

## **Graham Fowler Consulting**

**PO Box 13 0053  
CHRISTCHURCH 8141**



10 October 2022

Team Leader Resource Consents  
Selwyn District Council  
P O Box 90  
ROLLESTON 7643

Dear Madam

### **LOCHLEA FARMING CO LTD – 606 RIDGE ROAD, MOTUKARARA**

We forward herewith for the consideration, an application in terms of the Resource Management Act for subdivision consent to subdivide a rural property to create sites containing areas of less than 20 hectares, and land use consent to erect a dwelling on each of the three sites containing an area of less than 20 hectares.

#### **1. Description**

The property is described as being Section 3 Block IV Reserve 959 comprised in Record of Title CB25B/823 containing an area of 42.4161 hectares. An adjoining property owned by the applicant company is Lot 2 DP 446830 comprised in Record of Title RT 563371 containing an area of 38.2072 hectares.

#### **2. Zoning**

The land is zoned Rural Outer Plains in the Operative Selwyn District Plan and is identified on Planning Maps as being inside of the area identified as Lower Plains Flood Areas.

The land is zoned General Rural zone in the Proposed Selwyn District Plan, and is identified as being within the Flood Plains Management Overlay and the Nga Turanga Tupuna Overlay.

#### **3. Buildings**

The buildings on Section 3 Block IV Reserve 959 include a single storey dwelling, detached garages, former cow shed, shearing shed, and hay barn. All buildings are located adjacent to the intersection of Ridge Road and Gammacks Road.

There are no buildings within Lot 2 DP 446830.

#### **4. Proposal**

The proposal is to undertake a fee-simple subdivision of the two existing titles to create three 1.00 hectare lots at the northern frontage of Ridge Road. The dwelling and farm buildings are proposed to be retained on Lot 1, being a 4.65 hectare lot which will be amalgamated with proposed Lot 5 containing 34.75 hectares, and Lot 2 DP 446830 containing 38.20 hectares on the southeastern side of Gammacks Road. The total area of proposed amalgamated title for proposed Lots 1 and 5, and Lot 2 DP 446830, will be 77.60 hectares.

To maintain the residential density for the rural zone, it is proposed that a consent notice be registered against the amalgamated title for proposed Lots 1 and 5, and Lot 2 DP 446830, to advise that proposed Lot 5 and Lot 2 DP 446830 are not to be utilised for the erection of dwellings and that the areas is not to be considered in any future calculation of the residential density of the property.

The combined area of the “no build” covenant areas within proposed Lot 5 and Lot 2 DP 466830 totals 72.95 hectares

Land use consent is sought for the erection of a dwelling on each of Lots 2, 3 and 4, and for the retention of the existing dwelling on proposed Lot 1.

## **5. Assessment**

The Operative Selwyn District Plan provides for subdivision to create sites within the Outer Plains Rural zone with a minimum area of 20 hectares as a controlled activity, and for subdivision as a restricted discretionary activity to create sites either containing a dwelling or for the purposes of erecting a dwelling provided that the residential site contains an area of not less than 0.5 hectares and there is a mechanism to restrict the potential for dwellings to be erected at a density in excess of the permitted residential density for the Outer Plains Rural zone.

In respect of the proposal to create allotments containing areas of less than 20 hectares for the purpose of erecting a dwelling upon each lot, any subdivision of land which does not comply with Rule 10.1.1.12 shall be a restricted discretionary activity if:

- Any allotment created is located outside the area shown on the Planning Maps as the Inner Plains;
- The balance area of land needed to comply with the minimum area in Rule 10.1.1.12, Table C10.1, does not include: (a) The bed of any lake or river; (b) Any legal road; (c) Land which is vested in any form of reserve; or (d) Any other land which, due to its legal tenure, could not be used to erect a dwelling;
- The balance area of land required to comply with the minimum area under Rule 10.1.1.12, Table C10.1, adjoins the allotment on which a dwelling may be erected, along at least one property boundary;
- The balance area of land required to comply with the minimum area under Rule 10.1.1.12, Table C10.1, is:
  - (a) included within the area of land subject to the subdivision consent application, and is subject to a mechanism (as a condition of the consent) to prevent the erection of any dwelling on that land; or
  - (b) not included within the area of land subject to the subdivision consent application, and is subject to a Memorandum of Encumbrance or other mechanism to prevent the erection of any dwelling on that land.

The land within the application is located outside of the Inner Plains zone, albeit in the Lower Plains Flood Area. The balance land required to comply with the residential density of 1 dwelling per 20 hectares does not include the bed of any river, any legal road, or land which could not be used for the erection of a dwelling. Part of the balance area required to maintain the residential density adjoins the proposed cluster of three dwelling sites being Lots 2 to 4 along at least one of the proposed boundaries.

The balance “no build” covenant area is located on the southeastern side of Gammacks Road, adjacent to the 34.75 hectare area within proposed Lot 5.

Lot 2 DP 446830, being the land on the southeastern side of Gammacks Road, is included within the subdivision consent, with the proposal that Lot 2 DP 446830 be amalgamated with proposed Lots 1 and 5.

The application proposes that to retain the required residential density, that a consent notice be registered against the new Record of Title to issue for proposed Lots 1 and 5 and Lot 2 DP 446830, to advise that no dwelling is permitted to be erected within proposed Lot 5 and Lot 2 DP 446830 and that Lot 5 and Lot 2 DP 446830 are not to be taken into consideration in any future calculation of the residential density of the Record of Title to issue for proposed Lots 1 and 5 and Lot 2 DP 446830. The proposal seeks that the consent notice not restrict the ability for the amalgamated lots to be used for any future boundary adjustment, as the conventional wording on the consent notice for “no build” covenants does create some uncertainty in that regard.

The applicant company has had discussions with the adjoining owners of Section 2 Block RES 959 regarding the possible purchase of proposed Lot 5 and the amalgamation of Lot 5 with the title for Section 2 Block IV RES 959. There was an expressed desire to purchase Lot 5 in the future, but in the short term, a solution may be to lease Lot 5 for inclusion within the adjoining dairy unit.

The application can be considered under Rule 10.11 pertaining to subdivision to create Rural lots smaller than the minimum size within the Outer Plains zone, and can be considered as a ***restricted discretionary activity***.

In respect of the matters that Council shall restrict its discretion under Rule 10.10.1, we advise:

### **5.1 Allotment Shape**

Proposed Lots 2, 3, and 4 will each contain an area of 1.00 hectares and will have a width of 68 metres and depth of 146 metres. The piezometric contours for the locality are in a north to south direction. The shape and orientation of the allotments will allow for individual bores to be sunk at a setback of not less than 20 metres from property boundaries, and for the establishment of on-site sewage effluent dispersion fields not closer than 2 metres off property boundaries and 20 metres from wells constructed for potable water supply.

The southwestern boundaries of Lots 2, 3 and 4 are aligned on an existing post and wire fence. Macrocarpa shelter is established within Lot 5 adjacent to the southwestern boundaries of Lots 3 and 4. The northern boundary of Lot 4 is aligned on property boundary, with established macrocarpa trees located adjacent to that boundary.

The northeastern and southeastern boundaries of proposed Lot 1 are defined by road boundaries, with the southwestern boundary defined by an existing fence-line which adjoins shelter planting within Lot 5 adjacent to most of the boundary. Lot 1 will contain an area of 4.65 hectares with a width of 322 metres and depth from Ridge Road of 146 metres. A septic tank for sewage effluent is located to the west of the dwelling within the property, at a setback of 50 metres from Ridge Road and 55 metres from Gammacks Road. The field tile sewage effluent dispersion field is located not closer than 80 metres from proposed Lot 5.

The potable water supply for the dwelling within Lot 1 is sourced from a 50mm diameter bore located to the north of a garage in a position 20 metres off Ridge Road and 35 metres from Gammacks Road.

It is considered that the shape of Lots 1 to 4 are appropriate for the established bore and effluent dispersion field within Lot 1, and the proposed siting of bores and effluent dispersion fields within Lots 2 to 4, to be sited such that the zones of influence and the plumes of influence, can be located within property boundaries.

The proposed boundaries of Lot 5 containing an area of 34.75 hectares, will follow the existing fence along the northeastern boundary, and the existing property boundaries. In respect of this application, Lot 5 is to be amalgamated with proposed Lot 1 and Lot 2 DP 446830, and as the allotment will be subject to a “no build” covenant secured by a consent notice, there is no potential for a dwelling to be erected within Lot 5, regardless of whether Lot 5 is held with Lot 1, or amalgamated with adjoining land in the future.

## **5.2 Utilities**

Overhead high voltage power lines extend along the southwestern side of Ridge Road. An overhead electrical transformer is located adjacent to the Ridge Road frontage of proposed Lot 1, in a position 50 metres north of Gammacks Road. An overhead supply extends from the transformer to the dwelling within Lot 1.

The existing high voltage power poles are generally located close to the southern boundaries of Lots 2 to 4. There will be a requirement at building consent stage to install overhead electrical transformers to provide for underground low voltage electrical connection to Lots 2, 3 and 4. It is likely that a single transformer will be able to be sited to service Lots 3 and 4, but a separate transformer will be required for Lot 2. It is proposed that advice be obtained from Orion New Zealand Ltd, as to the capacity of the existing high voltage reticulation to be extended to provide low voltage connections to Lots 2, 3 and 4.

There is no electrical reticulation installed within Gammacks Road.

Underground telephone reticulation is installed along the northeastern side of Ridge Road, and an underground connection has been installed to the frontage of proposed Lot 1, adjacent to the dwelling within Lot 1. An overhead connection has been installed to the dwelling from a pole adjacent to the underground connection distribution point.

It is proposed that an application be made at building consent stage, for a telephone connection to each of Lots 2, 3 and 4. A request will be made to Chorus New Zealand Ltd for advice as to the capacity of the existing telecommunications infrastructure, to supply a connection to Lots 2, 3 and 4.

