

DRAFT CONDITIONS

RC225715 & RC225716

RC225715 Subdivision

General

1. That the following conditions of consent shall be met prior to the issue of the Section 224(c) Completion Certificate, at the expense of the consent holder.
2. The subdivision shall proceed in general accordance with the information submitted with the application on XXXX, the further information provided and the attached approved Capture subdivision plan entitled "Proposed Subdivision of Lot 2 DP 61162", Revision O, including any utility lots required, except where another condition of this consent must be complied with.
3. That all required easements shall be duly created and granted or reserved.
4. The subdivision may be undertaken in stages. ~~as follows~~: If the subdivision is undertaken in stages, the stages may occur in any order but generally in accordance with the following:
 - Stage 1: Lots 1 – 11 & balance lot
 - Stage 2: Lots 14 – 17 & balance lot
 - Stage 3: Lots 12, 13, 22, 41, 46 – 50, 76 – 80, road & balance lot
 - Stage 4: Lots 51 – 55, 72 – 75, road & balance lot
 - Stage 5: Lots 56 – 62, 70, 71, road & balance lot
 - Stage 6: Lots 23 – 31, 39 – 40, road & balance lot
 - Stage 7: Lots 63 – 69, 98, 99, 112, 113, road and balance lot
 - Stage 8: Lots 89 – 96, 100 – 103, 500, 501, 502, road and balance lot
 - Stage 9: Lots 42 – 45, 81 – 88, 104, 500, road and balance lot
 - Stage 10: Lots 32 – 38, 171, road and balance lot
 - Stage 11: Lots 109 – 118, 138 – 139, road and balance lot
 - Stage 12: Lots 105 – 108, 141 – 144, road and balance lot
 - Stage 13: Lots 145, 146, 149 – 152, road and balance lot
 - Stage 14: Lots 167 – 170, 172 – 178, 2000, road and balance lot
 - Stage 15: Lots 161 – 166, 179, 184, road and balance lot

- Stage 16: Lots 147 – 148, 153 – 159, 227 – 231, road and balance lot
- Stage 17: Lots 126 – 135, road and balance lot
- Stage 18: Lots 119 – 125, 2001, road and balance lot
- Stage 19: Lots 160, 232 – 239, road and balance lot
- Stage 20: Lots 185 – 191, 3000, road and balance lot
- Stage 21: Lots 240 – 245, 257 – 259, 503, road and balance lot
- Stage 22: Lots 246 – 255, 260 – 263, 504, road and balance lot
- Stage 23: Lots 264 – 71, 505, 2002, road and balance lot
- Stage 24: Lots 214 – 226, road and balance lot
- Stage 25: Lots 192 – 213, 506, road

Consent Notices and Covenants

5. A Consent Notice pursuant to section 221 of the Resource Management Act 1991 shall be registered against the Record of Title for each utility lot created, to the effect that it shall be used as a utility lot only and may not be used for the purpose of any future subdivision or boundary adjustment calculation.. Ongoing compliance with this condition shall be ensured by way of a consent notice registered against the Record of Title. The Consent Notice shall be prepared and registered by Council's solicitor at the request and expense of the Consent Holder.

6. Any balance lot may be subject to any of the consent notices required to be registered on the residential lots as deemed appropriate by Council. In addition, any un-serviced balance lot shall be subject to a consent notice noting any restrictions on its use and/or lack of servicing and development contribution credits.

7. Unless a resource consent has been granted, or is otherwise permitted by the District Plan:

Any lot which shares a boundary with a reserve or walkway shall be limited to a single fence erected within 5m of any Council reserve that is at least 50% visually transparent where it exceeds 1.2m in height (which shall be applied to the whole fence in its entirety).

 On-going compliance with this condition shall be ensured by way of a consent notice registered against the Record of Title to issue for each lot (other than roads and reserves) that borders a reserve or walkway. The consent notice shall be prepared and registered by Council's solicitor at the request and expense of the consent holder.

