

Response ID ANON-URZ4-5FK5-G

Submitted to Fast-track approval applications
Submitted on 2024-05-03 17:08:22

Submitter details

Is this application for section 2a or 2b?

2A

1 Submitter name

Individual or organisation name:
Mike Greer Homes NZ Limited

2 Contact person

Contact person name:
Chris Fowler

3 What is your job title

Job title:
Lawyer

4 What is your contact email address?

Email:
s 9(2)(a)

5 What is your phone number?

Phone number:
s 9(2)(a)

6 What is your postal address?

Postal address:

7 Is your address for service different from your postal address?

No

Organisation:

Contact person:

Phone number:

Email address:

Job title:

Please enter your service address:

Section 1: Project location

Site address or location

Add the address or describe the location:

Site address and location

Address of the site is: 144 Main North Road, Kaiapoi and 170 Main North Road, Kaiapoi.

The Site adjoins the southern edge of Kaiapoi adjacent to Main North Road that leads directly to the Kaiapoi Town Centre as shown on Figure 1 of Appendix 1.

The Site is approximately 14ha in area comprising the northern section of 10ha bordering on the Kaikainui Stream and the southern title of 4.6ha

bordering on the Courtenay Stream. The eastern boundary of the site is the Main Trunk Railway Line and the western boundary is Main North Road. The Site is currently part of the farming operation of Des and David Winter generally involving pastoral farming with some cropping. There are no buildings on the site other than the residence on the southern title.

The adjoining land uses are shown on Figure 2 of Appendix 1

- Farming of the remaining (eastern) site of the Winter farm on the eastern side of the railway line.
- Further east is the Riverlands Holiday Park and Woodford Glen on the south is land that appears to be associated with a drilling company and to the west is Main North Road which is Doubledays Road
- The Kaikainui Stream on the northern boundary adjoining the southern extent of Kaiapoi's residential areas.
- To the east of Main North Road which is one of the main routes from the south. To the west of Main North Road is farmland and some businesses including a building company and Easylawn.

Zoning

The Site does not currently fall within any formalised "planning" area identified for the residential growth of Kaiapoi. For example, it is not part of a Development Area notified in the pWDP or identified as a Greenfield Development Area or Future Development Area on Map A of the CRPS (refer Figure 3 of Appendix 1)

Under the Operative Waimakariri District Plan (OWDP), the site is in the Rural Zone. It is, however, adjacent to land in the Residential 1 Zones north of Kaikainui Stream, as shown in Figure 4 of Appendix 1.

Under the PWDP, including Variation 1, the site is in the Rural Lifestyle Zone, as shown in Figure 4 of Appendix 1. The adjoining residential properties to the north are within the Medium Density Residential Zone.

However the general area south of Kaikainui Stream is identified in the Council's future development strategy entitled "Our District, Our Future, Waimakariri 2048 District Development Strategy Waimakariri 2018" as being a logical growth direction for business activities (see Figure 5 of Appendix 1).

The Site is also located within the proposed South Kaiapoi Growth Area identified in a WDC internal Memorandum regarding the South South Kaiapoi Water and Wastewater Structure Plan dated July 2021. The Site is within Growth Area KA 0A is shown in Figure 5A of Appendix 1.

An Outline Development Plan has been prepared to guide residential development of the Site (Figure 6 of Appendix 1).

A draft subdivision scheme plan is attached at Figure 7 of Appendix 1 illustrating a feasible lot layout for subdivision of the Site.

Images attached as Appendix 1:

Figure 1: South Kaiapoi Development Area Location Plan

Figure 2: The Site context

Figure 3: the Site (outlined in red) relative to Map A of Chapter 6 of the CRPS

Figure 4: Zoning under the Operative Waimakariri District Plan and Proposed Waimakariri District Plan

Figure 5: The general area south of Kaikainui Stream is identified in the Council's future development strategy entitled "Our District, Our Future, Waimakariri 2048 District Development Strategy Waimakariri 2018".

Figure 5A: The Site is located within the proposed South Kaiapoi Growth Area identified in a WDC internal Memorandum regarding the South South Kaiapoi Water and Wastewater Structure Plan dated July 2021. The Site is within Growth Area KA 0A.

