

IN THE MATTER OF section 71 of the Canterbury Earthquake Recovery Act 2011 and the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014

AND

IN THE MATTER OF proposals notified for incorporation into a Christchurch Replacement District Plan

Date of hearing: 2 and 3 November 2015

Date of decision: 15 July 2016

Hearing Panel: Environment Judge John Hassan (Chair), Ms Sarah Dawson, Mr Alec Neill, Mr Gerard Willis

DECISION 28

Chapter 8: Subdivision, Development and Earthworks (part) — Stage 2

Outcomes: Proposal changed as per Schedule 1

COUNSEL APPEARANCES

Mr D Laing and Ms M Jagusch	Christchurch City Council
Mr P Radich QC and Ms E Moore	Crown
Mr D van Mierlo	Te Rūnanga o Ngāi Tahu and ngā rūnanga
Ms J Appleyard	Christchurch International Airport Limited Orion New Zealand Limited
Mr E Chapman	University of Canterbury Canterbury Polytechnic Institute of Technology

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INTRODUCTION

[1] This decision (‘decision’)¹ is one of a series by the Independent Hearings Panel (‘Hearings Panel’/‘Panel’)² concerning the formulation of the Christchurch Replacement District Plan (‘CRDP’).

[2] Primarily, it concerns the Stage 2 proposal for Chapter 8, Subdivision, Development and Earthworks (part) and, in particular, provisions concerning earthworks. It builds from Decision 13: Subdivision, Development and Earthworks Stage 1 (Part)³ on that chapter and also includes provisions relating to zones not covered by that decision (Rural, Open Space, Specific Purpose, Residential (part), Commercial and Industrial (part)) and various overlays.⁴

[3] This decision also concerns a matter that arose from submissions on the Residential New Neighbourhood zone proposals (‘Decision 29’), as to the management of earthworks (including compaction, vibration and noise) and notification, particularly at Highfield and Prestons.⁵

[4] The Council’s originally notified Stage 2 proposal (‘Notified Version’) was effectively superseded by subsequent versions developed by the Council in the lead up to and through the course of the hearing. That was in response to pre-hearing discussions and mediation with submitters, and Panel questioning. The various replacement iterations proposed by the Council were as follows:

- (a) A tracked change version of the Notified Version was proposed in the evidence in chief of the Council’s lead planning expert, Andrew Long (‘First Revision’),⁶ and the Council’s opening submissions recorded this to be largely agreed with other parties.⁷

¹ This decision follows our hearing of submissions and evidence. Further background on the review process, pursuant to the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014 (‘the OIC’/‘the Order’) is set out in the introduction to Decision 1, concerning Strategic Directions and Strategic Outcomes (and relevant definitions, 26 February 2015 (‘Strategic Directions decision’).

² Members of the Hearings Panel who heard and determined this proposal are set out on the cover sheet.

³ Decision 13 was released on 12 January 2016.

⁴ Port Influences Overlay Area; Retirement Village Overlay; Residential Hills Mixed Density Overlay (new); Akaroa Hillslopes Density Overlay; Residential Large Lot Density Overlay; Residential Small Settlement Kainga Overlay Area 1 and 2; Residential Banks Peninsula Zone — Diamond Harbour Density Overlay; Residential Suburban Stormwater Capacity Constraint Overlay.

⁵ In particular, as raised by Luke Pickering (2510) and Ross Major (2499).

⁶ Evidence in chief of Andrew Long on behalf of the Council, Attachment A.

⁷ Opening submissions for the Council at 1.2.

- (b) Mr Long, proposed an update of the First Revision in his rebuttal evidence, in response to some matters raised in the evidence of some parties ('Second Revision').⁸
- (c) On 9 November 2015, as directed following the hearing,⁹ the Council proposed a further revision in advance of closing submissions ('Third Revision'). This included changes in response to evidence, submissions heard, and questions/discussions during the course of the hearing (and also in response to discussions with Orion New Zealand Limited (2340, FS2797) ('Orion') and Transpower New Zealand Limited (2218, FS2780) ('Transpower')).
- (d) In its closing submissions, the Council proposed some confined further refinements ('Fourth Revision') including in response to concerns raised by some submitters.
- (e) On 22 June 2016, as directed by the Panel,¹⁰ the Council updated its Fourth Revision to ensure proper alignment of its drafting style with Decision 13: Subdivision, Development and Earthworks Stage 1 (Part) ('Revised Version'). This also included drafting for the related Residential New Neighbourhood provisions ('RNN provisions').

[5] Consistent with the observations in the Council's opening submissions, no party sought to cross-examine the Council's experts. Differences had further narrowed by the time of the Council's closing submissions (including the Fourth Revision). Except where we state otherwise, we accept the Council's evidence as soundly supporting the Fourth Revision. The changes we make to the Revised Version, essentially to improve drafting clarity and consistency, are set out in Schedule 1 ('Decision Version').¹¹

⁸ Rebuttal evidence of Mr Long on behalf of the Council, Attachment A.

⁹ Minute — Timetabling directions regarding Council provision of updated Stage 2 Subdivision and Earthworks Proposal (Part) and closing submissions and timing of release of decision, 4 November 2015.

¹⁰ Minute — Directions to prepare a complete Subdivision, Development and Earthworks chapter, 9 June 2016. The Council sought an extension to file (by memorandum dated 14 June 2016), which was granted by the Panel (by minute dated 16 June 2016).

¹¹ Also included in Schedule 1 are provisions included in Chapters 8 and 14 by the Panel's Stage 2 decision on that proposal (released in conjunction with this decision). Colour coding is used to distinguish the Decision Version provisions from those of the Stage 2 decision (and shading to show related provisions arising from the Panel's Stage 1 decisions).

[6] As set out in our earlier decisions,¹² the Decision Version will become operative as part of the CRDP, as soon as reasonably practicable, upon release of this decision and the expiry of the appeal period.

Rights of appeal

[7] Under the OIC,¹³ the following persons may appeal our decision to the High Court (within the 20 working day time limit specified in the Order), but only on questions of law (and, for a submitter, only in relation to matters raised in the submission):

- (a) any person who made a submission (and/or further submission) on the Notified Version (and/or on the Highfield earthworks provisions);
- (b) the Council; and
- (c) the Ministers.¹⁴

Provisions deferred

[8] This decision defers determination of the following:

- (a) The minimum lot size standards for the Papakāinga zone until the related the Chapter 4 proposal is determined;¹⁵
- (b) Proposed Objective 8.1.1 and proposed Policies 8.1.1.1–8.1.1.4 and noted aspects of Rule 8.4.7, until the related Chapter 9 proposal is determined;

¹² Strategic Directions decision at [5]–[9].

¹³ Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014 ('OIC'), cl 19.

¹⁴ The Minister for Canterbury Earthquake Recovery and the Minister for the Environment, acting jointly.

¹⁵ As jointly requested by the Council, the Crown (2387, FS2810) and Te Rūnanga o Ngāi Tahu (2485, FS2821) ('Ngāi Tahu'). Pertaining to this topic, the Panel issued various Minutes, including making findings on some jurisdictional matters raised by a Memorandum of Counsel on behalf of Wainui Bay Limited. Wainui Bay Limited was not a submitter on the Notified Version, but made a further submission (FS2829) on the Crown's submission (2387) on the notified Papakāinga Zone proposal (Chapter 4). However, it filed legal submissions in response to a Joint Memorandum, dated 8 June 2016, on behalf of the Council, the Crown and Te Rūnanga o Ngāi Tahu (2458) and Ngā Rūnanga (2821), concerning the minimum lot size for the Papakāinga Zone, which was a matter regarding the Notified Version. The Panel's Minute, dated 24 June 2016, was as to this matter and made determinations concerning the preliminary questions as to jurisdiction to grant the relief sought by the joint memorandum. A further memorandum of counsel on behalf of Wainui Bay Limited was filed on 30 June 2016. It also pertains to the determination of the Chapter 4 proposal, which has not yet been determined by the Panel.

- (c) Appendix 8.6.6, until a further decision is made as a consequence of a direction in Decision 17 Residential (Part) — Stage 2 (which pertains to the map in this Appendix); and
- (d) Appendix 8.6.14 Hunters Road, Diamond Harbour until the related Chapter 18 Open Space proposal is determined (given a related submission is before the Panel for that proposal).

Identification of parts of Existing Plan to be replaced

[9] The OIC requires that our decision also identifies the parts of the existing Banks Peninsula District Plan and existing Christchurch City Plan (together ‘Existing Plan’) that are to be replaced by the Decision Version.¹⁶ As was the case with Decision 13: Subdivision, Development and Earthworks Stage 1 (Part), given the extent and nature of various matters deferred, none of the provisions of the Existing Plan are replaced by this decision. A further decision will issue in due course to effect the replacement of relevant Existing Plan provisions.

Conflicts of interest

[10] Disclosures as to potential conflicts of interest were posted on the Independent Hearings Panel website.¹⁷ As the transcript and website record, on various occasions during the hearing, Panel members disclosed that submitters were known to them either through current or previous business and/or personal associations. In view of such associations Judge Hassan informed the parties that, on matters concerning the dispute between Federated Farmers of New Zealand (2288, FS2788) (‘Federated Farmers’) and Orion and Transpower, he would recuse himself because he acted for Transpower before his appointment to the bench.¹⁸ Similarly, Mr Neill recused himself from dealing with matters in relation to the submission of Ngāi Tahu and Ms Dawson recused herself from dealing with the submissions by Pauline and Ray McGuigan (2535, FS2844), Bob Webster (2205), and Rod Donald Banks Peninsula Trust (2311) (given her understanding that Bob Webster is a member of that trust).¹⁹ No submitter raised any issue in relation to these matters.

¹⁶ OIC, cl 13(3).

¹⁷ The website address is www.chchplan.ihp.govt.nz.

¹⁸ Transcript, page 1, lines 19–36.

¹⁹ On reflection, Ms Dawson considers that her recusal may have been overly-cautious and disclosure would have sufficed but she has maintained her recusal in this instance.

REASONS

STATUTORY FRAMEWORK AND HIGHER ORDER DOCUMENTS

[11] The OIC directs that we hold a hearing on submissions on a proposal, and make a decision on that proposal.²⁰

[12] It sets out what we must and may consider in making that decision.²¹ It qualifies how the Resource Management Act 1991 ('RMA') is to apply and modifies some of the RMA's provisions, both as to our decision-making criteria and processes.²² It directs us to comply with s 23 of the Canterbury Earthquake Recovery Act 2011 ('CER Act').²³ The OIC also specifies additional matters for our consideration.

[13] Our Strategic Directions decision, which was not appealed, summarised the statutory framework for that decision. As it is materially the same for this decision, we apply it as we address various issues in this decision.²⁴ On the requirements of ss 32 and 32AA RMA, we endorse and adopt [48]–[54] of our Natural Hazards decision.²⁵

[14] The Proposal intends to include in Chapter 8 provisions that would supplement those confirmed by Decision 13: Subdivision, Development and Earthworks Stage 1 (Part). Decision 13: Subdivision, Development and Earthworks Stage 1 (Part) was not appealed and we adopt its findings at [13]–[15] concerning the framework and Higher Order Documents (in addition

²⁰ OIC, cl 12(1).

²¹ OIC, cl 14(1).

²² OIC, cl 5.

²³ Our decision does not set out the text of various statutory provisions it refers to, as this would significantly lengthen it. However, the electronic version of our decision includes hyperlinks to the New Zealand Legislation website. By clicking the hyperlink, you will be taken to the section referred to on that website. The CER Act was repealed and replaced by the Greater Christchurch Regeneration Act 2016 ('GCRA'), which came into force on 19 April 2016. However, s 148 of the GCRA provides that the OIC continues to apply and the GCRA does not effect any material change to the applicable statutory framework for our decision or to related Higher Order Documents. That is because s 147 of the GCRA provides that the OIC continues in force. Further, Schedule 1 of the GCRA (setting out transitional, savings and related provisions) specifies, in cl 10, that nothing in that Part affects or limits the application of the Interpretation Act 1999 which, in turn, provides that the OIC continues in force under the now-repealed CER Act (s 20) and preserves our related duties (s 17).

²⁴ At [25]–[28] and [40]–[62].

²⁵ Natural Hazards (Part) (and relevant definitions and associated planning maps), 17 July 2015, pages 20-21.

to its evidential findings on certain matters, as we address later in this decision). Given that Objectives 8.1.2 (as to ‘design and amenity’) and 8.1.3 (as to ‘infrastructure and transport’) were confirmed by that decision and are beyond contention, we determine the appropriateness (for the purposes of s 32AA RMA) of related provisions by reference to them (and relevant Strategic Objectives).

Submissions and relevant issues

[15] There were relatively few submissions and further submissions on the Notified Version and we have considered all of them in reaching our decision. Schedule 2 lists witnesses who gave evidence for various parties, and submitter representatives.

[16] Closing submissions revealed that issues between several parties were further narrowed or resolved by refinements which the Council included in its Third and subsequent Versions. The concerns of the Crown²⁶ and Christchurch International Airport Limited (2348, FS2817)²⁷ (‘CIAL’) were fully resolved. Deferral of issues concerning minimum allotment size standards for the Papakāinga zone meant Ngāi Tahu did not have any further issues.²⁸ Canterbury Aggregate Producers Group (‘CAPG’) did not file closing submissions as it was not a submitter on Chapter 8, but the Council’s closing reports that the Fourth Revision makes a minor drafting correction raised by CAPG’s counsel.²⁹ Where no other party raised issues with provisions on which parties reached agreement with the Council, we have accepted the Council’s evidence as supporting the appropriateness of the relevant provisions.

[17] The issues raised by Transpower and Orion were fully resolved insofar as the Council was concerned. However, Federated Farmers called evidence opposing aspects of what those parties agreed, but did not file closing submissions. The issues that Federated Farmers and other submitters raised are addressed in the context of the s 32AA evaluation below.

[18] The Council accepted the change from 100m³ to 150m³ earthworks as submitted by Christchurch Polytechnic Institute of Technology (2269) and University of Canterbury (2464).

²⁶ Closing submissions for the Crown at 1.1
²⁷ Closing submission for CIAL and Orion at para 4.
²⁸ Closing submissions for Ngāi Tahu at para 1.
²⁹ Closing submissions for the Council at para 21.

The other concerns of those submitters, in relation to drafting for notification and exemptions for earthworks in waterbody setbacks, are addressed in the Decision Version.

COUNCIL’S S 32 REPORT

[19] As required, we have had regard to the Council’s s 32 report (‘s 32 Report’/‘Report’). We are satisfied that the Report generally presents a clear analysis of alternatives, and the basis for the choices made in the Notified Version.

SECTION 32AA EVALUATION

Objectives 8.7.1 and 8.7.2 and related non-contentious policies and other provisions

[20] On the Council’s evidence, in relation to the following non-contentious provisions, we are satisfied that (subject to the drafting refinements we have made):

- (a) proposed Objective 8.7.1 (as to earthworks) and 8.7.2 (as to health and safety) are the most appropriate for achieving the RMA’s purpose; and
- (b) the associated policies and all other non-contentious rules and other provisions are the most appropriate for achieving those objectives, Objectives 8.1.2 and 8.1.3 and related Strategic Objectives.

[21] Therefore, we have confirmed these provisions in the Decision Version.

Earthworks rules relating to transmission and distribution lines

[22] As noted, Judge Hassan recused himself from determining matters under this heading.

[23] This matter concerns the appropriate management requirements for earthworks in the vicinity of electricity transmission and distribution lines. The Notified Version included a 12 metre setback standard for permitted earthworks in proximity to National Grid transmission lines.³⁰ It did not manage earthworks in relation to electricity distribution lines.³¹ The setback

³⁰ A list of exempted earthworks was proposed in notified Rule 8.8.5.

³¹ Evidence in chief of Andrew Long at 7.30.

distance from transmission lines was also inconsistent with the distances determined in the Panel's recent decisions.³²

[24] The submission from Transpower supported the setback standard in part. It sought amendments to provide for limited earthworks in the vicinity of the National Grid and a change in activity status to non-complying for earthworks not complying with some of those standards. This included reference to compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001). Transpower's submission was supported by Federated Farmers and Orion.

[25] Orion's submission supported the intent of the notified standard, but sought that it be extended to also refer to high voltage electricity distribution lines. Transpower and Federated Farmers opposed this submission on the basis that this would impose unnecessary restrictions that are greater than the degree of restriction sought to protect the National Grid and give effect to the National Policy Statement on Electricity Transmission 2008 ('NPSET'). Federated Farmers' submission also stated that the NZECP 34:2001 ('NZECP34') provides adequate setback distances for distribution assets.

[26] Prior to our hearing, these submissions were the subject of discussion at targeted mediation for submitters calling expert planning evidence.³³ This was attended by planners on behalf of Transpower, Orion, the Oil Companies and the Council.³⁴ The planners reached agreement to accept the relief sought by Transpower, with minor amendments, and to extend the provisions to apply to electricity distribution lines. Transpower continued to oppose inclusion of provisions relating to Orion's distribution lines. The provisions agreed between the expert planners were supported in Mr Long's planning evidence-in-chief and included in the Council's First Revision.

[27] Following the expert planners' mediation, wider facilitated mediation enabled further discussion of this matter between the Council and other parties. This was attended by Federated

³² Including Decisions 10 and 17 (respectively the Stage 1 and Stage 2 Residential (Part) decisions), and Decisions 11 and 23 (respectively the Stage 1 and Stage 2 Commercial (Part) and Industrial (Part) decisions).

³³ The Notice of this targeted mediation clearly stated that submitters who were not calling expert planning witnesses would be able to attend mediation sessions with the Council at a later date.

³⁴ Ms Ainsley McLeod (Transpower), Ms Laura Buttimore (Orion), Ms Georgina McPherson (Oil Companies) and Mr Andrew Long and Mr Ben Baird (Council). The "Oil Companies" submitters comprise Z Energy Limited, BP Oil Limited and Mobil Oil NZ Limited (under the joint submissions 2185, FS2787).

Farmers and the Council.³⁵ Transpower, Horticulture New Zealand and Federated Farmers had, by this stage, come to an agreed approach in relation to electricity transmission lines. This was acknowledged in the evidence of Transpower's planning expert, Ms Ainsley McLeod, who supported the provisions in the First Revision subject to some limited suggested amendments.³⁶

[28] No agreement was reached at mediation regarding management of earthworks in relation to Orion's distribution line infrastructure.³⁷ We will return to our discussion of this matter.

[29] Through the course of the hearing, amendments to the provisions were put to, or discussed with, us, including those referred to above from Ms McLeod and from Mr Scheele, one of Orion's expert planners.³⁸ The Panel also asked questions of the experts³⁹ regarding the potential for conflict between the consenting process required through the CRDP provisions and the written approval process contained in NZECP34. As directed following the hearing, the Council proposed its Third Revision. This included amendments to delete RD10 and D11 to overcome the conflict with NZECP34. The Council's covering memorandum stated that these changes resulted from further discussion following the hearing, between the Council, Orion and Transpower.⁴⁰ With one consequential amendment agreed by the Council in its closing submissions,⁴¹ the above amendments were reflected in the Council's Revised Version.

[30] The outstanding matter for us to address is the opposition by Federated Farmers to earthworks rules applying to high voltage electricity distribution lines.

[31] Federated Farmers was represented at the hearing by Ms Fiona Mackenzie, a Senior Policy Advisor employed by Federated Farmers in Christchurch. Ms Mackenzie is not an expert planner and, although she holds a legal qualification, she confirmed in cross-examination that she was not giving evidence, or submissions, as either a lawyer or a planner, but rather was appearing as a lay witness in her capacity as a policy advisor for Federated Farmers.⁴²

³⁵ Ms Mackenzie (Federated Farmers) and Mr Long (Council).

³⁶ Evidence in chief of Ainsley McLeod on behalf of Transpower at para 10 and Attachment C.

³⁷ Mediation Report: Subdivision, 8 October 2015.

³⁸ Evidence in chief of Mason John Scheele on behalf of Orion, University of Canterbury (2464, FS2822) and Christchurch Polytechnic Institute of Technology (2269, FS2769) at paras 14–15 and Appendix One.

³⁹ Transcript, pages 36–38 (Mr Long); pages 72–73 (Ms Buttimore); page 81, lines 4–33 (Mr Watson).

⁴⁰ Memorandum of Counsel providing revised further proposal for Subdivision, Development and Earthworks Stage 2 (Part) Proposal, 9 November 2015 at 4.11.

⁴¹ Closing submissions for the Council at 5.2.

⁴² Transcript, pages 94, lines 5–25 (Ms Mackenzie).

[32] As an initial matter, Ms Mackenzie gave evidence of her concern that Federated Farmers was not permitted to attend the expert planners' mediation, as they were not calling evidence from a planner. She expressed concern that, by the time of the wider facilitated mediation, provisions relating to Orion's lines "appeared to have been cemented in and Mr Long was unwilling to consider other views".⁴³ Ms Mackenzie's concerns regarding the mediation process appear to stem from the potential for landowners (including a large number of farmers throughout Banks Peninsula) to be directly affected by the outcome of the submissions from Transpower and Orion, yet the farmers' representative (Federated Farmers) was excluded from the initial targeted mediation between the Council and those two parties.⁴⁴

[33] We note that Federated Farmers made further submissions on the submissions of Transpower and Orion. It was open to Federated Farmers to call expert planning evidence on this matter. Having chosen not to do so, Federated Farmers was not invited to attend the initial, expert planners' mediation, but was provided the opportunity to attend the second, wider facilitated mediation (as it were to other submitters in the same situation). Judge Hassan addressed this procedural matter during the hearing, reassuring Ms Mackenzie that "it is in this process where we as a Panel will receive and hear evidence and contested views, so the fact that you didn't take part in that first mediation ... certainly doesn't take away from what you might tell us in terms of your evidence and effectively it is for us to make assessment of all these matters as a Panel".⁴⁵ The Panel is satisfied that Ms Mackenzie's concerns regarding the mediation process were misdirected. Federated Farmers was provided with the same opportunity as other submitters to be involved in the hearings' processes, and has taken the opportunity to present the evidence directly to this Panel from Ms Mackenzie.

[34] We understand a key aspect of Federated Farmers' submission, as expressed to us in Ms Mackenzie's evidence, to be that (unlike the National Grid) Orion's electricity distribution lines are not covered by the NPSET.⁴⁶ Neither are they specified in the definition of "strategic infrastructure" in the CRPS.⁴⁷ Accordingly, she does not consider there is any requirement for the CRDP to manage reverse sensitivity effects between distribution lines and other land uses.⁴⁸

⁴³ Evidence in chief of Fiona Mackenzie on behalf of Federated Farmers at para 5.

⁴⁴ Evidence in chief of Fiona Mackenzie on behalf of Federated Farmers at paras 3–5.

⁴⁵ Transcript, page 92, lines 23–31. As noted at [10], Judge Hassan recused himself from determining matters under this heading.

⁴⁶ Evidence in chief of Fiona Mackenzie at paras 11 and 36(d)–(e).

⁴⁷ Evidence in chief of Fiona Mackenzie at paras 13 and 36(b).

⁴⁸ Evidence in chief of Fiona Mackenzie at paras 15 and 36(d).

[35] In cross-examination by Ms Appleyard, Ms Mackenzie demonstrated the limited degree to which she had analysed the provisions of the CRPS (in relation to strategic and regionally significant infrastructure) in coming to her opinions regarding setback provisions from Orion’s lines.⁴⁹

[36] Ms Laura Buttimore provided expert planning evidence on behalf of Orion, in response to the evidence of Ms Mackenzie.⁵⁰ Her supplementary evidence attached a copy of her evidence for the Stage 1 Commercial and Industrial hearing, on which she relied. She provided an analysis of the relevant provisions of the NPSET and the CRPS in relation to the management of effects on Orion’s high voltage distribution lines. She also addressed consistency with the decided Strategic Objectives 3.3.1, 3.3.2 and 3.3.12. Ms Buttimore was not cross-examined by Federated Farmers and her analysis of these Higher Order Documents was not challenged by any party.

[37] Ms Buttimore acknowledged that the NPSET is not applicable to any of Orion’s electricity lines. However, she did not consider this has any relevance to whether or not corridor protection is appropriate within the CRDP for Orion’s identified electricity network.⁵¹

[38] Ms Buttimore concluded that Orion’s identified strategic lines fit within the definitions of “regionally significant infrastructure” and “strategic infrastructure” under the CRPS and “strategic infrastructure” under Chapter 3 of the CRDP.⁵² In her opinion, the scale and number of customers serviced by these identified lines means that they are of greater than local importance and therefore warrant protection under the relevant objectives and policies of the CRPS and Chapter 3.⁵³

[39] Ms Mackenzie was of the opinion that NZECP34 provides adequate protection for distribution (and transmission) lines from earthworks activities — in relation to both safety concerns and ease of carrying out maintenance on the lines.⁵⁴

⁴⁹ Transcript, pages 95–100 (Ms Mackenzie).

⁵⁰ Ms Buttimore is a qualified planner with over six years’ experience working as a planner in local authority and private consultancy. She is a Full Member of the New Zealand Planning Institute.

⁵¹ Evidence in chief of Laura Buttimore on behalf of Orion to the Stage 1 Commercial and Industrial hearing, 24 April 2015 at paras 30–31.

⁵² Supplementary evidence of Laura Buttimore on behalf of Orion at para 11.

⁵³ Supplementary evidence of Laura Buttimore at para 19; and evidence in chief of Laura Buttimore to the Stage 1 Commercial and Industrial hearing, 24 April 2015, at para 40.

⁵⁴ Evidence in chief of Fiona Mackenzie at paras 13, 21–35 and 36(a).

[40] Mr Shane Watson gave evidence about the reasons Orion sought protection for its strategic distribution lines through the control of earthworks in the CRDP.⁵⁵ He evidence attached a copy of his evidence for the Stage 1 Residential and Commercial and Industrial hearings.⁵⁶ Mr Watson was not cross-examined by Federated Farmers. In answer to questions from Ms Appleyard and members of the Panel, he gave examples of difficulties Orion has experienced with breaches of NZECP34, the level of landowner awareness of NZECP34, and the process for its enforcement. In answer to a question from Ms Appleyard regarding the sufficiency of NZECP34, Mr Watson stated:⁵⁷

The awareness of the code is not high. Because it is not in the legislation ... it doesn't get referred to in terms of the normal planning of a job somehow ... it is not included in the Building Act, it is not included in any of the processes you go for normal design process.

[41] The benefit of making explicit reference to NZECP34 in the earthworks rules (even if this meant some duplication of NZECP34) was supported by both Mr Long and Ms Buttimore.⁵⁸

[42] Ms Mackenzie also stated that Federated Farmers believes that the additional setback standards from Orion's lines will result in loss of productive land and unwarranted compliance requirements.⁵⁹

[43] Ms Buttimore concluded that the permitted activity rules for earthworks (agreed with Mr Long) will ensure that earthworks within certain distances of lines and support structures will occur in a safe and efficient manner whilst ensuring no unnecessary regulation is imposed on landowners. In her opinion, these provide the most appropriate way of managing potential reverse sensitivity effects on Orion's identified strategic infrastructure.⁶⁰

[44] In his rebuttal evidence Mr Long maintained his position that Orion's high voltage distribution network requires similar provisions to those managing the Transpower

⁵⁵ Mr Watson is the Network Asset Manager for Orion. He has over 30 years' engineering and asset management experience in New Zealand's electricity distribution and transmission sectors, and over 15 years' experience with Orion in managing its electrical assets.

⁵⁶ Supplementary evidence of Shane Watson on behalf of Orion at Attachment A.

⁵⁷ Transcript, page 79, lines 8–14 (Mr Watson).

⁵⁸ Transcript, page 35, lines 12–16; page 37, lines 5–11 (Mr Long); pages 72 – 73 (Ms Buttimore).

⁵⁹ Evidence in chief of Fiona Mackenzie at para 18.

⁶⁰ Supplementary evidence of Laura Buttimore at paras 24–25.

transmission network, and that the earthworks provisions in the Second Revision were not substantially or unnecessarily limiting.⁶¹

[45] While we have listened carefully to the position of Federated Farmers, as put to us by Ms Mackenzie, this was not based on an expert technical understanding of the implementation of NZECP34, nor on an expert analysis of the relevant Higher Order Documents. Mr Watson, Ms Buttimore and Mr Long were the relevant experts on these matters and we accept their evidence. On that basis, we are satisfied that the Revised Version (with minor amendments we have made for clarity and consistency) gives effect to the relevant objectives and policies of the CRPS and is the most appropriate for achieving related CRDP objectives. Therefore, we decline the relief sought by Federated Farmers.

Minimum rural lot sizes Banks Peninsula

[46] In response to various submissions raising concerns about the Notified Version's proposed approach to minimum lot sizes, the Council proposed a change to this regime in its opening submissions. Specifically, it proposed to delete proposed Rule 8.2.2.3 D6 to the effect that a 1ha/4ha subdivision would default to non-complying activity in the Rural Banks Peninsula zone.⁶²

[47] Akaroa Civic Trust (2285), Jan Cook and David Brailsford (2241) and Brent Martin and Suky Thompson (2418) ('Submitter Group'/'Group')⁶³ opposed the Notified Version on the matter of minimum lot size in the Rural Banks Peninsula zone (and other matters). Ms Cook gave evidence on behalf of the Group.

[48] Her written evidence gave a helpful summary of the background to the more restrictive regime of the Existing Plan. In addition to its regime for minimum lot sizes, it included a requirement that new buildings on sites created by subdivision since 1997 be located on an identified building platform. She described how this regime developed in the context of appeals, mediations, the 2007 Boffa Miskell Banks Peninsula Landscape Study ('Study') and hearings before the Environment Court in 2007⁶⁴ and 2008. She reasoned that this extensive

⁶¹ Rebuttal evidence of Andrew Long on behalf of the Council at para 4.1(f).

⁶² Opening submissions for the Council at 9.6, and Transcript, 2 November 2015, page 14, lines 14 to 44.

⁶³ Rod Donald Banks Peninsula Trust made a similar submission on these matters.

⁶⁴ *Briggs v Christchurch City Council* [2008] NZEnvC 113.

public engagement and judicial process gave significant weight to the Existing Plan’s approach which she considered to be working well.⁶⁵

[49] However, when giving evidence, Ms Cook explained that most of the Submitter Group’s concerns were answered by the changes the Council proposed in its evidence. She saw the Notified Version as a vast improvement, particularly in how it add minimum lot size.⁶⁶ She said the Council’s updated proposal also largely met the Group’s concerns in regard to the identified building area. She requested that the matter of the location of all buildings be made explicitly a matter for discretion in proposed Rule 8.2.4.1.6.⁶⁷

[50] Lyttelton/Mt Herbert Community Board (2354) (the ‘Board’), represented at the hearing by Ms Paula Smith, also welcomed the Council’s proposed changes to make 4ha subdivision harder to get.⁶⁸ However, unlike the Submitter Group, the Board sought that the 40ha minimum lot size for controlled activities in the Rural Banks Peninsula zone be increased to 50ha. This was with a view to slowing down the rate of land use change so as to protect natural character and maintain rural character.⁶⁹

[51] Ms Smith gave as an example of a subdivision consented at Purau which allowed for seven building platforms. She observed that the dwellings it allowed for would be highly visible, including from Summit Road and the gondola. She considered that its development would adversely impact the largely natural landscape character of the flanks of the Mount Evans range.⁷⁰ She considered that the Study was not a sound basis for the proposed 40ha density. From a conversation she had with one of its authors, she understood its recommendation for a 40ha limit was chosen simply in order “to be consistent with” the Selwyn District Plan.⁷¹ As such, she argued it was “a bit arbitrary”.

[52] The Diamond Harbour Community Association (2339) (‘DHCA’), represented by Mr Richard Suggate, expressed similar concerns. He explained that DHCA does not want further rural lifestyle developments around the existing urban area, because of what it considers the

⁶⁵ Evidence in chief of Janice Cook on behalf of Akaroa Civic Trust, Jan Cook & David Brailsford, Brent Martin and Suky Thompson, 14 October 2015, at 1–13.

⁶⁶ Transcript, page 119, lines 23–39 (Ms Cook).

⁶⁷ Transcript, pages 119–120 (Ms Cook).

⁶⁸ Transcript, page 170, lines 35–37 (Ms Smith).

⁶⁹ Transcript, page 172, lines 27–30; page 174, lines 33–35 (Ms Smith).

⁷⁰ Transcript, page 171, lines 12–31 (Ms Smith).

⁷¹ Transcript, page 172, lines 18–25 (Ms Smith).

high landscape values of rural Banks Peninsula. DHCA's preference was for hard urban boundaries, within which Mr Suggate said there is plenty of land already zoned for residential development at Diamond Harbour. Given DHCA's position that subdivision consents affect the wider community, he argued that applications should be publicly notified.⁷² Like Ms Smith, Mr Suggate supported his presentation with slides showing the development of individual houses, and clusters of housing, through new subdivision in or close to various landscapes around Diamond Harbour and Purau (and in the wider Lyttelton Harbour environs).⁷³

[53] Whilst we understand the concerns expressed by Ms Smith and Mr Suggate about how subdivision could impact on landscape values, landscape perception is inherently subjective. We were not told that the Purau subdivision consent was the subject of legal challenge, which is some demonstration of this point. The inherent subjectivity of landscape perception is also demonstrated by the different views expressed by Ms Smith, Mr Suggate, and Ms Cook. That inherent subjectivity highlights the importance of expert opinion and the direction given by Higher Order Documents, especially given the inevitable trade-off between landscape protection and development.

[54] Neither the Board nor DHCA supported their views on landscape effects with any opinion from a qualified landscape expert. Nor did they offer any evidence as to the relative costs and benefits of their preferred alternative approaches.

[55] We accept Ms Hogan's evidence that, in terms of the siting of buildings, smaller peri-urban lifestyle blocks are different from larger rural properties. With smaller ones, there are greater reasons to ensure proper separation from adjacent residences and rural production activities. With larger properties, there is less need for that and greater need for flexibility to allow for rural production activities. We observe that proposed Rule 8.3.2.1 C6 requires a building area to be identified for all residential units, irrespective of allotment size. That provides a further degree of management of amenity value matters. We consider the Revised Version achieves an appropriate balance on this matter. Specifically, we agree with Ms Hogan that the Revised Version will sufficiently maintain the rural character and amenity values of rural Banks Peninsula.⁷⁴

⁷² Transcript, page 149, lines 15-22 (Mr Suggate).

⁷³ Transcript, pages 145 -149 (Mr Suggate).

⁷⁴ Rebuttal evidence of Deborah Hogan on behalf of the Council at 3.17; Transcript, page 12 (Ms Hogan).

[56] We find that the regime of the Revised Version is well supported by the s 32 evaluations and evidence underpinning it (including the above-noted Study). Contrary to Ms Smith's view, the rationale for the Study's recommendation for a 40ha minimum lot size was not arbitrary. As was pointed out in the Council's closing submissions, it was based on the judgment and experience of the Study team, including appropriately qualified and experienced landscape experts.⁷⁵ In addition, the fact that the Study was relied on by the Environment Court in the *Briggs* decision gives further weight to it as part of the s 32 evaluation underpinning and supporting the approach of the Revised Version.

[57] We acknowledge the efforts of Ms Cook and Ms Hogan in narrowing points of difference. Those efforts led to improvements in the Revised Version, now expressed in the Decision Version.

[58] On the basis of the Council's evidence, we are satisfied that the Revised Version does not offend against any of the principles in Part 2 of the RMA. That includes the directions in s 6(a) and (b), and s 7(c) of the RMA concerning natural character, outstanding natural features and landscapes, and amenity values. On the evidence, nothing in the CRPS (or other Higher Order Documents) runs counter to the Revised Version (nor favours the approaches espoused by Ms Smith and Mr Suggate over that of the Revised Version).

[59] For those reasons, subject to some minor technical drafting refinements, we find that the approach of the Revised Version is the most appropriate for achieving related CRDP objectives.

Submissions seeking flood protection works and related relief

[60] Penny Hargreaves (2526), Barry Robertson (2591), Kathryn and Darryl Snook (2533, FS2834), Marina and Trudo Wylaars (2534), and Pauline and Ray McGuigan (2535, FS2844) were represented at the hearing by Ms Hargreaves and Mr Robertson on particular issues they raised in common.

[61] This group of submitters sought that we require the Council to undertake various physical works generally in regard to the Styx River. Such works included the dredging and widening

⁷⁵ Closing submissions for the Council at 18.3–18.4.

of the Styx River and removal of trees and foliage obstructing river flow. Some of these submitters also sought that we impose rules to require that developers pay financial contributions for such works, and/or rules to provide for property owners to be compensated for increases in stormwater flow associated with developments.⁷⁶ Mr Robertson asked that we impose a development fee or levy for such works.⁷⁷

[62] In addition, the Snooks and the Wylaars asked that we preclude or otherwise restrict subdivision upstream of their properties pending effective flood protection management measures being put in place.

[63] Ms Snook attended the hearing and explained that they live at 900A Lower Styx Road Brooklands. She said she also spoke for their neighbours, Kerrie and Antonio Rodriguez (2070, FS2835) of 5 Earlham Street. She explained how the earthquakes had exacerbated the flooding risk with land levels dropping and ground water levels rising. She said they had observed the Styx River breaking its banks causing water to flow onto residential properties. She showed us photographs illustrating her experience of these things.⁷⁸ Marina Wylaars explained that she and Trudo Wylaars live at 561 Marshland Road, which is on the Kaputone/Styx River confluence, near the Styx Bridge. She said there is a lot more water in both the Kaputone and the Styx River than there used to be, and attributed this in part to new subdivisions feeding stormwater to the catchment.⁷⁹

[64] Ms Snook and Ms Wylaars each expressed concern that a further proliferation of subdivisions in the Styx catchment would increase this flooding risk. Apart from seeking that we require the Council to undertake physical works and impose development levies, they sought that we put a stop to further subdivision until such time as this was addressed.⁸⁰

[65] The Council's opening submissions were that we did not have jurisdiction to require physical flood protection works and impose development levies.⁸¹ The Chair raised this matter with Ms Hargreaves and Mr Robertson when they made representations on behalf of this group.⁸² Neither were able to offer any sound legal basis for the relief they sought. Ms

⁷⁶ These matters are more fully summarised at Appendix A to the closing submissions for the Council.

⁷⁷ Transcript, page 138, lines 18–46 (Mr Robertson).

⁷⁸ Transcript, pages 160–162 (Ms Snook).

⁷⁹ Transcript, pages 182–186 (Ms Wylaars).

⁸⁰ Transcript, page 186, lines 16–20 (Ms Wylaars).

⁸¹ Opening submissions for the Council at 7.4.

⁸² Transcript, page 153, lines 21–25.

Hargreaves referred to legal advice she had received to the effect that the current position is not “sustainable management”.⁸³ However, assuming that is a reference to the sustainable management purpose expressed in s 5 of the RMA, it does not confer jurisdiction to grant this requested relief.

[66] The Council reiterated our lack of jurisdiction in its closing submissions. It also pointed out that, in the absence of any Council financial contribution policy under s 102 of the Local Government Act 2002, we have no jurisdiction or resource management justification for associated financial contribution rules.⁸⁴ We agree with the Council on these matters.

[67] We also record that none of the submitters provided evidence on this requested relief as would enable us to evaluate its costs and benefits under s 32AA. On the Council’s evidence, which we accept, we find that granting the relief would be inappropriate.

[68] We also agree with the Council that it would not be appropriate for us to stop further subdivision until flood protection works or other suitable measures for addressing flooding risk concerns were in place. While we appreciate that Ms Snook and Ms Wylaars spoke from their personal experience of flooding, properly understanding the causes and effective means of managing flooding risk requires expertise. For instance, the findings in Decision 8 (on Natural Hazards) were based on a range of expert opinions on these matters. None of the submitters presented expert evidence. The Prestons and Highfield new neighbourhood zones to which they referred are both identified by the CRPS as Greenfield Priority Areas — Residential. Their zoning is a matter determined by the Panel’s Decision 29 on the RNN provisions. The RNN zone provisions, together with the provisions of this Decision Version, provide for the control of earthworks and subdivision, including in relation to stormwater. On the Council’s evidence, we are satisfied that nothing further is warranted and that the Revised Version (as refined by this decision) is the most appropriate for achieving related CRDP objectives. Therefore, we decline the requested relief.

⁸³ Transcript, page 214, lines 39–40 (Ms Hargreaves).

⁸⁴ Opening submissions for the Council at 7.4; closing submissions for the Council at 13.1–13.10.

Earthworks management and notification including in regard to Highfield and Prestons

[69] In this part of the decision we address related matters concerning earthworks management and protection of the interests of adjoining neighbours. These matters were raised, in particular, by Raymond and Pauline McGuigan. They were also raised by Luke Pickering (2510) and Ross Major (2499) in the Residential New Neighbourhood (‘RNN’) hearing.

[70] The McGuigans are residents of 26 Lower Styx Road, Marshlands. They have lived and worked on their rural block for the past 20 years, supplementing their income with horticultural, cropping and grazing activities. Pauline McGuigan attended the hearing and was assisted in her presentation by her neighbour, Sue McLaughlin (2459). The McGuigans filed closing submissions reiterating their concerns and commenting on the Council’s proposed provisions.

[71] The McGuigans’ concerns were against the background of their experience in regard to development of the Prestons subdivision which shares a 390m boundary with their property.

[72] The McGuigans understood that, prior to the Prestons development, their property was protected from the Styx River for up to a 1/200 year rain event. They referred a change to Prestons earthworks consent that was granted in 2013, on a non-notified basis. It resulted in the construction of a one-metre-plus high embankment along their common boundary. Ms McGuigan showed us photographs of it. In view of their concerns about flooding risks resulting from the Prestons development, the McGuigans (at their own cost) engaged a drainage engineer (Mr Rob Potts) to provide calculations.⁸⁵ In view of Mr Potts’ work, they understood that their property is now at greater risk of being inundated in certain storm events by water escaping from the development. They feel strongly that they have been exposed to greater flooding risk as a result of the earthworks undertaken and authorised by a process in which they were denied any opportunity to make a submission.

[73] While we have recorded these matters for context, it is not our role to make any determinations concerning the allegations made as to defects in previous consenting processes and/or liabilities arising from those. Rather, our focus is on what are the most appropriate CRDP provisions.

⁸⁵ Transcript, page 194, lines 24–39 (Ms McGuigan).

[74] The McGuigans referred to the wording of Rule 8.8.7(1)(c) as proposed in the Third Revision:⁸⁶

The extent to which any ~~Any~~ potential changes to the patterns of surface drainage or subsoil drains from the earthworks which will cause, and whether the site or adjoining land will to be at higher risk of drainage problems, inundation run-off, flooding, or having a raised water table can be avoided or mitigated.

[75] They argued it was inappropriate for the Council to seek to rely on this rule to ensure private properties are protected, noting that the establishment of storm water retention ponds required major earthworks and the creation of permanent utilities with associated adverse effects. They asked that we provide for a new “and robust” earthworks rule addressing the establishment of storm water retention ponds, both temporary and permanent. They sought that this regime allow for the limited notification of consent applications, taking into account the surrounding environment and any new risks created for adjoining properties.⁸⁷

[76] Luke Pickering and Ross Major raised similar concerns about the Highfield ODP (as included in the RNN proposal). Their concerns included that protections of the Existing Plan regime (through Plan Change 67 (‘PC67’)) were not carried forward. One such protection was as to limited notification of earthworks consent applications to adjacent landowners whose land was within 25m of earthworks. Prompted by those submissions, and Mr Pickering’s comments during the hearing, we issued a Minute seeking clarification of the Council’s position.⁸⁸ In light of the Council’s 25 February 2016 memorandum in response,⁸⁹ Decision 29 on the RNN provisions records, at [149]:

However, at this stage, we record the assurances given by the Council’s Memorandum of Counsel of 25 February 2016. Those are to the effect that the Council intends limited notification of earthworks consent applications to be potentially required in specified circumstances (including where the application would be for land within 25m of the boundary of land not owned by the applicant). The Council also acknowledged that its drafting was flawed on this matter (to the extent that it said the opposite of what was intended). The Memorandum also points out that the Stage 2 Chapter 8 rules for earthworks now include standards as to compaction and noise management.

[77] As that passage notes, we now determine the matters raised by Messrs Pickering and Major, and the McGuigans.

⁸⁶ The McGuigans’ closing submissions were not entirely accurate in their paraphrasing of this revised provision.

⁸⁷ Closing submissions for the McGuigans at pages 1–2.

⁸⁸ Minute — Residential New Neighbourhood Zone — further matters arising from hearing concerning Highfield, dated 16 February 2016.

⁸⁹ Memorandum of counsel on behalf of the Christchurch City Council in response to the Panel’s Minutes regarding Highfield matters and additional matters raised at the drafting hearing, 25 February 2016.

[78] The Council's closing position was that the various changes it proposed in its Fourth Revision were sufficient and the most appropriate for addressing these submitters' concerns on this topic. For that submission, the Council referred to proposed its revised proposed Rules 8.8.5(6)(a), 8.8.6(1)(c) and 8.8.1(3)(c).

[79] In regard to the McGuigans' request for a robust earthworks rule, the Council submitted that this was sufficiently provided for by its revised Rules 8.8.5(6)(a) and 8.8.7(1)(c).⁹⁰

[80] Part of that submission was that its revised Rule 8.8.5(6)(a) narrows the exception it confers to works by a public body, such that it no longer applies to the works of a private individual. This revised rule relevantly reads:

The following earthworks are exempt from the conditions set out in rule 8.8.2 P1 and P2:

...

6) Any earthworks involving:

- a) the establishment, repair or replacement of any utility permitted in Chapter 11 of this Plan (apart from the establishment of stormwater management utilities at 11.3.5.1 P3);

[81] We accept the soundness of the theory of the Council's submission on this matter. However, when we examine the Council's related Chapter 11 (Utilities, Energy and Infrastructure) provisions, we find the combined effect is not as the Council's submission has assumed. Its proposed permitted activity for stormwater treatment devices (Rule 11.3.5.1 P3) does not include any restriction to the effect that would limit it in the manner described. Therefore, consistent with the intention of the Council's closing submissions on this matter (which we accept) we have revised the proposed rule to read:

6) Any earthworks involving:

- a) the establishment, repair or replacement of any utility permitted in Chapter 11 of this Plan (apart from the establishment of stormwater management utilities which are permitted by Chapter 11 Utilities and Energy and not undertaken by the Council or a network utility operator); or

[82] The Council's related submission was that its revised Rule 8.8.7(1)(c) (as quoted at [74]) ensured sufficiently comprehensive coverage of all surface water drainage (including runoff

⁹⁰ Closing submissions for the Council at 19.5–19.14.

and flooding), in combination with other earthworks rules. In effect, stormwater ponds of any magnitude would default to a restricted discretionary activity status. The Council also pointed out that regional resource consents would be part of the context, in dealing with any diversion and discharge of water. We accept those parts of the Council's submission.

[83] The Council's closing did not specifically address the concerns expressed by the McGuigans (and Messrs Pickering and Major) as to limited notification of related consent applications. However, we understand the Council's position to be that its revised proposed Rule 8.8.1(3) is sufficient for these purposes. The position the Council expressed on this topic in its 25 February 2016 memorandum (as described at [76]) is consistent with the Council's revised Rule 8.8.1(3), which relevantly reads:

~~Applications for consent as a restricted discretionary activity shall not be notified or require written approval of affected parties. Any application arising from non-compliance with standards at 8.8.2 may require written approval from the affected adjoining landowner(s) and may be limited notified, but shall not be publicly notified. ... Applications for consent as a discretionary activity shall be notified and require written approval of affected parties.~~

[84] We recognise that this wording does not go as far as Messrs Pickering and Major and the McGuigans seek. Specifically, it allows for public and limited notification but reserves discretion for the Council to dispense with that if it adjudges effects minor (even if written approvals are not obtained). Messrs Pickering and Major asked that we revert to the position on notification that applies under the Existing Plan by virtue of Plan Change 67. However, PC67 also allowed for residual judgement by the Council about whether to dispense with notification.

[85] The McGuigans' description of the non-notification of the Prestons earthworks consent change would suggest significant misjudgement may have occurred on the part of the Council at that time. However, the adage that bad cases do not make good law applies here. We do not consider a misjudgement on one occasion, if full scrutiny of those facts confirms that, makes for an inevitable conclusion that the Council must have its statutory discretion so curtailed. Also, as noted, it is not proper for us to (and we do not) make findings in this context on whether or not that example of non-notification was a misjudgement.

[86] In all of the circumstances, we find on the evidence that there is not a sufficient case for any exception to apply in regard to Prestons and Highfield on this topic. We accept Ms Oliver's

evidence as providing sound support for the Council’s position. We find revised Rule 8.8.1(3) sound in terms of the RMA. Therefore, we find it most appropriate for achieving related CRDP objectives and giving effect to the CRPS and decline the requests of these submitters for an alternative approach.

[87] Therefore, subject to the revisions we have made to these provisions, we are satisfied on the Council’s evidence that they are the most appropriate for addressing the various issues raised by submissions, responding to the Higher Order Documents and achieving related CRDP objectives.

Hyndhope Road Subdivision — Woodford

[88] Dr Keith Woodford (2314) attended the hearing and explained why he sought that the minimum lot size for the Hyndhope Road (Kennedys Bush) subdivision should be retained at 3000m², rather than being allowed to be reduced to the 1500m² proposed for the Residential Large Lot (‘RLL’) zone.

