



**halswell
commons**

A connected community

Sub Division Consent

Report / Decision on Change or Cancellation of Condition(s)

(Section 127)

s127 Application Number:	RMA/2018/2868/C
Original application number:	RNA/2018/2868
Applicant:	Danne Mora Holdings Ltd
Site address:	20 and 20R Franco Road, 1, 2 and 4 Wimbledon Lane, Halswell
Legal Description:	Lots 61, 63 and 64 DP 514570, and Lots 114 and 400 DP 526950
Zoning:	Residential New Neighbourhood
Overlays and map notations:	Meadowlands Exemplar Liquefaction Management Area North Halswell Outline Development Plan
Activity Status:	Discretionary activity
Description of Application:	Change of conditions pursuant to Section 127

Introduction

The applicant is seeking to vary the conditions of an existing resource consent (RMA/2018/2868) which was granted on a non-notified basis by delegated officer on 4 June 2019. The consent has previously been varied twice. The first variation was under RMA/2018/2868/A to replace the geotechnical report submitted as part of the original subdivision application, update conditions relating to geotechnical matters, and update the Front Lot Landscaping Guidelines. The second variation changed conditions 1 and 2 to split Stages 3a and 3b into four stages (being Stages 3a, 3b, 3c, and 3d).

The current application seeks to remove two local purpose reserves (Lots 376 and 377) located along the edges of a linear recreation reserve. This will increase the recreation reserve (Lot 375) to an area of 6,261m². The purpose of the local purpose reserves was to enable lighting to be installed within the linear reserve area, for which easements to convey electricity would be required. The applicant has confirmed that lighting within the linear reserve will no longer occur.

The applicant seeks to vary Condition 1 to amend the approved survey plan, delete Condition 5, and amend Conditions 15.1 and 15.2 to remove reference to Lots 376 and 377 (being the local purpose reserves). The applicant seeks to change those conditions from:

1. Compliance with Application Information

The survey plan, when submitted to Council for certification, is to be substantially in accordance with RMA/2018/2868/B Stamped Approved Plan 1.

5. Allotment to Vest as Local Purpose (Utility) Reserve

Lots 376 and 377 are to be vested as Local Purpose (Utility) Reserves.

Advice Note: These lots hold no credits towards the final Reserve Development Contributions assessment. The agreed developments on the 'Accepted' landscape plans for Lots 376 and 377 are to hold no credits against the Reserve Development Contributions.

Advice note: Any proposed easements across the Local Purpose (Utility) Reserve will need to be made to the processing planner prior to the issue of 224C and will be determined by the Team Leader Parks Policy & Advisory (Russel Wedge).

15.1 Design and Development of reserves and streetscapes

- A. Landscape plans for the reserves (Lots 375, 376, and 377) streetscapes are to be submitted as part of the Landscape Design Report to the Asset and Network Unit (Parks) for acceptance. All landscaping is to be carried out in accordance with the Accepted plan.

- B. Where the Consent Holder has applied to vest assets as detailed on Accepted Landscape Plans, but the Asset and Network Unit (Parks) have not agreed to the value of the assets being credited against the Reserve Development Contributions or to reimburse the value of the assets to the Consent Holder, then the Consent Holder may vest the assets at their own expense.
- C. The Landscape Design Report and plans are to provide sufficient detail to confirm compliance with the requirements of the IDS, the CSS: and the WWDG: 2003. All landscaping required by this condition is to be carried out in accordance with the accepted report and plan(s) at the Consent Holder's expense, unless otherwise agreed. The Consent Holder shall maintain the works for 12 months for the Establishment Period (Maintenance and Defects Period) from the time of issue of the Section 224 Certificate.

15.2 Establishment Period (Defects Liability Period)

- A. The Establishment Period (Defects Maintenance) for Lots 375, 376, and 377 will include an inspection by Parks Operations staff after the first 6 months. Any diseased, dead or replacement plantings are to be replaced at the Consent Holder's expense. The Establishment Period and the term on the bond shall be extended by a further 12 months for the replacement planting(s). Refer: CSS, Section Establishment. The Consent Holder is to keep an accurate and up-to-date monthly report on plant and tree conditions during the Establishment Period of the works undertaken. The report shall be submitted, if requested, by the Engineer within five days of the end of each month during the Establishment Period (Refer sample report: *Landscape Construction Monthly Establishment Report*, CSS, Part 7 Appendix 1).
- B. The Consent Holder shall enter into a separate bond with Council Asset & Network Unit (Parks) Team to the value of 50% of the cost to replace and replant all plants on the recreation reserves. The bond shall be held for the Establishment Period of a minimum of 12 months and shall be extended by a further 12 months for the replacement planting(s), if required. The bond shall be released after the plants have been inspected and Accepted by the Council Parks Operation staff.

To:

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The survey plan, when submitted to Council for certification, is to be substantially in accordance with RMA/2018/2868/**BC** Stamped Approved Plan 1.

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15.1 Design and Development of reserves and streetscapes

- A. Landscape plans for the reserves (Lots 375, ~~376, and 377~~) streetscapes are to be submitted as part of the Landscape Design Report to the Asset and Network Unit (Parks) for acceptance. All landscaping is to be carried out in accordance with the Accepted plan.
- B. Where the Consent Holder has applied to vest assets as detailed on Accepted Landscape Plans, but the Asset and Network Unit (Parks) have not agreed to the value of the assets being credited against the Reserve Development Contributions or to reimburse the value of the assets to the Consent Holder, then the Consent Holder may vest the assets at their own expense.
- C. The Landscape Design Report and plans are to provide sufficient detail to confirm compliance with the requirements of the IDS, the CSS: and the WWDG: 2003. All landscaping required by this condition is to be carried out in accordance with the

accepted report and plan(s) at the Consent Holder's expense, unless otherwise agreed. The Consent Holder shall maintain the works for 12 months for the Establishment Period (Maintenance and Defects Period) from the time of issue of the Section 224 Certificate.

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- A. The Establishment Period (Defects Maintenance) for Lots 375, ~~376~~, and ~~377~~ will include an inspection by Parks Operations staff after the first 6 months. Any diseased, dead or replacement plantings are to be replaced at the Consent Holder's expense. The Establishment Period and the term on the bond shall be extended by a further 12 months for the replacement planting(s). Refer: CSS, Section Establishment. The Consent Holder is to keep an accurate and up-to-date monthly report on plant and tree conditions during the Establishment Period of the works undertaken. The report shall be submitted, if requested, by the Engineer within five days of the end of each month during the Establishment Period (Refer sample report: *Landscape Construction Monthly Establishment Report*, CSS, Part 7 Appendix 1).
- B. The Consent Holder shall enter into a separate bond with Council Asset & Network Unit (Parks) Team to the value of 50% of the cost to replace and replant all plants on the recreation reserves. The bond shall be held for the Establishment Period of a minimum of 12 months and shall be extended by a further 12 months for the replacement planting(s), if required. The bond shall be released after the plants have been inspected and Accepted by the Council Parks Operation staff.

In line with the change to Condition 1, I also recommend Condition 2 is amended to refer to the updated Stamped Approved Plan. This will change Condition 2 from:

2. Staging

The subdivision may be carried out in stages as set out in the Scheme Plan (RMA/2018/2868/B Stamped Approved Plan 1).

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

To:

2. Staging

The subdivision may be carried out in stages as set out in the Scheme Plan (RMA/2018/2868/**BC** Stamped Approved Plan 1).

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

For clarity, I note that there is not a specific condition requiring lighting be installed within the local purpose reserves. However, those reserves were included within the proposal to accommodate lighting of the linear reserve (as Council's Parks Unit would not accept a recreation reserve with easements within it).

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 are under development, with a number of residential units under construction or completed.

