

Change of Condition Decision

RC235378



APPLICANT:	Hill Street Limited
PROPOSAL:	RC235378 – To change conditions 1 & 2 of resource consent RC225470 (as varied by RC235308)
LOCATION:	545 East Maddisons Road, Rolleston
LEGAL DESCRIPTION:	Lot 1 DP 326339 being 4.0012ha in area more or less, as contained in Record of Title 107005. Lot 56 DP 573266 being 586m ² in area more or less, as contained in Record of Title 1046021.
ZONING:	Operative Selwyn District Plan (2016) The property is zoned Inner Plains under the provisions of the Operative District Plan (Rural) Volume.
STATUS:	RC235378 has been assessed as a change of conditions pursuant to section 127 of the Resource Management Act 1991 in respect of subdivision resource consent RC225470 granted on 24th of January 2023 to undertake a subdivision to create 38 residential allotments ('Lot(s)'); 2 development lots for future comprehensive housing; associated roading and infrastructure services on land Zoned Rural (Inner Plains).
This application was formally received by the Selwyn District Council on 12 July 2023. Assessment and approval took place on 28 July 2023 under a delegation given by the Council.	

Decision

RC 235378 – Change of conditions

- A. Resource consent 235378 be processed on a **non-notified** basis in accordance with sections 95A-F of the Resource Management Act 1991; and
- B. That the application to change conditions 1 & 2 of Resource Consent 225470 granted on 24th of January 2023 be granted pursuant to section 127 of the Resource Management Act 1991.

Condition 1 shall now read:

The subdivision shall proceed in general accordance with the information submitted with the application, and the attached approved subdivision plan prepared by Access Land Surveying Ltd., dated 10/07/2023 and entitled "Lots 23 - 61, 100 - 104 being Proposed Subdivision of Lot 1 DP 326339 & Lot 56 DP 573266, 545 East Maddisons Road, Drawing No.: 3572, Sheet 1, Revision B" including any utility lots required.

Condition 2 shall now read:

The consent holder must submit a survey plan in accordance with the approved resource consent subdivision scheme plan titled 'Lots 23 - 61, 100 - 104 being Proposed Subdivision of Lot 1 DP 326339 & Lot 56 DP 573266, 545 East Maddisons Road, Drawing No.: 3572, Sheet 1, Revision B', prepared by Access Land Surveying Ltd, dated 10/07/2023. The survey plan must show all easements, any amalgamation conditions, and any areas subject to covenant required by this subdivision consent.

Attachments

1. 235378 Approved Plan

Notes to the Consent Holder

All other conditions of Resource Consent 225470 (as previously varied by RC235308) remain unchanged and in effect.

RC225470 (AS AMENDED BY RC235308 & RC235378)

General conditions

1. The subdivision shall proceed in general accordance with the information submitted with the application, and the attached approved subdivision plan prepared by Access Land Surveying Ltd., dated 10/07/2023 and entitled "Lots 23 - 61, 100 - 104 being Proposed Subdivision of Lot 1 DP 326339 & Lot 56 DP 573266, 545 East Maddisons Road, Drawing No.: 3572, Sheet 1, Revision B" including any utility lots required.

Survey plan approval (s223) conditions

2. The consent holder must submit a survey plan in accordance with the approved resource consent subdivision scheme plan titled 'Lots 23 - 61, 100 - 104 being Proposed Subdivision of Lot 1 DP 326339 & Lot 56 DP 573266, 545 East Maddisons Road, Drawing No.: 3572, Sheet 1, Revision B', prepared by Access Land Surveying Ltd, dated 10/07/2023. The survey plan must show all easements, any amalgamation conditions, and any areas subject to covenant required by this subdivision consent.
3. The right(s)-of-way and any services easements, and/or easements in gross over parts of Lot(s) 1, 2, 4, 5 and 6 must be included in a memorandum of easements endorsed on the survey plan and must be created, granted or reserved as necessary. The consent holder must meet the costs for the preparation, review, and registration of the easement instruments on the relevant computer registers (records of title).

Section 224(c) compliance conditions

Disposal of Soils Off-site

4. Any soils disposed off-site from the former offal/burn pits and raised garden beds must be disposed of to a facility authorised to accept the material. The consent holder shall submit evidence (i.e. weighbridge receipts or waste manifest) of the disposal of surplus soils from the site to an authorised facility to the Compliance and Monitoring Team, compliance@selwyn.govt.nz, no later than 20 working days following this disposal.

