# Resource Consent Decision RC195533



APPLICANT:	Suburban Estates Limited				
PROPOSAL:	RC195533 – To undertake a subdivision to create 122 residential lots				
LOCATION:	93 Tosswill Road, Prebbleton				
LEGAL DESCRIPTION:	Proposed Lots 2 & 5 of the subdivision (RC195093) of Lot 1 and Pt Lot 2 DP 5464 and Lots 1 & 2 DP 83525 being 17.2128ha in area more or less, as contained in Records of Title CB8K/1221, CB48B/952, CB48B/953, CB336/111.				
ZONING:	The property is zoned Inner Plains under the provisions of the Operative District Plan (Rural) Volume and Living Z under provisions of the Operative District Plan (Townships) Volume				
STATUS:	RC195533 has been assessed as a subdivision consent for a Non-Complying activity under the District Plan.				
	As such the relevant provisions of the District Plan (Rural & Townships) Volumes and the Resource Management Act 1991 have been taken into account.				
	NESCS – Contaminated Site. This application has been assessed as a Controlled Activity under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health				

This application was formally received by the Selwyn District Council on 4 September 2019. Assessment and approval took place on 6 November 2019 under a delegation given by the Council.

# **Decision**

- A. Resource consent 195533 be processed on a **non-notified** basis in accordance with sections 95A-F of the Resource Management Act 1991; and
- B. Resource consent 195533 be granted pursuant to sections 104, 104B and 104D of the Resource Management Act 1991 subject to the following conditions imposed under sections 108 and 220 of the Act:
  - 1. The following conditions of consent shall be met prior to the issue of a 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 4 September 2019, the further information dated 10 October 2019, and the attached approved subdivision plans entitled "Proposed subdivision of Lots 2 and 5 of RC195093", project no. 437433, set no. C1, Rev E dated 10 October 2019 (now marked RC195533), including any utility lots required except where another condition of this consent must be complied with.
  - 3. That the development may proceed in Stages in no particular order in accordance with the attached approved subdivision plan provided all conditions of consent relevant to the creation of the lots shown on the survey plan are complied with and all services and access necessary to serve the lots created



are constructed and appropriate easements are provided for. Where a lot is created as a balance lot as part of each Stage and services are not provided and development contributions are deferred, a consent notice shall be registered on the Record of Title for each balance lot as follows:

"This is an unserviced development lot. No services (power, phone, water, sewer, or stormwater) have been provided to this lot. Connections to the relevant services will be required at the time future development occurs, this includes the erection of a dwelling or principal building on the lot. No contributions (water, sewer, roading and reserves) have been paid and no credits are available"

Each such consent notice may be cancelled once the relevant services are provided and development contributions have been paid in full for the relevant stage of the subdivision. The consent holder shall meet the cost of the Council's Solicitor preparing the agreement and consent notice.

- 4. All required easements shall be created and granted or reserved.
- 5. That a Consent notice be registered against the Record of Title for each utility lot created, to the effect that it shall be used as a utility lot only. Ongoing compliance with this condition shall be ensured by way of a consent notice registered against the Record of Title to issue for Lots 131, 138 & 139 hereon. The consent notice shall be prepared and registered by Council's solicitor at the request and expense of the consent holder.

## General engineering

- 6. 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
  - Shared accessways
  - 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.

- 7. All work shall comply with the conditions set out in the Engineering Approval and be constructed in accordance with the approved engineering plans.
- 8. All work shall comply with the Engineering Code of Practice, except as agreed in the Engineering Approval.
- 9. 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.
- 10. 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.
- 11. The consent holder shall provide accurate 'as built' plans of all services to the satisfaction of the Development Engineering Manager. All assets being vested in Council shall be provided in an appropriate electronic format for integration into Council's systems. Any costs involved in provision and transfer of this data to Councils systems shall be borne by the consent holder.
- 12. 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.



## Roading

- 13. All roads shall be constructed in accordance with the approved engineering plans.
- 14. All roads shall be vested in the Selwyn District Council as road.
- 15. Street lighting shall be provided on all new roads and existing roads in accordance with the Engineering Approval.
- 16. That where a road will connect with future subdivision, a temporary turn facility shall be provided at the dead end.

## Vehicle crossings and accessways

- 17. That vehicle crossings to service the Lots 2;26-27;36;45;47;52;70-71;74-76;87;91;94-96;99;111-114;117-118 shall be formed in accordance with Appendix 13 of the District Plan (Townships Volume). The vehicle crossing shall be sealed to match the existing road surface for the full width of the crossing between the site boundary and sealed carriageway.
- 18. The vehicle accessways serving Lots 2;26-27;36;45;47;52;70-71;74-76;87;91;94-96;99;111-114;117-118 shall be formed in accordance with Appendix 13 of the District Plan (Townships Volume).
- 19. That the accessway over the right of way (marked 'A') servicing Lot 134 shall be formed to a sufficient width for vehicle access. The positioning and standard of the access within the easement shall be determined at engineering approval stage.

## Water supply, stormwater and sewer

- 20. 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.
- 21. 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

- 22. The net area of each lot shall be provided with an individual potable high pressure connection to the Prebbleton water supply in accordance with the approved Engineering Plans
- 23. Water meters shall be installed in the road reserve only (please note that multi meter boxes may be utilised).
- 24. Connection into Council's reticulated water supply shall either be carried out or supervised by Council's contractor SICON Ferguson Ltd at the cost of the consent holder.

#### Sewer

- 25. 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.
- 26. 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.
- 27. That at building consent stage the owner of the allotment will be required to install individual sewage pumping units within private property for Lots 31 & 32. Any maintenance or costs associated with the individual pumping units shall be the responsibility of the landowner. Pursuant to section 221 of the Resource Management Act 1991 a consent notice shall be registered on the Certificate of Title for Lots 31 and 32 to ensure ongoing compliance with this condition.
- 28. Boundary boxes shall be installed in the road reserve only.
- 29. All sewer reticulation to be vested shall meet Council CCTV standards.
- 30. Connection to the Council sewer shall be arranged by the consent holder and the work shall be done by a registered drainlayer.

#### Stormwater



- 31. 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.
- 32. 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.
- 33. The proposed development shall not discharge run off onto adjacent properties unless via a controlled outlet approved as part of the Engineering Design Approval.
- 34. 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 unless otherwise permitted by a private legal agreement.
- 35. The stormwater overland flowpath shall be design to cater only for stormwater in excess of the 1 in 50 year event (all durations) from Lot 1 DP 510497.
- 36. The Stormwater Management Area (SMA) in proposed Lot 134 shall be designed to treat and detain stormwater runoff from the site and adjacent potential rural residential development on Lot 4 RC 195093 (as identified as Area 9 in the SDC Rural Residential Strategy).
- 37. 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.
- 38. The consent holder shall provide a Stormwater Operations and Maintenance Manual prior to the approval of the section 224(c) Completion Certificate.
- 39. Where stormwater mains in private property are to be vested in Selwyn District Council, a written request shall be submitted to the Development Engineering Manager. Easements in gross in favour of Council shall be provided.

## Power and telecommunications

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

#### Geotechnical

42. Specific soil testing to determine compliance with 'good ground' in NZS3604 shall be carried out at building consent stage for all lots. 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.



- 43. That earthworks be undertaken on Lots 84 and 101-105 in accordance with the options outlined in Section 8.5.1 of the Eliot Sinclair Natural Hazards Assessment and Geotechical Report dated 4th November 2019 provided with the application.
- 44. A Geotechnical Completion Report shall be provided to Council at the time of s.224 application to certify the earthworks undertaken on Lots 84 and 101-105, and to provide specific recommendations to future owners regarding foundation design.
- 45. A consent notice will be imposed on Lots 84 and 101-105 based on the specific recommendations of the geotechnical completion report required by condition 44 in lieu of the consent notice referred to in condition 42 above.

## Landscaping and irrigation

- 46. 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.
- 47. Entrance structures shall not be placed on Council road reserve, unless otherwise agreed by Council during landscape approval.

## Fencing covenants

- 48. 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 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.

#### Reserves

- 49. Pursuant to the relevant legislation the consent holder shall vest Lots 132, 133 & 134 in the Council as Local purpose (Stormwater Utility) Reserve. (Please note that Council will only provide a 20% credit for Lot 133 towards the reserve contribution and that no there is no land credit towards reserve contribution for Lot 134).
- 50. Pursuant to the relevant legislation the consent holder shall vest Lots 130 & 135 in the Council as Recreation Reserve. (Please note that the area of the Prebbles Drain itself (5m width) is not considered as a land credit towards reserve contribution).
- 51. Pursuant to the relevant legislation the consent holder shall vest Lots 136 & 137 in the Council as Local purpose (Accessway) Reserve. (Please note that there is no land credit towards reserve contribution for Lot 137).
- 52. The consent holder shall supply to Council copies of all Certificates of Title for land, other than roads, that is vested in the Council.

#### **Fencing**

- 53. Unless a resource consent has been granted otherwise or otherwise permitted by the District Plan:
- (a) the maximum height of any fence between the front building façade of any residential development and the street, or a private Right of Way or shared access over which the allotment has legal access, shall be 1m. For allotments with frontage to more than one road or a private Right of Way or shared access, any fencing on the secondary road boundary is to be no higher than 1.8m.
- (b) Any other fence shall be a maximum height of 1 metre if it is located within 3 metres of the street boundary or private right of way or shared access over which allotment has legal access.



- 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.
- 54. That the central reserve fencing for Lots 84, 96,97-105 & 33 shall be undertaken in accordance with the approved typology contained in the amended Eliot Sinclair Urban Design Report submitted with the further information response (dated October 2019). No greater than 35% of the allotment width adjoining the reserve shall have a fence of up to 1.5 metres in height. The 1.5m high fencing shall be comprised of vertical timber battens (or similar SDC approved equivalent) achieving a visual transparency of at least 22%. The remaining 65% of the allotment width adjoining the reserve shall have a fence of up to 1.2 metres in height. The 1.2m high fencing shall be comprised of vertical timber battens (or similar SDC approved equivalent) achieving a visual transparency of at least 66%. Fencing shall be finished with a dark/recessive colour.

Resource consent may be required for modifications to the reserve fencing established by this consent. 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 Lots 84, 96,97-105 & 33.

55. That the accessway reserve fencing for Lots 1-3, 18-19, 38-39 & 52-53 shall be undertaken in accordance with the approved typology contained in the amended Eliot Sinclair Urban Design Report submitted with the further information response (dated October 2019). Solid fencing with 0% visual transparency shall be erected up to 1.2 metres in height for the full width adjoining the reserve. The height of the fencing may be increased to a maximum height of 1.8 metres for no greater than 35% of the allotment width adjoining the reserve. Any fencing exceeding 1.2 metres in height shall be comprised of vertical timber battens (or similar SDC approved equivalent) achieving a visual transparency of at least 50%. Fencing shall be finished with a dark/recessive colour.

Resource consent may be required for modifications to the reserve fencing established by this consent. 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 Lots 1-3, 18-19, 38-39 & 52-53.

