Residential New Neighbourhood Zone	The South West Halswell ODP shows a reserve over part of the site. A reserve is not included as part of this subdivision application.	8.7.4 - General matters 8.8.8 - Compliance with outline development plans and density 8.8.9 - Additional matters - Residential New Neighbourhood Zone	8.4.1.1
8.5.1.3 RD2	8.6.11 Additional standards for the Residential New Neighbourhood Zone	All lots apart from Lot 6 have at least a minimum dimension of 10m on road boundaries. Lot 6 has a road frontage of 9.03m	8.7.4 - General matters 8.8.8 - Compliance with outline development plans and density 8.8.9 - Additional matters - Residential New Neighbourhood Zone	8.4.1.1
8.5.1.3 RD2	8.6.11 Additional standards for the Residential New Neighbourhood Zone	Given the position of the development block, there is limited ability to provide for walkable blocks of 800m, however connections are provided to the north, south, east and west.	8.7.4 - General matters 8.8.8 - Compliance with outline development plans and density 8.8.9 - Additional matters - Residential New Neighbourhood Zone	8.4.1.1
8.5.1.3 RD2	8.6.3 Access	The development block created by Stage 1A will not have legal access. A consent notice is proposed to address this point.	8.7.4 - General matters 8.8.2 - Property access	8.4.1.1

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

### National Environmental Standard

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

In this case it is more likely than not that a HAIL activity is being or has been undertaken on the site. Malloch Environmental Ltd has undertaken a combined Preliminary Site Investigation, Detailed Site Investigation and Remedial Action Plan in relation to the site in accordance with the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health (the NES). With the exception of the burn pit sample, test results came back below residential guidelines or below laboratory limits. The burn pit sample contained arsenic and heavy metals both of which exceeded the residential and commercial/outdoor guidelines.

Pursuant to Regulation 9(3) a controlled activity<sup>1</sup> resource consent is required, with Council reserving control over the adequacy of the detailed site investigation.

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

### 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/control outlined in Chapter 8 of the Christchurch District Plan.

In my opinion the effects of this proposal relate to:

<sup>1</sup> The applicant applied for consent under the NES as a restricted discretionary activity.

- Design and Integration
- Density
- Servicing
- Natural Hazards

## Design and Integration

With respect to the relevant assessment matters, I consider that the proposal represents a good design and would help accommodate a well-integrated development pattern for the wider neighbourhood in the future when other greenfield sites are developed. My reasoning for this includes:

- The layout of the propose subdivision does not conflict with the ODP (text and illustration) in Appendix 8.10.21 (illustration).
- While the ODP indicates a reserve to be located in the south-western corner of the site, Council's Parks Policy and Advisory team have advised that the location of the reserve can occur on the adjoining site when the subdivision of that land occurs. This is a result of Council's stormwater basin proposed to the south-west of the development providing amenity for the site. Consequently, the Parks Policy and Advisory team is amenable to the reserve moving to the north west of the proposed development.
- The development provides two main roading connections - to the east to existing Country Palms subdivision, as well as a roading connection to the land to the west.
- The development will not be provided with the walkable block size and the development area will be less than 4ha as per the requirements of the Plan. Despite this, I agree with the applicant insofar that these non-compliances are situational due to the size of the underlying lot being less than 4ha, the land to the west and south not being developed and the position of the development site to the south of the existing residential area. It is considered that once development occurs to the west and south of this subdivision that walkable blocks may be able to be achieved given the connections provided by this subdivision. Consequently, the overall site area is considered large enough to create a cohesive community and create a sense of place.

## Density

The total site area is 2.1032ha however the site is split zoned with approximately 3,193m<sup>2</sup> being zoned Residential Suburban with the remaining area Residential New Neighbourhood (1.7839ha). The subdivision is proposed to be in two stages. Stage 1A will subdivide the site into two lots to create the development block of 1.2312ha and a residual lot of 8,720m<sup>2</sup>, including the Residential Suburban area containing the existing dwelling. Stage 1 will then create 17 residential allotments from the development block 1.2312ha.

The main issue with this application in terms of density is that the proposal does not meet the minimum requirement under the rules for 15 dwellings per net hectare (18 required) as set out in the planning framework.

The main reason for the shortfall as set out by the developer is:

- the narrowness of the underlying title (approximately 100m wide);
- land required for two roads;
- and the land required for the cul-de-sac head.

Within the RNN zone, Policy 8.1.2.8 and Policy 14.1.5.3 requires a minimum net density of 15 households per hectare to be achieved when averaged across the whole of the residential development area. This is important to achieve and we would not normally contemplate such an outcome. However in the interest in providing a higher level connectivity to adjoining sites and a high level of roading (which I consider improves urban design outcomes) in this instance the reduction is considered acceptable. I would not have considered that this would have been appropriate if the unique characteristics of the site (as noted above) were not present. The reduction is too small to adversely impact on lost potential to accommodate population growth and any potential disadvantage to other developers (who arguably may need to make up the shortfall) would be immaterial<sup>2</sup>. In the longer term it could be reasonably expected that more than one dwelling would be constructed on some lots and thus there may be no shortfall at all.

## Servicing

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<sup>2</sup> In the circumstances it is considered that the only practical way to interpret this policy is on a pro-rata basis, i.e. any one individual site must achieve 15 dwellings per hectare and thus it could be said that other developers are disadvantaged at all.

No concerns have been raised by Mr Brian Norton nor Ms Michele McDonald in their memorandums in respect to servicing the proposal for sewer, potable water and stormwater. They have both supplied a set of conditions for the subdivision consent.

## **Natural Hazards**

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

The applicant has in this instance provided a geo technical report from CGW Consultant Engineers. The land is classified by CERA as Green Zone, N/A Urban Non-residential. However, foundation design subject to TC2 land will be included as a condition of consent and enforced by way of consent notice on the titles of future sites. Doru Hozias, Senior Subdivisions Engineer of the Christchurch City Council has reviewed these reports and recommends this action.

## **Conclusion**

The proposed subdivision is generally anticipated within the zone, and I consider that any adverse effects on the environment. The Plan provides that the subdivision application shall not be publicly or limited notified.

The applicant has reviewed the draft conditions and is satisfied with them.

