Sections 95, 95A-E, 104, 104A-D, 106, 108, 108AA, 127, 220

Resource Management Act 1991

Decision and Planning Report

Planning Report pursuant to section 42A of the Resource Management Act 1991 recommending whether or not an application for resource consent should be:

- Publicly notified, limited notified or non-notified
- Granted or declined, and, if granted, the conditions of consent

Decision pursuant to section 113 of the Resource Management Act 1991

APPLICATION NUMBER(S)	RC255040, RC255071
APPLICANT	Hughes Developments Limited
BRIEF DESCRIPTION OF THE APPLICATION	This is an application for a change of conditions to subdivision consent RC235205 (as varied by RC235831, RC245327, RC245667, 245846 and RC245976) and land use consent RC235206 (as varied by RC245847 and 245967)
ADDRESS	108 Dunns Crossing Road, Rolleston
LEGAL DESCRIPTION	Lot 4002 DP 608463
TITLE REFERENCE	1200556
AREA	16.286 ha
ZONING / OVERLAYS	**Operative Selwyn District Plan (2016), Rural Volume** Inner Plains **Partially Operative Selwyn District Plan (Appeals Version)** General Rural Zone Plains Flood Management, Liquefaction Damage Unlikely, Rural Density (SCA-RD1), and Urban Growth Overlays
OVERALL ACTIVITY STATUS	**Discretionary**

The Application

1. This application was formally received by the Selwyn District Council on 20 January 2025. Further information was received on 12 March 2025 (revised application and Typology Plan March 2025), 31 March 2025 (email), 2 April 2025 (ROW and Goulds Road access), 4 April 2025 (Revised subdivision plans R16), 24 April 2025 (Revised Residential Development Matrix, Engineering Approval), and 28 April 2025 (revised changes to condition 32 and seeking changes to condition 35) and this information now forms part of the application.

2. The proposed changes seek to:

    - Change stage boundaries

- Amend the configuration of typologies within Stages 9, 10, and 12 and Residential Matrix Changes

(a) Increase the Zero Lot - Type 1 lots within Stages 9, 10, and 12 from 10m to 11m in width, and amend the Residential Matrix to enable a 1m setback if the building is not on the boundary.

(b) Amend Lots 214 - 218 and 230 within Stage 10 from Medium Density to Zero Lot - Type 1.

(c) Provide a new right of way to Lots 214 - 218 and 230 & pedestrian access only onto Goulds Road

(d) Overall changes including: Increase of 1 Zero Lot-Type 1 lots; removal of all Zero Lot - Type 2 and low density lots; reduction of 5 duplex lots; addition of 8 medium density lots, new kiosk lot, two roads combined into one.

- Amend the Residential Development Matrix to address lots that have three road/accessway boundaries and amending the setback that applies.

  The above changes necessitate changes to conditions 2 and 4 of the subdivision consent.

- Amend condition 32 of the land use consent to add additional lots within Stages 9, 10, and 12 which are exempt from complying with vehicle crossing distance between crossings.

- Amend condition 35 of the land use consent to add additional lots within Stages 9, 10, and 12 which are exempt from complying with vehicle crossing distance to intersections.

Subdivision Consent

3. The following changes are proposed to RC235205 (as previously varied by RC235831, RC245327, RC245667, RC245846, and RC245976) conditions 2 and 4:

Condition 2:

The subdivision shall proceed in general accordance with the following:

i. approved plans and documents:

● Precinct Plan

● Typology Plan ~~**August**~~ **March** 2024**5**

● Landscape Plan

● Subdivision Plan ~~**July**~~ **January**2025~~**4**~~ ~~**R14**~~ **R16**

● Pedestrian and Cycle Network Plan

● Road Network Plan

● Reserve Network Plan

● Residential Development Matrix ~~**November 2024**~~ **24 April 2025**

● Neighbourhood Centre Development Matrix September.

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 Consent Holder.

Condition 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 1 – Lots 1 – 19, **151-156**, 2000, 2001, **2022,** 2023, 2026, **2029**, 3000, 3001

• Stage 2 – Lots 1000, 1001, 3002

• Stage 3 – Lots 20, 22-30, 581, 585, 589-597, 689, 691, 695, 699, 717-725, 2002, 2003, 2019,3003

• Stage 4 – Lots 34 – 50, ~~**2004,**~~ 3004

• Stage 5 - Lots 51 - 63, 3005, 3006, 3039

• Stage 6 – Lots 65 – 97, 2006, 3007

• Stage 7 – Lots 98 – 125, 3008

• Stage 8 – Lots 126 – 149, 2007, 2008, 3009,

• Stage 9 – Lots **157-162, 164 – 180,** ~~**150 – 182,**~~ **247, 249 – 250, 284-287, 2030,** ~~**2009, 2022**~~, 3011

• Stage 10 – Lots **163, 182,** ~~**183 –**~~ 209, 211, 214**-220,** ~~**215,**~~ **230-231, 238-242, 244-246, 1016,** 2024, 2025, 3012~~**, 3013**~~

• Stage 11 – Lots 210, 212, 213, 216-229, 3014

• Stage 12 – Lots 31-33, 150, **221-222,** 232- 237, 243, 251 – 255, 257-271, 273-277, 279-283, ~~**259, 260 – 283, 232 – 287,**~~ **1017, 2010, 2004,** 3015

• Stage 13 – Lots 288 – 291, ~~**2010,**~~ 2011, 3016, 3017

....

New Condition:

x. The right of way serving Lots 214-218 and 230 shall not provide vehicle access to Goulds Road. Pedestrian access to and from the right of way and Goulds Road must be provided.

Land Use Consent

4. The following changes are proposed to RC235206 (as previously varied by RC235831 & RC245847) conditions 32 and 35:

Condition 32:

32. Unless otherwise approved by a separate resource consent with exception of Lots 1 – 6, 9 – 13, 27, 36, 42 –49, 51 – 53, 55 – 56, 58 – 61, 67 – 70, 78, 80 – 82, 84 – 85, 87 – 91, 93 – 96, 99, 102 – 103, 106 – 108, 110 –124, 128 – 130, 135 – 137, 139 – 143, 147 – 149, **162,** 178 – **180**~~**181**~~, 183 **-** 187, 190,**193, 200,** 210 – 213, 219 – 221, **231,** 234 – 235, 237 – 238, 241 – 24~~**23**~~, 247 – 249, 252 – 25~~**56, 257**~~, **2623** – ~~**269,**~~ **271,** 276**,** ~~**–**~~ 279 **- 282**, 291, 293 – 301, 303 – 304, 306 – 307, 320 – 321, 323 – 324, 326 – 327, 330 – 331, 333 – 334, 340 – 342, 344 – 345, 353 – 362, 372 – 375, 377 –378, 383, 392 – 400, 407 – 411, 413 – 417, 420 – 424, 428, 431 – 432, 434 – 439, 441 – 451, 454, 466 – 471, 473 – 480, 482 – 490, 495, 498, 501, 502, 512, 534 – 536, 561 – 565, 567, 590 – 597, 619 – 620, 623, 625, 629 – 631, 634 – 635, 686 – 687, 689, vehicle crossings shall be formed in accordance with Table 1:...

Condition 35:

35. Unless otherwise approved by a separate resource consent, with the exception of Lots 1 – 5, 12 – 14, 17 – 19, 21 – 23, 26, 28 – 29, 30 – 32, 37 – 39, 42, 50, 54 – 56, 61 – 62, 64, 67 – 69, 71 – 73, 77 – 82, 87 – 89,

92 – 99, 102 – 106, 112 – 113, 121 – 126, 128 – 130, 135, 138, 142 – 148, 150 – 164, 170 – ~~175~~ **177**, **180,** 182 – 184, **188**~~190~~ – 192, 203 – ~~205~~ **206**, 209, 212, 215, **219** ~~220~~ – 222, 232 – 236**, 239**, **245 -** 246, 250 – 251, 258 – 260, ~~272 –~~ 273, 283 – 287, 288 – 290, 292, 300 – 303, 310 – 313, 315, 328 – 330, 336 – 340, 345 – 347, 351 – 354, 361 – 362, 365 – 367, 371, 376 – 377, 379, 382, 388 – 391, 403 – 406, 418 – 426, 431 – 433, 435 – 440, 443 – 444, 448, 454, 452, 456 – 458, 461 – 473, 479 – 482, 490 – 494, 502 – 505, 512 – 513, 517 – 518, 527 – 528, 553, 542 – 544, 559 – 561, 567, 569 – 571, 577 – 578, 580 – 581, 588 – 589, 593 – 594, 598 – 611, 614 – 616, 630 – 633, 637 – 639, 641 – 644, 649 – 652, 661 – 664, 668, 671, 679 – 683, 688, vehicle crossings shall be separated from intersections in accordance with Table 2:.....

Background

Subdivision Consent RC235205 and Land Use Consent RC235206

5. RC235205 was granted by a panel of Independent Commissioners on 27 July 2023 to undertake a large staged subdivision to enable rural land at Rolleston to be developed for residential uses with differing densities and typologies, commercial buildings, open space and public reserves, and the necessary infrastructure. The proposed subdivision is referred to as 'Arbor Green'. Arbor Green initially adds 684 residential units to the existing environment, with a further 462 residential units enabled via super lots with minimum density requirements created under RC235205.

6. The intent of the further super lots is that the development will take place in accordance with the Medium Density Residential Zone (MRZ) and Business zone built-form conditions and requirements in the (now) Partially Operative District Plan. To achieve this, conditions are included requiring that consent notices are to be placed on the titles (when they issue) for each of the newly created lots. In addition, covenants are to be placed on titles to ensure a set of design guidelines are adhered to.

7. Land use consent RC235206 was also granted to undertake earthworks and other works associated with the development of the subdivision, in addition to the residential development and corresponding density. Resource consents were also obtained from Environment Canterbury (ECan) for excavation, to take and use groundwater, and construction and operational phase discharges under the Canterbury Land and Water Regional Plan (CRC234541, CRC234542, CRC234543, CRC234544).

8. On 17 June 2022, Schedule 54 was included in the Covid-19 Recovery (Fast track Consenting) Referred Projects Order 2020, enabling the Applicant to refer its Arbor Green subdivision (originally called Faringdon Oval) to proceed by way of the fast track consenting process under the COVID-19 Recovery (Fast Track Consenting) Act 2020 (the Act). The resource consents were all obtained under this legislation.

Change of Condition RC235831

9. A change of conditions application RC235831 was granted on 15 March 2024 to reconfigure the consented subdivision stage boundaries relating to Stages 5, 15, 20 and 21 and amend lot boundaries to remove three ‘zero lots’, replacing them with medium density lots. An additional three lots have been added along the northern boundary of Stage 6. To offset the addition of these lots, three ‘zero lots’ have been removed as follows: Original Lot 356 (Stage 15); Original Lot 495 (Stage 5); Original Lot 563 (Stage 21)

Change of Condition RC245327

10. A change of conditions application RC245327 was granted on 1 July 2024 to reconfigure the layout of Stage 15, to amend the boundary of Stage 2, and to change the conditions relating to the 'Residential Development Matrix' to align with the built form anticipated by the Partially Operative District Plan, and to replace the requirement for terraced housing to be delivered within identified lots, with comprehensive residential development.