Statutory Considerations

Section 127 of the Resource Management Act 1991 states:

"127. Change or cancellation of consent condition on application by consent holder

- (1) *The holder of a resource consent may apply to the consent authority for a change or cancellation of a condition of a consent, subject to the following:*
 - (a) *the holder of a subdivision consent must apply under this section for a change or cancellation of the consent before the deposit of the survey plan (and must apply under section 221 for a variation or cancellation of a consent notice after the deposit of the survey plan); and*
 - (b) *No holder of any consent may apply for a change or cancellation of a condition on the duration of the consent.*
- (2) *Repealed*
- (3) *Sections 88 to 121 apply, with all necessary modifications, as if -*
 - (a) *the application were an application for a resource consent for a discretionary activity; and*
 - (b) *the references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.*
- (4) *For the purposes of determining who is adversely affected by the change or cancellation, the local authority must consider, in particular, every person who -*
 - (a) *made a submission on the original application; and*
 - (b) *may be affected by the change or cancellation.*

Type of Application

The first consideration that is required is whether the application can be treated as one for a change of conditions or whether it will result in a fundamentally different activity or one having materially different adverse effects, such that it should be treated as a new application. The original application sought to subdivide the application site to provide for development in accordance with a land use framework. In my opinion this application can be considered as a variation to the original resource consent as the nature of the activity will not fundamentally change and the adverse effects will not be materially different from those associated with the original consent.

Written approvals [Sections 95D(e), 95E(3)(a) and 104(3)(a)(ii)]

No written approvals have been provided with the application.

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

Pursuant to Section 127(3) the application must be assessed as a discretionary activity. As such, the Council's assessment is unrestricted and all actual and potential effects of this proposal must be considered. In my opinion the effects on the environment associated with the proposed change/cancellation of conditions relate to Crime Prevention through Environmental Design (CPTED), interaction with the reserve, and transport.

I have consulted with Peter Barnes, Senior Planner Open Space, and Russel Wedge, Team Leader Parks Policy and Advisory, with respect to the removal of the local purpose reserves and associated lighting. Mr Barnes has confirmed that he does not consider there to be any CPTED concerns with respect to the reserve and removal of lighting and that the Parks Unit do not seek lighting within the linear reserve. From further discussions with Mr Wedge I understand that the introduction of lighting within the linear reserve may, conversely, lead to CPTED issues with people congregating within the area after dark. From a Parks perspective the preference is that lighting is not provided, as now proposed by the applicant. Landscaping plans have been approved in accordance with Condition 15.1 of RMA/2018/2868 that do not include lighting of the reserve.

The reasoning for the lighting relates to the amenity of the residents and to provide an active frontage between the lots and linear reserve. The original plans for Halswell Commons included vehicle access lanes between the residential units and linear reserve, with the residential units orientated to front onto the reserve and create an active edge. This included front doors and letterboxes facing the reserve. RMA/2018/2868 does not include the edge lanes between residential units and the linear reserve, being replaced with a shared cycleway and pedestrian path. The accompanying land use consent RMA/2019/1069 put in place a framework requiring each residential unit have an entry facing the linear reserve, and other controls to promote interaction between the units and reserve (discussed below). However, Ian Thompson, General Manager of Halswell Commons has confirmed that all the houses in Stage 3 have access, garaging, and letterboxes off the laneways, not the reserve.

RMA/2019/1069 requires residential units facing the linear reserve include a number of design features providing for interaction between the lots and the reserve. This includes requirements for doors facing the

reserve, minimum amounts of glazing facing the reserve (15%), and building setbacks generally between 2m and 4m. The measures imposed have been agreed with the applicant to ensure a minimum level of interaction between the residential units and the reserve, including providing for passive surveillance. I consider that the removal of lighting along the edges of the linear reserve will not significantly undermine this, and will on balance not result in increased CPTED concerns (noting the comments from Parks).

I have consulted with Mike Calvert, Transport Network Planner, who does have specific concerns with the removal of lighting given the residential units do not have their primary access to / from the reserve. He notes that pedestrians and cyclists can use the nearby collector road (Monsaraz Boulevard) during the hours of darkness. This road has a cycle lane and footpath.

I consider the proposed removal of the local purpose utility reserves and the accompanying lighting with have adverse effects that are less than minor. No persons are considered affected for the purposes of notification.

Notification assessment [Sections 95A and 95B]

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

Public notification

- Step 1. The application does not meet any of the criteria for mandatory notification in section 95A(2).
- Step 2. Under section 95(A)(5)(b) the application must not be notified as the change of conditions is a discretionary activity and relates to the subdivision of land.
- Step 3. This step is not applicable as notification of the application is prevented by Step 2.
- Step 4. There are no special circumstances that warrant public notification (section 95A(9)).

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

Limited notification assessment

- Step 1. There are no affected groups or persons in relation to customary rights, customary marine titles or statutory acknowledgements as outlined in section 95B(2) and (3).
- Step 2. There are no rules or NES preventing limited notification, and the application is not for a controlled activity land use consent under the District Plan (section 95B(6)).
- Step 3. As discussed above, no persons are considered to be affected under section 95E (sections 95B(7) and (8)).
- Step 4. There are no special circumstances that warrant notification to any other persons (section 95B(10)).

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

Recovery Plans and Regeneration Plans

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

The Land Use Recovery Plan (LURP) is relevant and have discussed the proposal as a while in relation to the LURP in my s95/s104 report. I do not consider the proposed change to affect how the proposal aligns with the LURP.

Other Section 104 matters

The application is:

- Consistent with the relevant objectives and policies in the District Plan.

In reaching this view I have given particular consideration to the subdivision Objective 8.2.2 'Design and amenity in the Meadowlands Exemplar Overlay' and associated Policy 8.2.2.12 'Meadowlands Exemplar Overlay comprehensive development'. I consider that the proposed change will be, on balance, consistent with this framework. In particular, there will remain an integrated network of cycle and pedestrian routes that links provides connections to the wider area.

I have also given consideration to Policies 8.2.24 'Identity, 8.2.2.6 'Integration and connectivity', and 8.2.2.7 'Open space'. Collectively, and as relevant to this application, these policies seek to incorporate public spaces that provide opportunities for social interaction, have a focus on the use of open space, integrate within and between development including with respect to movement networks, and provide open spaces that are accessible and safe and that provide for various forms of recreation for the health and wellbeing of communities. I consider the proposal to be consistent with this framework.

With respect to Objective 8.2.3 'Infrastructure and transport' and Policy 8.2.3.3 'Transport and access' I consider that the movement network provided will remain suitable, noting the location of alternative route along the collector road (Monsaraz Boulevard) approximately 70m to the west for cyclists and pedestrians during the hours of darkness if needed.

- Able to be granted consent without notification, pursuant to Section 104(3)(d).

For completeness, I note that the District Plan gives effect to Part 2 of the Act and the higher order planning documents referred to in s104(1)(b). The Plan was competently prepared and appropriately reflects the higher order provisions, so they do not need to be specifically addressed in this report¹.

Recommendations

That, for the reasons outlined above:

- A. The application be processed on a **non-notified** basis in accordance with Sections 95A and 95B of the Resource Management Act 1991.
- B. The application **be granted** pursuant to Section 127 of the Resource Management Act 1991.

The conditions of consent shall now read as follows:

~~1. Compliance with Application Information~~

~~The survey plan, when submitted to Council for certification, is to be substantially in accordance with RMA/2018/2868/B Stamped Approved Plan 1.~~

1. Compliance with Application Information

The survey plan, when submitted to Council for certification, is to be substantially in accordance with RMA/2018/2868/C Stamped Approved Plan 1.

~~2. Staging~~

~~The subdivision may be carried out in stages as set out in the Scheme Plan (RMA/2018/2868/B Stamped Approved Plan 1).~~

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

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The subdivision may be carried out in stages as set out in the Scheme Plan (RMA/2018/2868/C Stamped Approved Plan 1).

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

3. New Road to Vest

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

The new road, being Lots 110, 115, and 116 are to be formed and vested in the Council to the satisfaction of the Subdivision Engineer with underground wiring the electricity supply and telecommunications.

4. Allotment to Vest as Recreation Reserve

Lot 375 is to be shown on the survey plan as Recreation Reserve to Vest.

~~5. Allotment to Vest as Local Purpose (Utility) Reserve~~

~~Lots 376 and 377 are to be vested as Local Purpose (Utility) Reserves.~~

~~Advice Note: These lots hold no credits towards the final Reserve Development Contributions assessment. The agreed developments on the 'Accepted' landscape plans for Lots 376 and 377 are to hold no credits against the Reserve Development Contributions.~~

~~Advice note: Any proposed easements across the Local Purpose (Utility) Reserve will need to be made to the processing planner prior to the issue of 224C and will be determined by the Team Leader Parks Policy & Advisory (Russel Wedge).~~

5. Condition 5 deleted by RMA/2018/2868/C.

6. Balance Allotment

Lot 500 is a balance allotment and shall not require servicing.