## **LAND USE NON-COMPLIANCES**

As a restricted discretionary activity the assessment of the effects of the land use is limited to the matters over which the Council has limited its discretion. In my opinion the effects of this proposal relate to earthworks/construction, and street trees.

## **Earthworks/Construction**

Earthworks required to facilitate this subdivision require a resource consent including some 5,500m<sup>3</sup> of material which changes of depth up to 0.6m over the entire site area.

Given the zoning of the land, the earthworks can be expected given that works are required for infrastructure, new roads, drainage gradients. The matters for discretion relating to earthworks consider issues relating to nuisance and resources & assets & amenity. The matter of nuisance which relates to issues such as dust, mud, surface drainage, noise and vehicle movements, can be managed and these matters are set out by the applicant in section 6.4 of their report. It is also noted that the rules which are in place for earthworks place restrictions on the hours of operation for construction activities and the generation of noise – the application does not propose to breach those standards.

When considering the potential for additional visual bulk for future buildings on lots where filling is proposed (thus increasing the potential building height) – it is useful to review the draft engineering plan by Suburban Estates and submitted in response to a further information response. This shows that very little filling would be required around the periphery of the site where it adjoins existing residential and rural properties.

Issues of visual amenity (in the context of a future residential development) would mainly be short term and as development takes place.

The memorandum by Mr Brian Norton dated 28 November 2019 insert here does not give rise to any concerns with stormwater during earthworks.

## **Street Trees**

The application includes an assessment of effects as relating to earthworks and street trees at Section 6.4 -6.5. The application sets out that a volume of 2.46m<sup>3</sup> would be required for each crossing (to a depth of 0.145m).

In terms of the matters at Rule 8.9.4, the works proposed will not in my view create any overlooking effect or lands stability effect given the volume, depth, and nature of the works. With respect to nuisance effects, the works are minor (per site) and I generally agree with the assessment provided in the application.

I note that the street trees are not yet planted and will be small within the five year period sought with respect to these earthworks. It is unlikely in my view that they would have extensive root systems within five years. I do, however, consider it necessary to include some conditions on any consent granted to ensure street tree health (or replacement if damaged/killed).

There are 17 residential allotments where crossings would be required. While I don't consider there to be significant risk to the street trees, I also don't consider that replacements costs (if replaced) should fall to the Council or ratepayer.

I sought the advice of Council Arborist, John Thornton. He supported the application subject to a suite of conditions. I have considered his advice, however, given the shallowness of the proposed excavations, the age/size of the tree and roots systems within the 5 years and the 2m setback requirement, I consider an alternative set of conditions is more appropriate. These relate to depth of excavation, 2m setback, replacement of trees is required and the 5 year timeframe. These have been agreed by the applicant.

Outside of effects on the Council, I consider effects on adjoining properties (both within and external to the subdivision site) would be less than minor and that there would be no effect on the wider environment.

## CONTAMINATION

The application is a controlled activity under the NES. Regulation 9(2) limits the matters over which control is reserved to:

- (a) the adequacy of the detailed site investigation, including site sampling, laboratory analysis and risk assessment;
- (b) how the activity must be managed (which may include the requirement for a site management plan), monitored, and reported on;
- (c) the transport, disposal, and tracking of soil and other materials taken away in the course of the activity;
- (d) the timing and nature of the review of the conditions in the resource consent; and
- (e) the duration of the resource consent.

Specialist advice on the application has been obtained from Isobel Stout, Senior Environmental Health Officer, whose comments are as follows:

- The majority of the land is not HAIL and therefore the NES does not apply, but the PSI identified a burn pile that has left contaminants in soils at levels over residential land use standards. The application contains the DSI information on the pile and a remedial action plan to remove these soils and validate the area afterwards.
- In this case, Ms Stout is happy for the validation to be provided before s224 to ensure that it's all be cleaned up.

Ms Stout, recommends the following conditions to control the effects on human health:

- *Council is to be notified at least 5 working days in advance of the remedial earthworks for the burn pile (Appendix D of Soil Contamination Risk Preliminary Site Investigation Report, Detailed Site Investigation Report & Remediation Action Plan - 117 Halswell Junction Road, Halswell, Christchurch – September 2019 - Malloch Environmental Ltd.) commencing. This may be by way of email to [rcmon@ccc.govt.nz](mailto:rcmon@ccc.govt.nz).*
- *Within three (3) months of the completion of the earthworks on the burn pile (Appendix D as above) and prior to S224, a Site Validation Report (SVR) shall be prepared and submitted to Council. The SVR shall include as a minimum*
  - *Volumes of materials moved on site;*
  - *Details of any variations to the proposed work plan;*
  - *Details of any discharges or contingency measures employed during the earthworks;*
  - *Photographic evidence of the site works;*
  - *Evidence the objectives of the final remediation have been met with regard to residential land use.*
  - *Evidence of the disposal of the contaminated soils off site to an authorised facility.*



*The SVR shall be written in accordance with the Ministry for the Environment Guidelines for Reporting on Contaminated Sites in New Zealand (revised 2011).*

*Delivery of the SVR may be by way of email to [rcmon@ccc.govt.nz](mailto:rcmon@ccc.govt.nz).*

I accept Ms Stout's assessment and recommend that her suggested conditions be incorporated as part of this consent. Subject to compliance with the conditions, I am satisfied that the site will be appropriately managed so as to avoid adverse effects on human health.

#### **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. Under section 95(A)(5)(b) the application must not be notified as the subdivision is a restricted discretionary activity and the land use application is a restricted discretionary activity for residential activity on land that, under the District Plan, is intended to be used solely or principally for residential purposes.
- Step 3. This step is not applicable as notification of the application is prevented by Step 2.
- 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 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.

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

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

Regard must be had to the relevant objectives and policies in the Christchurch District Plan. In my opinion the application is consistent with these as the new allotments will be appropriately designed and serviced for the anticipated purpose and enable the recovery of the City through development of identified greenfield and intensification area.

