Sections 95, 95A-E, 104, 104A-D, 106, 108, 108AA, 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)	RC255497, RC255498
APPLICANT	Earlsbrook West Residential Limited
BRIEF DESCRIPTION OF THE APPLICATION	This is a joint application for subdivision and land use consent (including consent under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS), RC255497 - Subdivision (s11) - 287 lot residential subdivision with roads and reserves to vest RC255498 - Land Use (s9) - Bulk earthworks and enabling works
ADDRESS	1532, 1491 Springs Road, Lincoln; 33 Greenslade Drive, Lincoln
LEGAL DESCRIPTION	Part Lot 1 DP 4157, Part RS 5844, Part RS 2951, Part RS 2933, Lot 2 DP 494430, Part RS 2456, Lot 1 DP 576868, Lot 4 DP 576868
TITLE REFERENCE	1230372, CB32K/521, 1062768, 1062766, 1062769
AREA	105.453 ha
ZONING / OVERLAYS	**Operative Selwyn District Plan (2016), Rural Volume** Outer Plains Zone Lincoln ODP Area 5 **Partially Operative Selwyn District Plan (Appeals Version)** Medium Density Residential Zone Development Area: DEV-LI8 Plains Flood Management Overlay Orion 33kV to 66 kV (runs along Springs Road)
OVERALL ACTIVITY STATUS	**Non Complying**

The Application

1. This application was formally received by the Selwyn District Council on 23 June 2025. Further information was received on 19 August and 18 September 2025, and this information now forms part of the application.

2. The application proposes a 287 lot residential subdivision, with roads and reserves to vest to the Council. It also proposes earthworks, including soil remediation, to provide for enabling works.

3. The application is fully detailed in section 3 of the AEE (although not amended as below), the main aspects of the activity are as follows

- The proposal includes the following allotment arrangement;
    - 287 residential lots of varying sizes ranging from 317m^2 to 606m^2 a large proportion do not meet the minimum dimension, and the application seeks that these be restricted to a single residential unit via a consent notice.
    - 3 roads, 2 road reserve (adjacent to the Springs Road/Collins Road roundabout) and 6 reserve lots to vest to the council
    - 3 balance lots are proposed, including Lot 5012, located where the Outline Development Plan (ODP) seeks a road connection to the north.
- In terms of the transport connections, it is proposed to create a new crossroads with Springs Road and Pearson Bros Boulevard (Road 3 of Stage 1) on the eastern side of Springs Road to create the main access. A secondary access is proposed to Collins Road in the southwestern corner of the proposal. Pedestrian connectivity, through three reserves, one to the north (Lot 3016) and two to Springs Road (Lots 3014 and 3018) is also proposed. Additionally, the intersection of Springs Road and Collins Road is proposed to be upgraded to a roundabout.
- Stormwater will be managed through a stormwater reserve along the southern boundary of the site, adjacent to Collins Road.
- Wastewater will connect into the Springs Road main, whilst Lots in Stage 2C will not be able to be serviced through this connection, and they will need a future pump station, or other specifically designed wastewater system, as part of a future stage to be constructed, prior to them being able to obtain a s224(c) certificate.
- Water supply will be via connections to new mains in Springs Road, formed as part of the Stage 1 works.
- All residential lots would be supplied with services (noting the above for Lots in Stage 2C), including electricity and telecommunications.
- The subdivision is proposed to be staged across 3 stages. Stage 2A must be completed prior to Stage 2B, as this provides the connection and access to/from Springs Road.

4. In terms of the enabling earthworks, the main aspects are:

- Bulk earthworks will have a maximum volume of approximately 46,800m^3 of cut and 24,000m^3 of fill across an area of 20.4ha.
- The maximum excavation depth associated with site shaping is expected to be 1.9m, primarily around the stormwater management basin. Trenches for service installation may reach depths of up to 3.3m beneath roads.

5. The subdivision and land use aspects have been bundled in one application and will be processed as such, given that there is an overlap between the two such that consideration of one may affect the outcome of the other and it would not be appropriate to separate them. This enables an integrated and holistic assessment of the proposal as a whole. Under this approach, the most restrictive activity status applies to the entire application.

Background

6. The agent has, at section 2 of the AEE, set out both the zoning and consenting background . Notably for this proposal, Stage 1 on the opposite side of Springs Road was granted consent under RC245394 and RC245395, which provided a range of infrastructure to be relied upon by this stage.

7. Specific to this subject site, resource consents RC255154 (from Selwyn District Council) and CRC253803 (from Environment Canterbury as the Regional Council) have been granted to enable the remediation of the borrow pit within the southeastern corner of the site.

8. During processing the subdivision was amended, this reduced the number of residential sections from 299 to 287 as a result of a removal of a number of sections adjacent to the roundabout at the intersection of Springs Road and Collins Road, and the provision of a balance lot (Lot 5012) adjacent to the northern boundary where the ODP anticipates a connection through to the site to the north. These amendments also extended the Stormwater Management Area. Furthermore, Lot 5001, from Stage 1, on the eastern side of Springs Road, was included in the application to enable remediation of contaminated land to occur concurrently with that originally proposed as part of this application.

9. The applicant also proposes two conditions which relate to works within the Stage 1 area, for a secondary water connection and for the removal of the septic tank for the existing residential unit on LOT 1 DP 576868. These are offered as augier conditions, and these areas are now included within the application site, noting no other works are proposed here.

The Existing Environment

10. The application site is currently used for pastoral use and is otherwise vacant, following the recent demolition of the residential unit and associated accessory buildings. The site is generally flat and otherwise open, bound by Springs Road to the east, Collins Road to the south. Along the western most, curving boundary, is the Western Boundary Drain.

11. The surrounding sites to the north are currently or have recently been developed for either residential use, or the Arvida retirement village. To the east, on the opposite side of Springs Road is stage 1 of this subdivision, currently well progressed. Whilst to the south and west are typical rural land uses, although noting 208 Collins Road is a smaller, lifestyle block containing a residential unit, located close to Collins Road.

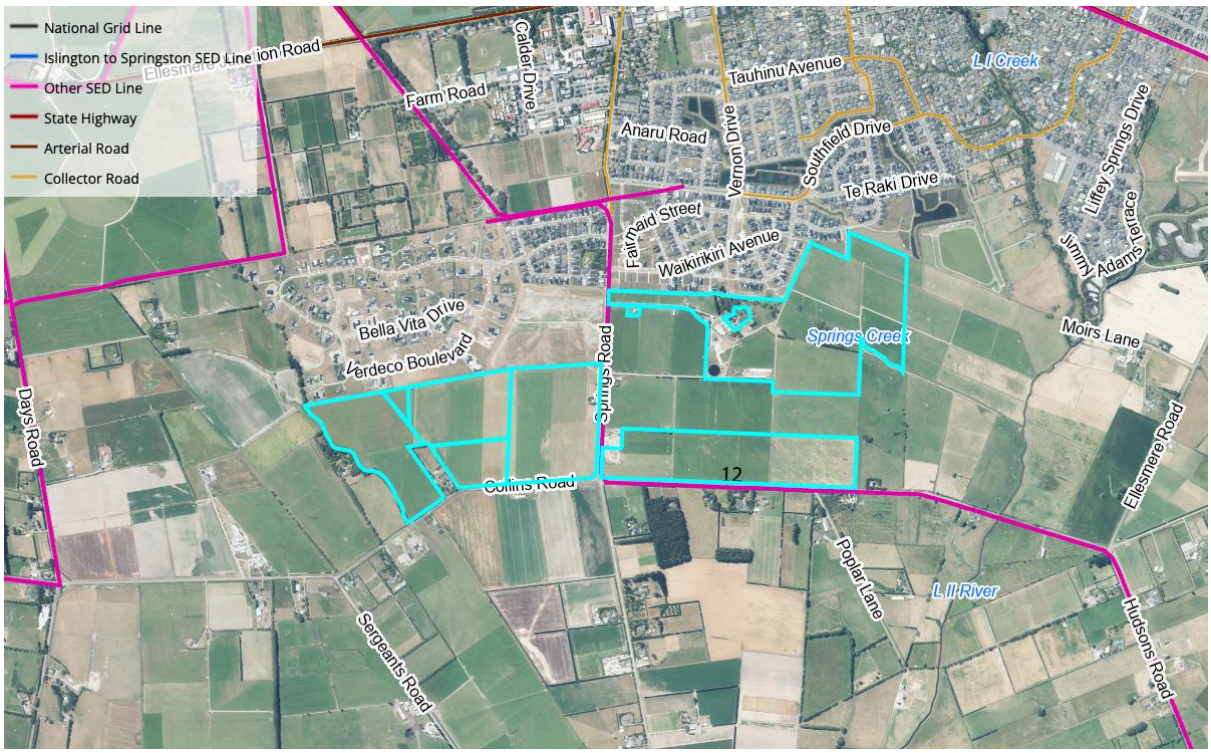

Figure 1. Aerial image of locality. Source: Toitū Te Whenua (LINZ)

12. I visited the site on 24 July 2025.

Activity Status

Partially Operative Selwyn District Plan (Appeals Version) ("the Partially Operative Plan")

13. The application site is zoned Medium Density Residential. The site is also subject to the following overlays;

- Development Area: DEV-LI8
- Plains Flood Management
- Orion 33kV to 66 kV (runs along Springs Road)

14. The Council released the Appeals Version of the Partially Operative Plan on 27 November 2023. Many provisions are beyond challenge and are operative/treated as operative (pursuant to cl 103 of Schedule 1 and s 86F of the Act). Those subject to appeal continue to have legal effect pursuant to s 86B.

Subdivision

15. The proposed type of subdivision does not meet the following rules:

SUB-R1 SUBDIVISION IN THE RESIDENTIAL ZONES		
7A. When compliance with any of SUB-R1.5 is not achieved: DIS unless any of SUB-R12, SUB-R13, SUB-R13A, SUB-R14 or SUB-R15 apply.	**Discretionary**	Not all the Lots created achieve a 16m x 23m minimum dimension.
SUB-R16 SUBDIVISION AND ELECTRICITY TRANSMISSION AND DISTRIBUTION LINES		
9. Subdivision within 24m of the centreline of any other Significant Electricity Distribution Line as	**Restricted Discretionary**	The subdivision will occur within 24m of the centreline of the 33-66kv electricity line, which is on the opposite side of Springs Road.

shown on the planning maps. This rule does not apply to any subdivision under SUB-R15.		
SUB-R17 SUBDIVISION AND NATURAL HAZARDS		
6. When compliance with any of SUB-R17.4. is not achieved: NC	**Non-complying**	The balance Lot (Lot 5010) will likely contain areas defined as 'high hazard' as no works are proposed here. The residential lots will all be outside of high hazard areas.
SUB-R22 SUBDIVISION AND NATURAL CHARACTER		
1. Subdivision where any site adjoins any surface water body. This rule does not apply to any subdivision under SUB-R15.	**Restricted Discretionary**	The balance Lot (Lot 5010) will adjoin the Western Boundary Drain, which is a surface water body.
SUB-REQ3 OUTLINE DEVELOPMENT PLAN		
2. When compliance with any of SUB-REQ3.1 is not achieved: DIS	**Discretionary**	The proposal does not include the following which are required by the ODP. • Upgrading the whole of the Collins Road frontage (*this is proposed to be upgraded where this stage interfaces with it) • A park-and-ride facility. • s224 is sought prior to the completion of the upgrading of the Springs Road/Ellesmere Junction Road/Gerald Street intersection.
SUB-REQ9 WATER		
2. When compliance with any of SUB-REQ9.1 is not achieved: NC	**Non-complying**	The balance lots will not be provided with a water connection.
SUB-REQ10 WASTEWATER DISPOSAL		
2. When compliance with any of SUB-REQ10.1 is not achieved: NC	**Non-complying**	The balance lots will not be provided with a wastewater connection.
SUB-REQ13 CONDITION PRECEDENT		
4. When compliance with any of SUB-REQ13.1 is not achieved: NC	**Non-complying**	Earthworks are proposed within 10m of the western boundary drain, being a channelised waterway and no riparian planting plan is provided.

16. Therefore, the subdivision proposal is a Non Complying activity under the Partially Operative Plan.

Land use

17. The proposed land use activity does not meet the following rules:

TRAN - Transport

TRAN-REQ4 SITING OF VEHICLE CROSSINGS		
2. When compliance with any of TRANREQ4.1 is not achieved: RDIS	**Restricted Discretionary**	The following Lots will have non-compliant vehicle crossings to Collector Roads: 341, 381, 379, 491 & 504. The following Lots will have non-compliant vehicle crossings to Local Roads: 286, 287 & 370. • Whilst other vehicle crossings are nominated on the subdivision plans, these

		are considered to be in the most compliant location given the adjacent road categories. A 45m sight distance to the following lots will not be achieved 263, 264, 309, 310, 348 to 350, 391 to 394 & 432 to 435.
TRAN-REQ7 ACCESSWAY DESIGN, FORMATION AND USE		
2. When compliance with TRAN-REQ7.1.a or TRAN-REQ7.1.b is not achieved: RDIS	**Restricted Discretionary**	Accessways servicing 2 or 3 Lots should have a legal width of 5m. 4m is proposed for the following Lots; • 222-223 • 235-236 • 357-358 • 363-364 • 487-488 • 410-411 (4.5m legal width proposed) They all otherwise comply with the 3.5m formed width (all are <50m in length)
TRAN-REQ18 LAND TRANSPORT CORRIDOR CREATION STANDARD		
2. When compliance with TRAN-REQ18.1 is not achieved: DIS	**Discretionary**	Road 29 has a legal width of 21m which exceeds the 20m for a Local (Major) Road.
TRAN-REQ19 LAND TRANSPORT INFRASTRUCTURE FORMATION STANDARDS		
5. When compliance with any of TRAN-REQ19.1, TRAN-REQ19.2, TRAN-REQ19.3 or TRAN-REQ19.4 are not achieved: DIS	**Discretionary**	Road 23 has a carriageway width of 14.5m where 14m is the maximum. Road 29 has a carriageway width of 11.8m where 9m is the maximum for a Local (Major Road) Only Roads 23 and Springs Road have a dedicated parking lane, where one should be provided on all new roads here.
TRAN-REQ20 INTERSECTION SPACING		
3. When compliance with any of TRANREQ20.1 or TRAN-REQ20.2 are not achieved: RDIS	**Restricted Discretionary**	A spacing of 123m is required between intersections on Roads 23 and 29, being collector roads. Spacings of between 62m and 109m on Road 23 and 118m Road 29 are proposed. New roads are designed for the ODP speed limit, but don't meet the separation distance required.

NATC Natural Character

NATC-REQ1 SETBACKS FROM SURFACE WATER BODIES - EARTHWORKS AND EARTHWORKS STOCKPILES		
2. When compliance with any of NATC-REQ1.1 is not achieved: RDIS	**Restricted Discretionary**	Earthworks will occur within 10m of the bank of the 'Western Boundary Drain' to provide for the realignment of the Collins Road Drain

EW Earthworks

EW-R5 STOCKPILING		
2. When compliance with any of EW-R5.1 is not achieved: RDIS	**Restricted Discretionary**	The stockpiles will be located within 75m residential sites to the north (Verdeco Boulevard) and from 208 Collins Road. A construction phase stockpile is approximately 65m from 208 Collins Road.
EW-R5A EARTHWORKS FOR SUBDIVISION		
2. When compliance with any of EW-R5A.1 is not achieved: RDIS	**Restricted Discretionary**	Earthworks would be over 5ha at a time, exceeding the permitted area.
EW-REQ3 EXCAVATION AND FILLING		
3. When compliance with any of EW-REQ3.1 or EW-REQ3.2 is not achieved: RDIS	**Restricted Discretionary**	Some of the fill, reused on site, may be contaminated.