Figure 6: Site Outline Development Plan

Figure 7: Draft Subdivision Scheme Plan

The Site consists of three lots legally described as:

- Pt RS 37428 (CB701/7) limited to the land to the west of the Main Trunk Railway Line
- RS 39673
- Lot 1 DP 19366

The Certificates of Title are attached at Appendix 2A-2C.

File upload:

Appendix 1 - Site Images.pdf was uploaded

Upload file here:

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Do you have a current copy of the relevant Record(s) of Title?

Yes

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Appendix 2A-2C - Certificates of Title.pdf was uploaded

Who are the registered legal land owner(s)?

Please write your answer here:

The total land area is 14ha. The majority of the land (approximately 10ha) is owned by W & J Winter & Sons and the southern section of the Site is owned by MJ and RM Mackintosh (4.60ha).

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur

Please write your answer here:

This application is made by Mike Greer Homes NZ Limited (MGH) who have an arrangement with the landowners (W & J Winter & Sons and MJ and RM Mackintosh).

The applicant is negotiating sale and purchase agreements with the landowners. These are expected to be finalised in the next few weeks. The contracts are drafted such provided that the appropriate resource consents and/or land zoning is given, the applicant will be able to undertake the work that is required for the project.

Section 2: Project details

What is the project name?

Please write your answer here:

Mike Greer Homes South Kaiapoi

What is the project summary?

Please write your answer here:

Background

A recent economic assessment by Fraser Colegrave supports residential development of the Site. Mr Colegrave concluded that "recent reporting for the district, including the 2023 HCA, suggest that sufficient capacity is already being provided. However, as noted above, these conclusions are based on out-of-date cost data and unsubstantiated assumptions that limit their reliability. Consequently, I do not believe the district has enough capacity to meet demand, with a lot more needed".

Mr Colegrave therefore considers that in relation to the Mike Greer Home's South Kaiapoi site "The proposal helps to plug this looming gap in feasible capacity by providing quality, master-planned housing that is in step with market demand and able to be realised at both pace and scale."

The land is zoned for rural lifestyle zone in the notified PWDP. MGH lodged a submission on the PWDP and Variation 1 to the plan, both seeking to rezone the property to Medium Density Residential Zone (MDRZ). This would enable a housing development with a diverse range of housing styles and densities, consistent with the NPS-UD.

The Proposal

If the area was rezoned MDRZ, the applicant would subdivide the ground into 190 new lots and carry out all necessary works to make those lots available for people to buy and construct new dwellings, with all the necessary services available for each lot.

A proposed Outline Development Plan is included in the images in figure 6 Appendix 1, which indicates the location of various transport networks, residential areas, landscaping, stormwater management area, local purpose reserve and overland flow paths for large flood events.

An indicative subdivision lot layout plan for the 190 new lots is shown at Figure 7 of Appendix 1.

What are the project details?

Please write your answer here:

The objective of the Project is to contribute additional housing in an area experiencing significant demand and a scarcity of available land by introducing an additional 190 high-quality homes alongside essential supporting infrastructure. Subdivision would occur generally as shown on the Draft Subdivision Scheme Plan at Figure 7 of Appendix 1

The Project will be developed through implementation of the Outline Development Plan (see Figure 6 of Appendix 1) and supporting provisions in the PWDP, aligning with the approach required for all new greenfield developments in Greater Christchurch under Chapter 6 of the Canterbury Regional Policy Statement.

The key features of the Project are:

- That 14.2ha of land (comprising 3 properties) on the southern edge of Kaiapoi be rezoned from Rural Lifestyle to Medium Density Residential.
- The Site adjoins Kaikainui Stream on its northern boundary and Courtenay Stream on southern boundary creating esplanade reserve areas which will provide public space for walking and cycling as well as habitat.
- An internal collector road, with 2 external road connections and cycle/pedestrian routes around the perimeter of the site.
- Esplanade reserves adjoining Kaikainui and Courtney Streams and a recreation reserve in northwest corner with an associated footbridge over Kaikainui Stream across to neighbourhood reserve on Holland Drive
- A significant area of the site adjoining the railway line is set aside for stormwater detention and treatment given its low profile on this site.
- Frontage treatment onto Main North Road in the form of recreation reserves in keeping with the site being part of the southern "entrance" to Kaiapoi.