11. An associated land use consent RC235206 was also granted on the 27th of July 2023 to undertake earthworks and other works associated with the development of the subdivision. Resource consents were also obtained from Environment Canterbury for excavation, to take and use groundwater, and to discharge construction and operational phase stormwater under the Canterbury Land and Water Regional Plan (CRC234541, CRC234542, CRC234543, and CRC234544).

Change of Condition RC245667

12. A change of conditions application RC245667 was granted on 8 August 2024 to reconfigure the layout of Stages 3 and 22 and changes to medium density lots mainly. An amended typology plan and plans were provided. The typology plan associated with this is consent is the latest version and latest approved subdivision plans

Change of Condition RC245846/RC245847

13. A change of conditions application RC245846/RC245847 was granted on 29 October 2024 to change: the Residential Development Matrix - define what constitutes a primary and secondary road boundary in relation to corner sites for low density, medium density, duplex, and zero-lot typologies; reduce the garage setback from the road boundary for medium density, duplex, and zero-lot typologies from 5.5m to 5m and to clarify that the setback is measured from the garage door; to include Lot 563 in Condition 35 to allow the vehicle crossing to be excluded from the intersection setback requirements. This consent amended the Residential Development Matrix only.

Change of Condition RC245976

14. A change of conditions application RC245976 was granted on 28 November 2024 to: update the Residential Design Matrix to remove the requirement for garages to be setback from the facade of the dwelling for low density lots, to include Lot 512 in Condition 32 to allow the vehicle crossing to be excluded from the minimum separation distance requirement between vehicle crossings located on the same side of the street. This consent amended the Residential Matrix only - no amended plans or typology. The Residential Development Matrix approved by this consent is the latest version.

The Existing Environment

15. The site is currently rural land covered in pasture that is in the process of being developed for urban and residential uses. It has generally flat topography.

16. The site is adjoined to the north and east by new residential subdivisions which are partially completed. The land to the west has rural uses and part of it is zoned for rural-residential use. The Rolleston Town Centre is located to the north of the site, whilst the environment to the south and further west is rural in character and use.

17. The existing environment comprises the activities authorised by the approved resource consents, enabling an urban environment with mixed densities and typologies of residential units and some commercial buildings and associated infrastructure.

18. I did not visit the site as this is s127 which in my view in this instance does not necessitate a site visit.

Activity Status

Statutory Considerations

19. Section 127 of the Resource Management Act 1991 states:

"127.Change or cancellation of consent condition on application by consent holder

(1) The holder of a resource consent may apply to the consent authority for a change or cancellation of a condition of a consent, subject to the following:

(a) the holder of a subdivision consent must apply under this section for a change or cancellation of the consent before the deposit of the survey plan (and must apply under section 221 for a variation or cancellation of a consent notice after the deposit of the survey plan); and

(b) no holder of any consent may apply for a change or cancellation of a condition on the duration of the consent.

(2) Repealed

(3) Section 88 to 121 apply, with all necessary modifications, as if-

(a) the application were an application for resource consent for a discretionary activity; and

(b) the references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.

(4) For the purposes of determining who is adversely affected by the change or cancellation, the local authority must consider, in particular, every person who –

1. made a submission on the original application; and

2. may be affected by the change or cancellation.

20. It is necessary to consider whether this application can be treated as a change of conditions, or whether it would result in a fundamentally different activity or one having materially different adverse effects, which would require that it is treated as a new application.

21. The original application sought to subdivide and develop rural land at Rolleston to be urbanised for the purposes of creating housing, commercial buildings to support the urban growth, open space and public reserves, and the necessary associated infrastructure. The consents provide for a mix of residential densities and typologies, high-quality landscaping, and a network of transport links which include shared cycle and pedestrian footpaths.

22. Arbor Green is currently zoned General Rural in the Partially Operative District Plan, and Rural in the Operative District Plan. As part of the Fast Track decision for the development, the 'Typology' associated with each lot of the development was specified and the 'Residential Development Matrix' specified the built form standards relevant to each typology. At the time of the Fast Track application, the Partially Operative District Plan was receiving submissions on the notified version. The medium density lots within the Residential Development Matrix and Typology Plan essentially reflect the Living Z Medium Density rules of the Operative Plan with additional rules such as outlook space and glazing to be consistent with what is now the MRZ provisions. Under the Living Z Medium Density provisions, lots were to be greater than 400m^2. Subsequently, the Partially Operative District Plan dispensed with the 400m^2 density requirement.

23. The changes to stage boundaries are anticipated with large-scale subdivisions and do not result in significant changes. The reconfiguration of typologies does result in an overall reduction of density for these three stages, but the change is not considered significant and there is still a mixture of typologies within each stage. A new ROW access is proposed however the design is considered largely consistent with the MRZ standards and engineering approval has been provided. The changes to the Residential Development Matrix are considered to result in better design outcomes. The land use consent change reflects the current plan framework.

24. Overall, the proposed changes will not significantly alter the site layout in respect of density distribution. The proposal in my view does not represent a fundamental change to the consented activity, nor will it result in materially different adverse effects. The changes are broadly consistent with the Partially Operative Plan in terms of the density outcomes.

25. In respect of s127(1)(a), no survey plan has deposited yet in relation to Stages 9, 10 and 12 which are sought to be altered by the changes sought.

26. For these reasons, I consider that this application can be considered as a change of conditions to the original resource consent.

Notification Assessment

Assessment of Adverse Environmental Effects (Sections 95A, 95B, 95D and 95E)

Effects

27. The receiving environment for this proposal includes the existing environment and the future environment as it could be, i.e. as modified by non-fanciful permitted activities and unimplemented resource consents. In this case, the receiving environment is characterised by a combination of rural and residential land uses, with residential surrounding the majority of the site. The residential development is in varying stages, with some development completed and other development currently underway.

28. As a discretionary activity, all actual and potential adverse effects must be considered, but only in respect to the changes sought through this application to those existing conditions. The effects of those proposed changes are addressed below:

Change Stage Boundaries

29. The following summary I have collated to explain the changes to the stages and have sought clarification from the applicant to explain the changes.

30. Stage 1 - Inclusion of Lots 151-156 and 2022 (40m^2 cell tower lot) and 2029 (116m^2 Local Purpose (Utility) Reserve to vest in SDC. Lots 151-156 and 2022 were formerly part of Stage 9 to the north. Lot 2029 is a new local purpose utility reserve for swales for stormwater discharge. There is no change to the dimensions or area of the residential lots apart from Lot 156 which is reducing in width and area due to the proposed utility reserve. The typologies of these lots (2 x zero lot - type 1; 2 x duplex, 2 x medium density small lot) are also unchanged from the most recent approved subdivision plans (RC245667). Lots 151 and 153 are Zero Lot typologies which still have a width of 10m as these lots are not included in the proposed lots subject to the Residential Development Matrix changes to the zero lot typology setback and increased lot width of 11m as part of this application.



Figure 1. RC245667 - Lots 151-156 as part of Stage 9

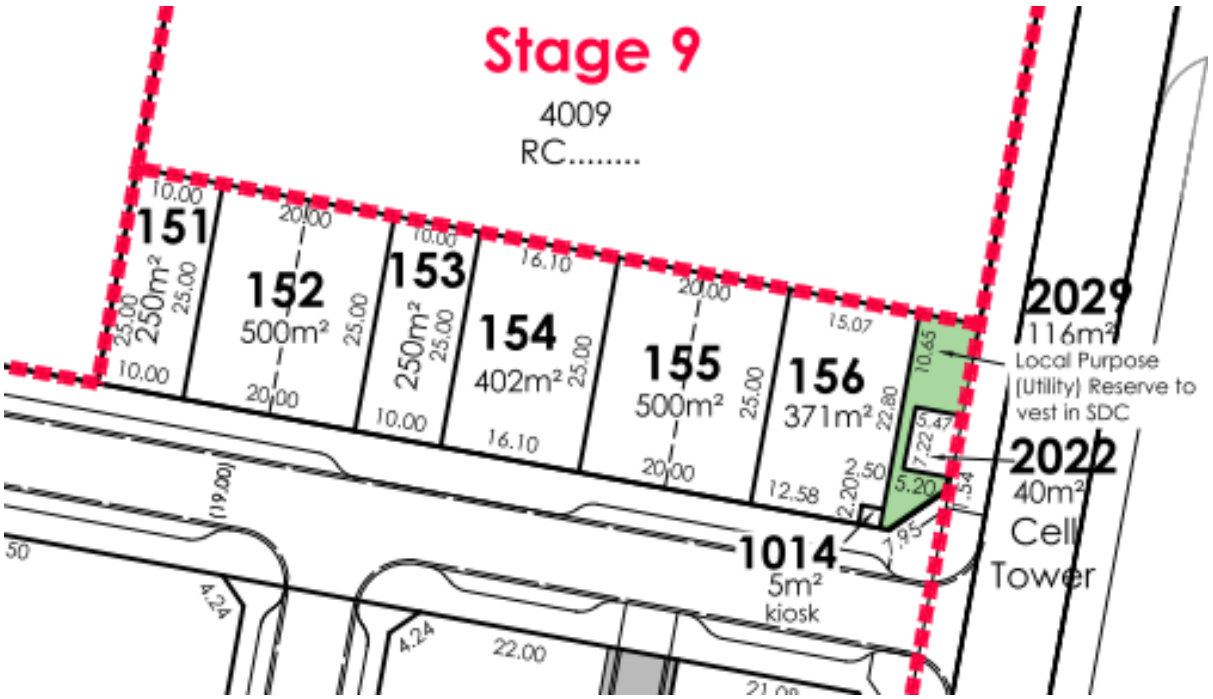


Figure 2. Proposed Lots 151-156 in Stage 1

31. Stage 4 - Removal of Lot 2004 from Stage 4 and Inclusion within Stage 12. Lot 2004 is a 5,046m^2 Local Purpose (Landscape) Reserve to vest in SDC. The applicant has advised that the reserves have a dual function where they also provide stormwater treatment for the stages adjoining them. Given Stage 12 is being built prior to Stages 1 and 4, the stage boundaries were changed to enable these to be titled at the same time as the lots which they will serve.

32. Stage 9 - The removal of lots 150-182, 2009 (775m^2 reserve) and 2022 (moved to Stages 1 and 12), and the inclusion of Lots 157-162, 164-180, 247, 249-250, 284-287 and 2030 (198m^2 local purpose (utility) reserve). Lot 3011 is road to vest. Lot 2009 has now been included within Lot 2010 as part of Stage 12. There is no reduction in overall reserve area.

