

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

Sections 95A / 95B and 104 and 104B

<b>Application Number:</b>	<b>RMA/2022/771</b>
<b>Applicant:</b>	CDL Land NZ Limited
<b>Site address:</b>	133 Prestons Park Drive and 115-137 Mairehau Road, Burwood
<b>Legal Description:</b>	Lot 3030 DP 545332, Lots 389, 3033, 3034, 3035 and 3075 DP 544332, Lots 3036-3038 DP 349008
<b>Zoning:</b>	Residential New Neighbourhood
<b>Overlays and map notations:</b>	Flood Management Area, Fixed Minimum Floor Level Overlay within Flood Management Area, Liquefaction Management Area (LMA), and Outline Development Plan
<b>Activity Status - subdivision:</b>	Discretionary
<b>Description of Application:</b>	28 lot fee simple subdivision - Stages Q5, R3, S3, T4 and T5

### New Application to allow for reassessment of Development Contributions

Subdivision consent RMA92022731 (RMA/2013/1085) was granted on 26 June 2014 for this development, however due to a reduction in Development Contributions under the Development Contributions Policy 2021 the applicant is seeking reassessment by way of lodging this application.

The application is not materially different to that considered under the original consent and s127 variation RMA/2015/2023/A except only Stages Q5, R3, S3, T4 and T5 will be completed under this consent as the rest of the stages are already completed.

The only remaining stages U5 and Y4, are unaffected by the DC's Policy change, are partially processed with s223 certificates issued, and will remain active with that consent.

As part of this application the applicant advises that they are seeking to surrender the original consent RMA/2013/1085 in part as it relates to the land area in Stages Q5, R3, S3, T4 and T5 under section 138 of the Act. I do not consider that there is any reason to decline that request having regard to the matters in subclause (2).

### The proposal

The proposal is described in the original decision, RMA92022731 (RMA/2013/1085) held on Council file as TRIM 14/708011, and the subsequent variations:

- RMA92030318 (RMA/2015/2023) held on council file as TRIM 15/1200681
- RMA/2015/2023/A held on council file as TRIM 17/681781

I adopt that description, except where Stages Q1-4, R1-2, S1-2, T1-3, T6-7, U143, V, W1-4, X1-2, Y1-3 were completed under RMA/2013/1085 and have s224 Certificates issued. Therefore as it has been in part given effect to there may be conditions that will not be relevant to remaining stages, or that are relevant in part only. This matter will be dealt with by the consent holder at the stage of application for a section 224 certification from Council.

### Description of site and existing environment

The application site and surrounding environment are described in original decision, RMA92022731 (RMA/2013/1085) held on Council file as TRIM 14/708011. The only real change since that time is that the stages mentioned above have been developed and titled and many are now also fully developed with residential dwellings.

## Relevant rules and activity status

### Christchurch District Plan

The site is zoned Residential New Neighbourhood. The zone will allow a wide range of residential house types and section sizes to provide for a wide spectrum of household sizes and affordable housing. People will therefore be able to remain within the neighbourhood throughout their lifetime as they move to housing types that suit their life stage. These areas are intended to achieve higher overall residential densities than traditionally achieved in suburban developments. The site is located in the Prestons Outline Development Plan.

### Planning Framework

The non-compliances and activity status are similar to the original consent RMA92022731 (RMA/2013/1085) held on Council file as TRIM 14/708011, as well as the subsequent variations:

- RMA92030318 (RMA/2015/2023) held on council file as TRIM 15/1200681
- RMA/2015/2023/A held on council file as TRIM 17/681781

I adopt the planning framework as laid out in the original decision, except where Stages Q1-4, R1-2, S1-2, T1-3, T6-7, U143, V, W1-4, X1-2, Y1-3 have already been completed.

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

This proposal is similar to approved consent RMA/2013/1085, except where Stages Q1-4, R1-2, S1-2, T1-3, T6-7, U143, V, W1-4, X1-2, Y1-3 have already been completed, as such I adopt the same assessment as described in the original decision, RMA92022731 (RMA/2013/1085) held on Council file as TRIM 14/708011, as well as the subsequent variations:

- RMA92030318 (RMA/2015/2023) held on council file as TRIM 15/1200681
- RMA/2015/2023/A held on council file as TRIM 17/681781

Because the development has already been approved via a different resource consent I have no concerns about effects on the environment.

I note that the overall development delivers the required density yield as specified in the ODP (13-15hh/ha). All main structuring elements of the ODP are in place already (including stormwater networks, reserves, trunk roads and services). The remaining stages have not been completed to date as arrangements over the intersection with, and upgrading of, Mairehau Road had not concluded, and this work needs to be completed prior to titling and use of the allotments that remain in stages Q5, R3, S3, T4 and T5 (as well as those being progressed under RMA/2018/1970 reissued as RMA/2022/770).

As the development has already been approved via a different resource consent I have no concerns, all relevant matters have already been considered and adverse effects resolved by way of conditions. The sites will be remediated, fully serviced, provided with formed access or legal frontage, and formed and shaped as required to preserve drainage function. There is no adverse effect on the remainder of the ODP area from the completion of this subdivision under a new consent number.

The effects on the environment are less than minor and there are no affected parties.

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

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

### Public notification

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

### Limited notification assessment

- Step 1. There are no affected groups or persons as outlined in section 95B(2) and (3).
- Step 2. The application does not meet any of the criteria in section 95B(6) precluding limited notification, as there are no rules precluding it and the application is not for a controlled activity land use consent.