- Two proposed pedestrian crossing-refuge islands on Main North Road.
- A potential enhancement of an area to enable endangered Canterbury Mudfish to this Site (see below).

Describe the staging of the project, including the nature and timing of the staging

Please write your answer here:

The Site is expected to be developed in one or two stages.

What are the details of the regime under which approval is being sought?

Please write your answer here:

The regime under which approval is being sought is the Resource Management Act (RMA) 1991 and possibly the Wildlife Act.

MGH is seeking approval for resource consent for a non-complying activity.

MGH is seeking approval for a resource consent under the following sections of the RMA.

From the Waimakariri District Council
Resource Consent Application includes:
s9 RMA land use
s11 RMA Subdivision
s13 RMA Land Use

From Environment Canterbury
Resource Consent Application includes:
s9 RMA land use
s 14 RMA Water permit
s 15 RMA Discharge permit to subdivide

From Department of Conservation under the Wildlife Act
Approval to relocate lizards under the Wildlife Act may be required. Although lizards are not anticipated on the Site there is a small possibility that an approval under the Wildlife Act may be required.

Further, the Project provides an opportunity to relocate endangered Canterbury Mudfish from other locations nearer to the coast into the Site to provide an more favourable environment the Mudfish (see below). This would require approval from the Department of Conservation under the Wildlife Act.

If you seeking approval under the Resource Management Act, who are the relevant local authorities?

Please write your answer here:

Waimakariri District Council and Environment Canterbury

What applications have you already made for approvals on the same or a similar project?

Please write your answer here:

No resource consent applications have been made regarding this Project. MGH has lodged submissions on the PWDP and Variation 1 to same seeking to rezone the Site from Rural Lifestyle Zone to Medium Density Residential Zone (see below).

Is approval required for the project by someone other than the applicant?

No

Please explain your answer here:

The applicant is negotiating sale and purchase agreements with the landowners. These are expected to be finalised in the next few weeks.

If the approval(s) are granted, when do you anticipate construction activities will begin, and be completed?

Please write your answer here:

Construction activities are estimated to commence within 6-12 months of approval and be completed within 2-3 years, subject to market conditions and consent ocnditions.

Procurement: MGH would commence procurement shortly after approval is granted.

Funding Phase: Privately and bank funded.

Site Works Commencement: 6-12 months of fast track approval

Construction Phase: 1-2 years

Completion Phase: (issue of titles): within 3 years inclusive of the above milestones

Section 3: Consultation

Who are the persons affected by the project?

Please write your answer here:

The following persons are considered likely to be affected by the project:

- 1) Waimakariri District Council (the relevant local authority).
- 2) Environment Canterbury (the relevant local authority).
- 3) The landowners and occupiers of the properties adjacent to the Site.
- 4) If Mudfish are proposed to be relocated, local iwi and Department of Conservation

Detail all consultation undertaken with the persons referred to above. Include a statement explaining how engagement has informed the project.

Please write your answer here:

There has been discussions with the Waimakariri District Council infrastructure engineers regarding proposed rezoning of the Site.

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Describe any processes already undertaken under the Public Works Act 1981 in relation to the land or any part of the land on which the project will occur:

Please write your answer here:

NA

Section 4: Iwi authorities and Treaty settlements

What treaty settlements apply to the geographical location of the project?

Please write your answer here:

The Waimakariri District's territorial area sits within the takiwā (territory) of Ngāi Tūāhuriri which is one of eighteen Ngāi Tahu regional papatipu rūnanga, constituted under the Te Runanga o Ngai Tahu Act 1996. Ngai Tahu's treaty claim was settled in 1998, by the Ngai Tahu Claims Settlement Act 1998. Ngai Tahu's treaty settlement does not directly relate to the applicant's land, but to the wider Canterbury area.

Are there any Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 principles or provisions that are relevant to the project?

No

If yes, what are they?:

NA

Are there any identified parcels of Māori land within the project area, marae, and identified wāhi tapu?

No

If yes, what are they?:

NA

Is the project proposed on any land returned under a Treaty settlement or any identified Māori land described in the ineligibility criteria?

No

Has the applicant has secured the relevant landowners' consent?

