

3 December 2012

RD Hughes Developments Ltd
C/- Davie, Lovell-Smith Ltd
PO Box 679
CHRISTCHURCH 8140

Attn: Mark Brown

Dear Sir/Madam

RE: RESOURCE CONSENT APPLICATION – 125421

APPLICANT:	RD Hughes Developments Ltd
LOCATION:	Corner of Goulds Road and Dynes Road
LEGAL DESCRIPTION:	Lot 1500 DP 456110
ZONING:	The property is zoned Living Z under the provisions of the Partially Operative District Plan – Township Volume.
PROPOSAL:	The proposal is to subdivide the above property into 141 residential lots.
TYPE OF APPLICATION:	This application has been assessed as a subdivision consent for a discretionary activity under the Partially Operative District Plan. As such the relevant provisions of the Partially Operative District Plan – Township Section and the Resource Management Act 1991, have been taken into account.

COUNCIL DECISION

This application was lodged and formally received with the Selwyn District Council on 1 November 2012. Assessment and approval took place on the 3 December 2012.

The full text of the decision is as follows:

“Resource consent 125421 is granted pursuant to Sections 104, 104B, 405 and 407 of the Resource Management Act 1991 subject to the following conditions imposed under Sections 108 and 220 of the Act.

1. That 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.
2. That the subdivision shall proceed in general accordance with the attached approved subdivision plan (now marked SDC 115379) and the details included with the application, including the creation of any additional utility lots except where varied by the following conditions of consent.
3. That a consent notice be registered on any utility lot created stating that the lots be used as a utility lot only and may not be used for the purpose of creating boundary adjustment or subdivisions.
4. That the subdivision be staged as follows:
 Stage 1A: (Lots 1, 3-65, 86-108, 136, 138-140, 142, 1504, 1508, 1511, 1514, 1600 and 1603)
 Stage 1B: (Lots 66-85, 109-114, 141, 1505-1507, 1513, 1601)
 Stage 1C: (Lots 115-135, 137, 1509-1510, 1512 and 1602)
 The above stages can occur in any order but must be in general accordance with the attached approved plans marked RC125421.
5. That all required easements shall be duly created and granted or reserved.
6. The consent holder shall supply to Council copies of all Certificates of Title for land, other than roads, that is vested in the Council.
7. That a consent notice be registered on the Certificate of Title to issue for Lot 1510 stating that this lot shall not be used for residential purposes, no services have been required and no development contributions have been paid in relation to this lot.

General

8. Each lot within the subdivision shall be separately serviced with water, sewer and stormwater systems.
9. All work shall comply with Councils Engineering Code of Practice unless agreed otherwise.
10. Two copies of the plans and specifications of all works, including water, waterraces, irrigation, sewer, roading, stormwater and landscaping, shall be submitted to the Council for approval. Engineering approval of complying documents shall be given in writing and work shall not commence until this has been received from the Council. All sewer reticulation services shall be inspected as per council CCTV specifications. Any subsequent amendments to the plans and specifications shall be submitted to Council for approval.
11. The consent holder shall forward with the engineering plans and specifications, 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.

12. Unless specific provision is made otherwise 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.
13. That accurate 'as built' plans of all services be provided to the satisfaction of the Asset Manager. All assets being vested in Council shall be provided in an appropriate electronic format for integration into Councils systems. Actual costs involved in provision and transfer of this data to Councils systems shall be borne by the consent holder.
14. That where the subdivision results in any assets being vested in Council, then a comprehensive electronic schedule of these shall be provided to Council's Asset Manager. The schedule will include but not be limited to installed material unit costs, type, diameter, class, quantity etc and include summary details.
15. That where the subdivision results in any Council assets being decommissioned, then a comprehensive electronic schedule of these shall be provided to Council's Asset Manager. The schedule will include but not be limited to material type, diameter, class, length and position (x, y, z co-ordinates), and shall be identified against the asset ID already provided in Council's Asset Register.

