



**halswell  
commons**

A connected community

# Land Use Rules

## Report / Decision on a Resource Consent Application

(Sections 95A, 95B and 104 / 104B)

|                                    |   |
|------------------------------------|---|
| <b>Application Number:</b>         | <b>RMA/2019/1069</b>  |
| <b>Applicant:</b>                  | Danne Mora Holdings Ltd   |
| <b>Site address:</b>               | 20 and 20R Franco Road, 1, 2 and 4 Wimbledon Lane, Halswell                                     |
| <b>Site area:</b>                  | 24.5 ha   |
| <b>Legal Description:</b>          | Lots 61, 63 and 64 DP 514570, and Lots 114 and 400 DP 526950                                    |
| <b>Zoning:</b>                     | Residential New Neighbourhood   |
| <b>Overlays and map notations:</b> | Meadowlands Exemplar<br>Liquefaction Management Area<br>North Halswell Outline Development Plan |
| <b>Activity Status:</b>            | Non-Complying   |
| <b>Application:</b>                | Land use consent for development on 54 residential lots   |

### Proposed activity

#### Background

This report assesses a land use consent application for residential development within a proposal originally put forward as an exemplar development under the Land Use Recovery Plan (LURP). The current application represents a divergence from the previous design philosophy of the Exemplar, which up to this point has been packaged within combined subdivision and land use applications, allowing for comprehensive assessment of the proposals on a block or superlot scale. This proposal will enable development of individual lots in accordance with an inclusive set of land use conditions. The application follows from a recently approved subdivision consent that provides for the general lot layout as well as specific requirements imposed through consent notices (e.g. building typologies and setbacks, landscaping controls, affordable housing). The approved subdivision and current land use applications will operate in conjunction to enable development in accordance with outcomes sought for the Meadowlands Exemplar overlay.

The land is zoned Residential New Neighbourhood (Meadowlands Exemplar) and subject to an Outline Development Plan (Appendix 8.10.4 'North Halswell Outline Development Plan'). A Neighbourhood Plan has been submitted as part of the approved subdivision consent (RMA/2018/2868).

This application follows a number of previous consent applications granted by Christchurch City Council for development of the Meadowlands Exemplar area:

- RMA92028681 – consent for bulk earthworks and NES consent.
- RMA/2015/2816 – consent for Stage 1.
- RMA/2016/2585 and RMA/2016/2586 – subdivision and land use consent for Stage 1A.
- RMA/2016/2904 and RMA/2016/2908 – subdivision and land use consent for Stages 1B to 4.
- RMA/2018/2868 – subdivision consent for Stages 2A to 3B.
- RMA/2018/2868/A – variation of the above subdivision consent to update geotechnical and landscaping requirements.

I note that in addition to the above there have been a number of applications to vary the underlying land use consents, largely consisting of changes to the consented designs for individual lots. Part of the reasoning behind the current proposal is to put forth a framework that will not require variation of the underlying land use consent for changes to building design. That framework will be partially set by the approved subdivision consent (through the imposition of consent notices) and partially by the present land use application (which will impose conditions relating to built form).

#### Proposal

The application site encompasses Blocks 6 to 10 of Halswell Commons, representing stages 2A, 2B, 2C, 3A, and 3B.



**Figure 1.** Approved subdivision plan showing application site in red (Stages 2A, 2B, 2C, 3A, and 3B).

The applicant proposes a framework imposed via land use consent for those lots created by RMA/2018/2868 in the Halswell Commons development, located in the Meadowlands Exemplar area. The application will impose a suite of conditions that will control built form in a manner consistent with the outcomes sought for the Meadowlands Exemplar and underlying Residential New Neighbourhood zone. The applicant has proposed these conditions following several discussions with Council officers. The proposed conditions are included at the end of this report.

Included within the proposed conditions are those relating to the architectural character of the Meadowlands Exemplar specifically, more standard built form requirements (commensurate with the Residential New Neighbourhood zone), landscaping, and energy efficiency. I note that the energy efficiency conditions proposed are consistent with those approved throughout earlier stages of the development, with the exception of changing the ceiling insulation requirement from an R-value of 4.1 to 4.0. The reasoning for this is due to the availability of insulation products meeting the requirement.

The proposed conditions do not apply to lots 300-304, 311, and 338-340; these will require separate land use consents to enable development. The reasoning behind this exclusion is that these lots are smaller / to be developed at higher densities (including terraces and apartments), and proposals for their development are more appropriately considered on their merits. For completeness, I note that the planning framework does not provide for development without first obtaining a land use consent (i.e. there is no permitted baseline or ability for the applicant to build on the lots without first obtaining a land use consent, with this being required under Rule 8.5.1.5 NC8 for an application within the Meadowlands Exemplar that is not part of a comprehensive subdivision and land use activity).

The Neighbourhood Plan submitted as part of the subdivision application (RMA/2018/2868) sets out building typologies for each lot, identifies which lots will be developed as affordable housing, sets building setback requirements (minimum and maximum setbacks), locates vehicle accesses, identifies which lots must be developed as two-storeys, identifies public spaces, road layout, and sets infrastructure layout. Consent notices will be imposed requiring development in accordance with key aspects of the Neighbourhood Plan, and a number of consent conditions will be imposed also requiring compliance (the duplication of requirements is

intended to assist in administration of the consent package by making requirements clear to individual developer within the consent conditions).

I note that earlier sets of consent conditions discussed between the applicant and Council officers included a suite of conditions relating to earthworks. The applicant has subsequently determined to remove these from their application, relying instead on earthworks permitted / exempt from the District Plan. The District Plan framework exempts earthworks within the building footprint where they are subject to an approved building consent. Council has accepted that this can be fulfilled by confirmation on the plans from the applicant that such earthworks will not occur until building consent has been granted. There is no such exemption for earthworks that are more than 1.8m from the outer wall of a building (being the building footprint), with these subject to the activity specific standards set out in Rule 8.9.2.1 P1 (e.g. a maximum volume of 20m<sup>3</sup> and depth of 0.6m). I have highlighted to the applicant that there is a risk that separate earthworks consents will be required, and that issues relating to such may be identified at the PIM stage. Notwithstanding that, I am satisfied that development could proceed without the need for additional earthworks consents (with this dependent upon the particulars of each development).

The recommendation in this report is for approval on a non-notified basis. In reaching this view I have relied upon the applicant accepting the conditions (more or less) in their recommended form.

### Relevant Documents

In the processing of this consent the applicant has provided a number of assessments and amended plans. For clarity, the relevant documents consist of:

- RMA/2019/1069 'Application – Plans for Processing - Draft', being the original application for a combined subdivision and land use consent (ref. 19/539480). The application was subsequently split into separate consents (see RMA/2018/2868 'Updated Application' (ref. 19/402399)).
- RMA/2019/1069 Email Chain between Planner and Agent (1) (ref. 19/818082).
- RMA/2019/1069 Email Chain between Planner and Agent (2) (ref. 19/852914).
- RMA/2019/1069 Email Chain between Planner and Agent (3) (ref. 19/852916).
- RMA/2019/1069 Email Chain between Planner and Agent (4) (ref. 19/852924).

As discussed above, this consent is designed to operate in conjunction with RMA/2018/2868, the relevant documents for which are:

- RMA/2018/2868 'Planning – Section 95 and Section 104 – Report (ref. 19/614675).
- RMA/2018/2868 'Planning – Stamped for Approval Scheme Plans (ref. 19/600697).
- RMA/2018/2868/A 'Planning s127 Report (ref. 19/862081).
- RMA/2018/2868 'Attachment 1 – Front Lot Landscaping Guidelines (ref. 19/847355).
- RMA/2018/2868 'Attachment 2 – Neighbourhood Plan (ref. 19/560936).

### **Description of site and existing environment**

The application site and surrounding environment have been described in previous resource consent applications. In brief, the wider Halswell Commons subdivision sits at the corner of Halswell Road (SH75) and Hendersons Road, Halswell. The majority of the infrastructure within the application site (roading, street trees, etc.) has been implemented, setting the general spatial layout. Earlier stages of the development (Stages 1 and 1a) are under development, with a number of residential units under construction or completed.

### **Planning Background**

#### **Land Use Recovery Plan and the Meadowlands Exemplar**

The Land Use Recovery Plan 'Te Mahere Whakahaumanu Tāone' (LURP) provides high level direction for the residential and commercial development within the Greater Christchurch area. Included within this are the identification of key activity centres (of which there is one bordering the western edge of the application site) and enables exemplar projects for medium density affordable housing development, including the Halswell Commons subdivision. The Meadowlands Exemplar was consequently approved by Council on 24<sup>th</sup> April 2014, prior to the planning framework for Meadowlands first being established under Decision 1 by the Independent Hearings Panel. In approving the Exemplar, Council assessed the statement of commitment to the exemplar by the developer against the following seven criteria:

- High quality, safe and accessible residential environments that address their neighbourhood context.