There is one exception to the above. The proposal is considered inconsistent with (but not contrary to) Policy 8.2.2.8, Policy 14.2.1.1, and Policy 14.2.5.3 because the proposal (at least in the short term) would not meet the requirement to achieve 15 dwellings per hectare on the net area of the site (the overall shortfall is 1 dwelling) and there is no legal means secured for another developer to take up this shortfall on an alternative

site. For the reasons outlined by the applicant to justify the reduction, I do not consider that this would be grounds for refusing the application especially in light of the potential integration and connectivity the design offers up to the wider locality. While the subject policies outline that in such circumstances the application should be notified to other future developers in the development area of the ODP, it is not considered that this is a legal requirement under the relevant notification sections of the Act including in terms of effects on the environment (effects less than minor), potentially affected parties and special circumstances. It is considered that other developers would not be unreasonably disadvantaged by the approval of this application.

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

The NES for Assessing and Managing Contaminants in Soil to Protect Human Health is relevant to the application as a HAIL activity is being carried out or is more likely than not to have been carried out on the land. The relevant provisions are discussed in previous sections of this report.

For completeness, I note that the District Plan gives effect to the relevant provisions of higher order instruments referred to in s104(1)(b) and that being the case I have not referred to them in my report.

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

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

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

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

Taking guidance from recent case law<sup>3</sup>, the District Plan is considered to be the mechanism by which Part 2 is given effect to in the Christchurch District. The Plan has recently been reviewed, and was competently prepared via an independent hearing and decision-making process in a manner that appropriately reflects the provisions of Part 2. Accordingly, no further assessment against Part 2 is considered necessary.

**Section 106**

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

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

This section of the Act is particularly relevant in relation to geotechnical concerns following the Canterbury earthquakes. The land is identified as being within the Liquefaction Management Area in the Christchurch District Plan and rule 5.5.2a applies. The land is classified by CERA as Green Zone, N/A Urban Non-residential.

The applicant has submitted a geotechnical report prepared by CWG Consulting Engineers which has been reviewed by Council's Subdivision Engineer, Doru Hozias.

<sup>3</sup> R J Davidson Family Trust v Marlborough District Council [2018] NZCA 316

Thea applicant's engineer made the following assessment of s106 matters:

*No erosion was observed on the site, however there is the potential for erosion to occur if the soils are left sparse of vegetation and exposed. The site is unlikely to be susceptible to falling debris or slippage due to its topography and the surrounding ground.*

*Due to the potential for seismically induced liquefaction, the site is currently susceptible to varying degrees of subsidence and inundation from liquefaction. However, if the appropriate liquefaction mitigation measures are undertaken the risk of subsidence and inundation from liquefaction is significantly reduced. With the appropriate liquefaction mitigation measures in place the risk of "subsidence" will be minimised. The proposed subdivision development therefore generally complies with the intent of Section 106 (a).*

*Due to the presence of fine grained soils at the site, the potential for erosion and rilling is present if soils are exposed to weathering for prolonged periods. Forms of weathering may include wind, precipitation and inadequately discharged stormwater runoff. The susceptibility of soils to erosion can be minimised by undertaking appropriate industry standard design measures during construction. The site has been identified as being susceptible to seismically induced liquefaction and therefore has the potential for "subsidence", "and "inundation." Provided that appropriate liquefaction mitigation measures are implemented, subsequent use of the land following development is unlikely to accelerate, worsen, or result in material damage to the land, other land, or structures. In our opinion therefore, the development will comply with the intent of section 106 (b).*

*Thus in our opinion, under Section 106 of the RMA, there are no geotechnical reasons preventing the development, provided the developer takes the appropriate measures as recommended in this report and follows appropriate industry standards for erosion control.*

In light of this, Mr Hozias agrees with the assessment and is 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.

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

### 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, 104A, 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 plans approved under RMA/2019/2574 labelled Approved Consent Plans (Page 1 - Proposed Subdivision of Lot 2 DP 23163 – Drawing No: H19989, Revision R1)

- 2. **Staging**

The subdivision may be carried out in stages. If staged, each stage is to be in accordance with the staging shown on the application plan, as follows:

Stage 1A - Lot 100 and balance lot for Stage 1

Stage 1 - Lots 1-17, 101, and 102

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

As agreed with the applicant Lot 101 is to be shown on the survey plan as Local Purpose (Utility) Reserve to Vest.

- 4. **New Road to Vest**

The new road(s), being lot 102 are to be formed and vested in the Council to the satisfaction of the Subdivision Engineer with underground wiring for electricity supply and telecommunications.

## 5. Engineering General

### 5.1 Asset Design and Construction

All infrastructure assets 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.

### 5.2 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.

- A. 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.

- B. 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.

- C. 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.

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

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

- 5.5 As-Built plans and data shall be provided for all 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/>

- 5.6 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.

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.

## **6. Geotechnical**

- 6.1 Liquefaction hazard mitigation measures as indicated in the Geotechnical Assessment Report prepared by CGW Consulting Engineers (Document Number: 18594-RPTGEO-001-A, dated 28 March 2019) 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).

- 6.2 Prior to the request for the section 224 certificate the Consent Holder shall supply an updated Final Geotechnical report taking into account the mitigation measures put in place during the Construction phase to minimise both the Liquefaction potential and Lateral spread potential of the land during a SLS seismic event and a USL seismic event.

The report shall also recommend the Technical Category of the land in terms of the MBIE Technical Classification Guidelines.

- 6.3 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 engineer or by an appropriately qualified geotechnical engineer.

The foundation design shall comprised TC2 type foundations, in accordance with MBIE Guideline”.

## **7. Minimum Levels and Filling**

- 7.1 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, plus a grade of 1:500 to the rear boundary.
- 7.2 All filling exceeding 300mm above excavation level shall be in accordance with the Code of Practice for earthfill for residential purposes NZS 4431: 1989. A duly completed certificate in the form of Appendix A of NZS 4431 shall be submitted to the Council for all lots within the subdivision that contain filled ground, prior to the issue of a Section 224 Conditions Certificate.
- 7.3 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.
- 7.4 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.

## **8. Earthworks**

- 8.1 All earthworks to be carried out in general accordance with the approved plan entered into Council records under RMA/2019/2574 Approved Consent Plans (Pages 2-4) consisting of:
- a. *Country Palms – Stage 4 Draft Cut Fill Plan – Drawing No: 401, Revision A*
  - b. *Country Palms – Stage 4 Topographical Plan – Drawing No: 402, Revision A*
- 8.2 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://esc.canterbury.co.nz/>). The ESCP shall include (but is not limited to):

- (a) A map showing the location of all works;
- (b) Detailed plans showing the location of sediment and dust control measures, on-site catchment boundaries and sources of runoff;
- (c) Drawings and specifications of designated sediment and dust control measures;
- (d) A programme of works including a proposed timeframe and completion date;
- (e) Installation of devices until the site is stabilised (i.e. grassed); and
- (f) Inspection and maintenance schedules for the sediment and dust control measures.

