

Sections 95, 95A-E, 104, 104A, 104D, 106, 106A, 108, 108AA, 220, 243



Resource Management Act 1991

Decision and Planning Report

Planning Report pursuant to section 42A of the Resource Management Act 1991 recommending whether or not an application for resource consent should be:

- Publicly notified, limited notified or non-notified
- Granted or declined, and, if granted, the conditions of consent

Decision pursuant to section 113 of the Resource Management Act 1991

APPLICATION NUMBERS	RC245417, RC245418, RC255934
APPLICANT	93 Tosswill Road Limited Partnership
BRIEF DESCRIPTION OF THE APPLICATION	This is a joint application for subdivision, land use consent (including consent under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS). The following consents are sought: • RC245417 - Subdivision (s11) - To undertake a 232-lot residential subdivision, including the surrender of two existing easements • RC245418 - Land Use (s9) - To undertake earthworks associated with RC245417, transport related non-compliances, and to remediate areas of contaminated land under the NES-CS • RC255934 - Cancellation / Variation of Consent Notice (s221) - To cancel consent notices 12035451.6 on Title 977634 and 1155514.5 on Title 905044
ADDRESS	93 Tosswill Road, Prebbleton; Lot 131 DP 556577
LEGAL DESCRIPTION	Lot 4 DP 538252, Lot 131 DP 556577
TITLE REFERENCE	905044, 977634
AREA	16.483 ha
ZONING / OVERLAYS	Operative Selwyn District Plan (2016), Rural Volume Inner Plains Zone Power Transmission Line Partially Operative Selwyn District Plan (Appeals Version) Medium Density Residential Zone (MRZ) Development Area: DEV-PR5 Bromley to Islington Electricity Transmission and Distribution Line Plains Flood Management Overlay
OVERALL ACTIVITY STATUS	Non-Complying

The Application

1. This application was formally received by the Selwyn District Council on 6 June 2024. Further information was received on 26 July 2024 (Urban Design matters), 29 July 2024 (Transpower Written Approval), 30 January 2025 (RFI response), 25 March 2025 (RFI Response), 9 May 2025 (Amended plans - Lots Undersized 23m x 16m, and Lots Limited to 1 Unit); 9 July 2025 (Amended Plans - Lots Undersized 23m x 16m, and Lots Limited to 1 unit), 11 July 2025 (Revision C Survey Plan and Further Traffic Analysis), 27 August 2025 (Revision D Survey Plan), 25 September (Amended Plans - Revision E Survey Plan, Lots Undersized 23m x 16m, and Lots Limited to 1 Unit), 13 October 2025 (Revision F Survey Plan), 20 October ('Ururepo - Stage 4 RC245417 & RC245418 - Retaining Wall Details' - Sheet C150, Rev B, 14 October 2025), 30 October 2025 ('Earthworks Cut and Fill Existing GL to Finished GL Depths' - Set C1-C3, Sheet C120, Rev C, 14 October 2025), and 31 October 2025 (Amended Plan – Lots Undersized 23m x 16m).
2. The application proposes to undertake a 232 residential subdivision with utility lots, roads, and reserves to vest in Council. The subdivision is proposed to be undertaken in four stages:
 - Stage 1 - Lots 1-56, 188,192-198, 202-203, 215-221, 300, 304-306, 309, 501, 700-701
 - Stage 2 - Lots 57-88, 142-159, 208-214, 301, 311, 502-505, 511, 704-706
 - Stage 3 - Lots 89-113, 137-141, 160-169, 171-183, 201, 204-207, 302, 307-308, 310, 506-508, 510, 703
 - Stage 4 - Lots 114-136, 170, 184-187, 189, 190-191, 199-200, 222-232, 303, 500, 509, 600, 702