- Well built and energy efficient.
- Medium density.
- Appropriate to the locality.
- Diversity and affordability of housing products.
- Innovation within the housing market.
- Showcasing and sharing of Exemplar experience.

A copy of the Approved Exemplar is contained in Council records (ref. 19/561106). I assess the proposal against the matters below.

### **Christchurch District Plan**

The site is zoned Residential New Neighbourhood and sits within the North Halswell Outline Development Plan and the Meadowlands Exemplar overlay. The Meadowlands Exemplar overlay allows for a comprehensively planned residential development in North Halswell. A range of residential house types and section sizes are provided for within the overlay area. There are requirements that subdivision and land use consent applications be processed together, and that a consent is accompanied by a Neighbourhood Plan. Development is also required to meet the requirements of the North Halswell Outline Development Plan.

The District Plan framework as it relates to the Meadowlands Exemplar contains provisions for both the Residential New Neighbourhood zone generally and the Meadowlands Exemplar more specifically. The intention of this framework is that development within the Meadowlands Exemplar should achieve a higher standard than development within the Residential New Neighbourhood zone, however, it does not explicitly require the exemplar be attained under the objectives and policies. The approved exemplar is referenced as an activity specific standard at Rule 8.5.1.3 RD15 and a matter of discretion (clause 8.8.15.12 'Consistency with the statement of commitment to exemplar housing'). However, the matters set out in clause 8.8.15.12 are assessed within the context of the thirteen other assessment matters and inconsistency with that singular matter does not necessarily mean a proposal should not be granted. In comparison to assessment matter 8.8.15.12, the policy framework set out for Meadowlands (specifically Objective 8.2.2 'Design and amenity and the Meadowlands Exemplar overlay' and Policy 8.2.2.12 'Meadowlands Exemplar overlay comprehensive development') does not explicitly mention the approved exemplar. Instead, the framework seeks a coordinated consenting process that achieves better social and environmental outcomes and a higher standard of design than mandated for the Residential New Neighbourhood zone more generally.

The rule and policy frameworks are discussed in further detail as relevant to this application below.

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| <b>Activity status</b> |
|------------------------|

### **Christchurch District Plan**

The proposal requires resource consent for a non-complying activity under Rule 8.5.1.5 NC8 of the Christchurch District Plan as the proposal does not form part of a comprehensive subdivision and land use activity (being subdivision only). In addition, the proposal does not comply with activity standard (g) of Rule 8.5.1.3 RD15 as it is not in accord with all aspects of the Meadowlands Exemplar Approved by Council on 24 April 2014 (energy efficiency). Further analysis is provided in relation to this matter in a later section of this report. Council discretion is not restricted in assessing applications under this rule, and the District Plan does not set restrictions regarding notification.

### **National Environmental Standard**

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

In this case contamination concerns were addressed at the time of the underlying subdivision (RMA/2016/2908). Hannah Mirabueno, Environmental Health Officer at the Christchurch City Council, has reviewed the proposal and documents submitted under RMA/2016/2908 and confirmed that there are no further contamination matters that need to be addressed (ref. 18/1289720).

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|--------------------------|
| <b>Written approvals</b> |
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No written approvals have been provided with the application.

## **Effects on the environment and adversely affected persons [Sections 95A, 95B, 95E(3), 95D and 104(1)(a)]**

As a non-complying activity the assessment of the effects of the land use is unrestricted and all actual and potential effects must be considered. Guidance as to the effects that require consideration is contained in the relevant objectives and policies in Chapter 8, and any associated matters of discretion or control.

I consider the assessment matters set out in clause 8.8.15 'Residential New Neighbourhood Zone Outline Development Plans – North Halswell (Meadowlands Exemplar Overlay) and East Papanui' provide a comprehensive framework to guide the assessment of effects on the environment and I have used this to assist in my assessment. It is important to emphasise that I have not limited the assessment to these matters and have considered additional matters as relevant below.

RMA/2018/2868 sets the subdivision layout for the site. As such, matters relating to density, etc. have been addressed and will not be considered at length here. It is important to highlight that RMA/2018/2868 is for subdivision only and the District Plan framework does not provide for development of residential units within the Meadowlands Exemplar without a land use consent. The current consent will provide a framework enabling development on all lots within Stages 2A, 2B, 2C, 3A, and 3B, with the exception of lots 300-304, 311, and 388-340, which will require separate resource consents as non-complying activities.

For clarity, the current framework being assessed does not limit applicants from developing outside of the parameters of the consent conditions, however, if they are to do so separate resource consent will be required for a non-complying activity.

### **Place Making, Context, and Heritage**

The application has been reviewed by Mr David Hattam, Senior Urban Designer at the Christchurch City Council, with respect to the matters set out in clause 8.8.15.1 'Place making, context, and heritage' (see ref. 19/875275 for his assessment). Overall, Mr Hattam considers the proposal acceptable and to generally meet the matters. While he considers the condition framework proposed to be a weakening from what was originally intended under the Exemplar, it is more demanding than the Residential New Neighbourhood zone. The proposal will function in conjunction with the approved subdivision consent, which retains much of the original intent of the Exemplar, including a high degree of connectivity. Imposition of conditions specific to the Meadowlands Exemplar (including controls on roof pitch and glazing) will assist in creation of a distinct identify.

I have reviewed the assessment matters set out in clause 8.8.15.1 (noting that a number of these are not relevant as the subdivision layout has been approved) and the urban design advice of Mr Hattam. I am satisfied that the proposal appropriately satisfies the relevant assessment matters. In particular, I consider the proposal will address the existing context, and promote building typologies that protect the privacy and outlook of adjacent sites. Considered on the round (including the consented subdivision application) with respect to assessment matter 8.8.15.1, I consider the proposal to be appropriate.

### **Building Typology, Mix, and Location**

With respect to the matters set out in Clause 8.8.15.2 'Building typology, mix and location', Mr Hattam has again provided an assessment. He has provided an assessment against matters (e) to (g) (his assessment refers to these as points 4 to 6). For clarity, the matters set out in (a) to (d) are set through the Neighbourhood Plan, which identifies typologies for each lot (including lots on which two storeys will be mandated) and building setbacks (which will ensure buildings are located to the edge of the block).

With respect to matter (e), the application does not consistently locate multi-unit typologies at corner sites, with a number to be of the standalone typology. Mr Hattam considers that the requirements relating to glazing will ensure that corner houses appropriately address both streets, with the requirement for this to be vertically orientated assisting in avoiding high level horizontal windows that do not provide for surveillance of the street. Glazing will provide for visual interaction between the building and street.

Mr Hattam notes that the requirement for two-storey typologies facing the Key Activity Centre along Monsaraz Boulevard will mean that there will be some two-storey houses on larger sites, however, by requiring them to be two storey there will be positive effects in creating a sense of distinctiveness and identity.

Mr Hattam considers the proposal to provide for a balance between hard surfacing and landscaping, largely through the Front Lot Landscaping Guidelines. Imposition of two-storey typologies will also encourage reduction in building footprints for those properties.

With regard to garages, Mr Hattam notes the following:

*“Garages are generally dealt with through the subdivision pattern but there is a requirement that the laneway lots are accessed through laneways. There is also a requirement for 3m of open frontage onto the laneways which would serve to restrict the amount of garaging that could take place on a narrow site.”*

I have reviewed the proposal, and assessment of Mr Hattam, against the assessment matters set in clause 8.8.15.2 of the District Plan. I consider that the package of conditions designed specifically for this development, combined with the subdivision layout and additional matters required through consent notice, will serve to ensure the matters set out are, on balance, appropriately addressed.

### **Relationship to Street and Public Open Spaces**

Mr Hattam has provided an assessment of this matter (clause 8.8.15.3). I note that this matter is focussed on the ‘subdivision design’ and has largely been dealt with through the subdivision consent (including consent notices requiring compliance with the Neighbourhood Plan). However, there is some cross-over, with the proposed consent conditions also controlling matters relating to the relationship between the street and public spaces (particularly the linear reserve and streetscape). I am of the opinion that the package of land use and subdivision consents will enable development that meets the matters set out in clause 8.8.15.3 (i) to (v).

### **Fences between Residential Units and the Road Boundary**

The proposal will restrict fencing through front lot landscaping guidelines, previously imposed as a consent notice and to be required here through a condition of consent. The landscaping guidelines were assessed under the subdivision consent (RMA/2018/2868 and RMA/2018/2868/A), and will not be changing under the current proposal. I consider this suitable.