MRZ - Medium Density Residential Zone

MRZ-R5 FENCING		
2. When compliance any of with MRZ-R5.1 is not achieved: RDIS	**Restricted Discretionary**	Within 1.5m of the road boundary, boundary walls are proposed at 2m in height in Lots 250 and 399. The proposed wall within Lots 250 and 504 will be 2m in height and solid adjacent to the reserve. The proposed 1.2m high post and rail fence along reserves does not comply with the required level of visual transparency (50%), which trigger consent for Lots 210, 238, 239, 262, 311, 334, 335, 362, 363, 380, 407, 410, 419-428, 494-504. Within 1.5m of the road boundary, boundary fencing (running perpendicular to the road boundary) is proposed at 1.2m in height in Lots 210, 238, 239, 262, 311, 334, 335, 362, 363, 380, 407, 419, 495 and 496.

18. Therefore, the land use proposal is a Discretionary activity under the Partially Operative Plan.

Status – Partially Operative Plan Only

19. Overall, the bundled proposal is a Non Complying activity under the Partially Operative Plan.

Operative Selwyn District Plan (2016), Rural Volume ("the Operative Plan")

20. The application site is zoned Outer Plains. The site is also subject to Lincoln ODP Area 5.

21. The Council released the Appeals Version of the Partially Operative Selwyn District Plan on 27 November 2023. Many provisions are beyond challenge and are operative/treated as operative (pursuant to cl 103 of Schedule 1 and s 86F of the Act), and the corresponding provisions in the Operative Plan are treated as inoperative.

22. All rules that would apply to this proposal are now treated as inoperative and the proposal is a permitted activity under the Operative Plan.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS)

23. The NES-CS manages activities that involve the disturbance of land which may be contaminated. This is determined by whether activities listed in the Hazardous Activities and Industries List (HAIL) have or are likely to have occurred on the site.

24. As the site has been used for production, the proposal is a change of use of the site, as well as being a subdivision, and as such the NES-CS applies to activities on the site. The application site has also been subject to a range of historical HAIL activities, including a former municipal landfill, a large farm offal pit, and a pre-1950s dwelling likely associated with lead-based paint.

25. A Detailed Site Investigation (DSI) dated 10 June 2025 for the main subject site, and an additional DSI dated 18 August 2025 have been prepared by Tetra Tech Coffey and given this, the proposal is a **restricted discretionary** activity in terms of the NES-CS.

Overall Activity Status

26. The proposal is being considered as a **non-complying** activity overall.

Written Approvals (Sections 95D(e), 95E(3)(a) and 104(3)(a)(ii))

27. The provision of written approvals is relevant to the notification and substantive assessments of the effects of a proposal under sections 95D, 95E(3)(a) and 104(3)(a)(ii). Where written approval has been provided, the consent authority must not have regard to any effect on that person. In addition, that person is not to be considered an affected person for the purposes of limited notification.

28. Written approval has been received from Orion as the network utility operator and as required by Rule SUB-R16.9. This has been provided by Mr Peter Johnson (Contract Manager Non-Standard) on behalf of Orion via email dated 18 August 2025. I note that the New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP34:2001) is still relevant and needs to be complied with.

29. A letter has been supplied from the owners/occupiers of Lot 1 DP576868, which notes that they are agreeable to the works on their land, being the connection of the residential unit to the wastewater network and subsequent removal of the septic system. I note this is not a formal written approval, as it does not relate to the whole proposal, but I do consider it relevant.

Notification Assessment

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

Permitted Baseline

30. Sections 95D(b) and 95E(2)(a) allow that a consent authority "may disregard an adverse effect" if a rule or a national environmental standard permits an activity with that effect, a concept known as 'the permitted baseline'. The application of the permitted baseline is discretionary, as denoted by the use of the word "may". It is understood that its intention is to identify and exclude those adverse effects that would be permitted by the Plan from consideration.

31. In this case, any subdivision, requires resource consent as at least a controlled activity. As such, I do not consider there is a relevant permitted baseline.

Receiving Environment

32. 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 discussed above and includes the subdivision to the east, being Earlsbrook Stage 1, the ARvida retirement village to the north, and the existing resource consent on the subject site to remediate the borrow pit.

33. I also note that the land further west is zoned Medium Density Residential and given this, consider that the existing environment, in so far as that to the north, east and west is likely to change in the foreseeable future, as the subdivision is developed with residential units and a commercial centre, the retirement village is constructed and land to the west is developed to align with its zoning.

34. Land south of Collins Road is part of the General Rural Zone, and as such, it is not likely to change much beyond the existing.

Restrictions on Matters Considered

35. The status of the activity is **non-complying.** As such, the Council's discretion is unrestricted, and all adverse effects must be considered.

Adverse Effects

36. The adverse effects that might be considered relevant to this proposal are Site Layout and Urban Design, Infrastructure and Servicing, Earthworks and Construction, Natural Hazards, Contamination, Transport, Ecological/Natural Character, and Cultural.

Adverse Site Layout and Urban Effects

37. The applicants AEE, at section 3.2 describe the general layout, and section 5.3 provides an assessment of the adverse effects associated with the layout, and the urban design assessment, dated 2 July 2025 provides further assessment here, noting these do not reflect the subsequent, albeit limited, changes made during processing.

38. In summary, these note that the proposal generally aligns with the development area (DEV-LI8), including its connectivity to Springs Road and Collins Road, and within the site itself. No connection is provided to the north, noting the provision of a balance lot and associated consent notice on this lot to provide for this in the future. The wider layout is generally in a typical rectangular block with a range of lot sizes, which creates variety across the subdivision.

39. A range of landscaping is proposed across the road frontages, reserves and stormwater basin. The reserves also provide access from Springs Road, across the site and to the reserve to the north, from the northern corner of the site. Limited subdivision signage is proposed adjacent to the roads, which includes 2m high solid walls for short sections. The final design of this is to be determined; however, should this require resource consent, it will be sought separately.

40. Overall, the agent concludes that any adverse effects associated with the layout would be less than minor.

41. The proposal has been reviewed by Council's Urban Designer, Mr Andy Long, with a memo dated 24 July 2025 provided. This raises no concerns with the overall layout, although Mr Long does consider that all the undersized sites should be subject to a consent notice limiting them to a single residential unit. Mr Long also notes that Lots 274-275, 298-299, 322-323 may require corner splays on the intersections and that there is no detail for the subdivision signage, except for the proposed walls. Mr Joe Clark, Council's Senior Development Landscape Advisor, has also reviewed the proposal and has not raised any concerns with the connectivity or types of reserves provided across the development.

42. Given the above, I agree with the agent that generally, the proposal is consistent with the layout outcomes sought by the development areas and provides appropriate connectivity, noting the context of the stage boundaries here within the total development area. The layout is considered and provides for a range of lot sizes and dimensions. Rear sites are limited, and all sites are orientated so that they relate to roads and open spaces. The design and layout continue that from stage 1 and given the wider rezoning, does not result in any adverse effects on rural production activities, noting also the separation provided by the stormwater basin to the south.

43. The balance lots, notably Lot 5012, are all provided with legal access and will be subject to future development. Consent notices are proposed on all under dimensioned (less than 16m x 23m) lots to limit these to a single residential unit as of right, except for Lots 274, 323, 418, 429, 434 ,440, 441, 465, 476, 477 and 491. These identified lots are all corner lots that exceed the minimum lot size that would result from a 16m x 23m lot (being 368m^2) with the shortfalls in dimensions generally being a result of the lot not being

perfectly rectangular. The applicant has provided a drawing (16012-S2-AP-103) which demonstrates the shortfall in dimension , with those shortfalls for Lots 274, 323, 441, 434 being imperceptible. The other seven lots have slightly larger dimension shortfalls, however they do have more than enough site area, and the relevant built form standards would continue to apply here. In my view, given the limited number of sites, the corner location and the applicable standards, high quality urban design outcomes will still be readily achievable on these lots for up to 3 residential units as of right.

44. In terms of Mr Long's comments around corner splays and signage, Road 23 includes a wide berm, which accommodates the relevant splays for the lots he identifies, and the agent has confirmed that the subdivision signage will comply with the plan requirements, or a separate resource consent will be sought in the future.

45. The proposed landscaping concept along the roads, reserves and stormwater reserves is consistent with that anticipated in new residential subdivisions, noting final details will be provided at the engineering acceptance stage.

46. Overall, I am of the view that any adverse effects on the environment or any persons from the layout, including in terms of urban design, would be no more than minor on the environment and less than minor on any persons.

Adverse Infrastructure and Servicing Effects

47. The application proposes extensions of, and connections to, the public three waters network. The application is supported by an Infrastructure Report, dated 18 June 2025 from Inovo.

48. In terms of stormwater, the proposal includes a primary and secondary network, including the road network and basins to capture runoff from hardstand and landscaped areas. The primary network will capture and convey the 10% AEP rainfall event (10 year storm) and the primary and secondary networks capture the 1% AEP rainfall event (100 year storm) and convey this to the stormwater basin along the southern boundary of the site. Lots discharge to the kerb or the primary piped network within the roads. The stormwater basin includes first flush and attenuation, with this initially discharged via a new stormwater pipe within the site, running parallel to Collins Road, with secondary discharge into a widened swale along Collins Road, both of these then connect into the existing Collins Road Drain just upstream of its confluence with the Western Boundary Drain, with a new head wall and discharge point, with associated structures to mitigate any scour.

49. Wastewater will, for the most part, be dealt with through a new gravity network, to a terminal pumpstation (WWPS_LS1) designed and constructed as part of the Stage 1 development on the eastern side of Springs Road, where this is then pumped to the Allendale Lane facility. A portion of Site (Stage 2C) cannot be serviced by the proposed gravity reticulation due to topography, and this will be connected to a future stage (to the west), a s224 condition here will restrict titles until this connectivity is provided.

50. Potable water will be provided from the existing connections from Springs Road which were installed as part of the stage 1 works. A ring main is proposed to create redundancy, however the completion of this is not required to service this part of the subdivision, and a consent notice on Lot 5010 is proposed to ensure this occurs.

51. The existing 33kV network runs along Springs Road, and no plans are in place to underground or move this, although some changes will need to be made to the pole locations to provide for the intersections, these are subject to separate approvals (noting the written approval of Orion). Power and telecommunications will be laid to the net site area of each Lot. Orion (electricity) and Frednet (telecommunications) have confirmed there is sufficient capacity to supply the proposal.

52. Internal roads will be provided, with a mix of collector and local roads, with shared paths along Roads 21, 22, 23 and 29. Each Lot will be able to construct a new vehicle crossing in a compliant position, with a number of Lots which are unable to do so having their accesses constructed as part of the subdivision process, and a consent notice is imposed here to ensure these are not moved (these are identified on drawing *16012-S2-AP-102 rev C)*. Upgrades to Springs Road and Collins Road are also proposed. Transport effects, in terms of safety and efficiency, including on the wider network, are assessed below.

53. The proposal has subsequently been reviewed by Ms Helen Pullar, Council's Senior Development Engineer and Mr Krishan Ambawatte, Councils Development Engineer, who consider that the proposal can be

adequately serviced in principle and that there is sufficient capacity within the wider network to accommodate the proposal

54. Overall, I consider that the proposal can be serviced appropriately with three waters, power, telecommunications and access such that it would not result in any adverse effects on the environment or any persons.

55. In terms of open spaces and reserves, the application proposes four small access reserves, providing east/west connectivity for people through the northern portion of the subdivision. A further reserve is proposed in the northwestern corner, linking to the existing access reserve to the north, formed through the Verdeco subdivision. A landscape reserve is proposed at the entrance from Springs Road on Road 23.

56. Council's Senior Development Landscape Advisor, Mr Joe Clark, has reviewed the proposal and, subject to a number of conditions. raises no concerns with the reserve provision at this stage. Overall, I consider that, in the wider context, sufficient open space is provided to service the proposal at this stage, and any adverse effects on the environment or any persons would be less than minor.

Adverse Earthworks and Construction Effects

57. The application proposes earthworks across the site, with up to 5ha of land being worked at once, to provide appropriate levels, building platforms and to form the infrastructure required. Any effects associated with this work would be temporary and given the limited extent of earthworks in terms of heights, generally not visible from any private locations.

58. Earthworks would be managed through a suite of conditions, including an Environmental Management Plan which will include erosion and dust management controls. Subject to compliance with the conditions of consent, I am of the view that any adverse effects associated with the earthworks would be appropriately managed and mitigated.

59. The existing pastoral farmland will be developed for residential use in line with its zoning, and whilst this would represent a change, it would not be as a result of the earthworks proposed. Noting levels will generally be similar to existing, there would be no adverse privacy/overlooking effects as a result of the earthworks. Similarly, the changes the ground levels would not materially alter the height or bulk of buildings that could be built which would otherwise adversely affect any persons.

60. Two sets of stockpiles are proposed, one short term, during construction, and one for the medium term. The short term stockpiles will be temporary during the construction phase, which is more likely than not to be approximately 12 months, and given this, any adverse effects in terms of visual amenity or outlook would be time limited and seen in the context of the construction. The medium term stockpiles are at least 75m away from the residential activities to the north (Verdeco Boulevard) and south (208 Collins Road), where 100m is anticipated. Whilst this is a shortfall, this is still a substantial separation and these would not exceed 4m in height and noting the existing rural environment here, I do not consider the stockpiling would detract from the visual amenity, character or outlook for these adjacent persons. The stockpiles would also be managed in accordance with the ESCP and therefore would not result in any adverse nuisance effects (dust/runoff/sedimentation).

61. Given the size of the site, construction vehicles and contractor parking will all be able to be accommodated within the site and as such would not have any adverse impact on the transport network. A construction management plan is proposed as a condition to ensure all construction effects are appropriately managed within the site.

62. In view of the above, recognising the temporary nature of these effects, I consider that any adverse construction effects, including those from any earthworks, would be appropriately managed and mitigated and would be less than minor on the environment and any persons.

Adverse Natural Hazard Effects

<u>Geotechnical</u>

63. The application is supported by a Geotechnical Assessment Report by Tetra Tech Coffey dated 10 June 2025 which covers both Stage 2 (this application) and Stage 3 (for a future application but is the balance land to the west of the subject area of this application).

64. This notes that site investigation was undertaken across the area with both shallow and deep testing. It notes the existence of the borrow pit and landfill in the south eastern corner of the site and an offal pit located in the 'northern centre', no other fill was discovered during their investigation. In terms of liquefaction, the assessment concludes that, in general, the liquefaction risk for Stages 2 and 3 is low and considered TC1-like with the risk of lateral stretch spread for these stages also being low. The assessment further considers other risks, including erosion, slippage, subsidence and inundation and considers these are either negligible or low risk.

65. In terms of groundwater, this is higher in the western (stage 3) portion of the site and high further towards Springs Road, with approximately 1.5m difference in groundwater levels below ground across the site here.

66. Tetra Tech Coffey conclude that '*based on our assessment, we consider that Stages 2 and 3 are generally suitable for residential subdivision subject to remediation of the identified uncontrolled fill areas and lot specific geotechnical reports being undertaken as part of the building consent applications for each of the new residential sites'*

67. The Tetra Tech Coffey report has been peer reviewed on behalf of the Council by Mr Andrew Hurley of Geotech Consulting Limited. Mr Hurley notes that *'the site is underlain with 0.2 – 0.6m of topsoil, over sandy or silty soils, over gravels. Gravels are found between 0.8 m and 3.2 m deep, with a typical depth range of 1.5 m to 2.0 m. Three areas of known, uncontrolled fill are identified'*. He considers that the extent of testing, whilst not meeting the MBIE guidance in terms of density, is adequate in this instance given the underlying soils and gravels.

68. In relation to the liquefaction analysis, Mr Hurley considers that the interpretation using LSN to be useful and concludes that overall, he concurs with Tetra Tech Coffey that the liquefaction risk is low and an equivalent TC1 category is appropriate.

69. I adopt the expert advice provided and consider that any adverse geotechnical effects, notably in terms of liquefaction can be appropriately managed through foundation design at building consent stage. The site is suitable for subdivision and residential land use and overall, subject to consent conditions, I consider any adverse geotechnical effects would be less than minor on the environment and any persons.

Flooding/Stormwater

70. Stormwater is proposed to be managed by a stormwater management area (SMA) along the southern boundary of the site, adjacent to Collins Road. Stormwater from the residential lots will discharge to the road via kerb outlets, or directly to the stormwater network, and then be directed to the SMA, with pretreatment occurring within the network. The road reserve will convey larger events, again to the SMA. Treatment includes a first flush basin, and the SMW will detain and attenuate outflows to ensure the proposal is hydraulically neutral.