Step 3. As discussed above, no persons are considered to be affected under section 95E (sections 95B(7) and (8)).

Step 4. There are no special circumstances that warrant notification to any other persons (section 95B(10)).

### **Conclusion on notification**

There is no requirement for public or limited notification of this application.

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

This proposal is similar to approved consent RMA/2013/1085, except where Stages Q1-4, R1-2, S1-2, T1-3, T6-7, U143, V, W1-4, X1-2, Y1-3 have already been completed, as such I adopt the same assessment as described in the original decision, RMA92022731 (RMA/2013/1085) held on Council file as TRIM 14/708011, as well as the subsequent variations:

- RMA92030318 (RMA/2015/2023) held on council file as TRIM 15/1200681
- RMA/2015/2023/A held on council file as TRIM 17/681781

Because the development has already been approved via a different resource consent I have no concerns about consistency with objectives and policies.

The proposal is not contrary to the objectives and policies in the District Plan.

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

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

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

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

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

#### **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

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

- (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 green zoned with no technical category applied to the site.

As noted above the applicant has provided a comprehensive assessment of geotechnical constraints and conditions on the site as well as a programme of works anticipated to remedy deficiencies. Council engineers have accepted the report and the proposed solutions and consent notice conditions have been proposed and accepted by the applicant to require ongoing compliance with foundation design requirements for the land subject to final testing results (post bulk earthworking and remediation of the ground where required) and current requirements of the Ministry of Business Innovation and Employment in relation to foundation design in the post earthquake environment.

Levels have been set for future building platforms to deal with issues of inundation. The site is not considered subject to other hazards noted in 106 (falling debris, slippage or erosion).

Further, all lots are to be provided with access to a legal and formed road.

## 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, 104B and 106 of the Resource Management Act 1991, subject to the following conditions imposed pursuant to Sections 108, 108AA and 220 of the Resource Management Act 1991:

#### 1. Compliance with Application Information

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

#### 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 although the stages need not be completed in alphabetic sequence, and more that one stage may be completed concurrently.

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

#### 3. Reserves

##### 3.1 Development Contributions Policy

3.1.1 The Lots identified as recreation reserve land that have been accepted can be credited towards the Reserve Development Contributions for Stage 2, South. If there are any remaining Reserve Development Contributions payable at 224c for each sub-stage of Stage 2, they may be credited against agreed developments on 'Accepted' landscape plans for Stage 1 and 2, or carried forward through an Encumbrance Instrument against future stages.

3.1.2 If upon application for 224C Certificate for the final sub-stage Stage 2 there are any Reserve Development Contributions not credited towards Accepted reserve land or developments then the outstanding value of the credits are to be received in a monetary form.

##### 3.2 Recreation Reserve

Lots 3083, 3096, and 3100 have been accepted as Recreation Reserves situated within this part of the development. The agreed value of these Lots is to be credited against the reserve development contributions due.

Lots 3081, 3105, 3106, 3107, 3108 and 3018 are not accepted as Recreation Reserve at this time and shall be shown on any plan submitted for approval under section 223 as local purpose utility reserve.

*Advice note: Should agreement be reached between the Consent Holder and Council on any other allotments, including 3105, 3106, 3107 and 3108, becoming recreation reserve prior to lodgement of the survey plan for approval under s.223 the lots shall be shown as Recreation Reserve .*

### 3.3 Local Purpose (Utility) Reserve

Lots 3071, 3075, 3078, 3079, 3082, 3086, 3087, 3092, 3093, 3095, 3098, 3101, 3112 and 3113 shall vest as Local Purpose (Utility) Reserves and shall hold no credits towards the final Reserve Development Contribution assessment.

### 3.4 Local Purpose (Road) Reserve

The following Lots provide linkages for pedestrian access; Lots 3080 and 3097 and shall hold no credits towards the final Reserve Development Contribution assessment.

### 3.6 Design and Development of Reserves, Streetscapes and Open Spaces

3.6.1 Landscape plans for the reserves, streetscapes and open spaces are to be submitted as part of the Landscape Design Report to the Asset and Network Planning (Greenspace) for acceptance. All landscaping is to be carried out in accordance with the Accepted plan.

3.6.2 Where the Consent Holder has applied to vest assets as detailed on Accepted Landscape Plans, but the Asset and Network Planning (Greenspace) 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.

3.6.3 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.

### 3.7 Establishment Period (Defects Liability Period)

The Establishment Period (Defects Maintenance) shall commence at the issue of Section 224 Condition Certificate and be for a period of 12 months and will include an inspection by Greenspace Unit staff after the first 6 months and prior to handover at the completion of the 12 month defects maintenance period. Any diseased, dead or damaged planting of the planted material comprising trees and shrubs, noted in these inspections are to be replaced by the Consent Holder at the Consent Holder's expense. The Establishment Period and the term on the bond shall be extended by a further 12 months only 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 condition 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 Appendix

### 3.8 Establishment Bond

The IDS Part 2, Section 2.13, Bonds, and IDS Part 10, Section 10.1 Establishment. The Consent Holder shall enter into a bond with the Council (Greenspace Unit) to the value of 50% of the total cost of plant material for the planted areas as detailed on the accepted planting plans as landscape works, comprising reserve trees, and shrubs. The bond shall be held for the Establishment Period of 12 months (maintenance-defects period) from the issue of Section 224 Condition Certificate. The Establishment Period and the term on the bond shall be extended by a further 12 months, or any other mutual agreement between the Consent Holder and Council for the replacement plantings(s), replanting is required.