[89] By reference to photographs, he showed how Hyndhope Road curves up to a basalt outcrop. An area there has been subdivided into three blocks, each of approximately 3000m². He was concerned that, if we were to allow an ability to reduce lots to a minimum of 1500m², accommodating up to six lots could be problematic because of how the subdivision was laid out and the shape of the basalt outcrop. He was concerned that the reduced minimum lot size proposed could result in long narrow lots that would adversely impact on the character of this residential area.⁹¹

[90] In closing, the Council submitted that Dr Woodford was being speculative on these things. It argued that a number of factors (e.g. topography and the need for an adequate building site) would dictate the configuration of new allotments, in addition to the location of existing houses on those allotments. It maintained its support for the minimum lot size of 1500m², in reliance on Ms Oliver’s evidence.⁹²

⁹¹ Transcript, pages 202–205 (Dr Woodford).

⁹² Closing submissions for the Council at 20.1–20.2; Second statement of evidence of Sarah Oliver on behalf of the Council, 18 August 2015, at 6.15–6.17; and Accept/Reject table for Chapter 14 (Stage 2) (page 35).

[91] We agree with the Council’s closing submissions that Dr Woodford’s concerns were somewhat speculative in that several matters could influence the configuration of lots, in the event that an owner or owners decide to pursue further subdivision. We consider that we can rely, to some extent, on enlightened self-interest in that individual owners concerned about property value can be expected to guard against outcomes that give rise to the detractions to related amenity values. In any case, having had particular regard to Dr Woodford’s concerns as to the potential for loss of amenity values, we do not consider this to be sufficient to justify departing from what the Council has proposed. The risk of every landowner subdividing their land into two narrow lots is highly improbable. While some may do so, we find the 1500m² minimum lot size sufficiently supported by Ms Oliver’s evidence (which we accept) and the benefits of this to outweigh any perceived benefit in maintaining the status quo. On the basis of that evidence and the Council’s related submissions, we find that lot size the most appropriate for achieving related CRDP objectives. Therefore, we have provided for that in the Decision Version.

Drafting refinement matters⁹³

[92] As we have noted, the Revised Version is part of a consolidation of provisions covering Chapters 8 and 14 (together ‘Revised Versions’). In this section, we give our reasons for making various drafting refinements. As most of these are in Chapter 8, we deal with everything in this decision (including for the purposes of our companion Decision 29. As will be self-evident, the phrase ‘Revised Version’ below sometimes refers to Residential New Neighbourhood provisions.

[93] Some of our drafting refinements are to Decisions 10 (on Stage 1 Residential) and 13 (on Stage 1 Subdivision, Development and Earthworks). We make those changes under cls 13(5) and (6) of the OIC to ensure better coherence and consistency in these Chapters and the CRDP as a whole. They will assist the CRDP to better respond to the OIC Statement of Expectations and better achieve Strategic Directions Objective 3.3.2. We are satisfied that none of them would adversely impact on the interests of submitters or anyone else. As minor remedial refinements, they do not require re-notification.

⁹³ Our decision version includes our response to the Joint memorandum of counsel for the Council and the Crown requesting corrections to Decision 13, 12 February 2016.

Notification rules for various activity classes

[94] Across the Revised Versions (and indeed other CRDP chapters) there is an unhelpful inconsistency in how notification rules are expressed. This is a matter at the core of resource management processes, impacting directly on the costs and certainty of process. Hence, clarity and consistency is important, bearing in mind the OIC Statement of Expectations. We have made some modifications to a number of notification rules in the Revised Versions (and also in related decisions), for those reasons.

8.0 Introduction

[95] There is a degree of inconsistency in the CRDP in the fact that some proposals have introductions, and others do not. We consider introductions have an important role for the lay reader seeking to navigate the CRDP. Therefore, we intend to provide for them across all chapters, but subject to the inclusion of the following statement:

This Introduction is to assist the lay reader to understand how this Chapter works and what it applies to. It is not an aid to interpretation in a legal sense.

[96] The Panel considers it important that the chapter Introductions remind the reader of the pre-eminence of the Strategic Directions, for the reasons stated at [148] of Decision 1. Therefore, we have included in the Introduction the following:

The provisions in this chapter give effect to the Chapter 3 Strategic Directions Objectives.

[97] As can be observed from the Decision Version, the drafting of the Chapter 8 provisions stands somewhat apart from other CRDP chapters, particularly in the level of detail and prescription of its rules. As we observed at [1] of Decision 13:

Subdivision, like algebra, is best not to be studied on a hot nor' wester afternoon after a heavy meal. It requires careful attention to topics such as minimum lot sizes, road widths and footpath numbers, and wastewater and other infrastructure servicing.

[98] Subdivision consenting has an important interrelationship with Council infrastructure programming and funding, and associated legal processes for the bringing down of new titles (including s 224 RMA certification). Given these drivers of a different drafting approach may be not immediately evident to the lay reader, we have included the following sentence in the Introduction:

The lay reader will observe that, by comparison with other parts of this Plan, provisions of this chapter (particularly its rules) are significantly more detailed and prescriptive. That is a necessary aspect of ensuring subdivision consent processes properly integrate with Council infrastructure programming and funding and legal processes for securing title to subdivided land.

Policy 8.1.2.9(d)

[99] We have refined Policy 8.1.2.9(d) by changing the words “interim subdivision, use and development” to “interim activity”.

Policy 8.1.4.5 — Protection of wāhi tapu and wāhi taonga

[100] We have tightened the reference to “ensure consultation” so that it is clearly specific to relevant resource consent applications for earthworks.

Policies 8.1.5.2 and 8.1.5.3 as to nuisance and vehicle movement

[101] We have clarified the relationship of these policies to Policy 8.1.4.3 (making each subject to that policy) and revised their expression for greater clarity.

8.2.1 How to use the rules

[102] We have added this narrative for consistency with other chapters.

Controlled activity Rule 8.3.2.1 C5 — standards referring to Rule 8.3.3.11(a)

[103] There was a relatively narrow point of difference between the Council and the Crown as to the expression of activity standards for controlled activity C5 (which is for “subdivision in any area subject to an outline development plan, except as otherwise specified in Rules 8.3.2.1, 8.3.2.2, 8.3.2.3 or 8.3.2.4”). In the final analysis, we find the Crown’s drafting approach preferable in clarity terms.

Expression of net site area in Rules 8.3.2.1 C7 and 8.3.2.2 RD7

[104] We have changed the phrase “minimum area of 1ha” in these rules to “minimum net site area between 1ha and 4ha”, to clarify the activity classes are triggered within this range.

Rule 8.4.7 and various cross-references to it in controlled and restricted discretionary rules

[105] The Crown sought that we include a Rule 8.4.7, and related cross-references.⁹⁴ In summary, the rule would specify various matters of control pertaining to the coastal environment. Those include coastal hazards, drainage, stormwater and sediment, vegetation and topsoil removal, ecosystems, natural character, landscape and visual effects and public access. The Crown submitted that, if we did not include the rule now, that could remove the ability to appropriately consider the effects of subdivision activities on the coastal environment.

[106] The Revised Version inadvertently included some matters that the Crown and the Council agree should be deferred pending determination of the related Chapter 9 (Natural and Cultural Heritage), i.e. reference in paragraph (f) to “or sites of historical significance”, and paragraphs (k) and (l) (on the effects of development on natural character and coastal environment heritage).⁹⁵ We agree with the parties on that matter, and have deleted these aspects in the rule we include in the Decision Version.

[107] Even with those changes, the Council considered that we should not include the rule because it was not included in the Notified Version and submissions had not sought its inclusion.

[108] The remainder of the rule would assist ensure controlled and restricted activity decision-making under Chapter 8 can properly respond to the matters of national importance in s 6(a), (b) and (d) of the RMA, pending determination of Chapter 9. While it may be possible to achieve similar decision-making outcomes by simply maintaining Existing Plan subdivision controls in force, we consider such an approach untidy and unwarranted. We find it unwarranted because we are satisfied that, given the substance of the rule, its inclusion now would not materially prejudice the position of any submitter or person who has not made a submission.

[109] That leads us also to be satisfied that there is no jurisdictional impediment to the inclusion of the rule, in its modified form, at this time. Clause 13(2) of the OIC allows us to make any changes to the Notified Version that we consider appropriate, not limited to changes within the scope of any submission on the Notified Version. Under cl 13(4), notification of a new

⁹⁴ Memorandum of counsel for the Crown, 27 June 2016.

⁹⁵ Memorandum of counsel on behalf of the Council responding to the Crown, 5 July 2016.

proposal would be required only if the changes are to deal with matters that are, in a material way, outside the scope of the Notified Version. For the reasons we have given, we are satisfied that this change is not material in that regard.

[110] Therefore, we have included this truncated version of the rule in the Decision Version (together with cross-referencing), on the basis that the final form of the rule can be revisited in light of determination of Chapter 9.

Rule 8.3.2.5 prohibited activities

[111] We have deleted proposed Rule 8.3.2.5 which specified as a prohibited activity any subdivision that did not comply with standards in Table 1 related to the Residential Bach zone. Table 1 of the Revised Version does not include any such standards. From Mr Long's evidence, we understand the Council envisaged that this rule would be the subject of consideration in the Coastal Environment proposal hearing. However, the record for that hearing does not reveal any supporting evidence. Nor did we receive any evidence as to benefits, costs and risks that, for the purposes of s 32AA, would satisfy us as to the appropriateness of such an onerous activity classification. Therefore, rather than defer this rule, we reject it as inappropriate for achieving related Strategic Directions and other objectives.

Rule 8.3.3.1 — clarification note pertaining to Table 1

[112] Proposed Rule 8.3.3.1 is part of a set of activity standards, and pertains to minimum net site areas and dimensions. Table 1 sets out minimum net site areas for particular zones, and associated standards. The Revised Version proposed the following wording (not in the Notified Version) as a preface to Table 1:

Clarification: where an allotment is proposed which covers more than one zone, the minimum net site area shall apply.

[113] The Crown opposed the note.⁹⁶ Part of its concern (i.e. that the note did not originate from the Notified Version) was fairly answered by the Council (i.e. that it originated in what is now Rule 8.3.2.1 C5 and C8 and could be relocated there, if not deleted).⁹⁷

⁹⁶ Memorandum of counsel for the Crown, 27 June 2016.

⁹⁷ Memorandum of counsel on behalf of the Council responding to the Crown, 5 July 2016.

[114] However, we agree with the Crown’s related concern that the note is expressed in the nature of the rule. If the Council considers clarification of this matter sufficiently important, we consider the better approach would be to address it through a later plan change. For those reasons, we have not included the note in the Decision Version.

Residential net density standard 8.3.3.11(b) — Residential New Neighbourhood zones

[115] CRPS Policy 6.3.7 generally specifies that Residential Greenfield Priority Area development is to achieve a residential net density (averaged over the ODP area) of 15hh/ha. CRPS Policy 6.3.3 requires that, to the extent relevant, ODPs must show the distribution of different residential densities. Those policies make it particularly important that rules on this topic are sound and clear.

[116] Proposed Rule 8.3.3.11(b) was the subject of several revisions, as a rule intended to give effect to the CRPS and to allow for an important dimension of flexibility without jeopardising the overall requirement that the CRDP gives effect to the CRPS. Despite it being the focus of significant attention during expert witness conferencing, we found some dimensions of the proposed rule, as expressed in the Revised Version, unsatisfactory in a drafting sense. Primarily, our concern centres on the drafting of 8.3.3.11(b)(iv) and (v). Inherently, paragraph (iv) has complexity in that it functions to define an intended exception to density standards that relies on the securing of a side arrangement (backed by a legal instrument) with other landowners whose land would be used to make up a density shortfall. Paragraph (v) then functions to define an obligation to deliver upon density arrangements made between contributing landowners at the time they come to subdivide and develop their land. We have found there is further room for clarity in those clauses. In addition, we have found it possible to further clarify and merge related clauses (i) and (ii).

[117] With those clarifications, we find the rule would better implement related Policy 8.1.2.8(b), achieve related objectives and give effect to the CRPS.

Placement of 8.4 matters of control and 8.5 matters of discretion

[118] We consider the drafting would be more legible and logical for the reader if sections 8.4 and 8.5 were to become part of 8.3, on rules (i.e. as new 8.3.4, 8.3.5). However, given the large number of consequential numbering and cross-referencing issues, we have not made this

change at this time. If it cannot be achieved by the conclusion of our inquiry, it is something the Council could consider doing at some stage by plan change. In the meantime, we have amended the headings (‘Rules as to matters of control — subdivision’/‘Rules as to matters of discretion — subdivision’) to clarify these are also rules.

Rule 8.4.4.1 — subdivision design

[119] This proposed rule specifies general matters of control in regard to subdivision design, most of which we are satisfied with as being appropriately drafted.

[120] We have clarified the wording of 8.4.4.1(g).

[121] The Crown asked that we delete proposed 8.4.4.1(i) of the Revised Version, as it was unclear and redundant. It reads:

The extent to which a subdivision in a New Neighbourhood Zone gives effect to the development requirements specified in the relevant outline development plan.

[122] The Crown pointed out that a subdivision must comply with the ODP in order to qualify as a controlled activity. It submitted that to allow for conditions to be imposed that exceeded the development requirements of the ODP would be inappropriate given the uncertainty it would give rise to.

[123] The Council sought that we retain proposed 8.4.4.1(i) as drafted. While acknowledging the correctness of the Crown’s point that a subdivision must comply with the ODP to qualify as a controlled activity, it submitted that there remained a role for conditions to be imposed in relation to those ODP requirements.

[124] We agree with the Council that there is potential for argument and uncertainty if reliance is placed solely on the controlled activity status for ensuring adherence to related ODP requirements. Whilst, in theory, an applicant for a controlled activity subdivision may be bound to adhere to the ODP, we consider it practically helpful to allow some scope for the setting of related consent conditions. For example, it assists the administration of s 224(c) of the RMA. That provision requires, as a prerequisite to the deposit of a survey plan (and, hence issuance of titles following subdivision), Council certification that subdivision consent conditions have been complied with (or are the subject of a completion certificate).

[125] For greater clarity, we have modified the wording of the Revised Version's proposed rule, as follows:

The extent to which conditions are appropriate on a subdivision consent in a Residential New Neighbourhood Zone in order to give effect to the development requirements specified in the relevant outline development plan.

Repositioning of earthworks objectives, policies and rules

[126] For greater clarity of structure, we have repositioned the earthworks objectives and policies to section 8.1 and the earthworks rules immediately following the subdivision rules.

8.5A.1 Notification (earthworks)

[127] We have shifted text from this provision to the new 'How to use the rules' section. The remainder is a rule as to notification, which we have renamed and clarified.

Rule 8.5A.2.1 P1 earthworks and direction for Chapter 5 Natural Hazards earthworks rules

[128] This proposed rule (previously numbered 8.8.2 P1) is confined to earthworks outside Flood Management Areas and Flood Ponding Areas. It is designed on the premise that earthworks within those areas would be governed by the Chapter 5 Natural Hazard provisions. However, the relevant earthworks rules in Chapter 5 do not appear to specify all of the activity standards specified in this proposed rule. For instance, there is no reference to standards 4 (soil compaction vibration), 5 (lighting), 6 (noise) or 7 (clean fill) which, on the face of it, would seem equally applicable to those overlay areas.

[129] The Panel's decision has not yet been issued on Stage 2 Natural Hazards. Our preliminary view is that we should, in that decision, correct this apparent oversight as a minor and consequential change. Doing so would seem consistent with the directions made by the Panel on this matter, on 3 November 2015.⁹⁸ Therefore, we have directed the Council to file a memorandum of counsel as to the Council's position on these matters.

⁹⁸ Minute relating to an application by Christchurch City Council for an Order confirming the allocation of notified provisions to Stage 3 and combined Stage 2 and 3 hearings, 3 November 2015, at page 8.

Rule 8.5A.2.1 P2

[130] This rule concerns earthworks for the repair of residential land damaged by the earthquakes. The rule has been carried forward as a transitional earthquake recovery provision. It expires on 31 December 2018. Although its drafting is unduly complex, we did not receive any evidence that it was causing difficulties in application. Given its temporary purpose, we have not attempted any significant revision to it.

Rule 8.5A.4(1)(a)–(c) — Matters of discretion: nuisance

[131] We have refined the structure and clarity of these matters of discretion.

Rule 8.5.14 P3–P5 — earthworks in the vicinity of transmission and distribution lines

[132] The drafting of these rules in the Revised Version is deficient in the fact that it would allow avoidance of activity standards self-evidently relevant to all earthworks. That is because the standards are specified in P1 and P2 but not in P3–P5. We considered the approach of developing standards for these permitted activities, but that proved structurally complex. Instead, we have dealt with the drafting deficiency by specifying an exception to P3–P5 (i.e. “except as otherwise specified in Rule 8.5A.2.2 or 8.5A.2.3”) and adding a requirement that P1 and P2 also meet the activity standards in P3–P5.

Appendix 8.6

[133] For the time being, we have reorganised the order of Appendix 8.6, according to the recommendations in the Council’s 14 June 2016 memorandum.⁹⁹ This assists to address some disorder in the fact that this appendix interleaves the various proposed ODPs with other matters. However, we consider that further re-ordering of appendices, including this one, could be appropriate once the entire CRDP is closer to finalisation.

Outline development plans: reference to vegetation clearance around electricity lines

[134] We have made a minor change to this aspect of various ODPs so that it is expressed in appropriately mandatory terms.

⁹⁹ Memorandum of Counsel on behalf of Christchurch City Council regarding intended response to Panel’s Minute dated 9 June 2016 and seeking an extension of time also relevant to the Residential New Neighbourhood Proposal, 14 June 2016.

Rule 14.9.2.2 C4–C6 and Rule 14.9.2.3 RD1, RD10 and RD11

[135] We have reclassified as non-notified controlled activities (subject to specified matters of control), three proposed restricted discretionary activities under the Revised Version:

- (a) Residential units (including sleepouts) containing more than six bedrooms;
- (b) Activities and buildings not complying with specified standards as to landscaping, fencing in the road boundary setback and ground floor habitable space and overlooking of street; and
- (c) Activities and buildings that do not comply with standards on service, storage and waste management space.

[136] This reclassification ensures appropriate consistency on these matters between the RNN zone and other Residential zones. We did not receive any evidence to satisfy us that there was anything peculiar to the RNN zone, and its related environments, as would justify this inconsistency. Rather, it would appear that the Revised Version has simply carried forward restricted discretionary classification from the Notified Version as an oversight. We find this change most appropriate for achieving related objectives (including Strategic Objectives 3.3.1 and 3.3.4, Objective 14.1.1 and Policy 14.1.1.1) and responding to the Higher Order Documents.

Rule 14.9.2.3 RD2 — creation of stormwater drainage ponds and bird strike

[137] As noted, the decision on this matter is deferred until General Rules.

Rule 14.9.2.3 new RD27 — activities and buildings that do not comply with ODPs

[138] We have inserted this new restricted discretionary activity class for non-compliance with Rule 14.9.3.16 to cover a gap in the Revised Version. It did not provide a specified activity class for this matter, meaning that the activity would be rendered discretionary. We find discretionary inappropriate, firstly because proposed Rule 14.13.26 (which we have confirmed with some modification) is intended to express related matters of discretion more appropriately related to a restricted discretionary activity. In any event, we find restricted discretionary activity classification most appropriate for achieving related objectives (including Strategic

Objectives 3.3.1 and 3.3.4, Objective 14.1.1 and Policy 14.1.1.1) and responding to the Higher Order Documents.

Rule 14.9.2.5 NC2(a)(iii) — Orion's 11 kV Heathcote to Lyttelton line

[139] We have accepted Orion's closing submission¹⁰⁰ (supported by the Council)¹⁰¹ that the Revised Version inadvertently overlooked making provision for Orion's 11 kV Heathcote to Lyttelton line, as was agreed between relevant parties¹⁰² and supported by the Council's planning evidence.¹⁰³ Therefore, we have made provision for this in the Decision Version (with some minor drafting refinement).

Provision 14.9.2.6 on 'no prohibited activities' deleted

[140] This was an empty placeholder in the Revised Version, in that there are no prohibited activities intended. The Panel considers a more compact and clear drafting style across the CRDP is to delete such placeholders.

Rule 14.9.3.4(c) on notification for breach of daylight recession planes

[141] Consistent with our findings noted earlier concerning notification rules, and following a request from the Council,¹⁰⁴ we have modified the expression of this rule.¹⁰⁵

Rule 14.9.3.6(b) on minimum internal boundary setbacks for comprehensive residential development

[142] This rule of the Revised Version specifies minimum setback distances from an internal boundary for living area windows. The Revised Version specified the following exception (as (b)):

This rule does not apply to a retirement village or a comprehensive residential development.

¹⁰⁰ For the RNN proposal.

¹⁰¹ Closing submissions for the Council at para 5.6.

¹⁰² Joint Memorandum of Counsel for Orion New Zealand Limited, Transpower New Zealand Limited and Christchurch City Council, 18 December 2015, at para 6.

¹⁰³ Closing submissions for Orion (RNN Hearing) at para 19.

¹⁰⁴ Joint memorandum of counsel for the Council and the Crown requesting corrections to Decision 10 (Residential Stage 1 (Part)), 29 January 2016.

¹⁰⁵ Decision 10: Residential (Part) Planning Maps and minor corrections, 1 July 2016 at [15]–[17].

[143] That drafting is inconsistent with that of Rules 14.9.3.4(d), 14.9.3.5(c), i.e.:¹⁰⁶

For a retirement village or a comprehensive residential development, this rule applies only to the internal boundaries on the perimeter of the entire development.

[144] The Council did not offer any rationale for this inconsistency and we find the most appropriate way of rectifying it is to bring the drafting of 14.9.3.6(b) in line with the related rules.

Rule 14.9.3.13 on service, storage and waste management spaces

[145] We have simplified the drafting of this rule and aligned it to the drafting applied by Decision 10: Residential Stage 1 (and which the Council has requested we extend to the RMD and Residential Banks Peninsula zones). We are mindful that this reduces the prescription that applies to these matters within the RNN zone. However, the Council's evidence did not justify that this additional prescription was warranted.

Rule 14.13.26 — ODPs

[146] We have made minor drafting clarification to this rule (formerly numbered 14.13.24)

Rule 14.13.27(i) — concerning comprehensive residential development in RNN zone

[147] In an earlier Council version of this rule, it was numbered 14.13.25. As now, the rule specifies, for resource consent processes, matters of discretion for comprehensive residential development in the RNN zone. The Crown raised some drafting issues on some of the matters. Its most significant concern was in relation to matter (i). In the version available to the Crown at the time of closing, it read:

Where the built form standards in 14.9.3 are not specified as applying to comprehensive residential developments, whether good design outcomes are achieved using the standards as a flexible guideline.

[148] The Crown sought deletion of this matter, on the basis of Ms McIntyre's evidence. Specifically, the Crown was concerned that the matter's reference to standards would impede innovation (an important opportunity that comprehensive development offered), was

¹⁰⁶ It is also inconsistent with 14.13.10(a)(iv).

misdirected (in that standards are not necessarily a measure of good design) and unnecessary (given other specified matters of discretion).¹⁰⁷

[149] In closing, the Council noted the concessions that Ms McIntyre made under cross-examination to the effect that built form standards are a useful starting point. It argued that it was appropriate to reference built form standards on that basis, provided this explicitly allowed for flexibility.¹⁰⁸ Therefore, it proposed the following revision:

In relation to the built form standards that do not apply to comprehensive residential developments, consideration of these standards as a flexible guideline to achieve good design and residential amenity.

[150] On balance, we agree with the Council’s closing position. While built form standards are not the measure of good design, they are a potential reference point for achieving that. We consider the Crown’s concerns about constraint on innovation are answered by the flexibility expressed in the Council’s revised wording.

[151] Also in relation to Rule 14.13.25, the Crown sought (as a “relatively minor point of detail”),¹⁰⁹ a different drafting approach to that of the Revised Version, concerning specified matters (b), (c) and (d). It invited us to prefer the alternative approach of using cross-referencing, recommended by its planning expert, Ms McIntyre.¹¹⁰ It also sought a minor clarification to how matter g. was drafted. In the final analysis, we are satisfied that the drafting approach in the Decision Version to these matters, largely following the Revised Version, is the most appropriate.

CONCLUSION

[152] This decision therefore amends the Notified and Revised Version in the manner set out in Schedule 1.

[153] Any party who considers we need to make any minor corrections under cl 16 of the OIC, must file a memorandum specifying the relevant matters, **within 14 working days of the date of this decision.**

¹⁰⁷ Closing submissions for the Crown at 3.4–3.7.

¹⁰⁸ Closing submissions for the Council at 3.9.

¹⁰⁹ Closing submissions for the Crown at 3.3.

¹¹⁰ Evidence in chief of Sandra McIntyre on behalf of the Crown at 8.6.

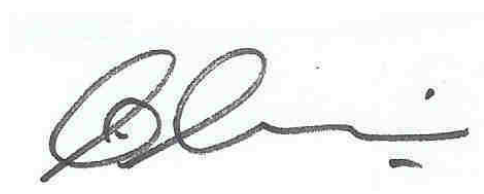
For the Hearings Panel:



Environment Judge John Hassan
Deputy Chair



Ms Sarah Dawson
Panel Member



Mr Alec Neill
Panel Member



Mr Gerard Willis
Panel Member

SCHEDULE 1

KEY:

- (i) Black text – Decision 13 Subdivision, Development and Earthworks (Part) (Stage 1) or Decision 21 Specific Purpose (Flat Land Recovery) Zone (Stage 3) text;
- (ii) Blue text – Subdivision, Development and Earthworks (Stage 2) text (clean) as filed with the Council's Closing Legal Submissions on 23 November 2015;
- (iii) Purple text – Residential New Neighbourhood Chapter 8 text as filed with the Council's Closing Legal Submissions on 6 April 2016;
- (iv) Brown text – Decision 23 Chapter 15 Commercial (Part) and Chapter 16 Industrial (Part) and the New Brighton medium density overlay - as relevant to Chapter 8 only.

Chapter 8 Subdivision, Development and Earthworks (part)

8.0 Introduction

This Introduction is to assist the lay reader to understand how this chapter works and what it applies to. It is not an aid to interpretation in a legal sense.

This chapter relates to subdivision and earthworks that may occur throughout the city. In addition to managing subdivision, the objectives, policies and rules of this chapter also manage earthworks, which are necessary to facilitate subdivision, development, the provision of utilities, hazard mitigation and the repair of land damaged by the earthquakes.

The provisions in the chapter give effect to the Chapter 3 Strategic Directions objectives.

The lay reader will observe that, by comparison with other parts of this Plan, provisions of this chapter (particularly its rules) are significantly more detailed and prescriptive. That is a necessary aspect of ensuring subdivision consent processes properly integrate with Council infrastructure programming and funding and legal processes for securing title to subdivided land.

The principal purpose of subdivision is to provide a framework for land ownership so that development and activities can take place. Subdivision is of strategic significance and plays an important role in determining the location and density of development and its impact on the character of both rural and urban areas. It provides a physical framework that reflects and implements urban growth, form and structure policies, and enables activities to be carried out as anticipated by the zone provisions in the various areas covered by the District Plan. Because subdivision enables intensification, the impacts of it are often irreversible, so it requires careful planning.

The subdivision process regulates the provision of services for development and activities, including reserves, network infrastructure and community infrastructure. The adverse effects of activities are generally controlled by the provisions for each zone. However, some potential effects of those activities that may be undertaken on sites are most appropriately managed at the time of subdivision.

For example, earthworks, and the formation of vehicle access, may have an impact on the amenity of an area, and the most effective means of addressing such effects may be conditions of consent.

The subdivision of land to create sites on undeveloped land creates expectations and property rights. It requires consideration of the need for public open spaces, reserves, community infrastructure and connections to and servicing by other infrastructure. Cost-effective servicing by infrastructure is an important consideration for greenfield developments. However, infrastructure servicing and access can also be an issue for the subdivision of already developed land. A significant reason for that is the considerable damage to public infrastructure caused by the earthquakes of 2010 and 2011. Those events resulted in parts of the City having limited ability to service new development pending further capital investment on improvements.

The Council's Development contributions Policy (made under the Local Government Act 2002) is one method by which these servicing issues can be addressed, in addition to controls provided for through this Chapter 8. The Development contributions Policy provides for development contributions to be levied for any subdivisions that generate a demand for reserves, network infrastructure, or community infrastructure (excluding the pipes or lines of a network utility operator).

The process of subdividing land provides an appropriate opportunity to consider a variety of issues including natural and other hazards in terms of the suitability of subdivided land for anticipated land uses, the provision of reserves and esplanade reserves. It allows for consideration of the potential for reverse sensitivity effects, or other ways in which new land uses may conflict with existing activities.

The subdivision process is also a means by which Ngāi Tahu cultural values can be communicated, addressed and enhanced.

8.1 Objectives and policies

8.1.1 Objective – Natural and built environments

[deferred to Natural and Cultural Heritage]

8.1.1.1 Policy – Natural features and landscapes

[deferred to Natural and Cultural Heritage]

8.1.1.2 Policy – Protection through subdivision

[deferred to Natural and Cultural Heritage]

8.1.1.3 Policy – Historic heritage and protected trees

[deferred to Natural and Cultural Heritage]

8.1.1.4 Policy – Access to waterways / Mana whakahaere

- a. Provide for appropriate public access and customary access to and along the margins of rivers, lakes, waterways and the coastline, including through esplanade reserves and strips, except in respect of Lyttelton Port of Christchurch where such provision is inappropriate due to the necessity to ensure public safety and the security of adjoining cargo and adjoining activities.

8.1.2 Objective – Design and amenity

- a. An integrated pattern of development and urban form through subdivision and comprehensive development that:
 - i. provides allotments for the anticipated or existing land uses for the zone;
 - ii. consolidates development for urban activities;
 - iii. improves people's connectivity and accessibility to employment, transport, services and community facilities;
 - iv. improves energy efficiency and provides for renewable energy and use; and
 - v. enables the recovery of the district.
- b. *[deferred to Natural and Cultural Heritage]*

8.1.2.1 Policy – Recovery activities

- a. Ensure that subdivision processes enable recovery initiatives including by facilitating:
 - i. subdivision of greenfield and intensification areas;
 - ii. the issue of fee simple title where the following permitted or approved initiatives occur:
 - A. conversion of a residential unit into two residential units;
 - B. conversion of a family flat into a residential unit;
 - C. replacement of a residential unit with two residential units;
 - D. comprehensive development using the Enhanced development mechanism; or
 - E. comprehensive development using the Community housing redevelopment mechanism;
 - iii. conversion of the type of tenure from a cross lease or unit title to fee simple; and
 - iv. subdivision of a cross lease or unit title site arising from the updating of a flat plan or unit plan;
- b. Recognise that quarrying and other interim activities may be a suitable part of preparing identified greenfields priority areas for urban development, provided that their adverse effects can be adequately mitigated and they do not compromise use of the land for future urban development.

8.1.2.2 Policy – Design and amenity / Tohungatanga

[This policy may be revisited following the hearing of the Natural and Cultural heritage proposal]

- a. Ensure that subdivision:
 - i. incorporates the distinctive characteristics of the place's context and setting;
 - ii. promotes the health and wellbeing of residents and communities; and
 - iii. provides an opportunity to recognise Ngāi Tahu culture, history and identity associated with specific places, and affirms connections between manawhenua and place.

8.1.2.3 Policy – Allotments

- a. Ensure that the layouts, sizes and dimensions of allotments created by subdivision are appropriate for the anticipated or existing land uses.
- b. In residential subdivisions, provide for a variety of allotment sizes to cater for different housing types and affordability.

[Clause a. of this policy may be revisited following the hearing for the Natural and Cultural Proposal]

8.1.2.4 Policy – Identity

- a. Create or extend neighbourhoods which respond to their context and have a distinct identity and sense of place, by ensuring that subdivision, where relevant:
 - i. incorporates and responds to existing site features (including trees, natural drainage systems, buildings), cultural elements and values and amenity values (including by taking advantage of views and outlooks);
 - ii. incorporates public spaces that provide opportunities for formal and informal social interaction;
 - iii. has a pattern of development that responds to the existing urban context;
 - iv. is designed with a focus on the use of open space, commercial centres, community facilities, and the use of views, density, roads, land form, stormwater facilities **and, in the Residential New Neighbourhood Zone, development requirements in an outline development plan**, as key structuring elements; and
 - v. incorporates and responds to Rangatiratanga – the expression of te reo kawa, tikanga, history, identity and the cultural symbols of Ngāi Tahu.

[This policy may be revisited following the hearing for the Natural and Cultural Proposal]

8.1.2.5 Policy – Sustainable design

- a. Enable resource efficiency, use of renewable energy, and community safety and development, by:

- i. ensuring that the blocks and lots maximise solar gain, including through orientation and dimension;
- ii. providing a development pattern that supports walking ,cycling and public transport; and
- iii. ensuring visibility and interaction between private and public spaces, and providing well-lit public spaces.

8.1.2.6 Policy – Integration and connectivity

- a. Ensure effective integration within and between developments and existing areas, including in relation to public open space networks, infrastructure, and movement networks.
- b. Ensure that the boundaries between new and existing developments are, where appropriate, managed to avoid or mitigate adverse effects.
- c. Avoid significant adverse effects and remedy or mitigate other adverse effects on existing businesses, rural activities or infrastructure.

8.1.2.7 Policy – Open space

- a. Ensure, where appropriate, the provision and development of public open space networks which:
 - i. are accessible and safe and provide for various forms of recreation, including active recreation, for the health and wellbeing of communities;
 - ii. are within 400m of new residential allotments in greenfields and brownfields areas;
 - iii. recognise the landscape and natural features in the wider area and link or connect to other green or open space, community facilities, commercial centres, areas of higher density residential development, landforms and roads;
 - iv. recognise and protect values associated with significant natural features and significant landscapes, and protect or enhance ecological function and biodiversity;
 - v. reinforce and uphold the Garden City landscape character of urban Christchurch City and the heritage landscapes and plantings of Banks Peninsula townships and settlements;
 - vi. provide access to heritage places and natural and cultural landscapes including the coastline, lakes and waterways and wetlands; and
 - vii. strengthen the relationship that Ngāi Tahu and the community have with the land and water, including by protecting or enhancing natural features, customary access historic heritage, cultural landscapes as identified in the Plan, and mahinga kai.

[This policy may be revisited following the hearing for the Natural and Cultural Proposal]

8.1.2.8 Policy – Urban density

- a. Subdivision in the Residential Medium Density Zone must enable development which achieves a net density of at least 30 households per hectare.

- b. In the Residential New Neighbourhood Zone residential development areas:
 - i. a minimum net density of 15 households per hectare shall be achieved when averaged across the whole of the residential development area within the relevant outline development plan, except:
 - A. in the Residential New Neighbourhood (Prestons) Zone a minimum net density between 13 and 15 households per hectare shall be achieved; and
 - B. in areas shown on an outline development plan as being subject to development constraints;
 - ii. any subdivision, use and development which results in a residential net density lower than the required density shall demonstrate, through the use of legal mechanisms as appropriate, that the residential net density required across residential development areas of the outline development plan can still be achieved; and
 - iii. except as provided for in (ii) above, where an application is made for subdivision that would not achieve the required residential density, Council will regard all owners of greenfield (undeveloped) land within the outline development plan area as affected parties.
- c. In the Residential New Neighbourhood Zone, encourage higher density housing to be located to support, and have ready access to, commercial centres, community facilities, public transport and open space, and to support well-connected walkable communities.

8.1.2.9 Policy — Outline development plans

- a. An outline development plan (as relevant) must demonstrate that:
 - i. land uses will be distributed in a way that is consistent with Policy 8.1.2.8;
 - ii. land for community uses will be provided in locations convenient to the community and of an adequate size to serve the intended population;
 - iii. adequate infrastructure capacity will be available to service the intended population [and/or business activities];
 - iv. infrastructure and transport connections will be integrated effectively with networks in neighbouring areas, and with strategic infrastructure;
 - v. infrastructure and transport connections through the outline development plan area will support co-ordinated development between different landowners;
 - vi. natural hazards will be managed in an integrated way across the area; and
 - vii. significant natural and cultural heritage features, and the quality of surface water and groundwater, will be protected;

and where required to give effect to the Canterbury Regional Policy Statement Policy 6.3.3, include the necessary information set out in that policy.
- b. Information in outline development plans:

- i. should be presented in the form of one or two plans that show a distribution of land uses, infrastructure and transport networks and connections, areas set aside from development and other land use features; and
- ii. may include an accompanying narrative that:
 - A. is concise and addresses matters in Policy 8.1.2.9(a) and any matters required to give effect to the Canterbury Regional Policy Statement Policy 6.3.3 that cannot be shown on the plans;
 - B. describes the context and provides guidance on the outcomes sought;
 - C. specifies development requirements that must be achieved to be considered in accordance with the outline development plan; and
 - D. states any staging requirements that give consideration to the provision, funding, implementation and operation of new and upgraded infrastructure and will guide infrastructure planning processes of the Council and other network providers.
- c. Subdivision, use and development shall be in accordance with the development requirements in the relevant outline development plan, or otherwise achieve similar or better outcomes.
- d. Any quarrying or other interim activity shall not compromise the timely implementation of, or outcomes sought by, the outline development plan.

8.1.2.10 Policy – Comprehensive Residential Development

- a. In the Residential New Neighbourhood Zone, encourage comprehensive residential developments that are in accordance with the relevant outline development plan as a means of achieving co-ordinated, sustainable and efficient development outcomes.

8.1.3 Objective — Infrastructure and transport

- a. Subdivision design and development promotes efficient provision and use of infrastructure and transport networks.
- b. A legible, well connected, highly walkable, and comprehensive movement network for all transport modes is provided.
- c. Land is set aside for services which can also be used for other activities, such as pedestrian or cycle ways.

8.1.3.1 Policy – Identification of infrastructure constraints

- a. Areas subject to infrastructure capacity constraints will be identified by the Council to assist public understanding and decision-making regarding network capacity available to service subdivision and subsequent land use.

8.1.3.2 Policy — Availability, provision and design of, and connections to, infrastructure

- a. Manage the subdivision of land to ensure development resulting from the creation of additional allotments:
 - i. does not occur in areas where infrastructure is not performing, serviceable or functional; **and**
 - ii. will be appropriately connected to and adequately serviced by infrastructure, including through any required upgrade to existing infrastructure.
- b. Ensure that new network infrastructure provided in relation to, or as part of, subdivision development is constructed, designed and located so that it is resilient to disruption from significant seismic or other natural events including by ensuring that, as far as practicable, damage from such events is minimised.
- c. Ensure that, as part of subdivision, there is adequate provision, with sufficient capacity, to service the scale and nature of anticipated land uses resulting from the subdivision, for:
 - i. wastewater disposal, including lawful trade waste disposal for anticipated industrial development, consistent with maintaining public health and minimising adverse effects on the environment;
 - ii. water supply, including **water** of a potable standard for human consumption, **and water for fire fighting purposes**;
 - iii. telecommunication services including connection to a telecommunication system, with new lines being generally underground in new urban areas; **and**
 - iv. electric power supply, with new lines being generally underground in new urban areas - including, if necessary, ensuring the provision of new or additional or the upgrading of existing infrastructure in a manner that **is** appropriate for the amenities of the area.
- d. Where wastewater disposal is to a reticulated system, ensure all new allotments are provided with a means of connection to the system.
- e. Where a reticulated wastewater system is not available, ensure appropriate onsite or standalone communal treatment systems are installed.
- f. Promote use of appropriate on-site measures to manage the effects of trade wastes and reduce peak flows and loading on wastewater systems.

8.1.3.3 Policy – Transport and access

- a. Ensure the provision and development of comprehensive movement networks for all transport modes that:
 - i. are legible, well connected, highly walkable, safe and efficient; and:
 - ii. enable access by people of all ages and physical abilities to public open space facilities, public transport, suburban centres, and community facilities and to move between neighbourhoods and the wider urban area.
- b. Ensure movement networks enable:

- i. vehicle parking;
 - ii. access to properties, including for fire appliances;
 - iii. street landscaping, including street trees;
 - iv. safety and visibility;
 - v. ease of navigation;
 - vi. surface water management, in relation to movement networks; and
 - vii. utility services.
- c. Ensure that, where road or property access to an existing road is created, the existing road is of an appropriate standard.

8.1.3.4 Policy – Stormwater disposal

- a. Avoid any increase in sediment and contaminants entering water bodies as a result of stormwater disposal.
- b. Encourage stormwater treatment and disposal through low-impact or water-sensitive designs that imitate natural processes to manage and mitigate the adverse effects of stormwater discharges.
- c. Ensure stormwater is disposed of in stormwater management areas so as to avoid inundation within the subdivision or on adjoining land.
- d. Ensure that any necessary stormwater control and disposal systems and the upgrading of existing infrastructure are sufficient for the amount and rate of anticipated runoff.
- e. Ensure that stormwater is disposed of in a manner which maintains or enhances the quality of surface water and groundwater.
- f. Where feasible, utilise stormwater management areas for multiple uses and ensure they have a high quality interface with residential or commercial activities.
- g. Ensure that stormwater is disposed of in a manner which is consistent with maintaining public health.
- h. Incorporate and plant indigenous vegetation that is appropriate to the specific site.
- i. Ensure that realignment of any watercourse occurs in a manner that improves stormwater drainage and enhances ecological, mahinga kai and landscape values.
- j. Ensure that stormwater management measures do not increase the potential for bird strike to aircraft in proximity to the airport.
- k. Encourage on-site rain-water collection for non-potable use.
- l. Ensure there is sufficient capacity to meet the required level of service in the infrastructure design standard or if sufficient capacity is not available, ensure that the effects of development are mitigated on-site.

8.1.3.5 Policy – Adverse effects on infrastructure

- a. Ensure that the requirements of infrastructure, including their ongoing operation, development and maintenance, are recognised in subdivision design, including any potential for adverse effects (including reverse sensitivity effects) from subdivision.
- b. Ensure that the operation, development and maintenance of the Lyttelton Port is not compromised by subdivision, including in relation to reverse sensitivity effects.

8.1.4 Objective - Earthworks

- a. Earthworks facilitate subdivision, use and development, the provision of utilities, hazard mitigation and the recovery of the district.

8.1.4.1 Policy - Water quality

- a. Ensure earthworks do not result in erosion, inundation or siltation, and do not have an adverse effect on surface water or groundwater quality.

8.1.4.2 Policy - Repair of earthquake damaged land

- a. Facilitate recovery by enabling property owners to make repairs to earthquake damaged land for residential purposes, where the repairs will have acceptable adverse effects on people, property and the natural environment.
- b. Recognise the need for the repair of other earthquake damaged land as part of recovery.

8.1.4.3 Policy - Benefits of earthworks

- a. Recognise that earthworks are necessary for subdivision, use and development, the provision of utilities, hazard mitigation and the recovery of the district

8.1.4.4 Policy – Amenity

- a. Ensure, once completed, earthworks do not result in any significant shading, visual impact, loss of privacy or other significant detraction from the amenity values enjoyed by those living or working in the locality.

8.1.4.5 Policy - Protection of wahi tapu and wahi taonga

- a. For land use consent applications for earthworks within or adjacent to sites of Ngāi Tahu cultural significance and silent file areas, ensure that consultation has occurred with the appropriate rūnanga.

8.1.5 Objective - Earthworks health and safety

- a. People and property are protected during, and subsequent to, earthworks.

8.1.5.2 Policy - Land stability

- a. Avoid earthworks that will create a significant risk to people and property through subsidence, rockfall, cliff collapse, erosion, inundation, siltation or overland flows.

8.1.5.3 Policy - Nuisance

- a. Subject to Policy 8.1.4.3, ensure that earthworks avoid more than minor adverse effects on the health and safety of people and their property and detraction from their amenity values, and do not generate continuous or persistent noise, vibration, dust or odour nuisance.

8.1.5.4 Policy - Vehicle movement

- a. Subject to Policy 8.1.4.3, ensure that the transportation to and from a site of earth, construction or fill material is safe and minimises adverse transport network and local amenity value effects.

8.1.5.5 Policy - Earthworks design

- a. Ensure that earthworks over identified thresholds are designed to enable the anticipated land use.

8.1.5.6 Policy - Management of contaminated land

- a. Enable earthworks where necessary to appropriately manage land contamination.

8.2 Administration

8.2.1 How to use the rules

- a. The subdivision and earthworks rules that apply to activities in all zones are contained in:
 - i. Rules 8.3.2 and 8.5A.2 - Activity status tables; and
 - ii. Rule 8.3.3 - Activity standards.
- b. The activity status tables and standards in the following chapters also apply to subdivision and earthworks activities:
 - 5** Natural Hazards;
 - 6** General Rules and Procedures;
 - 7** Transport;
 - 9** Natural and Cultural Heritage;
 - 11** Utilities and Energy; and
 - 12** Hazardous Substances and Contaminated Land.

Chapter 5 (Natural Hazards) includes specific rules in relation to subdivision and earthworks in areas subject to natural hazards. Chapter 12 includes specific provisions relating to contaminated land. Chapter 6 manages earthworks within waterway setbacks.

The rules in the zone chapters (13-21) do not apply to subdivision or earthworks, other than quarrying activities.

8.2.2 Subdivision guidance documents

- a. There are a number of guidance documents that assist developers when preparing applications for subdivision consent and understanding the required level of service for matters relating to their development and whether these are acceptable to the Council. Where conditions are placed on subdivision consents within the matters of control or discretion specified in this chapter, such conditions may reference documents, including the following, as a means of achieving the matter of control or discretion:
 - i. Infrastructure Design Standard;
 - ii. Construction Standards Specifications;
 - iii. Stormwater Management Plans; and/or
 - iv. Waterways, Wetlands and Drainage Guide.

Note: These documents are not incorporated by reference into the District Plan.

8.2.3 Development contributions

- a. Where applicable, development contributions as set out in the Development Contributions Policy will be required to be paid prior to the issue of a certificate pursuant to section 224 of the Resource Management Act 1991.

8.2.4 Staging of subdivision

- a. A subdivision may be completed in stages, provided that each stage meets all of the conditions of approval appropriate to that stage, and that the balance of the site remaining after the completion of each stage is a site which either complies with the provisions of the Plan or with the conditions of a resource consent.

8.2.5 Suitability for proposed land use

- a. Where section 106 of the Act applies to any part of the land to be subdivided it is the applicant's responsibility to provide all information relevant to the potential hazard and to show the means by which the land shall be made suitable for the proposed land use, including legal and physical access. Regard should be had to any information held on the Council's hazards register. The Council shall have regard to any appropriate mitigation measures before issuing the subdivision consent, or declining approval pursuant to section 106. Chapter 5 of this Plan provides for the management of hazards as might be relevant to consideration of an application under section 106.
- b. Where any part of the land contains contamination, it is the applicant's responsibility to provide all relevant information and to show the means by which the land shall be made suitable for the proposed land use. Regard should be had to any information held on the Council's hazard register and the [Listed Land Use Register held by the Canterbury Regional Council \(LLUR\)](#).
- c. All subdivisions of land that involve buildings on or near allotment boundaries shall comply with the relevant requirements of this Plan and the Building Act 2004.

8.2.6 Restricted discretionary subdivision activities

- a. Chapter 8 includes both matters of control and matters of discretion. The rules are structured so that the Council can only decline a restricted discretionary activity application in relation to the matters of discretion specified for that purpose for that activity. However, the Council can also impose conditions on restricted discretionary activity consents in relation to the matters of discretion specified for that purpose for that activity, and which may include matters of control specified to be treated as matters of discretion for that activity.

8.3 Rules — Subdivision

8.3.1 General rules

8.3.1.1 Notification

- a. Unless stated otherwise in this chapter, for applications for subdivision consent:
 - i. where the activity is a controlled or restricted discretionary activity, the application shall not be **publicly or** limited notified, **except as specified in clause ii. below**;
 - ii. where the activity is a restricted discretionary activity and the subdivision seeks access to a State Highway, limited notification shall be only to the New Zealand Transport Agency (absent its written approval);
 - iii. where the activity is a discretionary or non-complying activity, the application may be publicly **or limited** notified. Where the subdivision seeks access to a State Highway, the New Zealand Transport Agency **shall** be **notified (absent its written approval)**.

8.3.1.2 Standards for specific zones

- a. Zone-specific standards shall have precedence where there is any inconsistency with the general standards.

8.3.1.3 Servicing constraints

- a. In order to determine the activity status for subdivision in relation to Activity standard 8.3.3.8.b, the applicant must demonstrate that the wastewater system has adequate capacity for the respective potential land uses on all proposed allotments. The Council offers a certification process ([link](#)) as the means of demonstrating such capacity. The certificate will be valid for 6 months and will remain valid during the consenting process (following the lodging of a complete subdivision consent application and for the term of the consent). Certification is not necessary where a relevant outline development plan shows that adequate wastewater capacity is available for the proposed allotments.

8.3.2 Activity status tables

8.3.2.1 Controlled activities

- a. The activities listed below are controlled activities if they **meet** the relevant standards set out in **the following** table.
- b. **Discretion to impose conditions is restricted to the matters** of control **set out** in the following table, and **as** set out for those matters in Rule 8.4.

- c. Activities may also be restricted discretionary, discretionary or non-complying as specified in Rules 8.3.2.2, 8.3.2.3 and 8.3.2.4.

