

Report / Decision on a Non-notified Subdivision Consent Application

Sections 95A / 95B and 104 / 104B / 104D

Application Number: RMA92025651 and RMA92025957
Applicant: Fulton Hogan Land Development Ltd
Site address: 34 Whincops Road
Legal Description: Lot 942 RMA92019930.1, and Lots 910 and 911 of RMA92019932.2
Zoning: Living G (Halswell West)
Activity Status: **RMA92025651 Subdivision** – Non-complying
RMA92025957 Land Use – Restricted Discretionary

Description of Application: 67 lot subdivision and associated landuse consent including earthworks and a site coverage exceedence.

The proposal

Refer to the application report from Davie Lovell Smith for Fulton Hogan Land Development Limited labelled *Stage 9 (Longhurst and Knights Stream Park) Whincops Road, Christchurch* and dated April 2014.

RMA92025651 Subdivision

The proposal is to subdivide Lot 942 of RMA92019930.1 in the Longhurst development estate, Lots 910 and 911 of RMA92019932.2 in the Knights Stream development estate and a portion of Whincops Rd to be stopped into 67 residential allotments as depicted on the proposed scheme plan. The subdivision comprises of:

- 1 Density B allotment;
- 66 Density C allotments;
- local purpose (utility) reserve; and
- legal road.

The proposal and site and surrounds are described in further detail in the application report.

RMA92025957 Landuse

Bulk earthworks are required to facilitate the subdivision. This is because the anticipated volume of works of 27,000m² will exceed the limits specified within the City Plan. The ground improvements recommended within the Aurecon report necessitate the excavation of land to a depth of at least 1.5m. This excavation, and the subsequent filling with a reinforced gravel raft, exceeds the permitted depth of 0.5m specified in the City Plan.

The proposal would allow dwellings with a maximum height of 5.5m to have site coverage of 40% on Density C lots and 45% on Density B lots. A number of specific landscape and building design conditions were originally proposed for Density B lots but have since been removed by the applicant.

Planning Framework

City Plan

The site is zoned Living G (Halswell West) Zone (LGZ) under the City Plan and the proposal is to be assessed overall as a *non-complying activity* due to non-compliances with critical standards. The LGZ provides the ability and opportunity to plan and develop a mixed density and mixed use community comprehensively. The purpose of this zone is to allow maximum flexibility and incentive for developing the zone for residential activity in accordance with the framework of development plans in the Appendices to this part of the City Plan:

- Outline Development Plan (Halswell West) (Appendix 3W);
- Marker Buildings and Focal Points (Appendix 3W/a);
- Movement Network Layer Diagram (Appendix 3W/b);
- Blue Network Layer Diagram (Appendix 3W/c);
- Green Network Layer Diagram (Appendix 3W/d);
- Reticulation Network Layer Diagram (Appendix 3W/e); and
- Tangata Whenua Layer Diagram (Appendix 3W/f).

These documents are collectively referred to in this report as the Outline Development Plan (ODP) unless otherwise specified.

Consent is required under the following provisions of the City Plan:

Subdivision

Part 14 Subdivision:

- **Development Standard 28.1.2 Residential allotment size and site density – residential activities:**

Any subdivision for residential activity shall provide for a mix of allotment sizes and densities, from the following site sizes, in locations as shown on the Outline Development Plan (Halswell West) (Appendix 3W, Part 2). Where the terms 'Density A', 'Density B' or 'Density C' are used they shall have the meanings set out below:

'Density A' residential area	Average lot size to be contained in a range of 200m ² to 250m ² Minimum net site area of 150m ² Maximum net site area 300m ²
'Density B' residential area	Average lot size to be contained in a range of 275m ² to 325m ² Minimum net site area of 200m ² Maximum net site area 450m ²
'Density C' residential area	Average lot size to be contained in a range of 525m ² to 575m ² Minimum net site area of 450m ² Maximum net site area 800m ²

Each residential unit shall be contained within its own separate site.

All sites comply with the minimum and maximum allotment sizes prescribed. The Density B site meets the range provided, but as there is only one allotment no average is possible. The Density C sites range in size from 451m² to 729m² and thus are complying however the average lot size is 586m² which is marginally above the maximum permissible. I note that the applicant has not identified this non-compliance.

- **Community Standard 28.2.2 Conformity with Outline Development Plan – All other subdivision:**

The proposal shall be in accordance with the ODP. The proposal does not comply with the ODP because:

- Density C allotments would adjoin the new intersection instead of Density B; and
- no stormwater reserve strip is provided along the south-eastern section of the proposed realigned Whincops Road.

- **Critical Standard 28.3.2 Residential allotment size and site density:** Notwithstanding Rule 28.1.2, any subdivision for residential activity where the minimum and maximum allotment sizes are not met or the average lot size is not in the range specified in that rule for the location to which the development applies, as shown on Outline Development Plan (Halswell West) (Appendix 3W, Part 2), shall be a non-complying activity. The Density C average allotment size does not comply with those in Rule 28.2.