- 56. That the 'rear' fencing (western boundary) for Lots 52-60 shall be undertaken in accordance with the approved typology contained in the amended Eliot Sinclair Urban Design Report submitted with the further information response (dated October 2019). No greater than 35% of the allotment width adjoining the reserve shall have a fence of up to 1.5 metres in height. The 1.5m high fencing shall be comprised of vertical timber battens (or similar SDC approved equivalent) achieving a visual transparency of at least 22%. The remaining 65% of the allotment width adjoining the reserve shall have a fence of up to 1.2 metres in height. The 1.2m high fencing shall be comprised of vertical timber battens (or similar SDC approved equivalent) achieving a visual transparency of at least 66%. Fencing shall be finished with a dark/recessive colour.
  - Resource consent may be required for modifications to the 'rear' fencing established by this consent. 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 Lots 52-60.
- 57. That 'Rural' interface fencing for Lots 47-52 & 39-45 shall be undertaken in accordance with the approved fencing typology contained in the amended Eliot Sinclair Urban Design Report submitted with the further information response (dated October 2019). This fencing shall be comprised of open post and rail style fencing (wire may be used as necessary for stock-proofing) (or similar SDC approved equivalent).
  - Resource consent may be required for modifications to the 'Rural' fencing established by this consent. 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 Lots 47-52 & 39-45.
- 58. That 'Rural-residential' interface fencing for Lots 1, 2, 19-24, 26-27, 32-36 & 38 shall be undertaken in accordance with the approved fencing typology contained in the amended Eliot Sinclair Urban Design Report submitted with the further information response (dated October 2019). The fencing shall consist of 40% of the allotment width fencing at a maximum height of 1.2 metres and 60% of the allotment width fencing at a maximum height of 1.6 metres. The 1.2m high fencing shall be comprised of vertical



timber battens (or similar SDC approved equivalent) achieving a visual transparency of at least 53%. The 1.6m high fencing shall be comprised of vertical timber battens (or similar SDC approved equivalent) achieving a visual transparency of at least 22%.

Resource consent may be required for modifications to the 'Rural-residential' fencing established by this consent. 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 Lots 1, 2, 19-24, 26-27, 32-36 & 38.

#### Consent notices

- 59. That the consent notices for Lots 2 & 5 LT 538252 shall be cancelled.
- 60. That, unless a resource consent has been granted otherwise or the District Plan rules have been amended: All development and other activities on medium-density lots shall proceed in accordance with the rules for permitted activities in the Living Z zone, Small-Lot Medium-Density Areas. Any activity which does not comply with the rules for permitted activities will require resource consent, with the application assessed against the provisions of the Living Z zone, Small-Lot Medium-Density Area

Ongoing compliance with this condition shall be ensured by way of a consent notice registered against the computer freehold register to issue for each of Lots 96 & 100.

## Site stability and site works

- 61. That all site works are to be undertaken in accordance with the conditions of resource consent RC195534.
- 62. That the Consent Holder shall ensure on a continuing basis (until Record of Titles 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. This applies to exposed areas of earth, stockpiles and unsealed roads.
- 63. 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.
- 64. That dust generating activities shall cease during times of high winds where dust suppression methods are insufficient to stop fugitive dust leaving the site.
- 65. 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.
- 66. At the completion of earthworks for each Stage of the subdivision, 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.

#### **Attachments**

- 1. 195533 Approved Plans
- 2. 195533 Approved Fencing typologies

## **Development Contributions (Subdivision Consents)**

Development contributions are not conditions of this resource consent and there is no right of objection or appeal under the Resource Management Act 1991. Objections and applications for reconsideration can be made under the Local Government Act 2002.

The consent holder is advised that pursuant to the Local Government Act 2002 and the Council's Development Contribution Policy 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 in the attached table are applicable at the time of the granting of this consent. If the time between the date the resource consent is granted and the time which the Council would normally



invoice for the development contributions (usually the time an application is made for the issue of Council's section 224(c) certificate for the subdivision) is more than 24 months, the development contributions will be reassessed in accordance with the development contributions policy in force at the time the consent was submitted. 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. Please contact our Development Contributions Assessor on 03 347 2800 or at development.contributions@selwyn.govt.nz.

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	122.00	0.00	122.00	4,116.00	502,152.00	75,322.80	577,474.80
Wastewater	122.00	0.00	122.00	5,244.00	639,768.00	95,965.20	735,733.20
Stormwater	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Reserves	122.00	0.00	122.00	10,647.00	1,298,934.00	194,840.10	1,493,774.10
Roading	122.00	0.00	122.00	1,769.00	215,818.00	32,372.70	248,190.70
Roading ODP	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Contribution					2,656,672.00	398,500.80	3,055,172.80

#### **Notes to the Consent Holder**

## Lapse Period (Subdivision Consents)

- a) Under section 125 of the RMA, this subdivision consent lapses five years after the date it is granted unless:
  - A survey plan is submitted to Council for approval under section 223 of the RMA before the consent lapses, and that plan is deposited within three years of the approval date in accordance with section 224 of the RMA; or
  - (ii) An application under section 125 of the RMA is made to the council before the consent lapses (five years) to extend the period after which the consent lapses and the council grants an extension.

## Monitoring

- b) In accordance with section 36 of the Resource Management Act 1991, the Council's basic 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, <a href="mailto:compliance@selwyn.govt.nz">compliance@selwyn.govt.nz</a>
- 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.

#### Vehicle Crossings

f) Any new or upgraded vehicle crossing requires a vehicle crossing application from Council's Assets Department prior to installation. For any questions regarding this process please contact transportation@selwyn.govt.nz. You can use the following link for a vehicle crossing information pack and to apply online: <a href="https://www.selwyn.govt.nz/services/roads-And-transport/application-to-form-a-vehicle-crossing-entranceway">https://www.selwyn.govt.nz/services/roads-And-transport/application-to-form-a-vehicle-crossing-entranceway</a>



## Regional Consents

g) 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

h) 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 and the expense of the consent holder.

## General Engineering

i) 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/

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

- j) 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. This may be done at Engineering Approval.
- k) Council will 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.
- I) All new residential lots adjoining legal roads and/or private roads/rights of way created by this subdivision will be issued property numbers by Council in accordance with Council Policy. The consent holder shall supply Council with a finalised Deposited Plan to enable numbers to be generated for issue and adoption.
- m) The Council accepts new roads or reserves subject to land covenants in limited circumstances as outlined in the Policy for the Vesting of Road and Reserves Subject to Land Covenants.
- n) Water connections 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.
- o) 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 i.e. 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.



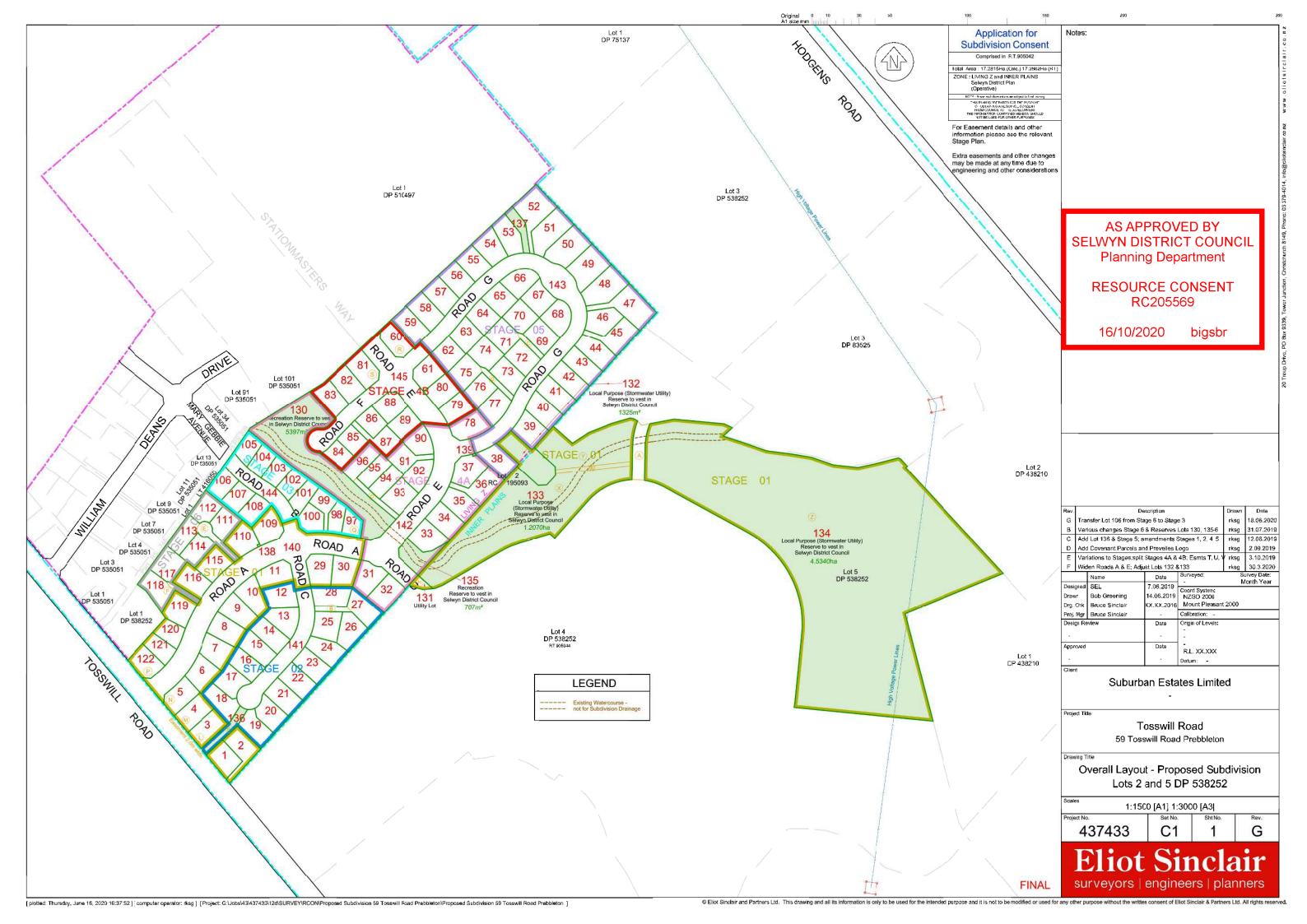
- Summary of costs to maintain the system including details of the number of inspections and cleaning of sumps/disposal of sump material.
- What actions will be undertaken before handover to Selwyn District Council is proposed ie notification procedure at least two months prior to requesting handover.
- p) 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.
- q) Early consultation with council's stormwater engineer is recommended to ensure the latest stormwater standards including design rainfall are incorporated into the detailed design.
- r) Council has the right to have designs peer reviewed at the consent holder's cost.
- s) All stormwater reticulation to be vested shall meet council CCTV standards.
- t) The consent holder should liaise with all prospective purchasers regarding maintaining adequate parking space with regard to the placement of vehicle crossings within determined parking layby areas. 'Dead space' should be avoided where practicable to maintain the greatest proportion of available vehicle parking space.
- u) The Council acknowledges that the applicant (Suburban Estates Limited) and the adjoining landowner (Sparr Developments Limited) have a private agreement where both parties contribute to the cost of the shared Stormwater Management Area.

