

Resource Consent Decision

RC185446



APPLICANT:	Suburban Estates Limited
PROPOSAL:	185446: To undertake a 21 lot subdivision.
LOCATION:	734 Springs Road, Prebbleton
LEGAL DESCRIPTION:	Lot 2 DP 492814 being 1.8443 hectares in area more or less, as contained in Computer Freehold Register 717158.
ZONING:	The property is zoned Living Z under the provisions of the Operative District Plan (Townships Volume).
STATUS:	This application has been assessed as a subdivision consent for a non-complying activity under the District Plan. As such the relevant provisions of the District Plan (Townships Volume) and the Resource Management Act 1991 have been taken into account.
This application was formally received by the Selwyn District Council on 23 August 2018. Assessment and approval took place on 5 October 2018 under a delegation given by the Council.	

Decision

- A. Resource consent 185446 be processed on a **non-notified** basis in accordance with sections 95A-F of the Resource Management Act 1991; and
- B. Resource consent 185446 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. That the following conditions of consent shall be met prior to the issue of the Section 224(c) Completion Certificate, at the expense of the consent holder.
 2. That the subdivision shall proceed in substantial accordance with the attached approved subdivision plan and Conceptual Landscape Plan (now marked RC185446) and the details included with the application, including the creation of any additional utility lots except where varied by the following conditions of consent.
 3. That, unless a resource consent has been granted otherwise or the District Plan rules have been amended: all development and other activities on Lots 9, 10, 13, 18 & 19, being medium density lots, shall proceed in accordance with the rules for permitted activities in the Living Z zone, Small Lot Medium Density Area. 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 9, 10, 13, 18 & 19.

4. That all required easements shall be duly created and granted or reserved.
5. The consent holder shall supply to Council copies of all Computer Freehold Registers for land, other than roads, that is vested in the Council.
6. That all work shall be in accordance with the Remediation Action Plan required by RC185399, and a Site Validation Report be submitted to Council to Council's approval, prior to the issue of the Section 224(c) Completion Certificate.
7. That Consent Notice 10303627.3 and 10303627.4 on Computer Freehold Register 717158 be cancelled.

Roading

8. That all roads be constructed in accordance with the approved engineering plans.
9. That all roads be vested in the Selwyn District Council as road.
10. That a consent notice be registered on the Computer Freehold Register to issue for any residential allotment adjoining a specifically created parking layby (to be determined at engineer plan approval stage) stating that vehicle crossings may not be constructed across areas specifically formed as parking laybys without prior council approval.

Accessways and Rights of Ways

11. That a vehicle crossing for the ROW servicing Lots 5 to 7 and Lots 10 to 15 shall be formed in accordance with Appendix 13 of the District Plan (Townships Volume). The vehicle crossing shall be sealed/metalled to match the existing road surface for the full width of the crossing between the site boundary and sealed carriageway.
12. That the vehicle accessway (ROW) to service Lots 5 to 7 and Lots 10 to 15 be formed and sealed in accordance with Appendix 13 of the District Plan (Townships Volume).

Utilities

13. That street lighting be provided to service all lots of the subdivision, in accordance with the approved engineering plans and specifications.
14. 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.
15. The consent holder shall provide evidence in writing from the relevant authorities that electrical and telephone service connections have been installed to each lot.

16. That any utility lot created shall be used as a utility lot only and may not be used for calculating future boundary adjustments or subdivisions.

Ongoing compliance with this condition shall be ensured by way of a consent notice registered against the Computer Freehold Register to issue for each utility lot created.