There is no proposal to provide a telecommunications connection to proposed Lot 5 or Lot 2 DP 446830.

The potable water supply to the dwelling within Lot 1 is provided from a 50mm diameter bore sunk to a depth of 50 metres which is located on the northern side of a garage at a setback of 20 metres from Ridge Road and 35 metres north of the intersection with Gammacks Road.

There will be a requirement to sink a bore at building consent stage within each of Lots 2, 3 and 4, to supply potable water. Water depths within the locality range from 50 metres to 100 metres, depending upon required yield, with artesian supply being available at lower depths. The rules of the Land and Water Regional Plan permit the abstraction of not greater than 10 cubic metres of water per day.

Ridge Road is formed and sealed to a width of 6 metres. Gammacks Road is formed and metalled. The vehicle entranceway to the dwelling within Lot 1 is located 20 metres as measured from the intersection of the road boundaries of Ridge Road and Gammacks Road, and is formed and metalled.

There will be a requirement to construct sealed vehicle entranceways at building consent stage, to the required configuration of Appendix 10 Diagram E10.C1. At the present time, the desired location of the vehicle entranceways to suit the purchasers of Lots 2, 3 and 4 is not known, and it would be appropriate to delay the construction of the entranceways to building consent stage.

### **5.3 Works**

There are no works required to be undertaken concurrent with the subdivision.

### **5.4 Easements**

The application site is not presently subject to any existing easements, and the application for subdivision consent does not propose that easements be created.

### **5.5 Water Races**

There are no water races passing through the application site. A drain reserve is located immediately adjacent to the southwestern boundary of proposed Lot 5 and Lot 2 DP 446830.

### **5.6 Corner Splays**

Proposed Lot 1 contains an intersection of Ridge Road with Gammacks Road. Rule 10.1.1.7 states:

*The corner of any allotment at any road intersection shall be splayed with a diagonal line reducing each boundary by a minimum of:*

- a. 6m x 6m for local roads*
- b. 10m x 10m for collector roads*
- c. 15m x 15m for arterial and State Highway roads.*

The application does not propose that a 6 metre splay be provided at the intersection of Ridge Road and Gammacks Road, having regard for the minimal traffic along Gammacks Road, and the alignment of Ridge Road allowing for good visibility.

A mature pinus hedge is located at the intersection of Ridge Road and Gammacks Road. The sealed road formation of Ridge Road is setback 20 metres from the intersection point of the two roads, as the formation is constructed to the northeast to negotiate the curve onto the bridge over the Halswell River. The sight distances of traffic entering and exiting Gammacks Road are not restricted by the presence of the existing hedge, and there is adequate provision for queuing of traffic exiting Gammacks Road. It is considered that the greatest potential for increase in traffic into the intersection, would result when there was a teams event at the Gun Club on the property on the southern side of Gammacks Road opposite Lots 1 and 5. With the posted restricted speed limit to negotiate the curve from Ridge Road into Duck Pond Road, the potential for traffic safety to be compromised by not providing the splayed intersection, is less than minor.

The potential requirement for upgrading of the intersection requiring the removal of the hedge as a consequence of increased development or traffic along Gammacks Road, is considered to be minimal. The removal of the hedge at the intersection would likely result in adverse lighting effects upon the occupiers of the dwelling within Lot 1, due to night traffic crossing over the bridge over the Halswell River from Duck Pond Road and travelling westward into Ridge Road.

Respectfully it is requested that exemption for the provision of a splay be considered..

## **6. Subdivision in the Flood Areas**

Rule 10.2.1 provides that any subdivision of land which does not comply with Rule 10.1.1.1 shall be a restricted discretionary activity if all of the following standards and terms are met:

### Rule 10.2.1.1

*Any land subdivided within the areas shown on the Planning Maps as the Waimakariri Flood Category A area or seaward of the Coastal Hazard 1 Line is not used to erect any dwelling or other principal building; and*

### Rule 10.2.1.2

*Any land subdivided between any waterbody and any stopbank designed to contain floodwater from that waterbody is not used to erect any dwelling or building.*

### Rule 10.2.2

*Any resource consent application made under Rule 10.2.1 shall not be notified and shall not require the written approval of affected parties.*

### Rule 10.2.3

*Under Rule 10.2.1, the Council shall restrict its discretion to consideration of:*

### Rule 10.2.3.1

*All the matters listed in Rule 10.1.2;*

### Rule 10.2.3.2

*In the areas shown on the Planning Maps as the Lower Plains or Lake Ellesmere/Te Waihora flood areas:*

- a. *Whether any allotment created contains a site or sites where a dwelling or other principal building may be erected in accordance with the requirement of Building Rule 3.1.1.1(d) (for the Lower Plains flood area) or Building Rule*

3.1.1.1(e) (for the Lake Ellesmere/Te Waihora flood area)  
and Earthworks Rule 1.3

- b. *The potential effects of inundation on pedestrian and vehicular access to the allotment, or to the dwelling or other principal building to be erected on the allotment; and*
- c. *Any condition on the subdivision consent requiring a consent notice or other mechanism to be placed on the Certificate of Title for any allotment created, to alert prospective purchasers that erecting any dwelling or other principal building on the allotment is not a permitted activity under the District Plan, unless it meets the minimum floor levels set out in Rules 3.1.1.1(d) and Rule 3.1.1.1 (e).*

## **6.1 Flood Areas**

The application site is not shown on the Planning Maps as the Waimakariri Flood Category A area or seaward of the Coastal Hazard 1 Line, but is located within the Lower Plains Flood Area, but not the Lake Ellesmere/Te Waihora flood area.

## **6.2 Rule 3.1.1**

Rule 3.1.1.1.1 states:

*Any new dwelling or other principal building is not erected in any of the following areas:*

- a. *Any area shown on the Planning Maps as the Waimakariri Flood Category A area;*
- b. *Seaward of the Coastal Hazard 1 Line as shown on the Planning Maps;*
- c. *Between any waterbody and any stopbank designed to contain floodwater from that waterbody; and*
- d. *The area shown on the Planning Maps as the Lower Plains flood area; unless a minimum building floor level 300mm above a 2% Annual Exceedence Probability (AEP) hazard event is identified and the building floor level is at or above that level;*
- e. *The area shown on the Planning Maps as the Lake Ellesmere/Te Waihora flood area, unless a minimum building floor level of 3m above mean sea level (Lyttelton Datum 1937) is identified.*

## **6.3 Flood Assessment**

Canterbury Regional Council has been consulted in respect of the proposal to erect dwellings within the Lower Plains Flood area, and a Flood Risk Assessment has been provided.

*Chapter 11 of the Canterbury Regional Policy Statement provides a framework for managing natural hazard risk in Canterbury. Policy 11.3.1 of this document seeks to avoid new subdivision, use, and development in 'High Hazard' areas.*

*These are defined as areas where the water depth is greater than 1 m (or where the water depth (m) x velocity (m/sec) is greater than 1) in a 500 year ARI flood event. The primary aim of this policy is to minimise the risk to life associated with deep and/or fast moving floodwaters. Based on the information outlined above, proposed Lot 5 would be considered a high hazard area while proposed Lots 2, 3 and 4 are outside of high hazard areas.*



*Policy 11.3.2. of the Canterbury Regional Policy Statement states that development should be avoided in areas subject to inundation in a 200 year ARI flood event unless a range of conditions are met. These include the requirement for new buildings to have a floor level above the 200 year ARI design flood level.*

*Based on the information outlined above, **any new dwelling at proposed Lot 2, 3 or 4 as shown on the enclosed LiDAR map with a floor level of at least 3.25 m LVD 37** would provide a standard of mitigation consistent with the Canterbury Regional Policy Statement*

There are no proposals to erect a dwelling within Lot 5, and the proposed consent notice will restrict any ability for the erection of a dwelling within proposed Lot 5 and also within Lot 2 DP 446830. The LiDAR map provided by Canterbury Regional Council shows that within Lots 2, 3 and 4, there are areas in the central part of the allotments where the existing ground levels are in the range of 2.8 metres to 3.00 metres above mean sea level. A dwelling within Lots 1, 2 and 3 located within the central part of the allotments with the floor level at not less than 3.25 metres above Lyttelton 1937 datum would be required to be sited upon a building pad at a level of not less than 3.00 metres, with the finished floor level being 0.3 metres above the platforms.

A consent notice is to be registered against the new Records of Title to issue for Lots 2, 3, and 4 to advise that the floor level of any dwelling erected on proposed Lot 2, 3 or 4 shall be at least 3.25 metres (Lyttelton Vertical Datum 1937).

#### **6.4 Vehicular Access**

The Flood Hazard mapping prepared by Selwyn District Council and Environment Canterbury shows that approximately 50% of the southwestern sides of Lots 2 to 4 are not subject to ponding in a 1 in 200 year flood event. Across the Ridge Road frontage of Lots 2 to 4, the flood water depth in a 1 in 200 year flood is indicated to be in the range of 0.3 metres to 0.4 metres depth. Within Lot 2, the depth of 0.3 metres to 0.4 metres extends for a maximum distance of 50 metres from the road frontage, whereas within Lots 3 and 4, the flood water depth extends for not greater than 25 metres.

On the basis that a vehicles can safely negotiate access stationary flood water to a depth of 0.3 metres, it is considered that the construction of the vehicle entranceways and accessways within the allotments constructed 0.2 metres above natural ground levels, would safely provide access to the dwelling sites during 1 in 200 year flood events. It is accepted that the consequences of flooding over driveways to the depths suggested, are of limited duration and infrequent in occurrence, and accordingly it is not considered that it would be warranted to require any consent notices to be registered to advise of this limited elevation of the accessways.