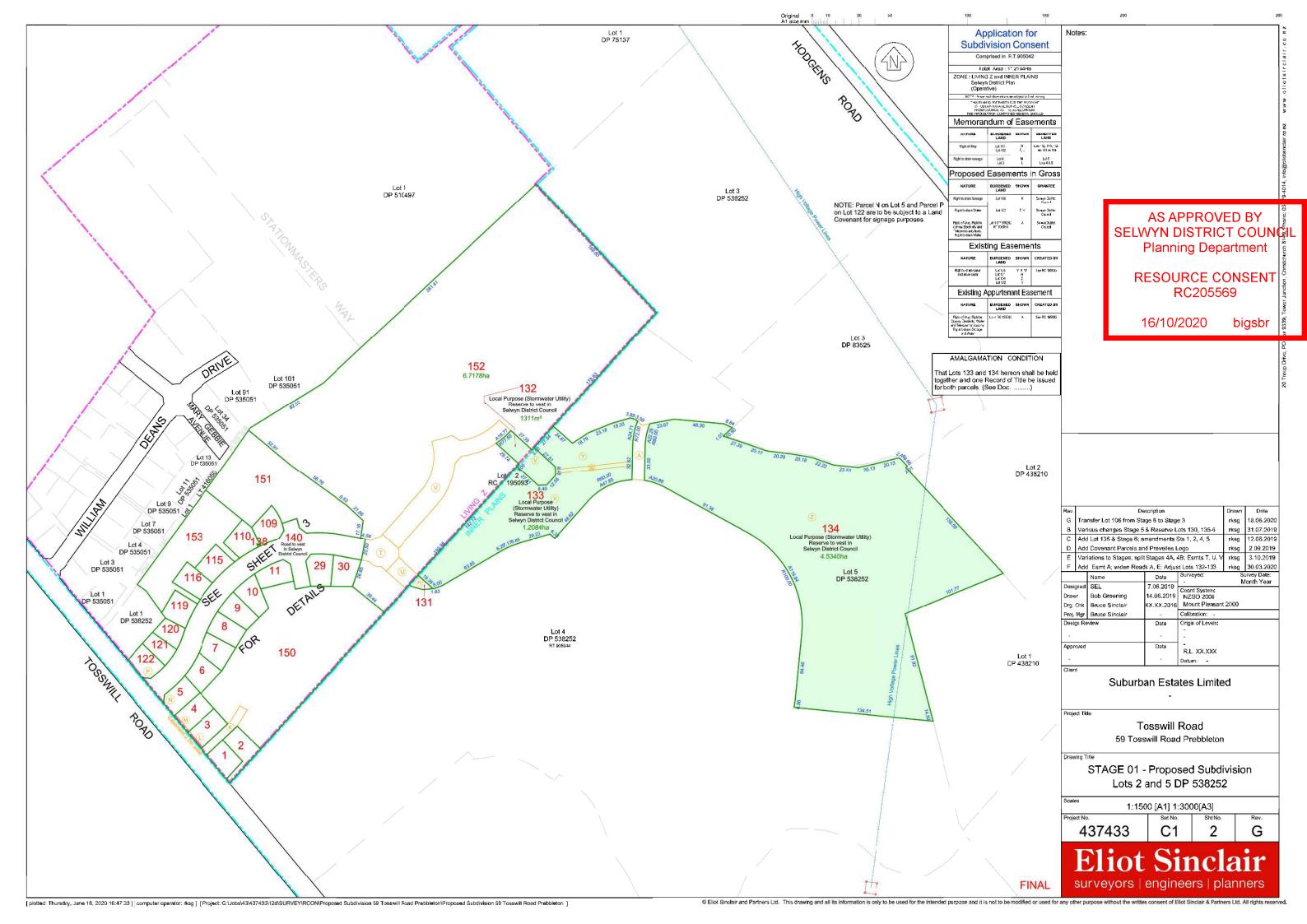
Yours faithfully

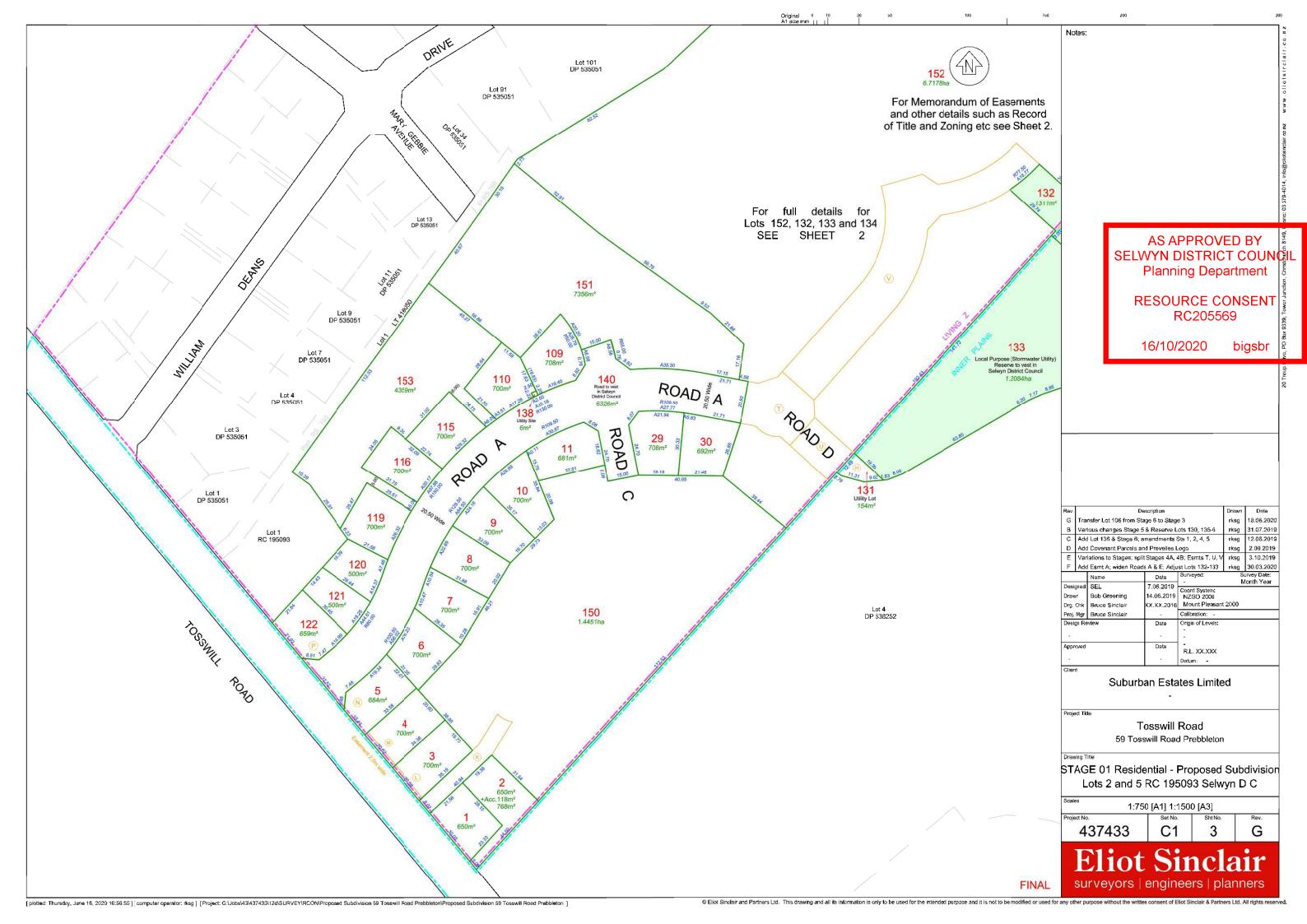
**Selwyn District Council** 

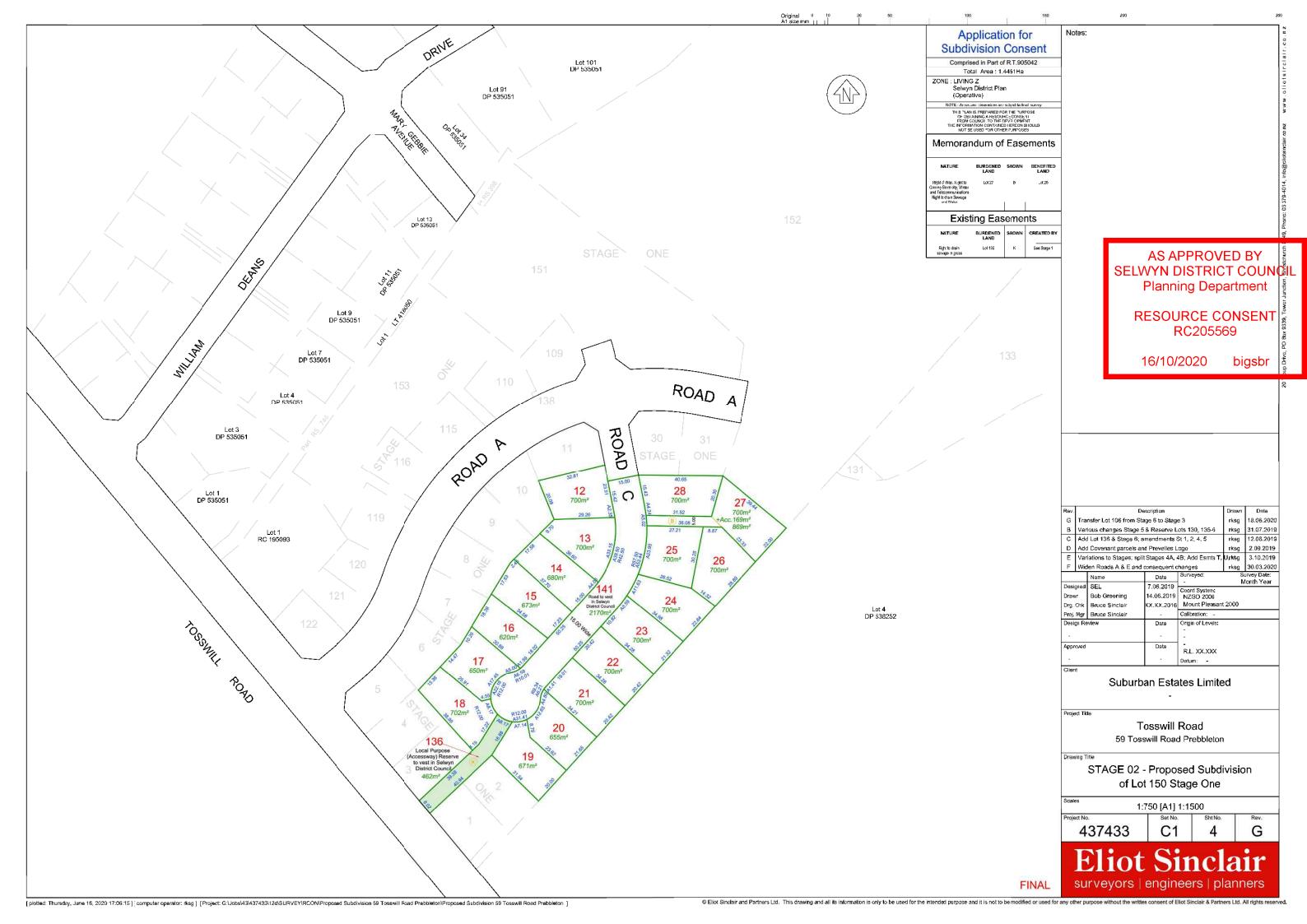
Richard Bigsby

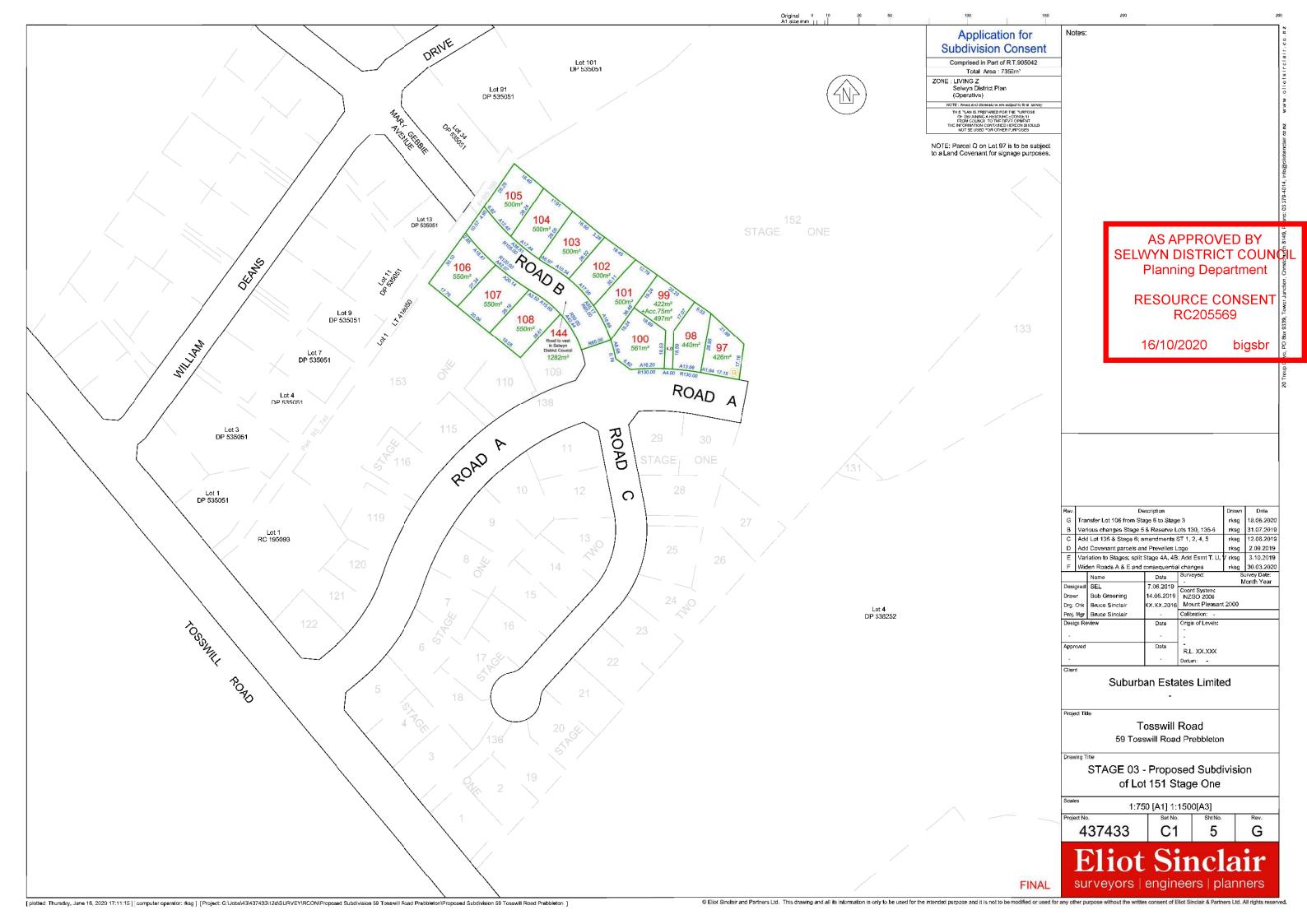
**Resource Management Planner** 

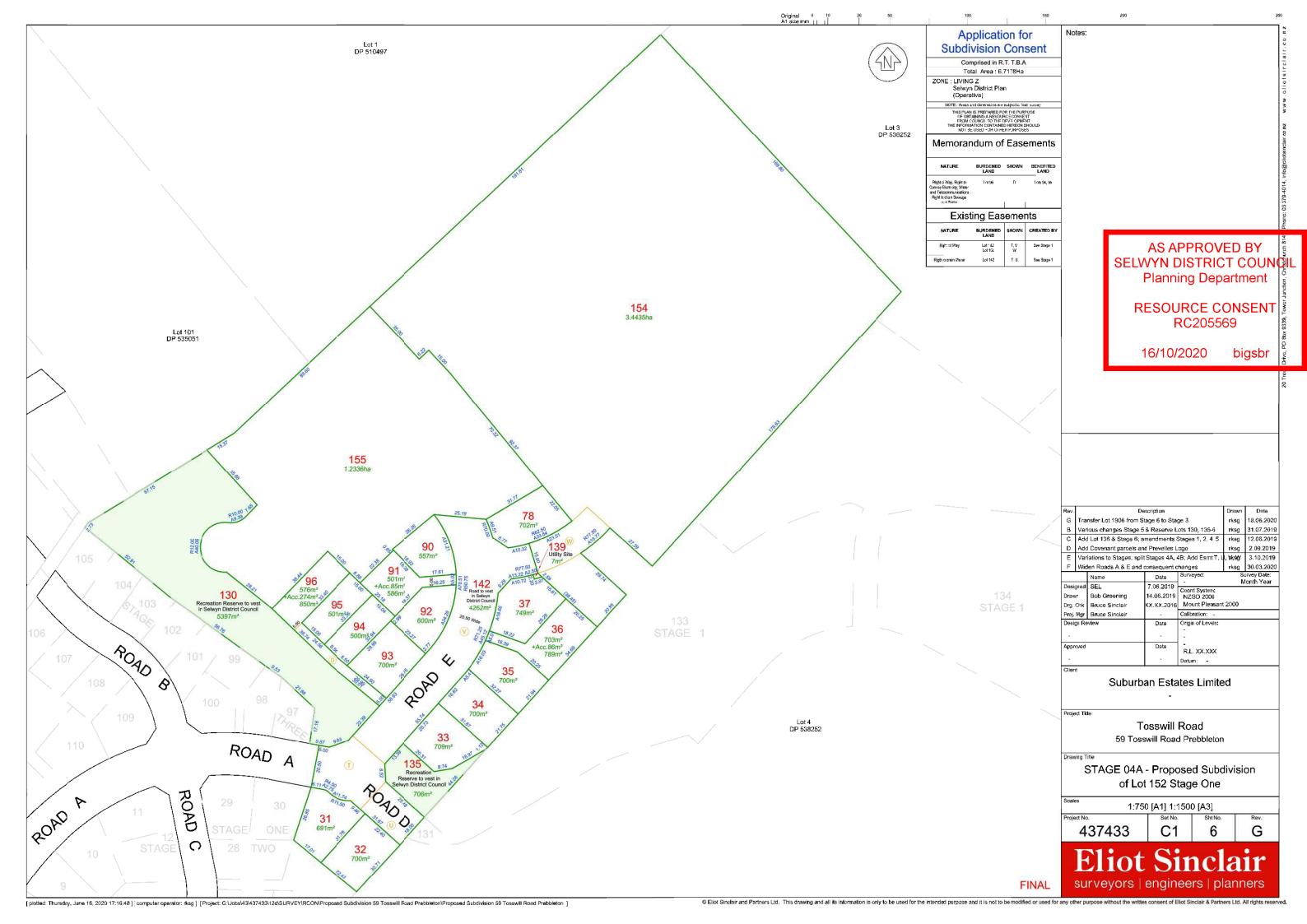


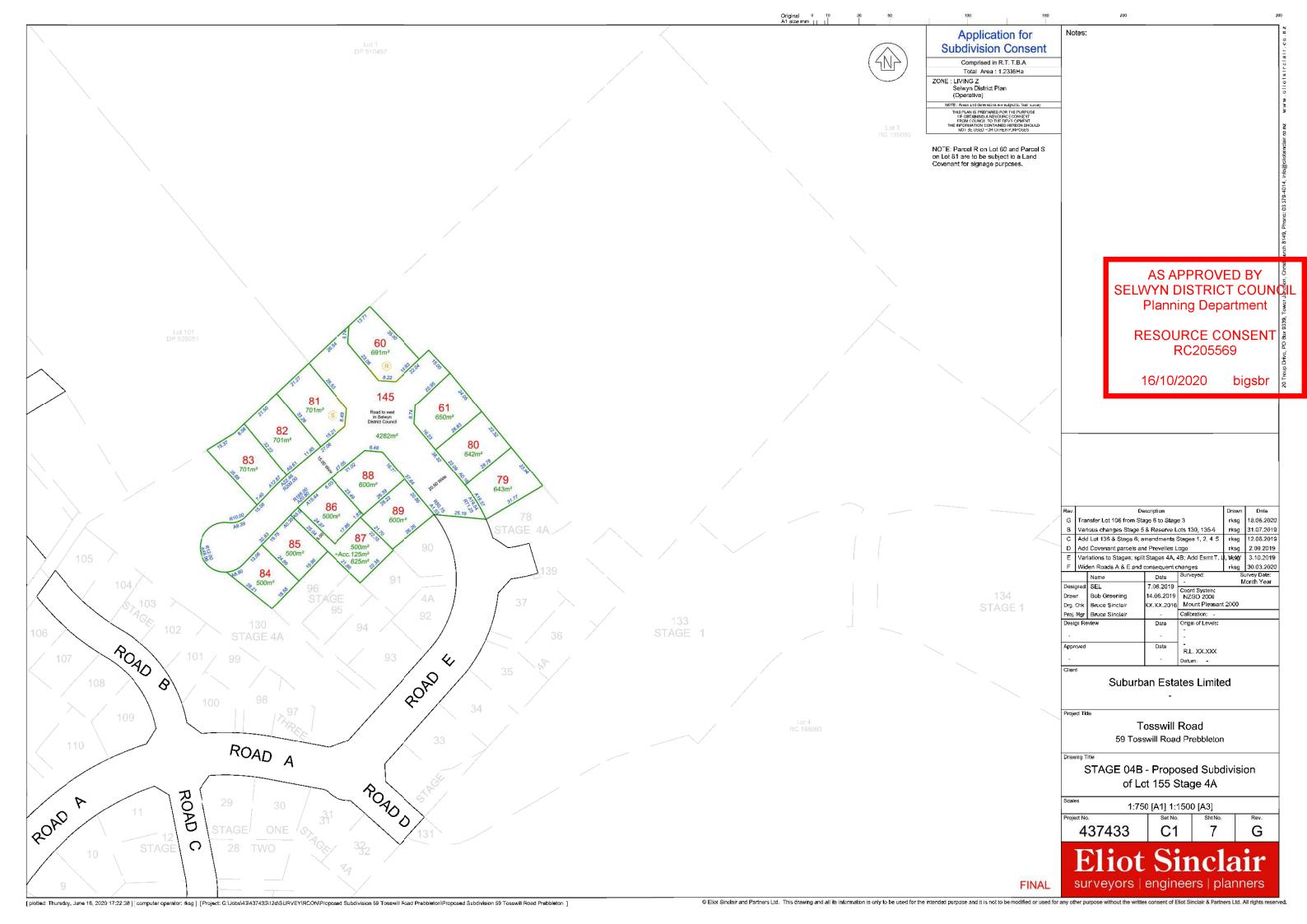


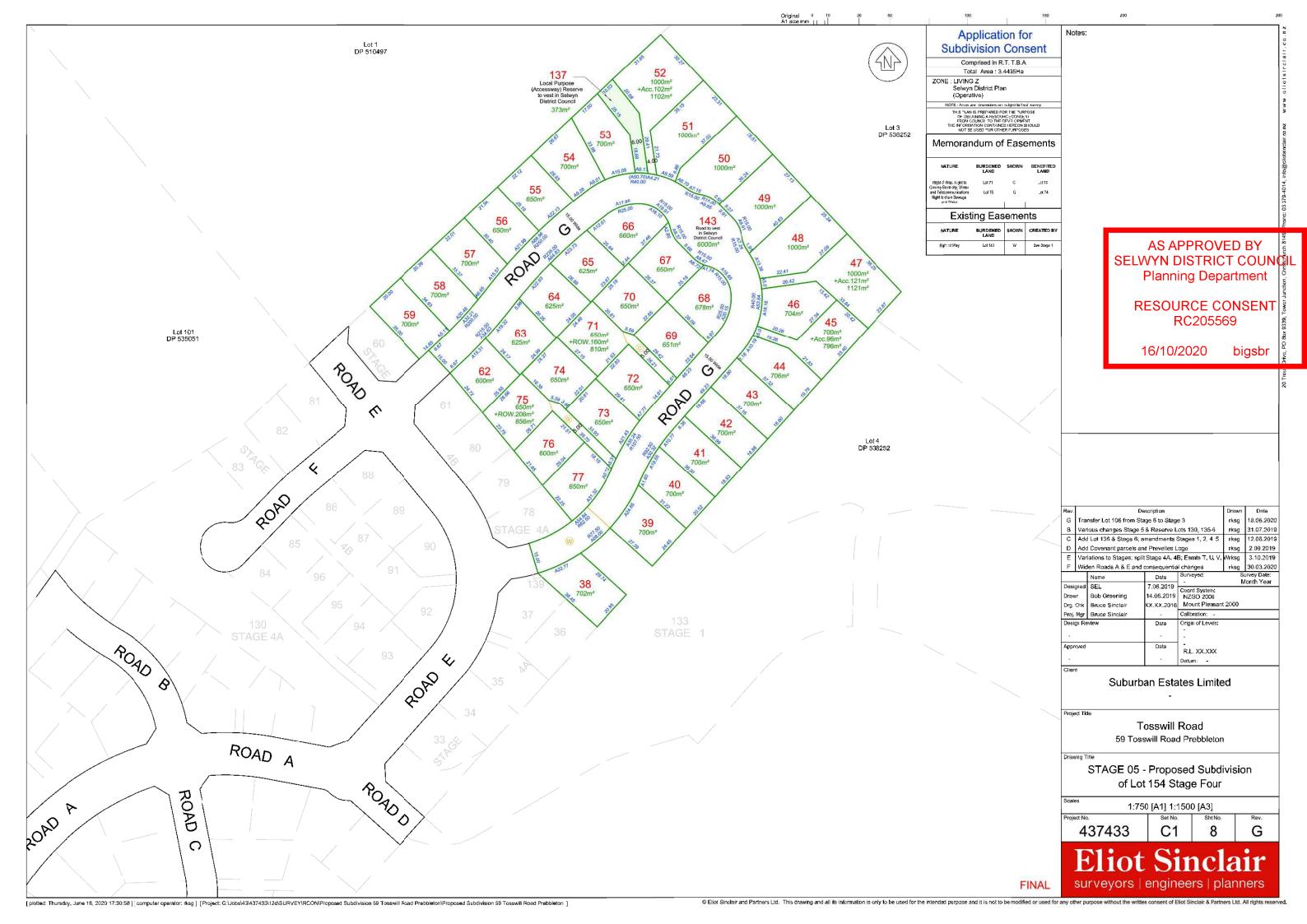


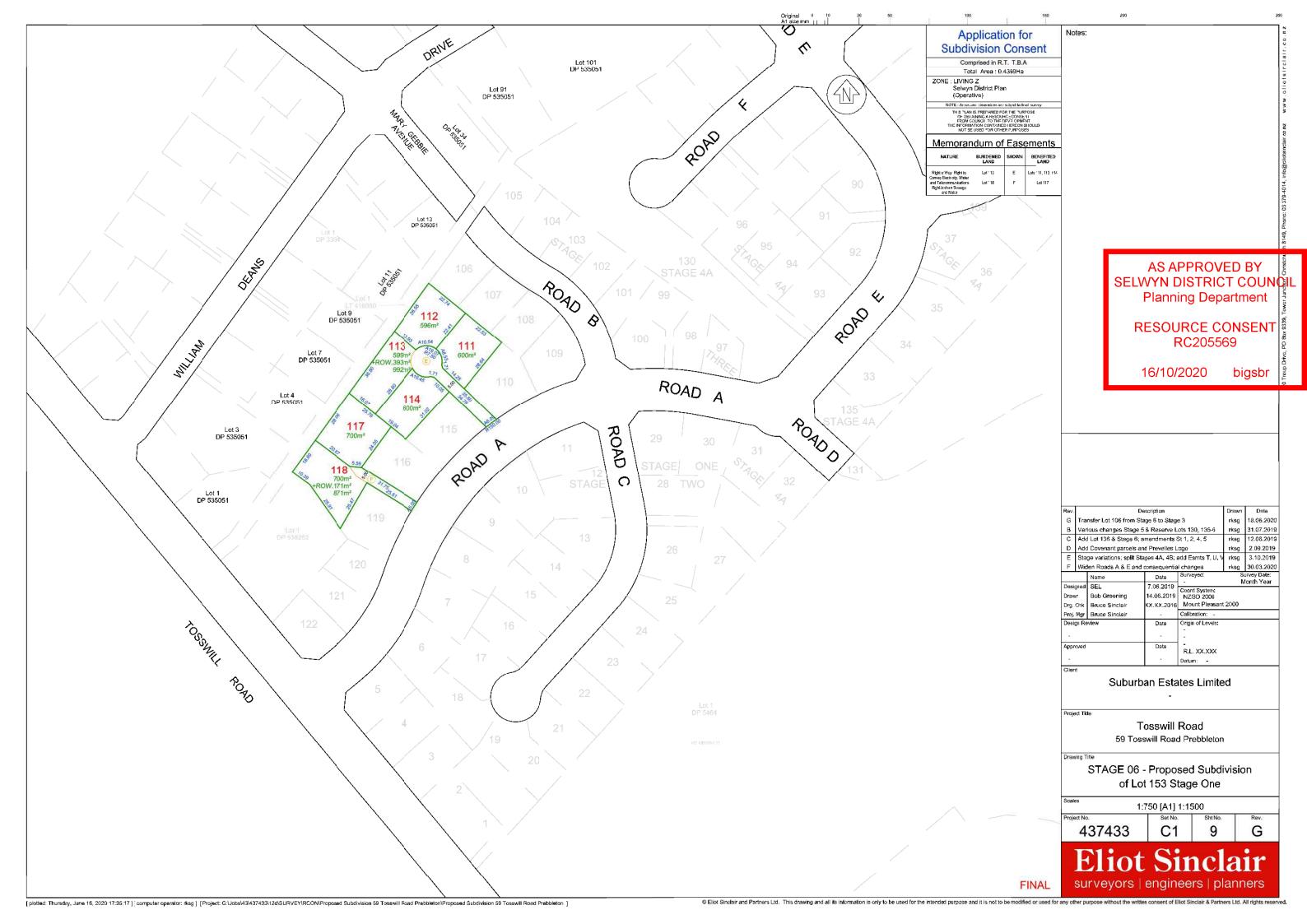


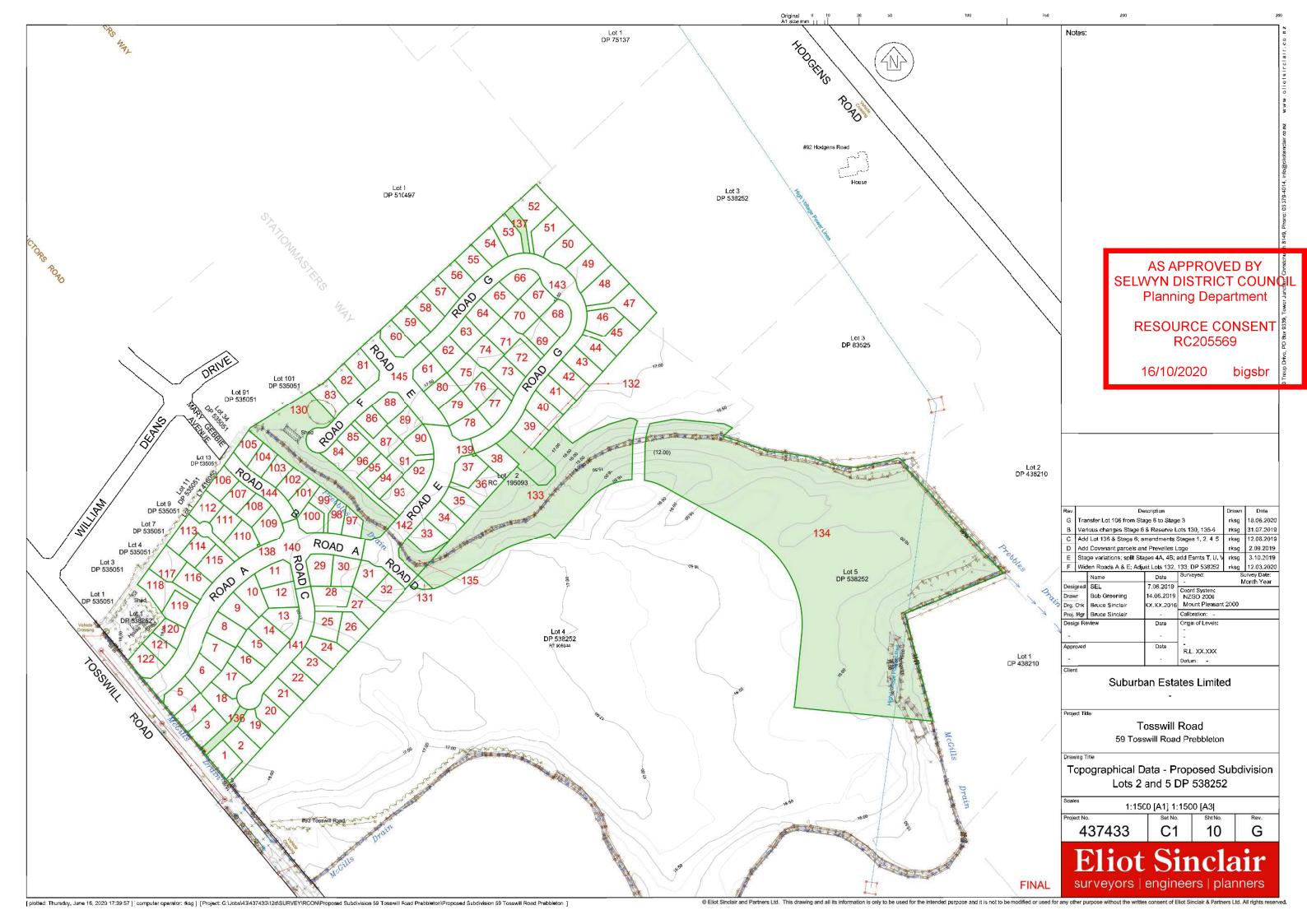


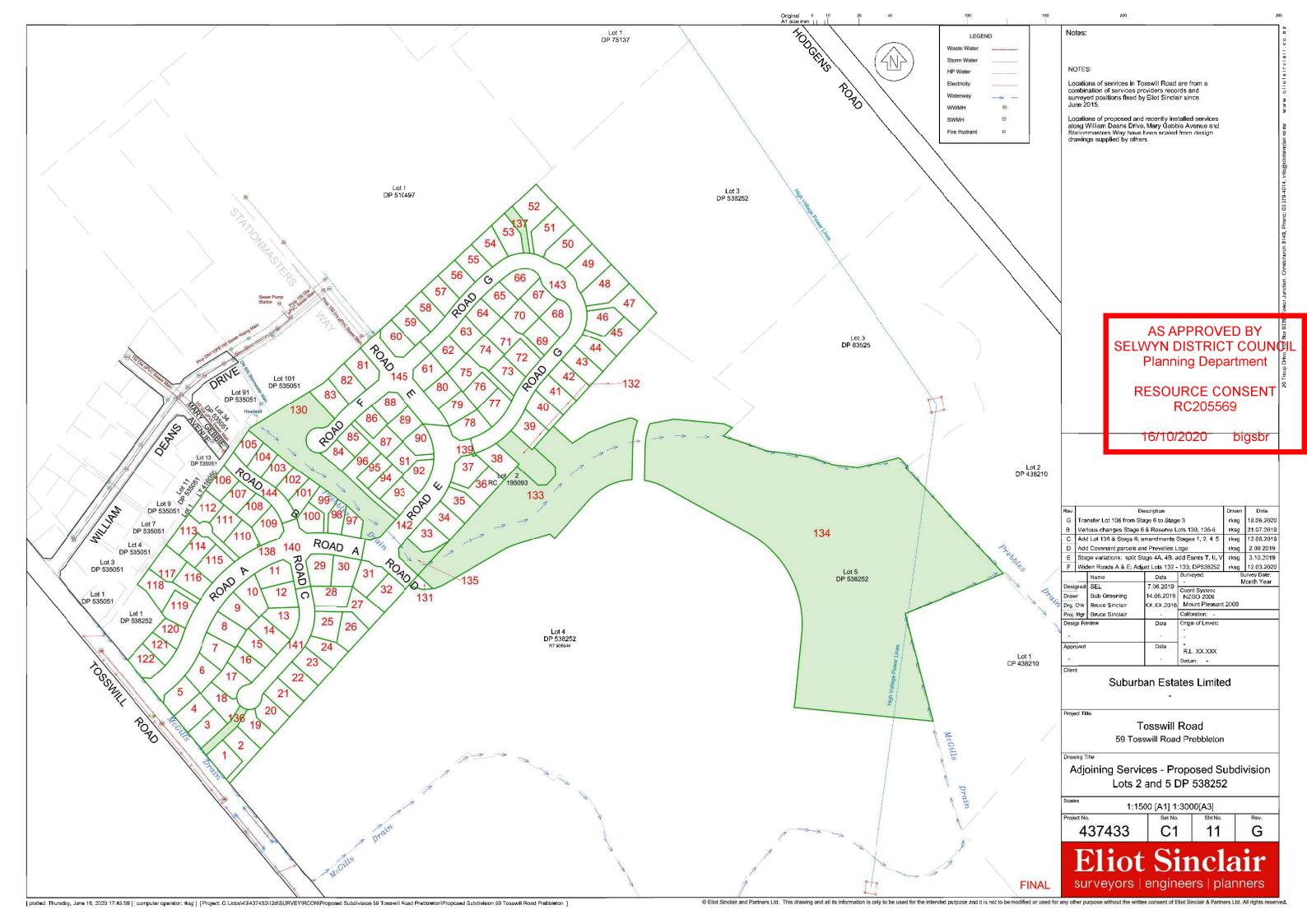


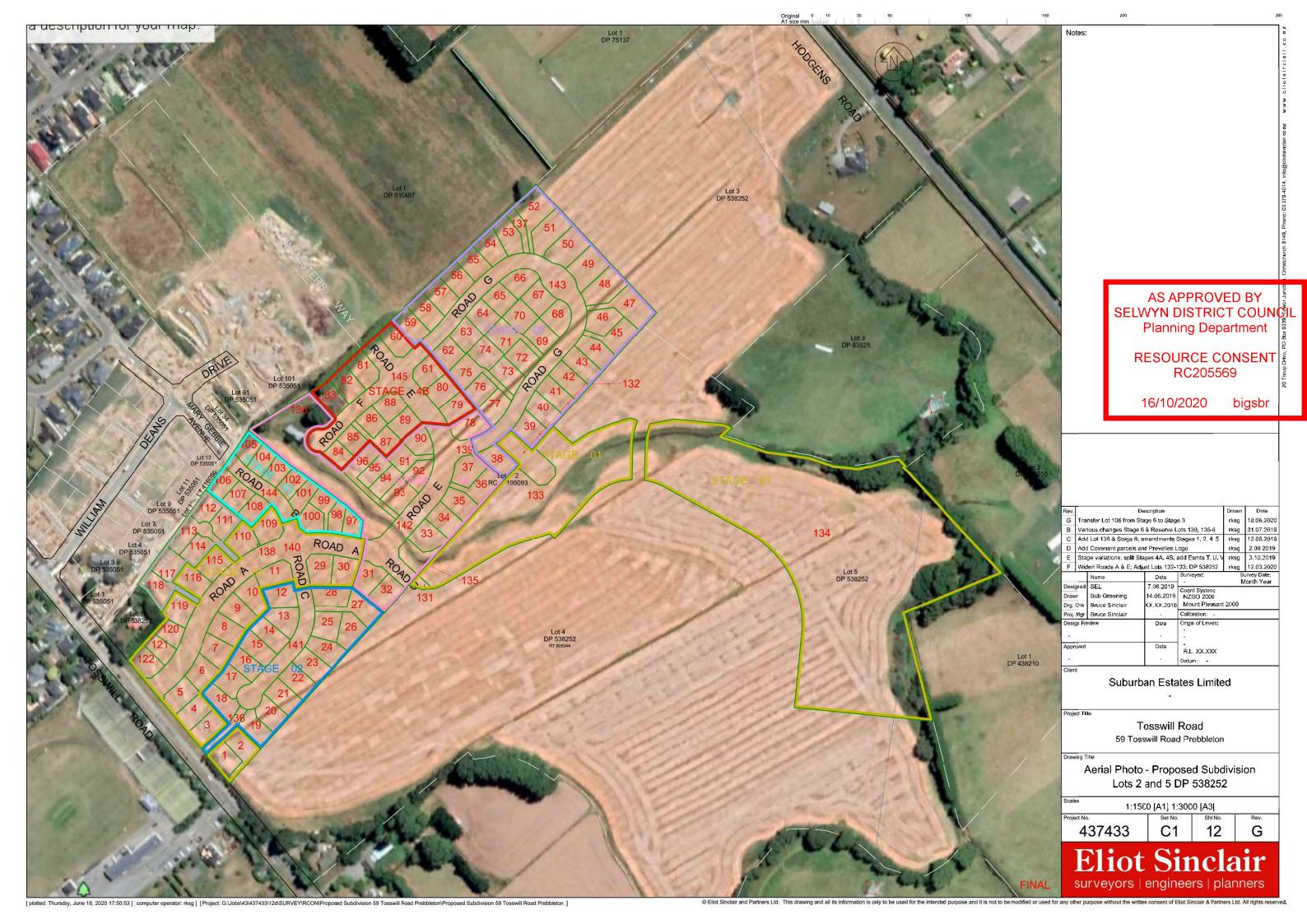












# Resource Consent Decision RC205569



APPLICANT:	Suburban Estates Limited				
PROPOSAL:	To change conditions 2, 43, 44, 45 & 58 of resource consent RC195533				
LOCATION:	Tosswill Road, Prebbleton				
LEGAL DESCRIPTION:	Proposed Lots 2 & 5 of the subdivision (RC195093) of Lot 1 and Pt Lot 2 DP 5464 and Lots 1 & 2 DP 83525 being 17.2128ha in area more or less, as contained in Records of Title CB8K/1221, CB48B/952, CB48B/953, CB336/111.				
ZONING:	Operative Selwyn District Plan (2016)				
	The property is zoned Inner Plains under the provisions of the Operative District Plan (Rural) Volume and Living Z under provisions of the Operative District Plan (Townships) Volume				
	Proposed District Plan (Notified 05 October 2020)				
	The property is zoned both General Residential and General Rural, and is partially within the Inner Plains overlay under the provisions of the Proposed District Plan				