Yes

Is the project proposed in any customary marine title area, protected customary rights area, or aquaculture settlement area declared under s 12 of the Māori Commercial Aquaculture Claims Settlement Act 2004 or identified within an individual iwi settlement?

No

If yes, what are they?:

NA

Has there been an assessment of any effects of the activity on the exercise of a protected customary right?

No

If yes, please explain:

NA

Upload your assessment if necessary:

No file uploaded

Section 5: Adverse effects

What are the anticipated and known adverse effects of the project on the environment?

Please describe:

In summary, there are no adverse effects on the environment anticipated to happen as a result of the development and the land is well suited to residential development.

Assessment of effects on the environment is attached at Appendix 3.

Upload file:

Appendix 3 - Assessment of environmental effects.pdf was uploaded

Section 6: National policy statements and national environmental standards

What is the general assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard?

Please write your answer here:

In summary, the proposal is consistent with the NPS-UD, is not subject to the NPS-HPL and the NES for Assessing and Managing Contaminants in Soil to Protect Human Health does not apply to the site.

Assessment of the project against National Policy Statements and National Environmental Standards is attached at Appendix 4 (Appendix 4 also contains Appendix 5 within the same document and is therefore named appendix 4 & 5).

File upload:

Appendix 4 & 5 - Assessment against NPS's and NES's & assessment against regional and local planning documents.pdf was uploaded

Section 7: Eligibility

Will access to the fast-track process enable the project to be processed in a more timely and cost-efficient way than under normal processes?

Yes

Please explain your answer here:

Yes. MGH has been trying to enable residential development of the site and provide additional housing in Kaiapoi through the normal RMA process. However, under this normal process the project may have to wait 3 to 4 years until all the approvals are obtained to allow the development to go ahead.

The normal RMA process involves rezoning the land through plan change processes and applying for a resource consent to subdivide. MGH has lodged a submission to rezone the land within the PWDP process.

For this rezoning process to occur, the PWDP must become operative. We are currently in the hearings process on the Proposed Plan. The last hearing is scheduled for September 2024. In addition, all possible appeals on the Proposed Plan must be concluded, before the Proposed Plan is operative. This process could easily take another 2-3 years.

Once the Proposed Plan is operative, MGH needs to apply to the Waimakariri District Council and Environment Canterbury for a resource consent to subdivide the land, and all other necessary land use and site development approvals to allow for the subdivision of the site. This approval process could potentially take another two years to complete.

In summary, under the normal RMA process, the project would not get approval until 3 to 4 years into the future. In that time, it is assumed inflation will

affect costs for materials and labour, along with costs related to financing. Developing the site sooner, rather than later, will help mitigate the effects of these rise in costs.

The development of the site on the short term will also provide more housing and help drive down the overall costs for housing in the Waimakariri District.

What is the impact referring this project will have on the efficient operation of the fast-track process?

Please write your answer here:

- There are no significant environment effects associated with the Project
- There is no notification required, therefore no hearing is necessary
- MGH can compile a comprehensive subdivision consent application at short notice
- The project is supported by the District Council documents identifying urban growth at South Kaiapoi and satisfies most criteria for residential growth in other planning instruments
- The applicant has the appropriate inhouse knowledge and funding to progress the application through the fast-track process.

Has the project been identified as a priority project in a:

Other

Please explain your answer here:

The Site has not been identified as a priority project in the CRPS. However the CRPS is out-dated and overdue for review (scheduled for 2021 but still not notified). It is considered that the CRPS does not implement (or fully implement) the NPS-UD insofar as the NPS-UD prioritises housing affordability and requires Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term (Policy 2).

The Site has not been identified for urban development in the notified PWDP however as mentioned MGH seeks MDRZ for the site through the PWDP submission and hearing process, which is presently extant.

As mentioned there is urgent need for additional housing supply in the Waimakariri District and this project will enable additional housing supply to meet housing demand.

It is noteworthy that the general area south of Kaikainui Stream is identified in the Council's future development strategy entitled "Our District, Our Future, Waimakariri 2048 District Development Strategy Waimakariri 2018" as being a logical growth direction for business activities (see Figure 5 of Appendix 1).