Roading

16. That all roads be constructed in accordance with the approved engineering plans.
17. That all roads be vested in the Selwyn District Council as road.
18. That the following upgrades occur at Stage ~~1~~^{EIC} of the proposed subdivision or at the time Goulds Rd new intersection access is opened, whichever occurs first.
 - a. That Dynes Road be upgraded with seal widening to 9m wide across development frontage from Goulds Road including kerbing, footpath/cycleway, street lighting, berm upgrade. The new road intersection with Dynes Road shall be configured to include the appropriate additional localised widening on Dynes Rd to facilitate access to the new road including seal tapers and intersection lighting.
 - b. That Goulds Rd be upgraded with seal widening to 9m wide across the development frontage from Dynes Rd including kerbing, footpath/cycleway, street lighting, berm upgrade. The positioning of the shared public pedestrian/cycleway shall be confirmed with Asset Manager Transportation.
 - c. The intersection of Goulds and Dynes Rd will be realigned and upgraded from its current rural standard to that consistent with a an urban intersection including localised widening, kerbing, turn bays and intersection lighting.
 - d. The engineering drawings for the complete final works for the frontage upgrade of Stage 1 and of subsequent stages of the development of Outline

Development Area 6 described as D.P.456110 Lot 1501 need to be supplied for approval as part of Stage 1.

Note: Upgrades required along existing road frontages to be provided by Applicant at 100% cost in accordance with Section 5.2 of the 2009-19 Selwyn Community Plan. Extent and cost of infill infrastructure necessary along Goulds Rd to join existing urban areas to those being proposed eg street lighting shall be subject to discussion between Council and Applicant as to timing and cost sharing.

19. The upgrading of the road network shall be designed to promote a speed limit environment of 70 kph. Any works necessary to support a lower speed road environment shall be included in the road upgrades or any stand works as necessary e.g. speed thresholds on the existing roads.
20. The proposed Avenue type streets (those within the specific 19m road reserve width) shall have a min 8.0m wide carriageway with a 2.5m cycle / pedestrian way in the road berm.
21. Road and street names and individual property address numbers shall be adopted only upon Council approval. The applicant shall supply to Council for consideration a minimum of 3 names, listed in preference, for those roads or streets that are to be vested in Council.
22. That a vehicle crossing to service each lot shall be formed in accordance with Appendix 13 of the Partially Operative District Plan (Townships Volume). The vehicle crossing shall be sealed to match the existing road surface for the full width of the crossing to the property boundary, as measured from the edge of the existing formed carriageway towards and into the property.
23. The access crossings over water races shall have precast concrete headwalls with RCRRJ Z piping, and be constructed in accordance with the approved Engineering Plans. The minimum diameter of the pipe shall be 225Ø.
24. That vehicle accessways be formed in accordance with Appendix 13 of the Partially Operative District Plan (Townships Volume).
25. There shall be no vehicle access to Goulds Rd and Dynes Rd from individual lots. The number and type of pedestrian footbridges across the water race shall be at the approval of Councils Asset Manager – Transportation. Lot 1 is excluded from this condition.
26. That pursuant to Section 221 of the Resource Management Act 1991, a consent notice be registered over the Certificate of Title to issue for Lots 7, 8, 9, 12, 13, 14, 19, ~~66, 70, 71, 72, 73, 76, 79 & 114~~ of the subdivision recording the following restrictions in perpetuity:
 - That there be no vehicle access from this lot to ~~Goulds Road~~ or Dynes Road

N/A
NO LOT
ACCESS ROAD

27. Cycleways shall be provided in accordance with ODP 6 with their design and location being accordance with approved engineering plans.

Street lighting

28. That street lighting be provided to service all lots of the subdivision, in accordance with the approved engineering plans and specifications
29. Streetlighting to AS/NZS115 residential P3 standard is required for all new roads in the subdivision and for the 300 metre frontage approx. along Dynes Road back west to Goulds Road including the intersection of Dynes and Goulds Road at 100% developers cost. Streetlighting plans shall be provided to Connetics Ltd for audit and final Council approval.