7. Engineering General

7.1 Asset Design and Construction

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

7.2 Quality Assurance

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

- A. Submit a Design Report, Engineering Plans, Erosion and Sedimentation Plans, Environmental Management Plan and Design Certificate complying with clause 3.3.2 to the Subdivision Engineers (Planning Team 1). The Design Report and engineering plans are to provide sufficient detail to confirm compliance with the requirements of the IDS and this consent.
- B. Submit a Contract Quality Plan for review by the Council and an Engineer's Review Certificate complying with clause 3.3.3.

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

- C. Submit an Engineer's Report and Completion Certificate complying with clause 3.3.4.

An Engineer's Report is a document specific to a project, which describes how the project was managed and administered in compliance with the IDS, the Construction Standard Specifications, the Contract Quality Plan and the resource consent or project brief. It provides background information to the release of the 224(c) certificate.

Note: Part 3 of the IDS sets out the Council's requirements for Quality Assurance. It provides a quality framework within which all assets must be designed and constructed. It also sets out the process for reporting to Council how the works are to be controlled, tested and inspected in order to prove compliance with the relevant standards. It is a requirement of this part of the IDS that the applicant provides certification for design and construction as a pre-requisite for the release of the 224c certificate. The extent of the documentation required should reflect the complexity and/or size of the project.

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

- 7.3 The surveyor is to forward a copy of the title plan and survey plan to the Subdivision Planner (that issued the consent), Resource Consents & Building Policy Unit as soon as the plan has been lodged (or earlier if possible) for checking at Land Information New Zealand for entering into the Council GIS system.
- 7.4 All private sewer and stormwater laterals (serving rear lots) shall be installed under a single global Building Consent by a Licensed Certifying Drain Layer and the Code Compliance Certificate forwarded to Council's Subdivision Team as part of the Sec 224c application.
- 7.5 Pipeline CCTV inspections are to be carried out on all gravity pipelines in compliance with the Council Standard Specifications (CSS):
<https://www.ccc.govt.nz/consents-and-licences/construction-requirements/construction-standard-specifications/pipeline-cctv-inspections/>
- 7.6 As-Built plans and data shall be provided for all infrastructure and private work in compliance with the Infrastructure Design Standards (IDS):
<https://www.ccc.govt.nz/consents-and-licences/construction-requirements/infrastructure-design-standards/as-built-survey-and-data-requirements/>

8. Water Supply

- 8.1 The point of supply will be the DN355 mm OD PE100 installed through the new Augustine Road connecting to the DN200 mm uPVC water main in Halswell Road. The minimum diameter of the watermain from the neighbouring property boundary (at Days Drain) to Hendersons Road (refer to Figure 1 for the general alignment from Points 1-2-3) shall be DN355 mm OD PE. All watermains within the development shall (i) be sized based on appropriate modelling and (ii) be extended to the boundaries of the subdivision and be terminated with temporary hydrants in accordance with the provisions of the Infrastructure Design Standard.

Advice Notes: For costs associated with the increase in diameter of the water main, if over and above those required to service the proposed subdivision, one of the following cost share arrangements maybe considered:

- a) *The applicant's development contributions will be reduced by the additional cost. Should the cost exceed the development contribution sum, then the balance of payment will be met by the Council; and/or,*
- b) *Council will make direct cash contributions of the additional water main. The developer will pay water development contributions as per normal Council policy; and/or,*
- c) *Use of point strips in ownership of Council to enable the applicant to recoup the value of the costs over and above those costs necessary to service the development; and/or,*
- d) *Direct agreement (s) between the applicant and other neighbouring landowners and/or developers.*

Advice Note: The applicant is advised that a Private Development Agreement must be entered into with Council for the cost share arrangement described in option a) and option b). In order for Council to obtain the necessary approvals for such a Private Development Agreement, the applicant must provide a schedule of costs pertaining to the additional works at least 3 months prior to its request for engineering approval.

- 8.2 The water mains serving the commercial development shall be a minimum DN255 PE100 diameter. The water mains serving residential development shall be a minimum DN180 PE100 diameter.
- 8.3 All water supply mains and submains shall be installed in legal road to be vested in Council.
- 8.4 The water supply shall be designed by a suitably qualified person in accordance with the Infrastructure Design Standard and in general accordance with the NZ Fire Service Fire

Fighting Water Supplies Code of Practice NZS 4509:2008 to the satisfaction of the Water & Wastewater Asset Planning Team. Engineering drawings supported by hydraulic model outputs shall be sent to the Subdivisions Engineer for acceptance by the Three Water & Waste Asset Planning Team prior to the commencement of any physical work.

- 8.5 The work shall be carried out by a Council approved water supply installer at the expense of the applicant.
- 8.6 All lots shall be served with a water supply to the boundary. Each lot shall be served with a lateral installed by a Licensed Certified Plumber into their net site areas under a Building Consent for each stage. Alternatively, the consent holder can seek Building Consent (BC) exemption for the installation of the private laterals.

Where the laterals are installed under BC exemption construction shall be in accordance with the CSS and the IDS. Dummy connection boxes shall be installed at the entrance of each R.O.W and sufficient space shall be allocated at each R.O.W for the dummy connection boxes. A copy of the Code Compliance Certificate shall be forwarded through to the Council's Engineering Team as part of the Section 224c application.

9. Sewer

- 9.1 The sewer system is to be a Local Pressure Sewer System designed in accordance with Council's Infrastructure Design Standards and Construction Standard Specifications. Engineering drawings supported by hydraulic calculations shall be sent to the Subdivisions Engineer for acceptance by the Three Water and Waste Planning Team prior to the commencement of any physical work.
- 9.2 The approved sanitary sewer outfall shall be the pressure sewer main installed in Halswell Commons under subdivision consents RMA2016/2585, RMA/2016/2904A and RMA/2017/475.
- 9.3 Measures shall be put in place enabling initial operation of the local pressure sewer system within and from the subdivision during the build phase, including ensuring self-cleansing flow and limiting sewage age within the system when the design number of pressure sewer tanks are not yet in operation. Section 224 (c) shall not be issued until acceptance of such measures by Council.
- 9.4 Each lot shall have a Boundary Kit located within the legal road or within the R.O.W. outside the boundary of the lot. The lateral from the Boundary Kit is to extend at least 600mm into the net site of each lot.
- 9.5 Properties in a R.O.W. shall be serviced by a single pressure main, complete with isolation valve as specified in the Infrastructure Design Standards. Easements in gross shall be created over Pressure Sewer Systems in private R.O.Ws.
- 9.6 Installation of the pressure sewer main up to and including the boundary kits shall be carried out by a Council Authorised Drainlayer (Pressure Sewer Reticulation).
- 9.7 For residential lots, the following conditions shall be recorded pursuant to Section 221 of the RMA in a consent notice registered on the titles of each residential property.
 - A. Each lot is to be served by a local pressure sewer system comprising a pump and storage chamber which can accommodate at least 24 hours average dry weather flow to be supplied by EcoFlow and installed by a Council Authorised Drainlayer (Pressure Sewer Tanks) at building consent stage in accordance with the Requirements for Local Pressure Sewer Pumps specified under a Building Consent. The pressure sewer system will be supplied complete with an IOTA OneBox Control Panel.
 - B. The ownership and control of the local pressure pump, chamber and OneBox Control Panel will be vested with Council. The property owner shall enter into a Deed with the Christchurch City Council, drafted in terms approved by the Christchurch City Council, vesting ownership in the system prior to Code Compliance Certificate being issued for a dwelling on the relevant site.
 - C. Where the local pressure sewer system is vested in Council, the Council and its agents or contractors shall have the right of access to the property for the purpose of

maintenance, monitoring or renewal of any part of the local pressure sewer system vested with Council.

- D. The electricity supply for the system shall be from the dwelling / building and metered to the dwelling /building serviced by the system. The property owner shall be responsible for the power costs of operating the system.
- E. The property owner shall ensure adherence with the operational requirements of the local pressure sewer system and if in breach of this obligation, the property owner shall promptly at the property owner's expense properly and substantially repair and make good all injury or damage caused to the local pressure sewer system. If the property owner fails to promptly comply with this obligation then the Council may perform the obligation and recover any costs incurred from the Property Owner.