Water, Stormwater and Sewer

17. Each lot within the subdivision shall be separately serviced with water, sewer and stormwater systems, except that this condition shall not apply to the disposal of roof water.
18. 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.
19. That the net area of each lot shall be provided with an individual potable high pressure-connection to the Prebbleton's water supply in accordance with the approved Engineering Plans.
20. Water meters shall be installed in the road reserve only (please note that multi meter boxes may be utilised).
21. That the subdivision be provided with water reticulation in accordance with the New Zealand Fire Service Code of Practice, SNZPAS 4509:2003 and subsequent amendments and Policy W211.
22. Connection into Council's reticulated water supply must either be carried out or supervised by Council's contractor SICON Ferguson Ltd.
23. That any existing septic tanks on site be decommissioned and removed from the site prior to the issue of the Section 224(c) Completion Certificate.
24. That each lot shall be provided with a sewer lateral laid to the boundary of the net area of that lot in accordance with the Engineering Code of Practice and approved engineering plans.
25. Laterals to Lots 1 and 2 shall be installed ensuring grade and capacity are provided for and in accordance with Council engineering standards, giving regard to maximum upstream development density.
26. That individual pumping units shall be installed within private property. Any maintenance or costs associated with the individual pumping units shall be the responsibility of the homeowner.
27. Boundary boxes shall be installed in the road reserve only.
28. All sewer reticulation to be vested shall meet Council CCTV standards (Lots 1 and 2).
29. That connection to the Council sewer be arranged by applicant, with the work to be done by a registered drainlayer.

30. 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.
31. 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.
32. Where stormwater discharges are to be undertaken as a permitted activity, confirmation in writing of permitted status shall be provided from Canterbury Regional Council in the form of a certificate of compliance. Where a certificate of compliance cannot be obtained a resource consent must be sought.
33. The proposed development shall not discharge run off onto adjacent properties unless via a controlled outlet with Council's approval. Also, if an adjacent neighbour's historical stormwater drainage was onto the proposed development, the proposed development must maintain or mitigate the historical discharge.
34. Where a specific discharge consent is issued by Canterbury Regional Council (Environment Canterbury), any consent or associate conditions imposed by them will be subject to Council acceptance where these obligations will be transferred to Selwyn District Council. The consent holder will hold, operate and maintain the stormwater consent for a minimum of two years after the S224 Completion Certificate has been issued. Council must be satisfied at the end of this period that all aspects of the system, including but not limited to compliance with consent conditions, operations and maintenance costs are acceptable to Council.
35. That a Stormwater Operations and Maintenance Manual shall be provided at Section 224.

Landscaping and Irrigation

36. The consent holder shall landscape the street frontages. The minimum standard (unless otherwise agreed through Engineering Plan approval) will include grass berms and street trees. A landscaping proposal shall be submitted to the Council for approval at the time of submission of the engineering plans and specifications, and the landscaping shall be undertaken in accordance with the approved plans.
37. Entrance structures shall not be placed on Council road reserve.
38. That the footpath on Springs Road, extend along the northern side of Nickel Drive, where it is adjacent to the entrance stone wall.

General Engineering and Landscaping

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

Site Stability and Site Works

47. That filling shall be carried out in accordance with NZS4431:1989 – Code of Practice for Earth Fill for Residential Development.
48. That all fill material shall be compacted to at least 95% of standard compaction in accordance with NZS4402:1986 – Methods of Testing Soils for Civil Engineering Purposes, Test 4.1.1.
49. That the Consent Holder ensure on a continuing basis (until Computer Freehold Registers are available for each allotment) 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.
50. 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.

51. That dust generating activities shall cease during times of high winds where dust suppression methods are insufficient to stop fugitive dust leaving the site.
52. 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.
53. The consent holder shall confirm whether any earth fill has been placed on site. All filling is to be carried out in accordance with New Zealand Standard (NZS) 4431:1989 Code of Practice for Earth Fill for Residential Development.
54. That where evidence of a contaminated site not identified in the application is found at any stage of the subdivision development works, then work shall cease at that site until the risk has been assessed by an Appropriately Qualified Environmental Practitioner in accordance with current Ministry for the Environment Guidelines and, if required, a resource consent obtained under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (or most recent subsequent amendment). Once the risk has been assessed and any required resource consent obtained, the consent holder shall undertake all necessary work to rehabilitate the site in accordance with either the standards for permitted activities or the conditions of the resource consent (as appropriate). All works shall be undertaken at the consent holders' expense.
55. At the completion of any earthworks Certificates satisfying the conditions of NZS4431: 1989 Code of Practice for Earth Fill for Residential Development, and detailing the extent and nature of the earthworks is to be provided to the Council's Asset Manager.
56. That the consent holder shall ensure that all contractors carrying out work on the site comply with NZS 6803:1999 "Acoustics – Construction Noise".