Discovery of Unforeseen Contamination

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

Engineering approval

6. The engineering design plans and specifications for all works shall be submitted to the Development Engineering Manager for approval including, but not limited to:

- Water supply
- Sewerage
- Stormwater
- Roothing, including streetlighting and entrance structures
- Upgrade of existing road frontages
- Shared accessways
- Landscaping and irrigation.

No work shall commence until Engineering Approval has been confirmed in writing. Any subsequent amendments to the plans and specifications shall be submitted to the Development Engineering Manager for approval.

7. All work shall comply with the conditions set out in the Engineering Approval and be constructed in accordance with the approved engineering plans.
8. All work shall comply with the Engineering Code of Practice, except as agreed in the Engineering Approval.
9. The consent holder shall include with the engineering plans and specifications submitted for Engineering Approval, copies of any other consents required and granted in respect of this subdivision, including any certificate of compliance or consent required by Canterbury Regional Council.
10. Unless specific provision is made otherwise through the Engineering Approval the services to all lots shall extend from the road boundary to a point one metre inside the net area of the lot. Please note that the net area is the area excluding any right of way or accessway.
11. The consent holder shall provide accurate 'as built' plans of all services to the satisfaction of the Development Engineering Manager. All assets being vested in Council shall be provided in an appropriate electronic format for integration into Council's systems. Any costs involved in provision and transfer of this data to Council's systems shall be borne by the consent holder.
12. The consent holder shall provide a comprehensive electronic schedule of any assets to be vested in the Council to the satisfaction of the Development Engineering Manager. The schedule shall include but not be limited to installed material unit costs, type, diameter, class, quantity and include summary details.
13. The consent holder or consent holder's agent shall contact the Development Support Engineer (ph: 3472813) prior to any work taking place to discuss infrastructure requirements. This includes but is not limited to location and configuration of water and sewer connections.

Maintenance Bonds

14. (In accordance with the Council's Bonding Policy of Subdivision Works and Large Projects as at the date of issue of this consent)
15. The Consent Holder shall enter into a bond and be responsible for the maintenance of all subdivision and associated works vested in the Council in relation to the Consent at the issuance of the section 224(c) certificate and continue until the Council tests and accepts the quality of the bonded infrastructure and the agreed or stipulated maintenance period taking into account any needed repairs, replacement or rectification required for a period of:
 - (a) 12 months for roading, water, sewer and stormwater reticulation; and
 - (b) 24 months for landscaping, reserve assets, stormwater treatment and discharge systems and sewer pump stations.

New roads

16. All roads, including the proposed road location within Lot 102 and adjoining Lot 56 DP 573266 shall be constructed in accordance with the approved engineering plans.
17. All roads, including the proposed road to be constructed within Lot 102 and adjoining Lot 56 DP 573266 shall be vested in the Selwyn District Council as road.

Road Frontage Upgrades

18. The road frontage of all lots created adjacent to East Maddisons Road shall be upgraded to an urban standard, this work is required to be approved and undertaken through the Engineering Approval.

Corner Splays

19. The corner of lots Lot 36, 37, 46, 100 and 103 at the road intersection shall be splayed with a rounded minimum radius of 3 metres. (urban roads only)
20. *Street Lighting* Street lighting shall be provided on all new roads and existing roads in accordance with the Engineering Approval.

Street name blade installation

21. The consent holder shall install street name blades displaying the Council approved street name and poles at each intersection in accordance with Policy R430.
22. Road 1 and Road 2 shall be formed as a primary road's. Road 3 shall be formed as a secondary Road.
23. If a roading connection to the South can be completed Lot 102 shall be formed as a primary road and as an extension of Road 1. The intersection of Road 1 and Road 3 shall be formed in such a way that it is clear which road is the primary road.
24. If a roading connection to the South cannot be completed Road 1 and 2 shall be formed as a "crescent" and the primary road into and out of the subdivision. The formation of the intersection where Road 3 connects to the "crescent" shall be formed such that it is clear that Road 3 is the secondary road. The road alignment may require alteration to meet this requirement and can be addressed at Engineering Approval. Appropriate traffic calming is required to be used on Road 3. The chosen traffic calming device shall be submitted and reviewed as part of the Engineering Approval process.