The Site is also located within the proposed South Kaiapoi Growth Area identified in a WDC internal Memorandum regarding the South South Kaiapoi Water and Wastewater Structure Plan dated July 2021. The Site is within Growth Area KA OA is shown in Figure 5A of Appendix 1.

Will the project deliver regionally or nationally significant infrastructure?

Regional significant infrastructure

Please explain your answer here:

Yes. Within the Canterbury Region, and particularly within the Greater Christchurch sub-Region, the addition of a further 190 housing units will be extremely significant in terms of housing infrastructure. This development will also deliver significant benefits in terms of employment opportunities and well-functioning urban environments.

Will the project:

increase the supply of housing, address housing needs, contribute to a well-functioning urban environment

Please explain your answer here:

The project will increase the supply of housing because:

The new development will enable up to 190 additional allotments increasing the development capacity of Kaiapoi and the region as a whole.

There is an insufficient supply of suitable land for housing development in Kaiapoi and Waimakariri District generally, and the need for a buffer supply of zoned and developable land to avoid shortages of supply for residential houses.

It is anticipated the wider Waimakariri District will face a significant shortfall of approximately 1,240 dwellings over the medium term (2023). Consequentially, there is a real requirement to provide additional residential capacity in the main urban areas of the district over this period.

The project will address housing needs because:

The project is an appropriate and economically efficient location for residential development. It is close to a large amount of existing infrastructure, services and amenities.

The project would include a mix of housing styles and densities and the development would be controlled and coordinated under an Outline

Development Plan (ODP).

The project will contribute to a well-functioning urban environment because:

The site is close to existing residential developments and the Kaiapoi Town Centre is readily accessible via Main North Road. Access to the Christchurch City is available via the nearby Motorway on SH1.

In urban design terms, the land is located and well-suited for the contiguous and logical extension of the existing residential urban form adjoining the site in the south of Rangiora.

The proposed ODP provides a good level of internal and external connectivity for car, walking, and cycling in the context of the receiving environment. Cycling and walking access to the adjacent residential area is provided by a bridge over Kakanui Stream.

The ODP outlines a designated Local Purpose Reserve with Storm Water Management Area providing open recreation areas and the management of storm water. This is strategically located adjacent to the Railway line in a naturally low-lying area of the site.

Overall the site is well-suited to provide for the anticipated demand for new housing in Kaiapoi and in particular:

(a) The outline development plan provides for a range of densities with an overall density of 18hh/ha as well as extensive reserve areas for residents and general use

(b) The site has its own discrete character lying between tree-lined streams as well as providing an attractive entry to Kaiapoi from the south.

(c) While noise will be experienced from Main North Road, the railway and aircraft these levels are within accepted standards

(d) Filling of the site will reduce the potential flooding of the site

(e) Servicing is either currently available or can be provided with partial funding by way of development contributions

(f) There site is free from constraints (other than flooding) and has no areas of specific ecological values.

Will the project deliver significant economic benefits?

Yes

Please explain your answer here:

The development of Mike Greer Homes South Kaiapoi will generate significant one-off economic impacts, which include:

- Direct effects – which capture onsite activities directly enabled by the project, plus the impacts of businesses that supply goods and services directly to the project; plus
- Indirect effects – which arise when businesses working directly on the project source goods and services from their suppliers, who in turn may need to source good and services from their own suppliers, and so on.

In summary, future construction activity enabled could boost national GDP by \$57 million, including flow on effects, generate employment for 425 FTE-years, and generate \$28 million in household incomes. Assuming (say) a 4-year construction period, these translate to annual impacts of \$14.2 million in GDP, employment for 106 people, and \$6.9 million in household incomes.

Will the project support primary industries, including aquaculture?

No

Please explain your answer here:

NA

Will the project support development of natural resources, including minerals and petroleum?

No

Please explain your answer here:

NA

Will the project support climate change mitigation, including the reduction or removal of greenhouse gas emissions?

Yes

Please explain your answer here:

The project will support the reduction of greenhouse gas emissions by encouraging residents to use public transport, cycle or walk, instead of using a car. By encouraging these positive changes in people's behaviour, the design of the proposal will help reduce carbon emissions over the lifetime of the development.