8. That a consent notice shall be registered on all residential lots stating the following:

Unless a resource consent has been granted otherwise, any fence or freestanding wall shall comply with the requirements of the District Plan at the time the fence or freestanding wall is constructed. For further information please refer to the relevant rule in the District Plan or contact the duty planner at the Selwyn District Council.

On-going compliance with this condition shall be ensured by way of a consent notice to this effect registered on the Record of Title for all residential lots. The consent notice shall be prepared and registered by Council's solicitor at the request and expense of the consent holder.

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

General Engineering

10. *Engineering approval*

The engineering design plans and specifications for all works shall be submitted to the Development Engineering Manager for approval including, but not limited to:

- Water supply
- Sewerage
- Stormwater
- Roading, including streetlighting and entrance structures
- Upgrade of existing road frontages
- Shared accessways
- Rights of Ways
- Landscaping and irrigation.

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

11. All work shall comply with the conditions set out in the Engineering Approval and be constructed in accordance with the approved engineering plans.
12. All work shall comply with the Engineering Code of Practice, except as agreed in the Engineering Approval.

13. The consent holder shall include with the engineering plans and specifications submitted for Engineering Approval, copies of any other consents required and granted in respect of this subdivision, including any certificate of compliance or consent required by Canterbury Regional Council.
14. A report shall be provided at Engineering Approval stage, by a suitably qualified and experienced person confirming that the engineering design of the subdivision is sufficient to mitigate flooding on every site, based on a 200-year Annual Exceedance Probability rainfall event.
15. Unless specific provision is made otherwise through the Engineering Approval the services to all lots shall extend from the road boundary to a point one metre inside the net area of the lot. Please note that the net area is the area excluding any right of way or accessway.
16. The consent holder shall provide accurate 'as built' plans of all services to the satisfaction of the Development Engineering Manager. All assets being vested in Council shall be provided in an appropriate electronic format for integration into the Council's systems. Any costs involved in provision and transfer of this data to the Council's systems shall be borne by the consent holder.
17. The consent holder shall provide a comprehensive electronic schedule of any assets to be vested in the Council to the satisfaction of the Development Engineering Manager. The schedule shall include but not be limited to installed material unit costs, type, diameter, class, quantity and include summary details.

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

18. The Consent Holder shall enter into a bond and be responsible for the maintenance of all subdivision and associated works vested in the Council in relation to the Consent at the issuance of the section 224(c) certificate and continue until the Council tests and accepts the quality of the bonded infrastructure and the agreed or stipulated maintenance period taking into account any needed repairs, replacement or rectification required for a period of:
 - a) 12 months for roading, water, sewer and stormwater reticulation; and
 - b) 24 months for landscaping, reserve assets, stormwater treatment and discharge systems and sewer pump stations.

Roading

Road Frontage Upgrades for Existing Roads

19. The applicant is to upgrade the existing Springston Rolleston Road frontage of the subdivision to an urban standard including kerb and channel and a 2.5m wide shared pedestrian/cycle path. This work is required to be approved and undertaken through the Engineering Approval.

New roads

20. All roads shall be constructed in accordance with the approved engineering plans.
21. All roads shall be vested in the Selwyn District Council as road.

Corner Splays

22. The corner of all lots at the road intersection shall be splayed with a rounded minimum radius of 3 metres.

Street Lighting

23. Street lighting shall be provided on all new roads and existing roads in accordance with the Engineering Approval.

Vehicle Crossings and Accessways

Urban Vehicle Crossings

24. A vehicle crossing to service Lots 28, 60, 86 -87, 90 – 91, 94 – 95, 121, 187, 206 – 207, 216, 241 – 243, 249 – 253 and 269 - 271 shall be formed in accordance with Appendix 13 of the District Plan (Townships Volume), with the exception of its positioning. 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

Urban Shared Accessways

25. The vehicle accessway serving Lots 28, 60, 86 -87, 90 – 91, 94 – 95, 121, 187, 206 – 207, 216, 241 – 243, 249 – 253 and 269 - 271 be formed in accordance with Appendix 13 of the District Plan (Townships Volume).