10. Stormwater

- 10.1 The consent holder shall obtain certification from the Christchurch City Council that the discharge of operational phase stormwater will comply with the conditions of the Council's operative stormwater network discharge consent, otherwise consent from the Canterbury Regional Council will be required.
- 10.2 Stormwater from all allotments and roading shall be collected via channels, sumps, pipes or swales and discharge into a combined stormwater treatment and attenuation facility prior to outfall into the Council stormwater network. The surface water management and mitigation system shall meet the requirements of the CCC Waterways, Wetlands and Drainage Guide (WWDG - 2003 including Chapters 6, 21 and Appendix 10 updated 2011/12), the Infrastructure Design Standard (IDS - 2015), the Construction Standard Specifications (CSS - 2015), and the South West Area Stormwater Management Plan or as agreed with Council officers.
- 10.3 The stormwater treatment and attenuation system shall:
 - A. Have sufficient volume to capture the runoff resulting from the first 25mm of rain falling on impervious surfaces within the development;
 - B. Have sufficient volume to ensure peak stormwater flows from the developed area do not exceed pre-developed flow rates for all storm events up to and including the two percent annual exceedance probability storm of 36-hour duration, and;
 - C. Be designed to be converted into a first flush sedimentation basin at later stages.
- 10.4 The surface water management system shall be designed to ensure complete capture and conveyance of all stormwater runoff for all rainfall events up to and including two percent annual exceedance probability critical storm. This will require internal reticulation and conveyance to meet Council's inundation standards as specified in the WWDG. Further, the conveyance and inlet system to the first flush and attenuation basin shall be designed to ensure that even for events where the critical peak stormwater runoff flow rate occurs that all resulting runoff shall actually reach the basin. A combination of the primary and secondary conveyance systems may be used to ensure this level of service is achieved.
- 10.5 The primary stormwater reticulation network shall be designed to convey (at minimum) the critical twenty percent annual exceedance probability storm event. No flooding of private property shall occur during the critical ten percent annual exceedance probability storm event and no flooding of buildings shall occur during the critical two percent annual exceedance probability storm event.
- 10.6 The designer of the surface water management system shall provide a report which identifies all secondary flow paths proposed to manage flows beyond the capacity of the stormwater reticulation network (up to the critical two percent annual exceedance probability event). All secondary or emergency stormwater flowpaths are to be identified and protected by an easement in favour of Council, if required.
- 10.7 Subsoil drains to intercept groundwater and/or lower groundwater levels shall be designed in accordance with the WWDG and the CSS.
- 10.8 All allotments backing onto existing residential properties on Hendersons Road shall be graded to provide positive surface drainage away from existing dwellings.

- 10.9 Stormwater laterals are to be laid to at least 600mm inside the boundary of all lots at the subdivision stage. The laterals are to be laid at sufficient depth to ensure protection and adequate fall is available to serve the furthestmost part of the lot.
- 10.10 Safe and adequate access to the public surface water mitigation facilities for maintenance and sediment removal shall be provided and designed in accordance with WWDG Clause 6.8 & 6.9.
- 10.11 The consent holder shall provide easements in gross over all public stormwater infrastructure located outside of legal road or utility reserve areas to be vested with Council.
- 10.12 Prior to any final engineering works on the site (other than those approved under other earthworks consents), engineering plans, specifications and calculations for the design and construction of all surface water infrastructure and mitigation areas are to be submitted for acceptance by the 3 Waters and Waste and Resource Consents Units.
- 10.13 The consent holder shall operate and maintain surface water management infrastructure to vest into Council for at least 12 months following the issue of the section 224(c) certificate, after such time Council may accept responsibility for operation and maintenance.
- 10.14 The applicant shall provide as-built plans of the surface water management systems and confirm that they have been constructed in accordance with the approved plans and comply with the IDS, in particular Part 3: Quality Assurance and Part 12: As-Built.
- 10.15 A Maintenance and Operations manual for all surface water management and mitigation facilities shall be provided. This manual is to include a description of the activity, the design assumptions, maintenance schedule and monitoring requirements.
- 10.16 An Erosion and Sediment Control Plan (ESCP) is to be submitted for review as part of the design report. The ESCP is to include (but is not limited to):
- Site description, i.e. topography, vegetation, soils etc
 - Details of proposed activities.
 - A report including the method and time of monitoring to be undertaken.
 - A locality map.
 - Drawings showing the site, type and location of sediment control measures, onsite catchment boundaries and offsite sources of runoff.
 - Drawings and specifications showing the positions of all proposed mitigation areas with supporting calculations if appropriate.

The performance criteria for the ESCP, unless directed by Council through the engineering acceptance process, will be based on Environmental Canterbury's Erosion and Sediment Control Guidelines: <http://esccanterbury.co.nz/>

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

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

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

11. Minimum Levels and Filling

- 11.1 To be considered satisfactory for sewer and stormwater drainage minimum ground levels shall be based on a level of 100mm above the kerb at the street frontage, plus a grade of 1:500 to the rear boundary.
- 11.2 All filling exceeding 300mm above excavation level shall be in accordance with the Code of Practice for earthfill for residential purposes NZS 4431: 1989. A duly completed certificate in

the form of Appendix A of NZS 4431 shall be submitted to the Council for all lots within the subdivision that contain filled ground, prior to the issue of a Section 224 Conditions Certificate.

- 11.3 Where the ground level is to be altered, the top of any drainage structure is to be adjusted to match the new ground level. All work is to be carried out to the satisfaction of the Asset and Network Planning Unit.
- 11.4 The consent holder is to submit a report and calculations detailing any filling proposed against existing boundaries and the mitigation proposed to avoid adverse effects on adjoining properties.
- 11.5 The construction details of any retaining wall required to retain the fill are to be submitted to the Subdivisions Engineer for acceptance. The wall construction and materials are to be certified in addition to the NZS 4431 certification.

12. Access Construction Standards

- 12.1 The access formation shall be designed and constructed in accordance with the CCC Infrastructure Design Standard. Physical works shall not commence until a Council engineering officer confirms that the Design Report, Plans and Design Certificate complying with clause 3.3.1 of the IDS and the Contract Quality Plan and Engineer's Review Certificate complying with clause 3.3.2 has been received by Council.

13. Earthworks

- 13.1 The earthworks and construction work shall be under the control of a nominated and suitably qualified engineer.
- 13.2. The Erosion and Sediment Control Plan shall show the positions of all stockpiles on site. Temporary mounds shall be grassed or covered to prevent erosion until such time as they are removed. Topsoil stockpiles shall not exceed 2.0 m in height to protect the integrity of the soil microbes. Stockpiles shall be placed as far as practicable from internal boundaries adjoining residential properties.
- 13.3 All filling and excavation work shall be carried out in accordance with a Remedial Action Plan (RAP) that includes:
 - The identification of environmental risks including erosion, sediment and dust control, spills, wastewater overflows, dewatering, and excavation and disposal of material from contaminated sites
 - A site description, i.e. topography, vegetation, soils, etc.
 - Details of proposed activities
 - A locality map
 - Drawings showing the site, type and location of sediment control measures, on-site catchment boundaries and off-site sources of runoff
 - Drawings showing the protection of natural assets and habitats
 - A programme of works including a proposed timeframe and completion date
 - Emergency response and contingency management
 - Procedures for compliance with resource consents and permitted activities
 - Environmental monitoring and auditing, including frequency
 - Corrective action, reporting on solutions and update of the EMP
 - Procedures for training and supervising staff in relation to environmental issues
 - Contact details of key personnel responsible for environmental management and compliance.

Note: IDS clause 3.8.2 contains further details on Environmental Management Plans.

- 13.4 All filling exceeding 300mm above excavation level shall be in accordance with the Code of Practice for earthfill for residential purposes NZS 4431: 1989. A duly completed certificate in the form of Appendix A of NZS 4431 shall be submitted to the Council for all lots within the subdivision that contain filled ground, prior to the issue of a Section 224 Conditions Certificate.