33. Stage 10 - The removal of Lots 183, 215 and 3013, and the inclusion of Lots 163 and 182 (from Stage 9), 220, 230-231, 238-242 (from Stage 12), 244-246 (from Stage 9/12), and 1016 (5m^2 kiosk lot).

34. Stage 12 - The removal of duplication in the lots listed, and the inclusion of Lots 221-222 (renumbered from 271-272), 1017 (5m^2 kiosk lot), 2010 (1,818m^2 Local purpose (landscape) reserve to vest in SDC) (from Stage 13) 2004 (5,046m^2 local purpose (landscape) reserve to vest in SDC).

35. Stage 13 - The removal of Lot 2010 (moved to Stage 12).

36. These changes are considered practical and not a significant departure from that approved and therefore the effects are considered less than minor.

37. For completeness, it is noted that the applicant originally sought that Lot 585 be included in the Stage 3 list of lots in condition 4. Lot 585 is shown on the proposed subdivision plans (and the most recent consented plans prior to this consent (RC245667)) but has been omitted from the list of lots in condition 4. Furthermore, the applicant originally sought changes to Stage 11 in condition 4. However, these changes are not supported as subject to s127(1)(a) the survey plan has already deposited for Stages 3 and 11. The applicant confirmed via emails on 17 and 24 April 2025 that these changes are no longer being sought.

Amended configuration of typologies within Stages 9, 10, and 12

38. The Arbor Green decision specifies the 'typology' associated with each lot and the 'Residential Development Matrix' specifies the built form standards relevant to each typology. The urban design assessment submitted

with the original application (RC235205) prepared by Urban Acumen Ltd dated 16 February 2023[1] details the different lot typologies, density distribution, and indicative yield.

39. Lot typologies of relevance to this application include:

- Low density lots greater than (550m^2)
- Medium Density (Small) Lot between 400 and 550m^2
- Zero lot (Type 1) - zero side yard on one side, a minimum size of 240m^2 and frontage width of between 10m and 13m and on which a dwelling is a permitted activity.
- Zero lots (Type 2) - zero side yard on one side, a minimum size of 240m^2 and frontage width of between 10m and 13m and on which a dwelling is a permitted activity
- Duplex lots which can accommodate two attached dwellings, minimum lot size of 480m^2 and minimum frontage width of 20m
- CRD

40. The applicant is proposing typology changes which include mainly changing 'Zero Lot -Type 1' to 'Medium Density - Small lot' typologies. However, there are other changes in typology on a lot by lot basis. A list of lot numbers was requested from the applicant for Stages 9-12 to understand the proposed changes and this is detailed in the s92 response dated 12 March 2025. An updated typology plan reflecting all changes, dated March 2025, and updated subdivision plans (R16) have also been provided (which necessitate amendment to conditions 2 and 4).

41. The AEE states that the proposed changes from zero lot to medium density typology are due to the changes in the market as this is a product which is difficult to sell and this will "*not alter the total number of lots created for this subdivision and therefore will not impact the consented density. The zero lot and duplex typology are similar in design, albeit, the duplex will have a shared party wall. As such changing the typology will not impact the designed amenity of Arbor Green*."

42. There was no assessment in the application to qualify these statements and the AEE was focuses on the changes from zero lot to medium density and did not fully address the other changes. To better assess the proposed changes I have collated a summary of the proposed typology changes for each of Stages 9, 10, and 12 compared to the most recently approved subdivision plans (RC245667) to get an overview of the proposed changes and the yield change as follows:

TYPOLOGIES/ UTILITY LOTS	NO. OF LOTS AS AT RC245667	NO. OF LOTS PROPOSED	NO. OF LOTS AS AT RC245667	NO. OF LOTS PROPOSED	NO. OF LOTS AS AT RC245667	NO. OF LOTS PROPOSED	NET CHANGE ACROSS THREE STAGES	YIELD CHANGE
Stage 9			**Stage 10**		**Stage 12**			
CRD	1	0	3	3	3	3	**-1**	**- 4 units (minimum)**
Zero Lot - Type 1	4	0	2	12	11	6	**+1**	**+ 1 unit**
Zero Lot - Type 2					3	0	**-3**	**- 3 units**
Duplex	2	2	3	1	7	4	**-5**	**-10 units**

[1] Resource Consents - Urban-Design-Statement-Appendix-C.pdf

Medium-Density - Small Lot	23	28	24	31	33	29	**+8**	**+ 8 units**
Low density	2	0	1	0	0	0	**-3**	**- 3 units**
Total	**32**	**30**	**33**	**47**	**57**	**42**		**-11 units**
Total Yield	**37**	**32**	**45**	**57**	**73**	**55**		
Local purpose reserve	1	1	2	2	0	0	**-**	
Cell tower	1	1	0	0	0	0	**-**	
Road to vest	1	1	2	1	1	1	**-1**	
Kiosk	0	0	0	1	0	0	**+1**	

43. Stages 9, 10, and 12, consist of an area of 1.87ha, 2.73ha, and 3.88ha respectively (approximately 8.5ha). An average density of 15 units per hectare is the density requirement across the wider subdivision (8.5ha x 15 = 127 units when considering these three stages only). 122 lots have been approved for these stages and 119 are proposed.

44. The overall potential number of residential units provided for previously is approximately 156 compared with 144 as a result of the proposed changes, which is a lesser yield of 11 units. This is largely due to the proposed reduction in duplex and CRD units. However, it is of note that the overall density requirement for these stages is still met and there is still a mix of typologies in each stage which was the general intention of the approved development.

45. The issue of scope has been considered also and although these proposed changes do result in a reduction in density and yield across these stages, the change is not significant and the outcome is broadly consistent with the original approved subdivision. Overall, the effects are considered less than minor.

Zero Lot Type 1 typology increased lot width from 10m to 11m and amendment to the Residential Development Matrix to enable a 1m setback where there is no zero lot boundary

46. Zero Lot Type 1 sites have a front boundary that faces between 180 and 90 degrees (i.e. between south and east) and have no side yard on one side. This enables small and narrow lots to be used more efficiently and allows usable outdoor space along the sunny side of the house to be maximised. The Residential Development Matrix design standards ensure a good level of residential amenity is achieved on adjacent lots, particularly with respect to shading, privacy and visual dominance; i.e. a bespoke recession plane requirement.

47. The zero lot typology was approved on the basis of a narrower frontage/width of 10m minimum which requires a number of design standards to be applied to ensure a good street frontage is achieved, including a 1m setback from a zero lot boundary.

48. The application seeks that the minimum lot frontage is increased to 11m for specified Zero Lot Type 1 lots in Stages 10 and 12. Given the amendments now incorporate lots with 11m road frontage, the applicant is seeking an exception for the scenario whereby units on 11m wide lots that do not construct on the zero lot boundary have a 1m setback from both internal side boundaries. The other specified setbacks are still proposed to apply. This exception to the Residential Matrix on a lot specific basis is considered to be the most efficient means of capturing the 11m-wide lots, whilst still ensuring a quality outcome. The proposed change is as follows:

49. *Dwelling Setback:*

    1. *1.0m from the zero lot boundary (for that part of the dwelling not located on the boundary)*

2. *2.0m from internal boundary (for that part of the dwelling not located on the boundary)*

3. *3.0m from a road*

4. *2.0m from the rear boundary*

5. *2.0m shared access lane*

50. *Minimum rear yard setback for built form which exceeds 5.0m height is 8.0m*

51. ***For Lots 214 – 218, 184-185, 188, 189, 219 - 221, 230, 263, 265 – 266, 268 – 269 which are Zero Lot Type 1 typologies and do not have a zero lot boundary, the internal boundary setback shall be 1.0m. The setbacks from a road, rear boundary, and shared access lane as noted above still apply.***

52. Mr Andy Long, Council Urban Designer was requested to review the proposed change. He comments as follows:

Dwellings on zero lots are supposed to have no boundary at a portion of one side of the internal boundary. What this does is essentially shift a row of connected zero-lot dwellings to sit on internal boundaries, thereby erasing the need for and the space required for another functional side yard.

1. *Zero lot essentially allows for compliant and quality dwellings to be built on a narrower lot while maintaining spacious residential characteristics. Zero lots, along with the matrix requirement, was a thoughtful design created to help Arbor Green subdivision meet its density target while providing a variety of lot sizes and dwelling designs within the subdivision area.*

2. *Despite the fact that zero lot does not require the no-boundary designs of dwellings, the narrow road frontages essentially determined that only the anticipated no-boundary design on one side would be feasible for these lots. Otherwise, the building width might not be viable when two usable side yards are created; hence, the application for a Matrix variation to widen the lots.*

3. *It is reasonable to assume that altering the zero lot design requirement would, to some extent, eliminate the anticipated zero lot design due to the alternative design being feasible, i.e. no more incentives for the zero lot dwelling design.*

4. *That said, the applicant has stated that altering the zero lot matrix will not lead to an overall reduction in density for the subdivision. Consider that the no boundary design, which the zero lot anticipates, fundamentally has no difference from a stand-alone typology, but enables quality dwellings to be built while preserving the characteristics. Based on this, I believe there is no reason for SDC to decline the change in the zero lot matrix requirement, as it has no impact on density or a minimal impact on residential characteristics.*

53. It is considered that the changes sought specifically link to the zero lots within Stages 10 and 12 which have an 11m width as opposed to a 10m width as formerly approved, and results in a potential for two 1m side yards which is considered an acceptable urban design outcome where the residential amenity effects are considered less than minor.

Amend Lots 214 - 218 and 230 within Stage 10 from Medium Density to Zero Lot - Type 1, New ROW Access and Easements

54. Lots 214-215 and 230 in Stage 10 and Lots 216-218 in Stage 11 were approved as medium density - small lot and low density.