Road name and property numbering

26. Road name options and street numbering plans shall be submitted to Council in accordance with Policies N101 and N102.
Advice Note: *A private road/right of way that serves a minimum of 5 (five) properties can be named if requested. The applicant shall supply a minimum of 3 names listed in preference for Council consideration. Council will consider those names that are deemed appropriate and approve a name that does not already exist or is not similar to any other name in Selwyn District.*
27. The Consent Holder 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 as per Policy R430.

Water Supply, Stormwater and Sewer

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

Water Supply

30. The net area of each lot shall be provided with an individual potable high pressure connection to the Rolleston water supply in accordance with the approved Engineering Plans.
31. Water meters shall be installed in the road reserve only (please note that multi meter boxes may be utilised).
32. Connection into Council's reticulated water supply shall either be carried out or supervised by Council's contractor CORDE at the cost of the consent holder.
33. The existing on-site water supply system on the existing underlying lot shall be decommissioned, and the existing bore/well shall be sealed and made good to prevent contamination entering the source of groundwater.
34. That the subdivision be provided with water reticulation in accordance with the New Zealand Fire Service Code of Practice, SNZ PAS 4509:2008 and subsequent amendments and Policy W211.

Sewer

35. That each lot shall be provided with a sewer lateral laid to the boundary of the net area of that lot in accordance with the approved Engineering Plans.
36. All laterals shall be installed ensuring grade and capacity are provided for and in accordance with Council engineering standards, giving regard to maximum upstream development density.
37. All sewer reticulation to be vested shall meet Council CCTV standards.
38. Connection to the Council sewer shall be arranged by the consent holder and the work shall be done by a registered drainlayer.

Stormwater

39. 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.

40. 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) A plan showing existing ground levels on neighbouring properties along with proposed levels on the subdivision sites. Interference with pre-existing stormwater flows needs to be considered so as not to cause ponding or nuisance on neighbouring or developed land.
 - b) Existing and proposed drainage plan with sub catchments and flow arrows to show how the drainage will be affected.
 - c) Calculations to demonstrate compliance with the Engineering Code of Practice and any relevant Environment Canterbury consent conditions.
 - d) Ongoing operation and maintenance requirements.
41. Where stormwater discharges are to be undertaken as a permitted activity, confirmation in writing of permitted activity status shall be provided from Canterbury Regional Council in the form of a certificate of compliance.
42. The proposed development shall not discharge run off onto adjacent properties unless via a controlled outlet approved as part of the Engineering Design Approval.
43. In the event that an adjacent neighbour's historical stormwater drainage was onto the site, the proposed development must maintain or mitigate the historical discharge.
44. Where a specific discharge consent is issued by Canterbury Regional Council (Environment Canterbury), any consent or associated conditions will be subject to Selwyn District 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 section 224(c) Completion Certificate has been issued. Council must be satisfied at the end of this period that all aspects of the system, including but not limited to compliance with consent conditions, operations and maintenance costs are acceptable to Council.
45. The consent holder shall provide to the Council a Stormwater Operations and Maintenance Manual prior to the approval of the section 224(c) Completion Certificate.
46. Where stormwater mains in private property are to be vested in Selwyn District Council, a written request shall be submitted to the Development Engineering Manager. Easements in gross in favour of Council shall be provided.
47. The Council vested stormwater reticulation system installed as a part of the subdivision works shall to be designed to cater to the following rainfall events:
- a) Primary system – 10% AEP Rainfall event

- b) Secondary system – 1% AEP Rainfall event.

Power and Telephone Services

48. *Front lots*

The consent holder shall provide electricity and telecommunications to the net area of each lot of the subdivision with direct frontage to a road by way of underground reticulation in accordance with the standards of the relevant network utility operator.

49. *Rear lots*

The consent holder shall provide infrastructure to the net area of each rear lot of the subdivision to enable electricity and telecommunications connections by way of underground reticulation in accordance with the standards of the relevant network utility operator.

50. The consent holder shall provide evidence in writing from the relevant authorities that electrical and telephone service connections have been installed to each lot.

Site Stability and Site Works

51. The consent holder shall supply to the Council a copy of the Erosion and Sediment Control Plan at Engineering Approval.

