

Planning Unit

Application for Resource Consent

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

For enquiries phone: (03) 347-2868

For enquiries email: planninginfo@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 Certificate of Title and any other supporting information. If this application is for a subdivision then a geotechnical report must be attached.

This application is for:

☐ Land Use Consent ☐ Subdivision Consent

2. The Agent / Consultant

Name of Agent (include the contact person's name if a company, trust or similar): *Mike Vincent*

Landline: *03 339 0401*

Mobile: *027 289 8889*

Email: *Mike@blg.nz*

Postal Address: *PO Box 8177, Riccarton, Christchurch 8440*

3. The Applicant

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

Full Name: *Johnston Civil Limited (Paul Johnston)*

Landline:

Mobile: *027 432 9590*

Email: *paul@johnstons.net.nz*

Postal Address: *7 Croftfield Place, Westmorland CHCH 8025*

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

Signature: *M. Vincent*

Date: *13/01/20*

Name: *Mike Vincent*

4. The Site

Location of the proposed activity (street address): *28 Manse Road, Leeston*

Legal description of application site (state legal description (see the Certificate 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):

Lot 2 DP 69318

5. The Proposal

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

See attached application

Subdivision consent to create 8 additional fee simple allotments. Please see full application for details.

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. Attachment

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).

☐ A recent search of the Certificate of Title

☐ Details of proposal including plans

☐ 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. 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

9. 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.

10. 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.

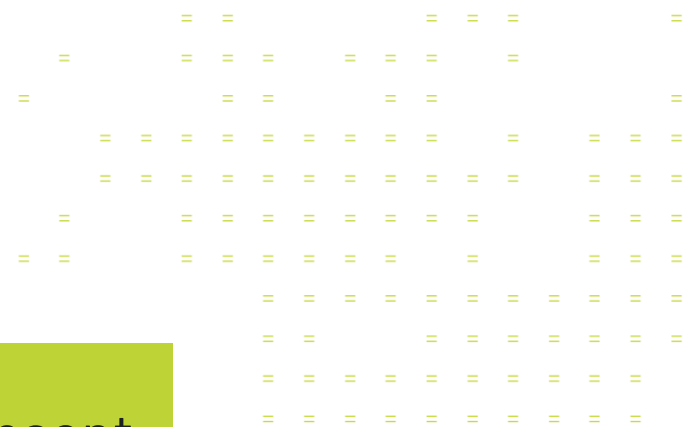
Office Check

☐ Information received and complete

yes / no

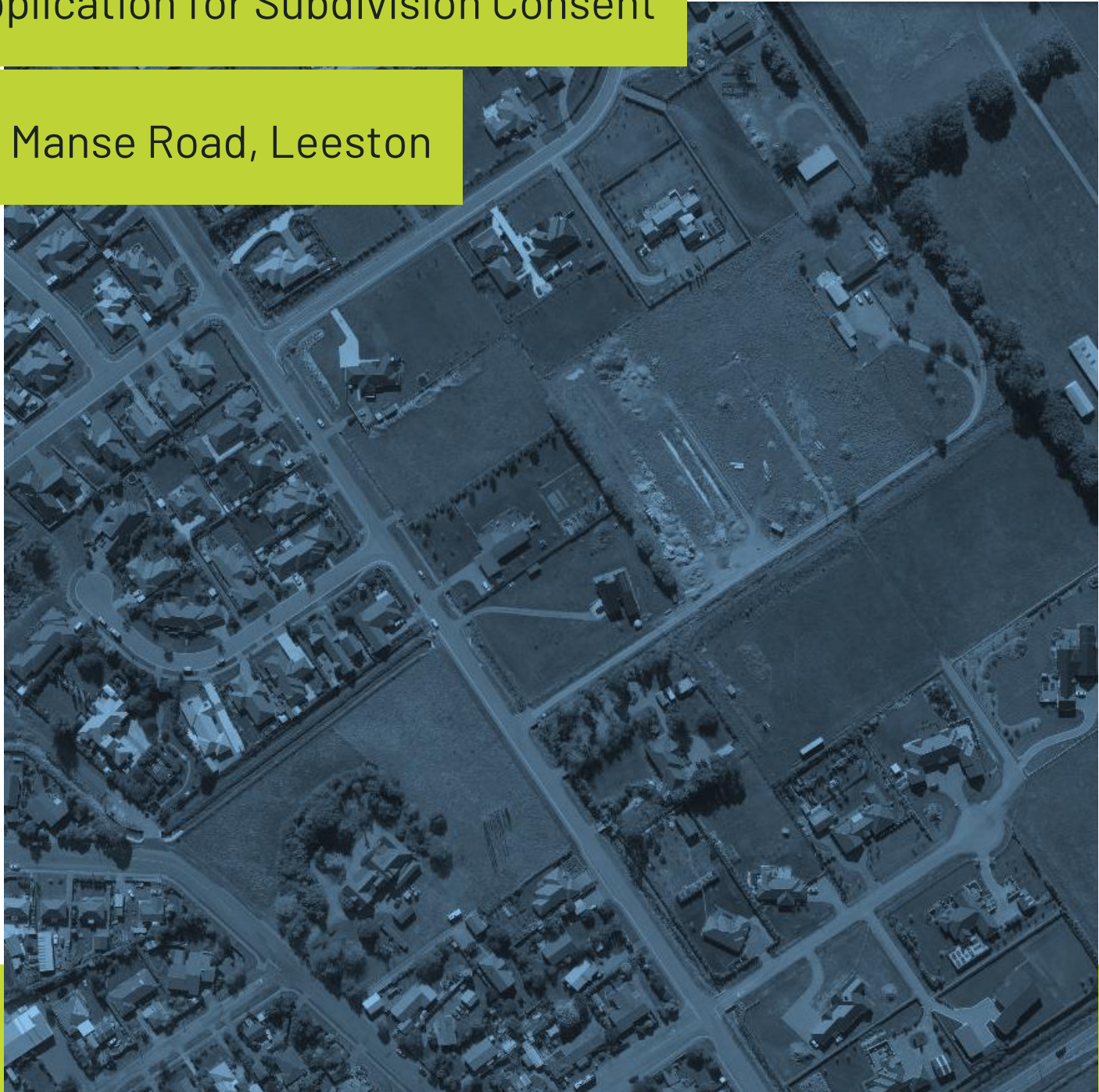
Resource consent #: _____ Date: _____

☐ Receipt #: _____



Application for Subdivision Consent

28 Manse Road, Leeston



CLIENT

Paul Johnston

ADDRESS

28 Manse Road, Leeston

REFERENCE

516301

Report Information

Reference:	516301
Title:	Application for Subdivision consent, 28 Manse Road, Leeston
Client:	Paul Johnston
Filename:	516301-PLN-APP-01-SUBD
Version:	1
Date:	1/13/2020
Prepared by:	Mike Vincent <i>M. Vincent</i>
Reviewed by:	Sally Elford <i>S. Elford</i>

CHRISTCHURCH OFFICE

T	03 339 0401 – 0800 BLG 123
E	info@blg.co.nz
A	54 Manchester Street Christchurch Central 8011

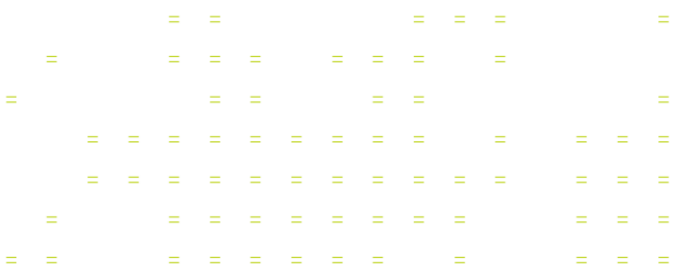
MARLBOROUGH OFFICE

T	03 578 7299 – 0800 BLG 123
E	info@blg.co.nz
A	Level 1, 30 Maxwell Road, Blenheim 7201

CROMWELL OFFICE

T	03 928 6021 – 0800 BLG 123
E	info@blg.co.nz
A	3A Donegal Street Cromwell 9310

1	Summary of application details	1
1.1	Report purpose.....	1
2	Application site and surrounding environment	2
2.1	Application site.....	2
2.2	Surrounding area.....	3
2.3	Living 2 zone east of Manse Road	3
3	Description of the proposed activity	5
3.1	Previous consent.....	5
3.2	Current application.....	5
3.3	Access.....	5
3.4	Geotechnical stability	5
3.5	Stormwater and wastewater	5
3.6	Power and telephone.....	5
3.7	Water supply	6
3.8	Earthworks.....	6
3.9	Other matters.....	6
4	Planning framework	7
4.1	Zoning	7
4.2	Chapter 12 Subdivision.....	7
4.3	Chapter 5 Roading	9
4.4	Activity status	11
5	Assessment of relevant objectives and policies	12
5.1	Selwyn District Plan.....	12
5.2	Policy B4.1.2	13
5.3	Canterbury Regional	13
5.4	Summary	13
6	Assessment of environmental effects	14
6.1	Rural character and amenity effects	14
6.2	Visual effects	14
6.3	Positive effects	14
6.4	Potentially affected parties	15
6.5	Effects summary.....	15
7	Statutory framework	16
7.1	Part 2 of the RMA.....	16
7.2	Other relevant documents.....	17
7.3	Consideration of applications (Section 104-104B).....	17
7.4	Section 106 assessment	18
7.5	Notification	18
8	Conclusion	20



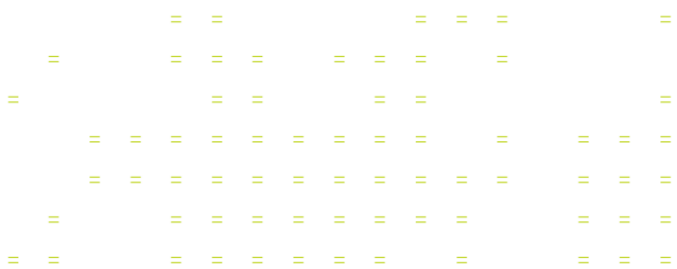
1 Summary of application details

1.1 Report purpose

This report is an application for subdivision consent (including an assessment of the actual and potential effects on the environment) to create four fee simple allotments at 28 Manse Road, Leeston. This application has been prepared in accordance with Schedule 4 of the Resource Management Act 1991 (‘RMA’ or ‘the Act’).

