

## DISTRICT PLAN TEXT AMENDMENTS

Key:

For the purposes of this plan change, any unchanged text is shown as normal text or in **bold**, any text proposed to be added by the plan change is shown as **bold underlined** and text to be deleted as ~~**bold strikethrough**~~.

Text in **bold red underlined** is that from Schedule 3A of the Resource Management Act and must be included.

Text in green font identifies existing terms in Chapter 2 – Definitions. Where the proposed change contains a term defined in Chapter 2 – Definitions, the term is shown as **bold underlined text in green** and that to be deleted as ~~**bold strikethrough in green**~~. New definition in a proposed rule is **bold green text underlined in black**.

Text in purple is a plan change proposal subject to Council Decision.

Text in **purple shaded in grey** is a Plan Change Council Decision.

Text in **black/green shaded in grey** is a Council Decision subject to appeal.

Text highlighted in **red** is a note to amend before notification.

Text in blue font indicates links to other provisions in the district Plan and/or external documents. These will have pop-ups and links, respectively, in the on-line Christchurch District Plan.

## 8.7 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 8.5.1.2](#) and as set out for that matter below.

### 8.7.1 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 Ngāi Tahu cultural significance** identified in [Appendix 9.5.6](#), 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.

### 8.7.2 Conversion of tenure, alteration of cross leases, company leases and unit titles

- a. Whether each title or leased area has ~~**vehicle access**~~ **legal and physical access for vehicles and/or pedestrians to formed road**, and whether there is any decrease in formed width, **parking areas**, or manoeuvring areas which materially compromises function or safety.

- b. Whether each title or leased area has access to services.
- c. Whether any reduction in title or leased area ~~would be reduced in area or dimension in a manner which might result in a more than minor reduction in~~ materially compromises functionality or amenity in relation to outdoor living space, outdoor service space or outdoor storage area.
- 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 the site and on adjoining sites.

### **8.7.3 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.

### **8.7.4 General matters**

#### **8.7.4.1 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. Outside the Central City, 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, sites of Ngāi Tahu cultural significance identified in Appendix 9.5.6, or 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 **in the Future Urban Zone**, 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 **in the Future Urban Zone**.
- i. The extent to which conditions are appropriate on a **subdivision** consent in a **Residential New Neighbourhood Future Urban** 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 Future Urban** Zone is designed in accordance with the principles in **8.8.9 Residential New Neighbourhood Future Urban** Zone.
- k. In zones other than the **Residential New Neighbourhood Future Urban** 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. Outside the **Central City**, 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. Outside the **Central City**, 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 Future Urban** Zone, the means of achieving overall **outline development plan** densities as required by **Policy 8.2.2.87**, including the adequacy of any legal mechanism proposed to give effect to a density transfer or density staging proposal.
- o. Outside the **Central City**, where the **allotment** 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. Outside the **Central City**, 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)**.
- r. Where the **subdivision** is of land which includes a **Site of Ngāi Tahu Cultural Significance** identified in **Appendix 9.5.6**, the matters set out in **Rule 9.5.5** as relevant to the site classification:
  - i. **Rule 9.5.5.1** - Wāhi Tapu / Wāhi Taonga, Mahaanui Iwi Management Plan Silent Files and Kaitōrete Spit;
  - ii. **Rule 9.5.5.2** - Ngā Tūranga Tūpuna; and

iii. [Rule 9.5.5.3](#) - Ngā Wai.

#### 8.7.4.2 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).

#### 8.7.4.3 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 [allotment](#) 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. Outside the [Central City](#), 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. Outside the [Central City](#), the extent to which the construction or erection of [utilities](#) for servicing a [site](#) incorporate and/or plant appropriate [indigenous vegetation](#).
- f. Outside the [Central City](#), whether any proposed ponding area will be attractive to birdlife that might pose a [birdstrike](#) risk to the operation of Christchurch International Airport Limited.
- g. Outside the [Central City](#), 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 Future Urban~~ 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 Future Urban~~ 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.
- o. Whether wastewater disposal and stormwater management systems recognise the cultural significance of Ngā Wai sites of Ngāi Tahu cultural significance identified in Schedule 9.5.6.4, and do not create additional demand to discharge directly to Ngā Wai.

#### 8.7.4.4 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, cycle ways 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 cycle way 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 Future Urban** 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 Future Urban** 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.

#### **8.7.4.5 Open space, reserves and recreation (including esplanade reserves, strips or additional land)**

- a. Outside the **Central City**:
  - i. 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.
  - ii. The degree to which the **subdivision** encourages active frontages to **reserves** for open space and recreation purposes.
  - iii. The provision and/or width of an **esplanade reserve** or esplanade strip.
  - iv. 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**.
  - v. Any impact of **subdivision** works on land for open space and recreation, on **sites** or areas of cultural value to tangata whenua, or on waterways, **springs, sites of Ngāi Tahu cultural significance** identified in **Appendix 9.5.6, indigenous biodiversity**, mahinga kai and the coastline.
  - vi. 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:
    - A. 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;
    - B. a linkage or potential linkage along or to significant natural features, or between other areas of **public open space** and **community facilities**;
    - C. protection and enhancement of significant mature trees, significant areas of **indigenous vegetation**, margins of waterways or other significant natural features;
    - D. protection or enhancement of historic or cultural features of significance to the population;
    - E. a usable area of open space for planting as visual relief from a built or highly developed environment;
    - F. 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**;

- G. recognition of Ngāi Tahu cultural values, and historic and contemporary identity associated with **sites of Ngāi Tahu cultural significance** identified in [Appendix 9.5.6](#); and
  - H. smaller sized public spaces that allow for community interaction, including seating and planted areas.
- vii. Whether appropriate mechanisms are in place to ensure the maintenance of open space areas and **reserves** not being vested in **Council**.
  - viii. The extent to which conditions are appropriate on a **subdivision** in a **Residential New Neighbourhood Future Urban** Zone in order to give effect to the development requirements specified in the relevant **outline development plan**.
  - ix. In zones other than the **Residential New Neighbourhood Future Urban** 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**.

#### 8.7.4.6 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 extent to which the **subdivision** enables the retention of **archaeological sites**.
- h. The manner in which the **subdivision** responds to values provided for in Chapter 9 (Natural and Cultural Heritage), including any requirement for a consent notice where a condition is to be complied with on a continuing basis.
- i. In relation to the removal of consent notices created through **subdivision** to protect trees whether the effect on **amenity values** can be offset by other trees on or surrounding the **site** or the replacement of the tree or trees with appropriate species on-site or other appropriate locations. The appropriateness of species will include consideration of the time required for any new trees to reach a size where the negative impact of tree removal would be offset.

- j. In relation to the Industrial General Zone (North Belfast) only, whether a protocol has been agreed with Te Ngāi Tūāhuriri Rūnanga for managing any accidental discovery. This may include a cultural monitor, who shall be a representative approved by Te Ngāi Tūāhuriri Rūnanga and contracted by the applicant to be on-site if deemed necessary by the Rūnanga.
- k. Where the **subdivision** is of land which includes a **Site of Ngāi Tahu Cultural Significance** identified in **Appendix 9.5.6**, the matters set out in **Rule 9.5.5** as relevant to the site classification:
  - i. **Rule 9.5.5.1** - Wāhi Tapu / Wāhi Taonga, Mahaanui Iwi Management Plan Silent Files and Kaitōrete Spit;
  - ii. **Rule 9.5.5.2** - Ngā Tūranga Tūpuna; and
  - iii. **Rule 9.5.5.3** - Ngā Wai.

#### **8.7.4.7 Consent notices**

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

#### **8.7.5 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 16.8.2** 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 16.8.2**, whether the application is accompanied by a landscape plan for:



- A. the area of land identified the Chapter 16 [Appendix 16.8.2](#) 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 16.8.2](#) if planting in full accordance with [Appendix 16.8.2](#) 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 16.4.2.6](#) (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 16.8.2](#);
  - 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 16.8.2](#)
- 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.

### **8.7.6 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 [Council's 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.

### **8.7.7 Additional matters — coastal environment and Ngā Wai - Te Tai o Mahaanui**

- 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 [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, or sites of historical significance.
- j. The effects of any development on public access to and along the landward boundary of the coastal marine area.
- k. The effects of any development on the natural character of the coastal environment.
- l. The effects of any development on [historic heritage](#) within the coastal environment.
- m. The effects of any development on [sites of Ngāi Tahu cultural significance](#) identified in [Appendix 9.5.6](#).
- n. The matters set out in [Rule 9.5.5.3](#) in relation to Ngā Wai - Te Tai o Mahaanui [sites of Ngāi Tahu cultural significance](#) identified in [Schedule 9.5.6.4](#).

### **8.7.8 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.

### **8.7.9 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 development 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 development plan.