Further details about these features of the proposal are as follows:

- Provision of an integrated cycle and pedestrian path network throughout the subdivision to provide good connectivity both internally and externally. The site has good interconnectivity with the surrounding environment, located in an area which provides for accessibility and connectivity with the Kaiapoi township; and
- The provision of a pedestrian crossing on Main North Road to provide access to a bus stop that connects Kaiapoi with Christchurch
- Close proximity of the site to the Motorway on SH1 and short travel distance to Christchurch for employment and recreation activities.

Will the project support adaptation, resilience, and recovery from natural hazards?

Yes

Please explain your answer here:

Yes. Any flooding risk within the Site can be appropriately managed and designed for as part of the development of the land for residential use.

Will the project address significant environmental issues?

Yes

Please explain your answer here:

The project will address the urgent need for additional housing supply in the Waimakariri District.

Potential translocation of mudfish

Expert ecological assessment has noted that an area in the south east of the site has been identified as a potential location for habitat creation for Canterbury mudfish (*Neochanna burrowsius*, Threatened - Nationally Critical). The Canterbury mudfish has the highest threat status out of the five species found in New Zealand and is particularly vulnerable to climate change. There are several otherwise-isolated mudfish populations to the east of Kaiapoi, in wetlands between the Waimakariri River and Waikuku Beach. Unfortunately, these wetlands are very low-lying and are threatened by sea-level rise, with one population already affected by salt-water inundation.

Translocating fish from the coastal wetlands to created wetlands further inland is the only way to preserve the future of coastal populations in the district long term. Mudfish can breed fast if suitable habitat is found and their threat classification is due to extensive loss of wetlands. Once successfully established they do not require intensive management.

Exploration of potential translocation of mudfish into constructed wetlands within the Site is recommended as it could benefit the species through providing more secure habitat long-term and public awareness of the species, and would be a biodiversity gain. However, this would require detailed input from freshwater ecologists and the Department of Conservation, and translocation permits. Potential ecological enhance by relocation of Canterbury Mudfish is identified on the ODP at Figure 6 of Appendix 1

Is the project consistent with local or regional planning documents, including spatial strategies?

Yes

Please explain your answer here:

In summary, the project is generally consistent with the local and regional planning documents.

Assessment of the project against regional and district plans is attached at Appendix 5 (Appendix 5 is contained within the document titled 'Appendix 4 & 5').

Anything else?

Please write your answer here:

A further assessment against regional and local planning documents is contained in Appendix 5 which is part of 'Appendix 4 & 5' which was uploaded in section 6.

Does the project includes an activity which would make it ineligible?

No

If yes, please explain:

No, The project does not trigger any of the provisions set out in clause 18 of the Fast-Track Approvals Bill.

Section 8: Climate change and natural hazards

Will the project be affected by climate change and natural hazards?

No

If yes, please explain:

No, once the site is filled it will have a low natural hazard classification. The proposal will have comprehensive stormwater management (including utilising the proposed stormwater basin system, and roading network), compliant with the district plan and building code requirements to appropriately manage the effects of flooding.

Overall, any flooding risk within Site can be appropriately managed and designed for as part of the development of the land for residential use

Section 9: Track record

Please add a summary of all compliance and/or enforcement actions taken against the applicant by any entity with enforcement powers under the Acts referred to in the Bill, and the outcome of those actions.

Please write your answer here:

Mike Greer Homes NZ Ltd has never been subject to an abatement notice, compliance or enforcement actions under the RMA, except for a prosecution under the RMA related to earthworks within an archaeological site in Christchurch during earthquake recovery in approximately 2014. The offending works were undertaken by contractors who were unaware of the heritage values of the site due to an oversight by Southern Response, which was project managing the new build construction on the site. Mike Greer Homes pleaded guilty and was convicted and discharged.

The applicant is a major shareholder in the substantial residential development at Beach Grove block of land and so is familiar with land development projects at Kaiapoi. Further Mike Greer Homes NZ Ltd is one of New Zealand's largest land development and home building companies that has successfully delivered large scale residential developments within the Waimakariri District, Great Christchurch and throughout New Zealand.

Load your file here:

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Declaration

Do you acknowledge your submission will be published on environment.govt.nz if required

Yes

By typing your name in the field below you are electronically signing this application form and certifying the information given in this application is true and correct.

Please write your name here:

Chris Fowler

Important notes