Landuse

Part 2 Living G (Halswell West) Zone:

- **Development Standard 11.2.2 Open Space (a).** This standard restricts site coverage as follows:

- Density C sites: 35% where a garage is provided, minus 18m² where a garage is not provided; and
- Density B sites: 40% where a garage is provided, minus 18m² where a garage is not provided.

The proposal would allow maximum site coverage of 40% and 45% for Density C and B lots respectively where all buildings on the site are less than 5.5m high.

- **Development Standard 11.2.18 Development Plan - residential and other activities.** Any development of land must be in accordance the ODP. As outlined above the subdivision would not accord with the ODP.

Part 8 Special Purpose Zone

- **Development standard 4.5.1 Roadway Widths:** Under this standard collector roads must not have a legal width exceeding 20m. The legal width of Richmond Avenue is 22m.

Part 9 General City Rules Part 9

- **Development standard 5.5.2:** Maximum volume 150m³ per hectare; maximum excavation depth 0.5m and maximum fill depth 0.5m. The anticipated volume of 27,000 would exceed that permitted. Where geotechnical strengthening work is required the depth of cut will be approximately 1.5m.

The relevant assessment matters are outlined in clauses 4.0 to 31.0 of Part 14 and cover matters such as allotment size, access, services, vesting of land, hazards, provision of reserves, preservation of vegetation and landscapes, and building location.

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).

In this respect the application report (page 10) acknowledges that prior contamination assessment under RMA92019930 identifies that a former chicken coop area contained levels of lead above residential guidelines. Condition 27.3 of that consent required all material not meeting the guidelines be removed from the area for disposal. The Council does not yet have a validation report to confirm that the soil has been appropriately removed to meet residential guidelines and on this basis I consider that the proposal would be a restricted discretionary activity under regulation 10(2)(b) in respect to subdivision, soil disturbance and change of use.

Notification matters [Sections 95A – 95E]

The proposal is a non-complying activity and therefore there is no exclusion under the City Plan with respect to the notification requirements. As concluded below it is considered that the effects on the environment and any neighbours are less than minor and it is concluded that there are no affected parties. No form of notification is required under sections 95A to 95E. For the purposes of clarification there are no special circumstances that warrant public notification pursuant to section 95A(4).

Actual and potential effects on the environment of allowing the activity [Sections 95A, 95D, 95E and 104(1)(a)]

The non-complying activity status of this application would potentially allow a wide range of effects to be considered as Council's discretion is unlimited. However the proposed subdivision and use of land is in general accordance with the ODP and LGZ which enables the development of the site for urban purposes. Many of the impacts associated with the proposal such as visual amenity, character, loss of rural production land etc would therefore be reasonably anticipated by neighbours and the wider community. I therefore consider that it is reasonable to focus the assessment of effects on the key assessment matters relating to the rules that require resource consent and the ODP.

I agree with most of the assessment provided by the applicant on these matters and therefore this section focuses on those issues considered the most relevant to this application.

Consistency with ODP and Design

The proposal is generally consistent with the ODP except:

1. Density C sites would adjoin the intersection of Whincops Road and Caulfield Avenue instead of Density B lots.
2. No stormwater reserve strip would be provided along the south-eastern section of the proposed realigned Whincops Road.

The change to Density C lots is explained on Page 11 of the application report: *...This is a direct result of the shape of the land being subdivided after the realignment of Whincops Road, and combined with the fact that the it is anticipated that this portion of the road will be busier than a typical residential street, larger residential lots are considered to be more appropriate.* In addition Ms Josie Schroder, Principle Advisor, Urban Design advises that she has no concerns with this design and notes that the shape of the relevant land area makes it difficult to introduce well designed density B lots (refer to the email dated 20 May 2014). Density issues associated with this change are discussed later in this report.

In terms of the current Scheme Plan I note that:

- utility reserves are primarily provided to accommodate drainage;
- a good level of connectivity is provided for in the road and/or open space networks for all modes of transport; and
- lots directly front onto legal road and have a complying lot width.

Density

Given the density non-compliances and the introduction of additional Density C sites, it is appropriate to look at the density provisions of the City Plan on a zone wide basis. The applicant has not provided any detailed assessment of this matter although I note that the overall density issue was contemplated in RMA92024868:

The target number of households in the LGZ in is 1,458 as per Policy 10.3.8. The applicant considers that is erroneous (too high) because it is based on an overall land area of 136 ha (as stated in Policy 6.3A.20) when the actual area of the ODP is 128.6ha. In total the Longhurst and Knight Stream Park developments are anticipated to achieve a total of 1,274 households if the school is built or 1,340 houses if the school is not built¹. I note that these figures would equally apply regardless of the positioning of the District Park². I consider that the total number of households for the applicant's land is appropriate given the error in the land areas above and the fact that additional dwellings would be expected on 11 hectares of land not owned by the applicant. The target density under Policy 6.3A.20 on a net basis would be 15 dwellings per net hectare and the proposed subdivision would only be marginally below that figure (14.2 households per hectare with a school or 14.45 households per hectare with no school).

In an overall sense I considered that the proposed density is appropriate.