	Activity	Relevant standards	Matters of control
C1	Boundary adjustments	<ul style="list-style-type: none"> a. No additional titles are created. b. Minimum allotment size requirements shall not apply providing that the boundary adjustment does not change the existing net site area by more than 10%. c. The boundary adjustment will not lead to, or increase, the degree of non-compliance with land use standards of the applicable zone. 	Rule 8.4.1
C2	Conversion of tenure	<ul style="list-style-type: none"> a. Nil, other than provided in b. below. b. For the conversion of tenure from unit title or cross lease to fee simple for the repair and rebuild of multi-unit residential complexes, the size of the resulting fee simple title shall be within 10% of the size of the original allotment or leased area, excluding any access. 	Rule 8.4.2
C3	Alteration of cross leases, company leases and unit titles	Nil	Rule 8.4.2
C4	Subdivision to create allotments for access, utilities, emergency services, roads and reserves	The minimum net site area requirements do not apply.	Rule 8.4.3
C5	Subdivision in any area subject to an outline development plan, except as otherwise specified in Rules 8.3.2.1, 8.3.2.2, 8.3.2.3 or 8.3.2.4	<ul style="list-style-type: none"> a. Activity standards in Rules 8.3.3.1 - 8.3.3.12. b. The subdivision shall be undertaken in accordance with the relevant outline development plan, except that: <ul style="list-style-type: none"> i. In relation to any outline development plan in a Residential New Neighbourhood Zone, the activity shall meet the activity standard in Rule 8.3.3.11(a); ii. In relation to any outline development plan contained in Chapters 15 or 16, compliance is only required with the key structuring elements for that 	<p>Rule 8.4.4 and, where relevant for industrial zones, Rule 8.4.5.</p> <p>In addition, in areas marked as controlled on the Awatea Outline Development Plan – Tangata whenua layer diagram in Appendix 8.6.30:</p> <ul style="list-style-type: none"> i. Matters arising from consultation undertaken with tangata whenua representatives in the design phase of the subdivision and preparation of the cultural assessment ii. The means of

	Activity	Relevant standards	Matters of control
		<p>outline development plan area as described in the relevant chapter.</p> <p>c. In the Industrial Park Zone (Awatea), disposal of wastewater shall be via the Christchurch City Council reticulated sanitary sewage disposal system.</p> <p>d. For subdivision in areas marked as controlled on the Awatea Outline Development Plan – Tangata whenua layer diagram in Appendix 8.6.30, a cultural assessment shall be provided.</p>	<p>incorporating the findings of the cultural assessment in the design and implementation of the subdivision.</p>
C6	<p>Subdivision providing for residential activity in the following zones:</p> <p>a. Residential Hills;</p> <p>b. Residential Large Lot;</p> <p>c. Residential Small Settlement; and</p> <p>d. All Rural Zones other than Rural Quarry</p>	<p>a. Activity standards in Rules 8.3.3.1-8.3.3.9 and 8.3.3.12</p> <p>b. An identified building area must be shown on the scheme plan of subdivision on every allotment on which a residential unit is anticipated.</p> <p>c. Where the site contains an existing residential unit at the time the subdivision application is made, the identified building area must include the existing residential unit, or it must indicate that the residential unit will be removed from the site altogether or that it will be relocated to an identified building area for that site.</p> <p>d. The identified building area must:</p> <ol style="list-style-type: none"> include a single area of land of not less than 100m² and no greater than 2000m² which is capable of containing a residential unit; include curtilage area contiguous to the area identified in i of not less than 200m² and no greater than 4000m²; and be able to be linked by adequate and appropriate vehicle access to a formed public road. <p>e. For any subdivision in the Rural Banks Peninsula Zone creating a residential allotment with a minimum</p>	<p>Rule 8.4.4 and, where relevant, Rules 8.4.5, 8.4.6, 8.4.7, 8.4.9, 8.4.10 and 8.4.11.</p>

	Activity	Relevant standards	Matters of control
		net site area of 1-4ha under Rules 8.3.2.1 C7 or 8.3.2.2 RD7, the identified building area must include all buildings anticipated on the site.	
C7	In the Rural Banks Peninsula Zone, subdivision creating a residential allotment with a minimum net site area between 1ha and 4ha and a balance allotment, that when combined meet the applicable minimum net site area standard specified in Table 5.	<ul style="list-style-type: none"> a. Activity standards in Rules 8.3.3.3-8.3.3.9 and 8.3.3.12 b. The combined net site area of the 1-4ha residential allotment and the balance allotment must meet the applicable minimum net site area specified in Rule 8.3.3.1 Table 5. c. Only one residential allotment may be created per complete multiple of the applicable minimum net site area specified in Rule 8.3.3.1 Table 5. (Where more than one 1-4ha residential allotment (plus balance) is to be created, refer to Rule 8.3.2.2 RD7). d. The balance allotment must be made subject to a consent notice that: <ul style="list-style-type: none"> i. prevents the erection of any further residential units in perpetuity on the balance area needed to meet b. above; and ii. protects the following where they exist: <ul style="list-style-type: none"> A. sites or features identified in the schedules in Chapter 9 Natural and Cultural Heritage; B. sites of cultural significance to Ngai Tahu; C. areas of indigenous biodiversity that have been assessed as meeting the significance criteria in Policy 9.1.1.1.1a; D. public access connections. e. The balance allotment must be contiguous with the 1-4ha residential allotment to which it relates. f. An identified building area must be shown in accordance with Rule 8.3.2.1 C6. 	Rules 8.4.4, 8.4.6 and 8.4.7
C8	a. Subdivision in any zone, except as	Activity standards in Rules 8.3.3.1 - 8.3.3.9 and 8.3.3.12	Rule 8.4.4 and, where relevant, Rules 8.4.5 - 8.4.11.

	Activity	Relevant standards	Matters of control
	otherwise specified in Rules 8.3.2.1, 8.3.2.2, 8.3.2.3 or 8.3.2.4		

8.3.2.2 Restricted discretionary activities

- a. The activities listed below are restricted discretionary activities if they **meet** the relevant standards set out in the following table.
- b. Discretion to grant or decline consent is restricted to the matters of discretion set out in Rule 8.5, as set out in the following table.
- c. Discretion to impose conditions is restricted to the matters set out in Rule 8.4 (whose matters of control are to be treated as matters of discretion) and Rule 8.5, as set out in the following table.

	Activity	Relevant standards	Matters of discretion for the purpose of imposing conditions	Matters of discretion for the purpose of granting or declining consent and imposing conditions
RD1	Boundary adjustments that do not meet any one or more of the relevant standards listed in Rule 8.3.2.1 C1	Nil	Rule 8.4.1	Rule 8.5.1
RD2	<p>Subdivision in any zone that does not meet any one or more of the relevant standards in:</p> <ul style="list-style-type: none"> Rule 8.3.2.1 C5, C6 or C8; or Rule 8.3.2.2 RD7; <p>except as otherwise specified in Rules 8.3.2.3 or 8.3.2.4.</p> <p>For subdivision in the Residential New Neighbourhood Zone that does not meet Rule 8.3.3.11.a Outline development plan or Rule 8.3.3.11.b Residential net density, Rule 8.3.1.1.a.i. does <u>not</u></p>	Nil	Rule 8.4.4 and, where relevant, Rules 8.4.5 - 8.4.11.	<p>As relevant to the activity standard that is not met:</p> <ol style="list-style-type: none"> i. for Rule 8.3.3.1 - Minimum net area and dimension: Rule 8.5.12; ii. for Rule 8.3.3.3 – Access: Rule 8.5.2; iii. for Rule 8.3.3.4 - Roads: Rule 8.5.3; iv. for Rule 8.3.3.5 – Service lanes, cycleways and pedestrian access ways: Rule 8.5.4; v. for Rule 8.3.3.6 – Esplanade reserve, strip or additional land: Rule 8.5.5; vi. for Rule 8.3.3.7 – Water supply: Rule 8.5.7; vii. for Rule 8.3.3.8 – Wastewater disposal: Rule 8.5.7; viii. for Rule 8.3.3.9 – Stormwater disposal: Rule 8.5.7; ix. for Rule 8.3.3.12–

	Activity	Relevant standards	Matters of discretion for the purpose of imposing conditions	Matters of discretion for the purpose of granting or declining consent and imposing conditions
	apply (i.e. in these instances of non-compliance, written approvals and either limited or public notification may apply).			<p>Radiocommunications: Rule 8.5.7.i;</p> <p>x. in the Industrial Heavy Zone (South West Hornby), for Rule 8.3.3.10 - Rule 8.5.3.</p> <p>xi. In the Residential New Neighbourhood Zone, for Rule 8.3.3.11.a (Outline development plan) and Rule 8.3.3.11.b (Residential net density): Rule 8.5.9 and 8.5.10.</p> <p>xii. In the Residential New Neighbourhood Zone, for Rules 8.3.3.11.c to i: The matters referred to in clauses i to ix above as applicable, and also those in Rule 8.5.10.</p> <p>xiii. In an area shown on an outline development plan, Rule 8.5.9 and 8.5.10 where applicable.</p> <p>xiv. In the Industrial Park Zone (Awatea), in relation to the disposal of wastewater: Rule 8.5.7.</p> <p>xv. In the Rural Banks Peninsula Zone, in relation to the relevant standards for Rule 8.3.2.1 C6: Rule 8.5.14.</p>
RD3	Conversion of tenure for the repair and rebuild of multi-unit residential complexes that does not meet any one or more of the relevant standards listed in Rule 8.3.2.1 C2	Nil	Rule 8.4.2	Rule 8.5.11 and Rule 8.5.12
RD4	Subdivision in a Flood Management Area, except as otherwise specified in Rules 8.3.2.3 or 8.3.2.4.	Nil	Rule 8.4.4 and, where relevant, Rules 8.4.5 - 8.4.11	Rule 8.5.8
RD5	Subdivision of any site (other than an allotment to provide for a network utility) located within the following corridors: a. 37 metres of the centre line of a	<p>A building platform for the principal building shall be identified on each allotment that is:</p> <p>i. greater than 12 metres</p>	Rule 8.4.4 and, where relevant, Rules 8.4.5 - 8.4.11	Rule 8.5.7.i

	Activity	Relevant standards	Matters of discretion for the purpose of imposing conditions	Matters of discretion for the purpose of granting or declining consent and imposing conditions
	<p>220kV National grid transmission line as shown on planning maps; or</p> <p>b. 32 metres of the centre line of a 66kV or 110kV National grid transmission line as shown on planning maps, except as otherwise specified in Rules 8.3.2.3 or 8.3.2.4.</p>	<p>from the centre line of a 220kV or 110kV National grid transmission line and greater than 12 metres from an associated support structure; or</p> <p>ii. greater than 10 metres from the centre line of a 66kV National grid transmission line and greater than 10 metres from an associated support structure.</p>		
RD6	<p>Subdivision of any site (other than an allotment to provide for a network utility) located within the following corridors:</p> <p>a. 32 metres of the centre line of a 66kV electricity distribution line as shown on planning maps; or</p> <p>b. 24 metres of the centre line of a 33kV electricity distribution line as shown on planning maps,</p>	<p>A building platform for the principal building shall be identified on each allotment that is:</p> <p>i. greater than 10 metres from the centre line of a 66kV electricity distribution line or a foundation of an associated support structure; or</p>	<p>Rule 8.4.4 and, where relevant, Rules 8.4.5 - 8.4.11</p>	<p>Rule 8.5.7.i</p>

	Activity	Relevant standards	Matters of discretion for the purpose of imposing conditions	Matters of discretion for the purpose of granting or declining consent and imposing conditions
	except as otherwise specified in Rules 8.3.2.3 or 8.3.2.4.	ii. greater than 5 metres from the centre line of a 33kV electricity distribution line or a foundation of an associated support structure.		
RD7	In the Rural Banks Peninsula Zone, subdivision of any site creating more than one residential allotment with a minimum net site area between 1ha and 4ha (plus balance), that is otherwise in accordance with Rule 8.3.2.1 C7.	The standards in Rule 8.3.2.1 C7, other than Standard c.	Rules 8.4.4, 8.4.6 and 8.4.7	Rule 8.5.14

8.3.2.3 Discretionary activities

The activities listed below are discretionary activities.

	Activity
D1	Subdivision in a rural zone resulting in allotments that does not meet the minimum net site area standards in Rule 8.3.3.1, unless specified otherwise.
D2	Any subdivision in the Specific Purpose (Golf Course) Zone that does not comply with a concept plan approved by the Council for that activity area in accordance with Rule 21.9.3.2.2 RD6 Concept plans.
D3	Subdivision in the Open Space Coastal Zone

8.3.2.4 Non-complying activities

The activities listed below are non-complying activities.

	Activity
NC1	Subdivision in a residential zone (other than the Residential Medium Density Zone or Residential New Neighbourhood Zone) that does not meet the minimum net site area standards in Rules 8.3.3.1 or 8.3.3.2.

	Activity
NC2	Subdivision that does not meet any one or more of the relevant standards listed in Rule 8.3.2.2 RD5 or RD6.
NC3	Subdivision within the Lyttelton Port Influences Overlay, other than where a condition is proposed prohibiting noise sensitive activities on each allotment, to be complied with on a continuing basis, for the purpose of incorporation into a consent notice to be issued by the Council.
NC4	Subdivision in a rural zone resulting in an allotment with a minimum net site area less than 4ha, except as specified in Rules 8.3.2.1 C7 or 8.3.2.2 RD7.
NC5	Subdivision that does not meet any one or more of the standards at Rule 8.3.3.6(d).
NC6	In the Rural Waimakariri, Rural Templeton or Rural Quarry Zone, subdivision resulting in a new allotment or balance allotment located within the 50dBA Ldn airport noise boundary contour that does not meet the minimum net site area standards in Rule 8.3.3.1.
NC7	In the Rural Port Hills Zone, subdivision that does not meet the minimum net site area standards in Rule 8.3.3.1.

8.3.3 Activity standards

8.3.3.1 Minimum net area and dimension

- a. Allotments in the Residential Suburban, Residential Hills, Residential Large Lot, Open Space Metropolitan Facilities (golf courses, Riccarton Racecourse and Wilding, Western, Kearneys and Christchurch Parks) Zones shall have a minimum dimension of 16m x 18m.
- b. Allotments in the Residential Suburban Density Transition and Open Space Metropolitan Facilities (Addington Racecourse and Rugby Park) Zones shall have a minimum dimension of 13m x 16m.
- c. Allotments in the Residential Medium Density Zone shall either have a minimum dimension of 10m; or the application shall include a plan demonstrating that a permitted residential unit can be located on any new allotment that has a minimum dimension less than 10m, including in relation to recession planes, unit size, access and parking, outdoor living space, and floor level requirements.
- d. Allotments in any zone except the Residential New Neighbourhood Zone shall meet the minimum net site area and other requirements specified at Tables 1 - 5 to this rule.
- e. Allotments in the Residential New Neighbourhoods Zone shall meet the applicable standards at 8.3.3.11.

Table 1. Minimum net site area – residential zones

Zone	Minimum net site area	Additional standards
Residential Suburban	450m ²	<ol style="list-style-type: none"> In the Cashmere and Worsleys area (shown at Appendix 8.6.7) the minimum net site area shall be 4ha unless in compliance with the outline development plans at Appendix 8.6.7. In the Cashmere and Worsleys area (shown at Appendix 8.6.7):

Zone	Minimum net site area	Additional standards
		<ol style="list-style-type: none"> a. No more than 380 residential allotments shall be created or enabled by subdivision. b. No more than 380 residential units shall be created or enabled by subdivision. 3. The historic stonewalled drain shown at Appendix 8.6.7(d) shall be protected. 4. In Character Areas, the minimum net site area shall be 600m².
Residential Suburban Heathcote Village	2000m ²	In the Peat Ground Condition Constraint Overlay at Heathcote (refer to notation 4 on Planning Map 47), the total number of additional allotments created in this part of the zone, since 24 June 1995, shall not exceed 30.
Residential Suburban Existing Rural Hamlet	2000m ²	
Residential Suburban Redwood	750m ²	
Residential Suburban (Corner Henderson's and Sparks Roads)	1ha	
Residential Suburban Density Transition	330m ²	In Character Areas, the minimum net site area shall be 400m ² .
Residential Medium Density	200m ²	In Character Areas, the minimum net site area shall be 400m ² .
Residential Banks Peninsula	400m ²	
Prestons Retirement village Overlay	4ha	
Residential Hills	650m ²	<ol style="list-style-type: none"> 1. In the Montgomery Spur area (Appendix 14.10.26): <ol style="list-style-type: none"> a. any allotment shall include a net site area capable of containing a complying residential unit in the area that is not subject to the building restriction; and b. the minimum net site area shall be 850m². 2. In the Moncks Spur area shown at Appendix 8.6.8, the minimum net site area shall be 850m². 3. In the Shalamar Drive area, the minimum net site area shall be 850m². 4. In the Cashmere and Worsleys area (shown at Appendix 8.6.7) the minimum net site area shall be 4ha unless the site is in compliance with the outline development plans in Appendix 8.6.7(a), (b) and (d). 5. In the Richmond Hill area (shown in Appendix 8.6.9) a landscaping strip with a minimum

Zone	Minimum net site area	Additional standards
		<p>width of 3 metres shall be provided along the southeast zone boundary.</p> <p>6. In the Upper Worsleys Spur area (shown in Appendix 14.10.28 and 14.10.29), the gully areas shown on the outline development plan shall be planted and maintained in native tree species indigenous to the area, except where they are left to regenerate by maintaining existing nursery plant cover of broom or gorse.</p> <p>7. Within the Residential Hills Mixed Density Overlay - Redmond Spur:</p> <ol style="list-style-type: none"> The maximum number of allotments shall be 400. A minimum of 30% of sites shall have a minimum net site area of 1500m². <p>8. Within the Residential Hills Mixed Density Overlay - 86 Bridle Path Road (Lot 1 DP412440) the maximum number of allotments shall be 9.</p>
Residential Large Lot	1500m ²	<ol style="list-style-type: none"> In the Samarang and Allandale areas (shown at Appendix 8.6.12 and 8.6.13) no subdivision shall occur unless in general compliance with the relevant Development plans. In the Cashmere and Worsleys area (shown at Appendix 8.6.7) the minimum net site area shall be 4ha unless in compliance with the outline development plans at Appendix 8.6.7 (a), (b) and (d). In the Residential Large Lot Zone Akaroa Hillslopes Density Overlay the minimum net site area shall be 5000m². In the Residential Large Lot Density Overlay the minimum net site area shall be 3000m².
Residential Small Settlement	1000m ²	
Residential Small Settlement Kainga Overlay Area 1 and 2	450m ²	Additional allotments shall not be created within 100m of the centre line of the primary stopbank as shown on the planning maps.
Residential Small Settlement (Takamatua)	1500m ²	Not more than 25 allotments are to be created (excluding those for reserves, roads or utilities).
Residential Banks Peninsula Zone - Diamond Harbour Density Overlay	600m ²	
Papakāinga	[deferred]	
Residential Guest accommodation	<ol style="list-style-type: none"> 1. Kilmarnock, 197 Lincoln Road, 15 Sioux Avenue - 200m² 2. 456 Papanui Road - 330m² 	

Zone	Minimum net site area	Additional standards
	3. 14 Henry Wigram Drive and 110 Marshlands Road - 450m ²	
Accommodation and community facility overlay	1. Land zoned Residential Medium Density on either planning map 31 or 32 - 200m ² 2. Land zoned Residential Suburban on either planning map 31 or 32 - 450m ²	

Table 2. Minimum net site area – commercial and industrial zones

Zone	Minimum net site area
Commercial Core, Commercial Office, Commercial Mixed use, Commercial Retail Park, Commercial Local, and Commercial Banks Peninsula Zones	250m ²
Industrial General, Industrial Park Zones, and where connected to a Council owned reticulated sanitary sewage disposal system in the Industrial Heavy Zone	500m ²
Industrial Heavy Zone where no connection to a Council owned reticulated sanitary sewage disposal system is provided	4ha

Table 3. Minimum net site area — open space zones

Zone	Minimum net site area
Open Space (McLeans Island) and Open Space Community Park Zones	300m ²
Open Space Metropolitan Facilities Zone – Kearneys Park, and Shirley, Avondale and Waimairi Golf Courses	450m ²
Open Space Metropolitan Facilities Zone – Addington and Riccarton Racecourses	330m ²
Open Space Metropolitan Facilities Zone – Lancaster Park	500m ²

Table 4. Minimum net site area - specific purpose zones

Zone	Minimum net site area								
Specific Purpose (Hospital)	<ol style="list-style-type: none"> For hospitals — no minimum net site area. For activities other than hospitals, the minimum net site area for the alternate zones specified below apply. <table> <tr> <th>Hospital</th><th>Alternate Zone</th></tr> <tr> <td>Lady King Hospital</td><td>Residential Hills</td></tr> <tr> <td>St Georges, Nurse Maude, Southern Cross, Mary Potter, Montreal House and Christchurch Hospitals.</td><td>Residential Medium Density</td></tr> <tr> <td>Princess Margaret Hospital</td><td>Residential Suburban Density Transition</td></tr> </table>	Hospital	Alternate Zone	Lady King Hospital	Residential Hills	St Georges, Nurse Maude, Southern Cross, Mary Potter, Montreal House and Christchurch Hospitals.	Residential Medium Density	Princess Margaret Hospital	Residential Suburban Density Transition
Hospital	Alternate Zone								
Lady King Hospital	Residential Hills								
St Georges, Nurse Maude, Southern Cross, Mary Potter, Montreal House and Christchurch Hospitals.	Residential Medium Density								
Princess Margaret Hospital	Residential Suburban Density Transition								
Specific Purpose (Airport)	No minimum net site area.								
Specific Purpose (School)	No minimum net site area. Clarification – for activities other than education activities, the alternate zones specified in Chapter 21 apply								
Specific Purpose (Tertiary education)	No minimum net site area. Clarification – for activities other than education activities, the alternate zones specified in Chapter 21 apply.								
Specific Purpose (Golf Resort)	<ol style="list-style-type: none"> No minimum net site area in the Specific Purpose (Golf Resort) Zone at Clearwater and at the Christchurch Golf Resort. Concept Plan <ol style="list-style-type: none"> No subdivision shall take place within Academy Activity Areas A, A1 & A2 Christchurch Golf Resort shown on the outline development plan in Appendix 2 to Chapter 21.9, unless a concept plan has been lodged with and approved by the Council for that activity area in accordance with Rule 21.9.3.2.2 RD6 Concept plans. Sequencing standards – Christchurch Golf Resort <ol style="list-style-type: none"> Prior to the Council signing a section 224 certificate under the Act, for the 71st residential allotment in the Resort Community activity Areas, <ol style="list-style-type: none"> The golf course and wetlands within the golf course shall have been constructed and planted in accordance with 21.9.3.2.2 RD6; and 								

	<ul style="list-style-type: none"> ii. A Management Plan for the adjoining Open Space-Margins and Water Zone shall have been lodged with and approved by the Council, which makes provision for indigenous planting (indicating species, layout and density), and which is in accordance with the outline development plan for the Christchurch Golf Resort at Appendix 2 to Chapter 21.9, for a public access track along the River, for a bridleway from the Styx River to Spencerville Road, and for a bridge providing public vehicular access across the Styx River; iii. 50% of the planting identified in the Management Plan for the Open Space Margins and Water Zone shall have been completed; and iv. Legal instruments shall have been registered against the head title, securing: <ul style="list-style-type: none"> A. Public pedestrian access over the access track identified in the Management Plan, and B. Public access for the purpose of a bridleway from the Styx River to Spencerville Road. b. Prior to the Council signing a section 224 certificate under the Act, for the 120th residential allotment in the Resort Community Activity Areas, <ul style="list-style-type: none"> i. All of the planting identified in the concept plan for adjoining Open Space – Margins and Water Zone approved by the Council shall have been completed; and ii. The public access track, the bridleway from the Styx River to Spencerville Road and the bridge across the Styx River shall have been constructed. <p>3. Any subdivision shall only be for the purpose of creating allotments to be used for any activity permitted in the zone or for which resource consent is held, or for conservation purposes, permitted utilities or boundary adjustments.</p> <p>4. Allotments for residential units, resort apartments or resort hotel bedrooms shall only be subdivided when a building or buildings are still allowable for that allotment within the maximum number limited specified for the zones.</p>
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Table 5. Minimum net site area - rural zones

Zone	Minimum net site area
Rural Urban Fringe	4ha
Rural Waimakariri	20ha
Rural Port Hills	100ha
Rural Templeton	4ha

Zone	Minimum net site area
Rural Quarry (Miners Road and Pound Road)	4ha
Rural Quarry (McLeans Island)	20ha
Rural Banks Peninsula	40ha where the site is below or partly below the 160m contour.
Rural Banks Peninsula	100ha where the site is entirely above the 160m contour.

8.3.3.2 Allotments with existing or proposed buildings

- a. Where an allotment is to be created around an existing building (that has been constructed to the extent that its exterior is fully closed in), or a proposed building (where the subdivision consent is to be issued at the same time as, or after, the building consent for that building is issued):
 - i. the provisions of Rule 8.3.3.1 do not apply to that allotment; and
 - ii. the existing or proposed building(s) shall either meet all relevant standards for a permitted activity (except site density standards) in relation to the proposed allotment boundaries, or have been approved through a resource consent in relation to any standards that are not met; and
 - iii. no allotment shall be less than the minimum net site area specified in Table 6 to this rule.
- b. Where a. above applies and a building is not yet constructed, the subdivision consent holder shall be required to erect the building before obtaining a certificate under section 224 of the Resource Management Act 1991, and the subdivision consent shall have attached to it a condition to that effect.

Table 6. Allotments with existing or proposed buildings

Zone	Minimum net site area
Residential Suburban Zone (except as provided for below)	400m ²
Residential Suburban Density Transition Zone (except as provided for below)	300m ²
Allotments for comprehensive developments provided through the Enhanced development mechanism (Chapter 14, Rule 14.11), or the Community housing redevelopment mechanism (Chapter 14, Rule 14.12)	No minimum
Allotments for residential units which have been converted into two residential units in compliance with or the subject of land-use consent under Chapter 14	No minimum
Allotments for a residential unit where a family flat has been converted into a separate residential unit in compliance with or the subject of land-use consent under Chapter 14	No minimum

Zone	Minimum net site area
Allotments for each residential unit where two residential units replace a single residential unit in compliance with or the subject of land-use consent under Chapter 14	No minimum
Allotments for a residential unit where an elderly person's housing unit has been converted to a separate residential unit that may be occupied by any person(s) in compliance with Chapter 14	No minimum
Allotments for a residential unit which is an older person's housing unit or is part of a multi-unit residential complex, retirement village, or a social housing complex, within the Residential Suburban or Residential Suburban Density Transition Zones	No minimum
Residential Medium Density Zone and Residential New Neighbourhood Zone	No minimum
Industrial General, Industrial Heavy, Industrial Park, Commercial Office, Commercial Core, Commercial Local, Commercial Banks Peninsula, Commercial Mixed use and Commercial Retail Park Zones	No minimum
Specific Purpose (Airport) Zone	No minimum
Specific Purpose (Wigram) Zone	No minimum

8.3.3.3 Access

- a. All sites shall have access which is able to allow vehicles to pass to and from a formed road, and such access shall be in accordance with Appendix 8.6.2 to this chapter and the standards set out in Chapter 7.
- b. Access shall not be to a state highway, limited access road or across a rail line.

8.3.3.4 Roads

- a. All roads shall be laid out, constructed and vested in accordance with the standards set out in Appendix 8.6.3, and in Chapter 7, except where alternative standards are set out in an outline development plan.
- b. In the Industrial Park Zone (Tait Campus) the subdivision shall be in accordance with the provisions of the outline development plan shown in Chapter 16 Appendix 16.6.9 and specific road and access requirements as follows:
 - i. There shall be two main vehicle access points to the Industrial Park zoned part of the site. These access points shall be located on Wooldridge Road as indicated in Chapter 16 Appendix 16.6.9;
 - ii. Prior to the creation of vehicle access from the site to Stanleys Road, giveaway markings on the Stanleys Road approach to its intersection with Harewood Road shall be provided;
 - iii. Any access from Stanleys Road shall be in the locations marked on the outline development plan in Appendix 16.6.9 as 'Secondary access';
 - iv. Within 6 months of access being established to Stanleys Road, a left turn lane shall be provided on the Stanleys Road approach to the Stanleys / Harewood Road intersection;

- v. Any subdivision with access to Stanleys Road shall include a footpath along the Industrial Park Zone frontage with Stanleys Road linking the site with Wairakei Road;
 - vi. All work associated with design and construction of vehicle access to the zone, intersection works, internal roads and footpaths within the zone, and a footpath along the road frontage of Stanleys Road carried out at the cost of the developer or their successor/s in title;
 - vii. A shared cycleway and footpath of minimum 2.5 metre width from Wooldridge Road to Stanleys Road shall be provided, as marked on the outline development plan in Appendix 16.6.9 as 'Public shared walk and cycle connection', connecting with pedestrian and cycle facilities adjoining the zone;
 - viii. Any pedestrian and cycle way through the site shall be illuminated to a level between 2 and 10 lux; [and](#)
 - ix. Any roads or accessways shall be set back from trees identified on the outline development plan in Appendix 16.6.9 as 'Existing trees not to be affected by road layout' by a distance of at least 10 metres.
- c. In the Industrial General Zone (Stanleys Road) shown in Chapter 16 Appendix 16.6.9 a footpath along the Industrial General Zone road frontage shall be provided.
- d. In the Industrial General Zone bound by Deans Avenue and the railway line, any allotments shall only have access from Lester Lane.
- e. In the Industrial General Zone (Trents Road), subdivision shall be in accordance with the provisions of the outline development plan shown in Chapter 16 Appendix 16.6.6 and specific road and access requirements as follows:
- i. Access from Trents Road shall be provided at the two vehicle access points defined on the outline development plan shown in Chapter 16 Appendix 16.6.6, comprising:
 - A. a northern road connection designed, and with signage, to limit its use to vehicles entering the zone (as shown on the outline development plan in Appendix 16.6.6);
 - B. a southern road connection designed, and with signage, to limit its use to vehicles exiting the zone (as shown on the outline development plan in Appendix 16.6.6);
 - ii. Access from Main South Road shall be provided at the one road connection shown on the outline development plan shown in Chapter 16 Appendix 16.6.6, which shall be designed to restrict its use to light vehicles, and designed and signage displayed to restrict vehicle movements to left entry into the zone and left exit out of the zone as shown on the outline development plan in Appendix 16.6.6; [and](#)
 - iii. An internal road shall be provided as shown on the outline development plan in Chapter 16 Appendix 16.6.6 as 'internal roading / access way layout', including a footpath along one side of the internal road.
- f. In the Industrial Park Zone (Wairakei Road) subdivision shall be in accordance with the provisions of the outline development plan shown in Chapter 16 Appendix 16.6.14 and specific road and access requirements as follows:
- i. Any new road within the Industrial Park Zone (Wairakei Road) shall only intersect with Wairakei Road, Stanleys Road and/or Wooldridge Road at the locations shown on the outline development plan in Appendix 16.6.14 as "Road access point – Proposed controlled intersection".

- ii. Any subdivision of allotments that the "Collector road" runs through, as shown on the outline development plan in Appendix 16.6.14, shall incorporate a Collector road that follows that alignment. Provision shall be made for a shared cycleway and footpath of a minimum width of 2.5m parallel to the "Collector road", which shall be illuminated to a level between 2 and 10 lux.
- iii. Any subdivision of Lot 2, DP 54992 (580 Russley Road) and Lot 1, DP 54992 (570 Russley Road) shall incorporate a Local road that follows the alignment of "Local Road" as shown on the outline development plan in Appendix 16.6.14.

8.3.3.5 Service lanes, cycleways and pedestrian access ways

- a. Service lanes, cycle ways and pedestrian access ways shall be laid out and vested in accordance with the standards set out in Table 7 below.

Table 7.

	Minimum Legal Width (m)	Minimum Formed Width (m)	Turning Area	Passing Area	Sealed and Drained	Height (m)
Service lanes	6.0	4.0	Only where the service lane has a blind end	No	Yes	4.5
Cycleways and pedestrian access ways (public)	8.0	2.5	N/A	N/A	Yes	3.5
Pedestrian access ways (private)	1.5	1.5	N/A	N/A	Yes	3.5

Note – Chapter 7 (Transport) sets out requirements for the provision of right-of-ways.

8.3.3.6 Esplanade reserve, strip or additional land

- a. Esplanade reserves and strips shall be provided in accordance with Appendix 8.6.1.
- b. Within Banks Peninsula, where any allotment of less than 4 hectares is created, an esplanade reserve 20 metres in width shall be set aside from that allotment along the mark of mean high water springs of the sea, and along the bank of any river or along the margin of any lake.
- c. In accordance with section 237A of the Act, any part of the land contained in the title to which that Section applies, forming the bed of a river or within the coastal marine area, shall vest in the Council or the Crown as appropriate.
- d. An esplanade reserve or esplanade strip 20 metres in width shall be required for any subdivision along the margins of Wairewa and Te Waihora.

8.3.3.7 Water supply

- a. All allotments shall be provided with the ability to connect to a safe potable water supply.

- b. Provision shall be made for sufficient water supply and access to water supplies for firefighting consistent with the New Zealand Fire Service Firefighting Water Supplies Code of Practice (SNZ PAS:4509:2008), except where the allotment is for a utility, road, reserve or access purposes.

8.3.3.8 Wastewater disposal

- a. All allotments shall be provided with the ability to connect to a wastewater system.
- b. A valid certificate, issued in accordance with Rule 8.3.1.3, is held which certifies that the wastewater system has adequate capacity for the respective potential land uses on all proposed allotments, except where a relevant outline development plan shows that adequate wastewater capacity is available.
- c. Where a reticulated sewer is available, and discharge is accepted in the Council's network, each new allotment shall be provided with a piped outfall connection laid at least 600mm into the net site area of the allotment.
- d. Where a reticulated sewer is not available, all allotments shall be provided with a means of disposing of sanitary sewage within the net site area of the allotment.
- e. In the case of the Meadowlands Residential New Neighbourhood Zone (Exemplar Housing Area – North Halswell), the outfall for wastewater disposal shall be to the Pump Station 42 catchment until the South East Halswell pressure sewer network is available, at which time these sites shall be connected to the South East Halswell pressure sewer network.

Note: the certification process at clause (b) is described in Rule 8.3.1.3.

8.3.3.9 Stormwater disposal

- a. All allotments shall be provided with a means for the management of collected surface water from all impervious surfaces. Where discharge is accepted in the Council's network, each new allotment shall be provided with a piped outfall laid at least 600mm into the net area of the allotment.
- b. In the Industrial General Zone (Trents Road) shown in Chapter 16 Appendix 16.6.6, all stormwater discharge shall be treated and discharged to ground within the outline development plan area so that:
 - i. no discharge to surface water takes place from any site for all events up to the critical duration 2% annual exceedance probability event; and
 - ii. where the stormwater treatment and discharge system is to be vested in Council, the following requirements are met:
 - A. treatment of the first 25mm of runoff from roads and hardstanding areas; and
 - B. design conforms with the relevant Council guidelines for stormwater management systems.
- c. Creation of stormwater drainage ponding areas shall not occur within three kilometres of the edge of the Christchurch International Airport Runways.

- d. Creation of stormwater drainage ponding areas shall not occur within 15 metres of the rail corridor.
- e. In the Industrial Park Zone (Tait Campus), stormwater shall be treated and attenuated in accordance with the following requirements:
 - i. First flush treatment for the first 25mm of runoff from hardstanding areas shall be provided using vegetated dry sedimentation basins;
 - ii. Flows in excess of the first flush and including the 50 year return events (9 hour duration) shall be attenuated in the locations defined on the outline development plan in Appendix 16.6.9 as 'On site stormwater treatment and attenuation';
 - iii. Stormwater discharge from the zone to the Council stormwater network shall be attenuated to pre-development levels (for up to 50 year storm events); and
 - iv. Any stormwater from any activity shall be conveyed by open naturalised swales (defined on the outline development plan in Appendix 16.6.9 as 'Open naturalised stormwater conveyance/swales') running through the zone from west to east via a series of basins as defined on the outline development plan in Appendix 16.6.9 as 'On site stormwater treatment and attenuation' to a point defined on the outline development plan from where stormwater shall be piped to an existing drain on the east side of Wooldridge Road.

8.3.3.10 Additional standards for South West Hornby

- a. Any subdivision within the area shown as “rural wastewater irrigation area” on the outline development plan at Chapter 16 Appendix 16.6.8 for the Industrial Heavy Zone (South West Hornby) shall not occur until the following works have been undertaken:
 - i. the construction and opening for traffic of the full southern spine road between Main South Road and Shands Road (marked as ‘C’) on the outline development plan; and
 - ii. the commencement of the physical construction works for capacity upgrades at both the following intersections -
 - A. the intersection of the southern spine road and Shands Road (marked as ‘A’ on the outline development plan); and
 - B. the intersection of the northern spine road and Shands Road (marked as ‘B’ on the outline development plan).
- b. Any subdivision within the Industrial Heavy Zone (South West Hornby) as identified on the outline development plan in Chapter 16 Appendix 16.6.8, south west of the area identified as “rural wastewater irrigation area”, shall not occur until the following works have been undertaken:
 - i. the commencement of the physical construction works for the traffic signalised intersection of Shands Road and the southern spine road (marked as ‘A’ on the outline development plan).
- c. Any subdivision of more than 15 hectares (excluding roads) within the Industrial Heavy Zone (South West Hornby) as identified in Chapter 16 Appendix 16.6.8, south west of the area identified as “rural wastewater irrigation area”, shall not occur until physical construction works of the Christchurch Southern Motorway have commenced.

8.3.3.11 Additional standards for the Residential New Neighbourhood Zone

- a. Outline development plan
 - i. The subdivision shall be in accordance with the development requirements specified in the relevant outline development plan.
- b. Residential net density
 - i. Except as provided for in (ii) - (iv):
 - A. a subdivision shall achieve a minimum net density within residential development areas of 15 households per hectare, except the subdivision of an area of land to which B applies;
 - B. a subdivision of land that the outline development plan identifies an area as development constrained, shall achieve the minimum net density (if any) specified in the outline development plan for that land (and, if the outline development plan does not specify a minimum net density for that land, no minimum density shall apply to that land).
 - ii. Subdivision in the following outline development plan areas shall achieve the minimum net density specified for any specific density areas defined in the outline development plan or on an approved subdivision consent granted before [insert date of Panel decision]:
 - A. Prestons Outline Development Plan Appendix 8.6.25
 - B. Wigram Outline Development Plan - Appendix 8.6.29
 - C. Yaldhurst Outline Development Plan - Appendix 8.6.28
 - iii. A subdivision shall be exempt from achieving the minimum net density required in (i) or (ii), if the following requirements are met:
 - A. the consent application nominates site(s) within the subdivision and outline development plan area (whether or not the site(s) is/are outside any areas in (i) or (ii)) for future higher density for the purpose of ensuring any shortfall in achieving the relevant minimum net density requirements under (i)-(ii) through the subdivision would be made up by future subdivision and development of the nominated site(s); and
 - B. the consent application includes the written approval of each of owner of the nominated site(s) (if not the applicant) and an associated legal instrument that specifies the minimum net density for the site(s), binds all owners and the applicant, is enforceable by the Council (to the Council's reasonable satisfaction) and satisfies C hereof; and
 - C. the legal instrument effectively prevents subdivision and land use at the nominated site(s) below its specified density in order to ensure that any shortfall in achieving the relevant minimum net density requirements of (i) and (ii) through the subdivision can be made up by future subdivision and development of the nominated site(s), in accordance with (iv).
 - iv. The subdivision of a nominated site to which (iii)(B) applies shall achieve the minimum net density specified in the relevant legal instrument.

c. Land area for subdivision

- i. Where the subdivision is not associated with comprehensive residential development, the land subject to the subdivision application shall have a minimum area of 4 hectares.
- ii. Where the subdivision is associated with comprehensive residential development where land use consent is being sought concurrently, the site being comprehensively developed and subdivided shall have a minimum net area of 6,000m².
- iii. Where the subdivision is associated with comprehensive residential development where land use consent has already been obtained, there is no minimum net area for the site being subdivided.

d. Net area of allotments

- i. Allotments shall have the minimum and, where applicable, maximum net area specified in Table 8.

Table 8: Minimum and maximum net areas for allotments

	Activity	Net area
A	All subdivisions unless specified below: <ol style="list-style-type: none"> i. Corner allotments ii. All other allotments 	Minimum 400m ² Minimum 300m ² except that 20% of allotments in the subdivision may be 180 – 299m ² in size.
B	Comprehensive residential development	Nil
C	Within the Highfield Outline Development Plan area (Appendix 8.6.26), allotments adjacent to Hills Road and Hawkins Road.	Minimum 800m ²
D	Within the Prestons Outline Development Plan area (Appendix 8.6.25), in Density A and B areas defined in the outline development plan or on an approved subdivision consent: <ol style="list-style-type: none"> i. Density A ii. Density B 	Minimum 200m ² Maximum 250m ² Minimum 450m ² Maximum 500m ²
E	Within the Wigram Outline Development Plan area (Appendix 8.6.29), in Density A and B areas defined in the outline development plan or on an approved subdivision consent: <ol style="list-style-type: none"> i. Density A ii. Density B 	Minimum 200m ² Maximum 250m ² Minimum 250m ² Maximum 450m ²
F	Within the Yaldhurst Outline Development Plan area (Appendix 8.6.28):	Minimum 250m ²

	Activity	Net area
	<ul style="list-style-type: none"> i. in Density A areas defined in the outline development plan or on an approved subdivision consent: ii. Rear lane serviced allotments. 	

e. Minimum allotments dimension

- i. The standards below do not apply in respect of comprehensive residential developments.
- ii. Corner allotments shall have a minimum dimension of 14m on road boundaries (each boundary) except where (iii) applies.
- iii. Allotments for terrace developments shall have a minimum dimension of 7m except for corner sites and end sites which shall have a minimum width of 10m.
- iv. All residential allotments with a boundary shared with public open space shall have a minimum dimension along that boundary of 10m except mid-block terrace allotments which shall have a minimum dimension along that boundary of 7m.
- v. All other allotments, other than access or rear allotments, shall have a minimum dimension of 10m on road boundaries.
- vi. In the following outline development plan areas, the standards in (ii) to (v) above do not apply and there is no minimum dimension for Density A and B areas defined either in the outline development plan or on an approved subdivision consent:
 - A. Prestons Outline Development Plan - Appendix 8.6.25
 - B. Wigram Outline Development Plan - Appendix 8.6.29
 - C. Yaldhurst Outline Development Plan - Appendix 8.6.28

f. Maximum cul-de-sac length

- i. Where there is a pedestrian connection from the cul-de-sac head to an adjacent street the maximum cul-de-sac length shall be 150m.
- ii. All other culs-de-sac shall have a maximum length of 100m.

g. Road frontage to public reserves

- i. The minimum road frontage to a public reserve to which the public has a general right of access (excluding local purpose reserves for walkways) shall be 25% of the length of the reserve perimeter.

h. Reserve width

- i. A reserve vested in Council for utility, pedestrian access or stormwater conveyance purposes shall have a minimum width of 8m.

i. Walkable block size

- i. Any block containing residential allotments shall have a publicly accessible maximum perimeter length of 800m.

8.3.3.12 Radiocommunications

- a. Any new allotment(s) within 1km of Radio New Zealand Limited's facilities on Gebbies Pass Road **shall** be of a size and shape to allow a permitted residential unit (or permitted commercial/industrial activity) to be located no closer than 1km from Radio New Zealand's facilities. This standard shall not apply to any subdivision carried out to enable Radio New Zealand's operations.

8.4 Rules as to matters of control — subdivision

- a. When considering applications for controlled activities, the Council's power to impose conditions is restricted to the matters over which control is reserved as set out in the table in Rule 8.3.2.1 and as set out for that matter below.

8.4.1 Boundary adjustments

- a. Whether access to the sites will continue to be appropriate and safe.
- b. Whether each allotment has connections to services.
- c. Whether the allotments are of sufficient size and dimension to provide for the existing or proposed purpose or land use.
- d. The degree to which natural topography, drainage and other features of the natural environment, sites of cultural significance to Ngāi Tahu, or existing built features of significance, determine site boundaries where that is practicable.
- e. The relationship of the proposed allotments within the site and their compatibility with the pattern of the adjoining subdivision and land use activities.

8.4.2 Conversion of tenure, alteration of cross leases, company leases and unit titles

- a. Whether each title or leased area has vehicle access, and whether there is any decrease in formed width, parking spaces and size, or manoeuvring areas which materially compromises function or safety.
- b. Whether each title or leased area has access to services.
- c. Whether any title or leased area would be reduced in area or dimension in a manner which might result in a more than minor reduction in functionality in relation to outdoor living space, outdoor service space or outdoor storage space.
- d. Whether fire safety requirements can be met.
- e. Effects of works associated with the subdivision on:
 - i. surface and subsurface drainage patterns and stormwater management; and
 - ii. hydrological and geological features, both underlying and surface and on site and on adjoining sites.

8.4.3 Allotments for access, utilities, roads and reserves

- a. Whether the allotments (including any balance allotment) are of sufficient size and dimension to provide for the existing or proposed purpose.
- b. Whether any easement is required.

- c. The relationship of the proposed allotments within the site and their compatibility with the pattern of the adjoining subdivision and existing or anticipated land use activities, including in relation to safety and visibility.

8.4.4 General matters

8.4.4.1 Subdivision design

- a. Whether the allotments (including any balance allotment) are of sufficient size and dimension to provide for any existing land use or a permitted land use such as might reasonably be expected to establish on a site, and provision of access, storage space and service connections.
- b. Whether the dimensions and orientation of the allotments will ensure the capture of solar gain appropriate to the subsequent land uses.
- c. Whether any corner allotments have an appropriate corner rounding.
- d. The relationship of the proposed allotments within the site and their compatibility with the pattern of the adjoining subdivision and land use activities.
- e. The degree to which natural topography, drainage and other features of the natural environment, or sites of cultural significance to Ngāi Tahu, existing built features of significance, determine site boundaries where that is practicable.
- f. Whether any local purpose reserves, or easements are required, such as for services, stormwater, access, party walls, floors or ceilings, and that they are sufficiently designed for their purpose.
- g. The extent to which the subdivision design mitigates adverse effects, including reverse sensitivity to nearby National [Grid or electricity](#) distribution lines shown on the Planning Maps, Radio New Zealand Limited's Gebbies Pass Road [facilities or other strategic infrastructure](#).
- h. In an outline development plan area, integration and connection to and within the site and whether the subdivision would preclude or discourage development in another part of the outline development plan area.
- i. [The extent to which conditions are appropriate on a subdivision consent in a Residential New Neighbourhood Zone in order to give effect to the development requirements specified in the relevant outline development plan.](#)
- j. [The extent to which the subdivision in a Residential New Neighbourhood Zone is designed in accordance with the principles in 8.5.10 Residential New Neighbourhood Zone.](#)
- k. [In zones other than the Residential New Neighbourhood Zone, the extent to which a development needs to comply with any flexible element of an outline development plan, including for phasing or location of infrastructure or other internal elements; and consideration of the effects of the movement of any elements on other landowners of land located within or adjacent to the outline development plan area, or on the safe, efficient or effective operation of infrastructure.](#)

- l. Whether the application provides allotments of a size and dimension that promotes building typologies with a high level of visual interaction with the street and other public spaces, while providing for a cohesive street scene and neighbourhood.
- m. Whether the subdivision meets the required household density target, the housing typologies proposed to meet that target and location and mix of typologies within the subdivision, including whether the typologies cater for all life stages, physical abilities, and opportunities for socio-economic diversity.
- n. In the Residential New Neighbourhood Zone, the means of achieving overall outline development plan densities as required by Policy 8.1.2.8, including the adequacy of any legal mechanism proposed to give effect to a density transfer or density staging proposal.
- o. Where the site is to be used for residential purposes, whether the application supports the provision of residential allotments which would allow garaging and parking to be secondary to habitable spaces both with respect to size and expression of form, and which are able to be incorporated into the overall building design especially when accessed directly from the street.
- p. Whether fire safety requirements are met in relation to the conversion of existing residential units into multiple residential units.
- q. The extent to which the subdivision design and construction allows for earthworks, buildings and structures to comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).

8.4.4.2 Hazard constraints

- a. For any site that has been identified as contaminated or potentially contaminated, whether the site is safe for habitation, and the adequacy of any proposed mitigation and remediation.
- b. The extent to which any hazard or geotechnical constraints exist on the land and the appropriateness of measures to reduce risk, including liquefaction, flooding, rockfall, cliff collapse and other matters addressed in Chapter 5 (Natural Hazards).

8.4.4.3 Servicing and infrastructure

- a. Whether each allotment has appropriate servicing and connections to water supply, wastewater disposal, stormwater management systems and other services; whether it is necessary to provide or upgrade services or utilities to enable the site to be serviced, and whether the design, location, capacity, type and construction of services and infrastructure, including the suitability of the proposed water supply for fire-fighting purposes, and any required infrastructure upgrades, are acceptable to the Council.
- b. Whether the electricity and telecommunications supply and connection to any new allotment(s) are appropriate and provide adequate capacity, including whether it is appropriate to require additional space for future connections or technology and whether any ducting or easements are required to achieve connection.
- c. Whether appropriate provision is made for onsite storm water treatment or connection to a catchment based treatment network.