### **Road Network Access and Parking**

The road network, site access, and parking will not be altered from the subdivision consent (RMA/2018/2868).

### **Infrastructure**

The matters set out in clause 8.8.15.6 ‘Infrastructure’ have been previously addressed under RMA/2018/2868 and are not relevant to this land use application.

### **Compliance with Outline Development Plan**

The proposal is in accordance with the North Halswell Outline Development Plan.

### **Water Supply for Firefighting**

The proposed changes from the consented design will not materially alter the capacity to provide sufficient water for the purposes of firefighting.

### **Outdoor Living Space**

The controls on outdoor living spaces are consistent with those for the underlying Residential New Neighbourhood zone. I am satisfied that these are sufficient to provide suitable outdoor living for the needs of the occupants and consider the assessment matters set out in 8.8.15.9 ‘Outdoor living space’ to be met.

### **Service, Storage, and Waste Management Spaces**

The proposed framework seeks few controls on service, storage, and waste management spaces. The primary control is a condition that ensures external plant and bins shall not be located in front yards (being between the front of the residential unit and road / reserve, as relevant). I highlight that denser developments (i.e. terraces and the apartment block) will require a separate consent, enabling comprehensive assessment at the time those applications are made (including with regard to service, storage, and waste management spaces). Taking into account the matters set in 8.8.15.10 ‘Service, storage, and waste management spaces’ I consider the

framework will be sufficient to enable sufficient, useful, and functional spaces that do not adversely affect public spaces.

### **Minimum Unit Size**

Minimum unit size will be controlled by a condition of consent requiring a net floor area of at least 35m<sup>2</sup> for studio units, 45m<sup>2</sup> for one bedroom units, 60m<sup>2</sup> for two bedroom units, and 90m<sup>2</sup> for three or more bedroom units. This is consistent with the underlying Residential New Neighbourhood zone and will provide for units of appropriate size. Again, I note that the lots to be developed at higher densities are not subject to the above requirements, and will be assessed on their individual merits.

### **Consistency with the Statement of Commitment to Exemplar Housing**

The approved exemplar included seven criteria, discussed below. While I do not consider it appropriate to determine whether the proposal would result in the development being an exemplar development (noting the assessment matter does not require such), I do consider each of the criteria independently below.

#### *High Quality, Safe and Accessible Residential Environments that Address their Neighbourhood Context*

Mr Hattam has provided an assessment with respect to this criteria, focussing on the 'Buildings' scale (as the 'Area wide', 'Neighbourhood', and 'Block' scales have been approved via subdivision consent). Mr Hattam considers that while the proposal is less restrictive than the original paradigm, it will retain some of the desired attributes for the Exemplar (particularly through proposed conditions 3 to 7 and requirements of the Neighbourhood Plan). He notes that the Statement of Commitment seeks a 'common yet diverse' set of housing typologies to 'strike a balance between individuality and uniformity'. The requirement for gables of relatively steep pitch will, in Mr Hattam's view, ensure some uniformity and assist in creating a distinctive local character consistent with the Christchurch vernacular. He is also satisfied that the glazing, front door, and landscaping requirements will help ensure visual interest. Mr Hattam considers the proposal addresses this matter in an appropriate fashion. I accept this assessment.

#### *Well Built and Energy Efficient*

In detailing how the seven key criteria will be met the Exemplar Statement notes that:

*"The varied sizes and forms of houses can cater for different needs enabling newly forming households, growing families, older people and the disabled each of whom need to find housing options that suit their life stages and domestic needs".*

The above makes no reference to Lifemark, which is a criteria for ensuring that housing will suit a range of life stages and domestic needs. I also note that it is the *varied sizes and forms* of houses that will enable different needs to be met. Removal of a requirement to obtain Lifemark certification will not result in changes in the sizes or typologies of housing and will not restrict the ability for individual units to meet the needs of newly forming households, growing families, older people, or the disabled. As such, I do not consider the proposed removal of Lifemark rating requirements to result in the application to be inconsistent with the Statement of Commitment.

I note the comments of Mr Hattam below that the movement towards larger lot sizes has reduced the availability of smaller products. I acknowledge this, however, still consider that there are sufficient duplex, terrace, and apartment typologies to provide for a range of needs, albeit while accepting that the product being provided has skewed towards larger lot sizes. I highlight the controls of subdivision consent relating to affordable housing as supporting the drive towards providing housing stock for varied needs.

In contrast to Lifemark, Homestar 6 is specifically identified within the statement of commitment in respect to building in Meadowlands being well built and energy efficient. In particular, the statement states that:

*"The development will deliver all homes to the Homestar 6 standard as established by BRANZ and the New Zealand Green Building Council. This standard, on a scale of up to 10, shifts the quality standard bar for new homes higher ensuring that owners and occupiers can enjoy well built, warm, well insulated homes that, through their design and construction, act to reduce use of resources such as water and energy, and in turn, running costs."*

This sets a clear expectation that houses will be built to the Homestar 6 standard. The current proposal will reduce requirements in relation to Homestar 6 such that the standard will no longer be met. Although I do acknowledge that the proposed consent conditions set a higher standard requiring enhanced energy efficiency



measures than what is mandated under the Building Act and generally aligns with the energy efficiency standards within the existing consent condition, the proposal is not consistent with the Statement of Commitment with respect to energy efficiency.

I note that the proposed approach to energy efficiency is consistent with the approach being taken throughout the Meadowlands Exemplar. I recognise that by incorporating specific energy efficiency requirements consistent across the Meadowlands development area there will be positive benefits in terms of the ability for individual developers to understand what is required and for implementation of the condition through a self-certification process (a certificate will be completed and submitted as part of Building Consent applications moving forwards). The previous paradigm resulted in ambiguity regarding what is required and problems on the part of developers within the Meadowlands Exemplar in meeting those requirements (i.e. achieving Lifemark and Homestar 6 ratings). Furthermore, the previous consenting requirements did not include certification or review processes, which proved problematic. While the current proposal reduces developer requirements with respect to energy efficiency, I consider that it represents an earnest effort on the part of the applicant to provide for energy efficiency measures at a higher rate than required by the Building Act.

During the processing of a previous applications to amend the energy efficiency standards, I consulted with Ms Julie Villard, Eco-Design Advisor at the Christchurch City Council, with respect to the removal of Homestar 6 and Lifemark certification requirements. Her assessment is attached in Appendix A. Based on her assessment and the recommended conditions put forward by the applicant, I am satisfied that the energy efficiency standard that will be achieved will remain relatively high. For clarity, I do not consider the change in the ceiling insulation requirement from an R-value of 4.1 to 4.0 to materially change the above assessment.

#### Medium Density

The proposed land use application does not impact upon density of the development area; density has been provided for through RMA/2018/2868 and this consent will merely enable what has been consented in this respect.

#### Appropriate to the Locality

At a large (block) scale, the proposal has not significantly changed. I concur with the assessment of Mr Hattam that: *"The proposal ensures that the houses will be appropriate to the locality. They will respond to the collector road and town centre by maintaining a positive frontage onto it (glazed, with front doors and no garages). The park will also be addressed by a high proportion of glazing and a varied roof-form"*.

#### Diversity and Affordability of Housing Products

Mr Hattam notes that the proposed Meadowlands Exemplar' conditions (being numbers 3 to 7), have been agreed as a relatively light-touch framework, allowing compliance checks to be undertaken at the PIM stage. This is essentially a weakening of the previous comprehensive approach, which provided for consideration of each design on its individual merits (although I note that this approach is not redundant and has been retained for a number of smaller lots). Mr Hattam considers that beyond conditions 3 to 7, the additional conditions would not affect the range of products offered. Variation in produce has been largely set through the variation in lot sizes consented through the subdivision process. Mr Hattam has previously noted that the lot sizes consented are relatively large, and may result in a loss of small product.

Both the applicant and Mr Hattam have noted the retention of affordable housing as positive benefits of the proposal, with which I agree.

#### Innovation within the Housing Market

Mr Hattam reviewed the proposal against this criteria at the subdivision stage (ref. 19/560947) and considered that some of the elements of innovation of the original proposal have been lost (e.g. comprehensive development approach, town architect, block scale construction), while others have been retained (e.g. living streets, pepper potting, greater use of two storey forms). I accept this assessment. Mr Hattam also highlighted the variation (including terraced and duplex types) and layout as unusual, however, cautioned of the difficulties faced within the Christchurch context in making laneway typologies successful. The suite of proposed conditions has been developed in consultation with Mr Hattam and I consider that it responds to the laneway approach, including conditions to protect the interface between the site and public realm by prioritising the rear right-of-way's for vehicle access.