- 13.5 Dust emissions shall be appropriately managed within the boundary of the property and in accordance with the Regional Air Plan. Dust mitigation measures such as water carts or sprinklers shall be used on any exposed areas. The roads to and from the site are to remain tidy at all times.
- 13.6 All loading and unloading of trucks with excavation or fill material shall be carried out within the subject site.
- 13.7 No work, other than maintenance of dust and erosion and sediment control measures, shall be undertaken on Sundays, Public Holidays or outside the hours of 7.00am to 6.00pm Monday to Friday and 8.00am to 6.00pm Saturday, without the Council's prior consent.
- 13.8 All construction work shall be designed, managed and conducted to ensure that construction noise complies with the requirements of NZS 6803:1999 Acoustics – Construction Noise (see Table 3, Page 11 of this standard).
- 13.9 Any change in ground levels shall not cause a ponding or drainage nuisance to neighbouring properties.
- 13.10 Any change in ground levels shall not affect the stability of the ground or fences on neighbouring properties. Fill batters shall be retained or formed wholly within the consent holders property.
- 13.11 The fill sites shall be stripped of vegetation and any topsoil prior to filling. The content of fill shall be clean fill.
- 13.12 At the completion of the earthworks operations, the berm areas outside the line of the roadway construction shall be sown down with grass seed.
- 13.13 All bared surfaces shall be adequately top-soiled and vegetated as soon as possible to limit sediment mobilisation.
- 13.14 Any public road, footpath, landscaped area or service structure that has been affected / damaged by the contractor(s), consent holder, developer, persons involved with earthwork development or vehicles and machinery used in relation to the earthworks / construction works shall be reinstated as specified in the Construction Standard Specifications (CSS) at the expense of those identified above and to the satisfaction of Council.
- 13.15 Should the Consent Holder cease or abandon work on site for a period longer than 6 weeks, or be required to temporarily halt construction during earthworks, they shall at first take adequate preventative and remedial measures to control sediment discharge / run-off and dust emission, and shall thereafter maintain these measures for as long as necessary to prevent sediment discharge or dust emission from the site.
- 13.16 An approved Traffic Management Plan (TMP) shall be implemented and no works are to commence until such time as the TMP has been installed. The TMP shall be prepared by an STMS accredited person and submitted to and approved by the Christchurch Transport Operation Centre – please refer to www.tmpforchch.co.nz
- 13.17 Where the ground level is to be altered, the top of any drainage structure is to be adjusted to match the new ground level. All work is to be carried out to the satisfaction of the Asset and Network Planning Unit.
- 13.18 The consent holder is to submit a report and calculations detailing any filling proposed against existing boundaries and the mitigation proposed to avoid adverse effects on adjoining properties.
- 13.19 The construction details of any retaining wall required to retain the fill are to be submitted to the Subdivisions Engineer for acceptance. The wall construction and materials are to be certified in addition to the NZS 4431 certification.

14. Recreation Reserve

- 14.1 Lot 375 is to be vested as a Recreation Reserve, clear of any easements.

Advice Note: The agreed value of the Recreation Reserve may be credited against the Reserve Development Contributions.

Advice Note: The agreed developments on the 'Accepted' landscape plans for Lot 375 may be credited against the Reserve Development Contributions.

15. Greenspace

~~15.1 Design and Development of reserves and streetscapes~~

- ~~D. Landscape plans for the reserves (Lots 375, 376, and 377) streetscapes are to be submitted as part of the Landscape Design Report to the Asset and Network Unit (Parks) for acceptance. All landscaping is to be carried out in accordance with the Accepted plan.~~
- ~~E. Where the Consent Holder has applied to vest assets as detailed on Accepted Landscape Plans, but the Asset and Network Unit (Parks) have not agreed to the value of the assets being credited against the Reserve Development Contributions or to reimburse the value of the assets to the Consent Holder, then the Consent Holder may vest the assets at their own expense.~~
- ~~F. The Landscape Design Report and plans are to provide sufficient detail to confirm compliance with the requirements of the IDS, the CSS: and the WWDG: 2003. All landscaping required by this condition is to be carried out in accordance with the accepted report and plan(s) at the Consent Holder's expense, unless otherwise agreed. The Consent Holder shall maintain the works for 12 months for the Establishment Period (Maintenance and Defects Period) from the time of issue of the Section 224 Certificate.~~

15.1 Design and Development of reserves and streetscapes

- A. Landscape plans for the reserves (Lot 375) streetscapes are to be submitted as part of the Landscape Design Report to the Asset and Network Unit (Parks) for acceptance. All landscaping is to be carried out in accordance with the Accepted plan.**
- B. Where the Consent Holder has applied to vest assets as detailed on Accepted Landscape Plans, but the Asset and Network Unit (Parks) have not agreed to the value of the assets being credited against the Reserve Development Contributions or to reimburse the value of the assets to the Consent Holder, then the Consent Holder may vest the assets at their own expense.**
- C. The Landscape Design Report and plans are to provide sufficient detail to confirm compliance with the requirements of the IDS, the CSS: and the WWDG: 2003. All landscaping required by this condition is to be carried out in accordance with the accepted report and plan(s) at the Consent Holder's expense, unless otherwise agreed. The Consent Holder shall maintain the works for 12 months for the Establishment Period (Maintenance and Defects Period) from the time of issue of the Section 224 Certificate.**

~~15.2 Establishment Period (Defects Liability Period)~~

- ~~A. The Establishment Period (Defects Maintenance) for Lot 375, 376, and 377 will include an inspection by Parks Operations staff after the first 6 months. Any diseased, dead or replacement plantings are to be replaced at the Consent Holder's expense. The Establishment Period and the term on the bond shall be extended by a further 12 months for the replacement planting(s). Refer: CSS, Section Establishment. The Consent Holder is to keep an accurate and up to date monthly report on plant and tree conditions during the Establishment Period of the works undertaken. The report shall be submitted, if requested, by the Engineer within five days of the end of each month during the Establishment Period (Refer sample report: *Landscape Construction Monthly Establishment Report*, CSS, Part 7 Appendix 1).~~
- ~~B. The Consent Holder shall enter into a separate bond with Council Asset & Network Unit (Parks) Team to the value of 50% of the cost to replace and replant all plants on the recreation reserves. The bond shall be held for the Establishment Period of a minimum of 12 months and shall be extended by a further 12 months for the replacement planting(s), if required. The bond shall be released after the plants have been inspected and Accepted by the Council Parks Operation staff.~~

15.2 Establishment Period (Defects Liability Period)

- A. **The Establishment Period (Defects Maintenance) for Lot 375 will include an inspection by Parks Operations staff after the first 6 months. Any diseased, dead or replacement plantings are to be replaced at the Consent Holder's expense. The Establishment Period and the term on the bond shall be extended by a further 12 months for the replacement planting(s). Refer: CSS, Section Establishment. The Consent Holder is to keep an accurate and up-to-date monthly report on plant and tree conditions during the Establishment Period of the works undertaken. The report shall be submitted, if requested, by the Engineer within five days of the end of each month during the Establishment Period (Refer sample report: *Landscape Construction Monthly Establishment Report*, CSS, Part 7 Appendix 1).**
- B. **The Consent Holder shall enter into a separate bond with Council Asset & Network Unit (Parks) Team to the value of 50% of the cost to replace and replant all plants on the recreation reserves. The bond shall be held for the Establishment Period of a minimum of 12 months and shall be extended by a further 12 months for the replacement planting(s), if required. The bond shall be released after the plants have been inspected and Accepted by the Council Parks Operation staff.**

15.3 Street Trees

- A. The Consent Holder shall submit a plan(s) for proposed street trees to the Council's Asset & Network Unit (Parks) Team for acceptance. The plan(s) are to provide sufficient details to confirm compliance with the requirements of the IDS (current version) and the CSS Part 7: Landscapes (current version). All street tree works are to be carried out in accordance with the accepted report and plan(s) at the Consent Holder's expense. The Consent Holder shall maintain the street trees for 12 months Establishment Period (Defects Maintenance) from the time the trees have been planted up until the final inspection and acceptance of the trees by the Council Parks Operations staff. The Establishment Period and the term of the bond shall be extended by a further 12 months for the replacement planting(s), if required.
- B. The Consent Holder is to keep an accurate and up-to-date monthly report on tree conditions and establishment works undertaken. The report shall be submitted, if requested, by the Engineer within five days of the end of each month during the Establishment Period (Refer sample report: *Landscape Construction Monthly Establishment Report*, CSS, Part 7 Appendix 1).