- d. The contribution of proposals towards the development of an integrated naturalised surface water network of soil absorption, sedimentation and detention basins, wet-ponds, swales and/or wetlands to treat and manage surface water and avoid (where practicable) a proliferation of smaller facilities.
- e. The extent to which the construction or erection of utilities for servicing a site incorporate and/or plant appropriate indigenous vegetation.
- f. Whether any proposed ponding area will be attractive to birdlife that might pose a bird strike risk to the operation of Christchurch International Airport Limited.
- g. Where wastewater capacity is close to reaching a limit, whether to reduce the lapsing period of the subdivision consent below five years to enable that capacity to be utilised by others if the development opportunity that is the subject of the consent is not implemented.
- h. The ability for maintenance, inspection and upgrade of utilities and infrastructure occur, including ensuring continued access for the same.
- i. The extent to which the design will minimise risk or injury and/or property damage from utilities or infrastructure.
- j. The extent to which potential adverse effects of electricity lines, including visual impacts, are mitigated, for example through the location of building platforms and landscape design.
- k. The suitability of the proposed water supply for fire-fighting purposes (the Council may obtain a report from the Chief Fire Officer), including the extent of compliance with SNZ PAS:4509:2008 in respect of the health and safety of the community, including neighbouring properties.
- l. The extent to which conditions are appropriate on a subdivision consent in a Residential New Neighbourhood Zone in order to give effect to the development requirements specified in the relevant outline development plan.
- m. In zones other than the Residential New Neighbourhood Zone, the extent to which a development needs to comply with any flexible element of an outline development plan, including for phasing or location of infrastructure; and consideration of the effects of the movement of any elements on other landowners of land located within or adjacent to the outline development plan area, or on the safe, efficient or effective operation of infrastructure.
- n. Within the Lyttelton Port Influences Overlay, the imposition of an appropriate, volunteered condition prohibiting noise sensitive activities on the allotments, to be complied with on a continuing basis, for the purpose of incorporation into a consent notice to be issued by the Council.

8.4.4.4 Transport networks

- a. Whether the provision, location, design, safety and efficiency of any road, frontage road, access (including access for fire-fighting), pedestrian access way, service lane, cycle way/route/lane, corner rounding, intersections, landscaping or parking area including the formation and construction, is suited to the development it serves and is acceptable to the Council.
- b. Whether service lanes, cycleways and pedestrian access ways are required or appropriate and are located and constructed in a safe and efficient manner.

- c. Whether the subdivision layout and road network supports walking, cycling and public transport, including access to reserves, facilities, commercial areas, public transport facilities.
- d. Whether provision of a cycleway or pedestrian access way encourages active modes of transport, including to community facilities.
- e. Any works or upgrades to the Council's road network required, including in relation to any network utility, state highway or rail line.
- f. In the case of multiple site subdivision where parking is provided as a common facility, whether that parking area has appropriate access to a formed road and has an appropriate layout and number of parking spaces.
- g. For the Industrial General Zone (Stanleys Road) and Industrial Park Zone (Tait Campus): the extent of the developer's contribution to the costs of Wairakei/Wooldridge Roads intersection upgrading will be agreed with the Council in accordance with the Council Development contribution Policy, which may include a Private Developer Agreement.
- h. The extent to which conditions are appropriate on a subdivision consent in a Residential New Neighbourhood Zone in order to give effect to the development requirements specified in the relevant outline development plan.
- i. In zones other than the Residential New Neighbourhood Zone, the extent to which a development needs to comply with any flexible element of an outline development plan, including for phasing or location of internal elements; and consideration of the effects of the movement of any elements on other landowners of land located within or adjacent to the outline development plan area, or on the safe, efficient or effective operation of transport networks.

8.4.4.5 Open space, reserves and recreation (including esplanade reserves, strips or additional land)

- a. The need, type, location and layout of any land to be provided for reserves for open space and recreation purposes, including whether an active frontage is provided and any requirements for the formation of that land prior to it vesting in the Council, where applicable.
- b. The degree to which the subdivision encourages active frontages to reserves for open space and recreation purposes.
- c. The provision and/or width of an esplanade reserve or esplanade strip.
- d. The manner in which the subdivision responds, in particular, to the place making and context, block layout, and relationship to street and public open spaces.
- e. Any impact of subdivision works on land for open space and recreation, on sites or areas of significance to tangata whenua, or on waterways, springs, any cultural landscape identified in the District Plan, indigenous biodiversity, mahinga kai and the coastline.
- f. The need for land to be set aside and vested in the Council as a reserve for open space and/or recreation where it will provide for one or more of the following:
 - i. land for a local neighbourhood park, accessible to the user population and of a size adequate to accommodate children's play equipment, substantial tree plantings and open space;

- ii. a linkage or potential linkage along or to significant natural features, or between other areas of public open space and community facilities;
 - iii. protection and enhancement of significant mature trees, significant areas of indigenous vegetation, margins of waterways or other significant natural features;
 - iv. protection or enhancement of historic or cultural features of significance to the population;
 - v. a usable area of open space for planting as visual relief from a built or highly developed environment;
 - vi. a flat usable area of land for district sports fields, accessible with full road frontage, and of a size adequate to accommodate at least two rugby-sized sports fields and associated user facilities and training field, tree planting, a playground and open space required for other recreation activities;
 - vii. recognition of Ngāi Tahu cultural values, historic and contemporary identity associated with sites of Ngāi Tahu cultural significance and any cultural landscapes identified in the District Plan where appropriate; [and](#)
 - viii. smaller sized public spaces that allow for community interaction, including seating and planted areas.
- g. Whether appropriate mechanisms are in place to ensure the maintenance of open space areas and reserves not being vested in Council.
- h. [The extent to which a subdivision in a Residential New Neighbourhood Zone gives effect to the development requirements specified in the relevant outline development plan.](#)
- i. [In zones other than the Residential New Neighbourhood Zone](#), the extent to which a development needs to comply with any flexible element of an outline development plan, including for phasing or location of internal elements; and consideration of the effects of the movement of any elements on other landowners of land located within or adjacent to the outline development plan area, or on the safe, efficient or effective operation of open space and reserves.

8.4.4.6 Natural and cultural values

- a. The extent to which springs are protected, maintained and enhanced, including in relation to ecological, cultural and amenity values and the extent to which the development provides for pathways, for the water to flow from the spring head, that have regard to the existing natural flow path.
- b. Any adverse effects of the proposal on the quality of surface and ground water, mahinga kai, including within waterways, on drainage to, or from, adjoining land, existing drains, waterways, [and/or](#) ponding areas.
- c. The extent to which the proposal would protect and provide for the flood storage and conveyance capacity of waterways, or on drainage to, or from, adjoining land, existing drains, waterways, [and/or](#) ponding areas.
- d. The extent to which the proposal manages erosion and sediment discharge to waterways.
- e. Recognition of Ngāi Tahu's history and identity and cultural values.

- f. The extent to which Ngāi Tahu cultural values associated with waterways, springs, indigenous biodiversity and mahinga kai are protected.
- g. The manner in which the subdivision responds to sites and areas identified in Chapter 9 (Natural and Cultural Heritage).

[These matters may be re-visited following the Natural and Cultural Heritage Hearing]

8.4.4.7 Consent notices

- a. The requirement for any consent notice where a condition is to be complied with on a continuing basis.

8.4.5 Additional matters — industrial zones

- a. Industrial Park Zone (Awatea)
 - i. The adequacy of site investigation.
 - ii. The risk to the health and safety of any persons.
 - iii. The suitability of remedial and/or site management measures to be undertaken to make the site suitable for the intended purposes and to ensure the protection of mahinga kai, water, and ground water quality during the remediation process.
 - iv. Whether the subdivision disposes of wastewater to Council's reticulated system and the capacity of that system.
- b. Industrial General Zone (Waterloo Park)
 - i. The use of conditions to require implementation of the planting plan along the full frontage of Pound Road (including that area covered by Appendix 16.6.2 Industrial General Zone (Waterloo Park)), prior to the issue of a Section 224 certificate.
 - ii. The Pound Road frontage affected by a proposed road realignment shall be subject to a condition that planting is not implemented until such time as the final location of the realignment is confirmed and the road is constructed.
 - iii. Whether the landscape plan appropriately identifies plant species, density of planting, and the planting and maintenance programme - including irrigation, weed control and replacement of dead and diseased plants.
 - iv. For any application to create new allotments for commercial or industrial activities which are located wholly between Pound Road and the internal road immediately to the east of Pound Road (as shown on Chapter 16 Appendix 16.6.2, whether the application is accompanied by a landscape plan for:
 - A. the area of land identified the Chapter 16 Appendix 16.6.2 requiring specific landscape treatment and whether the plan submitted is in accordance with the design shown on the outline development plan;
 - B. the balance of any new allotment frontage areas located within 10m of the Pound Road boundary that are not already covered by the specific landscape plans required at (a) above;

- v. Conditions on implementation need not be imposed on the portion of frontage subject to Chapter 16 Appendix 16.6.2 if planting in full accordance with Appendix 16.6.2 has already been established.
- vi. These conditions should also require that such landscaping be irrigated for a minimum of five years from the time of planting to ensure the landscaping is able to become established.
- vii. The extent to which the proposed landscape treatment will be effective in softening and / or screening any future buildings and creating a quality rural/urban interface as viewed by users of Pound Road and occupiers of the adjoining land.
- viii. The extent to which the proposed landscape treatment includes a mix of canopy specimen trees and under planting and contributes to indigenous biodiversity.
- ix. The number and spacing of specimen trees. In general this should **meet** the minimum criteria set out in Chapter 16 Rule 16.2.4.2.2 (Landscaped areas).
- x. The extent to which the proposed landscape design will ultimately achieve a consistent and high quality landscape treatment along the entire Industrial General Zone frontage of Pound Road. In general this shall include:
 - A. a predominance of evergreen species with a lesser proportion of deciduous specimen trees;
 - B. adoption of a sustainable planting and maintenance plan which minimises energy inputs such as irrigation and fertiliser;
 - C. a planting pattern and species choice that it is simple and bold so as to provide design continuity and consistency and is in general accordance with the landscaping shown on Chapter 16 Appendix 16.6.2;
 - D. the use of plants that are readily available;
 - E. the use of plants that are adapted to local soils, namely Templeton soil type;
 - F. the use of plants that are naturally drought and disease resistant;
 - G. a planting pattern and density of plants that will result in a landscape outcome that is aesthetically pleasing with no avoidable gaps; **and**
 - H. trees are able to attain sufficient height to soften the appearance of buildings.
- xi. The design and layout of the subdivision and whether the subdivision is in accordance with Chapter 16 Appendix 16.6.2.
- c. Industrial Heavy Zone (South West Hornby)
 - i. **The extent to which the development has an adverse effect on the function, capacity and safety of the internal and adjoining road network.**
 - ii. The extent to which the measures for mitigating the effects of development support a comprehensive and integrated approach to development of the South West Hornby industrial area.
 - iii. The extent to which the development affects the construction and future operation of the Movement network as shown on the outline development plan, including whether it provides opportunities for walking, cycling and public transport use.

8.4.6 Additional matters — rural zones

- a. The inclusion of a consent notice on the title or balance to limit the ability for further subdivision additional residential units or to protect open rural character, areas of significant indigenous vegetation and significant habitats of indigenous fauna, ecological corridors, sites of Ngāi Tahu cultural significance, public access connections to the coast or connections to public walking/cycling networks including alignment with the Christchurch City Council Public Open Space Strategy 2010-2040, and the positive effects of the protection of the allotment.
- b. The extent to which an identified building area can be accommodated within the proposed allotment and its location in relation to surrounding land uses, rural character, sites of cultural significance, sites of ecological significance, significant or outstanding natural features or landscapes.
- c. The extent to which clustering or grouping development is beneficial to the continuation of rural productive activities, including the ability to use versatile soils, and to manage adverse effects on areas of outstanding natural landscapes and the elements of natural character such as indigenous vegetation, landform, waterways and wetlands.
- d. The visual impact of buildings, development and associated works and the extent to which additional restrictions on location, scale and design of buildings are necessary.
- e. The extent to which the subdivision will lead to development of sensitive activities that will increase the potential to create reverse sensitivity effects in relation to the ability to utilise land for rural productive activities and in relation to surrounding permitted and existing activities.
- f. The benefits of consolidation of smaller titles to create larger allotments.
- g. The extent to which the proposal is consistent with the objectives and policies of Chapter 17 Rural.
- h. Whether the layout of the subdivision provides for allotments that result in sufficient separation between buildings, particularly residential buildings and curtilage, to maintain rural character relevant to the surrounding area and zone and avoids a form of development that results in a character of residential large-lot development.

8.4.7 Additional matters — coastal environment

- a. The nature, extent and implications of coastal hazards relevant to the site.
- b. The effectiveness of any coastal hazard mitigation works proposed.
- c. The design of proposed works including buildings, coastal hazard mitigation works, and access roads.
- d. The nature of any existing or proposed coastal hazard mitigation or earthworks, engineering design, and their effects on safety and vulnerability of the site and adjacent sites.
- e. The effects of development on surface and subsurface drainage patterns and stormwater management.
- f. The adequacy of drainage and sediment control measures.

- g. The ability of the site to accommodate stable, accessible and serviceable identified building area.
- h. The extent to which the works will lead to removal of vegetation, topsoil or sand, or the modification of ecosystems or natural character, or adverse landscape and visual effects.
- i. The extent to which the activity or works would impact on public or recreational access, where available.
- j. The effects of any development on public access to and along the landward boundary of the coastal marine area.

8.4.8 Additional matters — character areas

- a. Whether the site size retains the special characteristics of the area including:
 - i. the distinctive topographic qualities and landforms or features that contribute to landscape quality and built form of the area.
 - ii. the form, pattern and grain of subdivision, including the size of sites.
 - iii. the ability to achieve the characteristic balance of buildings to open space across the site.
 - iv. the retention of large scale mid block vegetation and tree planting.
 - v. the continuity and coherence of the area.
 - vi. provision of a front yard building setback which is consistent with the pattern of the Character Area and which is available for tree and garden planting rather than garaging, car parking and manoeuvring.
 - vii. the ability to locate a dwelling on the site that achieves the architectural characteristics of the Character Area, including the relationship to the street.

8.4.9 Additional matters — Specific Purpose (Golf Resort) Zone at Christchurch Golf Resort

- a. Whether the location of an identified building area is fully contained within the boundaries of the Resort Community and Academy Activity Areas.
- b. Whether it is appropriate to require a legal instrument be registered against the head title securing public pedestrian access over the access track identified in the Concept plan.
- c. Whether it is appropriate to require a legal instrument be registered against the head title securing a bridleway from the Styx River to Spencerville Road, as shown on the outline development plan.

8.4.10 Additional matters — Cashmere and Worsleys Development Plan area

- a. Whether upgrades to the road network and access restrictions shown on the Outline development plan are necessary, including:
 - i. Whether access onto Shalamar Drive from the outline development plan should be restricted.
 - ii. Whether Worsleys Road should be realigned in accordance with the "Required Roads" shown in Appendix 8.6.7
 - iii. Whether the Hoon Hay, Cashmere and Worsleys Roads intersection requires upgrading (refer to Appendix 8.6.7).

8.4.11 Additional matters — Moncks Spur Development Plan area

- a. Whether upgrades to the road network and access restrictions shown on the outline development plan are necessary, including:
 - i. Whether access via Horizon Heights (Lot 7, DP 64814) is necessary and appropriately secured and vested.
 - ii. Whether it is appropriate to form and vest in the Council a continuous through road from Mt. Pleasant Road between the intersections with Moncks Spur Road and Major Hornbrook Road to Horizon Heights.

8.5 Rules as to matters of discretion — subdivision

- a. When considering applications for restricted discretionary activities, the Council's power to [grant or decline consent](#) is restricted to the matters over which discretion is specifically restricted for that purpose in the table in Rule 8.3.2.2 and as are set out for those matters in Rule 8.5 below.
- b. When considering applications for restricted discretionary activities, the Council's power to impose conditions on the consent is restricted to the matters over which discretion is specifically restricted for that purpose in the table in Rule 8.3.2.2 and as are set out for those matters in Rule 8.4 (matters of control to be treated as matters of discretion) and Rule 8.5 below.

8.5.1 Boundary adjustments

- a. Whether access to the sites will continue to be appropriate and safe.
- b. Whether each allotment has connections to services.
- c. Whether the allotments are of sufficient size and dimension to provide for the existing or proposed purpose or land use.
- d. The degree to which natural topography, drainage and other features of the natural environment, sites of cultural significance to Ngāi Tahu, or existing built features of significance, determine site boundaries where that is practicable.
- e. The relationship of the proposed allotments within the site and their compatibility with the pattern of the adjoining subdivision and land use activities.

8.5.2 Property access

- a. The location, safety and efficiency of any access, including whether the location, formation and construction is suited to the development it serves, and whether any associated works or upgrades are required.
- b. The provision of vehicular access to all properties, [including for fire fighting purposes](#), unless topography of the ground prevents such access to any part of the site (including non-contiguous areas of a site).
- c. In case of multiple site subdivision where parking is provided as a common facility, whether that parking area has appropriate access to a formed road.
- d. The safety and efficiency of state highways, limited access roads and rail corridors.

8.5.3 Roads

- a. Whether the provision, location, design, safety and efficiency of any road, frontage road, corner rounding, intersections or landscaping, including the formation and construction, is suited to the development it serves.
- b. Whether new roads or upgrades to existing roads are required, including in relation to any network utility, state highway or rail line.
- c. Whether new roads are appropriately routed and integrate safely and efficiently with the existing road network.
- d. Whether new or upgraded roads are satisfactorily designed and constructed, including providing a safe environment for road users and pedestrians, and are acceptable to the Council.
- e. Whether subdivision layout and new or upgraded roads provide for public transport, cycling and walking, where appropriate, including access to reserves, facilities, commercial areas, and public transport facilities.

8.5.4 Service lanes, cycleways and pedestrian access ways

- a. Whether service lanes, cycleways and pedestrian access ways are required or appropriate, and whether their provision, location, design, safety and efficiency, including the formation and construction, is suited to the development it serves.
- b. Whether the subdivision layout and access network supports walking, cycling and public transport, including access to reserves, facilities, commercial areas, public transport facilities.
- c. Whether provision of a cycleway or pedestrian access way encourages active modes of transport, including to community facilities.
- d. Whether service lanes, cycleways and pedestrian access ways are satisfactorily designed and constructed, including providing a safe environment for road users and pedestrians, and are acceptable to the Council.

8.5.5 Esplanade reserves, strips or additional land

- a. The appropriateness of esplanade provision where the subdivision is a minor boundary adjustment, for minor additions to existing cross lease or unit titles, a reallocation of accessory buildings to different units, or is necessary because garages are erected in locations shown on earlier survey plans for an existing cross lease or unit title, where an existing strip agreement is varied or where no additional sites are being created by the subdivision.
- b. The provision and / or width of an esplanade reserve or esplanade strip, having regard to:
 - i. the existing or anticipated development, water quality, habitats, ecological or natural values, conservation values, wāhi tapu, mahinga kai, customary access and other taonga, topography and landscape;
 - ii. public safety or the security of property;
 - iii. recreational use;

- iv. the existence or mitigation of natural hazards; and
- v. any existing or proposed reserve or access to that reserve;
- c. Whether the costs of the provision and maintenance of a 20 metre wide esplanade reserve or esplanade strip are more than the potential public benefits of the purposes of esplanade reserves or strips.
- d. Whether an access strip may be required by Council where an esplanade reserve exists or is proposed that does not have public access.
- e. Whether, under section 230 of the Resource Management Act, the Council might waive a requirement for an esplanade reserve or esplanade strip where there is:
 - i. adequate alternative public access; or
 - ii. adequate means of protecting water quality and conservation values; [or](#)
 - iii. adequate provision for public recreational use of the area of coast, river or lake in question; or
 - iv. where a site is being subdivided for the sole purpose of creating a utility allotment; or
 - v. provision of land for open space and recreation

8.5.6 Springs

[deferred]

8.5.7 Servicing

- a. Whether each allotment has appropriate servicing and connections to water supply, wastewater disposal, stormwater management systems and other services, whether it is necessary to provide or upgrade services or utilities to enable the site to be served, and whether the design, location, capacity, type and construction of services and infrastructure, including the suitability of the proposed water supply for fire-fighting purposes, and any required infrastructure upgrades, are acceptable to the Council.
- b. Whether appropriate provision is made for onsite stormwater treatment and disposal, or connection to a catchment based treatment network.
- c. Any impact of the provision or operation of service utilities or infrastructure on sites or areas of significance to tangata whenua or on waterways and the coastline.
- d. Any adverse effect on public health.
- e. Where a reticulated system is not immediately available but is likely to be in the near future, the appropriateness of temporary systems.
- f. Where infrastructure serving the land has been damaged by earthquakes; whether the infrastructure is performing, serviceable and functional.
- g. Whether there is the ability for allotments to appropriately connect to an electrical supply system and a telecommunications network.

- h. The suitability of the proposed water supply for fire-fighting purposes (the Council may obtain a report from the Chief Fire Officer), including the extent of compliance with SNZ PAS:4509:2008 in respect of the health and safety of the community, including neighbouring properties.
- i. Whether the subdivision impacts on strategic infrastructure, including its ongoing operation, development and maintenance, and any potential for adverse effects on that infrastructure (including management of potential reverse sensitivity effects).

Notes:

- 1. National Grid transmission lines and strategic electricity distribution lines are shown on planning maps.
- 2. The Council will consult the network utility operator or line owner where an application proposes to subdivide land within the transmission corridors.

8.5.8 Flood Management Area

- a. Whether the subdivision includes measures that will reduce susceptibility to flooding.
- b. Whether the subdivision would have an impact on adjoining land in terms of flooding, and any measures to mitigate that impact.
- c. The extent to which flood hazard areas will impinge on the intended activities on any allotment.

8.5.9 Compliance with outline development plans and density

- a. **For subdivision in a residential zone, whether** the subdivision precludes the required household density target to be met across residential development areas of the outline development plan area, including the housing typologies required to meet that target, and whether the typologies cater for all life stages, physical abilities, and opportunities for socio-economic diversity.
- b. Whether the subdivision precludes or discourages development in another part of the outline development plan area.
- c. Whether the subdivision integrates and connects appropriately to other parts of the outline development plan area, and the surrounding area, and any layering diagrams.
- d. Whether the proposed layout is practicable and provides for the existing or intended purpose or land use.
- e. Whether the potential effects of natural hazards will be appropriately avoided or mitigated.
- f. The extent to which the subdivision affects the ability of any future subdivision stages by other landowners in the outline development plan area to be in accordance with the outline development plan.
- g. The extent to which a development complies with any fixed or flexible elements of an outline development plan, **or with the development requirements of an outline development plan in a Residential New Neighbourhood Zone**, including for phasing or location of infrastructure or other internal elements; and consideration of the effects of the movement of any elements on

other landowners of land located within or adjacent to the outline development plan area, or on the safe, efficient or effective operation of infrastructure.

8.5.10 Additional matters — Residential New Neighbourhood Zone

Integration, context and placemaking

- a. Whether the subdivision integrates with the existing context including retention of existing natural and built features, adjacent patterns of development and potential visual and physical connections.
- b. Whether the subdivision responds to and complements the design and layout of adjacent blocks, streets and open spaces.
- c. Whether the subdivision provides for adjoining land within the outline development plan to be developed in accordance with Residential New Neighbourhood standards and the outline development plan.
- d. Whether the subdivision contributes to the sense of place envisaged in the outline development plan, drawn from its context and delivered through the block, street and open space layout, to the configuration of allotments and elements of the open space.

Subdivision design (including provision for range of housing types)

- e. Whether the subdivision provides allotments that will enable diversity of housing types.
- f. Whether the subdivision provides allotments that are orientated to provide for solar gain.
- g. Whether the subdivision distributes allotments for higher density building typologies to support community and commercial facilities and public transport, and create a critical mass of activity and focus for development, and provide a logical and legible development form.
- h. Whether the subdivision locates larger allotments on corner sites to provide for larger scale building typologies to assist neighbourhood legibility.
- i. Whether the subdivision has dimensions and orientation which will provide for efficient vehicle access and parking that is safe for pedestrians and cyclists, and that does not compromise the quality of current or future public or private space.
- j. Whether the subdivision provides allotments that retain the central areas of blocks for open space or shared vehicle accesses.
- k. Whether the subdivision provides a allotments pattern that will promote complementary housing typologies to protect the privacy and outlook of adjacent sites and existing residential properties.
- l. Whether the subdivision provides a allotments pattern that will promote a consistent built interface with the street and minimises the use of rear allotments.

Movement networks

- m. Whether the subdivision provides for a comprehensive network of vehicle, cycle and pedestrian routes that provide, maintain or enhance safe and efficient physical and visual links within the neighbourhood and to surrounding neighbourhoods.

- n. Whether the subdivision includes road widths which are sufficient for the current and any identified future function of the road.
- o. Whether the subdivision includes road design which contributes toward a speed environment that is compatible with street function and adjacent land uses.
- p. Whether the subdivision minimises the use of rights of way.

Public spaces (including interaction between private and public spaces)

- q. Whether the subdivision provides public open space that can incorporate large scale tree planting, and low impact design features.
- r. Whether the subdivision provides allotments that enable a high level of visual interaction with the street and other public open spaces, without unnecessary visual barriers.
- s. Whether the subdivision promotes a cohesive street scene and neighbourhood.

8.5.11 Conversion of tenure, alteration of cross leases, company leases and unit titles

- a. Whether each title or leased area has vehicle access, and whether there is any decrease in formed width, parking spaces and size, or manoeuvring areas which materially compromises function or safety.
- b. Whether each title or leased area has access to services.
- c. Whether any title or leased area would be reduced in area or dimension in a manner which might result in a more than minor reduction in functionality in relation to outdoor living space, outdoor service space or outdoor storage space.
- d. Whether fire safety requirements can be met.
- e. Effects of works associated with the subdivision on:
 - i. surface and subsurface drainage patterns and stormwater management.
 - ii. hydrological and geological features, both underlying and surface and on site and on adjoining sites.

8.5.12 Allotment net area and dimensions

- a. Whether the allotments (including any balance allotment) are of sufficient size and dimension to provide for any existing land use or a permitted land use such as might reasonably be expected to establish on a site, and provision of access, storage space and service connections.
- b. Whether the dimensions and orientation of the allotments will ensure the capture of solar gain appropriate to the subsequent land uses.
- c. Whether any corner allotments have an appropriate corner rounding.
- d. The relationship of the proposed allotments within the site and their compatibility with the pattern of the adjoining subdivision and land use activities.

- e. The degree to which natural topography, drainage and other features of the natural environment, or sites of cultural significance to Ngāi Tahu, existing built features of significance, determine site boundaries where that is practicable.
- f. Whether fire safety requirements are met in relation to the conversion of existing residential units into multiple residential units.

8.5.13 Natural and cultural heritage

[deferred to Natural and Cultural Hearing]

8.5.14 All rural zones

- a. In considering whether or not to grant subdivision consent, the Council shall have regard to the matters in 8.4.6 Additional matters - rural zones.

8.5A Rules — Earthworks

8.5A.1 Notification

1. Any application arising from non-compliance with standards in Rule 8.5A.2 may be limited notified, but shall not be publicly notified. Applications arising from Rule 8.5A.2.3 NC1 will be notified to Transpower New Zealand Limited or Orion New Zealand Limited (where relevant) (absent written approval).

Notes.

1. The consent of the Regional Council may be required for earthworks activities, including those in, on, under or over the bed of a river, as well as vegetation clearance, deposition over an aquifer and earthworks in erosion prone areas.
2. The Council's Cleanfill Licensing Bylaw 2008 includes requirements for the disposal of soils.
3. The Council's Water, Wastewater and Stormwater Bylaw 2014 includes requirements for the protection of waterways.
4. Part I of the Heritage New Zealand Pouhere Taonga Act 2014 states that no work may be undertaken on an archaeological site (whether recorded or unrecorded) until an archaeological authority to destroy, damage or modify a site has been granted by the Heritage New Zealand Pouhere Taonga in accordance with that Act.
5. Attention is drawn to the Mahaanui Iwi Management Plan 2013 (including the Accidental Discovery Protocol), Te Whakatau Kaupapa, and the Ngai Tahu Freshwater Policy.
6. Resource consent may be required for earthworks under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011. In particular the NES applies to earthworks associated with the removal or replacement of fuel storage tanks, earthworks associated with sampling or disturbance of land identified in the Listed Land Use Register held by Canterbury Regional Council. In these instances, the NES applies instead of the District Plan provisions.

8.5A.2 Activity status tables

8.5A.2.1 Permitted activities

The activities listed below are permitted activities if they meet the activity standards set out in the following table.

Activities may also be restricted discretionary or non-complying as specified in Rules 8.5A.2.2 and 8.5A.2.3.

Activity	Activity Standard
<p>P1 Earthworks:</p> <ul style="list-style-type: none"> a. outside a Flood Management Area or Flood Ponding Area; and b. not for the purpose of the repair of land used for residential purposes and damaged by earthquakes <p>Clarification:</p> <ul style="list-style-type: none"> 1. Refer to Chapter 5 for earthworks within a Flood Management Area or Flood Ponding Area. 2. Refer to P2 for earthworks for the purpose of the repair of land used for residential purposes and damaged by earthquakes 	<ul style="list-style-type: none"> i. Earthworks shall not exceed the volumes in Table 9 over any 12 month time period. ii. Earthworks in zones listed in Table 9 shall not exceed a maximum depth of 0.6m, other than in relation to farming activities, quarrying activities or permitted education activities. iii. Earthworks shall not occur on land which has a gradient that is steeper than 1 in 6. iv. Earthworks involving soil compaction methods which create vibration shall comply with DIN 4150 1999-02 and compliance shall be certified through a statement of professional opinion provided to the Council from a suitably qualified and experienced chartered or registered engineer. v. Earthworks involving mechanical or illuminating equipment shall not be undertaken outside the hours of 0700 – 1900 in a Residential Zone. Clarification: between 0700 and 1900 hours, the noise standards in Chapter 6 Rule 6.1.4.2.3 and the lux thresholds at Chapter 6 Rule 6.3.2.3.1 both apply. vi. Earthworks involving mechanical equipment, other than in residential zones, shall not occur outside the hours of 0700 and 2200 except where compliant with NZS6803:1999. Clarification: between 0700 and 2200 hours, the noise standards in Chapter 6 Rule 6.1.4.2.3 apply except where NZS6803.1999 is complied with, and the lux thresholds in Chapter 6 Rule 6.3.2.3.1 apply. vii. Fill shall consist of clean fill. viii. The activity standards listed in Rule 8.5A.2.1 P3, P4 and P5. <p>Notes:</p> <ul style="list-style-type: none"> A. the Erosion and Sediment Control Guidelines (prepared by Environment Canterbury) may be of assistance in terms of the design and location of any filter. B. The Natural Resources Regional Plan and Land and Water Regional Plan include provisions for earthworks in riparian margins and the Port Hills respectively and provisions in relation to dust control. C. The Council's Water Supply, Wastewater and Stormwater Bylaw 2014 applies.

Activity	Activity Standard
<p>P2 Earthworks for the purpose of the repair of land used for residential purposes and damaged by earthquakes.</p> <p>Clarification</p> <p>1. For the purposes of this rule, “repair of land used for residential purposes damaged by earthquakes” does not include repair of land on the Port Hills or Banks Peninsula. It does include all other residential land whether or not an EQC payment has been made and residential land which was unimproved when damage occurred. Refer to Appendix 2.2 of Chapter 2.</p>	<p>a. The earthworks shall:</p> <ul style="list-style-type: none"> i. only occur in a zone listed in Table 10 Earthworks for the purpose of land repair; and ii. be commenced prior to the expiry of this rule on 31 December 2018. <p>b. Where the land repair and earthworks are not designed, supervised or certified by a Chartered Professional Engineer with experience in geotechnical engineering or Professional Engineering Geologist (IPENZ Registered), any filling, excavation or disturbance of soils shall not exceed the requirements of Table 10.</p> <p>c. Where the land repair and earthworks are designed, supervised and certified by a Chartered Professional Engineer with experience in geotechnical engineering or Professional Engineering Geologist (IPENZ Registered), any earthworks shall meet the following requirements:</p> <ul style="list-style-type: none"> i. The site or part of the site shall not be located within a silent file (as shown in the Mahaanui Iwi Management Plan), or statutory acknowledgement area. ii. Not more than 80m³ of grout shall be used per site. iii. Land repair works involving soil mixing aggregate piers, or grout shall not occur within 1.0m of a boundary. iv. At least 3 working days prior to commencing any work on the site (including stockpiling and preparatory works): <ul style="list-style-type: none"> A. written notice shall be provided to the Council informing of the location of the land repair and the name and contact details of the supervising engineer; B. written notice shall be provided to any occupier of a residential unit adjoining the land repair site to inform the occupier that the works will be taking place, the expected duration of the works and of the contact details of the site supervisor; and C. a sign shall be erected at the front of the property which includes the name and contact details of the site supervisor. v. A statement of professional opinion completed by a suitably qualified and experienced Chartered Professional Engineer with experience in geotechnical engineering or

Activity	Activity Standard
	<p>Professional Engineering Geologist (IPENZ Registered) shall be provided to the Council within 3 months of the land repair being completed to the effect that the works meet all applicable standards and requirements and are suitable for their intended purpose. The statement will include as-built plans of the works.</p> <p>vi. Depth of fill above ground level shall meet the requirements for the repair of land damaged by earthquakes within Flood Management Areas as specified in Chapter 5 (Natural Hazards).</p> <p>d. General standards</p> <p>i. There shall be no earthworks within 3m of any utility waterway to be piped or 5m of any open utility waterway.</p> <p>Note: Consent may be required from Canterbury Regional Council for earthworks within 10m of other rivers and lakes and 20m of the coast. Refer to the Land and Water Regional Plan, Rules 8.5.2, 9.5.6 and 11.5.1.</p> <p>ii. <i>[placeholder – Stage 3]</i></p> <p>iii. All filling greater than 0.3m in depth shall be in accordance with New Zealand Standard NZS 4431:1989 Code of Practice for Earth Fill for Residential Development. Certification is not required except as specified in (c)(v) above.</p> <p>iv. All land repair works are to be managed in accordance with New Zealand Standard NZS 6803:1999 Acoustics - Construction Noise and DIN 4150 1999-02 Structural Vibration.</p> <p>v. Land repair works involving mixing or insertion of grout shall not involve:</p> <p>A. mixtures with a flow time that is greater than 30 seconds when tested in accordance with the grout flow test at NZS 3112: Part 1: 1986 (Test 3) or a flowable concrete/grout including cement and inert additives which exceed a diameter of 300mm when tested in accordance with inverted cone test in NZS 3112: Part 1: 1986 (Test 11) except for in-situ mixing; or</p> <p>B. pressurised injection of grout into the ground.</p> <p>vi. A. Where grout is deposited into land using in-situ mixing the grout shall be mixed evenly through the augured soil column and the percentage of grout within the augured soil</p>

Activity	Activity Standard
	<p>column shall not exceed 20%; or</p> <p>B Where grout is deposited into land using methods other than in-situ mixing, the percentage of cement in the dry grout mixture shall not exceed 30%.</p> <p>vii. Land repair materials shall consist only of:</p> <p>A. soil, gravel, rocks, concrete, sand, silt (such as exists on site already), or clean, inert material;</p> <p>B. cement and/or bentonite grout including inert additives; or</p> <p>C. timber foundation piles.</p> <p>D. and shall not:</p> <p>E. include or disturb putrescible, pollutant, inflammable or hazardous components; and/or</p> <p>F. include fill which comprises more than 5% vegetation of any load by volume.</p> <p>viii. Land repair works, other than dust and sediment control measures, shall not be undertaken outside of the hours of 7.30am to 6.00pm Monday to Friday and 8.00am to 5.00pm on Saturday. No works shall occur on public holidays.</p> <p>ix. The activity standards listed in Rule 8.5A.2.1 P3, P4 and P5.</p> <p>Notes:</p> <ol style="list-style-type: none"> 1. The Erosion and Sediment Control Guidelines (prepared by Environment Canterbury) may be of assistance in terms of the design and location of any filter. 2. The Natural Resources Regional Plan and Land and Water Regional Plan include provisions for earthworks in riparian margins and the Port Hills respectively and also provisions in relation to dust control. 3. The Council's Water Supply, Wastewater and Stormwater Bylaw 2014 is applicable. <p>In addition to the exemptions in Rule 8.5A.3, the following earthworks are exempt from compliance with the Standards for P2:</p> <p>i. Works involving the establishment, repair or</p>

Activity	Activity Standard
	<p>replacement of any permitted utilities or the maintenance of existing drains or ponds by a utility operator.</p> <p>ii. Works permitted by or exempted from a building consent (including works forming part of foundations for a building) where:</p> <p>A. they meet the standards in Table 10 and (c)(vi) controlling depth of fill above ground level in Flood Management Areas (Chapter 5 Natural Hazards); and</p> <p>B. they are designed, supervised and certified by a suitably qualified and experienced chartered geotechnical engineer, and</p> <p>C. they meet General standards (d)(i) and (d)(ii).</p> <p>iii. Testing or investigation preceding land repairs or remediation as a result of land damaged by earthquakes provided it meets activity standard P2 (a):</p> <p>iv. Filling or excavation associated with the maintenance of flood protection works.</p> <p>v. In the Central City, filling or excavation associated with the repair, maintenance, upgrade or construction of flood protection works undertaken or authorised by Christchurch City Council or the Crown.</p> <p>For the avoidance of doubt, where the earthworks are associated with the repair of land used for residential purposes and damaged by earthquakes. Rule 8.5A.2.1 P2 applies alone and instead of other earthworks rules in Rules 8.5A.2.1 – 8.5A.2.3 (other than RD2 if the activity standards for P2 are not complied with).</p> <p>Clarifications:</p> <p>a. Measurement of volume shall include only areas which have been disturbed, including by filling, excavation, soil mixing or injection of materials. Soil above or between these areas which remains undisturbed does not form part of the allowable volume, including where those undisturbed soils are compacted or are otherwise altered by the works.</p> <p>b. For the purposes of this rule, the building consent platform extends to a maximum of 2.5m from the exterior wall of enclosed structures or from support structures of open structures.</p> <p>c. For the purposes of this rule, when land repairs are being undertaken over a number of properties at the same time and by the same contractor, the site boundary for the purpose of the setback is the outer</p>

Activity		Activity Standard
		<p>perimeter of the properties that are the subject of the land repair works.</p> <p>Advice Notes:</p> <ol style="list-style-type: none"> 1. People intending to do land repair earthworks are responsible for complying with the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011. People should contact the Christchurch City Council or Canterbury Regional Council to find out whether their land has been used for hazardous activities which might trigger the need for compliance with the NES. 2. Any vegetation removed during land repairs should not be replaced with pest species which are listed in Appendix 1 to the Infrastructure Design Standard (Part 10).
P3	<p>a. Earthworks in the vicinity of the National Grid, except as otherwise specified in Rules 8.5A.2.2 or 8.5A.2.3.</p>	<p>a. Earthworks within 12 metres of the centre line of a 110kV or a 220kV National Grid transmission line or within 10 metres of the centre line of a 66kV National Grid transmission line shall:</p> <ol style="list-style-type: none"> i. be no deeper than 300mm within 6m of a foundation of a National grid transmission line support structure; and ii. be no deeper than 3m: <ol style="list-style-type: none"> A. between 6 and 12 metres from the foundation of a 110kV or a 220kV National Grid transmission line support structure; or B. between 6 and 10 metres from the foundation of a 66kV National Grid transmission line support structure; and iii. not destabilise a National Grid transmission line support structure; and iv. not result in a reduction in the ground to conductor clearing distances below what is required by Table 4 in New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001), unless the requirements of Clause 2.2.3 of NZECP34:2001 are met. <p>b. Activity Standard 1a. (above) shall not apply to:</p> <ol style="list-style-type: none"> i. earthworks for a network utility as part of an electricity transmission activity; ii. earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, driveway or farm track. <p>Note: this rules does not apply within the Central City.</p>

Activity	Activity Standard
<p>P4 Earthworks in the vicinity of a 66kV electricity distribution line, except as otherwise specified in Rules 8.5A.2.2 or 8.5A.2.3</p>	<p>a. Earthworks within 10 metres of the centre line of a 66kV electricity distribution line shall:</p> <ul style="list-style-type: none"> a. meet the requirements of Clause 2.2.1 and/or 2.2.3 (as applicable) of the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34: 2001); or b. meet the following requirements: <ul style="list-style-type: none"> i. be no deeper than 300mm within 6 metres of a foundation of a 66kV electricity distribution line support structure; and ii. be no deeper than 3m between 6 and 10 metres from the foundation of a 66kV electricity distribution line support structure; and iii. not destabilise an electricity distribution line support structure; and iv. not result in a reduction in the ground to conductor clearing distances below what is required by Table 4 in the NZECP 34:2001. <p>1. Activity standard 1b(i) (above) shall not apply to:</p> <ul style="list-style-type: none"> a. Earthworks for a network utility, as part of an electricity distribution activity; b. Earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, drive or farm track. <p>Note: this rules does not apply within the Central City.</p>
<p>P5 Earthworks in the vicinity of a 33kV electricity distribution line or the 11kV (Heathcote to Lyttelton) electricity distribution line, except as otherwise specified in Rules 8.5A.2.2 or 8.5A2.3.</p>	<p>a. Earthworks within 5 metres of the centre line of a 33kV electricity distribution line or the 11kV (Heathcote to Lyttelton) electricity distribution line shall:</p> <ul style="list-style-type: none"> i. meet the requirements of Clause 2.2.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34: 2001); or ii. meet the following requirements: <ul style="list-style-type: none"> A. be no deeper than 300mm within 2.2 metres of a foundation of a 33kV and 11kV Heathcote to Lyttelton support structure; and B. be no deeper than 0.75m between 2.2 and 5 metres from the foundation of a 33kV and 11kV Heathcote to Lyttelton electricity distribution line support structure; and C. not destabilise an electricity distribution line support structure; and D. not result in a reduction in the ground to conductor clearing distances below what is required by Table 4 in the NZECP 34:2001. <p>b. Activity standard 1a. (above) shall not apply to:</p> <ul style="list-style-type: none"> i. Earthworks for a network utility, as part of an

Activity	Activity Standard
	<p>electricity distribution activity;</p> <p>ii. Earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, drive or farm track.</p> <p>Note: this rules does not apply within the Central City.</p>

Table 9: Maximum volumes – earthworks

Zone / Overlay	Volume
Residential	a. All residential zones. 20m ³ /site
Commercial / Industrial	a. Commercial Local, and Commercial Banks Peninsula Zones. 20m ³ /site
	b. Commercial Core, Commercial Office, Commercial Mixed use, Commercial Retail Park, Industrial General, Industrial Heavy and Industrial Park Zones. 1000m ³ /ha
Rural	a. All rural zones (excluding excavation and filling associated with quarrying activities) 100m ³ /ha
Open Space	a. Open Space Metropolitan Facilities and Open Space McLeans Island Zones. 500m ³ /ha
	b. Open Space Community Park Zones. 20m ³ /site
	c. Open Space Natural and Open Space Water and Margins Zones. (Refer to Rules 6.6.2.1 - 6.6.2.4 of Chapter 6 in relation to earthworks adjoining waterbodies). 50m ³ /ha
	d. Open Space Water and Margins Zone at Lake Ellesmere / Te Waihora and Lake Forsyth / Wairewa. (Refer to Rules 6.6.2.1 - 6.6.2.4 of Chapter 6 in relation to earthworks adjoining waterbodies). 10m ³ /ha
	e. Open Space Coastal Zone. 50m ³ /ha
Specific Purpose	a. Specific Purpose (Hospital) Zone and Specific Purpose (Tertiary Education) Zone. 150m ³ /ha
	b. Specific Purpose (Airport) Zone. 5000m ³ /ha
	c. Specific Purpose (Cemetery) Zone. 20m ³ /site
	d. Specific Purpose (Golf Resort) Zone. 20m ³ /site
	e. Specific Purpose (Flat Land Recovery) Zone. 50m ³ /ha
	f. All other Specific Purpose Zones. 100m ³ /ha
Transport	No limit.

Clarification:

- The volume thresholds contained in Table 9 provide for both the amount of fill and the amount of

excavation.

2. Where a volume threshold in Table 9 is stated in m³/ha, this shall be applied as a ratio.
3. Chapter 5 manages earthworks within identified hazard areas. Chapter 12 contains provisions relating to contaminated land. Chapter 6 manages earthworks within waterbody setbacks.

Table 10 Earthworks for the purpose of land repair

	Column A Max. Volume (Cumulative)	Column B Max. depth (m)	Column C Max. depth of fill (m) [below ground level]	Column D Fill above ground level	Column E Setback from site boundary
Residential Zones (except the Residential Hills and Residential Large Lot Zones, and the Stormwater Capacity Constraint Overlay), where a site or part of a site is not located in a Flood Management Area or a Flood Ponding Area*	50m ³ /site	0.6	0.6	0.3m max. depth;	Setback from site boundary must be equivalent to or greater than the depth of earthworks.
Rural Zones (except the Rural Banks Peninsula Zone), where a site or part of a site is not located in a Flood Management Area or Flood Ponding Area *	2000m ³ /site	0.6	0.6	0.3m max. depth;	
Land repair works in any zone listed in this table involving soil mixing aggregate piers, or grout.	Not more than 10m ³ of grout per site	1.0	1.0	0.3m max. depth.	

* shown on planning maps

8.5A.2.2 Restricted discretionary activities

The activities listed below are restricted discretionary activities.

Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in Rule 8.5A.4, as set out in the following table.

Activity		Matters of discretion
RD1	Any activity listed in Rule 8.5A.2.1 P1 that does not meet any one or more of the activity standards.	Rule 8.5A.4.
RD2	Any activity listed in Rule 8.5A.2.1 P2 that does not meet any one or more of the activity standards. Any applications arising from this rule shall not be publicly or limited notified.	Rule 8.5A.4.
RD3	Earthworks within the Stormwater Capacity Constraint Overlay	Rule 8.5A.4, matters 1 and 3
RD4	Earthworks within 20m of coastal hazard mitigation works	Rule 8.5A.4, matters 1, 3, 4 and 5.

8.5A.2.3 Non-complying activities - earthworks

The activities listed below are non-complying activities:

NC1	Any activity that does not meet any one or more of the activity standards in Rule 8.5A.2.1 P3, P4 or P5.
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8.5A.3 Exemptions

The following earthworks are exempt from the activity standards set out in Rule 8.5A.2.1 P1 and P2:

- 1) Holes for posts, trees or other plants;
- 2) Excavation for any wells where any necessary resource consents or building consents have been obtained;
- 3) Deposition of spoil from drain clearance work within the site the drain crosses; or
- 4) Any earthworks subject to an approved building consent where they occur wholly within the footprint of the building. For the purposes of this rule, the footprint of the building extends 1.8m from the outer edge of the wall. This exemption does not apply to earthworks associated with retaining walls/structures which are not required for the structural support of the principal building on the site or adjoining site.
- 5) Earthworks associated with the maintenance, upgrade or construction of hazard mitigation and protection works where undertaken by the Council, the Canterbury Regional Council, the Crown or undertaken in accordance with a rule in Chapter 5.
- 6) Any earthworks involving:
 - a) the establishment, repair or replacement of any utility permitted in Chapter 11 of this Plan (apart from the establishment of stormwater management utilities which are permitted by Chapter 11 Utilities and Energy and not undertaken by the Council or a network utility operator); or
 - b) established and/or consented utilities; or
 - c) the maintenance of existing drains or ponds, including within road reserves.
- 7) Any test pits or boreholes necessary as part of a geotechnical assessment or contaminated land

assessment where the ground is reinstated to existing levels within 48 hours.

- 8) Any excavation for interment within the Special Purpose (Cemetery) zone, urupa, or any legally established private cemetery or pet cemetery.
- 9) Cultivation and cropping activities in Rural zones, including in relation to the erection of structures not requiring building consent.
- 10) Maintenance and operational earthworks at Bromley Sewage Ponds.
- 11) The construction of fire ponds, stock tracks and vehicle access tracks in Rural zones. Rule 9.1.2.2.1 - 9.1.2.2.5 of Chapter 9 are of particular relevance.
- 12) Earthworks undertaken by Christchurch City Council or Canterbury Regional Council to maintain or upgrade their own parks and reserves.
- 13) Any filling or excavation for the maintenance or establishment of farm access tracks provided the finished ground level is maintained within 200mm of natural ground level, and that filling and excavation is limited to a total of not more than 100m³/ha.
- 14) Composting or silage making.
- 15) Earthworks that are required for the removal of contaminants regulated by the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.

8.5A.4 Matters for discretion

1. Nuisance

- a. The extent to which any potential dust nuisance, sedimentation and water or wind erosion effects can be avoided or mitigated.
- b. The extent to which effects on neighbouring properties, and on the road network, of heavy vehicle and other vehicular traffic generated as a result of earthworks can be avoided or mitigated.
- c. The extent to which any potential changes to the patterns of surface drainage or subsoil drains can be avoided or mitigated if those changes would put the site or adjoining land at higher risk of drainage problems, inundation run-off, flooding, or raise that site's or adjoining land's water table.
- d. Whether any change in ground level would be likely to impact on trees in terms of access to water and drainage.
- e. The extent of any potential adverse effects on the quality of groundwater and whether any such can be avoided or mitigated.
- f. The extent to which any adverse effects from noise and vibration associated with earthworks and land improvement can be avoided or mitigated, and the effectiveness of any methods to mitigate such effects.

2. Resources and assets

- a. Whether versatile soils would be lost to production, or have their physical and biochemical qualities compromised.
- b. In relation to National grid transmission lines and electricity distribution lines
 - i. the risk to the structural integrity of the National grid or electricity distribution lines;

- vi compliance with NZECP 34:2001;
- i. any implications arising from technical advice provided by the utility operator;
- ii. the effects on the ability of the utility operator to operate and upgrade and develop the National grid and/or electricity distribution lines, including on-going safe and direct access; and
- iii. the effects on the ability of the utility operator to operate, upgrade and develop its utility, including on-going safe and direct access.