Water

30. That each lot be provided with an individual connection to the Rolleston water supply in accordance with the approved Engineering Plans.
31. 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.
32. That each lot of the subdivision be provided with an individual potable high pressure water supply in accordance with New Zealand Fire Service Code of Practice, SNZPAS 4509:2003 and subsequent amendments, and Council Policy W211.
33. That the lateral lines are to be laid within the net area of each lot. Each lateral shall be fitted with a water manifold, and water meter in accordance with Council Policy W208, the approved Engineering Plans and subsequent amendments to both documents. Water manifolds and meters shall be installed in the road reserve only

Sewer

34. 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. All sewer reticulation to be vested shall meet council CCTV standards. 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.
35. That connection to council sewer be arranged by applicant, work to be done by a registered drainlayer.
36. There shall be no vents below the 2% Annual Exceedence Probability flow path

Stormwater

37. Swales and propriety devices shall only be used where approved by the Councils Engineer.
38. If stormwater basins are to be used they shall be vegetated with grass on the invert and have low maintenance landscape planting on the banks and surrounding land

39. 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.
40. The location of where stormwater is disposed from individual lots shall be approved by the Councils Engineer e.g. to ground on each individual lot or to a centralised system.
41. The consent holder shall prepare and submit a Stormwater Management Plan in accordance with the requirements of S.D.C. and Canterbury Regional Council. This plan shall be provided for Selwyn District Council's approval and sign-off at the applicant's cost.
42. The consent holder will hold, operate and maintain the stormwater consent for a minimum of two years after the S224 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.

Reserves/open space

- ✓ 43. That lots 1504, 1505, 1506 and 1508 are to be vested with Council as Local Purpose Drainage Reserve and lots 1507 and 1509 are to vest with Council as Recreation Reserve

Water race

44. That any crossing (including pedestrian or cycle crossings) over water races shall be constructed in accordance approved Engineering Plans.
45. Water races are to be located either in road reserve, recreation reserve or drainage reserve.
46. That a consent notice shall be registered against the certificate of title to issue for each lot within 10 metres or 6 metres (as applicable) of an open water race, stating (as applicable):

That all buildings and structures are required to be setback 10m from the bank of any water race in accordance with Councils Water Race Bylaw. Please contact Councils water race officer if buildings or structures are required within the 10m setback. District Plan setback requirements also still apply.

If Council has approved a reduced setback for any lot, the following alternative text may be used:

All buildings and structures are required to be setback 6m from the bank of the water race in accordance with an authorisation granted under Councils Water Race Bylaw. The bylaw as a whole and District Plan boundary setback requirements also still apply.

Copy for
✓

6m
Agreed for Goulds
& Dynes Road

Landscaping

47. The consent holder shall landscape the street frontages. The minimum standard (unless otherwise agreed through Engineering Plan 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.
48. Unless advised otherwise, 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.
49. 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 Managers requirements.
50. 'As Built' plans of the system shall be supplied to Council's Asset Manager in accordance with the 'As Built' requirements contained elsewhere in this approval.

Telecommunications and Power

51. That electricity supply and the infrastructure required for a telecommunications connection be provided to the net area of each lot of the subdivision 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

Fencing

53. The consent holder shall ensure that Council is indemnified from liability to contribute to the cost of the erection or maintenance of boundary fences between reserves and adjoining lots The consent holder shall submit to the Council;
- A fencing covenant, in the form certified by Council, duly executed by the consent holder (or other adjoining lot holder) for execution by the Council; and
 - A written undertaking from the consent holder's solicitor that the fencing covenant will be registered on the Certificate of Title of each residential allotment adjoining a reserve.
54. That a consent notice be registered against all residential allotments which stating the following:

- ② That any fence erected within 5.0 metres of a reserve or open space and parallel or generally parallel to that boundary shall not exceed 1 metre in height except that where a fence or other screening structure is over 1 metre in height, then the whole of that structure shall be at least 50% visually transparent. No fence or screening structure shall exceed a height of 1.8 metres. Note that for the purposes of this condition a fence or other screening structure is not the exterior wall of a building or accessory building.
- ① The maximum height of any fence between the front building façade and the street, or a private Right of Way or shared access over which the allotment

Condyor

has legal access, shall be 1m. For allotments with frontage to more than one road, any fencing on the secondary road boundary is to be no higher than 1.8m.

that lots 77 78 and 79 are exempt from this condition.