Reserves

25. Pursuant to the relevant legislation the consent holder shall vest Lot 101 in the Council as Local Purpose (Access Way) Reserve.
26. The consent holder shall supply to Council copies of all Certificates of Title for land, other than roads, that is vested in the Council.

Urban shared accessways

27. The vehicle accessway serving Lots 24 & 25; Lots 28, 29, 30 & 31; Lots 55 & 56; Lots 57 & 58 shall be formed in accordance with Appendix 13 of the District Plan (Townships Volume).
28. A vehicle crossing to service Lots 24 & 25; Lots 28, 29, 30 & 31; Lots 55 & 56; Lots 57 & 58 shall be formed in accordance with Appendix 13 of the District Plan (Townships Volume). The vehicle crossing shall be sealed/metalled to match the existing road surface for the full width of the crossing between the site boundary and sealed carriageway.

General Conditions (Water Supply, Stormwater and Sewer)

29. Each lot within the subdivision shall be separately serviced with water, sewer and stormwater systems. This condition does not apply to stormwater where ground soakage is available. (townships only)
30. Where sewer and water mains and stormwater systems in private property are to be vested, a written request shall be submitted for Council approval. Easements in gross in favour of Council shall be provided.

Water Supply

31. The net area of each lot shall be provided with an individual potable high pressure connection to the Rolleston water supply in accordance with the approved Engineering Plans.
32. Water meters shall be installed in the road reserve only (please note that multi meter boxes may be utilised).
33. Connection into Council's reticulated water supply shall either be carried out or supervised by Council's contractor CORDE at the cost of the consent holder.
34. The existing on-site water supply system on lot(s) 100 shall be decommissioned, and the existing bore/well shall be sealed and made good to prevent contamination entering the source of groundwater.
35. Any existing bore/well that is no longer in use shall be sealed and made good to prevent contamination entering the source groundwater.
36. Any existing water connections between existing dwellings shall be disconnected to the satisfaction of Council's Development Engineering Manager. Existing dwellings that are not being removed from the site shall be provided with new individual Council maintained points of supply at the property boundary that will be connected to the reticulation network. Connection of the existing dwelling to the Council maintained point of supply is not part of the consent. A building consent will be required for this work.
37. Detailed design of the vested water reticulation network proposed by the consent holder shall also confirm the servicing requirements of the future development lots. If additional infrastructure is required to service the future development lots it will be addressed at Engineering Approval.

Sewer

38. That each lot shall be provided with a sewer lateral laid to the boundary of the net area of that lot in accordance with the approved Engineering Plans.
39. All laterals shall be installed ensuring grade and capacity are provided for and in accordance with Council engineering standards, giving regard to maximum upstream development density. (Gravity sewer)
40. All sewer reticulation to be vested shall meet Council CCTV standards.
41. Connection to the Council sewer shall be arranged by the consent holder and the work shall be done by a registered drainlayer.
42. The existing on-site effluent treatment and disposal system on lot(s) 100 shall be decommissioned and removed from the site or backfilled. A building consent will be required for this work. (septic tank decommissioning),
43. The existing on-site effluent treatment and disposal system on the property shall be decommissioned and removed from the site or backfilled. Existing dwellings that are not being removed from the site shall be provided with new individual Council maintained points of supply at the property boundary that will be connected to the reticulation network. Connection of the existing dwelling to the Council maintained point of supply is not part of the consent. A building consent will be required for this work.
44. The consent holder is required to provide a suitable connection to Council's wastewater reticulation network to service this development. The connection and all required infrastructure upgrades are subject to Engineering Approval. Any upgrades necessary to provide wastewater to this development shall be undertaken by the consent holder at their expense unless otherwise agreed in writing by Council.
45. If detailed design determines that a wastewater pumpstation is required to be installed by the consent holder to service the development, engineering plans shall be submitted to the Development Engineering Manager for approval. The consent holder will operate the pumpstation until Council issue acceptance in writing. Once the pumpstation is accepted, Council's 5-waters Maintenance Operator will operate the pumpstation and the consent holder will enter a 2-year defects liability period and supply a maintenance bond to be held as per Council's Bond Policy.

