

Selwyn Draft Conditions – South West

General

1. The following conditions of consent shall be met prior to the issue of the section 224(C) completion certificate, at the expense of the consent holder.
2. That the subdivision shall proceed in general accordance with the attached approved subdivision plans (now marked RC215485) and the details included with the application, the further information, including the creation of any additional utility lots except where varied by the following conditions of consent.
3. The subdivision may be undertaken in stages. If the subdivision is undertaken in stages, the stages may occur in any order but generally in accordance with the following:
 - a. Stage 0 – Lots 2000 – 2010, 226
 - b. Stage 1 – Lots 1 – 45, 800 – 802
 - c. Stage 2 – Lots 46 – 220, 701, 803 – 806
 - d. Stage 3 – Lots 221 – 231
 - e. Stage 4 – Lots 232 – 337, 700, 807 – 808
 - f. Stage 5 – Lots 338 – 412, 809 – 810
 - g. Stage 6 – Lots 413 – 483, 703, 811 – 812
 - h. Stage 7 – Lots 484 – 524, 704, 813
 - i. Stage 8 – Lots 525 – 650, 705 – 707, 814 – 815
 - j. Stage 9 – Lots 651 – 682, 708, 816
4. All required easements shall be duly created and granted or reserved.

Consent Notices

5. A Consent Notice pursuant to section 221 of the Resource Management Act 1991 shall be registered on the relevant Record of Title for Lots 1-6, 65-71,79, 80-92, 94-97, 100-144, 154-162, 165-169, 192-198, 200-208, 210-215, 234-239, 241-249, 252-254, 256-257, 260-264, 275-279, 282-285, 288-291, 294-298, 303-313, 318-325, 334-338, 341-342,345-368, 373-384, 387-388, 391-393, 395, 432-446, 454-461, 477-483, 505-510, 515-516, 518-524, 561-570, 572-587, 589-608, 633-634, 636-637, 643-650, 652-666, 668-672 to record the following conditions are complied with on a continuing basis:
 - a. These lots are small-lot medium density lots. The Living Z rules in the Operative District Plan for medium density development shall apply to any future development on these lots.
6. A Consent Notice pursuant to section 221 of the Resource Management Act 1991 shall be registered on the relevant Record of Title for Lots 7-64, 72-78, 145-153, 163-164, 170-191, 199, 216-225, 227-233, 240, 250-251, 255, 258-259, 265-274, 280, 281, 286-287, 292-293, 299-302, 326-333, 314-317, 339-340, 343-344, 369-372, 385-386, 389-390, 394, 396-422, 427-431, 447-451, 453, 462-476, 484-504, 511-514, 517, 525-560, 571, 588, 609-632, 635, 638-642, 651, 667, 673-682 to record the following conditions are complied with on a continuing basis:
 - a. These lots are low density lots. The Living Z rules in the Operative District Plan for low density development shall apply to any future development on these lots.

7. A Consent Notice pursuant to section 221 of the Resource Management Act 1991 shall be registered on the relevant Record of Title for Lot 226 to record the following conditions are complied with on a continuing basis:
 - a. Lot 226 are Business 1 zone and any future development is to be in accordance with [refer to land use consent]
8. That a Consent Notice be registered against the Record of Title for each utility lot created, to the effect that it shall be used as a utility lot only. Ongoing compliance with this condition shall be ensured by way of a consent notice registered against the Record of Title. The Consent Notice shall be prepared and registered by Council's solicitor at the request and expense of the Consent Holder.
9. A Consent Notice pursuant to section 221 of the Resource Management Act 1991 shall be registered on the relevant Record of Title for Lots 24, 25, 297 and 298 to record the following conditions are complied with on a continuing basis:
 - a. These lots are to be utility lots until such time as Council have confirmed whether these are required to accommodate a permanent sewer pump station. In the event Council do not require these lots the Consent Notice will be cancelled and the Consent Notice in condition 6 will apply.
10. A Consent Notice pursuant to section 221 of the Resource Management Act 1991 shall be registered on the relevant Record of Title for Lot 56 to record the following conditions are complied with on a continuing basis:
 - a. That Lot 56 may be used as a future road connection to Lot 1 DP 326339 and no Development Contributions will be payable for this lot. In the event this lot is not required for this purpose then the Living Z low density rules apply and Development Contributions will be payable.