Applicant:	Paul Johnston
Land Owner:	Johnston Civil Limited (Paul Johnston)
Owner’s Address:	Lakeside, RD 3, Leeston
Site Address:	28 Manse Road, Leeston
Legal Description:	Lot 2 DP 69318
Record of Title:	604361
Site Area:	2.67 ha
District Plan Zoning:	Selwyn District Plan (“the Plan”): Township Volume Zone: Living 2
Proposed Activity:	The applicant seeks subdivision consent as a non-complying activity to create four fee simple residential allotments.

This demonstrates that the Living 2 zone east of Manse Road, as a whole, is able to accommodate the proposed subdivision without compromising the anticipated residential dwelling carrying capacity.



3 Description of the proposed activity

3.1 Previous consent

Under the previous approved resource consent application (RC 165456), the proposal was for a seven-lot subdivision to be undertaken in one stage. Since the approval of this consent in May 2017, all the conditions of consent have been satisfied and section 224 certificate is imminent. The earthworks consent and consent under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) have been given effect to. The cul-de-sac (Lot 100) will vest as Road and has been formed and sealed. All services have been put in place, including to proposed Lot 8. See Appendix 3 for a copy of the previously approved consents.

3.2 Current application

This application seeks to subdivide Lots 1, 2 and 3 (approved under RC 165456) to create an additional allotment to be known as Lot 8. The remaining lots (Lots 4, 5, 6, 7) approved under RC 165456 will be unchanged by this proposal. A copy of the scheme plan is attached in Appendix 2.

	Existing m ²	Proposed m ²	Proposed Net m ²	% Change
Lot 1	3,329	2,038	2,000	-38.7%
Lot 2	3,509	3,170	3,050	-9.6%
Lot 3	3,511	3,141	3,042	-10.5%
Lot 8	n/a	2,000	n/a	n/a

3.3 Access

The proposed subdivision will utilise the cul-de-sac which was constructed following the approval of RC165456. This access will serve Lot 1 and Lot 8. Access to proposed Lots 2 and 3 will be via a Right of Way from the cul-de-sac.

3.4 Geotechnical stability

A geotechnical assessment is not required for this subdivision as Leeston is located within an area of low geotechnical risk.

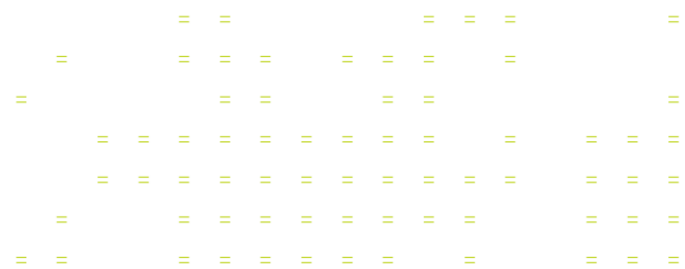
3.5 Stormwater and wastewater

The applicant has extended the wastewater network via a low-pressure system along Manse Road and within the new Road into the site. The new wastewater connections have been constructed in accordance with approved consent RC165456. All services have been installed including to proposed Lot 8.

Stormwater from all roof areas will be discharged to rain tanks that will be used to irrigate the allotments. Stormwater from impervious surfaces will be discharged to the Manse Road drain via the new piped network which was constructed in accordance with approved consent RC165456. Services have been installed including to proposed Lot 8.

3.6 Power and telephone

All allotments have connections to power and telecommunications, including proposed Lot 8, in accordance with the requirements of the relevant utility providers.



3.7 Water supply

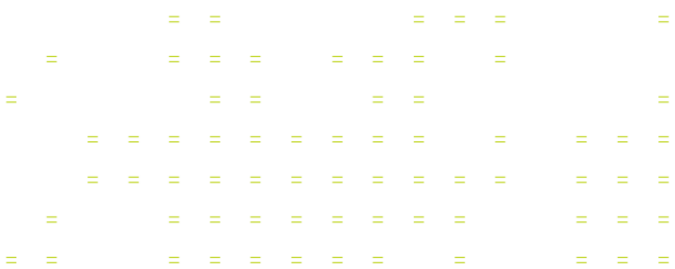
New water connections to the reticulated network have been provided in accordance with the approved consent RC165456. All services have been installed including to proposed Lot 8.

3.8 Earthworks

There are no additional earthworks beyond what was approved under RC165456, required for this proposal.

3.9 Other matters

It is proposed to plant vegetation along the southern boundary (next to the cul-de-sac) of proposed Lots 1 and 8 and the western boundary of proposed Lot 8 as a condition of consent. There are no other matters relating to the proposal which would require resource consent.



4 Planning framework

The Plan contains the relevant planning framework relating to the proposed subdivision on the application site.

4.1 Zoning

The application site is zoned Living 2 in the Plan, as shown in Figure 2 below.



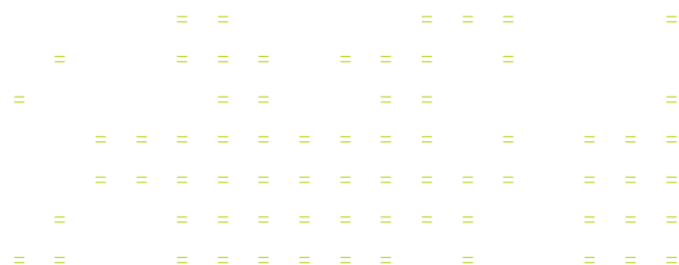
Figure 3: Excerpt from Online Planning Map with the application site identified in black and white outline

The application site is located off Manse Road on a new cul-de-sac which will be vested as Road with Council. The road will be classified as a local road in the Plan.

4.2 Chapter 12 Subdivision

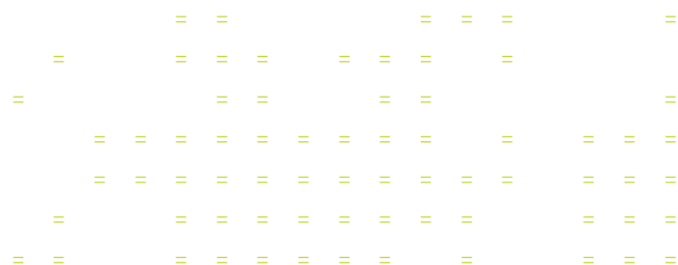
Rule 12.1.1 states any subdivision of land, which is not a subdivision under Rules 12.2 or 12.3, shall be a restricted discretionary activity if it complies with the standards and terms set out in Rule 12.1.3 of the Plan. The following is an assessment of the proposal against the relevant rules set out in Rule 12.1.3 of the Plan:

Rule	Proposal	Compliance
Access		
Rule 12.1.3.1 Any allotment created, including a balance allotment, has legal	Lots 1-8 will gain access from existing cul-de-sac off Manse Road and Lots 2 and 3 will gain	Complies



Rule	Proposal	Compliance
access to a legal, formed road.	access from a ROW.	
<i>Corner Splays</i>		
Rule 12.1.3.2 The corner of any allotment at any road intersection shall be splayed with a rounded minimum radius of 3 metres	The site is not located on the corner of a road intersection.	N/A
<i>Water</i>		
Rule 12.1.3.3 Any allotment created in: Castle Hill, Doyleston, Lake Coleridge Village, Leeston, Lincoln, Prebbleton, Rolleston, Southbridge, Springston, Tai Tapu, West Melton or is within a Living 3 Zone is supplied with reticulated water.	Lots 1-3 and 8 have been provided with connections to reticulated potable water.	Complies
<i>Effluent Disposal</i>		
Rule 12.1.3.4 Any allotment created in: Castle Hill, Doyleston, Lake Coleridge Village, Leeston, Lincoln, Prebbleton, Rolleston, Southbridge, Springston, Tai Tapu and West Melton, or within a Living 3 zone is supplied with reticulated effluent treatment and disposal facilities.	Lots 1-3 and 8 have been provided with connections to reticulated wastewater.	Complies
<i>Solid Waste Disposal</i>		
Rule 12.1.3.5 Any allotment created is supplied with a facility or service to dispose of solid waste off the site.	Lots 1-3 and 8 will be provided with rubbish, recycling and organic bins.	Complies
<i>Size and Shape</i>		
Rule 12.1.3.6 Any allotment created, including a balance allotment, contains a building area of not less than 15m x 15m, except for sites greater than 400m ² in area in a medium density area shown on an Outline Development Plan where the minimum building area shall be not less than 8m x 15m.	Lots 1-3 and 8 will have dimensions of greater than 15 m x 15 m.	Complies
Rule 12.1.3.7 Any allotment created, including any balance allotment, complies with the relevant allotment size requirements set out in Table C12.1. Table C12.1 states the average site area in the Living 2 zone is 5,000 m ² .	The average net site area of Lots 1- 3 and Lot 8 will be 2,023 m ² .	Does not comply
<i>Outline Development Plans</i>		
Rule 12.1.3.58 Any subdivision within a Living Z or 3 Zone that is subject to an Operative Outline Development Plan within the District Plan shall be in general compliance with that Outline Development Plan and shall comply with any standards referred to in that Outline Development Plan.	The site is not within an ODP area.	n/a

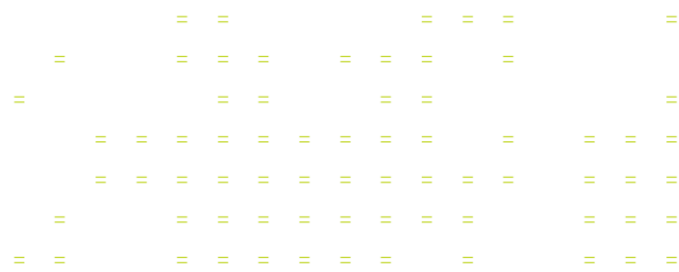
Given the above assessment, the proposed subdivision cannot comply with Rule 12.1.3.7 and therefore does not comply with Rule 12.1.3. The proposed subdivision must therefore be assessed as a **non-complying activity** under Rule 12.1.7.1 of the Plan. There are no matters to which Councils discretion is limited.