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

- C. The Consent Holder shall enter into a separate bond with Council Asset & Network Unit (Parks) Team to the value of 50% of the cost to replace and replant all street trees. The bond shall be held for the Establishment Period of a minimum of 12 months and shall be extended by a further 12 months for the replacement planting(s), if required. The bond shall be released after the trees have been inspected and Accepted by the Council Parks Operation staff.

15.4 Final Completion / Handover

The Consent Holder shall submit, if requested, the required completion documentation in accordance with IDS Part 2:2.12 Completion of Land Development Works and the Quality Assurance System to provide evidence that the work is completed in accordance with the agreed standards and conditions of this consent. This is to be submitted, if requested, on completion of the 12 month Establishment Period, prior to formal handover to Council and release of the Establishment Bond.

15.5 As – Built

The Consent Holder shall submit As-Built plans showing street tree species and locations and confirm that they have been planted in accordance with the accepted plans and comply with the IDS, in particular Part 12 (As Built).

Advice Note: Nothing in this subdivision consent prevents additional gardens, recreational areas and associated structures and buildings being constructed over and above the standard level of service. Landscape plans for any work on Council reserve land will be required to be accepted by the Parks Unit on behalf of Council, and before any

developments on proposed land to be vested as reserves commences. Land use consent may also be required in accordance with the requirements of District Plan.

16. Street Lighting

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

17. Engineering Plans

Engineering plans for the construction of the new road(s), access to rear lots, street lighting, drainage, sediment control, water supply, earthworks, landscaping and tree planting shall be lodged with the Subdivisions Engineer and approved prior to the commencement of any physical works. All works are to be in accordance with Council's Infrastructure Design Standard.

Engineering works are to be installed in accordance with the approved plans.

18. Plans for Geodata Plot

As soon as practical after the Section 223 certificate has been issued the consent holder is to advise the handling officer that the digital dataset for the subdivision is available in Land online and can be used for creation of the parcels in Council's digital database.

19. Telecommunications and Energy Supply

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

As evidence of the ability to connect, the consent holder is to provide a copy of the reticulation agreement letter from the telecommunications network operator and a letter from the electrical energy network operator, or their approved agent.

20. Right of Way Easements (Private Ways)

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

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

21. Service Easements

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

21.2 Easements over adjoining land or in favour of adjoining land are to be shown in a schedule on the Land Transfer Plan. A solicitor's undertaking will be required to ensure that the easements are created on deposit of the plan.

22. Easements in Gross over Reserve to Vest

The consent holder shall provide easements in gross in favour of the Council over all underground service infrastructure held in land to be vested as reserve. Easements in Gross are to be shown on the survey plan in a Schedule of Easements.

The LT Plan and solicitors contact details are to be provided to Council to enable the legal instruments for easements in gross to be prepared by the Council's consultant solicitor at the consent holder's cost.

23. Existing easements under reserve to vest

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

24. Easements in Gross

The legal instruments for easements in gross in favour of the Council are to be prepared by Council's consultant solicitor at the consent holder's cost. The consent holder's solicitor is to contact Anderson Lloyd Lawyers (Mike Kerr) requesting the preparation of the easement instruments.

25. Road and/or Lane Names

The new roads are to be named.

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

A selection of names in order of preference is to be submitted for each new roads/private way/access lot. For historical purposes a brief explanation of the background for each submitted name is preferred. The names are to be in accordance with the Council's Policy on Naming of Roads and Rights of Way dated 2 November 1993.

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

Post and nameplate fees are to be paid.

Note: Nameplates are not ordered from the manufacturer until the fee has been paid and usually take six weeks to manufacture. The fees payable will be those that are current at the time of payment (\$200 per post and \$417.00 nameplate as at 1st July 2016).

26. Public Utility Sites

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

27. Land Use

The applicant shall not seek a confirmation certificate from Council under s224(c) of the Resource Management Act until such time that a land use consent has been granted for each relevant lot.

28. Geotechnical

28.1 Liquefaction Hazard Mitigation

- A. All liquefaction hazard mitigation measures as indicated the Geotechnical Assessment Report prepared by Aurecon (Reference 239575-005, dated 14 May 2019) shall be integrated in the design of the civil work for the subdivision and shall be used on site at subdivision engineering works start.
- B. For mitigation of liquefaction (vertical settlement) and lateral spread (horizontal displacement) hazards, any of the proposed structures shall be designed, in respect to a seismic event for a 1 in 150 years period of return under the serviceability limit state (SLS) and for 1 in 500 years period of return for the ultimate limit state (ULS).

28.2 Asset Design and Construction

- A. All infrastructure assets that are to be vested in the Council shall be designed and constructed in accordance with the latest version of the IDS (post-earthquake) and of the Construction Standard Specifications (CSS).
- B. In addition to the above, to be considered suitable in terms of section 106(1)(a) and (b) of the Resource Management Act, the applicant is to design all infrastructure to resist the effects associated with earthquake induced liquefiable soils. In particular, the infrastructure must be designed in accordance with Conditions of this consent.

28.3 Specific Foundation Design

- A. Land improvement works shall be carried out over areas identified in Figure 7 – Revision C / 28 May 2019 within Report/Project 239585-005 dated 14 May 2019 by Aurecon New Zealand Limited and where the calculated deformation values (vertical deformation) were determined (through calculations) to be over 100 mm (at ULS) and 50 mm (at SLS) or similar to a range associated to TC3 like land area.
The land improvement works shall be carried out prior to Section 224 application stage.
- B. A new geotechnical report with test results collected at the post-improvement earthworks stage shall confirm sufficient compaction and a reduced liquefaction potential for the ground, within the maximum 100 mm at ULS and 50 mm at SLS (vertical settlement related deformation values) shall be presented (to the Subdivision Engineer) prior to or as part of application for Section 224 application stage for review and acceptance.
- C. The post-land improvement geotechnical report shall be provided with a peer review report.
The peer review shall be carried out (and the resultant report shall be provided) by a specialised geotechnical consultant with good local knowledge of Christchurch’s specific seismic matters and with good experience in respect to assessment of local ground behaviour under potential high seismic event.
- D. A consent notice, in terms of Section 221 of the Resource Management Act, shall be placed on each lot title requiring a specific foundation design in accordance to the geotechnical engineer advice in the post land improvement geotechnical report.
- E. A consent notice, in terms of Section 221 of the Resource Management Act, shall be placed on each lot title with this subdivision development, a specific foundation design.

The consent notice shall be registered on the title and shall require that:

Any structure requiring a Building Consent, in terms of Building Act provisions, shall have specific foundation design by a chartered engineer or by an appropriately qualified geotechnical engineer. The design shall take in consideration the potential for liquefaction induced vertical settlement and associated effects from that and shall be at least in accordance with MBIE Guidelines (for a TC2 like area) and / or as per specialist provided guidelines with the post-land improvement works report.

29. Development Controls

29.1 All future development on lots 300 to 362 shall accord with the following:

- i. Front Lot Landscape Guidelines: Stages 2 & 3 dated 25/06/2019 by Rough and Milne Landscape Architects (Attachment 1).
- ii. The following pages of the Neighbourhood Plan Set (Attachment 2):
 - Neighbourhood Residential Typologies Plan.
 - Neighbourhood Lot Development Controls.

29.2 The ‘lot access’ referred to in the Neighbourhood Lot Development Controls refers to vehicle access only.

29.3 In respect to terrace units, standalone units and duplex units illustrated in the Neighbourhood Residential Typologies Plan, no more than one dwelling per site is permitted except that this restriction does not apply to secondary dwellings (e.g. studio units) above a detached garage.

29.4 A consent notice, in terms of Section 221 of the Resource Management Act, shall be placed on each lot title with this subdivision development, demanding the above development controls.