Transport

The application has been reviewed by Mr WengKei Chen, Asset Engineer (Policy) – refer to the email dated 27 May 2014. Mr Chen would prefer that the point strip (Lot 994) used to control the location of the vehicle crossover/access to Lot 755 and 756 is removed and is instead replaced with a condition to be imposed as a consent notice. I understand that it is easier for Council to administer this process. In either instance, the mechanism would be effective in ensuring that the vehicle crossing/access to Lots 755 and 756 do not inappropriately interfere with the functioning of the roundabout at the intersection of Whincops Road and Halswell Junction Road.

The portion of Richmond Avenue within stage 9 has a legal road width of 22m where as 20m is the maximum permissible for a collector road. This is a relatively minor issue given that the new section of Richmond Road would be the same width as the existing section of Richmond Road that has already approved for other stages of development. The additional width would provide for additional landscaping and a seamless transition between stages.

All lots are provided with legal and physical access to a legal road.

Earthworks

Earthworks are proposed to ensure there is sufficient drainage from all sites to the streets, adequate elevation above the secondary flow path in response to the 1 in 50 year critical storm event and for geotechnical remediation.

In summary of the applicant's assessment on earthwork matters is as follows:

- Earthworks would ensure that there is sufficient drainage from all sites to streets with an adequate elevation above the secondary flow path and in response to the 50 year critical storm event;
- Earthworks are required to bring parts of the site up to TC2 standard, as set out in the Aurecon Report submitted with the application
- Earthwork effects are relatively short in duration and temporary in nature.
- Erosion and sediment control measures would be in place to minimise the discharge of sediment to the wider environment
- A condition is proposed to limit construction noise.
- No sites of significance are identified for the site and tangata whenua values have been incorporated into the overall subdivision design by generally following the ODP.

The final design of earthworks would be controlled through the detailed engineering design process. I am relatively comfortable with this given that the subdivision area is isolated from neighbours by other land within the greenfield development and legal road.

Servicing

¹ A school within an area of 3.15ha is proposed under Notice of Requirement RMA92025201 which is not contemplated in the ODP thus it would be reasonable to allow a reduction in the total number of dwellings should it proceed.

² The current District Park as per the ODP is located on land zoned Rural further to the west in Knights Stream Park. The applicant intends to relocate with the left over land being developed for residential purposes. This proposal is not consistent with the layout of the existing ODP and requires a resource consent and/or plan change to proceed.

No servicing constraints have been identified for the site in terms of stormwater disposal, sewer and water supply. An Engineering Report has been included in the application. Refer to the assessment from Mr Brian Norton, Planning Engineer dated 28 April 2014 and Mr Victor Mthamo Consultant Engineer, 5 March 2014.

Land Contamination

As already outlined the application report (page 10) acknowledges that prior contamination assessment under the NES (associated with RMA92019930) identifies that a former chicken coop area contained levels of lead above residential guidelines. Condition 27.3 of that consent required all material not meeting the guidelines be removed from the area for disposal. The Council does not yet have any validation to confirm that the soil has been appropriately removed to meet residential guidelines. On this basis Ms Isobel Stout, Senior Environmental Health Officer considers that a similar set of conditions to RMA92019930.2 be utilised plus a site validation condition – refer to the email dated 1 June 2014.

Natural Hazards

Natural hazards are suitably addressed in the assessment of section 106 of the Act later in this report.

Site Coverage

The proposed site coverage exceedence is a restricted discretionary activity with the exercise of Council's discretion restricted to those matters relating to the non-compliance with the site coverage rule. The relevant assessment matters and reasons for the rule are contained at sections 2.13.2.1 and 2.14.1.1 of the City Plan respectively. The reason for this rule outlines that site coverage is a major determinant of the character of the living areas of the City. The size of residential sections and the amount of each section that is retained as open space or available for tree and garden plantings are key factors in determining the visual amenity, spaciousness, levels of privacy, access to sunlight and daylight, and pleasantness of each living environment.

In this regard some key points raised in the application report for site density initially lodged in association with RMA92025053 are:

- the application would be consistent with similar proposals approved by Council for this zone.
- due to an oversight at the rezoning stages, the site coverage rules were not updated to allow for a higher level of site coverage when lower building heights are proposed in line with other Living Zones.
- it would be easier to address a widespread increase in site coverage through a resource consent application rather than a plan change;
- the proposed increase in site coverage would encourage more single storey dwellings as they are cheaper to construct and thus would improve housing affordability; and
- sufficient land area would be available for complying outdoor living spaces.

While most of the above matters in themselves do not mitigate adverse effects, I am satisfied that the increase in site coverage would maintain suitable levels of amenity and character for future residents and neighbours.