STATUS:	This application has been assessed as a change of conditions pursuant to section 127 of the Resource Management Act 1991 in respect of subdivision resource consent RC195533 granted on 6 November 2019 to undertake a subdivision to create 122 residential lots.				
This application was format	lly received by the Selwyn District Council on 24 September 2020. Assessment				

## **Decision**

A. Resource consent 205569 be processed on a **non-notified** basis in accordance with sections 95A-F of the Resource Management Act 1991; and

and approval took place on 16 October 2020 under a delegation given by the Council.

B. That the application to change condition 2, 43, 44, 45 & 58 of Resource Consent RC195533 granted on 6 November 2019 be granted pursuant to section 127 of the Resource Management Act 1991.

#### Condition 2 shall now read:

The subdivision shall proceed in general accordance with the information submitted with the application on 4 September 2019, the further information dated 10 October 2019, and the attached approved subdivision plans entitled "Overall Layout – Proposed Subdivision Lots 2 and 5 DP 538252" project no, 437433, set no. C1, Rev G dated 30 March 2020 (now marked RC205569), including any utility lots required except where another condition of this consent must be complied with.

Condition 43 shall now read:



That earthworks be undertaken on Lots 33, 84, 93-96, and 105 in accordance with the options outlined in Section 8.5.1 of the Eliot Sinclair Natural Hazards Assessment and Geotechnical Report dated 4th November 2019 and the email dated 31 January 2020 provided with the application and consent variation dated 16/10/20.

#### Condition 44 shall now read:

A Geotechnical Completion Report shall be provided to Council at the time of s.224 application to certify the earthworks undertaken on Lots 33, 84, 93-96 and 105 and to provide specific recommendations to future owners regarding foundation design.

#### Condition 45 shall now read:

A consent notice will be imposed on Lots 33, 84, 93-96 and 105 based on the specific recommendations of the geotechnical completion report required by condition 44 in lieu of the consent notice referred to in condition 42 above.

#### Condition 53 shall now read:

Unless a resource consent has been granted otherwise or otherwise permitted by the District Plan:

- (a) the maximum height of any fence between the front building façade of any residential development and the street, or a private Right of Way or shared access over which the allotment has legal access, shall be 1m. For allotments with frontage to more than one road or a private Right of Way or shared access, any fencing on the secondary road boundary is to be no higher than 1.8m.
- (b) Any other fence shall be a maximum height of 1 metre if it is located within 3 metres of the street boundary or private right of way or shared access over which allotment has legal access.
  - 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 (exclusive of Lots 1, 3-5 and 122).
- (c) The fencing established under RC205570 shall be maintained in perpetuity by the property owner. This fencing shall be at least 50% visually transparent, which shall be applied to the whole fence in its entirety. No secondary fences or screening structures (i.e. trellis, privacy cloth) shall be erected within 5 metres of this fencing (Lots 1, 3 5 & 122) and stone entrance walls along the boundary of Tosswill Road.

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 Lots 1, 3-5 and 122.

## Condition 58 shall now read:

That 'Rural-residential' interface fencing for Lots 2, 19-24, 26-27, 32-36 & 38 shall be undertaken in accordance with the approved fencing typology contained in the amended Eliot Sinclair Urban Design Report submitted with the further information response (dated October 2019). The fencing shall consist of 40% of the allotment width fencing at a maximum height of 1.2 metres and 60% of the allotment width fencing at a maximum height of 1.6 metres. The 1.2m high fencing shall be comprised of vertical timber battens (or similar SDC approved equivalent) achieving a visual transparency of at least 53%. The 1.6m high fencing shall be comprised of vertical timber battens (or similar SDC approved equivalent) achieving a visual transparency of at least 22%.