#### **7. Further Matters**

In respect of the further matters that Council shall restrict its discretion under Rule 10.11.2, we advise:

##### **7.1 Size and Shape**

Proposed Lot 1 contains the existing dwelling and farm buildings, and will contain an area of 4.65 hectares. The allotment will have a depth of 146 metres and frontage onto Ridge Road of 322 metres. The dwelling curtilage area together with the area containing the farm buildings and yards, is approximately 1.2 hectares, with the



balance 3.45 hectares being available for grazing. Lot 1 is to be amalgamated with Lot 5, and Lot 2 DP 446830 containing 38.20 hectares, resulting in 76.35 hectares being available for grazing. Should in the future, the owners of Section 2 Block IV RES 959 wish to purchase Lot 5, 41.6 hectares would be retained in the title with Lot 1 and Lot 2 DP 446830. The applicant company owns additional vacant titles to the southeast of Lot 2 DP 446830, and the retention of Lot 1 provides for custodial management.

The Ridge Road frontage of Lot 1 adjacent to the dwelling, is screened by an established macrocarpa hedge. A dwelling is erected on the 14.8 hectare property on the northeastern side of Ridge Road, in a position 85 metres to the north of the dwelling erected within Lot 1.

The property on the southeastern side of Gammacks Road opposite proposed Lot 1, is a 13.2 hectare property owned by a gun club, with the club rooms located in a position 210 metres to the southwest of the dwelling within proposed Lot 1.

Lots 2 to 4 will each contain an area of 1.00 hectares, with the allotments having a frontage of 68 metres to Ridge road and a depth of 146 metres. Established pittosporums are located along the road frontage. The rear boundary of the allotments is aligned on an existing fence, with an established macrocarpa shelter within Lot 5 adjacent to the boundary of Lot 2 and a 50 metre length adjacent to Lot 3. Established pine shelter is located adjacent to the northern boundary of Lot 4.

The property on the northeastern side of Ridge Road opposite Lots 2 to 4 is a 14.83 hectare property, which contains a dwelling at the southern end of the property opposite proposed Lot 1, and a second dwelling at the northern end of the property some 200 metres north of proposed Lot 4. Eucalyptus shelter planting is located on the eastern side of the road, opposite Lots 2 to 4. The 14.83 hectare property is utilised for cattle and horse grazing.

The property to the north of proposed Lot 4, is a 42.41 hectare title, being part of a 141.7 hectare dairy farm, within which a dwelling is located within the 42.41 hectare part, and sited 320 metres to the northwest of proposed Lot 4. Immediately to the north of proposed Lot 4, there is an area set aside for storage of baleage.

The bores for abstraction of potable water for Lots 2 to 4, will be able to be located within the proposed lots in positions not less than 20 metres from property boundaries, and the sewage effluent dispersion fields located to be not closer than 2 metres from property boundaries, such that the zones of protection of the bores, and the zones of influence of the dispersion fields, are able to be located within property boundaries. There are no known bores on adjacent properties used for either potable water supply, or irrigation purposes, that would be impacted by the bores and dispersion fields, required to service Lots 2 to 4.

The activities undertaken within the properties adjacent to proposed Lots 2 to 4, are rural based activities which are established, and would not have the potential to create reverse sensitivity effects upon the proposed "rural-residential" allotments.

## **7.2 Number of Small Sites**

The application proposes to create a cluster of three 1.00 hectare sites, being the maximum number permitted by Rule 3.10.3.6 in the Outer Plains zone. The balance 57 hectare area required to maintain the residential density is located within the 34.75 hectare area of Lot 5 immediately to the southwest of proposed Lots 2 to 4, and includes part of the 38.2 hectare area on the southern side of Gammacks Road.

The application proposes that a consent notice be registered against proposed Lot 5, and Lot 2 DP 446830 to advise that no dwellings are permitted to be erected within Lot 5 and Lot 2 DP 446830, and that the allotments are not to be taken into consideration in any future assessment of the residential density of those properties.

### **7.3 Access**

Proposed Lots 2 to 4 will have frontage onto Ridge Road, which is considered to be a local road in the Rooding Hierarchy. The southern boundary of proposed Lot 2 is located 322 metres from the intersection of Ridge Road and Gammacks Road. The northern boundary of proposed Lot 4 is located 1.06 kilometres south of the intersection of Ridge Road and Jarvis Road. Ridge Road is a straight flat road, where there are no impediments to sight distances.

The location of the vehicle entranceways within the frontages of Lots 2 to 4 will be determined by the locations of the future dwellings as proposed by the purchasers. Respectfully, it is requested that any requirement to construct the vehicle entranceways to Lots 2 to 4 to the requirements of Diagram E10.C1, be deferred until building consent stage.

With the erection of dwellings, each of the three additional entranceways, is anticipated to generate some 6 to 10 additional traffic movements per day. It is respectfully suggested that the additional traffic generated, does not warrant consideration of the construction of joint vehicle entranceways for allotments fronting a local road.

Proposed Lot 1 is provided with a formed and metalled vehicle entranceway off Gammacks Road in a position 20 metres from the western side of the intersection of Gammacks Road with Ridge Road, and 40 metres from the edge of the seal of Ridge Road. With due consideration to the location of the bridge over the Halswell River in a position 40 metres to the east of the road intersection, the posted speed limit at this intersection is 35 kph, with the westerly traffic having priority over the single lane bridge. It is considered that the location of the vehicle entranceway to Lot 1 meets the 10 metre setback of the entranceway from the road intersection, as set out in Table E10.3.

### **7.4 Shape of Balance Land**

The “open space” area required to maintain the residential density of the Outer Plains zone includes proposed Lot 5 and also part of Lot 2 DP 446830. Lot 5 is a rectangular area which will have a frontage of 661 metres onto Gammacks Road and a depth of 527 metres. The proposal presently provides for Lot 5 to be amalgamated into proposed Lot 1 and Lot 2 DP 446830.

The balance area of Lot 2 DP 446830 is located on the southeastern side of Gammacks Road within the 38.20 hectare area. Lot 2 DP 446830 has an irregular shape with a 225 metre frontage onto Gammacks Road, a 1280 metre frontage along an unformed road to the west, and a 1070 metre frontage to an unformed road adjacent to Halswell River as the eastern boundary.

The total area contained within proposed Lot 5 and Lot 2 DP 446830 totals 72.95 hectares, which exceeds the open space area required to maintain the residential density of Lots 2 to 4 by 15.95 hectares, but this additional area, albeit subject to “no build”, provides the balance area for Lot 1, to have a combined area of 20.60 hectares.

## 8. Amalgamation

The application proposes that Lots 1 and 5 be held with Lot 2 DP 446830. Would you please consult with Land Information New Zealand as to the practicality of imposing the following conditions:

- i. *That Lots 1 and 5 hereon be held with Lot 2 DP 446830 (RT 563371) and that one Record of Title be issued to include both parcels.*

## 9. Hazardous Activities

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health came into effect on 1 January 2012, and requires that an assessment be made where there is a proposed change in use. The application proposes that a dwelling be located within Lots 2, 3 and 4, resulting in a change of use from rural farming activities to rural residential use. The applicant company has engaged Momentum Environmental Ltd to undertake a Preliminary Site Investigation.

The Executive Summary states:

*The site is a rural property located at 606 Ridge Road in Motukarara, Canterbury. The site is currently the subject of a subdivision application which seeks to create a 4.65ha lot which is to include the residential dwelling and farm buildings and three vacant 1ha lots. The balance of the site is approximately 34.75ha. The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESC) require an assessment of the likelihood of soil contamination being present. It is also noted that Momentum Environmental Ltd is obligated to consider the requirements of Section 10 (4) of the Health and Safety at Work (Asbestos) Regulations 2016. This report details the work undertaken to assess the risks.*

*This Preliminary Site Investigation has identified the following potential sources of contamination:*

- *The use and storage of persistent pesticides in and around the farm buildings.*
- *Potential sheep dip or spray race operation within the sheep yards, adjacent to the woolshed/shearing shed.*
- *The presence of storage tanks and drums for fuels or chemicals in and around the farm buildings.*
- *The storage of treated timber outside.*
- *A portion of the site located within the shot fall zone of the adjacent Waihora Clay Target Club*
- *Two burn areas identified during the site inspection.*
- *Lead based paint products and asbestos containing materials (ACM) on historical buildings located at the site.*

*The location of these potential sources of contamination are shown on the Site Inspection and Risk Areas Plan attached in **Appendix E**.*

*Following subdivision, proposed Lot 5 will continue to be production land and therefore the NESCS does not apply to proposed Lot 5. Proposed Lots 1-4 will stop being production land and therefore the NESCS must be considered for these areas.*

Following the delivery of the Preliminary Site Investigation, Momentum Environmental Ltd were instructed to prepare a Detailed Site Investigation and Remedial Action Plan. The Executive Summary of that report states:

*A Preliminary Site Investigation (PSI) was undertaken by Momentum Environmental Ltd (MEL) in July 2022. The PSI identified the following potential sources of contamination as per the Hazardous Activities and Industries List (HAIL):*

- Potential sheep dip or spray race operation within the sheep yards, adjacent to the woolshed/shearing shed (HAIL A8).*
- The use and storage of persistent pesticides in and around the farm buildings (HAIL A10).*
- The presence of storage tanks and drums for fuels or chemicals in and around the farm buildings (HAIL A17).*
- The storage of treated timber outside (HAIL A18).*
- A portion of the site located within the shot fall zone of the adjacent Waihora Clay Target Club (HAIL C2).*
- Two burn areas identified during the site inspection (HAIL G5).*
- Lead based paint products and asbestos containing materials (ACM) on historical buildings located at the site (HAIL Class I).*