### Showcasing and Sharing of Exemplar Experience

The applicant has addressed this criteria in their Request for Information Response as part of the subdivision application (ref. 19/500576), stating that:

*“This component of the Exemplar agreement is not solely the domain of the developer, and I am unable to speak of the efforts in this regard undertaken by the Council and MBIE. From the developer’s perspective the Exemplar approach is shared and showcased via its marketing and media campaigns. Underpinning this is the use of the refurbished Spreydon Lodge as a showroom for the development, with visual display material and exemplar specific documentation available to be consumed by interested parties.*

*On a more detailed level, the creation of a residents association to retain ownership and maintenance of reserve land that has a level of treatment beyond which Council will accept, the provision of affordable housing, creating a certification process for energy efficiency standards within the building consent process alongside the partnering with building companies to deliver exemplar standard buildings are all initiatives which contribute to the showcasing and sharing of the exemplar experience.”*

### Conclusion with Respect to Exemplar

Overall, I consider the proposal is mostly consistent with the seven criteria set out in the approved Exemplar.

### **Height, Minimum and Maximum Storeys**

The maximum building height provided for by this consent will be 11m, which is consistent with the building height required under Rule 8.5.1.3 RD15 of the District Plan. The applicant has identified two storey building typologies within their Neighbourhood Plan, compliance with which is required via consent notice and a condition of this land use consent. The location of the mandated two storey typologies is such that they are situated fronting the adjacent Key Activity Centre and part of the linear reserve. I am satisfied that the minimum number of storeys required is suitable. I note that this does not limit the other units within the subdivision from being two storey.

I consider that the proposed maximum height of 11m will result in buildings compatible with the surrounding area and will not compromise the amenity of adjacent properties. With regard to amenity of the adjoining properties, I note the additional conditions of consent that will ensure appropriate outcomes (e.g. recession planes). I consider that the mandated two storey typology along the block fronting the Key Activity Centre will ensure an appropriate step change in height. Lastly, there is the ability for individual buildings to be developed to greater heights through application for a separate land use consent.

I am satisfied that the proposal enables (and where appropriate requires) appropriate building heights and minimum number of storeys.

### **Future Development within Individual Lots**

I again highlight that this consent does not provide for development on lots 300-304, 311, and 338-340. These lots will require separate resource consent as a non-complying activity. There is no underlying baseline for development without such.

### **Neighbours**

The effects of this proposal on neighbours will be limited as the application site is surrounded by land within the Halswell Commons development area only. I do note that earlier stages of development within Halswell Commons to the north and east have progressed to the point that some persons are living within the units. I am satisfied that the development controls and proposed consent conditions will be sufficient to result in a built form consistent with what has been established within the subdivision up to this point.

With regard to earthworks associated with construction, I note that the individual lot developers will need to either comply with the exemption / standards of the Christchurch District Plan or obtain a separate land use consent. I consider this to be sufficient to control effects associated with such works.

## Conclusion as to Effects

Overall I consider the proposal shall have adverse effects on the environment that are less than minor. Adverse effects on persons shall be less than minor. Having regard to the above assessment, I consider the proposal to, on balance, be consistent with the relevant matters.

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

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

#### PUBLIC NOTIFICATION TESTS – Section 95A

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| <i>Step 1: Mandatory notification – section 95A(3)</i>  |    |
| Has the applicant requested that the application be publicly notified?  | No |
| Is public notification required under s95C (following a request for further information or commissioning of report)?            | No |
| Is the application made jointly with an application to exchange reserve land?   | No |
| <i>Step 2: If not required by Step 1, notification is precluded if any of these apply – section 95A(5)</i>                      |    |
| Does a rule or NES preclude public notification for all aspects of the application?   | No |
| Is the application a controlled activity?   | No |
| Is the application a restricted discretionary or discretionary activity for a subdivision?                                      | No |
| Is the application a restricted discretionary or discretionary activity for residential activity?                               | No |
| Is the application a boundary activity (other than a controlled activity)?  | No |
| <i>Step 3: Notification required in certain circumstances if not precluded by Step 2 – section 95A(8)</i>                       |    |
| Does a rule or NES require public notification?   | No |
| Will the activity have, or is it likely to have, adverse effects on the environment that are more than minor? (discussed above) | No |
| <i>Step 4: Relevant to all applications that don't already require notification – section 95A(9)</i>                            |    |
| Do special circumstances exist that warrant the application being publicly notified?  | No |

**In accordance with the provisions of section 95A, the application must not be publicly notified.**

#### LIMITED NOTIFICATION TESTS – Section 95B

|   |    |
|---|----|
| <i>Step 1: Certain affected groups/persons must be notified – sections 95B(2) and (3)</i>   |    |
| Are there any affected protected customary rights groups or customary marine title groups?  | No |
| If the activity will be on, adjacent to, or might affect land subject to a statutory acknowledgement - is there an affected person in this regard?                    | No |
| <i>Step 2: If not required by Step 1, notification is precluded if any of the following apply – section 95B(6)</i>  |    |
| Does a rule or NES preclude limited notification for all aspects of the application?  | No |
| Is this a land use consent application for a controlled activity?   | No |
| <i>Step 3: Notification of other persons if not precluded by Step 2 – sections 95B(7) and (8)</i>   |    |
| Are there any affected persons under s95E, i.e. persons on whom the effects are minor or more than minor, and who have not given written approval? (discussed above). | No |
| <i>Step 4: Relevant to all applications – section 95B(10)</i>   |    |
| Do special circumstances exist that warrant notification to any other persons not identified above?   | No |

**In accordance with the provisions of section 95B, the application must not be limited notified.**

Below I consider the relevant policy framework of the District Plan, starting with those specific to the Meadowlands Exemplar, before discussing the Residential New Neighbourhood provisions.

### Meadowlands Exemplar

Objective 8.2.2 'Design and amenity of the Meadowlands Exemplar Overlay' seeks:

- a. *An integrated pattern of development and urban form through subdivision and comprehensive development that:*
  - i. *provides allotments for the anticipated or existing land uses for the zone;*
  - ii. *consolidates development for urban activities;*
  - iii. *improves people's connectivity and accessibility to employment, transport, services and community facilities;*
  - iv. *improves energy efficiency and provides for renewable energy and use; and*
  - v. *enables the recovery of the district.*
- b. *A comprehensively planned development in the Meadowlands Exemplar Overlay in the Residential New Neighbourhood (North Halswell) Zone that is environmentally and socially sustainable over the long term.*

Key components of the above are that the development be integrated and comprehensive to provide for better outcomes (both social and environmental) than those anticipated for the Residential New Neighbourhood Zone more generally. While the proposal is not comprehensive in the sense that the subdivision and land use applications have been considered separately and the intended framework seeks an enabling land use package that reduces Council input on design proposals, I consider that while not technically comprehensive there are overlapping elements that will control key matters. The present land use application is designed to work in conjunction with the previously approved subdivision consent (RMA/2018/2868). The proposal enables, and does not preclude, the ability to provide an outcome of comparable standard with that anticipated through comprehensive development.

I consider the proposal to result in an integrated form of development that will provide a product fit for purpose, consolidates development for urban activities, provides strong connections, and will enable a framework providing for better energy efficiency outcomes. I am not convinced that the proposal will enable the recovery of the District on its own, however, do not consider the existing framework to do so either (and do not consider the Meadowlands Exemplar overlay to be set up in such a way to contribute substantially to such beyond providing additional housing stock, which any Residential New Neighbourhood zoned land has the capacity to achieve). I do consider the proposal to enable a suitably environmental and socially sustainable outcome.

The accompanying Policy, 8.2.2.12 'Meadowlands Exemplar Overlay comprehensive development' seeks to:

- a. *Ensure that the Meadowlands Exemplar development is comprehensively planned and designed through development of, and giving effect to, an overarching vision that:*
  - i. *responds positively to the local context of each area;*
  - ii. *produces short and long-term positive environmental, social, and mana whenua outcomes;*
  - iii. *fully integrates subdivision layout with potential land use;*
  - iv. *integrates residential development with the supporting range of local community facilities and services that support residents' daily needs;*
  - v. *achieves an efficient and effective staging of the provision and use of infrastructure, stormwater management networks, parks, and open space networks that is integrated with land use development;*
  - vi. *provides good access to facilities and services by a range of transport modes through the provision of integrated movement networks of roads, public transport, cycle, and pedestrian routes;*
  - vii. *shows infrastructure and movement routes that are fully integrated with existing adjacent communities and enables connectivity with other undeveloped areas;*
  - viii. *avoids or adequately mitigates risks from natural hazards and geotechnical characteristics of the land;*
  - ix. *remediates contaminated land;*
  - x. *utilises opportunities to enhance tangata whenua values, particularly indigenous biodiversity and mahinga kai;*
  - xi. *recognises Ngāi Tahu cultural and traditional associations with the Otautahi landscape; and*
  - xii. *avoids interim land use and development compromising the integrity and viability of infrastructure provision and community development.*

With respect to the above I consider the proposal to be suitably designed such as to respond positively to the local context of the area, result in good environmental and social outcomes, to integrate with community facilities (predominantly being the Key Activity Centre and linear reserve), achieve suitable provision and staging of infrastructure, provide an integrated movement network of roads, public transport, cycle and pedestrian routes, and to adequately mitigate risks from natural hazards. As discussed above, the proposal does not fully integrate the subdivision and land use processes, however, does suitably integrate subdivision layout with the intended land use. I do not consider the proposal to impact upon tangata whenua values, infrastructure or movement routes, or to result in interim land use or development. I note that issues relating to land contamination have been previously addressed.