My reasoning is that:

- In many instances a permitted two storey dwelling could be constructed (or a single storey dwelling over 5.5m in height) on a Density B or C lot, and with maximum site coverage of 40% or 35% (respectively) which would have a greater or similar visual impact on neighbouring property owners and occupiers than the subject proposal.
- This approach to site coverage is codified in other Living Zones such as the Living 1 and 2 where the site coverage rule actually allows for a higher building coverage (5% higher) where the maximum building height is single storey and under 5.5m. The reasons for the open space rule outlines that this encourages reduced height, bulk and dominance of buildings without affecting the overall character of the zone.
- The fact that only single storey buildings are expected by this application means that opportunities for overlooking and overshadowing of other residential properties would be limited.
- The proposed site coverage would still allow for the provision of a complying outdoor living space with good sunlight access.
- The width of the density B lot is relatively wide meaning that frontage of sites would not be dominated by car parking, garage and paving in comparison to higher amenity uses such as planted landscaping and habitable rooms. On this basis I don't see much benefit in requiring additional building and landscaping conditions as set out in the application report. I note that a 2m landscape strip is required along the frontage of the site. The applicant has accepted draft recommended conditions reflecting this position.

Conclusion

Having regard to the above matters (ODP and design, density, transport, earthworks, land contamination, servicing, natural hazards and site coverage); I consider that the proposal is generally consistent with the intent of the LGZ and ODP and the relevant subdivision and landuse provisions. On this basis I consider that the effects on the wider environment and any neighbouring properties are less than minor. I do not consider that there are any adversely affected parties.

Should this application be granted, conditions are recommended that are reflective of the proposal and in accordance with standard engineering and subdivision conditions.

Other Section 104 matters

The application is:

- In keeping with Part II of the Act as it will maintain amenity values and the quality of the surrounding environment.
- Consistent with the relevant objectives, policies of the City Plan (see below).
- Not inconsistent with the Recovery Strategy for Greater Christchurch (see below)
- Able to be granted consent without public notification, pursuant to Section 104(3)(d).

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

Objectives and policies for subdivision and development essentially seek to maintain or enhance the amenities of the built environment, requires general compliance with the ODP, achieve specific household densities, protect natural features and provide for access to the margins of waterways, and ensure that the creation of new allotments does not adversely impact on physical infrastructure or the cost of its provision.

Objective 10.1 (Subdivision and natural hazards) seeks to ensure that subdivision is not permitted to occur in localities where there are significant natural hazards, unless these can be adequately mitigated, and that any such mitigation measures not have significant adverse effects on the environment.

In my opinion this application is consistent with the objectives, policies and assessment matters in the City Plan. No significant natural hazards or contamination matters have been identified for the site. Having regard to the application report and the assessment of effects above, I consider that the proposal is generally consistent with the intent of the LGZ and ODP and the relevant subdivision and landuse provisions. I note that there are no significant servicing constraints for the application site

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

Yes – refer to the assessment of the NES outlined earlier in this report.

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

The Recovery Strategy for Greater Christchurch is a statutory document that must be "read together with, and forms part of" other relevant legislation within the greater Christchurch area. The City and District Plans (and a number of other statutory documents) must not be interpreted or applied in a way that is inconsistent with the Recovery Strategy.

The Recovery Strategy sets out the vision, supporting goals, and priorities for the recovery of Greater Christchurch. Among the priorities identified in Section 5 is the following:

"Regulation, standards and other information to support the rebuild and repair of housing to a quality that meets the technical requirements for the land categories and building standards. One of these requirements is that:

- *When making a resource consent application ... for the subdivision of land, the person proposing the subdivision must address the risk of liquefaction. As a minimum, that person must provide the local authority with a geotechnical assessment in accordance with the Guidelines for the geotechnical investigation and assessment of subdivisions in the Canterbury region (Department of Building and*

Housing, 14 November 2011). [This requirement does not apply where a building will not be permitted as a result of the subdivision of land]."

Granting consent to this application is not considered to be inconsistent with the Recovery Strategy as the proposal does not conflict with any of the identified goals or priorities for recovery. The applicant has provided an appropriate geotechnical assessment which satisfactorily addresses the risk of liquefaction.

Precedent / Plan Integrity

Given the non-complying status of this application it is appropriate to have regard to the issue of precedent, as well as the effect of granting consent upon the integrity of the City Plan and public confidence in its consistent administration. Case Law has established however, through the High Court in *Rodney District Council v Gould* that concerns relating to plan integrity and precedent effect are not mandatory considerations. The Court held that they are matters that decision makers *may have regard to*, depending on the facts of a particular case including:

1. Whether a proposal is contrary to the objectives and policies of the plan; and if so
2. Whether in the circumstances of a particular case a proposal can be seen as having some unusual quality.

In this case the proposal is not contrary to the objectives and policies, therefore I am satisfied that issues of precedent or plan integrity do not arise.

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

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

The proposal is considered to be consistent with Part II matters as it will maintain the amenity and quality of the surrounding environment, in accordance with Section 7(c) and 7(f).

Non complying activity threshold test [Section 104D(1)]

Both tests are met, as the application will not be contrary to the objectives and policies of the City Plan and any adverse effects will be no more than minor.