#### **8.7.10 Additional matters — Cashmere and Worsleys Development Plan area**

- a. Whether upgrades to the **road** network and **access** restrictions shown on the development plan are necessary, including:
  - i. Whether **access** onto Shalamar Drive from the development plan should be restricted.
  - ii. Whether Worsleys Road should be realigned in accordance with the "Required Roads" shown in [Appendix 8.10.76](#).
  - iii. Whether the Hoon Hay, Cashmere and Worsleys Roads intersection requires upgrading (refer to [Appendix 8.10.76](#)).

#### **8.7.11 Additional matters — Moncks Spur Development Plan area**

- a. Whether upgrades to the **road** network and **access** restrictions shown on the 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.

#### **8.7.12 Tree canopy cover and financial contributions**

- a. **For subdivision within any residential zone in the Christchurch City area of the Christchurch District that is outside a new greenfield residential subdivision or a brownfield site subject to comprehensive residential development where:**
  - i. **new roads have been / will be created; and**
  - ii. **where one or more allotments contains or is able to contain a ground floor residential unit, whether permitted or approved by a resource consent, or for which land use resource consent is being concurrently sought,**

**whether a minimum tree canopy cover of 20% of the development site area shall be provided on each allotment/development site in accordance with Rule 6.10A.**
- b. **For subdivision within any residential zone in the Christchurch City area of the Christchurch District that is a new greenfield residential subdivision or a brownfield site subject to comprehensive residential development where:**
  - i. **new roads have been / will be created; and**

- ii. where one or more allotments contains or is able to contain a ground floor residential unit, whether permitted or approved by a resource consent, or for which land use resource consent is being concurrently sought,

whether a minimum tree canopy cover of 20% of the development site area shall be provided on each allotment/development site, and an additional tree canopy cover equivalent to 15% of the road corridor area shall be provided in the future road corridor/s in accordance with Rule 6.10A.

- c. Where the required tree canopy cover is not provided in full or in part, whether financial contributions, as set out in Rule 6.10A.4, are paid in lieu of tree planting prior to the issue of a certificate pursuant to section 224 of the Resource Management Act 1991.

### **8.7.13 Additional matters — Medium and High Density Residential Zones in North Halswell**

- a. The extent to which the subdivision addresses the matters in 8.10.4.C DEVELOPMENT FORM AND DESIGN ii and v- x.

## **8.8 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 8.5.1.3 and as are set out for those matters in Rule 8.8 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 8.5.1.3 and as are set out for those matters in Rule 8.7 (matters of control to be treated as matters of discretion) and Rule 8.8 below.

### **8.8.1 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 Ngāi Tahu cultural significance identified in Appendix 9.5.6, 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.

### 8.8.2 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.

### 8.8.3 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**.

### 8.8.4 Service lanes, cycle ways and pedestrian access ways

- a. Whether **service lanes**, **cycle ways** 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 **cycle way** or pedestrian **access way** encourages active modes of transport, including to **community facilities**.
- d. Whether **service lanes**, **cycle ways** 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**.

### 8.8.5 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**;
  - vi. any **sites of Ngāi Tahu cultural significance** identified in [Appendix 9.5.6](#).
- 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

### 8.8.6 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).
- j. In the **Central City**, the extent to which innovative solutions to reduce the extent of stormwater run-off are appropriate and the functionality of those solutions.

Advice note:

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.

### **8.8.7 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**.

### **8.8.8 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 Future Urban 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.

## **8.8.9 Additional matters — ~~Residential New Neighbourhood~~ Future Urban Zone**

### **8.8.9.1 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~~ **Future Urban Zone** 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.

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

- a. Whether the **subdivision** provides **allotments** that will enable diversity of housing types.
- b. Whether the **subdivision** provides **allotments** that are orientated to provide for solar gain.
- c. 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.
- d. Whether the **subdivision** locates larger **allotments** on **corner sites** to provide for larger scale **building** typologies to assist neighbourhood legibility.

- e. 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.
- f. Whether the **subdivision** provides **allotments** that retain the central areas of blocks for open space or shared **vehicle accesses**.
- g. Whether the **subdivision** provides an **allotments** pattern that will promote complementary housing typologies to protect the privacy and outlook of adjacent **sites** and existing residential properties.
- h. Whether the **subdivision** provides an **allotments** pattern that will promote a consistent built interface with the street and minimises the use of rear **allotments**.

### 8.8.9.3 Movement networks

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

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

- a. Whether the **subdivision** provides **public open space** that can incorporate large scale tree planting, and low impact design features.
- b. 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.
- c. Whether the **subdivision** promotes a cohesive street scene and neighbourhood.

### 8.8.10 Conversion of tenure, alteration of cross leases, company leases and unit titles

- a. Whether each title or leased area has ~~vehicle access~~ **legal and physical access for vehicles and/or pedestrians to formed road**, and whether there is any decrease in formed width, **parking areas**, or manoeuvring areas which materially compromises function or safety.
- b. Whether each title or leased area has access to services.
- c. Whether any **reduction in** title or leased area ~~would be reduced in area or dimension in a manner which might result in a more than minor reduction in~~ **materially compromises** functionality **or amenity** in relation to **outdoor living space, outdoor service space or outdoor storage area**.
- 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**.

### **8.8.11 Allotment net site 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, **sites of Ngāi Tahu cultural significance** identified in **Appendix 9.5.6**, or 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**.
- g. Where the subdivision is located in the **High Density Residential Zone Residential Central City Zone**, and does not meet the minimum site density requirement in **Rule 14.6.2.11**, whether it is demonstrated that a net **density yield** of 50 households per hectare can be achieved through other mechanisms, or the site has qualities that mean the density requirements cannot be met.

### **8.8.12 Natural and cultural heritage**

- a. Where the **subdivision** is of land which includes a significant tree listed in **Appendix 9.4.7.1**:
  - i. The extent to which the **subdivision** pattern has regard to the location of the significant tree, its health and structural integrity, and its contribution to community amenity;
  - ii. The extent to which the **allotment boundaries** avoid the **drip-line-tree protection zone radius** of the significant tree; and
  - iii. The effects of any proposed **impervious surfaces** on the health and viability of the significant tree, including soil aeration and hydrological balance.
- b. Where the **subdivision** is of land which includes a **heritage item** or **heritage setting** listed in **Appendix 9.3.7.2**:
  - i. The extent to which the **subdivision** has regard to, or is likely to detract from, the **heritage values** of the **heritage item** or **heritage setting**, or adversely affect the likely retention **and use or adaptive reuse** of the **heritage item**;

- ii. The extent to which **heritage items** or **heritage settings** are to be integrated into the future development of the land being subdivided;
  - iii. **Any measures relevant to the subdivision included in a conservation plan; and Whether the proposal is supported by an expert heritage report(s) which provides for the ongoing retention, use or adaptive reuse, conservation and maintenance of the heritage item and heritage setting.**
  - iv. Any relevant matters of discretion set out in [Rule 9.3.6.1](#).
- c. Where the **subdivision** is of land which includes a Site of Ecological Significance listed in Schedule A of [Appendix 9.1.6.1](#):
- i. The extent to which the **subdivision** has regard to, or is likely to detract from, the significance of the site (with respect to ecosystems and **indigenous biodiversity**), or adversely affect the protection of its **indigenous biodiversity**;
  - ii. The effects of any proposed **impervious surfaces** on the health and viability of **indigenous vegetation** and the supporting ecosystem, including soil aeration and hydrological balance; and
  - iii. Any relevant matters of discretion set out in [Rule 9.1.5.2](#).
- d. Where the **subdivision** is of land which includes:
- i. an Outstanding Natural Feature or Outstanding Natural Landscape identified in [Appendices 9.2.9.2.1](#) and [9.2.9.2.2](#);
  - ii. a Significant Feature (within the **Central City**) identified in [Appendix 9.2.9.2.3](#);
  - iii. a Rural Amenity Landscape (other than in **Banks Peninsula**) identified in [Appendix 9.2.9.2.4](#);
  - iv. an Area of Outstanding, or High and Very High, Natural Character in the Coastal Environment identified in [Appendices 9.2.9.2.7](#) and [9.2.9.2.8](#); or
  - v. an Important Ridgeline identified on the planning maps:
    - A. The extent to which the **subdivision** has regard to, or is likely to adversely affect, the qualities of the above areas, as specified in [Appendix 9.2.9](#);
    - B. The impacts of any likely future development, as a result of the **subdivision**, on the qualities of the above areas, as specified in [Appendix 9.2.9](#);
    - C. If any developable **allotment** is created within an Outstanding Natural Feature or Outstanding Natural Landscape, the effectiveness of any proposed mitigation or design elements with reference to the existing character of the locality and **amenity values**;
    - D. The practicality and effectiveness of screening any development or associated **road** or **access** (outside the **Central City**);
    - E. Whether the natural character of the coastal environment and **historic heritage** within the coastal environment is preserved and enhanced;
    - F. Within the coastal environment, whether public access to and along the landward boundary of the coastal marine area is maintained and enhanced; and
    - G. Any relevant matters of discretion set out in [Rule 9.2.8.1](#), [9.2.8.2](#) and [9.2.8.3](#).