Fencing and Reserves

57. That the fencing be constructed along Springs Road be in accordance with the Conceptual Landscape Plan, now marked RC185446.
58. That Lots 15 to 17, 19 and 21 shall not erect any secondary fence or alter the existing 1.2m high metal fencing located on the Springs Road boundary of the property.

On-going compliance with this condition shall be ensured by way of a consent notice registered on the Computer Freehold Register to issue for Lots 15 to 17, 19 and 21 hereon.

59. Pursuant to the relevant legislation the consent holder shall vest Lot 27 in the Council as Local Purpose (Nature Park) Reserve.
60. That a consent notice be registered against the Computer Freehold Register to issue for all residential lots stating the following:
 - That unless a resource consent has been granted or a condition of this consent permits otherwise, the maximum height of any fence between the front building façade of any dwelling 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.

- 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 Computer Freehold Register for all residential lots.

Review of Conditions

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

Attachments

- Approved subdivision plan: Davie Lovell-Smith; Job Title: Suburban Estates Sterling Park Stage 10, Date: July 2018; Drawing No: 19531; Revision RO.
- Approved Landscape Plan: Xteriorscapes Landscape Architects; Project: Sterling Park – Stage 10 Suburban Estates; Job reference 18074-01-00; Project Date: Sept 2018.

Development contributions

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 contained in the Selwyn Community Plan (LTCCP) the following contributions are to be paid in respect of this subdivision before the Council will issue its certificate pursuant to section 224(c) of the Resource Management Act 1991.

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

Activity	Demand Post Development (HUE)	Credits for Existing Demand (HUE)	Additional Demand (HUE)	Development Contribution per HUE (\$)	Development Contribution (\$ Excl. GST)	GST (\$)	Development Contribution (\$ Incl. GST)
Water Supply	21.00	0.00	21.00	4,116.00	86,436.00	12,965.40	99,401.40
Wastewater	21.00	0.00	21.00	5,244.00	110,124.00	16,518.60	126,642.60
Stormwater	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Reserves	21.00	1.00	20.00	10,647.00	212,940.00	31,941.00	244,881.00
Roading	21.00	1.00	20.00	1,769.00	35,380.00	5,307.00	40,687.00
Roading ODP	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Contribution					444,880.00	66,732.00	511,612.00

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 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, 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.

Property Numbering, Road and Street Names

- f) All new property numbers identifying new dwelling lots as a result of subdivision adjoining legal roads and/or private roads/rights of way will be issued property numbers by Council in accordance with Council Policy. The applicant shall supply Council with a finalised lot Deposited Plan to enable numbers to be generated for issue and adoption.
- g) 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
- h) Council shall arrange for the installation of the street name signs and poles at each intersection to the Council's standard, at the consent holder's cost.

Vesting of Roads and Reserves Subject to Land Covenants

- i) 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* which is attached to this decision.

Water, Stormwater and Sewer

- j) 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.
- k) The Stormwater Operations and Maintenance Manual shall include but not be limited to:
- As built documents/images of system for baseline records. This would include the extent of the stormwater catchments, surveyed long-sections and x-sections of pipelines and stormwater management devices e.g. basins wetlands and swales, and where available, any baseline data i.e. water quality, quantity or soil monitoring results.
 - Contact details for maintenance personnel engaged by the developer over the maintenance period
 - As built documents/images of system for baseline records. This would include the extent of the stormwater catchments and any baseline data ie heavy metal level in receiving environment.
 - Maintenance procedures and how compliance with the consent conditions shall be achieved and recorded. This will also cover stormwater system maintenance during the maintenance period(s).