*Advice Note: The bond shall be cash bond, bank bond or other arrangement agreed by the Consent Holder and the Christchurch City Council.*

### 3.9 Street Trees and Street Gardens

3.9.1 The Consent Holder shall submit a plan(s) for the proposed street trees and street gardens (if any) for the Council's Asset and Network Planning (Greenspace) Teams 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 landscape works required by this condition 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 works and planting for 12 months from the time section 224 certificate is issued.

- 3.9.2 The Consent Holder shall enter into a bond with Council Asset and Network Planning (Greenspace) Team to the value of 50% of the cost of street trees as detailed on the accepted planting plans. The bond shall be held for the Establishment Period of 12 months from the time the 224 certificate is issued.

*Advice Note: Refer to IDS Part 10: 10.8.11 Locations of trees in streets, and CSS Part 7: 4.0 Supply of Tree and Plant Materials.*

- 3.10 Grassing of Reserves, Streetscapes and Open spaces  
All grass areas are to be in accordance with a minimum of the CSS; roadside berms as per Part 1: 31.2, Berm Mix; Detention basin Part 1, 31.5 Low Fertility and Drought Mix.

*Advice Note: Grass seed certificates should be available for inspection if requested.*

- 3.11 Reserve Boundary Fences  
The Consent Holder shall comply with the IDS 10.6.9 Boundary Fencing. Reserve boundary fencing over 1.2 m high to be at least 80% open in order to enable clear visibility for neighbouring properties. The height, style and location of the fence shall be submitted to the Council's Asset and Network Planning (Greenspace) Team for acceptance, prior to work commencing. The Council will contribute towards the cost of the boundary fence up to a maximum of \$23.83 (including GST) per linear metre or half the cost, whichever is lower for a standard 1.8 metre high paling fence. The Council prefers see through or open style fencing and will pay up to \$92.00 (including GST) per linear metre or half the cost whichever is lower. The agreed boundary fence value may be credited against the Reserve Development Contributions. If the Consent Holder would like to install a boundary fence of greater value than the Council's maximum contribution they may do so at their own expense, providing it complies with the IDS.

- 3.12 Final Completion / Handover  
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 landscaping works covered by Condition 3.6 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.

- 3.13 As – Builts  
The Consent Holder shall submit As-Built plans showing all landscape works including street trees, and paths through drainage reserves and confirm that they have been constructed in accordance with the accepted plans and comply with the IDS particular Part 12 (As Builts).

#### **4. New Roads to Vest**

- 4.1 Road Widths and Hierarchy  
Road widths shall be in accordance with Aurecon Drawings 235361-LD-PS-S2-CR-01 (Road Hierarchy Layout) Revision D and SU-MP-S2-SP-02.1; 02.2 and 02.3 Revision C, unless otherwise agreed by the Consent Holder and CCC.

- 4.2 Formation  
The new roads being Lots 3072-74, 3077, 3085, 3091, 3094, 3099, 3109, 3110, 3111, and 3114-3122 are to be formed and vested in the Council to the satisfaction of the Subdivision Engineer with underground wiring for electricity supply and telecommunications.

- 4.3 Mairehau Road Primary Intersection  
Primary Road access to Mairehau Road is to be designed to Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections (or an alternative as otherwise agreed with the City Council) for a T-intersection based on the appropriate speed environment present at the time of application for engineering approval.

- 4.3.1 Mairehau Road frontage upgrade

Mairehau road along the frontage of the site shall be upgraded to a full urban standard including street lighting (as for a minor arterial road) kerb and channel and footpath.

#### 4.4 Secondary Road S5

The section of eastbound Secondary Road identified as Road S5 on drawing LD-PS-S2-CR-01 Rev A be formed and vested as Local Road (Secondary Masterplan Road, Future Proof Option) as defined on Appendix 3V/3 (iv) Master Plan as included in the application.

#### 4.5 Pedestrian and Cycle Crossing

At all points where the pedestrian/cycle network crosses Primary/Collector or Secondary roads suitable, safe crossing facilities shall be provided.

#### 4.6 Roundabout Design – Primary/Collector Roads

Any roundabout at an intersection on the Primary/Collector road is to be designed to Austrroads Guide to Road Design Part 4B: Roundabouts, or, an alternative as otherwise agreed between the Consent Holder and Council that achieves the performance standards and is supported by a safety audit.

### 5. Engineering General

#### 5.1 Asset Design and Construction

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

#### 5.2 Quality Assurance

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

The Consent Holder shall:

A: Prior to the commencement of physical works on site for the construction of the subdivision including infrastructure, the Consent Holder shall Submit a Design Report, Plans and Design Certificate complying with clause 3.3.1 to the Engineering Services Team, Building Operations Unit. 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 of liquefaction related hazards.

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

B: Submit a Contract Quality Plan for review by the Council and an Engineer's Review Certificate complying with clause 3.3.2.

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

C: Submit an Engineer's Report complying with clause 3.3.3 of the IDS and an Engineer's Completion Certificate complying also with clause 3.3.3 of the IDS.