- e. The Summit Road (Canterbury) Protection Act 2002, in respect of any **landscaping** or screening in the area that this Act applies to.
- f. Where the **subdivision** is of land which includes a **Site of Ngāi Tahu Cultural Significance** identified in **Appendix 9.5.6**, the matters set out in **Rule 9.5.5** as relevant to the site classification:
  - i. **Rule 9.5.5.1** - Wāhi Tapu / Wāhi Taonga, Mahaanui Iwi Management Plan Silent Files and Kaitōrete Spit;
  - ii. **Rule 9.5.5.2** - Ngā Tūranga Tūpuna; and
  - iii. **Rule 9.5.5.3** - Ngā Wai.
- g. Where the **subdivision** is of land within the Akaroa Heritage Area, the matters set out in **Rule 9.3.6.3**.
- h. Any requirement for a consent notice where a condition is to be complied with on a continuing basis.
- i. In relation to the removal of a consent notice created through **subdivision** to protect trees:
  - i. Whether the tree or group of trees is assessed as significant and/or exceptional in accordance with **Policy 9.4.2.2.1 a. - c.**;
  - ii. Whether the tree is structurally sound and healthy for its species;
  - iii. Whether the tree or group of trees meets any of the exceptions set out in **Policy 9.4.2.2.1 d.**, irrespective of whether or not the tree or group of trees has been assessed as significant and/or exceptional;
  - iv. Whether the removal of tree(s) will enable residential development in areas where intensification can occur;
  - v. Whether there are alternatives which would enable retention of any significant or exceptional tree; and
  - vi. Whether the tree or group of trees is adversely affecting a network **utility** or other **utility**.

### **8.8.13 All rural zones**

- a. In considering whether or not to grant **subdivision** consent, the **Council** shall have regard to the matters in **Rule 8.7.6** Additional matters - rural zones.

### **8.8.14 Natural and cultural heritage – Industrial General Zone (North Belfast)**

- a. The extent to which **sites of Ngāi Tahu cultural significance** identified in **Appendix 9.5.6**, wāhi tapu and wāhi taonga including waipuna, are protected, and the effects of **subdivision** on Ngāi Tahu, ecological and **amenity values** are avoided, remedied or mitigated. This may be through the design and layout proposed for **subdivision** and/or **earthworks**.
- b. The extent to which the **subdivision** and/or **earthworks** provides for pathways for the water to flow from the **spring** head that have regard to any existing natural flow path.

- c. Whether a protocol has been agreed with Te Ngāi Tūāhuriri Rūnanga for managing any accidental discovery. This may include a cultural monitor who shall be a representative approved by Te Ngāi Tūāhuriri Rūnanga and contracted by the applicant to be on-site if deemed necessary by the Rūnanga.

## **8.8.15 Residential New Neighbourhood Future Urban Zone Outline Development Plans - ~~(North Halswell)~~ ~~(Meadowlands Exemplar Overlay)~~ East Papanui**

### **8.8.15.1 Place making, context, and heritage**

- a. Whether the **subdivision**, **site** and **building** design and **allotment** layout:
- i. addresses the existing context, including retention of natural and built features, adjacent patterns of development and potential visual and physical connections;
  - ii. creates a distinctive identity;
  - iii. distributes **allotments** for higher density **building** typologies to support community and retail facilities and public transport, and create a critical mass of activity and focus;
  - iv. locates larger **allotments** on **corner sites** to provide for larger scale multi **residential unit building** typologies that address adjacent streets and open spaces and assist neighbourhood legibility;
  - v. provides public and private space, including communal space that is usable and **accessible**, incorporates large scale tree planting, and low impact design features;
  - vi. responds to, and complements the design and layout of adjacent blocks, streets and open spaces;
  - vii. has dimensions and an orientation which provide for efficient **vehicle access** and parking, including **garage** spaces, that is safe for pedestrians and cyclists, and does not compromise the quality of current or future public or private space;
  - viii. promotes **building** typologies that protect the privacy and outlook of adjacent **sites**;
  - ix. promotes **building** typologies that retain the central area of the block for open space or shared **vehicle access**; and
  - x. minimises the use of rear **allotments** and long cul-de-sacs.
- b. Whether in relation to Spreydon Lodge the:
- i. use of the lodge and its curtilage is compatible with its heritage values, including **historic heritage** trees, whilst enabling its viable economic use, as informed by advice from:
    - A. a historian or architectural historian as part of the comprehensive **subdivision** and land use consent application;
    - B. a qualified arborist to determine the age, health, species, historical and scientific significance of the trees.

### **8.8.15.2 Building typology, mix, and location**

- a. Whether there is a sufficient mix of the following **residential unit** types:

- i. **standalone house**; and
  - ii. **duplex**; and
  - iii. **terrace**; and
  - iv. **apartment**;
- b. Whether **residential unit** typologies are integrated with other typologies across the block to provide a cohesive street scene and neighbourhood, and good levels of privacy and daylight.
- c. Whether the distribution of **residential unit** typologies across the development complements and supports the location of **community facilities** provided as part of the comprehensive **subdivision** and land use consent application.
- d. Whether the location of **residential units** (including location of **residential units**) to the edge of the block, and/or the location of **terrace** dwellings parallel to the street:
- i. address and provide surveillance to the street;
  - ii. protect privacy of adjacent neighbours;
  - iii. protect and enhance private back yards and planting opportunities at scale; and
  - iv. allow for the comprehensive management of **vehicle access** and car parking.
- e. Whether multiunit, multi-storey **building** typologies are located at **corner sites** in order to:
- i. improve way finding and distinction of streets;
  - ii. enable orientation of the **building** toward both adjacent streets in a manner which emphasises these corners;
  - iii. utilise the increased access to light and outlook provided by the street edges; and
  - iv. provide efficient **site access** for vehicles and pedestrians.
- f. Whether an appropriate **building** typology is located on an appropriate **site** to achieve a balance of open space to **buildings** across the block and on the **site** and which provides for:
- i. tree and garden planting;
  - ii. pedestrian and **vehicle access**;
  - iii. a high level of visual interaction between the **building** and street or other public space;
  - iv. single level typologies on larger **sites** and smaller houses on smaller **sites**; and
  - v. minimisation of **building** footprint and hard surfaces.
- g. Whether **garages** and parking are secondary to **habitable spaces**, both with respect to size and expression of form, and are incorporated into the overall **site** and **building** design especially when accessed off streets.

### **8.8.15.3 Relationship to street and public open spaces**

- a. Whether the **subdivision** design:

- i. provides **allotments**, which enable the construction of **buildings**, that provide **habitable rooms** and front entrances which address the street, open space or **reserves** that are adjacent to or opposite the **allotment**;
- ii. minimises the visual dominance, of **access** on the streetscape or adjacent open space;
- iii. avoids **allotments** which necessitate the erection of bunds or large visually impermeable fencing adjacent to the street, lane or other publicly **accessible** open space to create privacy;
- iv. ensures there is sufficient tree and garden planting particularly in regard to **road frontage**, **building** entrances, **boundaries**, **accesses** car parking and stormwater management areas to visually soften the built form and associated areas of paving ; and
- v. ensures that **building setbacks** provide for variety and amenity in the streetscape, recognising the orientation of the street, while reducing **building** dominance.

#### **8.8.15.4 Fences between residential units and the road boundary**

- a. Whether any fences constructed in the space between the **road boundary** and the **residential unit** will adversely affect surveillance of the street from the ground floor glazing in the **residential unit**.

#### **8.8.15.5 Road network access and parking**

- a. Whether:
  - i. direct **access** on to State Highways, other than **access** in accordance with the Outline Development Plan in [Appendix 8.10.4](#), would result in adverse effects on the safety or efficiency of the State Highway;
  - ii. the **road**, cycle and pedestrian features integrate in a practical and functional manner with the **adjoining** existing **road** network, cycle, and pedestrian routes and allows for future connections to the wider neighbourhood;
  - iii. the **road** layout and width within the comprehensive development area achieves a safe, well connected, multi modal, and highly permeable movement network and supports a functional hierarchy of streets with appropriate **public transport facilities**;
  - iv. any reduction in legal **road** width or **road reserve** is balanced with private and/or public space amenity, including large scale tree planting;
  - v. the design defines the identity, entry point, and function of lanes through:
    - A. shared vehicle and pedestrian **access** with no defined footpath;
    - B. variation in lane clearway through design by tightening, extending and terminating views within a lane;
    - C. a consistent character; and
    - D. the use of landscape treatment including changes in paving material and tree and garden planting; and
  - vi. on-site parking, **access** and driveways are safe and efficient for residents and visitors.