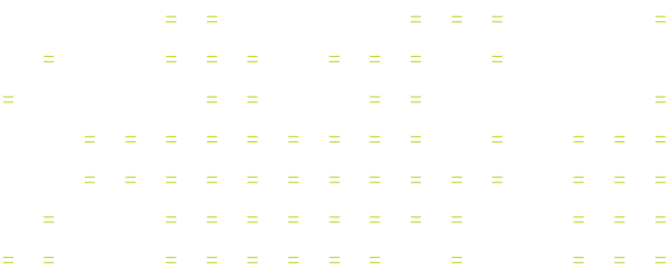
4.3 Chapter 5 Rooding

There is an existing cul-de-sac on site which is 281 m long, 10.8 m wide and has a turning head of 12.5 m. There are no changes to this cul-de-sac approved under RC 165456. The proposed Right of Way will serve Lots 2 and 3. There are no physical changes to the ROW which was approved under RC 165456. It is noted that the ROW will serve 5 allotments in total. Two new vehicle crossings will be required for Lots 1 and 8. Therefore, the following is an assessment of the proposed access for Lots 1 and 8 against the rooding rules of the Plan.

Rule	Proposal	Compliance
<i>Rule 5.1 Rooding and Engineering Standards</i>		
These rules relate to forming roads.	No roads are proposed.	N/A
<i>Rule 5.2 Vehicle Accessways</i>		
These rules relate to vehicle accessways.	No vehicle accessways beyond those approved under RC 165456 are proposed.	N/A
<i>Rule 5.3 Vehicle Crossings</i>		
Rule 5.3.1.1 The vehicle crossing is formed and sited to comply with the relevant requirements in Appendix E13.2.2, E13.2.4, E13.2.5.	The relevant standards of Appendix 13 are assessed below.	Complies
Rule 5.3.1.2 The vehicle crossing is to be sealed if the adjoining road is sealed; the crossing shall be sealed for the full length between the site boundary and the sealed carriageway.	The vehicle crossings for Lots 1 and 8 will be sealed. The existing vehicle crossings for the cul-de-sac is sealed.	Complies
Rule 5.3.1.3 The vehicle crossing complies with the relevant standards in Appendix E13.2.3	The relevant standards of Appendix 13 are assessed below.	Complies
Rule 5.3.1.4 The site does not have access directly on to a State Highway or arterial road listed in Appendix 7.	Manse Road is not a State Highway or listed in Appendix 7.	Complies
<i>Rule 5.4 Traffic Sight Lines – Road/Rail Crossings</i>		
These rules relate to sight lines of rail crossings.	The proposal is not near a rail crossing.	N/A
<i>Rule 5.5 Vehicle Parking and Cycle Parking</i>		
Rule 5.5.1.1 The number of car parks provided complies with the relevant requirements for the activity as listed in Appendix E13.1.1, E13.1.2, E13.1.3 and E13.1.12.	The relevant standards of Appendix 13 are assessed below.	Complies
Rule 5.5.1.2 All car parking spaces and vehicle manoeuvring areas are designed to meet the criteria set out in Appendix E13.1.5.2, E13.1.6, E13.1.7, E13.1.8, E13.1.9, E13.1.10 and E13.1.11.	The relevant standards of Appendix 13 are assessed below.	Complies
<i>Appendix E13</i>		
<i>E13.1.1 Parking Spaces to be Provided</i>		
Rule E13.1.1.1 For any new activity provision shall be made for on-site vehicle	Lots 1 and 8 are sufficient in size to accommodate two car parking spaces at the time of residential	Complies



Rule	Proposal	Compliance
parking. Residential activities require two car parking spaces.	development.	
Rule E13.1.3.1 All parking required shall be located on the same site as the activity for which the parking is required.	Parking will be located on-site.	Complies
Rule E13.1.6 Garage able parking spaces for any residential activity in any zone shall be 3.1 m wide and 5.5 m deep for a single garage and 5.6 m wide and 5.5 m deep for a double garage.	Any garage on Lots 1 and 8 will be required to meet this standard, or consent will be sought for non-compliance.	Complies
Rule E13.1.8.1 The maximum average gradient of any access shall be 1 in 6.	The site is relatively flat therefore, the vehicle crossings and parking areas will comply with this requirement.	Complies
Rule E13.1.9.2 Parking spaces shall be located so as to ensure that no vehicle is required to carry out any reverse manoeuvring when entering any required parking space. Rule E13.1.9.3 Vehicles shall not be required to undertake more than one reverse manoeuvre when manoeuvring out of any required parking or loading space.	Parking spaces will be required to be designed to comply with these rules.	Complies
<i>E13.2.2 Distance of Vehicle Crossings from Road Intersections</i>		
Rule E13.2.2.1 No part of any vehicle crossing shall be located closer to the intersection of any roads than the minimum distances specified in Table E13.5. The table states the distance between a vehicle crossing and an intersection with two local roads shall be 10m.	The closest distance between the site boundary and the intersection of Manse Road will be approximately 90 m.	Complies
<i>E13.2.3 Sight Distances from Vehicle Crossings</i>		
Rule E13.2.3.1 Any access on any road shall have minimum unobstructed sight distances that comply with Tables E13.6 below and measured in accordance with Diagram E13.2. The table states the minimum site distance shall be 45 m.	Proposed Lots 1 and 8 will have sight distances of approximately 90m to the intersection of Manse Road.	Complies
<i>E13.2.4 Vehicle Crossing Design and Siting</i>		
Rule E13.2.4.1 Vehicle access to any site from any road or service lane shall be by way of a vehicle crossing constructed at the owner's or developer's expense.	Vehicle crossings for Lots 1 and 8 will be constructed.	Complies
Rule E13.2.4.2 For all sites in a Living Zone there shall be a maximum of one vehicle crossing per site.	Lots 1 and 8 will have one crossing per site.	Complies
Rule E13.2.4.5 The maximum spacing and width any vehicle crossing shall comply with Table E13.7. The table states vehicle crossings shall be spaced less than 1 m or greater than 7 m. The minimum width of single vehicle crossings is 3.5 m.	The crossings will be constructed to comply with this rule, or consent will be sought for the non-compliance.	Complies
<i>E13.2.5 Standard of Vehicle Crossings</i>		



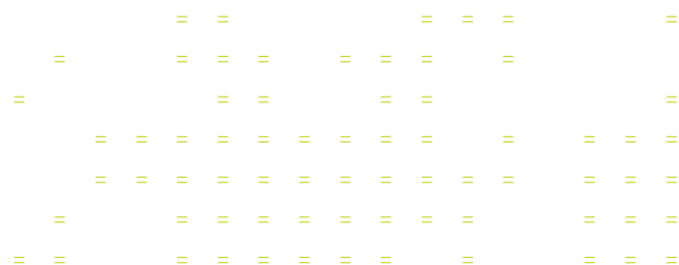
Rule	Proposal	Compliance
Rule E13.2.5.1 Vehicle crossings shall be constructed to the following minimum standards: (a) Standard vehicle crossings shall be provided to sites capable of containing no more than 6 dwellings or which generate no more than 100 vehicle movements per day.	The crossings will be constructed to comply with this standard.	Complies

There are no changes to the Right of Way serving proposed allotments 2 and 3. The Right of Way was approved under RC165456. Therefore, this component of the proposed subdivision has not been assessed under Chapter 5 Roding.

Given the above assessment the proposed subdivision is assessed as a **permitted activity** under the Roding Rules of the Plan.

4.4 Activity status

Overall, subdivision consent is sought for a **non-complying activity** under the Selwyn District Plan - Township Volume Rule 12.1.7.1 for the creation of four residential allotments.



5 Assessment of relevant objectives and policies

Under Schedule 4 Clause 2(g) of the RMA, the following is an assessment of the activity against the relevant objectives and policies of the district plan and of the Canterbury Regional Policy Statement ("the CRPS").

5.1 Selwyn District Plan

Objective or Policy	Proposal	Assessment
Natural Resources		
Objective B1.1.1	The application site is not contaminated. All conditions relating to the NESCS were complied with under RC 165456 and RC 165641	Consistent
Objective B1.1.2	The proposal will utilise an existing residential site for residential activity and is not considered to create a shortage of land for soil resources.	Consistent
Policy B1.1.1	The subdivision will result in residential allotments and future residential dwellings. The construction of dwellings is not considered to result in contaminated soil.	Consistent
Policy B1.1.3	All conditions relating to NESCS have been given effect to in RC 165456.	Consistent
Physical Resources		
Objective B2.2.1	Proposed Lots 1 -3 and Lot 8 have been provided with connections to Council's reticulated potable water, wastewater and stormwater networks.	Consistent
Objective B2.3.1	The proposed allotments will have access to community facilities in Leeston.	Consistent
Natural Hazards		
Objective B3.1.1	The proposed development is not considered to lead to or intensify the effects of natural hazards. The site is not identified within a natural hazards area.	Consistent
Growth of Townships – residential density		
Objective B4.1.1	The proposal will provide for a range of living environments.	
Policy B4.1.1	The proposal will enable people to provide for their wellbeing within a low-density environment.	Consistent
Objective B4.1.2	The proposed allotments will add residential activity to the surrounding residential neighbourhood in Leeston. The allotments will have access to reserves, community and education facilities.	Consistent
Policy B4.1.2	The subdivision will result in an average lot size 3.9 times greater than the Living 1 zone and Living XA zone and will maintain a visually discernible residential density difference from the Living 1 and Living XA zones. It is noted the average allotment. The subdivision is efficient use of the land and enables easier maintenance of the allotments.	Consistent
Objective B4.2.1 and B4.2.2	The proposed allotments will be sufficient in size to accommodate residential activities intended for the allotments and will be connected to services.	Consistent
Policy B4.2.2	All services have been provided to the allotments including proposed Lot 8.	Consistent
Policy B4.2.3	The proposed allotments will maintain the semi-rural amenity of the area and will be able to accommodate vegetation to enhance the character of the area. The proposed allotments are of sufficient size to accommodate access to sunlight, a building platform, outdoor living spaces and safe access for pedestrians and motorist.	Consistent

6 Assessment of environmental effects

In accordance with section 88 of the RMA and the Fourth Schedule, the following is an assessment of the actual and potential effects on the environment arising from the proposed subdivision. This assessment includes consideration of the relevant matters set out in Clauses 6 and 7 of the Fourth Schedule.

As the proposed subdivision is a non-complying activity there are no matters to which council's discretion is limited.