Section 106

The relevant part of Section 106 reads:

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) *the land in respect of which a consent is sought, or any structure on the land, is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage, or inundation from any source; or*
 - (b) *any subsequent use that is likely to be made of the land is likely to accelerate, worsen, or result in material damage to the land, other land, or structure by erosion, falling debris, subsidence, slippage, or inundation from any source; or*
 - (c) *sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision.*

The applicant has submitted a geotechnical report prepared by Aurecon which has been reviewed by Mr Bruce Craig, Subdivision Engineer. His assessment is set out below:

I have viewed the Longhurst and Knights Stream Park Stage 9 Geotechnical Subdivision Report reference 200376 Rev 2 dated 28 April 2014.

... The above report covers the areas within the Longhurst and Knight Stream Park Stage 9 development areas.

The assessment for the Longhurst and Knights Stream Park Stage 9 shows that the area generally has a varying depth of clayey silts and sandy silts overlying sandy gravel with the depth of the watertable being 1.5m to 2m from present ground level.

The report indicates that in the SLS event liquefaction will not occur, but in the ULS event liquefaction could occur to varying degrees with resulting settlements.

In the SLS event based on a 1 in 150 year event settlements of up to 100mm can be expected and in the ULS event (1 in 500 year event) the settlements expected are up to 150mm.

In terms of the land Classification Technical Categories introduced by the MBIE, Stage 9 of the Longhurst and Knights Stream Park development lies within TC2 and TC3 classifications. Lateral spread has been discussed and in a SLS event no lateral spreading is expected. In a ULS event up to 100mm of lateral spread is expected adjacent to the stormwater south along the eastern side of the development.

Section 106 of the RMA has been discussed and with the mitigation measures proposed section 106(1)(a) and (b) have or will be satisfied.

Geotechnical conditions have been recommended by Mr Craig which are in line with previous consents and have been accepted by the applicant and adopted in the recommendations of this report.

Also relevant to section 106(1)(a) and (b) is that earthworks would ensure that there is sufficient drainage from all residential lots to streets with an adequate elevation above the secondary flow path and in response to the 50 year critical storm event.

As outlined earlier all lots created by this subdivision would be provided with adequate legal and physical access in terms of section 106(1)(c).

It is therefore considered that there are no grounds to refuse the consent pursuant to Section 106.

Recommendations

SUBDIVISION CONSENT RMA92025651

- (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, 104D and 106 of the Resource Management Act 1991, subject to the following conditions imposed pursuant to Sections 108 and 220 of the Resource Management Act 1991:

1. Compliance with Application Information

- 1.1 The survey plan, when submitted to Council for certification, is to be substantially in accordance with the stamp approved plan 1 RMA92025651.

2. Staging

- 2.1 The subdivision may be carried out in stages as set out in approved plan 1 RMA92025651.
- 2.2 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.
- 2.3 No subdivision shall occur within Stage 9B shown on the approved subdivision plan until such time as the existing section of Whincops Road has been stopped.

3. Allotments to Vest as Local Purpose (Utility) Reserve

- 3.1 Lots 984, 985, 986, 987, 989 and 990 shall be vest as Local Purpose (utility) Reserve

4. New Road to Vest

- 4.1 The new roads, being Lots 988, 991, 992, 993 and 999 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 to be vested in the Council are to be designed and constructed in accordance with the Christchurch City Council's Infrastructure Design Standard (the IDS) and the Construction Standard Specifications (the CSS).

5.2 Quality Assurance

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

- A. Submit a Design Report, Plans and Design Certificate complying with clause 3.3.1 to the Subdivision Engineers (Planning Team 1). The Design Report and engineering plans are to provide sufficient detail to confirm compliance with the requirements of the IDS and this consent.
- B. Submit a Contract Quality Plan for review by the Council and an Engineer's Review Certificate complying with clause 3.3.2.

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 and an Engineer's Completion Certificate complying with clause 3.3.3.

The Engineer's Report is to provide sufficient detail to confirm compliance with the requirements of the IDS and this consent. This report and certificate is to be submitted prior to certification pursuant to section 224c 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 applicant provides certification for design and construction as a pre-requisite for the release of the 224c certificate. The extent of the documentation required should reflect the complexity and/or size of the project.

In addition to the above, the applicant 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.

- 5.3 All private sewer and stormwater laterals (serving rear lots) shall be installed under a single global Building Consent for each stage by a Licensed Certifying Drain Layer and the Code Compliance Certificate forwarded to Council's Subdivision Team as part of the Sec 224(c) application.
- 5.4 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.
- 5.5 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.
- 5.6 The CCTV/video footage of the pipeline being vested shall be forwarded to the Subdivision Engineer in DVD format with log sheets, engineering plan, summary sheet 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.