Covenants

11. The Consent Holder shall ensure that Council is indemnified from liability to contribute to the cost of erection or maintenance of boundary fences between reserves and adjoining lots.
 - a. This shall be ensured by way of a fencing covenant registered against the Record of Title to issue for each adjoining lot. The covenant is to be prepared by Council's solicitor at the expense of the consent holder
 - b. The consent holder shall procure a written undertaking from the Consent Holder's solicitor that the executed fencing covenant will be registered on deposit of the subdivision plan.

Engineering Approval

12. The engineering design plans and specifications for all works shall be submitted to the Development Engineering Manager for approval including, but not limited to:
 - Water supply
 - Water race
 - Sewerage
 - Stormwater
 - Roading, including street lighting and entrance structures
 - Shared accessways

- Landscaping and irrigation.

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

13. All work shall comply with the conditions set out in the Engineering Approval and be constructed in accordance with the approved engineering plans.
14. All work shall comply with the Engineering Code of Practice, except as agreed in the Engineering Approval.
15. The Consent Holder shall include with the engineering plans and specifications submitted for Engineering Approval, copies of any other consents required and granted in respect of this subdivision, including any certificate of compliance or consent required by Canterbury Regional Council.
16. Unless specific provision is made otherwise through the Engineering Approval the services to all lots shall extend from the road boundary to a point one metre inside the net area of the lot. Please note that the net area is the area excluding any right of way or accessway.
17. The consent holder shall provide accurate 'as built' plans of all services to the satisfaction of the Development Engineering Manager. All assets being vested in Council shall be provided in an appropriate electronic format for integration into Council's systems. Any costs involved in provision and transfer of this data to Councils system shall be borne by the Consent Holder.
18. The Consent Holder shall provide a comprehensive schedule of any assets to be vested in the Council to the satisfaction of the Development Manager. The schedule shall include but not be limited to installed material unit costs, type, diameter, class, quantity and include summary details.

Utilities

19. Each lot within the subdivision shall be separately serviced with water, sewer and stormwater systems. This condition does not apply to stormwater where ground soakage is available.
20. Where sewer, water mains and stormwater systems in private property are to be vested, a written request shall be submitted for Council approval. Easements in gross in favour of Council shall be provided.

Water Supply

21. The net area of each lot shall be provided with an individual potable high pressure connection to the Rolleston water supply in accordance with the approved Engineering Plans.
22. Water meters shall be installed in the road reserve only. Multi meter boxes may be utilised.
23. Connection to Council's reticulated water supply shall either be carried out or supervised by Council's contractor SICON Ferguson Limited at the cost of the Consent Holder.
24. Water mains to be installed as per Council water masterplan
25. Water connections to be provided to adjoining properties where required by Council