*The Engineer's Report is 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 and certificate is to be submitted prior to certification pursuant to section 224(c) of the Act.*

*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 224(c) certificate. The extent of the documentation required should reflect the complexity and/or size of the project.*

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

*a SLS seismic event for asset structures it is recognised the system may become progressively less serviceable. Infrastructure to be considered shall include but not be limited to gravity, pressure and vacuum pipelines; manholes, chambers, valves, hydrants, pump station(s) and associated works and stormwater treatment devices, culverts, bridges or any other physical asset to be vested in Council but shall exclude road pavements.*

- 5.3 The surveyor is to forward a copy of the title plan and survey plan to the Planner, Resource Consents Unit as soon as the plan has been lodged (or earlier if possible) for checking at Land Information New Zealand for entering into the Council GIS system.
- 5.4 The sewer, stormwater and water supply works proposed for this subdivision consent to be on private land must be installed and inspected under a building consent obtained from the Building Operations Unit. A Certificate of Compliance is to be provided with the section 224 request.

Refer to form B002 at <http://www.ccc.govt.nz/homeliving/buildingplanning/forms/index.aspx>

Service Connections (sewer & stormwater) to Council Services in the street are authorised work and must be carried out by a Council authorised drainlayer. This includes all drainage laterals on roads, footpaths and verges that connect the property to public drains.

A list of Council authorised drainlayers is available on request or online at website <http://www.ccc.govt.nz/business/constructiondevelopment/authoriseddrainlayers.aspx>

- 5.5 A CCTV (Video) inspection using a pan and tilt camera for all gravity pipelines of 150mm diameter and above as per the Christchurch City Council Standard Specifications CSS: Part 3 Section 14.2.6. This shall only apply to pipes being vested in Council ownership which cover more than one manhole length. This is to be done after all construction works have been completed. The DVDs/tapes shall be labelled with the RMA consent number and address of the development and accompanied by CCTV log sheets which show a schematic layout of the pipeline videoed.

All pipelines shall be free of debris and cleaned with an HP cleaner within 24 hours prior to inspection. Any gravel and stones shall be taken out of the pipeline; it is not acceptable to flush stones and gravel further down the line.

The CCTV/video footage of the pipeline being vested shall be forwarded to the Subdivision Engineer in DVD format with log sheets, engineering plan and a copy of the consent conditions at least 10 working days prior to the CCC Final Drainage Inspection. Asset and Network Planning Unit staff will review a maximum of 1,000 metres of footage within 10 working days and respond accordingly.

- 5.6 The Consent Holder's consultant shall provide the Council with 'As-Built' plans and data for all infrastructure and private work, complying with Part 12 As-Builts of the CCC Infrastructure Design Standards.

## **6. Water Supply**

*Advice Note: The point of supply for this development shall be the proposed 300mm trunk main that will be installed along Prestons Road from the new water supply pump station at 391 Prestons Road as per the infrastructure agreement with Council.*

- 6.1 The water supply shall be designed 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 Asset & Network Planning Team, City Environment Group.
- 6.2 All lots shall be served with a water supply to their boundary. Submains shall be installed to 1m past each lot boundary. Rear lots shall be served with laterals installed by a Licensed Certified Plumber into their net site areas under a Building Consent for each stage.
  - 6.3 Where applicable, dummy connection boxes shall be installed at the entrance of the R.O.Ws. in accordance with Section 7.11 of the IDS.
- 6.4 Where water supply mains are outside legal roads, a right to convey water in gross easement shall be created over the new water supply main up to the last hydrant in favour of the Council.



- 6.5 This development will require full high pressure water reticulation to the Council's specifications and approval at the consent holder's expense. Engineering drawings shall be sent to the Subdivision Engineering Team for approval.
- 6.6 A copy of the Code Compliance Certificate relating to works carried out under Condition 6.2 above shall be forwarded through to the Council's Engineering Team as part of the Section 224c application.
- 6.7 This work shall be carried out by a Council approved water supply installer at the expense of the Consent Holder. Refer to:  
<http://www.ccc.govt.nz/Water/AuthorisedInstallers/WaterSupplyAuthorisedInstallerRegister.pdf> for a list of contractors.

## **7. Sewerage**

- 7.1 The approved sanitary sewer outfall shall be the vacuum sewer network within Prestons Stage 2 South (CDL) and the associated Vacuum Sewer Pump Station to be provided by Prestons Road Limited development and approved under Building Consent Reference BCN/2013/6062 and also designed, constructed and operated as consented under RMA92019798 (432 Prestons Road – Prestons Stage 1).
- 7.2 The allotments approved under this consent and proposed to discharge to the outfall will be withheld (laterals physically capped off) from discharging until the new Rising Main B to Beach Road and Frost Road has been installed, commissioned and is operational as per the infrastructure agreement with Council.

Should capacity remain through Raising Main A prior to completion of Raising Main B additional connection of allotments under this consent can be made within the limits of that available capacity. Any allocation will be on a first in first served basis.

