

Resource Consent Decision

RC225544



APPLICANT:	Hughes Development Limited
PROPOSAL:	To change condition 3i, 4, 6, 7 & 87b of resource consent RC215485
LOCATION:	583 East Maddisons Road, Rolleston
LEGAL DESCRIPTION:	Lot 2008 DP 568215 being 2.2387ha in area more or less, as contained in Record of Title 1021016.
ZONING:	Operative Selwyn District Plan (2016) The property is zoned Rural Inner Plains under the provisions of the Operative District Plan (Rural) Volume
STATUS:	This application has been assessed as a change of conditions pursuant to section 127 of the Resource Management Act 1991 in respect of subdivision resource consent RC215485 granted on 27 August 2021 to undertake the Faringdon South-West residential subdivision.
This application was formally received by the Selwyn District Council on 5 August 2022. Assessment and approval took place on 13 September 2022 under a delegation given by the Council.	

Decision

- A. Resource consent 225544 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 condition 3i, 4, 6, 7 and 87b of resource consent RC215485 granted on 27 August 2021 be **granted** pursuant to section 127 of the Resource Management Act 1991.

Condition 3i shall now read:

3. The subdivision shall proceed in general accordance with i. and ii. below, including the creation of any additional utility lots, except where varied by any other condition of consent.
 - i. The Approved Plans:
 - Subdivision Plans prepared by Davie Lovell Smith, R22 dated November 2021 except that the R26 Stage 9 Plan dated September 2022 shall be referred to.
 - Landscape and Fencing Plans prepared by Kamo Marsh, dated April 2021 (provided as Appendix F of the original application)
 - East Maddisons Road Closure Treatment Plan, prepared by Davie Lovell Smith, titled Intersection Detail, R1, dated April 2021 (provided as Attachment G to the response to comments of 30 July 2021)

- Faringdon Movement Network Plan prepared by Davie Lovell Smith, dated May 2021 (provided as Appendix E of the response to Minute 3 on 14 July 2021)
- ii. The details in the application, the further information provided and any further information or amendments provided in the response to comments and the comments on draft conditions provided by the Applicant.

Condition 4 shall now read:

4. The subdivision may be undertaken in stages. If the subdivision is undertaken in stages, the stages may occur in any order but generally in accordance with the following:
- Stage 0 – Lots 2000 – 2010, 226
 - Stage 1 – Lots 1 – 45, 297 – 298, 800 – 802
 - Stage 2 – Lots 46 – 220, 701, 803 – 806
 - Stage 3 – Lots 221 – 231
 - Stage 4 – Lots 232 – 296, 299 – 337, 700, 807 – 808
 - Stage 5 – Lots 338 – 412, 809 – 810
 - Stage 6A – 448 – 451, 721 – 722
 - Stage 6B – 413 – 420
 - Stage 6C – 421 – 447, 452 – 483, 811 – 812
 - Stage 7A – 491 – 504, 817
 - Stage 7B – 484 – 490, 505 – 524, 704, 813
 - Stage 8 – Lots 525 – 650, 705 – 707, 814 – 815
 - Stage 9A – Lots 651 – 666, 667– 676, 683, 816
 - Stage 9B – Lots 677– 682

Condition 6 shall now read:

6. A Consent Notice pursuant to section 221 of the Resource Management Act 1991 shall be registered on the relevant Record of Title for Lots 1-6, 65-71,79, 80-92, 94-97, 100-144, 154-162, 165-169, 192-198, 200-208, 210-215, 234-239, 241-249, 252-254, 256-257, 260-264, 275-279, 282-285, 288-291, 294-298, 303-313, 318-325, 334-338, 341-342,345-368, 373-384, 387-388, 391-393, 395, 432-446, 448-450, 454-461, 477-483, 505-510, 515-516, 518-524, 561-570, 572-587, 589-608, 633-634, 636-637, 643-650, 652-661,664-666, 668-672, 683 to record the following conditions are complied with on a continuing basis:
- a. These lots are small-lot medium density lots. The Living Z rules in the Operative District Plan for small-lot medium density development shall apply to any future development on these lots.