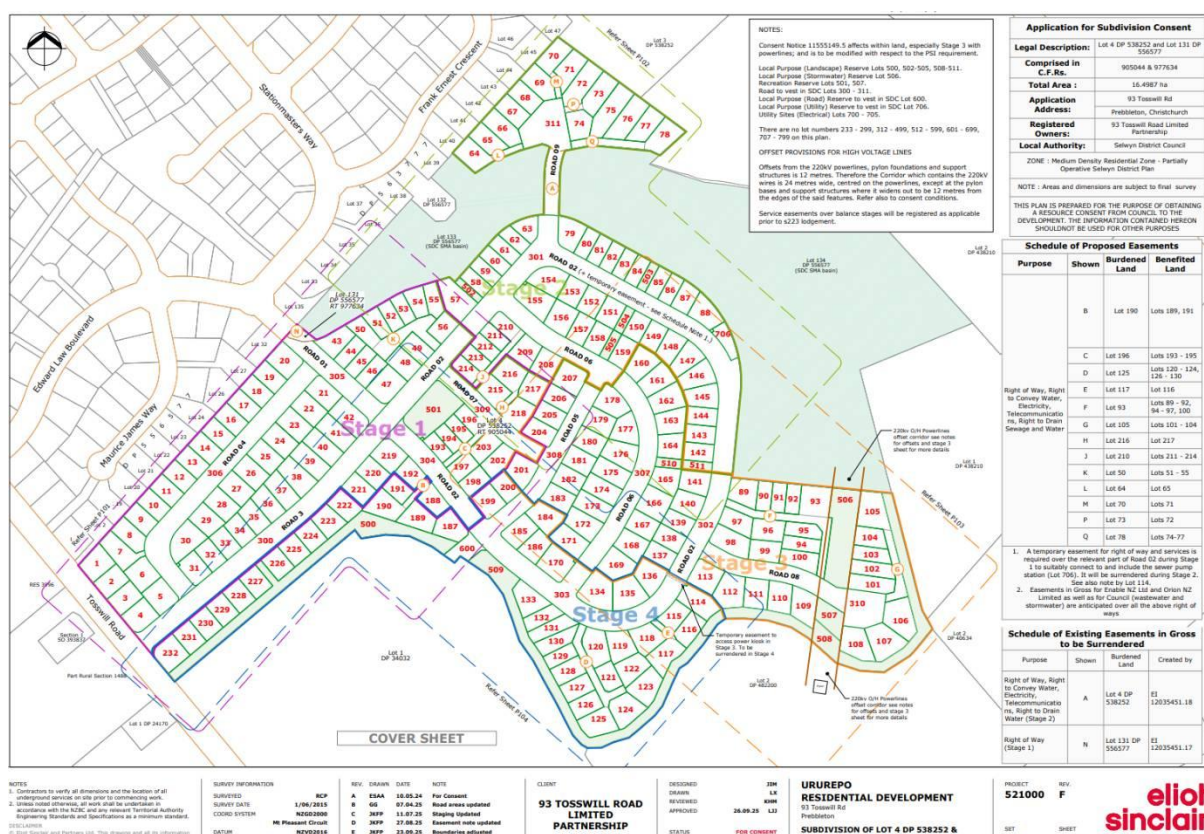


Figure 1: Proposed Survey Plan (Rev F)

3. The main aspects of the proposed activity are as follows:

Subdivision

- 232 residential allotments, which are all proposed to be limited to one residential unit (as per email correspondence received 30 October 2025). Originally 27 lots were not proposed to be limited to one residential unit (Lots 43-46, 58-63, 79-86, 193-196 and 210-214). When querying the proposed density of these 27 lots in the context of the overall density and wastewater constraint, the applicant advised they now propose one residential unit per lot.
- A number of undersized lots are proposed as detailed on the 'Lots Undersized 23m x 16m' plan received 31 October 2025. Single residential units per lot are proposed in response to the undersized dimensions and the identified wastewater capacity constraint.
- A number of roads including a main loop road with connection to Tosswill Road and Edward Law Boulevard
- Upgrading of the Tosswill Road frontage and the piping of McGills Drain along the site frontage to enable direct access to Tosswill Road for some allotments and a new road to intersect with Tosswill Road
- A no-exit road connection to the 'arrowhead' portion of the site to the north (Stage 4). A culvert is proposed subject to engineering approval and ECan consent
- Reserve pedestrian and cycling links
- Lot 131 DP 556577 (977634) is an existing 168m² utility lot between the application site and Edward Law Boulevard which is subject to easement 'N' (explained further below). This site has been purchased by 93 Tosswill Road Limited Partnership to provide legal road access from the application site onto Edward Law Boulevard.