71. The proposal is supported by a flooding and stormwater assessment, which was updated during processing, and which has been modelled based on the latest district wide flood model (undertaken by Tonkin+Taylor for the Council). This updated report was based on a 1:200 year event with a critical duration of 48 hours. Notably this also included the site having a 70% impervious coverage, to accommodate future development. The report notes that outside of the site area, there is only a change of +/-1cm in flood effects. Notably, at 208 Collins Road, there may be a 1cm increase in flood depths across the site frontage. Given this limited additional depth, and only after a major rain event (1:200 year, 48 hour event), and that this is an area of existing flooding (as shown in the pre-development flood model). I do not consider that a 1cm increase would be noticeable nor materially alter the existing flood risk or create a new hazard for these persons.

72. The proposal has been rigorously reviewed by Mr Krishan Ambawatte, Council's Development Engineer and Ms Alex Ross, Council's Surface Water Asset Manager who consider that given SMA and associated infrastructure, any adverse flooding or stormwater effects would be appropriately managed and mitigated.

73. I adopted this expert advice and consider that any adverse flooding effects on the wider environment or any persons would be managed and given the hydraulic neutrality, with post-development flows being less than pre-development, would be less than minor.

Adverse Contamination Effects

74. The application was supported by a Detailed Site Investigation (DSI) by Tetra Tech Coffey which covered stages 2 and 3 and this follows a Preliminary Site Investigation (PSI) undertaken in 2020. Notably the site is identified on Environment Canterbury's (ECan) listed land use register (LLUR) as having had activities on the HAIL occur on it, namely G3 – landfill, related to a historic municipal landfill, and to a large farm offal pit. The DSI found that lead was found in the location of the now demolished dwelling, and arsenic, cadmium, copper and zinc were detected above the background levels. In terms of the landfill area, contaminants were generally low, with heavy metals detected above background levels, with low concentrations of PAHs below background, and no asbestos detected. The offal pit contained arsenic at levels above the residential land use values, heavy metals detected above background levels and finally low concentrations of PAHs below background, and no asbestos was detected.

75. A further DSI was provided for Lot 5001 (proposed Lot 5011) during processing, also undertaken by Tetra Tech Coffey and dated 18 August 2025, this noted that this area was subject to HAIL G3 and I. Soil sampling was undertaken and found contamination to generally be low, with no asbestos detected. A range of contaminants, including heavy metals, were found above background levels.

76. Both DSIs are supported by a Remediation Action Plan (RAP) also by Tetra Tech Coffey and dated 10 June 2025 and 18 August 2025. It is proposed that the dwelling area will be excavated and contaminated soils disposed off site, along with the known septic tank, with validation sampling following this to confirm contaminant removal. Both landfills (on the east and west of Springs Road) are proposed to be excavated and then screened, with waste material that is unsuitable from a geotechnical perspective removed and disposed of off-site. geotechnically suitable materials will be tested to confirm they are below the SCS for residential land use. This will then be compacted to ensure this remains geotechnically suitable and clean fill imported to create the required finished levels. The RAP here notes that those soils which exceed the SCS for residential land use may be reused in less sensitive areas, such as has within the road reserve.

77. Finally, the offal pit is proposed to be remediated through either excavation and off-site disposal (similar to the dwelling area), or excavation, screening and reuse (similar to the landfill area), or a combination of both subject to the extent of contamination and the fill material.

78. The application, including the DSI and RAP have been peer reviewed by Ms Maiya Sadler at ECan on behalf of the Council. Ms Sadler sought clarification in terms of the final methodology, the validation sampling, retention of material above the SCS levels, and the removal of ACM pipes and septic systems. Tetra Tech Coffey provided an email response date 28 July 2025, which was further reviewed by Ms Sadler, who considered that the approach, including the offered conditions of consent related to finalising the methodology and providing this for certification, would be appropriate.

79. Given the expert advice provided and noting the conditions of consent, which included the provision of a finalised remediation action plan, to clarify the methodology, site management plan, along with evidence of disposal of any soil off site to an appropriate facility, and a site validation report prior to s224(c) any adverse effects could be appropriately managed. These conditions have subsequently been offered by the applicant such that they form part of the application, any adverse effects on human health, both during works and subsequently, would be appropriately managed and mitigated and would be less than minor.

Adverse Transport Effects

80. In terms of the wider transport network, it is noted that the *S*prings Rd / Gerald St / Ellesmere Junction Rd Intersection is proposed to be upgraded to a signalised intersection from a roundabout by February 2027, subject to a developer's agreement being concluded between the Council and the Applicant. The assessment below, and from both Novo and Mr Carr is predicated on this basis.

81. The application is supported by an Integrated Transport Assessment (ITA), dated 17 June 2025, and a subsequent memo, responding to a further information request, dated 18 August 2025 from Novo Group. This builds on the ITA undertaken for Stage 1.

82. The proposal also includes the upgrading of the Springs Rd/Collins Rd intersection to a roundabout, and the upgrading of Collins Road, including kerb and channel and seal widening to increase the formed width on the northern side here. Within the wider environment, the ITA also notes the consented stage 1 subdivision, and the consented retirement village to the north of the subject site.

83. In terms of trip generation, the proposal, once fully built out, is estimated to generate 0.82 vehicle movements per peak hour, per lot, which results in 237 vehicle movements per peak hour, with these exiting through proposed Road 29, onto Collins Road, or Road 23, to Springs Road. Both of these intersections will be able to operate at a satisfactory level of service, including accommodating future stages further west, noting that Collins Road currently has very low traffic volumes.

84. In terms of legal and formed width for the proposed road network, Novo considers that where these are larger than required, they enable improved landscaping and a shared path, and, notably for Road 23, follows the design of what is now Pearson Bros Boulevard, within Stage 1. Novo considers that neither the reduced intersection spacing, nor the shortfall in sight distances would not result in any adverse effects on the functioning or safety of the network, as the design speeds are sufficient to allow shorter distances and there is still sufficient separation to allow queued vehicles.

85. Vehicle crossings for a number of lots are proposed in locations that would not meet the separation distance from an intersection and is also not the most compliant location. These are highlighted on drawing 16012-S2-AP-102. Several accessways, where they serve 2 lots are narrower than required, Novo conclude that given these will only serve 1 residential unit per site, there would be no resulting adverse effects.

86. In terms of the ODP requirements, Novo note that the park and ride, and full upgrade of Springs Road will not be provided, nor will a full upgrade of Collins Road. In terms of the latter, as noted above, this will be upgraded to a standard agreed with the Council, Springs Road will be upgraded on the western side, adjacent to the subject site, and the eastern side upgraded as development occurs there as part of future stages. The park and ride is proposed to be further east within the ODP area, such that it's delivery as part of this stage is not practical, nor does the traffic generation warrant its provision.

87. In terms of the upgrade to Springs Rd / Gerald St / Ellesmere Junction Rd, Novo do note that it is feasible that s224(c) certificates could be issued for this subdivision, prior to works being completed. However, this would only provide for construction to occur on sites, such that it is unlikely that any residential units would be habitable and generating movements prior to the upgrade being finalised and in this case, there would be limited units completed such that any adverse impact on the functioning of this intersection would be limited both in terms of generation, and time, until the upgrade is completed.

88. Overall, Novo Group considers that any adverse transport effects are less than minor.

89. The proposal has been peer reviewed by Mr Andy Carr of Carriageway Consulting, who provided a memo dated 15 August 205. Mr Carr notes that the receiving environment for Stage 2 includes Stage 1, and thus higher traffic volumes and has been mindful of this when undertaking the peer review. The trip generation used is consistent with the previous stage of development and with the previous plan change for the area.

90. The key roads in this regard are Roads 23 and 29, and Mr Carr considers that both of these have sufficient spare capacity to accommodate future stages, further west of the application site. Mr Carr comments on the internal road widths and arrangements and notes that these could be reduced in width in some cases, although he does not see any traffic safety concerns arising from this, given the short nature of the internal roads.

91. Once fully developed, the highest traffic generation is at the Road 23/Springs Road intersection, with the greatest delays being for right turns out of Road 23, with a level of service ‘C’. Mr Carr considers this is not unreasonable, also noting the agreed (as confirmed by Novo in their RFI response) reduction of the speed limit to 50km/h here.

92. The intersection of Road 29 and Collins Road has not been modelled in terms of traffic flows, but Mr Carr concurs with Novo that traffic flows will be light, and it is not considered that there are any capacity related constraints in the foreseeable future. Some landscaping may need to be removed within the vicinity of the

intersection to ensure appropriate sightlines, however, this is not uncommon for the creation of new intersections.

93. Mr Carr confirms that the roundabout at Collins Road and Springs Road can accommodate a semi-trailer, and even though this movement (east to south) is likely to be infrequent, its accommodation is important to ensure that no vehicles get stuck utilising the roundabout. Again, whilst no modelling has been undertaken for this roundabout, Mr Carr concurs with Novo that it will operate satisfactorily, notably as volumes will be lower than at the Road 23/Springs Road intersection further north.

94. Mr Carr further agrees with the effects assessment undertaken by Novo in their ITA and concludes that, in terms of the wider transportation network, 'the application is aligned with the plan change, when the transportation effects were addressed in detail'. The lack of a park and ride, at this stage and for this portion of the development, also does not result in any adverse effects on the transport network.

95. Finally, construction traffic would be controlled through a Construction Traffic Management Plan, which would manage any adverse effects on the transport network during construction works.

96. In terms of the recommendations from Mr Carr. The vehicle crossings which would not be compliant will be subject to a consent notice, which has been offered by the applicant. I do not consider that a 3m width, fixed at the subdivision stage is appropriate, noting the Partially Operative Plan enables crossings up to 4.5m to serve a single residential unit. Fixing the width at 3m at the subdivision stage would be unnecessarily restrictive for future landowners and is not required to mitigate an adverse effect. The key effect is the location, which is managed by consent notice, and the safety of that location was deemed acceptable

97. The existing driveway to Springs Road will be removed as part of the subdivision works, and secured through existing engineering acceptance conditions and would not be in place by the time Road 23 is in use, although noting the Lot 250 has a vehicle crossing to Springs Road, just north of this intersection, with the vehicle crossing as far away from this as is feasible.

98. I also note that the developer's agreement for *S*prings Rd / Gerald St / Ellesmere Junction Rd is almost complete, and advice from Mr Andrew Mazey, Council's Strategic Transport Lead being that this can be relied upon. I concur with the view of Novo above that, given the timing, any residential trip generation is likely to be limited given the timeframes involves and need to construct residential units.

99. I consider that any adverse effects on the safe and efficient functioning of the transport network would be no more than minor, based on a worst case of there being a delay in the Council completing the upgrade of the *S*prings Rd / Gerald St / Ellesmere Junction intersection. Any adverse effects on any persons would however be less than minor on any identifiable persons.

100. During processing, there was a prolonged discussion around the ODP connection to the site to the north (the 'Arvida' site), which was not proposed to be provided. Mr Mazey, was of the view that Arvida had proposed a pedestrian/cycling connection through their resource consent (granted under the fast track process) and as such, was of the view that a connection should be provided in line with the ODP, albeit accepting that this could be limited to a pedestrian/cycling connection rather than a full road. The applicant is of the view that the Arvida connection is not public, as there is no mechanism securing access, and that they can close this off, as and when, for their site security purposes, especially in the evening/hours of darkness. Given this debate, the applicant elected to remove several residential lots here and proposes a balance lot (Lot 5012).

101. The applicant has offered a consent notice, which provides for the provision of this link at the time of future development or subdivision of Lot 5012, subject to full, unfettered public access, being provided through the Arvida site. I am of the view that this is reasonable and ensures that the potential to implement the ODP remains. Notwithstanding this, I note that the site provides pedestrian and cycling access through Lot 3014, an access reserve from Springs Road, which is directly accessed from the shared path along this frontage. I also note connectivity is provided from the existing reserve along the west of the Arvida site, which is connected into this development through Lot 3016.

102. In this context, I consider that the proposal provides for the provision of this ODP linkage through the consent notice and provides a mechanism for the development of this site if no public access is provided through the

Arvida site. Given this, I am of the view that in a worst-case scenario, any adverse effects associated with the lack of provision would be no more than minor on the environment, and less than minor on any persons.

Adverse Ecological / Natural Character Effects

103. In terms of ecological effects, the development area (DEV-LI8) is somewhat odd in that it seeks information on groundwater, which sits with the regional council's ambit. However, as noted above, the geotechnical assessment includes information on groundwater levels, and notably no works are to occur that would divert groundwater or intercept this, including for service trenches.

104. The application is also supported by a memo from Pattle Delmore Partners dated 30 May 2025 in relation to potential lizard habitat, which covered the whole of the site to the west of Springs Road, including the area subject to this application. This notes that a site visit was undertaken on 4 April 2025, as well as a desktop assessment. No lizards were identified during the site visit, although a range of potential habitats were identified, notably along the southern fence line and along the south western site boundary. However, the memo considers that the lack of a contiguous canopy and the intensive livestock grazing across the site, it is unlikely that native gecko species are present within the site. The memo considers that the paddocks should continue to be grazed until development occurs, to prevent the grass from getting to a height that would encourage lizard habitation.

105. Given this expert advice, I consider that the site is unlikely to be inhabited by lizards at this stage. Furthermore, I note that these are protected under separate legislation (Wildlife Act), and should they be discovered during works, then the provisions of that legislation would apply.

106. The application is also supported by an Environmental Management Plan (EMP) by Instream Consulting Limited, dated 11 June 2025, as required by the ODP. This notes that there are no springs within the stage 2 site, nor any on this western side of Springs Road. In terms of wetlands, it identified a single natural wetland, measuring 200m^2, which is proposed to be filled, with the loss of this being offset by 100m^2 of planting along the Western Boundary Drain. I note that the NES-FM, and the relevant consenting matters for wetlands are specific to regional councils and as such, the infilling of any wetlands is subject to a regional council resource consent, and I provide no further comment.

107. The EMP does note the waterway along the western boundary of the site which whilst outside the stage 2 area, does require earthworks within the 10m setback to upgrade the Collins Road drain, with this drain defined as an artificial watercourse.

108. In relation to Western Boundary Drain, Instream note that this is an intermittent or ephemeral waterway, with flow only following rainfall events, although they note it can support hydrophytic vegetation (which can grow either partly or totally submerged in water). They further note that restoration and planting of the setback here will occur during future stages of development.

109. The earthworks proposed within the waterway setback are limited to increasing the capacity of the Collins Road Drain (an artificial waterway) and would be undertaken in accordance with a suite of conditions. Instream consider that works at the confluence of the Collins Road drain and the Western Boundary Drain should be undertaken when these are both dry, to avoid adverse effects, which also forms a condition of consent. The area of disturbance will be planted with indigenous vegetation following works and given the limited extent of earthworks, they would not detract from the natural character here.

110. Overall, given the expert advice provided and the limited extent of works within the waterway setback, which would not detract from the natural character here, I am of the view that any adverse ecological effects would be no more than minor on the environment and less than minor on any persons.

Adverse Cultural Effects

111. The application was circulated to Mahaanui Kurataiao, who consulted with the relevant Papatipu Rūnanga, in this case Te Taumutu Rūnanga. A Cultural Advice Report was provided to the Council, dated 17 July 2025. This sets out the considerations, including the Mahaanui Iwi Management Plan (2013), and concludes that subject to a range of conditions, the rūnanga would not consider themselves an affected party. These conditions relate to an accidental discovery protocol, erosion sediment control, timing of works within the Collins Road drain, the remediation, reuse, and disposal of contaminated soil, management of lizards, use of

indigenous planting, not filling wetlands and the creation of a riparian buffer along the Western Boundary Drain. These are discussed below, with (x) representing the relevant condition within the cultural advice report.

112. In this regard, the applicant has offered conditions with respect to an accidental discovery protocol (1), erosion and sediment management plan (2), a remediation action plan (related to contamination) (4), the removal of contaminated materials to an appropriate facility (6), indigenous landscaping will be provided within the reserve areas and road reserves (8), noting this will become the Councils responsibility to maintain following the maintenance period.