Sewer

26. That each lot shall be provided with a sewer lateral laid to the boundary of the net area of that lot in accordance with the approved Engineering Plans.
27. All laterals shall be installed ensuring grade and capacity are provided for and in accordance with Council's engineering standards, giving regard to maximum upstream development density.
28. All sewer reticulation to be vested shall meet Council CCTV standards.
29. Connection to the Council sewer shall be arranged by the Consent Holder and the work shall be done by a registered drainlayer.
30. Should Council not be able to secure land for a permanent pump station, the Consent Holder shall provide Lots 24, 25, 297 and 298 to accommodate this pump station. A Consent Notice will be placed on these lots requiring them to be Utility Lots until such time as Council have confirmed whether these lots are required for this purpose. The Consent Notices will be cancelled following confirmation from Council that these lots are not required.
31. A temporary sewer pump station shall be installed at a sufficient depth and size to cater for the sewer catchment upstream of the Faringdon South-West subdivision, agreed with Council. The gravity sewer pipe network is to be constructed to allow for ease of future connection to the permanent council pump station.
32. The temporary sewer pump station will be provided by the developer, and at the cost of the developer, to service all lots which will be completed prior to the commissioning of the permanent council pump station.
33. An Infrastructure Provision Agreement will be entered into between council and the Consent Holder in relation to the construction of sewer infrastructure which will service areas outside of the Faringdon South-West subdivision. The terms of this agreement will provide a basis for reimbursement of construction costs to the developer from council following the commissioning of the sewer infrastructure.
34. Utility lot of appropriate size for the proposed wastewater pump station to be vested in Council as part of the first stage of the development. The size and location of this lot will be determined through the Engineering Approval stage.
35. Trunk wastewater pipes within this development will need to be oversized to cater for the greater catchment area and will be determined through the Engineering Approval stage.
36. Wastewater connections to be provided to adjoining properties where required by Council

Stormwater

37. The Consent Holder shall install stormwater reticulation treatment and disposal to service the subdivision in accordance with the approved engineering plans and the requirements of Canterbury Regional Council.
38. The Consent Holder shall prepare and submit a Stormwater Design Report and Management Plan in accordance with the requirements of Selwyn District Council and Canterbury Regional Council. This plan shall be provided for Selwyn District Council's approval and sign-off at the Consent Holders Cost. It shall include, but not be limited to:
 - a. A plan showing existing ground levels on neighbouring properties along with proposed levels on the subdivision sites. Interference with pre-existing stormwater flows needs

to be considered so as not to cause ponding or nuisance on neighbouring or developed land.

- b. Existing and proposed drainage plan with sub catchments and flow arrows to show how the drainage will be affected.
 - c. Calculations to demonstrate compliance with the Engineering Code of Practice and any relevant Environment Canterbury consent conditions.
 - d. Ongoing operation and maintenance requirements.
39. The proposed development shall not discharge run off onto adjacent properties unless via a controlled outlet approved as part of the Engineering Design Approval.
40. In the event that an adjacent neighbour's historical stormwater drainage was onto the site, the proposed development must maintain or mitigate the historical discharge.
41. 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 obligation will be transferred to Selwyn District Council. The Consent Holder will hold, operate and maintain the stormwater consent for a minimum of two years after the Section 224(c) Completion Certificate has been issued. Council must be satisfied at the end of this period that all aspects of the system, including but not limited to compliance with consent conditions, operations and maintenance costs are acceptable to Council.
42. The Consent Holder shall provide a Stormwater Operations and Maintenance Manual prior to the approval of the Section 224(c) Completion Certificate.
43. Where stormwater mains in private property are to be vested in Selwyn District Council, a written request shall be submitted to the Development Engineering Manager. Easements in gross in favour of Council shall be provided.

Power and Telephone

44. That electricity supply and telecommunications be supplied to the net area of each lot of the subdivision by way of underground reticulation in accordance with the standards of the relevant network utility operator.
45. The Consent Holder shall provide evidence in writing from the relevant authorities that electrical and telephone service connections have been installed to each lot.

New Roads

46. All roads shall be constructed in accordance with the approved engineering plans.
47. All roads shall be vested in the Selwyn District Council as road.
48. Once Road Lot 816 in Stage 9 is constructed and vested in Council, a temporary turning area at the northern end of East Maddisons Road will be required to prevent direct access to Goulds Road from East Maddisons Road.

Corner Splays

49. The corner Lots at the road intersection shall be splayed with a rounded minimum radius of 3 metres.

Accessways and Vehicle Crossings

50. Vehicle crossings to service the lots shown on the approved subdivision plan shall be formed in accordance with Appendix 13 of the operative Selwyn District Plan. The vehicle crossing shall be sealed/metalled to match the existing road surface for the full width of the crossing between the site boundary and sealed carriageway.
51. Vehicle accessways servicing the lots shown on the approved subdivision plan shall be formed in accordance with Appendix 13 of the operative Selwyn District Plan.
52. All ROW required to service the lots shown on the approved subdivision plan shall be formed in accordance with Appendix 13 of the operative Selwyn District Plan.