The potential effects of the subdivision can be categorised into the following key areas:

- Rural character and amenity
- Visual effects
- Positive effects

6.1 Rural character and amenity effects

The proposed subdivision will create four allotments within the Living 2 zone at an average size of 2,523 m². This has the potential to reduce the amenity and character of the zone. The zone anticipates allotments which will ensure the spacious nature of the townships is maintained. With an average allotment size 3.9 times greater than the Living 1 zones it is considered the proposed allotments will be easily distinguishable by virtue of land area and site coverage of any potential buildings. Coupled with any vegetation, the proposed allotments will be able to maintain the spacious nature of the Living 2 zone and ensure a visually disguisable difference to the neighbouring zones.

The anticipated environmental result which are applicable to residential density, anticipate a range of living environments and sizes. The proposed subdivision provides a range of allotment sizes from 2,000 m² to 3,900m². These meet the expected range of being 3 to 6 times larger than the Living 1 zones. Further they will be able to be discerned as being visually different from the Living 1 and Living XA sites west and north west of the site by virtue of their size. This size difference will enable the lots to reflect 'rural characteristics' should they choose to.

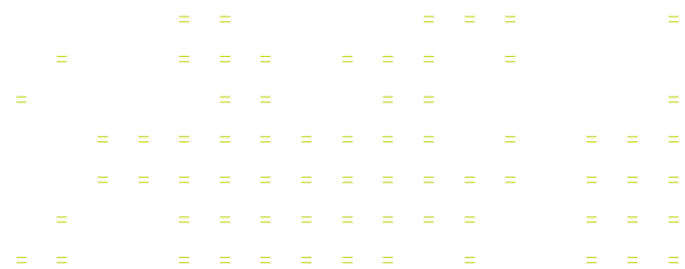
The proposed allotments are located approximately 100 metres up a cul-de-sac, which would make them less visually obvious than street fronting lots, therefore the public view of these allotments will be limited to users of the cul-de-sac. It is considered the effects on rural character and amenity are no more than minor.

6.2 Visual effects

The proposed subdivision is not considered to be of an intensity to dominate the environment. It is located up a 100 metre long cul-de-sac, which will only be accessed by the residents who live within the proposed subdivision. To this extent the visually discernible characteristics of the site are limited to those who are within the immediate area and those adjoining neighbours. As a condition of consent, it is proposed to plant a contiguous vegetation strip along the southern boundary of proposed Lots 1 and 8 (along the cul-de-sac) and the western boundary of Lot 8 the visual effect would be considered no more than minor.

6.3 Positive effects

The proposed subdivision will enable a range of allotments sizes in a residential zone and will add to the residents in the surrounding neighbourhood. The site is fully serviced and within the boundaries of the township. It will create allotments with more manageable grounds thereby leading to a more efficient use of resources and effective management of the environment.



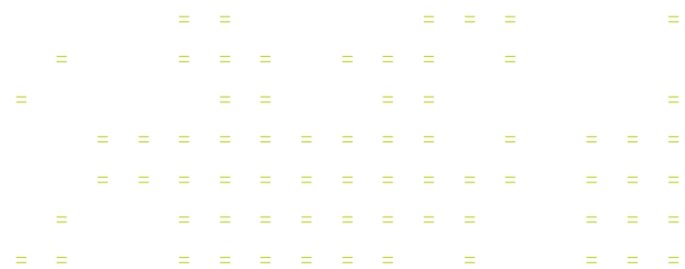
6.4 Potentially affected parties

Under Schedule 4, clause 6(1)(f) of the RMA, an application for resource consent must identify the persons affected by the activity, any consultation undertaken and any response to the views of any person consulted.

In this case the proposed subdivision will result in four allotments within a residential environment. Any immediate effect of the proposal will be mitigated by landscaping on the immediate boundaries adjoining neighbouring sites. There are no persons for whom the proposed activity would result in adverse effects that are more than minor. No further consultation has been undertaken in relation to the proposed subdivision.

6.5 Effects summary

Overall, it is considered the effects of the proposed subdivision on the environment are no more than minor. The proposal will result in four residential allotments in an existing residential area and the residential allotments will be serviced with connections to Council’s reticulated networks. The allotments will be 3.9 times larger than the Living 1 and Living XA zones, thereby maintaining a spacious environment with a residential density considerably lower than that in the adjoining residential zones.



7 Statutory framework

7.1 Part 2 of the RMA

The Resource Management Act (“RMA” or “the Act”) is the principal legislation for the management of the natural and physical resources of New Zealand. All resource consent applications are subject to the provisions of Part 2 of the Act, which sets out the purpose and principles that guide this legislation.

Section 5 of the RMA states that the purpose of the Act is “to promote the sustainable management of natural and physical resources”.

The term ‘sustainable management’ is defined in the RMA as meaning:

- ...managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while;*
- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

The proposed development is able to satisfy the purpose and principles of the Act, by adequately mitigating any adverse effects on the environment arising from the creation of four residential allotments for residential use by providing vegetation and maintaining an allotment size 3 to 6 times greater than the Living 1 zone to ensure a semi-rural⁵ amenity is maintained.

Section 6 of the Act requires certain matters to be recognised and provided for in relation to managing the use, development and protection of natural and physical resources. None of these matters are considered relevant to the proposed subdivision.

Section 7 of the Act lists other matters for which particular regard shall be given to. Subsections (b), (c) and (f) are considered to be relevant to the assessment of the consent application:

- (b) the efficient use and development of natural and physical resources:*
- (c) the maintenance and enhancement of amenity values:*
- (f) maintenance and enhancement of the quality of the environment:*

The proposed subdivision will enable the creation of four residential allotments for residential purposes, with an existing serviced urban area of Leeston. The proposed allotment size will maintain a density lower than the other Living 1 zones in the township maintaining and enhancement of a semi-rural setting. The smaller than required allotments are considered an efficient use of land which has been serviced to provide for residential use.

Section 8 requires the Council to take into account principles of the Treaty of Waitangi. It states:

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

It is considered that the proposal will not be inconsistent with the principles of the Treaty of Waitangi.

⁵ Distinct from a rural production environment which can be defined as carrying rotating crops and cattle. Semi-rural is also distinct to a rural residential activity, which the district plan defines as *residential units within the Living 3 Zone at an average density of between one and two households per hectare*. Semi-rural is not defined by the District Plan but can take its meaning from the requirement to be between 3 and 6 times larger than Living 1 zone.

7.2 Other relevant documents

Under Schedule 4, Clause 2(g) of the RMA, the following is an assessment of the subdivision against the relevant provisions of any other relevant statutory documents (other than district plans or proposed district plans).

National Environmental Standards – Soil Contamination

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health requires sites subject to a subdivision to be assessed to determine if:

- (a) an activity or industry described in the HAIL is being undertaken on it; and/or
- (b) an activity or industry described in the HAIL has been undertaken on it; and/or
- (c) it is more likely than not that an activity or industry described in the HAIL is being or has been undertaken on it.

Under the conditions of RC165456 the site has been appropriately remediated, and all conditions of the consent have been satisfied. It is considered that the obligations under clause 6 of the NES have been met and that the site does not require further investigation to enable its subdivision under clause 8(4) of that standard.

7.3 Consideration of applications (Section 104-104B)

Section 104 sets out those matters that must be considered when assessing an application for a resource consent. Subject to Part 2 of the Act, Section 104(1) requires a consent authority to have regard to the following matters:

- (a) any actual and potential effects on the environment of allowing the activity; and
- (ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and
- (b) any relevant standards of-
 - (i) a national environment standard;
 - (ii) other regulations;
 - (iii) a national policy statement;
 - (iv) a New Zealand coastal policy statement;
 - (v) regional policy statement or proposed regional policy statement;
 - (iv) a plan or proposed plan; and
- (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.

Assessment against these matters has been provided within this application above.

Section 104B of the Act states in relation to the determination of applications for discretionary or non-complying activities:

After considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority—

- (a) may grant or refuse the application; and
- (b) if it grants the application, may impose conditions under Section 108.

As a non-complying activity subdivision consent may be granted, subject to conditions imposed under s108.

Section 104D of the Act sets out the particular restrictions for non-complying activities:

- (1) *Despite any decision made for the purpose of section 95A(2)(a) in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either*
- (a) *the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or*

- (2) To avoid doubt, section 104(2) applies to the determination of an application for a non-complying activity.

7.4 Section 106 assessment

(1) A consent authority may refuse to grant a subdivision consent, or may grant a subdivision consent subject to conditions, if it considered that –

- (a) there is a significant risk from natural hazards; or
- (b)
- (c) Sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision.

7.5 Notification

None of the criteria listed in section 95A(3) that require public notification are relevant to this proposal.

None of the criteria listed in section 95A(5) precluding public notification are relevant to this proposal.

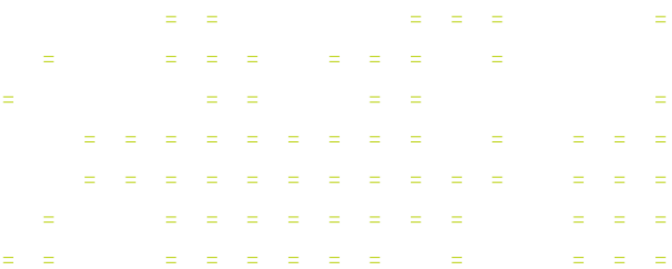
Pursuant to section 95A(8), the proposal is not subject to a rule or national environmental standard that requires public notification and, as assessed in this application, any potential or actual adverse effects are considered to be no more than minor.

Pursuant to section 95A(9)(b), there are considered to be no special circumstances relating to the application that warrant public notification.

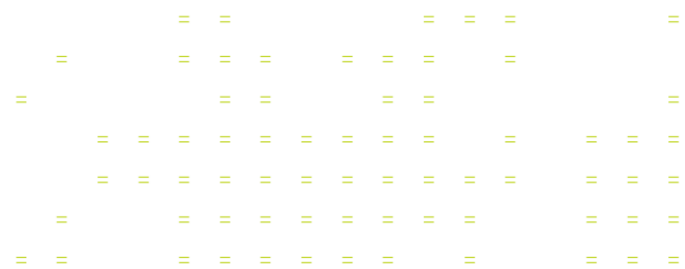
None of the persons listed in section 95B(3) are considered to be affected persons in relation with this application.

None of the criteria listed in section 95B(6) apply to this proposal.

Under section 95B(7), and in accordance with section 95E, no persons are considered to be adversely affected by the proposal and therefore, no persons have been consulted.



Pursuant to section 95B(10)(b), there are considered to be no special circumstances relating to the application that warrant limited notification.