Condition 7 shall now read:

7. A Consent Notice pursuant to section 221 of the Resource Management Act 1991 shall be registered on the relevant Record of Title for Lots 7-64, 72-78, 145-153, 163-164, 170-191, 199, 216-220, 232-233, 240, 250-251, 255, 258-259, 265-274, 280, 281, 286-287, 292-293, 299-302, 326-333, 314-317, 339-340, 343-344, 369-372, 385-386, 389-390, 394, 396-422, 427-431, 447 - 451, 453, 462-476, 484-504, 511-514, 517, 525-560, 571, 588, 609-632, 635, 638-642, 651, 662-663, 667, 673-682, 721-722 to record the following conditions are complied with on a continuing basis:
- a. These lots are low density lots. The Living Z rules in the Operative District Plan for low density development shall apply to any future development on these lots.

Condition 87b shall now read:

The proposed new wording of Condition 87b is:

87. Pursuant to the relevant legislation the Consent Holder shall vest the following lots in the Council as Reserve:

- a. Lot 700, 703, 706 shall be vested as Recreation Reserve.
- b. Lots 701, 704, 705, 707 shall be vested as Local Purpose (Access) Reserve.

Attachments

1. Approved subdivision plans and staging plans.

Development Contributions (Subdivision Consents)

Development contributions are not conditions of this resource consent and there is no right of objection or appeal under the Resource Management Act 1991. Objections and applications for reconsideration can be made under the Local Government Act 2002.

The consent holder is advised that pursuant to the Local Government Act 2002 and the Council's Development Contribution Policy the following contributions are to be paid in respect of this subdivision before the Council will issue its certificate pursuant to section 224(c) of the Resource Management Act 1991.

Note: The amounts set out in the attached table are applicable at the time of the granting of this consent. If the time between the date the resource consent is granted and the time which the Council would normally invoice for the development contributions (usually the time an application is made for the issue of Council's section 224(c) certificate for the subdivision) is more than 24 months, the development contributions will be reassessed in accordance with the development contributions policy in force at the time the consent was submitted. To avoid delays, the consent holder should seek the reassessed amounts prior to the application for the section 224(c) Resource Management Act 1991 certificate. Please contact our Development Contributions Assessor on 03 347 2800 or at development.contributions@selwyn.govt.nz.

RC225544 - Faringdon South West - Stage 9A variation

Activity	Demand Post Development (HUE)	Credits for Existing Demand (HUE)	Additional Demand (HUE)	Development Contribution per HUE (\$)	Development Contribution (\$ Excl. GST)	GST (\$)	Development Contribution (\$ Incl. GST)
Water Supply	27.00	0.00	27.00	2,009.00	54,243.00	8,136.45	62,379.45
Wastewater	27.00	0.00	27.00	5,244.00	141,588.00	21,238.20	162,826.20
Stormwater	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Reserves	27.00	0.00	27.00	11,366.00	306,882.00	46,032.30	352,914.30
Roading	27.00	0.00	27.00	1,769.00	47,763.00	7,164.45	54,927.45
Lowes Road ODP	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Contribution					550,476.00	82,571.40	633,047.40

Notes to the Consent Holder

All other conditions of Resource Consent remain unchanged and in effect.

RC215485 (AS AMENDED BY RC225544)

Operative District Plan

1. Any reference to the "Operative District Plan" in these consent conditions means the Selwyn District Plan that is operative at the date of decision of this consent.