55. That pursuant to Section 221 of the Resource Management Act 1991, a consent notice be registered over the Certificate of Title to issue for Lots 7, 8, 9, 12, 13, 14, 19, 66, 70, 71, 72, 73, 76, 79 & 114 of the subdivision recording the following restrictions in perpetuity:

- Copy*
- That any fence erected within 5.0 metres of the Goulds Road or Dynes Road boundary and parallel or generally parallel to that boundary shall not exceed 1 metre in height except that that where a fence or other screening structure is over 1 metre in height, then the whole of that structure shall be at least 50% visually transparent. No fence or screening structure shall exceed a height of 1.8 metres. Note that for the purposes of this condition a fence or other screening structure is not the exterior wall of a building or accessory building.

Land stability and site works

56. 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.
57. 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.
58. 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.
59. At the completion of the subdivision development (or any stage of it), a report from a suitably qualified person shall be provided to the Selwyn District Council. The report shall address the following matters:
- The suitability of all subdivided lots, including roads and reserves, for their intended purposes;
 - Where the report identified that an allotment or allotments has a limitation on its intended purpose the report shall record the limitation and the nature of the works or treatments likely to be occurred to overcome the limitation.
 - If the completion report identifies any development limitation for any allotment, the Selwyn District Council may require that a consent notice be registered on the relevant title/s giving notice of the limitations and the type of specific development requirements to address those limitations.

60. The consent holder shall identify and report all hazardous waste sites within the subdivision prior to any engineering works commencing. Where a hazardous site is found at any stage of the subdivision development works then the consent holder shall undertake all necessary work to rehabilitate the site. This may include treatment and off site disposal. All works shall be undertaken at the consent holders expense.

Density Areas

61. That a consent notice be registered against Lots 5 -13, 15 and 22 -32 stating the following:

- This lot is of a low density size however their location is shown on the operative Outline Development Plan 6 as a Medium Density area. The District Plan controls relating to this site shall be those applying to the Living Z lower density areas.

62. That a consent notice be registered against Lots 36, 37, 50, 87 – 89 and 106 - 107 stating the following:

- This lot is of a medium density size however their location is shown on the operative Outline Development Plan 6 as a Low Density area. The District Plan controls relating to this site shall be those applying to the Living Z medium density areas.

63. That a consent notice be registered against Lots 135 and 137 stating the following:

- Only comprehensive development shall occur on this lot.

Development Contributions

Development contributions are not conditions of this resource consent and there is no right of objection or appeal.

The consent holder is advised that pursuant to the Local Government Act 2002 and the Council's Development Contribution Policy contained in the Selwyn Community Plan (LTCCP) 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 below are applicable at the time of the granting of this consent. The actual amounts to be paid will be reassessed at the time an application is made for the issue of Council's Section 224(c) certificate for the subdivision. 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.

Reserve Contribution

- i. Lots 1507 (2,002 m²) and Lot 1509 (6,234 m²) will be vested in Council as recreation reserve and their respective un-serviced land values will be accepted as reserve contribution at 100%.
- ii. Lots 1504 (4,642 m²), 1505 (1862 m²), 1506 (190 m²), 1508 (6939 m²) shall be vested in Council as local purpose reserve (water race reserve) and their respective un-serviced land values will be accepted as reserve contribution at 20%. This credit

recognises the preservation of the water race network and is applied in accordance with section 6.9.1 (Existing Features) of the Council's Policy on Development Contributions for Reserves.

- iii. The value of the land to be vested at the percentage apportionment described above will be undertaken by a registered valuer and in accordance with the requirements and methods outlined in section 6.6 of the Council's Policy on Development Contributions for Reserves.
- iv. Improvements to the open space areas listed above and to be vested in Council can receive a credit for their cost so long as the improvements are of a type that meets the criteria for receiving a credit as outlined in section 6.9.2 (Improvements to the Land) in the Council's Policy on Development Contributions for Reserves.
- v. The improvements to be given a credit will be agreed by Council and the value will be determined by the actual costs to complete the agreed items as submitted by the developer at the time the section 224 certificate is applied for.