8 Conclusion

This application seeks subdivision consent to create four residential allotments (Lot 1, 2, 3 and 8). Lots 1 and 8 will have vehicle access from the cul-de-sac and Lots 2 and 3 will have vehicle access via a Right of Way. All allotments have been provided connection to services including proposed Lot 8. A condition of consent is offered for vegetation on Lot 1 and 8 where they adjoin the cul-de-sac and on the southern boundary of Lot 8. The conditions of RC 165456 have been satisfied and section 224 approval is imminent.

The proposed activity is a **non-complying activity** under the Plan pursuant to Rule 12.1.7.1 as the proposed allotments do not comply with the minimum average allotment size.

It has been demonstrated by the preceding assessment that the effects on the environment as a result of this proposal will be no more than minor.

Subdivision consent may be granted without the need for notification.

Appendix 1: Records of title



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**



Identifier **604361**
Land Registration District **Canterbury**
Date Issued 28 November 2012

Prior References

CB40B/832

Estate	Fee Simple
Area	2.6700 hectares more or less
Legal Description	Lot 2 Deposited Plan 69318

Registered Owners

Johnston Civil Limited

Interests

Subject to a right of way over part marked J and K on DP 69318 created by Transfer 540666 - 1.1.1870 at 12:00 am

Subject to a right to drain sewage over parts marked J and K on DP 69318 created by Easement Instrument 8578854.1 - 3.9.2010 at 3:10 pm

Subject to a right (in gross) to convey electricity over part marked CA and V on DP 464768 in favour of Orion New Zealand Limited created by Easement Instrument 9596005.7 - 16.12.2013 at 2:44 pm

The easements created by Easement Instrument 9596005.7 are subject to Section 243 (a) Resource Management Act 1991

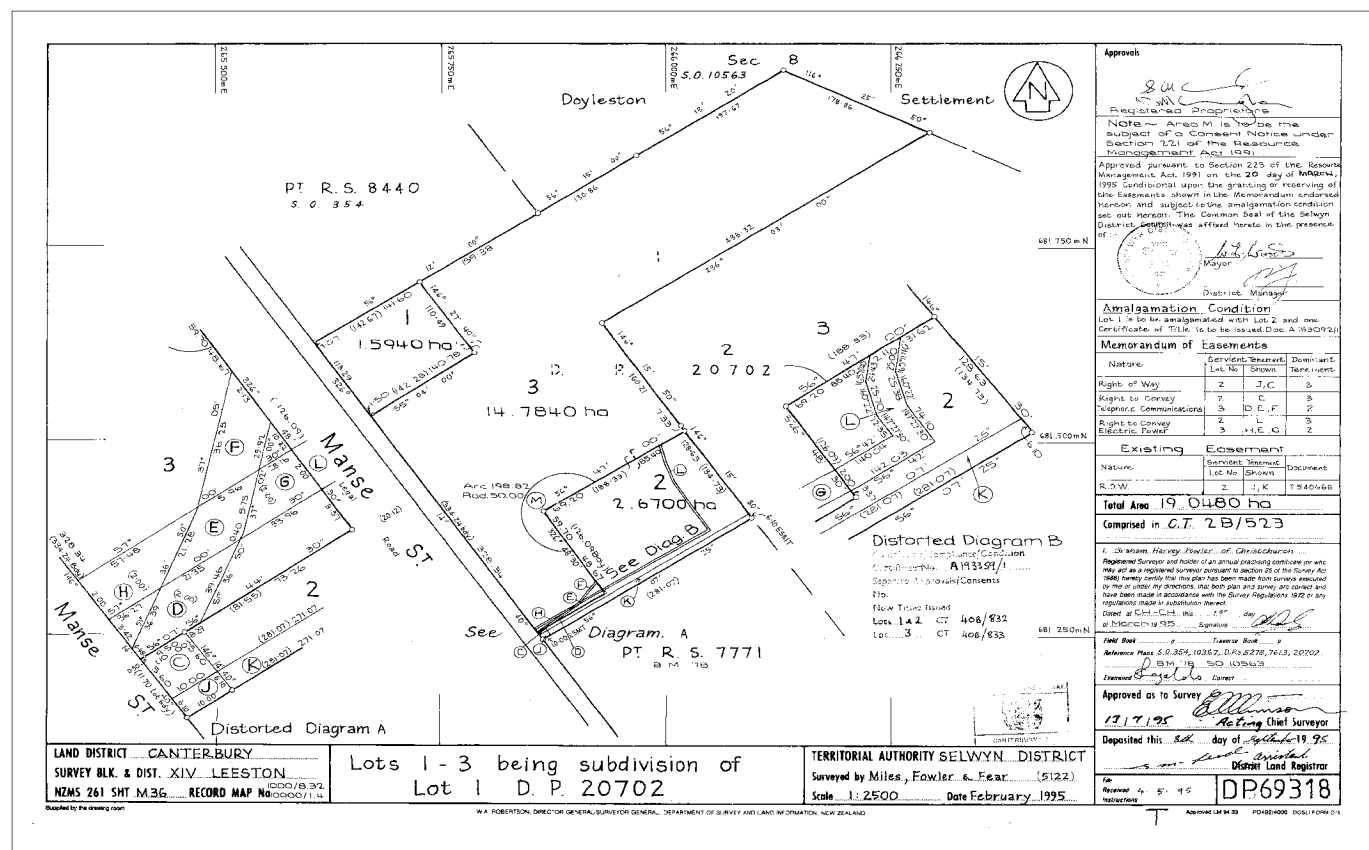
Subject to a right (in gross) to convey telecommunications and computer media over part marked CA and V on DP 464768 in favour of Chorus New Zealand Limited created by Easement Instrument 9596005.8 - 16.12.2013 at 2:44 pm

The easements created by Easement Instrument 9596005.8 are subject to Section 243 (a) Resource Management Act 1991

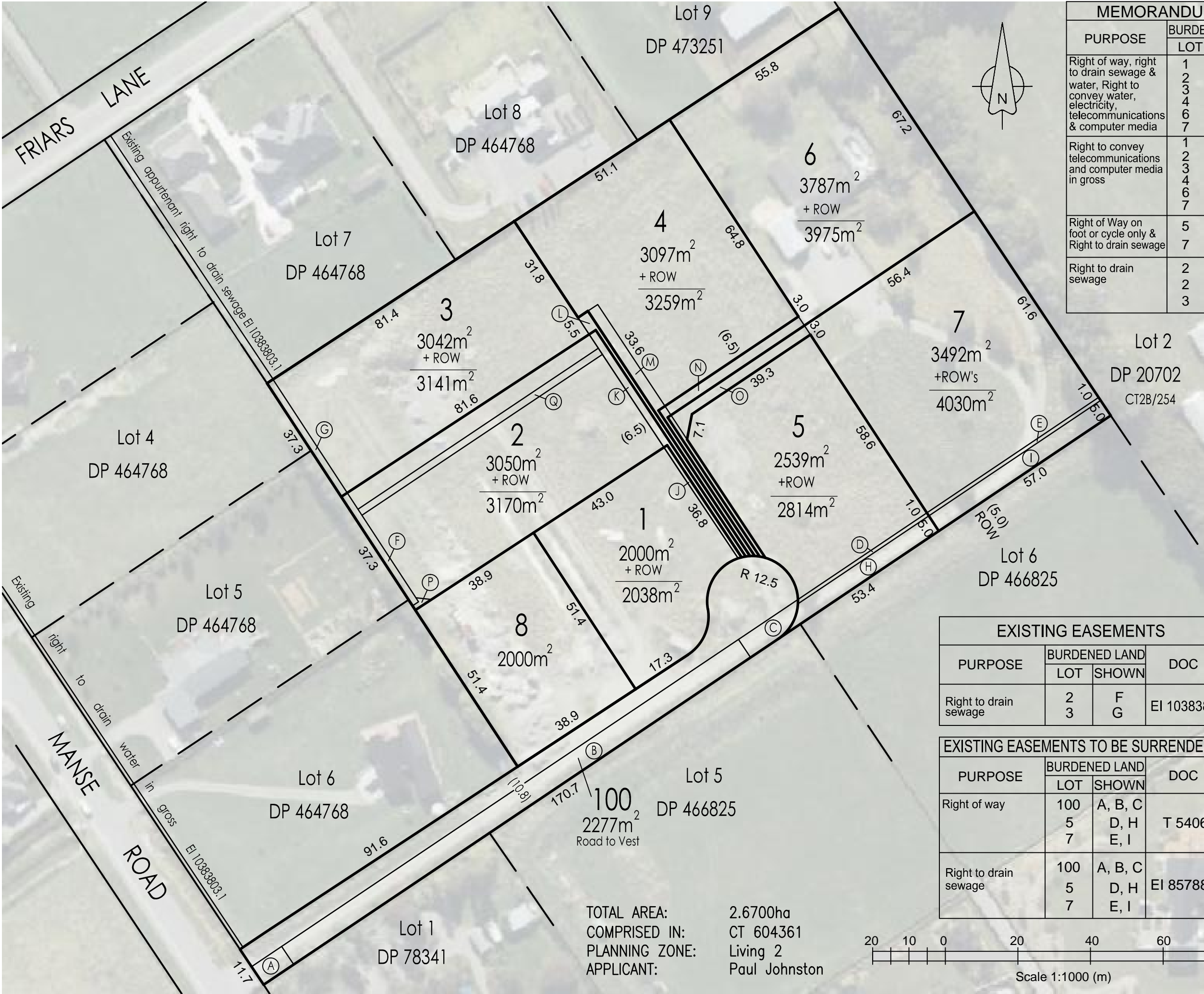
Subject to a right to drain sewerage over part marked L on DP 486919 created by Easement Instrument 10383803.1 - 5.4.2016 at 11:03 am

Appurtenant hereto is a right to drain sewerage created by Easement Instrument 10383803.1 - 5.4.2016 at 11:03 am

10472025.2 Mortgage to Bank of New Zealand - 30.6.2016 at 3:21 pm



Appendix 2: Subdivision Scheme Plan



MEMORANDUM OF EASEMENTS			
PURPOSE	BURDENED LAND		BENEFITED LAND/GRANTEE
	LOT	SHOWN	
Right of way, right to drain sewage & water, Right to convey water, electricity, telecommunications & computer media	1	J	2-4, 6, 7
	2	K	1, 3, 4, 6, 7
	3	L	1, 2, 4, 6, 7
	4	M	1-3, 6, 7
	6	N	7
Right to convey telecommunications and computer media in gross	1	J	Chorus New Zealand Ltd
	2	K	
	3	L	
	4	M	
	6	N	
Right of Way on foot or cycle only & Right to drain sewage	5	H	Lot 2
	7	I	DP 20702
Right to drain sewage	2	F, Q	1, 3, 4-7
	2	F, P	8
	3	G	1, 2, 4-8

A full assessment of easements will be undertaken after the survey has been completed. This may result in additional easements to those already shown.