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

6. Water Supply

- 6.1 The point of supply for the proposed 67 lots shall be the existing water supply pipework installed in earlier stages of the Longhurst Subdivision.
- 6.2 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.
- 6.3 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 Engineers (Planning Team 1) for approval.
- 6.4 The water reticulation shall be designed by a suitably qualified person using the parameters already approved by Council for the earlier stages of Longhurst Subdivision and on which the approved hydraulic models were based.
- 6.5 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.
- 6.6 Dummy connection boxes shall be installed at the entrance of the R.O.Ws.
- 6.7 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.
- 6.8 This work shall be carried out by a Council approved water supply installer at the expense of the applicant. Refer to:
<http://www.ccc.govt.nz/Water/AuthorisedInstallers/WaterSupplyAuthorisedInstallerRegister.pdf> for a list of contractors.
- 6.9 The water reticulation shall be designed by a suitably qualified person using the parameters set out in the attached form "Parameters for the Design of Mains Reticulation for Subdivisions".

7. Sewer

- 7.1 Sanitary sewer laterals are to be laid to at least 600mm inside the net site area of all residential lots at the subdivision stage.
- 7.2 The approved sanitary sewer outfalls for the proposed 67 allotments shall be the existing internal sewer network established in the earlier stages of the Longhurst Subdivision.
- 7.3 Sanitary sewer laterals shall be laid to at least 600mm inside the net site area of all residential 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.
- 7.4 Network sewers to be vested in Council shall be a minimum of 150mm diameter and where they are outside the road reserve they shall be covered by easements in gross in favour of Council.
- 7.5 Where the number of lots exceeds the Building Act drainage discharge requirements for a 100mm common sewer pipe, a 150mm private common sewer pipe shall be installed.
- 7.6 The sewer system shall be designed based on Council's Infrastructure Design Standard and Council's Construction Standard Specifications. Engineering drawings supported by hydraulic calculations shall be sent to the Subdivision Engineers (Planning Team 1) for approval.
- 7.7 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.

- 7.8 Network sewers to be vested in Council shall be a minimum of 150mm diameter and where they are outside the road reserve shall be covered by easements in gross in favour of Council.

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 Stormwater from all allotments shall discharge to the Longhurst/Quaifes-Murphys stormwater facility designed and constructed under previous consents.
- 8.3 Stormwater discharge authorisation for this application shall be obtained either from CCC under the South West Area Stormwater Consent (CRC120223) or by separate resource consent obtained from Environment Canterbury.
- 8.4 The surface water management and mitigation system (i.e. pipes, swales, first flush, detention basins) shall be designed to ensure complete capture and conveyance of all stormwater runoff from the site for all rainfall events up to and including two percent annual exceedance probability critical storm. This will require internal reticulation and conveyance to meet Council's inundation standards as specified in the WWDG. A combination of the primary and secondary conveyance system may be used to ensure this level of service is achieved.
- 8.5 The primary stormwater reticulation network shall be designed to convey at minimum the critical twenty percent annual exceedance probability storm event. No nuisance flooding of 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.
- 8.6 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 (up to the critical two percent annual exceedance probability event). All secondary or emergency stormwater flowpaths are to be identified and protected by an easement in favour of CCC, if required.
- 8.7 Subsoil drains designed to intercept groundwater and/or lower groundwater levels shall be designed in accordance with the WWDG and the CSS.
- 8.8 Safe and practical access to stormwater facilities for maintenance and sediment removal shall be provided and designed in accordance with clause 6.8 & 6.9 – WWDG.
- 8.9 Engineering plans, specifications and calculations for the design and construction of all stormwater infrastructure and mitigation areas are to be submitted with the engineering plans for approval by Network and Asset Planning – Greenspace Unit.
- 8.10 The consent holder shall operate and maintain the stormwater infrastructure for a period of 12 months following the issue of the section 224(c) certificate, and in accordance with the appropriate clauses above.
- 8.11 The applicant 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-Built.
- 8.12 The consent holder shall provide easements in gross over all stormwater infrastructure located outside of legal road or utility reserve areas to be vested in Council.
- 8.13 A maintenance and operations manual for all stormwater facilities shall be provided and shall form part of the Asset and Network Planning – Greenspace Unit approval. This manual is to include a description of the activity, the design assumptions, maintenance schedule and monitoring requirements (council can provide a suitable template for the maintenance and operations manual).
- 8.14 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. Access Construction Standards

- 9.1 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

10. Street Lighting

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

11. Plans for Geodata Plot

- 11.1 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.

12. Minimum Levels and Filling

- 12.1 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.
- 12.2 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.
- 12.3 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.
- 12.4 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.

13. Greenspace

- 13.1 Local Purpose (Utility) Reserve
 Lot 984, 985, 986, 987, 989 are to be a minimum of 6 metres wide.
- 13.2 Design and Development of reserves, streetscapes and open spaces
 A. Landscape plans for the reserves and streetscapes are to be submitted as part of the Landscape Design Report to the Asset & Network Planning (Greenspace) for acceptance. All landscaping is to be carried out in accordance with the Accepted landscape plan.

- B. Where the Consent Holder has applied to vest assets as detailed on Accepted Landscape Plans, but the Asset & 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.
- C. 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.

13.3. Establishment Period (Defects Liability Period)

The Establishment Period of 12 months (maintenance-defects period) shall commence from the issue of Section 224 Condition Certificate. The Greenspace Unit staff may request to inspect the site 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 on the bond shall 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 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 1).