113. The works to the Collins Road drain would be managed through the EA process (3), although this work will be undertaken over the summer, when the drain is more likely than not going to be dry. Any lizard management would be a matter for the Wildlife Act and associated permits, and any lizards that are found would be covered by this separate legislation (7). Finally, some limited contaminated material would be retained on site, as discussed above, however, this would be undertaken in accordance with the RAP and expert advice (5).

114. Further I note that the filling or works to a wetland (9) are a matter which sits with the regional council, and given the proposed area of works, I consider the creation of a riparian buffer (10) along the western boundary drain to be out of scope (although noting the commentary of Instream, as discussed above), but I do consider that the applicant should take on board the feedback for the design the future stage which incorporates this boundary.

115. In this context, and noting the offered conditions of consent, where within scope and relevant, I am of the view that any adverse cultural effects, particularly on Te Taumutu Rūnanga, have been appropriately mitigated and as such are less than minor.

Conclusion

116. I conclude that the adverse effects of the proposal on any person will be less than minor and that any adverse effects on the wider environment will be no more than minor.

Public Notification (Section 95A)

117. 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

118. In terms of step 4, while the proposal is for a significant subdivision, it is not unusual in the context of developing greenfield land zoned for residential purposes under an Outline Development Plan. The nature of the activity and its effects have been fully captured and assessed through the standard s95A process. Therefore, I am of the view that no special circumstances are considered to exist that would warrant public notification

Conclusion

119. 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)

120. 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

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

Notification Recommendation

122. I recommend that the application(s) RC255497, RC255498 be processed on a **non-notified** basis in accordance with sections 95A-E of the Resource Management Act 1991.

Report by: Jonathan Gregg Consultant Planner	Date: 15 October 2025

Notification Decision

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

 **Tim Harris, Senior Project Manager**	**Date: 17 October 2025**

Section 104 Assessment

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

125. 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.*
>
> *…*

126. 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.

127. 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.

128. Section 104D applies an additional, particular restriction to non-complying activities. A consent authority may grant consent for a non-complying activity **only if** it is satisfied that either the adverse effects on the environment will be minor or the activity will not be contrary to the objectives and policies of the plan and proposed plan.

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

129. 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. Again, it is noted that the permitted baseline is relevant (section 104(2)), and regard must not be had to any person who has given written approval (section 104(3)(ii)).

130. It is also appropriate to consider the positive effects of the proposal at this section 104 stage.

- The proposal will incorporate stormwater management which will manage stormwater runoff, which will pass through a range of basins to improve water quality which then enters the wider stormwater network. This stage also reduces the area that is used for dairy farming in proximity to the creek, which by default will reduce in farming runoff, and reduce the extent of irrigation here.

- The proposal will increase housing supply across Lincoln, the Selwyn District and the Greater Christchurch area.

131. As concluded in my notification assessment, I consider that the adverse effects on the environment resulting from the proposal will be no more than minor and overall, I conclude that the adverse effects of the proposal will be acceptable.

Section 106 - Natural Hazards and Access

132. Section 106 of the Act states as follows:

> ***106 Consent authority may refuse subdivision consent in certain circumstances***
>
> *(1) A consent authority may refuse to grant a subdivision consent, or may grant a subdivision consent subject to conditions, if it considers that—*
>
> *(a) there is a significant risk from natural hazards; or*
>
> *(b) [Repealed]*
>
> *(c) sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision.*
>
> *(1A) For the purpose of subsection (1)(a), an assessment of the risk from natural hazards requires a combined assessment of—*
>
> *(a) the likelihood of natural hazards occurring (whether individually or in combination); and*
>
> *(b) the material damage to land in respect of which the consent is sought, other land, or structures that would result from natural hazards; and*
>
> *(c) any likely subsequent use of the land in respect of which the consent is sought that would accelerate, worsen, or result in material damage of the kind referred to in paragraph (b).*
>
> *(2) Conditions under subsection (1) must be—*
>
> *(a) for the purposes of avoiding, remedying, or mitigating the effects referred to in subsection (1); and*
>
> *(b) of a type that could be imposed under section 108.*

133. As noted above, the applicant has provided a natural hazards assessment which has been peer reviewed by Mr Hurley who concluded that '*there is minimal liquefaction potential and the site can be considered equivalent to a TC1 Technical Category, land classification' and that 'there is no geotechnical reason to refuse subdivision'.*

134. Similarly, the subdivision is within the Plains Flood Management Overlay, however the area of this subject site is outside of any high hazard area, and through the engineering stage appropriate levels can be set to ensure that any flood hazard is appropriately mitigated. Noting this expert advice and the consideration given above in the s95 report, I consider that there is no reason to refuse the subdivision based on natural hazards as there is no significant risk.

135. All lots, including balance lots, have either road frontage or legal access is provided via shared accesses.

Section 106A - Natural Hazards

136. Section 106A of the Act states as follows:

> ***106A Consent authority may refuse land use consent in certain circumstances***
>
> *(1) A consent authority may refuse to grant a land use consent, or may grant the consent subject to conditions, if it considers that there is a significant risk from natural hazards.*
>
> *(2) For the purpose of subsection (1), an assessment of the risk from natural hazards requires a combined assessment of all of the following taken together:*
>
> *(a) the likelihood of natural hazards occurring (whether individually or in combination); and*
>
> *(b) the material damage to land in respect of which the consent is sought, other land, or structures that would result from natural hazards; and*
>
> *(c) whether the proposed use of the land would accelerate, worsen, or result in material damage of the kind referred to in paragraph (b):*
>
> *(d) whether the proposed use of the land would result in adverse effects on the health or safety of people.*

(3) Conditions under subsection (1) must be—

(a) for the purposes of avoiding, remedying, or mitigating the effects referred to in subsection (1); and

(b) of a type that could be imposed under section 108.

(4) This section does not apply to land use consents if the use of the land for which the consent is sought is—

(a) construction, upgrade, maintenance, or operation of infrastructure; or

(b) primary production activities, as described in the national planning standards.

137. I consider the comments above for s106 are relevant here and the proposed conditions appropriately manage and mitigate natural hazard effects.

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

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

Operative Plan – Objectives and Policies

138. The proposal is now permitted by the Operative Plan. The relevant rules of the Operative Plan are now treated as inoperative. As such, the proposal is not inconsistent with the outcomes it sought.

Partially Operative Plan – Objectives and Policies

139. The Partially Operative Plan objectives and policies that I consider relevant relate to subdivision, transport (vehicle access and creation of transport infrastructure), earthworks, heritage, natural hazards and the residential environment.

140. SUB-O1-3 look to ensure that the subdivision design and layout is efficient and reflect the planned urban form of the underlying zone, including infrastructure provision. The site sizes should reflect the zone outcomes. SUB-P2 looks to ensure appropriate access is provided for all modes where the intended use requires this, SUB-P3 seeks to ensure that sites will provide appropriate amenities and infrastructure consistent with the intended use. SUB-P5 reinforces the need for outline development plan outcomes to be achieved and SUB-P7 seeks to enable appropriate land to be taken as reserves.

141. The proposal provides for a design and layout which efficiently utilises the site and the site sizes, orientation and layout reflect the anticipated outcomes of the zoning here, whilst some lots are below the minimum dimension, all are of an appropriate site to accommodate permitted residential units, noting these are limited to corner sites. Otherwise, any sites that do not meet the dimension are limited to a single residential unit via a consent notice. All lots have appropriate access and infrastructure provision, and the proposed layout ensures that a new roads and walking connections are provided in accordance with the outline development plan.

142. The proposal is generally consistent with the outcomes anticipated by the development plan, notably in terms of minimum densities, providing high density areas near reserves, however it does not provide the connection to the north as discussed in the s95 report, although the pedestrian/cycling connectivity is still maintained from Springs Road through the access reserve proposed there. In relation to the transport upgrades under the development plan, the proposal includes the upgrade to the Collins/Springs roundabout, and as discussed above, the upgrade to the main Gerald/Springs roundabout to a signalised intersection is proposed to be undertaken by the Council following the signing of a Developers Agreement between the applicant and the Council. Given this, the proposal is, in my view, consistent with SUB-P5.

143. Overall, I am of the view that the proposal is consistent with the objectives and policies of the subdivision chapter.

144. In terms of Transport, TRAN-O1 & 3 seek to ensure people and places are connected safely and efficiently, including provision for a range of modes and integrated into subdivision and land use activities. New land transport corridors need to ensure adverse effects on their surrounding environment and operation are managed. TRAN-P1 & P2 seek to maintain the safety and efficiency of the transport network, including through ensuring extensions are consistent with the form and function of the zone and through coordinating this with land use and subdivision activities. TRAN-P11 look to ensure that appropriate access is provided, including vehicle crossings and manoeuvring areas to ensure the safe and efficient operation of the network.

TRAN-P13 seeks to minimise adverse effects associated with new land transport infrastructure, including on amenity values.

145. The proposed new roads would be consistent with the outcomes sought by the plan, noting the outline development plan and it would not result in any adverse effects, including on the wider amenity of the surrounding environment. It would be integrated with the subdivision and appropriate and safe access is provided to all lots, noting that where required, vehicle accesses will be locked in place by consent notice to ensure they are not moved. As a whole, the proposal would maintain the safe and efficient operation of the transport network. Appropriate upgrades are proposed to both Spring and Collins Road. In this context, I consider the proposal is consistent with the outcomes sought by the Partially Operative Plan.

146. EW-O1 seeks to enable earthworks and ensure they are undertaken in a manner that limits adverse effects on the environment. This is reinforced by policies EW-P1-PA of note, these seek to manage any potential adverse visual amenity, sediment or nuisance effects beyond site boundaries, including on the functioning of natural biological and physical processes. Adverse effects should be minimised both during and on completion of earthworks, and for the preparation of land in relation to subdivision, manage these temporary adverse visual and nuisance effects.

147. In this regard, the proposal would be undertaken in accordance with a suite of conditions to manage and mitigate any adverse effects associated with the land preparation and given this, I consider the proposal is entirely consistent with these objectives and policies.

148. Objective NH-O1 seeks to ensure that new subdivisions, use and development is avoided in areas where the risks from natural hazards to people, property and infrastructure is unacceptable. In all other areas, it should be undertaken in a manner which ensures these risks are appropriately mitigated. Policy NH-P1 reinforces this, and looks to avoid subdivisions, use or development in high hazard areas unless it's unlikely to result in loss of life or serious injury, significant damage or loss and not likely to require natural hazard mitigation works to mitigate or avoid the hazard, nor should it exacerbate the effects of the hazard. Policy NH-P3 looks to restrict subdivision, use and development in areas outside of high hazard areas where there is a known vulnerability to natural hazards unless appropriately mitigated. In relation specifically to Flood Hazards, Policies NH-P10-P12 look to ensure that floor levels of buildings are set above the 200 year ARI flood level, with subdivisions being designed to enable this. Earthworks should also be managed to ensure they do not displace or divert floodwaters to surrounding land. NH-P13 looks to provide for subdivision where any geotechnical risk has been appropriately identified and assessed and can be appropriately remedied or mitigated.

149. The development area of the subdivision is outside of any high hazard areas. The proposal includes detailed stormwater design to ensure that stormwater is appropriately managed and does not exacerbate or displace any flood hazard, with the proposal being hydraulically neutral. The conditions of consent will ensure that the finished levels enable future development to meet the 200 year ARI floor level required. The supporting geotechnical assessment and peer review consider that foundation design at building consent will remedy and mitigate any geotechnical hazard.

150. In this context, I consider that the proposal is consistent with the outcomes sought in terms of natural hazards within the Partially Operative Plan.

151. The MRZ objectives and policies seek to provide a variety of housing types that respond to needs and demands and the planned urban built character, including up to 3 storey buildings (MRZ-O1). MRZ-P1 and P2 reinforce these and provide for attached, detached and low rise apartments, as well as seeking high quality outcomes where providing for development that is not permitted. REZ-O1 seeks safe, convenient and pleasant environments, whilst RESZ-O3 looks to provide for a range of typologies and densities to ensure choice. RESZ-P1, P3, P7 reinforce these objectives. A variety of Lot sizes and therefore densities are provided and will enable a range of development options on the vacant Lots consistent with these outcomes. In this context, I consider both the land use and subdivision to be consistent with the outcomes sought by the underlying zoning.

152. Overall, I consider the proposal to be consistent the Partially Operative Plan.

Plan Weighting

153. Section 104(1)(b)(vi) requires the consent authority to have regard to an [operative] plan or proposed plan. Where there is conflict between the provisions of an operative and proposed plan, a weighting assessment is required to determine which plan may be afforded more weight.

154. Case law indicates that the extent to which the provisions of the proposed plan are relevant should be considered on a case-by-case basis and might include:

- how far through the plan making process the proposed plan is, and the extent to which it has been tested and undergone independent decision making;
- any circumstances of injustice if the provisions are given more or less weight;
- the extent to which a new provision, or the absence of a provision, implements a coherent pattern of objectives and policies;
- whether the new provisions represent a significant shift in Council policy; and
- whether the new provisions are in accordance with Part 2 of the Act.

155. Given the Operative District Plan rules are no longer operative, I consider that significant weight should be given to the Partially Operative Plan.

Other Relevant Documents (section 104(1)(b)(i)-(v))

Canterbury Regional Policy Statement (CRPS)

156. The District Plans give effect to the relevant higher order documents, including the CRPS. Therefore, I consider there is no need to assess these provisions.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS)

157. The NES-CS was discussed earlier in this report, with my conclusion being that subject to works being undertaken in accordance with the conditions of consent, to which the applicant has raised no concerns, the proposal would be consistent with the NES-CS and appropriately manage and mitigate adverse effects on human health.

Section 104(1)(c) – Other Matters

158. The Mahaanui Iwi Management Plan (IMP) 2013 is also considered relevant, noting the above matters raised in the notification reporting. Mahaanui have provided an assessment against the objectives and policies of the IMP that they consider relevant in section 4.0 of their response dated 17 July 2025.

159. Overall, noting my commentary above in terms of the recommended, and offered conditions of consent, I am of the view that the proposal is generally consistent with the outcomes sought by the IMP.

Section 104D 'Threshold Test' – Non-complying activities

160. Section 104D states that a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that *either* the adverse effects on the environment will be minor *or* the application is for an activity that will not be contrary to the objectives and policies of *both* the operative and proposed district plans.

161. I have concluded that the adverse effects of the proposal on the environment will be no more than minor.

162. I have also concluded that the proposal will be consistent with the objectives and policies of the Operative Plan (rural Volume), and consistent with the objectives and policies of the Partially Operative Plan.

163. Therefore, the proposal passes both limbs of s104D and is able to be granted.

Part 2 – Purpose and principles

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

165. 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.

166. 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.

167. 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 not necessary.

Conclusions

168. The application is for the following consents:

- RC255497 - Subdivision (s11) - 287 lot residential subdivision with roads and reserves to vest
- RC255498 - Land Use (s9) - Bulk earthworks and enabling works

169. Overall, the application is a non-complying activity.

170. Any adverse effects on the wider environment would be no more than minor, and on any person, they would be less than minor.

171. The proposal does not result in any significant natural hazards, under s106 or s106A and all lots, including balance lots, have appropriate legal access.

172. The proposal is consistent with the outcomes sought by the Partially Operative Plan.

173. The proposal is consistent with the other statutory documents, including the iwi management plan.

174. The proposal passes both limbs of s104D and can therefore be granted.

175. Having considered all relevant matters, on balance and overall, I conclude that the application may be granted, subject to conditions of consent.

Recommendation

176. I recommend that subdivision consent RC255497 and land use consent RC255498 are **granted**, pursuant to sections 104, 104B, 104D, 106 and 106A 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: Jonathan Gregg Consultant Planner	Date: 15 October 2025

Decision

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

 **Tim Harris, Senior Project Manager**	**Date: 17 October 2025**

Condition(s) of Consent

RC255497 Subdivision Consent Conditions

1. The subdivision shall proceed in general accordance with the information formally received with the application on 23 June 2025, the further information provided on 19 August 2025 and 18 September 2025, and the attached stamped Approved Plans entitled EARLSBROOK RESIDENTIAL SUBDIVISION STAGE 2, except where another condition of this consent must be complied with.