- 8.3 The consent holder shall submit this ESCP to Council, Attention: Subdivision Engineer, by way of email to [rcmon@ccc.govt.nz](mailto: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.
- 8.4 No construction work shall commence on site until such time as:
- b) The ESCP has been accepted by Council in accordance with Condition 8.2;
  - c) The approved ESC measures are in place and;
  - d) 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://esc.canterbury.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](mailto:rcmon@ccc.govt.nz) at least 5 working days prior to the commencement of any construction work.
- e)
- 8.5 All construction work shall be carried out in accordance with the approved Erosion and Sediment Control Plan (ESCP), referred to in Condition 8.2 above. These measures shall be effectively maintained until the soil/materials associated with the project works are reinstated to an erosion-free state.
- 8.6 Any changes to the approved Erosion and Sediment Control Plan required under Condition 8.2 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.
- 8.7 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.
- 8.8 The earthworks and construction work shall be under the control of a nominated and suitably qualified engineer.
- 8.9 All loading and unloading of trucks with excavation or fill material shall be carried out within the subject site.
- 8.10 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.
- 8.11 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).
- 8.12 Any change in ground levels shall not cause a ponding or drainage nuisance to neighbouring properties, nor affect the stability of the ground or fences of neighbouring properties.

- 8.13 The fill sites shall be stripped of vegetation and any topsoil prior to filling. The content of fill shall be clean fill.
- 8.14 At the completion of the earthworks operations, the berm areas outside the line of the roadway construction shall be sown down with grass seed.
- 8.15 All bared surfaces shall be adequately top-soiled and vegetated as soon as possible to limit sediment mobilisation.
- 8.16 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.
- 8.17 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.

## **9. Health of Land**

- 9.1 Council is to be notified at least 5 working days in advance of the remedial earthworks for the burn pile (Appendix D of Soil Contamination Risk Preliminary Site Investigation Report, Detailed Site Investigation Report & Remediation Action Plan - 117 Halswell Junction Road, Halswell, Christchurch – September 2019 - Malloch Environmental Ltd.) commencing. This may be by way of email to [rcmon@ccc.govt.nz](mailto:rcmon@ccc.govt.nz).
- 9.2 Within three (3) months of the completion of the earthworks on the burn pile (Appendix D as above) and prior to S224, a Site Validation Report (SVR) shall be prepared and submitted to Council.  
The SVR shall include as a minimum
  - Volumes of materials moved on site;
  - Details of any variations to the proposed work plan;
  - Details of any discharges or contingency measures employed during the earthworks;
  - Photographic evidence of the site works;
  - Evidence the objectives of the final remediation have been met with regard to residential land use.
  - Evidence of the disposal of the contaminated soils off site to an authorised facility.

The SVR shall be written in accordance with the Ministry for the Environment Guidelines for Reporting on Contaminated Sites in New Zealand (revised 2011). Delivery of the SVR may be by way of email to [rcmon@ccc.govt.nz](mailto:rcmon@ccc.govt.nz).

## **10. Access Construction Standards**

- 10.1 The access formation shall be designed and constructed in accordance with the CCC Infrastructure Design Standard. Physical works shall not commence until a Council engineering officer confirms that the Design Report, Plans and Design Certificate complying with clause 3.3.1 of the IDS and the Contract Quality Plan and Engineer's Review Certificate complying with clause 3.3.2 has been received by Council.
- 10.2 A site inspection and Benkelman Beam test of the access-way is to be undertaken and submitted to Council a report including a design certificate on the condition of the existing accessway and vehicle crossing, including Benkelman Beam Test results.

The common access formation will require an inspection to be carried out by the Council's Subdivision Engineer who will determine the nature and if there are any upgrading works that need to be carried out to bring the formation up to the standard embodied in CCC Infrastructure Design

Standard. Any upgrading works required by the Councils Subdivision Engineer will form a condition of this consent.

#### **11. Vehicle Access**

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

Balance lot for Stage 1 subdivision: No residential development or issuing of s224c RMA certification for the subdivision for residential lots shall occur until Lot 159 DP 532383 is formed and held as legal road.

*Advice Note: The applicant will need to contact the Council's property team to arrange for the subject land to be dedicated.*

#### **12. Water Supply**

12.1 The point of water supply for the subdivision shall be the DN150 water main terminated on 26R Gammack Drive.

12.2 The water supply shall be designed by a suitably qualified person in accordance with the Infrastructure Design Standard and in general accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice NZS 4509:2008 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 acceptance by the Three Water & Waste Asset Planning Team prior to the commencement of any physical work.

12.3 All water mains and submains for the subdivision shall be installed in legal road to be vested in Council. Water mains shall be extended along the full length of roads to vest and be terminated with temporary hydrants as per the requirements of the Infrastructure Design Standard.

12.4 All water mains within the development shall be a minimum DN 180PE100 or DN150 uPVC diameter.

12.5 The work shall be carried out by a Council approved water supply installer at the expense of the applicant.

*<http://www.ccc.govt.nz/Water/AuthorisedInstallers/WaterSupplyAuthorisedInstallerRegister.pdf> for a list of contractors.*

12.6 All lots shall be served with a water supply to their boundary. Submains shall be installed to 1m past each lot boundary.

#### **13. Sewer**

13.1 The sewer system for this subdivision is to be 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.

13.2 The approved sanitary sewer outfall shall be the existing DN63 OD PE100 pressure sewer main on 26R Gammack Drive.

13.3 The pressure sewer main shall be extended along the full length of Road 5 as shown on drawing Country Palms – Stage 4 Draft Engineering Plan – Drawing No: 400, Revision A at DN63 OD PE100 up to the boundary of the subdivision. Isolation valves shall be installed on the three legs of the pressure main at the intersection of Road 5 and Road 6.

13.4 Each lot shall have a Boundary Kit located within the legal road. The lateral from the Boundary Kit is to extend at least 600mm into the net site of each lot.