I consider the proposed energy efficiency conditions to provide for built form requirements relating to energy efficiency and social sustainability in line with the outcomes sought within Objective 8.2.2 and Policy 8.2.2.12. I note that neither of these provisions make mention of Homestar 6 or Lifemark. With respect to energy efficiency, I consider the proposed conditions will result in improved energy efficiency compared to a standard Residential New Neighbourhood development and above that required under the Building Act. Furthermore, I do not consider that the reduction of energy efficiency requirements and removal of Lifemark requirements are inconsistent with the push toward positive environmental and social outcomes. I consider that Lifemark and Homestar 6 ratings are tools that can be used to show consistency with the policy framework, however, failure to assure compliance with them is not fatal to the determination of the application. What is proposed is much better than what is anticipated for other Residential New Neighbourhood zones.

Taking the above framework into account, I am of the opinion that what is sought is a significantly better outcome than required for other Residential New Neighbourhood zones. I am satisfied that the proposal does this.

### **Residential New Neighbourhood**

Chapter 14 'Residential' includes objectives and policies that relate to development generally and the Residential New Neighbourhood zone specifically. I consider the relevant framework to be set within Objective 14.2.5 'Residential New Neighbourhood Zone' and its attendant policies (14.2.5.1 'Outline development plans', 14.2.5.2 'Comprehensive residential development' 14.2.5.3 Development density', 14.2.5.4 'Neighbourhood quality and design', 14.2.5.5 'Infrastructure servicing for developments', 14.2.5.6 'Integration and connectivity', and 14.2.5.7 Ngā kaupapa / protection and enhancement of sites, values and other taonga of significance to tangata whenua'). To a large extent, the above objectives and policies under these chapters reflect the overall package of provision that apply to the exemplar and, therefore, I have not assessed them at length.

### **Conclusion as to Objectives and Policies**

I am of the opinion that the proposal is consistent with the relevant objectives and policies of the Christchurch District Plan.

### **Recovery Plans and Regeneration Plans**

Section 60(2) of the Greater Christchurch Regeneration Act 2016 requires that decisions and recommendation on resource consent applications are not inconsistent with Recovery Plans and Regeneration Plans.

The Land Use Recovery Plan (LURP) is relevant. Action 8 of the Land Use Recovery Plan requires that exemplar projects must "...meet requirements for affordable housing, mixed tenure, innovative and high-quality design incorporating universal design principles, and energy efficiency appropriate to each site." There is an inconsistency in respect to energy efficiency, for which the appropriate level has previously been determined to be Homestar 6 (through the Meadowlands Exemplar). The current proposal will reduce energy efficiency requirements such that residential units are not obliged to meet Homestar 6 requirements but will still result in a significant improvement overall when compared to the Building Code. In the context of the approved exemplar, I consider that the proposal is broadly consistent with this provision of LURP.

I have read LURP and consider that while it enables an exemplar development (other sites have been identified but not progressed) it is not a mandatory requirement under the LURP to undertake an exemplar development on this site. Any inconsistency with the approved exemplar while being less than ideal is not considered fatal to the overall application. I do not consider that this proposal is inconsistent with LURP in this basis.



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

The District Plan gives effect to the higher order instruments referred to in s104(1)(b), including the Regional Policy Statement and Regional Plans. As such, I have not addressed them specifically in this report.

**Part 2 of the Resource Management Act and any other relevant matters [Section 104(1) and 104(1)(c)]**

Taking guidance from recent case law<sup>1</sup>, the District Plan is considered to be the mechanism by which Part 2 is given effect to in the Christchurch District. The Plan has recently been reviewed, and was competently prepared through an independent hearing and decision-making process in a manner that appropriately reflects the provisions of sections 5-8 of the Act. Accordingly no further assessment against Part 2 is considered necessary.

**Section 104(3)(d) notification consideration**

Section 104(3)(d) states that consent must not be granted if an application should have been notified and was not. No matters have arisen in the assessment of this application which would indicate that the application ought to have been notified.

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

The application satisfies both tests as the adverse effects on the environment will be no more than minor and the application is not contrary to the objectives and policies of the Plan.

**Recommendations**

That, for the above reasons:

- A. The application be processed on a **non-notified** basis in accordance with Sections 95A - 95F of the Resource Management Act 1991.
- B. The application **be granted** pursuant to Sections 104, 104B, 104D, 108 and 108AA of the Resource Management Act 1991, subject to the following conditions:
  1. The development shall proceed in accordance with the information and plans submitted with the application, including the approved plans RMA/2019/1069 (15 pages). This consent applies to stages 2A, 2B, 2C, 3A and 3B in Approved plan 1.
  2. Development on Lots 300-304, 311, and 338-340 is not subject to the below conditions and will require a separate land use resource consent.

**Meadowlands Exemplar Character**

3. Roofs shall:
  - a. Have a minimum pitch of 28 degrees;
  - b. For the highest ridge, be open-gable ended at both ends;
  - c. Not be hip roofs where facing a [road](#) or [reserve boundary](#).

Except that:

- a. A maximum of 25% of the roof area (measured in plan view) may be flat (with a pitch of less than 5 degrees) if flat roofed elements are under 3.2m in [height](#);
- b. Garden sheds are excluded from this condition;
- c. Two story [buildings](#) may have hip roofs over two storey elements.

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

4. Front doors, porches and glazing:
  - a. Where a [site](#) has a [boundary](#) along a [road](#), any [residential unit](#) shall have an individual hinged front door facing at least one [road boundary](#).
  - b. Above the door required by Condition 4(a) shall be a covered porch area with dimensions of at least 1m wide by 1m deep.
  - c. Any façade facing a [road](#) or [reserve boundary](#) shall have a minimum of 15% glazed [frontage](#).
  - d. Glazing facing a [road boundary](#) or [reserve boundary](#) at the ground level of the building shall be vertically orientated:
    - i. With a height that is greater than its width;
    - ii. May alternatively have a width up to twice the height, if the glazing is divided into 3 or more vertically oriented panels of the same width.

Except that Condition 4(d) does not apply to sliding doors facing a reserve boundary.

*Advice Note: For the purposes of Condition 4(c), measurement of the area of the façade shall include all exterior walls of the [residential unit](#) directly facing the relevant [road](#) or [reserve boundary](#), except that it shall not include the gable end. For the avoidance of doubt, the gable end is the triangular portion of the façade between the edges of intersecting roof pitches, where this is above the internal ceiling height or 2.7m above floor height (whichever is the lesser).*

5. Garages and carports:
  - a. The width of any [garage](#) or carport on any site with a width less than 9.5m shall be restricted so as to maintain a [setback](#) of at least 3m to one side internal [boundary](#) for the depth of the [garage](#) or carport.
  - b. Any [garage](#) and/or carport shall be set back further from any [road boundary](#) than the façade of the [residential unit](#) that faces the same [road boundary](#).
6. All roof finishes are not to exceed 30% light reflectance value (LRV).
7. The following roof materials are excluded from use:
  - a. Unglazed concrete tiles
  - b. Unglazed clay tiles
  - c. Timber shingles
  - d. Asphalt shingles

## Building Form

8. The maximum [height](#) of any [building](#) shall be 11m.
9. The maximum percentage of the [net site area](#) covered by [buildings](#) shall be 45% for standalone sites and 50% for duplexes.