Staging

2. The subdivision may be undertaken in stages in accordance with 16012-S2-AP-101 (Rev J)

    a. Stage 2A must occur first

    b. Stage 2B and 2C can occur in any order.

3. Balance Lots (5010, 5011 and 5012) may be subject to any of the consent notices required to be registered on the residential lots as deemed appropriate by Council. In addition, any unserviced balance lot shall be subject to a consent notice noting any restrictions on its use and/or lack of servicing and development contribution credits.

Easements

4. All necessary easements, easements in gross for utility services, access, drainage and overland flow paths, must be shown on the cadastral dataset in a Memorandum of Easements. The costs for the preparation and registration must be met by the consent holder.

Vesting

5. All the proposed roads shown on the approved subdivision scheme plan(s) must vest in the Council as public roads. The consent holder must meet all costs associated with the vesting of the roads.

6. Proposed Lot 3014, 3015, 3016 & 3017 must vest in the Council as Local Purpose Access Reserve. The consent holder must meet all costs associated with the vesting of the reserve(s).

7. Proposed Lot 3010 must vest in the Council as Local Purpose Landscape Reserve. The consent holder must meet all costs associated with the vesting of the reserve(s).

8. Proposed Lot 3018 must vest in the Council as Local Purpose (Stormwater) Reserve. The consent holder must meet all costs associated with the vesting of the reserve(s).

9. The consent holder shall supply to Council copies of all Certificates of Title for land, other than roads, that is vested in the Council.

Council vested assets in private land

10. The easement in gross for Council vested assets in private land must be duly granted (or reserved) in accordance with the stamped plans that form part of this consent.

11. As-built plans for the services covered by the easement(s) must be provided to the Council at Section 223 Certification Stage

Section 224

12. The following conditions of consent must be met prior to the issue of a section 224(c) Completion Certificate at the expense of the consent holder.

Flooding Assessment

13. A report and certificate from a Suitably Qualified Expert shall be included in the Engineering Approval application that demonstrates the finished ground level for each residential site created will achieve a finished floor level that has a minimum of 300mm freeboard above the 200 year Average Recurrence Interval (ARI) level for a foundation that is constructed in accordance with the Building Act Acceptable Solutions guidelines.

14. Prior to the issue of a certificate pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall apply for and be issued with a Global Flood Assessment Certificate from Selwyn District Council for the subdivision or subdivision stage, except where a Flood Assessment Certificate has already been obtained for any allotments that are subject to an approved building consent or land use consent.

General Engineering Requirements

15. All works on existing infrastructure and/or any Council vested assets must comply with the Engineering Code of Practice or comply with all conditions set out in the Engineering Acceptance letter and be completed in accordance with the detailed design plans accepted by Council.

Commencement of physical works

16. Works on Council infrastructure or vested assets must not commence until Engineering Acceptance has been confirmed in writing. Any subsequent amendments to the plans and specifications must be submitted to the Development Engineering Manager for acceptance.

    On-site construction must commence within 12 months of the issue of Engineering Acceptance. If construction on site does not commence within 12 months of the issue of Engineering Acceptance letters, the Consent Holder must re-submit plans for Engineering Acceptance prior to works commencing.

Review and acceptance process

17. Plans and specifications for all works required by this consent must be submitted to the Council via Development.Engineer@selwyn.govt.nz at least 20 working days prior to the commencement of related work and once accepted, will thereafter form part of the Approved Consent Document. This process applies to all documentation submitted (inclusive of landscaping) to the Council for engineering acceptance.

    The Development Engineering Manager (or their nominee) will either accept, or refuse to accept, the documentation within 20 working days of receipt. Should the Development Engineering Manager (or their nominee) refuse to accept the documentation, they will provide a letter outlining why acceptance is refused.

    Should the Development Engineering Manager (or their nominee) refuse to accept the documentation, the consent holder must submit a revised documents for acceptance. The acceptance process must follow the same procedure and requirements as outlined above.

    Advice Note: If Council requests additional information to support the engineering acceptance, the 20 working day review period will be paused until the requested information is provided. Once received by Council, the review period will resume.

Commencement of physical works

18. The consent holder or consent holder's agent must provide written notification to Council of intention to commence physical works at least 10 working days prior to commencement of works.

    Advice Note: Notification should be provided to the Development Engineering Team, attention Development Engineer via email (development.engineer@selwyn.govt.nz).

    The consent holder or consent holder's agent may need to discuss the following with Council's Development Engineer:

    1. *Suitable time for pre-start meeting to meet with contractor on site and discuss Council construction requirements.*
    2. *Any infrastructure requirements associated with the development.*
    3. *Council approvals necessary for future connections.*

Maintenance Bonds (In accordance with the Council's Bonding Policy of Subdivision Works and Large Projects as at the date of issue of this consent)

19. The Consent Holder must 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:

    24 months for the following assets:

    a. Landscaping

    b. Reserve Assets

    c. Stormwater Treatment and Discharge Systems

    d. Drain Alterations/Naturalisation

    Advice Note: Maintenance bonds will be valued at 5% of the total value of works (plus GST).

    The consent holder must provide costings and estimates for the total value of works , acceptable to Council, at the resource consent holder's expense. If dispute arises Council may require an independent quantity surveyor to provide costings.

    The Council may re-evaluate the value and duration of the maintenance bond for the following reasons:

    1. *Inflation;*
    2. *Delays in works being completed; or*
    3. *Repairs, rectification and or replacement is required*
    4. *Price escalations.*

Peer Review

20. A peer review will be required for:

    a. Stormwater Treatment and Discharge Systems

    b. Pavement Design

    c. Geotechnical Completion Report (at 224(c))

    and is to be undertaken at the consent holder's expense. The review must be undertaken by an independent chartered engineering professional with relevant experience who is to submit a Design Review Memo as part of the Engineering Acceptance. The Design Review will be accepted by the Development Engineering Manager, or their nominee as meeting the requirements of Selwyn District Council's Engineering Code of Practice and once accepted, will thereafter form part of the Approved Consent Document.

    The requirements and scope of the peer review are to be agreed between the applicant and the Selwyn District Council. The Council may waive the requirement for a peer review at any time.

    Advice Note: The Development Engineering Manager (or their nominee) will either accept, or refuse to accept, the documents within 10 working days of receipt. Should the Engineering Manager (or their nominee) refuse to accept the document then they will provide a letter outlining why acceptance is refused based on the parameters contained in this condition.

    Should the Development Engineering Manager (or their nominee) refuse to accept the Design Review, the consent holder must submit a revision to the Development Engineering Manager for acceptance. The acceptance process must follow the same procedure and requirements as outlined above.

S224 document requirement

21. Prior to the issuing of s224(c) certificate the consent holder must provide accurate 'as built' plans of all works on vested and Council owned assets and/or vesting assets undertaken as part of this consent, including the following:

    a. Roading Infrastructure

    b. Vehicle crossings

    c. Water Infrastructure

    d. Wastewater Infrastructure

    e. Stormwater Reticulation

    f. Stormwater Treatment and Discharge System

    g. Drain Alterations/Naturalisation

    h. Landscaping Assets

    i. Reserves Assets

    Any costs involved in provision and transfer of this data to Council's systems must be borne by the consent holder.

22. Prior to the issuing of s224(c) certificate the consent holder must provide a comprehensive electronic schedule of any assets to be vested in the Council, including the following:

    a. Roading Infrastructure

    b. Vehicle crossings

    c. Water Infrastructure

    d. Wastewater Infrastructure

    e. Stormwater Reticulation

    f. Stormwater Treatment and Discharge System

    g. Landscaping Assets

    h. Reserves Assets

    Advice Note: The vested assets schedule must cover all vested asset types and include but not be limited to installed material unit costs, type, diameter, class, quantity and include summary details.

23. Prior to the issuing of section 224(c) certificate the consent holder must provide Asset Management Information System (AMIS) schedules for all vested infrastructure installed as part of this consent, including the following:

    a. Roading Infrastructure

    b. Vehicle crossings

    c. Water Infrastructure

    d. Wastewater Infrastructure

e. Stormwater Reticulation

f. Stormwater Treatment and Discharge System

g. Landscaping Assets

h. Reserves Assets

Any costs involved in provision and transfer of this data to Council's systems will be borne by the consent holder.

Advice Note: The AMIS schedule submitted for works occurring within the road reserve will also include any specific planting constructed as part of works required for the completion of this consent.

24. Prior to the issuing of section 224(c) certificate the consent holder must provide Road Asset and Maintenance Management (RAMM) schedules for all vested infrastructure installed as part of this consent, including the following:

    a. Roading Infrastructure

    b. Vehicle crossings

    c. Stormwater Reticulation

    Any costs involved in provision and transfer of this data to Council's systems will be borne by the consent holder.

    Advice Note: The AMIS schedule submitted for works occurring within the road reserve will also include any specific planting constructed as part of works required for the completion of this consent.

Engineering Acceptance

Suitably qualified designer

25. An Engineer's Design Certificate for all civil designs from the principal civil designer who is a chartered engineering professional with suitable experience must be submitted to Council (development.engineer@selwyn.govt.nz) as part of the Engineering acceptance

Buoyancy Assessment

26. The consent holder shall submit a buoyancy assessment for all infrastructure assets, including stormwater, water supply, and wastewater systems, as part of the Engineering Acceptance application. The assessment shall be prepared by a Suitably Qualified and Experienced Engineer (SQEP) and shall account for the high groundwater conditions on site. The assessment must demonstrate that all structures and components, including the stormwater pond when empty, will remain stable and non-buoyant under maximum groundwater levels.

Contractor Produced Statements

27. A Contractor's Completion Certificate from the principal civil contractor must be supplied to Council (development.engineer@selwyn.govt.nz) certifying that all vested assets have been installed in accordance with the approved engineering plans and specifications prior to the issuing of S224(c) certificate.

    Advice Note: If multiple civil contractors are used, instead of a principal contractor, to install vested assets each contractor will be required to supply producer statements for their contribution to the physical works.

Designer Producer Statements

28. An Engineer's Completion Certificate from the principal civil designer who is a chartered engineering professional must be supplied to Council (development.engineer@selwyn.govt.nz) certifying that all vested assets have been installed in accordance with the approved engineering plans and specifications prior to the issuing of S224(c) certificate.

Landscape Acceptance

29. Landscaping plans and accompanying design report for, all vested Road Reserves, Lot 3010 (Local Purpose Landscape Reserve), Lot 3014 (Local Purpose Access Reserve), Lot 3015 (Local Purpose Access Reserve), Lot 3016 (Local Purpose Access Reserve), Lot 3017 (Local Purpose Access Reserve), Lot 3018 (Local Purpose Utility Stormwater Management Reserve) must be submitted to Council development.engineer@selwyn.govt.nz) for acceptance, and, once accepted, will thereafter form part of the Approved Consent Document.

    The plans and design report are to provide sufficient detail to confirm compliance with the Engineering Code of Practice.

    Plans and supporting information accompanying in the design report required for Landscaping Acceptance must include but not be limited to the following:

    a. Plant and Tree selection

    b. Tree Pit & Root barrier locations and specification

    c. Soft landscaping features

    d. Hard landscaping features

    e. Crime Prevention Through Environmental Design (CPTED) principals.

    f. Collins Road drain & swale naturalisation plans and specifications

    g. Landscape Maintenance specifications

    h. Provide design response to Ecological and Cultural reports

    Advice Note: Please note that pedestrian linkages are considered to be part of the roading infrastructure and will require engineering acceptance prior to construction. Landscaping plans must be supplied with the Engineering Acceptance application. If this requirement cannot be reasonably achieved, it is expected that the proposed landscaping plans will be supplied to Council overlaid on top of the accepted servicing plans.

Suitably qualified design certification

30. A design certificate must be supplied to Council (development.landscaping@selwyn.govt.nz) by the designer and included in the Landscaping plans and design report submitted for engineering acceptance.

Landscape and servicing plans

31. Landscaping must be located clear of all services and demonstrated on plan/s that that show proposed landscaping and all proposed services.

Roading

Roading Design Review and Acceptance

32. Engineering plans and details for all works associated with:

    a. Alterations to the existing roading network

    b. Extensions of the existing roading network

    c. Provision of pedestrian access reserves

    d. Provision of roundabout

    e. Provision of Streetlighting

must be submitted to Council via the development.engineer@selwyn.govt.nz for acceptance at least 20 working days prior to the commencement of related work and once accepted, will thereafter form part of the approved consent document.

Construction of new roads

33. All roads must be constructed in accordance with the accepted engineering plans.

Vesting of new roads

34. On deposit of the survey plan all roads must be vested in the Selwyn District Council as road

Corner Splays - Urban

35. The corner of Lots 263, 286, 287, 310, 341, 349, 351, 369, 371, 378, 381, 388, 392, 393, 397, 399, 418, 429, 434, 435, 440, 441, 446, 447, 452, 453, 458, 459, 464, 465, 470, 471, 476, 477, 482, 484, 491, 504, 3010, 3018 at the road intersection must be splayed with a diagonal line reducing each boundary by a minimum of 3 metres by 3 metres.

Road Frontage Upgrades

36. The road frontage of Springs Road must be upgraded to the agreed to standard as shown on the stamped plans that form part of this consent. This work is required to be accepted and undertaken through Engineering Acceptance.

Road Upgrades – Collins Road Widening

37. The carriageway width of Collins Road must be widened by the consent holder to achieve a minimum 7.5m formed width (*8m formed width is preferred).*

    A right turn bay is to be provided on Collins Road for vehicles turning into the intersection as indicated on Drawing 16012-S2-E-3052 (Rev A). provided as part of the Appendix B – Transport RFI response 17 September 2025.

    The final design requirements are to be confirmed in the Engineering Acceptance process.

    Advice Notes:

    1. *Kerbing on the northern side of Collins Road is proposed as identified in the Concept Design Safe Systems Audit.*
    2. *All costs associated with the road widening are the responsibility of the consent holder.*
    3. *The consent holder is not required to provide a footpath on Collins Road south of the stormwater reserve to the west of the roundabout. The berm width should be sufficient to allow for the later addition of footpaths.*

Street lighting

38. Street lighting must be provided on all new roads and existing roads in accordance the Engineering Code of Practice and Engineering Acceptance.

    Prior to the granting of Engineering Acceptance designs for all street lighting that will vest to Council will be submitted to the Development Engineering Manager (development.engineer@selwyn.govt.nz) for review and acceptance at least 20 working days prior to the commencement of related work.

Road Safety

39. All vested roading infrastructure must be constructed in accordance with a Safe System Audit that must be supplied at time of Engineering Acceptance. An audit must be undertaken by an independent assessor at the consent holder's expense, with the report provided to Council prior to Engineering Acceptance.

    Advice Note: This detailed design Safe System Audit is to consider the internal subdivision road and path network as well as the outcomes and recommendations of the concept design Safe System Audit which is linked to this consent.

Testing standards

40. All vested roading infrastructure must meet Council's testing standards as prescribed by the Engineering Code of Practice. Supporting documentation must be supplied to Council prior to the issuing of section 224(c) certificate.

Speed Limit – Road Safety

41. Council arranges the process for legalisation of speed limit changes on the existing roads. If the speed change process along the roads impacted by this subdivision is not completed within the timeframe that the subdivision works are completed the consent holder must arrange for temporary speed limits using an approved Temporary Traffic Management Plan and maintain this in place until a permanent speed change changes occurs. Any alternative arrangements are to be approved by the Engineering Development Manager. The consent holder is to address specific requirements prior to section 224(c) approval.

Rural Delivery Mail Boxes

42. The consent holder is to address the access to rural delivery mail boxes on Collins Road in the designs submitted for Engineering Acceptance. Confirmation of coordination with any parties affected by adjustments being required to the mailbox locations is to be provided with documents submitted for Engineering Acceptance.

Pedestrian Refuges

43. Pedestrian refuges are to be provided as indicated on Drawing 16012-S2-E-3760 (Rev A) and associated drawings provided as part of the Appendix B – Transport RFI response 17 September 2025. The final design requirements are to be confirmed in the Engineering Acceptance process.