Areas and dimensions are subject to final survey.

EXISTING EASEMENTS			
PURPOSE	BURDENED LAND		DOC
	LOT	SHOWN	
Right to drain sewage	2	F	EI 10383803.1
	3	G	

EXISTING EASEMENTS TO BE SURRENDERED			
PURPOSE	BURDENED LAND		DOC
	LOT	SHOWN	
Right of way	100	A, B, C	T 540666
	5	D, H	
	7	E, I	
Right to drain sewage	100	A, B, C	EI 8578854.1
	5	D, H	
	7	E, I	

PROPOSED SUBDIVISION OF LOT 2 DP 69318

Scale	1:1000
Date	Dec 2019
Design	JF
Drawn	EY
Review	JF

C	13/1/20	Easements
B	3/12/19	Lots 1, 2, 3, 8
Rev.	Date	Amendment
Revision C		

Appendix 3: RC 165456 and RC 165641

**RESOURCE CONSENT DECISION:
165456**



APPLICANT:	Johnston Civil Limited
PROPOSAL:	To undertake a subdivision to create 7 residential lots and carry out earthworks associated with this subdivision and remediation works under the NES.
LOCATION:	28 Manse Road, Leeston
LEGAL DESCRIPTION:	Lot 2 DP 69318
ZONING:	The property is zoned Living 2 under the provisions of the Operative District Plan – Townships Volume
STATUS:	This application has been assessed as a subdivision consent for a non-complying activity (RC165456) Operative District Plan and as a restricted discretionary activity under the NES. As such the relevant provisions of the Operative District Plan – Townships Volume, the Resource Management Act 1991 and the NES, have been taken into account
This application was formally received by the Selwyn District Council on the 22 nd of August 2016. Assessment and approval took place on the 26 th May 2017 under a delegation given by the Council.	

DECISION

Yours faithfully
Selwyn District Council

A handwritten signature in black ink that reads 'Kate Bonifacio'.

Kate Bonifacio
RESOURCE MANAGEMENT PLANNER

Recommendation – Subdivision

1. That the following conditions of consent shall be met prior to the issue of the Section 224 Completion Certificate at the expense of the consent holder.
2. The subdivision shall proceed in general accordance with the attached approved subdivision plan (marked 165456) and the details provided with the application and includes any utility lots required, except where varied by the following conditions of consent.
3. That all required easements shall be created, granted or reserved.
4. That any utility lot created shall have a Consent Notice registered against the Certificate of Title, to the effect that the lot is to be used for utility purposes only.

General Engineering

5. All work shall adhere to the conditions set in the engineering approval letter as agreed between the applicant and Selwyn District Council at the time of approval and be constructed to the approved engineering plans.
6. All work shall comply with the Engineering Code of Practice, except as agreed with Council.
7. That the plans and specifications of all works, including water, irrigation, sewer, roading, stormwater and landscaping, shall be submitted to the Council for approval. Engineering approval of complying documents shall be given in writing and work shall not commence until this has been received from the Council. Any subsequent amendments to the plans and specifications shall be submitted to Council for approval.
8. The consent holder shall forward with the engineering plans and specifications, copies of any other consents required and granted in respect of this subdivision, including any certificate of compliance or consent required by Canterbury Regional Council.
9. Unless specific provision is made otherwise the services to all lots shall extend from the road boundary to a point one metre inside the net area of the lot. Please note that the net area is the area excluding any right of way or accessway.
10. That accurate 'as built' plans of all services be provided to the satisfaction of the Asset Manager. All assets being vested in Council shall be provided in an appropriate electronic format for integration into Council's systems. Actual costs involved in provision and transfer of this data to Council's systems shall be borne by the consent holder.
11. That where the subdivision results in any assets being vested in Council, then a comprehensive electronic schedule of these shall be provided to Council's Asset Manager. The schedule will include but not be limited to installed material unit costs, type, diameter, class, quantity etc and include summary details.
12. That where the subdivision results in any Council assets being decommissioned, then a comprehensive electronic schedule of these shall be provided to Council's Asset Manager. The schedule will include but not be limited to material type, diameter, class, length and position (x, y, z co-ordinates), and shall be identified against the asset ID already provided in Council's Asset Register.

Electricity and telephone

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

Roading

15. That Lot 100 shall vest in Council as Road.
16. That all roads be constructed in accordance with the approved engineering plans.
17. Urban Entranceways: That a vehicle crossing to service lots 2-6 shall be formed in accordance with Appendix 13 of the Operative District Plan (Townships Volume). The vehicle crossing shall be sealed/metalled to match the existing road surface for the full width of the crossing between the site boundary and sealed carriageway.
18. That the vehicle accessway to service lots 2-7 be formed in accordance with Appendix 13 of the Operative District Plan.
19. The ROW shall comply with the requirements of Appendix E10.2. There is no requirement for a turning area but a passing lane is required.
20. The access crossings shall have precast concrete headwalls with RCRRJ Z piping, and be constructed in accordance with the approved Engineering Plans. Diameter to be approved by Council.
21. That street lighting be provided to service all lots of the subdivision, in accordance with the approved engineering plans and specifications.

Water, sewer and stormwater

22. Each lot within the subdivision shall be separately serviced with water, sewer and stormwater systems.

Water

23. That the net area of each lot shall be provided with an individual potable high pressure/restricted connection to the Leeston water supply in accordance with the approved Engineering Plans.
24. Water meters shall be installed in the road reserve only (please note that multi meter boxes may be utilised)
25. That the subdivision be provided with water reticulation in accordance with the New Zealand Fire Service Code of Practice, SNZPAS 4509:2003 and subsequent amendments and Policy W211.
26. Connection into Council's reticulated water supply must either be carried out or supervised by Council's contractor SICON Ferguson Ltd.

Sewer

27. That each lot shall be provided with a sewer lateral laid to the boundary of the net area of that lot in accordance with the Engineering Code of Practice.
28. That individual pumping units shall be installed within private property. Any maintenance or costs associated with the individual pumping units shall be the responsibility of the homeowner.
29. Boundary boxes shall be installed in the road reserve only.
30. That connection to the Council sewer be arranged by applicant, with the work to be done by a registered drainlayer.
31. That the existing on-site effluent treatment and disposal system on lot 6 shall be decommissioned and removed from the site or backfilled. A building consent is to be obtained for this work.

Stormwater

32. The consent holder shall install stormwater reticulation treatment and disposal systems to service the subdivision in accordance with the approved engineering Plans and the requirements of Canterbury Regional Council.
33. The consent holder shall prepare and submit a Stormwater Design Report and Management Plan in accordance with the requirements of Selwyn District Council and Canterbury Regional Council. This plan shall be provided for Selwyn District Council's approval and sign-off at the consent holder's cost. It shall include, but not be limited to:
 - A plan showing existing ground levels on neighbouring properties along with proposed levels on the subdivision sites. Interference with pre-existing stormwater flows needs to be considered so as not to cause ponding or nuisance on neighbouring or developed land.
 - Existing and proposed drainage plan with sub catchments and flow arrows to show how the drainage will be affected.
 - Calculations to demonstrate compliance with the Engineering Code of Practice and any relevant Environment Canterbury consent conditions.
 - Ongoing operation and maintenance requirements.
34. Where stormwater discharges are to be undertaken as a permitted activity, confirmation in writing of permitted status shall be provided from Canterbury Regional Council in the form of a certificate of compliance. Where a certificate of compliance cannot be obtained a consent must be sought.
35. The proposed development shall not discharge run off onto adjacent properties unless via a controlled outlet with Council's approval. Also, if an adjacent neighbour's historical Stormwater drainage was onto the proposed development, the proposed development must maintain or mitigate the historical discharge.
36. Where a specific discharge consent is issued by Canterbury Regional Council (Environment Canterbury), any consent or associate conditions imposed by them will be subject to Council acceptance where these obligations will be transferred to Selwyn District Council. The consent holder will hold, operate and maintain the stormwater consent for a minimum of two years after the S224 Completion Certificate has been issued. Council must be satisfied at the end of this period that all aspects of the system, including but not limited to compliance with consent conditions, operations and maintenance costs are acceptable to Council.
37. That a Stormwater Operations and Maintenance Manual shall be provided at S224.
38. Where stormwater mains in private property are to be vested, a written request shall be submitted for council approval. Easements in gross in favour of council shall be provided.

Landscaping and Irrigation

39. The consent holder shall landscape the street frontages. The minimum standard (unless otherwise agreed through Engineering Plan approval) will include grass berms and street trees. A landscaping proposal shall be submitted to the Council for approval at the time of submission of the engineering plans and specifications, and the landscaping shall be undertaken in accordance with the approved plans.
40. Entrance structures shall not be placed on Council road reserve

Soil contamination

41. That where evidence of a contaminated site not identified in the application is found at any stage of the subdivision development works, then work shall cease at that site until the risk has been assessed by an Appropriately Qualified Environmental Practitioner in accordance with current Ministry for the Environment Guidelines and, if required, a resource consent obtained under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (or most recent subsequent amendment). Once the risk has been assessed

and any required resource consent obtained, the consent holder shall undertake all necessary work to rehabilitate the site in accordance with either the standards for permitted activities or the conditions of the resource consent (as appropriate). All works shall be undertaken at the consent holders' expense.

Earthworks

42. All earthworks shall be carried out in accordance with Resource Consent 165641 (Landuse).

Review

43. That pursuant to section 128 of the Resource Management Act 1991, the Council may review all conditions by serving notice on the consent holder within 1 month of any 12 month period following the date of this decision, in order to deal with any adverse effects on the environment that may arise from the exercise of this consent.

