



28 April 2026

Novo Group Limited
Level 1, 279 Montreal Street
PO Box 365, Christchurch 8140
0 - 03 365 5570
info@novogroup.co.nz

MEMORANDUM

TO: Jo Appleyard – Anderson Lloyd
Tim Carter – Carter Group Limited

FROM: Clare Dale - Senior Planner
Jeremy Phillips – Director & Senior Planner

FTAA2504-1054 RYANS ROAD INDUSTRIAL DEVELOPMENT APPLICANT SECTION 70(4) RESPONSE TO COMMENTS – PLANNING

INTRODUCTION

1. This memorandum responds to written comments on the draft consent conditions for the Ryans Road Industrial Development provided by persons invited under section 70 of the Fast-track Approvals Act 2024. The response addresses comments from Christchurch International Airport Limited (CIAL) and Airways New Zealand Limited (Airways), Christchurch City Council (CCC), Waka Kotahi NZ Transport Agency (NZTA), and TWT Holdings Limited (TWT HL).
2. This memorandum should be read alongside **Appendix 1**, which sets out the CCC land use and subdivision consent conditions with tracked changes and responses (in **green**) to the comments received.
3. The responses in Appendix 1 are based on the following further expert material filed in conjunction with, and in support of, this response:
 - a) the memorandum of Mr Nick Fuller, addressing matters relating to transport;
 - b) the supplementary statement of evidence of Mr Justin Evans, addressing matters relating to lighting and glare;
 - c) the memorandum of Ms Lizzie Civil, addressing matters relating to bird strike risk; and
 - d) the supplementary statement of evidence of Dr Andrew Shelley, addressing aviation safety matters.
4. This memorandum should be read in conjunction with the responses in **Appendix 1** and the expert statements described above, which we adopt and rely on.
5. No further comments are provided in relation to the Canterbury Regional Council or



Department of Conservation consent conditions as the applicant supports the minor amendments made to the conditions by these parties in their 2 April 2026 responses.

Establishment of an Enduring Management Entity

6. CIAL and Airways raised concerns regarding the long-term enforceability and coordination of aviation-related conditions once the subdivision is developed and ownership becomes fragmented across multiple lots. While the Applicant's expert evidence confirms that aviation safety effects are appropriately managed through the proposed conditions of consent, the Applicant accepts that certain site-wide obligations would benefit from coordinated implementation in perpetuity.
7. At the subdivision and initial land development stage, these concerns do not arise, as the land remains in single ownership and responsibility clearly rests with the Consent Holder. However, those concerns may arise following subdivision and sale. On that basis, the Applicant proposes new Subdivision Condition 1AA requiring establishment of an enduring Industrial Park Management Entity prior to section 224(c) certification.
8. The management entity is intended to coordinate and oversee conditions that rely on cumulative or site-wide management, including the Wildlife Hazard Management Plan, lighting coordination, aviation liaison and reporting. The management entity provides a single point of contact in relation to compliance, monitoring and enforcement with conditions and avoids imposing ongoing involvement or unnecessary governance obligations on the Applicant once the subdivision and initial establishment phase is complete.
9. This approach avoids unnecessary duplication, complements consent notices and covenants, and provides a single enduring compliance mechanism.

Noise (Acoustic Insulation)

10. CIAL suggested a specific condition requiring compliance with Rule 6.1.7.2.2 (acoustic insulation within the 55 dB Ldn air noise contour). The Applicant does not support a condition that merely restates an existing District Plan rule, noting that consent has not been sought to breach that rule and the acoustic assessment was prepared on that basis.
11. However, to provide clarity, the Applicant does not oppose an advice note drawing attention to Rule 6.1.7.2.2.

Lighting and Glare (including Signs)

12. CIAL and Airways considered the draft lighting conditions overly procedural and insufficiently focused on aviation safety outcomes. In response, the Applicant's lighting expert, Mr Justin Evans, recommends a consolidated 'Universal Exterior Lighting' condition applying clear, measurable performance standards relating to glare, intensity, colour temperature and transition characteristics.



13. The amended conditions are intended to provide outcome-based controls and are supported by Mr Evans' expert evidence that lighting effects will be no more than minor.
14. Construction lighting controls have been refined but not prohibited outright, recognising that limited night-time lighting can be safely managed where subject to strict controls.

Wildlife Hazard Management Plan (WHMP) & Bird Strike Risk

15. CIAL and Airways' comments focused on ensuring clear implementation and longevity of bird hazard mitigation rather than disputing the substantive avifauna conclusions.
16. Bird strike risk is addressed through a combination of design responses (including rapid-infiltration stormwater systems), enforceable landscaping controls, certification of the WHMP prior to works, and ongoing implementation obligations now included in both the land use and subdivision consent conditions.
17. The proposed Industrial Park Management Entity provides an additional layer of assurance for long-term WHMP implementation. No further site-specific bird strike hazard conditions are considered necessary.

Transport – Subdivision Staging Condition

18. CIAL, CCC, NZTA and TWTHL supported retention or expansion of a subdivision staging condition. However, none of those parties provided expert transport evidence demonstrating adverse effects requiring such a condition.
19. Updated and calibrated modelling by Mr Fuller confirms that the Pound Road / Ryans Road intersection operates acceptably at full development, with no more than minor effects. Accordingly, mandatory staging triggers or future modelling requirements are not required to manage effects and are not supported by the evidence provided.
20. As detailed in our 2nd April 2026 memorandum, we do not consider that retention of Subdivision Condition 3 in the Panel's draft decision, or the amendments sought by CIAL, CCC and TWHL, are necessary, appropriate, or supported by evidence. In our opinion, CGL's volunteered staging condition is adequate and will not result in adverse transport effects.

Aviation Safety Conditions (21A–21D)

21. The Applicant has accepted amendments to Conditions 21A and 21B to improve clarity, align with CCC drafting, and transition aviation liaison roles to the Industrial Park Management Entity once established.
22. Conditions 21C and 21D provide a targeted aviation risk assessment framework addressing residual aviation safety matters not otherwise controlled. Amendments requiring completion prior to section 224(c) certification (21C) and prior to building consent or construction (21D)



have been accepted. The Applicant supports retention of both conditions as proportionate and evidence-based, consistent with Dr Shelley's supplementary evidence.

23. CIAL and Airways' request for deletion of Condition 21E is also supported, noting this condition was not relied upon by the aviation experts and Council's regulatory powers allow for dispute resolution if it arises. However, the Applicant is not opposed to retention of the condition, should the Panel be minded to retain it.
24. Proposed extensions to the aviation safety conditions sought by CIAL and Airways (including site-wide application or third-party approval mechanisms) were not supported by evidence and would go beyond the stated purpose of the conditions and the FTAA (and RMA) condition-setting framework.

Other CCC Conditions

25. Construction Noise and Vibration Management Planning provisions are appropriately addressed at both land use and subdivision stages and amendments have been proposed to provide for this.
26. CCC drafting on covenant timing and terminology has been generally accepted for the reasons provided by CCC.

Conclusion

27. In summary, the Applicant has accepted numerous amendments that improve clarity, enforceability and long-term management of effects, particularly aviation and wildlife effects. However, the Applicant opposes changes that are not supported by evidence particularly in relation to transport or which are not proportionate to the effects of the activity.
28. As amended, we consider that the conditions appropriately manage effects, address the comments received from CCC, NZTA, CIAL, Airways and TWTHL, and meet the statutory tests under the Fast-track Approvals Act 2024.

Clare Dale

Senior Planner

Jeremy Phillips

Director & Senior Planner

ATTACHMENT 2A

RYANS ROAD INDUSTRIAL DEVELOPMENT – DRAFT CHRISTCHURCH CITY COUNCIL CONSENT CONDITIONS 26/03/26

PART 1: CHRISTCHURCH CITY COUNCIL S9(3) RMA LAND USE CONSENT CONDITIONS

PART 2: CHRISTCHURCH CITY COUNCIL S11 RMA SUBDIVISION CONDITIONS

Column 1: Applicant’s Proposed Conditions – Section 55 Response	Column 2: Summary of Section 53 Comments and Response to Changes Requested
<p><i>Note: Green cells indicate the condition wording is agreed between CGL and CCC with no changes from CCC’s Appendix 16 conditions in response to s53 comments.</i></p> <p><i>Note: Orange cells indicate the condition wording has been changed (red text) from CCC’s Appendix 16 conditions in response to the s53 comments received from CRC, SDC, DOC, CIAL or Airways and provides reasons for the changes.</i></p> <p><i>Note: Red cells indicate the wording is not agreed between CGL and CCC, and explains why.</i></p> <p><i>Note: Blue text indicates new or amended wording for conditions, as at 19 February 2026.</i></p> <p><i>Note: Purple text indicates new or amended wording for conditions, as at 9 March 2026.</i></p>	

PANEL COMMENTS, ADDITIONS AND EDITS IN RED TEXT.

Note: We have made all the Applicant’s changes black to avoid confusion.

THE APPLICANT’S 02/04/2026 RESPONSE TO PANEL COMMENTS, ADDITIONS AND EDITS ARE IN RED HIGHLIGHTED TEXT.

Note: The Applicant’s proposed changes to conditions have been shown red highlighted, with additions underlined and deletions struck out.

THE APPLICANT’S 28/04/2026 RESPONSE TO COMMENTS, ADDITIONS AND EDITS FROM OTHER PARTIES ARE IN GREEN TEXT.

Note: The Applicant’s proposed further changes to conditions (as previously proposed by the Applicant as at 02/04/2026) in response to the comments received by other parties have been shown below in green text, with additions underlined and deletions struck-out. A synopsis of the comments received on the Panel’s draft conditions is provided in the third column of the table, with green text beneath providing the applicants response on the condition.

Part 1: Christchurch City Council Land Use Consent Conditions

<p>2.</p>	<p>The Consent Holder, and all persons exercising this consent, must ensure that all personnel undertaking activities authorised by this consent are made aware of, and have access to, the contents of this consent decision, conditions, covenants and relevant management plans, prior to the commencement of the works. A copy of these documents must also remain on-site through the duration of the works.</p> <p>For the avoidance of doubt, the term ‘consent holder’ as used in this condition and any other conditions of this consent shall apply to persons relying on and exercising this consent in relation to land development, comprehensive development of sites, or the development and subsequent use of individual sites, buildings and/or activities.</p>	<p>APPLICANT COMMENTS: Original applicant condition, updated to include covenants.</p> <p>Condition wording agreed between CGL and CCC.</p> <p>An advice note has been added to this condition to clarify that conditions referring to the ‘consent holder’ may apply to the developer of the subdivision and/or individual buildings/activities within it, as the case may be.</p>	<p>CIAL/Airways</p> <p>CIAL/ Airways considers the draft condition lacks clarity and certainty about who is responsible for meeting key aviation-related obligations, and when those obligations must be fulfilled. It is concerned that responsibility is deferred from the consent holder to future owners and occupiers, which risks fragmented, inconsistent implementation and no single party being accountable for aviation outcomes. CIAL also says it is unclear what aviation measures must be completed before s224 certification and when responsibility formally transfers to purchasers. Overall, CIAL considers clearer allocation of responsibilities is needed to ensure safety measures are</p>
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			<p>addressed early, on a cumulative basis, and that any ongoing obligations on future owners are clear and enforceable.</p> <p>Applicant response</p> <p>In response to CIAL/Airways concerns about deferred responsibility for consent conditions to future owners and occupiers, the applicant proposes a new subdivision consent condition 1AA (below).</p> <p>This condition requires the consent holder to set up a legally constituted Industrial Park Management Entity before subdivision completion or sale, to manage and enforce ongoing consent obligations (particularly wildlife hazard management) for the life of the development. All lot owners or occupiers must be members, with this obligation permanently secured on titles, and the entity is responsible for coordinating compliance with specified consent conditions.</p>
<p>Activity Conditions on Lots 1 – 126 and Built for Form Standards for Lots 1 – 5758 and 61 – 126</p>			
<p>4.</p>	<p>a. Excepted as modified below in b. and c., the future development of lots 1-126 for industrial uses must comply with the District Plan Activity Standards for the Industrial General Zone at rule 16.4.1.1 Permitted activities attached as Appendix 1 [Schedule 1] to this decision.</p> <p>b. Specifically excluded/ not provided for activities on these lots are the following (as defined in the District Plan):</p> <p>i. Residential Activities / Residential Units (including for management / security purposes),</p> <p>ii. Education Activities,</p> <p>iii. Service Stations,</p> <p>iv. Yard based landscape/ garden suppliers, including activities that involve the outdoor storage, stockpiling, or sale of materials likely to attract birds including soil, mulch, or compost,</p> <p>v. Heavy Industrial Activities (Fish Processing or Packing Plants and Abattoirs or Freezing Works).</p> <p>c. Notwithstanding condition 4 a. above, any activities that would generate any of the following effects are not authorised by this consent on land on Lots 123-126 subject to Designation D1:</p> <p>i. Mass assembly of people;</p> <p>ii. Release of any substance which would impair visibility or otherwise interfere with the operation of aircraft including the creation of smoke, dust and steam;</p> <p>iii. The use or storage of hazardous substances exceeding the quantities permitted within the underlying zone (RuUF);</p>	<p>APPLICANT COMMENTS: Condition changed from CCC Appendix 16 back to applicants' original condition with additions to address comments from CIAL.</p> <p>While CCC's comments that some of the activities listed in b i. – v are not provided for in 16.4.1.1 Permitted activities so can be deleted are understood, these activities have been singled out and listed as they are particularly sensitive in terms of CIAL operations and CIAL have specifically requested the inclusion of condition b. in their comments.</p> <p>CIAL's request for part c. to be added to this condition in relation to the designation have also been adopted.</p> <p>PANEL COMMENT: Applicant requested to provide Appendix XX.</p> <p>Applicant Response: Complete. Note also minor corrections to the heading for this suite of conditions.</p>	<p>CIAL/Airways</p> <ul style="list-style-type: none"> ▪ Proposed replacement for (condition 4(c)) <p><i>In addition to, and notwithstanding conditions 4(a) and (b) or any other condition in this consent, the following activities are not authorised by this consent on lots 1 - 126:</i></p> <p><i>Any activity that results in, may result in, contributes to, or increases the risk of adverse effects (including direct, indirect and cumulative effects) on the safe and efficient operation of aircraft (including helicopter operations), including but not limited to:</i></p> <p><i>i. Mass assembly of people, including events, facilities or activities that attract or accommodate large numbers of people on a regular or intermittent basis;</i></p> <p><i>ii. The release of any substance that may impair visibility or otherwise interfere with aircraft operations, including (but not limited to) smoke, dust, steam or particulate matter, including during construction activities;</i></p> <p><i>iii. The use, storage or handling of hazardous substances exceeding the quantities permitted within the underlying zone (RuUF), or which otherwise increase risk to aviation safety;</i></p> <p><i>iv. The production of direct or indirect light emissions, including glare, reflection, illumination or flashing light, that may interfere with the vision of a pilot or aircraft operations, excluding standard vehicle lighting;</i></p> <p><i>v. Any activity, structure or interference (including radio, electrical or electromagnetic interference, whether individual or cumulative) that adversely affects, or may adversely affect, aircraft communication, navigation or surveillance systems;</i></p>

	<ul style="list-style-type: none"> iv. Production of direct light beams or reflective glare which could interfere with the vision of a pilot, excluding reflections or lights from motor vehicles; v. Production of radio or electrical interference which could affect aircraft communications or navigational equipment; and vi. Attraction of birds, including waterbodies (including swales or retention basins for the management of storm water). 		<p><u>vi. The attraction of birds or wildlife, including through land use, storage of materials, waste management practices, landscaping, or the provision of waterbodies (including swales, ponds or stormwater detention/retention basins).</u></p> <p>Applicant response</p> <p>Condition 4c. was inserted, verbatim, in response to comments received from CIAL (see pages 2-3 at Appendix A Christchurch International Airport). CIAL requested the wording in condition 4c in order 'to align the condition with the REPA protections against incompatible activities laid out in the CDP'. The applicant accepted this rationale and the proposed condition accordingly. The further changes to condition 4c. now sought by CIAL inappropriately, and without supporting evidence, seek to:</p> <ul style="list-style-type: none"> a. extend the scope of these constraints from applying to the designation and REPA (affecting parts of lots 123-126) in accordance with the CDP, so that it instead applies to the entirety of the subject site, despite the rationale of the condition (as originally expressed by CIAL) being to 'align the condition with the REPA protections against incompatible activities laid out in the CDP'; and b. preclude any activities, which (with emphasis added) "may result in, contributes to, or increases the risk of adverse effects" without constraint, qualification or any basis for determining when such risk 'may' be contributed to or increase. <p>On this basis and otherwise having regard to the evidence provided by the applicant's aviation experts, CIAL's proposed replacement for (condition 4(c) is unnecessary and unreasonable and it is therefore opposed.</p>
6.	<p>Lot Specific Building Controls</p> <p>The purpose of Condition 6(a) is to ensure that proposed buildings do not result in any change in performance of Airways Christchurch International Airport communication, navigation and surveillance equipment and aircraft safety that would necessitate a modification of that equipment to maintain its current standard of performance.</p> <p>a. <u>Unless specified otherwise as a result of the findings of an assessment undertaken in accordance with and as required by condition 21D, Lots 121 and 122 (Air navigation equipment mitigation):</u></p> <ul style="list-style-type: none"> i. The west and north facing facades of any buildings on Lot 121 and 122 shall have the same orientation detailed on the DCM Urban drawing titled 'Indicative Building Footprint Plan no. 2024_052/001 revision: D' '2024_051 Carter Group 104 Ryans Road - Building Heights D' being page 64 of 65 [xxx] of the Approved Capture Land Development Scheme Plans. ii. Where any building or buildings are proposed that do not comply with the parameters in clause (i) of this condition, such buildings may only be constructed if a technical safeguarding assessment, undertaken by a suitably qualified and 	<p>PANEL COMMENT: Purpose statement included to ensure intended outcome clear and certifiable.</p> <p>Applicant Response: The applicant generally accepts the intent of the purpose statement and will provide a final response on the specific wording accounting for any comments that may be received by others on this condition.</p> <p>Note also, amendments to 6a. i. have been proposed to correctly reference the appropriate plan. For reference, this plan is page 64 of 65 of the drawings submitted as 'Appendix 05 Capture Plan Set Rev F with DCM Landscape and Height 27 Nov', being part of the Applicant's response to comments on 28/11/2025.</p> <p>APPLICANT COMMENT: Condition 6 inserted to implement the findings of the Cyrrus, Navigatus and L+R assessments.</p> <p>APPLICANT COMMENT: The requirements in Conditions 6(a)-(c) are retained on the basis of the technical assessments undertaken to date. However, such requirements are qualified with reference to the findings/recommendations resulting from any assessment undertaken in</p>	<p>CIAL/Airways:</p> <ul style="list-style-type: none"> ▪ The purpose statement is unclear, does not define the threshold of effects being managed, and does not explain how effects are assessed or enforced. It is also framed around current aviation equipment only, and fails to protect future operation, upgrades, or replacement of navigation, communication and surveillance systems. ▪ The condition relies on undefined future aviation safeguarding or risk assessments, assuming impacts can be addressed after consent is granted. ▪ Airways and CIAL say there is insufficient evidence for the Panel to be satisfied that development can proceed and Aviation safety issues of this kind should be resolved before consent is granted, not deferred to later design or assessment stages. ▪ The condition applies only to selected lots based on the applicant's assessments, which are considered insufficiently robust. CIAL and Airways consider that it should apply to all lots, with a single, comprehensive engineering and radio frequency study to verify the applicant's modelling.