Street Lighting

53. That street lighting is provided to service all lots of the subdivision, in accordance with the approved engineering plans and specifications.

Intersection Upgrades

54. That the applicant enter in to a Developer Agreement with Council for cost sharing and development of the intersection upgrades at Shillingford Boulevard (east) /East Maddisons Rd/Goulds Rd/ Shillingford Boulevard (west – new future).

Landscaping and Irrigation

55. The Consent Holder shall landscape the street frontages. The minimum standard (unless otherwise agreed through Engineering Plan approval) will include grass berms and street trees. A landscaping proposal shall be submitted to the Council for approval at the time of submission of the engineering plans and specifications, and the landscaping shall be undertaken in accordance with the approved plans.
56. Entrance structures shall not be placed on Council road reserve, unless otherwise shown on the approved plans or otherwise agreed at engineering approval stage.
57. Unless advised otherwise, the Consent Holder shall install an irrigation system; this shall comply with the approved engineering plans. A full design showing all engineering details shall be submitted to the Council for approval at the time of submission of the engineering plans and specifications.
58. Any irrigation system shall be maintained by the Consent Holder to the completion of the defects liability period. The Consent Holder shall demonstrate that this system performs as designed and installed by them, making good all defects to the Asset Manager's requirements.

Earthworks

59. That all site works are to be undertaken in accordance with the conditions of resource consent [refer to Land use Consent number].
60. That the Consent Holder ensure on a continuing basis (until Records of Title are available for each allotment created by the subdivision) that dust is not generated from consolidated, disturbance or transportation of material or earthworks activities by keeping the surface of the

material damp or by using another appropriate method of dust suppression. This applied to exposed areas of earth, stockpiles and unsealed roads.

61. That the Consent Holder shall ensure on a continuing basis that dust created by the disturbance or transportation of materials is confined within the boundaries of the application site.
62. That dust generating activities shall cease during times of high winds where dust suppression methods are insufficient to stop fugitive dust leaving the site.
63. Any filling on the site is to take into account the current land stormwater and drainage pattern and is not to divert stormwater onto adjoining properties.
64. At the completion of all earthworks the Consent Holder shall confirm whether any earth fill has been placed on site. All filling is to be carried out in accordance with New Zealand Standard (NZS) 4431:1989 Code of Practice for Earth Fill for Residential Development.
65. At the completion of all earthworks certificates satisfying the conditions of NZS4431: 1989 Code of Practice for Earth Fill for Residential Development, are to be provided to the Selwyn District Council. These certificates will detail the extent and nature of all earthworks undertaken.
66. In the event of any discovery of archaeological material:
 - a. the consent holder shall immediately:
 - i. Cease earthmoving operations in the affected area and mark off the affected area; and
 - ii. Advise the Canterbury Regional Council of the disturbance; and
 - iii. Advise Heritage New Zealand Pouhere Taonga of the disturbance.
 - b. If the archaeological material is determined to be Koiwi Tangata (human bones) or taonga (treasured artefacts) by Heritage New Zealand Pouhere Taonga, the consent holder shall immediately advise the office of the appropriate runanga (office contact information can be obtained from the Canterbury Regional Council) of the discovery.
 - c. If the archaeological material is determined to be Koiwi Tangata (human bones) by Heritage New Zealand Pouhere Taonga, the consent holder shall immediately advise the New Zealand Police of the disturbance.
 - d. Work may recommence if Heritage New Zealand Pouhere Taonga Trust (following consultation with runanga if the site is of Maori origin) advises the consent holder that work can recommence.

Advice Note:

This may be in addition to any agreements that are in place between the consent holder and the Papatipu Runanga. (Cultural Site Accidental Discovery Protocol).