### 8.8.15.6 Infrastructure

- a. Whether appropriate provision is made for the ongoing maintenance of any open space areas not vested in the Council and the appropriateness of any mechanism proposed to ensure that open space areas not vested in the Council are available for public access.
- b. Whether the requirements set out by network utility operators in relevant guidelines are met so as to ensure:
  - i. network infrastructure can be operated safely and efficiently;
  - ii. access is available for maintenance;
  - iii. buildings are not erected within the minimum safe distances specified in Table 3 of New Zealand Electrical Code of Practice 34:2001; and
  - iv. the planting of trees is not inconsistent with the Electricity (Hazards from Trees) Regulations 2003.
- c. Whether the proposed subdivision provides a quality and appropriate interface with existing or proposed non-road infrastructure, including network infrastructure, and avoids reverse sensitivity in relation to that infrastructure.
- d. Whether a reticulated sewer can be installed to the development allotments without the need for more than one waste water pumping station within the development area.
- e. Whether the provisions of the Council's Infrastructure Design Standard and / or Construction Specification Standard are met.
- f. Whether stormwater management features such as soil absorption, sedimentation and detention basins, rain gardens, swales, trapped sumps, first flush basins, wetlands or wet ponds contribute to an integrated naturalised surface water network, including the road stormwater treatment design.
- g. Whether the proposed surface water management systems are consistent with or otherwise achieve the outcomes anticipated by the relevant Council Stormwater Management Plans and / or Integrated Catchment Management Plans and / or any planned surface water works for the South West of Christchurch.
- h. Whether the proposals for the enhancement of aesthetic and environmental values of artificial drains adequately provides for the establishment of a more natural channel form, and indigenous re-vegetation.
- i. Whether there is sufficient capacity available in the Council's surface water network to cater for discharges from the development.
- j. Whether adverse effects of the proposal on groundwater, surface water, mahinga kai, or drainage to, or from, adjoining land can be avoided or mitigated.
- k. Whether adverse effects on the functioning or values of the existing network of drains, springs, waterways and ponding areas can be avoided or mitigated.
- l. Whether the provision for, and protection of, the flood storage and conveyance capacity of waterways is adequate.
- m. Whether the proposal appropriately utilises the existing or proposed topography, including open waterway systems, and proposed networks to convey surface water by way of gravity systems.

- n. Whether appropriate and safe access for maintenance of surface water infrastructure is provided.
- o. Whether the proposals to control erosion and sediment during the construction phase of works is adequate, and the extent to which these proposals comply with local and regional guidelines.
- p. Whether it is necessary or appropriate to require any easements, consent notices, or local purpose reserves.
- q. Whether there are adverse effects on public health and how these can be avoided and mitigated.
- r. Whether the works appropriately incorporate indigenous vegetation which reflects Ngai Tahu's history and identity associated with the land, taking into account the ability of particular species to manage stormwater.
- s. Whether a management plan has been developed that demonstrates there will be ongoing operation and maintenance of the stormwater.
- t. Whether all allotments have an approved connection to reticulated sewer, stormwater, and water networks and the capacity to connect to electrical and telecommunication networks.

#### ~~8.8.15.7 Compliance with the Outline Development Plan~~

- ~~a. Whether the departure from the layout in the outline development plan is appropriate taking into account:
 
  - ~~i. the overall vision and intent as expressed in the Neighbourhood Plan; and~~
  - ~~ii. any actual or potential impact on the delivery of integrated infrastructure including road, water, wastewater, stormwater and open space across the whole outline development plan area.~~~~

#### **8.8.15.87 Water supply for fire-fighting**

- a. Whether sufficient fire fighting water supply is provided so as to ensure the health and safety of the community, including neighbouring properties, is provided.

#### **8.8.15.98 Outdoor Living space**

- a. Whether the level, location or configuration of outdoor living space will provide for the needs of occupants, taking into account:
- b. In relation to the amount of outdoor living space:
  - i. provision of publicly available space on, or in close proximity to, the site to meet the needs of occupants now and in the future;
  - ii. the size of the residential unit serviced by the space and the demands of the likely number of occupants now and in the future; and
  - iii. compensation by alternative space within buildings with access to ample sunlight and fresh air.
- c. In relation to the location and configuration of outdoor living space:

- i. allocation between private and communal **outdoor living spaces** within the **site** to meet the current and future needs of occupants of the **site**;
- ii. easy **accessibility** of **outdoor living space** to all occupants of the **site**;
- iii. design of communal space to clearly signal that it is for communal use and meets the needs of occupants and provides a high level of residential amenity;
- iv. the adverse effects of any additional loss of mature on-site vegetation and/or spaciousness of the area.

#### **8.8.15.109 Service, storage, and waste management spaces**

- a. Whether, there is sufficient useful and functional service, waste management, and storage space, taking into account:
  - i. the adequacy of the amount of space to store rubbish and recycling, whether communal, outdoor or indoor;
  - ii. the adequacy of the volume of space provided for personal storage;
  - iii. the convenience of the location of rubbish and recycling space for residents;
  - iv. how the lack of screening of any **outdoor service space** will adversely affect the visual amenity within the **site** and of any **adjoining site**, activity, or the street scene;
  - v. the size and flexibility of the **residential unit** layout to provide other indoor storage options where an indoor storage space is not provided for each unit; and
  - vi. the adequacy, **accessibility** and convenience of alternative storage areas provided on the **site** where indoor storage space is not provided for each **residential unit** .

#### **8.8.15.110 Minimum unit size**

- a. Whether the unit size is appropriate taking into account:
  - i. the floorspace available and the internal layout and their ability to support the amenity of current and future occupants;
  - ii. other on-site factors that would compensate for a reduction in unit sizes e.g. communal facilities;
  - iii. scale of adverse effects associated with a minor reduction in size in the context of the overall residential complex on the **site**; and
  - iv. any social housing requirements.

#### ~~**8.8.15.12 Consistency with the statement of commitment to exemplar housing**~~

- a. ~~Whether the comprehensive **subdivision** and land use consent is consistent with the "Meadowlands An Exemplar Housing Development Statement of Commitment" as approved by the **Council** on 24 April 2014.~~

### **8.8.15.131 Height, minimum and maximum storeys**

- a. Whether the increased height intrusion would result in buildings that:
  - i. remain compatible with the scale of other buildings anticipated in the area; or
  - ii. do not compromise the amenity of adjacent properties;  
taking into account:
    - A. The visual dominance of proposed buildings on the outlook from adjacent sites, roads and public open space in the surrounding area, which is out of character with the local environment;
    - B. Overshadowing of adjoining sites internal and external living spaces;
    - C. Any potential loss of sunlight admission to internal living spaces in winter with regard to energy utilisation;
    - D. Any loss of privacy through being over-looked from neighbouring buildings;
    - E. Whether development on the adjoining site, such as large building setbacks, location of outdoor living spaces, or separation by land used for vehicle access, reduces the need for protection of adjoining site from overshadowing;
    - F. The ability to mitigate any adverse effects of height breaches through increased separation distances between the building and adjoining site, the provision of screening or any other methods; and
- b. Whether any additional stories within the 11m height limit would create unduly confined spaces with limited usability.
- c. Whether there is an inappropriate step change in heights between the Key Activity Centre and the exemplar area.

### **8.8.12 Additional matters – Subdivision around residential units within the Medium and High Density Residential Zones**

- a. The effects of non-compliance with the permitted density standard(s) not being met.

### **8.8.13 Additional matters – Subdivision in the Medium and High Density Residential Zones at North Halswell**

- a. The matters of control in 8.7.13, and
- b. The extent to which the subdivision design integrates with the requirements of the adjacent North Halswell ODP in Appendix 8.10.4 and provides for good connectivity between different land ownership areas through road, open space and pedestrian and cycle way linkages.

## 8.9 Rules — Earthworks

### 8.9.1 Notification

- a. Any application arising from non-compliance with standards in [Rule 8.9.2](#) may be limited notified, but shall not be publicly notified. Applications arising from [Rule 8.9.2.5 NC1](#) will be notified to Transpower New Zealand Limited or Orion New Zealand Limited (where relevant) (absent written approval).

Advice note:

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.

### 8.9.2 Activity status tables

#### 8.9.2.1 Permitted activities - earthworks

- a. The activities listed below are permitted activities if they meet the activity standards set out in the following table.
- b. Activities may also be controlled, restricted discretionary, discretionary, non-complying or prohibited as specified in Rules [8.9.2.2](#), [8.9.2.3](#), [8.9.2.4](#), [8.9.2.5](#) and [8.9.2.6](#).