<p>experienced professional, confirms that the effects on air navigation equipment will be of an acceptable standard, having regard to the findings of the Cyrrus Limited report titled 'Technical Safeguarding Assessment of Air Navigation Equipment, Ryans Road Industrial Development, Christchurch' dated 18 November 2025.</p> <p>iii. The technical safeguarding assessment required by Condition 6(a)(ii) must include consultation with Christchurch International Airport Limited, Airways Corporation of New Zealand Limited, and the Civil Aviation Authority at its commencement, during and on completion of the study draft.</p> <p>iv. Where there is a dispute regarding the findings of the technical safeguarding assessment between the parties listed in 6(a)(iii) above, the dispute resolution process detailed in Condition 21D 21E shall be implemented. The parties to be consulted by that process shall be the Consent Holder, Christchurch International Airport Limited, Airways Corporation of New Zealand Limited, Garden City Helicopters and the Civil Aviation Authority.</p> <p>b. <u>Unless specified otherwise as a result of the findings of an assessment undertaken in accordance with and as required by condition 21D, Lot 121 (Wind shadowing mitigation):</u></p> <ol style="list-style-type: none"> i. Buildings and structures shall not exceed 16m in height. i. At least 70% of the total footprint of building(s) shall be located within the southern half of <u>Lot 121, defined as the area lying south of a line drawn parallel to the southern boundary at a perpendicular distance of 89 metres, representing 50% of the lot's north-south depth, the lot, as shown on the approved site plan referenced [xxx].</u> ii. Buildings and structures shall have maximum floor plan dimensions of: 125m x 80m, or 100m x 100m, or 80m x 125m (width, depth). <p>c. <u>Unless specified otherwise as a result of the findings of an assessment undertaken in accordance with and as required by condition 21D, Lot 122 (Wind shadowing mitigation):</u></p> <ol style="list-style-type: none"> i. Buildings and structures shall not exceed 20m in height. ii. At least 70% of the total footprint of building(s) shall be located within the southern half of <u>Lot 122, defined as the area lying south of a line drawn parallel to the southern boundary at a perpendicular distance of 89 metres, representing 50% of the lot's north-south depth, the lot, as shown on the approved site plan referenced [xxx].</u> iii. Buildings and structures shall have maximum floor plan dimensions of: 100m x 140m (width, depth). <p>d. Lot 58 (Air navigation equipment mitigation):</p>	<p>accordance with the condition precedent 21D, which may specify alternative or additional requirements.</p> <p>PANEL COMMENT: Addition to strengthen intent of condition.</p> <p>Applicant Response: Accepted</p> <p>PANEL COMMENT: Addition for consistency with Condition 21E.</p> <p>Applicant Response: Accepted. Note also minor corrections to refer to the dispute resolution process in condition 21E (not 21D) and to remove the reference to Garden City Helicopters given condition 6a relates to air navigation equipment (not GCH operations).</p> <p>PANEL COMMENT: Applicant requested to provide plan reference.</p> <p>Applicant Response: The wording of this condition has been revised to clearly specify what constitutes the 'southern half' of the lot. This negates the need for a reference to a plan.</p> <p>PANEL COMMENT: Applicant requested to provide plan reference.</p> <p>Applicant Response: The wording of this condition has been revised to clearly specify what constitutes the 'southern half' of the lot. This negates the need for a reference to a plan.</p>	<ul style="list-style-type: none"> ▪ The assessment should be completed before any construction begins, or at least before any section 224(c) certification. ▪ Allowing building controls (height, orientation, footprint) to be altered later introduces significant uncertainty that has not been assessed by the Panel. ▪ A new, clearer condition is required, consistent with Mr Grimm's evidence, including verification of modelling assumptions against local conditions. ▪ Any further assessment should be undertaken by a suitably qualified expert, appointed in consultation with Airways and CIAL. ▪ The inclusion of wind-shadowing effects in this condition is questioned, as it is unrelated to navigation and surveillance interference. <p>Applicant response</p> <p>The purpose statement is confined to condition 6(a) and not the balance of the condition. On that basis it is considered appropriate. To the extent that conditions 6(b) and 6(c) address wind-shadowing effects, these conditions impose <i>lot-specific building controls</i> consistent with the suite of conditions under condition 6 and its associated subject heading.</p> <p>The lot-specific building controls in Condition 6(a), particularly as they apply to Lots 121 and 122, have been drafted following the recommendations of the applicant's aviation safety experts and are expressly directed at managing the potential aviation safety effects identified in those expert's technical assessments. The lot specific building controls (conditions) on lots 121 and 122 reflect the findings of the Cyrrus Technical Safeguarding Assessment (18 November 2025) and the evidence of Mr McPherson dated 17 March 2026 that any potential effects related to aviation matters will be acceptable in an aviation safety context and less than minor. In his supplementary statement dated 28 April 2026, Dr Shelley further confirms that the scope and extent of Condition 6(a) remains appropriate, and that there is no evidential basis to justify the application of those controls to all lots across the site.</p> <p>The applicant proposes to delete sub clauses ii-iv of condition 6a on the basis that any future changes to the consented orientation of buildings on Lots 121 and/or 122 can appropriately be sought by way of an application to vary resource consent conditions (per s127 RMA). Such an application would, by necessity, entail the assessment described in subclauses ii-iv in order to support any alternative building orientation; and would be subject to the procedural requirements for an application made under s127.</p>
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	<p>i. Activities and buildings shall be limited to buildings of 3.5m or 4.5m maximum height in accordance with the DCM Urban drawing titled <i>Indicative Building Footprint Plan no: 2024_052/001 revision: D</i>.</p> <p>e. Lots 59 and 60 (Air navigation equipment mitigation and no build zone):</p> <p>i. There shall be no buildings on Lots 59 and 60 in accordance with the DCM Urban drawing titled '<i>Indicative Building Footprint Plan no: 2024_052/001 revision: D</i>' and Capture drawing RCPG123.</p> <p>Advice note: <i>In accordance with Condition 21, on-going compliance with this condition shall be ensured by way of a covenant pursuant to section 1082(d) of the RMA registered against the Computer Freehold Register to issue for each lot (as detailed below) of the subdivision.</i></p>	<p>PANEL COMMENT: Insertion for clarity.</p> <p>Applicant Response: Accepted</p>	
7.	<p>Buildings Height and structures:</p> <p><u>Interpretation and advice notes</u></p> <p>A. Interpretation</p> <p>For the purposes of Condition 7:</p> <p>a. "Protection surfaces" are as shown on Capture drawings RCPG120, RCPG121, RCPG122, RCPG123, and RCPG125 (together, <i>the Airport Safeguarding Set</i>), attached and marked as [insert reference].</p> <p>b. Advice note: The Airport Safeguarding Set corresponds, in part, to the Christchurch District Plan provisions in Sub-chapter 6.7 (Aircraft Protection). Those provisions continue to apply to all activities authorised by this consent. Particular attention is drawn to prohibited activities under Rules 6.7.4.1.6 PR1 and 6.7.4.2.6 PR1–PR4.</p> <p>c. Advice note: Capture drawings RCPG130, RCPG131, RCPG132, and RCPG135 are included for guidance as to the height limits relative to existing ground levels imposed by the Airport Safeguarding Set and are not for the purposes of validating building height under condition 7D or determining compliance with Rules 6.7.4.1.6 PR1 and 6.7.4.2.6 PR1–PR4.</p> <p>d. "Road boundary" means the legal road boundary of Ryans Road or Grays Road respectively.</p>	<p>APPLICANT COMMENTS: Condition A.e. has been inserted in order to adopt CCC's request that controls on the heights of buildings also include shipping containers and material stacks.</p> <p>Condition B has been amended, in accordance with the changes requested by CIAL and to incorporate the recommendations from the Cyrrus report.</p> <p>Previous Conditions F and G (addressing building generated wind shear and turbulence (BGWT)) have been deleted, accounting for the further assessment undertaken by Navigatus Consulting as reviewed/endorsed by L&R Airport Consulting, confirming that the proposal will not result in BGWT effects that require control, other than in respect of Lots 121 and 122 which are now addressed by condition 6.</p> <p>APPLICANT COMMENT, INSERTION AND DELETION: New Condition F (previously condition H) was previously amended, in accordance with the changes requested by CIAL. However, accounting for the evidence of Dr Andrew Shelley and noting that CAR Part 77 specifically manages these types of structures, the condition has been revised to require adherence to any CAA determination.</p> <p>APPLICANT COMMENT: References to condition 6F have been retained, as relevant.</p> <p>PANEL COMMENT: Applicant requested to provide reference.</p> <p>Applicant Response: Wording has been deleted from condition 7A. a. on the basis that, generally, the consent conditions do not individually/separately reference the plans (beyond their drawing name and number), noting the plans are collectively referenced under condition 1.</p> <p>Note also, amendments to 7B b. have been proposed to correctly reference the appropriate plan. For reference, this plan is page 64 of 65 of the drawings submitted as 'Appendix 05 Capture Plan Set Rev F with DCM Landscape and Height 27 Nov', being part of the Applicant's</p>	<p>CIAL/Airways:</p> <ul style="list-style-type: none"> Heading should be "buildings and structures" to ensure it fully captures all relevant physical elements that may penetrate airport protection surfaces. Clause 7(B) should be deleted or amended as subclauses (c)-(e) establish an alternative pathway whereby buildings that do not comply with airport protection surfaces may nevertheless be approved through a "technical safeguarding assessment". Subclause 7F should be amended or deleted: As drafted, the condition enables temporary structures (including cranes) to penetrate airport protection surfaces where authorised under Part 77 and incorrectly elevates CAA authorisation above the requiring CAA's role and is inconsistent with the approach taken elsewhere, which requires compliance with airport protection surfaces. There is no need for a separate condition if compliance is already required in 7B. Temporary cranes and construction plant should be captured within the same framework. <p>CIAL/Airways: Suggested redraft subclauses (c)-(e)</p> <p><u>c. For the avoidance of doubt:</u></p> <p><i>i. Any activity that would result in a penetration of airport protection surfaces is not authorised by this consent and is a prohibited activity under the Christchurch District Plan; and</i></p> <p><i>ii. Nothing in this consent removes or limits the requirement to obtain any approval required under section 176(1)(b) of the Resource Management Act 1991 from the requiring authority (Christchurch International Airport Limited).</i></p> <p><i>d. Compliance with this condition must be demonstrated at the time of building consent and must include certification of building height, location and extent relative to airport protection surfaces.</i></p>

	<p>e. For the avoidance of doubt, any references in this condition to 'building' or 'structure' shall be deemed to include shipping containers and/or stacks of materials.</p> <p>f. Where there is any conflict between the general requirements in Condition 5 and the more specific requirements in Condition 6 or Condition 7, the more restrictive limit prevails.</p> <p><u>Building height – general envelope</u></p> <p>B. Airport protection surfaces (primary control)</p> <p>a. <u>Except where temporary cranes and construction plant are authorised in accordance with condition 7F, no building, structure, vegetation or utility (including any part thereof) shall penetrate the airport protection surfaces shown on the Capture drawings RC-PG120, RC-PG121, RC-PG122, RC-PG123, and RC-PG125.</u></p> <p>b. <u>Except where temporary cranes and construction plant are authorised in accordance with condition 7F, no buildings shall exceed the maximum heights and maximum widths shown on the drawing titled '2024_051 Carter Group 104 Ryans Road – Building Heights D' page xx of the Approved Plans; DCM Urban drawing titled 'Indicative Building Footprint Plan no: 2024_052/001 revision: D' being page 64 of 65 of the Approved Capture Land Development Scheme Plans.</u></p> <p>c. Where any building or buildings are proposed that do not comply with the parameters in clause (7Bb) of this condition, such buildings may only be constructed if a technical safeguarding assessment, undertaken by a suitably qualified and experienced professional, confirms that the effects on air navigation equipment will be of an acceptable standard, having regard to the findings of the Cyrrus Limited report titled 'Technical Safeguarding Assessment of Air Navigation Equipment, Ryans Road Industrial Development, Christchurch' dated 18 November 2025.</p> <p>d. The technical safeguarding assessment required by Condition 7Bc. must include consultation with Christchurch International Airport Limited, Airways Corporation of New Zealand Limited, and the Civil Aviation Authority at its commencement, during and on completion of the study draft.</p> <p>e. Where there is a dispute regarding the findings of the technical safeguarding assessment between the parties listed in 7Bc. above, the dispute resolution process detailed in Condition 21E shall be implemented. The parties to be consulted by that process shall be the Consent Holder, Christchurch International Airport</p>	<p>response to comments on 28/11/2025. This is consistent with the proposed change to the plan reference in condition 6a. i.</p> <p>PANEL COMMENT: Addition to strengthen intent of condition</p> <p>Applicant Response: Accepted</p> <p>PANEL COMMENT: Included to be consistent with Condition 21E.</p> <p>Applicant Response: Accepted</p>	<p><u>e. This condition applies to all stages of development, including construction activities, temporary structures, and the use of cranes or lifting equipment.</u></p> <p>Applicant response:</p> <p><u>Condition heading:</u></p> <p>The applicant agrees with and has adopted CIAL and Airways' suggested change to the heading to "Buildings and structures".</p> <p><u>Redraft of 7B(c)-(e)</u></p> <p>The applicant also proposes to adopt CIAL's wording drawing attention to the requirements under s176 of the RMA to require consent for any activity within its designation, as a condition (7B(c)) and as an advice note (as set out under the Advice Notes for the land use consent, below).</p> <p><u>Changes by way of an application under s127:</u></p> <p>The applicant also proposes to delete sub clauses c-e of condition 7B on the basis that any future changes to the consented maximum heights and widths of buildings (as shown on the plans referenced in condition 7B) can be sought by way of an application to vary resource consent conditions (per s127 RMA). Such an application would, by necessity, entail the assessment described in subclauses c-e in order to support any alternative building heights or widths; and would be subject to the procedural requirements for an application made under s127.</p> <p><u>Clarification of the status of temporary structures:</u></p> <p>In terms of condition 7F and temporary structures, the applicant confirms that the intent of the condition was not to enable the establishment of buildings or structures (temporary or otherwise) within the REPA. The applicant acknowledges the requirements under s176 RMA for the written consent of CIAL, as the requiring authority for Designation D1 (Area A2) which applies to part of the subject site and coincides with the REPA. The applicant does not propose any temporary structures or construction plant within the REPA (or designation) and is agreeable to a condition of consent expressly stipulating this.</p> <p>In relation to the protection surfaces which fall outside the REPA, the temporary activity provisions in subchapter 6.2 of the CDP are 'self-contained' and operate independently of other chapters and rules (see: 6.2.3 How to interpret and apply the rules). Relevantly, rule 6.2.4.1.1 P1 in this subchapter permits 'Temporary buildings ancillary to an approved building, construction, land subdivision or demolition project'. Therefore, activities permitted by this rule (such as temporary cranes or construction plant) may be established, irrespective of the rules in chapter 6.7.4., These temporary activities were therefore not required to be, and were not, applied for as part of this consent.</p> <p>On this basis, the Applicant seeks to retain the scope to establish temporary construction plant (e.g. cranes) that is permitted under rule 6.2.4.1.1 P1 and which has otherwise obtained the relevant authorisations from CAA under CAR Part 77.</p> <p>For the avoidance of doubt, the applicant acknowledges the distinction between the REPA, District Plan airport protection</p>
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~~Limited, Airways Corporation of New Zealand Limited, Garden City Helicopters and the Civil Aviation Authority,~~

- c. For the avoidance of doubt, nothing in this consent removes or limits the requirement to obtain any approval required under section 176(1)(b) of the Resource Management Act 1991 from the requiring authority (Christchurch International Airport Limited).
- d. Compliance with this condition must be demonstrated at the time of building consent and must include certification of building height, location and extent relative to airport protection surfaces.
- e. This condition applies to all stages of development, including construction activities, temporary structures, and the use of cranes or lifting equipment.

C. Base zone height (secondary control)

Subject to Conditions 7B and 7F, the maximum height of any building or structure shall be 20 m, except that:

- a. Within 10 m of the Ryans Road road boundary, the maximum height shall be 12 m.
- b. Within 10 m of the Grays Road road boundary on Lots 68-70 (only), the maximum height shall be 12 m.

D. Survey certification (design, set-out and as-built)

- a. At the time of building consent submission, the Consent Holder shall provide to the Council's Resource Consents Manager (or nominee) ground level, floor level and building height levels in sufficient detail to confirm compliance with Condition 7.
- b. Prior to the building consent inspection of foundations for any building/structure/utility, the Consent Holder shall provide to the Council's Resource Consents Manager (or nominee) a Building Location & Level Certificate prepared by a Registered Surveyor, certifying compliance with Condition 7.
- c. Prior to applying for code compliance certification for any building/structure/utility, as built certification by a Registered Surveyor shall be provided to the Council's Resource Consents Manager (or nominee) confirming the works as constructed comply with Condition 7.