3. Land stability

- a. Whether the earthworks affect the stability of adjoining land and its susceptibility to subsidence or erosion upon excavation taking place.
- b. The extent of any alteration to natural ground levels in the vicinity and, consequently, to the height and bulk of buildings that may be erected on the site.
- c. Whether the earthworks affect the future development potential of land for permitted activities, taking account of the nature of fill material proposed and the degree of compaction.

4. Coastal hazard

- a. Whether the earthworks affect the risk to life, property and the environment posed by coastal hazards.
- b. The extent to which earthworks would remedy or mitigate coastal hazard or be compatible with existing mitigation works or structures.
- c. Whether or not the work would be carried out under the supervision of either a Chartered Professional Engineer with experience in coastal processes or a professional Engineering Geologist (IPENZ registered).
- d. The extent to which the earthworks would protect structures, buildings and their occupants.

5. Quarries

- a. Whether the final rehabilitated landform is appropriate having particular regard to:
 - i. the location, gradient and depth of the quarry pit;
 - ii. the availability of cleanfill material and consequent timeframes for rehabilitation;
 - iii. any other adverse effects of rehabilitation including traffic, dust, risk to groundwater, drainage and landscape effects.

6. Amenity

- a. The level of alteration to existing ground levels and the degree to which the resultant levels are consistent with the surrounding environment.
- b. The resultant effects that result from the earthworks in terms of visual amenity, landscape context and character, views, outlook, overlooking and privacy.

8.6 Appendices

Appendix 8.6.1 — Esplanade reserve and strip schedule

Explanation

Where the location description refers to the true left or true right bank of a river, this is that side looking downstream to the mouth or the junction with another river.

1. The width in column A applies to subdivision of land, to land disposal pursuant to Section 345 Local Government Act 1974, or to any land acquired by any means, either by the Council or the frontage owner.
2. The width measurement commences from the edge of the bed of the river or the landward boundary of the coastal marine area, as defined in terms of Section 2 of the Resource Management Act 1991.
3. Section 236 of the Resource Management Act 1991 shall only apply where the width of an existing esplanade reserve, created pursuant to the Local Government Act 1974, or the transitional provisions of the Resource Management Act 1991, is less than the width that existed when the reserve was created and vested in the name of the Council.
4. In the Avon/Heathcote Estuary, between Caspian Street and the spit reserve the landward boundary of the esplanade reserve, shall be the common boundary of the former road (when it is stopped) and the present private properties and section 236 of the Act shall not apply to those adjoining properties.

Appendix 8.6.1 - Esplanade reserve and strip schedule

Water body	Reserve or Strip	Location	Column A: Width (metres)
Waimakariri River	Reserve	True right bank commencing at the boundary with Selwyn District Council being the production of the centre line of Weedons-Ross Road where it intersects with the river, thence downstream to the coastal marine area, being the intersection of the production of Ferry Road centre line, and the river bank	20 plus
Otukaikino Creek (except Open Space 3D (Clearwater Resort and Rosebank) Zone) and all branches of the South Waimakariri River and tributaries	All strips	True left and right banks from the junction of the Otukaikino Creek with the Waimakariri River, near the motorway bridge, thence upstream in a generally westerly direction to the limitation of the average 3 metre river width, or to the easement shown on DP 46738, but excluding those parts of the Otukaikino Creek located within the Open Space 3D (Clearwater Resort and Rosebank) Zone.	20
Otukaikino Creek (Open Space 3D (Lagoons) Zone)	All strips	True left and right banks located within the Open Space 3D (Clearwater Resort and Rosebank) Zone.	True right bank - 20 True left bank - 10, with the purpose limited to conservation values only

Water body	Reserve or Strip	Location	Column A: Width (metres)
Kaputone Stream	All strips	True left and right banks, commencing at Guthries Road, thence downstream to the junction with the Styx River	20
Kaputone Stream	Reserve	True left and right banks located in the New Neighbourhood (East Belfast) Zone	20m average width - to be contained within the area shown as Open Space on the outline development plan at Appendix 8.6.24 - except for the section adjoining the Spring Grove residential allotment, which shall be required to extend only to the northern boundary of the allotment containing the Spring Grove Heritage Building, as indicated on Appendix 8.6.24
Styx River (upper section)	Strips	True left and right banks, commencing at the east side of Gardiners Road, thence downstream to the west boundary of the Styx Mill Conservation Reserve except where the strip on the true right bank extends into the reserve	20
Styx River (middle section)	Strips	(a) True left and right banks, commencing at the east boundary of the Styx Mill Conservation Reserve, thence downstream to the west side of Marshland Road (b) True left bank adjoining the northeast boundary of Styx Mill Conservation Reserve	20
Styx River (middle section)	Reserve	True right bank, commencing at the west boundary of the Styx River Basin Reserve, thence downstream to the point where the Styx River heads north into the Reserve.	20
Styx River (lower section)	Reserves	True left and right banks, commencing at the west side of Marshland Road, thence downstream to the coastal marine area at the control gate at the mouth of that river	20
Knights Stream	Strip	True left bank, commencing at the south side of Quaifes Road, thence downstream to the south side of Sabys Road	12

Water body	Reserve or Strip	Location	Column A: Width (metres)
Knights Stream	Strip	True right bank, commencing at the south side of Quaifes Road, thence downstream to the boundary with Selwyn District Council, at Whincops Road	12
Halswell River	Strip	True left bank, commencing at the south side of Sabys Road, thence downstream to the boundary with Selwyn District Council at the south corner of Lot 1 DP 23528, in Old Tai Tapu Road	20
Cashmere Stream	Reserve	True left bank, commencing at the east side of Cashmere Road, thence downstream to the southern corner of Lot 22 DP 22451, being number 53 Waiau Street	20
Cashmere Stream	Reserve	True right bank, commencing at the east side of Cashmere Road, thence downstream to the junction with the Heathcote River	20
Heathcote River	Strip	True right bank, commencing at the production of the centreline of Nash Road, thence downstream to the production of the centreline of Templetons Road	20
Heathcote River	Reserve	True left bank, commencing at the production of the centreline of Nash Road, thence downstream to the centreline of Lincoln Road	20
Heathcote River	Reserve	True right bank, commencing at the centreline of Curletts Road, thence downstream to the centre-line of Lincoln Road	20
Heathcote River	Reserve	True left and right banks, commencing at the centreline of Lincoln Road, thence downstream to the junction with Cashmere Stream	6
Heathcote River (Note: Includes Woolston Cut and the Loop)	Reserve	True left and right banks, commencing at the junction of Cashmere Stream, thence downstream to the centreline of Tunnel Road	20
Heathcote River	Reserve	True left and right banks commencing at the centre line of Tunnel Road, thence downstream to the coastal marine area, being a line between the southern corner of Maritime Place and the north-west corner of Reserve 4323, in Bridle Path Road	20 plus
Steam Wharf Stream	Reserve	True left and right banks commencing at the downstream side of Alport Place, thence downstream to the Heathcote River	6
Wairarapa Stream	Reserve	True left and right banks, commencing at the centre line of Fendalton Road, thence downstream to the junction with the Avon River	6

Water body	Reserve or Strip	Location	Column A: Width (metres)
Waimairi Stream	Reserve	True right bank downstream from Straven Road to the western boundary of Harakeke Street Reserve	6
Avon River (including the Mill Stream diversion)	Reserve	True left and right banks, commencing at the junction with the Wairarapa Stream, thence down stream to the production of the centreline of Wood Lane except for that part of 6 Wood Lane, where the waterway margin is contained within a conservation covenant	20
Avon River	Reserve	True left bank commencing at the production of the centreline of Wood Lane, thence downstream to the centreline of Helmores Lane	12
Avon River	Reserve	True left bank commencing at the centreline of Helmores Lane, thence downstream to the centre line of Harper Avenue, except between 8 and 68 Carlton Mill Road the boundary of the esplanade reserve at the rear of these properties shall be the common boundary with the existing unformed legal road and Section 236 of the Act shall not apply to these properties	20
Avon River	Reserve	True right bank, commencing at the production of the centreline of Wood Lane, thence downstream to the centreline of Harper Avenue	20
Avon River	Reserve	True left and right banks, commencing at the centreline of Harper Avenue, thence downstream to the production of the western roadside of Rolleston Avenue	20 plus
Avon River (including Kerrs Reach and its Loop)	Reserve	True left and right banks, commencing at the production of the west roadside of Rolleston Avenue thence downstream to the production of the centreline of Pages Road	20
Avon River	Reserve	True right bank downstream from Straven Road to western boundary of Main North Railway property	6
Avon River	Reserve	True left and right banks, commencing at the production of the centreline of Pages Road, thence downstream to the coastal marine area, being the production of the east roadside boundary of Kibblewhite Street	20 plus
Horseshoe Lake Reserve (excluding the artificial outfall)	Reserve	True left and right banks, commencing at the eastern side of Horseshoe Lake Road where the stream crosses that road from the Christchurch Golf Course, thence downstream to the northern boundary of the City Council pumping station	12
Dudley Creek	Reserve	True right bank, commencing at the north road side of Poulton Avenue, thence downstream to the junction with the Avon River	6

Water body	Reserve or Strip	Location	Column A: Width (metres)
Dudley Creek	Reserve	True left bank, commencing at the north road side of Poulton Avenue, thence downstream to the junction with the Avon River	12
Coastal marine area (Waimakariri, Brooklands Lagoon, Pegasus Bay coastline, Sumner, Taylors Mistake and Lyttelton Harbour)	Reserve	Commencing in the Waimakariri River at the point on the production of the centreline of Ferry Road, following the true right bank, thence generally eastwards to the mouth of the Styx River and Brooklands Lagoon, both sides of Brooklands Lagoon, thence southwards along the boundary between the Waimakariri River and the Avon and Heathcote River estuary mouth, thence along the city boundary at Sumner and the coastline to the boundary with Banks Peninsula Wards, in Lyttelton Harbour. Along the Coastal Marine Area between the blind end of Whitewash Head Road and Taylors Mistake Bay, the landward boundary of the esplanade reserve shall be the common boundaries of the private properties with the Crown Grant Road (when that road is stopped) and Section 236 of the Resource Management Act 1991 shall not apply to any of those private properties.	20 plus
Avon and Heathcote River estuary	Reserves	Commencing at that point where the estuary mouth intersects with the city boundary at South Brighton Spit, thence in a westerly and northerly direction to the production of the centreline of Tern Street	20 plus
Estuary continued	Reserve	Commencing on the production of the centreline of Tern Street, thence in a northerly direction to the northern boundary of Lot 3 DP 21691, being the property situated at 88B Rockinghorse Road	6
Estuary continued	Reserve	Commencing at the northern boundary of Lot 3 DP 21691, thence in a northerly direction to the northern boundary of Lot 2 DP 49643, being the property situated at 64A Rockinghorse Road	20
Estuary continued	Reserve	Commencing at the northern boundary of Lot 2 DP 49643, thence in a northerly direction to the centreline of Godwit Street	6
Estuary continued	Reserve	Commencing on the centreline of Godwit Street, thence in a northerly direction to the mouth of the Avon River, at the eastern abutment of the bridge	20 plus

Water body	Reserve or Strip	Location	Column A: Width (metres)
Avon River (Coastal marine area)	Reserve	Commencing at the eastern abutment of the bridge at the mouth of the river, thence upstream along the true left bank to the production of the line of the east side of Kibblewhite Street, then along that line to the true right bank, thence downstream to the mouth of the river on the western abutment of the bridge	20 plus
Estuary continued	Reserve	Commencing at the western abutment of the bridge at the mouth of the Avon River, thence westwards and southwards to the western abutment of the Heathcote River Bridge	20
Heathcote River (Coastal marine area)	Reserve	Commencing at the western abutment of the Heathcote River Bridge, thence upstream along the true left bank to the production of the line joining the south west corner of Maritime Place with the north-west corner of Reserve 4323, in Bridle Path Road, thence along that line to the true right bank, thence downstream to the east abutment at the Heathcote River mouth	20 plus
Estuary continued	Reserve	Commencing at the eastern abutment at the mouth of the Heathcote River, thence generally eastwards towards McCormacks Bay, thence following that bay to the intersection of Main Road (Sumner) and Beachville Road, thence eastwards to the south-west corner of Lot 1 DP 22406, being the property situated at number 124 Beachville Road	20 plus
Estuary continued	Reserve	Commencing at the south-west corner of Lot 1 DP 22406, thence north, east and south, to the south-east corner of Lot 3 DP 12450, being the property situated at 84 Beachville Road	6
Estuary continued	Reserve	Commencing at the south-east corner of Lot 3 DP 12450, thence south along Beachville Road to the northern corner of Lot 3 DP 2633	20 plus
Estuary continued	Reserve	Commencing at the northern corner of Lot 3 DP 2633, thence southward to the south-east corner of Lot 78 DP 1178, being 129 Main Road (Sumner)	6
Estuary continued	Reserve	Commencing at the south-east corner of Lot 78 DP 1178, thence southward to the northern corner of Pt RS 309	12
Estuary continued	Reserve	Commencing at the northern corner of Pt RS 309, thence in an easterly direction along Moncks Bay, the beach at Shag Rock, to the intersection of the mean high water springs mark at the city boundary, near Cave Rock	20 plus

Appendix 8.6.2 — Access standards

	Standard	When Applicable
1	The access shall be formed and metalled, and any vehicle crossing shall be designed and formed in accordance with the requirements of Chapter 7.	Minimum standard applying to all access.
2	The access shall be paved and sealed or the pedestrian path paved and sealed.	All residential uses serving four or more sites or potential sites; All access on hill sites where the grade is steeper than 1 in 10; and All business and industrial zones.
3	Paved and sealed areas shall be drained to an approved outfall.	As for standard 2 above.
4	Provision of a turning place for 85 percentile vehicles making not more than a three point turn. Turning places shall be at intervals not greater than 80m apart; except in the Residential Medium Density Zone where an access way serves 10 or more units, turning places shall be at intervals not greater than 60m apart.	All residential uses serving 4 or more sites or potential sites. All hill sites where the access is to 2 or more sites or potential sites. All business and industrial zones.
5	Provision of passing bays and vehicle queuing space shall be designed and formed in accordance with Chapter 7.	Where required by Chapter 7.
6	Provision of a footpath separated from the access.	All residential uses serving 9 or more sites or potential sites.
7	Landscaping of surplus areas where legal width is wider than the formation.	Any access where legal width exceeds formation requirements.
8	Where the access is reserved for pedestrians only, a footpath shall be formed and sealed.	All pedestrian access.

Appendix 8.6.3 — New road standards

Road classification	Road widths (m)		Roadway widths (m)		Minimum lanes	Minimum Number of Footpaths	Median	Amenity strip	Cycle facilities
	Min	Max	Min	Max					
Major arterial - Urban	25	40	14#	34	2	2	Yes	Yes	Yes
Major arterial - Rural	25	50	15#	22#	2	No	Yes	Yes	Yes
Minor arterial - Centres	24	30	14#	22#	2	2	*	Yes	Yes
Minor arterial - Urban	23	30	14#	22#	2	2	*	Yes	Yes
Minor arterial - Rural	23	30	12#	14#	2	No	*	No	Yes
Collector – Urban	22	25	10#	14#	2	2	*	Yes	Yes
Collector - Industrial	22	25	11#	14#	2	2	*	Yes	Yes
Collector - Rural	22	25	10#	14#	2	No	*	No	*
Local – Industrial	18	25	11	14#	2	2	No	Yes	*
Local - Centres	20	25	8#	14#	2	2	No	Yes	*
Local – Residential:	16##	20	**	12	2	2##	No	Yes	*
Local - Rural	16	20	7	14	2	No	No	No	*

Clarification of standards

1	"Yes" means that the provision of those facilities shall be incorporated into the design and construction of the road.
2	* means that the provision of those facilities is allowed for in the standards for road design and construction and/or shall be considered as conditions of consent on subdivision.
3	** means that a local residential road with a roadway width 7m or wider, but less than 9m is a controlled activity. A local residential road with a roadway width 9m or wider, but less than 12m is a restricted discretionary activity. A local residential road with a roadway width less than 7m or greater than 12m is a full discretionary activity.
4	Amenity strips shall only be required on rural roads where these adjoin a residential zone.
5	Local hillside roads (on any part of a zone on the slopes of the Port Hills and Banks Peninsula) may only require one footpath.
6	Some localised road widening may be required at intersections to increase capacity.
7	The minimum diameter for a cul-de-sac turning head is:
	Residential 25 metres
	Business 30 metres
8	# means excludes any parking
9	For more information on the Road Classification, refer to Appendix 7.12 of Chapter 7
10	## A 14m road width and one footpath is optional where a road only provides access to less than 20 residential units and is less than 100m in length.

Appendix 8.6.4 — North Halswell Outline Development Plan

8.6.4.A CONTEXT

North Halswell new neighbourhood is located between the established settlements of Hillmorton and Halswell and immediately opposite the newer neighbourhoods of Aidanfield and Milns Estate. The extensive Hendersons Basin ponding area lies to the east. Nga Puna Wai Reserve and Sports Hub is located to the North West and Halswell Domain to the south. Views are afforded across Hendersons Basin to the Port Hills. Two watercourses traverse the neighbourhood from west to east - Days Drain and Dunbars Drain. High voltage distribution lines cross the southern end of the neighbourhood and there is an associated substation fronting Sparks Road. A new Key Activity Centre and an adjacent exemplar comprehensive housing development (Meadowlands) are planned at the northern end of the neighbourhood. This area has been farmed since the mid-19th Century. Spreydon Lodge, at the northern end of the neighbourhood dates back to 1856 and was the farmhouse for Spreydon Farm. It is now one of the oldest houses remaining in South West Christchurch. Harness racing stables were established here in the 1980's.

8.6.4.B GUIDANCE

Guidance on the means to achieve the development requirements and form and design elements is provided within the Christchurch City Council's New Neighbourhood Design Guide. Further background and guidance is provided in the South West Area Plan, Christchurch City Council, April 2009 <http://www.ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/plans/area-plans/south-west-area-plan/>

8.6.4.C DEVELOPMENT FORM AND DESIGN

The following design elements and features are relevant considerations in exercising control over the matters in 8.4.1 - 8.4.4 or the matters for discretion in 8.5. They are not requirements for the purposes of Rule 8.3.3.11(a) or Rule 14.9.3.16.

1. This new neighbourhood is to be established around the Key Activity Centre (zoned Commercial Core) proposed as a mixed use village centred focused around a main street. This will form a focus for the community.
2. Enhancement of the existing waterways will provide recreational and amenity corridors aligned to provide views to Hendersons Basin and the Port Hills.
3. Spreydon Lodge is to become a feature of the new neighbourhood, providing a link to the past.
4. There are trees along field boundaries and in the southern corner of the neighbourhood, some of which may be suitable for retention.
5. Development is to have a good interface with adjacent roads and the subdivision design is to encourage a consistent interface treatment along the length of the road.
6. Along Sparks Road and Halswell Road, where there is to be no direct vehicle access from properties, the neighbourhood is not to turn its back on the road. Instead appropriate treatment is required to complement the frontage of Hendersons Basin and Aidanfield and provide a high quality approach to the Key Activity Centre.
7. Where existing properties are to remain or where the boundary of the RNN abuts properties in the Residential Suburban Zone (Hendersons Road), larger section sizes adjacent to them, and planting buffers may be required.
8. To help mitigate the impact of distribution lines, special interface treatments such as deeper allotments and boundary planting may be required for adjacent properties.
9. Residential development is to border the Key Activity Centre. It is to be of a design and scale which is compatible with retail development on one side and residential development on the other.
10. Higher density is to be focused around the Key Activity Centre. Smaller pockets of higher density can be located throughout the area, this may be close to collector roads or where there are open outlooks.

8.6.4.D DEVELOPMENT REQUIREMENTS

The development requirements for the purposes of Rule 8.3.3.11(a) and Rule 14.9.3.16 are described below and shown on the accompanying plan.

1. INTEGRATION

- a. Properties are to front onto Milns Road.
- b. There are multiple land owners within this ODP area and a number of existing properties. Subdivision designs shall provide for good connectivity between different land ownership areas through road, open space and pedestrian and cycleway linkages.
- c. Vegetation to be planted around electricity distribution lines must be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.

2. DENSITY VARIATIONS

- a. The shape of Area 3, coupled with access limitations and its proximity to the substation and distribution lines may limit its development capacity. Rule 8.3.3.11(b) density exemptions apply to this constrained area.

3. OPEN SPACE, RECREATION AND COMMUNITY FACILITIES

- a. Community (neighbourhood) parks throughout the neighbourhood and recreational routes along enhanced waterways, including the green corridor through and in association with the Meadowlands Exemplar Development.

4. ACCESS AND TRANSPORT

- a. A collector road to run from the Halswell Road/Dunbars Road intersection to Sparks Road. This road to be capable of accommodating a bus route. This access will need to be integrated with the existing signals.
- b. A collector road to run from the Halswell Road/Augustine Drive intersection through the neighbourhood to Sparks Road or Hendersons Road, providing access to the Key Activity Centre. This intersection is to be signalised.
- c. A collector road to run northwards extending from Willam Brittan Drive.
- d. A collector road to run northwards extending from Milns Road.
- e. A third signalised connection with Halswell Road between Augustine Drive and Dunbars Road may be required to provide access to the Key Activity Centre.
- f. A fully interconnected local road network across the site that achieves a high level of accessibility and connectivity for people, including opportunities for walking, cycling and public transport and services and that provides connections with Hendersons Road and Milns Road and the new collector roads.
- g. A network of pedestrian/cyclist routes, including the major cycleway (Quarrymans Trail) within the new neighbourhood and linking the surrounding communities with each other, Halswell Domain, the Key Activity Centre, Nga Puna Wai Reserve and Sports Hub and Hendersons Basin.

- h. Extension of the Quarrymans Trail being a major cycleway to follow along Sparks Road (where it will be part located within road reserve and partly within the ODP area) and/or through the ODP area.

5. STORMWATER

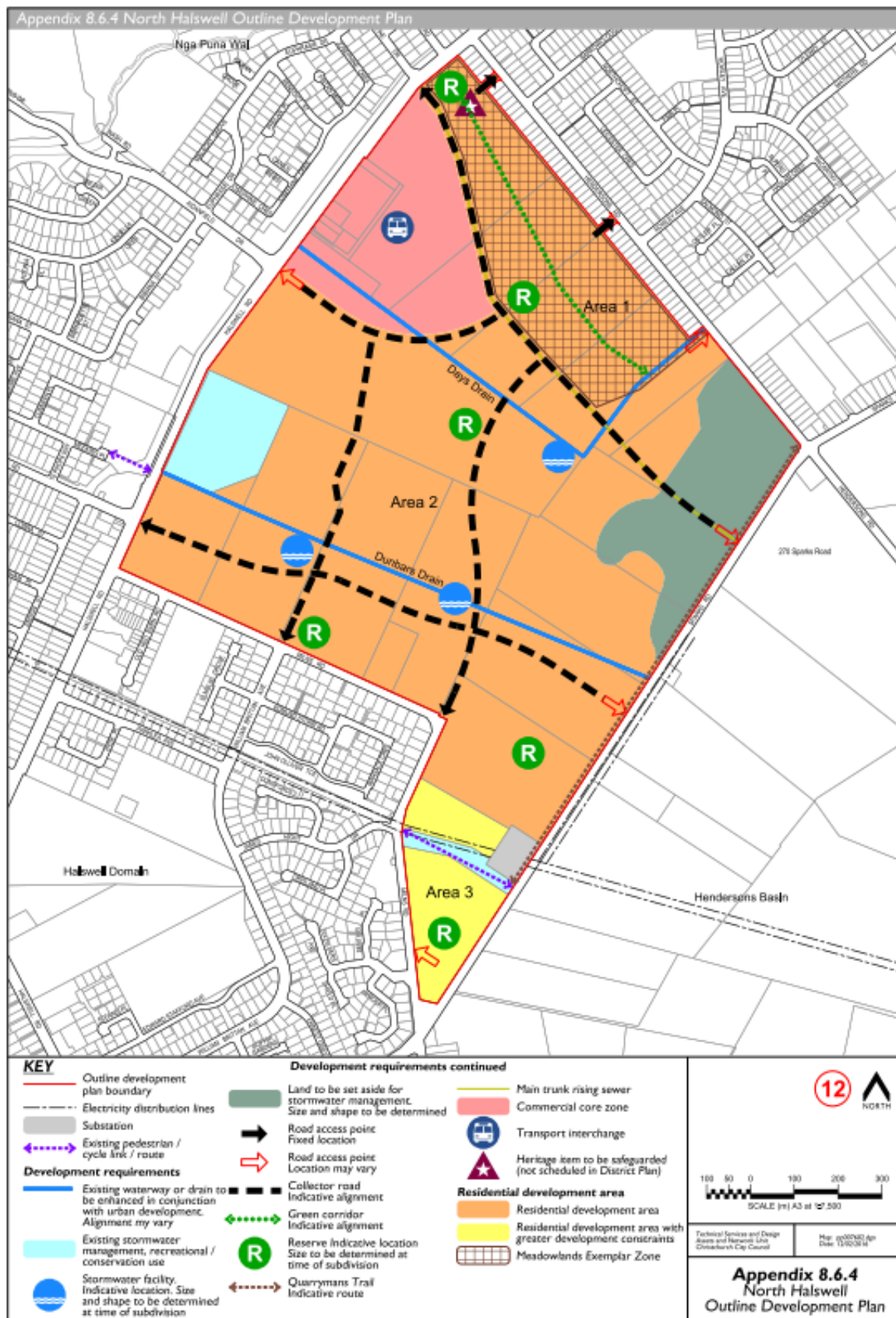
- a. Within the ponding area of Hendersons Basin, there shall not be a net increase in the flood water elevations for any storm events up to and including a two per cent annual exceedance probability design storm of 36 hour duration.
- b. Days Drain and Dunbars Drain shall be naturalised and enlarged to convey a critical two per cent annual exceedance probability storm event from their respective contributing catchments and the slopes of the waterway banks shall be 1m vertical in 4m horizontal average or flatter. Days and Dunbars Drains shall be realigned to discharge into the future Christchurch City Council stormwater wetland to be constructed at 270 Sparks Road.
- c. First flush sedimentation and detention basins adjacent to Sparks Road to service new development and 38 hectares of existing developed catchment, excepting the sub-catchment in the southernmost part of the ODP area draining to the Milns stormwater facility.
- d. There are known to be springs throughout the neighbourhood, these are to be identified and safeguarded.
- e. The indicative stormwater management area at the eastern corner of the Outline Development Plan Area is to be the primary treatment and detention area for the full development area. As an alternative option which will reduce the overall area of stormwater land required along Sparks Road, first flush treatment basins may be shifted upstream to service sub-catchments, as indicated on the Outline Development Plan Area, subject to engineering design acceptance from Christchurch City Council. It is expected that any upstream (first flush) treatment basins will discharge directly to the CCC wetland at 270 Sparks Road either via separate pipe system or via Dunbars or Days Drains, with overflow discharging into the detention basins.
- f. All first flush and detention facilities shall be designed with regard to the 'six values' approach to stormwater management and other relevant design criteria outlined in the CCC Waterways, Wetlands and Drainage Guide. The overall first flush and detention system shall provide "Full Flood Attenuation" for a 2 percent annual exceedance probability storm of 36 hour duration in accordance with Council's South West Area Stormwater Management Plan. Internal and external batter slopes of basins shall be 1m vertical in 4m horizontal average or flatter and 5 metre average landscaped setbacks from all residential allotments is required.

6. WATER AND WASTEWATER

- a. A pressure pump system to service the neighbourhood and the pump chamber for each allotment shall have a minimum total storage volume equal to 24 hours average sewer flow from the source.
- b. The approved sanitary sewer outfall for any proposed residential allotments will be the South East Halswell pressure sewer network. This includes pressure mains along Sparks Road and along the northern collector road, which will be constructed by Council. In the case of the Meadowlands Exemplar Zone the outfall will be to the Pump Station 42 catchment until the South East Halswell pressure sewer network is available, at which time these sites shall be connected to the South East Halswell pressure sewer network.
- c. Full high pressure water reticulation will be required to service development within the Outline Development Plan area. Water supply infrastructure requirements and any upgrades needed will be determined following the development of a water supply master plan for the Halswell Residential New Neighbourhoods.

7. STAGING

- a. Except for the Meadowlands Exemplar Zone, there are no staging requirements other than those relating to the provision of infrastructure.



Appendix 8.6.5 — South Masham Outline Development Plan

8.6.5.A CONTEXT

Located on the western outskirts of Christchurch this neighbourhood will integrate with and consolidate the established and developing residential community of Yaldhurst Masham, including Gilbertthorpes School, the new neighbourhood of Delamain and Broomfield Common. Within the vicinity are a number of activities which need to be taken into account in the design of the residential community. A poultry farm is located immediately to the north-west. High voltage transmission lines run to the south west and distribution lines run to the east of the neighbourhood. The Islington substation and National Grid Operating Centre is located on the south side of Roberts Road. Consent has been granted for a quarry to be established in an area which includes part of the western edge of the neighbourhood. To the north is Christchurch International Airport and the 50DBA air noise contour forms the western boundary to the neighbourhood.

8.6.5.B GUIDANCE

Guidance on the means to achieve the development requirements and form and design elements is provided within the Christchurch City Council's New Neighbourhood Design Guide.

8.6.5.C DEVELOPMENT FORM AND DESIGN

The following design elements and features are relevant considerations in exercising control over the matters in 8.4.1- 8.4.4 or the matters for discretion in 8.5. They are not requirements for the purposes of Rule 8.3.3.11(a) or Rule 14.9.3.16.

1. The major distinguishing feature of this neighbourhood will be the green corridor to the east. Layouts will be designed to take advantage of its recreational and amenity value, while at the same time limiting the impact of the transmission and distribution lines and pylons and the Islington substation and National Grid Operating Centre.
2. The way in which development interfaces with its surroundings is critical to the quality of this neighbourhood. Careful consideration of road alignments, pedestrian/cyclist access points, orientation of allotments and boundary treatments, is required.
3. There will be no direct vehicle access from properties to Buchanans Road however the subdivision design should encourage housing to inter-relate well with Buchanans Road.
4. There are a number of trees in the northern part of the neighbourhood which are to be considered for retention within the residential area. A sense of identity is to be created through incorporation of specific design features within the neighbourhood, such as street trees or boundary treatments.
5. Higher residential densities are expected towards Buchanans Road and the green corridor.

8.6.5.D DEVELOPMENT REQUIREMENTS

The development requirements for the purposes of Rule 8.3.3.11(a) and Rule 14.9.3.16 are described below and shown on the accompanying plan.

1. INTEGRATION

- a. Vegetation to be planted around electricity distribution lines must be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.

2. DENSITY VARIATIONS

- a. The transmission lines, the Islington substation and National Grid Operating Centre will place restrictions on development which may limit residential development capacity. Rule 8.3.3.11(b) density exemptions apply to this constrained area.

3. OPEN SPACE, RECREATION AND COMMUNITY FACILITIES

- a. A community (neighbourhood) park in the centre of the neighbourhood.

4. ACCESS AND TRANSPORT

- a. A collector road to connect with the collector road running between Buchanans Road and Yaldhurst Road (Jarnac Boulevard). This road is to be capable of accommodating a bus route.
- b. A footpath/cycleway to run from the collector road on the south side of Buchanans Road to Gilberthorpes School.
- c. At least three pedestrian/cyclist links from the neighbourhood to the green corridor to provide links between South Masham Residential New Neighbourhood Zone and the existing residential area to the east.
- d. A fully interconnected local road network to link from the collector road to the western and eastern areas of the neighbourhood. This is to achieve a high level of accessibility and connectivity for people, including opportunities for walking, cycling and public transport and services.

5. STORMWATER

- a. Extension of the drainage and utility reserve which runs underneath the distribution lines.
- b. A surface water management system consisting of above ground soil adsorption and infiltration basins and rapid soakage chambers is to be provided to treat the first flush of run-off and dispose of stormwater to ground soakage for all events up to and including the critical 2 percent annual exceedance probability storm. The design of the system is to have regard to the transmission and distribution lines and the proximity of the Airport for risk of birdstrike.

6. WATER AND WASTEWATER

- a. A reticulated gravity wastewater system will be required within the Outline Development Plan area with outfalls to Roberts Road and the intersection of Buchanans and Gilberthorpes Roads. At least two thirds of the allotments within the Outline Development Plan area are to discharge to the outfall at the intersection of Buchanans and Gilberthorpes Roads.
- b. Full high pressure water reticulation will be required to service development within the Outline Development Plan area. The connection points to Council's water supply network are to be on Buchanans Road directly opposite the site boundary, and on Roberts Road.

7. STAGING

- a. Development is anticipated to commence from Buchanans Road. The development of the south western area of the neighbourhood will be delayed until quarrying ceases.

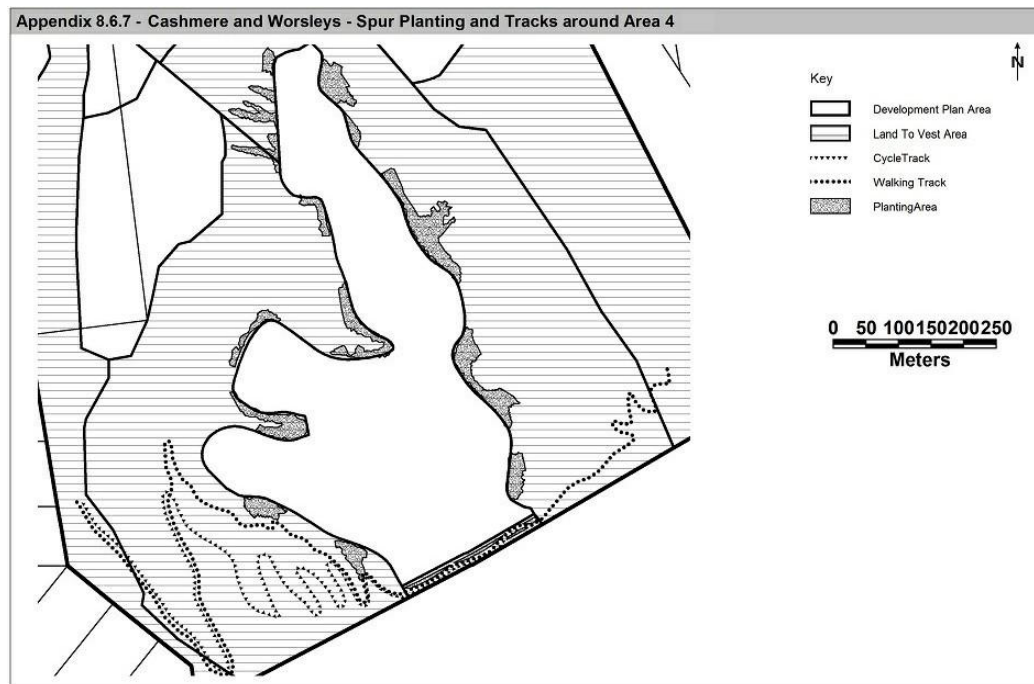


[Amend diagram to remove the Odour Assessment Area]

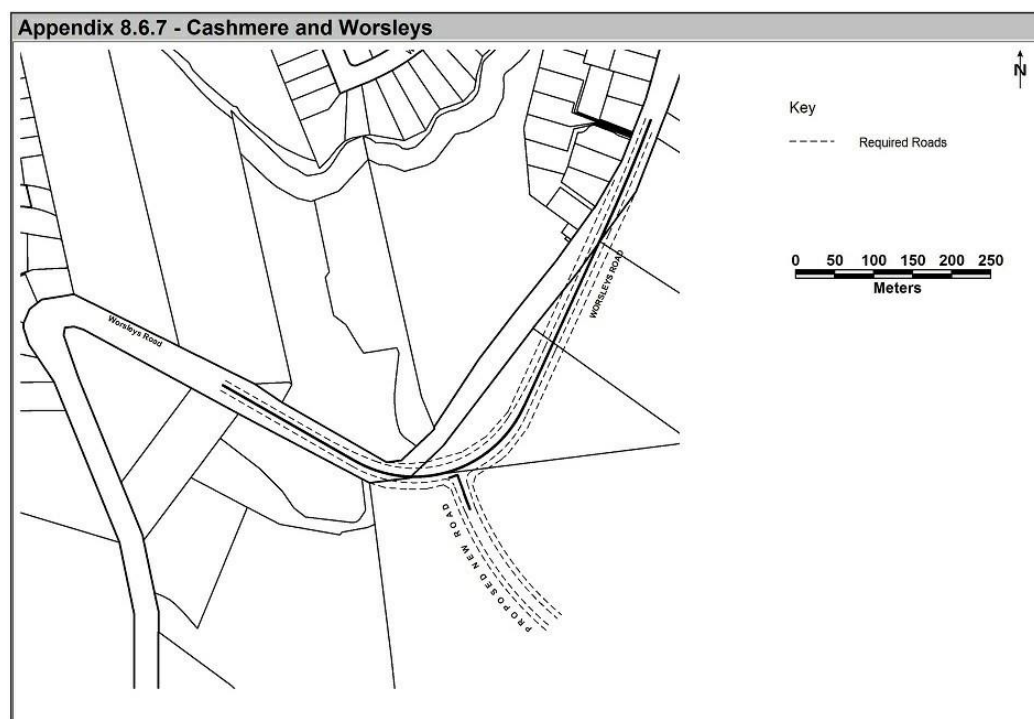
Appendix 8.6.6 — Residential Suburban and Residential Medium Density - Halswell West

[Subject to Decision 17]

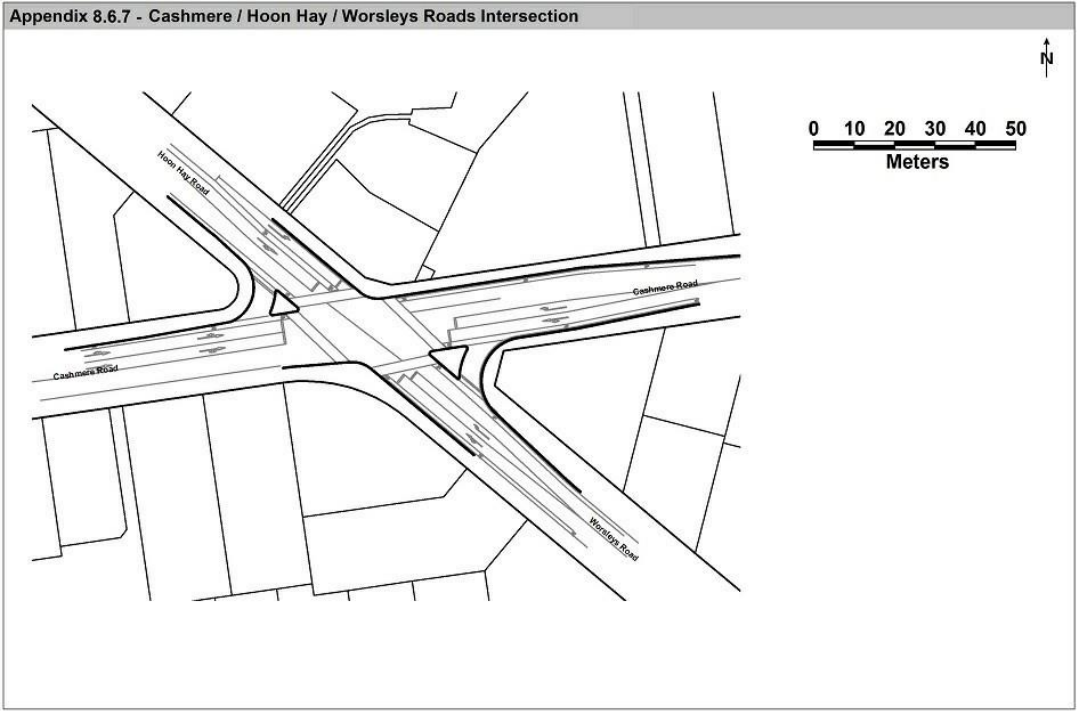
Appendix 8.6.7 – Cashmere and Worsleys Development Plan Plan (a)



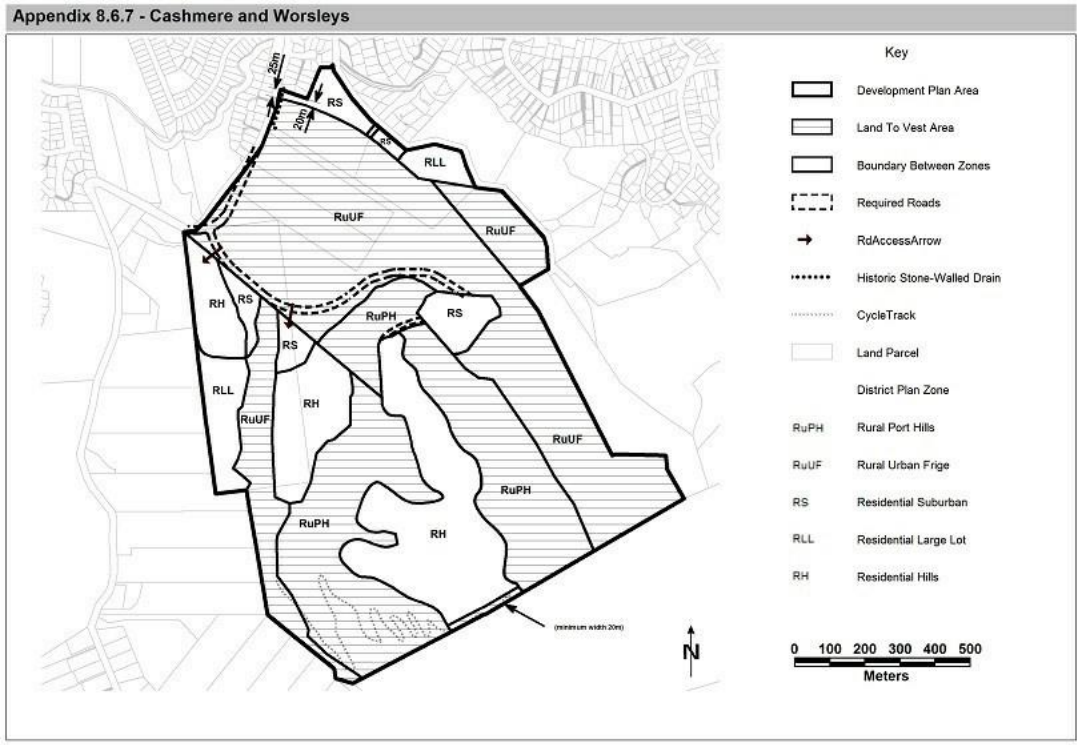
Plan (b)



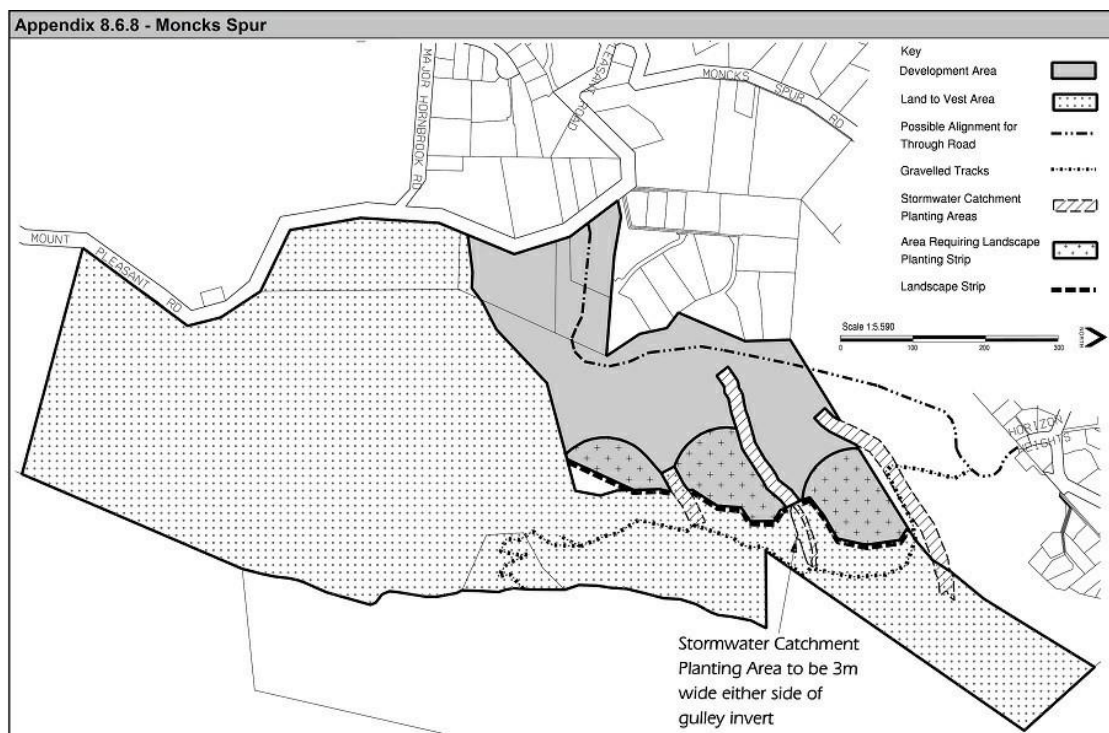
Plan (c)



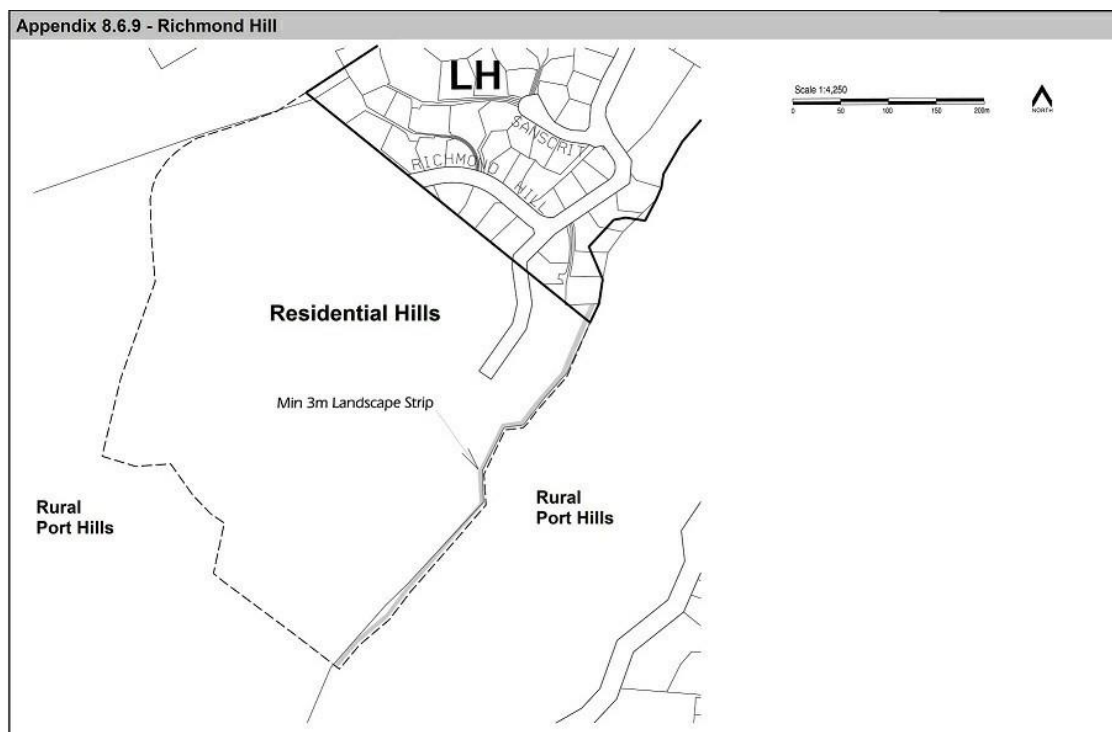
Plan (d)



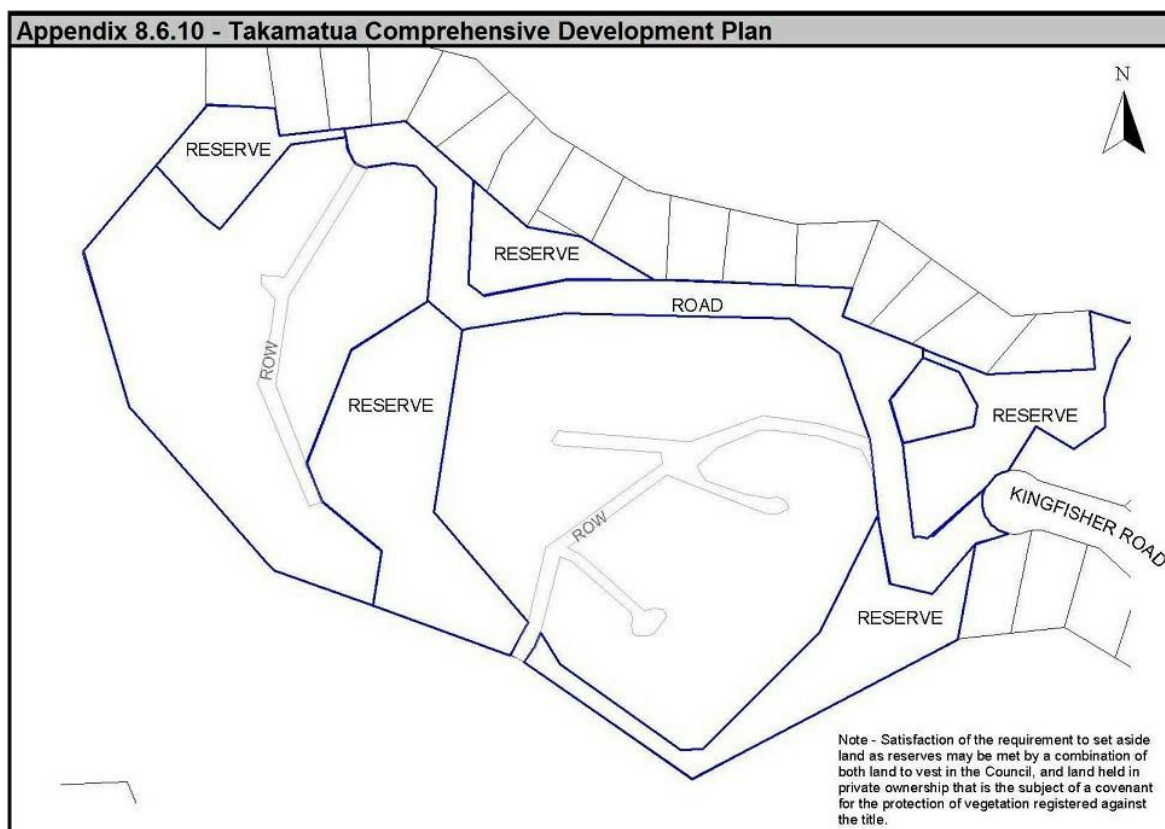
Appendix 8.6.8 – Moncks Spur Development Plan