- 7.3 The vacuum sewer mains shall be PE100 PN12.5/SDR13.6 pipe ranging in size from DN90mm minimum to DN250mm maximum diameter, laid to a minimum gradient of 1:500 and jointed with electro-fusion couplings. The mains shall be installed in the carriageway on an offset agreed between Council and the Consent Holder. It shall include division valves which shall be resilient seated gate valves vacuum rated to 90kPa, located on every branch and at maximum intervals of 500m.
- 7.4 The sewer system 100mm and 150mm uPVC gravity sewer laterals shall be laid from the vacuum valve chambers located in the berms, to at least 600mm inside the net site area of all lots at the subdivision stage. The laterals shall be installed at a sufficient depth to ensure that adequate fall is available to serve the furthestmost part of the lots.
- 7.5 All private sewer laterals (serving rear lots, if any) shall be installed under a single global Building Consent by a Licensed Certifying Drain Layer and the Code Compliance Certificate forwarded to Council's Subdivision Team as part of the Sec 224c application.
- 7.6 All valve chambers shall:
- a) Be located in the berm/footpath, each servicing a maximum of 4 lots. Peak flows shall at no time exceed the manufacturer's recommended capacity or 0.25 l/s per interface valve.
  - b) Meet the Council's requirement of combined storage within the chamber and the connecting laterals. The design shall provide minimum emergency storage equal to 12-hours of the total average dry weather flow, inclusive of the operating volume of the gravity network. The volume that can be used for emergency storage shall be the volume contained in the vacuum collection chamber from the base of the collection chamber up to the lowest ground level any point served by the chamber as well as the volume contained in the greater or equal to DN150 gravity sewers entering the collection chamber between these two levels.
  - c) Storage calculations can include the volume of the property connection and the property sewer to within 0.5m below the level at which the overflow will occur.
- 7.7 Buffer tanks or multiple interface valves maybe required for large users or at gravity interfaces.
- 7.8 In addition to the above requirements, the sewer system shall be designed based on other requirements in the Council's Infrastructure Design Standard and Council's Construction Standard Specifications. Engineering drawings supported by hydraulic calculations shall be sent to the Engineering Services Team for acceptance.

## 8. Stormwater

- 8.1 Stormwater laterals are to be laid to at least 600mm inside the building area of all residential lots at the subdivision stage. The laterals are to be laid at sufficient depth to ensure protection and adequate fall is available to serve the furthestmost part of the lot.
- 8.2 The design of all surface water management and mitigation facilities shall be in accordance with the Waterways, Wetlands and Drainage Guide (WWDG – 2003, including Chapters 6 and 21 updated in 2011/12), the Infrastructure Design Standard (IDS - 2010) and CCC Civil Engineering Construction Standard Specifications (CSS - 2010).
- 8.3 The surface water management and mitigation facilities shall meet the following conditions:
- The runoff resulting from the first 25mm of rainfall falling on impervious areas shall be captured and treated in a first flush basin prior to discharge.
  - The first flush treatment basin shall attenuate the first flush volume for a minimum of 24hrs on average and shall discharge via an outlet or outlets fitted with a valve allowing flow and spill control.
  - Stormwater in excess of the first flush volume shall be diverted to Snellings Drain either upstream of, or immediately adjacent to the first flush basin inlet.
  - Fill levels for building platforms in this catchment shall be set to at least 250mm above the highest design water surface of the stormwater system.
  - The surface water management system shall ensure developed peak flows do not exceed pre-developed peak flows for all storm events up to and including the critical 2 percent annual exceedance probability until such time as Christchurch City Council's Snellings Drain and Clare Park stormwater programme of physical works has been completed and the system is operational.
- 8.4 Operating water levels shall be set such that the surface water management system does not rely on backflow prevention measures to operate during all storm events up to and including the 2 percent annual exceedance probability, 24 hour duration event.
- 8.5 A planted landscape buffer to residential and commercial allotments as mitigation for the utility works shall be provided as follows:
- An average width of 3m to vegetated open channels
  - An average width of 5m to stormwater basins.

The buffer shall be measured from the property boundary to the edge of the critical 2% annual exceedance probability high water surface. Planting of the buffer zones shall be a cost of the development.

*Advice Note: Buffer zones are considered as part of the stormwater utility network when total reserve area assessments are made. They will be assessed as utility, and hold no credit towards the final assessment of reserve development contributions. The Council may at its discretion allow some variance to this buffer width and planting requirements alongside some of the pond area to allow for the future construction of a public access*

- 8.6 The surface water management and mitigation system shall be designed to ensure complete capture and conveyance of all stormwater runoff from the site for all rainfall events up to and including the 2 percent annual exceedance probability critical storm. This will require internal reticulation and conveyance to meet Council's inundation standards as specified in the WWDG and IDS. Further, the conveyance and inlet system to the first flush detention areas shall be designed to ensure that even for events where the critical peak stormwater runoff flow rate occurs, all resulting runoff shall actually reach the first flush and detention areas. A combination of primary and secondary conveyance systems may be used to ensure this level of service is achieved.
- 8.7 The primary stormwater reticulation network shall be designed to convey at minimum the critical 20 percent annual exceedance probability storm event. No nuisance flooding of property shall occur during the critical 10 percent annual exceedance probability event and no flooding of building platforms shall occur during the critical 2 percent annual exceedance probability event.
- 8.8 Prior to engineering acceptance, the designer of the surface water management system shall provide a report which identifies all secondary flow paths proposed to manage flows beyond the capacity of the stormwater reticulation network. The report shall identify the depth, extent and duration of any ponding of surface water on roading, reserves or private property prior to activation

of secondary flowpaths. All secondary or emergency stormwater flowpaths are to be protected by an easement in favour of Council, if required.