Subdivision RC215485 conditions – Faringdon South West

General

2. The following conditions of consent shall be met prior to the issue of the section 224(c) completion certificate, at the expense of the Consent Holder.
3. The subdivision shall proceed in general accordance with i. and ii. below, including the creation of any additional utility lots, except where varied by any other condition of consent.
 - i. The Approved Plans:
 - Subdivision Plans prepared by Davie Lovell Smith, R22 dated November 2021 except that the R26 Stage 9 Plan dated September 2022 shall be referred to.
 - Landscape and Fencing Plans prepared by Kamo Marsh, dated April 2021 (provided as Appendix F of the original application)
 - East Maddisons Road Closure Treatment Plan, prepared by Davie Lovell Smith, titled Intersection Detail, R1, dated April 2021 (provided as Attachment G to the response to comments of 30 July 2021)
 - Faringdon Movement Network Plan prepared by Davie Lovell Smith, dated May 2021 (provided as Appendix E of the response to Minute 3 on 14 July 2021)
 - ii. The details in the application, the further information provided and any further information or amendments provided in the response to comments and the comments on draft conditions provided by the Applicant.
4. The subdivision may be undertaken in stages. If the subdivision is undertaken in stages, the stages may occur in any order but generally in accordance with the following:
 - Stage 0 – Lots 2000 – 2010, 226
 - Stage 1 – Lots 1 – 45, 297 – 298, 800 – 802
 - Stage 2 – Lots 46 – 220, 701, 803 – 806
 - Stage 3 – Lots 221 – 231
 - Stage 4 – Lots 232 – 296, 299 – 337, 700, 807 – 808
 - Stage 5 – Lots 338 – 412, 809 – 810
 - Stage 6A – 448 – 451, 721 – 722
 - Stage 6B – 413 – 420
 - Stage 6C – 421 – 447, 452 – 483, 811 – 812
 - Stage 7A – 491 – 504, 817
 - Stage 7B – 484 – 490, 505 – 524, 704, 813
 - Stage 8 – Lots 525 – 650, 705 – 707, 814 – 815
 - Stage 9A – Lots 651 – 666, 667– 676, 683, 816
 - Stage 9B – Lots 677– 682
5. All required easements shall be duly created and granted or reserved.

Consent Notices

6. A Consent Notice pursuant to section 221 of the Resource Management Act 1991 shall be registered on the relevant Record of Title for Lots 1-6, 65-71, 79, 80-92, 94-97, 100-144, 154- 162, 165-169, 192-198, 200-208, 210-215, 234-239, 241-249, 252-254, 256-257, 260-264, 275-279, 282-285, 288-291, 294-298, 303-313, 318-325, 334-338, 341-342, 345-368, 373-384, 387-388, 391-393, 395, 432-446, 448-450, 454-461, 477-483, 505-510, 515-516, 518-524, 561-570, 572-587, 589-608, 633-634, 636-637, 643-650, 652-661, 664-666, 668-672 & 683 to record the following conditions are complied with on a continuing basis:

- a. These lots are small-lot medium density lots. The Living Z rules in the Operative District Plan for small-lot medium density development shall apply to any future development on these lots.
7. A Consent Notice pursuant to section 221 of the Resource Management Act 1991 shall be registered on the relevant Record of Title for Lots 7-64, 72-78, 145-153, 163-164, 170-191, 199, 216-220, 232-233, 240, 250-251, 255, 258-259, 265-274, 280, 281, 286-287, 292-293, 299-302, 326-333, 314-317, 339-340, 343-344, 369-372, 385-386, 389-390, 394, 396-422, 427-431, 447 - 451, 453, 462-476, 484-504, 511-514, 517, 525-560, 571, 588, 609-632, 635, 638-642, 651, 662-663, 667, 673-682, 721-722 to record the following conditions are complied with on a continuing basis:
 - a. These lots are low density lots. The Living Z rules in the Operative District Plan for low density development shall apply to any future development on these lots.
8. A Consent Notice pursuant to section 221 of the Resource Management Act 1991 shall be registered on the relevant Record of Title for Lots 224-225 to record the following conditions are complied with on a continuing basis:
 - a. Lots 224 and 225 are Comprehensive Medium Density Development lots. The Living Z rules in the Operative District Plan for comprehensive medium density development shall apply to any future development on these lots (including but not limited to Rule 4.12 which will require additional resource consent, and Table C12.1 of the Township Volume).
9. A Consent Notice pursuant to section 221 of the Resource Management Act 1991 shall be registered on the relevant Record of Title for Lot 226 to record the following conditions are complied with on a continuing basis:
 - a. Lot 226 is a business (neighbourhood centre) lot and any future development is to be in accordance with RC215538.
10. A Consent Notice shall be registered against the Record of Title for each utility lot created, to the effect that it shall be used as a utility lot only. Ongoing compliance with this condition shall be ensured by way of a consent notice registered against the Record of Title. The Consent Notice shall be prepared and registered by Council's solicitor at the request and expense of the Consent Holder.
11. A Consent Notice pursuant to section 221 of the Resource Management Act 1991 shall be registered on the relevant Record of Title for Lots 24, 25, 297 and 298 to record the following conditions are complied with on a continuing basis:
 - a. These lots are to be utility lots accommodating a permanent wastewater pump station.
12. A Consent Notice pursuant to section 221 of the Resource Management Act 1991 shall be registered on the relevant Record of Title for Lot 56 to record the following conditions are complied with on a continuing basis:
 - a. Lot 56 may be used as a future road connection to Lot 1 DP 326339 and no Development Contributions will be payable for this lot. In the event this lot is not required for this purpose then the Living Z low density rules apply and Development Contributions will be payable.
13. A Consent Notice pursuant to section 221 of the Resource Management Act 1991 shall be registered on the relevant Record of Title for Lot 682 to record the following conditions are complied with on a continuing basis:
 - a. Lot 682 shall not take vehicle access from Goulds Road.
14. Unless shown on the Approved Landscape and Fencing Plans, any lot which shares a boundary with a reserve or walkway shall be limited to a single fence erected within 5m of any Council reserve that is at least 50% visually transparent where it exceeds 1.2m in height (which shall be applied to the whole fence in its entirety). 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.