Advice Note:

Under the Heritage New Zealand Pouhere Taonga Act 2014 an archaeological site is defined as any place associated with pre-1900 human activity, where there is material evidence relating to the history of New Zealand. For sites solely of Maori origin, this evidence may be in the form of accumulations of shell, bone, charcoal, burnt stones, etc. In later sites, artefacts such as bottles or broken glass, ceramics, metals, etc. may be found or evidence of old foundations, wells, drains, tailings, races or other structures. Human remains/koiwi may date to any historic period.

It is unlawful for any person to destroy, damage, or modify the whole or any part of an archaeological site without the prior authority of Heritage New Zealand Pouhere Taonga. This is the case regardless of the legal status of the land on which the site is located, whether the

activity is permitted under the District or Regional Plan or whether a resource or building consent has been granted. The Heritage New Zealand Pouhere Taonga Act 2014 provides for substantial penalties for unauthorised damage or destruction.

Reserves

67. Pursuant to the relevant legislation the Consent Holder shall vest the following lots in the Council as Reserve:
 - a. Lot 700, 703, 706 shall be vested as Recreation Reserve.
 - b. Lots 701, 704, 705, 707, 708 shall be vested as Local Purpose (Access) Reserve.
68. The Consent Holder shall supply to Council copies of all Records of Title for land, other than roads, that is vested in Council.

Soil Contamination

69. Prior to issue of the first s224 Certificate Burn pile area 3 on [REDACTED] needs to be investigated and addressed within a Detailed Site Investigation. If required this would need to be remediated and validated prior to the issue of titles.

Land Use conditions

Earthworks / unexpected contamination / contamination

1. The development and activity shall proceed in accordance with the information submitted with the application RC215538 dated XXXX, the further information dated XXXX and the approved plans titled "XXXX"
2. Any uncontrolled fill encountered during subdivision works shall be removed and replaced with controlled compacted clean fill in accordance with NZS4431:1989.
3. Hours of earthworks operations shall be limited from 7am to 7pm Monday to Saturday. These hours shall exclude public holidays and Sunday, unless otherwise agreed by Selwyn District Council.
4. All construction noise on the site shall be planned and undertaken to ensure that construction noise emitted from the site does not exceed the noise limited outlined in Table 2 of NZS6803:1999 Acoustics – Construction Noise. Sound levels associated with construction activities shall be measured and assessed in accordance with the NZS6803:1999 Acoustics – Construction Noise.
5. The consent holder shall implement the best practicable option to avoid or mitigate the dispersal and deposition of dust from construction and earthworks activities beyond the boundary of the property.
6. The consent holder shall implement the best practicable option to avoid or mitigate the discharge of sediment laden runoff beyond the boundary of the property.
7. On the completion of works:
 - a. All disturbed areas shall be returned to its original state as near as is practicable and stabilised and/or revegetated; and
 - b. All spoil and other waste material from the works shall be removed.

Contaminated Soils

1. The area identified at [REDACTED] as being contaminated shall be remediated in accordance with the recommendations in the ENGEO Report titled "Combined Preliminary and Detailed Site Investigation: 870 Selwyn Road" dated 22.01.2021.
2. No earthworks are to occur in the area identified in the ENGEO Report titled "Combined Preliminary and Detailed Site Investigation: 870 Selwyn Road" dated 22.01.2021 until the area has been investigated by a Suitably Qualified and Experienced Practitioner with respect to contaminated land and an updated report and remedial action plan and site validation report (if necessary) supplied to council.
3. Where contaminated material (exceeding residential guidelines) is removed from the site, the consent holder shall submit to the Team Leader Compliance waste manifests from the contractor and cartage company that clearly identify the stockpile reference number against the laboratory sample number at the end of the remediation process.
4. Any contaminated material (exceeding residential guidelines) that is excavated and stored on the site shall be stockpiled on an already contaminated part of the site or on a surface that will prevent the stockpile from contaminating a new part of the site.
5. Any replacement soils shall be certified as clean fill in accordance with the definition of Ministry for the Environment's Guide to Management of Cleanfills (2002) or tested by a Suitably

Qualified and Experienced Practitioner with respect to contaminated land to confirm that they are suitable for residential land use under the National Environmental Standard (NES) for Assessing and Managing Contaminants in Soil to Protect Human Health.