NOTES TO THE CONSENT HOLDER

- a. Pursuant to section 125 of the Resource Management Act 1991, if not given effect to, this resource consent shall lapse five years after the date of this decision unless a longer period is specified by the Council upon application under section 125 of the Act.
- b. Any resource consent that requires additional monitoring due to non-compliance with the conditions of the resource consent will be charged additional monitoring fees on a time and cost basis.
- c. In accordance with section 36 of the Resource Management Act 1991, the Council's basic monitoring fee has been charged.
- d. Structures over, in or under a Council drain must have approval of council prior to being constructed.
- e. Road and street names and individual property address numbers shall be adopted only upon Council approval. The applicant shall supply to Council for consideration a minimum of 3 names, listed in preference, for those roads or streets that are to be vested in Council.
- f. The ROW needs to comply with the requirements of E10.2. The requirement for a turning area is waived. The requirement for a passing lane stands
- g. Council shall arrange for the installation of the street name signs and poles at each intersection to the Council's standard, at the consent holder's cost.
- h. Property Numbering: All new property numbers identifying new dwelling lots as a result of subdivision adjoining legal roads and/or private roads/rights of way will be issued property numbers by Council in accordance with Council Policy. The applicant shall supply Council with a finalised lot Deposited Plan to enable numbers to be generated for issue and adoption.
- i. For supervision purposes a minimum of 2 working days' notice is required. Please note a connection fee being the actual cost quoted by SICON Ferguson Ltd will apply
- j. The Stormwater Operations and Maintenance Manual shall include but not be limited to:
 - As built documents/images of system for baseline records. This would include the extent of the stormwater catchments, surveyed long-sections and x-sections of pipelines and stormwater management devices e.g. basins wetlands and swales, and where available, any baseline data i.e. water quality, quantity or soil monitoring results.
 - Contact details for maintenance personnel engaged by the developer over the maintenance period

- As built documents/images of system for baseline records. This would include the extent of the stormwater catchments and any baseline data ie heavy metal level in receiving environment.
 - Maintenance procedures and how compliance with the consent conditions shall be achieved and recorded. This will also cover stormwater system maintenance during the maintenance period(s).
 - What actions will be undertaken when non-compliance is detected and recorded.
 - Where all cleanings from sumps are proposed to be disposed of – in accordance with Regional and local landfill requirements.
 - Summary of costs to maintain the system including details of the number of inspections and cleaning of sumps/disposal of sump material.
 - What actions will be undertaken before handover to Selwyn District Council is proposed ie notification procedure at least two months prior to requesting handover.
- k. Where the collection and disposal of roof/surface water is to ground, the suitability of the natural ground to receive and dispose of the water without causing damage or nuisance to neighbouring properties, shall be determined by a suitably qualified person/engineer and evidence of results is to be provided at engineering approval.
- l. Where the collection and discharge of roof/surface water is to a watercourse or drain, the discharge shall be managed in terms of both water quality and quantity. The system shall be designed by a suitably qualified person/engineer who confirms that the downstream system has capacity to accept the additional flow without causing nuisance. Evidence of results is to be provided at the time of engineering approval. The applicant should consult with Environment Canterbury regarding the discharge.
- m. The consent holder shall landscape the street frontages. The minimum standard (unless otherwise agreed through Engineering Plan approval) will include grass berms and street trees. A landscaping proposal shall be submitted to the Council for approval at the time of submission of the engineering plans and specifications, and the landscaping shall be undertaken in accordance with the approved plans.
- n. Entrance structures shall not be placed on Council road reserve.
- o. Engineering Approval – All applications for Engineering Approval shall be uploaded electronically to the Selwyn District Council Website at the following address:
www.selwyn.govt.nz/services/subdivisions/engineering-approval/
- p. The application shall include:
1. Design specifications
 2. Design drawings
 3. Design calculations
 4. Relevant Resource Consents or Certificates of Compliance.
- All correspondence regarding engineering approvals is to be directed to:
Development.Engineer@selwyn.govt.nz

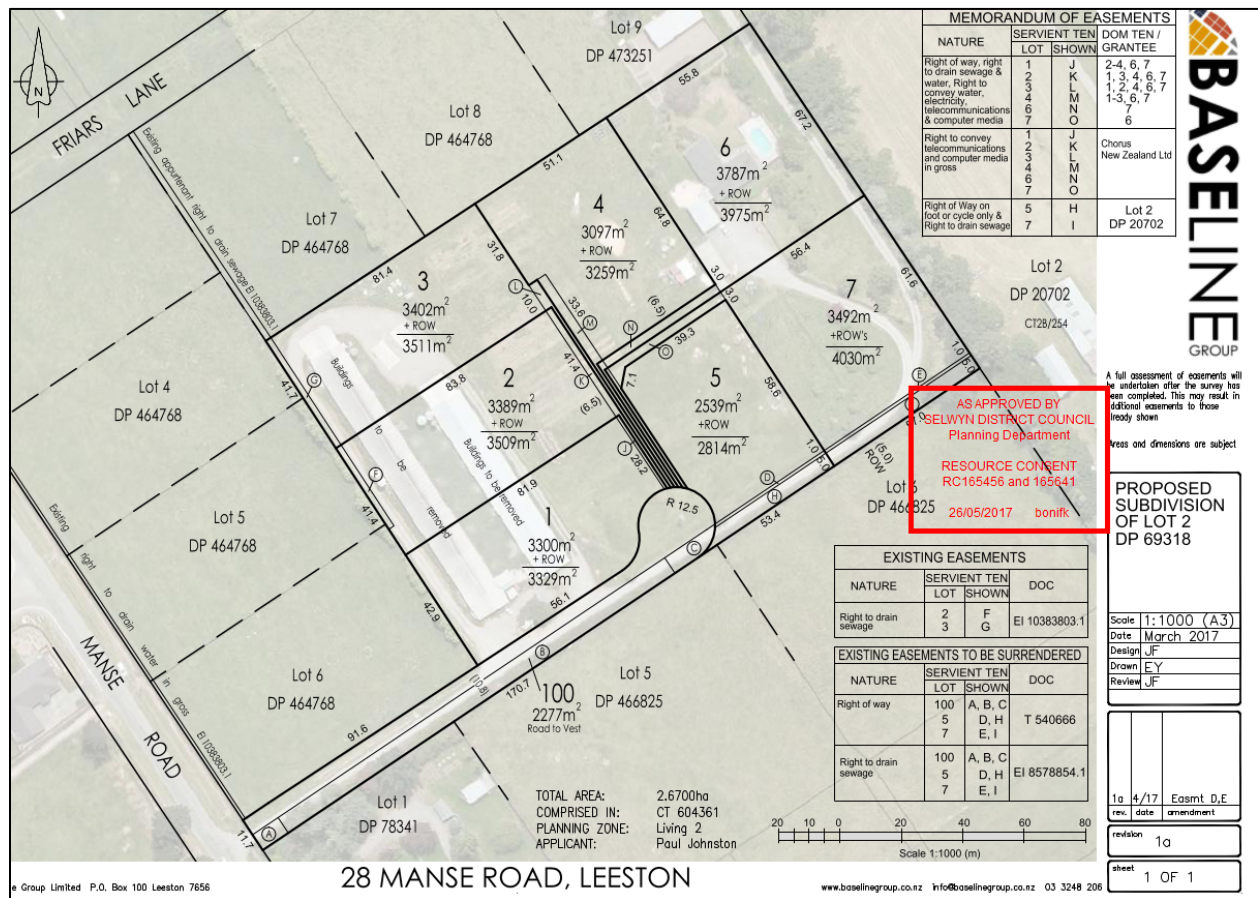
DEVELOPMENT CONTRIBUTIONS

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

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

Note: The amounts set out below are applicable at the time of the granting of this consent. The actual amounts to be paid will be reassessed at the time an application is made for the issue of Council's section 224(c) certificate for the subdivision. To avoid delays, the consent holder should seek the reassessed amounts prior to the application for the section 224(c) Resource Management Act 1991 certificate.

Activity	Demand Post Development (HUE)	Credits for Existing Demand (HUE)	Additional Demand (HUE)	Development Contribution per HUE (\$)	Development Contribution (\$ Excl. GST)	GST (\$)	Development Contribution (\$ Incl. GST)
Water Supply	0.00	0.00	0.00	0	0	0	0
Wastewater	0.00	0.00	0.00	0	0	0	0
Stormwater	0.00	0.00	0.00	0	0	0	0
Reserves	7.00	1.00	6.00	5,277	31,662	4,749	36,411
Roading	7.00	1.00	6.00	137	822	123	945
Lowes Road ODP	0.00	0.00	0.00	0	0	0	0
Total Contribution					32,484	4,873	37,357



RESOURCE CONSENT DECISION: 165641



APPLICANT:	Johnston Civil Limited
PROPOSAL:	To undertake a subdivision to create 7 residential lots and carry out earthworks associated with this subdivision and remediation works under the NES.
LOCATION:	28 Manse Road, Leeston
LEGAL DESCRIPTION:	Lot 2 DP 69318
ZONING:	The property is zoned Living 2 under the provisions of the Operative District Plan – Townships Volume
STATUS:	This application has been assessed as a landuse consent (RC165641) for a discretionary activity under the Operative District Plan and as a restricted discretionary activity under the NES. As such the relevant provisions of the Operative District Plan – Townships Volume, the Resource Management Act 1991 and the NES, have been taken into account
This application was formally received by the Selwyn District Council on the 22 nd of August 2016. Assessment and approval took place on the 26 th of May 2017 under a delegation given by the Council.	

DECISION

1. Recommendation - Landuse

“Resource consent 165641 is granted pursuant to sections 104, 104B, 104D of the Resource Management Act 1991 subject to the following conditions imposed under section 108 of the Act.

1. That an erosion and sediment control plan will be required for approval prior to the commencement of any earthworks.

Soil contamination

2. That where evidence of a contaminated site not identified in the application is found at any stage of the subdivision development works, then work shall cease at that site until the risk has been assessed by an Appropriately Qualified Environmental Practitioner in accordance with current Ministry for the Environment Guidelines and, if required, a resource consent obtained under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect

Human Health 2011 (or most recent subsequent amendment). Once the risk has been assessed and any required resource consent obtained, the consent holder shall undertake all necessary work to rehabilitate the site in accordance with either the standards for permitted activities or the conditions of the resource consent (as appropriate). All works shall be undertaken at the consent holders' expense.