Activity		Activity Standard
P1	<a href="#">Earthworks</a> :	a. <a href="#">Earthworks</a> shall not exceed the volumes in Table 9

Activity	Activity Standard
<p>a. not for the purpose of the repair of land used for residential purposes and damaged by earthquakes; and</p> <p>b. if in the Industrial General Zone (North Belfast), greater than 20 metres from:</p> <p>i. the surveyed point of the <b>spring</b> identified on the Outline Development Plan in <b>Appendix 16.8.5</b>; or</p> <p>ii. any <b>spring</b> not identified on the Outline Development Plan in <b>Appendix 16.8.5</b>, and which is within the area identified as Stormwater Management Area 1 on the <b>outline development plan</b> but not within Lots 5, 6 and 7 DP 71209, in which case the setback shall be measured from the head or heads of the <b>spring</b> where visible.</p> <p>Advice note:</p> <p>1. Chapter 5 contains additional requirements for <b>earthworks</b> within <b>Flood Management Areas</b> and <b>Flood Ponding Management Areas</b>.</p> <p>2. Refer to P2 for <b>earthworks</b> for the purpose of the repair of land used for residential purposes and damaged by earthquakes</p>	<p>over any 12 month time period.</p> <p>b. <b>Earthworks</b> in zones listed in Table 9 shall not exceed a maximum depth of 0.6m, other than in relation to <b>farming, quarrying activities</b> or permitted <b>education activities</b>.</p> <p>c. <b>Earthworks</b> shall not occur on land which has a gradient that is steeper than 1 in 6.</p> <p>d. <b>Earthworks</b> 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 <b>Council</b> from a suitably qualified and experienced chartered or registered engineer.</p> <p>e. <b>Earthworks</b> involving mechanical or illuminating equipment shall not be undertaken outside the hours of 07:00 – 19:00 in a Residential Zone.</p> <p>Advice note:</p> <p>1. Between the hours 07:00 and 19:00, the noise standards in Chapter 6 <b>Rule 6.1.5.2</b> and the light spill standards at Chapter 6 <b>Rule 6.3.6</b> both apply.</p> <p>f. <b>Earthworks</b> involving mechanical equipment, other than in residential zones, shall not occur outside the hours of 07:00 and 22:00 except where compliant with <b>NZS6803:1999</b>.</p> <p>Advice note:</p> <p>1. Between the hours of 07:00 and 22:00, the noise standards in Chapter 6 <b>Rule 6.1.5.2</b> apply except where NZS6803.1999 is complied with, and the light spill standards in Chapter 6 <b>Rule 6.3.6</b> apply.</p> <p>g. <b>Filling</b> shall consist of <b>clean fill</b>.</p> <p>h. The activity standards listed in <b>Rule 8.9.2.1</b> P3, P4 and P5.</p> <p>i. <b><u>Where <del>E</del>earthworks shall not occur within 5 metres of a <b>heritage item</b>, or within the footprint of a <b>heritage item</b> which is otherwise subject to exemption 8.9.3 a. iv., or above the volumes contained in Table 9 within a <b>heritage setting</b> listed in <b>Appendix 9.3.7.2</b>, details of temporary protection measures to be put in place to mitigate potential physical effects on the <b>heritage item</b> must be provided to <b>Council's</b> Heritage team for</u></b></p>

Activity		Activity Standard
		<p><b><u>comment at least 5 working days prior to the works commencing.</u></b></p> <p>j. In the Industrial General Zone (North Belfast): Activity Standards in <a href="#">Rule 8.6.14</a>.</p> <p><b>Advice notes:</b></p> <ol style="list-style-type: none"> <li><a href="#">The Erosion and Sediment Control Guidelines</a> (prepared by Environment Canterbury) may be of assistance in terms of the design and location of any filter.</li> <li><a href="#">The Natural Resources Regional Plan and Land and Water Regional Plan</a> include provisions for <b>earthworks</b> in riparian margins and the Port Hills respectively and provisions in relation to dust control.</li> <li>The <a href="#">Council's Water Supply, Wastewater and Stormwater Bylaw 2014</a> applies.</li> </ol>
<p><b>P2</b></p>	<p>a. <b>Earthworks</b> for the purpose of the repair of land used for residential purposes and damaged by earthquakes:</p> <ol style="list-style-type: none"> <li>outside a <b>Flood Management Area</b> (including outside the Te Waihora/Lake Ellesmere and Wairewa/Lake Forsyth <b>Flood Management Areas</b>); and</li> <li>outside of the Port Hills and <b>Banks Peninsula</b>; but</li> <li>including all other residential land whether or not an EQC payment has been made and residential land which was unimproved when damage occurred.</li> </ol> <p>Advice note:</p> <ol style="list-style-type: none"> <li><a href="#">Rule 5.4.4</a> in Chapter 5 applies to <b>earthworks</b> for the</li> </ol>	<p>a. The <b>earthworks</b> shall:</p> <ol style="list-style-type: none"> <li>only occur in a zone listed in Table 10 Earthworks for the purpose of land repair; and</li> <li>be commenced prior to the expiry of this rule on 31 December 2018.</li> </ol> <p>b. Where the land repair and <b>earthworks</b> are not designed, supervised or certified by a Chartered Professional Engineer with experience in geotechnical engineering or Professional Engineering Geologist (IPENZ Registered), any <b>filling, excavation or disturbance of soils</b> shall not exceed the requirements of Table 10.</p> <p>c. Where the land repair and <b>earthworks</b> are designed, supervised and certified by a Chartered Professional Engineer with experience in geotechnical engineering or Professional Engineering Geologist (IPENZ Registered), any <b>earthworks</b> shall meet the following requirements:</p> <ol style="list-style-type: none"> <li>The <b>site</b> or part of the <b>site</b> shall not be located within a <b>Site of Ngāi Tahu Cultural Significance</b> identified in <a href="#">Schedule 9.5.6.1</a>.</li> <li>Not more than 80m<sup>3</sup> of <b>grout</b> shall be used per <b>site</b>.</li> <li>Land repair works involving <b>soil mixing, aggregate piers, or grout</b> shall not occur within 1.0m of a</li> </ol>

Activity	Activity Standard
<p>repair of land used for residential purposes damaged by earthquakes within <b>Flood Management Areas</b> in rural and residential zones.</p>	<p><b>boundary.</b></p> <p>iv. At least 3 working days prior to commencing any work on the <b>site</b> (including stockpiling and preparatory works):</p> <ul style="list-style-type: none"> <li>A. written notice shall be provided to the <b>Council</b> informing of the location of the land repair and the name and contact details of the supervising engineer;</li> <li>B. written notice shall be provided to any occupier of a <b>residential unit adjoining</b> the land repair <b>site</b> 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</li> <li>C. a <b>sign</b> shall be erected at the front of the property which includes the name and contact details of the site supervisor.</li> </ul> <p>v. A statement of professional opinion completed by a suitably qualified and experienced Chartered Professional Engineer with experience in geotechnical engineering or Professional Engineering Geologist (<b>IPENZ</b> Registered) shall be provided to the <b>Council</b> 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 <b>filling</b> above <b>ground level</b> shall meet the requirements for the repair of land damaged by earthquakes within <b>Flood Management Areas</b> as specified in <b>Chapter 5</b> (Natural Hazards).</p> <p>d. General standards:</p> <ul style="list-style-type: none"> <li>i. There shall be no <b>earthworks</b> within 5m of any <b>network waterway</b>.</li> </ul> <p><b>Advice note:</b></p> <ul style="list-style-type: none"> <li>1. Consent may be required from Canterbury Regional <b>Council</b> for <b>earthworks</b> 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.</li> </ul> <p>ii. <b>Earthworks</b> shall not occur:</p>



Activity	Activity Standard
	<ul style="list-style-type: none"> <li>A. within the <del>drip line</del> <b>tree protection zone radius</b> of a significant tree listed in <a href="#">Appendix 9.4.7.1</a>;</li> <li>B. within a Site of Ecological Significance listed in Schedule A of <a href="#">Appendix 9.1.6.1</a>; or</li> <li>C. at or within 5 metres of a <b>heritage item</b> listed in <a href="#">Appendix 9.3.7.2</a>.</li> </ul> <p>e. All <b>filling</b> 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>f. All land repair works are to be managed in accordance with <a href="#">New Zealand Standard NZS 6803:1999 Acoustics - Construction Noise</a> and DIN 4150 1999-02 Structural Vibration.</p> <p>g. Land repair works involving mixing or insertion of <b>grout</b>:</p> <ul style="list-style-type: none"> <li>i. shall not involve: <ul style="list-style-type: none"> <li>A. mixtures with a flow time that is greater than 30 seconds when tested in accordance with the <b>grout</b> flow test at <a href="#">NZS 3112: Part 1: 1986 (Test 3)</a> or a flowable concrete/<b>grout</b> including cement and inert additives which exceed a diameter of 300mm when tested in accordance with inverted cone test in <a href="#">NZS 3112: Part 1: 1986 (Test 11)</a> except for in situ mixing; or</li> <li>B. injection of <b>grout</b> into the ground at a pressure of more than 40 bar when measured at the pump.</li> </ul> </li> <li>ii. Where <b>grout</b> is deposited into land using in situ mixing the <b>grout</b> shall be mixed evenly through the augured soil column and the percentage of <b>grout</b> within the augured soil column shall not exceed 20%; or</li> <li>iii. Where <b>grout</b> is deposited into land using methods other than in situ mixing, the percentage of cement in the dry <b>grout</b> mixture shall not exceed 30%.</li> </ul> <p>h. Land repair materials:</p>