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

Contaminant	Regional Recent background levels (mg/kg)	Regional Yellow Brown Stony background levels (mg/kg)
Manganese	1268.5	721.4
Arsenic	12.58	6.35
Cadmium	0.19	0.14
Chromium	22.7	19.89
Copper	20.3	11.68
Mercury	0.11	0.07
Nickel	20.7	13.91
Lead	40.96	19.75
Zinc	93.94	69.58
Total DDT	0.431	0.431
Polycyclic aromatic hydrocarbons, benzo(a)pyrene toxicity equivalent (BaP TE)	0.922	0.922

6. Where evidence of a contaminated site/materials not identified in the application is found at any stage of the site development works, then work shall cease at that site until the risk has been assessed by a Suitably Qualified and Experienced ~~Environmental~~ Practitioner with respect to contaminated land and in accordance with current Ministry for the Environment Contaminated Land Management Guidelines and, if required, a resource consent obtained under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (or most recent subsequent amendment). Once the risk has been assessed and any required resource consents obtained, the consent holder shall undertake all necessary work to remediate ~~rehabilitate~~ the contaminated area ~~site~~ to applicable land use NES SCS- and in accordance with the resource consent (as appropriate). All works shall be undertaken at the consent holders’ expense.
7. The consent holder shall submit to the Team Leader Compliance for their approval (and a copy to the Contaminated Sites Team at the Regional Council) a Site Validation Report

prepared by a Suitably Qualified and Experienced Environmental Practitioner (SQEP) with respect to contaminated land and in accordance with the Ministry for the Environment Contaminated Land Management Guidelines No.1 – Reporting on Contaminated Sites in New Zealand (Revised 2011) at the end of the remediation process.

8. After the demolition of buildings built prior to 1 January 2000 and prior to earthworks, an asbestos clearance certificate shall be provided to Selwyn District Council.

Advice notes:

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

Landscape

1. All fencing and landscaping shall be undertaken in general accordance with the approved plans titled “Faringdon South West Residential Fencing” prepared by Kamo Marsh, dated April 2021 and “Faringdon South West Landscape Concept” prepared by Kamo Marsh, dated April 2021. Advice note: In circumstances where fencing and landscaping is not shown on these plans the relevant zone rules apply.

Business 1 (Lot 226)

1. Lot 226 shall be considered a Neighbourhood centre
2. Within Lot 226 any commercial service, food and beverage or retail activity shall be restricted to a total combined GFA of 870m².
3. Individual commercial service, food and beverage or retail activity tenancy areas shall be no greater than 350m² GFA.
4. Any activity established on Lot 226 created by the subdivision approved by RCxxx shall comply with the rules and standards for the Business 1 Zone within Part C, Chapters 13 to 22 in the Township Section of the Selwyn District Plan, except where modified by the following additional conditions.
 - a. The maximum number of storeys that any buildings may have is 2. The maximum height of any building shall be 8.0m.

Issuing Building consent prior to s224 Certificate

1. That the lots shall remain in the ownership of Hughes Developments Limited until the s224(c) certificate is issued for the subject allotment.
2. That where any building is erected prior to the issue of the 224(c) Certificate, the Council's Resource Monitoring Officer shall be supplied with a Building Location Certificate from a Registered Professional Surveyor prior to the pouring of foundations,. The Building Location

Certificate shall confirm that the building is contained wholly within the lot to which it relates and meets the District Plan requirements for bulk and location.

3. That no residential dwelling shall be occupied in whole or in part prior to the issue of the s224(c) Certificate for the subject lot.
4. That prior to the lodgement of any building consent, a written agreement between the developer and Selwyn District Council shall be entered into stating that Council shall not be liable should the issuing of the S224 Certificate be delayed for any reason.