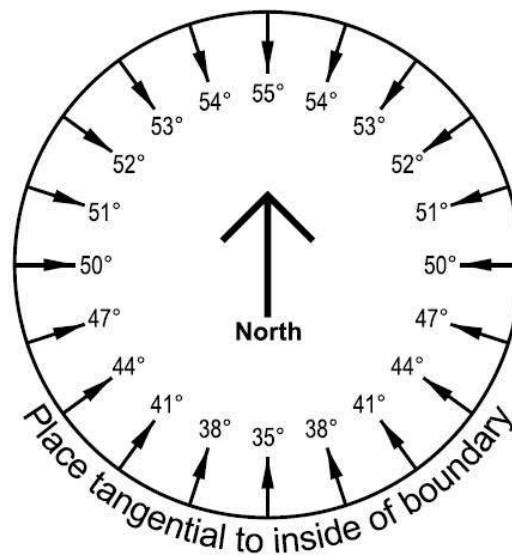
For the purpose of this condition, the site coverage calculation shall exclude:

- i. Any fences, walls and retaining walls;
  - ii. All eaves and roof overhangs up to 600 millimetres in width and guttering up to 200mm in width from the wall of a [building](#);
  - iii. Any uncovered swimming pools up to 800 millimetres in [height](#) above [ground level](#); and/or
  - iv. All decks, terraces, [balconies](#), porches, verandahs, bay or box windows (supported or cantilevered) that are:
    - A. are no more than 800 millimetres above [ground level](#) and are uncovered or unroofed; or
    - B. where greater than 800 millimetres above [ground level](#) and are covered or roofed, are in total no more than 6m<sup>2</sup> in area for any one [site](#).
10. An accessible [outdoor living space](#) shall be provided on site for each [residential unit](#), at [ground level](#) and/or provided by way of above ground [balconies](#), and shall meet the following requirements:
    - a. Minimum total area – 30m<sup>2</sup>.

- b. Any [outdoor living space](#) at [ground level](#) shall have a minimum dimension of 4m, except where two or more [outdoor living spaces](#) are provided one may have a minimum dimension of 3m.
  - c. Any [balcony](#) shall have a minimum dimension of 1.5m to be considered as [outdoor living space](#) for the purposes of this condition.
  - d. The [outdoor living space](#) shall not be encumbered by [parking areas](#) or [access](#) arrangements.
  - e. At least one [outdoor living space](#) shall be accessible from a living area of the [residential unit](#).
11. No [building](#) shall project beyond a building envelope constructed by recession planes as shown in Diagram C below, from points 2.3 metres above:
- a. internal [boundaries](#); or
  - b. where an internal [boundary](#) of a [site](#) abuts an [access allotment](#) or [access strip](#) the recession plane may be constructed from points 2.3 metres above the furthest [boundary](#) of the [access allotment](#) or [access strip](#) or any combination of these areas; or
  - c. Within duplex lots where [buildings](#) have a common wall along an internal [boundary](#) the recession planes will not apply along that boundary.

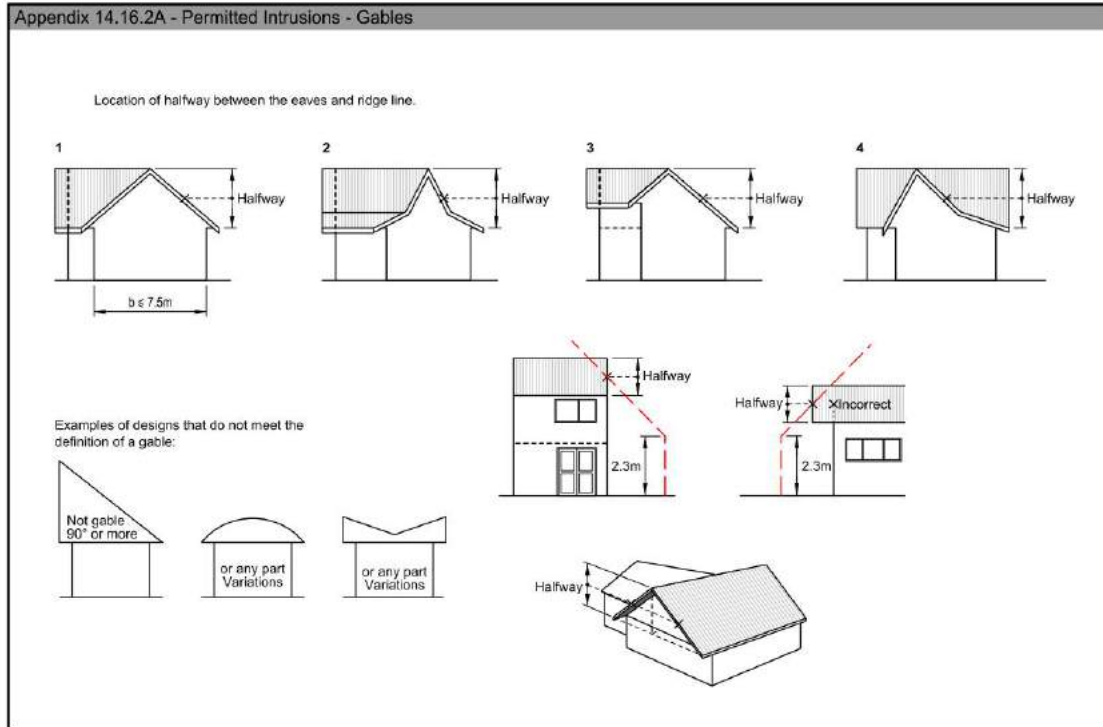
Except that the following intrusions are permitted:

- i. Gutters and eaves by up to 0.2 metres measured vertically;
- ii. Solar panels up to two metres in length per [boundary](#);
- iii. Chimneys, ventilation shafts, spires, poles and [masts](#) (where poles and [masts](#) are less than nine metres above [ground level](#)), provided that the maximum dimension thereof parallel to the [boundary](#) for each of these structures shall not exceed 1 metre.
- iv. Lift shafts, stair shafts, and roof water tanks provided that there is a maximum of one intrusion of a lift shaft or stair shaft or roof water tank (or structure incorporating more than one of these) permitted for every 20 metre length of internal [boundary](#) and the maximum dimension thereof parallel to the boundary for this structure shall not exceed 3 metres, and provided that for [buildings](#) over three storeys, such features are contained within or are sited directly against the outside structural walls.
- v. Where a single gable end with a base (excluding eaves) of 7.5 metres or less faces a [boundary](#) and a recession plane strikes no lower than half way between the eaves and ridge line, the gable end may intrude through the recession plane (see below diagram 'Appendix 14.16.2A – Permitted Intrusions – Gables').



- C** Applicable to all buildings:
- in the Residential Medium Density Zone
  - on sites in other non residential zones that adjoin the Residential Medium Density Zone
  - in the Residential New Neighbourhood Zone

**Diagram C. Recession Planes**



Appendix 14.16.2A – Permitted Intrusions – Gables

12. The minimum [building setback](#) from internal [boundaries](#) shall be as follows:
  - a. All [buildings](#) 1 metre.
  - b. No setback is required for other [accessory buildings](#) where the total length of walls or parts of the [accessory buildings](#) within 1 metre of each internal [boundary](#) does not exceed 10.1 metres in length.
  - c. No setback is required where [buildings](#) share a common wall along an internal [boundary](#).
  - d. Where a residential [building](#) on an [adjoining site](#) has a ground floor [window](#) of a [habitable space](#) located within 1.8 metres of the common internal [boundary](#), a 1.8 metre setback from neighbouring [window](#) is required for a minimum length of 2 metres either side of the [window](#). This condition also applies to [accessory buildings](#).
  - e. For the purposes of this condition, the above setbacks excludes all guttering up to 200mm in width from the wall of a [building](#).
13. The minimum setback from an internal [boundary](#) for any [living area window](#) or [balconies](#) on floors above ground level shall be 4.0m. This shall not apply to [balconies](#) that are screened from the internal [boundary](#) by a solid wall, the top of which is at least 1.8m above the finished floor level of the balcony.
14. Any parking area shall be separated from adjoining [roads](#) by either planting, fences, or a combination thereof.
15. No [garage](#) shall comprise more than 50% of the ground floor elevation viewed from any one [road boundary](#) on any one [site](#).
16. No [garage](#) shall be more than 6.5 metres wide (excluding eaves up to 600mm in width).
17. All [buildings](#) shall be set back from [road boundaries](#) and the reserve boundaries in accordance with the *Neighbourhood Lot Development Controls* plan dated May 2019, forming page 3 of the approved consent plans for RMA/2019/1069.
18. Vehicle access for each lot shall be obtained from the boundary indicated as 'lot access' on the *Neighbourhood Lot Development Controls* plan dated May 2019, forming page 3 of the approved consent plans for RMA/2019/1069.
19. Residential unit typologies shall be in accordance with those identified on the *Neighbourhood Residential Typologies* plan dated May 2019, forming page 2 of the approved consent plans for RMA/2019/1069.

20. Residential units identified as 'two storey typology' on the *Neighbourhood Lot Development Controls* plan dated May 2019, forming page 3 of the approved consent plans for RMA/2019/1069.