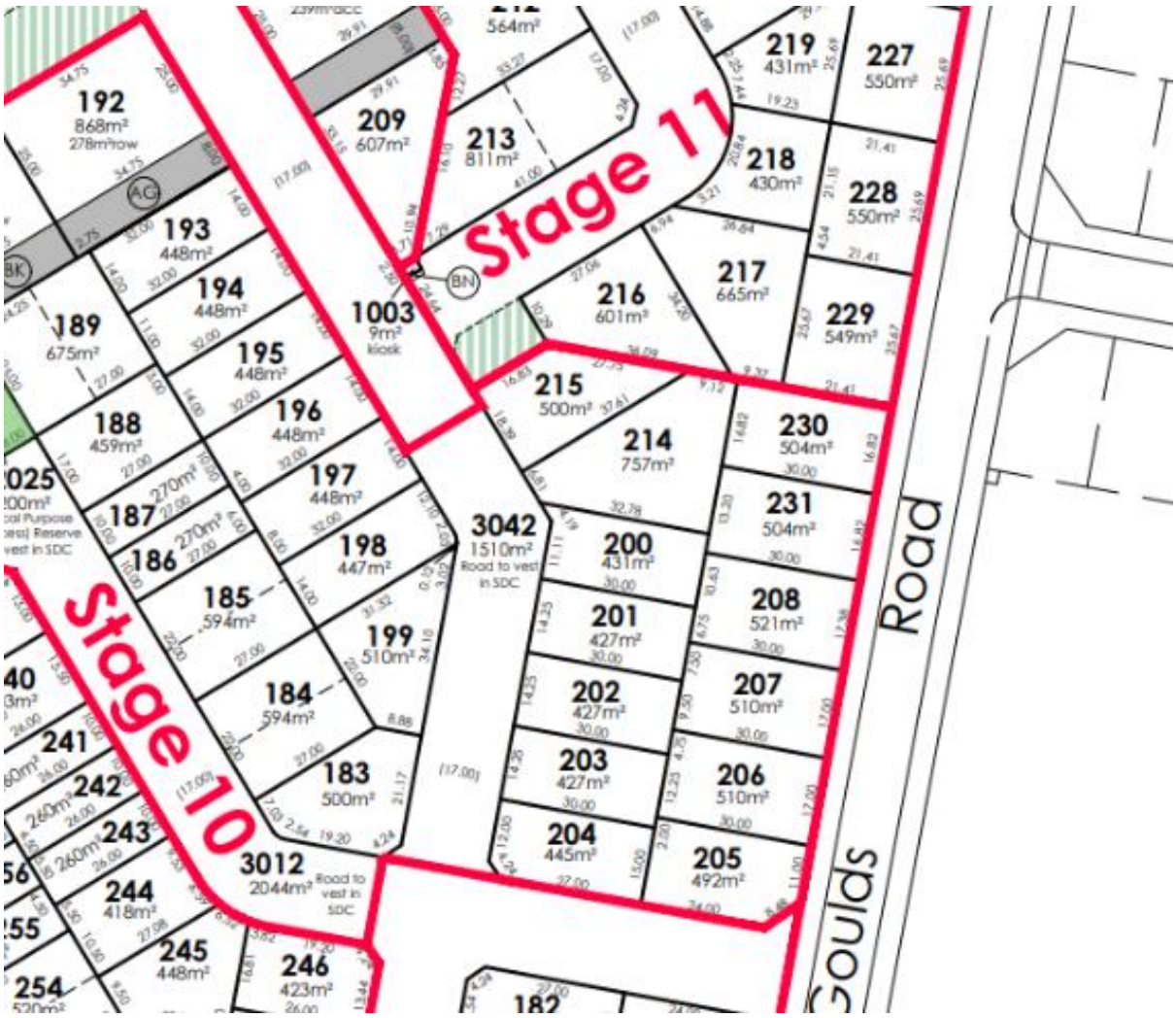


Figure 3. Lots 214-218 & 230 as approved by RC245667

55. These lots are now proposed exclusively within Stage 10 and are proposed as Zero Lot - Type 1 lots with an 11m width served by a new right-of-way and right-of-way and servicing easements (CR, CS, CT, CV, CW, CX):

Figure 4.

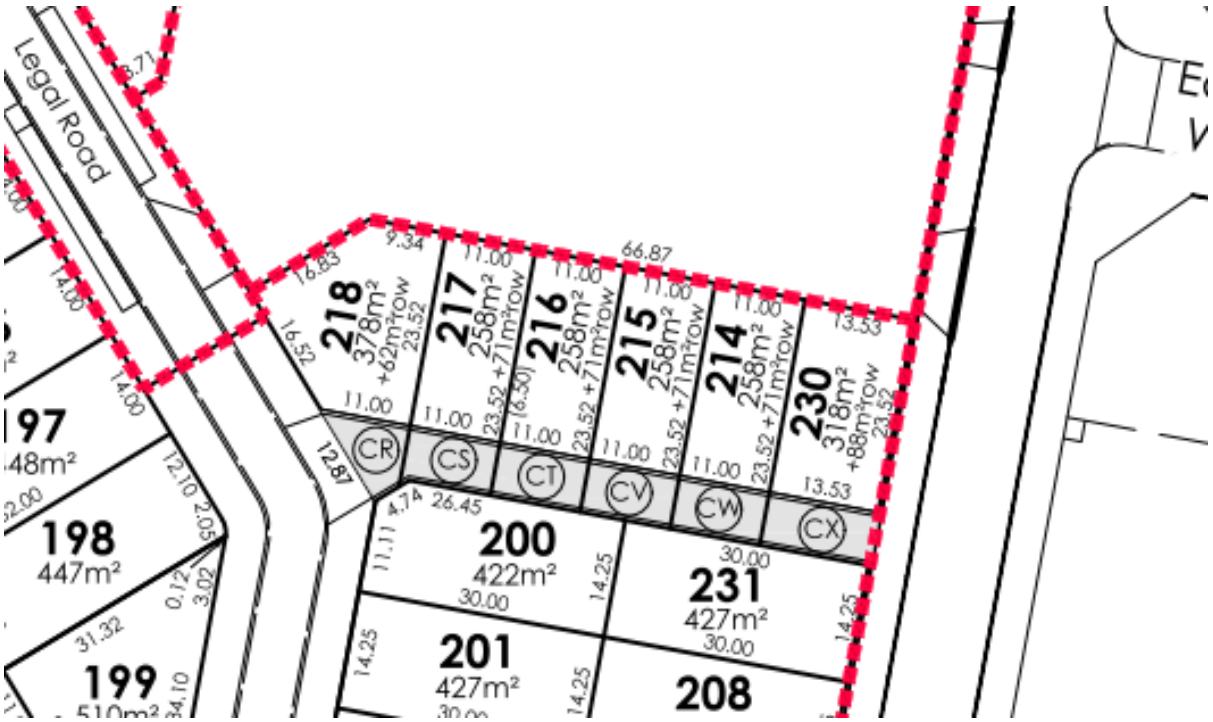


Figure 5. Proposed Stage 10 configuration of Lots 214-218 & 230



Figure 6. Proposed Typology of Lots 214-218 & 230 - row of pink lots top right of figure

56. This change is sought to enable higher density development adjoining Stage 11 to the north which is the consented Woolworths site (RC245088). The applicant considers this is appropriate as the Woolworths site has requirements for fencing and landscaping along this shared boundary (applicant email correspondence of 31 March 2025).



Figure 7. RC245088 subject site (Stage 11) to the north



Figure 8. RC245088 Approved Plan - Fenced/Planted boundary between the supermarket and adjoining residential (left of figure)

57. I have referred to RC245088 which approved a Woolworths supermarket within Stage 11 (597 East Maddisons Road - Lot 4011 DP 608463). The decision and approved plans show a 2.3m high acoustic solid timber fence and specimen tree planting 200mm wide at a minimum height of 1.5-2.5m at the time of planting, which must be maintained on the common boundary with proposed lots 214-218 & 230 within Stage 10. The Zero Lot typology also requires a 2m rear boundary setback.

58. The lot reconfiguration and Zero Lot - Type 1 typology will enable more intensive development (i.e. more units adjoining the common boundary with the supermarket and a more enabling recession plane), however overall height remains at 8m and a 2m rear boundary setback applies to a Zero Lot typology. This setback combined with the boundary fencing and landscaping is expected to mitigate any additional adverse amenity and

potential reverse sensitivity effects, whereby these effects are considered less than minor and no persons are considered to be adversely affected.

ROW Access to Lots 214-218 & 230

59. The applicant stated via email on 31 March 2025: "*Access to Lots 214 – 218 and 230 is via a right of way (recently approved as Kentia Lane). This right of way is not open at both ends. Vehicle access will only be from the internal road (recently approved as Chartreuse Way). Bollards with reflectors will be installed along the Goulds Road boundary preventing vehicle access. The right of way contains a footpath along the southern side. We are amenable to having the pedestrian access onto Goulds Road if this is to be supported by Council. The right of way legal width is 6.5m with a formed width of 5m, a section of the right of way has a passing lane which makes the formed with 6m. 6m allows 2 cars to pass each other. This design complies with the MRZ requirements in TRAN-SCHED1 of the partially operative plan and the Living Zone requirements in Table E13.4 of the Selwyn District Plan. I have attached the engineering plans for this right of way (known as ROW 3 on the plans)*."

60. The proposed right of way is a new addition. The right of way has a legal width of 6.5m and a formed width of 5m and it is proposed to serve 6 lots total. The length is approximately 69.53m.

61. The applicant states that the design complies with the MRZ requirements in TRAN-SCHED1, however this is not completely correct. Referring to the MRZ provisions as a guideline, TRAN-R5/TRAN-REQ7.16A requires that where access is to more than six sites that this shall be via a road, whereas an accessway is proposed. For accessways serving up to 4 sites over 50m long a legal width of 6.5m, a formed width of 4.5m, and a passing bay is required.

62. The widths comply with that required of an accessway serving 4 sites in MRZ, and a section of the right of way has a passing lane which makes the formed width 6m in part allowing two cars to pass each other. Engineering approval has been granted for Stages 9, 10 & 12 roading (a copy of the engineering approval dated 2 April 2025 was provided by the applicant). Given the right of way width has been approved through engineering approval condition 63 of the original consent is also met ("*All Shared Access Lanes shall have a minimum carriageway width of 5.5m and a maximum legal width of 8m, unless otherwise approved through engineering approva*l").

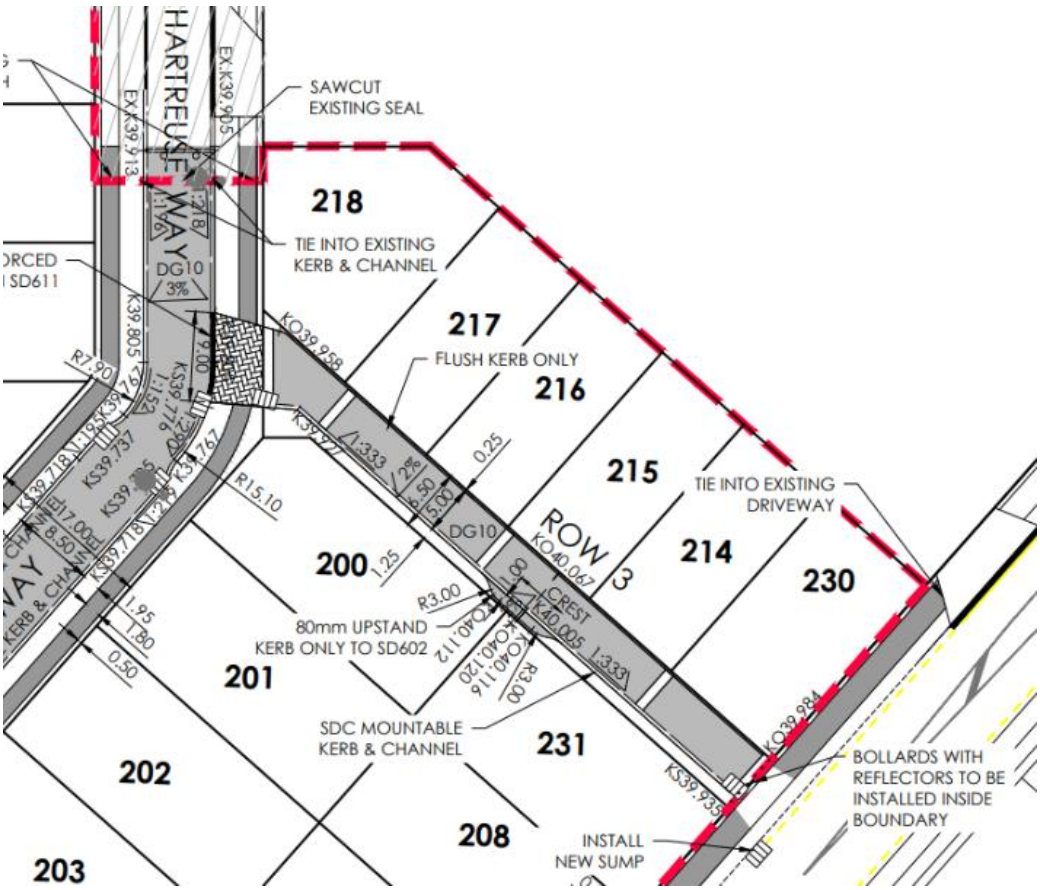


Figure 9. Engineering plans for ROW ('ROW 3')