46. Detailed design of the vested wastewater reticulation network proposed by the consent holder shall also confirm the servicing requirements of the future development lots. If additional infrastructure is required to service the future development lots it will be addressed at Engineering Approval.

Stormwater

47. The consent holder shall install stormwater reticulation treatment and disposal systems to service the subdivision in accordance with the approved engineering plans and the requirements of Canterbury Regional Council.
48. The consent holder shall prepare and submit a Stormwater Design Report and Management Plan in accordance with the requirements of Selwyn District Council and Canterbury Regional Council. This plan shall be provided for Selwyn District Council's approval and sign-off at the consent holder's cost. It shall include, but not be limited to:
- A plan showing existing ground levels on neighbouring properties along with proposed levels on the subdivision sites. Interference with pre-existing stormwater flows needs to be considered so as not to cause ponding or nuisance on neighbouring or developed land.
 - Existing and proposed drainage plan with sub catchments and flow arrows to show how the drainage will be affected.
 - Calculations to demonstrate compliance with the Engineering Code of Practice and any relevant Environment Canterbury consent conditions.
 - Ongoing operation and maintenance requirements.
49. Where stormwater discharges are to be undertaken as a permitted activity, confirmation in writing of permitted status shall be provided from Canterbury Regional Council in the form of a certificate of compliance.
50. The proposed development shall not discharge run off onto adjacent properties unless via a controlled outlet approved as part of the Engineering Design Approval.
51. In the event that an adjacent neighbour's historical stormwater drainage was onto the site, the proposed development must maintain or mitigate the historical discharge.
52. Where a specific discharge consent is issued by Canterbury Regional Council (Environment Canterbury), any consent or associated conditions will be subject to Selwyn District Council acceptance, where these obligations will be transferred to Selwyn District Council. The consent holder will hold, operate and maintain the stormwater consent for a minimum of two years after the section 224(c) Completion Certificate has been issued. Council must be satisfied at the end of this period that all aspects of the system, including but not limited to compliance with consent conditions, operations and maintenance costs are acceptable to Council.
53. The consent holder shall provide a Stormwater Operations and Maintenance Manual prior to the approval of the section 224(c) Completion Certificate.
54. Where stormwater mains in private property are to be vested in Selwyn District Council, a written request shall be submitted to the Development Engineering Manager. Easements in gross in favour of Council shall be provided.
55. All stormwater reticulation to be vested shall meet council CCTV standards

Power and Telecommunications Services

Front lots

56. The consent holder shall provide electricity and telecommunications to the net area of each lot of the subdivision with direct frontage to a road by way of underground reticulation in accordance with the standards of the relevant network utility operator.

Rear lots

57. The consent holder shall provide infrastructure to the net area of each rear lot of the subdivision to enable electricity and telecommunications connections by way of underground reticulation in

accordance with the standards of the relevant network utility operator. The consent holder shall provide evidence in writing from the relevant authorities that electrical and telecommunications service connections have been installed to each lot.

Site Stability and Site Works

58. That the consent holder ensure on a continuing basis (until Certificates of Title are available for each allotment) that dust is not generated from consolidated, disturbance or transportation of material or earthworks activities by keeping the surface of the material damp or by using another appropriate method of dust suppression.
59. A site ground investigation shall be carried out by a suitably qualified person and a report provided to council.
60. The Consent Holder shall confirm whether any earth fill has been placed on site. All filling is to be carried out in accordance with New Zealand Standard (NZS) 4431:2022 Engineered Fill Construction for Lightweight Structures.
61. At the completion of all earthworks Certificates satisfying the conditions of 4431:2022 Engineered Fill Construction for Lightweight Structures, are to be provided to the Selwyn District Council. These certificates will detail the extent and nature of all earthworks undertaken.

Landscaping

62. The consent holder shall landscape the street frontages. The minimum standard (unless otherwise agreed through Engineering Design Approval) will include grass berms and street trees. A landscaping proposal shall be submitted to the Council for approval at the time of submission of the engineering plans and specifications, and the landscaping shall be undertaken in accordance with the approved plans.
63. Entrance structures shall not be placed on Council road reserve.