E. Ongoing notice on titles (covenant)

Ongoing compliance with condition 7 shall be ensured by way of a covenant pursuant to section 1082(d) of the RMA being

surfaces, and notification surfaces requiring approval under Part 77. Dr Shelley's evidence confirms that any breach of airport protection surfaces would almost invariably trigger a requirement for Part 77 approval, ensuring that such effects are assessed through the appropriate aviation safety regulatory framework despite their permitted status. Dr Shelley considers the redrafted condition, as proposed by the applicant to be appropriate.

Dr Shelley's evidence also explains that temporary construction plant (such as cranes) can be safely established in locations that penetrate aircraft protection surfaces (obstacle limitation surfaces and notification surfaces) and the Part 77 authorisation process appropriately provides for the evaluation and management of such proposals on a case-by-case basis. In practical terms, Dr Shelley notes that temporary plant/cranes that penetrate protection surfaces but which are located at a height or in a position that is sufficiently clear of aircraft flight paths can be (and are) readily managed through Part 77 determinations and management responses such as NOTAM and lighting. Accordingly, preserving the potential for these temporary structures is considered appropriate.

On this basis, condition 7F has been redrafted and amendments are also proposed to conditions 7F(a) and 7F(b) to make it clear that temporary construction plant, buildings and structures:

- a. Are expressly precluded within the REPA (which coincides with the CIAL designation over the subject site);
- b. Which are 'Temporary buildings ancillary to an approved building, construction, land subdivision or demolition project' and comply with rule 6.2.4.1.1 P1 (such that they are not subject to Rule 6.7.4.1.6 PR1); and which have obtained all relevant CAR Part 77 authorisation(s) may penetrate Christchurch International Airport's Protection Surfaces as specified in Rule 6.7.4.4 and shown on the diagrams in Appendix 6.11.7.1 and 6.11.7.2.

CCC:

It is unclear whether Condition 7.F seeks to enable items meeting the definition of 'building or structure' within the CDP. Such intrusion would not be permitted by Rule 6.7.4.1.6 PR1

Applicant response

Refer to response to CIAL comments above and the proposed changes to condition 7F.

registered against the Computer Freehold Register to issue for each lot (as detailed below) of the subdivision.

Temporary penetrations and construction plant

F. Temporary cranes and construction plant
Temporary buildings ancillary to an approved building, construction, land subdivision or demolition project.

- a. Any temporary buildings ancillary to an approved building, construction, land subdivision or demolition project that are a permitted activity under District Plan Rule 6.2.4.1.1 P1 and which have obtained all relevant authorisations under the Civil Aviation Act 2023 (including Civil Aviation Rule Part 77), may penetrate Christchurch International Airport's Protection Surfaces as specified in Rule 6.7.4.4 and shown on the diagrams in Appendix 6.11.7.1 and 6.11.7.2.
- b. Irrespective of condition 7F(a) or District Plan Rule 6.2.4.1.1 P1, no building or structure shall be located within the Runway End Protection Areas (REPAs) as shown in Appendix 6.11.7.3 of the District Plan. *Advice note: Section 176 of the Resource Management Act 1991 applies to the use of any land within the subject site that is subject to Designation D1.*

~~Temporary cranes, masts and other construction plant (including any part thereof) shall not penetrate the airport protection surfaces shown on the Capture drawings RC-PG120, RC-PG121, RC-PG122, RC-PG123, and RC-PG125 except where authorised by the Civil Aviation Authority under Civil Aviation Rule Part 77; and unless:~~

- ~~a. A temporary works management plan addressing heights, locations, durations, lighting, and notification protocols is prepared. [*Advice note: Such a plan should be prepared in accordance with Christchurch Airport's "Requirements for Working at the Airport" document*]; and~~
- ~~b. Airport operator consent is obtained from Christchurch International Airport Limited; and~~
- ~~c. Civil Aviation Authority (CAA) authorisation is obtained under Civil Aviation Rule Part 77; and~~
- ~~d. Temporary cranes, masts or other construction plant are established and operated in accordance with all requirements specified in clauses a. — c. of this condition.~~

Other General Development Conditions – Noise, Outdoor Lighting, Aircraft Protection, Signs, Earthworks, Landscaping			
8.	<p>Noise</p> <p>a. Future development of lots 1 – 126 for industrial purposes must comply with the District Plan noise rules in 6.1.4 General Noise Rules and 6.1.5 Zone Specific Noise Rules attached as Appendix 1 [Schedule 3] to this decision.</p> <p>b. The noise standards for the Industrial General Zone apply to lots 1 – 126.</p> <p>Note for clarity: The zone noise standards specified in Rule 6.1.5 require the noise received at the point of measurement comply with the receiving zone standard, not the generating zone.</p>	<p>APPLICANT COMMENTS: Updated to reflect CCC new advice note on interpretation in their Appendix 16.</p> <p>Condition wording agreed between CGL and CCC.</p> <p>PANEL COMMENT: The Applicant is requested to provide Appendix XX. Applicant Response: Complete</p> <p>PANEL COMMENT: Decision based on expectation that relevant District-wide rules are those that apply to the General Industrial Zone. Please confirm. Applicant Response: Yes, that is correct, the IG zone rules apply within the site (Lots 1 – 126), but the Rural Zone noise standards will still apply at the notional boundaries of any rural dwellings.</p> <p>PANEL COMMENT: We understand that these are to be locked in to avoid ambiguity that may result from future changes to CDP. Please confirm. Applicant Response: Yes, that is correct.</p>	<p>CIAL/Airways:</p> <p>No condition ensuring compliance with Rule 6.1.7.2.2 for buildings (including offices) within the 55 dB Ldn Air Noise Contour.</p> <p>Applicant response</p> <p>The purpose of condition 8 is not to manage activities that may be sensitive to noise. Rather, it is intended to reference relevant (industrial zone) noise standards for the purposes of managing noise-generating activities on the subject site, given the project would otherwise be subject to the noise standards for the underlying rural zoning of the land.</p> <p>The condition does not remove the need for future activities to comply with Rule 6.1.7.2.2, and consent has not been sought to breach this standard, and the acoustic assessment by Powell Fenwick Consultants originally included with the application was prepared on this basis.</p> <p>Given the above, the applicant considers that a condition that restates a District Plan compliance obligation that otherwise exists is unnecessary. However, should the panel be minded to do so, the applicant is not opposed to an advice note drawing attention to the requirements for activities to comply with Rule 6.1.7.2.2.</p>
8A	<p>Construction Noise and Vibration Management Plan</p> <p>Prior to the commencement of any construction or earthworks on a development site (as specified below), the consent holder shall prepare and submit a Construction Noise and Vibration Management Plan (CNVMP) to the Christchurch City Council, Attention: Team Leader Compliance and Investigations, for certification within 5 working days.</p> <p>A CNVMP is only required where the development site(s) containing the construction works are within 100m of a noise sensitive activity (e.g. to the notional boundary of a rural dwelling), and shall:</p> <ol style="list-style-type: none"> 1. Be prepared by a suitably qualified and experienced practitioner; 2. Demonstrate how construction noise will comply, as far as practicable, with the noise limits set out in NZS 6803:1999 "Acoustics – Construction Noise" for long-duration construction activities; 3. Demonstrate how construction vibration will be managed in accordance with DIN standard 4150-3:2016 "Structural Vibration – Part 3: Effects of Vibration on Structures". 4. Specify the proposed hours of work and duration of activities; 5. Detail mitigation measures to be implemented to minimise noise and vibration effects, including equipment selection and work scheduling; 6. Include procedures for noise and vibration monitoring, including trigger levels and response protocols; 	<p>PANEL COMMENT: The Applicant and CCC are invited to provide a Construction Noise and Vibration Management Plan condition or explain why such is not required.</p> <p>Applicant Response: A new condition prepared with advice from the Applicant's Acoustic Engineer is proposed. The condition is drafted so that the CNVMP only applies to development sites within the subdivision that are within 100m of a 'sensitive receiver' (i.e. rural dwellings). It is not considered necessary to apply it to the whole site given the other less sensitive boundaries. The condition addresses both construction 'noise' and 'vibration' and requires certification by CCC prior to site development.</p>	<p>CCC:</p> <ul style="list-style-type: none"> ▪ Additional wording recommended in subdivision condition 26 <p>Applicant response</p> <p>The applicant has accepted and adopted the additional wording proposed by CCC to subdivision Condition 26, regarding construction noise and vibration monitoring at land development stage. However, the applicant considers that this is also a relevant matter for the land use consent for works within 100m of a noise sensitive activity and this condition (8A) is therefore proposed to be retained for that purpose.</p>

	<p>7. <u>Outline a communication strategy for notifying occupiers of neighbouring properties of upcoming works likely to generate elevated noise or vibration;</u></p> <p>8. <u>Include a complaints management procedure, including contact details for the site manager and procedures for investigating and responding to complaints.</u></p> <p><u>The CNVMP shall be certified by the Council prior to the commencement of any construction works and, once certified, shall form part of the approved consent documentation. The consent holder shall ensure that all construction activities are undertaken in accordance with the certified CNVMP.</u></p>		
8B	<p>No Complaints Covenant</p> <p>In accordance with Condition 21c, Covenants shall be registered on the Computer Freehold Register of Lots 1 – 126 to ensure that owners and occupiers of land or buildings within the development acknowledge the right of <u>Graden Garden</u> City Helicopters to generate noise associated with its existing legal operations and prevent those owners and occupiers from seeking restrictions on the noise generated by those activities.</p>	<p>PANEL COMMENT: Included to address potential effect of land and building occupation below the GCH FATO.</p> <p><u>Applicant Response: This condition is accepted. Note minor correction.</u></p>	<p><u>CIAL:</u></p> <p>The covenant should operate only as a supplementary measure and should not be relied upon as a substitute for appropriate land-use controls and conditions that avoid or manage aviation safety and operational effects at the source. Consideration should also be given to extending the covenant to cover existing and future lawful helicopter operations, including those undertaken by any operator within the airport environment, and to acknowledging the full range of effects associated with such operations.</p> <p><u>Applicant response</u></p> <p>In the absence of any evidence or specific concerns the applicant does not support further amendments to this condition.</p>
9A	<p><u>Universal Exterior Lighting Condition</u></p> <p><u>All lighting associated with, construction and future development on Lots 1–126, including exterior lighting, interior lighting visible from the exterior, yard lighting, façade lighting, security lighting, temporary lighting, and illuminated signs, but excluding vehicle headlights, traffic signal lights, emergency warning lights and other lighting exempt under AS/NZS 4282:2023, shall be designed, installed and operated in accordance with the requirements set out below:</u></p> <p><u>1. Design requirements:</u></p> <ol style="list-style-type: none"> a. <u>All exterior luminaires shall be of flat glass / full cut-off type and shall be installed so that no light is emitted above the horizontal. Lighting shall be designed to avoid high-intensity point sources visible to aircraft.</u> b. <u>All exterior luminaires shall be installed with zero tilt (ie. aimed directly downwards) and shall have a zero upward light ratio (ULR = 0) when installed.</u> c. <u>Exterior lighting shall use a correlated colour temperature (CCT) of 3000K or less.</u> d. <u>Exterior lighting shall not flash, strobe, pulse, chase, scroll, or similar, nor change colour in a manner that may be confused with aeronautical lighting. Any dimming or switching transitions shall occur over not less than 5 seconds. In locations where operational or safety requirements necessitate lighting to activate instantly, potential effects associated</u> 		<p><u>Applicant response</u></p> <p>The supplementary statement of Mr Justin Evans addresses the comments of CIAL and Airways and the proposed amendments to lighting-related conditions.</p> <p>In summary, Mr Evans recommends amending the lighting conditions to introduce a new, consolidated “universal exterior lighting” condition (9A) with clear, measurable performance standards (such as glare, intensity, colour temperature and transition speeds) applying across the site. This is intended to address concerns from CIAL and Airways that the original conditions relied too heavily on consultation and plans, and lacked objective compliance benchmarks.</p> <p>Related conditions (9B, 10, 11, 12, 14 and subdivision condition 84) have been tightened or clarified to align with this framework, including broader controls near the runway threshold and clearer links to the universal lighting standards.</p> <p>Overall, the changes are intended to provide a more transparent, enforceable and aviation-safety-focused conditions package while remaining consistent with the conclusions of the AEE.</p>

	<p><u>with abrupt changes in luminance shall instead be mitigated through alternative measures, including the use of tinted glazing, skylight treatments, shielding, or other design measures to limit visibility of the light source from outside the site.</u></p> <p>e. <u>Lighting shall, where practicable, incorporate timers, dimming controls, motion sensors, or other adaptive controls to reduce unnecessary operation outside periods of use.</u></p> <p>f. <u>Lighting shall not utilise coloured lighting visible externally.</u></p> <p>g. <u>Decorative lighting of facades is not permitted.</u></p> <p>h. <u>All exterior lighting shall be designed, installed and operated such that the luminous intensity (I) of each luminaire does not exceed the limits specified in AS/NZS 4282:2023 for the environmental zone A2.</u></p> <p>2. <u>Lighting Plan:</u></p> <p>a. <u>Prior to issue of building consent for development activities on lots 1 – 126 the Consent Holder for that lot shall submit to CCC (via email to rcmon@ccc.govt.nz) a site-specific Lighting Plan prepared by a suitable qualified Lighting Engineer certifying compliance with the design requirements in 1 a) to h) above.</u></p> <p>b. <u>Once certified, the lighting plan for the specified lot must be implemented at all times by the owners and operators of lots 1 – 126.</u></p> <p><i>Advice Note: Conditions 9B, 10, 11 and 12 must also be complied with.</i></p>		
9B.	<p>Glare</p> <p>a. Future development and construction activities on Lots 7 – 126 for industrial purposes must comply with the District Plan Glare rules in 6.3.4.1 Permitted activities Control of Glare attached as Appendix 1 [Schedule 4] to this decision.</p> <p>b. For the future development of Lots 7 - 126 for industrial purposes a site-specific lighting plan and assessment prepared by a suitably qualified lighting engineer must be submitted to CCC for certification prior to issue of any building consent to demonstrate compliance with NC1 and NC2 as follows:</p> <p>i. Within 500m of the threshold of a runway at Christchurch International Airport, those being lots or specific portions of lots 92, 109, 110, 111, 112, 113, 114, 115, 121, 122, 123 and 124 (as shown on the Capture Land Development Plans November 2025) any activity will not result in greater than 2.5 lux spill (horizontal or vertical) on to any land outside of the Specific Purpose Airport Zone.</p> <p>ii. For lots 7 - 126 assessment against NC2 to ensure non-aeronautical ground lights do not shine above the horizontal.</p> <p>iii. <u>For lots 7 – 126 the design of lighting and illuminated surfaces shall, as far as reasonably practicable in the opinion of the suitably qualified and experienced lighting engineer, avoid the use of highly reflective or specular materials, and shall minimise the reflectance of surfaces that are directly illuminated, to reduce the potential for reflected glare.</u></p>	<p>APPLICANT COMMENTS: Amended to address CIAL's comment and Appendix 1 conditions about the need to only refer to 'permitted activities' in condition 8a.</p> <p>Amend to address CIAL's comment regarding the lighting plans and assessment required by condition 8 b. at time of building consent to be 'certified' by CCC.</p> <p>Amended in accordance with CCC comments to change reference from 'consent notice' to 'covenant' to reflect this is being imposed via a land use consent condition rather than a subdivision condition.</p> <p>PANEL COMMENT: Applicant requested to provide Appendix XX. Applicant Response: Complete</p> <p>PANEL COMMENT: Insertion for clarity. Applicant Response: Accepted</p>	<p>CIAL:</p> <p>Intent of condition supported. Suggested new subclause (b), includes consultation with CIAL and Airway and must demonstrate that all external lighting and reflective surfaces do not cause glare to pilots, results in reflected light effects that may adversely affect aircraft operations.</p> <p><u>For the future development of Lots 1–126 for industrial purposes, a site-specific lighting plan and assessment prepared by a suitably qualified lighting engineer must be submitted to Christchurch City Council for certification prior to the issue of any building consent.</u></p> <p><u>The lighting plan and assessment must:</u></p> <p><u>1. Demonstrate compliance with NC1 and NC2 as follows:</u></p> <p><u>- Within 500m of the threshold of a runway at Christchurch International Airport (being Lots or specific portions of Lots 92, 109, 110, 111, 112, 113, 114, 115, 121, 122, 123 and 124 as shown on the Capture Land Development Plans November 2025), any activity must not result in greater than 2.5 lux spill (horizontal or vertical) onto any land outside of the Specific Purpose Airport Zone; and</u></p> <p><u>- For Lots 7–126, demonstrate compliance with NC2 to ensure non-aeronautical ground lights do not shine above the horizontal;</u></p>

