

Appendix 3: Applicant's Preferred Conditions of Consent

General Conditions

1. Except as required by subsequent conditions [if the conditions go beyond what is proposed in the resource consent application], the development shall proceed in general accordance with the information and plans submitted with the application, including the further information/amended plans submitted. The Approved Plans have been entered into Council records as RC216016 (X pages) and include the following:
 - (i) Location Plan, Site Plan, Floor Plans, Elevations, Recession Planes & Signage, and Exterior Materials (McCoy Wixon Architects, Project Number 5798, Sheets RC01 to RC08 and RC11, dated 17 August 2022);
 - (ii) Landscape Resource Consent Package 17 August 2022 (Rough Milne Mitchell Landscape Architects: Landscape Plan Drawing No. RCL 1.0 Revision A, Cross Sections and Tree Species, 17 August 2022);
 - (iii) Carpark Lighting Layout (Pedersen Read, Job No. 5381, 12 July 2022);
 - (iv) Erosion and Sediment Control Plan (Powell Fenwick, Job No. 211298/C/2, Sheet No. SK7, 2 December 2021); and
 - (v) Levi Road and Lincoln Rolleston Road Frontage – Roundabout Scheme Indicative Concept Design (Abley, Project No. FSIL-J085, Drawing No. S102, 19 August 2022).
2. The Consent Holder, and all persons exercising this consent, shall ensure that all personnel undertaking activities authorised by this consent are made aware of, and have access to, the contents of this consent decision and accompanying plans, prior to the commencement of the works. A copy of these documents shall also remain on-site.
3. The Consent Holder shall surrender RC185461 (84-92 Rolleston Drive) in whole by giving written notice to Selwyn District Council within one month of construction authorised by the consent commencing on the Site.

Landscape

4. The existing hedge along the Levi Road and Lincoln Rolleston Road frontages of the Site shall be retained as long as practicable during the construction period, as a means to mitigate construction dust and visual effects.
5. Prior to construction commencing on the Site, the Consent Holder shall submit a detailed landscape plan and specification to the Selwyn District Council for certification of the following:
 - (i) it is in general accordance with the Landscape Plan (Condition 1(ii));
 - (ii) tree and large shrub planting to achieve a density of one plant/1.5m² within the 10m-wide biodiversity planting strip along the eastern boundary of the Site if the adjoining land to the east is developed under a residential scenario;
 - (iii) a detailed planting schedule identifying the grade of trees by height and calliper, and all landscape plants that are to visually soften the building by grade, botanical name, quantity and spacings;
 - (iv) details of tree pit design, landscape irrigation, and tree protection measures from vehicles, pedestrians, and shopping trolleys; and
 - (v) a landscape management plan identifying:
 - (a) landscape maintenance plan for the first three years of establishment from date of planting to ensure landscape planting is well established after three years, and provides adequate coverage, plant health and vigour; and

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- (b) ongoing landscape maintenance to ensure all trees are maintained to reach their full height and form.

If no response is received from Selwyn District Council after 15 working days of submission, the detailed landscape plan and specification shall be treated as certified.

6. Prior to any retail activity commencing at the Site, the proposed landscaping shall be established in general accordance with the detailed landscape plan and specification certified under Condition 5, except as required by Condition 7.
7. The 10m-wide biodiversity planting strip along the eastern boundary of the Site shall be planted prior to aboveground construction works commencing on the Site.
8. All specimen trees identified on the Tree Species list (Condition 1(ii)) shall be a minimum 2m in height at the time of planting, with the exception of the Mexican Alder and Oriental Plane which shall be a minimum 2.5m in height at the time of planting. Once established, the trees shall be allowed to grow to their full natural height, except as required by Condition 9.
9. Trees within the 10m-wide biodiversity planting strip along the eastern boundary of the Site shall be maintained at a height no greater than 8m if the adjoining land is zoned for residential purposes.
10. All trees to be planted within the car parking area (excluding road frontage trees) shall be planted with a minimum uncompacted available soil volume based on the expected future size of the tree, as follows:
 - (i) Small tree (<7m in height): 5-15m³
 - (ii) Medium tree (7-15m in height): 20-40m³
 - (iii) Large tree (>15m in height): 40m³

Advice Note: 'uncompacted available soil volume' for the purpose of this condition means the volume of soil excluding aggregate should a structural soil mix be used.