30. Consent Notice

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

Lots 300 to 362 – Sewer

- (a) Each lot is to be served by a local pressure sewer system comprising a pump and storage chamber which can accommodate at least 24 hours average dry weather flow to be supplied by either Aquatec or EcoFlow and installed by a Council Authorised Drainlayer (Pressure Sewer Tanks) at building consent stage in accordance with the Requirements for Local Pressure Sewer Pumps specified under a Building Consent. The pressure sewer system will be supplied complete with an IOTA OneBox Control Panel.

- (b) The ownership and control of the local pressure pump, chamber and OneBox Control Panel will be vested with Council. The property owner shall enter into a Deed with the Christchurch City Council, drafted in terms approved by the Christchurch City Council, vesting ownership in the system prior to Code Compliance Certificate being issued for a dwelling on the relevant site.
- (c) Where the local pressure sewer system is vested in Council, the Council and its agents or contractors shall have the right of access to the property for the purpose of maintenance, monitoring or renewal of any part of the local pressure sewer system vested with Council.
- (d) The electricity supply for the system shall be from the dwelling / building and metered to the dwelling /building serviced by the system. The property owner shall be responsible for the power costs of operating the system.
- (e) The property owner shall ensure adherence with the operational requirements of the local pressure sewer system and if in breach of this obligation, the property owner shall promptly at the property owner's expense properly and substantially repair and make good all injury or damage caused to the local pressure sewer system. If the property owner fails to promptly comply with this obligation then the Council may perform the obligation and recover any costs incurred from the Property Owner.

Lots 300 to 362 – Specific Foundation Design

- (a) Any structure requiring a Building Consent, in terms of Building Act provisions, shall have specific foundation design by a chartered engineer or by an appropriately qualified geotechnical engineer. The design shall take in consideration the potential for liquefaction induced vertical settlement and associated effects from that and shall be at least in accordance with MBIE Guidelines (for a TC2 like area) and / or as per specialist provided guidelines with the post-land improvement works report.

Advice Note: The above condition that sets out the wording of the consent notice shall be altered at the section 224(c) stage to cross reference the post-land improvement works report in sub clause B and as suitably updated as a result of sub clause C.

Lots 300 to 362 – Development Controls

- (a) All future development on lots 300 to 362 shall accord with the following:
 - (1) Front Lot Landscape Guidelines: Stages 2 & 3 dated 25/06/2019 by Rough and Milne Landscape Architects (Attachment 1).
 - (2) The following pages of the Neighbourhood Plan Set (Attachment 2):
 - Neighbourhood Residential Typologies Plan.
 - Neighbourhood Lot Development Controls.
- (b) The 'lot access' referred to in the Neighbourhood Lot Development Controls refers to vehicle access only.
- (c) In respect to terrace units, standalone units and duplex units illustrated in the Neighbourhood Residential Typologies Plan, no more than one dwelling per site is permitted except that this restriction does not apply to secondary dwellings (e.g. studio units) above a detached garage.

31. Affordable Housing

31.1 A memorandum of encumbrance shall be registered in favour of Council against the records of title for the nineteen (19) affordable houses illustrated on the Neighbourhood Residential Typologies Plan across Lots 300, 303, 311, 312, 313, 338, 339, 340, and 346. For the avoidance of doubt the Developer shall have the right to substitute any of the above lots prior to registration of the memorandum of encumbrance described in 31.2 by giving written notice to Council of such substitution, and the terms of the encumbrance shall be updated accordingly.

31.2 The terms of the memorandum of encumbrance shall include the following:

- (a) The Developer must not transfer any of the lots except on terms or in circumstances that meet the requirements of either clause (1) or (2) below:
 - (1) The buyer has been approved (or pre-approved) for a Homestart Grant by Housing New Zealand (or other equivalent agency); or
 - (2) In relation to the buyer and the relevant lot ('property') (as appropriate):
 - (i) The buyer is a natural person or a family trust of which the occupier is a principal beneficiary and is purchasing the property in their own name in whole or part and not in the name of or on behalf of any person, other than

by virtue of holding the property in a family trust in the circumstances described above; and

- (ii) The buyer intends to own and occupy the property (or, in the case of a trust owner, intends to provide for occupation by a principal beneficiary of the trust) exclusively as their residence for not less than 6 months after transfer of title to the property to the buyer; and
 - (iii) The total purchase price for the property, with a completed dwelling, will not exceed \$550,000.00; and
 - (iv) At the time of entry into an agreement to purchase the property, the income of the buyer (or the occupiers, where the buyer is a trust) is less than \$85,000.00 per annum (if the buyer or intended occupier is one individual) or less than \$130,000.00 per annum (if the buyer or intended occupier is two or more individuals); and
 - (v) If the buyer (or occupier, where the buyer is a trust) has previously owned a home, they have a realisable asset level of no more than \$100,000.00.
- (b) For the purposes of clause (a)(2)(v) above, realisable assets include but are not limited to:
- money held in bank accounts (including fixed and term deposits).
 - shares, stocks and bonds.
 - investments in banks or financial institutions.
 - building society shares.
 - any money paid to, or held by, a real estate agent, solicitor or developer as a deposit on a home.
 - boat or caravan (if the value is over \$5,000.00).
 - other vehicles (such as classic motorbikes or cars) which are not being used as the buyer's (or occupier's) usual method of transport.
 - other individual assets valued at \$5,000.00 or more.
- (c) The memorandum of encumbrance shall be discharged in respect of any lot where either:
- (i) Council has been provided with a statutory declaration confirming to Council's satisfaction that the requirements of either clause (a)(1) or (a)(2) above have been met; or
 - (ii) the Developer has given notice to Council that it wishes to substitute any lot subject to the encumbrance for another lot which the Developer has identified as being suitable for affordable housing and Council has agreed to the substitution (such agreement not to be unreasonably withheld), in which case Council shall provide a discharge of the encumbrance from the relevant lot to be registered contemporaneously with registration of the encumbrance over the substituted lot.
- (d) For the avoidance of doubt clause (a)(2)(i) above does not prevent the buyer from only buying a proportionate share in the property provided that their ownership will be greater than 30%.
- (e) Notwithstanding clause (a) above, the Developer may transfer the property to a buyer which is not going to live on the property if the buyer is going to construct a dwelling on the property and on-sell the property on completion of the dwelling, in which case the requirements of clause (a) above will be deferred to the transfer which occurs immediately after the construction of the dwelling has been completed.

31.3 The memorandum of encumbrance shall be prepared by Council's solicitors (Anderson Lloyd) at the cost of the applicant. The consent holder's solicitor is to contact Council's solicitor (Mike Kerr, Anderson Lloyd) requesting the preparation of the memorandum of encumbrance.

31.4 A letter of undertaking shall be provided by the Developer's solicitor prior to the issue of section 224(c) that the memorandum of encumbrance will be registered contemporaneously

with the issue of the relevant titles, subject to the Developer's right to substitute any lot prior to registration of the encumbrance pursuant to clause 31.1.

32. Goods and Services Taxation Information

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

33. Duration of Consent

The period within which this consent may be given effect to shall be 5 years from the date on which consent was granted. The consent will be given effect to when the survey plan has been certified pursuant to Section 223 of the Resource Management Act 1991.

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

Your Rights of Objection

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

Commencement of this consent

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

Lapsing of this consent

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

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

Lapsing of s223 Certification

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

Development Contributions

Please note that a development contribution may be required under the provisions of the CCC Development Contributions Policy applicable at the time of application. The Council requires Development Contributions to be paid prior to the issue of the Code Compliance Certificate for a building consent, commencement of a Resource Consent, the issue of a section 224 certificate for a subdivision consent, or authorisation of a service connection.

Development contribution requirements are as defined in Council's Development Contributions Policy established under the Local Government Act 2002. Full details of the policy are available from our website at www.ccc.govt.nz/consents-and-licences/development-contributions/. If you have any queries in relation to this matter, please contact one of our Development Contribution Assessors on phone (03) 941 8999.

Reconsiderations and objections

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

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

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

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

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

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

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

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

Payments to Council

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

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

The information that you need to enter that will help us identify your payment is:

Particulars: *(Customers Name)*
 Code: *(RMA Number)*
 Reference: *(Invoice Number)*

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

Please email resourceconsentapplications@ccc.govt.nz to notify us when you have made payment.