	<p>Advice note: <i>In accordance with Condition 21, on-going compliance with this condition (b) shall be ensured by way of a covenant pursuant to section 1082(d) of the RMA registered against the Computer Freehold Register to issue for each lot (as detailed below) of the subdivision.</i></p>		<p><u>2. Be prepared in consultation with Christchurch International Airport Limited and Airways New Zealand, and include evidence of that consultation, including how any matters raised have been addressed;</u></p> <p><u>3. Demonstrate that all external lighting and reflective surfaces (including building materials and solar photovoltaic installations) are designed, installed and operated such that they do not:</u></p> <ul style="list-style-type: none"> - <u>cause glare or distraction to pilots;</u> - <u>impair pilot vision during approach, landing or take-off;</u> - <u>be capable of being mistaken for, or interfere with, aeronautical lighting systems; or</u> - <u>result in reflected light effects that may adversely affect aircraft operations</u> <p>Applicant response Refer to response provided alongside new condition 9A.</p>
10.	<p>Construction Lighting</p> <p><u>a.</u> No construction activities on Lots 1-126 requiring external artificial lighting may occur during the hours of darkness, except where:</p> <ol style="list-style-type: none"> i. A temporary works management plan addressing construction lighting and notification protocols is prepared. <i>[Advice note: Such a plan should be prepared in accordance with Christchurch Airport's "Requirements for Working at the Airport" document];</i> and ii. Airport operator consent is obtained from Christchurch International Airport Limited; and iii. Any relevant Civil Aviation Authority (CAA) authorisation is obtained under Civil Aviation Rule Part 77; and iv. Construction lighting is operated in accordance with all requirements specified in clauses i-iv. of this condition <u>and the Universal Exterior Lighting Condition 9A(1).</u> <p><u>b.</u> <u>External artificial lighting operated in accordance with clause a. of this condition shall only be operated for the minimum duration and intensity necessary for safe construction activity and be removed immediately upon completion of the relevant works.</u></p> <p>Advice note: <i>In accordance with Condition 21, on-going compliance with this condition shall be ensured by way of a covenant pursuant to section 1082(d) of the RMA registered against the Computer Freehold Register to issue for each lot (as detailed below) of the subdivision.</i></p>	<p>APPLICANT COMMENT: Amended to address CIAL's comments and requested amendments as detailed in Appendix A to its comments and advice note inserted regarding a covenant to alert future lot purchases.</p> <p>PANEL COMMENT: Insertion for clarity.</p> <p>Applicant Response: Accepted. It is also proposed that additional wording be added to clause (iii) to recognise that CAA authorisation may not be required in all cases and to be consistent with the wording in condition 21A. Where appropriate, equivalent amendments have been proposed to other conditions of consent referring to Part 77.</p>	<p>CIAL: CIAL consider that construction activities requiring external artificial lighting should not be authorised or amended to define clear performance standards.</p> <p>Applicant response Refer to response provided alongside new condition 9A.</p>
11.	<p>Control of Light Spill</p> <p>a. Future development and construction activities on lots 1 – 126 for industrial purposes must comply with the District Plan Light Spill rules in 6.3.5.1 Permitted Activities Control of Light Spill and 6.3.6 Light Spill</p>	<p>APPLICANT COMMENT: Amended to address CIAL's comment and Appendix 1 conditions about the need to only refer to 'permitted activities' in condition 9.</p>	<p>CIAL: Compliance with light spill standards in Chapter 6.3 does not ensure lighting will not give rise to effects. More specific aviation-related lighting controls are required.</p>

	<p>Standards by Zone for Industrial zones (permitted lux spill horizontal or vertical 20 Lux) attached as Appendix 1 [Schedule 5] to this decision.</p> <p>Advice Notefor clarity: The light spill standards specified in Rule 6.3.5.1 require the light spill received at the point of measurement comply with the receiving zone standard, not the generating zone.</p> <p>Advice Note: Condition 9A, 9B, 10 and 12 must also be complied with.</p>	<p>PANEL COMMENT: Applicant requested to provide Appendix XX. Applicant Response: Complete</p> <p>PANEL COMMENT: Addition to ensure linkage with Conditions 9, 10 and 12. Applicant Response: Accepted</p>	<p>Applicant response</p> <p>Refer to response provided alongside new condition 9A.</p>
12.	<p>Lighting within 500m Runway Threshold</p> <p>Future development and construction activities within 500m of the threshold of a runway at Christchurch International Airport, those being lots or specific portions of lots 92, 109, 110, 111, 112, 113, 114, 115, 121, 122, 123 and 124 (as shown on the Capture Land Development Plans), must comply with the following:</p> <ol style="list-style-type: none"> No illuminated signage shall be installed within 500m of the runway. There shall be no loading areas within 500m of the runway operating outside daylight hours to avoid the need for yard lighting. <u>Outdoor areas and parking</u> Parking areas within 500m of the runway must be <u>designed and operated such that illumination does not exceed the the PR4 standard (>1.3lux average, <2.5lux max).</u> <p>Advice note: In accordance with Condition 21, on-going compliance with this condition shall be ensured by way of a covenant pursuant to section 1082(d) of the RMA registered against the Computer Freehold Register to issue for each lot (as detailed below) of the subdivision.</p>	<p>APPLICANT COMMENTS: Amended to address CIAL's comments and Appendix 1 conditions.</p> <p>In relation to the CIAL comment, that some but not all of the recommendations contained in the Phase 2 mitigation measures (section 4.2.2 of the Pedersen Read Lighting Report) have been included in this condition, it is noted that the Pedersen Read report is clear that these are examples of the types of mitigation that might be required to achieve compliance. Applicants lighting engineers may not need to propose all of these measures and this is why condition 8. b. i. is proposed to ensure compliance is achieved.</p> <p>The purpose of this condition is to single out particular activities that may not otherwise be picked up as part of a building consent application.</p> <p>PANEL COMMENT: Insertion for clarity. Applicant Response: Accepted</p>	<p>CIAL:</p> <p>The condition is narrowly framed and does not adequately control lighting effects within 500 metres of the runway. The condition should not be limited to specific activities, but should instead address all sources of external lighting within this area, with a focus on the effects of that lighting on aircraft and helicopter operations .</p> <p>Applicant response</p> <p>Refer to response provided alongside new condition 9A and otherwise note the amendments to clause (c) of condition 12.</p>
13.	<p>Aircraft Protection</p> <p>Future development and all structures and activities relating to construction on lots 1 – 126 must comply with the District Plan Aircraft Protection permitted activity rules in 6.7.4 of the Christchurch District Plan, including:</p> <ol style="list-style-type: none"> 6.7.4.1.1 Protection Surfaces, 6.7.4.2.1 Runway End Protection Surfaces, 6.7.4.3.1 Bird Strike Management Areas, and 6.7.4.4 Protection Surfaces for Christchurch International Airport, <u>except as provided for under condition 7F(a).</u> <p>attached as Appendix 1 [Schedule 6] to this decision.</p> <p>Advice note: In accordance with Condition 21, on-going compliance with this condition shall be ensured by way of a covenant pursuant to section 1082 (d) of the RMA registered against the Computer Freehold Register to issue for each lot (as detailed below) of the subdivision.</p> <p>Advice note: Section 176 of the Resource Management Act 1991 applies to the use of any land within the subject site that is subject to Designation D1.</p>	<p>APPLICANT COMMENT: Amended to address CIAL's comments and requested amendments as detailed in Appendix A to its comments and advice note inserted regarding a covenant to alert future lot purchases.</p> <p>PANEL COMMENT: Applicant requested to provide Appendix XX. Applicant Response: Complete</p> <p>PANEL COMMENT: Insertion for clarity. Applicant Response: Accepted</p>	<p>CIAL/Airways:</p> <p>Condition would benefit from clarification as to how it operates in relation to the existing statutory framework:</p> <ul style="list-style-type: none"> Within the designation: For those parts of the site that lie within the designation, primary control over activities remains with the designation and s 176(1)(b) of the RMA. The condition should not be interpreted as replacing or modifying those controls. Outside the designation: For areas outside the designation, the condition appears to apply alongside the aircraft protection provisions of Chapter 6.7. However, it should be made clear that compliance with the condition alone does not address all potential aviation safety effects. Drafting clarity: The drafting should be clarified to ensure the condition explicitly applies to all temporary, construction-related and similar structures. <p>Applicant response</p> <p>Condition 13 adopts the wording proposed by CIAL in its comments (see page 14 at Appendix A Christchurch International Airport). CIAL reasoning for this condition (previously condition 12) was that: 'CIAL opposes deletion of Condition 12 as condition</p>

			<p><i>5 only controls the height of development and does not address all potential safety risks of development on aviation safety. CIAL requests Condition 12 be retained and amended to clarify future development must comply with the permitted activity rules of Chapter 6.7.4'.</i></p> <p><i>Given this context, the applicant considers the wording of condition 13 remains appropriate. However, for the reasons set out in further detail in regards to condition 7F (above), wording has been added to note the limited scope for temporary structures under condition 7F(a) to infringe protection surfaces; and to otherwise include an advisory note regarding the overarching obligations for CIAL approval under s176 of the RMA for any use of designated land.</i></p>
14.	<p>Signs</p> <p>Any signs part of the future industrial development of lots 1 – 126 must comply with the District Plan Sign Rules in 6.8.4 attached as Appendix 1 [Schedule 7] to this decision, as if the site were zoned Industrial General (not Rural Urban Fringe). Except that:</p> <ol style="list-style-type: none"> There shall be no LED/ Digital Signs or Billboards permitted by this consent, and Freestanding signs shall not be located within or forward of the 3m wide landscape strip on the Grays Road and Ryans Road frontages, other than a single free-standing sign in association with the vehicle/ pedestrian access to the site. <p><i>Note: Illuminated signs will need to meet the glare and light spill requirements of Conditions 9A, 9B, 11 and 12 44 above.</i></p>	<p>APPLICANT COMMENTS: The applicant does not accept additional conditions 13A and 13B proposed by CCC in relation to the location, size, height and illumination of signs for the reasons set out in the response memo provided by DCM Urban and below:</p> <ul style="list-style-type: none"> In terms of freestanding sign location, it is accepted that numerous signs should not be located within or forward of the 3m wide landscape strip as this will reduce the effectiveness of the visual mitigation. However, a single freestanding sign associated with each vehicle/ pedestrian access as per the IG sign rules should be provided for to allow for site/ business identification. Limitations on the size of building mounted signage are not considered necessary. The interface between the RuUF zone and IG zone occurs in several locations across the city and the sign rules do not provide limitations for IG sites opposite rural zones. Given that any illuminated signs will need to meet the glare and light spill conditions above for the zone at the rural boundary and the airport lighting conditions which are more restrictive than zone rules, further limitations on illumination is not necessary. <p>PANEL COMMENT: Applicant requested to provide Appendix XX. Applicant Response: Complete</p>	<p>CIAL/Airways:</p> <p>Condition amended to ensure consistency with aviation-related lighting controls: refer to 12(a), expand to ensure no effects .</p> <p>Applicant response</p> <p>Refer to response provided alongside new condition 9A.</p>
16.	<p>Any change in ground levels must:</p> <ol style="list-style-type: none"> not cause a ponding or drainage nuisance to neighbouring properties. Not cause ponding within the site (except the stormwater treatment functions of Lots 200 and 204). not affect the stability of the ground or fences on neighbouring properties and maintain existing drainage paths for neighbouring properties (if applicable). 	<p>APPLICANT COMMENTS: Updated to reflect CCC new condition in their Appendix 16.</p> <p>Condition wording agreed between CGL and CCC.</p> <p>PANEL COMMENT: (b.) inserted to ensure ponding is avoided within the site as well as beyond. Applicant Response: Accepted. Note minor correction.</p>	<p>CIAL:</p> <p>Supports (b). However, revised stormwater system avoids standing water, and condition should require avoidance the entire site, without exception.</p> <p>Applicant response</p> <p>The applicant agrees with this proposed amendment.</p>

17.	<p>Landscaping</p> <p>Landscaping within Lots 1 – 126 (except for the 3m wide landscaping strip on Ryans Road and Grays Road, installed as part of the subdivision), shall be limited to the plant species in District Plan Appendix 6.11.9 Plant Species for Water Bodies and Stormwater Basins in the Bird strike Management Area in Appendix 6.11.7.5 or specified in the WHMP.</p>	<p>APPLICANT COMMENT: New condition to address CIAL concern about future landscaping on individual lots becoming a bird attractor once on sold.</p>	<p>CIAL:</p> <p>Should also require consistency with the WHMP including input from CIAL.</p> <p>Applicant response</p> <p>The landscaping requirements specified in this condition are consistent with those specified in the WHMP (and have otherwise been accounted for in the avifauna assessment by Ms Civil). The condition has been updated to include a reference to the WHMP.</p>
Avifauna Ongoing Management – Wildlife Hazard Management Plan (WHMP)			
20A	<p><u>The Wildlife Hazard Management Plan (WHMP) certified under subdivision consent condition 110 [that forms part of this Fast Track Approval] must be implemented at all times by the owners and occupiers of lots 1 – 126 as they are developed with buildings and activities and are established and operated.</u></p> <p><u>Advice note: In accordance with Condition 21, on-going compliance with this condition shall be ensured by way of a covenant pursuant to section 108(d) of the RMA registered against the Computer Freehold Register to issue for each lot (as detailed below) of the subdivision.</u></p>	<p>APPLICANT COMMENTS: Deleted and moved to subdivision consent conditions as per CCC recommendation.</p>	<p>CIAL:</p> <p>Considers that compliance with the WHMP must be imposed as a condition of both the subdivision and land use consents.</p> <p>Applicant response</p> <p>The applicant agrees that compliance with the WHMP certified as part of the subdivision consent is also necessary at land use stage. While it was always intended that the WHMP would be implemented in perpetuity, to make this clear, a new condition 20A is proposed in the land use consent that requires implementation of the WHMP that is certified under condition 110 of the subdivision consent. The subdivision consent is referenced rather than repeating the conditions in full.</p> <p>The enduring management entity condition (1AA) of the subdivision consent also provides for management of this matter on an ongoing basis.</p>
	Deleted.	Deleted and moved to subdivision consent conditions as per CCC recommendation.	
Covenants			
21.	<p><u>Within three months of the issue of Record of Title of all allotments referenced below, the following covenants pursuant to 108 2(d) of the Resource Management Act 1991 must be registered on the Record of Title as follows will be issued by the Council:</u></p> <p>a. Condition 6 Lot Specific Building Controls: Covenants shall be registered on the <u>Record of Title Computer Freehold Register</u> of lots 58, 59, 60, 121 and 122 (as relevant) to secure ongoing compliance with Conditions 6(a)-(e) (as applicable to future buildings).</p> <p>b. Condition 7 Building Height: Covenants shall be registered on the <u>Record of Title Computer Freehold Register</u> of Lots 1 – 126 to secure ongoing compliance with Condition 7 (as applicable to future buildings).</p> <p>c. Condition 8B No Complaints Covenant: Covenants shall be registered on the <u>Record of Title Computer Freehold Register</u> of Lots 1 – 126 to secure ongoing compliance with Condition 8B (as applicable to future buildings).</p>	<p>APPLICANT COMMENTS Amended in accordance with CCC comments to change reference from 'consent notice' to 'covenant' to reflect this is being imposed via a land use consent condition rather than a subdivision condition.</p> <p>Updates to reflect the above condition package with covenants to highlight important compliance matters to future lot purchases.</p> <p>PANEL COMMENT: Inclusion in response to potential for exposure to noise effects from Garden City Helicopter operations. Applicant Response: Accepted</p>	<p>CIAL/Airways:</p> <p>The issues identified in relation to the underlying conditions apply equally to these covenant provisions. In particular, it is important to ensure that any obligations imposed on future owners are clear, enforceable, and capable of consistent implementation over time, having regard to the scale of the development and the fragmented ownership framework.</p> <p>CCC:</p> <ul style="list-style-type: none"> To ensure Condition 21 is enforceable, a timeframe of three months is recommended to allow sufficient time for the preparation of the covenant by CCC's solicitor, the sealing of the covenant, and registration of the covenant on the title. It is unclear how an advice note could be registered on title and enforced on an ongoing basis. CCC suggest amendments to Advice Note 21AA to setting ongoing requirements that can be imposed as a covenant and a

	<p><u>does not exceed the # to</u> PR4 standard (>1.3lux average, <2.5lux max).</p> <p>g. Condition 13 Aircraft Protection Future development and all structures and activities relating to construction on lots 1 – 126 must comply with the District Plan Aircraft Protection permitted activity rules in 6.7.4 of the Christchurch District Plan, including:</p> <ul style="list-style-type: none"> i. 6.7.4.1.1 Protection Surfaces, ii. 6.7.4.2.1 Runway End Protection Surfaces, iii. 6.7.4.3.1 Bird Strike Management Areas, and iv. 6.7.4.4 Protection Surfaces for Christchurch International Airport, <u>except as provided for under condition 7F(a).</u> <p>h. <u>Condition 20A Wildlife Hazard Management Plan: Covenants shall be registered on the Record of Title of Lots 1 – 126 to secure ongoing compliance with Condition 20A and the certified WHMP.</u></p> <p>i. Condition 21AA Helicopter downwash hazard: Covenants shall be registered on the <u>Record of Title Computer Freehold Register</u> of Lot 121 to ensure <u>awareness ongoing management</u> of the helicopter downwash hazard <u>affecting this lot</u>, in accordance with <u>advice note A Condition 21AA.</u></p> <p>j. Condition 21A Civil Aviation Act 2023: Covenants shall be registered on the <u>Record of Title Computer Freehold Register</u> of Lots 1 – 126 to secure ongoing compliance with Condition 21A (as applicable to future buildings, structures, cranes, plant or activities).</p> <p>k. Condition 21B Aviation Contact and Incident Reporting: Covenants shall be registered on the <u>Record of Title Computer Freehold Register</u> of Lots 1 – 126 to secure ongoing compliance with Condition 21B.</p> <p>Note: <u>Council will prepare the covenants at the request of the consent holder. All Council costs must be paid by the consent holder.</u></p>		
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Advice Notes