13.5 Installation of the pressure sewer mains and boundary kits shall be carried out by a Council Authorised Drainlayer (Pressure Sewer Reticulation).

13.6 Measures shall be put in place to Council's satisfaction and acceptance for enabling initial operation of the local pressure sewer system within the subdivision during the build phase to ensure a self-cleansing flow and limiting sewage age within the system when the design number of pressure sewer tanks are not yet in operation.

- 6.16 Pursuant to Section 221 RMA, Consent notices shall be registered on the titles to record the following:
- a. Each property shall be served by a local pressure sewer unit comprising a pump and storage chamber which can accommodate at least 24 hours average dry weather flow to be supplied by either Aquatec or EcoFlow and installed by a Council Authorised Drainlayer (Pressure Sewer Tanks) at building consent stage in accordance with the Requirements for Local Pressure Sewer Units specified under a Building Consent. The local pressure sewer unit will be supplied complete with an IOTA OneBox Control Panel.
  - b. Ownership and control of the local pressure pump, chamber, boundary kit and OneBox Control Panel will be vested with Council. The property owner shall enter into a Deed with the Christchurch City Council, drafted in terms approved by the Christchurch City Council, vesting ownership in the system prior to Code Compliance Certificate being issued for a dwelling on the relevant site.
  - c. The Council and its agents or contractors shall have the right of access to the property for the purpose of maintenance, monitoring or renewal of any part of the local pressure sewer system vested with Council.
  - d. The electricity supply for the local pressure sewer unit shall be from the dwelling and metered to the dwelling serviced by the unit. The property owner shall be responsible for the power costs of operating the unit.
  - e. The property owner shall ensure adherence with the operational requirements of the local pressure sewer unit and if in breach of this obligation, the property owner shall promptly at the property owner's expense properly and substantially repair and make good all injury or damage caused to the local pressure sewer unit. If the property owner fails to promptly comply with this obligation then the Council may perform the obligation and recover any costs incurred from the Property Owner.

#### **14 Stormwater**

- 14.1 Stormwater laterals are to be laid to at least 600mm inside the building area of all residential lots. 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.
- 14.2 The stormwater management system shall be comprised of channels, sumps, pipes and/or swales. In addition to the below conditions, the system shall meet the requirements of the CCC Waterways, Wetlands and Drainage Guide (WWDG 2003 including Chapters 6, 21 and Appendix 10 updated 2011/12), the Infrastructure Design Standard (IDS 2018), the Construction Standard Specifications (CSS 2018) and the South West Area Christchurch Stormwater Management Plan.
- 14.3 The consent holder shall demonstrate that authorisation for the discharge of construction and operational phase stormwater has been obtained from Christchurch City Council, otherwise separate authorisation from Environment Canterbury shall be obtained.
- 14.4 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 first flush sedimentation basin, detention basin and a stormwater wetland (Christchurch City Council's "Quaifes-Coxs" stormwater facility) located within Lot 1 DP 512367.
- 14.5 The stormwater management system shall be designed to ensure complete capture and conveyance of all stormwater runoff from the site and contributing upstream catchments for all rainfall events up to and including the critical two percent annual exceedance probability storm. This will require internal reticulation and conveyance to meet Council's inundation standards as specified in the WWDG. A combination of primary and secondary conveyance systems may be used to ensure this level of service is achieved.
- 14.6 The primary stormwater reticulation network shall be designed to convey (at minimum) the critical twenty percent annual exceedance probability storm event from the site and contributing upstream catchments. 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.

- 14.7 The primary stormwater reticulation network shall connect to the existing 600mm diameter stormwater pipeline (SwPipeID 91991) within Lot 1 DP 512367. The location and design of this pipe connection shall form part of the engineering approval.
- 14.8 The consent holder shall submit an Engineering Design Report for acceptance by the Council 3 Waters and Waste Unit and Resource Consents Unit. The Engineering Design Report shall demonstrate how the design will meet all of the applicable standards and shall contain all of the plans, specifications and calculations for the design and construction of all stormwater and surface water management systems.
- 14.9 The designer of the surface water management system shall provide a report which identifies all secondary flow paths proposed for storm events that exceed the capacity of the stormwater management and mitigation system. All secondary or emergency stormwater flowpaths are to be identified and protected by an easement in favour of Christchurch City Council, if required.
- 14.10 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.
- 14.11 The consent holder shall provide easements in gross over all stormwater infrastructure located outside of legal road or utility reserve areas to be vested with Council.
- 14.12 The consent holder shall operate and maintain surface water mitigation facilities and infrastructure to vest into Council for at least 12 months following the issue of the Section 224(c) certificate, after such time Council may accept responsibility for operation and maintenance.
- 14.13 The consent holder shall provide as-built plans of the stormwater and surface water 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.

**15. Engineering Plans**

Engineering plans for the construction of the new road(s), 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.

**16. 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.

**17. Telecommunications and Energy Supply**

All lots shall be provided with the ability to connect to a telecommunications and electrical supply network at the boundary of the net area of each lot. "Ability to connect" means that ducts or cables must be laid to the boundary of the net area.

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 the sites.

**18. 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.

**19. Easements over Reserves**

Easements over land that is to vest in the Council as reserve are to be shown on the survey plan in a Schedule of Easements. Evidence of approval by the Reserves Officer Sub-committee of Council to create the easements is required.

**20. 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.

## **21. Road and/or Lane Names**

### **21.1** The new roads/lanes are to be named.

A selection of names in order of preference is to be submitted for each new roads/private way/access lot. 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.

**Note:** Road names are required to be approved by the Community Board. Community meetings are only held approximately once a month. It would be in your interest to start the naming process early so that this process does not hold up this development.

Post and nameplate fees are to be paid prior to the issue of the s224 Condition Certificate.

**Note:** Nameplates are not ordered from the manufacturer until the fee has been paid and usually take six weeks to manufacture. The fees payable will be those that are current at the time of payment.

### **21.2** 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.

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

## **22. Public Open Space**

### **22.1** Landscape plans for the reserve (Lot 101), and streetscapes shall be submitted as part of the Landscape Design Report to the Asset and Network Unit (Parks) for acceptance. All landscaping is to be carried out in accordance with the Accepted plan.