13.4 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, including reserve trees, gardens, shrubs, swale and grassed areas. 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 for the replacement planting(s), if required.

13.5. Street Trees and Street Gardens

- A. The Consent Holder shall submit a plan(s) for the proposed street trees and street gardens (if any) for the Council's Asset & 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.
- B. The Consent Holder shall enter into a bond with Council Asset & Network Planning (Greenspace) 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 12 months from the time the 224 certificate is issued.

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.

13.6. 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: Please make grass seed certificates available for inspection if requested.

13.6. Reserve Boundary Fences

The Consent Holder shall comply with the IDS 10.6.9 Boundary Fencing. Reserve boundary fencing over 1.2 m high is 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 & 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. 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. The reserve boundary fences are part of the subdivision development and area to be credited against the Reserve Development Contributions.

13.7. 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 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.

13.8 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).

14. Geotechnical

- 14.1 Prior to the commencement of physical works on site for the construction of the subdivision including infrastructure, the Consent holder shall submit to the Engineering Services Team a Design Report, Plans and Design Certificate complying with clause 3.3.1 of the IDS. 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 Condition 14.2 Liquefaction and Lateral Spread Hazard Mitigation. This report can be submitted as two individual design reports being infrastructure as one part in the IDS Design report and the remainder of the site as a second part in a Geotechnical Report.”

14.2 Liquefaction and Lateral Spread Hazard Mitigation:

That the liquefaction and lateral spread hazard mitigation described in the Geotechnical report “Longhurst and Knight Stream Park Stages 9 Geotechnical Subdivision Report”, Revision 2, dated 28 April 2014 shall be carried out on site and including that:

All Liquefaction and Lateral spread hazard mitigation shall be designed for a SLS (serviceability limit state) seismic event and an ULS (ultimate limit state) seismic design event as defined by MBIE in the Guidance Document: “Repairing and Rebuilding Houses Affected by the Canterbury Earthquake’s” (2012).

- 14.3 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.

- 14.4 That a consent notice in terms of Section 221 of the Resource Management Act be registered on the titles for all lots that are identified in the final Geotechnical report with a Geotechnical Technical Category 2 Classification as per condition 14.5.

If for any reason that some of the lots are given a Geotechnical Technical Category 3 Classification, then these lots should be withdrawn from the development and shown as balance lots that do not met the requirements of Section 106 of the Resource Management Act without further mitigation measures being undertaken.

14.5 Consent Notice:

That a consent notice in terms of Section 221 of the Resource Management Act be registered on the titles for all Lots with a Geotechnical Technical Category 2 Classification, stating that:

“At the time of the completion of the subdivision works, the recommended Geotechnical Technical Category for this land was TC2. All dwellings, structures and drainage requiring a Building Consent in terms of the Building Act shall have specific foundation design by a Chartered Engineer with experience in foundation design.”

15. Telecommunications and Energy Supply

- 15.1 All lots shall be provided with the ability to connect to a telecommunications and electrical supply network at the boundary of the net area of each lot. "Ability to connect" means that ducts or cables must be laid to the boundary of the net area.
- 15.2 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.

16. Right of Way Easements (Private Ways)

- 16.1 The rights of way easements as set out on the application plan shall be duly granted or reserved.
- 16.2 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.

17. Service Easements

- 17.1 The service easements as set out on the application plan or required to protect services crossing other lots shall be duly granted or reserved.
- 17.2 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.

18. Easements in Gross

- 18.1 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 (Mike Kerr) requesting the preparation of the easement instruments.

19. Road and/or Lane Names

- 19.1 The new roads are to be named.

As there is a shortage of property numbers available at this location the private way/access lot should be named. Any existing properties utilising the access will be required to consent to the proposed name submitted for approval.

A selection of names in order of preference is to be submitted for each new road 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.

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 (\$185/post and \$394/nameplate as at 1st July 2013).

20. Public Utility Sites

- 20.1 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.

21. Accidental Discovery

- 21.1 The consent holder shall follow the Historic Places Trust Accidental Discovery Protocol.
- 21.2 Should any archaeological material or sites be discovered during the course of work on the site, work in that area of the site shall stop immediately and the appropriate agencies including the New Zealand Historic Places Trust and the Manawhenua shall be contacted immediately.

22. Amenity

- 22.1 The applicant shall employ dust mitigation measures such as watering, removal of debris, stabilisation of stockpiles and exposed surfaces etc, to prevent dust, sand and materials causing a nuisance beyond the subject site throughout the construction period.

- 22.2 The hours of operation of work shall be restricted to 7.00am to 6.00pm, Monday to Friday and 8.00am to 6.00pm Saturday except that no works shall take place on public holidays. This restriction on the hours of operation excludes any work required for compliance with the erosion and sediment control measures.
- 22.3 All construction work on the site shall be designed and conducted to ensure that construction noise from the site does not exceed the noise limits in the following table. Sound levels shall be measured and assessed in accordance with the provisions of NZS 6803:1999 Acoustics – Construction noise.