*The PSI identified multiple potential sources of contamination within proposed Lot 1 that warranted further investigation in the form of a Detailed Site Investigation (DSI). No further investigation was recommended within proposed Lots 2-4 as no potentially contaminating activities were identified for these areas. Following subdivision, proposed Lot 5 will continue to be production land and therefore the NESCS does not apply to proposed Lot 5 and no further investigation was recommended.*

*This DSI is restricted to the residential curtilage area of Lot 1. Soil sampling undertaken as part of this DSI has shown one area of lead contamination within soils adjacent to and within the existing vegetable garden. The highest lead concentration identified was 519mg/kg compared to the 'residential 10% produce' soil guideline value (SGV) of 210mg/kg. The sample was collected from soils within the existing vegetable garden. The remaining sample results have shown contaminant concentrations are below the 'residential 10% produce' SGVs, and no asbestos was detected in the soil samples collected from the site.*

*Based on the moderate risk to human health associated with the lead contamination, it is recommended the soils adjacent to and within the vegetable garden are remediated prior to the reoccupation of the dwelling and ongoing use of the area for residential purposes.*

*The recommended remediation option is excavation and relocation on-site into a managed bund or similar. This is considered a logistically feasible option given the space available within the remainder of Lot 1 (outside of the residential curtilage area) and Lot 5. Offsite disposal is also an option.*

*The lead contamination has not been fully delineated to the north of the vegetable garden, however this can be undertaken during the remediation process, using a portable XRF. Where contaminated soils extend beyond the vegetable garden, managing the soils in-situ and implementing an Ongoing Site Management Plan (OSMP) may be suitable.*

*Following successful remediation of the lead contaminated soils within and adjacent to the existing vegetable garden, a Site Validation Report will be produced and provided to Selwyn District Council and ECan. Where contaminated soils extend beyond the vegetable garden and the decision is made to manage the soils in-situ, an OSMP will be produced and provided to Selwyn District Council and ECan.*

Resource consent is sought for the proposed remediation works as proposed by Momentum Environmental Ltd.

The Preliminary Site Investigation shows that the dwelling curtilage area within Lot 1 is located approximately 40 metres to the north of the farmyard risk area within which a number of potential contamination risks have been identified. Additionally, the plan shows an area at the southeastern corner of Lot 1 and extending into Lot 5, as the extent of the shot fall area from the historic activities undertaken on the property to the south.

Proposed Lots 1 and 5 are to be amalgamated with Lot 2 DP 446830, and the farming activities presently undertaken, will continue to be undertaken on the resultant 77.60 hectare title. It is respectfully suggested that there is no logical reason for detailed testing to be undertaken that may identify elevated contamination levels, with possible advice of remediation that may be required, when the activities are likely to continue.

A pragmatic resolution of the matter, would be to impose a consent notice condition on the subdivision consent to be registered against the new title for Lots 1 and 5, requiring identification of the farmyard risk area and the shot fall area within Lot 1 on the Land Transfer plan. The wording of the consent notice might state:

*In accordance with the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health, the actual or potential area of contamination show on the survey plan has been identified as being actually or potentially contaminated.*

*Any soil disturbance or change of use of the land identified will be required to comply with the requirements of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health. This may include further investigation, remediation and/or ongoing management.*

Lot 5 is proposed to be subject to a consent notice to advise that no dwellings are permitted to be erected within the allotment, which negates any requirement for the risk area within Lot 5 to be identified on the Land Transfer plan.

## **10. Assessment of Environmental Effects**

### **10.1 Effects of Access**

Proposed Lots 2, 3, and 4, for which land use is sought for the erection of a dwelling, will have access onto Ridge Road which is formed and sealed. It is proposed that independent entranceways to those lots be formed and sealed to the requirements of Diagram E10.C1 at building consent stage, such that the entrances are appropriately sited for their intended use.

The minimum sight distance from the three future entranceways will relate to Lot 2, where the southern boundary of Lot 2 is 320 metres north of the Gammacks Road intersection, and a sight distance of 300 metres would be available to the traffic entering Ridge Road after negotiating the bridge over the Halswell River.

The vehicle entranceway to Lot 1 is located off Gammacks Road, and constructed to a formed and metalled standard. The entrance is sited 20 metres to the west of the intersection of the road boundaries of Ridge Road and Gammacks Road, in a position 40 metres from the edge of the sealed formation of Ridge Road. It is considered that there is minimal traffic movements along Gammacks Road, as compared to Ridge Road, and that the separation from the Ridge Road seal allows for sight distances to the bridge over Halswell River, and northwards along Ridge Road. The degree of safety is maintained by the posted 35kph speed limit for southbound traffic along Ridge Road approaching the corner and bridge, and the reduced speed of northbound traffic crossing the single lane bridge over the Halswell River.

The retention of the dwelling within Lot 1 will likely result on some 6 to 10 traffic movements from the dwelling site onto Ridge Road, being similar to the number of present traffic movements. With the amalgamation of Lot 1 with Lot 2 DP 446830, the majority of the vehicle movements from Lot 1 will relate to the farming activities undertaken within Lot 2 DP 446830, and will be in a westerly direction along Gammacks Road.

It is considered that the proposed subdivision to provide for dwellings to be erected within Lots 2 to 4, will create some potential for up to 30 additional traffic movements per day. This increase of additional traffic onto a local road, is not considered to compromise the safety of other road users.

### **10.2 Effects on Neighbourhood**

The proposed subdivision will create the potential for three additional dwellings to be erected within the 80.61 hectares of the two properties included within the application. The permitted density of the Rural Outer Plains, would permit not more than four dwellings to be erected within the two existing titles. The proposal is that in addition to the one existing dwelling on Lot 1, that three 1.0 hectare sites be created with the ability for a dwelling to be erected within those sites. "No build" covenants over an area of 72.95 hectares, will be secured by consent notices, to ensure that the permitted residential density for the zone is not exceeded.

The Selwyn District Plan provides for clusters of small dwelling sites, provided that there are not more than three sites within a cluster. The proposed subdivisional layout proposes that there be a cluster of three sites at the western side of Ridge Road frontage, with the boundaries of the cluster being not closer 180 metres from the dwelling on the eastern side of Ridge Road, adjacent to proposed Lot 1, containing the existing within the application site.



It is noted that the 14.83 hectare property on the eastern side of Ridge Road, adjacent to the proposed cluster of small lots, contains two dwellings, with the separation between those dwellings and the closest boundary of the small lots proposed, being not less than 180 metres. The activities undertaken within that adjoining property include horse and cattle grazing. There are no intensive activities being undertaken adjacent to the proposed small lots, that may contribute to potential for reverse sensitivity effects.

The southern dwelling within the adjoining 14.83 hectare property, is located at a separation of 90 metres from the existing dwelling within proposed Lot 1. The existing farming activities within Lot 1 include growing crops for winter stock-feed, and grazing of those crops. It is anticipated that following subdivision, that the land use will continue within Lot 1, in conjunction with similar activities within Lot 2 DP 446830.

There are no dwellings erected within the 13.20 hectare property on the southern side of Gammacks Road, adjacent to proposed Lots 1 and 5, and owned by a gun club. The activities within that site have operated for many years, and the effects are familiar to the applicant company which owns adjacent Lot 2 DP 446830 and has previously leased the balance of the application site.

The majority of the gun club activities within their property, are undertaken during weekends, with periodic visits by some members during the weeks. The activities are of no concern to the applicant company, which will continue to own Lots 1 and 5 and Lot 2 DP 446830. The applicant company will have occasion to move stock between Lots 1 & 5 and Lot 2 DP 446830, but the movements are able to be undertaken during periods when there is more limited traffic movement along Gammacks Road to the gun club site.

The dwelling on Section 2 Block IV Reserve 959, to the north of proposed Lot 4, is located 310 metres to the north of Lot 4. The milking shed within that overall property, is located 600 metres north of the dwelling. The dairy farm has an established stock feed storage area immediately adjacent to the northern boundary of Lot 4. A dwelling sited within Lot 4 would be reasonably located 40 metres from the storage area, which is screened by existing pinus shelter.

There are no identified land uses being undertaken within this locality which when considered together with the proposal to erect a dwelling on small sites, would likely result in reverse sensitivity effects.

The residential density resulting from the subdivision and land use proposal, will be no different to the residential density that would result from a controlled 20 hectare subdivision proposal.

### **10.3 Visual Effects**

There is presently amenity and shelter planting along the Ridge Road frontage of proposed Lots 2, 3 and 4. This planting extends southwards along the Ridge Road frontage of proposed Lot 1, excepting for an 85 metres of frontage from Gammacks Road, which is planted with a mature pinus hedge, which continues part way along the Gammacks Road frontage of Lot 1. The existing planting screens the existing dwelling within Lot 1, and will screen the dwellings for which land use consent is sought, to be erected within Lots 2, 3 and 4. It is acknowledged that a small part of the shelter along the Lots 2 to 4 frontage will be required to be removed to allow for the construction of the vehicle entranceways, but the 5 metres to be removed will not adversely impact on the privacy of the shelter.



A macrocarpa shelter is established within proposed Lot 5 immediately adjacent to the boundary with Lots 2 and 3, and the southern part of the boundary with Lot 4. There are no proposals that a dwelling be erected within Lot 5, but the shelter planting will provide amenity to Lots 2 to 4 and shelter from southerly winds.

There is no planting or fencing along the southern boundaries of Lots 2 to 4, but it is anticipated that the boundaries will be fenced, and amenity planting established to provide additional privacy to the dwelling erected within the allotments.

The established pinus shelter along the southwestern section of the Gammacks Road frontage of Lot 1, will be retained. The shelter will provide screening between the gun club activities and the continuing farming activities to be undertaken within Lot 1. Macro hedging is located on the southern side of Gammacks Road along the gun club frontage, immediately adjacent to the dwelling erected within Lot 1.