### **22.2** Where the Consent Holder has applied to vest assets as detailed on Accepted Landscape Plans, but the Asset and Network Unit (Parks) have not agreed to the value of the assets being credited against the Reserve Development Contributions or to reimburse the value of the assets to the Consent Holder, then the Consent Holder may vest the assets at their own expense.

### **22.3** The Landscape Design Report and plans are to provide sufficient detail to confirm compliance with the requirements of the IDS, the CSS: and the WWDG: 2003. All landscaping required by this condition is to be carried out in accordance with the accepted report and plan(s) at the Consent Holder's expense, unless otherwise agreed. The Consent Holder shall maintain the works for 12 months for the Establishment Period (Maintenance and Defects Period) from the time of issue of the Section 224 Certificate.

### **22.4** The Establishment Period (Defects Maintenance) for Lot 101 may include an inspection by Parks Operations staff after the first 6 months. Any diseased, dead or replacement plantings are to be replaced at the Consent Holder's expense. The Establishment Period and the term of the bond may be extended by a further 12 months for the replacement planting(s). Refer: CSS, Section Establishment. The Consent Holder is to keep an accurate and up-to-date monthly report on plant and tree conditions during the Establishment Period of the works undertaken. The report shall be submitted, if requested, by the Engineer within five days of the end of each month during the Establishment Period (Refer sample report: *Landscape Construction Monthly Establishment Report*, CSS, Part 7 Landscape (current version)).

### **22.5** The Consent Holder shall enter into a separate bond with Council Asset & Network Unit (Parks) Team to the value of 50% of the cost to replace and replant all plants on the reserve. The bond shall be held for the Establishment Period of a minimum of 12 months and shall be extended by a further 12 months for the replacement planting(s), if required. The bond shall be released after the plants have been inspected and Accepted by the Council Parks Operation staff.

### **22.6** The Consent Holder shall submit a plan(s) for proposed street trees to the Council's Asset & Network Unit (Parks) Team for acceptance. The plan(s) are to provide sufficient details to confirm compliance with the requirements of the IDS (current version) and the CSS Part 7: Landscapes (current version). All street tree works are to be carried out in accordance with the accepted report

and plan(s) at the Consent Holder's expense. The Consent Holder shall maintain the street trees for 12 months Establishment Period (Defects Maintenance) from the time the trees have been planted up until the final inspection and acceptance of the trees by the Council Parks Operations staff. The Establishment Period and the term of the bond may be extended by a further 12 months for the replacement planting(s), if required.

- 22.7 The Consent Holder is to keep an accurate and up-to-date monthly report on tree conditions and establishment works undertaken. The report shall be submitted, if requested, by the Engineer within five days of the end of each month during the Establishment Period (Refer sample report: *Landscape Construction Monthly Establishment Report*, CSS, Part 7 Landscape (current version). *Advice Note: Refer to ISA Part 10: 10.8.11 Locations of trees in streets, and CSS Part 7: 4.0 Supply of Tree and Plant Materials.*
- 22.8 The Consent Holder shall enter into a separate bond with Council Asset & Network Unit (Parks) Team to the value of 50% of the cost to replace and replant all street trees. The bond shall be held for the Establishment Period of a minimum of 12 months and shall be extended by a further 12 months for the replacement planting(s), if required. The bond shall be released after the trees have been inspected and Accepted by the Council Parks Operation staff.
- 22.9 The Consent Holder shall submit, if requested, the required completion documentation in accordance with IDS Part 2:2.12 Completion of Land Development Works and the Quality Assurance System to provide evidence that the work is completed in accordance with the agreed standards and conditions of this consent. This is to be submitted, if requested, on completion of the 12 month Establishment Period, prior to formal handover to Council and release of the Establishment Bond.
- 22.11 The Consent Holder shall submit As-Built plans for any landscape improvements on reserves and street tree species and locations, and confirm that they have been planted in accordance with the accepted plans and comply with the IDS, in particular Part 12 (As Builts).

**23. Residential New Neighbourhood (RNN) Density Requirements**

Any residential development or subdivision of Lot 100 (being 8720m<sup>2</sup> in area of which 5628m<sup>2</sup> is zoned RNN) shall provide for a minimum net density of 8 dwellings or residential lots within that portion zoned RNN as set out in the Christchurch District Plan requirement of 15 dwellings or residential lots per hectare.

*Note: The above requirement is an ongoing condition for which a consent notice will be issued under section 221 of the Act.*

**24. Street Lighting**

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

**25. Consent Notice**

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

**Sewer – Lots 1-17**

- a. Each property shall be served by a local pressure sewer unit comprising a pump and storage chamber which can accommodate at least 24 hours average dry weather flow to be supplied by either Aquatec or EcoFlow and installed by a Council Authorised Drainlayer (Pressure Sewer Tanks) at building consent stage in accordance with the Requirements for Local Pressure Sewer Units specified under a Building Consent. The local pressure sewer unit will be supplied complete with an IOTA OneBox Control Panel.
- b. Ownership and control of the local pressure pump, chamber, boundary kit and OneBox Control Panel will be vested with Council. The property owner shall enter into a Deed with the Christchurch City Council, drafted in terms approved by the Christchurch City Council, vesting ownership in the system prior to Code Compliance Certificate being issued for a dwelling on the relevant site.
- c. The Council and its agents or contractors shall have the right of access to the property for the purpose of maintenance, monitoring or renewal of any part of the local pressure sewer system vested with Council.
- d. The electricity supply for the local pressure sewer unit shall be from the dwelling and metered to the dwelling serviced by the unit. The property owner shall be responsible for the power costs of operating the unit.

- e. The property owner shall ensure adherence with the operational requirements of the local pressure sewer unit and if in breach of this obligation, the property owner shall promptly at the property owner's expense properly and substantially repair and make good all injury or damage caused to the local pressure sewer unit. If the property owner fails to promptly comply with this obligation then the Council may perform the obligation and recover any costs incurred from the Property Owner.

#### **Foundation Design – Lots 1-17**

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

The foundation design shall comprised TC2 type foundations, in accordance with MBIE Guideline”.

#### **Access Formation**

- g. Balance lot for Stage 1 subdivision: No residential development or issuing of s224c RMA certification for the subdivision for residential lots shall occur until Lot 159 DP 532383 is formed and held as legal road.