15. Any fencing or freestanding wall not shown on the Approved Landscape and Fencing Plans or subject to condition 14 above shall comply with the requirements of the Operative District Plan. On-going compliance shall be ensured by way of a consent notice being registered against the Record of Title to issue for each lot.

Covenants

16. 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.
- This shall be ensured by way of a fencing covenant registered against the Record of Title to issue for each adjoining lot. The covenant is to be prepared by Council's solicitor at the expense of the Consent Holder.
 - 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.
17. The Consent Holder shall ensure that the adjoining property owners, Lot 1 DP 326339 and Lot 1 DP 355996, with a shared boundary to Lots 45, 403 -413, 429 – 430, 46- 61, 615 – 616, 621 – 622, 624 – 627, 633 – 635, 639 – 641 and 666 are indemnified from liability to contribute to the cost of the erection or maintenance of any non-rural boundary fences between their property and the above lots. The Consent Holder shall submit to Council a written undertaking from their solicitor that such a fencing covenant will be registered on the Record of Title of Lots 45, 403 -413, 429 – 430, 46- 61, 615 – 616, 621 – 622, 624 – 627, 633 – 635, 639 – 641 and 666.
18. Lots 24, 25, 297 and 298 hereon to be created and held together by an amalgamation covenant pursuant to Section 220(2)(a) of the Resource Management Act.
- 18a. Lots 36, 37 and 38 shall be held together by amalgamation covenant pursuant to Section 220(2)(a) of the Resource Management Act. The existing buildings on these lots shall be removed or demolished and the relevant development contributions shall be paid prior to the release of the amalgamation covenant.

Engineering Approval

19. 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
- Water race
- Sewerage
- Stormwater
- Roading, including street lighting and entrance structures
- Shared accessways
- Landscaping and irrigation

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

20. All work shall comply with the conditions set out in the Engineering Approval and be constructed in accordance with the approved engineering plans.
21. All work shall comply with the Engineering Code of Practice, except as agreed in the Engineering Approval.

22. 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.
23. 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.
24. 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 system shall be borne by the Consent Holder.
25. The Consent Holder shall provide a comprehensive schedule of any assets to be vested in the Council to the satisfaction of the Development Manager. The schedule shall include but not be limited to installed material unit costs, type, diameter, class, quantity and include summary details.
26. The design of any intersection designs serving the development shall be informed by the 2033 Paramics model

Intersection upgrades – Developer Agreement

27. A Developer Agreement shall be entered into between Selwyn District Council and the Consent Holder for the upgrade of the Shillingford Boulevard – Goulds Road – East Maddisons Road intersection. The agreed costs should be proportionate to the volumes originating from Faringdon South West and other developments within the area to ensure a fair and equitable contribution. The agreement shall also reflect Council's Development Contribution Policy for CRETS, which includes this roundabout, and shall establish all the agreed parameters to have the intersection upgrade construction completed by the end of Stage 6 (meaning the further subdivision of Lot 2005).

Advice note: The Developer Agreement can be negotiated on the understanding that the completion of the intersection upgrade can be deferred beyond Stage 6 if revised timeframes would be preferred by the Consent Holder and Council.

Utilities

28. 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.
29. Where sewer, 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

30. 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.
31. Water meters shall be installed in the road reserve only. Multi meter boxes may be utilised.
32. Connection to Council's reticulated water supply shall either be carried out or supervised by Council's contractor SICON Ferguson Limited at the cost of the Consent Holder.
33. Water mains are to be installed as per Council's water masterplan.