- 8.9 Subsoil drains designed to intercept groundwater and/or lower groundwater levels shall be designed in accordance with the WWDG and the CSS.
- 8.10 Safe and reasonable access to all surface water management and mitigation facilities for operation and maintenance, including sediment and aquatic weed removal, shall be provided and designed in accordance with the WWDG. Provision for a transport vehicle and crane parking shall be identified for aquatic weed harvester delivery adjacent to any wet first flush basins where required.
- 8.11 Prior to any final engineering works on the site (other than those approved under other earthworks consents), engineering plans, specifications and calculations for the design and construction of all stormwater infrastructure and mitigation areas are to be submitted for acceptance by Network and Asset Planning – Greenspace Unit and the Engineering Services Team.
- 8.12 Following the issue of the section 224(c) certificate, the consent holder shall operate and maintain the surface water management system and infrastructure for a minimum of 12 months.
- 8.13 The consent holder shall provide as-built plans of the stormwater reticulation and mitigation systems including planting 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-Builts.
- 8.14 The consent holder shall provide easements in gross over all stormwater infrastructure that is located outside of legal road or utility reserve areas to be vested in Council.
- 8.15 A maintenance and operations manual for all stormwater facilities shall be provided by the consent holder and shall form part of the Asset and Network Planning Unit acceptance of constructed assets. This manual is to include a description of the activity, the design assumptions, maintenance schedule and monitoring requirements.
- 8.16 A Landscape Design Report and Plan(s) for all stormwater facilities, including planted landscape buffers is to be submitted to Council's Asset and Network Planning - Greenspace Unit for acceptance. The landscape design report and plans are to provide sufficient details to confirm compliance with the requirements of the IDS, the WWDG and the CSS Part 7: Landscapes. All landscape works required by this condition are to be carried out in accordance with the accepted report and plan(s) at the consent holder's expense as a mitigation measure. The consent holder shall maintain the works and planting for a minimum of 12 months from the time the section 224 certificate is issued.
- 8.17 An Engineer's Report for the Landscape Works is to be submitted to Council's Asset & Network Planning – Greenspace Unit on completion of the physical works. The Engineer's Report is to provide sufficient detail to confirm compliance with the IDS - see Part 3 Quality Assurance 3.3.4 Engineers Report and the CSS Part 7, 14.0 Establishment and the WWDG.
- 8.17 An Erosion and Sediment Control Plan (ESCP) is to be submitted for review as part of the design report. The ESCP is to include (but is not limited to):
  - Site description, i.e. topography, vegetation, soils etc
  - Details of proposed activities.
  - A report including the method and time of monitoring to be undertaken.
  - A locality map.
  - Drawings showing the site, type and location of sediment control measures, onsite catchment boundaries and offsite sources of runoff.
  - Drawings and specifications showing the positions of all proposed mitigation areas with supporting calculations if appropriate.

The performance criteria for the ESCP, unless directed by Council through the engineering acceptance process, will be based on ECAN's Erosion and Sediment Control Guidelines (2007).  
<http://www.ecan.govt.nz/Our+Environment/Land/ErosionAndSediment/ErosionSedimentControlGuidelines.htm>

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

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

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

## **9. Minimum Levels and Filling**

9.1 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.

9.2 Fill levels for building platforms shall be set to at least 250mm above the highest design water surface of the stormwater system.

9.3 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.

9.4 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.

9.5 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.

## **10. Land Contamination**

The site validation report for the remediation of asbestos containing materials is to be submitted, within two months of the completion of the remediation work, to the Team Leader Environmental Compliance (c/- Isobel Stout) for approval and shall demonstrate that the site has been cleared and is suitable for residential use.

## **11. Access Formation**

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.

## **12. Vehicle Access**

The Consent Holder shall construct access for rear lots from the road carriageway to the road frontage in accordance with the Council's Construction Standard Specification Part 6, Clause 6 and Standard Details SD606, SD607, SD608, SD611, SD612, SD615 & SD616. For new formation, Clegg hammer test results complying with clause 6.5 'Metalcourse' are to be supplied with the section 224(c) Conditions Certificate request.

## **13. Street Lighting**

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

## **14. 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 accepted 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 accepted plans.

## **15. Plans for Geodata Plot**

As soon as practical after the Section 223 Resource Management Act 1991 certificate has been issued the Consent Holder is to advise the handling officer that the digital dataset for the subdivision is available in Landonline and can be used for creation of the parcels in Council's digital database.

**16. As Built Plans**

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

**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.

As evidence of the ability to connect, 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.

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

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

The registered users of the right of way shall maintain the access and the liability and apportionment of the costs of maintenance shall be written into the legal document granting or reserving the right of way easement.

**19. 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.

**20. Easements over Reserves**

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

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

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

**22. Easements in Gross**

The legal instruments for easements in gross in favour of 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 requesting the preparation of the easement instruments.

**23. Redundant Existing Easements**

Any existing easement that is rendered redundant by the development is to be surrendered.

**24. Future Road Linkages**

Lot 286 is to be transferred to Council. The value of the allotment is to be determined by an independent registered valuer at the time of subdivision.

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

The new roads are to be named.

A selection of names in order of preference is to be submitted for each new road. For historical purposes a brief explanation of the background for each submitted name is preferred.

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

Post and nameplate fees are to be paid.