<p><u>A-21AA</u></p>	<p>Lot 121 Helicopter Downwash Hazard, Advice Note</p> <p>The consent holder's attention is drawn to helicopter downwash hazards that may affect Lot 121. Practical management of this hazard can be achieved through subdivision and building construction management (through a Construction Management Plan) and through owner/ occupier health and safety plans, especially for roof and yard operations.</p> <p><u>The consent holder's attention is drawn to a potential helicopter downwash hazard that may affect a portion of Lot 121, arising from helicopters operating to and from the Garden City Helicopters (GCH) heliport.</u></p> <p><u>Assessment undertaken by Navigatus Consulting (Aviation Safeguarding Assessment, 28 November 2025 – Section 9) indicates that, during helicopter approach or departure, transient downwash effects may occur when aircraft pass at relatively low height over a portion of Lot 121. While the extent and strength of downwash will depend on the flight profile of helicopters and may not always be evident, awareness of this potential hazard and appropriate management is recommended.</u></p> <p><u>If identified, this hazard must be managed during all construction and operational activity within Within the northern portion of Lot 121 that lies</u></p>	<p>APPLICANT COMMENTS: General advisory note inserted, accounting for the Navigatus assessment of helicopter downwash hazards that may affect Lot 121 only.</p> <p>APPLICANT COMMENTS: On the basis of the technical assessments provided this advice note remains relevant and is proposed to be retained, notwithstanding more specific requirements that may be imposed as a result of new condition precedent 21D.</p> <p><u>Applicant Response: As described in the memorandum of Geraint Bermingham (1 April 2026), Advice Note A has been redrafted by Navigatus to provide technical guidance that improves awareness and compliance with downwash hazard mitigation, as requested by the Panel.</u></p>	<p>CIAL/Airways:</p> <p>This condition does not impose any enforceable control to address the identified risk. It is also unclear why the provision applies only to Lot 121. Mr Robertson considers that it should also apply to Lot 122.</p> <p>CCC:</p> <p>Recommend to change from an advice note to a condition for the reasoning set out in comment on condition 21.</p> <p>Applicant response</p> <p>The memorandum of Mr Geraint Bermingham dated 1 April 2026 (Appendix 1 to the <u>Memorandum of Counsel</u> dated 2 April 2026) confirms that the scope and content of the advice note is appropriate for the purpose requested by the Panel and that there is <i>"no technical basis to require the imposition of the covenant, on</i></p>
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	<p><u>beneath the published southern approach / departure path to / from the GCH heliport. This can be achieved through subdivision and building construction management (through a Construction Management Plan) and through owner/ occupier health and safety plans, especially for roof and yard operations, including, the following practical measures which may assist in managing downwash effects to a safe level, as appropriate:</u></p> <ul style="list-style-type: none"> • <u>Identification of the extent of potential downwash hazard and communication of this risk to workers</u> — at ground level extending approximately 130 metres south from the northern boundary of the lot, (corresponding to the point at which a helicopter would be approximately three rotor widths above ground level if flying at the OLS height) — and about 35 metres to each side of the published approach/take-off-climb path • <u>Building construction:</u> Management of downwash risks through a Construction Management Plan, including controls on the storage and handling of lightweight and sheet materials. • <u>Engineered measures:</u> Building design responses, such as a covered rear yard or sheltered outdoor areas, to isolate workers from any downwash effects. • <u>Postconstruction / ongoing use of lot:</u> Inclusion of helicopter downwash as a site-specific hazard within owner and occupier health and safety planning, particularly for any open yard to the north of any building on the lot and if accessing the roof of for any building on the lot. The mitigation being a general awareness of the hazard and that lightweight objects (e.g. loose materials, tarpaulins, polystyrene or sheet products) should be managed or otherwise secured to reduce the potential of these becoming airborne under the influence of helicopter downwash. 		<p><i>any other lots to alert landowners to helicopter downwash hazards."</i></p> <p>To the extent that CCC has advised that <i>"it is unclear how such an advice note could be registered on the title of Lot 121 and enforced on an ongoing basis"</i> and has suggested <i>"changes to Advice Note A, to Condition 21AA setting ongoing requirements that can be imposed as a covenant, and a consequential change to Condition 21A"</i> the applicant acknowledges that reasoning and has accepted the Council's suggested changes. However, in changing the advice note to a condition, the applicant proposes to retain the additional wording and detail/context that was proposed and addressed by Mr Bermingham in his memorandum dated 1 April 2026.</p> <p>Changing the advice note to a condition otherwise addresses CIAL/Airways' request for an 'enforceable control' regarding this matter.</p>
Advice Notes			
A.	<p><u>Designation – Christchurch International Airport Limited</u></p> <p><u>Nothing in this consent removes or limits the requirement to obtain any approval required under section 176(1)(b) of the Resource Management Act 1991 from the requiring authority (Christchurch International Airport Limited).</u></p>		<p><u>Applicant response</u></p> <p>In response to a request for the same by CIAL, a general advice note has been added drawing attention to the requirements under s176 of the RMA.</p>
New aviation safety related conditions (as at February 2026):			
21A.	<p>Civil Aviation Act 2023</p> <p>a. Where any building, structure, crane, plant or activity requires notification to the Civil Aviation Authority (CAA) under Civil Aviation Rule Part 77:</p> <ol style="list-style-type: none"> No construction may commence on a lot requiring Part 77 notification until written confirmation of CAA determination is provided. The consent holder shall provide a copy of any determination or direction issued by the Director of Civil Aviation to 	<p>APPLICANT COMMENTS: Andrew Shelley emphasises that Part 77 is the correct and comprehensive mechanism for resolving aviation safety effects, including where notification surfaces or OLS are breached temporarily or permanently. As such, a condition (rather than advice note), is proposed to make it explicit that compliance with any Part 77 determination shall prevail over any conditions of the consent.</p> <p>Andrew Shelley notes concern from submitters that aviation risks are being "left unmanaged", when in fact they are managed dynamically through CAA determinations. An explicit requirement for obtaining Part 77 determinations prior to construction, disclosing any determination to CCC, CIAL and Airways; adhering to such a determination; and allowing for</p>	<p><u>CIAL/Airways:</u></p> <ul style="list-style-type: none"> ▪ Condition inappropriately elevates the rule of Part 77 and the CAA. ▪ Unclear whom written confirmation is to be provided to. ▪ Assumes that Part 77 determination can legitimise an airspace breach. However, where development results in operational impacts effects may be externalised to operator. ▪ Introduces unnecessary duplication. ▪ Fundamental issue with hierarchy of processing, allowing CAA imposed controls to prevail over consent

	<p>Christchurch City Council, Christchurch International Airport Limited and Airways Corporation of New Zealand Limited.</p> <p>c. The consent holder shall ensure that the activity is carried out strictly in accordance with that determination or direction.</p> <p>b. If the Director of Civil Aviation imposes conditions <u>or makes any determination under Civil Aviation Rule Part 77 that are inconsistent with this consent</u>, the Director's conditions <u>or determination shall prevail to the extent of the inconsistency apply in addition to the conditions of this consent</u>.</p> <p>c. Following receipt of a CAA determination under Part 77, the Council may review the conditions of this consent solely for the purpose of ensuring consistency with that determination, but shall not impose additional aviation safety controls beyond those required by the Director of Civil Aviation. safety controls beyond those required by the Director of Civil Aviation.</p>	<p>Council to review conditions to ensure consistency strengthens enforceability.</p>	<p>conditions and constraining Council from imposing any additional safety controls – one-way pathway where safeguards can only be weakened.</p> <ul style="list-style-type: none"> ▪ Fails to address core issue identified in evidence (i.e. study required upfront). <p>Applicant response</p> <p>This condition was included as a precautionary measure to ensure that the consent holder is expressly alerted to the potential applicability of Part 77, and to promote transparency in the management of any aviation safety determinations that may arise. For the avoidance of doubt, the purpose of the condition is not to elevate Part 77, or the role of the CAA, above the District Plan or the resource consent framework.</p> <p>Nor does the condition create any alternative or additional approval pathway beyond what is authorised by the consent. Rather, it simply clarifies that, to the extent any Part 77 determinations are required (for example, in relation to temporary structures), and there is any inconsistency between the <i>conditions</i> of such determinations and the conditions of this consent, the consent holder must also comply with the Part 77 conditions. Amendments to the condition have been proposed to make this is explicit.</p> <p>In addition to the above, a minor correction has been made to the final sentence of clause c.</p>
21B	<p>Aviation Contact and Incident Reporting</p> <p>a. <u>Until the establishment of the Industrial Park Management Entity required by condition 1AA of subdivision consent [insert consent reference], the Consent Holder, and from the date of its establishment, the Industrial Park Management Entity The Consent Holder</u> shall, at all times during construction and operation of the development, nominate <u>an a suitably qualified and</u> authorised aviation contact person(s) who shall be available on a 24 hours per day, 7 days per week basis to respond to any aviation related matters arising from activities authorised by this consent.</p> <p>b. The name, position, telephone number and email address of the aviation contact person(s) shall be provided in writing to:</p> <ol style="list-style-type: none"> Christchurch City Council; Christchurch International Airport Limited; and Airways Corporation of New Zealand <p>c. The aviation contact person(s) shall have authority to initiate immediate response actions in relation to aviation safety matters.</p> <p>d. <u>Until the establishment of the Industrial Park Management Entity, the Consent Holder, and thereafter the Industrial Park Management Entity, shall maintain an An</u> aviation incident and complaints register shall be maintained by the consent holder, recording:</p> <ol style="list-style-type: none"> The nature of any aviation related complaint, incident or observation; The name and contact details of the complainant (if they are provided to the consent holder); 	<p>APPLICANT COMMENTS: This condition establishes a clear, proactive aviation safety interface by requiring a nominated, authorised aviation contact available at all times during construction and operation. It ensures that any aviation-related issue can be responded to immediately by a person with decision-making authority, rather than through ad-hoc or delayed channels.</p> <p>The condition also provides transparency and accountability through a formal incident and complaints register, with timely notification to CIAL and, where relevant, the CAA. Overall, it is a proportionate and practical safeguard that strengthens real-time risk management without duplicating or displacing Civil Aviation Act processes.</p>	<p>CIAL/Airways:</p> <ul style="list-style-type: none"> ▪ Complaints procedure only, does not address the safety matter issue. ▪ It is not clear from the condition who should determine whether actions taken are adequate to determine whether the matter has been successfully resolved ▪ It is unclear what types of aviation-related incidents, or under what circumstances, this provision would provide a meaningful response to managing those effects, if any. ▪ In addition, a response timeframe of five working days is excessive. For aviation-related complaints, a response timeframe of 24 hours would be expected, consistent with complaints typically escalated to the CAA. <p>CCC:</p> <ul style="list-style-type: none"> ▪ Unclear who a 'suitably qualified' person would be at different stages of the construction and operation ▪ Ongoing administration of this condition and consent likely to require some effort on the part of the Council and monitoring fees will be required on an ongoing basis. ▪ It would make administration more straightforward to prepare a draft notification form and complaints register for use by future consent holders. ▪ Recommended additional wording: <ul style="list-style-type: none"> ○ Incidents and complaints also notified to CCC

	<p>c. The date and time it was received or identified;</p> <p>d. The response actions taken; and</p> <p>e. Any follow up or mitigation implemented to prevent the reoccurrence of the situation that gave rise to the complaint.</p> <p>e. Any verified aviation incident or complaint shall be notified as soon as practicable (but no longer than <u>24 hours 5 working days</u> after receipt of the complaint) to <u>the Christchurch City Council</u>, CIAL and, where relevant, the CAA.</p> <p>f. The consent holder <u>or, once established, the Industrial Park Management Entity</u>, must provide details of any complaint or its complaints register to the Council upon request.</p> <p><u>g. All costs associated with the ongoing administration and monitoring of this condition and covenant must be paid by the consent holder or, once established, the Industrial Park Management Entity.</u></p>		<ul style="list-style-type: none"> o Additional clause requiring costs associated with administration and monitoring of this condition and covenant paid by the consent holder. <p>Applicant response</p> <p><u>CIAL/Airways:</u></p> <p>The applicant has amended the response timeframe to 24 hours as requested by CIAL and Airways.</p> <p>The purpose of the condition is to provide a process for incident recording and reporting and establish a clear point of contact. It is not relied upon by the aviation experts for the purposes of ensuring aviation safety.</p> <p><u>CCC:</u></p> <p>Acknowledging CCC's comments and noting qualifications are not necessary for the purposes of this role and condition, the applicant has amended the condition to simply refer to 'an authorised aviation contact person'. The applicant otherwise accepts Council's additional wording for this condition (requiring notification of complaints to CCC and noting the obligation of the consent holder to meet administration and monitoring costs).</p> <p>The applicant also acknowledges CCC's concerns regarding administration. Noting proposed new subdivision condition 1AA requiring the establishment and maintenance of a legally constituted Industrial Park Management Entity, the condition has been amended to refer to this entity which will address this concern.</p>
21C	<p>Aviation risk assessment</p> <p>a. Within six months of the commencement of this consent, and prior to the commencement of any construction activities that requires notification under Civil Aviation Rule Part 77, the consent holder shall initiate preparation of an aviation risk assessment by engaging a suitably qualified and experienced aviation practitioner.</p> <p><i>CAA Scoping Consultation</i></p> <p>b. At the outset of preparing the aviation risk assessment, the consent holder shall provide written notice to the <u>Christchurch City Council and Civil Aviation Authority (CAA)</u> advising that an aviation risk assessment is being prepared for the consented development, and shall invite the CAA to identify any aviation safety matters it considers should be addressed within the scope of the aviation risk assessment.</p> <p>c. The consent holder shall allow the CAA a minimum of 15 working days to provide written comment on the proposed scope of the aviation risk assessment.</p> <p>d. Nothing in Conditions b or c requires the CAA to approve, certify or endorse the aviation risk assessment, and the absence of comment from the CAA shall not prevent the aviation risk assessment from being completed.</p> <p><i>Purpose and Content of the aviation risk assessment</i></p>	<p>PANEL COMMENT: Clarification of meaning. Applicant Response: Accepted</p> <p>APPLICANT COMMENTS: The proposed aviation risk assessment condition is considered to be appropriate and proportionate in light of the expert evidence of Dr Andrew Shelley, who emphasises that aviation safety in New Zealand is comprehensively regulated through the Civil Aviation Act 2023 and the Civil Aviation Rules, with ultimate responsibility for aviation safety determinations resting with the Director of Civil Aviation.</p> <p>The aviation risk assessment condition reflects this framework by requiring a targeted, site-specific assessment of aviation safety issues that may arise during implementation of the consented development, while expressly avoiding any requirement to undertake, or purport to undertake, an aeronautical study within the meaning of AC139-15.</p> <p>The condition provides for early engagement with the Civil Aviation Authority to inform the scope of the assessment, facilitates consultation with relevant aviation participants (CIAL, GCH and Airways), and ensures that any practicable mitigation measures within the consent holder's control are identified and implemented.</p> <p>Importantly, the condition preserves the primacy of the Civil Aviation Act and Civil Aviation Rules by making clear that the aviation risk assessment does not replace or constrain the Director of Civil Aviation's statutory</p>	<p>CIAL/Airways:</p> <ul style="list-style-type: none"> ▪ The assessment should be completed prior to construction (before s 224(c) issued). ▪ The scope, methodology, and outcomes are determined solely by the consent holder (Can proceed regardless of CAA input and no requirement to consult with other stakeholders). ▪ The condition requires consultation only, with no requirement for identified issues to be resolved. ▪ It requires only that "practicable" mitigation measures be implemented. ▪ It does not require certification, approval, or independent verification of the assessment or its outcomes. ▪ It does not require the assessment to meet any specified standard, nor to demonstrate that aviation safety effects can be avoided or adequately managed. ▪ Scope and methodology to be agreed with CIAL and Airways, with all resulting mitigation measures to be implemented before development proceeds. <p>CCC:</p> <p>Recommended that CCC be given written notice that an aviation risk assessment has been commenced, in addition to being provided the completed assessment.</p>