34. Water connections are to be provided to adjoining properties where required by Council.

Sewer

35. Any existing on-site effluent treatment and disposal systems shall be decommissioned and removed from the site or backfilled.
36. 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.
37. All laterals shall be installed ensuring grade and capacity are provided for and in accordance with Council's engineering standards, giving regard to maximum upstream development density.
38. All sewer reticulation to be vested shall meet Council CCTV standards.
39. Connection to the Council sewer shall be arranged by the Consent Holder and the work shall be done by a registered drainlayer.
40. The Consent Holder shall provide Lots 24, 25, 297 and 298 to accommodate a permanent pump station. A Consent Notice will be placed on these lots requiring them to be Utility Lots. These lots are to be vested in Council as part of the first stage of the development.
41. A Developer Agreement will be entered into between Council and the Consent Holder in relation to the construction of sewer infrastructure and the pump station which will service areas outside of the Faringdon South West subdivision. The terms of this agreement will provide a basis for reimbursement of construction costs to the developer from Council following the commissioning of the sewer infrastructure.
42. Trunk wastewater pipes within this development shall be oversized to cater for the greater catchment area and will be determined through the Engineering Approval stage.
43. Wastewater connections are to be provided to adjoining properties where required by Council.

Stormwater

44. The Consent Holder shall install stormwater reticulation treatment and disposal to service the subdivision in accordance with the approved engineering plans and the requirements of Canterbury Regional Council.
45. 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 Holders Cost. The plan shall be provided to the Canterbury Regional Council at the same time. It shall include but not be limited to:
 - a. 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.
 - b. Existing and proposed drainage plan with sub catchments and flow arrows to show how the drainage will be affected.
 - c. Calculations to demonstrate compliance with the Engineering Code of Practice and any relevant Environment Canterbury consent conditions.
 - d. A description of the stormwater network, including the components used to convey, treat and discharge stormwater.

- e. A description of the receiving environment, including whether there are any active downgradient/downstream domestic or community supply points.
 - f. A description of the inspection and maintenance schedule and any reporting requirements.
 - g. A description of the actions that will be taken to address any issues discovered during inspections and maintenance.
 - h. A description of any monitoring and responses to monitoring to ensure that adequate treatment is being provided to enable the LWRP water quality outcomes to be met.
 - i. A description of the management of the discharge of stormwater from sites involving the use, storage or disposal of hazardous substances (if such sites are present in the subdivision).
46. The proposed development shall not discharge run off onto adjacent properties unless via a controlled outlet approved as part of the Engineering Design Approval.
47. 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.
48. Where a specific discharge consent is issued by Canterbury Regional Council, any consent or associated conditions will be subject to Selwyn District Council acceptance (where those consents or conditions are relevant to the obligations to 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.
49. The Consent Holder shall provide a Stormwater Operations and Maintenance Manual prior to the approval of the Section 224(c) Completion Certificate.

Power and Telephone

50. 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.
51. 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.
52. The Consent Holder shall provide evidence in writing from the relevant authorities that electrical and telephone service connections have been installed to each lot.

Existing and New Roads

53. The full length of existing road frontages to the application site shall be upgraded to township/urban standards, including but not limited to seal widening, kerbing, footpaths/shared paths and street lighting.
54. All roads shall be constructed in accordance with the approved engineering plans.
55. All roads shall be vested in the Selwyn District Council as road.
56. The 2.5 metre wide shared pedestrian/cycling paths shown on the Approved Faringdon Movement Network Plan are to be clearly identified as being for the shared use of pedestrians and cyclists, via path markings, small signs or other treatment at appropriate spacings. The method is to be to the satisfaction of Selwyn District Council.

57. Once Road Lot 816 in Stage 9A is constructed and vested in Council, a temporary turning area at the northern end of East Maddisons Road is to be constructed by the Consent Holder generally in accordance with the Approved East Maddisons Road Closure Treatment Plan, with the detailed design to be to the satisfaction of Selwyn District Council.