Existing Pedestrian Cut-downs

44. The consent holder is to remove or relocate existing pedestrian cut-downs where the location is identified as a safety concern.

Advice Note: One specific location has been identified in the Concept Design Safe Systems Audit.

Vehicle Crossings/Accessways

Testing standards

45. All vehicle crossings and formed accessways must meet Council's testing standards as prescribed by the Engineering Code of Practice. Supporting documentation must be supplied to Council prior to the issuing of section 224(c) certificate.

Vehicle crossings

46. A vehicle crossing to service Lots 222 and 223, Lots 235 and 236, Lots 357 and 358, Lots 363 and 364, Lots 410 and 411, and Lots 487 and 488 must be formed and sealed for the full width and length of the vehicle crossing between the carriageway and the site boundary and the requirements of the Engineering Code of Practice. Construction must be completed prior to issuing of the section 224(c).

Shared accessways

47. The vehicle accessway serving Lots 222 and 223, Lots 235 and 236, Lots 410 and 411, and Lots 487 and 488 must be formed and sealed in accordance with TRAN-REQ7 (including TRAN-TABLE3 – Minimum Requirements for Accessways and TRAN-TABLE6A – Accessway Separation from Other Accessways) of the Partially Operative Selwyn District Plan and the requirements of the Engineering Code of Practice. Construction must be completed prior to the issuing of section 224(c).

Vehicle crossings – restrictions on locations

48. A vehicle crossing to service Lot(s) 237-240, 249-251, 263-264, 274, 275, 285-288, 298, 299, 309-310, 322, 323, 341, 349-351, 369-371, 378, 379, 381, 388, 392, 393, 397, 399, 400, 417, 418, 429, 430, 434, 435, 439-442, 446, 447, 451-454, 458, 459, 464, 465, 470, 471, 476, 477, 482, 484, 490, 491, 504 shall be located in accordance with drawing *16012-S2-AP-102 revision F.* Prior to Code of Compliance Certificate being issued for any buildings on the site, the accessway shall be formed and sealed for the full width and length of the vehicle

crossing between the carriageway and the site boundary and shall meet the requirements of the Engineering Code of Practice.

Pursuant to section 221 Resource Management Act 1991 a consent notice must be registered on the Record of Title for these Lot(s) to ensure ongoing compliance with this condition.

Advice Note: If additional restrictions on future vehicle crossings are identified as being required in the Engineering Acceptance process it is anticipated that these will also be addressed via a consent notice on title.

Water

Design Review and Acceptance – Water Reticulation

49. Engineering plans and details for all works associated with the following proposed works that will vest to Council:

    a. Alterations to the existing water supply

    b. Extensions of the existing water supply

    c. Provision of Council maintained points of supply

    To service each new lot, plans must be submitted to Council via the development.engineer@selwyn.govt.nz for acceptance at least 20 working days prior to the commencement of related works and once accepted, will thereafter form part of the Approved Consent Document.

Council maintained Water Supply Points

50. The net area of each lot must be provided with an individual potable connection to the Council's water reticulation network in accordance with Engineering Code of Practice and the Engineering Acceptance letter.

Council maintained Water Supply Points – metered

51. All Water connections must be metered. Meters must be installed in the road reserve in accordance with Engineering Code of Practice and the accepted engineering plans. (Note that multi meter boxes may be utilised).

Design requirement – Firefighting urban

52. All Council vested water infrastructure must be designed in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice (SNZ PAS 4509:2008 and subsequent variations).

    Urban hydrant coverage must be provided to ensure that all residential lots can be serviced by two hydrants, the first within 135m and then second within 270m. Hydrant water supply must be capable of providing 750 litres per minute of water flow.

    Firefighting water supply may only be provided by means other than the above if the New Zealand Fire Service has endorsed the alternative method, and written evidence provided in support of Engineering Approval application.

Connection to Councils infrastructure

53. Connection into Council's reticulated water supply must either be carried out by Council's Five Waters maintenance contractor, or a suitably qualified water installer under the supervision of Council's five waters contractor. Costs incurred through supervision by CORDE must be met directly by the consent holder.

    Advice Note:

    For supervision purposes a minimum of 5 working days' notice is required. Please note a connection fee being the actual cost quoted by Council's Five Waters maintenance contractor will apply.

    Applications for new water connections can be made online via SDC's website (Selwyn District Council - New Water Connection approval form). Applications should be made at least 8 working days prior to commencement of work (allow a minimum of 10 working days for watermain shutdowns).

Testing standards

54. All vested water reticulation must meet Council's testing and hygiene standards as prescribed by the Engineering Code of Practice. Supporting documentation confirming compliance must be supplied to Council prior to the issuing of s224(c) certificate.

    Advice Note: Refer to WSP 005 for Council's water chlorination, hygiene, and water installer qualification requirements for water reticulation connection requirements.

Alignment of servicing with council master plan

55. The consent holder must install pipe sizing and connection loops within their subdivision and in the road frontages that meets the intent of Council's Infrastructure Master Plans.

Wastewater

Design Review and Acceptance – Wastewater Reticulation

56. Engineering plans and details for all works associated with the following proposed works that will vest to Council:

    a. Alterations to the existing wastewater supply

    b. Extensions of the existing wastewater supply

    c. Provision of Council maintained points of supply

    To service each new lot, plans must be submitted to Council via development.engineer@selwyn.govt.nz for acceptance at least 20 working days prior to the commencement of related works and once accepted, will thereafter form part of the Approved Consent Document.

Council maintained Wastewater supply

57. Each lot must be provided with an individual wastewater connection to Council's wastewater reticulation infrastructure that is laid to the boundary and can service the net area of that lot in accordance with the Engineering Code of Practice and the accepted engineering plans.

Gravity Wastewater laterals

58. All gravity wastewater laterals must be installed ensuring grade and capacity are provided for and in accordance with Council's Engineering Code of Practice, giving regard to maximum upstream development density.

Standard testing

59. All vested wastewater reticulation must meet Council's pressure testing and CCTV inspection standards as prescribed by the Engineering Code of Practice. Supporting documentation must be supplied to Council prior to the issuing of s224(c) certificate.

Connecting to Council infrastructure

60. Connection to the Council sewer must be arranged by the consent holder at the consent holder's expense. The work must be done by a registered drainlayer.

Wastewater Stage 2C connection point

61. A new pumpstation (WWPS_LS2) will be required to collect wastewater from Stage 2C as part of a future development. This pumpstation will need to be commissioned and vested to council prior to the issuing of s224(c) certificates for Stage 2C. If it is determined that Stage 2C must be serviced by an alternative means of wastewater discharge, such as low pressure sewer, then construction of a new pumpstation will not be required.

    Advice Note: For clarity s224 can be issued for stage 2A and 2B without this connection being in place.

Stormwater

Design Review and Acceptance – Stormwater reticulation and management areas

62. Engineering plans and supporting design information for all works associated with the stormwater management area to be constructed to provide treatment for stormwater discharges must be submitted to Council via the development.engineer@selwyn.govt.nz for acceptance at least 20 working days prior to the commencement of related works and once accepted, will thereafter form part of the Approved Consent Document.

> *Advice Note: Where designs require the installation of stormwater management areas landscaping plans will also be required prior to Engineering Acceptance being granted for that asset to allow Council to review the function of the asset holistically.*

Vested infrastructure

63. The Consent Holder must install stormwater reticulation treatment and disposal systems to service the subdivision in accordance with the accepted engineering plans and the requirements of the associated discharge consent. This shall include all stormwater infrastructure associated with the roundabout design and any further works on the adjoining drain, to ensure integrated functionality and compliance with the approved stormwater management system.

> *Advice Note: The stormwater design for the roundabout and any related works on the existing drain shall be developed in consultation with and to the satisfaction of the asset owner, ensuring consistency with their design standards and operational requirements.*

Provision of individual points of supply

64. All lots must be provided with an individual stormwater lateral connection from Council reticulation to the designated point of supply.

Design Requirement – Discharge to ground

65. Where the collection and disposal of surface water is to ground, the suitability of the natural ground to receive and dispose of the water without causing damage or nuisance to neighbouring properties, must be determined by a suitably qualified engineer and evidence of results must be provided at engineering acceptance.

Design Requirement – Discharge to watercourse/drain

66. Where the collection and discharge of roof/surface water is to a watercourse or drain, the discharge must be managed in terms of both water quality and quantity. The system must be designed by a suitably qualified and experienced chartered engineer who confirms that the downstream system has capacity to accept the additional flow without causing nuisance. Evidence of results is to be provided at the time of engineering acceptance. The Consent Holder should consult with Environment Canterbury regarding the discharge.

Design Requirement – Hydraulic Neutrality

67. Post development stormwater discharges must not exceed pre-development stormwater discharges for all critical duration design storm events up to and including the 1% AEP storm. Designs and supporting information will be submitted to Council via development.engineer@selwyn.govt.nz for review and acceptance.

> *Advice Note: The resource consent has been granted on the basis that the consent holder's representative has updated the design model and calculations to provide for a design imperviousness of 70% across all allotments, inclusive of both building coverage and other impervious surfaces within each residential and/or commercial lot. This assumption has been used to assess the stormwater system performance holistically at a catchment scale and shall be maintained through the detailed engineering design stage to ensure consistency with the approved consent parameters. The consent holder is advised that increase impervious surfaces will increase both the peak flow and volume discharging. Attenuating to pre-development peak flows does not necessarily mitigate the additional discharge volume, and therefore the downstream stormwater system must be appropriately designed and sized to manage the increased flow and volume (for the critical duration specified based on current SDC modelling) to prevent adverse effects such as flooding or network surcharge.*

Design Requirement – Stormwater Treatment

68. All vested stormwater infrastructure is required to include low maintenance stormwater treatment installed to meet the stormwater treatment outcomes prescribed by the Land Water Regional Plan.

Geotechnical Review – Stormwater Pond

69. The consent holder must submit a geotechnical review assessment/memorandum for the proposed stormwater pond as part of the Engineering Acceptance application. The review shall be undertaken by a Suitably Qualified and Experienced Geotechnical Engineer (SQEP) and must confirm the suitability of the site soils, excavation stability, seepage control, (If applicable), and liner integrity (if applicable) under both normal and high groundwater conditions. The assessment shall include recommendations for design, construction, and long-term stability to ensure the pond's safe performance and compliance with the Council's Engineering Code of Practice. If the reviewer determines that the pond construction follows the engineering code and good engineering practice, the reviewer may provide a qualitative assessment of the stormwater basin banks and use professional judgment to provide a brief memo to that effect at the time of Engineering Acceptance.

Maintenance And Access Plan

70. The consent holder must design and construct the stormwater pond, including all inlet and outlet structures, accessways, and ancillary features, to the satisfaction of the Council's Surface Water Manager and in accordance with Council's Engineering Code of Practice and good engineering practice, to ensure safe and all-weather access for inspection, operation, and maintenance purposes.

Advice Note: The stormwater pond access must:

1. *Include a formed access track , constructed with an all-weather surface suitable for large heavy maintenance vehicles and machinery. The width of the track will be confirmed at the Engineering Approval stage to ensure appropriate access;*
2. *Be designed and located so that it does not compromise the function, structural integrity, or safety of any stormwater assets;*
3. *Allow for maintenance and sediment removal using long-arm excavators and loader trucks, with a forward-facing entry and exit path for vehicles; and*
4. *Incorporate lockable barriers, or bollards as necessary to prevent unauthorised entry while retaining maintenance access.*

The stormwater pond must be designed to provide for safe and efficient inspection and maintenance, including:

1. *A forebay area for periodic de-silting;*
2. *Stable batters not steeper than 1 (V): 5 (H)*
3. *Benched and graded access to inlet and outlet structures, forebays, and control valves for inspection and cleaning; and*
4. *Vegetation that allows future maintenance, does not impede stormwater conveyance, and maintains visibility of key structures.*

Discharge Consent Requirement

71. Where a specific discharge consent is issued by Canterbury Regional Council ('CRC'), any consent or associated conditions will be subject to Selwyn District Council acceptance, where these obligations will be transferred to Selwyn District Council. Draft CRC consent conditions must be submitted to Council for acceptance.

Advice Note: The Development Engineering Manager (or their nominee) will either accept, or refuse to accept, the documentation within 15 working days of receipt. Should the Development Engineering Manager (or their nominee) refuse to accept the documentation, they will provide a letter outlining why acceptance is refused.

Developer requirements

72. The Consent Holder will hold, operate, and maintain the Canterbury Regional Council operational discharge consent held in their name for a minimum of two years after the section 224(c) Completion Certificate for Stage 2A and 2B 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 prior to the transfer of the CRC consent to Council.

Advice Note: For clarity, Stage 2A must occur before Stage 2B in accordance with Condition 2.

Stage 2C is expected to be delivered at a later stage, and while the section 224(c) for that area may be deferred, its catchment may still be included within the scope of the operational discharge consent held for Stage 2A and 2B. Any development of Stage 2C will not impact or require additional changes to the SMA.

Vested infrastructure – s224 requirement

73. The Consent Holder must demonstrate that the operational discharge stormwater is compliant with the Canterbury Regional Council consent that is held in the consent holder's name. A fully compliant Compliance Monitoring Report issued by the Canterbury Regional Council must be submitted to Council certifying compliance with the relevant CRC consent via development.engineer@selwyn.govt.nz prior to the granting of section 224(c).

Construction works stormwater infrastructure

74. Any works undertaken on stormwater infrastructure located within the development site must be completed in accordance with the Engineering Code of Practice and accepted engineering plans.

Stormwater Management Plan

75. The Consent Holder shall prepare and submit a Stormwater Design Report and Management Plan in accordance with the requirements of Selwyn District Council and Environment Canterbury Regional Council. This plan shall be provided for Selwyn District Council's for approval and sign-off prior to granting section 224(c) at the consent holder's cost.

Advice Note: The Stormwater Management Plan shall include, but not be limited to:

1. *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.*
2. *Existing and proposed drainage plan with sub catchments and flow arrows to show how the drainage will be affected.*
3. *Calculations to demonstrate compliance with the Engineering Code of Practice and any relevant Environment Canterbury consent conditions.*
4. *Ongoing operation and maintenance requirements.*

Inspection standards

76. All vested stormwater reticulation must meet Council's pressure testing and CCTV inspection standards as prescribed by the Engineering Code of Practice. Supporting documentation must be supplied to Council prior to the issuing of s224(c) certificate.

Stormwater Operations and Maintenance Manual

77. The Consent Holder must provide a Stormwater Operations and Maintenance Manual prior to the approval of the section 224(c) certificate.

Advice Note: The Stormwater Operations and Maintenance Manual must include but not be limited to:

1. *As built documents/images of system for baseline records. This would include the extent of the stormwater catchments, surveyed long-sections and x-sections of pipelines and stormwater management devices e.g. basins wetlands and swales, and where available, any baseline data i.e. water quality, quantity or soil monitoring results.*
2. *Contact details for maintenance personnel engaged by the developer over the maintenance period*
3. *As built documents/images of system for baseline records. This would include the extent of the stormwater catchments and any baseline data i.e. heavy metal level in receiving environment.*
4. *Maintenance procedures and how compliance with the consent conditions must be achieved and recorded. This will also cover stormwater system maintenance during the maintenance period(s).*
5. *What actions will be undertaken when non-compliance is detected and recorded.*
6. *Where all cleanings from sumps are proposed to be disposed of – in accordance with Regional and local landfill requirements.*
7. *Summary of costs to maintain the system including details of the number of inspections and cleaning of sumps/disposal of sump material.*
8. *What actions will be undertaken before handover to Selwyn District Council is proposed i.e. notification procedure at least two months prior to requesting handover.*

Producer statement

78. Prior to the approval of a section 224(c) completion certificate the consent holder must provide a Producer Statement demonstrating that the stormwater system has been designed and constructed in accordance with this consent. The producer statement is to be submitted to development.engineer@selwyn.govt.nz.