*Advice Note: This condition does not restrict construction of two storey buildings on lots not identified as of the 'two storey typology'.*

21. The minimum net floor area (including toilets and bathrooms, but excluding parking areas, garages or balconies) for any residential unit shall be as follows:

Studio: 35m<sup>2</sup>  
 1 bedroom: 45m<sup>2</sup>  
 2 bedrooms: 60m<sup>2</sup>  
 3 or more bedrooms: 90m<sup>2</sup>

## Landscaping

22. Landscaping and fencing within each site shall be established and maintained in accordance with the *Front Lot Landscape Guidelines: Stages 2 and 3* by Rough & Milne Landscape Architects dated 25/06/2019, forming pages 8 to 15 of the approved consent plans for RMA/2019/1069.
23. All landscaping required by Condition 22 shall be provided on each site prior to the occupation of each residential unit.
24. All landscaping required for this consent shall be maintained. Any dead, diseased, or damaged landscaping is to be replaced immediately with plants of a similar species.
25. Specimen trees required in accordance with Condition 22 must be at least 1.8 metres in height at the time of planting and once established must be maintained at a height of at least 1.8 metres thereafter.
26. No external plant or bins shall be located in the front yard, being between the front of a residential unit and a road boundary or the front of a residential unit and reserve boundary.

## Energy Efficiency

27. All residential units are to be designed with the following features:
- i. Dedicated mechanical extraction in kitchen & bathrooms in addition to Building Code requirements.
  - ii. WELS 3 star shower.
  - iii. WELS 4 star toilets / dual flush.
  - iv. WELS 4 star taps.
28. In addition to the requirements set in Condition 27, all residential units will be designed with the features set out in either Column 1 or Column 2 of the table below:

| Column 1  | Column 2  |
|---|---|
| Ceiling insulation R4.0   | A heating load requirement equal to or less than 70 kwh/yr/m <sup>2</sup> per unit. |
| Wall insulation R2.2  |   |
| Windows with a R-value of 0.43 minimum (options include thermally broken double glazed aluminium windows, double glazed PVC, or double glazed timber framed windows). |   |

Note: The heating load requirement can be measured using the Annual Loss Factor tool run by BRANZ (<http://alf.branz.co.nz>) or Design Navigator (<https://www.designnavigator.solutions/>).

29. At the building consent application stage, a Licensed Building Practitioner or Homestar Assessor shall certify in writing that the requirements of Conditions 27 and 28 have been incorporated into the building design.



## Advice Notes

- The consent holder is advised that at the time of granting of this consent the following lots were identified for development of affordable housing: 300, 303, 311, 312, 313, 338, 339, 340, and 346. A total of nineteen affordable units were required across these lots. A memorandum of encumbrance has been registered on the titles relating to this requirement. The consent holder is advised to review their Certificate of Title regarding affordable housing requirements.
- The consent holder is advised that this resource consent does not limit the ability for an applicant to apply for an activity or built form outcome that does not meet the above conditions of consent. Such an application will require resource consent as a non-complying activity under Rule 8.5.1.5 NC8.
- The consent holder is advised to refer to the Christchurch District Plan (as of July 2019) for interpretation of the terms in the above conditions of consent underlined and in blue.
- The consent holder is advised that this resource consent does not include earthworks. Development of each lot will need to be in accordance with Rule 8.9.2.1 P1 of the Christchurch District Plan or will require a separate resource consent.
- The Council will require payment of its administrative charges in relation to monitoring of conditions, as authorised by the provisions of section 36 of the Resource Management Act 1991. The current monitoring charges are:
  - (i) A monitoring programme administration fee of \$102.00 to cover the cost of setting up the monitoring programme; and
  - (ii) A monitoring fee of \$116.80 for the first monitoring inspection to ensure compliance with the conditions of this consent; and
  - (iii) Time charged at an hourly rate if more than one inspection, certification of conditions, additional monitoring activities (including those relating to non-compliance with conditions), are required.

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

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

**Reported and recommended by:** Nathan Harris, Planner

**Date:** 1 August 2019

### Decision

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

**Delegated officer:**



Paul Lowe  
Principal Advisor Resource Consents  
12/08/2019 08:46 a.m.