Corner Splays and Frontage Widths

58. The corner lots at the road intersections shall be splayed with a rounded minimum radius of 3 metres.

Accessways and Vehicle Crossings

59. Except for the specific non-compliances approved by this consent, all vehicle crossings to service the lots shown on the approved subdivision plans shall be formed in accordance with Appendix 13 of the Operative District Plan.
Advice note: For the avoidance of doubt, any vehicle crossings that service any residential lot are consented to be located between 1m and 7m of neighbouring vehicle crossings located on the same side of the road.
60. All vehicle crossings shall be sealed/metalled to match the existing road surface for the full width of the crossing between the site boundary and sealed carriageway.
61. Vehicle accessways servicing the rear lots shown on the approved subdivision plans shall be formed in accordance with Appendix 13 of the Operative District Plan.
62. Lot 682 shall not take vehicle access from Goulds Road.
63. All ROW required to service the lots shown on the approved subdivision plans shall be formed in accordance with Appendix 13 of the Operative District Plan.

Street Lighting

64. Street lighting shall be provided to service all lots of the subdivision, in accordance with the approved engineering plans and specifications.

Landscaping and Irrigation

65. The Consent Holder shall landscape the roads and reserves in general accordance with the Approved Landscape and Fencing Plans (except where amended by any other of these conditions). A detailed landscaping design 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.
66. Entrance structures shall not be placed on Council road reserve, unless otherwise shown on the Approved Landscape and Fencing Plans or otherwise agreed at engineering approval stage.
67. Street trees shall be planted within the road reserve along the Selwyn Road frontage, in general accordance with the Planting Plan prepared by Kamo Marsh (Ref 5117, Rev B, dated 16.08.21, and provided with the comments on draft conditions of 20 August 2021). Final planting plans shall be submitted to Council for approval .
68. Unless advised otherwise by the Council, the Consent Holder shall install an irrigation system; this shall comply with the approved engineering plans. A full design showing all engineering details shall be submitted to the Council for approval at the time of submission of the engineering plans and specifications.

69. Any irrigation system shall be maintained by the Consent Holder to the completion of the defects liability period. The Consent Holder shall demonstrate that this system performs as designed and installed by them, making good all defects to the Asset Manager's requirements.
70. The Consent Holder shall maintain all landscaping/planting within the areas shown in 'green and white stripes' on the approved subdivision plans attached to these conditions, unless alternative mutually agreed arrangement is made with Selwyn District Council. These are the road frontage landscape strips adjacent to Lots 126-127, 145-163 and 510-514.

Advice note:

- *Maintenance includes replacing any damaged, diseased or dead planting in these areas with the same species.*
- *Selwyn District Council would require a 12 month lead in time before the responsibility and maintenance of all landscaping/planting was transferred to Council.*

Earthworks

71. All site works are to be undertaken in accordance with the conditions of resource consent RC215538.
72. The Consent Holder shall ensure on a continuing basis (until Records of Title are available for each allotment created by the subdivision) 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. This applies to exposed areas of earth, stockpiles and unsealed roads.
73. The Consent Holder shall ensure on a continuing basis that dust created by the disturbance or transportation of materials is confined within the boundaries of the application site.
74. Dust generating activities shall cease during times of high winds where dust suppression methods are insufficient to stop fugitive dust leaving the site.
75. The total area of disturbed land at any one time shall not exceed 4 hectares.
76. The maximum depth for all excavations shall not exceed 4.2 metres below natural ground level.
77. A Dust Management Plan which includes measures to ensure compliance with conditions 72-74 above is to be prepared by a suitably qualified and experienced practitioner and provided to Selwyn District Council for approval at least 10 working days before work under this consent begins on site.
78. Any filling on the site is to take into account the current land stormwater and drainage pattern and is not to divert stormwater onto adjoining properties.
79. At the completion of all earthworks 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) 4431:1989 Code of Practice for Earth Fill for Residential Development.
80. At the completion of all earthworks certificates satisfying the conditions of NZS4431: 1989 Code of Practice for Earth Fill for Residential Development, are to be provided to the Selwyn District Council. These certificates will detail the extent and nature of all earthworks undertaken.