Time Period	Weekdays (dBA)		Saturdays (dBA)		Sundays and Public Holidays (dBA)	
	L _{eq}	L _{max}	L _{eq}	L _{max}	L _{eq}	L _{max}
0630 – 0730	60	75	45	75	45	75
0730 – 1800	75	90	75	90	55	85
1800 – 2000	70	85	45	75	45	75
2000 - 0630	45	75	45	75	45	75

- 22.4 The consent holder shall be required to maintain a complaints register and this record shall be made available to the Council to view within five working days of any request.

23. Limited Access for Lots 755 and 756

- 23.1 No vehicular access shall be located over the red line shown on Lots 755 and 756 on Approved Plan 1 RMA92025651. To give effect to this condition, a consent notice in terms of Section 221 of the Resource Management Act shall be registered on the specified titles stating that:

Lots 755 and 756

No vehicular access shall be permitted over the area identified as _____ on deposited plan _____.

Note: All necessary insertions shall be made to the consent notice condition and deposited plan to reflect the red line illustrated on Approved Plan 1 RMA92025651 and the deposited plan number.

24. Land Contamination

- 24.1 Soils from the chicken coop area as identified and assessed in the Pattle Delamore Partners report titled Validation Sampling Report (Coop Area) dated 23 May 2012 as not meeting residential guidelines are to be removed to an approved facility or location. Note: the subject report is contained in resource consent application RMA92019930 (TRIM reference 12/267731).
- 24.2 Upon remediation of the chicken coop area a Site Validation Report in accordance with the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health and MfE Guidelines for Contaminated Land shall be submitted to Council before the s224 process can be completed. The report may be sent by way of email to envresourcemonitoring@ccc.govt.nz.

25. Density

- 25.1 A consent notice will be required to be registered on the following titles to record the following:
Lot 691
This lot is in the Density B Area.

26. Consent Notice Summary

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

All

"At the time of the completion of the subdivision works, the recommended Geotechnical Technical Category for this land was TC2. All dwellings, structures and drainage requiring a Building

Consent in terms of the Building Act shall have specific foundation design by a Chartered Engineer with experience in foundation design."

Note: the above consent notice will only apply to residential lots with a Geotechnical Technical Category 2 Classification as per condition 14.5

Lots 755 and 756

No vehicular access shall be permitted over the area identified as _____ on deposited plan _____.

Note: All necessary insertions shall be made to the consent notice condition and deposited plan to reflect the red line illustrated on Approved Plan 1 RMA92025651 and the deposited plan number.

Lot 691

This lot is in the Density B Area.

Council will prepare the Consent Notice.

27. 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.

28. Duration 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.

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:

- (i) 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 or;
- (ii) 3 years after the date of issue of the Section 223 certificate, if that certified plan has not been deposited in accordance with Section 224 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.

Development Contributions

At the time of granting this subdivision consent, a statement of Development Contributions was not available; this will be forwarded to the consent holder once the assessment has been made.

Please note that a development contribution will be required under the Development Contributions Policy 2009-19 (DCP). The Council requires Development Contributions to be paid prior to the issue of the Code Compliance Certificate for a building consent, commencement of a Resource Consent, the issue of a section

224 certificate for a subdivision consent, or authorisation of a service connection. The contributions are defined in the Council's **Development Contributions Policy 2009** which has been established under the Local Government Act 2002, and is included in the Long Term Council Community Plan (LTCCP). If you have any queries in relation to this matter, please contact one of our Development Contribution Assessors on (03) 941 8999.

There is to be no land taken as recreation reserve within this application. *Advice Note: The payment of the Reserve Development Contribution may be postponed and secured against the Balance Lot(s) through an Encumbrance Instrument. The Development Contributions Policy 2013-2022 may require additional security in the form of a Bank Bond.*

Engineering Fees

Any time spent by the engineers is invoiced as additional fees. As this consent has conditions requiring engineering input the time incurred by the engineers will be invoiced and is required to be paid prior to the release of the Section 224 certificate.

Lighting in Private Ways

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

Building consent requirements

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

LAND USE CONSENT RMA92025957

- (A) That the application be processed on a **non-notified** basis in accordance with Sections 95A – 95E of the Resource Management Act 1991.
- (B) That the application **be granted** pursuant to Sections 104, 104C, and 108 of the Resource Management Act 1991, subject to the following condition:
1. The proposal shall be in accordance with the stamped approved plan 1 RMA92025957.
 2. The maximum site coverage for a Density B site in stage 9 Knights Stream Park where all buildings are less than 5.5 metres high shall be 45%.
 3. The maximum site coverage for a Density C site in stage 9 Knights Stream Park where all buildings are less than 5.5m high shall be 40%.

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

Earthworks in Association with Subdivision

The proposal for earthworks as set out in the resource consent application means that it is to be undertaken in conjunction with subdivision consent RMA92025651.

Reported and Recommended by: Paul Lowe, Senior Planner

Date: 4 June 2014

Decision

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

Resource Management Officer Sub-Committee:



SEAN WARD, SENIOR PLANNER
6 JUNE 2014.

SAOC II
Planning Team Leader
6/6/14