- What actions will be undertaken when non-compliance is detected and recorded.
 - Where all cleanings from sumps are proposed to be disposed of – in accordance with Regional and local landfill requirements.
 - Summary of costs to maintain the system including details of the number of inspections and cleaning of sumps/disposal of sump material.
 - What actions will be undertaken before handover to Selwyn District Council is proposed i.e. notification procedure at least two months prior to requesting handover.
- l) Where the collection and disposal of roof/surface water is to ground, the suitability of the natural ground to receive and dispose of the water without causing damage or nuisance to neighbouring properties, shall be determined by a suitably qualified person/engineer and evidence of results is to be provided at engineering approval.
- m) All stormwater reticulation to be vested shall meet Council CCTV standards.

Engineering Approval

- n) 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.
5. All correspondence regarding engineering approvals is to be directed to:
Development.Engineer@selwyn.govt.nz

Vehicle Crossings

- o) 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: <http://www.selwyn.govt.nz/services/roading/application-to-form-a-vehicle-crossing-entranceway>.

Building Consent

- p) Site specific testing will be required at the building consent stage when each lot is developed.

Regional Consents

- q) 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

- r) 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.

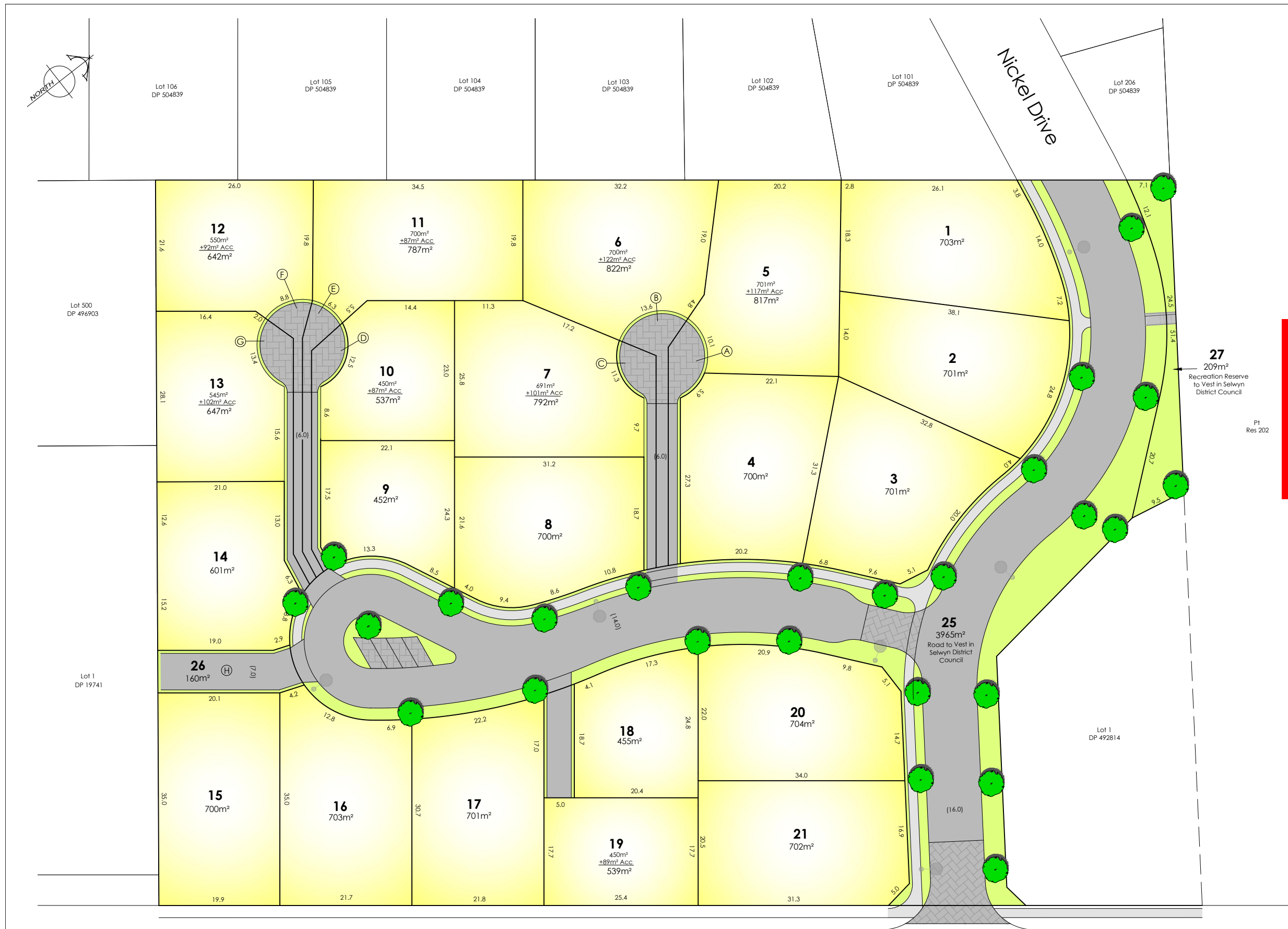
Yours faithfully

Selwyn District Council