Accidental Discovery Protocol

81. In the event of any discovery of material suspected to be evidence of pre-1900 human activity, taonga/treasured artefacts or Human remains/Kōiwi in a 'place', the following applies:

- a. Work shall cease immediately at and within 20m of the place. This 20m perimeter shall become the 'affected area'.
 - b. The contractor shall shut down all machinery within the affected area, secure the affected area, and immediately advise the Site Manager.
 - c. The Site Manager shall secure the affected area and immediately notify the Heritage New Zealand Pouhere Taonga ("HNZPT") Archaeologist, Selwyn District Council and Environment Canterbury. HNZPT will advise if further assessment by a suitably qualified archaeologist and/or an archaeological authority application is required from the Consent Holder.
82. If the material is of Māori origin, in addition to the requirements in the condition above, the Site Manager shall immediately notify Te Ngāi Tūāhuriri Rūnanga and Te Taumutu Rūnanga and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken, subject to meeting statutory requirements (Heritage New Zealand Pouhere Taonga Act 2014, Protected Objects Act 1975). In this instance, Te Ngāi Tūāhuriri Rūnanga, Te Taumutu Rūnanga and the HNZPT Archaeologist will jointly advise if further assessment by a suitably qualified archaeologist and/or an archaeological authority is required from the Consent Holder.
83. If Human remains/Kōiwi are uncovered, in addition to the conditions above, the Site Manager shall immediately advise the NZ Police. The affected area must be treated with the utmost discretion and respect. Remains are not to be moved until such time as Te Ngāi Tūāhuriri Rūnanga, Te Taumutu Rūnanga, HNZPT and NZ Police have responded and agreed that they can be moved.
84. Any works within an affected area shall not resume until Te Ngāi Tūāhuriri Rūnanga, Te Taumutu Rūnanga and HNZPT (and NZ Police in the case of Human remains/Kōiwi) authorise work to continue.
85. Prior to commencing work, the Consent Holder shall ensure that all persons involved in, or supervising, works on-site are familiar with the Accidental Discovery Protocol.
86. The Accidental Discovery Protocol shall be clearly displayed and accessible on site at all times during work under this consent.

Advice Notes:

- These conditions apply in addition to any agreements that may be in place between the Consent Holder and the Papatipu Rūnanga (Cultural Site Accidental Discovery Protocol).
- Under the Heritage New Zealand Pouhere Taonga Act 2014 an archaeological site is defined as any place associated with pre-1900 human activity, where there is material evidence relating to the history of New Zealand. For sites solely of Māori origin, this evidence may be in the form of accumulations of shell, bone, charcoal, burnt stones, stone tools, etc. In later sites, artefacts such as bottles or broken glass, ceramics, metals, etc. may be found or evidence of old foundations, wells, drains, tailings, races or other structures. Human remains/Kōiwi may date to any historic period.
- It is unlawful for any person to destroy, damage, or modify the whole or any part of an archaeological site without the prior authority of Heritage New Zealand Pouhere Taonga. This is the case regardless of the legal status of the land on which the site is located, whether the activity is permitted under the District or Regional Plan or whether a resource or building consent has been granted. The Heritage New Zealand Pouhere Taonga Act 2014 provides for substantial penalties for unauthorised damage or destruction.

Reserves

87. Pursuant to the relevant legislation the Consent Holder shall vest the following lots in the Council as Reserve:

- a. Lot 700, 703, 706 shall be vested as Recreation Reserve.
- b. Lots 701, 704, 705, 707, shall be vested as Local Purpose (Access) Reserve.

88. The Consent Holder shall supply to Council copies of all Records of Title for land, other than roads, that is vested in Council.

Fencing

89. Unless shown on the Approved Landscape and Fencing Plans, any lot which shares a boundary with a reserve or walkway shall be limited to a single fence erected within 5m of any Council reserve that is at least 50% visually transparent where it exceeds 1.2m in height (which shall be applied to the whole fence in its entirety). On-going compliance 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.
90. Any fencing or freestanding wall not shown on the Approved Landscape and Fencing Plans or subject to condition 89 above shall comply with the requirements of the Operative District Plan. On-going compliance shall be ensured by way of a consent notice being registered against the Record of Title to issue for each lot.
91. The Consent Holder shall erect close-boarded timber fences of 1.8m in height along the boundaries between the development and adjoining properties Lot 1 DP 326339 and Lot 1 DP 355996, unless different boundary treatment is privately agreed between the parties.

Yours faithfully

Selwyn District Council



Joanna vandenBerg

Resource Management Planner