Fencing Covenants

64. The consent holder shall ensure that Council is indemnified from liability to contribute to the cost of erection or maintenance of boundary fences between reserves and adjoining lots.
 - a) This shall be ensured by way of a fencing covenant registered against the computer freehold register to issue for each adjoining lot. The covenant is to be prepared by Council's solicitor at the expense of the consent holder.
 - b) The consent holder shall procure a written undertaking from the consent holder's solicitor that the executed fencing covenant will be registered on deposit of the subdivision plan.

Reserves

65. Pursuant to the relevant legislation the consent holder shall vest Lot 101 in the Council as Local Purpose (Access Way) Reserve.
66. The consent holder shall supply to Council copies of all Certificates of Title for land, other than roads, that is vested in the Council.

Consent Notice

67. Unless a resource consent has been granted otherwise dwellings and residential activities (this does not include vehicle crossing to vehicle crossing separation distances) including accessory buildings and fencing must be undertaken in accordance with small lot medium density Living Z standards in the Township Volume of the Operative Selwyn District Plan or alternatively if the site is rezoned, dwellings, buildings and residential activities including accessory buildings and fencing shall be in accordance with those new zone rules unless a resource consent has been granted otherwise.

This condition must be registered as a consent notice on the record(s) of title to be issued for Lot(s) 23-60; Lots 100 and 103 to ensure that it is complied with on a continuing basis.

68. Any Lot created for the purposes of Utilities shall be used as a utility lot only.

This condition must be registered as a consent notice on the record(s) of title for each utility lot created.

69. Unless a resource consent has been granted otherwise or otherwise permitted by the Operative District Plan:

- (a) Any lot which shares a boundary with a reserve or walkway shall be limited to a single fence or freestanding wall erected within 5m of any Council reserve boundary and that includes 50% visually transparent fencing as required by the District Plan, at the time that the fence or freestanding wall is constructed. For further information, please refer to the relevant rule in the District Plan or contact the duty planner at Selwyn District Council.

On-going compliance with this condition shall be ensured by way of a consent notice registered against the Record of Title to issue for each lot (other than roads and reserves) that borders a reserve or walkway.

70. A public pedestrian/cycle connection to Lot 2007 DP 576787 must be provided/built when Lot 103 is developed.

This condition must be registered as a consent notice on the record of title to be issued for Lot 103 to ensure that it is complied with on a continuing basis.

Yours faithfully

Selwyn District Council



Rosie Flynn

Team Leader, Resource Consents

Notes:

These notes are an integral part of this plan.
Areas and dimensions are subject to survey.
The Council datum has been transferred to the site using GNSS survey equipment.
Estimated accuracy of levels shown on the plan relative to the Council datum is ± 30 mm.
This plan has been carried out to topographical standards. all levels shown are correct at time of survey.
Critical dimensions and levels should be verified.
Access Land Surveying does not guarantee the accuracy of any underground services shown on this plan.
This plan is issued for a specific project and may not be altered or used for any other purpose without the prior written consent of Access Land Surveying Ltd.
Levels are in terms of Lyttelton Vertical Datum 1937, Origin of levels: UG32 (B882) RL 19.9078
Contour interval 0.25m

Schedule of areas:

No of Residential Lots 38
Net Residential area: 16955m²
Average net area: 446m²
Balance lots for future development:
Lot 100: 6479m²
Lot 103: 7400m²
Road (Lots 101, 102 & 104) to vest in SDC: 9012m²

Memorandum of Easements

Nature	Servient Tenement	Dominant Tenement
Right of Way, Right to drain water and sewage, Right to convey power, water and telecommunications	Shown Lot	Lot
	A	Lot 25 Lot 24
	B	Lot 24 Lot 25
	C	Lot 58 Lot 57
	D	Lot 57 Lot 58
	E	Lot 56 Lot 55
	F	Lot 55 Lot 56