It is considered that the present level of shelter planting, both within the proposed lots and along the frontages of, and boundaries of adjacent properties, will substantially mitigate the often stark effects that exist where there is proposed the creation of small allotments in the rural zones, albeit that the visual effects of dwellings is mitigated by subsequent planting.

#### **10.4 Effects on Ecosystems**

There are no identified ecosystems established within the property, nor any plants or animals which will have their habitats disturbed by the application, or future uses.

The applicant company presently undertakes grazing and seasonal cropping within Lot 2 DP 446830, and undertakes similar activities within the area of proposed Lot 5 and the northern area of proposed Lot 1, which were leased from the previous owner prior to purchase of the total property. Any previously existing habitats or ecosystems, would have been destroyed by the land use activities which have been undertaken within the property over the past hundred years.

It is noted that a regional drain is located along the southwestern side of proposed Lot 5 and Lot 2 DP 446830, and that wild-fowl were observed within the water-way. The subdivision and continuing farming activities will not impact upon the possible nesting sites adjacent to the drain, where the fencing is setback from the drain by some 3 metres.

#### **10.5 Effects of Discharge / Abstractions**

Each of the dwellings to be erected within proposed Lots 2, 3, and 4 will discharge sanitary sewage to a multi-chambered septic tank with discharge of sanitary sewage effluent to a dosed field-tile effluent dispersion field. The dispersion fields will be designed to be not closer than 2 metres from property boundaries or closer than 50 metres from bores located within the allotments or within adjoining property. Application for resource consent for discharge of sewage effluent to land, has been sought from Environment Canterbury.

The dwelling within Lot 1 discharge sewage to a septic tank, with discharge of sewage effluent to a field tile dispersion field, not closer than 50 metres from property boundaries.

There are no bores on properties adjacent to Lots 1 to 4 that are located within 50 metres of the points of existing and proposed effluent discharge, which draw potable water and which could potentially be impacted by the proposal to discharge effluent to land within Lots 2 to 4, or from the proposal to continue to discharge sewage effluent from the existing field tile dispersion system within Lot 1. The zones of influence of the dispersion systems will be located within the proposed property boundaries, and there is adequate separation distances from the sources of potable water.

The dwelling within Lot 1 is provided with potable water from a well located on the southern side of the dwelling and positioned 35 metres west of Ridges Road and 40 metres north of Gammacks Road. The bore, which is artesian, is 50mm diameter and is sunk to a depth of 50 metres. The Lot 1 bore is located 70 metres to the north of the 100mm diameter bore located within the gun club site, where the artesian bore is located 20 metres setback from Gammacks Road.

There will be a requirement for new bores to be established within Lots 2, 3 and 4 to provide water for potable supply. The Land and Water Regional Plan permits the abstraction of not more than 10 cubic metres per day per property for potable and stock water supply. With consideration of the allotment sizes, the predominant use will be for potable supply, and a typical requirement of not greater than 3 cubic metres per day per site, would usually suffice. There will be a requirement at building consent stage, to provide for water storage tanks to be installed, to provide for the ability for fire-fighting.

The piezometric contours for the locality are in a north to south direction. The closest upstream bore from the existing bore within Lot 1, is located on the 14.83 hectare property on the eastern side of Ridge Road, where the 100mm diameter artesian bore is sunk to a depth of 54 metres and is located 120 metres north of the bore within Lot 1.

The closest upstream bore from Lots 2 to 4 is a 75mm diameter artesian bore sunk to a depth of 93 metres and located 310 metres north of Lot 4.

It is considered that bores to be sunk within Lots 2 to 4 will flow artesian, and could be located not closer than 20 metres from the centre point of discharge of sewage effluent. The zones of protection of the bores will be able to be located within the proposed allotments, and the abstraction of the additional water required for potable and stockwater use, will have no effects upon the abstraction of water on adjacent properties.

## **10.6 Summary of Effects**

The proposal to undertake a subdivision to create three 1.00 hectare sites for the erection of dwellings, is not considered likely to result any additional traffic, or abstraction or discharge effects. It is also considered that the application will result in minimal adverse effects on the environment and adjoining properties.

## **11. Geotechnical Matters**

The application site is located within a rural area where the soils have not been categorised. The applicant company has engaged Geoconsult Geotechnical Consultants Ltd to undertake a geotechnical assessment within the area of the three proposed small allotments.

Geoconsult considered there to be 3 possible founding options for proposed new dwellings within the identified safe stable building platforms. These 3 options are as follows:

- Option 1 – Type G4 deep stone columns in conjunction TC2 enhanced foundation system
- Option 2 – Type 2B surface structure
- Option 3 – Type G1d crushed reinforced gravel raft with a releveable concrete surface structure

The recommendations in respect of the Options contained within the report state:

### **Option 1**

*A specifically designed deep foundation treatment in general accordance with type G4 'Deep Stone Columns' from the MBIE's 'Repairing and Rebuilding Houses affected by the Canterbury Earthquakes' December 2012 is considered a suitable ground improvement method for this site.*

*The treatment should extend a minimum of 8.0m below ground level and 1.5m outside the building footprint. This should be designed and constructed by a specialist contractor experienced in the design and construction of the ground improvement.*

*Following completion of the above ground improvement, an option 2 or 4 TC2 enhanced slab foundation in general accordance with section 5.3 of the MBIE's 'Repairing and Rebuilding Houses affected by the Canterbury Earthquakes' December 2012 be provided for the subject site.*

*The intention of this foundation is not to eliminate the liquefaction risk but to accommodate it within the design of the structure. Should settlement occur in a future seismic event, the intention of this foundation is to help reduce the differential component of this settlements to acceptable levels. Where excessive settlements occur, releveling may be required.*

*Confirmation of available bearing will need to be determined by the ground improvement designer. Note where less than 300kPa the TC2 enhanced timber floor will require specific design to accommodate the reduced bearing capacity.*

### **Option 2**

*Geoconsult recommend a foundation in general accordance with a Type 2B surface structure from the MBIE's 'Repairing and Rebuilding Houses affected by the Canterbury Earthquakes' December 2012 be provided.*

*These foundations comprise a suspended timber floor which is constructed over a concrete 'underslab' founded atop a 600mm thick gravel raft.*

*This gravel raft should be a minimum of 600mm thick, with the base overlying soils with adequate bearing. Any remaining vegetation, topsoil, fill and any soft or otherwise unsuitable material should be removed from the building platform or earthworks area ensuring the base of the excavation remains level. The gravel should comprise well sorted, well graded AP40 hard fill. Two layers of Triax TX160*

*(or equivalent) geogrid should be incorporated into the gravel raft structure. The first layer should be placed at 100mm from the base of the gravel raft, with second layer placed 200mm from the base of the raft 100mm above the first geogrid layer. The gravel raft should extend a minimum of 0.5m outside the footprint of the 'underslab'.*

*The intention of this foundation is not to eliminate the liquefaction risk but to accommodate it within the design of the structure. When settlement in future seismic events occurs the surface structure allows for re-levelling.*

*A geotechnical ultimate bearing capacity of 200kPa can be assumed for design purposes atop the gravel raft.*

### **Option 3**

*We recommend the subsoils over the upper 1.2m of the soil profile and any remaining vegetation, topsoil, fill and any soft or otherwise unsuitable materials be removed from the earthworks area.*

*Following their removal, we recommend a shallow foundation treatment in accordance with a type G1d 'Reinforced Crushed gravel raft', Section 15.3 from the MBIE's 'Repairing and Rebuilding Houses affected by the Canterbury Earthquakes' December 2012 be provided.*

*This method of ground improvement involves the formation of a 1.2m thick Geogrid reinforced densified block of engineer AP40 hard fill, the gravel raft should extend a minimum of 2m outside the footprint of the proposed development.*

*We recommend a bidim cloth be placed at the base of the excavation and up the sides.*

*2 layers of Triax TX160 (or equivalent) should be placed at 0.2m and 0.4m from the base of the excavation.*

*In all cases, the gravel raft should extend a minimum of 1.2m below any proposed foundation elements. Where foundation elements required embedment into the gravel raft, the raft should be thickened proportionately.*

*Temporary drawdown of the water table or other means of dewatering may be required if the area of ground needing improvement is below the water table.*

*Following completion of the above gravel raft we recommend a specifically designed releveable concrete surface structure in general accordance with the MBIE's 'Repairing and Rebuilding Houses affected by the Canterbury Earthquakes', December 2012 is considered a suitable founding option for this site.*

*This foundation should be designed to withstand both the vertical and lateral settlements estimated in the liquefaction assessment.*

*The intention of this foundation is not to eliminate the liquefaction risk but to accommodate it within the design of the structure. When settlement in future seismic events occurs the surface structure allows for releveing.*

*A geotechnical ultimate bearing capacity of 200kPa can be assumed for design purposes atop the gravel raft.*

## **12. Consent Notices**

It is proposed that a consent notice be registered against the new Records of Title to issue for proposed Lots 1 & 5 and Lot 2 DP 446830 to advise that no dwellings are permitted to be erected within Lot 5 and Lot 2 DP 446830, and that Lot 5 and Lot 2 DP 446830 are not permitted to be taken into consideration in any future calculation of the residential density of the property.

It is proposed that a consent notice be registered against the new Records of Title to issue for Lots 1, 3 and 4 to advise that the floor level of any dwelling erected on proposed Lot 2, 3 and 4 shall be at least 3.25 metres (Lyttelton Vertical Datum **1937**).

Additionally, it is proposed that a consent notice be registered against the new Records of Title to issue for Lots 2, 3 and 4 to advise of the recommendations of the geotechnical report.

A consent notice to be registered against the new Record of Title to issue for Lot 1 is requested, to identify that should there be disturbance of the farm-yard area or shot-fall area within Lot 1, that further investigation of the soils should be undertaken prior to the area being used for any growing of vegetables for human consumption.