Resource consent may be required for modifications to the 'Rural-residential' fencing established by this consent. 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 Lots 2, 19-24, 26-27, 32-36 & 38.

#### **Attachments**

1. 205569 Approved Subdivision Plan

### **Notes to the Consent Holder**

All other conditions of Resource Consent 195533 remain unchanged and in effect.



## RC195533 (AS AMENDED BY RC205569)

- 1. The following conditions of consent shall be met prior to the issue of a 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 4 September 2019, the further information dated 10 October 2019, and the attached approved subdivision plans entitled "Overall Layout Proposed Subdivision Lots 2 and 5 DP 538252" project no, 437433, set no. C1, Rev G dated 30 March 2020 (now marked RC205569), including any utility lots required except where another condition of this consent must be complied with.
- 3. That the development may proceed in Stages in no particular order in accordance with the attached approved subdivision plan provided all conditions of consent relevant to the creation of the lots shown on the survey plan are complied with and all services and access necessary to serve the lots created are constructed and appropriate easements are provided for. Where a lot is created as a balance lot as part of each Stage and services are not provided and development contributions are deferred, a consent notice shall be registered on the Record of Title for each balance lot as follows:

"This is an unserviced development lot. No services (power, phone, water, sewer, or stormwater) have been provided to this lot. Connections to the relevant services will be required at the time future development occurs, this includes the erection of a dwelling or principal building on the lot. No contributions (water, sewer, roading and reserves) have been paid and no credits are available"

Each such consent notice may be cancelled once the relevant services are provided and development contributions have been paid in full for the relevant stage of the subdivision. The consent holder shall meet the cost of the Council's Solicitor preparing the agreement and consent notice.

- 4. All required easements shall be created and granted or reserved.
- 5. That a Consent notice be registered against the Record of Title for each utility lot created, to the effect that it shall be used as a utility lot only. Ongoing compliance with this condition shall be ensured by way of a consent notice registered against the Record of Title to issue for Lots 131, 138 & 139 hereon. The consent notice shall be prepared and registered by Council's solicitor at the request and expense of the consent holder.

#### General engineering

- 6. 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
  - Shared accessways
  - 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.

- 7. All work shall comply with the conditions set out in the Engineering Approval and be constructed in accordance with the approved engineering plans.
- 8. All work shall comply with the Engineering Code of Practice, except as agreed in the Engineering Approval.
- 9. 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.



- 10. 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.
- 11. The consent holder shall provide accurate 'as built' plans of all services to the satisfaction of the Development Engineering Manager. All assets being vested in Council shall be provided in an appropriate electronic format for integration into Council's systems. Any costs involved in provision and transfer of this data to Councils systems shall be borne by the consent holder.
- 12. 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.

## Roading

- 13. All roads shall be constructed in accordance with the approved engineering plans.
- 14. All roads shall be vested in the Selwyn District Council as road.
- 15. Street lighting shall be provided on all new roads and existing roads in accordance with the Engineering Approval.
- 16. That where a road will connect with future subdivision, a temporary turn facility shall be provided at the dead end.

### Vehicle crossings and accessways

- 17. That vehicle crossings to service the Lots 2;26-27;36;45;47;52;70-71;74-76;87;91;94-96;99;111-114;117-118 shall be formed in accordance with Appendix 13 of the District Plan (Townships Volume). The vehicle crossing shall be sealed to match the existing road surface for the full width of the crossing between the site boundary and sealed carriageway.
- 18. The vehicle accessways serving Lots 2;26-27;36;45;47;52;70-71;74-76;87;91;94-96;99;111-114;117-118 shall be formed in accordance with Appendix 13 of the District Plan (Townships Volume).
- 19. That the accessway over the right of way (marked 'A') servicing Lot 134 shall be formed to a sufficient width for vehicle access. The positioning and standard of the access within the easement shall be determined at engineering approval stage.

## Water supply, stormwater and sewer

- 20. 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.
- 21. 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

- 22. The net area of each lot shall be provided with an individual potable high pressure connection to the Prebbleton water supply in accordance with the approved Engineering Plans
- 23. Water meters shall be installed in the road reserve only (please note that multi meter boxes may be utilised).
- 24. Connection into Council's reticulated water supply shall either be carried out or supervised by Council's contractor SICON Ferguson Ltd at the cost of the consent holder.

#### Sewer

- 25. 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.
- 26. 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.



- 27. That at building consent stage the owner of the allotment will be required to install individual sewage pumping units within private property for Lots 31 & 32. Any maintenance or costs associated with the individual pumping units shall be the responsibility of the landowner. Pursuant to section 221 of the Resource Management Act 1991 a consent notice shall be registered on the Certificate of Title for Lots 31 and 32 to ensure ongoing compliance with this condition.
- 28. Boundary boxes shall be installed in the road reserve only.
- 29. All sewer reticulation to be vested shall meet Council CCTV standards.
- 30. Connection to the Council sewer shall be arranged by the consent holder and the work shall be done by a registered drainlayer.

#### Stormwater

- 31. 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.
- 32. 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.
- 33. The proposed development shall not discharge run off onto adjacent properties unless via a controlled outlet approved as part of the Engineering Design Approval.
- 34. 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 unless otherwise permitted by a private legal agreement.
- 35. The stormwater overland flowpath shall be design to cater only for stormwater in excess of the 1 in 50 year event (all durations) from Lot 1 DP 510497.
- 36. The Stormwater Management Area (SMA) in proposed Lot 134 shall be designed to treat and detain stormwater runoff from the site and adjacent potential rural residential development on Lot 4 RC 195093 (as identified as Area 9 in the SDC Rural Residential Strategy).
- 37. 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.
- 38. The consent holder shall provide a Stormwater Operations and Maintenance Manual prior to the approval of the section 224(c) Completion Certificate.
- 39. Where stormwater mains in private property are to be vested in Selwyn District Council, a written request shall be submitted to the Development Engineering Manager. Easements in gross in favour of Council shall be provided.



#### Power and telecommunications

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

#### Geotechnical

- 42. Specific soil testing to determine compliance with 'good ground' in NZS3604 shall be carried out at building consent stage for all lots. 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.
- 43. That earthworks be undertaken on Lots 33, 84, 93-96, and 105 in accordance with the options outlined in Section 8.5.1 of the Eliot Sinclair Natural Hazards Assessment and Geotechnical Report dated 4th November 2019 and the email dated 31 January 2020 provided with the application and consent variation dated 16/10/20.
- 44. A Geotechnical Completion Report shall be provided to Council at the time of s.224 application to certify the earthworks undertaken on Lots 33, 84, 93-96 and 105 and to provide specific recommendations to future owners regarding foundation design.
- 45. A consent notice will be imposed on Lots 33, 84, 93-96 and 105 based on the specific recommendations of the geotechnical completion report required by condition 44 in lieu of the consent notice referred to in condition 42 above.

## Landscaping and irrigation

- 46. 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.
- 47. Entrance structures shall not be placed on Council road reserve, unless otherwise agreed by Council during landscape approval.

## Fencing covenants

- 48. 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 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.

## Reserves

- 49. Pursuant to the relevant legislation the consent holder shall vest Lots 132, 133 & 134 in the Council as Local purpose (Stormwater Utility) Reserve. (Please note that Council will only provide a 20% credit for Lot 133 towards the reserve contribution and that no there is no land credit towards reserve contribution for Lot 134).
- 50. Pursuant to the relevant legislation the consent holder shall vest Lots 130 & 135 in the Council as Recreation Reserve. (Please note that the area of the Prebbles Drain itself (5m width) is not considered as a land credit towards reserve contribution).
- 51. Pursuant to the relevant legislation the consent holder shall vest Lots 136 & 137 in the Council as Local purpose (Accessway) Reserve. (Please note that there is no land credit towards reserve contribution for Lot 137).



52. The consent holder shall supply to Council copies of all Certificates of Title for land, other than roads, that is vested in the Council.

#### **Fencing**

- 53. Unless a resource consent has been granted otherwise or otherwise permitted by the District Plan:
  - a) the maximum height of any fence between the front building façade of any residential development and the street, or a private Right of Way or shared access over which the allotment has legal access, shall be 1m. For allotments with frontage to more than one road or a private Right of Way or shared access, any fencing on the secondary road boundary is to be no higher than 1.8m.
  - b) Any other fence shall be a maximum height of 1 metre if it is located within 3 metres of the street boundary or private right of way or shared access over which allotment has legal access.

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 (exclusive of Lots 1, 3-5 and 122).

c) The fencing established under RC205570 shall be maintained in perpetuity by the property owner. This fencing shall be at least 50% visually transparent, which shall be applied to the whole fence in its entirety. No secondary fences or screening structures (i.e. trellis, privacy cloth) shall be erected within 5 metres of this fencing (Lots 1, 3 – 5 & 122) and stone entrance walls along the boundary of Tosswill Road.

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 Lots 1, 3-5 and 122.

54. That the central reserve fencing for Lots 84, 96,97-105 & 33 shall be undertaken in accordance with the approved typology contained in the amended Eliot Sinclair Urban Design Report submitted with the further information response (dated October 2019). No greater than 35% of the allotment width adjoining the reserve shall have a fence of up to 1.5 metres in height. The 1.5m high fencing shall be comprised of vertical timber battens (or similar SDC approved equivalent) achieving a visual transparency of at least 22%. The remaining 65% of the allotment width adjoining the reserve shall have a fence of up to 1.2 metres in height. The 1.2m high fencing shall be comprised of vertical timber battens (or similar SDC approved equivalent) achieving a visual transparency of at least 66%. Fencing shall be finished with a dark/recessive colour.

Resource consent may be required for modifications to the reserve fencing established by this consent. 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 Lots 84, 96,97-105 & 33.

55. That the accessway reserve fencing for Lots 1-3, 18-19, 38-39 & 52-53 shall be undertaken in accordance with the approved typology contained in the amended Eliot Sinclair Urban Design Report submitted with the further information response (dated October 2019). Solid fencing with 0% visual transparency shall be erected up to 1.2 metres in height for the full width adjoining the reserve. The height of the fencing may be increased to a maximum height of 1.8 metres for no greater than 35% of the allotment width adjoining the reserve. Any fencing exceeding 1.2 metres in height shall be comprised of vertical timber battens (or similar SDC approved equivalent) achieving a visual transparency of at least 50%. Fencing shall be finished with a dark/recessive colour.

Resource consent may be required for modifications to the reserve fencing established by this consent. 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 Lots 1-3, 18-19, 38-39 & 52-53.

56. That the 'rear' fencing (western boundary) for Lots 52-60 shall be undertaken in accordance with the approved typology contained in the amended Eliot Sinclair Urban Design Report submitted with the further information response (dated October 2019). No greater than 35% of the allotment width adjoining the reserve shall have a fence of up to 1.5 metres in height. The 1.5m high fencing shall be comprised of vertical timber battens (or similar SDC approved equivalent) achieving a visual



transparency of at least 22%. The remaining 65% of the allotment width adjoining the reserve shall have a fence of up to 1.2 metres in height. The 1.2m high fencing shall be comprised of vertical timber battens (or similar SDC approved equivalent) achieving a visual transparency of at least 66%. Fencing shall be finished with a dark/recessive colour.

Resource consent may be required for modifications to the 'rear' fencing established by this consent. 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 Lots 52-60.