<p>e. The purpose of the aviation risk assessment is to identify and evaluate any aviation safety issues associated with the implementation of the consented development outside the operational control of the aerodrome operator, that are not already addressed by:</p> <ol style="list-style-type: none"> the conditions of this consent; determinations, authorisations or directions issued under the Civil Aviation Act 2023 or Civil Aviation Rules. <p>f. The aviation risk assessment shall:</p> <ol style="list-style-type: none"> have regard to the scale, location and staging of the consented development; consider potential aviation safety effects, including where relevant: <ul style="list-style-type: none"> obstacle limitation and notification surfaces; temporary construction activities (including cranes and construction lighting); effects on air navigation equipment, radar or communications; helicopter operations; and wildlife and bird strike risk; identify any practicable mitigation measures that the consent holder is legally able to implement, to the extent such measures are not already required by conditions of this consent or by the Civil Aviation Act or Civil Aviation Rules. <p>g. The aviation risk assessment shall be prepared having regard to the Civil Aviation Act 2023 and relevant Civil Aviation Rules.</p> <p><i>Consultation with Aviation Stakeholders</i></p> <p>h. At the commencement, and prior to finalising the aviation risk assessment, the consent holder shall undertake meaningful engagement with, and provide a draft of the aviation risk assessment to:</p> <ol style="list-style-type: none"> Christchurch International Airport Limited; Garden City Helicopters; and Airways Corporation of New Zealand Limited. <p>For the purposes of this condition, “meaningful engagement” means providing sufficient information to enable informed comment, allowing reasonable timeframes for response, and participating in discussions in good faith, proportionated to the scale and nature of the issues identified. Meaningful engagement does not require agreement to be reached between the consent holder and any consulted party.</p> <p>The consent holder shall consider all comments received and, where requested, meet with those parties to discuss and seek to resolve matters raised. The aviation risk assessment shall be finalised taking those comments into account.</p> <p>If a consulted party does not provide comments within 20 working days of being provided a draft of the aviation risk assessment, or if matters raised</p>	<p>powers, and that Part 77 notification and determinations remain the operative mechanism for managing aviation safety effects. The condition reflects Dr Shelley’s evidence and is an appropriate means of addressing residual aviation safety matters without duplicating or undermining the civil aviation regulatory regime.</p> <p>The condition also reflects feedback obtained from CAA on 4 February 2026 which promoted early and proactive engagement on developments close to an aerodrome in order to give CAA an opportunity to inform the scope of any assessment, while recognising that CAA does not have a clear statutory role to require or approve a full aeronautical study for private development outside the aerodrome fence. The condition aligns with what CAA described as best practice, without overstating CAA’s legal powers or importing aerodrome specific obligations such as AC139-15. It also responds to CAA’s emphasis on “meaningful engagement” with CIAL and Airways by prescribing clear consultation steps, timeframes, and good faith engagement requirements, while including a relief mechanism to prevent delay or obstruction if agreement cannot reasonably be reached.</p> <p>Consistent with CAA’s advice, the aviation risk assessment is narrowly scoped to residual aviation safety matters not already managed through consent conditions or the Part 77 process, and otherwise preserves the primacy of the Civil Aviation Act and the Director of Civil Aviation as the ultimate aviation safety backstop.</p> <p>APPLICANT COMMENT: This condition is proposed to be retained. However, Lots 71, 91, 92, 121 and 122 are also subject to the more detailed new condition 21D.</p> <p>PANEL COMMENT: Various amendments to remove reference to mitigation measures that may necessitate changes to the communications, navigation and surveillance equipment and Airport and GCH heliport operations.</p> <p>Applicant Response: Accepted</p> <p>PANEL COMMENT: Emphasising requirement for early engagement.</p> <p>Applicant Response: Accepted</p>	<p>Applicant response</p> <p>The applicant has adopted CCC’s suggested amendment requiring that written notice be given to CCC.</p> <p>In response to CIAL and Airway’s comments on this condition, the applicant is agreeable to the condition requiring that any assessment required under condition 21C to be completed prior to the issue of any certificate under section 224(c) of the Resource Management Act 1991.</p> <p>The applicant otherwise maintains that condition 21C is appropriate having regard to the expert evidence and the condition setting framework under the RMA and the FTAA. The evidence confirms that aviation safety will be appropriately and effectively managed through the conditions of consent (as proposed by the applicant), with aviation safety also further ensured by the existing regulatory framework under the Civil Aviation Act 2023</p> <p>That is consistent with the stated purpose of the condition to address ‘any aviation safety issues associated with the implementation of the consented development that are not already addressed by the conditions of this consent’. The Applicant considers that the amendments sought by CIAL and Airways extend beyond that purpose and would impose controls that are not supported by the evidence.</p> <p>In particular, the applicant considers that changes to the condition requiring the agreement of third parties such as CIAL and Airways. Such requirements would undermine the certainty and enforceability of the conditions, be more onerous than necessary, and risk frustrating implementation of the consent in a manner inconsistent with the FTAA’s purpose and caselaw relating to condition setting.</p> <p>On that basis, the Applicant considers that no further amendments to the aviation safety conditions are required.</p>
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	<p>cannot reasonably be resolved despite good faith engagement, the consent holder may finalise the aviation risk assessment, provided that the aviation risk assessment documents the engagement undertaken and the reasons why agreement was not reached.</p> <p><i>Finalisation and Implementation</i></p> <p>i. The completed aviation risk assessment shall be provided to the Council, Christchurch International Airport Limited, Garden City Helicopters and Airways Corporation of New Zealand Limited, together with an explanation of why any comments were not incorporated.</p> <p>j. The consent holder shall implement any mitigation measures identified in the aviation risk assessment that:</p> <ul style="list-style-type: none"> a. are within the control of the consent holder; and b. are not already required by the conditions of this consent or by the Civil Aviation Act 2023 or Civil Aviation Rules. <p>k. Nothing in this condition limits or replaces:</p> <ul style="list-style-type: none"> a. the obligation to notify the Civil Aviation Authority under Civil Aviation Rule Part 77; or b. the authority of the Director of Civil Aviation to make determinations or impose conditions in relation to aviation safety. <p><u>l. An aviation risk assessment that is required by this condition shall be completed prior to the issue of any certificate under section 224(c) of the Resource Management Act 1991.</u></p> <p>Advice Note:</p> <p>The intention of this condition is to ensure that the development does not give rise to effects on airport safety that necessitate changes to the communications, navigation and surveillance equipment and Airport and GCH heliport operations.</p>	<p>PANEL COMMENT: Advice note explains the intention of this condition</p> <p>Applicant Response: The applicant generally accepts the intent of the Panel's changes and will provide a final response on this condition accounting for any comments that may be received by other parties on this condition.</p>	
21D	<p>Condition precedent – specific aviation risk assessment (Lots 71, 91, 92, 121 and 122 only)</p> <p>A. <u>Prior to an application for being made for Building Consent, or at least 60 working days prior to the commencement of construction if no Building Consent is required for</u> or any building or structure on Lots 71, 91, 92, 121 and 122, the consent holder must have engaged a suitably qualified and experienced practitioner to prepare who has prepared a specific aviation risk assessment.</p> <p>B. The specific aviation risk assessment is to be prepared in consultation with Christchurch International Airport Limited (“CIAL”), Airways Corporation of New Zealand (“Airways”) and Garden City Helicopters Limited (“GCH”).</p> <p>C. The purpose of the specific aviation risk assessment is to identify any potential aviation safety risks and mitigations required in relation to the development of Lots 71, 91, 92, 121 and 122 (as relevant) in accordance with relevant Civil Aviation Authority (“CAA”) requirements and Civil Aviation Rules. As a minimum, the assessment must assess:</p>	<p>APPLICANT COMMENTS: This added condition follows similar wording, narrative and reasoning as the existing proposed condition above (21C) and facilitates consultation with relevant aviation participants (CIAL, GCH and Airways) and ensures that any mitigation measures within the consent holder’s control are identified and implemented.</p> <p>The condition sets out specific lots (Lots 71, 91, 92, 121, and 122) that require specific matters to be considered within the aviation risk assessment, as delineated by (C)(a) to (C)(d).</p> <p>Clause (C)(a) requires specific assessment regarding the Garden City Helicopters emergency landing capability prior to any construction development, as was previously discussed in the Appendix 19 - Navigatus 28-11-2025 report Section 7, noting a ‘Controlled Area’, and Appendix 02 – Jeremy Phillips Planning Memo response, paragraph 73 (iii).</p> <p>Clause (C)(b) requires specific assessment regarding helicopter downwash hazards, which has been noted in ‘Advice Notes - (A)’ above, and noted in Appendix 19 – Navigatus 28-11-2025 report Section 9.4.1 and 9.5.</p>	<p><u>CIAL/Airways:</u></p> <ul style="list-style-type: none"> ▪ This should be completed before construction. ▪ Condition should apply to all lots (lot by lot inappropriate). ▪ No clear distinction between specific and general assessment required elsewhere in conditions ▪ Helicopter effects not confined to Lot 121 (L&R assessment) ▪ Helicopter Operations Protection plan should be developed in consultation with CIAL ▪ Should be replaced with a single aeronautical assessment framework applying to all lots. <p><u>CCC:</u></p> <ul style="list-style-type: none"> ▪ Tying the timeframe to the application for building consent provides a readily verifiable point at which the Council can assess compliance with the condition. This timeframe also ensures that the relevant consent holder

	<p>a. For Lots 71, 91, 92 and 121- Acceptable building footprints, heights, and positions so as to ensure safe emergency landing capability for all helicopters using the Garden City Helicopters facility.</p> <p>b. For Lot 121- Management of helicopter downwash hazards.</p> <p>c. For Lots 121 and 122- Acceptable building footprints, heights, and positions so as to avoid or mitigate wind shadowing.</p> <p>d. For Lots 121 and 122 - Acceptable building footprints, heights, position, materiality, and façade angles so as to avoid or mitigate effects on air navigation equipment.</p> <p>D. The consent holder must provide a draft version of any specific aviation risk assessment to CIAL, Airways and GCH, and a period of at least 20 working days must be allowed for consultation and for feedback to be provided by CIAL, Airways and GCH to the consent holder on the contents of the draft specific aviation risk assessment.</p> <p>E. The consent holder must consider all comments received from CIAL, Airways and/or GCH on the draft specific aviation risk assessment and, if requested to do so by CIAL, Airways and/or GCH, meet with that party to discuss its comments and seek to resolve any matters of disagreement. The consent holder must engage the suitably qualified and experienced practitioner referred to in 21D(A) to update the draft specific aviation risk assessment taking into account the comments made by CIAL, Airways and/or GCH, and ask CIAL, Airways and GCH to confirm within 10 working days whether the updated assessment addresses its comments.</p> <p>F. The completed specific aviation risk assessment must be provided to CIAL, Airways and GCH and the Christchurch City Council, along with an explanation as to why any comments made by CIAL, Airways and/or GCH on the draft specific aviation risk assessment were not incorporated into the completed specific aviation risk assessment.</p> <p>G. The consent holder must implement any recommended aviation safety mitigation measures contained in the specific aviation risk assessment that the consent holder is legally able to implement if those mitigation measures are not already required by other conditions of this consent.</p> <p>H. This condition shall be satisfied prior to the commencement of construction of any building or structure on Lots 71, 91, 92, 121 and 122.</p> <p>I. Nothing in this condition limits or replaces:</p> <p>a. the obligation to notify the Civil Aviation Authority under Civil Aviation Rule Part 77; or</p> <p>b. the authority of the Director of Civil Aviation to make determinations or impose conditions in relation to aviation safety.</p>	<p>Clause (C)(c) requires specific assessment regarding wind shadowing, which is also in condition (6)(b) and (6)(c) for Lots 121 and 122 respectively, and noted in Appendix 19 – Navigatus 28-11-2025 report Section 8.3.9 and 8.5.7.</p> <p>Clause (C)(d) requires specific assessment regarding air navigation equipment, which addresses condition (6)(a) and Cyrrus' 5 March 2026 'Effects on Navigation Aids – Review of Panel Concerns' memo section 6 about a potential voluntary condition about any perception of adverse effects in relation to the extent of potential DME reflections at the final extent of the approach to runway 02. Rather than specifying maximum wall-face height of buildings on Lot 122 or putting hard limitations on development, the aviation risk assessment can thoroughly assess the issues (if any) related to Lot 122 and air navigation equipment, including DME reflections.</p> <p>PANEL COMMENTS: A. Minor correction. Ca. Additions to clarify that the condition applies to all helicopters.</p> <p>Applicant Response: Accepted</p>	<p>has the opportunity to amend any building consent application to reflect the findings and recommendations of the specified risk assessment.</p> <ul style="list-style-type: none"> Retaining a 60-working-day timeframe for buildings that do not require building consent ensures that an enforceable standard is maintained for other buildings. <p>Applicant response</p> <p>The applicant has adopted the amendments proposed by CCC and accepts their rationale regarding timeframes. This amendment also addresses the request by CIAL and Airways, regarding the timing of this assessment (noting that clause H requires that the condition 'shall be satisfied prior to the commencement of construction of any building or structure on Lots 71, 91, 92, 121 and 122').</p> <p>The scope of the assessment required by this condition and its application to lots within the subdivision is otherwise considered to be appropriate, accounting for the expert evidence of Dr Shelley, Mr Bermingham and Mr McPherson and the other primary conditions of consent that apply to the development. In his statement of evidence dated 28 April 2026, Dr Shelley confirms that the requirement for a Helicopter Operations Plan is neither necessary, appropriate, nor practicable. Whilst no further amendments are considered necessary on this basis, it is noted that a Helicopter Operations Protection plan is a matter that CIAL could seek through its feedback under clause (D), if this is not otherwise proposed by the practitioner preparing the risk assessment.</p>
21E	<p>Dispute resolution</p> <p>A. This condition applies to any disagreement as to satisfaction of Condition 21D, Condition 6a, iii iv or 7Be.</p>	<p>APPLICANT COMMENTS: Dispute resolution clause added to specifically address Clause 21D assessment(s) and which addresses dispute resolution concern raised at the conference on 4th March 2026.</p>	<p>CIAL/Airways:</p> <p>Condition is inappropriate and should be deleted. Procedurally deficient: timeframes unreasonably short, independent person should be agreed to by CIAL and Airways, no opportunity for written opinion to be tested, it is unclear who the opinion is</p>

<p>B. In the event of any dispute being raised or identified, the applicant shall invite CIAL, Airways and/or GCH to provide within 10 working days written notice of:</p> <ul style="list-style-type: none"> a. the specifics of the dispute; b. the reasons for the view; and c. the action(s) or additional information reasonably required to resolve the matter. <p>C. The Consent Holder shall respond in writing within 10 working days, either:</p> <ul style="list-style-type: none"> a. providing confirmation that the requested action(s) will be undertaken and by when; or b. providing the additional information; or c. explaining why the requested action(s) or information is not reasonably necessary to achieve or determine compliance. <p>D. If the dispute is not resolved within 15 working days of the Consent Holder's response under clause (C), the matter shall be referred to an independent person who is accredited under s 39A of the RMA and a suitably qualified and experienced technical expert, if required, appointed under clause (E).</p> <p>E. The independent person and technical expert shall be appointed by Christchurch City Council having regard to comments from the Consent Holder, CIAL, Airways and GCH with regard to conflicts of interest only.</p> <p>F. The independent person shall review the information relied upon and advise whether the disputed condition has been satisfied and/or what additional steps (if any) are required to satisfy it, and shall provide a written opinion within 20 working days of appointment.</p> <p>G. For the avoidance of doubt, failure by CIAL, Airways or GCH to provide comments within the timeframes specified in the relevant condition or within this condition does not prevent the Consent Holder from progressing, provided the Consent Holder has complied with other relevant requirements and conditions of the consent.</p> <p>H. Christchurch City Council shall have regard to the independent person's opinion when forming its view as to whether the conditions of consent has been satisfied.</p> <p>I. The costs of the independent person shall be met by the Consent Holder.</p>	<p>PANEL COMMENTS: Per the additions of Condition 6a.iii and 7Be.</p> <p>Applicant response: Accepted. Note minor correction referencing condition 6a. iv (rather than 6a. iii).</p>	<p>provided and who ultimately determines the whether the condition has been satisfied.</p> <p>CCC:</p> <ul style="list-style-type: none"> ▪ Revision to D to ensure a person will appropriate expertise may be appointed to support the accredited independent person ▪ Revision to E to ensure persons are independently appointed rather than agreed upon to avoid actual and perceived conflicts of interests. <p>Applicant response</p> <p>The purpose of this condition was to provide a practical means of resolving potential disputes that might arise (with CIAL and Airways especially) in regards to consent conditions 21D, 6a(iv), and 7Be. The condition is not relied on by the aviation experts to conclude that the aviation safety related effects of the proposal are acceptable. On this basis, and noting that:</p> <ul style="list-style-type: none"> a. any disputes arising in relation to any conditions of consent can be resolved through the Council's regulatory role for consent administration, monitoring and enforcement; and b. the position of CIAL and Airways that <i>"the condition is inappropriate and should be deleted"</i>, <p>the applicant is agreeable to the deletion of this condition.</p> <p>In his statement of evidence dated 28 April 2026, Dr Shelley confirms that his conclusions in his previous evidence remain unchanged if the condition is deleted.</p> <p>However, should the Panel wish to retain the condition, the applicant acknowledges and accepts the amendments suggested by CCC.</p>
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PART 2: Christchurch City Council Subdivision Consent Conditions

<p>1AA.</p>	<p>Industrial Park Management Entity</p> <p>1. <u>Establishment (Condition Precedent to Subdivision and Sale)</u></p> <p>a. <u>Prior to the issue of any certificate under section 224(c) of the Resource Management Act 1991, and prior to the sale of any allotment created by the subdivision, the Consent Holder shall establish a legally constituted management entity (the Industrial Park Management Entity).</u></p> <p>b. <u>The Industrial Park Management Entity shall be established, and then maintained, for the purpose of implementing and administering the conditions with ongoing obligations, including in particular the wildlife hazard management conditions for the life of the development.</u></p> <p>2. <u>Mandatory Membership and Binding Effect</u></p> <p>a. <u>Membership of the Industrial Park Management Entity shall be required of the owner or, where applicable, the occupier of each allotment created by the subdivision, for so long as the relevant consent conditions apply to that owner or occupier.</u></p> <p>b. <u>The requirement for membership under subclause 2(a) shall be secured by consent notices registered under section 221 of the Resource Management Act 1991 against all relevant records of title for all allotments created by the subdivision.</u></p> <p>3. <u>Scope of Responsibilities of Industrial Park Management Entity</u></p> <p>a. <u>The Industrial Park Management Entity shall have overarching responsibility for coordinating and ensuring compliance with the following conditions of this consent:</u></p> <ul style="list-style-type: none"> i. <u>LUC Condition 4 (Permitted and excluded activities)</u> ii. <u>LUC Condition 6 (Lot Specific Building Controls)</u> iii. <u>LUC Condition 7 (Buildings and structures)</u> iv. <u>LUC Condition 9A, 9B, 10, 11, 12 (Lighting)</u> v. <u>LUC Condition 13 (Aircraft Protection)</u> vi. <u>LUC Condition 14 (Signs)</u> vii. <u>LUC Condition 16 (Ground levels)</u> viii. <u>LUC Condition 17 (Landscaping)</u> ix. <u>LUC Condition 20A (Certified Wildlife Hazard Management Plan)</u> x. <u>LUC Condition 21A (Civil Aviation Act)</u> xi. <u>LUC Condition 21B (Aviation Contact & Incident Reporting)</u> 		<p>Applicant response</p> <p>As described above in response to CIAL/Airways comments on land use consent condition 1 (and other conditions), the applicant proposes a new subdivision consent condition 1AA.</p> <p>This condition requires the consent holder to set up a legally constituted Industrial Park Management Entity before subdivision completion or sale, to manage and enforce ongoing consent obligations (particularly wildlife hazard management) for the life of the development. All lot owners or occupiers must be members, with this obligation permanently secured on titles, and the entity is responsible for coordinating compliance with specified consent conditions.</p>
<p>3</p>	<p>Staging The subdivision may be carried out in stages but is not required to be staged, each stage is to be in accordance with the staging shown on the application plan. That the development may proceed in stages in no particular order in accordance with the approved subdivision plan except as set out below. At each stage any balance land is to be left as a fully serviced allotment.</p>	<p>APPLICANT COMMENTS: The Applicant does not accept the Council's recommended staging condition regarding the provision of additional traffic modelling to confirm the effects of the proposed development (particularly on the right turn from Pound Road to Ryans Road east).</p>	<p>CIAL: Support proposed staging (consistent with expert advice received by CIAL) with suggestions to clarify the conditions.</p>