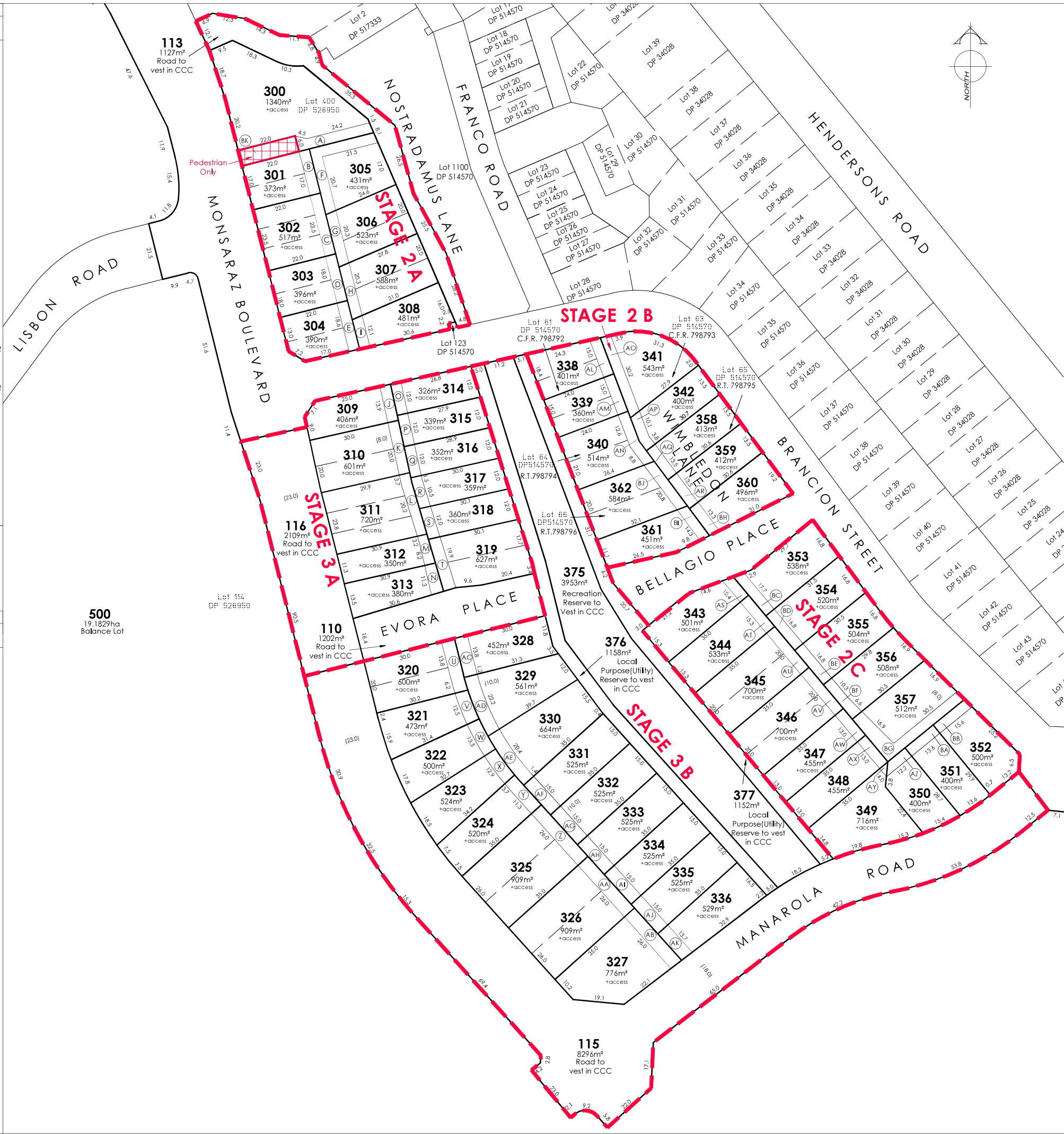
PROPOSED MEMORANDUM OF EASEMENTS

| Nature | Servient Tenement (Burdened Land) |       | Dominant Tenement (Benefited Land) |
|--------|-----------------------------------|-------|------------------------------------|
|        | Lot No.                           | Shown |                                    |
|        | 300                               | A     | Lots 301-308                       |
|        | 301                               | B     | Lots 300,302-308                   |
|        | 302                               | C     | Lots 300,301,303-308               |
|        | 303                               | D     | Lots 300-302,304-308               |
|        | 304                               | E     | Lots 300-303,305-308               |
|        | 305                               | F     | Lots 300-304,306-308               |
|        | 306                               | G     | Lots 300-305,307&308               |
|        | 307                               | H     | Lots 300-306&308                   |
|        | 308                               | I     | Lots 300-307                       |
|        | 309                               | J     | Lots 310-319                       |
|        | 310                               | K     | Lots 309,311-319                   |
|        | 311                               | L     | Lots 309,310,312-319               |
|        | 312                               | M     | Lots 309-311,313-319               |
|        | 313                               | N     | Lots 309-312,314-319               |
|        | 314                               | O     | Lots 309-313,315-319               |
|        | 315                               | P     | Lots 309-314,316-319               |
|        | 316                               | Q     | Lots 309-315,317-319               |
|        | 317                               | R     | Lots 309-316,318&319               |
|        | 318                               | S     | Lots 309-317&319                   |
|        | 319                               | T     | Lots 309-318                       |
|        | 320                               | U     | Lots 321-336                       |
|        | 321                               | V     | Lots 320,322-336                   |
|        | 322                               | W     | Lots 320,321,323-336               |
|        | 323                               | X     | Lots 320-322,324-336               |
|        | 324                               | Y     | Lots 320-323,325-336               |
|        | 325                               | Z     | Lots 320-324,326-336               |
|        | 326                               | AA    | Lots 320-325,327-336               |
|        | 327                               | AB    | Lots 320-326,328-336               |
|        | 328                               | AC    | Lots 320-327,329-336               |
|        | 329                               | AD    | Lots 320-328,330-336               |
|        | 330                               | AE    | Lots 320-329,331-336               |
|        | 331                               | AF    | Lots 320-330,332-336               |
|        | 332                               | AG    | Lots 320-331,333-336               |
|        | 333                               | AH    | Lots 320-332,334-336               |
|        | 334                               | AI    | Lots 320-333,335&336               |
|        | 335                               | AJ    | Lots 320-334&336                   |
|        | 336                               | AK    | Lots 320-335                       |
|        | 337                               | AL    | Lots 339-342&358-362               |
|        | 338                               | AM    | Lots 338,340-342,358-362           |
|        | 339                               | AN    | Lots 338,339,341,342,358-362       |
|        | 340                               | AO    | Lots 338-340,342,358-362           |
|        | 341                               | AP    | Lots 338-341,358-362               |
|        | 342                               | AQ    | Lots 338-342&359-362               |
|        | 343                               | AR    | Lots 338-342,358,360-362           |
|        | 344                               | BH    | Lots 338-342,358,359,361,362       |
|        | 345                               | BI    | Lots 338-342,358-360&362           |
|        | 346                               | BJ    | Lots 338-342&358-361               |
|        | 347                               | AS    | Lots 343-357                       |
|        | 348                               | AT    | Lots 343,345-357                   |
|        | 349                               | AU    | Lots 343,344,346-357               |
|        | 350                               | AV    | Lots 343-345,347-357               |
|        | 351                               | AW    | Lots 343-346,348-357               |
|        | 352                               | AX    | Lots 343-347,349-357               |
|        | 353                               | AY    | Lots 343-348,350-357               |
|        | 354                               | AZ    | Lots 343-349,351-357               |
|        | 355                               | BA    | Lots 343-350,352-357               |
|        | 356                               | BB    | Lots 343-351,353-357               |
|        | 357                               | BC    | Lots 343-352,354-357               |
|        | 358                               | BD    | Lots 343-353,355-357               |
|        | 359                               | BE    | Lots 343-354,356-357               |
|        | 360                               | BF    | Lots 343-355&357                   |
|        | 361                               | BG    | Lots 343-356                       |

|  |     |    |              |
|--|-----|----|--------------|
| Right of way on foot & rights to drain water & sewage & rights to convey water, electricity & telecommunications | 300 | BK | Lots 301-308 |
|--|-----|----|--------------|

PROPOSED SCHEDULE OF EASEMENTS IN GROSS

| Nature | Servient Tenement (Burdened Land) |       | Grantee                   |
|--------|-----------------------------------|-------|---------------------------|
|        | Lot No.                           | Shown |                           |
|        | 300                               | A, BK | Christchurch City Council |
|        | 301                               | B, BL |                           |
|        | 302                               | C     |                           |
|        | 303                               | D     |                           |
|        | 304                               | E     |                           |
|        | 305                               | F     |                           |
|        | 306                               | G     |                           |
|        | 307                               | H     |                           |
|        | 308                               | I     |                           |
|        | 309                               | J     |                           |
|        | 310                               | K     |                           |
|        | 311                               | L     |                           |
|        | 312                               | M     |                           |
|        | 313                               | N     |                           |
|        | 314                               | O     |                           |
|        | 315                               | P     |                           |
|        | 316                               | Q     |                           |
|        | 317                               | R     |                           |
|        | 318                               | S     |                           |
|        | 319                               | T     |                           |
|        | 320                               | U     |                           |
|        | 321                               | V     |                           |
|        | 322                               | W     |                           |
|        | 323                               | X     |                           |
|        | 324                               | Y     |                           |
|        | 325                               | Z     |                           |
|        | 326                               | AA    |                           |
|        | 327                               | AB    |                           |
|        | 328                               | AC    |                           |
|        | 329                               | AD    |                           |
|        | 330                               | AE    |                           |
|        | 331                               | AF    |                           |
|        | 332                               | AG    |                           |
|        | 333                               | AH    |                           |
|        | 334                               | AI    |                           |
|        | 335                               | AJ    |                           |
|        | 336                               | AK    |                           |
|        | 337                               | AL    |                           |
|        | 338                               | AM    |                           |
|        | 339                               | AN    |                           |
|        | 340                               | AO    |                           |
|        | 341                               | AP    |                           |
|        | 342                               | AQ    |                           |
|        | 343                               | AR    |                           |
|        | 344                               | BH    |                           |
|        | 345                               | BI    |                           |
|        | 346                               | BJ    |                           |
|        | 347                               | AS    |                           |
|        | 348                               | AT    |                           |
|        | 349                               | AU    |                           |
|        | 350                               | AV    |                           |
|        | 351                               | AW    |                           |
|        | 352                               | AX    |                           |
|        | 353                               | AY    |                           |
|        | 354                               | AZ    |                           |
|        | 355                               | BA    |                           |
|        | 356                               | BB    |                           |
|        | 357                               | BC    |                           |
|        | 358                               | BD    |                           |
|        | 359                               | BE    |                           |
|        | 360                               | BF    |                           |
|        | 361                               | BG    |                           |



| AMENDMENT | DATE       | DESCRIPTION                    |
|-----------|------------|--------------------------------|
| R1        | 11/03/2019 | LAYOUT AMENDED                 |
| R2        | 15/03/2019 | EASEMENTS ADDED                |
| R3        | 26/03/2019 | STAGING UPDATED                |
| R4        | 27/03/2019 | EASEMENTS ADDED LOTS 300 & 301 |
| R5        | 3/04/2019  | LOTS 300-304 AMENDED           |
| R6        | 6/05/2019  | BALANCE LOT RENUMBERED TO 500  |
| R7        | 27/05/2019 | LOTS 376 & 377 ADDED           |
| R8        | 30/05/2019 | LOTS 375, 376 & 377 AMENDED    |

- NOTES:
- Areas and dimensions are subject to final survey and deposit of plans.
  - Service easements to be created as required.
  - This plan has been prepared for subdivision consent purposes only. No liability is accepted if the plan is used for any other purpose.
  - This plan has been prepared for the use of our client and no liability is accepted in relation to any other parties.
  - Any measurements taken from information which is not dimensioned on the electronic copy are at the risk of the recipient.
  - This plan is subject to the granting of subdivision and/or resource consents and should be treated as a proposal until such time as the necessary consents have been granted by the relevant authorities.

Christchurch City Council  
**RMA/2019/1069**  
 Approved Resource Consent Plan  
 12/08/2019

Total Area : 24.8116 ha  
 Comprised in: R.T. s 849255, 849256, 798792, 798793, 798794, 798795 & 798796



116 Wrights Road P O Box 679 Christchurch 8140, New Zealand  
 Telephone: 03 379-0793 Website: www.dls.co.nz E-mail: office@dls.co.nz

JOB TITLE: **Halswell Commons**

SHEET TITLE: **Proposed Subdivision of Lots 61 - 66 DP 514570 & Lots 114 & 400 DP 526950**

DRAWING STATUS: **For Subdivision Consent**

SCALE: 1:750@A1 DATE: May 2019  
 1:1500@A3

CAD FILE: J:\19005\Subcon\P19005\_Subcon\_6-10 R8.dwg REVISION:  
 DRAWING No: SHEET No:  
**P19005** 1 of 1 **R8**