- 57. That 'Rural' interface fencing for Lots 47-52 & 39-45 shall be undertaken in accordance with the approved fencing typology contained in the amended Eliot Sinclair Urban Design Report submitted with the further information response (dated October 2019). This fencing shall be comprised of open post and rail style fencing (wire may be used as necessary for stock-proofing) (or similar SDC approved equivalent).
  - Resource consent may be required for modifications to the 'Rural' fencing established by this consent. 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 Lots 47-52 & 39-45.
- 58. That 'Rural-residential' interface fencing for Lots 2, 19-24, 26-27, 32-36 & 38 shall be undertaken in accordance with the approved fencing typology contained in the amended Eliot Sinclair Urban Design Report submitted with the further information response (dated October 2019). The fencing shall consist of 40% of the allotment width fencing at a maximum height of 1.2 metres and 60% of the allotment width fencing at a maximum height of 1.6 metres. The 1.2m high fencing shall be comprised of vertical timber battens (or similar SDC approved equivalent) achieving a visual transparency of at least 53%. The 1.6m high fencing shall be comprised of vertical timber battens (or similar SDC approved equivalent) achieving a visual transparency of at least 22%.

Resource consent may be required for modifications to the 'Rural-residential' fencing established by this consent. 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 Lots 1, 2, 19-24, 26-27, 32-36 & 38.

#### Consent notices

- 59. That the consent notices for Lots 2 & 5 LT 538252 shall be cancelled.
- 60. That, unless a resource consent has been granted otherwise or the District Plan rules have been amended: All development and other activities on medium-density lots shall proceed in accordance with the rules for permitted activities in the Living Z zone, Small-Lot Medium-Density Areas. Any activity which does not comply with the rules for permitted activities will require resource consent, with the application assessed against the provisions of the Living Z zone, Small-Lot Medium-Density Area

Ongoing compliance with this condition shall be ensured by way of a consent notice registered against the computer freehold register to issue for each of Lots 96 & 100.

#### Site stability and site works

- 61. That all site works are to be undertaken in accordance with the conditions of resource consent RC195534.
- 62. That the Consent Holder shall ensure on a continuing basis (until Record of Titles 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. This applies to exposed areas of earth, stockpiles and unsealed roads.
- 63. 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.
- 64. That dust generating activities shall cease during times of high winds where dust suppression methods are insufficient to stop fugitive dust leaving the site.
- 65. 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.



66. At the completion of earthworks for each Stage of the subdivision, 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.

Yours faithfully

**Selwyn District Council** 

Richard Bigsby

**Resource Management Planner** 

# Resource Consent Decision RC205570



-	
APPLICANT:	Suburban Estates Ltd
PROPOSAL:	To erect non-complying fencing, and to construct vehicle crossings in non-complying positions in relation to shared accessways
LOCATION:	Tosswill Road, Prebbleton
LEGAL DESCRIPTION:	Proposed Lots 1, 3 -5, 28, 69, 73, 93, 110, 116 & 122 of the subdivision (RC195533, as varied by RC205569) of Lot 2 & 5 DP 538252 being 17.2862ha in area more or less, as contained in Record of Title 905042.
ZONING:	Operative Selwyn District Plan (2016)
	The property is zoned Inner Plains under the provisions of the Operative District Plan (Rural) Volume and Living Z under provisions of the Operative District Plan (Townships) Volume
	Proposed Selwyn District Plan (notified 05 October 2020)
	The property is zoned General Residential Zone and General Rural zone under the provisions of the Proposed District Plan
STATUS:	Operative Selwyn District Plan (2016)
	This application has been assessed as a land use consent for a Discretionary activity under the Operative District Plan.
	Proposed Selwyn District Plan (notified 05 October 2020)
	This application has been assessed as a land use consent for a Restricted Discretionary activity under the Proposed District Plan.
	to mare the mare is and best the Corbon or District Coron oil and OA Corpt and be 2000. As a second of

This application was formally received by the Selwyn District Council on 24 September 2020. Assessment and approval took place on 16 October 2020 under a delegation given by the Council.

# **Decision**

- A. Resource consent 205570 be processed on a **non-notified** basis in accordance with sections 95A-F of the Resource Management Act 1991; and
- B. Resource consent 205570 be **granted** pursuant to sections 104 and 104B of the Resource Management Act 1991 subject to the following conditions imposed under section 108 of the Act:



- 1. The development shall proceed in accordance with the information submitted with the application on 24 September 2020, and the plans entitled "Developed Design Part Plan: Entrance General Arrangement", DD.11, REV B, dated 10 August 2020 and "Developed Design Part 1: Entrance Elevation", DD.11.E, REV A, dated 20 August 2020 (now marked RC205570), except where another condition of this consent must be complied with.
- 2. That no secondary fences or solid screening structures (excluding plants and landscaping) shall be established within 5 metres of the decorative iron or steel fencing (for Lots 1, 3 5 & 122) and stone entrance walls along the boundary of Tosswill Road.
- 3. That the stone entrance walls shall be constructed entirely within the private residential allotments (Lots 122 & 5) in compliance with the Council's Engineering Code of Practice.
- 4. That the decorative iron or steel fencing shall be at least 50% visually transparent, which shall be applied to the whole fence in its entirety.
- 5. That the decorative 'Prevelles' entrance feature shall not exceed 2.5 metres in height and the supporting stone columns shall not exceed 0.9 metres in height (relative to the established centre traffic island height).
- 6. That the vehicle crossings to service Lots 28, 69, 73, 98, 110 and 116 and the access serving Lot 27 have consent to be located within 7m of existing shared accessways. These vehicle crossings shall be formed in accordance with all other standards in Appendix 13.2 Vehicle Accessway and Crossing Standards of the Operative District Plan (Townships Volume).

#### **Attachments**

- 1. 205570 Vehicle Crossing Plan
- 2. 205570 Approved Fencing and Entrance Feature Plans

## **Notes to the Consent Holder**

Lapse Period (Land Use Consents)

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 standard monitoring fee has been charged.
- c) 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
- d) 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.

## Vehicle Crossings

e) Any new or upgraded vehicle crossing requires a vehicle crossing application from Council's Assets Department prior to installation. For any questions regarding this process please contact transportation@selwyn.govt.nz. You can use the following link for a vehicle crossing information pack and to apply online: <a href="https://www.selwyn.govt.nz/services/roads-And-transport/application-to-form-a-vehicle-crossing-entranceway">https://www.selwyn.govt.nz/services/roads-And-transport/application-to-form-a-vehicle-crossing-entranceway</a>

## Impact on Council Assets

f) 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 and the expense of the consent holder.

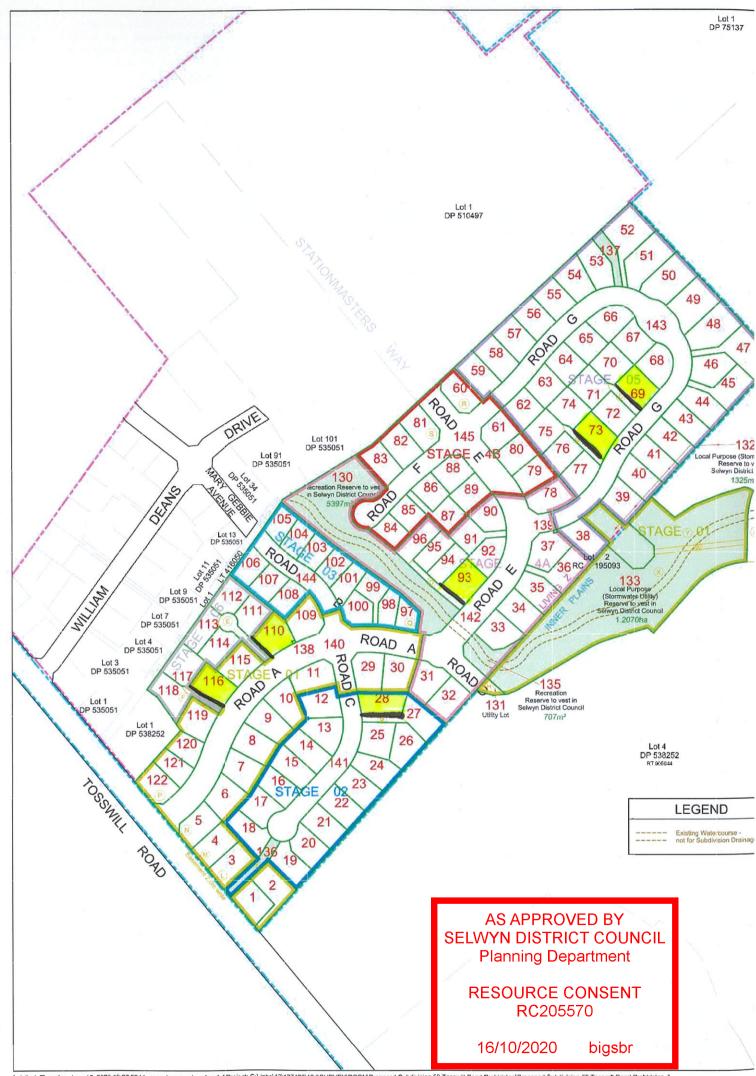


Yours faithfully

**Selwyn District Council** 

Richard Bigsby

**Resource Management Planner** 





Disclaimer:
This graphic has been prepared by Goon Landscapes Ltd on
the specific instructions by our Cleanf. It is solely for our Cleanf
we specific instructions by our Cleanf. It is solely for our Cleanf
will be the specific instruction of the specific cape of your, Any our
visitions by a bind gardy as at that gardy is zero risk. When
visitionalism has been supplied by the Cleanf or obtained from
other external sources it has been assumed that it is nocurate
and no assembliship or inhalition is corrected the Coven.

Contractors to verify all dimensions on site p work.

Contractors are reasonable for confirming the

dimensions.

-

Golden Elms

Fastigated Oaks

Prunus yedoensis

Acer

LIGHT

Street light (double la

→ Street light (single lamp)



Lighted gale, werene constraind OS 1508-203 Lightedes OS 2508-703 Prof larens OS 2508-703 Daves Ode Revisions

Goom Landscapes

> Prevélles Suburban Estates

Suburban Estates 59 TOSSWILL RD Prebbleton

DEVELOPED DESIGN Part Plan : Entrance General Arrangement

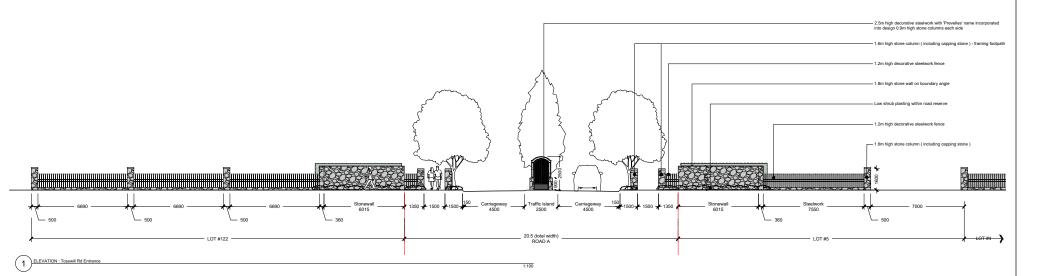
DD.11

Revisions

DEVELOPED DESIGN Part 1 : Entrance Elevation

**DD.11.E** 

Goom Landscapes



AS APPROVED BY **SELWYN DISTRICT COUNCIL Planning Department** 

> **RESOURCE CONSENT** RC205570

16/10/2020 bigsbr

Goom Landscapes Limited, 200 Fendalton Road, PO Box 29 422, Christchurch, New Zealand. T: +64 3 351 6100 E: info@goom.nz W: www.goom.nz