A handwritten signature in dark ink, appearing to read 'Natalie Hall-Barlow', written in a cursive style.

Natalie Hall-Barlow

Resource Management Planner



AMENDMENTS:		
AMENDMENT		

- NOTES:
- 1) Areas and dimensions are subject to final survey and deposit of plans.
 - 2) Service easements to be created as required.
 - 3) This plan has been prepared for subdivision consent purposes only. No liability is accepted if the plan is used for any other purpose.
 - 4) This plan has been prepared for the use of our client and no liability is accepted in relation to any other parties.
 - 5) Any measurements taken from information which is not dimensioned on the electronic copy are at the risk of the recipient.
 - 6) This plan is subject to the granting of subdivision and/or resource consents and should be treated as a proposal until such time as the necessary consents have been granted by the relevant authorities.

AS APPROVED BY
SELWYN DISTRICT COUNCIL
Planning Department

RESOURCE CONSENT
185446

5/10/2018 **halln**

PROPOSED MEMORANDUM OF EASEMENTS			
Nature	Servient Tenement		Dominant Tenement
	Lot No.	Shown	
Right of way, right to drain water & sewage & to convey water, electricity, telecommunications & computer media	5	A	Lots 6 & 7
	6	B	Lots 5 & 7
	7	C	Lots 5 & 6
	10	D	Lots 11 - 13
	11	E	Lots 10, 12 & 13
	12	F	Lots 10, 11 & 13
	13	G	Lots 10 - 12
	26	H	Lots 14 & 15

Total Area : 1.8441 ha
Comprised in: C.F.R.717158


DAVIE LOVELL-SMITH
PLANNING SURVEYING ENGINEERING

116 Wrights Road P O Box 679 Christchurch 8140. New Zealand
Telephone: 03 379-0793 Website: www.dls.co.nz E-mail: office@dls.co.nz

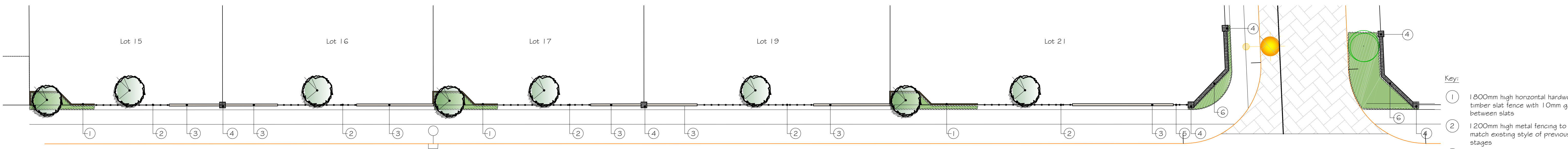
JOB TITLE:
Suburban Estates
Sterling Park Stage 10