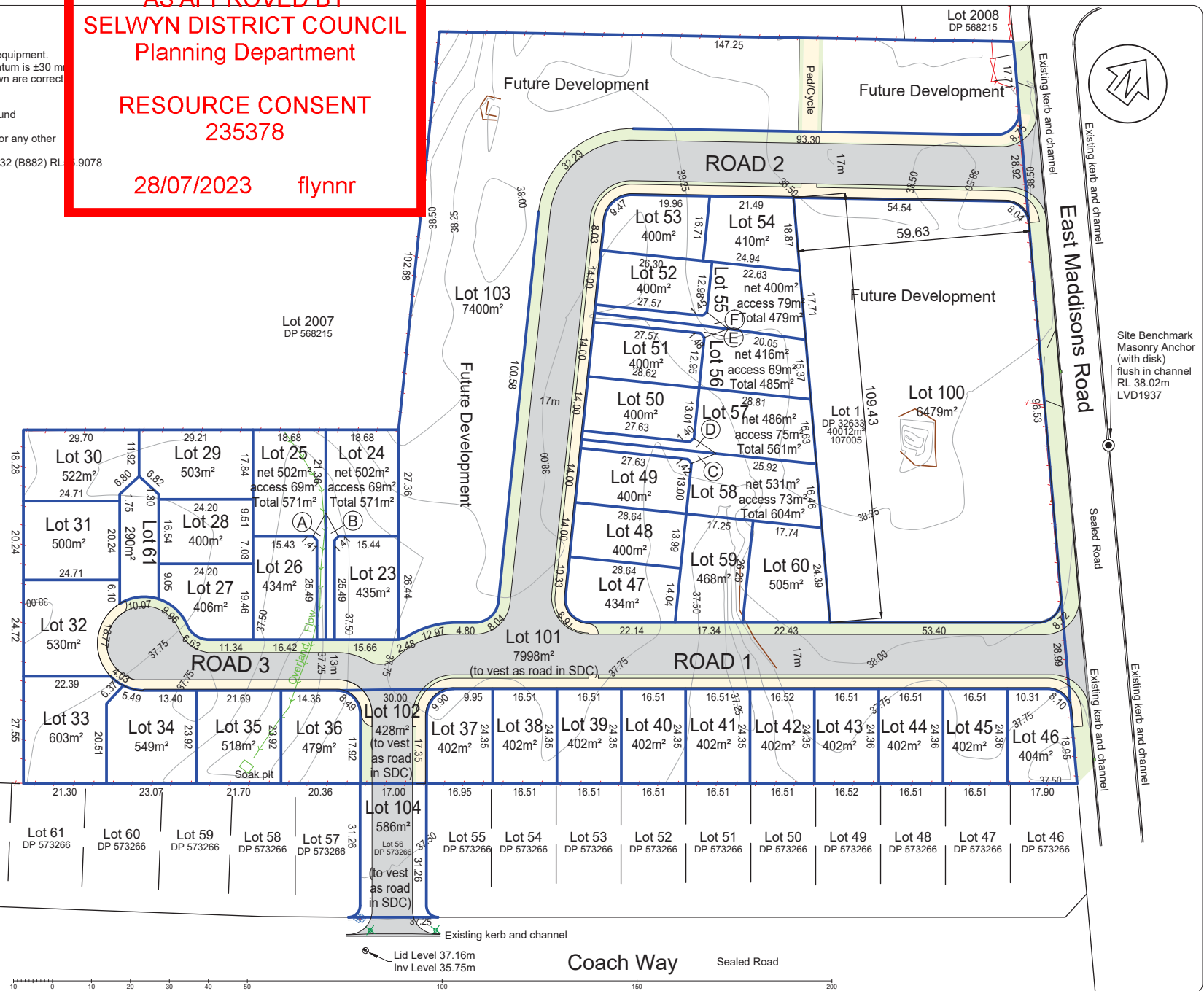
Amalgamation Condition

That Lot 61 hereon (legal access) be held as to four undivided one-fourth shares by the owners of Lots 28 - 31 hereon as tenants in common in the said shares and that individual Computer Freehold Registers be issued in accordance herewith.

AS APPROVED BY
SELWYN DISTRICT COUNCIL
Planning Department

RESOURCE CONSENT
235378

28/07/2023 flynnr



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Notes:

Lots 23 - 61, 100 - 104 being Proposed
Subdivision of Lot 1 DP 326339
& Lot 56 DP 573266, 545 East Maddisons Rd

Issue Details		
Rev.	Description	Date
A	For information	14/11/2022
B	add Lot 104	10/07/2023

Date: 10/07/2023	CT ref: 107005	A3 Sheet
Surveyed: LS/RV	Total area: 4.05ha	Revision B
Drawn: LS	Client: Hill Street Limited	1 of 1
Checked: RV	Scale: 1:1000	Ref: 3572
Local Authority: Selwyn District		