52. That the consent holder ensure on a continuing basis (until Certificates of Title are available for each allotment) that dust is not generated from consolidation, 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.

53. 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) 4431:2022 Engineered Fill Construction.

54. At the completion of all earthworks Certificates satisfying the conditions of NZS 4431:2022 Engineered Fill Construction, are to be provided to the Selwyn District Council. These certificates will detail the extent and nature of all earthworks undertaken.

55. That the consent holder shall ensure that all contractors carrying out work on the site comply with NZS 6803:1999 "Acoustics – Construction Noise".

56. On the completion of works:

- a) All disturbed areas shall be returned to its original state as near as is practicable and stabilised and/or revegetated; and
- b) All spoil and other waste material from the works shall be removed, unless required for a later stage of the subdivision.

Contamination

57. Where evidence of a contaminated site not identified in the application is found at any stage of the site development works, then work shall cease at that site until the risk has been assessed by an Suitably 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.

Landscaping

58. The consent holder shall landscape the street frontages. The minimum standard (unless otherwise agreed through Engineering Design 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.
59. Entrance structures shall not be placed on Council road reserve.

Reserves

60. Pursuant to the relevant legislation the consent holder shall vest Lot 200 in the Council as Local Purpose Access) Reserve.
61. The consent holder shall supply to Council copies of all Certificates of Title for land, other than roads, that is vested in the Council.

Accidental Discovery Protocol

63. In the event of any discovery of material suspected to be evidence of pre-1900 human activity, taonga/treasured artefacts or human remains/kōiwi in a 'place', the following applies:
- a. Work shall cease immediately at and within 20m of the place. This 20m perimeter shall become the 'affected area'.
 - b. The contractor shall shut down all machinery within the affected area, secure the affected area, and immediately advise the Site Manager.
 - c. The Site Manager shall secure the affected area and immediately notify the Heritage New Zealand Pouhere Taonga ("HNZPT") Archaeologist, Selwyn District Council and Environment Canterbury. HNZPT will advise if further assessment by a suitably qualified archaeologist and/or an archaeological authority application is required from the Consent Holder.

64. If the material is of Māori origin, in addition to the requirements in the condition above, the Site Manager shall immediately notify Te Ngāi Tūāhuriri Rūnanga and Te Taumutu Rūnanga and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken, subject to meeting statutory requirements (Heritage New Zealand Pouhere Taonga Act 2014, Protected Objects Act 1975). In this instance, Te Ngāi Tūāhuriri Rūnanga, Te Taumutu Rūnanga and the HNZPT Archaeologist will jointly advise if further assessment by a suitably qualified archaeologist and/or an archaeological authority is required from the Consent Holder.
65. If human remains (kōiwi) are uncovered, in addition to the conditions above, the Site Manager shall immediately advise the NZ Police. The affected area must be treated with the utmost discretion and respect. Remains are not to be moved until such time as Te Ngāi Tūāhuriri Rūnanga, Te Taumutu Rūnanga, HNZPT and NZ Police have responded and agreed that they can be moved.
66. Any works within an affected area shall not resume until Tūāhuriri Rūnanga, Te Taumutu Rūnanga and HNZPT (and NZ Police in the case of human remains (kōiwi)) authorise work to continue.
67. Prior to commencing work, the Consent Holder shall ensure that all persons involved in, or supervising, works on-site are familiar with the Accidental Discovery Protocol.
68. The Accidental Discovery Protocol shall be clearly displayed and accessible on site at all times during work under this consent.