*Advice Note: The applicant will need to contact the Council's property team to arrange for the subject land to be dedicated.*

#### **Dwelling Density**

- h. Any residential development or subdivision of Lot 100 (being 8720m<sup>2</sup> in area of which 5527m<sup>2</sup> is zoned RNN) shall provide for a minimum net density of 8 dwellings or residential lots within that portion zoned RNN as set out in the Christchurch District Plan requirement of 15 dwellings or residential lots per hectare.

The Council will prepare the Consent Notice.

#### **24. 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.

#### **25. Lapsing of Consent**

The period within which this consent may be given effect to shall be 5 years from the date on which consent was granted. The consent will be given effect to when the survey plan has been certified pursuant to Section 223 of the Resource Management Act 1991.

### **LAND USE CONSENT**

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

#### **General**

1. The development shall proceed in accordance with the information and plans submitted with the application. The Approved Consent Plans has been entered into Council records under RMA/2019/2574 (4 Pages).

#### **Street Trees**

2. No earthworks shall occur within 2m from the trunk of any adjoining street tree.
3. Earthworks for vehicle crossing construction shall not exceed 0.300m in depth.

4. This consent insofar as it relates to earthworks within the street tree dripline only allows works within the tree dripline within 5 years from the date of the issue of the title for the lot to which the crossing applies.
5. Any tree damaged significantly by the consented earthworks or that dies within twelve months of the consented earthworks shall be replaced with a tree of a similar size and same species by the owner of the lot where the vehicle crossing has been constructed.
6. The owner of the lot where the vehicle crossing has been constructed shall provide to the Council photographs (by way of email to [rcmon@ccc.govt.nz](mailto:rcmon@ccc.govt.nz)) of the excavated area showing any roots encountered, and of the tree before and after the consent earthworks have occurred.

## Earthworks

7. Earthworks (except those addressed under conditions 2 to 6) shall only be carried out in association with the approved subdivision consent (RMA/2019/2574).

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

### Your Rights of Objection

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

### Local Purpose (Utility) Reserve

Lot 101 to be vested as Local Purpose (Utility) Reserve will hold no credits towards the final Reserve Development Contributions assessment. The agreed developments on the 'Accepted' landscape plans for Lots 101 is to hold no credits against the Reserve Development Contributions.

Any proposed easements across the Local Purpose (Access) reserve will need to be made to the Resource Consent Planner.

### Street Trees

The following advice is provided with respect to earthworks within 5m of street trees, in order to assist the consent holder protect the street tree:

- Excavation and reinstatement of the soil within 5m of the street trees should be done carefully by hand or air spade unless or until it has been established that roots do not extend into the area being excavated.
- When soil is cleared around any tree roots they shall be protected from desiccation and damage by the use of damp hessian or good quality topsoil. Where hessian is used, should be kept damp until the area is backfilled. Backfilling should take place at the earliest opportunity and the backfill material is to be of sufficient quality to allow for the continued growth/health of the root systems.
- If any roots encountered at the levels to be excavated have to be removed, they should be severed cleanly with pruning secateurs or a hand saw.
- A hand compactor should be used for the base course, and soil compaction from the operation of machinery should be avoided around the tree.
- Any heavy machinery used on site should avoid coming within the 5m setback of the street trees, except where the surface is already sealed, or specialised mats have been installed to spread the loading sufficiently to protect the ground from being compacted around the trees root system.
- No materials or machinery/vehicles should be stored/parked within the 5m setback of the street trees during the construction work, including excavated soil, chemicals or building materials.

- Disposing of water used to wash down machinery (e.g. concrete mixers) that is likely to contain concrete or fuel, should not occur within 5m of a street trees.

If an arborist is used, the following local Arboricultural firms are considered suitably qualified and experienced by the Christchurch City Council:

- Advanced Tree Services - Mathew Palmer - 03-344 6162 / 027 2202724
- Alba Tree Services - Mik Winstanley - 021 08317293 / 03 3602962
- Arbor-Tek Ltd - Joe Berryman - 03 3497143 / 027 272 6710
- City Care - 03 941 7200
- Four Seasons Tree Care (Otautahi) Limited - 03 381 1422 / 021 029 66714
- Treotech- Specialist Treecare Ltd - Chris Walsh - 03 383 9370 / 0800 873378 / 027 229 7488

### **Commencement of this consent**

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

### **Lapsing of this consent**

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

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

### **Lapsing of s223 Certification**

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

### **Development Contributions**

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

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

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

*Development contribution assessment summary*



DEVELOPMENT CONTRIBUTIONS SUMMARY					PIM or Consent Ref:		RMA/2019/2574	
Customer Name		Suburban Estates Limited				ASSESSMENT		
Project Address		117 Halswell Junction Road						
Assessment Date		19/11/2019						
Assessment Summary								
		HUE Credits						
		Current	Assessed	Discounts	Assessed HUE After Discount	Change	DC Rate (incl GST)	DC Charge (incl GST)
<u>Activity</u>	<u>Catchment</u>	HUE A	HUE B	C	HUE D	HUE E	G	F= E x G
Network Infrastructure								
Water supply	District-w ide	1.00	18.00	0.0%	18.00	17.00	\$2,395.45	\$40,722.65
Wastew ater collection	District-w ide	1.00	18.00	0.0%	18.00	17.00	\$6,349.15	\$107,935.55
Wastew ater treatment and disposal	District-w ide	1.00	18.00	0.0%	18.00	17.00	\$2,904.90	\$49,383.30
Stormw ater & flood protection	Halsw ell	1.00	18.00	0.0%	18.00	17.00	\$5,436.05	\$92,412.85
Road netw ork	Greenfield	1.00	18.00	0.0%	18.00	17.00	\$3,315.45	\$56,362.65
Active travel	District-w ide	1.00	18.00	0.0%	18.00	17.00	\$425.50	\$7,233.50
Public transport	District-w ide	1.00	18.00	0.0%	18.00	17.00	\$717.60	\$12,199.20
Total Community and Network Infrastructure								\$366,249.70
Reserves								
Regional parks	District-w ide	1.00	18.00			17.00		\$45,825.20
Garden and heritage parks	District-w ide	1.00	18.00			17.00		\$2,737.00
Sports parks	District-w ide	1.00	18.00			17.00		\$43,010.00
Neighbourhood parks	Greenfield	1.00	18.00			17.00		\$162,108.60
Total Reserve Contributions								\$253,680.80
Value of Vested Reserves or encumbered								\$0.00
Total Reserve Contributions Less Value of Vested Reserves								\$253,680.80
GST 15%						\$80,860.50		
Total Development Contribution						\$619,930.50		