Activity	Activity Standard
	<ul style="list-style-type: none"> <li>i. shall consist only of:               <ul style="list-style-type: none"> <li>A. soil, gravel, rocks, concrete, sand, silt (such as exists on <b>site</b> already), or clean, inert material;</li> <li>B. cement and/or bentonite <b>grout</b> including inert additives; or</li> <li>C. timber foundation piles; and</li> </ul> </li> <li>ii. shall not:               <ul style="list-style-type: none"> <li>A. include or disturb putrescible, pollutant, inflammable or hazardous components; and/or</li> <li>B. include <b>filling</b> which comprises more than 5% vegetation of any load by volume.</li> </ul> </li> <li>i. Land repair works, other than dust and sediment control measures, shall not be undertaken outside of the hours of 07.30am to 18.00 Monday to Friday and 08:00 to 17:00 on Saturday. No works shall occur on public holidays.</li> <li>j. The activity standards listed in <a href="#">Rule 8.9.2.1</a> P3, P4 and P5.               <p><b>Advice note:</b></p> <ul style="list-style-type: none"> <li>1. The <a href="#">Erosion and Sediment Control Guidelines</a> (prepared by Environment Canterbury) may be of assistance in terms of the design and location of any filter.</li> <li>2. The <a href="#">Natural Resources Regional Plan</a> and <a href="#">Land and Water Regional Plan</a> include provisions for <b>earthworks</b> in riparian margins and the Port Hills respectively and also provisions in relation to dust control.</li> <li>3. The <a href="#">Council's Water Supply, Wastewater and Stormwater Bylaw 2014</a> is applicable.</li> </ul> </li> <li>k. In addition to the exemptions in <a href="#">Rule 8.9.3</a>, the following <b>earthworks</b> are exempt from compliance with the Standards for P2:               <ul style="list-style-type: none"> <li>i. Works involving the establishment, repair or replacement of any permitted <b>utilities</b> or the maintenance of existing drains or ponds by a <b>utility</b> operator.</li> <li>ii. Works permitted by or exempted from a building consent (including works forming part of</li> </ul> </li> </ul>

Activity	Activity Standard
	<p>foundations for a <b>building</b>) where:</p> <ul style="list-style-type: none"> <li>A. they meet the standards in Table 10 and (c)(vi) controlling depth of <b>filling</b> above <b>ground level</b> in <b>Flood Management Areas</b> (<b>Chapter 5</b> Natural Hazards); and</li> <li>B. they are designed, supervised and certified by a suitably qualified and experienced chartered geotechnical engineer, and</li> <li>C. they meet General standards (f)(i) and (f)(ii).</li> </ul> <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> <ul style="list-style-type: none"> <li>A. <b>Filling</b> or <b>excavation</b> associated with the maintenance of flood protection works.</li> <li>B. In the <b>Central City</b>, <b>filling</b> or <b>excavation</b> associated with the repair, maintenance, upgrade or construction of flood protection works undertaken or authorised by the <b>Council</b> or the Crown.</li> </ul> <p>l. For the avoidance of doubt, where the <b>earthworks</b> are associated with the repair of land used for residential purposes and damaged by earthquakes. <b>Rule 8.9.2.1</b> P2 applies alone and instead of other <b>earthworks</b> rules in <b>Rules 8.9.2.1 – 8.9.2.3</b> (other than RD2 if the activity standards for P2 are not complied with).</p> <p>m. Measurement of volume shall include only areas which have been disturbed, including by <b>filling</b>, <b>excavation</b>, <b>soil mixing</b> 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>n. For the purposes of this rule, the <b>building</b> consent platform extends to a maximum of 2.5m from the exterior wall of enclosed structures or from <b>support structures</b> of open structures.</p> <p>o. 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 <b>site boundary</b> for the purpose of the setback is the outer perimeter of the properties that are the subject of the land repair works.</p>

Activity	Activity Standard
	<p>Advice note:</p> <ol style="list-style-type: none"> <li>1. People intending to do land repair <b>earthworks</b> are responsible for complying with the <a href="#">Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011</a>. People should contact the <a href="#">Council</a> 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.</li> <li>2. Any vegetation removed during land repairs should not be replaced with pest species which are listed in Appendix 1 to the Christchurch City Council <a href="#">Infrastructure Design Standard</a> (Part 10).</li> </ol>
<p><b>P3</b></p> <p>a. <b>Earthworks</b> in the vicinity of the <b>National Grid</b>, except as otherwise specified in:</p> <ol style="list-style-type: none"> <li>i. <a href="#">Rule 8.9.2.2 C1</a>; and</li> <li>ii. <a href="#">Rule 8.9.2.3 RD1, RD3, RD4 and RD5</a>.</li> </ol>	<p>a. <b>Earthworks</b> within 12 metres of the centre line of a 110kV or a 220kV <b>National Grid transmission line</b> or within 10 metres of the centre line of a 66kV <b>National Grid transmission line</b> shall:</p> <ol style="list-style-type: none"> <li>i. be no deeper than 300mm within 6m of a <b>National grid transmission line support structure</b>; and</li> <li>ii. be no deeper than 3m: <ol style="list-style-type: none"> <li>A. between 6 and 12 metres from the foundation of a 110kV or a 220kV <b>National Grid transmission line support structure</b>; or</li> <li>B. between 6 and 10 metres from the foundation of a 66kV <b>National Grid transmission line support structure</b>; and</li> </ol> </li> <li>iii. not destabilise a <b>National Grid transmission line support structure</b>; and</li> <li>iv. not result in a reduction in the ground to conductor clearing distances below what is required by Table 4 in <a href="#">New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001)</a>, unless the requirements of Clause 2.2.3 of NZECP34:2001 are met.</li> </ol> <p>b. Activity standard a.i (above) shall not apply to:</p> <ol style="list-style-type: none"> <li>i. <b>earthworks</b> for a network <b>utility</b> as part of an <b>electricity transmission</b> activity;</li> <li>ii. <b>earthworks</b> undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing</li> </ol>

Activity	Activity Standard
	of a road, footpath, driveway or farm track.
<p><b>P4</b> a. Earthworks in the vicinity of a 66kV electricity distribution line, except as otherwise specified in:</p> <ul style="list-style-type: none"> <li>i. Rule 8.9.2.2 C1; and</li> <li>ii. Rule 8.9.2.3 RD1, RD3, RD4 and RD5.</li> </ul>	<p>a. Earthworks within 10 metres of the centre line of a 66kV electricity distribution line shall:</p> <ul style="list-style-type: none"> <li>i. 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</li> <li>ii. meet the following requirements: <ul style="list-style-type: none"> <li>A. be no deeper than 300mm within 6 metres of a foundation of a 66kV electricity distribution line support structure; and</li> <li>B. be no deeper than 3m between 6 and 10 metres from the foundation of a 66kV electricity distribution line support structure; and</li> <li>C. not destabilise an electricity distribution line support structure; and</li> <li>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.</li> </ul> </li> </ul> <p>b. Activity standard a.ii.A (above) shall not apply to:</p> <ul style="list-style-type: none"> <li>i. Earthworks for a network utility, as part of an electricity distribution activity;</li> <li>ii. Earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, drive or farm track.</li> </ul>
<p><b>P5</b> Earthworks in the vicinity of a 33kV electricity distribution line or the 11kV (Heathcote to Lyttelton) electricity distribution line, except as otherwise specified in Rule 8.9.2.3 RD1, RD4 and RD5.</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"> <li>i. meet the requirements of Clause 2.2.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34: 2001); or</li> <li>ii. meet the following requirements: <ul style="list-style-type: none"> <li>A. be no deeper than 300mm within 2.2 metres of a foundation of a 33kV and 11kV Heathcote to Lyttelton support structure; and</li> <li>B. be no deeper than 0.75m between 2.2 and</li> </ul> </li> </ul>

Activity	Activity Standard
	<p>5 metres from the foundation of a 33kV and 11kV Heathcote to Lyttelton <b>electricity distribution line support structure</b>; and</p> <p>C. not destabilise an <b>electricity distribution line support structure</b>; and</p> <p>D. not result in a reduction in the ground to conductor clearing distances below what is required by Table 4 in the <b>NZECP 34:2001</b>.</p> <p>b. Activity standard a.ii.A (above) shall not apply to:</p> <p>i. <b>Earthworks</b> for a network <b>utility</b>, as part of an <b>electricity distribution</b> activity;</p> <p>ii. <b>Earthworks</b> undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a <b>road</b>, footpath, drive or farm track.</p>

**Table 9: Maximum volumes – earthworks**

- a. The volume thresholds contained in Table 9 apply to both the amount of **filling** and the amount of **excavation**.
- b. Where a volume threshold in Table 9 is stated in m<sup>3</sup>/ha, this shall be applied as a ratio.
- c. Where zone and overlay thresholds differ, the lower volume threshold shall apply.