## **13. District Plan – Objectives and Policies**

### **QUALITY OF THE ENVIRONMENT**

#### ***Objective B3.4.1***

***The District's rural area is a pleasant place to live and work in.***

#### ***Objective B3.4.2***

***A variety of activities are provided for in the rural area, while maintaining rural character and avoiding reverse sensitivity effects.***

#### ***Policy B3.4.1***

***Recognise the Rural zone as an area where a variety of activities occur and maintain environmental standards that allows for primary production and other business activities to operate.***

#### ***Policy B3.4.3***

***Avoid, remedy or mitigate significant adverse effects of activities on the amenity values of the rural area.***

#### ***Policy B3.4.6***

***Maintain low levels of building density in the Rural zone and the predominance of vegetation cover.***

#### ***Policy B3.4.18***

***Ensure buildings are setback a sufficient distance from property boundaries to:***

- a. ***Enable boundary trees and hedges to be maintained;***
- b. ***Maintain privacy and outlook for houses on small allotments; and***
- c. ***Encourage a sense of distance between buildings and between buildings and road boundaries where practical.***

***Policy B3.4.21***

***Protect existing lawfully established activities in the Rural zone from potential for reverse sensitivity effects with other activities which propose to establish in close proximity***

Comment

The application site is located within an area where there has not been a significant degree of development where the residential density for the Rural Outer Plains zone is at the maximum permitted for the zone. It is acknowledged that towards the northeast, on the eastern side of Halswell River, in the Duck Pond Road and Park Road locality, that there a number of 4 hectare sites which were established as controlled subdivision under rules applicable prior to the present District Plan being notified. There is no evidence to suggest that reverse sensitivity effects have arisen due to the presence of the smaller lots within the Outer Plains zone.

The proposed subdivision will allow for the primary production farming activities being undertaken by the applicant company and the adjoining dairy farmer to the northwest, to be maintained and intensified, while allowing for the development of the three smaller rural allotments to be created in a manner provided for within the District Plan which would not result in the permitted residential density for the Outer Plains zone being exceeded.

The anticipated building density within the proposed 1 hectare allotments, is considered to be less than the building density, inclusive of accessory farm buildings, that would be erected should the property be subdivided to create 20 hectare lots as a controlled activity. Dwellings and accessory buildings within the proposed 1 hectare lots would be sited in positions in compliance with the bulk and location requirement for the zone, and will be screened for Ridge Road frontage by the existing amenity shelter.

There are no identified established activities being undertaken within adjoining properties which might have potential to result in reverse sensitivities following the establishment of the smaller rural allotments.

**RESIDENTIAL DENSITY AND SUBDIVISION IN THE RURAL AREA  
OBJECTIVES & POLICIES**

***Objective B4.1.1***

***The provision of a variety of residential section sizes in the rural area, while maintaining a low overall residential density.***

#### **Objective B4.1.2**

***Residential density is low enough to maintain the character of the rural area and to avoid adverse effects on natural and physical resources or reverse sensitivity effects.***

#### **Objective B4.1.3**

***Allotments are created which are of the appropriate size and shape and have the required utility services, for their intended use.***

#### **Policy B4.1.1**

***Avoid residential density greater than those shown below where these are outside the areas identified in Policies B4.1.3 to B4.1.6.***

<b><i>Area shown on Planning Map</i></b>	<b><i>Dwellings per Hectare</i></b>
<b><i>Outer Plains</i></b>	<b><i>1:20</i></b>

#### **Policy B4.1.2**

***Except in the Inner Plains area, allow a house to be built on any sized allotment, provided:***

- a. The balance of land area needed to comply with Policy B4.1.1 is kept free of dwellings by covenant or some other method***
- b. The house allotment is of an appropriate size and shape to avoid adverse effects on adjoining properties, the road network or potential reverse-sensitivity effects; and***
- c. The number of houses clustered together on small allotments is kept small, to avoid creating new villages or settlements; and***
- d. The balance of land area adjoins the house allotment and is of a shape that maintains the sense of “open space”.***

#### **Policy B4.1.9**

***Ensure any allotment created is of sufficient size and shape for its intended use, including the avoidance of reverse sensitivity effects on existing lawful uses and has provision for a complying access to an adjacent road.***

#### **Policy B4.1.9**

***Ensure any allotment created is of sufficient size and shape for its intended use, including the avoidance of reverse sensitivity effects on existing lawful uses and has provision for a complying access to an adjacent road.***



**Policy B4.1.10(a)**

***Ensure any allotment created has connections to the reticulated utility services it requires, available at the boundary of the allotment when it is created; or***

**Policy B4.1.10(b)**

***If utility connections are not needed when the allotment is created, a notation is placed on the Certificate of Title to alert people that utility connections are not available at the boundary of the allotment.***

**Policy B4.1.11**

***Ensure any allotment created which may be used to erect a dwelling has an adequate building square and access to sunlight.***

**Policy B4.1.12**

***Ensure subdivisions do not create separately saleable allotments which due to their size, shape, location or legal restrictions on the Certificate of Title, cannot be used to erect a dwelling as a permitted activity, unless that allotment shall be used as a utility lot or for some other specified purpose; and that purpose is unlikely to result in the need to erect a dwelling at some stage.***

**Policy B4.1.13**

***Encourage allotment boundaries to follow natural or physical features on the land, wherever practical.***

Comment

The rural residential density of the locality will be maintained by the proposal to provide for “no build” covenant areas over Lot 2 DP 446830 and proposed Lot 5, totalling 72.95 hectares. The “no build” area within Lot 5 will be immediately adjacent to the southwestern boundaries of Lots 2 to 4. The shape of the “no build” area within Lot 5 is rectangular, while the “no Build” area within Lot 2 DP 446830 follows the allotment boundaries.

The objectives and policies provide for a range of residential section sizes within the rural area, and this is evident by the range of property sizes in this immediate area. There are no obvious perceived adverse effects upon the natural and physical resources nor reverse sensitivity effects resulting from the three proposed clustered dwellings on the property. The required utility services required to service the three dwellings on proposed Lots 2 to 4 are available.

Lots 2 to 4 will have frontage widths onto Ridge Road of 68 metres, and depths of 146 metres. It is considered that the shape of the allotments will allow for the siting of dwellings without undue amenity effects upon the adjacent proposed allotments. The western boundary is aligned on the existing amenity shelter and fencing where possible.

Policy B4.1.6 provides for boundary adjustments between allotments containing existing dwellings, which do not comply with the residential standards in Policy B4.1.1 ie. one dwelling per 20 hectares in the Rural Outer Plains. Only one dwelling is erected within the two titles containing areas of 42.41 hectares and 32.20 hectares, and which abut each other. A complying subdivision undertaken as a controlled activity could have been proposed to provide for four lots containing areas of not less than 20 hectares, resulting in the residential density as proposed by the present subdivision.

Lot 2 DP 446830 is utilised for pastoral grazing and cropping, by the applicant company, in conjunction with additional land on the southeastern side of Gammacks Road. There are no dwellings erected within the land on the southeastern side of Gammacks Road, but there is a requirement for custodial management of the properties, and that will be provided by the retention of the dwelling within Lot 1, and the amalgamation of that parcel with Lot 2 DP 446830. This process will adequately address any future requirement for provision of a dwelling adjacent to the grazing properties.

It is considered that the application maintains the rural character of the area, and is in accordance with the provisions of the Selwyn District Plan.

#### **14. Proposed Selwyn District Plan**

Under the Proposed Selwyn District Plan the site is zoned General Rural Zone. The site is subject to the Plains Flood Management Overlay, the Tsunami Policy Overlay, the SASM Nga Turanga Tupunai Overlay, and the EIB Canterbury Plains Management Area. No decisions have yet been made on the Proposed Plan, but rules relating to cultural areas do have immediate legal effect.

The property is located within SASM 30. The Ngā Tūranga Tūpuna, as identified in the Selwyn District Plan, relates to Te Waihora/Lake Ellesmere, its margins and associated wetlands. The area is considered to contain a concentration and broader range of culturally significant sites for example, archaeological sites of Māori origin, silent files, sites (including remnants) of ancestral pā, kainga (settlements or homes), urupā (burials), and all of the spaces inter-connecting these places and features. In addition, Ngā Tūranga Tūpuna can be described as places of settlement or occupation in the past, which do not usually contain known physical features (excluding archaeological sites), but do provide an opportunity to incorporate Ngāi Tahu history and values into the development or redevelopment of these areas. Additionally, there will be rivers, streams, springs and wetlands within these areas. Ngā Tūranga Tūpuna also represent areas where Mana Whenua have an elevated concern with regards to the integration and effects of a wide range of land-use activities and may require notification or engagement with Mana Whenua as part of a planning process.