	<p>The subdivision may be carried out in stages but is not required to be. If staged, each stage is to be in accordance with the staging shown on the application plan. That the development may proceed in stages in no particular order in accordance with the approved subdivision plan except as set out below. At each stage any balance land is to be left as a fully serviced allotment.</p> <p>The subdivision must be staged, comprising:</p> <ol style="list-style-type: none"> 1. Roading and services, Ryans Road (including naturalisation of the Papanui Water Race) and Grays Road upgrades, and Lot 200 and Lot 201 stormwater treatment facilities. 2. Creation of legal title and release of 50% of the lots; 3. Creation of legal title and release of the balance of the lots. <p>Stage 3 must not occur until either:</p> <ol style="list-style-type: none"> a. The intersection of Pound Road/ Ryans Road is upgraded to the satisfaction of CCC; or b. Modelling has been updated and demonstrated to the satisfaction of Council that the intersection can safely accommodate the additional traffic generated by occupier lots within the development. The second stage must not occur where the updated model demonstrates the average queue length associated with right turns into Ryans Road extends beyond the available stacking space for the modelled period. This modelling shall be based on an agreed annual turning movement survey of the intersection arranged by the consent holder and provided to Council for input into the agreed model. <p>At each stage any balance land is to be left as a fully serviced allotment.</p>	<p>Mr Fuller has undertaken additional modelling, which confirms that the average right turn queue fits within the available widening for the full development. As such, it is considered there is no need for this condition.</p> <p>PANEL COMMENT: Amended condition addressing recommendation by CCC.</p> <p>Applicant's Response: The applicant considers the proposed amendments to the condition should be deleted and the originally proposed wording of the condition retained. Refer to joint memorandum of Mr Nick Fuller, Ms Clare Dale and Mr Jeremy Phillips dated 2 April 2025.</p>	<p>CCC: Changes recommended to clarify that:</p> <ul style="list-style-type: none"> ▪ the number of list points are intended to refer to the numbered stages ▪ 50% of lots are those intended for industrial use, and not intended as road to vest etc ▪ Stage 1 and 2 may be undertaken and certified concurrently <p>NZTA: Amendment to clarify that stage 3 is not to occur until both the upgrade of Pound Road/Ryans Road intersection has been completed, and modelling is updated to consider wider impact on the four neighbouring intersections. Modelling is required to determine if the safety network can safely accommodate the additional traffic generated by occupier lots within the development of stage 3.</p> <p>TWT Holdings: Staging condition supported.</p> <p>Applicant response Mr Fuller's memorandum dated 24 April 2026 concludes that the proposed staging condition requiring further traffic modelling or upgrades to the Pound Road / Ryans Road intersection is unnecessary and not supported by evidence. Traffic modelling using conservative 2038 growth forecasts (with additional industrial area uplift) confirms the intersection operates acceptably at full build-out, with right-turn queues within the available stacking length and no more than minor adverse effects. This modelling was calibrated and confirmed as appropriate in November 2025, and in response to this condition and the comments above the modelling has again been calibrated and reaffirmed with March 2026 traffic counts and modelling. No party has provided contrary evidence to justify a staging trigger or intersection upgrade, and the condition goes beyond what is required to address the development's traffic effects. On this basis, the staging condition as proposed is unnecessary and it is therefore opposed.</p>
5.	<p><u>New Roads to Vest</u></p> <p>The new road(s), being lot(s) 300 and 301 are to be formed in general accordance with the Capture Land Development Drawings (November 2025) and vested in the Council to the satisfaction of the Subdivision Engineer with underground cabling for electricity supply and telecommunications, <u>except as amended by subsequent conditions.</u></p>	<p>APPLICANT COMMENTS: The applicant does not agree to the provision of footpaths on both sides of the internal roads within the subdivision as suggested in the Council condition. A single footpath on one side is proposed.</p> <p>In Mr Fuller's memo he notes, although providing footpaths on both sides of the road would be ideal, providing a footpath on only one side is consistent with similar industrial developments (e.g., Dakota Park) and it is considered the adverse effects of are not significant.</p> <p>The condition wording has been updated to include a reference back to the Capture Drawings to make it clear that the approved plans are what the</p>	<p>CCC: Additional wording recommended to clarify that conditions of consent prevail over Capture Land Development drawings</p> <p>Applicant response The applicant supports this amendment.</p>

		Subdivision Engineer is checking the proposal against and not Council's view that two footpaths should be provided. This change also reflects that a road condition further below has been deleted that did contain a reference to the Capture Drawings.	
22.	The Erosion and Sediment Control Plan must show the positions of all stockpiles on site. Temporary mounds must be grassed or covered to prevent erosion until such time as they are removed/reused. Stockpiles must be located and managed to avoid being impacted by helicopter down wash or cause other risk to aircraft safety.	<p>APPLICANT COMMENTS: Original applicant condition. Condition wording agreed between CGL and CCC.</p> <p>PANEL COMMENT: To emphasise appropriate stockpile management. Applicant response: Accepted</p>	<p>CIAL: It is unclear who compliance with the requirement to avoid downwash and aircraft safety risks is to be assessed, further clarify required to ensure condition is workable and enforceable.</p> <p>Applicant response This matter is addressed at the land use stage by the amendments to condition 21AA. At subdivision stage, this condition applies to the consent holder. The condition has been amended to require that stockpiles be located and managed in response to this matter and no further amendments are considered necessary.</p>
26.	<p>a. The EMP must include (but is not limited to):</p> <ol style="list-style-type: none"> i. The identification of environmental risks including erosion, sediment and dust control, spills, wastewater overflows, and excavation and disposal of material from contaminated sites and the management of activities that may attract birds, including but not limited to ponding, stockpiles, grassing/seeding, and waste management; ii. A site description, i.e. topography, vegetation, soils, sensitive receptors such as waterways, the airport, etc; iii. Details of proposed activities; iv. A locality map; v. Drawings showing the site, type and location of sediment control measures, on-site catchment boundaries and off-site sources of runoff, stockpiles; vi. Drawings and specifications showing the positions of all proposed mitigation areas with supporting calculations if appropriate; vii. Drawings showing the protection of natural assets and habitats; viii. A programme of works including a proposed timeframe and completion date; ix. Emergency response and contingency management; x. Procedures for compliance with resource consents and permitted activities; xi. Environmental monitoring and auditing, including frequency; xii. Corrective action, reporting on solutions and update of the EMP, and reporting to CCC, CIAL and other relevant stakeholders as required; xiii. Procedures for training and supervising staff in relation to environmental issues; 	<p>APPLICANT COMMENTS: Amendments to condition a, and new condition b and condition c are proposed in response to the comments received from CIAL.</p>	<p>CIAL: Draft EMP should be provided to CIAL and GCH. Ongoing engagement also required.</p> <p>CCC: Additional wording to incorporate a CNVMP as part of EMP.</p> <p>Applicant response The applicant agrees with and has adopted CCC's proposed additional wording in (a)(xv) to incorporate a Construction Noise and Vibration Management Plan as part of the Environmental Management Plan. The applicant has amended clause (c) to require a copy of the EMP to be provided to CIAL and GCH prior to construction.</p>

	<p>xiv. Contact details of key personnel responsible for environmental management and compliance.</p> <p>xv. <u>A Construction Noise and Vibration Monitoring Plan including, but not limited to:</u></p> <ul style="list-style-type: none"> • <u>Hours of operation for all construction activities likely to generate nuisance noise and vibration;</u> • <u>Applicable noise and vibration limits and assessment criteria;</u> • <u>Noise and vibration monitoring and reporting requirements;</u> • <u>Complaint procedures including:</u> <ul style="list-style-type: none"> ○ <u>The methods for recording any complaints relating to noise and vibration generation and the key details (date and time of complaint, type of activity, type of noise and location of complaint);</u> ○ <u>Process for investigating complaints and recording the action taken to avoid, mitigate or remedy the noise or vibration generating activity to prevent reoccurrence; and</u> ○ <u>Reporting requirements to Council;</u> • <u>Non-compliance contingency measures.</u> <p>Advice note: <i>IDS clause 3.8.2 contains further detail on Environmental Management Plans.</i></p> <p>b. In addition to the matters required in clause a. of this condition, the EMP must be prepared in accordance with the CIAL publication 'Requirements for Working at the Airport 2023' and shall include the following matters, as a minimum, in order to address construction activity risks to Christchurch International Airport operations:</p> <ol style="list-style-type: none"> i. Management of bird-attracting activities in accordance with the WHMP and the requirements specified in conditions 109-111 of this consent, including active and remedial management actions if bird numbers exceed thresholds. ii. Procedures to ensure compliance with REPA restrictions and prohibited activities within the REPA, referencing District Plan rules. iii. Management of the height of temporary cranes, construction plant and any other buildings or structures in accordance with condition 7 of the land use consent, including notification to CAA if required under Civil Aviation Rules Part 77. iv. Management of glare and lighting effects in accordance with conditions 9 and 10 of the land use consent, including the limitations on construction activities requiring external artificial lighting during the hours of darkness. v. Dust, stockpile, waste and debris management, including procedures for securing materials and objects to prevent windblown debris or hazards to aircraft. vi. Visibility risk management, including dust and debris controls to prevent impairment of pilot vision or air traffic control. vii. Site manager contact details, provision of information and communication undertakings to Christchurch International Airport Limited and Garden City Helicopters Limited. 		
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	<p>viii. Obligations under the Civil Aviation Act 2023 and Civil Aviation Rules Part 77, including notification and compliance with any determinations issued by the Director of Civil Aviation.</p> <p>c. The EMP must be submitted to Christchurch City Council for certification <u>and provided to CIAL and Garden City Helicopters</u> prior to commencement of any works. No construction or earthworks may commence until written certification of the EMP has been provided by CCC.</p>		
28.	<p>Dust emissions must be appropriately managed within the boundary of the property in compliance with the Regional Air Plan, <u>including Schedule 2</u>. Dust mitigation measures such as water carts, sprinklers or polymers must be used on any exposed areas. The roads to and from the site, and the site entrance and exit, must remain tidy and free of dust and dirt at all times.</p>	<p>APPLICANT COMMENTS: Original applicant condition. Condition wording agreed between CGL and CCC.</p> <p>CIAL: A specific dust management plan (in accordance with Sched 2 of the Regional Air Plan) should be required incorporating clear and enforceable standards of compliance.</p>	<p>CIAL/Airways: A specific dust management plan (in accordance with Schedule 2 of the Regional Air Plan (RAP)) should be required incorporating clear and enforceable standards of compliance.</p> <p>Applicant response This is a standard CCC subdivision condition that already requires compliance with the RAP (including the detailed requirements in Schedule 2). Additional wording is proposed to reference Schedule 2.</p>
31.	<p>Any change in ground levels must:</p> <p>a. not cause a ponding or drainage nuisance to neighbouring properties.</p> <p>b. Not cause ponding within the site (except for the stormwater treatment functions of Lots 200 and 201).</p> <p>c. not affect the stability of the ground or fences on neighbouring properties.</p> <p>d. maintain existing drainage paths for neighbouring properties (if applicable).</p>	<p>APPLICANT COMMENTS: Original applicant condition. Condition wording agreed between CGL and CCC.</p> <p>PANEL COMMENT: Insertion to ensure ponding is avoided within the site as well as beyond.</p> <p>Applicant response: Accepted</p>	<p>CIAL: CIAL generally supports (b) but considers it should apply to all sites with no exception.</p> <p>Applicant response This is accepted.</p>
80.	<p><u>Traffic Safety Audit</u></p> <p>The applicant must provide traffic safety audits undertaken by a suitable qualified independent traffic engineer at the engineering acceptance stage (design) and at works completion (post construction).</p> <p>Detailed engineering design for the transport network must ensure the recommendations of the e Safety Engineer in the preliminary scheme design (concept) safety audit are incorporated in the design or provide a satisfactory response to the recommendations if not being incorporated.</p>	<p>APPLICANT COMMENTS: Condition updated to reflect Transport response from Mr Fuller.</p> <p>The current traffic safety audit condition requires that the detailed engineering design of the transport network must incorporate the recommendations from the preliminary safety audit conducted by the Safety Engineer. However, there is a concern that the audit process might reopen discussions on issues previously resolved in the Panel's decision and conditions, such as the undergrounding of power poles or the provision of a shared path (see condition below).</p> <p>To address this, it is suggested that the condition be amended so that the design must either incorporate these recommendations or provide a satisfactory response, allowing flexibility and recognition of matters already settled.</p> <p>PANEL COMMENT: Applicant to clarify document part referred to as c.</p> <p>Applicant Response: Complete, deleted words have been re-inserted.</p>	<p>CCC: Same amendment to c. Also added wording to clarify that an alternative response must be satisfactory to the Safety Engineer.</p> <p>Applicant response This is accepted.</p>

81.	<p><u>Existing Road Frontage</u></p> <p>Ryans Road frontage is to be upgraded at the cost of the consent holder to include a service strip, kerb and channel, car parking and landscaping in general accordance with the stamped approved plan set.</p> <p>Grays Road frontage is to be upgraded at the cost of the consent holder to include a service strip, kerb and channel and landscaping, in general accordance with the stamped approved plan set.</p>	<p>APPLICANT COMMENTS: The applicant does not accept the Council's proposed amendments to this condition that require the provision of a 2.5m wide shared path on both the Ryans Road and Grays Road frontages and the undergrounding of powerlines on the Ryans Road frontage.</p> <p>As noted in Mr Fuller's Transport response, there is uncertainty about whether this can be accommodated within the existing Ryans Road corridor, as widening may impact the water race on Ryans Road or require shifting the road centreline. The shared path would be an isolated facility, with no onward connections to existing shared paths in the area. As such, Mr Fuller considers the effects of not providing this shared path are acceptable.</p> <p>Further, Mr Fuller is of the view that undergrounding the powerlines on Ryans Road would add additional cost without any benefit to traffic safety.</p> <p>CCC's other amendments to specify, service strip, kerb and channel, car parking (Ryans Road) and landscaping rather than the applicant proposed more general condition are accepted.</p>	<p>TWT Holdings:</p> <p>Seek confirmation and reassurance that the provisions made for berm and shoulder treatment in plan RC RD 32 (Appendix A updated plans) will provide sufficient space to meet CCC's specifications on the south side of Ryans Road. An indicative cross-section, showing the anticipated treatment, attached to conditions would provide TWT comfort. This will ensure an integrated approach to streetscape if and when the south side gets developed.</p> <p>Applicant response</p> <p>Mr Fuller's statement dated 24 April 2026 confirms that these issues are already fully addressed through the Capture plans and existing conditions (including Condition 81), and that Christchurch City Council has not identified any outstanding concerns. No adverse effects have been identified that would warrant additional conditions or indicative cross sections to be imposed. Accordingly, no amendments to this condition are proposed.</p>
<p>82 A</p>	<p>Footpaths must be provided on both sides of all internal roads (Roads 1-4).</p>	<p>APPLICANT COMMENTS: Accept CCC's recommendation to delete as covered in Condition 5 above.</p> <p>PANEL COMMENT: Inserted per decision findings.</p> <p>Applicant response: The evidence provided to date by Mr Fuller explains that the provision of footpaths on both sides of the internal roads is not necessary to address any adverse effects. Any effects arising from the provision of a footpath on only one side of the road are not significant and would be no more than minor.</p> <p>The Panel appears to have drawn the preliminary conclusion that such a condition is appropriate on the basis that the proposed development has a greater density than the development at Dakota Park. However, Mr Fuller's assessment is based on the actual density of the proposed development, and the reference to Dakota Park was used only as an analogy to demonstrate consistency with the surrounding development pattern. It was not in itself used to justify his conclusion that footpaths on both sides of the road is not necessary.</p> <p>No adverse effect has been identified that would necessitate the imposition of this condition. On that basis, the Applicant does not accept the proposed condition.</p>	
84.	<p><u>a. No subdivision and land development</u> No construction activities requiring external artificial lighting may occur during the hours of darkness, except where:</p> <p>i. A temporary works management plan addressing construction lighting and notification protocols is prepared. <i>[Advice note: Such a plan should be prepared in accordance with Christchurch Airport's "Requirements for Working at the Airport" document];</i> and</p> <p>ii. Airport operator consent is obtained from Christchurch International Airport Limited; and</p> <p>iii. Any relevant Civil Aviation Authority (CAA) authorisation is obtained under Civil Aviation Rule Part 77; and</p>	<p>APPLICANT COMMENTS: Condition amended to provide for construction phase lighting, where authorised by CIAL and CAA, consistent with new condition 9b.</p> <p>Applicant Response: Additional wording is proposed for clause iii to recognise that CAA authorisation may not be required in all cases and to be consistent with the wording in other conditions.</p>	<p>CIAL:</p> <p>See comment on condition 10: <i>No construction activities on Lots 1-126 requiring external artificial lighting may occur during the hours of darkness</i></p> <p>Applicant response</p> <p>The supplementary statement of Mr Justin Evans addresses the comments of CIAL and Airways and the proposed amendments to lighting-related conditions. Refer to response provided alongside new land use condition 9A and Mr Evans statement.</p>