Zone / Overlay	Volume
d. Residential and Papakāinga/Kāinga Nohoanga	<ol style="list-style-type: none"> <li>i. All residential zones.</li> <li>ii. Māori land within the Papakāinga/Kāinga Nohoanga zone where sites have an area of 2000m<sup>2</sup> or less.</li> </ol>
e. Commercial / Industrial	i. <del>Commercial Local, Neighbourhood Centre</del> and Commercial Banks Peninsula Zones.
	ii. <del>Commercial Core, Local Centre, Town Centre, Commercial Office, Commercial Mixed use, Central City Mixed Use, Mixed Use (South Frame), Commercial Retail Park, Large Format Retail, Industrial General, Industrial Heavy and Industrial Park Zones.</del>

	iii. <del>Commercial Central City Business City Centre Zone</del>	200m <sup>3</sup> /ha
f. Rural and Papakāinga/Kāinga Nohoanga	<p>i. All rural zones and non-Māori land within the Papakāinga/Kāinga Nohoanga zone (excluding excavation and filling associated with quarrying activities)</p> <p>ii. Māori land within the Papakāinga/Kāinga Nohoanga zone where sites have an area of more than 2000m<sup>2</sup>.</p>	100m <sup>3</sup> /ha
g. Open Space	i. Open Space Metropolitan Facilities and Open Space McLeans Island Zones.	500m <sup>3</sup> /ha
	ii. Open Space Community Park Zones.	20m <sup>3</sup> /site
	iii. Open Space Natural and Open Space Water and Margins Zones (Refer to Rules 6.6.4 - 6.6.6 of Chapter 6 in relation to earthworks adjoining water bodies).	50m <sup>3</sup> /ha
	iv. Open Space Water and Margins Zone at Lake Ellesmere / Te Waihora and Lake Forsyth / Wairewa (Refer to Rules 6.6.4 - 6.6.6 of Chapter 6 in relation to earthworks adjoining water bodies).	10m <sup>3</sup> /ha
	v. Open Space Coastal Zone.	50m <sup>3</sup> /ha
	vi. Open Space Avon River Precinct (Te Papa Ōtākaro) Zone. Advice note: 1. This volume threshold applies outside the water body setback provided in Chapter 6.	50m <sup>3</sup> /ha
h. Specific Purpose	i. Specific Purpose (Hospital) Zone and Specific Purpose (Tertiary Education) Zone.	150m <sup>3</sup> /ha
	ii. Specific Purpose (Airport) Zone.	5000m <sup>3</sup> /ha
	iii. Specific Purpose (Cemetery) Zone.	20m <sup>3</sup> /site
	iv. Specific Purpose (Golf Resort) Zone.	20m <sup>3</sup> /site
	v. Specific Purpose (Flat Land Recovery) Zone.	50m <sup>3</sup> /ha
	vi. All other Specific Purpose Zones.	100m <sup>3</sup> /ha
i. Transport	i. Transport zone	No limit.
j. Overlays	i. Outstanding Natural Landscapes identified in Appendix 9.2.9.2.2	25m <sup>3</sup> /ha

	ii. Outstanding Natural Features identified in <a href="#">Appendix 9.2.9.2.1</a>	Nil
	iii. Areas of Outstanding, or High and Very High, Natural Character in the Coastal Environment identified in <a href="#">Appendices 9.2.9.2.7</a> and <a href="#">9.2.9.2.8</a>	25m <sup>3</sup> /ha
	iv. Sites of Ecological Significance listed in Schedule A of <a href="#">Appendix 9.1.6.1</a>	Nil
	v. Important Ridgelines identified on the planning maps	Nil
	vi. Significant Feature SF8.1 Otākaro / Avon River - East	Nil

Advice note:

1. [Chapter 5](#) manages [earthworks](#) within identified hazard areas. [Chapter 4](#) contains provisions relating to [contaminated land](#). [Chapter 6](#) manages [earthworks](#) within [water body setbacks](#) and within, and adjacent to Ngā Wai.



**Table 10: Earthworks for the purpose of land repair**

	Column A Max. Volume (Cumulative)	Column B Max. depth (m)	Column C Max. depth of filling (m) [below ground level]	Column D Filling above ground level	Column E Setback from site boundary
a. Central City Mixed Use and Residential Zones (except the Residential Hills Precinct and Residential Large Lot Residential 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 as shown on the planning maps.	50m <sup>3</sup> /site	0.6	0.6	0.3m max. depth;	Setback from site boundary must be equivalent to or greater than the depth of earthworks.
b. 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 as shown on the planning maps.	2000m <sup>3</sup> /site	0.6	0.6	0.3m max. depth;	
c. Land repair works in any zone listed in this table involving soil mixing, aggregate piers, or grout.	Not more than 10m <sup>3</sup> of grout per site	1.0	1.0	0.3m max. depth.	

### 8.9.2.2 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 over which control is reserved, as set out in the following table.

	Activity	Activity specific standards	Matters of control
<b>C1</b>	<p><b>Earthworks</b> in the Industrial General Zone (North Belfast) that are between 10 and 20 metres from:</p> <ol style="list-style-type: none"> <li>a. the surveyed point of the <b>spring</b> identified on the Outline Development Plan in <a href="#">Appendix 16.8.5</a>; or</li> <li>b. any <b>spring</b> not identified on the <b>Outline Development Plan</b> in <a href="#">Appendix 16.8.5</a>, and which is within the area identified as Stormwater Management Area 1 on the outline development plan but not within Lots 5, 6 and 7 DP 71209, in which case the setback shall be measured from the head or heads of the <b>spring</b> where visible.</li> </ol>	<ol style="list-style-type: none"> <li>a. Activity specific standards for P1 earthworks in <a href="#">Rule 8.9.2.1</a>.</li> </ol>	<ol style="list-style-type: none"> <li>a. Where the following are listed as matters of discretion, they are to be treated as matters of control:               <ol style="list-style-type: none"> <li>i. All matters in <a href="#">Rule 8.9.4</a>, except for <a href="#">Rule 8.9.4.9</a>;</li> <li>ii. <a href="#">Rule 8.7.4.6</a> (i); and</li> <li>iii. <a href="#">Rule 16.4.6.2.4</a></li> </ol> </li> </ol>

### 8.9.2.3 Restricted discretionary activities

- a. The activities listed below are restricted discretionary activities.
- b. Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in [Rule 8.9.4](#), as set out in the following table.

Activity	Matters of discretion	
<b>RD1</b>	<p>Any activity listed in <a href="#">Rule 8.9.2.1 P1</a> or <a href="#">Rule 8.9.2.2 C1</a> that does not meet any one or more of the activity standards.</p>	<ol style="list-style-type: none"> <li>a. <a href="#">Rule 8.9.4</a>;</li> <li>b. Except that in the Industrial General Zone (North Belfast), <a href="#">Rule 8.9.4.9</a>; shall not apply, and <a href="#">Rule 8.8.14</a> shall apply.</li> </ol>

<b>RD2</b>	<p>a. Any activity listed in <a href="#">Rule 8.9.2.1</a> P2 that does not meet any one or more of the activity standards.</p> <p>b. Any applications arising from this rule shall not be publicly or limited notified.</p>	<p>a. <a href="#">Rule 8.9.4</a>,</p> <p>b. <a href="#">Rule 8.9.4.3</a>, and</p> <p>c. <a href="#">Rule 8.9.4.9</a>.</p>
<b>RD3</b>	<p><b>Earthworks</b> within the Stormwater Capacity Constraint Overlay</p>	<p>a. <a href="#">Rule 8.9.4.1</a>.</p> <p>b. <a href="#">Rule 8.9.4.3</a>, and</p> <p>c. <a href="#">Rule 8.9.4.9</a>.</p>
<b>RD4</b>	<p><b>Earthworks</b> within 20m of <b>coastal hazard mitigation works</b></p>	<p>a. <a href="#">Rule 8.9.4.1</a>,</p> <p>b. <a href="#">Rule 8.9.4.3</a>,</p> <p>c. <a href="#">Rule 8.9.4.4</a>,</p> <p>d. <a href="#">Rule 8.9.4.5</a>, and</p> <p>e. <a href="#">Rule 8.9.4.9</a>.</p>
<b>RD5</b>	<p>a. <b>Earthworks</b> within:</p> <p>i. a <b>Site of Ngāi Tahu Cultural Significance</b> identified in <a href="#">Schedule 9.5.6.1</a>; or</p> <p>ii. Kaitōrete Spit (ID 64) identified in <a href="#">Schedule 9.5.6.2</a>;</p> <p>b. except where listed as an exemption in <a href="#">Rule 8.9.3</a> b.</p> <p>c. RD5 does not apply to land in the Industrial General Zone (North Belfast).</p> <p>d. Any application arising from this rule need not be publicly notified, but shall be limited notified to the relevant rūnanga, and Heritage New Zealand Pouhere Taonga in respect of sites on the Heritage New Zealand List / Rārangi Korero (absent their written approval).</p>	<p>a. <a href="#">Rule 9.5.5.1</a></p>
<b>RD6</b>	<p>Within the <b>Central City</b>, any <b>earthworks</b> within an 'Overlay' identified in Table 9 to <a href="#">Rule 8.9.2.1</a> that exceeds the specified volume limit.</p>	<p>a. <a href="#">Rule 8.9.4.1</a>,</p> <p>b. <a href="#">Rule 8.9.4.3</a>,</p> <p>c. <a href="#">Rule 8.9.4.6</a>,</p> <p>d. <a href="#">Rule 8.9.4.7</a>,</p> <p>e. <a href="#">Rule 8.9.4.8</a>, and</p> <p>f. <a href="#">Rule 8.9.4.9</a>.</p>
<b>RD7</b>	<p>a. Any <b>earthworks</b> in the Industrial General Zone (North Belfast) within 10 metres of:</p> <p>i. the surveyed point of the <b>spring</b> identified on the Outline Development Plan in <a href="#">Appendix 16.8.5</a>; or</p> <p>ii. any <b>spring</b> not identified on the Outline Development Plan in <a href="#">Appendix 16.8.5</a>, and which is within the area identified as Stormwater Management Area 1 on the <b>outline development plan</b> but not within Lots 5, 6 and 7 DP 71209, in which case the setback shall be measured from the head or heads of the <b>spring</b> where visible.</p>	<p>a. All matters in <a href="#">Rule 8.9.4</a>, except for <a href="#">Rule 8.9.4.9</a>;</p> <p>b. <a href="#">Rule 8.8.14</a>; and</p> <p>c. <a href="#">Rule 16.4.6.2.4</a>.</p>