11. All required landscaping shall be maintained. Any dead, diseased or damaged landscaping shall be replaced immediately with plants of similar species. If any tree dies within the first three years they shall be replaced with the same species and grade within the next available planting season in accordance with the approved Landscape Plan. If any tree dies after the first three years then replacement trees shall be as follows:
 - (i) Mexican Alder (*Alnus jorullensis*) planted at 4m height;
 - (ii) Oriental Plane (*Platanus orientalis* var. *insularis* 'Autumn Glory') planted at 3.5m height; and
 - (iii) All other trees within the road frontage to be planted at no less than 3m height.

Lighting

12. Lighting shall be installed and operated in general accordance with the Carpark Lighting Layout (Condition 1(iii)) and with appropriate operational controls associated with dimming and motion sensors. The Carpark Lighting Layout shall ensure an inviting and well-lit interface is achieved where internal pedestrian paths intersect with external footpaths.
13. Prior to the issue of a building consent, the Consent Holder shall submit an electrical completion certificate demonstrating that the proposed artificial outdoor lighting design has a calculated maximum horizontal and/or vertical illuminance at the boundary of any adjoining property less than 5 lux during the hours of darkness from 6000 hours to 2200 hours and less than 1 lux during the period from 2200 hours to 0600 hours.
14. Illumination of all signs shall be restricted to between 0700 hours and 2200 hours.
15. All security lights shall be directed into the Site and away from neighbouring properties.

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Noise

16. Noise from supermarket operations (excluding heavy vehicle deliveries at night) shall comply with the following noise limits:

Assessment Location	Time Period	Daytime	Night-Time
Residential Zone (any point within the boundary of any site in this zone)	0700 to 2200 hrs 2000 to 0700 hrs	50 dB $L_{Aeq}(15min)$	40 dB $L_{Aeq}(15min)$ 70 dB L_{Amax}
Eastern Boundary: Where the adjoining land is Rural Zone (any point within the notional boundary of any other site); or Where the adjoining land is Residential Zone (any point within the boundary of any site in this zone)	0730 to 2000 hrs 2000 to 0730 hrs	55 dB $L_{Aeq}(15min)$	45 dB $L_{Aeq}(15min)$ 75 dB L_{Amax}

17. Deliveries shall be in accordance with the consent application, with no more than two large goods vehicles arriving between 2000 hours and 0730 hours (resulting in a total of four vehicle movements), seven days per week.
18. Noise barriers shall be erected along the eastern boundary of the Site as follows:
- where the adjoining land is zoned rural, a minimum 2m-high timber acoustic fence on top of a 0.6m-high retaining wall erected on the boundary; or
 - where the adjoining land is zoned residential, a minimum 2m-high acoustic fence erected on the boundary and a minimum 2.5m-high timber acoustic fence setback approximately 6m from the boundary.
19. The noise barrier/s required by Condition 18 shall be of durable construction, free from gaps, cracks or holes and have a surface mass of at least 8kg/m². The location and extent of the noise barrier/s is indicated as Options A and B on the Landscape Plan (Condition 1(ii)).
20. Waste collection shall only occur between 0700 hours and 1900 hours.
21. Noise from mechanical services plant (except the generator under Condition 24) shall be designed to meet a night-time noise limit of 30 dB $L_{Aeq}(15 min)$, assessed at the boundary of neighbouring residential zoned properties and the notional boundary of any rural zoned dwellings. Prior to the issue of a building consent, the Consent Holder shall submit a report from a suitably qualified person demonstrating that the mechanical services for the supermarket comply with a noise limit of 30 dB $L_{Aeq}(15 min)$, assessed at the boundary of neighbouring residential zoned properties and the notional boundary of any rural zoned dwellings.
22. Any forklifts on the Site shall be fitted with broadband reversing alarms.