63. This right of way is not proposed to be open at both ends. Vehicle access will only be from the internal road (recently approved as Chartreuse Way). Bollards with reflectors will be installed along the Goulds Road boundary preventing vehicle access. The engineering approval for Stage 10 shows a bollard preventing vehicle access onto Goulds Road. The right of way contains a footpath along the southern side. Pedestrian access onto Goulds Road was discussed with the applicant and Mr Andy Long and is considered of benefit to enable direct pedestrian access onto Goulds Road. An additional condition of consent is proposed as follows to ensure the pedestrian access:

64. **x. The right of way serving Lots 214-218 and 230 shall not provide vehicle access to Goulds Road. Pedestrian access to and from the right of way and Goulds Road must be provided.**

65. Overall, the right of way is a new element of the subdivision but given it is almost compliant with the MRZ standards, engineering approval has been granted for the roading in Stages, 9, 10 and 12, and the other existing accessway conditions are met, the effects of the right of way are considered less than minor.

Amend Residential Development Matrix in relation to road boundary and accessway setbacks

66. The applicant has raised an issue with medium density lots that have three road/shared access boundaries being constrained in terms of design by the current 3m setback from roads and shared accessways prescribed in the Residential Development Matrix. An example being Lot 27 within Stage 3 which is currently subject to resource consent for a sales office as a temporary activity only which will revert to residential (RC255173), and Lots 235 and 236 within Stage 12.

67. The applicant originally proposed a Lot 27 specific change to the Residential Development Matrix, but subsequently a more generic change was proposed to address other such situations that may arise throughout the wider development:

Dwelling – 1.0m minimum from internal (side) boundary and 3.0m minimum from a road, shared access lane or rear boundary. **Where a lot has road and/or shared access on three boundaries, only two 3.0m**

minimum setbacks are required, with the remaining road and/or shared access boundary setback being 1.0m minimum.

68. This change is considered practical for those lots constrained by three road and shared access lane boundaries. For example, Lot 235 is 12m x 22m which is reduced to 6m x 16m when taking into account the specified 3m setbacks on three boundaries. As a guideline, the MRZ zone requires a building square of not less than 8m x 15m which would not be possible to achieve if the 3m setbacks applied to three boundaries. Although this building square does not apply it is considered a useful comparison to illustrate the built form constraints of the setbacks combined.



Figure 10. TODO: Update or delete this caption

69. Overall the proposed change is considered to achieve a better design outcome whilst removing the need for potential multiple consents.

Distance between Vehicle Crossings

70. The land use consent (RC235206) included condition 32 which exempts specified lots from requiring vehicle crossings to be formed in accordance with Table 1 which specifies that the distance between crossings on the same side of the road needs to be greater than 7m between a vehicle crossing and shared accessway, and for all other crossings less than 1m or greater than 7m.

71. This condition reflects an Operative District Plan rule around the distances between vehicle crossings which is now inoperative. As this is no longer a requirement in the fully operative Transport Chapter Partially Operative District Plan, and to ensure that lots can locate their vehicle crossings in the most appropriate location, additional lots are proposed to be included in condition 32 of the land use consent.

72. The lots sought to be included have been amended since lodgement to ensure that only lots within Stages 9, 10, or 12 are included. Deletions are also proposed to reflect lots no longer proposed within these stages. The changes sought are considered appropriate as they reflect the now fully operative Transport Chapter of the Partially Operative District Plan which does not have a distance between crossings requirement. The effects are considered less than minor.

Distance of Vehicle Crossings to an Intersection

73. It is proposed to change Condition 35 of the land use consent (RC235506) to allow the future vehicle crossing associated with specified additional lots (176, 177, 180, 188, 189, 206, 219, 239, 245) to be excluded from the minimum setback requirements from an intersection. It is also proposed to delete Lot 272 as this is no longer a proposed lot.

74. The roads bordering all lots are local roads, except Lot 206 which fronts Gould Road which is a Collector Road. Those with a local road classification are likely to carry a lower volume of traffic and given the development is residential in nature, traffic speeds will be low reducing the potential for traffic conflict.

75. An Integrated Transport Assessment prepared by Novo Group as part of the original consent application included an assessment of the effects of the non-compliant vehicle crossings in terms of setbacks from intersections. Overall, it was concluded that vehicle crossings should be located in a position which most nearly complies with the setback requirements. It was recognised that the orientation of vehicle access will be dictated by the orientation of the dwelling, with effects considered less than minor. This assessment was also based on vehicle crossings adjoining collector and arterial roads (whereby those fronting local roads would have lesser effects).

76. The Transport Chapter is now fully operative and TRAN-TABLE4 referenced within TRAN-REQ4 provides for a single vehicle crossing to be constructed in the position "which most nearly complies" with the provisions of TRAN-TABLE4 Vehicle Crossing Distances from Intersections where the boundaries of a site do not enable any vehicle crossing to conform to the above distances, It is of note that any vehicle crossing within Lot 206 being the only lot fronting a collector road (Goulds Road) could not achieve compliance with the 30m required setback from the intersection.

77. I consider that any adverse effects of the non-compliant vehicle crossing in terms of setbacks from an intersection for these lots be less than minor.

Positive Effects

78. Positive effects are not relevant to the consideration of notification and will be considered as part of the s 104 assessment later in this report.

Conclusion

79. I consider that the adverse effects on the adjacent environment and the wider environment will be less than minor.

Public Notification (Section 95A)

80. Section 95A states that a consent authority must follow the steps in the order given to determine whether to publicly notify an application for resource consent.

STEP 1: MANDATORY PUBLIC NOTIFICATION IN CERTAIN CIRCUMSTANCES (SECTIONS 95A(2) AND 95A(3))	
Has the applicant requested the application is publicly notified?	No
Is public notification required under section 95C (no response or refusal to provide information or agree to the commissioning of a report under section 92)?	No
Has the application has been made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977?	No

STEP 2: PUBLIC NOTIFICATION PRECLUDED IN CERTAIN CIRCUMSTANCES (SECTIONS 95A(4) AND 95A(5))	
Are all activities in the application subject to one or more rules or national environmental standards that preclude public notification?	No
Is the application for one or more of the following, but no other types of activities: A controlled activity? A boundary activity only (as per the definition of "boundary activity" in s 87AAB of the Act)?	No

STEP 3: PUBLIC NOTIFICATION REQUIRED IN CERTAIN CIRCUMSTANCES (SECTIONS 95A(7) AND 95A(8))	
Is the activity subject to a rule or national environmental standard that requires public notification?	No

Will the activity have, or is it likely to have, adverse effects on the environment that are more than minor?	No

STEP 4: PUBLIC NOTIFICATION IN SPECIAL CIRCUMSTANCES (SECTION 95A(9))	
Do special circumstances exist in relation to the application that warrant public notification?	No

Conclusion

81. In conclusion, in accordance with the provisions of section 95A, the application must not be publicly notified and a determination on limited notification must be made, as follows.

Limited Notification (Section 95B)

82. Section 95B states that a consent authority must follow the steps in the order given to determine whether to give limited notification of an application for resource consent, if it is not publicly notified under section 95A.

STEP 1: CERTAIN AFFECTED GROUPS AND AFFECTED PERSONS MUST BE NOTIFIED (SECTIONS 95B(1)-(4))	
Are there any affected protected customary rights groups, as defined in s 95F?	No
Are there any affected customary marine title groups, as defined in s 95G (in the case of an application for a resource consent for an accommodated activity (as defined in the Act))?	No
Is the proposed activity on or adjacent to, or may it affect, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11; and is the person to whom that statutory acknowledgement is made an affected person under s 95E?	No

STEP 2: LIMITED NOTIFICATION PRECLUDED IN CERTAIN CIRCUMSTANCES (SECTIONS 95B(5) AND 95B(6))	
Are all activities in the application subject to one or more rules or national environmental standards that preclude limited notification?	No
Is the application for a controlled activity under the district plan only and not a subdivision of land?	No

STEP 3: CERTAIN OTHER AFFECTED PERSONS MUST BE NOTIFIED (SECTIONS 95B(7)-(9))	
In the case of a “boundary activity”, is an owner of an allotment with an infringed boundary an affected person?	No
For any other activity, are there any affected persons in accordance with section 95E of the Act (as assessed in the Assessment of Adverse Environmental Effects above)?	No

STEP 4: LIMITED NOTIFICATION IN SPECIAL CIRCUMSTANCES	
Do any special circumstances exist in relation to the application that warrant notification to any other persons not already determined to be eligible for limited notification (excludes persons assessed under section 95E as not being affected)?	No

Conclusion

83. In conclusion, in accordance with the provisions of section 95B, the application must not be limited notified.

Notification Recommendation

84. I recommend that the application(s) RC255040, RC255071 be processed on a **non-notified** basis in accordance with sections 95A-E of the Resource Management Act 1991.

Report by: Vicki Barker Consultant Planner	Date: 29 April 2025

Notification Decision

85. For the reasons set out in the report above, the Notification Recommendation is adopted under delegated authority.

 **Commissioner O'Connell**	**Date: 5 May 2025**

Section 104 Assessment

86. Section 104 of the Act sets out the matters the Council must have regard to when considering an application for resource consent.

87. Section 104(1), in particular, states as follows:

> ***104 Consideration of applications***
>
> *(1) When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2 and section 77M [Effect of incorporation of MDRS in district plan], have regard to–*
>
> *(a) any actual and potential effects on the environment of allowing the activity; and*
>
> *(ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and*
>
> *(b) any relevant provisions of—*
>
> *(i) a national environmental standard:*
>
> *(ii) other regulations:*
>
> *(iii) a national policy statement:*
>
> *(iv) a New Zealand coastal policy statement:*
>
> *(v) a regional policy statement or proposed regional policy statement:*
>
> *(vi) a plan or proposed plan; and*
>
> *(c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.*
>
> *…*

88. Section 104(2) states that a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan, i.e. the operative plan, permits an activity with that effect.