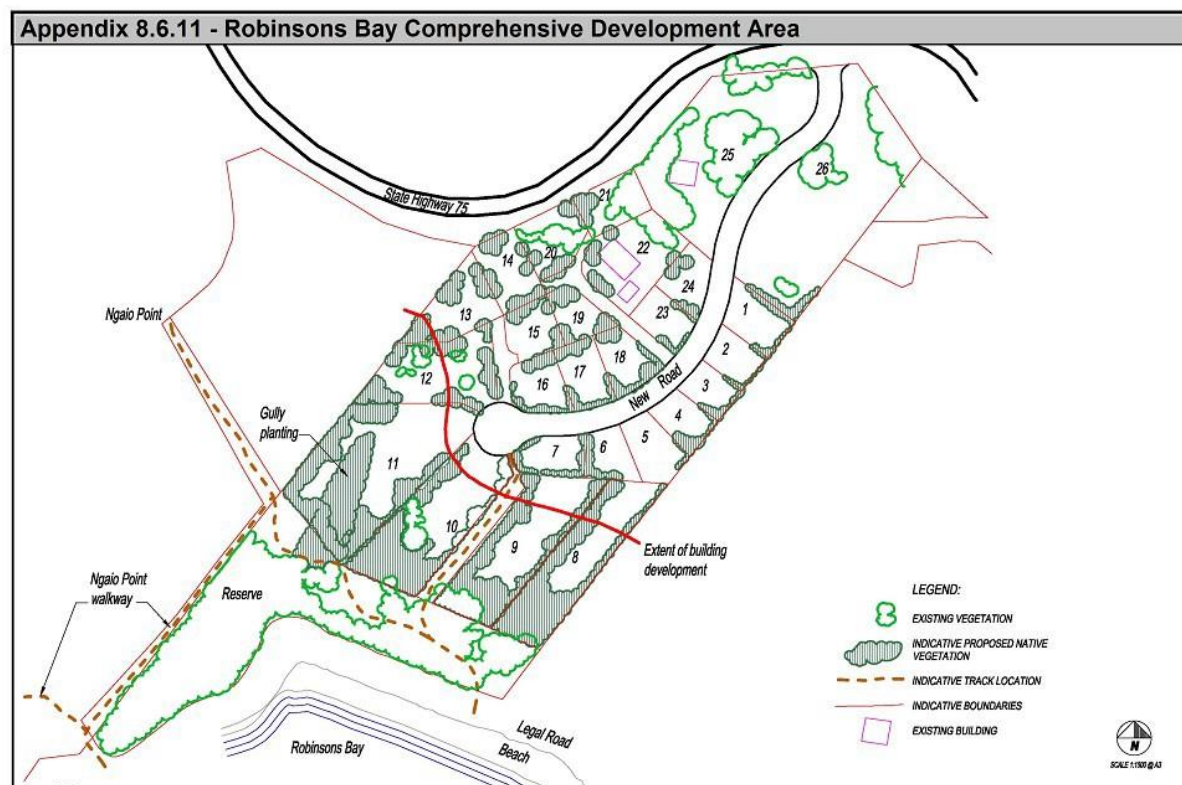
Appendix 8.6.9 - Richmond Hill Development Plan



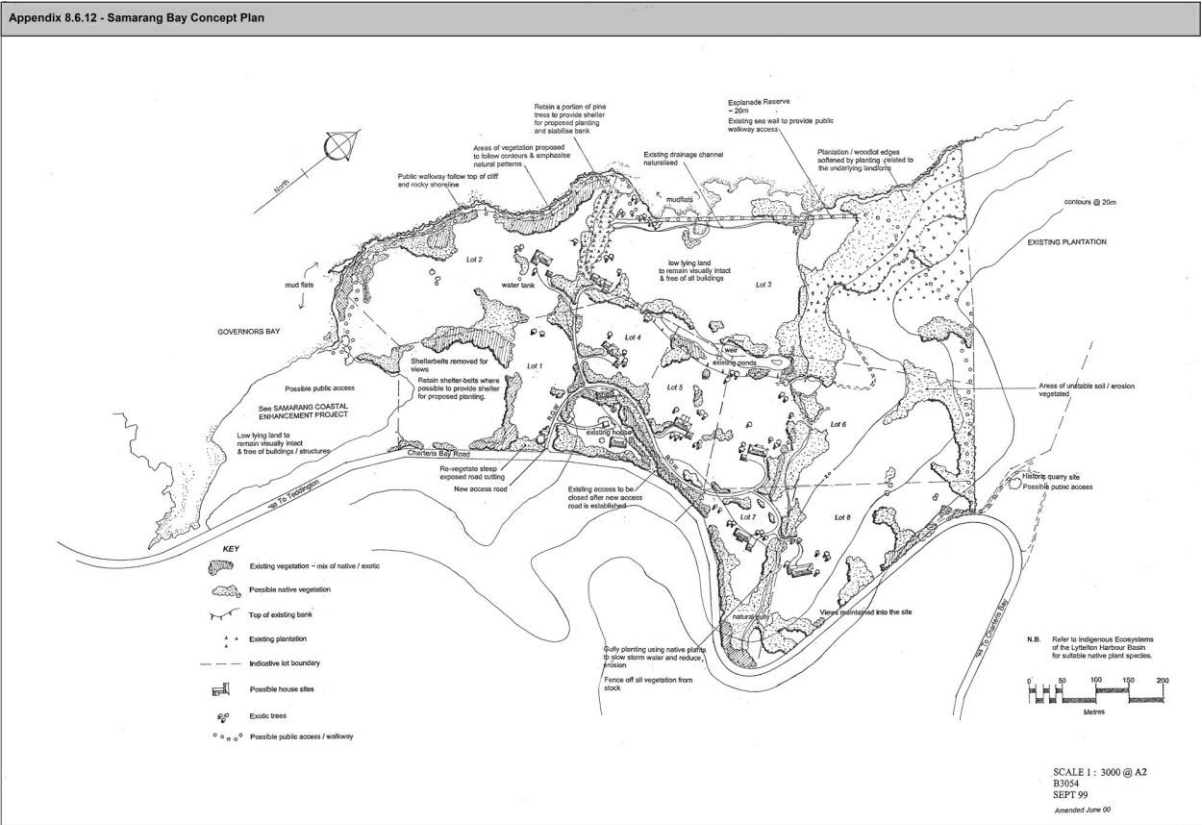
Appendix 8.6.10 - Takamatua Development Plan



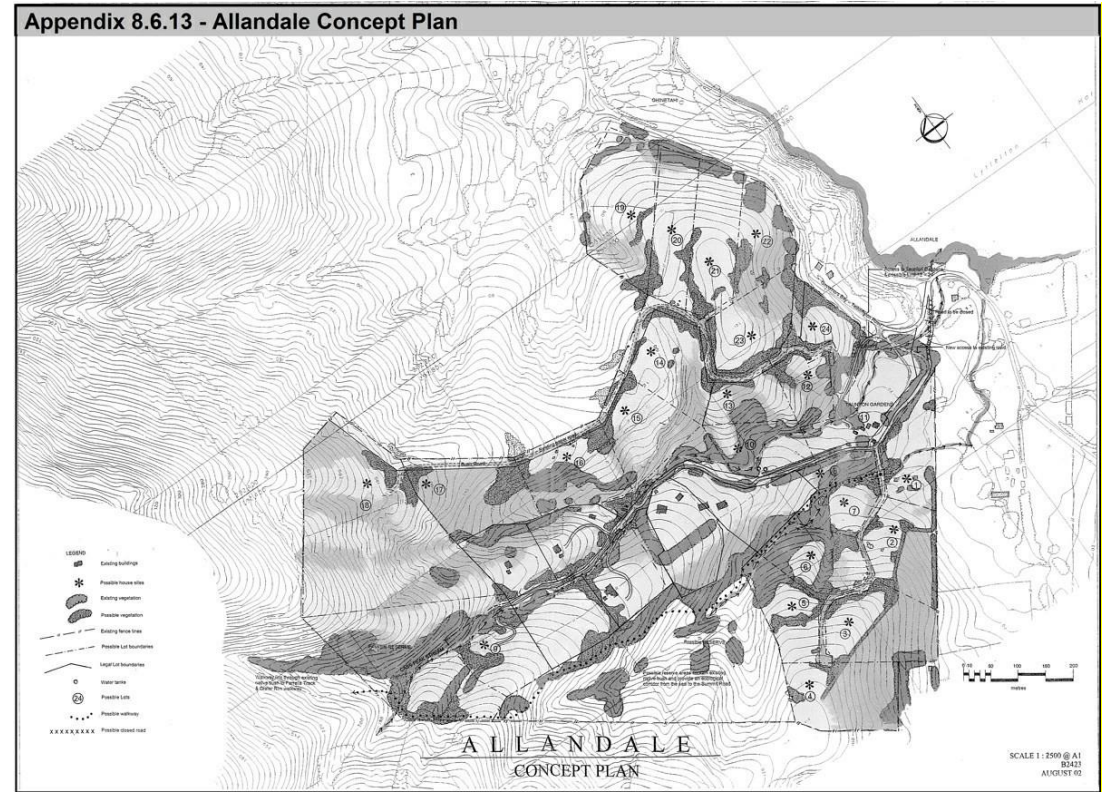
Appendix 8.6.11 - Robinsons Bay Development Plan



Appendix 8.6.12 - Samarang Bay Development Plan



Appendix 8.6.13 - Allandale Development Plan



APPENDIX 8.6.17 RICcarton Park (Riccarton Racecourse) Outline Development Plan

8.6.17.A Context

Riccarton Park new neighbourhood is located on surplus land on the western part of Riccarton Racecourse. It borders the established residential areas of Broomfield and Russley. The Paparua Stream runs across the southern part of the neighbourhood linking Arcon Stream Reserve in the west and Showgate Reserve to the south east. The existing access to the racecourse from Steadman Road is tree lined and there are mature trees along part of Steadman Road, the stream and in the south eastern corner of the neighbourhood. On the racecourse site to the south east of the new neighbourhood there are a number of protected trees and two listed heritage buildings (Riccarton Racecourse Grandstand and Tea House). The site is bisected by the sprint track 'Chute' which must remain clear for racecourse operations. Due to the fragmented development areas and restricted access, road connections through the area are limited. Electricity distribution lines run parallel to the southern boundary of the neighbourhood.

8.6.17.B Guidance

Guidance on the means to achieve the development requirements and form and design elements is provided within the Christchurch City Council's New Neighbourhood Design Guide.

8.6.17.C Development Form and Design

The following design elements and features are relevant considerations in exercising control over the matters in 8.4.1 - 8.4.4 or the matters for discretion in 8.5. They are not requirements for the purposes of Rule 8.3.3.11(a) or Rule 14.9.3.16.

1. This new neighbourhood is distinguished by its association with the racecourse and utilisation of the mature trees and the Paparua Stream.
2. Subdivision layouts are to be designed to take advantage of the existing tree lined access and the open outlook across the racecourse while at the same time limiting the impact of the distribution lines and pylons.
3. Retention of the mature trees along the access and any protected trees is to be maximised and the layout designed to ensure they have sufficient space.
4. Streets and paths are to be aligned to maximise visibility and accessibility of the stream corridor and focus on existing trees and heritage buildings where possible.
5. Development is to have a good interface with adjacent roads and the interface is to be consistent along the length of the road. Although there is no direct vehicle access from properties on Yaldhurst Road, the subdivision design is to encourage housing to relate well with Yaldhurst Road and complement the properties which front the northern side of the road.
6. A small scale community and commercial node, in a high profile location, may develop to serve the neighbourhood and adjacent existing residential areas, with opportunities for higher density development available adjacent to this node.

8.6.17.D Development Requirements

The development requirements for the purposes of Rule 8.3.3.11(a) and Rule 14.9.3.16 are described below and shown on the accompanying plan.

1. INTEGRATION

- a. Properties are to front onto Steadman Road where they adjoin the road.
- b. A screen planting strip adjacent to the Carmen Road/Masham Road (SH1) frontage is to be provided.
- a. Vegetation to be planted around electricity distribution lines must be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.

2. OPEN SPACE, RECREATION AND COMMUNITY FACILITIES

- a. Two community (neighbourhood) parks to be located within the development to maximise the number of properties within 400m walking distance of these parks.
- b. The stream corridor is to be developed to provide for recreational routes and the potential enhancement of its aquatic ecology.

3. ACCESS AND TRANSPORT

- a. A network of pedestrian/cyclist routes through the neighbourhood and connecting to existing residential areas to the north and west, to and along the stream corridor, across the electricity distribution line corridor to Buchanans Road and forming part of a walking/cycling circuit around the racecourse that connects to Racecourse Road
- b. A loop road running through Area 1, with two access points from Yaldhurst Road
- c. An upgrade to the existing access from Steadman Road to form a collector road to the eastern boundary of the residential development area, with a private connection to the Racecourse Hospitality area.
- d. A second access road from Steadman Road to the collector road in Area 2.
- e. A second collector road which runs through the development area to connect to Zenith Place.
- f. Both collector roads are to be constructed to accommodate a bus route.
- g. The Yaldhurst Road/Steadman Road intersection shall be upgraded to include traffic signalisation, prior to the occupation of a residential unit in Areas 2 or 3 of the development.
- h. The ability to provide a future vehicle connection between Area 1 and the adjacent racecourse facilities along Yaldhurst Road shall not be precluded.
- i. A footpath and required pedestrian refuges shall be constructed adjacent to development on Yaldhurst Road within the State Highway designation (between Cutts and Steadman Roads) prior to the occupation of any residential unit in Area 1.
- j. A footpath along the Steadman Road boundary shall be constructed prior to the occupation of any residential units in Areas 2 and 3 and a pedestrian refuge at the intersections of Cicada Place and Kinross Street with Buchanans Road shall be constructed prior to the occupation of any residential unit in Area 4.

4. STORMWATER

- a. The design and layout of the stormwater management system to utilise reticulation to convey stormwater from hard surfaces (including rooftops and roading) to adequately sized treatment and infiltration basins with all stormwater being discharged to ground soakage.

- b. Stormwater facilities shall consist of a soil adsorption basin to capture and treat the first flush, and an infiltration basin with a rapid soakage system to mitigate the 50-year critical storm.
- c. Overland flowpaths for all stormwater facilities spilling to Paparua Stream in extreme storm events.
- d. The design and operation of stormwater facilities shall take into account the need to protect and enhance the Paparua Stream corridor and identify and safeguard springs (if any).

5. WATER AND WASTEWATER

- a. A new water supply main will be provided at Yaldhurst Road to service Area 1 and the Water supply pipe network will be upgraded on Yaldhurst Road, Steadman Road and Zenith Place, Kinross Street and Cicada Place to service the remainder of the development area.
- b. Wastewater is to be reticulated, with Area 1 discharging via gravity to an existing main located in Yaldhurst Road. The wastewater flows for Areas 2, 3 and 4 will drain via gravity to a single pump station to be located on the northern side of the Paparua Stream. From the pump station, flows will be conveyed via rising main to an existing sewer in Buchanans Road. The storage in the pump station is to be sized to attenuate peak flows, to avoid exacerbating downstream overflows. The final location and detailed design of these facilities will be determined through the resource consent process.

APPENDIX 8.6.18 HENDERSONS OUTLINE DEVELOPMENT PLAN

8.6.18.A CONTEXT

The Hendersons Basin area was historically a major wetland/raupo swamp. Whilst it has been developed for farming over the last 150 years, it is still significant in terms of its ecological value and function as a natural ponding area. Cashmere Stream, which has historic, ecological and amenity values, traverses the area. The City Council owns land within the basin area and intends increasing the opportunities for wetlands, planting of native species and recreational use. Existing and future stormwater facilities will be a major feature of this neighbourhood. As development will not occur in one contiguous area, establishing connections with adjoining residential areas and integrating development with adjoining open spaces is vital to achieving walkable communities.

8.6.18.B GUIDANCE

Guidance on the means to achieve the development requirements and form and design elements is provided within the Christchurch City Council's New Neighbourhood Design Guide. Further background and guidance is provided in the South West Area Plan, Christchurch City Council, April 2009 <http://www.ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/plans/area-plans/south-west-area-plan/>

8.6.18.C DEVELOPMENT FORM AND DESIGN

The following design elements and features are relevant considerations in exercising control over the matters in 8.4.1 - 8.4.4 or the matters for discretion in 8.5. They are not requirements for the purposes of Rule 8.3.3.11(a) or Rule 14.9.3.16.

1. The scope for development of the area for residential purposes is limited, as extensive filling for subdivision and building would reduce the storage capacity of the basin and increase the risk of flooding to local and downstream residential areas. Land development around parts of the basin's periphery is however possible and can be maximised through engineering works, in particular compensatory stormwater storage. Development of areas zoned Rural Urban Fringe is severely constrained due to its location in the flood ponding area.
2. Area 1 is to connect with SE Halswell Residential New Neighbourhood Zone, Area 3 will form an extension of the Westmorland neighbourhood, Area 4 will form a link between the Westmorland and Cracroft neighbourhoods, but is to have its own identity.
3. New development is to be designed to take maximum advantage of the outlook across Hendersons Basin wetlands and allow visual and physical access to the basin for the wider community. This will be achieved through the provision of view shafts, alignment of roads and footpaths, orientation of allotments and convenient access points for pedestrians and cyclists.
4. Cashmere Stream and its enhancement will be a key feature of this area. The Cashmere Drainage system is registered as an historic area under the Historic Places Act 1993 (List number 7482) this includes the drain which runs between Area 4a and 4b. This should be safeguarded and recognised through on-site interpretation.
5. Kahikatea stumps are noted in the South West Area Plan (Plan 5). These should be further investigated and addressed as necessary, through the development process.
6. An open and attractive interface should be created between the edge of new residential areas and adjacent open land. This may require roads to be located along the boundary with stormwater basin/recreational/conservation or rural land, or if private property boundaries back onto the open area, appropriate boundary planting or fencing is required.
7. Where public access along the Hendersons Basin edge is expected, a design solution which addresses privacy and security issues will be required. Consideration is to be given to the view of urban development across the basin from Sparks, Cashmere and Hendersons Roads.

8. To provide a less harsh edge to development, a more sinuous alignment of the boundary between the residential development area and adjacent rural zoned land is encouraged, providing there is no increase in the total development area.
9. All development is to have a good interface with adjacent roads. In general the subdivision design should encourage houses to front onto roads and the interface treatment should be consistent along the length of the road.
10. Where existing properties are to remain, distribution lines cross the residential area or new residential areas adjoin rural or existing residential areas, larger section sizes and planting buffers may be required.
11. Higher density development, above 15 hh's/ha, is anticipated in Area 4a, particularly at the eastern end and/or adjacent to the stormwater basin.
12. There is an opportunity for interpretation boards and structures alongside the Cashmere Stream route to include history of the floodplain, raupo swamp and significance to tangata whenua.

8.6.18.D DEVELOPMENT REQUIREMENTS

The development requirements for the purposes of Rule 8.3.3.11(a) and Rule 14.9.3.16 are described below and shown on the accompanying plan.

1. INTEGRATION

- a. There are multiple land owners within this ODP area and a number of existing properties. Subdivision designs are to demonstrate good connectivity between different land ownership areas through road, open space and pedestrian and cycleway linkages.

2. DENSITY VARIATIONS

- a. Area 2 – The land slopes steeply up to Cashmere Road making both access to Cashmere Road and development on the slope difficult. There are also existing properties here. Rule 8.3.3.11(b) density exemptions apply to this constrained area.
- b. Area 3 – The developable area will be impacted in Area 3.a by the realignment of Cashmere Stream and the need for compensatory stormwater storage and in 3.b., where there are existing buildings. Rule 8.3.3.11(b) density exemptions will apply to this constrained area.
- c. Area 4b – There are existing substantial properties, including those in Boonwood Close. Rule 8.3.3.11(b) density exemptions apply to this area.

3. OPEN SPACE, RECREATION AND COMMUNITY FACILITIES

- a. Land for recreational/conservation use in conjunction with use for stormwater management.
- b. A community (neighbourhood) park along Sutherlands Road.
- c. The development of parts of a recreational route that connects from Sutherlands Road and runs through to Hendersons Road, running predominantly alongside Cashmere Stream.
- d. A recreational route to provide a link and a viewshaft from Westmorland to the basin area.
- e. An extension of the existing Kaiwara Street reserve. Should a road connection to Blakiston Street through the existing reserve prove acceptable, including from a parks planning perspective, the loss of the reserve will need to be compensated for through an enlarged reserve on the south side of the new road.

4. ACCESS AND TRANSPORT

- a. A secondary road through Area 1 to run from Sutherlands Road from a point immediately opposite the collector road running through South East Halswell RNN to Sparks Road. At least two road links are to be created from Sutherlands Road to the new secondary road.
- b. Road accesses between this RNN area and Sutherlands, Sparks and Cashmere Roads. These are to be safely located in relation to road accesses into S.E. Halswell and North Halswell RNN's, Redmond Spur subdivision and Westmorland.
- c. A road network which provides a connection between Cashmere Road and Hoon Hay but is designed to avoid traffic shortcutting between Westmorland and Hoon Hay. This is likely to be via Leistrella Road. Alternatively a connection from the end of Blakiston Street, may be possible.
- d. The junction with Cashmere Road is to be spaced a safe distance from Penruddock Rise. Alternatively a signalised crossroads with Penruddock Rise may be constructed.
- e. A fully interconnected local road network within Area 1 and Area 4, that achieves a high level of accessibility for people, including opportunities for walking, cycling and public transport.
- f. Pedestrian and cycle connections between residential areas and public spaces.
- g. Where development interfaces with Cashmere Road, provision will be made to enable local road widening to better manage the needs of cyclists in the area.

5. STORMWATER

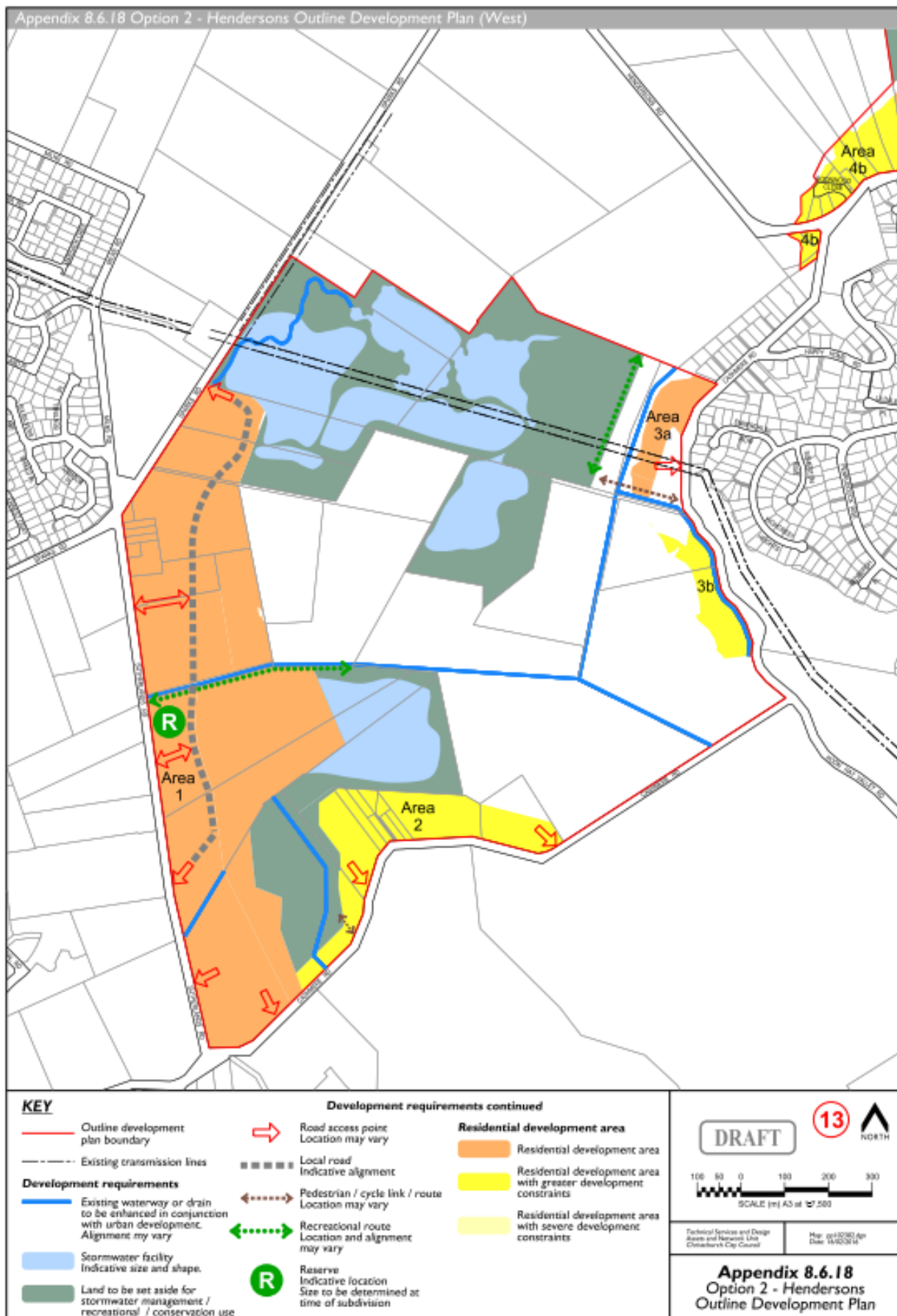
- a. Land to be set aside for compensatory stormwater storage or other stormwater management as shown on the ODP. Where no such land is shown on an allotment which also has a residential development area, additional land may be required, to be determined at the time of subdivision. Further rural land may be required for stormwater management in the future.
- b. There are known to be springs in the western part of the neighbourhood. These are to be identified and safeguarded at the time of subdivision.
- c. Existing waterways and stormwater drains shown on the ODP are to be enhanced in conjunction with residential development. All watercourses are to have a natural form and may require realignment.
- d. Land set aside for stormwater management is to also incorporate wetland habitats, walkways and cycleways.

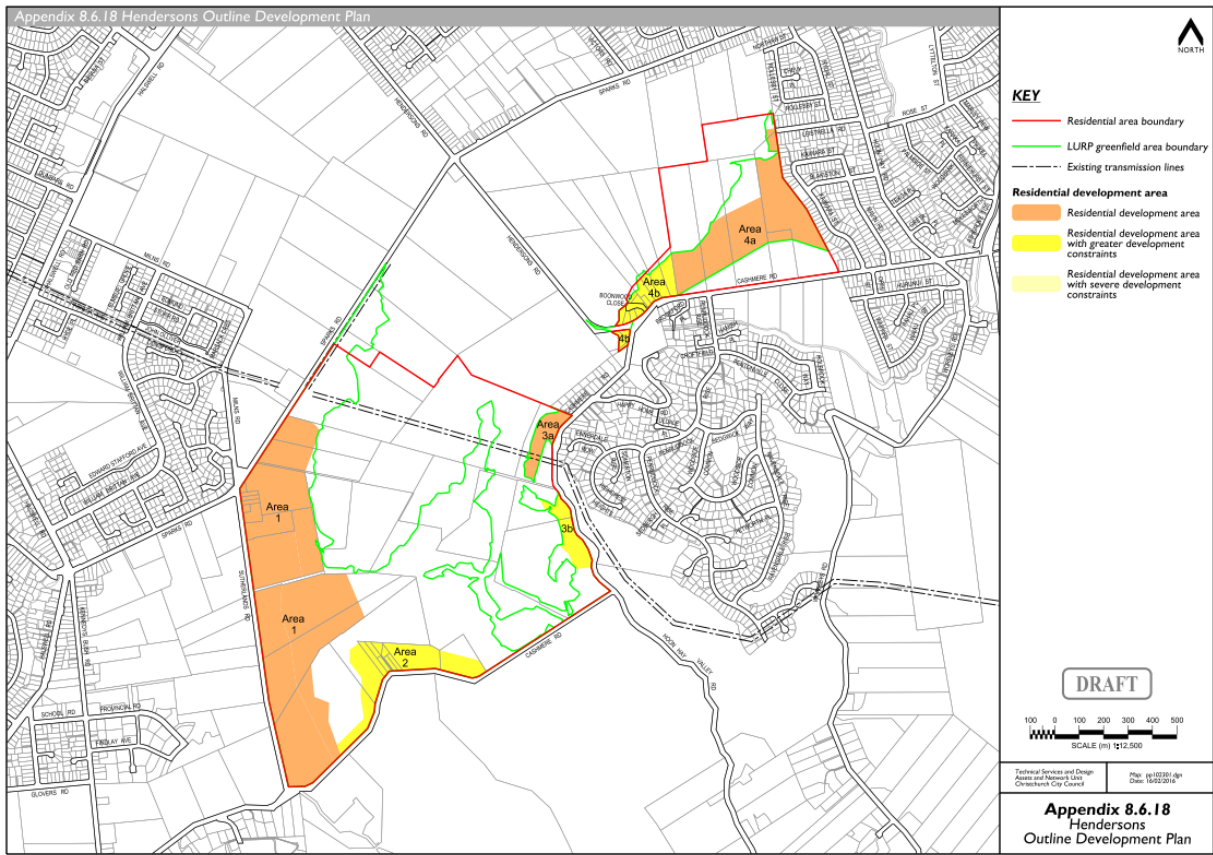
6. WATER AND WASTEWATER

- a. Most new development in this ODP area can be serviced from the existing water supply network. However a water supply master plan for the Halswell Residential New Neighbourhoods, to be developed by Council, will confirm the infrastructure required. Some additional improvements may be required upon further more detailed investigations being undertaken by Council and/or at the time of subdivision.
- b. Area 1 to be serviced by a pressure sewer area. New residential development will be required to connect to new trunk mains along Sutherlands and Sparks Roads. A pressure sewer along Cashmere Road serving the Redmund Spur subdivision, will be upsized for Area 2. The wastewater servicing of the remaining areas will be determined at the time of subdivision.
- c. No more than 487 houses in East Hendersons shall connect to the pressure sewer system in the Pump Station 68 catchment.

7. STAGING

- a. There are no staging requirements other than those relating to the provision of infrastructure. Development is however expected to generally proceed from existing roads inwards towards the basin.





APPENDIX 8.6.19 SOUTH EAST HALSWELL OUTLINE DEVELOPMENT PLAN

8.6.19.A CONTEXT

Located close to the centre of the Halswell community, this area has a number of established houses and mature trees and gardens. The neighbourhood is divided across the centre by a stormwater channel and tree belt running from Kennedys Bush Road to Sutherlands Road. The northern part of the area has high ecological values and is the site of traditional headwaters of the Cashmere Stream. The Quarry View subdivision forms a nucleus for development in the southern half of the neighbourhood. Views are afforded of the Port Hills and Halswell Quarry Park to the south and east.

8.6.19.B GUIDANCE

Guidance on the means to achieve the development requirements and form and design elements is provided within the Christchurch City Council's New Neighbourhood Design Guide. Further background and guidance is provided in the South West Area Plan, Christchurch City Council, April 2009 <http://www.ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/plans/area-plans/south-west-area-plan/>

8.6.19.C DEVELOPMENT FORM AND DESIGN

The following design elements and features are relevant considerations in exercising control over the matters in 8.4.1 - 8.4.4 or the matters for discretion in 8.5. They are not requirements for the purposes of Rule 8.3.3.11(a) or Rule 14.9.3.16.

1. Advantage is to be taken of existing mature trees to provide an identity for this neighbourhood.
2. The design of Area 1, (north of the central stormwater channel) is to be structured around the traditional headwaters, springs, a stormwater facility, and significant trees.
3. Area 2 (south of the stormwater channel) is to be designed around existing trees and a stormwater reserve, which has been established as part of the Quarry View subdivision.
4. Views southwards to the Port Hills and Halswell Quarry Park can be utilised to provide a sense of place, through the alignment of roads and reserves to form view shafts.
5. Kahikatea stumps and an archaeological site are noted in the South West Area Plan (Plan 5) near the junction of Sutherlands Road and Cashmere Road. These to be further investigated and addressed as necessary.
6. An appropriate treatment is required for the interface of development with Sparks Road, Sutherlands Road and Cashmere Road.
7. Mature trees and a drain run alongside much of Sparks Road and parts of Sutherlands Road, such that a green interface with limited access across it, may be appropriate in these locations.
8. The land slopes steeply up to Cashmere Road making both access to Cashmere Road and development on the slope difficult. An appropriate treatment for this rural/urban interface is required.
9. Where existing residential properties are to remain or where the boundary of the RNN abuts properties in the Residential Suburban Zone, larger section sizes and planting buffers may be required.
10. Residential densities of at least 15 hh's/ha are anticipated in Area 2, with opportunities for higher density development opposite Halswell Quarry Park.

8.6.19.D DEVELOPMENT REQUIREMENTS

The development requirements for the purposes of Rule 8.3.3.11(a) and Rule 14.9.3.16 are described below and shown on the accompanying plan.

1. INTEGRATION

- a. There are multiple land owners within this ODP area and a number of existing properties. Subdivision designs shall demonstrate good connectivity between different land ownership areas through road, open space and pedestrian and cycleway linkages.
- b. Houses are to front onto Kennedys Bush Road.

2. DENSITY VARIATIONS

- a. Area 1 – Residential development in Area 1 is constrained by the smaller landholdings, the location of existing substantial houses, ecological features and the large number of mature trees. Rule 8.3.3.11(b) density exemptions apply to this constrained area.

3. OPEN SPACE, RECREATION AND COMMUNITY FACILITIES

- a. A community (neighbourhood) park towards the centre of Area 1.
- b. An extension of the Quarry View reserve in Area 2.
- c. A recreational route that runs from the reserve in Area 1 to Sutherlands Road alongside an enhanced waterway, connecting with the recreational route through the Hendersons ODP area.

4. ACCESS AND TRANSPORT

- a. A collector road capable of accommodating a bus route, to connect with a collector road running between Halswell Road and Kennedys Bush Road (South Halswell ODP) and continuing through to Sutherlands Road. This road is to link into a section of the collector road which has been formed between Findlay Avenue and Provincial Road as part of the Quarry View subdivision.
- b. A road connection from Provincial Road to link with the road network of Area 1.
- c. At least one other road connection from the collector road in a northerly direction to link with the road network of Area 1.
- d. A fully interconnected local road network across the site that achieves a high level of accessibility for people, including opportunities for walking, cycling and public transport and connections to the existing community and facilities of Halswell, particularly Halswell School, Halswell Quarry Park, bus routes and pedestrian/cyclist links and to the Hendersons RNN to the east of Sutherlands Road.
- e. Pedestrian/cyclist links from the northern reserve out to the perimeter roads and southwards to connect with the waterway and a pedestrian connection to Provincial Road.
- f. Where development interfaces with Cashmere Road, provision will be made to enable local road widening to better manage the needs of cyclists in the area.

5. STORMWATER

- a. Stormwater in Area 1 is to drain to the stormwater facility on the eastern side of Sutherlands Road.
- b. Naturalisation, enhancement and realignment where appropriate of Cashmere Stream and the stormwater drains that run through the neighbourhood, along Sparks Road and Sutherlands Road.

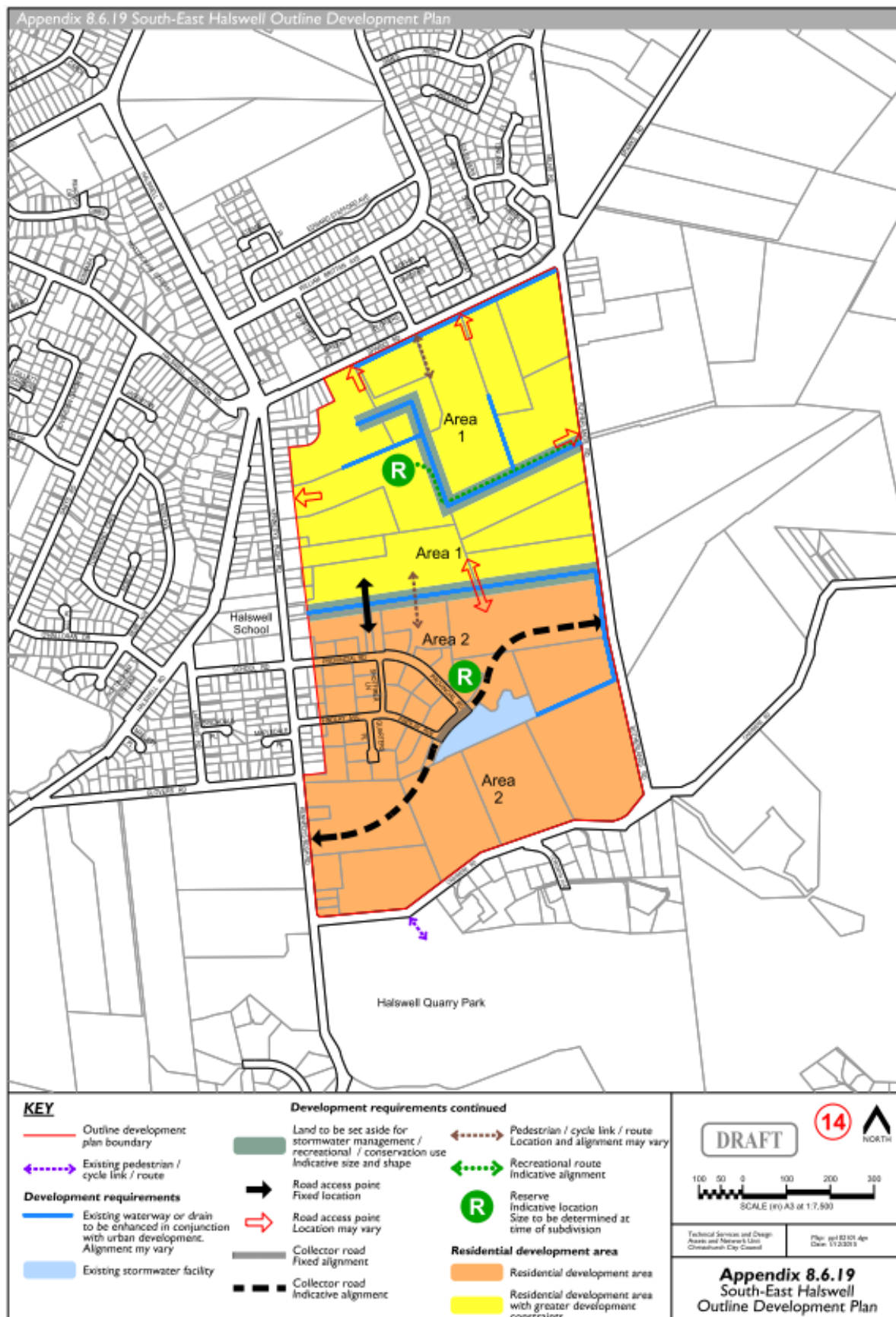
- c. Natural springs in the western part of Area 1 around the headwaters of Cashmere Stream are to be identified and safeguarded at the time of subdivision.

6. WATER AND WASTEWATER

- a. Water supply infrastructure requirements and any upgrades needed will be determined following the development of a water supply master plan for the Halswell Residential New Neighbourhoods.
- b. Wastewater to be reticulated with a pressure sewer network, discharging to pressure mains to be constructed on the collector road and Sutherlands Road.

7. STAGING

- a. There are no staging requirements other than those relating to the provision of infrastructure.



APPENDIX 8.6.20 SOUTH HALSWELL OUTLINE DEVELOPMENT PLAN

8.6.20.A CONTEXT

This neighbourhood extends from below the hill slopes of the Hyndhope Road residential area to the established suburb of Halswell. It is bordered on its southern side by a low ridge culminating in a rocky outcrop. Green Stream runs across the southern part of the neighbourhood from Halswell/Tai Tapu Road (SH75) to Kennedys Bush Road. Across Kennedys Bush Road is the Halswell Quarry Park. Historic associations and connections with this area, include the former tramline that linked to Halswell Quarry and its use by local hapu and runanga. The southern western point of this neighbourhood defines the boundary of the urban area and appears as the entrance to Christchurch City when travelling from the south. Views are afforded of the Port Hills and Halswell Quarry Park to the south and east.

8.6.20.B GUIDANCE

Guidance on the means to achieve the development requirements and form and design elements is provided within the Christchurch City Council's New Neighbourhood Design Guide. Further background and guidance is provided in the South West Area Plan, Christchurch City Council, April 2009 <http://www.ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/plans/area-plans/south-west-area-plan/>

8.6.20.C DEVELOPMENT FORM AND DESIGN

The following design elements and features are relevant considerations in exercising control over the matters in 8.4.1.- 8.4.4 or the matters for discretion in 8.5. They are not requirements for the purposes of Rule 8.3.3.11(a) or Rule 14.9.3.16.

1. This new neighbourhood is to be structured around the realigned corridor of Green Stream, stormwater facilities and land for recreational and conservation use in the south of the neighbourhood. Collectively these will form a 'green edge' to Christchurch.
2. Advantage should be taken of: views out to the south and south east by aligning roads and pedestrian/cycle routes to provide view shafts; the interface with Halswell Quarry Park and the link through the site from Larsens Road.
3. Any new facilities within the neighbourhood should be located such that they form or strengthen a community node, this is likely to be alongside Kennedy's Bush Road and/or the collector road.
4. Where existing properties are to remain larger section sizes and planting buffers adjacent to them may be required.
5. There is an opportunity to recognise Maori and European heritage in the design of this area. In particular the route of the former tramline to Halswell Quarry is to be recognised and interpretation provided, to include the history of the tramline and local quarrying.
6. There is an opportunity to create a gateway feature at or near the south western corner of the neighbourhood, adjacent to Halswell Road, to mark the entrance to the city.
7. An archaeological site is noted in the South West Area Plan (Plan 5) in the vicinity of Halswell Road, it is to be further investigated and addressed as necessary.
8. There is an opportunity to cluster housing development to the northern part of Area 3 to maximise the width of the open space corridor that extends along the southern part of the outline development plan area and connects to Halswell Quarry Park. Larger building setbacks and deeper sections should also be considered to further maximise the width of this open space corridor (green edge).

8.6.20.D DEVELOPMENT REQUIREMENTS

The development requirements for the purposes of Rule 8.3.3.11(a) and Rule 14.9.3.16 are described below and shown on the accompanying plan.

1. INTEGRATION

- a. There are multiple land owners within this ODP area and a number of existing properties. Subdivision designs shall demonstrate good connectivity between different land ownership areas through road, open space and pedestrian and cycleway linkages.
- b. Houses are to front onto Glovers Road and Kennedys Bush Road.
- c. Along the Halswell Road frontage, where there is to be no direct property access, the subdivision design will demonstrate an appropriate and attractive treatment along Halswell Road.

2. DENSITY

- a. Area 2 - The area adjacent to the Hyndhope Road residential area is to be developed at a low density due to parts of this area being lower lying, to contribute to the green edge and to ensure that new development is compatible with existing properties. Rule 8.3.3.11(b) density exemptions apply to this constrained area.
- b. Area 3 - There may be geological and surface water management constraints in this area. Rule 8.3.3.11(b) density exemptions apply to this area.

3. OPEN SPACE, RECREATION AND COMMUNITY FACILITIES

- a. A green edge to the city comprising land for stormwater management, wetlands, recreational and conservation use.
- b. A recreational route to run across the southern part of the site to provide a direct connection to Halswell Quarry Park.
- c. Two community (neighbourhood) parks in the northern part of the neighbourhood.

4. ACCESS AND TRANSPORT

- a. No individual property access to Halswell Road.
- b. A collector road to run from Halswell Road from a point immediately opposite Candys Road through the neighbourhood across Kennedys Bush Road to connect up and align with the collector road through the South East Halswell RNN to the east. Other than the collector road, no additional road junctions with Halswell Road. This road to be capable of accommodating a bus route.
- c. A fully interconnected local road network across the neighbourhood that achieves a high level of accessibility for people, including opportunities for walking, cycling and public transport and connections to the existing facilities of Halswell, particularly Halswell School, Halswell Quarry Park, bus routes and pedestrian/cyclist links.
- d. Road connections from Glovers Road.
- e. A connection from the local road network in Area 1 to Area 2.
- f. Pedestrian/cyclist routes from Glovers Road and Kennedys Bush Road to link via reserves to the southern open space.

5. STORMWATER

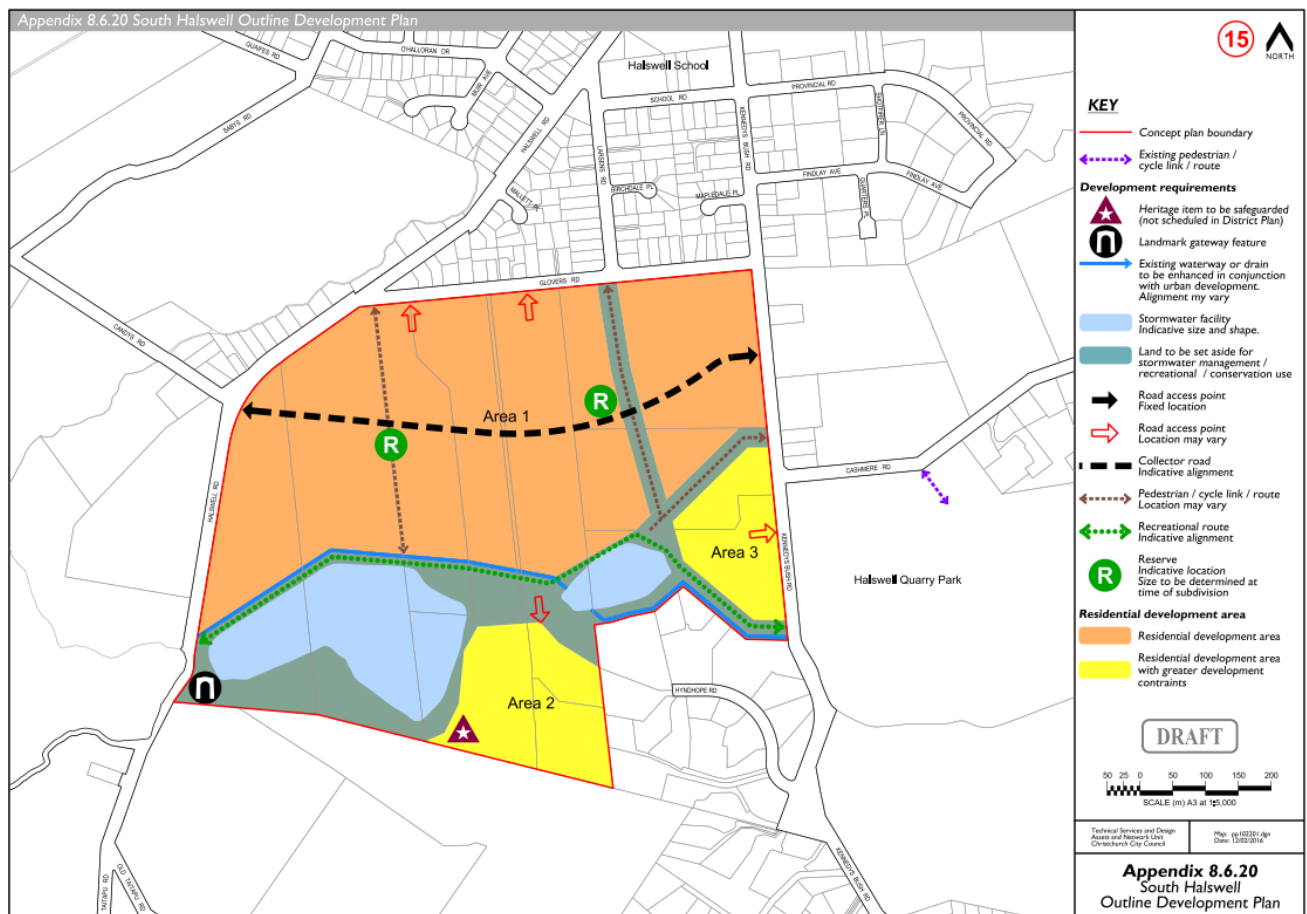
- a. Extensive provision for stormwater management across the southern portion of the neighbourhood. Stormwater facilities and wetland habitats to be located adjacent to a realigned Green Stream.
- b. Swales to run from Glovers Road and Kennedys Bush Road to link to the eastern stormwater facility.
- c. There are known to be springs near the southern boundary. These are to be identified and safeguarded at the time of subdivision.

6. WATER AND WASTEWATER

- a. Water supply infrastructure requirements and any upgrades needed will be determined following the development of a water supply master plan for the Halswell Residential New Neighbourhoods.
- b. Wastewater to be reticulated with a pressure sewer network, discharging to a pressure main on the collector road to the east of Kennedys Bush Road.