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23. All construction 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 wherever practicable. A Construction Noise and Vibration Management Plan (CNVMP) shall be submitted to Selwyn District Council for certification that it complies with NZS6803:1999 Acoustics – Construction Noise, at least 20 working days prior to commencing work on site.
24. Noise from the generator shall be exempt from the limits specified in Condition 16 when used for emergency electricity generation or during routine maintenance testing (the latter being limited to daylight hours only). At any other time, the noise level from the generator shall be no greater than 45 dB $L_{Aeq}(15 \text{ min})$ when measured at the nearest site boundary.

Advice Note: 'emergency electricity generation' for the purpose of this condition shall mean the use of the generator to generate electricity at times when national grid electricity supply is not available due to a failure of either the national grid or the local distribution network.

Transport

25. Car parking and access shall be established in general accordance with the Site Plan (Condition 1(i)).
26. A minimum of 513 car parking spaces shall be provided on-site, including a minimum of 12 mobility impaired car parking spaces.
27. Bollards shall be installed in all parking spaces that adjoin and are perpendicular to internal pedestrian pathways.
28. All mobility impaired car parking spaces shall be clearly signed for use by people whose mobility is restricted.
29. The Consent Holder shall not do anything that prohibits or otherwise discourages staff from parking on-site.
30. Prior to any retail activity commencing at the Site, the Consent Holder shall, at its own cost:
 - (i) design and construct a pathway along the southern side of Levi Road suitable for shared use by pedestrians and cyclists, over the full length of the Site's frontage;
 - (ii) design and construct a pathway along the eastern side of Lincoln Rolleston Road suitable for use by pedestrians only, over the full length of the Site's frontage;
 - (iii) provide kerb and channel along the southern side of Levi Road and Lincoln Rolleston Road over the full length of each Site frontage;
 - (iv) provide a formed pedestrian crossing point across Levi Road located to the east of Access D as shown on the Levi Road and Lincoln Rolleston Road Frontage – Roundabout Scheme Indicative Concept Design (Condition 1(v)); and
 - (v) provide a formed pedestrian and cyclist crossing point across Lincoln Rolleston Road located to the south of Access B as shown on the Levi Road and Lincoln Rolleston Road Frontage – Roundabout Scheme Indicative Concept Design (Condition 1(v)).
31. In the event that any retail activity commencing at the Site occurs prior to Selwyn District Council's planned signalisation of the Levi Road / Lincoln Rolleston Road / Lowes Road / Masefield Drive intersection, the Consent Holder shall at its own cost:
 - (i) install a temporary pedestrian and cyclist crossing point across Lincoln-Rolleston Road, as shown on the Levi Road and Lincoln Rolleston Road Frontage – Roundabout Scheme Indicative Concept Design (Condition 1(v)), to provide connectivity between the new shared