*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 (\$579 / post and nameplate as at 1<sup>st</sup> July 2013).*

## **26. Public Utility Sites**

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

## **27. Geotechnical**

### **27.1 General**

#### **27.1.1 Liquefaction Hazard Mitigation**

All liquefaction hazard mitigation on site shall be designed in accordance with the Prestons Road Subdivision Geotechnical Assessment Report prepared by Aurecon (labelled Project 223488) and dated 5 March 2012.

For mitigation of liquefaction (vertical settlement) and lateral spread (horizontal displacement) hazards, any of the proposed asset structures shall be designed, in respect of a seismic event, for a "1 in 150 years period of return" under the serviceability limit state (SLS) and for a "1 in 500 years period of return" for the ultimate limit state (ULS) and as defined by NZS1170.5:2004. Beyond a SLS seismic event for asset structures it is recognised the system may become progressively less serviceable.

*Note: Asset structures to be considered shall include but not be limited to gravity, pressure and vacuum pipelines; manholes, chambers, valves, hydrants, pump station(s) and associated works and stormwater treatment devices, culverts, bridges or any other physical asset to be vested in Council but shall exclude road pavements.*

#### **27.1.2 Asset Design and Construction**

All infrastructure assets that are to be vested in the Council shall be designed and constructed in accordance with the IDS (current version, including post-earthquake updates) and 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 Consent Holder 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 Condition 27.1.1 (above) of this consent.

#### **27.2 Foundation Design**

Any structure requiring a Building Consent, in terms of Building Act provisions, shall have specific foundation design by a chartered engineer or by an appropriately qualified geotechnical engineer. The design shall take into consideration the potential for liquefaction and associated effects (vertical settlement and lateral spread) and shall be investigated in accordance with MBIE Guidelines "Repairing and Rebuilding Houses affected by the Canterbury Earthquakes" (December 2012) or any subsequent revision document.

*Note: Site earthworks and remediation will be carried out to improve the ground performance in terms of the DBH technical categories. Reporting of the filling and associated testing is required by RMA92019351, and should be submitted along with the application for section 224 certification. The condition above is provisional and the technical category will be confirmed in the "Engineers Report" that will be prepared for the section 224(c) certificate.*

*Note: The above requirements are contingent upon TC1 and TC2 land equivalence being achieved by the proposed earthworks and remediation works. Should the land not be brought to the indicated level by site earthworks / remediation the wording of the consent notices will differ according to the technical category that the land is equivalent to.*

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

## **28. Density Band**

Lots 421-424 and 678-684 are identified as Density A are to be developed in accordance with the relevant provisions of the Residential New Neighbourhood (Prestons) zone.

Lots 213-215, 218-221, 223-228, 230-233, 236, 300-305, 308-311, 319-323, 325-339, 342-350, 352-376, 390-401, 406, 420, 425-430, 439, 440, 442-455, 459-471, 493-409, 560-600, 615-652, 685-703, 706, 707 and 760-766 are identified as Density B are to be developed in accordance with the relevant provisions of the Residential New Neighbourhood (Prestons) zone.

## 29 **Lot Yield for Density A Development Blocks**

On future development the Density A development blocks shall yield the following number of allotments:

### **Lot 488**

On development this Lot shall yield a minimum of 5 allotments for Density A residential use.

### **Lot 489**

On development this Lot shall yield a minimum of 4 allotments for Density A residential use.

### **Lot 490**

On development this Lot shall yield a minimum of 4 allotments for Density A residential use.

### **Lot 491**

On development this Lot shall yield a minimum of 4 allotments for Density A residential use.

### **Lot 678**

On development this Lot shall yield a minimum of 4 allotments for Density A residential use.

### **Lot 679**

On development this Lot shall yield a minimum of 4 allotments for Density A residential use.

### **Lot 680**

On development this Lot shall yield a minimum of 4 allotments for Density A residential use.

### **Lot 681**

On development this Lot shall yield a minimum of 4 allotments for Density A residential use.

### **Lot 682**

On development this Lot shall yield a minimum of 4 allotments for Density A residential use.

### **Lot 684**

On development this Lot shall yield a minimum of 4 allotments for Density A residential use.

*Note: This is an ongoing condition for which a consent notice shall be issued, alterations to lot numbers and/or Density Bands through the subdivision process may necessitate alteration to the proposed consent notice.*

## 30. **Consent Notice**

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

### **Specific Foundation Design - All Lots**

Any structure requiring a Building Consent, in terms of Building Act provisions, shall have specific foundation design by a chartered engineer or by an appropriately qualified geotechnical engineer. The design shall take into consideration the potential for liquefaction and associated effects (vertical settlement and lateral spread) and shall be investigated in accordance with MBIE Guidelines "Repairing and Rebuilding Houses affected by the Canterbury Earthquakes" (December 2012) or any subsequent revision document.

Any foundation design required will need to be in accordance with the technical category for the individual lots as defined by the "Engineers Report" prepared for the Section 224(c) certification.

### **Density Band - Lots 421-424 and 678-684:**

This Lot is identified as Density A and is to be developed in accordance with the relevant provisions of the Residential New Neighbourhood (Prestons) zone.

**Density Band - Lots 213-215, 218-221, 223-228, 230-233, 236, 300-305, 308-311, 319-323, 325-339, 342- 350, 352-376, 390-401, 406, 420, 425-430, 439, 440, 442-455, 459-471, 493-409, 560-600, 615-652, 685- 703, 706, 707 and 760-766:**

This Lot is identified as Density B and is to be developed in accordance with the relevant provisions of the Residential New Neighbourhood (Prestons) zone.