	<p>d. iv. Construction lighting is operated in accordance with all requirements specified in clauses i-iv. of this condition <u>and the Universal Exterior Lighting Condition 9A(1) of the land use consent.</u></p> <p><u>b. External artificial lighting operated in accordance with clause a. of this condition shall only be operated for the minimum duration and intensity necessary for safe construction activity and be removed immediately upon completion of the relevant works.</u></p>		
86.	<p>a. A Landscape Concept, Maintenance and Management Plan shall be prepared by a suitably qualified landscape architect and include the following:</p> <ul style="list-style-type: none"> i. A comprehensive landscape concept for the 3m landscape strip extending from Ryans Road and Grays Road; ii. A schedule of plant species <u>required to comprise of species in Appendix 6.11.9 Plant Species for Water Bodies and Stormwater Basins in the Bird strike Management Area in Appendix 6.11.7.5 or those specified in the DCM Urban Landscape Plans pages 55 – 65 to meet the WHMP;</u> iii. A statement of compliance with approved landscape plans and relevant landscape conditions of this consent; iv. A maintenance schedule including for the establishment period. <p>b. Landscaping shall be established in accordance with the Landscape Concept, Maintenance and Management Plan.</p> <p>c. The following conditions must be recorded pursuant to Section 221 of the RMA in a consent notice registered on the titles of Lots 1-10, 20-21, 40-41, 55-61, 63-70, 121: Landscaping on this lot shall be maintained in accordance with the attached Landscape Concept, Maintenance, and Management Plan. Any dead, diseased, or damaged landscaping must be replaced by the consent holder within the following planting season (extending from 1 April to 30 September) with trees/shrubs of similar species to the existing landscaping</p> <p>Note: <i>This is an ongoing condition of Consent for which a consent notice pursuant to s221 of the Resource Management Act will be issued.</i></p>	<p>APPLICANT COMMENTS: Updated to reflect CCC new condition in their Appendix 16.</p> <p>Condition wording agreed between CGL and CCC.</p>	<p>CIAL:</p> <p>The Condition should require that plant species selection is consistent with the relevant District Plan provisions and the WHMP to ensure landscaping does not create bird strike risk. Provision should be made for input from CIAL on plant species selection.</p> <p>Applicant response</p> <p>The applicant accepts that the condition should reference District Plan Appendix 6.11.9 Plant Species for Water Bodies and Stormwater Basins in the Bird strike Management Area in Appendix 6.11.7.5 and the DCM Landscape Plans pages 55 – 56 that have been reviewed and approved by Ms Civil CGL's avifauna expert and that are also included in the WHMP.</p> <p>It is not proposed to add further opportunity for CIAL input on the planting plan at this stage as this is already provided for in WHMP condition 109 when that is consulted on and finalised.</p>
88.	<p>Landscape Plans (in general accordance with the DCM Urban set pages 55 – 65 of the approved consent plans) and an accompanying Design Report for Reserves (Lots 200-201) are to be submitted to Technical Design Services (Landscape Architecture and Environment Team at landscape.approval@ccc.govt.nz) for acceptance.</p> <p>Advice Note: <i>Planting is also required to comprise of species in Appendix 6.11.9 Plant Species for Water Bodies and Stormwater Basins in the Bird strike Management Area in Appendix 6.11.7.5 or the DCM Urban Landscape Plans pages 55 – 65 to meet the WHMP.</i></p>	<p>APPLICANT COMMENTS: Updated to reflect CCC new condition in their Appendix 16, with additional reference back to the landscape plans prepared by DCM Urban being approved as part of this application. Noting that these plans now contain a higher level of information than typical at subdivision stage and the unique location in relation to managing bird strike risk.</p>	<p>CIAL:</p> <p>See comment on Condition 86 above.</p> <p>Applicant response</p> <p>See response on Condition 86 above. Advice note added to highlight to the CCC Landscape Architecture and Environment Team at acceptance stage, that plant species are restricted to the District Plan appendix or the DCM Plans as approved by CGL's avifauna expert.</p>
89.	<p>The Landscape Plans (in general accordance with the DCM Urban set pages 55 – 65 of the approved consent plans) and Design Report are to provide sufficient detail to confirm compliance with the requirements of the IDS, the CSS, and the WWDG (current versions): All landscaping required by this condition is to be carried out in accordance with the accepted plan(s) at the Consent Holder's expense, unless otherwise agreed.</p>	<p>APPLICANT COMMENTS: Updated to reflect CCC new condition in their Appendix 16, with additional reference back to the landscape plans prepared by DCM Urban being approved as part of this application. Noting that these plans now contain a higher level of information than typical at subdivision stage and the unique location in relation to managing bird strike risk.</p>	<p>CIAL:</p> <p>See comment on Condition 86 above.</p> <p>Applicant response</p> <p>See response on Condition 86 and 87 above. Advice note updated.</p>

	<p>Advice Note: Planting is also required to comprise of species in Appendix 6.11.9 Plant Species for Water Bodies and Stormwater Basins in the Bird strike Management Area in Appendix 6.11.7.5 or the DCM Urban Landscape Plans pages 55 - 56 to meet the WHMP.</p>	<p>Advice note added by CGL to ensure consistency with WHMP for bird strike risk.</p>	
95.	<p>Landscape plans (in general accordance with the DCM Urban set pages 55 – 65 of the approved consent plans) and an accompanying Design Report for street trees and street garden beds are to be submitted to the Technical Design Services (Landscape Architecture and Environment Team at landscape.approval@ccc.govt.nz) for acceptance under the IDS.</p> <p>Advice note: Grassed berms within road reserves do not form part of the landscape acceptance or landscape bond.</p> <p>Advice Note: Planting is also required to comprise of species in the DCM plans or Appendix 6.11.9 Plant Species for Water Bodies and Stormwater Basins in the Bird strike Management Area in Appendix 6.11.7.5 to meet the WHMP.</p>	<p>APPLICANT COMMENTS: Updated to reflect CCC new condition in their Appendix 16. Updated with additional reference back to the landscape plans prepared by DCM Urban being approved as part of this application. Noting that these plans now contain a higher level of information than typical at subdivision stage and the unique location in relation to managing bird strike risk.</p> <p>Advice note added by CGL to ensure consistency with WHMP for bird strike risk</p>	<p>CIAL: See comment on Condition 86 above.</p> <p>Applicant response See response on Condition 86 above. Advice note updated.</p>
	<p>Bird Strike Management –Stormwater Basin Condition Deleted.</p>	<p>APPLICANT COMMENTS: Condition deleted to reflect new stormwater management system Stormwater360 Filterra Bioscape proposed in the application. Given this is now a rapid infiltration system that will drain within 'minutes' of a rain event rather than 'hours' birds being attracted to ponded water is no longer a possibility. There is also no grass sward within the bioscope which reduces the risk of birds being attracted to the area in dry conditions.</p> <p>As the system creates a small depression there is a low possibility that birds could shelter from weather and human presence. However, Ms Civil considers this is already adequately covered off in the broader WHMP and does not require a specific condition.</p>	<p>CIAL: Enforceable condition required to ensure stormwater system will not result in ponding and will not attract bird.</p> <p>Applicant response It is not considered a further separate condition is required to be added here as ponding on site generally and within the Stormwater Management System are already covered in a number of other subdivision and land use consent conditions along with the WHMP which require monitoring and this would result in unnecessary duplication.</p> <p>Examples of where this is already covered include:</p> <ul style="list-style-type: none"> • Land Use Condition 16 that is now proposed by CGL to include the following wording: "Any change in ground levels must not (b) cause ponding within the site", removing the exception for ponding in the SMA. • Subdivision Condition 31 that contains the same wording as above. • Subdivision Condition 61 that specifies the Filterra Bioscape system that results in rapid infiltration.
109.	<p>Prior to any development works commencing on the application site, the 'Draft Wildlife Hazard Management Plan' (WHMP) prepared by PDP and submitted with the application must be finalised by the Consent Holders suitably qualified Ecologist specialising in Avifauna, for certification by CCC under Condition 110 below.</p> <p>The final WHMP shall cover bird strike hazards during both the construction stage and the operational phase (for the lifetime for the development) to address the ongoing management and monitoring of bird strike risk at 104 Ryans Road and 20 Grays Road to ensure that the development will not increase the existing level of bird strike risk at Christchurch International Airport.</p> <p>a. The final WHMP must be prepared:</p> <p>i. Giving consideration to consistency with the Christchurch International Airport Limited (CIAL) WHMP to detail management</p>	<p>APPLICANT COMMENTS: Condition updated to reflect that a 'Draft WHMP' has now been written by the Applicant's Ecologist (specialising in Avifauna) Ms Civil from PDP, which has been submitted to the Panel as part of the Applicant's s55 response. The Draft WHMP has addressed the bird strike matters raised in CIAL's comments on the application and this is detailed by Ms Civil in a memo attached with the Applicant's response.</p> <p>APPLICANT COMMENTS: The draft WHMP was sent to CIAL on 30 October, and a meeting was held with their Planner Mr Jesse Aimer on 11th November. Mr Aimer provide some high-level feedback at the meeting which has been addressed in the Draft WHMP. Mr Aimer confirmed that the Draft WHMP had not been sent to their Avifauna experts (Avisure) or Wildlife Manager for review.</p> <p>CCC's standard condition for bird management during earthworks and construction has not been included as it is otherwise covered in the DRAFT WHMP. Further it is noted that birds protected by the Wildlife Act have not</p>	<p>CIAL: The proposed WHMP imposes complex and ongoing obligations across multiple future landowners. Unclear how conditions will be consistently implemented or co-ordinated over the lifetime of the development. In particular, no clear mechanism to ensure:</p> <ul style="list-style-type: none"> ▪ Consistent application of WHMP across all lots; ▪ Long-term funding and resourcing (including Site Manager roles); abd <p>Effective oversight as sites are developed and ownership changes overtime.</p> <p>Applicant response To address CIAL's concerns about consistent implementation of the WHMP by future landowners, subdivision condition 1AA above is now</p>

	<p>methods to help reduce bird strike risk associated with the site and CIAL airport operations; and</p> <p>ii. Giving CIAL and in particular their suitably qualified Ecologist specialising in Avifauna and Wildlife Manager an opportunity to participate in further consultation with the Consent Holders suitably qualified Ecologist / Avifauna expert. If CIAL does not provide a response to the WHMP within 20 working days of receiving it, the consultation will be deemed as satisfied. Evidence of this consultation (or the opportunity provided to do so) is to be submitted to CCC with the certification.</p> <p>b. Specifically, for the construction phase the final WHMP must include as a minimum:</p> <p>i. Pre-development mitigation measures (e.g., mowing site grass to disperse birds in a southward direction away from the CIAL flight path).</p> <p>ii. Passive and active management methods including, surveillance and monitoring, grounds management specifications (i.e., recommended grass heights to deter high-risk species), and seasonal bird counts (this could be completed by CIAL and/or site surveillance personnel).</p> <p>iii. Management of earthworks including location and size of stockpiles, seasonal timing of earthworks, size of areas being earth worked or depressions in the ground that may result in ponding water.</p> <p>iv. Landscape design standards to avoid bird attracting plant and grass species.</p> <p>v. Communication plan of development timelines with CIAL before development works take place to mitigate potential avifauna issues and offer support if any issues arise.</p> <p>vi. Appointment of a Site Manager responsible for implementing the WHMP and provision of their contact details to CIAL.</p> <p>Roles and responsibilities - including liaising with external stakeholders (e.g., CIAL) to determine the obligations of respective organisations and their personnel.</p> <p>Monitoring and review procedures of WHMP, including liaison with CIAL with increases in bird numbers onsite being communicated so appropriate counter-measures can be implemented.</p> <p>c. Specifically, the WHMP for the operational phase must include as a minimum:</p> <p>i. On going roles and responsibilities for the lifetime of the development - including liaising with external stakeholders (e.g., CIAL) to determine the obligations of respective organisations and their personnel.</p> <p>ii. Passive and active management methods – surveillance and monitoring, grounds management specifications (i.e., recommended grass heights to deter high-risk species), and seasonal bird counts (this could be completed by CIAL and/or site surveillance personnel).</p> <p>iii. Landscape design standards and mitigations to avoid bird attracting plant and grass species</p>	<p>been observed on site during PDP's survey and it is not anticipated that earthworks will disturb the nests of any of these species.</p>	<p>volunteered by CGL requiring the establishment of the 'Ryans Road Industrial Management Entity'. This is notwithstanding the expert evidence confirming that effects are appropriately addressed through the earlier proposed conditions of consent and implementation mechanisms (including consent notices). Also see comments on condition 1AA above.</p>
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	<ul style="list-style-type: none"> iv. Waste and pest management procedures for lots/ activities. v. Mitigation options in relation to flat roof buildings and roosting/ nesting in building rafters. vi. Lighting designed not to attract insects which are a food source for birds. vii. Monitoring and review procedures of WHMP – this must include liaison with CIAL with increases in bird numbers onsite being communicated so appropriate counter-measures can be implemented. viii. In addition to monitoring by the site manager, annual bird counts conducted by an avian ecologist for 5 years following development is necessary to monitor the impacts of management measures in place. 		
110.	<p>The WHMP required by Condition 109 above must be provided to CCC (via email to rcmon@ccc.govt.nz) for certification by their Ecologist specialising in Avifauna at least 10 working days prior to any works commencing on site.</p> <p>The Ecologist specialising in Avifauna must certify the WHMP if:</p> <ul style="list-style-type: none"> a. Evidence is provided of consultation with CIAL's Ecologist specialising Avifauna and/ or Wildlife Manager, including an explanation of how any feedback raised by them have been incorporated in the final WHMP. b. In accordance with (109 a. ii) if CIAL does not provide a response to the WHMP within 20 working days of receiving it, Condition 110(a) may be deemed satisfied. c. The matters in conditions 109 b. and c. are included in the WHMP. <p>No works shall commence on site until the WHMP has been certified.</p>	<p>APPLICANT COMMENTS: New condition to address CIAL's request for the WHMP to be certified by CCC's Ornithologist or Ecologist specialising in Avifauna prior to site works commencing.</p>	<p>CIAL: Does not address the consequence of WHMP not being certified. Should be explicit that no works are to commence until certification has been obtained.</p> <p>Applicant response The CIAL comment is accepted, and the condition has been updated.</p>
111.	<p>Once certified under Condition 110, the WHMP must be implemented at all times by the Consent Holder and any contractors during the subdivision construction phase and by the owners and operators of lots 1 – 126, Lots 200 – 201 and Lots 400 and 500. as they are developed with buildings and activities are established and operated.</p>	<p>APPLICANT COMMENTS: New condition requiring the certified WHMP to be implemented at all times.</p>	<p>CIAL: Reliance on WHMP alone does not provide sufficient certainty that measures will be implemented as sites are developed overtime.</p> <p>Applicant response See comments on conditions 1AA and 109 above which address this concern through the establishment of the 'Ryans Road Industrial Management Entity'.</p> <p>Now that new land use consent condition 20A is proposed in relation to the development and ongoing operation of activities on the individual lots, this condition has been amended to be specific to the subdivision/ land development stage to be completed by CGL.</p>
116.	<p>The following consent notices pursuant to Section 221 of the Resource Management Act 1991 will be issued by the Council:</p> <ul style="list-style-type: none"> a. Condition 48 Water Supply: The following condition must be recorded pursuant to Section 221 of the RMA in a consent notice registered on the titles of each Lot: 	<p>APPLICANT COMMENTS: Updated to reflect CCC requested wording with relevant conditions added.</p> <p>Condition wording agreed between CGL and CCC.</p>	<p>CIAL: The issues identified in relation to the underlying conditions apply equally to these consent notices.</p> <p>Applicant response Addressed above in relation to the underlying conditions.</p>

	<p>i. This allotment shall be served by the Christchurch City Council's pressurized water supply network and requires the installation of a high-hazard backflow prevention device. An application for water connection must be submitted to Christchurch City Council either online or by completing a WS1 form (application for water supply), including a water supply site plan. The water connection will not be activated until confirmation is provided to Council that an approved backflow prevention device has been installed. The backflow prevention device must be installed within the property boundary, on private land, as close as practicable to the water meter at the point of supply.</p> <p>b. Condition 57 Wastewater: The following conditions must be recorded in a consent notice registered on the titles of each Lot:</p> <p>i. The property is connected to a local pressure sewer system that has been designed to accommodate specific wastewater flow limits. Wastewater discharge from the property shall not exceed an average daily flow of 0.09 litres per second per hectare.</p> <p>ii. This allotment shall be serviced by a local pressure sewer unit consisting of a pump, remote monitoring control panel and storage chamber capable of accommodating at least 24 hours of wastewater flow. The unit must be supplied by either Aquatec or EcoFlow and installed at the building consent stage by a Council authorised drainlayer (Pressure Sewer Tanks), in accordance with the requirements for local pressure sewer units as specified under a Building Consent.</p> <p>iii. The owner must enter into a management agreement with the supplier of the local pressure sewer unit. This agreement shall provide Council with the necessary rights to monitor and control (as may be required) the pumping regime to support the operation and maintenance of the local pressure sewer catchment.</p> <p>iv. The owner is responsible for the ongoing operation and maintenance of the local pressure sewer unit and control panel.</p> <p>a. Condition 63 Stormwater: The following consent notice shall be registered on the title of Lots 1 – 126 to ensure ongoing compliance with consent conditions:</p> <p>i. Stormwater generated from the roofs of all buildings within this allotment shall be collected via a sealed stormwater system separated from all other stormwater and discharged into an onsite rapid soakage disposal system. The rapid soakage infiltration system shall be designed to dispose of the runoff generated from the critical 2 percent annual exceedance probability storm event.</p> <p>ii. Roofs and flashings of all buildings within the site shall be low-zinc and low-copper generating materials (those</p>		
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generating less than 20 parts per million dissolved zinc and less than 3 parts per million dissolved copper, i.e.; painted steel, non-zinc treated aluminium, BUR, Modified Bitumen, Single Ply/Thermoset Membrane, Thermoplastic Polyolefin). If zinc-generating or copper-generating materials are used, treatment of stormwater runoff from the full roof area shall be provided using an approved treatment device designed to remove at least 80% of dissolved zinc and/or copper in stormwater.

- iii. Stormwater runoff from all hardstanding areas within this allotment shall be captured, treated and disposed of via private onsite treatment and soakage systems within the boundaries of the lot. The stormwater management and disposal system shall be sized to capture, contain and dispose of the runoff generated from the critical 2 percent annual exceedance probability storm.
- iv. The first flush of stormwater runoff from all sealed surfaces within this allotment shall be treated prior to disposal into land. The onsite stormwater treatment system shall be designed by a suitably qualified and experienced person, shall be tailored to the specific proposed site activities, and shall be submitted for acceptance by the Christchurch City Council Planning Engineer prior to installation.
- v. Sites engaging in any of the activities listed in Environment Canterbury's Land and Water Regional Plan Schedule 3 Hazardous Industries and Activities (or successor schedule) shall submit a Stormwater Quality Management Plan for acceptance by the Christchurch City Council Planning Engineer.

d. Condition 86 Landscaping: The following conditions must be recorded pursuant to Section 221 of the RMA in a consent notice registered on the titles of Lots 1-10, 20-21, 40-41, 55-61, 63-70, 121: Landscaping on this lot shall be maintained in accordance with the attached Landscape Concept, Maintenance, and Management Plan. Any dead, diseased, or damaged landscaping must be replaced by the consent holder within the following planting season (extending from 1 April to 30 September) with trees/shrubs of similar species to the existing landscaping.

e. Condition 87 Fencing: No fencing shall be located forward of (i.e. in front of) the 3m wide landscape strips along the Ryans Road or Grays Road frontages.

f. Condition 112 Wildlife Hazard Management Plan: The certified WHMP must be implemented at all times by the Consent Holder and any contractors during the subdivision construction phase ~~and by the owners and operators of lots 1—126, Lots 200—201 and Lots 400 and 500 as they are developed with buildings and activities are established and operated.~~

Note: Council will prepare the Consent Notices.