89. Section 104B applies to discretionary and non-complying activities. It allows that the consent authority may grant or refuse the application, and, if granted, it may impose conditions under s 108.

Section 104(1)(a) - Effects on the Environment

90. An assessment of the adverse environmental effects of the proposal was completed above as part of the notification section of this report. That assessment is equally applicable to section 104 and is applied as such.

91. It is also appropriate to consider the positive effects of the proposal at this section 104 stage. I do not consider there to be any particular positive effects on the environment as a result of the proposal.

92. As concluded in my notification assessment, I consider that the adverse effects on the environment resulting from the proposal will be less than minor.

Section 104(1)(b) – Relevant Provisions of Statutory Documents

District Plans (section 104(1)(b)(vi))

Operative Plan – Objectives and Policies

93. The original decision from the Independent Commissioners Panel acknowledged that the proposal cannot meet the rural objectives and policies, therefore the application acknowledges that it is contrary. I consider that there is no change in this regard as a consequence of the proposed changes.

Partially Operative Plan – Objectives and Policies

94. The original decision also acknowledged that the proposal is not consistent with the objectives and policies of the Partially Operative Plan given the rural zoning of the site. However, the decision noted that the site was within the Urban Growth Overlay which identifies areas for future residential and business growth. The proposal was considered to be in keeping with the relevant Urban Growth objectives and policies. Despite this, it was concluded that the proposal did not meet the objectives and policies of the Proposed District Plan. I consider there would be no change to this because of the proposed changes.

Part 2 – Purpose and principles

95. The consideration under section 104 is subject to Part 2 of the Act – Purpose and principles.

96. The purpose of the Act is contained within section 5 and it is to promote the sustainable management of natural and physical resources. *Sustainable management* means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while: sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and avoiding, remedying, or mitigating any adverse effects of activities on the environment.

97. The other sections of Part 2, sections 6, 7 and 8, address matters of national importance, other matters and Te Tiriti o Waitangi (the Treaty of Waitangi) respectively.

98. The relevant District Plans have been prepared having regard to Part 2, with a coherent set of policies designed to achieve clear environmental outcomes; therefore, taking into account relevant case law, I consider that assessment under Part 2 is unlikely to be necessary. For the sake of completeness, however, Part 2 is briefly assessed below.

99. In addition to section 5, I note that the following clauses of Part 2 would be particularly relevant:

> ***7 Other matters***
>
> *In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—*
>
> *(b) the efficient use and development of natural and physical resources:*
>
> *(c) the maintenance and enhancement of amenity values:*
>
> *(f) maintenance and enhancement of the quality of the environment:*

100. Based on my assessment of the proposal in this report, I consider it to be consistent with Part 2 of the Act.

Conclusions

101. The application is for the following consents:

- RC255040 - Subdivision (s11) - Change of conditions 2 and 4 of RC235205
- RC255071 - Land Use (s9) - Change of conditions 32 and 35 of RC235206

102. All applications under s127 are a discretionary activity, and the above assessment is considered sufficient in scope given the nature and scale of the proposal.

103. Th adverse effects are considered to be less than minor.

104. For completeness, the proposal would remain contrary to both District Plans.

105. Having considered all relevant matters, I conclude that the application may be granted, subject to conditions of consent.

Recommendation

106. I recommend that subdivision consent RC255040 and land use consent RC255071 are **granted**, pursuant to section127 of the Resource Management Act 1991, subject to the conditions of consent below pursuant to sections 108, 108AA and 220 of the Act.

Report by: Vicki Barker Consultant Planner	Date: 29 April 2025

Decision

107. For the reasons set out in the report above, the Recommendation is adopted under delegated authority.

 **Commissioner O'Connell**	**Date: 5 May 2025**

Condition(s) of Consent

RC255040 Change of conditions

Condition 2:

The subdivision shall proceed in general accordance with the following:

i. approved plans and documents:

● Precinct Plan

● Typology Plan ~~**August**~~ **March** 2024**5**

● Landscape Plan

● Subdivision Plan ~~**July**~~ **January**2025**4** ~~**R14**~~ **R16**

● Pedestrian and Cycle Network Plan

● Road Network Plan

● Reserve Network Plan

● Residential Development Matrix ~~**November 2024**~~ **24 April 2025**

● Neighbourhood Centre Development Matrix September.

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 Consent Holder.

Condition 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 1 – Lots 1 – 19, **151-156**, 2000, 2001, **2022,** 2023, 2026, **2029**, 3000, 3001

• Stage 2 – Lots 1000, 1001, 3002

• Stage 3 – Lots 20, 22-30, 581, 585, 589-597, 689, 691, 695, 699, 717-725, 2002, 2003, 2019,3003

• Stage 4 – Lots 34 – 50, ~~**2004,**~~ 3004

• Stage 5 - Lots 51 - 63, 3005, 3006, 3039

• Stage 6 – Lots 65 – 97, 2006, 3007

• Stage 7 – Lots 98 – 125, 3008

• Stage 8 – Lots 126 – 149, 2007, 2008, 3009,

• Stage 9 – Lots **157-162, 164 – 180**, ~~**150 – 182,**~~ **247, 249 – 250, 284-287, 2030,** ~~**2009, 2022**~~, 3011

• Stage 10 – Lots **163, 182, ~~183 –~~** 209, 211, 214**-220, ~~215,~~ 230-231, 238-242, 244-246, 1016,** 2024, 2025, 3012**, ~~3013~~**

• Stage 11 – Lots 210, 212, 213, 216-229, 3014

• Stage 12 – Lots 31-33, 150, **221-222,** 232- 237, 243, 251 – 255, 257-271, 273-277, 279-283, **~~259,~~ ~~260 –283,~~ ~~232 – 287,~~ 1017, 2010, 2004,** 3015

• Stage 13 – Lots 288 – 291, **~~2010,~~** 2011, 3016, 3017

….

New Condition:

63A. The right of way serving Lots 214-218 and 230 shall not provide vehicle access to Goulds Road. Pedestrian access to and from the right of way and Goulds Road must be provided.

RC255071 Change of conditions

32. Unless otherwise approved by a separate resource consent with exception of Lots 1 – 6, 9 – 13, 27, 36, 42 –49, 51 – 53, 55 – 56, 58 – 61, 67 – 70, 78, 80 – 82, 84 – 85, 87 – 91, 93 – 96, 99, 102 – 103, 106 – 108, 110 –124, 128 – 130, 135 – 137, 139 – 143, 147 – 149, **162,** 178 – **180~~181~~**, 183 **-** 187, 190,**193, 200,** 210 – 213, 219 – 221, **231,** 234 – 235, 237 – 238, 241 – 24**~~23~~**, 247 – 249, 252 – 25**~~56~~, 257**, **2623** – **~~269,~~ 271,** 276**,~~ –~~** 279**- 282**, 291, 293 – 301, 303 – 304, 306 – 307, 320 – 321, 323 – 324, 326 – 327, 330 – 331, 333 – 334, 340 – 342, 344 – 345, 353 – 362, 372 – 375, 377 –378, 383, 392 – 400, 407 – 411, 413 – 417, 420 – 424, 428, 431 – 432, 434 – 439, 441 – 451, 454, 466 – 471, 473 – 480, 482 – 490, 495, 498, 501, 502, 512, 534 – 536, 561 – 565, 567, 590 – 597, 619 – 620, 623, 625, 629 – 631, 634 – 635, 686 – 687, 689, vehicle crossings shall be formed in accordance with Table 1: …

35. Unless otherwise approved by a separate resource consent, with the exception of Lots 1 – 5, 12 – 14, 17 – 19, 21 – 23, 26, 28 – 29, 30 – 32, 37 – 39, 42, 50, 54 – 56, 61 – 62, 64, 67 – 69, 71 – 73, 77 – 82, 87 – 89, 92 – 99, 102 – 106, 112 – 113, 121 – 126, 128 – 130, 135, 138, 142 – 148, 150 – 164, 170 – **~~175~~ 177**, **180,** 182 – 184, **188~~190~~** – 192, 203 – **~~205~~ 206**, 209, 212, 215, **219** ~~220~~ – 222, 232 – 236**, 239**, **245 -** 246, 250 – 251, 258 – 260, **~~272 –~~** 273, 283 – 287, 288 – 290, 292, 300 – 303, 310 – 313, 315, 328 – 330, 336 – 340, 345 – 347, 351 – 354, 361 – 362, 365 – 367, 371, 376 – 377, 379, 382, 388 – 391, 403 – 406, 418 – 426, 431 – 433, 435 – 440, 443 – 444, 448, 454, 452, 456 – 458, 461 – 473, 479 – 482, 490 – 494, 502 – 505, 512 – 513, 517 – 518, 527 – 528, 553, 542 – 544, 559 – 561, 567, 569 – 571, 577 – 578, 580 – 581, 588 – 589, 593 – 594, 598 – 611, 614 – 616, 630 – 633, 637 – 639, 641 – 644, 649 – 652, 661 – 664, 668, 671, 679 – 683, 688, vehicle crossings shall be separated from intersections in accordance with Table 2:.....

Figure 11.

Full conditions of RC235205 (as amended by 235381, 245327, RC245667, RC245846, and RC255040):

1. 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. The subdivision shall proceed in general accordance with the following:

   i. approved plans and documents:

   - Precinct Plan
   - Typology Plan March 2025
   - Landscape Plan

- Subdivision Plan January 2025 R16
- Pedestrian and Cycle Network Plan
- Road Network Plan
- Reserve Network Plan
- Residential Development Matrix 24 April 2025
- Neighbourhood Centre Development Matrix September

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 Consent Holder.

3. The subdivision shall also proceed in general accordance with the details included with the application and the further information and response to comments provided, including the creation of any additional utility lots, except where varied by the following conditions of consent.