The Objectives and Policies of the Proposed District Plan relevant to this application include:

##### **SAMS Objective 1**

*The historic and contemporary relationship of Ngāi Tahu mana whenua with their ancestral lands, water, sites, wāhi tapu, and wāhi taonga within the Selwyn District is recognised and protected.*

##### **SASM Policy 1**

*Recognise and protect Ngāi Tahu cultural values in identified Sites and Areas of Significance to Ngāi Tahu by:*

- a avoiding any damage or disturbance to urupā except for activities associated with the identification or protection of such sites, or for interments in, such sites, which are undertaken by the relevant rūnanga;*
- b protecting identified wāhi tapu and wāhi taonga from disturbance, damage, or destruction, and ensure activities do not adversely affect them;*
- c avoiding buildings within wāhi tapu identified as a maunga;*

- d. *limiting earthworks to those areas that have been previously disturbed by cultivation, building foundations or other earthworks, and controlling the depth of any excavation;*
- e. *enabling opportunities for enhancement of cultural and ecological values within identified Sites and Areas of Significance to Ngāi Tahu, particularly where associated with mahinga kai.*

### **SASM Policy 2**

*Recognise the cultural significance of ngā wai/water bodies and the historic and ontemporary Ngai Tahu customary uses and values associated with these water bodies by managing adverse effects of activities within riparian margins*

### **SASM Policy 3**

*The Council will continue to work with Ngāi Tahu, Te Taumutu and Ngāi Tūāhuriri Rūnanga, and affected landowners to:*

- a. *identify and confirm the presence of waipuna (springs); and*
- b. *determine the appropriate approach to be taken for the protection of any identified waipuna/springs.*

SASM Rule 2 applies to Earthworks within the SASM Ngā Tūranga Tūpuna Overlay. Earthworks are permitted where the earthworks are:

- a. *within land previously disturbed by previous earthworks, cultivation, plantings (trees, pasture or crops), or buildings; and*
- b. *to a depth no greater 200mm; or*
- c. *for the purposes of excavating a well or bore within the Ngā Tūranga Tūpuna overlay; or*
- d. *associated with interments in a burial ground, cemetery or urupa on land that is classified as Māori Land within the Māori Purpose Zone*

It is considered that the earthworks associated with the excavation of foundations for dwellings to be erected within Lots 1, 2 and 3, and the construction of driveways within those allotments, will be to a depth greater than 0.2 metres.

It is considered that to meet the relevant objectives and policies, and the restricted discretionary component of SASM Rule 2 relating to earthworks, that an Accidental Discovery Protocol procedure be registered as a consent notice on the new Records of Title to issue for Lots 2, 3 and 4., and the land use component of the consent record that any excavation to depths greater than 0.2 metres are to be undertaken in accordance with the Accidental Discovery Protocols.

Subject to the above requirement, it is considered that the SASM requirements of the Objectives and Policies of the Proposed District Plan would be met.

## **15. Regional Policy Statement**

This proposal is not considered to be of a nature or scale that challenges the provisions of the Regional Policy Statement.



## 16. Development Contributions

The application proposes that RT 563371 be amalgamated with proposed Lots 1 & 5. As a consequence of the subdivision, two additional titles are created by the application and development contributions are applicable.

## 17. Consultation

The applicants have undertaken consultation with the dairy farmers who own land to the northwest of proposed Lots 4 and 5. The owners of Section 40 Block II RES 959 to the east of Lots 2 to 4, have not been consulted. It is respectfully requested that Selwyn District Council undertake limited notification of the properties considered to be potentially affected.

Those owners of the properties adjacent to proposed Lots 2 to 4 are:

	Duck Pond Road	RD 2 Christchurch 7672
	488 Ridge Road	RD 2 Christchurch 7672

## 18. Conclusion

This application seeks subdivision consent to undertake a fee-simple boundary adjustment subdivision of two existing titles containing areas of 42.41 hectares and 38.20 hectares to create three lots in a cluster containing areas of 1.00 hectares, and a 77.60 hectare title containing a dwelling erected within Lot 1. The application proposes that a “no build” covenant be registered against the 77.60 hectare title, and secured by consent notice, to ensure that the residential density of one dwelling per 20 hectares is retained.

Land use consent is sought to permit the retention of the existing dwelling on the proposed 77.60 hectare title, and the erection of a dwelling within each of the proposed 1.00 hectare allotments.

It is considered that the application will result in effects considered to be less than minor, and that the application is not contrary to the objectives, policies and rules of the Operative Selwyn District Plan and the Proposed Selwyn District Plan.

We respectfully ask that the application be given due consideration.

Yours sincerely

**Graham Fowler Consulting**



Graham Fowler  
Registered Surveyor

**Enclosure**

- » Application Plan
- Form 9
- Preliminary Site Investigation
- Detailed Site Investigation
- Geotechnical Report
- Sewage Effluent Dispersion Resource consent plans
- Records of Title







Planning Unit

## Application for Resource Consent

(NES)

Resource Management Act 1991 - Form 9

Send or deliver your application to: Selwyn District Council, PO Box 90, Rolleston 7643

Or email to: [rcapps@selwyn.govt.nz](mailto:rcapps@selwyn.govt.nz)

For enquiries phone: (03) 347-2800

For enquiries email: [contactus@selwyn.govt.nz](mailto:contactus@selwyn.govt.nz)

### 1. Application

This form is to be used for an application as required under Section 88 of the Resource Management Act 1991 and must be accompanied by the required fee, together with an assessment of environmental effects, plans and a Record of Title and any other supporting information.

This application is for:

☒ Land Use Consent    ☐ Subdivision Consent (please confirm subdivision type below)

Subdivision type (fee-simple, boundary adjustment, cross lease, unit titles):

Please note – for subdivision applications, the provisions of any other relevant zone/activity rules for land use activities may apply. Should an activity not comply with one or more of those rules, then application for land use consent will also need to be made in respect to those rules.

### 2. The Agent / Consultant

Name of Agent (include the contact person's name if a company, trust or similar): GRANAM FOWLER CONSULTING

Landline:

Mobile:

Email:

Postal Address: P.O. BOX 130053  
CHRISTCHURCH 8141

### 3. The Applicant

(Note: The Applicant is responsible to the Council for all costs associated with this application)

The applicant is the: ☒ Owner    ☒ Occupier    ☐ Lessee    ☐ Prospective purchaser

☐ Other (please specify):

Full Name: LOCHLEA FARMING CO. LTD

Landline:

Mobile:

Email:

Postal Address: 1105 CHRISTCHURCH AKAROA ROAD  
RD 2  
CHRISTCHURCH 7672

Signature of Applicant (Or person authorised to sign on behalf of Applicant)

Signature: 

Date: 10 OCTOBER 2022

Name:

GRANAM FOWLER



#### 4. The Site

Location of the proposed activity (street address): 606 RIDGE ROAD, MOTUKARARA.

Legal description of application site (state legal description (see the Record of Title) as at the date of application and, if titles are not yet available, include details of relevant lot numbers and subdivision consent number):

SECTION 3 BLK IV RESERVE 959 (RT CB 253/823)



I have provided a Record of title less than 3 months old, including a copy of any relevant consent notice, covenant, or other encumbrance to which the Council is a party. Note: These can be obtained from Land Information New Zealand.

**Please note:** If it is needed for the processing of this application, the Council may obtain any other relevant copies of the title and any relevant encumbrances from Land Information New Zealand, at the applicant's expense.

#### Site visits

A site visit may be required by the processing planner to fully understand the environmental effects of the proposal. By applying for this consent, you acknowledge this and agree to the processing officer, and/or specialists to enter the property to undertake this review.



Y ☐ N Do you wish to be notified of when the site visit is to occur? (either agent or owner)

Is there a locked gate, dogs/livestock, or other reason that council staff would be restricted from entering the site? If yes, please identify below: NO.

#### 5. The Proposal

##### Controlled Activity application

Is this a land use consent application for a **controlled activity** only, under the District Plan? (defined as a fast-track application under section 87AAC of the RMA)

☐ Y ☐ N

##### Proposal description

Describe what is to be carried out on the site, including a list of the ways it does not comply with the Selwyn District Plan

Application for consent under NES.

Was there any pre-application advice / discussion prior to this application being filled out?

☐ Y ☒ N

If Yes, what was the Planner's Name?:



## 6. National Environmental Standard (NES)

Every applicant must answer the questions contained within Table One.

**Table One**

Please identify whether the application involves any of the activities below:		
Does your application involve changing the use of the land? (e.g. erecting a dwelling on an area of land which previously had no dwelling erected upon it)	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N
Does the proposed activity involve disturbance of soil? (more than 25m <sup>3</sup> per 500m <sup>2</sup> of land) or removing soil? (more than 5m <sup>3</sup> per 500m <sup>2</sup> of land) (e.g. foundations, on-site effluent treatment and disposal systems, wells or bores)	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N
Does the application involve removing or replacing a fuel storage system or parts of it?	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N
Does the proposed activity involve sampling soil?	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N
Are you proposing to subdivide the land as part of this application?	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N

If all of the answers to the questions in Table One are **NO** then you may stop here. You must, however, sign and date the bottom of page 1 of this form.

If you answered **YES** to any of the questions in Table One, you must complete Table Two

**Table Two**

Is the land currently being used, has been used in the past, or is likely to have been used for an activity described on the HAIL?	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N
--	---------------------------------------	----------------------------

If the answer to the question in Table Two is **NO** then you may stop here. You must, however, sign and date the bottom of page 2 of this form.

If you answered **YES** to the question in Table Two, you are required to undertake an assessment in accordance with the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.

Until such time as a satisfactory NES assessment has been undertaken, no building work will be permitted to commence.

For more information on this process please contact the Duty Planner of (03) 347-2800 or go to the Ministry for the Environment website <https://environment.govt.nz/acts-and-regulations/regulations/national-environmental-standard-for-assessing-and-managing-contaminants-in-soil-to-protect-human-health/>

Please complete Table Three.

**Table Three**

☒ Assessment under the NES is attached

☐ The assessment work is to be undertaken. Anticipated completion date?

Please note that any inaccuracies may result in the applicant being in breach of the Resource Management Act 1991 and / or exposed to liability if the site is subsequently found to be contaminated, including being liable for remedial works.



## 6. Attachments

Assessment of any effects on the environment in accordance with Schedule 4 of the Resource Management Act 1991.

I attach:

☒ AEE *This section MUST be completed to a level of detail that corresponds with the scale and significance of the effects that the proposed activity may have on the environment.* (Use additional pages as necessary). *Applications without an AEE will be returned as incomplete.*

☒ A recent search of the Record of Title (less than 3 months old)

☒ Details of proposal including scaled plans and supporting information

☒ Sufficient detail to satisfy the requirements of the NES for Assessing & Managing Contaminants in Soil to Protect Human Health

☒ Geotechnical report (subdivision only)

## 7. Other Applications

Have you applied for, or are you required to apply for, any other resource consents for this project, either from the Selwyn District Council or Environment Canterbury, and if so, what type?

