

Land Use RC215538 conditions – Faringdon South West

Earthworks

1. The development and activity shall proceed in accordance with the information submitted with the application RC215538, 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.
2. Any uncontrolled fill encountered during subdivision works shall be removed and replaced with controlled compacted clean fill in accordance with NZS4431:1989.
3. Hours of earthworks operations shall be limited from 7am to 7pm Monday to Saturday. These hours shall exclude public holidays and Sunday, unless otherwise agreed by Selwyn District Council.
4. All construction noise on the site shall be planned and undertaken to ensure that construction noise emitted from the site does not exceed the noise limited outlined in Table 2 of NZS6803:1999 Acoustics – Construction Noise. Sound levels associated with construction activities shall be measured and assessed in accordance with the NZS6803:1999 Acoustics – Construction Noise.
5. The Consent Holder shall implement the best practicable option to avoid or mitigate the dispersal and deposition of dust from construction and earthworks activities beyond the boundary of the property.
6. The total area of disturbed land at any one time shall not exceed 4 hectares.
7. The maximum depth for all excavations shall not exceed 4.2 metres below natural ground level.
8. A Dust Management Plan which includes measures to ensure compliance with condition 5 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.
9. The Consent Holder shall implement the best practicable option to avoid or mitigate the discharge of sediment laden runoff beyond the boundary of the property.
10. On the completion of works:
 - a. All disturbed areas shall be returned to their original state as near as is practicable and stabilised and/or revegetated; and
 - b. All spoil and other waste material from the works shall be removed.

Contaminated Soils / unexpected contamination

11. The area identified at 870 Selwyn Road as being contaminated shall be remediated in accordance with the recommendations in the ENGEO Report titled “Combined Preliminary and Detailed Site Investigation: 870 Selwyn Road” dated 22.01.2021.
12. No earthworks are to occur in the area identified in the ENGEO Report titled “Combined Preliminary and Detailed Site Investigation: 870 Selwyn Road” dated 22.01.2021 until the area has been investigated by a Suitably Qualified and Experienced Practitioner with respect to

contaminated land, and an updated report, and remedial action plan and site validation report (if necessary) supplied to Council.

13. Where contaminated material (exceeding residential guidelines) is removed from the site, the Consent Holder shall submit to the Team Leader Compliance waste manifests from the contractor and cartage company that clearly identify the stockpile reference number against the laboratory sample number at the end of the remediation process.
14. Any contaminated material (exceeding residential guidelines) that is excavated and stored on the site shall be stockpiled on an already contaminated part of the site or on a surface that will prevent the stockpile from contaminating a new part of the site.
15. Any replacement soils shall be certified as clean fill in accordance with the definition of Ministry for the Environment's Guide to Management of Cleanfills (2002) or tested by a Suitably Qualified and Experienced Practitioner with respect to contaminated land to confirm that they are suitable for residential land use under the National Environmental Standard (NES) for Assessing and Managing Contaminants in Soil to Protect Human Health.

The soil trace element concentrations that define "cleanfill" (per the MfE 2002 cleanfill guidelines, Section 4.3.2) for the South West site are those of "Regional Yellow Brown Stony" soils. These contaminant concentrations are available on the "Soil Trace Elements Level 2" layer on Canterbury Maps. For convenience, those values have been tabulated below:

Contaminant	Regional Yellow Brown Stony background levels (mg/kg)
Manganese	721.4
Arsenic	6.35
Cadmium	0.14
Chromium	19.89
Copper	11.68
Mercury	0.07
Nickel	13.91
Lead	19.75
Zinc	69.58
Total DDT	0.431
Polycyclic aromatic hydrocarbons, benzo(a)pyrene toxicity equivalent (BaP TE)	0.922

Advice note: Different levels apply to the South East Faringdon development area that is subject to separate consents.

16. Where evidence of a contaminated site/materials not identified in the application is found at any stage of the site development works, then work shall cease at that site until the risk has been assessed by a Suitably Qualified and Experienced Practitioner with respect to

contaminated land in accordance with current Ministry for the Environment Guidelines and, if required, a resource consent obtained under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (or most recent subsequent amendment). Once the risk has been assessed and any required resource consent obtained, the Consent Holder shall undertake all necessary work to remediate the contaminated area to applicable land use NESCS and in accordance with the resource consent (as appropriate). All works shall be undertaken at the Consent Holder's expense.

17. The Consent Holder shall submit to the Team Leader Compliance for their approval a Site Validation Report prepared by a Suitably Qualified and Experienced Practitioner with respect to contaminated land and in accordance with the Ministry for the Environment Contaminated Land Management Guidelines No.1 – Reporting on Contaminated Sites in New Zealand (Revised 2011) at the end of the remediation process.
18. After the demolition of buildings built prior to 1 January 2000 and prior to earthworks, an asbestos clearance certificate shall be provided to Selwyn District Council.

Advice note: *Prior to the demolition of buildings that were constructed or installed prior to 1 January 2000, a full asbestos survey is highly recommended.*

Accidental Discovery Protocol

19. 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.
20. 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.
21. 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.

22. 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.
23. 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.
24. 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.*

Fencing and Landscaping

25. All fencing and landscaping shall be undertaken in general accordance with the Approved Landscape and Fencing Plans, except where amended by any other condition of consent.

Advice note: *In circumstances where fencing and landscaping is not shown on these plans the relevant Living Z zone rules apply, except where amended by any other condition of consent.*

Business – Neighbourhood Centre (Lot 226)

26. The rules and standards for the Business 1 Zone in the Operative District Plan (including in relation to vehicle access) shall apply to Lot 226 (the Neighbourhood Centre created by subdivision consent RC215485), except where modified by the following additional conditions.
 - a. All Commercial Service and Retail Activity shall be restricted to a maximum total combined GFA of 870m².
 - b. Any individual Commercial Service or Retail Activity tenancy area shall be restricted to a maximum GFA of 350m².

- c. The maximum number of storeys that any building may have is 2. The maximum height of any building shall be 8.0m.

Advice notes:

- *The rules and standards applicable to the Business 1 Zone may require that additional resource consents be applied for in relation to any specific development proposed for the Neighbourhood Centre.*
- *Commercial Service and Retail Activity are defined in the Operative District Plan. Retail Activity includes Food and Beverage.*

Issuing Building Consent prior to s224 Certificate

27. The lots shall remain in the ownership of Hughes Developments Limited until the s224(c) certificate is issued for the subject allotment.
28. Where any building is erected prior to the issue of the 224(c) Certificate, the Council's Resource Monitoring Officer shall be supplied with a Building Location Certificate from a Registered Professional Surveyor prior to the pouring of foundations. The Building Location Certificate shall confirm that the building is contained wholly within the lot to which it relates and meets the Operative District Plan requirements for bulk and location.
29. No residential dwelling shall be occupied in whole or in part prior to the issue of the s224(c) Certificate for the subject lot.
30. Any services associated with buildings on an allotment shall not be installed until such time that the subdivision services are installed and backfilled for that allotment and have been signed off by Council's Development Engineer.