7. STAGING

- a. There are no staging requirements other than those relating to the provision of infrastructure.



APPENDIX 8.6.21**SOUTH WEST HALSWELL OUTLINE DEVELOPMENT PLAN****8.6.21.A CONTEXT**

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

8.6.21.B GUIDANCE

Guidance on the means to achieve the development requirements and form and design elements is provided within the Christchurch City Council's New Neighbourhood Design Guide. Further background and guidance is provided in the South West Area Plan, Christchurch City Council, April 2009 <http://www.ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/plans/area-plans/south-west-area-plan/>

8.6.21.C DEVELOPMENT FORM AND DESIGN

The following design elements and features are relevant considerations in exercising control over the matters in 8.4.1- 8.4.4 or the matters for discretion in 8.5. They are not requirements for the purposes of Rule 8.3.3.11(a) or Rule 14.9.3.16.

1. This new neighbourhood is to be structured around views out to the south west and south (by aligning roads to provide view shafts); a central collector road; stormwater management facilities; and the Nottingham Stream corridor.
2. The neighbourhood is to be connected to the communities and facilities of West Halswell to the west and Halswell to the north and east.
3. Any new local commercial centres and/or community facilities within the neighbourhood are to be located such that they create or strengthen a community node, this is likely to be alongside the collector road and/or a reserve.
4. A new school is to be located at the corner of Murphys and Quaifes Road providing a focal point for the neighbourhood.
5. Appropriate boundary treatments are required along the entire length of the ODP boundary to provide a good interface with adjacent roads. The interface treatment will generally be consistent along the length of the road.
6. The subdivision design will demonstrate how an appropriate interface treatment is to be achieved between future housing and the following: Quaifes Road and the rural area beyond; directly with rural land; Sabys Road stormwater basin; Nottingham Stream, Talbot Reserve and new reserves and stormwater facilities.
7. Talbot Reserve is well located to serve new development in its vicinity. Additional Neighbourhood Parks are to be well distributed throughout the neighbourhood.
8. Higher density development is expected to be closer to the collector road, reserves, stormwater facilities or any community facilities.
9. Where existing properties are to remain or where the boundary of the RNN abuts properties in the Residential Suburban Zone larger section sizes and planting buffers adjacent to them may be required.

8.6.21.D DEVELOPMENT REQUIREMENTS

The development requirements for the purposes of Rule 8.3.3.11(a) and Rule 14.9.3.16 are described below and shown on the accompanying plan.

1. INTEGRATION

- a. There are multiple land owners within this ODP area and a number of existing properties. Subdivision designs shall demonstrate good connectivity between different land ownership areas through road, open space and pedestrian and cycleway linkages.
- b. Houses are to face onto Murphys Road.

2. OPEN SPACE, RECREATION AND COMMUNITY FACILITIES

- a. A recreational route adjacent to the rural boundary and Nottingham Stream. This is to provide a connection between Longhurst Reserve, a stormwater facility close to Quaifes Road and Nottingham Stream.

3. ACCESS AND TRANSPORT

- a. A collector road to run through Area 1 between Murphys Road and Quaifes Road. The western end to be located immediately opposite Caulfield Avenue. At the eastern end, the point of connection to Quaifes Road to be approximately as shown on the ODP.
- b. A collector road to run between Quaifes Road and Candys Road. The eastern leg of Quaifes Road can be closed to through traffic at its western end once the collector road between Quaifes Road and Candys Road has been established.
- c. A fully interconnected local road network across the neighbourhood and connected to the wider area via existing access points around the perimeter of the ODP in order to integrate the neighbourhood with the existing Halswell settlement. This network is to achieve a high level of accessibility for people, including opportunities for walking, cycling and public transport. An access point has been set aside in Country Palms Drive.
- d. Road connections in Area 1 between Quaifes Road and the collector road.
- e. Road connections in Area 2 between Quaifes Road, Sabys Road and the new collector road.
- f. More than one road access onto Sabys Road from Area 3, to enable a loop road through the area.
- g. At least one pedestrian/cyclist access across Nottingham Stream to connect to Halswell Road.

4. STORMWATER

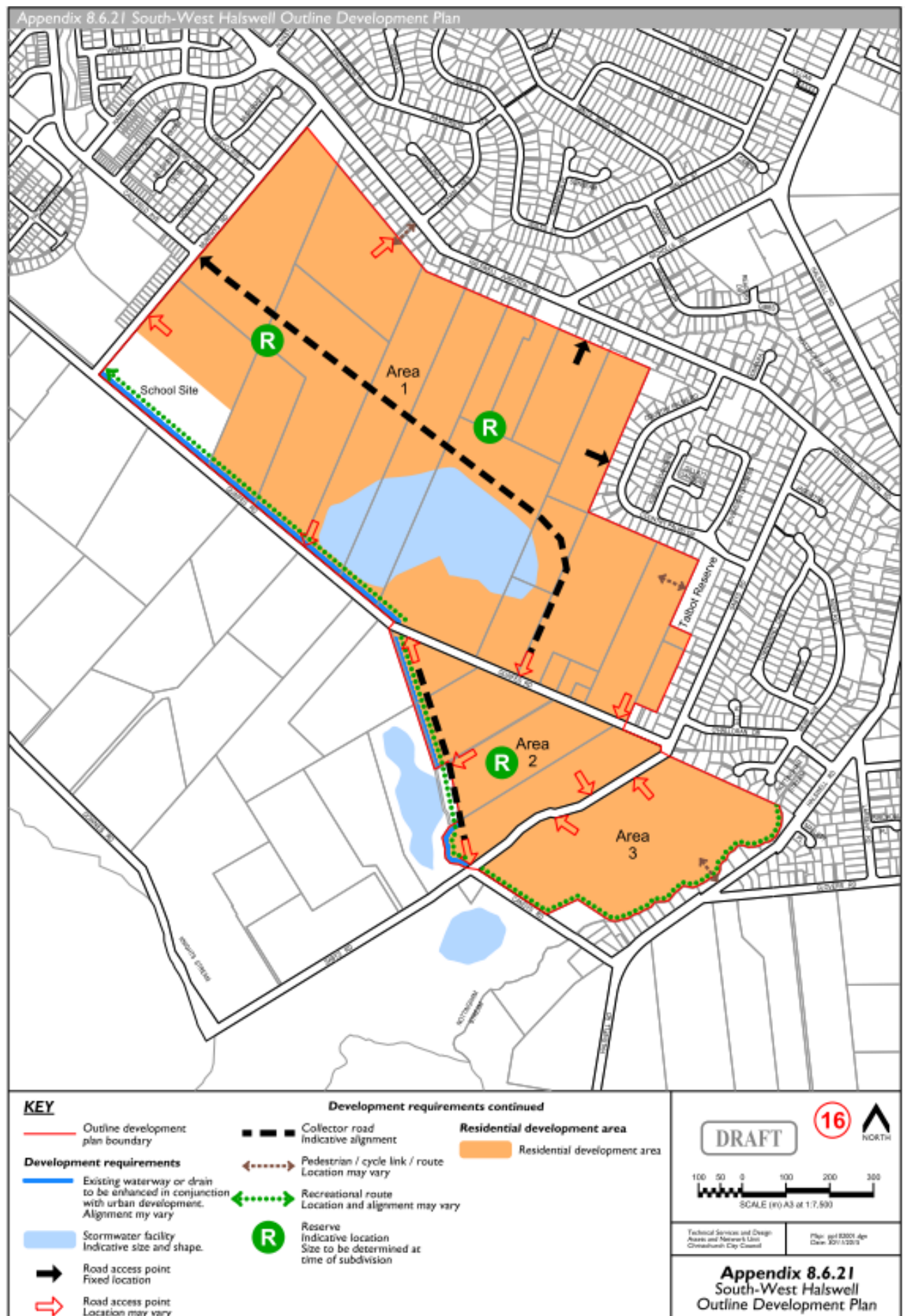
- a. A large stormwater facility, to be located close to Quaifes Road.
- b. A stormwater facility to be provided to service Area 3₁ either within Area 3 or located to the south.
- c. Existing waterways/drains which traverse Area 1 and Area 2 are to be naturalised, enhanced and realigned as necessary, to run into the new stormwater facility in Quaifes Road and the Sabys Road stormwater facility, respectively.
- d. The waterway which runs along Quaifes Road and the south western boundary of Area 2 to be naturalised and enhanced to become a feature of the new neighbourhood in conjunction with the recreational route.
- e. There are known to be springs in the western part of Area 1. These are to be identified and safeguarded at the time of subdivision.

5. WATER AND WASTEWATER

- a. Water supply infrastructure requirements and any upgrades needed will be determined following the development of a water supply master plan for the Halswell Water Supply Zone.
- b. Wastewater infrastructure requirements and any upgrades needed will be determined following the development of a wastewater master plan for the South West Halswell ODP area.

6. STAGING

- a. There are no staging requirements other than those relating to the provision of infrastructure. Possible alternative interim infrastructure solutions may be considered at the time of subdivision under Chapter 8, Rule 8.3.2.2 Restricted Discretionary Activity RD2.



APPENDIX 8.6.22 SOUTH EAST BELFAST OUTLINE DEVELOPMENT PLAN

8.6.22.A CONTEXT

Belfast, originally a raupo swamp, developed as a township following the establishment of farming runs in the 1850's and the commencement of agricultural and industrial activities a couple of decades later. The settlement is physically distinct due to its situation at the northern edge of the city and its separation from the rest of Christchurch by the Styx River corridor to the south and extensive rural/urban boundary. Belfast is a highly significant area for local Maori. It has historically been a traditional thoroughfare for travelling between Kaiapoi and Banks Peninsula. The Styx River, Kaputone Stream, railway line and proposed Northern Arterial Motorway will contain this new neighbourhood and provide the opportunity to clearly identify it as a distinct place distinguished by its connection with the Styx River.

8.6.22.B GUIDANCE

Guidance on the means to achieve the development requirements and form and design elements is provided within the Christchurch City Council's New Neighbourhood Design Guide. Further background and guidance is also provided in the Belfast Area Plan, Christchurch City Council, June 2010. <http://www.ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/plans/area-plans/belfast-area-plan/>.

8.6.22.C DEVELOPMENT FORM AND DESIGN

The following design elements and features are relevant considerations in exercising control over the matters in 8.4.1.- 8.4.4 or the matters for discretion in 8.5. They are not requirements for the purposes of Rule 8.3.3.11(a) or Rule 14.9.3.16.

1. The edge of residential development will be visible from Main North Road and across the river from the Styx River Conservation Reserve and Redwood Springs neighbourhood. New development is to be designed to take maximum advantage of the Styx River through providing visual and physical access to the river corridor for residents and the wider community. This can be achieved through the provision of view shafts, pedestrian/cyclist links, alignment of roads and footpaths, location of reserves and orientation of allotments.
2. Belfast/Northwood Key Activity Centre is in close proximity. The neighbourhood is to be designed to take advantage of this, with higher densities closer to the Key Activity Centre and good connections to it.
3. Radcliffe Road will provide access between the motorway and Main North Road. New development will need to be designed to have a good interface with this road. The treatment is to be consistent along its length.

8.6.22.D DEVELOPMENT REQUIREMENTS

The development requirements for the purposes of Rule 8.3.3.11(a) and Rule 14.9.3.16 are described below and shown on the accompanying plan.

1. INTEGRATION

- a. Subdivision layouts are to be designed to align roads and footpaths along the edge of the river corridor in the same manner as Willowview Drive to the south.

- b. The new neighbourhood is to link with the East Belfast ODP area, adopting similar treatments for the interface with the railway line and motorway, to ensure a good outlook and acceptable noise levels for residents, and take advantage of any recreational opportunities.
- c. A short section of Kaputone Stream runs along the north eastern boundary of the ODP area. It is to be enhanced and utilised as a design feature and recreational asset in the same manner as the rest of the corridor.

2. DENSITY VARIATION

- a. Area 1. B - This area interfaces with the Kaputone Stream and motorway corridor and is an irregular shape. This may limit its development capacity. Rule 8.3.3.11(b) density exemptions apply to this constrained area.
- b. Area 2 - The irregular southern boundary and the need for setbacks will reduce the development capacity of this block a little, but it is otherwise unencumbered and a density of at least 15 hhs/ha is to be achieved.
- c. Area 3 - This pocket of land has severe development constraints and may be more appropriately used for stormwater management, conservation and recreational use. Should this not eventuate lower density residential development may be achievable. Rule 8.3.3.11(b) density exemptions apply to this constrained area.

3. OPEN SPACE, RECREATION AND COMMUNITY FACILITIES

- a. A community (neighbourhood) park close to the north side of Radcliffe Road in a central location.
- b. A community (neighbourhood) park alongside the Styx River in a central location.
- c. Recreational routes along the Styx and Kaputone River esplanades.
- d. Two heritage items are to be retained, being the 17 Blakes Road stable block and 120 Radcliffe Road bay villa.
- e. The location of the historic Maori footpath that once ran through Belfast is to be identified and the route restored or marked.

4. ACCESS AND TRANSPORT

- a. Radcliffe Road to be upgraded to collector road status to provide for public transport, pedestrian and cycleways.
- b. Blakes Road to be upgraded to urban standard, to correlate with the design for the section through East Belfast RNN.
- c. A fully interconnected local road network across the site that achieves a high level of accessibility for people, including opportunities for walking, cycling and public transport and that provides connections with Radcliffe Road, Blakes Road and across Thompsons Road to connect with the East Belfast ODP area.
- d. At least one access onto Radcliffe Road from Area 1.a. in addition to Blakes Road.
- e. More than one access onto Radcliffe Road from Area 2 to enable a loop road through the area.
- f. Pedestrian and cyclist links to adjacent areas (including over the railway line and under the motorway) and to the Styx River and Kaputone Stream corridors.

- g. Formation of a section of the Northern Line Cycleway, an off-road pathway from Belfast to South Hagley Park.

5. STORMWATER

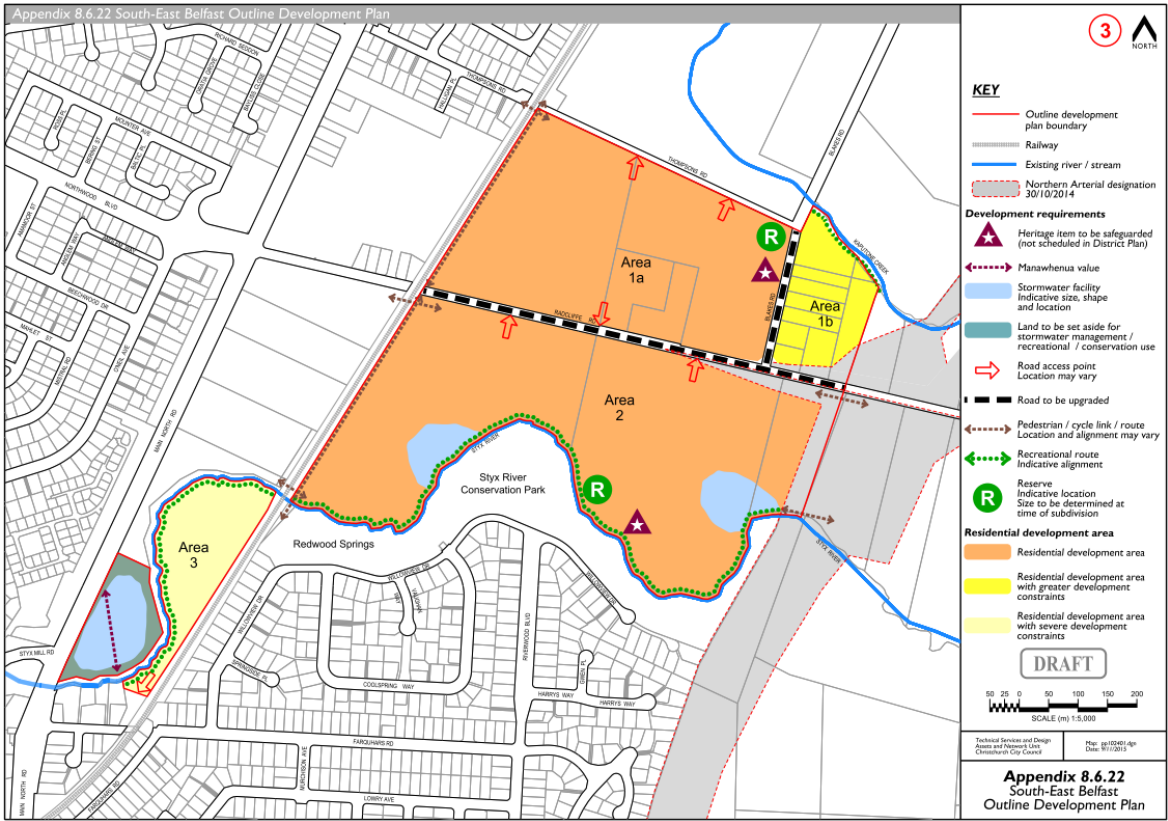
- a. Two stormwater facilities adjacent to the Styx River in Area 2.
- b. Stormwater management area adjacent to Main North Road.

6. WATER AND WASTEWATER

- a. A new water supply main is to be constructed from the Thompsons Water Supply Pump Station (on Thompsons Road next to the railway line) or from the water supply main on Thompsons Road, which runs south and east through the South East Belfast ODP area to connect to the Highfield ODP area.
- b. A new pressure main along Thompsons Road to the sewer on Main North Road will be required to service the new neighbourhood. Wastewater Pump Station 62 will need to be upgraded to accommodate growth in the Belfast area.

7. STAGING

- a. There are no staging requirements other than those relating to the provision of infrastructure.



APPENDIX 8.6.23 NORTH WEST BELFAST OUTLINE DEVELOPMENT PLAN

8.6.23.A CONTEXT

The North West Belfast Outline Development Plan area is located on the northern edge of the city and is generally bounded by Johns Road, the Main North Road, the Groynes open space and the Waimakariri stopbank. The neighbourhood lies in close proximity to many essential facilities and amenities including the shopping centres at Belfast and Northwood as well as having easy access to major employment nodes at Belfast and the Airport. The established residential areas at Belfast and Northwood are located to the immediate east, north and south of the site. The Western Belfast bypass is located to the west of the site.

8.6.23.B GUIDANCE

Guidance on the means to achieve the development requirements and form and design elements is provided within the Christchurch City Council's New Neighbourhood Design Guide. Further background and guidance is also provided in the Belfast Area Plan, Christchurch City Council, June 2010. <http://www.ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/plans/area-plans/belfast-area-plan/>.

8.6.23.C DEVELOPMENT FORM AND DESIGN

The following design elements and features are relevant considerations in exercising control over the matters in 8.4.1 - 8.4.4 or the matters for discretion in 8.5. They are not requirements for the purposes of Rule 8.3.3.11(a) or Rule 14.9.3.16.

1. The main feature of this area will be the outlook to the adjacent open space to the north west of the site and the connections available to the Groynes, Clearwater and Waimairi walkway. Maximum advantage can be taken of these features through the provision of view shafts, pedestrian/cyclist links, alignment of roads and footpaths, location of reserves and orientation of allotments.
2. This new neighbourhood offers significant opportunities in respect of integrating the new areas with on-site and nearby natural features and open space including the Groynes Reserve, Clearwater and the adjacent walkways.
3. A new neighbourhood centre (zoned Commercial Core) located close to the Main North Road intersection with Johns Road, will provide a focus for the area and offer a range of local retail, business and community services.
4. Where existing properties are to remain or where the boundary of the RNN abuts properties in the Residential Suburban Zone, larger section sizes and/or planting buffers at the interface may be required.
5. The subdivision design is to achieve an open and attractive interface with the adjoining open spaces.
6. The subdivision design is to provide a good interface with adjacent roads and generally the interface treatment is to be consistent along the length of the road.
7. Any on-site surface stormwater treatment/detention facilities provided are to be generally associated with open space locations.

8.6.23.D DEVELOPMENT REQUIREMENTS

The development requirements for the purposes of Rule 8.3.3.11(a) and Rule 14.9.3.16 are described below and shown on the accompanying plan.

1. INTEGRATION

- a. There are multiple landowners within the ODP area and a number of well-established existing properties. Subdivisions shall demonstrate how new development is to be coordinated between the different land owners.

2. DENSITY VARIATIONS

- a. Whilst a density of at least 15hh/ha is required across the ODP area, the land to the west of the Western Belfast ByPass will not achieve this yield due to access constraints. Rule 8.3.3.11(b) density exemptions apply to this constrained area.

3. OPEN SPACE, RECREATION AND COMMUNITY FACILITIES

- a. A walkway link between Belfast (intersection of Main North Road and Johns Road) to the Waimairi walkway.
- b. Two community (neighbourhood) parks generally located on the west end of the site and within the east section of the site close to the neighbourhood centre.
- c. A site boundary setback of 15 metres from the Devondale Driveway and the area within the setback is to include a consistent design of permeable fences and the placement of key trees and shrubs within this 15m setback.

4. ACCESS AND TRANSPORT

- a. A collector road running through the site from a point generally opposite Richill Street to Groynes Drive. This road is to be capable of accommodating a bus route.
- b. A single intersection is to be formed either directly on the Richill Street intersection with Main North Road or on Darroch Street, at a safe distance from the intersection of Darroch Street and Main North Road, in consultation with the relevant road controlling authority.
- c. Access to Johns Road between Lagan Street and Swift Street.
- d. A fully connected local road network across the neighbourhood that achieves a high level of accessibility for people including opportunities for walking, cycling and public transport. This will provide connections to Main North Road, Johns Road, and Groynes Drive and pedestrian and cyclist connections to the Groynes and the Waimairi walkway.
- e. Residential and other activities will have no direct vehicular access to Johns Road other than via intersections shown on the ODP while Johns Road between Groynes Drive and Main North Road is defined as a major arterial road in this Plan or until the state highway status of this part of Johns Road is revoked, whichever occurs the earlier. This requirement can be reconsidered with the written approval from the relevant road controlling authority.
- f. The connection of the collector road across the Devondale Driveway will be subject to agreement being reached with the existing owners of that land or alternative legal mechanisms such as acquisition under the Public Works Act.

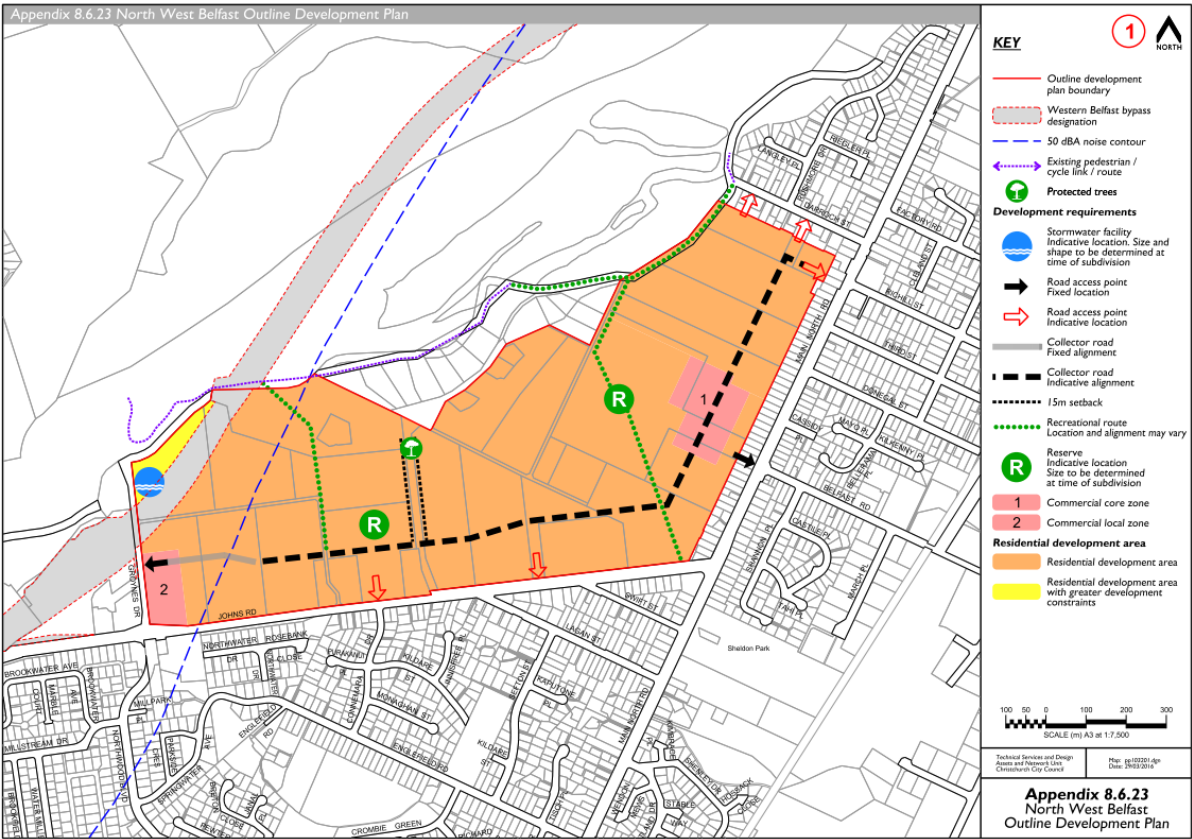
5. STORMWATER

- a. A stormwater management solution for the area which allows for the integration of stormwater with the surrounding Otukaikino catchment.
- b. Where off-site stormwater treatment/detention facilities are provided these are to be developed in conjunction with enhancement of the habitat and ecological values of the Otukaikino River and tributaries that the stormwater system is connected to.

- c. Natural Springs (if any) to be identified and safeguarded at the time of subdivision.
- d. The design, layout and plant species proposed for any stormwater areas are to be undertaken and selected having consideration to the operations of the Christchurch International Airport.

6. WATER AND WASTEWATER

- a. A new water supply main through the ODP area connecting to the Belfast water supply pump station and existing water supply mains on Groynes Drive and Johns Road.
- b. A new wastewater main through the ODP area connecting to the existing wastewater main on Main North Road. Wastewater Pump Station 62 will need to be upgraded to accommodate growth in the Belfast area.



APPENDIX 8.6.24**EAST BELFAST OUTLINE DEVELOPMENT PLAN****8.6.24.A CONTEXT**

Belfast, originally a raupo swamp, developed as a township following the establishment of farming runs in the 1850's and the commencement of agricultural and industrial activities a couple of decades later. Belfast is a highly significant area for local Maori. It has historically been a traditional thoroughfare for travelling between Kaiapoi and Banks Peninsula. The East Belfast ODP area extends east and west from Blakes Road which divides the new neighbourhood in two. The Main North Railway Line runs to the west and the Northern Arterial Motorway designation to the east. The Belfast Business Park (previously occupied by the Canterbury Freezing Works) is generally to the north. The Belfast/Northwood Key Activity Centre is to the south west. A defining feature of the site is the Kaputone Stream, which traverses the site. It is recognised as both an important natural feature of the area and as having cultural significance to local Iwi. East Belfast also contains Spring Grove, a Heritage Item that is recognised as being an important heritage resource for the Belfast Community. The construction of the Northern Arterial Motorway will require the realignment of the Kaputone Stream.

8.6.24.B GUIDANCE

Guidance on the means to achieve the development requirements and form and design elements is provided within the Christchurch City Council's New Neighbourhood Design Guide. Further background and guidance is also provided in the Belfast Area Plan, Christchurch City Council, June 2010. <http://www.ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/plans/area-plans/belfast-area-plan/>.

8.6.23.C DEVELOPMENT FORM AND DESIGN

The following design elements and features are relevant considerations in exercising control over the matters in 8.4.1.- 8.4.4 or the matters for discretion in 8.5. They are not requirements for the purposes of Rule 8.3.3.11(a) or Rule 14.9.3.16.

1. The Kaputone Stream will become the major feature of this neighbourhood together with Spring Grove heritage house. New development is to have an open and attractive interface with the Kaputone Stream corridor.
2. A number of mature trees also provide a link to the past. Maximum advantage is to be taken of these features through provision of view shafts, alignment of roads, pedestrian/cyclist links and orientation of allotments.
3. A high quality public open space system comprising a network of green linkages including esplanade reserve and community (neighbourhood) parks within a curvilinear corridor system including stormwater facilities and public amenity areas is anticipated.
4. The interface with the railway line and motorway is to be designed to ensure a good outlook and acceptable noise levels for residents and take advantage of any recreational opportunities.
5. Blakes Road will become a primary link through the neighbourhood. New development is to be designed to have a good interface with this road.
6. Where practicable similar interface treatments will be achieved along the length of the railway line, the stream corridor, the motorway and Blakes Road.
7. A site is zoned Commercial Local on the west side of Blakes Road between the RNN Zone and Belfast Business Park. This can provide local shopping, community and services uses and become a focal point for the community.
8. There are two protected trees which are to be retained and could become a feature of the development.

8.6.24.D DEVELOPMENT REQUIREMENTS

The development requirements for the purposes of Rule 8.3.3.11(a) and Rule 14.9.3.16 are described below and shown on the accompanying plan.

1. INTEGRATION

- a. An odour buffer area is to be provided adjacent to Belfast Road until such time as specific reverse sensitivity issues cease. Activities within the odour buffer area are limited to non-residential activities including educational, spiritual, day care or health facility uses until such time as the buffer area is no longer required, after which residential activities can locate in this area.

2. DENSITY VARIATIONS

- a. In the area identified as Spring Grove heritage house as shown on the Outline Development Plan, the minimum allotment size shall be 3,500m². Rule 8.3.3.11(b) density exemptions apply to this constrained area.

3. OPEN SPACE, RECREATION AND COMMUNITY FACILITIES

- a. A continuous open space corridor generally based on the alignment of the Kaputone Stream and integrated with stormwater devices, cycle and pedestrian facilities, including esplanade reserve with an average width of 20m and a minimum width of 5m.
- b. Where part of the open space areas, including the Kaputone Open Space Corridor are not required by the Council for public open space, the land shall then be treated as a continuation of the immediately adjacent residential area and the Residential New Neighbourhood rules shall apply unless otherwise stated in consent notice under section 221 of the Resource Management Act (or similar mechanism) for that land.
- c. A community (neighbourhood) park in a central location.

4. ACCESS AND TRANSPORT

- a. A fully interconnected local road network across the site that achieves a high level of accessibility for people including opportunities for walking, cycling and public transport and that provides connections with Thompsons Road and Blakes Road and safe and convenient pedestrian and cycle access to the South East Belfast ODP area, to facilitate access to nearby facilities such as Sheldon Park, the Belfast/Northwood Key Activity Centre the Commercial Local Zone and Belfast School.
- b. Blakes Road is to be upgraded to collector standard to become the primary movement route ('the spine road') through the site linking Belfast Road with Thompsons Road to the south and continuing through South East Belfast ODP area to Radcliffe Road.
- c. Connections to the cycle routes alongside the railway line and motorway from within the neighbourhood.

5. STORMWATER

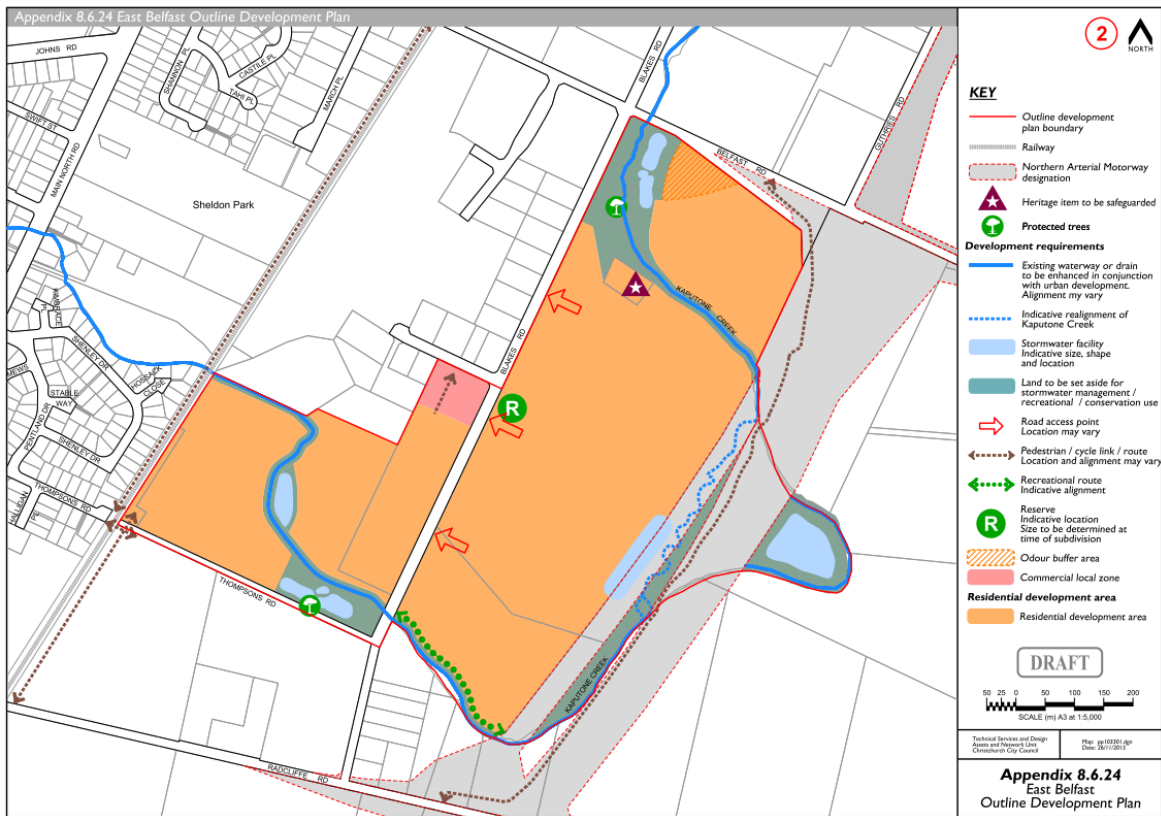
- a. A sustainable stormwater management system for the neighbourhood integrated alongside open space reserves and compatible with the natural, cultural, ecological and amenity values of the site.
- b. All natural watercourses in the neighbourhood are to be integral components of the open space network.

6. WATER AND WASTEWATER

- c. Water supply mains are in place. A new well will be required at the Thompsons water supply pump station to service growth in the Belfast area.
- d. Wastewater mains are in place. Wastewater Pump Station 62 will need to be upgraded to accommodate growth in the Belfast area.

7. STAGING

- a. No more than 200 residential allotments shall be created until such time as Blakes Road (from Belfast Road to Radcliffe Road) has been upgraded to a minimum 9m wide sealed carriageway or until such time as financial provision has been made for these works within the Council's Capital Works Programme and Development Contributions Policy, whichever is the earlier.
- b. Where any part of the Northern Arterial Motorway Designation is uplifted the Residential New Neighbourhood Zone rules shall apply unless otherwise stated in a consent notice under Section 221 of the Resource Management Act (or similar mechanism) for that land.



APPENDIX 8.6.25**PRESTONS (NORTH AND SOUTH) OUTLINE DEVELOPMENT PLAN****8.6.25.A****CONTEXT**

The Prestons Outline Development Plan area covers approximately 200ha of land on the north east edge of the city and involves land both north and south of Prestons Road. It is bounded by Mairehau Road to the south and Lower Styx Road to the north. To the east, the site adjoins the established suburb of Burwood and residential developments such as The Limes, Tumara Park and Waitikiri. There are also two 18-hole golf courses to the north-east that link the zone to Bottle Lake Forest Park. To the west, there is mostly an area of what is considered to be more productive and versatile soils, which provides a setback and buffer to residential properties from Marshland Road.

8.6.25.B GUIDANCE

Guidance on the means to achieve the development requirements and form and design elements is provided within the Christchurch City Council's New Neighbourhood Design Guide.

8.6.25.C DEVELOPMENT FORM AND DESIGN

The following design elements and features are relevant considerations in exercising control over the matters in 8.4.1.- 8.4.4 or the matters for discretion in 8.5. They are not requirements for the purposes of Rule 8.3.3.11(a) or Rule 14.9.3.16.

1. New development is to integrate with established urban areas and with on-site and nearby natural features and open space and the Neighbourhood Centre on Prestons Road.
2. The key feature of the new neighbourhood will be the central stormwater and open space corridor.
3. There is potential for at least one small scale community and commercial node, in a high profile, readily accessible location.

8.6.25.D DEVELOPMENT REQUIREMENTS

The development requirements for the purposes of Rule 8.3.3.11(a) and Rule 14.9.3.16 are described below and shown on the accompanying plan.

1. INTEGRATION AND INTERFACES

- a. Subdivision designs will demonstrate connectivity between different land ownership areas through road, open space and pedestrian and cycleway linkages.
- b. From and along the rural boundary a 15m building setback is required and prior to or concurrently with the construction of the first building on any allotment, a solidly clad boundary fence shall be erected, having a minimum height of 1.8 metres and a maximum height of 2m.
- c. A 10m deep landscape strip shall be planted along the frontage with Lower Styx Road with native shrubs and small trees selected from the Prestons Planting List. One large native tree selected from Prestons Planting List shall be provided per 40m² of the 10m required landscape strip.
- d. Buildings shall be setback 15m from Lower Styx Road.
- e. Fencing along the boundary with Lower Styx Road, and fencing along first 10m of internal boundaries back from Lower Styx Road, shall not exceed a maximum height of 1.2m and shall be at least 50% visually transparent.

- f. A 3m landscape strip shall be planted along Mairehau Road with native shrubs and small trees selected from the Prestons Planting List. One tree selected from the Prestons Planting List shall be provided per 20m² of the 3m required landscaping strip. A Minimum 50% of required trees shall be native.
- g. Buildings shall be setback 10m from Mairehau Road.
- h. Fencing on the boundary with Mairehau Road, and fencing along first 3m of internal boundaries, back from Mairehau Road shall not exceed a maximum height of 1.2m and shall be at least 50% visually transparent.
- i. A 10m landscape strip shall be provided adjacent to the boundary with the Waitikiri and Windsor Golf Courses and shall be maintained as turf. One large tree selected from the Prestons Planting List shall be provided per site adjoining golf courses. One additional large tree selected from the Prestons Planting List shall be planted per 100m² of the 10m required landscape strip.
- j. A minimum 10m building setback from the boundary with the Waitikiri and Windsor Golf Courses.
- k. Fencing on the boundary with Waitikiri and Windsor Golf Courses, and fencing along first 10m of internal boundaries back from Waitikiri and Windsor Golf Courses, shall not exceed a maximum height of 1.2m and shall be at least 50% visually transparent.

2. DENSITY VARIATIONS

- a. A density of between 13 and 15 households per hectare (hh's/ha) is to be achieved across the ODP area, with variety in density and housing types. The density types shall be defined on the Outline Development Plan maps below or on an approved subdivision consent plan.

3. OPEN SPACE, RECREATION AND COMMUNITY FACILITIES

- a. A continuous reserve corridor located from the Domain on Prestons Road through to Mairehau Road.
- b. Additional community (neighbourhood) parks are required to support the higher density areas.

4. ACCESS AND TRANSPORT

- a. A fully interconnected local road network across the site that achieves a high level of accessibility for people, including opportunities for walking, cycling and public transport.
- b. No direct vehicle access from any residential allotment shall be granted to Mairehau Road from the following unless the 80km speed limit on Mairehau Road is reduced to 60km or less, or a subdivision consent plan establishing residential access is approved;
 - i. any secondary road until such time as the portion of the main primary road linking Prestons Road to Mairehau Road is open to traffic;
 - ii. any residential allotment.

5. STORMWATER

- a. All watercourses in the neighbourhood are to be integral components of the open space network.

6. WATER AND WASTEWATER

- a. The area is serviced by a vacuum sewer system. The Vacuum Sewer Pump Station VS5003 has capacity for the equivalent of 2,364 residential allotments.

7. STAGING

- a. No more than 1700 residential units and 7200m² of non-residential activities within the Prestons ODP area shall occur until such time as construction of the Northern Arterial Motorway and the 4-laning of QEII Drive between Main North Road and Innes Road together with either the Northern Arterial Motorway extension or the Hills Road extension has commenced.

8. PRESTONS PLANTING LIST

Large Native Trees	
Dacrydium cupressinum	rimu
Podocarpus totara	totara
Prumnopitys taxifolia	matai

Large Exotic Trees	
Acer campestre	field maple
Alnus Glutinosa	black alder
Liquidambar styraciflua	liquidambar
Platanus orientali	'autumn glory' plane tree
Quercus coccinea	scarlet oak
Quercus palustris	pin oak
Tilia cordata	small-leaved lime

Native Shrubs and Small Trees >1.2m	
Coprosma propinqua	mikimiki
Coprosma robusta	karama
Coprosma aff.	mikimiki (shrub)
Cordyline australis ti kouka	kouka/cabbage tree
Griselinia littoralis	kapuka/broadleaf
Hebe salicifolia	koromiko (shrub)
Hoheria angustifolia	hohere/narrow-leaved lacebark
Lophomyrtus obcordata	rohutu/nz murtle
Melicope simplex	poataniwha (shrub)
Melicytus ramiflorus	mahoe
Myrsine divaricata	weeping mahout
Olearia paniculata	golden akeake/akiraho
Pennantia corymbosa	kaikomako
Phormium tenax	harakeke
Pittosporum tenuifolium	kohuhu/black matipo/tawhiro
Pseudopanax crassifolius	horoeka/lancewood

Small Native Trees	
<i>Dodonea viscosa</i>	akeake
<i>Kunzea ericoides</i>	kanuka
<i>Leptospermum scoparium</i>	manuka
<i>Plagianthus regius</i> manatu	lowland ribbonwood
<i>Sophora microphylla</i>	south island kowhai
Native Shrubs <1.2m	
<i>Anemanthele lessoniana</i>	hunangamoho/wind grass
<i>Astelia frangrans</i>	kakaha/bush lily
<i>Carex buechananii</i>	purei
<i>Carex testacea</i> speckled sedge	speckled sedge
<i>Cyperus ustulatus</i>	toetoe upotangata
<i>Dainella nigra</i>	inkberry
<i>Festuca novae-zelandiae</i>	fescue tussock
<i>Haloragis erecta</i>	toatoa
<i>Hypericum gramineum</i>	new zealand st johnswort
<i>Libertia ixioides</i>	mikoikoi/nz iris
<i>Poa cita</i>	silver tussock
<i>Poa colensoi</i>	blue tussock
<i>Polystichum richardii</i>	pikopiko/black shield fern
<i>Uncinia uncinata</i>	hook-sedge





[Update to include three indicative commercial nodes as identified on plans in closing legal submissions of Canterbury Racecourse Reserve Trustees and Ngāi Tahu Property Limited (Submitter 2366), CDL Land Limited (Submitter 2275 and FS 2814) and Ngāi Tahu Property Limited (Submitter 806 and 2235), 24 March 2016. The Key for these locations is to refer to "Indicative location of local commercial area"]

APPENDIX 8.6.26 HIGHFIELD PARK OUTLINE DEVELOPMENT PLAN

8.6.26.A CONTEXT

The Highfield Park RNN is located in the Marshlands Area of Christchurch, it extends north and south from Prestons Road. The first settlers in the 1860's undertook major drainage work to turn the swampland into productive farmland. Hills Road, which forms most of the eastern boundary of the neighbourhood was formed along the hard soil which provided the only safe route through the area, hence its curvilinear alignment and country lane character. The Styx River forms the northern boundary and Horners Drain traverses the southern half of the site, mostly in a deep open box drain with steep sides. Views are afforded across rural land to the north and east and towards the Port Hills to the south. There are a few large existing residential units located towards the centre of the neighbourhood. A number of established trees of both native and exotic species are located along Hills and Hawkins Roads, Prestons Road and within the environs of residential units. Prestons Road provides access to the established neighbourhood of Redwood to the west and the Prestons RNN and neighbourhood centre to the east. The Northern Arterial Motorway corridor will form the western boundary.

8.6.26.B GUIDANCE

Guidance on the means to achieve the development requirements and form and design elements is provided within the Christchurch City Council's New Neighbourhood Design Guide.

8.6.26.C DEVELOPMENT FORM AND DESIGN

The following design elements and features are relevant considerations in exercising control over the matters in 8.4.1–8.4.4 or the matters for discretion in 8.5. They are not requirements for the purposes of Rule 8.3.3.11(a) or Rule 14.9.3.16.

1. The Styx River, the proposed Northern Arterial Motorway, QEII Drive and rural land to the east will contain this new neighbourhood and provide the opportunity to clearly identify it as a distinct place. The linear nature of the site lends itself to being structured around a central corridor comprising the collector road and linear reserves.
2. North-south alignment of roads will enable views to the south as well as good solar access to properties.
3. New development is to be designed to have an open and attractive interface with the river corridor and provide visual and physical access to the river corridor for residents and the wider community.
4. Advantage can also be taken of Hills Road and existing trees and hedgerows to provide a connection with the past.
5. Development immediately adjacent to Hills Road and Hawkins Road is to provide a transition between the RNN and rural zoned land to the east and respect the rural character and function of the road.
6. Where existing properties are to remain larger section sizes and planting buffers adjacent to them may be required.
7. New development adjacent to the motorway and QEII Drive is to be designed such that a good outlook to and from the road and acceptable noise levels for residents is achieved. This may require longer allotments, screen planting and mounding. If acoustic fencing is used its blank appearance should be softened by planting.
8. There is potential for at least one small scale community and commercial node, in a high profile, readily accessible location.

8.6.26.D DEVELOPMENT REQUIREMENTS

The development requirements for the purposes of Rule 8.3.3.11(a) and Rule 14.9.3.16 are described below and shown on the accompanying plan.

1. INTEGRATION

- a. There are multiple land owners within this ODP area and a number of existing properties. Subdivision designs are to demonstrate good connectivity between different land ownership areas through road, open space and pedestrian and cycleway linkages.
- b. Development is to face onto Prestons Road although there is to be no vehicle access to it, other than the collector road.
- c. Subdivision layouts are to be designed to align roads and footpaths along the edge of the river corridor.

2. DENSITY VARIATIONS

- a. Area 1 - Residential densities of at least 15 hh's/ha are anticipated, with densities generally increasing towards the collector road and towards Prestons Road and around any commercial node.
- b. Area 2 - There is a risk of flooding in this area due to a shallow aquifer and a drain that flows into it. Rule 8.3.3.11(b) density exemptions apply to this constrained area.
- c. Area 3 - There are special setback provisions relating to these areas alongside the motorway and Hills and Hawkins Road, which may restrict development capacity. Rule 8.3.3.11(b) density exemptions apply to this constrained area. Allotments immediately adjacent to Hills Road and Hawkins Road are to be a minimum net site area of 800m.

3. OPEN SPACE, RECREATION AND COMMUNITY FACILITIES

- a. A continuous community (linear) park corridor incorporating Horners Drain from the Styx River corridor to QEII Drive. This corridor is to include a community (neighbourhood) park in the north of the neighbourhood and a community (neighbourhood) park adjacent to the collector road in the south of the neighbourhood.
- b. Three further community (neighbourhood) parks, one in the north eastern part of the neighbourhood and two in the south eastern part of the neighbourhood.
- c. Continuation of the Styx "Source to Sea" reserve network along the river corridor. A recreational route along the Styx River esplanade from Hawkins Road to connect with the Styx River Conservation Reserve adjacent to Redwood Springs. This to include a pedestrian/cyclist link under the Northern Arterial Motorway.
- d. Horners Drain is to be enhanced and naturalised to provide a point of difference within the neighbourhood.

4. ACCESS AND TRANSPORT

- a. Those roads identified in Diagram A are to be developed in accordance with the illustrated cross section.
- b. Improvements to the intersection of Main North Road/Prestons Road.
- c. Improvements to Prestons Road through the neighbourhood.
- d. A collector road running northwards and southwards from Prestons Road. This to include a signalised intersection at Prestons Road.
- e. Traffic signals (or an alternative intersection treatment agreed with the Council) at the intersection of Grimseys Road and Prestons Road.

- f. Upgrading of Hawkins Road between Prestons Road and Selkirk Road to include a minimum carriageway width of 7m and a shared path on the Highfield ODP side to accommodate walking and cycling.
- g. Upgrading of Hills Road between Prestons Road and QEII Drive to include a minimum carriageway width of 7m and a shared path on the Highfield ODP side to accommodate walking and cycling.
- h. A fully interconnected local road network across the site that achieves a high level of accessibility for people, including opportunities for walking, cycling and public transport. This is to provide connections with Prestons Road, Hills Road and Hawkins Road and access for pedestrians and cyclists to the Styx River corridor, Owen Mitchell Park (if possible under the motorway) and QEII Drive.

5. STORMWATER

- a. A stormwater management solution for the neighbourhood which allows for the integration of stormwater from upstream catchments such as Kruses Drain, Horners Stream and the Cranford Basin, but does not preclude the ability of stormwater from the Northern Arterial Motorway being effectively managed and discharged.
- b. A stormwater management facility incorporating a wetland area adjacent to QEII Drive
- c. Enhancement of the habitat and ecological values of the Styx River and its margins in association with stormwater management and provision of reserves and to give effect to the Styx River Stormwater Management Plan.
- d. Reconfiguration and enhancement of Horners Stream to improve its capacity and functioning for stormwater management while ensuring habitat and ecological values are enhanced and developed
- e. Natural springs (if any) to be identified and safeguarded at the time of subdivision.

6. WATER AND WASTEWATER

- a. New water supply trunk mains will be required through the Highfield ODP area, with connections to the East Belfast ODP area, Prestons Road and QEII Drive. A new Highfield well and water supply pump station will be required when development is approximately 80% complete.
- b. A wastewater master plan needs to be developed to determine the type of wastewater service that will be constructed in the Highfield ODP area. New wastewater main(s) will be required from the Highfield ODP area to the Northcote Collector on Main North Road, along Prestons Road and/or QEII Drive.