Earthworks and Overland Flow

Design Review and Acceptance – overland flow paths

79. Engineering plans and supporting design information for all works associated with all necessary earthworks and the creation of overland flow paths by the works proposed as part of this consent must be submitted to Council via the development.engineer@selwyn.govt.nz for acceptance at least 20 working days prior to the commencement of related works and once accepted, will thereafter form part of the Approved Consent Document.

> *Advice Note: Where designs require the installation of overland flow paths landscaping plans will also be required prior to Engineering Acceptance being granted for that asset to allow Council to review the function of the asset holistically.*
>
> *Advice Note: All engineered fill designs must comply with New Zealand Standard (NZS) 4431:2022 Code of Practice for Earth Fill for Residential Development.*

Design Requirement – Plains Flood Management Overlay

80. The development site is located within the Plains Flood Management Overlay area as defined by the Partially Operative District Plan. All designs and supporting information submitted to Council for review and Engineering Acceptance must demonstrate that the secondary flow paths created by this consent are able to convey the 0.5% Annual Exceedance Probability (AEP) storm event.

> *Advice Note: To allow for climate change the design storm event used for the creation of any secondary flow paths located with the Plains Flood Management Overlay area will be the High Intensity Rainfall Design System (HIRDS), Representative Concentration Pathway (RCP) 8.5 (2081 – 2100) rainfall event for the critical storm duration. The designs will be expected to demonstrate that all flows generated by the design storm event will not exceed the capacity of the overland flow path. The applicant must provide flood modelling for the 0.5% Annual Exceedance Probability (AEP) storm events, including pre-development, post-development, and difference scenarios, using the critical duration specified at the resource consenting stage in accordance with the latest approved modelling requirements.*

Design Requirement – Existing land drainage patterns

81. Plans and support information must be submitted Council via the development.engineer@selwyn.govt.nz for acceptance at least 20 working prior to the granting of engineering acceptance to confirm:

    a. Any change in ground levels will not cause ponding or drainage nuisance to neighbouring properties.

    b. All filled land is shaped to fall to the road boundary.

    c. Existing drainage paths from neighbouring properties are maintained.

Construction requirement

82. All earthworks completed on site are to be carried out in accordance with the Engineering Code of Practice and the accepted engineering plans.

Consent Condition – Fill certificate

83. Certificates satisfying the conditions of NZS4431: 2022 Code of Practice for Earth Fill for Residential Development are to be provided to the Council prior to section 224(c) approval. These certificates will be provided by a chartered engineering professional with suitable experience and accompanied by a report detailing the extent and nature of all earthworks undertaken.

S224 Requirement – Digital Elevation Model

84. Prior to the issuing of s224(c) certificate the consent holder must provide an accurate digital elevation model (DEM) for all earthworks undertaken as part of this consent that meet the requirements set out in the Engineering

Code of Practice and Engineering Acceptance letter. Any costs involved in provision and transfer of this data to Council's systems must be borne by the consent holder.

S224 Requirement – asbuilts

85. Prior to the issuing of s224(c) certificate the consent holder must provide accurate 'as built' plans for all earthworks undertaken as part of this consent that meet the requirements set out in the Engineering Code of Practice and Engineering Acceptance letter. Any costs involved in provision and transfer of this data to Council's systems must be borne by the consent holder.

Land Drainage and Other Waterways

Design Review and Acceptance – Works on the land drainage

86. Engineering plans and supporting design information for all works associated with:

    a. the piping of the drain located within or adjacent to the development site (or within proximity)

    b. the naturalisation of the drain located within or adjacent to the development site

    must be submitted to Council via the development.engineer@selwyn.govt.nz for acceptance at least 20 working days prior to the commencement of related works and once accepted, will thereafter form part of the Approved Consent Document.

    Advice Note: Where designs require the naturalisation of the land drainage network landscaping plans will also be required prior to Engineering Acceptance being granted for that asset to allow Council to review the function of the asset holistically.

Piping of a drain

87. The drain located within or adjacent to the property must be piped in accordance with the Engineering Code of Practice and the accepted engineering plans.

Inspection standards – piped drain

88. All vested drain reticulation must meet Council's pressure testing and CCTV inspection standards as prescribed by the Engineering Code of Practice. Supporting documentation must be supplied to Council prior to the issuing of s224(c) certificate.

Power and Telecommunications

89. The consent holder must 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.

90. The consent holder must 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.

    Advice Note: In the case of rear allotments accessed and serviced via private accessways, the condition requires that the infrastructure is in place to make a connection to services i.e. that a conduit is in place to enable cables to be installed in the accessway without disturbing it. The cables themselves are not required to be installed.

91. The consent holder must provide evidence in writing from the relevant authorities that electrical and telecommunications service connections have been installed to each residential lot.

Fencing Covenant

92. The consent holder must 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 must be ensured by way of a fencing covenant registered against the computer freehold register to issue for each adjoining lot. The covenant is to be prepared by Council's solicitor at the expense of the consent holder.

b. The consent holder must procure a written undertaking from the consent holder's solicitor that the executed fencing covenant will be registered on deposit of the subdivision plan.

93. All reserves will be fenced prior to 224c. Fencing plans will be included in the landscaping acceptance documentation and will show fence locations and detailed fence typologies.

Landscaping Works

Provision of landscaping

94. The proposed landscaping must be established in accordance with the accepted landscaping plans and design report, provided under condition 29. The consent holder must maintain all landscaping assets on all vested Road Reserves, Lot 3014 (Local Purpose Access Reserve), Lot 3015 (Local Purpose Access Reserve), Lot 3016 (Local Purpose Access Reserve), Lot 3017 (Local Purpose Access Reserve), Lot 3018 (Local Purpose Utility Stormwater Management Reserve) to the standards specified in the Engineering Code of Practice for the **24 month** establishment period (defects liability) from the date of Council's practical completion acceptance until final inspection and acceptance of the landscaping by Council.

Producer statement – landscaping works

95. Producer Statements from the principal landscaping designer who provided the design certificate required by condition 30 must be supplied to Council confirming that all vested assets have been installed in accordance with the accepted landscaping plans and specifications prior to the issuing of S224(c) certificate.

96. Producer statements from the principal landscaping contractor must be supplied to Council confirming that all vested assets have been installed in accordance with the accepted landscaping plans and specifications prior to the issuing of S224(c) certificate.

Advice Note: If multiple landscaping contractors are used, instead of a principal contractor, to install vested assets each contractor will be required to supply producer statements for their contribution to the physical works.

S224 document requirement

97. Prior to the issuing of s224(c) certificate the consent holder must provide accurate 'as built' plans and AMIS schedules that meet the requirements set out in the Engineering Code of Practice. Any costs involved in provision and transfer of this data to Council's systems must be borne by the consent holder.

98. Prior to the issuing of s224(c) certificate the consent holder must provide a comprehensive electronic schedule of any assets to be vested in the Council that meets the requirements set out in the Engineering Code of Practice.

Advice Note: The vested assets schedule must cover all vested asset types and include but not be limited to installed material unit costs, type, diameter, class, quantity and include summary details.

Contamination

99. Prior to the issuance of s224/title certificates, the site validation report shall be provided to Selwyn District Council for the Council's approval. The site validation report shall be prepared by the project's contaminated land specialist (SQEP) and outlining the works undertaken. The site validation report shall include at least the following:

a. Full chronological, illustrated description (i.e. inclusion of photographs) of the remedial works including the collection of validation samples after removal of all the materials and prior to backfilling/reinstatement;

b. Records of any contaminated land related incidents related to the release of soil contaminants, if any;

c. Records and details of any discovered contamination;

d. Statement of the volumes of soil:

i. Disturbed by the works;

ii. Disposed offsite and confirmation of disposal facility location; and

100. Any imported soil across the application site must meet the definition of cleanfill under the Technical Guidelines for Disposal to Land, Revision 3.1 (WMINZ, September 2023) including source of this material including any supporting analytical data where appropriate; and

101. Validation test results confirming all remaining soil meets the NES-CS for residential 10% land use, including sampling locations and depth.

Advice Note: The site validation report may be provided in stages as each remediation area (e.g. Areas A, B, and Lot 5011) is completed, rather than for the entire site at once.

Augier Conditions

102. A connection between the 200mm watermain located within Waikirikiri Avenue and the existing Stage 1 water main within Earlsbrook Boulevard is required to be provided by the consent holder at the consent holder's expense. The size of this connection can be determined at Engineering Approval.

103. The consent holder must connect the existing residential unit on Lot 1 DP 576868 to the wastewater network within Stage 1. The existing effluent treatment and disposal system that services that residential unit (and any other effluent treatment and disposal systems identified) must be decommissioned and the site be completely reinstated with the appropriate quality assurance documents including as built details and a fill certificate confirming compliance with NZS4431:2022 and submitted Council via development.engineer@selwyn.govt.nz.

Consent Notices

104. Pursuant to section 221 Resource Management Act 1991 a consent notice must be registered on the Record of Title for Lot 5010 to ensure ongoing compliance with the following condition.

    a. Prior to the occupation of any development on this lot, or at the time of a subdivision consent, a 150 diameter watermain, to provide a cross connection to the north must be installed and operational. Other approvals are likely to be required for this work.

    b. The consent notice shall be prepared and registered by Council's solicitor at the request and expense of the consent holder.

105. Pursuant to section 221 Resource Management Act 1991 a consent notice must be registered on the Record of Title for Lot(s) 211-216, 219-223, 230-232, 234-236, 239-249, 252-253, 255-257, 259, 260, 263-273, 276-297, 300-310, 312-313, 315-321, 324-333, 336-340, 342, 352, 356-364, 382-385, 388-399, 401-402, 405-416, 422-428, 430-433, 436-439, 442-443, 445, 450-451, 453-456, 460-464, 468, 470-471, 473-475, 478-481, 484-490, 493-495, 497-503 to ensure ongoing compliance with the following condition.

    a. Development of this Lot is restricted to the establishment of a single residential unit and any accessory buildings or associated use. No further subdivision of these lots may occur.

    b. The consent notice shall be prepared and registered by Council's solicitor at the request and expense of the consent holder.

106. Pursuant to section 221 Resource Management Act 1991 a consent notice must be registered on the Record of Title for any infrastructure site(s) to ensure ongoing compliance with the following condition.

    a. Any infrastructure site must be used as an infrastructure site only and shall not be used for calculating future boundary adjustments or subdivision.

    b. The consent notice shall be prepared and registered by Council's solicitor at the request and expense of the consent holder.

107. Pursuant to section 221 Resource Management Act 1991 a consent notice must be registered on the Record of Title for Lot 5012 to ensure ongoing compliance with the following condition.

    a. For the purpose of this condition, the following definitions apply:

i. *Subject Site* being Lot 5012

ii. *Adjoining Site* being LOT 6004 DP 558331

iii. *Future Pedestrian Link Area* being an area generally in accordance with the access shown on the relevant Outline Development Plans, connecting the Subject Site and the Adjoining Site.

iv. *Corresponding Public Access* being an accessway provided which is available for use by the general public, without restriction; and secured in perpetuity by a legal mechanism registered against the title of the Adjoining Site to the satisfaction of the Council, or the vesting of this to the Council.

b. The Future Pedestrian Link Area shall be formed and legally established as a permanent public accessway if, and only if, Corresponding Public Access is provided across the Adjoining Site to the common boundary with the Subject Site.

c. Within 20 working days of the date of commencement of this consent (RC255497), the consent holder shall provide a copy of this condition (Pedestrian Connectivity) to the registered owner(s) of the Adjoining Site and provide the Council with written confirmation that this has been completed.

d. No physical works shall commence on the Subject Site for any further subdivision or development for a period of 3 months from the date that notification is confirmed with Council under condition 'c' above. This restriction is to provide the owner of the Adjoining Site with time to progress a corresponding public accessway. However, this restriction shall cease to apply upon whichever of the following occurs first:

i. The expiry of the 3 month period; or

ii. The consent holder provides Council with written confirmation from the owner of the Adjoining Site that they do not intend to provide a public accessway

e. If the owner of the Adjoining Site confirms that a Corresponding Public Accessway will be provided, at the time of any further subdivision or development of Lot 5012 hereon (the 'Subject Site'), the consent holder shall show a 'Future Pedestrian Link Area' on all submitted plans. This area shall be:

i. A minimum of 6 metres in width; and

ii. Located in a manner that is consistent with the ODP and will align with the Corresponding Public Access to be provided on the Adjoining Site.

f. The formation and legal establishment of the link must be completed prior to:

i. The issue of a certificate under s224(c) of the Resource Management Act 1991 for any subdivision; or

ii. The commencement of the use for any development that occurs on the 'Subject Site'.

Advice Note: The purpose of these conditions is to enable a future pedestrian connection. Condition (c) ensures the adjoining owner is made aware of the opportunity. Condition (d) provides a defined period for the adjoining owner to act on this opportunity before development on the Subject Site proceeds.

Development Pre s224(c)

108. Construction of a building any allotment must not commence until the required services are installed and backfilled for that allotment, unless otherwise accepted by the Council's Development Engineering Team.

109. If any residential unit is erected on the allotments prior to the issue of the Section 224(c) Completion Certificate for the subdivision, the consent holder must be responsible for constructing the affected residential unit on the allotments.

110. Any residential lots for which building consent is sought prior to the issue of titles, shall remain in the ownership of the consent holder until the s224(c) Completion Certificate is issued for the subject allotment(s).

111. Where any building is erected prior to the issue of the issue of the 224(c) Certificate, the Council's Resource Monitoring Officer shall be supplied with a Building Location Certificate from a Licensed Cadastral 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 applicable District Plan requirements for bulk and location.

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

RC255498 Land Use Consent Conditions

1. The proposal shall proceed in general accordance with the information submitted with the application on 23 June 2025, the further information provided on 19 August 2025 and 18 September 2025, and the attached stamped Approved Plans entitled EARLSBROOK RESIDENTIAL SUBDIVISION STAGE 2, except where another condition of this consent must be complied with.

Earthworks

2. All earthworks must be carried out in accordance with a site specific Erosion and Sediment Control Plan (ESCP), prepared by a suitably qualified and experienced professional, which follows the best practice principles, techniques, inspections and monitoring for erosion and sediment control contained in Environment Canterbury's Erosion and Sediment Control Toolbox for Canterbury http://esccanterbury.co.nz/. The ESCP must be held on site at all times and made available to the Council on request.

3. The draft ESCP provided with the application is accepted in principle. All filling and excavation work must be carried out in accordance with a final (or a draft if approved in principle) Erosion and Sediment Control Plan (ESCP). Unless approved as part of a separate Environment Canterbury (ECan) resource consent for stormwater discharge or ECan resource consent for excavation/filling, the ESCP will require formal acceptance by Selwyn District Council's Development Engineer (via email to development.engineer@selwyn.govt.nz) prior to any work starting on site.

4. The ESCP is to be designed by a suitably qualified person and a design certificate supplied with the ESCP for acceptance at least 5 working days prior to any earthworks commencing. The best practice principles, techniques, inspections and monitoring for erosion and sediment control must be based on ECan's Erosion and Sediment Control Toolbox for Canterbury http://esccanterbury.co.nz/.

5. The ESCP must include (but is not limited to):

    a. Site description, i.e. topography, vegetation, soils, sensitive receptors such as waterways, etc;

    b. Details of proposed activities;

    c. A report including the method and time of monitoring to be undertaken;

    d. A locality map;

    e. Drawings showing the site, type and location of sediment control measures, on-site catchment boundaries and off-site sources of run on/runoff;

    f. Drawings and specifications showing the positions of all proposed mitigation areas with supporting calculations if appropriate;

    g. Environmental monitoring and auditing, including frequency;

    h. Corrective action, reporting on solutions and update of the ESCP;

    i. Stabilised entrance/exit and any haul roads;

j. Site laydown and stockpile location(s) and controls.

Advice Note: Any changes to the accepted ESCP must be submitted to the Council in writing following consultation with the Council's Development Engineer. The changes must be accepted by the Development Engineer prior to implementation.