3. Soil and material that contains concentrations of contaminants in excess of soil contaminants standards or guidelines for residential land use (under the National Environmental Standard (NES) for Assessing and Managing Contaminants in Soil to Protect Human Health) shall be remediated in accordance with the Klaus Prusas Environmental Services Ltd, PSI and DSI report submitted with the application (attached, which forms part of this consent), with the works to remediate the site.
4. That all work will be conducted in accordance with the Klaus Prusas Environmental Services Ltd, PSI and DSI report contained within the application.
5. All samples required under this consent shall be collected and analysed in accordance with Ministry for the Environment requirements.
6. That all soil that is to be removed from the site is to be taken to an authorised facility for disposal.
7. Soil will be loaded directly onto trucks and will not be stockpiled on site, other than within the excavated area.
8. That any replacement soils are to be certified clean fill by the supplier and/or tested to confirm that it complies with the residential guidelines.
9. That waste manifests are to be provided by the contractor and cartage company which will clearly identify the stockpile reference number against the laboratory sample number. The waste manifests are to be provided to the Selwyn District Council as part of the reporting requirements once they are completed by the Transport Company and receipted at the disposal facility.
10. That a Site Validation Report will be produced in accordance with the Ministry for the Environment Contaminated Land Guidelines and lodged with Selwyn District Council at the end of the remediation process based on the requirements of the Klaus Prusas Environmental Services Ltd, PSI and DSI report.

Site works

11. That all earthworks shall be conducted in accordance with the approved engineering plans, the Selwyn District Council Engineering Code of Practice and NZS4404:2010 – Land Development and Subdivision Engineering.
12. That the consent holder ensure on a continuing basis (until Computer Freehold Registers are available for each lot) that dust is not generated from: consolidated material; the disturbance or transportation of material; or earthworks activities by keeping the surface of the material damp or by using another appropriate method of dust suppression.
13. That the consent holder shall ensure on a continuing basis that dust created by the disturbance or transportation of materials is confined to within the boundaries of the application site.
14. That dust generating activities shall cease during times of high winds where dust suppression methods are insufficient to stop fugitive dust leaving the site.

15. Any filling on the site is to take into account the current land stormwater and drainage pattern and is not to divert stormwater onto adjoining properties.
16. The consent holder shall confirm whether any earth fill has been placed on site. All filling is to be carried out in accordance with New Zealand Standard (NZS) 4431:1989 Code of Practice for Earth Fill for Residential Development.
17. At the completion of all earthworks Certificates satisfying the conditions of NZS4431: 1989 Code of Practice for Earth Fill for Residential Development, are to be provided to the Selwyn District Council. These certificates will detail the extent and nature of all earthworks undertaken.
18. That pursuant to section 128 of the Resource Management Act 1991, the Council may review all conditions by serving notice on the consent holder within 1 month of any 12 month period following the date of this decision, in order to deal with any adverse effects on the environment that may arise from the exercise of this consent”.

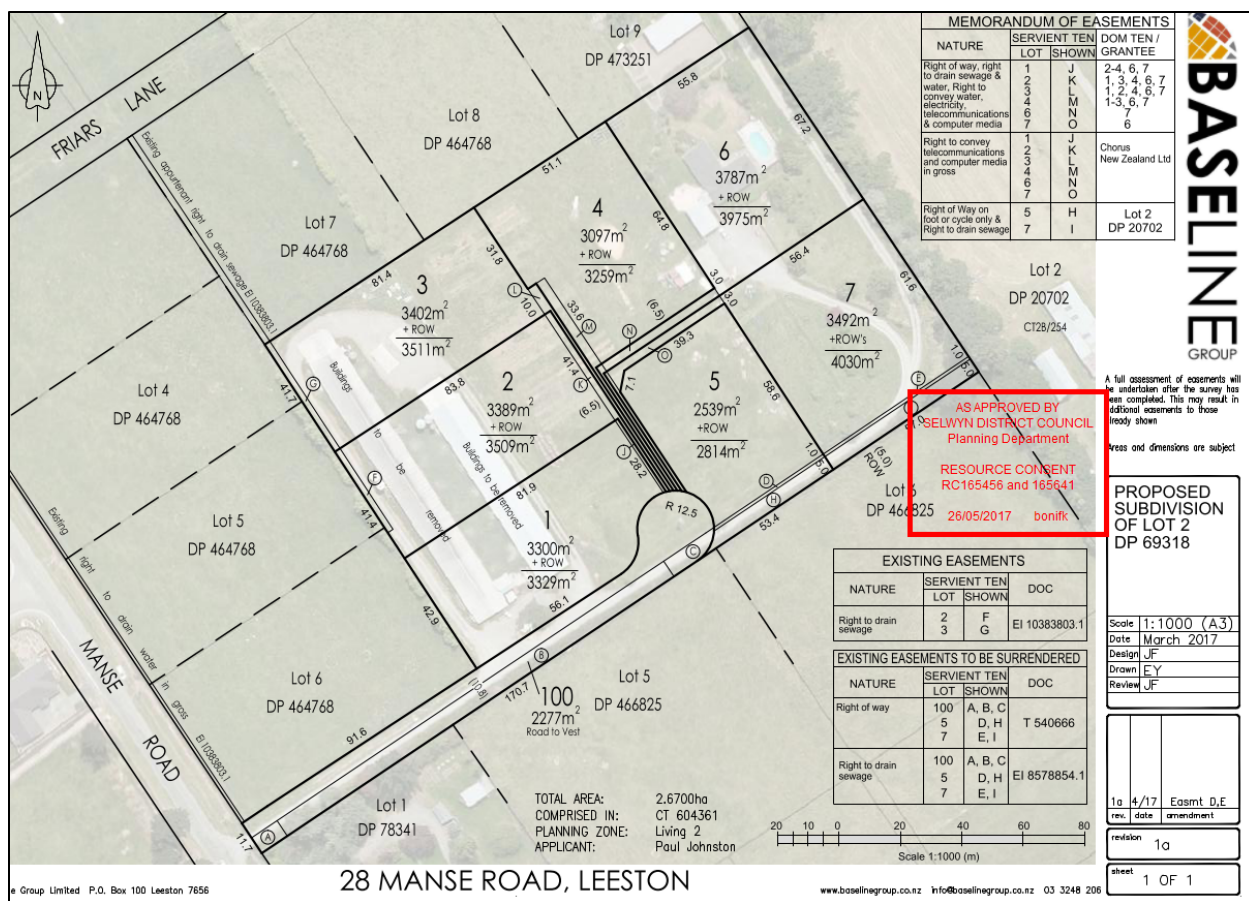
NOTES TO THE CONSENT HOLDER

- a. Pursuant to section 125 of the Resource Management Act 1991, if not given effect to, this resource consent shall lapse five years after the date of this decision unless a longer period is specified by the Council upon application under section 125 of the Act.
- b. Any resource consent that requires additional monitoring due to non-compliance with the conditions of the resource consent will be charged additional monitoring fees on a time and cost basis.
- c. In accordance with section 36 of the Resource Management Act 1991, the Council’s specialised monitoring fee has been charged.
- d. Some of the arsenic contaminated material is not suitable for deposition at a cleanfill.

Yours faithfully
Selwyn District Council



Kate Bonifacio
RESOURCE MANAGEMENT PLANNER



Appendix 4: East Manse Road Living 2 Yield Potential

Leeston - Manse Road Living 2

Appellation	Owner	Area (m2)	Potential	TOTAL AREA OF L2	323691 m2
Lot 1 DP 361282	Kensington	12590	2	Anticipated dwellings	64.7382
Lot 1 DP 473983	Nairn	4009	1	Number after proposal	64
Lot 1 DP 424044	Roxburgh	5000	1		
Lot 3 DP 473983	Rawstron	27090	5		
Lot 2 DP 473983	Joyce	4062	1		
Lot 2 DP 71661	Lentjes	32900 (part)	6		
Pt RS 8440	Hayward	36421	7		
Lot 1 DP 69318	Millar	15940	3		
Lot 18 DP 473251	A&P	550 (part)	0		
Lot 17 DP 473251	Hill	5106	1		
Lot 16 DP 473251	Beeney	4000	1		
Lot 15 DP 473251	Wright	4704	1		
Lot 14 DP 473251	Farmer	5003	1		
Lot 13 DP 473251	Kennett	5011	1		
Lot 12 DP 473251	Fraser	5020	1		
Lot 11 DP 473251	Wadie	5211	1		
Lot 10 DP 473251	Tubb	5049	1		
Lot 9 DP 473251	SSK	5326	1		
Lot 8 DP 473251	Lemon	5047	1		
Lot 7 DP 473251	Dieudonne	5019	1		
Lot 6 DP 473251	Goldsmith	5002	1		
Lot 5 DP 473251	Maginness	4531	1		
Lot 4 DP 473251	Lowery	4533	1		
Lot 3 DP 473251	Frandi	4990	1		
Lot 2 DP 473251	Lee	4459	1		
Lot 1 DP 473251	Brown	4999	1		
Lot 2 DP 69318	Johnson	26700	8 **		
Lot 1 DP 78341	Irving	5006	1		
Lot 1 DP 466825	humm	3138	1		
Lot 2 DP 466825	Baines	3189	1		
Lot 3 DP 466825	Adams	3219	1		
Lot 4 DP 466825	Carrodus	3034	1		
Lot 5 DP 466825	Harteveld	9196	1		
Lot 6 DP 466825	Hull	8820	1		
Lot 7 DP 466825	Cochrane	6601	1		
Lot 8 DP 466825	Firth	8355	1		
Lot 9 DP 466825	Lemon	3420	1		
Lot 10 DP 466825	McMillan	3332	1		
Lot 11 DP 466825	Adams	3824	1		
Lot 12 DP 466825	Sloan	3112	1		



Landscape Plan
Scale 1: 200 @A1

Site Location Plan
Scale 1: 1200 @A1



Landscape Strip Plant: evergreen low hedge approximate growth to 3m x 3m when mature (may need regular trim)
Suggested species: *Corokia spp*, *Coprosma spp* or other similar feature hedges

<i>Corokia buddlejoides</i> 'Korokio'	Mature height/ spread: 2m x 3m Evergreen/ Grade: 10L	Total 58
<i>Coprosma Crassifolia</i> 'NZ Coprosma'	Mature height/ spread: 2m x 4m Evergreen/ Grade: 10L	Total 58

28 Manse Rd, Leeston		
Scale	Refer to Plans	
Date	12 Feb 2020	
Design		
Drawn	EL	
Review	MV	
Rev.	Date	Amendment
Revision		
Sheet	1	