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- use path on Levi Road and the existing shared use path on the western side of Lincoln Rolleston Road; and
- (ii) construct a left turn auxiliary lane on the Levi Road approach to the Levi Road / Lincoln Rolleston Road / Lowes Road / Masefield Drive roundabout of at least 40m in length, as shown on the Levi Road and Lincoln Rolleston Road Frontage – Roundabout Scheme Indicative Concept Design (Condition 1(v)).
32. Prior to any retail activity commencing at the Site, the Consent Holder shall install signage as follows:
- (i) signs as per signface RG-7 and/or RG-12 of the Manual of Traffic Signs and Markings to show that only left-turn movements into and left-turn movements out of the northernmost Lincoln-Rolleston Road access (Access B on the Site Plan, Condition 1(i)) are permitted to be carried out by drivers;
 - (ii) signs as per signface RG-7 and/or RG-12 of the Manual of Traffic Signs and Markings to show that only left-turn movements out of the easternmost Levi Road access (Access C on the Site Plan, Condition 1(i)) are permitted to be carried out by drivers;
 - (iii) signs as per signface RG-7 and/or RG-12 of the Manual of Traffic Signs and Markings to show that only left-turn movements out of the easternmost Levi Road access (Access E on the Site Plan, Condition 1(i)) are permitted to be carried out by drivers;
 - (iv) speed limit signs as per signface RG-1 of the Manual of Traffic Signs and Markings at each entry location (Accesses A, B, D and E on the Site Plan, Condition 1(i)) and facing vehicles entering the Site. These signs shall display a maximum permitted speed of 10km/h; and
 - (v) at the internal entrance to the staff parking area near the service yard with 'No Public Access' or words to that effect to advise that the public should not seek to gain access to this area.
33. The Consent Holder shall arrange for a concept design and detailed design road safety audit to be carried out for all works in the road reserve (including, but not limited to, the formation of vehicle crossings). These audits shall be carried out by an independent, suitably-qualified and experienced traffic engineer in accordance with the Waka Kotahi 'Road Safety Audit Procedures for Projects' guideline. The safety audit reports shall be issued to the Selwyn District Council for completion of the 'Client' comments. The completed safety audit reports shall be appended to any request for Engineering Approval.
34. The Consent Holder shall inform all delivery drivers under its direct control that access for semi-trailers is restricted to entering the Site via a left-turn movement at the easternmost access on Levi Road (Access E on the Site Plan, Condition 1(i)) and egressing the Site via the southernmost access on Lincoln Rolleston Road (Access A on the Site Plan, Condition 1(i)).
35. The Consent Holder shall ensure that no obstruction of more than 1m in height is located within a 2m-wide x 5m-long visibility splay at each vehicle access in order to ensure drivers and pedestrians have suitable intervisibility of one another.
36. Following retail activity commencing at the Site, the Consent Holder shall undertake monitoring as follows:
- (i) at the northernmost access on Lincoln Rolleston Road (Access B on the Site Plan, Condition 1(i)) to identify whether vehicles are undertaking right-turn entry movements or right-turn exit movements;
 - (ii) at the westernmost access on Levi Road (Access C on the Site Plan, Condition 1(i)) to identify whether vehicles are undertaking entry movements or right-turn exit movements;

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- (iii) at the easternmost access on Levi Road (Access E on the Site Plan, Condition 1(i)) to identify whether vehicles are undertaking right-turn entry movements or any exit movements; and
 - (iv) at the easternmost access on Levi Road (Access E on the Site Plan, Condition 1(i)) to identify whether movements turning left into the Site are impeding westbound 'through' traffic on Levi Road.
37. All monitoring shall be undertaken by an independent, suitably-qualified traffic engineer. The first monitoring shall be carried out no earlier than 3 months, and no later than 6 months, after retail activity commencing at the Site, and annually thereafter for the first two years of operation (three monitoring exercises in total). Each monitoring report shall as a minimum:
- (i) review the crash records within the Waka Kotahi Crash Analysis System to identify whether any reported crashes have occurred at the access since the last monitoring exercise was carried out;
 - (ii) include observations on a single weekday from 5-6pm and a single Saturday from 12-1pm at the access to identify unlawful movements, sudden braking and/or swerving manoeuvres associated with the access;
 - (iii) set out whether, in the opinion of the traffic engineer, the operation of the access is giving rise to adverse road safety effects and, if so, the measures that will be implemented by the Consent Holder to address those adverse effects and the timeframe for implementation; and
 - (iv) be provided to the Selwyn District Council within one calendar month of the monitoring being undertaken.

Advice Note: A range of measures can be considered as mitigation for the purpose of Condition 37(iii) such as additional signage, modifications to kerblines, and other design treatments as determined to be appropriate by the traffic engineer. In the case of more serious safety concerns it may be necessary to consider restricting the usage of an access to specific vehicles or closing an access.

38. Additional monitoring may also be requested by the Selwyn District Council in response to a specific road safety concern arising, such as an injury crash occurring or repeated complaints from members of the public. Where additional monitoring is requested, this shall be undertaken in accordance with Condition 37.