SHEET TITLE:
Proposed Subdivision of
Lot 2 DP 492814

DRAWING STATUS
For Consent

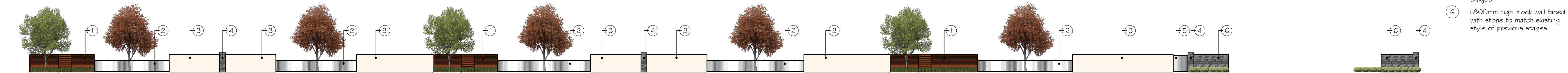
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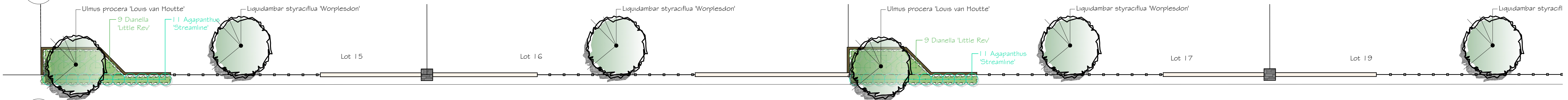


1 Boundary Wall Plan: Springs Road
1:200

- Key:
- 1 1800mm high horizontal hardwood timber slat fence with 10mm gaps between slats
 - 2 1200mm high metal fencing to match existing style of previous stages
 - 3 1800mm high wall with plaster and painted finish to match existing style of previous stages
 - 4 2000mm high column faced with stone to match existing style of previous stages
 - 5 1700mm high metal panel to match existing style of previous stages
 - 6 1800mm high block wall faced with stone to match existing style of previous stages



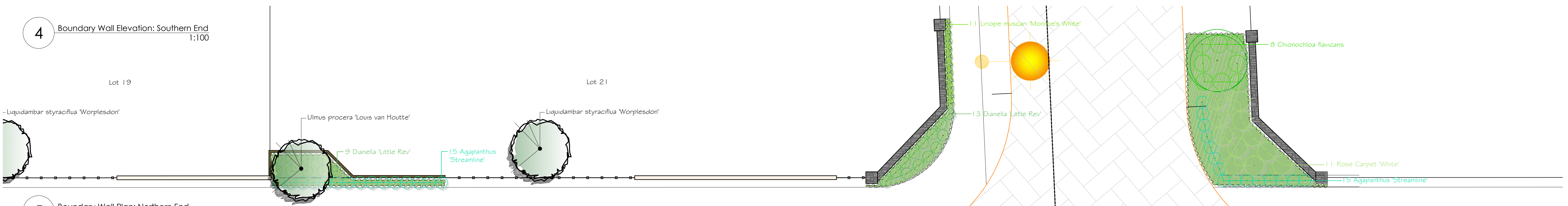
2 Boundary Wall Elevation: Springs Road
1:200



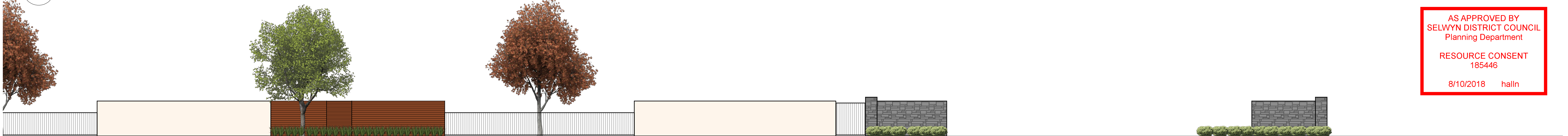
3 Boundary Wall Plan: Southern End
1:100



4 Boundary Wall Elevation: Southern End
1:100



5 Boundary Wall Plan: Northern End
1:100



6 Boundary Wall Elevation: Northern End
1:100