**Lot Yield for High Density Development Lots:**

**Lot488**

On development this Lot shall yield a minimum of 5 allotments for Density A residential use.

**Lot 489**

On development this Lot shall yield a minimum of 4 allotments for Density A residential use.

**Lot 490**

On development this Lot shall yield a minimum of 4 allotments for Density A residential use.

**Lot 491**

On development this Lot shall yield a minimum of 4 allotments for Density A residential use.

**Lot 678**

On development this Lot shall yield a minimum of 4 allotments for Density A residential use.

**Lot 679**

On development this Lot shall yield a minimum of 4 allotments for Density A residential use.

**Lot 680**

On development this Lot shall yield a minimum of 4 allotments for Density A residential use.

**Lot 681**

On development this Lot shall yield a minimum of 4 allotments for Density A residential use.

**Lot 682**

On development this Lot shall yield a minimum of 4 allotments for Density A residential use.

**Lot 684**

On development this Lot shall yield a minimum of 4 allotments for Density A residential use.

*When requesting the issue of the Consent Notice please supply allocated numbers for the title plan and the new Record of Title References for the affected parcels.*

**31. Goods and Services Taxation Information**

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

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

**Your Rights of Objection**

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

**Commencement of this consent**

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

**Lapsing of this consent**



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

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

### Lapsing of s223 Certification

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

### Surrender of Consent

The Council hereby provides notice that under section 138(4) of the Act that the consent RMA/2013/1085 is surrendered in part for those land areas in Stages Q5, R3, S3, T4 and T5 under section 138 of the Act.

### Development Contributions

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

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

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

### Development contribution assessment summary

Development Contributions Summary		Application Ref: <b>RMA/2022/771</b>								
Customer Name		Assessment								
Project Address		CDL Land New Zealand Limited								
Assessment Date		115, 117, 121, 125, 129, 133, 137 Mairehau Road & 133 Prestons Park Dr								
		28/02/2023								
Activity	Catchment	Existing HUE	Proposed HUE	Net Increase to HUE Demand	Discount	Chargeable HUE	HUE Rate (incl GST)	DC Charge (incl GST)	Reduction (incl GST)	Net DC Charge (incl GST)
		A	B	C	D	E	F	G	H	I
<b>Network Infrastructure</b>										
Water Supply	Marshlands	5.00	28.00	23.00	0.00%	23.00	\$5,469.06	\$125,788.38	\$0.00	\$125,788.38
Wastewater Collection	North	5.00	28.00	23.00	69.00%	7.13	\$4,698.53	\$33,500.52	\$0.00	\$33,500.52
Wastewater Treatment & Disposal	Christchurch	5.00	28.00	23.00	0.00%	23.00	\$1,075.65	\$24,739.95	\$0.00	\$24,739.95
Stormwater & Flood Protection	Avon	5.00	28.00	23.00	50.00%	11.50	\$954.01	\$10,971.12	\$0.00	\$10,971.12
Road Network	Growth	5.00	28.00	23.00	0.00%	23.00	\$3,863.84	\$88,868.32	\$0.00	\$88,868.32
Active Travel	Metro Zone	5.00	28.00	23.00	0.00%	23.00	\$979.46	\$22,527.58	\$0.00	\$22,527.58
Public Transport	Metro Zone	5.00	28.00	23.00	0.00%	23.00	\$553.63	\$12,733.49	\$0.00	\$12,733.49
Community Infrastructure	District Wide	5.00	28.00	23.00	0.00%	23.00	\$988.43	\$22,733.89	\$0.00	\$22,733.89
<b>Total Network &amp; Community Infrastructure</b>								\$341,863.25		\$341,863.25
<b>Reserves</b>										
Regional Parks	District Wide	5.00	28.00	23.00	0.00%	23.00		\$2,673.30	\$0.00	\$2,673.30
Garden & Heritage Parks	District Wide	5.00	28.00	23.00	0.00%	23.00		\$3,712.65	\$0.00	\$3,712.65
Sports Parks	District Wide	5.00	28.00	23.00	0.00%	23.00		\$8,918.24	\$0.00	\$8,918.24
Neighbourhood Parks	Growth	5.00	28.00	23.00	0.00%	23.00		\$12,502.78	\$0.00	\$12,502.78
<b>Total Reserves</b>								\$27,806.97		\$27,806.97
								GST 15%		\$48,217.85
<b>Total Development Contribution</b>										\$369,670.22

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).

### Reconsiderations and objections

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

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

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

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

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

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

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

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

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

### **Payments to Council**

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

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

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

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

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

### **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.**

### **Allocated Street Numbers**

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

### **Future Cancellation of Amalgamation Condition**

To cancel the amalgamation condition a document pursuant to section 241(3) of the Resource Management Act 1991 will be required from the Council. Although the execution of such a document is not a subdivision consent the Council will need to be satisfied that similar requirements to a subdivision consent have been met before cancelling the amalgamation condition. There is a fee for this, as per the Subdivisions Fees Schedule.

### **Lighting in Private Ways**

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

**Reported and recommended by:** Leashelle Miller, Planning Technician

**Date:** 28/02/2023

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

**Delegated officer:**



Sean Ward  
Team Leader Planning  
02/03/2023