Advice Notes:

- These conditions may be in addition to any agreements that are in place between the consent holder and the Papatipu Runanga (Cultural Site Accidental Discovery Protocol).*
- Under the Heritage New Zealand Pouhere Taonga Act 2014 an archaeological site is defined as any place associated with pre-1900 human activity, where there is material evidence relating to the history of New Zealand. For sites solely of Māori origin, this evidence may be in the form of accumulations of shell, bone, charcoal, burnt stones, stone tools, etc. In later sites, artefacts such as bottles or broken glass, ceramics, metals, etc. may be found or evidence of old foundations, wells, drains, tailings, races or other structures. Human remains/kōiwi may date to any historic period.*
- It is unlawful for any person to destroy, damage, or modify the whole or any part of an archaeological site without the prior authority of Heritage New Zealand Pouhere Taonga. This is the case regardless of the legal status of the land on which the site is located, whether the activity is permitted under the District or Regional Plan or whether a resource or building consent has been granted. The Heritage New Zealand Pouhere Taonga Act 2014 provides for substantial penalties for unauthorised damage or destruction.*

RC225716 Land Use

General

1. The proposal shall proceed in general accordance with the information and further information submitted with the application and the attached approved plans, now marked RC225716 except where another condition of this consent must be complied with.

Vehicle Crossings and Accessways

2. A vehicle crossing to service Lots 5 and 6 shall be formed in accordance with Appendix 13 of the District Plan (Townships Volume), with the exception of its positioning from an intersection or adjoining residential crossing. 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.
3. All future vehicle crossings, to service each residential site, shall be formed in accordance with Appendix 13 of the Operative District Plan (Townships Volume), with the exception of its positioning in relation to an adjoining residential vehicle crossing (individual or shared), and within the minimum required sightlines, and may be located in a non-complying position.

Construction Standards

4. All earthworks shall be conducted in accordance with the approved engineering plans for subdivision consent RC225715 and the Selwyn District Council Engineering Code of Practice and NZS4404:2010 – Land Development and Subdivision Engineering.
5. Any topsoil stripped from earthwork areas shall be stockpiled for later use or removed from the site.
6. 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.
7. 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.

Residential Amenity

8. All construction noise on the site shall be planned and undertaken to ensure that construction noise emitted from the site does not exceed the noise limits outlined in Table 2 of NZS6803:1999 Acoustics – Construction Noise. Sound levels associated

with construction activities shall be measured and assessed in accordance with the provisions of NZS 6803:1999 Acoustics – Construction Noise.

9. Hours of operation (other than dust mitigation or emergency sediment and erosion control) shall be limited to the hours of 7am to 7pm. Work will generally be restricted to Monday to Saturday although occasional work may be permitted on Sundays and Public Holidays subject to prior notice being given to Council's Monitoring Officer no later than noon of the last working day before the scheduled work.
10. No construction machinery shall be warmed up within 50 metres of any occupied property in a Living zone.
11. That all contractor site facilities be located at least 50 metres from any occupied property in a Living zone.
12. Construction activity shall comply with the Traffic Management Plan prepared by the Consent Holder (Attachment 1).
13. On the completion of works:
 - a) All disturbed areas shall be ~~returned to a vegetated or grassed or sealed state as near as is practicable and stabilised and/or revegetated~~; and
 - b) All spoil and other waste material from the works shall be removed, unless required for a later stage of the subdivision.

Sediment Control

14. Prior to the commencement of any work on site, the Consent Holder shall prepare and submit to the Team Leader Compliance, an Erosion and Sediment Control Plan (ESCP) covering all earthworks associated with the consented development. The ESCP shall be designed by a suitably qualified person and shall be implemented prior to any work commencing. The ESCP shall be maintained on site for the duration of the work authorised by this consent. The performance criteria shall be based on Environment Canterbury's Erosion and Sediment Control Toolbox for Canterbury (ESCT) (<http://esc Canterbury.co.nz/>).
15. All earthworks shall be undertaken in accordance with the Erosion and Sediment Control Plan.
16. That any earth stockpile be located at least 50 metres from any occupied property in a Living zone, or any occupied dwelling in a Rural Zone.
17. That material stockpiles be shaped, wetted or stabilized to reduce dust generation.

18. That all areas subject to earthworks shall be recontoured and rehabilitated by way of vegetation (landscaping or grass cover) or sealed surfaces as soon as practicable.

Residential Activity

19. All Residential dwellings shall be developed in accordance with Schedule 3A of the Resource Management Enabling Housing (and Other Matters) Amendment Act 2021.