Contaminated Land

39. Prior to earthworks occurring on the Site, a soil sampling investigation/Detailed Site Investigation (DSI) shall be undertaken by a suitably qualified and experienced practitioner (SQEP) at the Site in accordance with the Ministry for the Environment's (MfE) *Contaminated land management guidelines No. 5: Site investigation and analysis of soils (Revised 2021)* and reported on in accordance with the MfE's *Contaminated land management guidelines No. 1: Reporting on contaminated sites in New Zealand (Revised 2021)*. The result of this shall be provided to Team Leader Compliance, Selwyn District Council.
40. In the event that the soil sampling investigation/DSI recommends a Site Management Plan (SMP) and/or Remedial Action Plan (RAP) be prepared to appropriately manage any identified contaminated soils, then at least 20 working days prior to bulk earthworks commencing onsite the SMP and/or RAP shall be provided to Selwyn District Council (Attn: Team Leader Compliance) for confirmation that it complies with the conditions of this consent, and that post-development remaining soils will meet the applicable Soil Contaminant Standard in the context of commercial/industrial land use, as referenced in the NESCS. The SMP and/or RAP shall include, at a minimum:

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- (i) details of validation sampling to be undertaken, including the sampling rationale, and analyses to be undertaken;
- (ii) details of how remediation will be undertaken if soils do not comply with the applicable Soil Contaminant Standard in the context of commercial/industrial land use;
- (iii) details of where soil will be disposed of if disposal off-site is required; and
- (iv) details of how the soil retained on site shall be managed.

Advice Note: Should the Consent Holder seek to retain any contaminated soils on site, a discharge consent from Environment Canterbury may be required to discharge contaminants to land.

- 41. Within three months of the completion of validation sampling at the Site, a site validation report shall be provided to the Selwyn District Council (Attn: Team Leader Compliance), to demonstrate that the Site complies with the applicable Soil Contaminant Standard in the context of commercial/industrial land use, as referenced in the NESCS. The site validation report shall be prepared in accordance with the MfE's *Contaminated land management guidelines No. 1: Reporting on contaminated sites in New Zealand (Revised 2021)*.
- 42. In the event that visual or olfactory evidence of contamination is identified, which was not anticipated by the previous soil contamination investigations undertaken on the Site, the works shall immediately cease within 10m of the contamination. Works shall not recommence in this area until a suitably qualified and experienced contaminated land practitioner has assessed the contamination, and their recommendations have been followed.

Construction

- 43. All earthworks authorised by this consent shall be undertaken in accordance with the current edition of Environment Canterbury's Erosion and Sediment Control Toolbox, and the Erosion and Sediment Control Plan (Condition 1(iv)). For clarity, the Erosion and Sediment Control Plan shall include:
 - (i) minimising the amount of disturbed material and open ground;
 - (ii) controlling run-off water from flowing across the site and disturbed open earthworks where practical;
 - (iii) separating clean run-off water from adjacent road and properties from on-site run-off;
 - (iv) avoiding surface erosion by protecting any exposed areas from overland run-off, effect of heavy rain events and wind blow;
 - (v) preventing sediment from leaving the Site by directing water to remain on-site and avoiding run-off and loose sediment from reaching adjoining properties;
 - (vi) covering stockpiles and open ground with appropriate material when exposed for a length of time and / or is prone to wind erosion;
 - (vii) removing stockpiles from site as soon as possible. Stockpiles will be kept tidy and constructed in a safe manner. They will not be greater than 4m in height and shall have a stable slope;
 - (viii) covering excavated access formation with a running course as soon as possible to reduce potential erosion; and
 - (ix) inspection and monitoring of control measures, and rectification works as necessary.
- 44. The Consent Holder shall implement best practicable option measures to avoid or mitigate the dispersal and deposition of dust from construction and earthworks activities beyond the boundaries of the Site.
- 45. The Consent Holder shall implement best practicable option measures to avoid or mitigate the discharge of sediment laden runoff beyond the boundaries of the Site.

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46. The Consent Holder shall ensure that a Construction Temporary Traffic Management Plan (TTMP) is prepared in accord with Waka Kotahi's Code of Practice for Temporary Traffic Management procedures. This shall be submitted to the Selwyn District Council for review and approval at least three months prior to any construction works commencing that affect the normal operating conditions on the roading network.