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 1 - Lots 1 – 19, 151-156, 2000, 2001, 2022, 2023, 2026, 2029, 3000, 3001
- Stage 2 – Lots 1000, 1001, 3002
- Stage 3 – Lots 20, 22-30, 581, 589-597, 689, 691, 695, 699, 717-725, 2002, 2003, 2019,3003
- Stage 4 – Lots 34 – 50, 3004
- Stage 5 - Lots 51 - 63, 3005, 3006, 3039
- Stage 6 – Lots 65 – 97, 2006, 3007
- Stage 7 – Lots 98 – 125, 3008
- Stage 8 – Lots 126 – 149, 2007, 2008, 3009,
- Stage 9 – Lots 157-162, 164 – 180, 247, 249 – 250, 284-287, 2030, 3011
- Stage 10 – Lots 163, 182 -209, 211, 214-220, 230-231, 238-242, 244-246, 1016, 2024, 2025, 3012
- Stage 11 – Lots 210, 212, 213, 216-229, 3014
- Stage 12 – Lots 31-33, 150, 221-222, 232- 237, 243, 251 – 255, 257-271, 273-277, 279-283, 1017, 2010, 2004, 3015
- Stage 13 – Lots 288 – 291, 2011, 3016, 3017
- Stage 14 – Lots 292 – 346, 2012, 3018, 3019, 3020, 3021
- Stage 15 – Lots 347, 353-358, 359-363, 364, 365, 561, 562, 564-567, 571-579, 580, 690, 3022, 2013, 1012 and 1004
- Stage 16 – Lots 366 – 389, 3023
- Stage 17 – Lots 390 – 424, 3024

- Stage 18 – Lots 425 – 454, 2014, 3010, 3025, 3039
- Stage 19 – Lots 455 – 490, 2015, 3026, 3027
- Stage 20 – Lots 64, 348 – 352, 356, 491 – 533, 563, 568 – 570, 2005, 3028, 3041
- Stage 21 – Lots 534 – 560, 2016, 2017, 3029
- Stage 22 – Lots 3030
- Stage 23 – Lots 598 – 637, 2020, 3031, 3032, 3033
- Stage 24 –638 - 662, 2021, 3034, 3035, 3036
- Stage 25 – Lots 663 – 681, 3037
- Stage 26 – Lots 682 – 688

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 Record of Title for all residential lots to record the following conditions are complied with on a continuing basis:

(a) Unless otherwise approved by a separate resource consent all residential development is to occur in accordance with the Residential Development Matrix and following plans:

i. Precinct Plan

ii. Typology Plan August 2024

iii. Landscape Plan

iv. Subdivision Plan July 2024 R14

v. Pedestrian and Cycle Network Plan

vi. Road Network Plan

vii. Reserve Network Plan

7. A Consent Notice pursuant to section 221 of the Resource Management Act 1991 shall be registered on the relevant Record of Title for Lot 18 to record the following conditions are complied with on a continuing basis:

(a) Unless otherwise approved by a separate resource consent Lot 18 is a Neighbourhood Centre and any future development is to be in accordance with the Neighbourhood Centre Development Matrix; and

(b) Shall be developed only for Food & Beverage Activities; and

(c) Shall have a total maximum 500m2 Gross Floor Area; and

(d) the conditions of land use consent RC235206

8. 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.

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 685 to record the following conditions are complied with on a continuing basis:

a. Lot 685 shall only take access from Goulds Road.

10. A Consent Notice pursuant to section 221 of the Resource Management Act 1991 shall be registered on the relevant Record of Title for Lot 64 to record the following conditions are complied with on a continuing basis:

a. Lot 64 shall only take access from Shillingford Boulevard.

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 19, 288 - 290 to record the following conditions are complied with on a continuing basis:

a. Unless otherwise approved by a separate resource consent Lots 19, 288 – 290 are to be developed as Apartments;

b.The relevant provisions of the Operative District Plan and/or subsequent resource consents shall apply to any future development of these lots.

c. Where provision for refuse storage and collection is to be provided on-site, any vehicle crossing and accessway shall be designed to accommodate the swept path of rubbish collection trucks.

12. A Consent Notice pursuant to section 221 of the Resource Management Act 1991 shall be registered on the relevant Record of Title for Lots 14 – 17, 20, 22 – 26, 28 – 35, 38 – 41, 50, 54 –55, 62 – 63, 65 – 66, 79, 96 – 98, 123 - 125, 126 – 127, 129, 135, 139, 143, 150, 191 – 192, 211, 222, 291, 347, 364– 370, 420 – 423, 433, 439 – 440, 452 – 455, 458, 465, 467 – 468, 689 and 699 to record the following conditions are complied with on a continuing basis:

(a) Unless otherwise approved by a separate resource consent Lots 14 – 17, 20, 22 – 26, 28 – 35, 38 – 41, 50, 54 – 55, 62 – 63, 65 – 66, 79, 96 – 98, 126 – 127, 129, 135, 138, 143, 150, 191 – 192, 211, 222, 291, 347, 364– 370, 420 – 423, 433, 439 – 440, 452 – 455, 458, 465, 467 – 468, 689 and 699 are to be developed as Comprehensive Residential Development sites;

(b) The relevant provisions of the Operative District Plan and/or subsequent resource consents shall apply to any future development of these lots.

(c) Unless otherwise approved, rubbish collection for all residential sites obtaining access off a shared lane shall occur either on the legal frontage for each unit or from a dedicated bin collection area located within legal road reserve adjoining the lane.

13. For Lots identified as Duplex on the Typology Plan a Section 224c Certificate shall only be issued to each individual lot following the erection of both units to pre-line inspection approval.

14. A Consent Notice pursuant to section 221 of the Resource Management Act 1991 shall be registered on the Certificate of Title for all Low Density, Medium Density (small lot), Zero Lot and Duplex lots as shown on the Typology Plan to require ongoing compliance with the following condition:

(a) Unless otherwise approved by a separate resource consent all Residential activity on Low Density, Medium Density (small lot), Zero Lot and Duplex lots as shown on the Typology Plan shall be developed in accordance with the Residential Development Matrix.

15. A Consent Notice pursuant to section 221 of the Resource Management Act 1991 shall be registered on the Certificate of Title for any residential lot adjoining a specifically created parking layby (to be determined at engineering plan approval stage) to require ongoing compliance with the following condition:

(a) Vehicle crossings may not be constructed across areas specifically formed as parking laybys without prior council approval.

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.

(a) 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

(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.

Engineering Approval

17. 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 Access Lanes
- Rights of Ways
- 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.

18. All work shall comply with the conditions set out in the Engineering Approval and be constructed in accordance with the approved engineering plans.

19. All work shall comply with the Engineering Code of Practice, except as agreed in the Engineering Approval.

20. 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.

21.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.

22. 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.

23. 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.

Developers Agreements

24. Any works undertaken by the consent holder and/or their agent that is subject to a developer's agreement shall receive engineering approval and require agreement in full by Council prior to the commencement of works on site.

Maintenance Bonds

25. 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 rectification; and

(b) 24 months for landscaping, reserve assets, stormwater treatment and discharge systems and sewer pump stations.

Utilities

26. 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.

27. 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

28. 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.

29. Water meters shall be installed in the road reserve only. Multi meter boxes may be utilised. Connection to Council's reticulated water supply shall either be carried out or supervised by Council's contractor CORDE at the cost of the Consent Holder.

Advice note: For supervision purposes a minimum of 10 working days' notice is required. Please note a connection fee being the actual cost quoted by CORDE will apply.

30. Water mains are to be installed as per Council's water masterplan.

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

32. Commercial water connection requirement: Backflow prevention shall be supplied in accordance with Council's backflow policy W213. This shall be installed as part of the building consent. Pursuant to section 221 Resource Management Act 1991 a consent notice shall be registered on the Certificate of Title for Lot 18 to ensure ongoing compliance with this condition.

33. Firefighting Requirements: All council vested water reticulation shall meet the requirements set out in the NZ Fire Service Firefighting Water Supplies Code of Practice (SNZ PAS 4509:2008).

Sewer

34. Any existing on-site effluent treatment and disposal systems shall be decommissioned and removed from the site or backfilled.

35. 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.

36. 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.

37. All sewer reticulation to be vested shall meet Council CCTV standards.

38. Connection to the Council sewer shall be arranged by the Consent Holder and the work shall be done by a registered drainlayer.

39. 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.

40. Wastewater connections are to be provided to adjoining properties where required by Council.

41. Any existing on-site effluent treatment and disposal system shall be decommissioned and removed from the site or backfilled. Any existing dwelling affected by this condition that is to be connected to Council's wastewater reticulation network will require a building consent prior to connection.

Stormwater

42. 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.

43. 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).

44. The proposed development shall not discharge run off onto adjacent properties unless via a controlled outlet approved as part of the Engineering Design Approval.

45. 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.

46. All council vested stormwater systems shall be designed to cater to the following storm events:

- The primary piped system – 10% AEP rainfall event
- The overall system (primary and secondary) – 1% AEP rainfall event

47. All stormwater reticulation to be vested shall meet council CCTV standards.

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. Front lots:

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. Rear Lots:

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 Pedestrian and Cycle Network Plan within new roads and reserves 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. The Engineering Design Plans and Specifications submitted in accordance with condition 20 shall include details of upgrades to the Dunns Crossing Road frontage, including any required as a consequence of the proposed roundabout planned for the intersection of Goulds/Selwyn/Dunns Crossing Roads.

58. Once Road Lot 3032 in Stage 232 is constructed and vested in Council, a temporary turning area at the southern end of Goulds Road is to be constructed and maintained by the Consent Holder.

Corner Splays and Frontage Widths

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

Street naming and property numbering

60. Road name options and street numbering plans shall be submitted to Council in accordance with Policies N101 and N102.

Advice Note: *A private road/right of way that serves a minimum of 5 (five) properties can be named if requested. The applicant shall supply a minimum of 3 names listed in preference for Council consideration. Council will consider those names that are deemed appropriate and approve a name that does not already exist or is not similar to any other name in Selwyn District. The consent holder and/or their agent shall arrange for the installation of the street name signs and poles at each intersection to the Council's standard, at the consent holder's cost.*

Road signage

61. The consent holder shall install street name signs displaying the Council approved street name and poles at each intersection in accordance with Policy R430.

Accessways and Vehicle Crossings

62. All ROW, access legs and vehicle crossings required to service Lots 88, 252, 492 – 493, 503 – 504, 623, 625 and 687 shall be formed in accordance with the table below:

Potential No of Sites	Length (m)	Legal Width (m)	Carriageway Width (m)	Turning Area	Passing Bay
1	Any length	3.5	3.0	-	-
2-3	Any length	4.5	3.0	-	-

63. All Shared Access Lanes shall have a minimum carriageway width of 5.5m and a maximum legal width of 8m, unless otherwise approved through engineering approval.

63A. The right of way serving Lots 214-218 and 230 shall not provide vehicle access to Goulds Road. Pedestrian access to and from the right of way and Goulds Road must be provided.

Street Lighting

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

Water Race

65. The pond will be designed to ensure that the proposed pond remains easy care regardless of the water level.

66. Should the water race require piping, works shall not commence until the design and supporting information has been submitted to the Development Engineering Manager for approval and acceptance is given in writing.

Landscaping and Irrigation

67. The Consent Holder shall landscape the roads and reserves in general accordance with the Landscape Plan (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.

68. Restoration and protection of the existing pond and water race shall be implemented in accordance with the recommendations of the Faringdon Oval Water Race and Pond Ecological Enhancement Plan report prepared by Wildlands Consultants included in Appendix J of the application. The restoration should be based on habitat creation and enhancement for indigenous biodiversity including fish, invertebrates, and plants. A suitably qualified ecologist shall be engaged to advise on this.

69. Plant selection in any landscaping and waterway restoration should be indigenous species of local whakapapa, suited to the environmental conditions.