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

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

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

### Reconsiderations and objections

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

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

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

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

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

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

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

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

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

### Payments to Council

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

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

The information that you need to enter that will help us identify your payment is:

Particulars: *(Customers Name)*  
Code: *(RMA Number)*  
Reference: *(Invoice Number)*

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

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

### Council Site Characteristics Information

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

ministrative Purposes	Guest accommodation (including whole unit listings on Airbnb; BookaBach; etc.) generally requires a resource consent in this zone when the owner is not residing on the site. For more information, please refer to: <a href="https://ccc.govt.nz/providing-guest-accommodation/">https://ccc.govt.nz/providing-guest-accommodation/</a> .
Community Board	Property located in Halswell-Hornby-Riccarton Community Board.
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.
District Plan Zone	Property or part of property within the Residential Suburban Zone which is operative.

Earthquake Related	<p>Some properties have experienced land damage and considerable settlement during the sequence of Canterbury earthquakes. While land in the green zone is still generally considered suitable for residential construction, houses in some areas will need more robust foundations or site foundation design where foundation repairs or rebuilding are required. Most properties have been assigned a technical category. Details of the MBIE guidance can be found at <a href="http://www.building.govt.nz/">www.building.govt.nz/</a></p>
ECan Requirement	<p>ECan holds indicative information on liquefaction hazard in the Christchurch area. Information on liquefaction can be found on the ECan website at <a href="http://www.ecan.govt.nz/liq">www.ecan.govt.nz/liq</a> or by calling ECan customer services on Ph 03 353 9007. The Christchurch City Council may require site-specific investigations before granting future subdivision or building consent for the property, depending on the liquefaction potential of the area that the property is in.</p>
Ecan Requirement	<p>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).</p>
Electoral Ward	<p>Property located in Halswell Electoral Ward</p>
Flooding Related	<p>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 <a href="https://ccc.govt.nz/services/civil-defence/hazards/tsunami-evacuation-zones-and-routes/">https://ccc.govt.nz/services/civil-defence/hazards/tsunami-evacuation-zones-and-routes/</a></p>
Land Characteristic Other	<p>Land Information New Zealand (LINZ) engaged Tonkin and Taylor to provide a Geotechnical Report on Ground Movements that occurred as a result of the Canterbury Earthquake Sequence. The report indicates this property may have been effected by a degree of earthquake induced subsidence. The report obtained by LINZ can be accessed on their website at <a href="https://www.linz.govt.nz/land/surveying/earthquakes/canterbury-earthquakes/information-for-canterbury-surveyors">https://www.linz.govt.nz/land/surveying/earthquakes/canterbury-earthquakes/information-for-canterbury-surveyors</a></p>
Land Characteristic Other	<p>The Tonkin &amp; Taylor Darfield Earthquake 4 September 2010 Geotechnical Land Damage Assessment &amp; Reinstatement Stage 1 Report indicates areas of observed surface manifestations of liquefaction resulting from the earthquake. This property is within one of the identified areas. The report can be viewed at</p>

	<a href="http://www.eqc.govt.nz/canterbury-quake/stage-one/stage1.aspx">www.eqc.govt.nz/canterbury-quake/stage-one/stage1.aspx</a>
Waste Collection	Your organics are collected Weekly on Thursday. Please leave your organics at the Kerbside by 6:00 a.m.
Waste Collection	Your recycling is collected Fortnightly on the Week 1 collection cycle on a Thursday. Please leave your recycling at the Kerbside by 6:00 a.m. Your nearest recycling depot is the Parkhouse Road EcoDrop.
Waste Collection	Your refuse is collected Fortnightly on the Week 2 collection cycle on a Thursday. Please leave your rubbish at the Kerbside by 6:00 a.m. Your nearest rubbish depot is the Parkhouse Road EcoDrop.

### 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](mailto:infosouthern@heritage.org.nz) or (03) 357 9629 before commencing work on the land.**

### Building consent requirements

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

### Monitoring

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

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

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

**Reported and recommended by:** Ryan Brosnahan, Planner

**Date:** 18 December 2019

### Decision

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

**Delegated officer:**



Paul Lowe  
Principal Advisor Resource Consents  
18/12/2019 04:35 p.m.





AMENDMENTS:

AMENDMENT	DATE	DESCRIPTION
R1	18.12.19	LOT 200 REMOVED LOT 102 AMENDED

NOTES:

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

2) Service easements to be created as required.

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

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

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

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

7) Existing services are from CCC as built records.

Christchurch City Council

RMA/2019/2574

Approved Resource Consent Plan

19/12/2019

Page 1 of 1

Brosnahan, Ryan

Note:

The underlying boundaries are affected by earthquake related movement. Dimensions and areas are subject to final survey and deposit of plans.

SCHEDULE OF AREAS

Description	Area
Residential Lot - ( Lots 1-17 )	8738m²
Balance Lot - ( Lot 100 )	8720m²
Road to vest in Christchurch City Council ( Lot 102 )	3464m²
Local Purpose Reserve to vest in Christchurch City Council ( Lot 101 )	110m²

Total Area : 2.1032ha

Comprised in: RT CB3D/1280

DAVIE LOVELL-SMITH

PLANNING SURVEYING ENGINEERING

116 Wrights Road

P O Box 679 Christchurch 8140, New Zealand

Telephone: 03 379-0793 Website: www.dls.co.nz E-mail: office@dls.co.nz

JOB TITLE:

Country Palms

SHEET TITLE:

Proposed Subdivision of Lot 2 DP 23163

DRAWING STATUS

Proposed Subdivision

SCALE : 1:750@A1 1:1500@A3

DATE : December 2019

CAD FILE : J:\19989\SUBCON\H19989 Subcon R1.dwg

DRAWING No : H19989

SHEET No: 1 OF 1

REVISION : R1