#### 8.9.2.4 Discretionary activities - earthworks

a. The activities listed below are discretionary activities.

<b>D1</b>	Other than in the <b>Central City</b> , any <b>earthworks</b> within an Overlay identified in Table 9 to <b>Rule 8.9.2.1</b> that exceeds the specified volume limit.
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#### 8.9.2.5 Non-complying activities - earthworks

a. The activities listed below are non-complying activities.

<b>NC1</b>	Any activity that does not meet any one or more of the activity standards in <b>Rule 8.9.2.1</b> P3, P4 or P5.
<b>NC2</b>	The modification, alteration or removal of sand dunes and vegetation on sand dunes within 50 metres of Mean High Water Springs.

#### 8.9.2.6 Prohibited activities — earthworks

a. The activities listed below are prohibited activities.

<b>PR1</b>	<b>Quarrying activities</b> within the <b>Central City</b>
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### 8.9.3 Exemptions

a. The following **earthworks** are exempt from the activity standards set out in **Rule 8.9.2.1** P1 and P2:

- i. Holes for posts, trees or other plants;
- ii. **Excavation** for any wells where any necessary resource consents or building consents have been obtained;
- iii. Deposition of spoil from drain clearance work within the **site** the drain crosses; or
- iv. 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**.
- v. **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**.
- vi. 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.
- vii. 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.
  - viii. Outside the Central City, any excavation for interment within the Special Purpose (Cemetery) zone, urupa, or any legally established private cemetery or pet cemetery.
  - ix. Cultivation and cropping activities in Rural zones, including in relation to the erection of structures not requiring building consent.
  - x. Maintenance and operational earthworks at Bromley Sewage Ponds.
  - xi. The construction of fire ponds, stock tracks and vehicle access tracks in Rural zones. Rule 9.1.4.1 - 9.1.4.4 of Chapter 9 are of particular relevance.
  - xii. Earthworks undertaken by Council or Canterbury Regional Council to maintain or upgrade their own parks and reserves. **This exemption does not apply to earthworks in public spaces within 5 metres of a heritage item or above the volumes contained in Table 9 in a heritage setting which are subject to activity standard 8.9.2.1 P1 i.**
  - xiii. 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 100m<sup>3</sup>/ha.
  - xiv. Outside the Central City, composting or silage making.
  - xv. 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.
  - xvi. Within a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1, earthworks associated with indigenous vegetation clearance, that meets activity specific standard a. i. for Rule 9.1.4.1 P1, are exempt only from meeting the specified volume limit for the relevant 'Overlay' identified in Table 9 to Rule 8.9.2.1.
  - xvii. Earthworks to a depth no greater than 0.6 metres in the Industrial General Zone (North Belfast).
- b. The following earthworks are exempt from the provisions of Rule 8.9.2.3 RD5:
- i. earthworks for post holes for fencing, planting holes for trees and plants, the maintenance of existing farm tracks and existing farm ponds, the cultivation of existing pasture, or cropping; or
  - ii. earthworks for offal pits within Kaitōrete Spit (ID 64) identified in Schedule 9.5.6.2 which do not exceed dimensions of 2 metres x 2 metres x 1.5 metres.

## 8.9.4 Matters of discretion

### 8.9.4.1 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.
- g. The extent to which earthworks in the Open Space Avon River Precinct (Te Papa Ōtākaro) Zone have an adverse effect on the Avon River and its margins.

### 8.9.4.2 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;
  - ii. compliance with NZECP 34:2001;
  - iii. any implications arising from technical advice provided by the utility operator;
  - iv. 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
  - v. the effects on the ability of the utility operator to operate, upgrade and develop its utility, including on-going safe and direct access.

### 8.9.4.3 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 **filling** material proposed and the degree of compaction.

#### **8.9.4.4 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.
- e. The extent to which the proposed **earthworks** will protect the sandy beach, dunes or rocky shore from further damage, such as from coastal erosion or seawater inundation in a storm event, or remediate it from previous damage.
- f. The extent to which the **earthworks** will affect the nature, form and resilience of the sandy beach, dunes or rocky shoreline.
- g. Whether the **earthworks** will result in increased erosion of the sand dunes and land to the landward side of the dunes.

#### **8.9.4.5 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 **clean fill** material and consequent timeframes for rehabilitation;
  - iii. any other adverse effects of rehabilitation including traffic, dust, risk to groundwater, drainage and landscape effects.

#### **8.9.4.6 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, **heritage values**, views, outlook, overlooking and privacy.

#### **8.9.4.7 Indigenous biodiversity, natural character, and landscape features.**

- a. The relevant matters of discretion in [Rules 9.1.5.2, 9.2.8.1, 9.2.8.3](#) and [6.6.7](#).

#### **8.9.4.8 Historic Heritage**

- a. The relevant matters of discretion in [Rule 9.3.6.1](#).

#### **8.9.4.9 Sites of Ngāi Tahu Cultural Significance**

- a. Where the **earthworks** are within a **Site of Ngāi Tahu Cultural Significance** identified in [Appendix 9.5.6](#), the matters set out in [Rule 9.5.5](#) as relevant to the site classification:
- i. [Rule 9.5.5.1](#) - Wāhi Tapu / Wāhi Taonga, Mahaanui Iwi Management Plan Silent Files and Kaitōrete Spit;
  - ii. [Rule 9.5.5.2](#) - Ngā Tūranga Tūpuna; and
  - iii. [Rule 9.5.5.3](#) - Ngā Wai.

#### **8.9.4.10 Coastal environment**

- a. The relevant matters of discretion in [Rule 9.6.3.1](#) – Effects of activities on the coastal environment.

### **8.9A Rules — Development and Activities in Waste Water Constraint Areas**

#### **8.9A.1 Permitted activities**

- a. **The activities listed below are permitted activities where the activity is located in the area shown on the planning maps as Waste Water Constraint Areas.**

<b><u>Activity</u></b>		<b><u>Activity specific standards</u></b>
<b><u>P1</u></b>	<b><u>New activities or the expansion of activities beyond those that existed prior to 17 March 2023 that do not discharge wastewater into the vacuum sewer.</u></b>	<b><u>Nil</u></b>

#### **8.9A.2 Controlled activities**

- a. **There are no controlled activities.**

#### **8.9A.3 Restricted discretionary activities**



- a. The activities listed below are restricted discretionary activities where the activity is located in the area shown on the planning maps as Waste Water Constraint Areas.

<u>Activity</u>		<u>The Council's discretion shall be limited to the following matters:</u>
<u>RD1</u>	<p>a. <u>New activities or the expansion of activities beyond those that existed prior to 17 March 2023 that discharge wastewater into the vacuum sewer.</u></p> <p>b. <u>Any resource consent application shall not be limited or publicly notified.</u></p>	<p>a. <u>Capacity in the relevant vacuum sewer system</u></p> <p>b. <u>Effects of the proposed development on the capacity and operation of the vacuum sewer system and adjoining wastewater systems</u></p>

**8.9A.4 Discretionary activities**

There are no discretionary activities.

**8.9A.5 Non-complying activities**

There are no non-complying activities.

**8.9A.6 Prohibited activities**

There are no prohibited activities.