Water Contributions

- ii. That a calculated connection fee be paid to Council for reticulated water supply. The fee is for the creation of a maximum of 141 connections to the reticulated system, being \$147,768.00 (GST inclusive). (\$1048.00 per allotment). The total number of connections payable will be revised at engineering approval stage.

Sewer Contribution

- iii. That a capital contribution be paid for the Eastern Selwyn Sewer Scheme. The contribution is for the creation of 141 connections to the reticulated system, being \$2,025,888.00 (GST inclusive). (\$14,368.00 per allotment)

Roading Contributions

- iv. Pursuant to Selwyn Community Plan (LTCCP) a ^{155,540}~~\$147,680.00~~ roading contribution is payable on the creation of 140 new allotments for the following:

- \$ 16,940 upgrading of the Rolleston Drive State Highway 1 intersection.
- \$ 42,560 New school road, Rolleston
- \$ 96,040 CRETS roading upgrades

Notes to the Consent Holder

- a. Pursuant to Section 125 of the Resource Management Act 1991, if not given effect to, this resource consent shall lapse Ten years after the date of this decision unless a longer period is specified by the Council upon application under Section 125 of the Act.
- b. In accordance with Section 36 of the Resource Management Act 1991, the Council's basic monitoring fee has been charged.
- c. The consent holder shall contact the Transportation Dept to coordinate an inspection of the entranceway formation in accordance with Condition 14, 16 – 18 & 22 -24 above. At least two days' notice shall be given before work commences.
- d. All new property numbers identifying new dwelling lots as a result of subdivision adjoining legal roads and/or private roads/rights of way will be issued property numbers by Council in accordance with Council Policy. The applicant shall supply Council with a finalised lot Deposited Plan to enable numbers to be generated for issue and adoption.

- e. *Where a specific discharge consent is issued by Environment Canterbury any consent or associate conditions imposed by them will be subject to Council acceptance where these obligations will be transferred to Selwyn District Council.*
- f. *Where the collection and disposal of roof/surface water is to ground, the suitability of the natural ground to receive and dispose of the water without causing damage or nuisance to neighbouring property, shall be determined by a suitably qualified person/engineer*
- g. *Early consultation with council's stormwater engineer is recommended to ensure the latest stormwater standards including design rainfall are incorporated into the detailed design.*
- j. *Any future dwellings must be provided with an adequate, potable and wholesome drinking water supply. This shall be in accordance with Council minimum water quality standards and as identified in the Long Term Community Plan (Drinking-Water Standards for NZ 2005 levels)(revised 2008).*
- k. *Onsite stormwater treatment and disposal system(s) must comply with requirements of SDC,CRC General Authorisations, Natural Resource Regional Plan and other relevant documents. Where compliance via a Certificate of Compliance cannot be provided, then a resource consent must be obtained.*
- l. *That in relation to water race 1 on the attached water race plan Clause 8.2 Water Race Bylaw 2008: Applies as follows.*
 - i. *Sowing, planting, or allowing to grow any tree, hedge, shrub or other plant of any kind, within a distance of 3 metres of either side of a water race except:*
 - (a) *Crops and pasture are permitted; and*
 - (b) *Shrubs or plants forming any part of a live fence and maintained to less than 1.5 metres in height may be sown or planted on one side of a water race only, at a distance of not less than 1 metre from the edge of the water race.*
 - (c) *A strip, at least 6 metres wide, must be left unplanted adjacent to one side of the water race to enable access to the water race for machinery used for cleaning.*
 - (d) *As otherwise approved by the Council.*
- m. *Although not in the subject are for this application please note that water race 2 on the attached water race map will have to be closed.*
- n. *Please be aware that the density requirement of 13hh/ha will have to be met over the ODP area and this is should be taken into consideration in future proposals to ensure that the key principles and outcomes sought in operative Outline Development Plans are achieved.*

Yours faithfully
Selwyn District Council

Rosie Flynn
Team Leader, Resource Consents