Stormwater

47. The Consent Holder shall install stormwater reticulation treatment and disposal systems to service the proposed development in accordance with the requirements of any resource consent issued by Canterbury Regional Council.
48. 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.
49. The proposed development shall not increase the extent of the secondary flow path for the 1:200-year flood event (as modelled in Selwyn District's flooding and coastal hazards (canterburymaps.govt.nz) as at July 2022) on any residential property.
50. The proposed development shall not discharge run off onto adjacent properties unless via a controlled outlet approved as part of the Engineering Design Approval.
51. In the event that an adjacent neighbour's historical stormwater drainage was onto the Site, the proposed development shall maintain or mitigate the historical discharge.

Waste Management

52. Prior to the issue of a building consent, the Consent Holder shall submit a waste management plan for the Site to the Selwyn District Council.

Notes to the Consent Holder:

Lapse Period

- 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.

Monitoring

- b) In accordance with section 36 of the Resource Management Act 1991, the Council's specialised monitoring fee has been charged.
- c) If the conditions of this consent require any reports or information to be submitted to the Council, additional monitoring fees for the review and certification of reports or information will be charged on a time and cost basis. This may include consultant fees if the Council does not employ staff with the expertise to review the reports or information.
- d) Where the conditions of this consent require any reports or information to be submitted to the Council, please forward to the Council's Compliance and Monitoring Team, compliance@selwyn.govt.nz.
- e) 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.

Road Frontage Upgrades

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- f) Where existing road frontages are to be upgraded, this work is required to be approved and undertaken through the Engineering Approval.
- g) All construction works and signage within the legal road reserve are to meet the requirements of the Selwyn District Council Subdivision Code of Practice Part 8 (February 2012) or successor and are subject to Engineering Approvals.

Vehicle Crossings

- h) Any new or upgraded vehicle crossing requires a vehicle crossing application from Selwyn District Council's Assets Department prior to installation. For any questions regarding this process please contact transportation@selwyn.govt.nz. The following link can be used for a vehicle crossing information pack and to apply online:
<http://www.selwyn.govt.nz/services/roading/application-to-form-a-vehicle-crossing-entranceway>

Water Supply, Stormwater and Sewer

- i) Onsite stormwater treatment and disposal system(s) must comply with the requirements the Canterbury Regional Council. Where compliance via a Certificate of Compliance cannot be provided, then a resource consent must be obtained.

Water Supply

- j) Backflow prevention shall be supplied in accordance with Selwyn District Council's backflow policy W213. This shall be installed as part of the building consent.
- k) For supervision purposes a minimum of 10 working days' notice is required. Please note a connection fee being the actual cost quoted by SICON Ferguson Ltd will apply.

Building Act

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

Regional Consents

- m) This activity may require resource consent from Environment Canterbury. It is the Consent Holder's responsibility to ensure that all necessary resource consents are obtained prior to the commencement of the activity.

Impact on Council Assets

- n) Any damage to fixtures or features within the Council road reserve that is caused as a result of construction or demolition on the Site shall be repaired or reinstated at the expense of the Consent Holder.

General Engineering Requirements

- o) The Consent Holder is advised of the requirements and obligations under the Building Act and Building Consent process, including:
 - engineering design plans and specifications for all works will need to 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
 - Landscaping and irrigation.

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- no work can commence until Engineering Approval has been confirmed in writing. Any subsequent amendments to the plans and specifications will need to be submitted to the Development Engineering Manager for approval;
- all work will need to comply with the conditions set out in the Engineering Approval and be constructed in accordance with the approved engineering plans;
- all work will need to comply with the Engineering Code of Practice, except as agreed in the Engineering Approval;
- copies of any other consents required and granted in respect of the development authorised by this consent, including any certificate of compliance or consent required by Canterbury Regional Council, will need to be included with the engineering plans and specifications submitted for Engineering Approval;
- accurate 'as built' plans of all services will need to be provided to the satisfaction of the Development Engineering Manager, including a comprehensive electronic schedule of any assets to be vested in the Council to the satisfaction of the Development Engineering Manager. The schedule will need to include, but not be limited to, installed material unit costs, type, diameter, class, quantity and include summary details. Any costs involved in provision and transfer of this data to Council's systems will be borne by the Consent Holder.