6. The accepted ESCP referred to in condition 23 must be implemented on site over the entire construction phase. No earthworks may commence on site until:

   a. All measures required by the ESCP have been installed;

   b. An Engineering Completion Certificate, signed by an appropriately qualified and experienced engineer, has been submitted to the Council. This is to certify that the erosion and sediment control measures have been properly installed in accordance with the accepted ESCP;

   c. The Council has been notified (via email to compliance@selwyn.govt.nz) no less than 3 working days prior to work commencing, of the earthworks start date and the name and details of the site supervisor;

   d. The contractor has received a copy of all resource consents and relevant permitted activity rules controlling this work.

7. Run-off must be controlled to prevent muddy water flowing, or earth slipping, onto neighbouring properties, legal road (including kerb and channel), or into a river, stream, drain or wetland. Sediment, earth or debris must not fall or collect on land beyond the site or enter the Council's stormwater system. All muddy water must be treated, using at a minimum the erosion and sediment control measures detailed in the site specific Erosion and Sediment Control Plan, prior to discharge to the Council's stormwater system.

   Advice Note: For the purpose of this condition muddy water is defined as water with a total suspended solid (TSS) content greater than 50mg/L.

8. The ESCP measures must be maintained over the period of the construction phase, until the site is stabilised (i.e. no longer producing dust or water-borne sediment). The ESCP must be improved if initial and/or standard measures are found to be inadequate. All disturbed surfaces must be adequately topsoiled and vegetated or otherwise stabilised as soon as possible to limit sediment mobilisation.

9. Dust emissions must be appropriately managed within the boundary of the property. Dust mitigation measures such as water carts, sprinklers or polymers must be used on any exposed areas. The roads to and from the site, and the site entrance and exit, must remain tidy and free of dust and dirt at all times.

10. All loading and unloading of trucks with excavation or fill material must be carried out within the subject site.

11. Any surplus or unsuitable material from the project works must be removed from site and disposed at a facility authorised to receive such material.

12. Any public road, shared access, footpath, landscaped area or service structure that has been damaged, by the persons involved with the development or vehicles and machinery used in relation to the works under this consent, must be reinstated as specified in the Engineering Code or Practice at the expense of the consent holder and to the satisfaction of the Council.

13. Any change in ground levels must not cause a ponding or drainage nuisance to neighbouring properties. All filled land must be shaped to fall to the road boundary. Existing drainage paths from neighbouring properties must be maintained.

14. The earthworks and construction work must be under the control of a nominated and suitably qualified engineer.

15. The fill sites must be stripped of vegetation and any topsoil prior to filling. The content of fill must be clean fill (as defined in the Partially Operative District Plan).

16. Any change in ground levels must not affect the stability of the ground or fences on neighbouring properties. All filled land must be shaped to fall to the road boundary. Existing drainage paths from neighbouring properties must be maintained.

17. Following the completion of the filling and associated work an engineering report including a finished section level as built, with retained wall height and slope batter details, must be submitted to the Development Engineer. This report must be undertaken by a suitably qualified engineer. The information contained in this report will be placed on the property record

    Advice Note: Any retaining wall that exceeds 6m² is regarded as a building and requires a separate resource consent if not specifically addressed within the application supporting this consent.

18. All filling exceeding 300mm above excavation level must be in accordance with NZS 4431:2022 Engineered fill construction for lightweight structures. At the completion of the work an Earth Fill report including a duly completed certificate in the form of Appendix D of NZS 4431 must be submitted to the Council at development.engineer@selwyn.govt.nz so that the information can be placed on the property record. This report must detail depths, materials, compaction test results and include as-built plans showing the location and finished surface level of the fill.

19. The area of exposed ground must not exceed five hectares at any one time.

Traffic Management

20. All works on site must be subject to a Traffic Management Plan (TMP) which must be prepared by a suitably qualified person and submitted for acceptance prior to the commencement of earthworks. No works are to commence until the TMP has been accepted and installed.

    The TMP must identify the nature and extent of temporary traffic management and how all road users will be managed by the use of temporary traffic management measures. It must also identify the provision of on-site parking for construction staff. Activities on any public road should be planned so as to cause as little disruption, peak traffic safety delay or inconvenience to road users as possible without compromising safety. The TMP must comply with the Waka Kotahi NZTA Code of Practice for Temporary Traffic Management (CoPTTM) and the relevant Road Controlling Authority's Local Operating Procedures.

    The TMP must be submitted to the relevant Road Controlling Authority through the web portal www.myworksites.co.nz). To submit a TMP a Corridor Access Request (CAR) must also be submitted. A copy of the accepted TMP and CAR must be supplied to the Council's resource consent monitoring team (via email tocompliance@selwyn.govt.nz) at least 3 working days prior to the commencement of works under this consent.

Contamination

21. The Council shall be notified of the start of any remediation earthworks at least five (5) working days prior to the works commencing on the site. The notification shall be emailed to Compliance@selwyn.govt.nz and Contaminated.Land@ecan.govt.nz and shall include the following:

    a. Contact details of the project manager overseeing the works; and

    b. Contact details of the contaminated land specialist (i.e. SQEP) overseeing the works

    Advice Note: remediation work includes the removal of any building on the site, or any works following accidental contamination discovery per condition 29.

22. A final remedial action plan with site management procedures should be provided to SDC for certification at least 10 working days prior to any site remediation. The final RAP should be in accordance with that submitted with the application and should confirm the methodology for the screening of waste in areas A and B and Lot 5011, including sampling density. Soil disturbance shall not commence until certification of the RAP is confirmed.

23. All earthworks within the identified remediation areas (Areas A and B and Lot 5011) shall be undertaken in accordance with the certified remedial action plan provided under condition 22.

24. Any amendments to the RAP shall be prepared by the contaminated land specialist and the revised document provided to Selwyn District Council, emailed to email address for approval not later than ten (10) working days prior to works commencing under the revised RAP. Selwyn District Council shall certify the new SMP/ RAP or require a review within ten (10) working days following receipt of the revised document.

25. Any amendments to the remedial action plan shall not result in the level of human health and/or environmental protection being decreased.

26. All contaminated soils removed from the identified remediation areas (Areas A and B and Lot 5011) or from any other area identified under an accidental discovery protocol as per condition 29 will not be suitable to be disposed of at a cleanfill facility and must be disposed of at a licensed disposal facility whose waste acceptance criteria would be met.

27. Any soils removed from the site during the course of the activity must be disposed of to a facility authorised to accept the material.

28. Evidence of waste disposal such as weighbridge receipts should be submitted to the Selwyn District Council within three months of completion of works. The documentation shall be included in the site validation report.

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

30. No construction, development or site preparation work must occur within 10m of the areas identified as contaminated, until these areas has been remediated and validated in accordance with the relevant conditions of consent.

Accidental discovery

31. In the event of the discovery/disturbance of any archaeological material or sites, including taonga (treasured artefacts) and koiwi tangata (human remains), the consent holder must immediately:

    a. Cease earthmoving operations in the affected area of the site; and

    b. Advise the Council of the disturbance via email to compliance@selwyn.govt.nz

    c. Advise appropriate agencies, including Heritage New Zealand Pouhere Taonga and the local Mana Whenua (TeTaumutu Rūnanga) of the disturbance.

Attachments

1. RC255497 Subdivision Approved Plans - EARLSBROOK RESIDENTIAL SUBDIVISION STAGE 2

2. RC255498 Land Use Approved Plans **-** EARLSBROOK RESIDENTIAL SUBDIVISION STAGE 2

Development Contributions

Subdivision Consent

178. Development contributions are not conditions of this resource consent and there is no right of objection or appeal under the Resource Management Act 1991. Objections and applications for reconsideration can be made under the Local Government Act 2002. Any objection or request for reconsideration must be made in writing in accordance with the Development Contribution Policy in place at the time of application.

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

180. Please contact our Development Contributions Assessor on 03 347 2800 or at development.contributions@selwyn.govt.nz .

Selwyn District Council Advice Notes for the Consent Holder

Lapse Period (Subdivision Consent)

(a) Pursuant to section 125 of the Resource Management Act 1991, this subdivision consent lapses five years after the date of issue of the decision, i.e. the date of receipt of the Notice of Decision email, unless:

(i) A survey plan is submitted to Council for approval under section 223 of the Act before the consent lapses, and that plan is deposited within three years of the approval date in accordance with section 224 of the Act; or

(ii) Before the consent lapses an application is made to the Council to extend the period after which the consent lapses and the Council decides to grant an extension.

Lapse Period (Land Use Consent)

(b) Pursuant to section 125 of the Resource Management Act 1991, if not given effect to, this land use consent shall lapse five years after the date of issue of the decision, i.e. the date of receipt of the Notice of Decision email, unless before the consent lapses an application is made to the Council to extend the period after which the consent lapses and the Council decides to grant an extension.

Section 224 Certificate Issuing Requirements (Subdivision)

(c) A Section 224 Certificate will not be issued until all Council invoices, including engineering fees and any other related costs associated with the Resource Consent have been paid in full.

Resource Consent Only

(d) This consent is a Selwyn District Council resource consent under the Resource Management Act. It is not an approval under any other Act, Regulation or Bylaw. Separate applications will need to be made for any other approval, such as a water race bylaw approval or vehicle crossing approval.

Building Act

(e) This consent is not an authority to build or to change the use of a building under the Building Act. Building consent will be required before construction begins or the use of the building changes.

Regional Consents

(f) This activity may require resource consent(s) from Environment Canterbury (ECan). It is the consent holder's responsibility to ensure that all necessary resource consents are obtained prior to the commencement of the activity.

Monitoring

(g) In accordance with section 36 of the Resource Management Act 1991, the following monitoring programme and associated fee has been charged: Specialised - Two site inspections.

(h) If the conditions of this consent require any reports or information to be submitted to the Council, additional monitoring fees for the review and certification of reports or information will be charged on a time and cost basis. This may include consultant fees if the Council does not employ staff with the expertise to review the reports or information.

(i) Where the conditions of this consent require any reports or information to be submitted to the Council, please forward to the Council's Compliance Team, compliance@selwyn.govt.nz.

(j) Any resource consent that requires additional monitoring due to non-compliance with the conditions of the resource consent will be charged additional monitoring fees at a time and cost basis.

Vehicle Crossings

(k) Any new or upgraded vehicle crossing requires a vehicle crossing application from Council's Infrastructure Department prior to installation. For any questions regarding this process please contact transportation@selwyn.govt.nz. Use the following link for a vehicle crossing information pack and to apply online: Selwyn District Council - Application to Form a Vehicle Crossing (Entranceway)

Accessible Carparking Spaces

(l) The District Plan and the Building Code have different requirements for accessible carparking. Therefore, the carparking plan approved as part of this resource consent may not comply with the Building Code. Early engagement with the building consent team is recommended to ensure all requirements can be met.

Impact on Council Assets

(m) Any damage to fixtures or features within the Council road reserve that results from construction or demolition on the site shall be repaired or reinstated at the expense of the consent holder.

Vehicle Parking During the Construction Phase

(n) Selwyn District Council is working to keep our footpaths safe and accessible for pedestrians, including school children. The Council also seeks to avoid damage to underground utility services under footpaths, e.g. fibre broadband. During the construction phase (and at all other times), please:

(i) park only on the road or fully within your property – it is illegal to obstruct or park on a footpath; and

(ii) arrange large deliveries outside of peak pedestrian hours, e.g. outside school start/finish times.

Engineering

(o) Council may have designs that show vested assets peer reviewed at the consent holder's cost. Applicants will be informed whether this is required upon review of designs submitted for Engineering Acceptance.

(p) Plans and supporting information accompanied in the design report required for Engineering Acceptance must include but not be limited to the following:

a. Water Reticulation

b. Wastewater Reticulation

c. Roading Network – new and alterations to existing and streetlighting.

d. Stormwater, water races, and land drainage

e. Walking and cycling infrastructure provision and connection.

f. Future Public Transport provision accessibility (in consultation with Environment Canterbury Regional Council)

g. Please note that pedestrian linkages through proposed reserves are considered to be part of the roading infrastructure and will require engineering acceptance prior to construction.

Copies of any consents required and granted in respect of this subdivision (ECan Consents and Waka Kotahi approval) must be supplied to the Development Engineer via development.engineer@selwyn.govt.nz

Landscaping Acceptance

(q) On-site construction must commence within 12 months of the issue of Landscaping Approval. If works do not commence within 12 months of the issue or approval, the applicant must re-submit plans for Landscaping Acceptance prior to works commencing.

Roading

(r) The consent holder must install street name signs displaying the Council approved street name and poles at each intersection in accordance with Policy R430 prior to the granting of section 224(c).

(s) A minimum of three name options for each road, and street numbering plans must be submitted to Council in accordance with Council Policies N101 and N102 for acceptance prior to section 224(c) Approval.

Three Waters

(t) A Developers Agreement may be entered into with Council for the construction of Verdeco loop and any other masterplan water upgrades identified as being required in the water model where these are outside the application site area. The Developers agreement must be agreed to by Council in writing and Engineering Acceptance will be issued prior to construction commencing on site.

(u) Water Supply Bylaw Requirement: Council Policy only permits one water connection per valuation number/property.

(v) If any site is to be subdivided in the future the infrastructure requirements of the Engineering code of practice and zoning requirements will apply.

(w) 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 these obligations will be transferred to Selwyn District Council. Draft CRC consent conditions must be submitted to Council for acceptance via development.engineer@selwyn.govt.nz prior to Engineering Acceptance being granted, once accepted, will thereafter form part of the Approved Consent Document.

(x) The consent holder must obtain Resource Consent from Canterbury Regional Council for earthworks, construction activities and operational stormwater discharges.

Land Drainage

(y) The landowner is responsible for cleaning and maintenance of the land drainage infrastructure within the property boundary in line with Council bylaws and policies.

(z) The Council Stormwater and Drainage Bylaw and the Council Policy Manual set out the rights and responsibilities of both the Council and landowners in relation to land drainage. More information can be found at https://www.selwyn.govt.nz/services/water/water-race. If the land drainage is to be fenced off from the property, a 'cyclone' type gate must be installed to provide unrestricted access for Selwyn District Council personnel and agents.

(aa) The width of the land drainage infrastructure must be determined as measured bank to bank.

Earthworks

(bb) Dust management can be achieved through keeping the surface of the material damp or by using another appropriate method of dust suppression. Compliance with Canterbury Regional Council requirements must be maintained at all times. Dust mitigation measures such as water carts, sprinklers or polymers must be used on any exposed areas. The roads to and from the site, and the site entrance and exit, must remain tidy and free of dust and dirt at all times.

Entrance Features/Signage

(cc) Any entrance signage features must be placed in private lots. The consent holder must ensure that Council is indemnified from liability to contribute to the cost of renewal or future maintenance of subdivision signage.

(i) This must be ensured by way of a fencing covenant registered against the computer freehold register to issue for each adjoining lot. The covenant is to be prepared by Council's solicitor at the expense of the consent holder.

(ii) The consent holder must procure a written undertaking from the consent holder's solicitor that the executed fencing covenant will be registered on deposit of the subdivision plan.

Reserves/Landscaping

(dd) Council considers all proposed pedestrian infrastructure to be part of the roading network and subject to the requirements of Engineering Acceptance.

(ee) The installation of services in Recreation Reserves may impose limits on the end use of the reserve. Council's preference is that all services are located within the road reserve. The consent holder and/or their agent is informed that the installation of services in Recreation Reserves may change the final value of the Developer's Improvement Contributions

Rūnanga Advice Notes for the Consent Holder

Te Taumutu Rūnanga

(a) Operational phase stormwater from roads and hardstand areas should undergo treatment for contaminants, including heavy metals, before being discharged into the infiltration basin. Treatment mechanisms may include proprietary devices.

(b) The future development of the lots should align with the *Ngāi Tahu Subdivision and Development Guidelines*, including sustainable urban design features with respect to stormwater and greywater management: Greywater capture and reuse.

h. Rainwater capture and reuse (i.e., rainwater collection tanks).

i. Minimising imperious cover (e.g., using permeable paving and maintaining grass cover).

j. The use of rain gardens and swales (or other land-based methods) rather than standard curb and channel.

k. The applicant should avoid the use of building material known to generate contaminants such as copper guttering and roofing.

(c) The Subdivision should not result in decreased stormwater capacity and negative cumulative effects on water quality to protect the mauri of Te Waihora catchment.