70. Landscape plans for reserves and with road reserves shall be designed having regard to the Ngai Tahu Subdivision and Development Guidelines and include locally sourced indigenous vegetation where practicable.

71. Entrance structures shall not be placed on Council road reserve, unless otherwise shown on the approved plans or otherwise agreed at engineering approval stage.

72. Street trees shall be planted within the road reserve along the Selwyn Road frontage. Landscape Plans detailing the location and species of these trees shall be submitted to Council for approval.

73. 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.

74. 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.

75. 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 49 road frontage landscape strips adjacent to Lots 31 – 33, 98, 126 – 128, 191 – 192, 222 – 224, 211, 365 – 371, 379 – 382, 420 – 421, 432, 452 – 454, 491 – 492, 643, 669 and Lot 1 of RC 225693,

Advice note: *Maintenance includes replacing any damaged, diseased or dead planting in these areas.*

Earthworks

76. All site works are to be undertaken in accordance with the conditions of resource consent RC235205.

77. 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.

78. 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.

79. Dust generating activities shall cease during times of high winds where dust suppression methods are insufficient to stop fugitive dust leaving the site.

80. The total area of disturbed land at any one time shall not exceed 4ha.

81. The maximum depth for all excavations shall not exceed 4.8 metres below natural ground level.

82. A Dust Management Plan which includes measures to ensure compliance with conditions 68- 71 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.

Advice Note: *This Dust Management Plan is also to be submitted to Environment Canterbury under the relevant ECan consent.*

83. 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.

84. 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.

85. 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

86. 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.

87. 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.

88. 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.

89. Any works within an affected area shall not resume until Tūāhuriri Rūnanga, Te Taumutu Rūnanga and HNZPT (and NZ Police in the case of human remains (kōiwi)) authorise work to continue.

90. 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.

91. The Accidental Discovery Protocol shall be clearly displayed and accessible on site at all times during work under this consent.

Advice Notes:

- *These conditions may be in addition to any agreements that are 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

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

(a) Lots 2008, 2013, 2014 and 2023 shall be vested as Recreation Reserve.

(b) Lots 2004, 2005, 2009, 2010, 2011, 2012, 2015 shall be vested as Local Purpose (Landscape) Reserve. 51 c. Lots 2000, 2001, 2002, 2003, 2006, 2007, 2016, 2017, 2018, 2019, 2020, 2021 shall be vested as Local Purpose (Access) Reserve.

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

Fencing

94. Unless shown on the Approved Landscape Plans and unless a resource consent has been granted otherwise any lot which shares a boundary with a reserve or walkway shall be limited to a single fence erected on the boundary 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.

95 Unless a resource consent is granted otherwise, any fencing or freestanding wall not shown on the Approved Landscape Plans shall comply with the requirements of the Operative District Plan. For further information please refer to the relevant rule in the Operative District Plan or contact the duty planner at Selwyn District Council.

Right of Way Servicing for Lots 689 and 699

96. That the Right of Way serving Lots 689 and 699 shall be constructed as part of the Comprehensive Residential Development of those lots (being RC245530).

Full conditions of RC235206 (as amended by RC235831, RC245847, and RC255071):

Earthworks

1. The development and activity shall proceed in accordance with the information submitted with the application RC235206 and the further information and response to comments provided.

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 4ha.

7. The maximum depth for all excavations shall not exceed 4.8 metres below natural ground level.

8. A Dust Management Plan which includes measures to ensure compliance with conditions 5 and 6 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.

Advice Note: *This DM Plan is also to be submitted to Environment Canterbury under the relevant ECan consent.*

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 areas identified by ENGEO as being contaminated shall be remediated in accordance with the recommendations in the ENGEO Report titled “Remedial Action Plan, Faringdon Oval” dated 25.06.2021.

12. 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.

13. 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.

14. 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 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 RECENT BACKGROUND LEVELS (MG/KG)	REGIONAL YELLOW BROWN STONY BACKGROUND LEVELS (MG/KG)
Manganese	1268.5	721.4
Arsenic	12.58	6.35
Cadmium	0.19	0.14
Chronium	22.7	19.89
Copper	20.3	11.68
Mercury	0.11	0.07
Nickel	20.7	13.91
Lead	40.96	19.75
Zinc	93.94	69.58
Total DDT	0.431	0.431
Polycyclic aromatic hydrocarbons, benzo(a)pyrene toxicity equivalent (BaP TE)	0.922	0.922

15. 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.

16. 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.

17. 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

18. 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.

19. 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.

20. 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.

21. Any works within an affected area shall not resume until Tūāhuriri Rūnanga, Te Taumutu Rūnanga and HNZPT (and NZ Police in the case of human remains (kōiwi)) authorise work to continue.

22. 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.

23. The Accidental Discovery Protocol shall be clearly displayed and accessible on site at all times during work under this consent.

Advice Notes:

• *These conditions may be in addition to any agreements that are in place between the consent holder and the Papatipu Runanga (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

24. All fencing and landscaping shall be undertaken in general accordance with the Landscape Plan, 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.*

Residential Activity

25. Unless otherwise approved by a separate resource consent all Residential activity on Low Density, Medium Density (small lot), Zero Lot and Duplex lots as shown on the Typology Plan shall be developed in accordance with the Residential Development Matrix.

Business – Neighbourhood Centre (Lot 18)

26. Unless otherwise approved by a separate resource consent Lot 18 shall be a Neighbourhood Centre (created by subdivision consent RC235205, except where modified by the following additional conditions.

a. Lot 18 is a Neighbourhood Centre and any future development is to be in accordance with the Neighbourhood Centre Development Matrix; and

b. Shall be developed only for Food & beverage Activities; and

c. Shall have a total maximum 500m2 Gross Floor Area

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. Where any dwelling is erected prior to the issue of the Section 224(c) Completion Certificate for that stage of the subdivision that the dwelling is located within, verification that the sewer, stormwater and water supply systems installed for the subdivision stage or to service that dwelling are fully operational and complying shall be confirmed in writing by Council's Development Engineering Manager prior to any dwelling being connected to these systems.

30. No residential dwelling shall be occupied in whole or in part prior to the issue of the s224(c) Certificate for the subject lot.

31. Prior to the lodgement of any building consent, a written agreement between the Consent Holder and Selwyn District Council shall be entered into stating that Council shall not be liable should the issuing of the s224 Certificate be delayed for any reason.

Accessways and Vehicle Crossings

32. Unless otherwise approved by a separate resource consent with exception of Lots 1 – 6, 9 – 13, 27, 36, 42 –49, 51 – 53, 55 – 56, 58 – 61, 67 – 70, 78, 80 – 82, 84 – 85, 87 – 91, 93 – 96, 99, 102 – 103, 106 – 108, 110 –124, 128 – 130, 135 – 137, 139 – 143, 147 – 149, 162, 178 – 180, 183 - 187, 190,193, 200, 210 – 213, 219 – 221, 231, 234 – 235, 237 – 238, 241 – 242, 247 – 249, 252 – 255, ~~2~~57, 262 – 271, 276, 279 - 282, 291, 293 – 301, 303 – 304, 306 – 307, 320 – 321, 323 – 324, 326 – 327, 330 – 331, 333 – 334, 340 – 342, 344 – 345, 353 – 362, 372 – 375, 377 –378, 383, 392 – 400, 407 – 411, 413 – 417, 420 – 424, 428, 431 – 432, 434 – 439, 441 – 451, 454, 466 – 471, 473 – 480, 482 – 490, 495, 498, 501, 502, 512, 534 – 536, 561 – 565, 567, 590 – 597, 619 – 620, 623, 625, 629 – 631, 634 – 635, 686 – 687, 689, vehicle crossings shall be formed in accordance with Table 1:

DISTANCE BETWEEN CROSSINGS (M) ON SAME SIDE OF ROAD	WIDTH(M)	
	Minimum	**Maximum**
Vehicle crossing to a shared accesssway Greater than 7m; All other vehicle crossings; Less than 1m or greater than 7m	Residential activities - 3.5m	Residential activities - 6m

Table 1 Vehicle Crossings

33. All vehicle crossing shall be formed, sealed/metalled to match the existing road surface for the full width of the crossing between the site boundary and sealed carriageway.

34. Unless otherwise approved by a separate resource consent, for residential lots there shall be only one vehicle crossing per residential unit.

35. Unless otherwise approved by a separate resource consent, with the exception of Lots 1 – 5, 12 – 14, 17 – 19, 21 – 23, 26, 28 – 29, 30 – 32, 37 – 39, 42, 50, 54 – 56, 61 – 62, 64, 67 – 69, 71 – 73, 77 – 82, 87 – 89, 92 – 99, 102 – 106, 112 – 113, 121 – 126, 128 – 130, 135, 138, 142 – 148, 150 – 164, 170 – 177, 180, 182 – 184, 188 – 192, 203 – 206, 209, 212, 215, 219 – 222, 232 – 236, 239, 245 - 246, 250 – 251, 258 – 260, 273, 283 – 287, 288 – 290, 292, 300 – 303, 310 – 313, 315, 328 – 330, 336 – 340, 345 – 347, 351 – 354, 361 – 362, 365 – 367, 371, 376 – 377, 379, 382, 388 – 391, 403 – 406, 418 – 426, 431 – 433, 435 – 440, 443 – 444, 448, 454, 452, 456 – 458, 461 – 473, 479 – 482, 490 – 494, 502 – 505, 512 – 513, 517 – 518, 527 – 528, 553, 542 – 544, 559 – 561, 567, 569 – 571, 577 – 578, 580 – 581, 588 – 589, 593 – 594, 598 – 611, 614 – 616, 630 – 633, 637 – 639, 641 – 644, 649 – 652, 661 – 664, 668, 671, 679 – 683, 688, vehicle crossings shall be separated from intersections in accordance with Table 2:

INTERSECTION ROAD TYPE DISTANCES IN METRES				
Vehicle Crossing joins to	**Posted speed Km/hr**	**Arterial**	**Collector**	**Local**
Arterial	> 50 < 50	100 30	100 30	100 30
Collector	> 50 < 50	75 30	60 30	60 25
Local	> 50 < 50	75 25	60 25	60 10

Table 2: Vehicle Crossing Separation from Intersection

36. The distances specified in Table 2 shall be measured along the road boundary parallel to the centre line of the roadway of the frontage road from the kerb line, or formed edge, of the intersecting road.

37. Lot 685 shall only take access from Goulds Road.

38. Lot 64 shall only take access from Shillingford Boulevard.

39. All ROW and access legs required to service Lots 87-88, 252, 492 – 493, 503 – 504, 623, 625 and 687 shall be formed and sealed in accordance with Table 3:

POTENTIAL NO OF SITES	LENGTH (M)	LEGAL WIDTH (M)	CARRIAGEWAY WIDTH (M)	TURNING AREA	PASSING BAY
1	Any length	3.5	3.0	-	-
2-3	Any length	4.5	3.0	-	-

Table 3: ROW and Access Legs