7. STAGING

- a. Prior to the approval of any subdivision north of the Transport Monitoring Line (TML) shown on the ODP construction of the following must commence:
 - i. Upgrading Prestons Road between the existing urban/rural boundary and the Hawkins/Hills Road intersection
 - ii. Formation of the collector road/Prestons Road intersection (including the provision of traffic signal infrastructure) and
 - iii. Upgrading the Main North Road intersection to better accommodate turning movements out of Prestons Road and right turn movements from Main North Road.
- b. Prior to the approval of any subdivision that creates the 400th residential allotment north of the TML construction on the installation of traffic signals at the Marshland Road/Prestons Road intersection must commence.

- c. Prior to the approval of any subdivision that creates the 750th residential allotment north of the TML construction on the installation of traffic signals at the Grimseys Road/Prestons Road intersection (or an alternative intersection treatment agreed with the Council) must commence.
- d. Hawkins Road is to be upgraded in conjunction with the establishment of any new road connections to Selkirk Place or Hawkins Road.
- e. Hills Road is to be upgraded in conjunction with the establishment of any new road connections to Hills Road. Upgrading to occur between QEII Drive and the new road connection until the establishment of the fifth connection, at which time the upgrading is to be completed between QEII Drive and Prestons Road.
- f. Once 1400 residential allotments have been granted consent in this RNN all subsequent subdivision applications for residential allotments must demonstrate that Level of Service E or better shall be achieved for the turn movements of the intersections identified in the table below. If construction of the Northern Arterial Motorway has commenced then these requirements shall not apply.

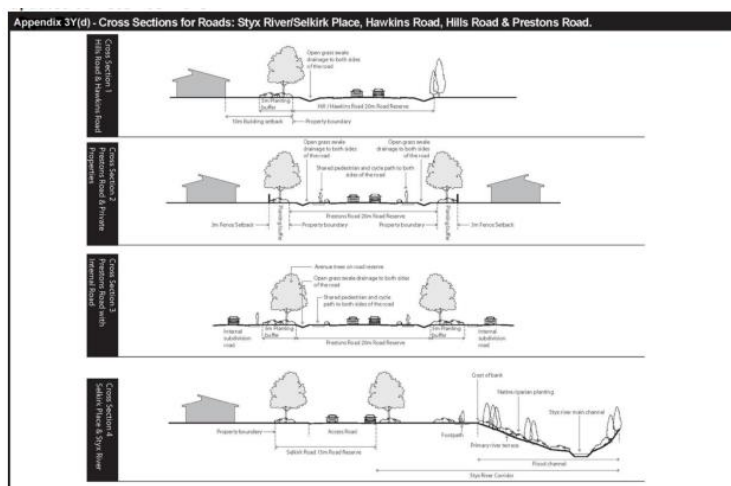
Intersection	Approach and Movement
Main North/Prestons	Main North Road - right turn. Prestons Road - left turn and right turn
Grimseys/Prestons	All movements
Collector road/Prestons	All movements (unless the traffic signals are already operational)
Hawkins/Hills/Prestons	All movements
Lower Styx/Hawkins/Marshland	Hawkins Road - all permitted movements. Marshlands road - right turn into Hawkins Road
Hills/QEII	Hills Road: left turn
QEII/Innes	QEII Drive: westbound through movement

- g. Concurrently or prior to the approval of any subdivision that includes part of Horners Stream, an engineering design concept for the realignment of Horners Stream (from its connection with Kruses Drain through to the Styx River) and an ecological assessment of the design at a conceptual level shall be provided to the Council for consideration for certification. Detailed engineering, landscape and ecological design for each section of the Stream is required at the time of subdivision consent.

8. ADDITIONAL SETBACK REQUIREMENTS

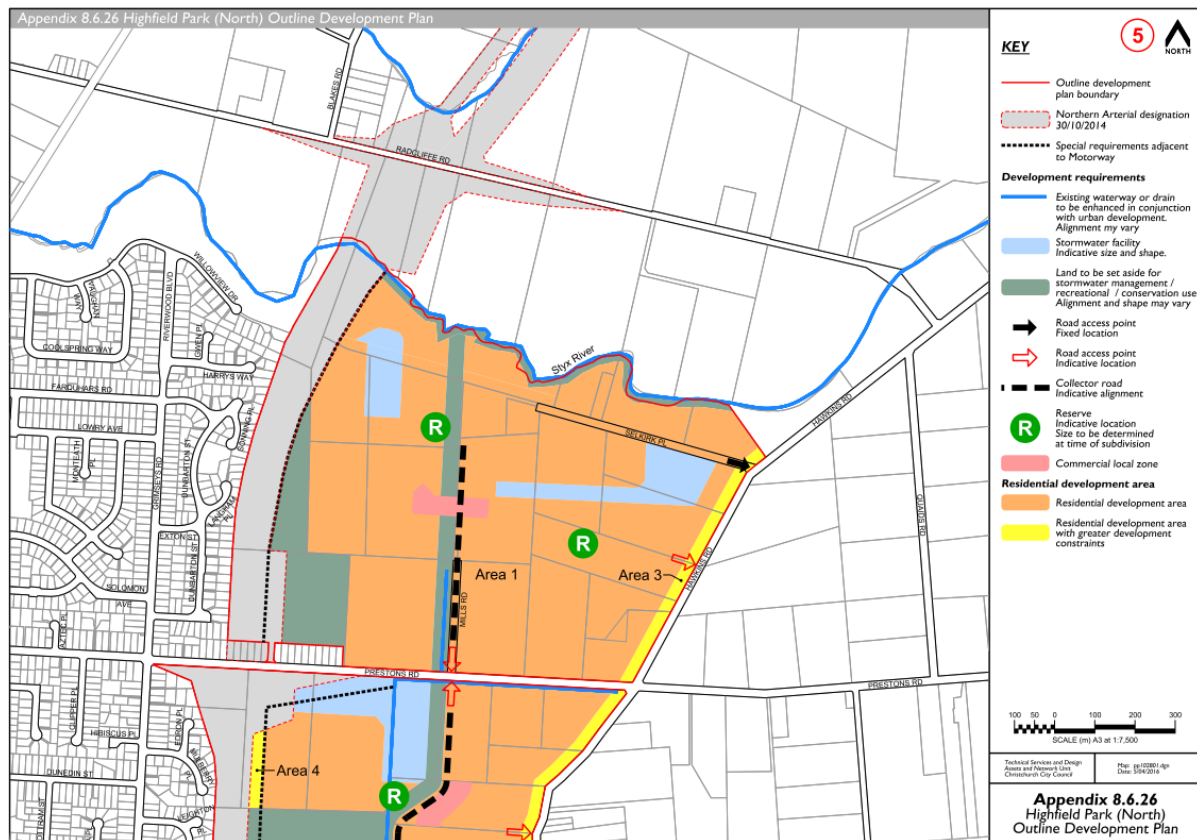
- a. Minimum building setback from Hills and Hawkins Road shall be 10m. The full length of the frontage of Hills Road and Hawkins Road shall be planted to a depth of 5m from the road.
- b. Where a rear boundary or side boundary of any land within a subdivision abuts a property not owned by the applicant (other than land owned by the Council or NZTA) prior to any earthworks or land improvement being undertaken associated with the subdivision, the entire boundary length shall be planted to a depth of 5m and shall only include plants as listed below. Ongoing maintenance of the planted strip shall be required through Consent Notices imposed by condition of subdivision consent to be registered on the Certificate of Title of all new allotments to be created by the subdivision which abut such boundaries.

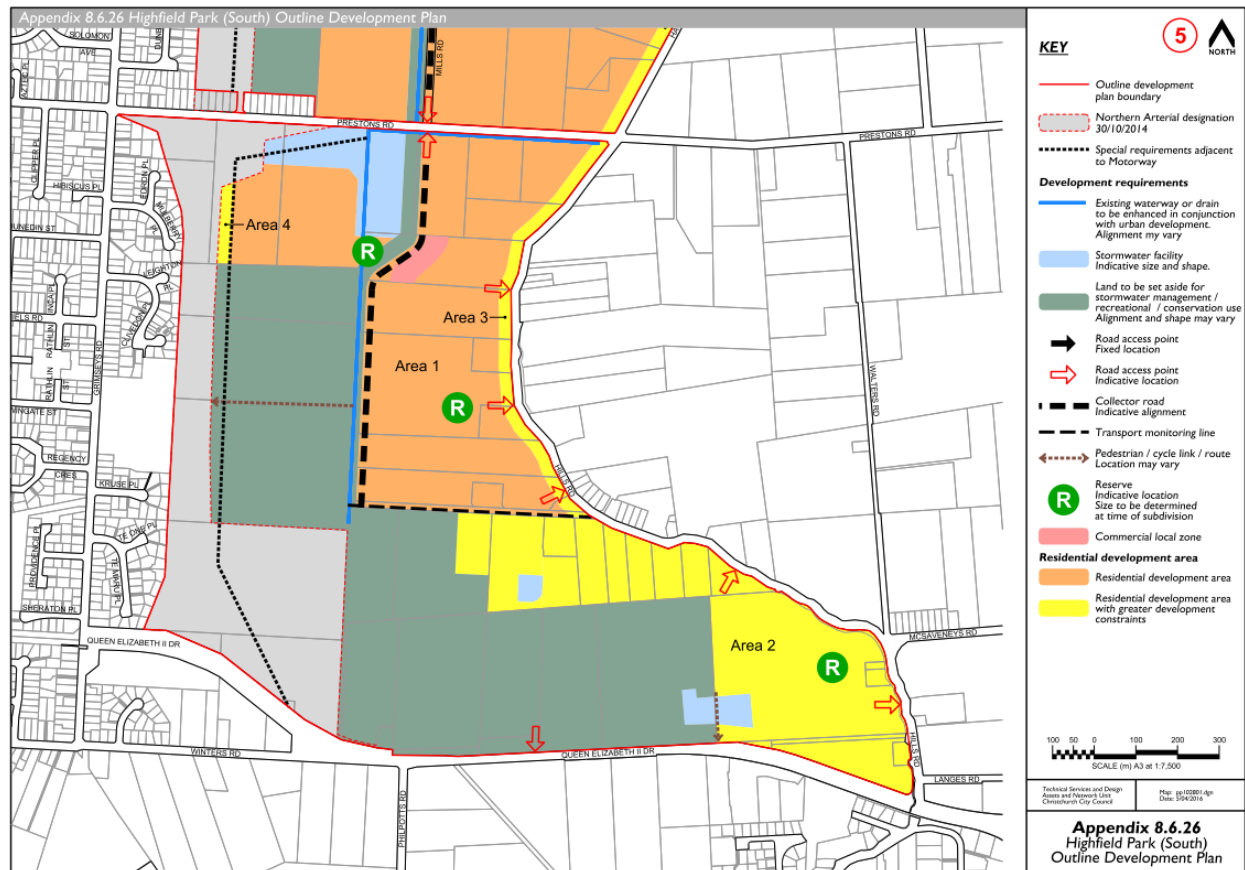
Diagram A: Road Cross sections for Styx River/Selkirk Place, Hawkins Road, Hills Road and Prestons Road.



A: Native Plants	
(i) Trees	(ii) Small tree and shrubs
<i>Alectryon excelsus</i> - ki	<i>Aristotelia serratus</i> - wineberry
<i>Cordyline australis</i> - cabbage tree	<i>Carpodetus serratus</i> - marbleleaf
<i>Dacrycarpus dacrydioides</i> - kaihikatea	<i>Coprosma areolata</i>
<i>Elaeocarpus dentatus</i> - hinau	<i>Coprosma linarifolia</i> - yellow-wood
<i>Elaeocarpus hookerianus</i> - pokaka	<i>Coprosma lucida</i> - shining karamu
<i>Pi oспорum eugenioides</i> - lemonwood	<i>Coprosma robusta</i> - karamu
<i>Plagianthus regus</i> - lowland ribbonwood	<i>Coprosma rotundifolia</i> - round leaved coprosma
<i>Podocarpus totora</i> - totora	<i>Fuchsia excorticata</i> - fuchsia
<i>Prumnopitys ferruginea</i> - miro	<i>Griselinia littoralis</i> - broadleaf
<i>Prumnopitys taxifolia</i> - matai	<i>Hedycarpa arborea</i> - pigeonwood
<i>Pseudopanax crassifolius</i> - lancewood	<i>Hoheria angustifolia</i> - lacebark
<i>Sophora microphylla</i> - kowhai	<i>Lophomyrtus obcordata</i> - NZ myrtle
	<i>Melicactus ramiflorus</i> - mahoe
	<i>Melicactus micranthus</i> - shrubby mahoe
	<i>Myrsine australis</i> - red mapau
	<i>Neomyrtus pedunculata</i>
	<i>Pennanthe corymbosa</i> - kaikomako
	<i>Pi oспорum tenuifolium</i> - kohuhu
	<i>Pseudopanax arboreus</i> - fivefinger
	<i>Pseudowintera colorata</i> - pepper tree
	<i>Strebus heterophyllus</i> - turepo
B: Exotic trees	
<i>Acer campestre</i> - field maple	<i>Platanus orientalis</i> - plane
<i>Acer negundo</i>	<i>Quercus coccinea</i> - scarlet oak

Alnus glu nosa - black alder	Quercus palustrus - pin oak
Alnus rubra - red alder	Quercus robur fas gata
Carpinus betulinus fas gata - upright hornbeam	Tilia cordata - lime
Liquidambar styraciflua - liquidamber	Prunus species - flowering cherries





APPENDIX 8.6.27**UPPER STYX OUTLINE DEVELOPMENT PLAN****8.6.27.A CONTEXT**

This area to the north west of Christchurch lies to the south of the Styx River, one of the primary natural features of Christchurch. Prior to European settlement, the extensive wetlands and easy access to the sea made the Styx an important area for mahinga kai (food gathering) and for the cultivation and harvesting of flax. There are numerous large trees and boundary and garden planting. The Styx River forms part of the northern boundary of the neighbourhood and Highsted Stream and a number of drains run through it. Tullet Park is near the centre of the neighbourhood, Harewood Park, Willowbank Wildlife Reserve and the extensive Styx Mill Conservation Reserve are located to the west and north. The existing residential areas of Casebrook, Redwood and Regents Park lie to the south and east. Cavendish Business Park is located immediately to the east of the RNN with a frontage to Cavendish Road. The western boundary of the ODP area is formed by the airport noise contour.

8.6.27.B GUIDANCE

Guidance on the means to achieve the development requirements and form and design elements is provided within the Christchurch City Council's New Neighbourhood Design Guide.

8.6.27.C DEVELOPMENT FORM AND DESIGN

The following design elements and features are relevant considerations in exercising control over the matters in 8.4.1.- 8.4.4 or the matters for discretion in 8.5. They are not requirements for the purposes of Rule 8.3.3.11(a) or Rule 14.9.3.16.

1. The main features of this area will be the waterways (Styx River and Highsted Stream), Tullet Park and its proximity to Styx Mill Conservation Reserve. Advantage can also be taken of existing trees and hedgerows to provide a sense of maturity and a connection with the past.
2. Where existing properties are to remain and where the RNN abuts properties in the Residential Suburban Zone larger section sizes and/or planting buffers adjacent to them may be required.
3. New development is to have an open and attractive interface with the Styx River corridor.
4. New development adjacent to the north western boundary should be to establish an appropriate interface with adjoining rural land.
5. Housing densities are to generally increase towards Tullet Park.
6. Higher density development may be appropriate opposite Cavendish Business Park and around the stormwater facilities.
7. There is a protected tree which is to be retained and its setting could be enhanced to provide a focal point for the local area.
8. There is potential for a commercial local centre on Claridges Road, opposite Tullet Park, to provide a focus for the development and support higher density areas.

8.6.26.D DEVELOPMENT REQUIREMENTS

The development requirements for the purposes of Rule 8.3.3.11(a) and Rule 14.9.3.16 are described below and shown on the accompanying plan.

1. INTEGRATION

- a. There are multiple land owners within this ODP area and a number of existing properties. Subdivision designs are to demonstrate good connectivity between different land ownership areas through road, open space and pedestrian and cycleway linkages.

- b. Development is to face onto Styx Mill Road, Cavendish Road, Claridges Road, Gardiners Road and Highsted Road.
- c. This edge of the neighbourhood will be visible across the river from the Styx Mill Conservation Reserve. As the reserve is intended to provide a wilderness experience, the subdivision design is to demonstrate how views of urban development from within the reserve can be minimised and where possible avoided.

2. OPEN SPACE, RECREATION AND COMMUNITY FACILITIES

- a. A recreational route between the Styx River corridor and Tullet Park, incorporating an enhanced and realigned Highsted Stream and new stormwater facilities.
- b. Three further community (neighbourhood) parks, two in the north and one in the south eastern part of the neighbourhood.
- c. An extension to Tullet Park.
- d. Continuation of the Styx "Source to Sea" reserve network along the river corridor.

3. ACCESS AND TRANSPORT

- a. A collector road running across the western side of the neighbourhood connecting Styx Mill Road and Claridges Road.
- b. A collector road running from Cavendish Road through the neighbourhood to Gardiners Road, forming crossroads with Highsted Road, a new north-south collector road (as in 3.a above) and Claridges Road. This road is to be capable of accommodating a bus route.
- c. A collector road running between Cavendish Road and a new north-south collector road (as in 3.a above).
- d. A fully interconnected local road network across the site that achieves a high level of accessibility for people, including opportunities for walking, cycling and public transport. This is to provide connections with Styx Mill Conservation Reserve, Tullet Park and existing roads.

4. STORMWATER

- a. A sustainable stormwater management solution for the neighbourhood integrated alongside open space reserves
- b. Enhancement of the habitat and ecological values of the Styx River and its margins in association with stormwater management and provision of reserves and to give effect to the Styx River/Purakaunui Area Stormwater Management Plan.
- c. Reconfiguration and enhancement of Highsted Stream to improve its capacity and functioning for stormwater management while ensuring habitat and ecological values are enhanced and developed
- d. Natural springs (if any) to be identified and safeguarded at the time of subdivision.

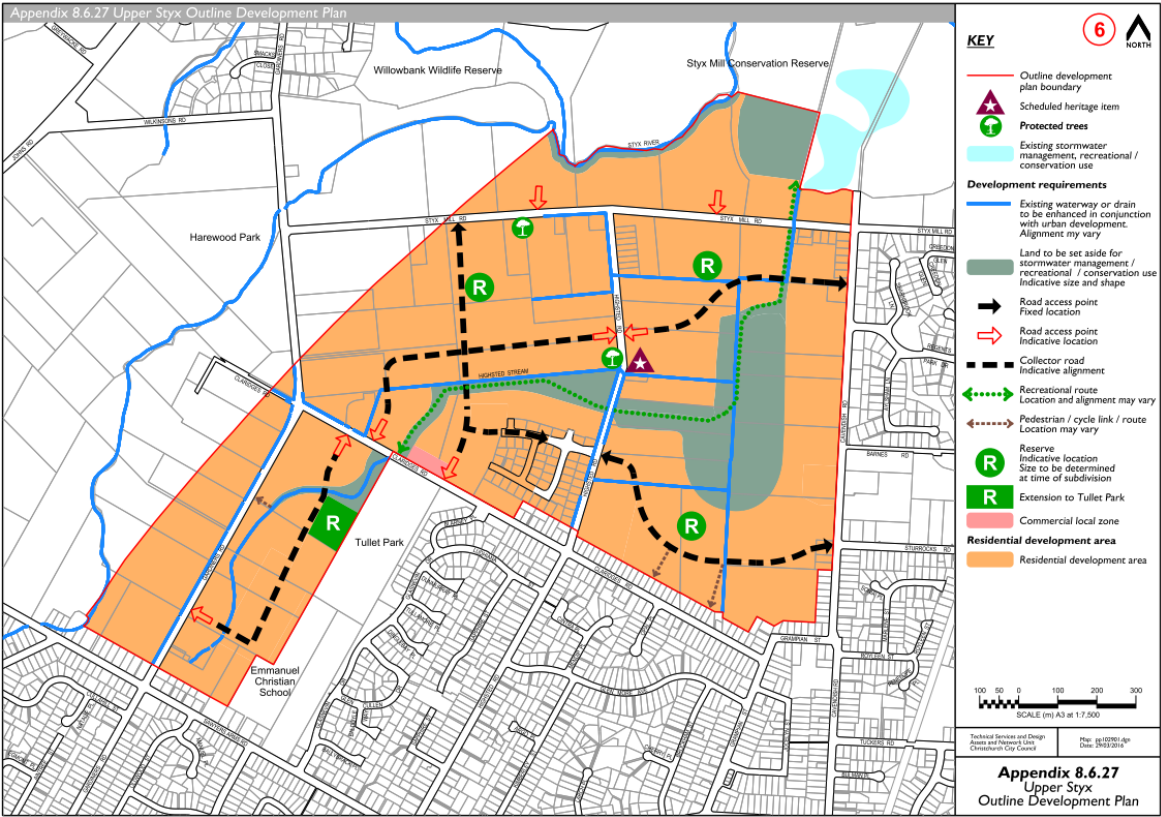
5. WATER AND WASTEWATER

- a. A water supply network, including the water supply main along the collector road.

- b. A pressure sewer network. Most of the area will discharge to the gravity main on Highsted Road. The properties on Cavendish Road will be serviced by a pressure sewer network, discharging to the gravity main on Cavendish Road.

6. STAGING

- a. There are no staging requirements beyond those relating to the provision of infrastructure.



APPENDIX 8.6.28**YALDHURST OUTLINE DEVELOPMENT PLAN****8.6.28.A CONTEXT**

Located on the north western outskirts of Christchurch this neighbourhood will integrate with and consolidate the established and developing residential community of Yaldhurst Masham, including Delamain to the south and Kintyre Estate and Broomfield to the east. Land is zoned for a Neighbourhood Centre adjacent to Yaldhurst Road. A creek runs along the southern boundary of the neighbourhood. High voltage distribution lines run through the neighbourhood. To the north is Christchurch International Airport and the 50DBA air noise contour affects the western part of the neighbourhood.

8.6.28.B GUIDANCE

Guidance on the means to achieve the development requirements and form and design elements is provided within the Christchurch City Council's New Neighbourhood Design Guide.

8.6.28.C DEVELOPMENT FORM AND DESIGN

The following design elements and features are relevant considerations in exercising control over the matters in 8.4.1 - 8.4.4 or the matters for discretion in 8.5. They are not requirements for the purposes of Rule 8.3.3.11(a) or Rule 14.9.3.16.

1. This new neighbourhood is to be established around the Neighbourhood Centre which will form a focus for the community. As with Delamain the collector Road (Jarnac Boulevard) will be the spine of the new neighbourhood and a key structuring element.
2. Two other distinguishing features of this neighbourhood will be the green corridor associated with the distribution lines and the creek.
3. Subdivision layouts will take advantage of recreational and amenity values, while at the same time limiting the impact of the distribution lines and pylons. This will require careful consideration of road alignments, pedestrian/cyclist access points, orientation of allotments and boundary treatments.
4. Subdivision layouts are to be designed to take advantage of views to rural land to the west.
5. The development is to retain an open and attractive interface with the adjoining open spaces.
6. All development is to provide a good interface with adjacent roads. This interface treatment should generally be consistent along the length of the road.
7. To help mitigate the impact of distribution lines, special interface treatments such as deeper allotments and boundary planting within allotments, is to be provided for adjacent allotments.

8.6.28.D DEVELOPMENT REQUIREMENTS

The development requirements for the purposes of Rule 8.3.3.11(a) and Rule 14.9.3.16 are described below and shown on the accompanying plan.

1. INTEGRATION

- a. There are multiple land owners within this ODP area and a number of existing properties. Subdivision designs are to provide for good connectivity between different land ownership areas through road, open space and pedestrian and cycleway linkages.
- b. Jarnac Boulevard will extend north through the site and connect the neighbourhood with Yaldhurst Road.

- c. Integration with the surrounding existing green network is required. This includes integration with Broomfield Common to the south, the distribution line corridor and a possible future District Park to the west.

2. DENSITY VARIATIONS

- a. Residential density types are defined on the Outline Development Plan map or on an approved subdivision consent plan.

3 OPEN SPACE, RECREATION AND COMMUNITY FACILITIES

- a. Provision of a high quality public open space corridor along the existing ‘creek’ and surface water channel alignments.
- b. A 20m wide landscape strip along SH73 to accommodate a range of functions including the following:
 - i. East/West cycle and pedestrian movements along SH73.
 - ii. On-site local vehicle access.
 - iii. Screen planting in order to ensure a high quality visual interface between the development and SH73.
 - iv. Ground/surface mounding, fencing and associated screen planting in order to reduce traffic noise from SH73.

4. ACCESS AND TRANSPORT

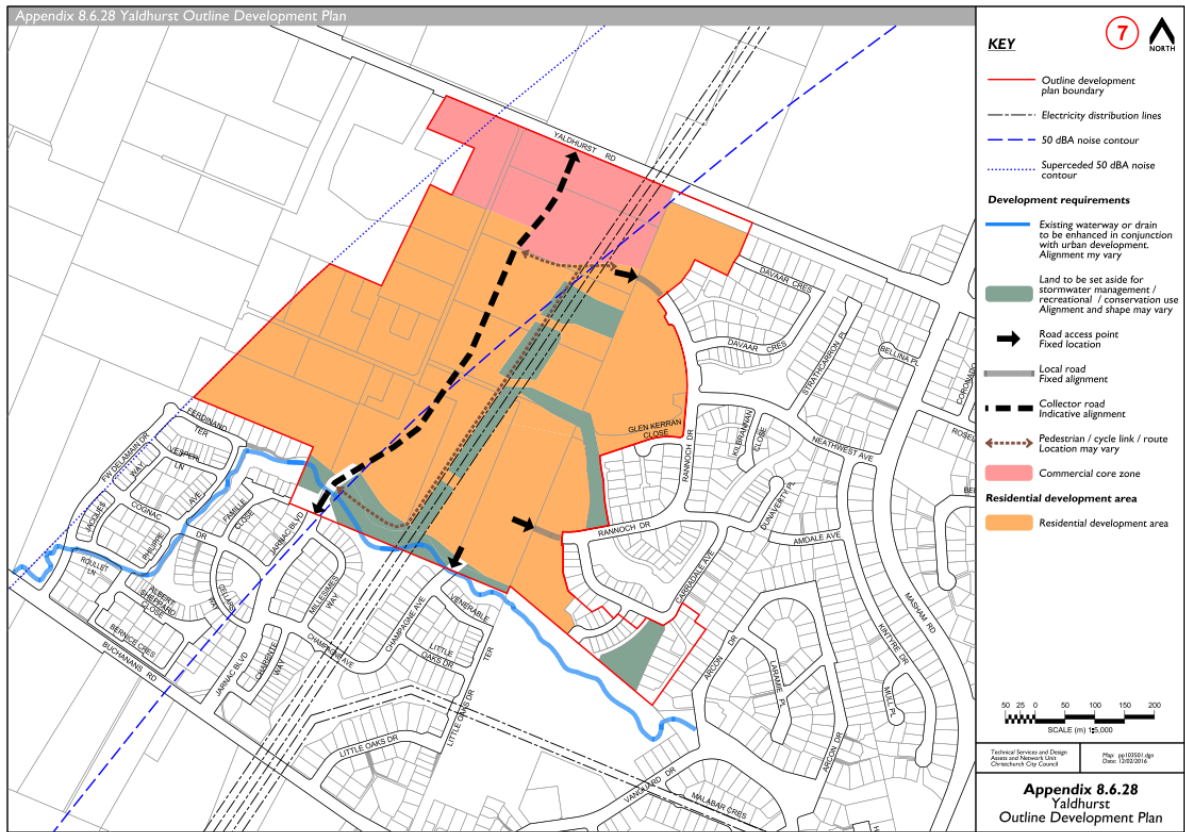
- a. A primary north-south collector road. This route should provide access off SH73 via a signalised intersection (located at no less than 600m from the Masham Rd / Yaldhurst SH73 intersection) and run south through the site (west of the existing distribution lines) to join with Jarnac Boulevard. This route to be capable of accommodating a bus route as well as access to adjacent properties.
- b. A fully interconnected local road network across the site that achieves a high level of accessibility for people, including opportunities for walking, cycling and public transport. Including two roads through the eastern part of the neighbourhood connecting with the collector road and linking in to both ends of Rannoch Drive to form a loop road.
- c. There shall be no road access or direct property access to Yaldhurst Road other than via the collector road.

5. STORMWATER

- a. An integrated stormwater management solution for the neighbourhood which combines both engineered techniques and low impact stormwater attenuation, in general accordance with the Living G (Yaldhurst) Surface Water Management System Operation and Maintenance Management Plan.
- b. All watercourses in the neighbourhood are to be integral components of the open space network.
- c. Existing creek alignments are to be retained and in some places widened, in order to help facilitate total stormwater detention across the site. The conveyance drainage network will feed to and utilise these alignments.
- d. Design and operation of the stormwater management system so as to reduce the potential for bird strike issues associated with the operation of Christchurch International Airport.

6. WATER AND WASTEWATER

- a. Existing water and wastewater mains will need to be extended to service the ODP area. It will be the developer's responsibility to construct the new water supply and wastewater mains.



APPENDIX 8.6.29**WIGRAM OUTLINE DEVELOPMENT PLAN****8.6.29.A CONTEXT**

The Wigram Outline Development Plan area is located on part of the former Wigram Aerodrome in the south west of the city. It is part of a larger neighbourhood developed under a former Living G zoning, known as Wigram Skies. This wider neighbourhood is characterised by substantial areas of conservation and open space and a commercial local centre, known as The Landing.

8.6.29.B GUIDANCE

Guidance on the means to achieve the development requirements and form and design elements is provided within the Christchurch City Council's New Neighbourhood Design Guide. Further background and guidance is provided in the South West Area Plan, Christchurch City Council, April 2009 <http://www.ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/plans/area-plans/south-west-area-plan/>

8.6.29.C DEVELOPMENT FORM AND DESIGN

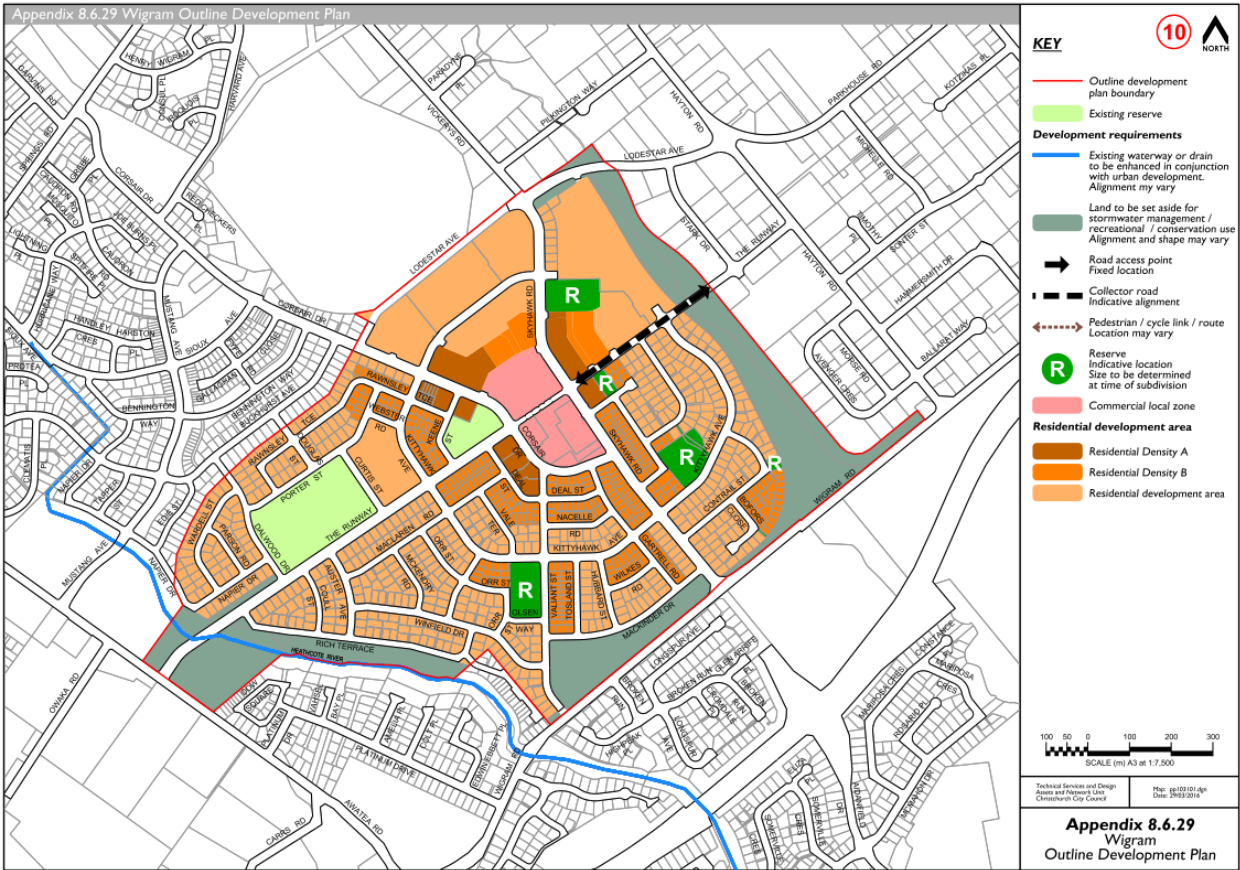
The following design elements and features are relevant considerations in exercising control over the matters in 8.4.1.- 8.4.4 or the matters for discretion in 8.5. They are not requirements for the purposes of Rule 8.3.3.11(a) or Rule 14.9.3.16.

1. A sense of place is to be continued from the adjoining Wigram Skies development which is centred around the former runway and a new town centre (The Landing) and acknowledges airforce associations, Tangata whenua values and enhancement of the Heathcote River and Haytons Drain.
2. The town centre provides a focal point for the wider community.
3. The town centre and its surrounds is to have a more prominent built form associated with higher density development. Buildings with elements of additional height have been encouraged in the town centre to reinforce its role as a visual and activity focal point for the community.

8.6.29.D DEVELOPMENT REQUIREMENTS

The development requirements for the purposes of Rule 8.3.3.11(a) and Rule 14.9.3.16 are described below and shown on the accompanying plan.

1. A linear community park along the north-eastern edge of the neighbourhood following Haytons drain. The open space will accommodate stormwater infrastructure and help form a buffer between the residential area and the industrial area. The provision of open space to accommodate Haytons drain will provide an opportunity to protect and enhance ecological and tangata whenua values and restore wildlife habitat.
2. Community (neighbourhood) parks well distributed throughout the neighbourhood.
3. A collector road along the route of the runway, completing The Runway road between Awatea Road and Haytons Road.
4. A stormwater management system to include swales and flow paths as well as detention/soakage facilities within the public open spaces linking and containing the Heathcote River and realigned Haytons Drain. All stormwater systems are to be designed in a manner which recognises the values important to tangata whenua particularly in regards to enhancing ecological values and water quality associated with the Heathcote River and Hayton Drain.
5. Residential density types are defined on the Outline Development Plan map or on an approved subdivision consent plan.



APPENDIX 8.6.30**AWATEA OUTLINE DEVELOPMENT PLAN****8.6.30.A CONTEXT**

Awatea has a history of early Maori occupation. The name Owaka Road, recognizes the traditional 'waka' link from Knights Stream to the Heathcote River. Awatea means: light or bright pathway. From the mid-nineteenth Century the area was farmed. McTeigues Road and Carrs Road were named after early landowners who formed the roads. The extensive Mahurangi Reserve, incorporating the Heathcote River corridor forms the northern boundary of the neighbourhood, while the western, southern and eastern boundaries are formed by Wilmers Road, Halswell Junction Road and Wigram Road respectively. The Christchurch Southern Motorway bisects the neighbourhood, separating it into two communities, which are referred to here as Area 1, north of the motorway and Area 2, south of the motorway. High voltage distribution lines cross the eastern section of Area 2. The Little River Link cycleway, alongside the motorway, traverses the neighbourhood. Warren Park lies immediately to the west and Westlake Reserve is located to the east.

8.6.30.B GUIDANCE

Guidance on the means to achieve the development requirements and form and design elements is provided within the Christchurch City Council's New Neighbourhood Design Guide. Further background and guidance is provided in the South West Area Plan, Christchurch City Council, April 2009 <http://www.ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/plans/area-plans/south-west-area-plan/>

8.6.30.C DEVELOPMENT FORM AND DESIGN

The following design elements and features are relevant considerations in exercising control over the matters in 8.4.1.- 8.4.4 or the matters for discretion in 8.5. They are not requirements for the purposes of Rule 8.3.3.11(a) or Rule 14.9.3.16.

1. Awatea is strategically located within the natural surface water system. The development of the neighbourhood provides the opportunity for better management of stormwater from the wider area.
2. New development is to be designed to take maximum advantage of Mahurangi Reserve and river corridor and Carrs Reserve, through providing visual and physical access to them for residents and the wider community. The Mahurangi Reserve will be the major feature of Area 1. The development of this neighbourhood provides the opportunity to acknowledge the traditional 'waka' link, along the river corridor and southwards towards Knights Stream. Area 2 has Carrs Reserve as its centrepiece.
3. A site on Awatea Road in the centre of Area 1 is zoned Commercial Local, allowing for a local centre to establish.
4. Development immediately adjacent to, or facing across a road to industrial zoned land or the motorway should be designed to provide a compatible boundary between the two uses. This may require a combination of larger section sizes, special building design and boundary planting.
5. Development is to face onto Wilmers Road, Owaka Road, Awatea Road and Wigram Road even where there is to be no direct property access to it.
6. New development is to have an open and attractive interface with all reserves in and adjoining the new neighbourhood.
7. Where existing properties or non-residential uses are to remain or distribution lines cross the residential area, larger section sizes and planting buffers adjacent to them, may be required.
8. Higher densities are anticipated in Area 1, around the junction of Awatea Road, Wigram Road and the motorway where Housing Accord developments are located. Higher densities are also appropriate close to collector roads, reserves, the local commercial centre or any other community facilities.
9. Landscaping and indigenous plantings that emphasise the cultural history of Awatea are to be incorporated into the subdivision design and reserve plantings. This includes the re-establishment of a section of the traditional Waka Trail where relevant.

10. There is potential for a pedestrian/cyclist overbridge between Carrs Road and Carrs Reserve to enhance and extend the connection to the Little River Cycleway.

8.6.30.D DEVELOPMENT REQUIREMENTS

The development requirements for the purposes of Rule 8.3.3.11(a) and Rule 14.9.3.16 are described below and shown on the accompanying plan.

1. INTEGRATION

- a. Awatea is surrounded by other residential neighbourhoods: Wigram, Westlake and Longhurst/Knights Stream. Convenient and safe access between these communities and their facilities and Awatea, for all users, is to be provided.
- b. There are multiple land owners within this ODP area and a number of existing properties. Subdivision designs will demonstrate good connectivity between different land ownership areas through road, open space and pedestrian and cycleway linkages.
- c. The boundary of Area 1, with industrial Zoned land and the motorway between Owaka Road and Carrs Road is to have a stormwater reserve of at least 10 metres wide, immediately north of the boundary, along its entire length.

2. OPEN SPACE, RECREATION AND COMMUNITY FACILITIES

- a. A network of open space, integrated with stormwater management facilities, connecting Warren Park, Mahurangi Reserve, Carrs Reserve, Westlake Reserve.

3. ACCESS AND TRANSPORT

- a. Collector roads running west to east through Area 1, between Awatea Road and Wigram Road and between Wilmers Road and Carrs Road and through Area 2 between McTeigue Road and Wigram Road. These are to be capable of accommodating a bus route.
- b. A fully interconnected local road network across the site that achieves a high level of accessibility for people, including opportunities for walking, cycling and public transport. This is to provide connections with Wilmers Road, Awatea Road, Wigram Road, Mc Teigue Road and Halswell Junction Road, which bound the neighbourhood as well as Owaka Road and Carrs Road within the neighbourhood. Access for pedestrians and cyclists is required to the local commercial centre and reserves within the neighbourhood as well as recreational and community facilities in neighbouring suburbs.
- c. Connections to the Little River Cycleway from the north and along Owaka Road.
- d. Vehicle Access, Area 1a - when a road connection from Rich Terrace becomes available any existing vehicle access point to Wigram Road shall be closed.

4. STORMWATER

- a. An overall stormwater infrastructure system has been designed. It is important that as development occurs, stormwater is controlled in a manner that accords with this overall design. All watercourses in the area are to be integral components of the open space network.

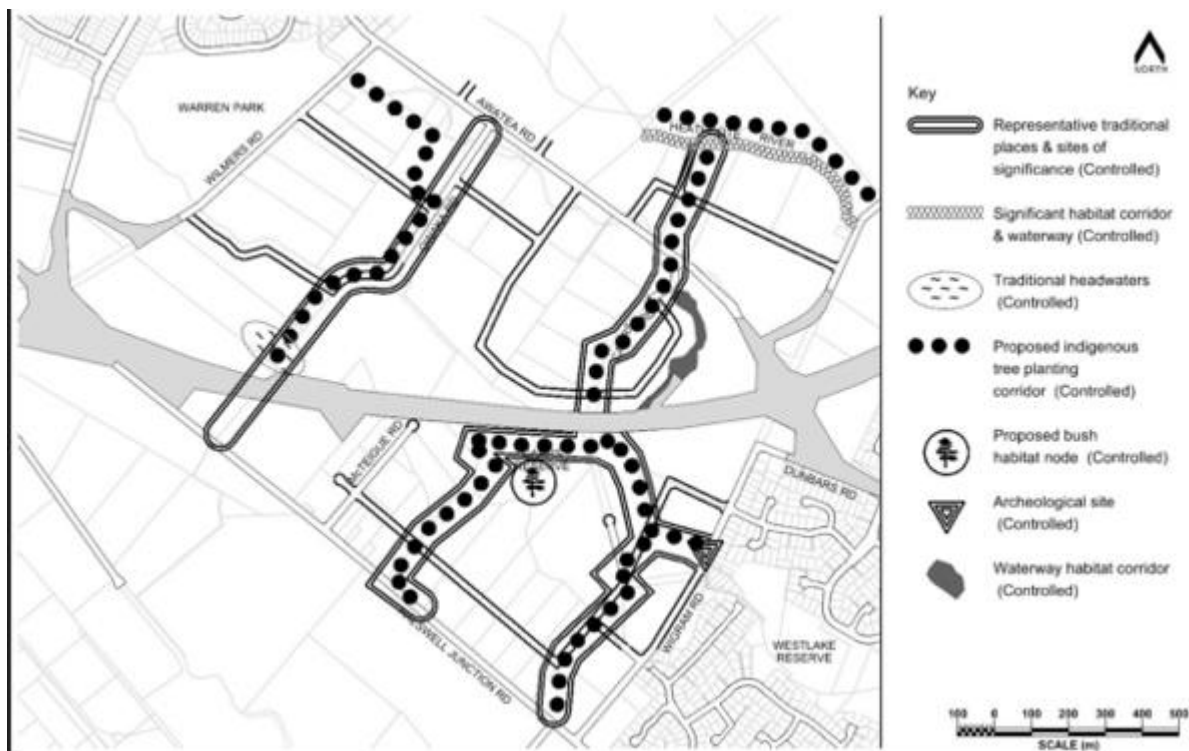
5. WATER AND WASTEWATER

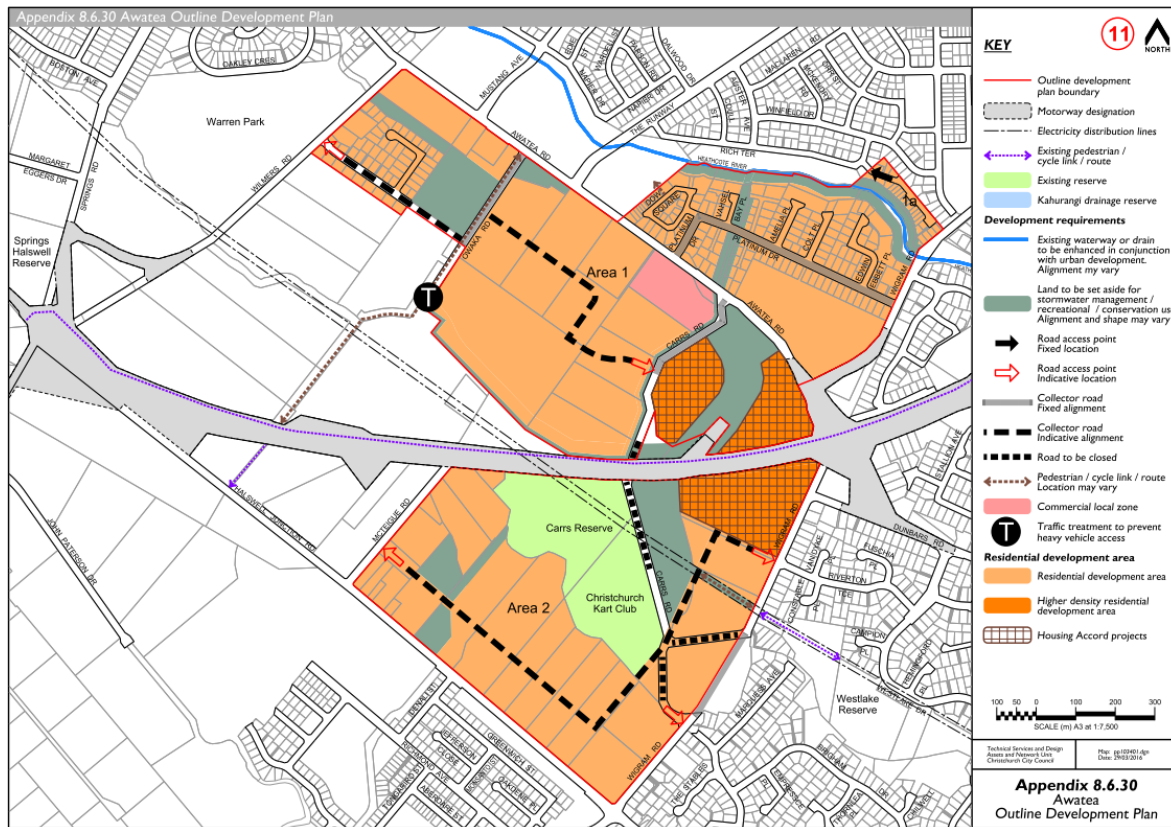
- a. Area 1, north of the motorway will be serviced by two connections to the water supply main on Awatea Road. Area 2, south of the motorway along Halswell Junction Road will be serviced by connections to the water supply main on Halswell Junction Road. New water supply mains along the collector roads will be required.
- b. Area 1 and 350, 396 and 410 Wigram Road is to be serviced by a gravity wastewater network with lift stations, discharging to the existing wastewater mains on Awatea Road. Some of the wastewater network has been constructed and this will need to be extended to service the remainder of the area.
- c. Area 2 (except for 350, 396 and 410 Wigram Road) is to be serviced by a gravity wastewater network, with a wastewater main from McTeigue Road, along the proposed collector road, discharging into the existing wastewater main on Halswell Junction Road. It will be the developer's responsibility to construct the new water supply and wastewater mains.

6. STAGING

- a. There are no staging requirements other than those relating to the Christchurch Kart Club (refer to Chapter 14 Rule 14.9.2.5 Non-complying activities NC3).

Awatea Outline Development Plan - Tangata Whenua layer





SCHEDULE 2

Table of submitters

This list has been prepared from the index of appearances recorded in the Transcript, and from the evidence and submitter statements shown on the Independent Hearing Panel's website.

Submitter Name	Nº	Person	Expertise or Role if Witness	Filed/ Appeared
Christchurch City Council	2123	A Long	Planner	Filed/ Appeared
		A Matheson	Planner	Filed/ Appeared
		A Milne	Transportation Planner	Filed
		D Hogan	Planner	Filed/ Appeared
Horticulture New Zealand	2165	L Wharfe		Filed
Transpower New Zealand Limited	2218	A McLeod	Planner	Filed
Federated Farmers	2288	F Mackenzie		Filed/ Appeared
J Cook & D Brailsford Akaroa Civic Trust S Thompson	2241 2285 2418	J Cook		Filed/ Appeared
Keith Woodford	2314	K Woodford		Appeared
Diamond Harbour Community Association	2339	R Suggate		Appeared
Orion New Zealand Limited	2340	L Buttimore	Planner	Filed/ Appeared
		M Scheele	Planner	Filed/ Appeared
		S Watson	Network Asset Manager	Filed/ Appeared
Christchurch International Airport Limited	2348	M Bonis	Planner	Filed/ Appeared
Lyttelton/Mt Herbert Community Board	2354	P Smith		Appeared
Riccarton/Wigram Community Board	2363	M Mora and H Broughton		Appeared
Crown	2387	H Anderson	Planner	Filed
Te Rūnanga o Ngāi Tahu and ngā rūnanga	2458	L Murchison	Planner	Filed/ Appeared
University of Canterbury CPIT	2464 2269	M Scheele	Planner	Filed/ Appeared
Darryl Snook Kathryn Snook Kerrie and Antonio Rodrigues	2525 2533 2834	K Snook		Filed/ Appeared
Penny Hargreaves	2526	P Hargreaves		Filed/ Appeared
Trudo Wylaars	2534	M Wylaars		Filed/ Appeared
Barry Robertson	2566	B Robertson		Appeared
Raymond and Pauline McGuigan also 2788	2844	P McGuigan		Appeared