		Has been applied for	Is required to be applied for	Has been obtained
Selwyn District Council	Subdivision Consent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other Land Use Consent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environment Canterbury	Water Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Discharge Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Coastal Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

OR

☐ No additional resource consents are needed for the proposed activity

Have you applied for a Project Information Memorandum (PIM) or a building consent for this project? ☐ Y ☐ N

If so, what is the PIM/BC number?

## 8. Development Contributions

The following information is required for assessment of levies under the Council's Development Contributions Policy.

**Brief Description of intended use:**

### Residential development

The use of land or buildings for living accommodation purposes including residential units such as dwellings, serviced apartments and unit/strata development, but excluding retirement villages and travellers' accommodation.

**Existing:**

Number of residential units or lots:

**New total:**

Number of residential units or lots:

## 8. Development Contributions

Is/are the existing residential unit/s connected to Council's reticulated services?:

Water ☐ Y ☐ N  
Wastewater ☐ Y ☐ N

Has a residential unit been demolished/removed from the site?

☐ Y  
☐ N

Date:

The following section applies where there will be more than one residential unit on the site:

Gross floor area (all buildings) in m<sup>2</sup>:

Gross floor area of each unit in m<sup>2</sup>: (area of garaging excluded)

The following section applies where there will be two or more attached units on the site:

Total gross floor in m<sup>2</sup>: (area of garaging excluded)

### Non-residential development

The use of land or buildings for commercial premises/offices, shopping centres, supermarkets, service stations, markets, bulk goods/home improvement stores, retail facilities, manufacturing industries, drive-in fast food restaurants, warehouse/storage, retirement villages and commercial accommodation.

#### Existing:

Gross floor area in m<sup>2</sup>:

#### New total:

Gross floor area in m<sup>2</sup>:

Gross floor area for each land use activity:

Gross floor area in m<sup>2</sup> and land use:

--	--

Gross floor area in m<sup>2</sup> and land use:

--	--

Gross floor area in m<sup>2</sup> and land use:

--	--

Gross floor area in m<sup>2</sup> and land use:

--	--

Gross floor area for each land use activity:

Gross floor area in m<sup>2</sup> and land use:

--	--

Gross floor area in m<sup>2</sup> and land use:

--	--

Gross floor area in m<sup>2</sup> and land use:

--	--

Gross floor area in m<sup>2</sup> and land use:

--	--



## 8. Development Contributions

### Special Assessment

If the development is not recognised as a residential or non-residential land use (as above), please provide the following information for a special assessment of development levies.

#### Existing:

Gross floor area in m<sup>2</sup>:

Car movements per day:

Truck movements per day:

Truck & trailer movements per day:

Litres of wastewater per day:

#### New total:

Gross floor area in m<sup>2</sup>:

Car movements per day:

Truck movements per day:

Truck & trailer movements per day:

Litres of wastewater per day:

### Connections to Council Infrastructure

Does this development require connection/s to the following?:

Water Supply ☐ Y ☐ N  
Stormwater ☐ Y ☐ N  
Wastewater ☐ Y ☐ N

Note: For mixed use developments, please complete all relevant sections above.

## 9. Notification

Are you requesting the application to be publicly notified?

☐ Y ☐ N

Are you requesting the application to be limited notified (as not all parties considered affected have provided their written approval)

*(Please note it is at the discretion of Council if an application should be limited notified)*

☐ Y ☐ N

Have all the persons you consider to be adversely affected given their written approval to the proposal?  
*(ensure affected persons form is completed & plans signed)*

☐ Y ☐ N

☐ N/A

## 10. Privacy Information

All the relevant information on this form is required to be provided under the Resource Management Act 1991 for Selwyn District Council to process your application. Under this Act this information has to be made available to members of the public, including business organisations. The information contained in this application may be made available to other departments of the Council. You have the right to access the personal information held about you by the Council which can be readily retrieved. You can also request that the Council correct any personal information it holds about you.

## 11. Declaration

I have completed all relevant sections of this form, and I understand that my application may be returned as incomplete if it does not include all of the relevant information.

I understand that fees paid on lodgement are a deposit only (unless stated in the list of fees), and that the Council will invoice all costs actually and reasonably incurred in processing this application.

All information submitted with this application is, to the best of my knowledge, true and correct.



## 12. Information

1. All applicants are asked to check the accuracy of the information supplied. Inaccuracies in information supplied can cause difficulties at a later date, such as additional costs, delays and legal proceedings initiated by the Council and/or by other persons.
2. If resource consent is granted the applicant has a legal obligation to comply with any conditions of the consent.
3. The required **Application Fee** must be paid before processing of any application will start.
4. A further invoice will be sent to the applicant when the processing of this application has been completed if the cost of processing it exceeds the fee paid (excluding fixed fee applications). If you are an agent for the owner and do not wish to be legally liable for additional fees then you should ask the **owner** to sign the form.
5. At the completion of the process any refunds due will be issued to the **person who paid the fee** (excluding fixed fee applications).
6. Dependant on the nature of the proposal other consents/licences may also be requested under such legislation as the Health Act 1956 and the Sale of Liquor Act 1989.
7. The application for resource consent under the Resource Management Act 1991 is in addition to any building consent application required under the Building Act 2004.
8. The written approval of persons the Council considers may be adversely affected by the proposal may be required as part of the application, if it is to be processed on a non-notified basis. This will be determined after the application has been lodged and assessed, and if necessary, a site visit carried out.
9. Consultation with neighbours and other affected persons is at the discretion of and responsibility of the applicant.
10. When this application is lodged with the Selwyn District Council, it becomes public information and is available for public inspection. If there is commercially sensitive information in the proposal, please let us know.
11. **If your application is inadequate, it may be returned unprocessed.** If additional information is required, you will be advised and processing of the application will be suspended until the information is received. To avoid delays and cost it is in your best interests to submit a complete application.

## 13. Check List

This checklist is provided to assist with the preparation and submission of the application. The provision of correct and accurate information will assist processing. Please complete all sections.

### a. Application form

- ☐ Completed and signed application form, including a full description of the proposal, a list of the ways in which it does not comply with the District Plan and/or NES, and an assessment of effects on the environment.

### b. Location of the application site

- ☐ Copy of the current Record of Title less than 3 months old, including a copy of any relevant consent notice, covenant, or other encumbrance to which the Council is a party. Note: These can be obtained from Land Information New Zealand.

### c. Application fee/deposit

- ☐ Fees payable and internet banking details are set out in the fee schedule. Payment details will be issued when the application is received. Please note that the application is not formally received until the full deposit is received by Council.

### d. Plan (at appropriate scale) showing (where applicable):

- ☐ Net areas for all new allotments, together with areas in access (subdivision only);
- ☐ The position of all new boundaries, including clearly labelled allotment dimensions (subdivision only);
- ☐ Existing crossings, kerb and channel (subdivision only);
- ☐ All easements clearly labelled and right of way easements with dimensions marked for the full width (subdivision only);
- ☐ A 'memorandum of easements' (subdivision only);
- ☐ Existing reticulated services (subdivision only);
- ☐ Location and use of all existing and proposed buildings in relation to legal and internal boundaries;
- ☐ Location of any waterbody and dimensions from its banks to any new buildings and/or earthworks;
- ☐ Vehicle access, manoeuvring, parking spaces and access gradients;
- ☐ Outdoor living, service and storage space;
- ☐ Landscape plan showing location, species and height of all existing and proposed plants;



- ☐ Location of any heritage features or protected trees on the site or adjoining sites;
- ☐ Areas of proposed filling or excavation, retaining walls and existing/proposed ground levels;
- ☐ Building coverage (proposed and existing) in square metres; and
- ☐ Surveyed ground and floor levels (where required to show District Plan compliance).

**e. Floor plans (at appropriate scale) showing (where applicable):**

- ☐ Proposed uses;
- ☐ Gross floor areas for each use;
- ☐ Location of all/any kitchen facilities;
- ☐ Doors and windows; and
- ☐ Overall dimensions of all buildings.

**f. Elevations (at appropriate scale) showing (where applicable):**

- ☐ Recession planes from accurate levels (where the adjoining property is at a lower level, the recession plane must be adopted from that level);
- ☐ Maximum height; and
- ☐ Doors and windows.

**g. Assessment of Environmental Effects (AEE)**

- ☐ An assessment of effects on the environment in accordance with Schedule 4 of the RMA, at a level of detail that corresponds with the scale and significance of the effects that the proposed activity may have on the environment. This assessment may require technical specialist reports on matters including transportation, heritage, noise, protected trees, contaminated land, geotechnical conditions, landscape and urban design.

**h. HAIL/contaminated land:**

- ☐ Site investigation details and an assessment, if the land is HAIL land and the volumes of soil disturbed exceed the limits of the NESCS.

**i. Reserves:**

- ☐ Whether reserves to vest will include easements (existing or new);
- ☐ Council's approval under s239 required.

**j. Consultation with other agencies**

- ☐ Orion – availability of power;
- ☐ Transpower – Electricity Transmission Corridors;
- ☐ Waka Kotahi (NZTA) – State Highways; and
- ☐ Mahaanui Kurataiao Ltd (MKT) – issues of significance to Tangata Whenua

Note: that is a preliminary checksheet only, intended to assist with Section 88 of the Act. It is general in nature and does not cover all rules contained in the Plan, nor is all of the information relevant to all activities. Please check with the Council if you are unsure of the information requirements. [contactus@selwyn.govt.nz](mailto:contactus@selwyn.govt.nz)

<b>Office Check</b>	
<input type="checkbox"/> Information received and complete	yes / no
<input type="checkbox"/> Receipt #: _____	Resource consent #: _____ Date: _____