Council Site Characteristics Information

The Councils Site Characteristics Information on this site is as follows:

Conditions:	
Property Condition Group Description	Property Condition
Community Board	Property located in Halswell-Hornby-Riccarton Community Board
District Plan	Property or part of property within the Liquefaction Management Area (LMA) Overlay which is operative.
District Plan	Property or part of property is within an Outline Development Plan area which is affected by specific provisions that are operative.
District Plan Zone	Property or part of property within the Commercial Core Zone which is operative.
District Plan Zone	Property or part of property within the Residential New Neighbourhood Zone which is operative.
Earthquake Related	Some properties have experienced land damage and considerable settlement during the sequence of Canterbury earthquakes. While land in the green zone is still generally considered suitable for residential construction, houses in some areas will need more robust foundations or site foundation design where foundation repairs or rebuilding are required. Most properties have been assigned a technical category. Details of the MBIE guidance can be found at www.building.govt.nz/
ECan Requirement	ECan holds indicative information on liquefaction hazard in the Christchurch area. Information on liquefaction can be found on the ECan website at www.ecan.govt.nz/liq or by calling ECan customer services on Ph 03 353 9007. The Christchurch City Council may require site-specific investigations before granting future subdivision or building consent for the property, depending on the liquefaction potential of the area that the property is in.
Ecan Requirement	There may be objectives, policies or rules in a regional plan or a regional bylaw that regulate land use and activities on this site. Please direct enquiries to Canterbury Regional Council (Environment Canterbury).
Electoral Ward	Property located in Halswell Electoral Ward
Land Characteristic Other	Land Information New Zealand (LINZ) engaged Tonkin and Taylor to provide a Geotechnical Report on Ground Movements that occurred as a result of the Canterbury Earthquake Sequence. The report indicates this property may have been effected by a degree of earthquake induced subsidence. The report obtained by LINZ can be accessed on their website at https://www.linz.govt.nz/land/surveying/earthquakes/canterbury-earthquakes/information-for-canterbury-surveyors
Utility Related	This property is in a local pressure sewer system catchment within the Christchurch wastewater network. If there is a house on the property, there will already be a wastewater pressure pump and tank. If a house is yet to be built, a new wastewater pressure pump and tank will need to be installed. General information about pressure sewer systems can be found on the Council website. More detailed information can be obtained by contacting Council Customer Services on 03 941 8999.
Waste Collection	Your organics are collected Weekly on Tuesday. Please leave your organics at the Kerbside by 6:00 a.m.
Waste Collection	Your recycling is collected Fortnightly on the Week 2 collection cycle on a Tuesday. Please leave your recycling at the Kerbside by 6:00 a.m. Your nearest recycling depot is the Parkhouse Road Refuse Station.
Waste Collection	Your refuse is collected Fortnightly on the Week 2 collection cycle on a Tuesday. Please leave your rubbish at the Kerbside by 6:00 a.m. Your nearest rubbish depot is the Parkhouse Road Refuse Station.

Health of Land

In the event that soils are found to have visible staining, odours and/or other conditions that indicate soil contamination, then work must cease until a Suitably Qualified and Experienced Practitioner (SQEP) engaged by the consent holder has assessed the matter and advised of the appropriate remediation and/or disposal options for these soils. The consent holder shall immediately notify the Council Attention: Team Leader Environmental Health, by way of email to rcmon@ccc.govt.nz. Any measures to manage the risk from potential soil contamination shall also be communicated to the Council prior to work re-commencing.

Archaeological Sites

This site may be an archaeological site as declared by Heritage New Zealand Pouhere Taonga. Under Section 43 of the Heritage New Zealand Pouhere Taonga Act 2014, an archaeological site may be any place that was associated with human activity in or after 1900, and provides or may be able to provide, through investigation by archaeological methods, significant evidence relating to the historical and cultural heritage of New Zealand. **Please contact Heritage New Zealand Pouhere Taonga on infosouthern@heritage.org.nz or (03) 357 9629 before commencing work on the land.**

Earthworks

Chapter 8, Rule 8.9 of the Christchurch District Plan refers to Earthworks and specifies the maximum permitted depth of excavation and fill. There is no exemption for subdivisions, therefore any excavating or filling exceeding this depth will require a further resource consent.

Lighting in Private Ways

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

Building consent requirements

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

Monitoring

- 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 fee of \$218.80 to cover the cost of setting up a monitoring programme and carrying out one inspection to ensure compliance with the conditions of this consent; and
 - (ii) Time charged at an hourly rate if more than one inspection, or additional monitoring activities (including those relating to non-compliance with conditions), are required.

The monitoring programme administration fee and initial inspection fee 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.

Advice Note:

The lapse date of the consent remains unchanged, i.e. 4th June 2019. The consent will lapse on this date unless it is given effect to before then.

Reported and recommended by: Nathan Harris, Planner

Date: 4th August 2020

Decision

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

Delegated officer:

A handwritten signature in blue ink, appearing to be 'PL', is positioned above the text identifying the officer.

Paul Lowe
Principal Advisor Resource Consents
12/08/2020 09:50 AM

PROPOSED MEMORANDUM OF EASEMENTS

Nature	Servient Tenement (Burdened Land)		Dominant Tenement (Benefited Land)
	Lot No.	Shown	
Right of way & rights to drain water & sewage & rights to convey water, electricity & telecommunications	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	
338	AL	Lots 339-342&358-362	
339	AM	Lots 338,340-342,358-362	
340	AN	Lots 338,339,341,342,358-362	
341	AO	Lots 338-340,342,358-362	
342	AP	Lots 338-341,358-362	
358	AQ	Lots 338-342&359-362	
359	AR	Lots 338-342,358,360-362	
360	BH	Lots 338-342,358,359,361,362	
361	BI	Lots 338-342,358-360&362	
362	BJ	Lots 338-342&358-361	
343	AS	Lots 343-357	
344	AT	Lots 343,345-357	
345	AU	Lots 343,344,346-357	
346	AV	Lots 343-345,347-357	
347	AW	Lots 343-346,348-357	
348	AX	Lots 343-347,349-357	
349	AY	Lots 343-348,350-357	
350	AZ	Lots 343-349,351-357	
351	BA	Lots 343-350,352-357	
352	BB	Lots 343-351,353-357	
353	BC	Lots 343-352,354-357	
354	BD	Lots 343-353,355-357	
355	BE	Lots 343-354,356-357	
356	BF	Lots 343-355&357	
357	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
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PROPOSED SCHEDULE OF EASEMENTS IN GROSS

Nature	Servient Tenement (Burdened Land)		Grantee
	Lot No.	Shown	
Right to drain sewage and right to convey water in gross.	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		
338	AL		
339	AM		
340	AN		
341	AO		
342	AP		
358	AQ		
359	AR		
360	BH		
361	BI		
362	BJ		
363	BK		
364	BL		
365	BM		
366	BN		
367	BO		
368	BP		
369	BQ		
370	BR		
371	BS		
372	BT		
373	BU		
374	BV		
375	BW		
376	BX		
377	BY		
378	BZ		
379	CA		
380	CB		
381	CC		
382	CD		
383	CE		
384	CF		
385	CG		
386	CH		
387	CI		
388	CJ		
389	CK		
390	CL		
391	CM		
392	CN		
393	CO		
394	CP		
395	CQ		
396	CR		
397	CS		
398	CT		
399	CU		
400	CV		
401	CW		
402	CX		
403	CY		
404	CA		
405	CB		
406	CC		
407	CD		
408	CE		
409	CF		
410	CG		
411	CH		
412	CI		
413	CJ		
414	CK		
415	CL		
416	CM		
417	CN		
418	CO		
419	CP		
420	CQ		
421	CR		
422	CS		
423	CT		
424	CU		
425	CV		
426	CW		
427	CX		
428	CY		
429	CA		
430	CB		
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516	CM		
517	CN		
518	CO		
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614	CK		
615	CL		
616	CM		
617	CN		
618	CO		
619	CP		
620	CQ		
621	CR		
622	CS		
623	CT		
624	CU		
625	CV		
626	CW		
627	CX		
628	CY		
629	CA		
630	CB		
631	CC		
632	CD		
633	CE		
634	CF		
635	CG		
636	CH		
637	CI		
638	CJ		
639	CK		
640	CL		
641	CM		
642	CN		
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737	CI		
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745	CQ		
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755	CB		
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