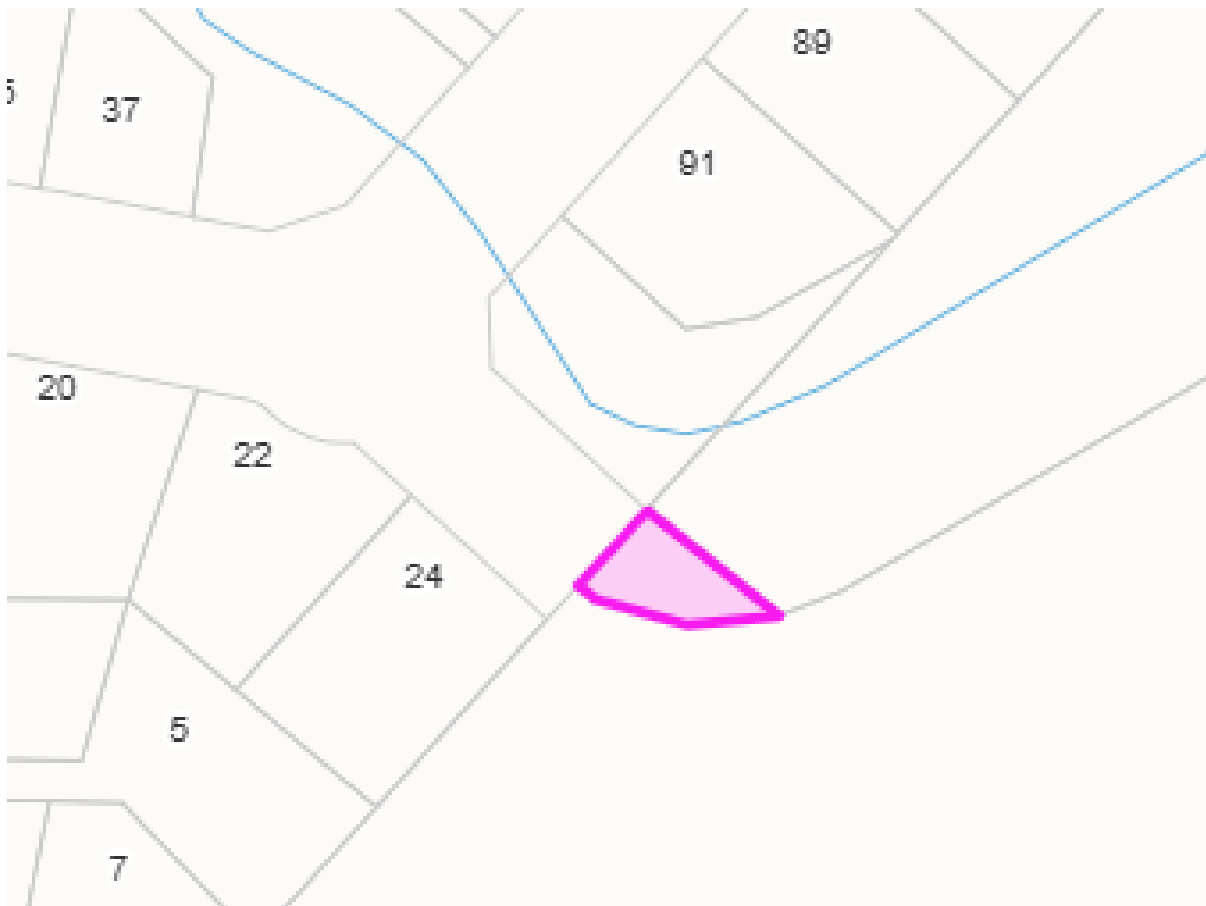


Figure 2: Lot 131 DP 556577 adjacent to Edward Law Boulevard

- Reserves and Utility Lots as follows: Local purpose (Landscape) Reserve Lots 500, 502-505, 508-511; Local purpose (Stormwater) Reserve Lot 506; Recreation Reserve Lots 501 & 507; Road to Vest in SDC Lots 300-311; Local Purpose (Road) Reserve to vest in SDC Lot 600; Utility lots (Electrical) Lots 700-705; and Local purpose (Utility) Reserve to vest in SDC (Pump Station) Lot 706
- A 1,289m² neighbourhood park is proposed within the centre of the site as part of Stage 1 (Lot 501)
- Stormwater - Runoff from residential lots, reserves and roading will be conveyed by kerb and channel, sumps and pipe reticulation or swales and discharge to the stormwater management area adjoining the site vested in SDC (Lots 133-134 DP 556577)
- Water - It is proposed to connect to the Council network at Tosswill Road and via Edward Law Boulevard. A 150mm diameter PVC watermain is proposed within the road alignment within the development. Fire hydrants will be installed along the new water mains to provide the firefighting water supply
- Wastewater - Each lot is proposed to connect to the Council network with the ultimate discharge point being the Prebbleton Terminal Wastewater Pump Station located at 612 Springs Road. A new pump station and on-site storage is proposed within Lot 706. The existing on-site effluent treatment and disposal system on Lot 4 DP 538252 is proposed to be decommissioned
- Electricity supply and telecommunication reticulation to all lots
- Streetlights within the road reserve to Council standards
- 5m² utility lots for power kiosks (Lots 700-705)

Land Use

- Bulk earthworks across the site. Approximately 150,000m³ of earthworks (topsoil stripping, cut-to-fill for subsoil, and re-spreading of topsoil). Approximately 44,000 m³ of subsoil to be imported to the application site and placed as engineered fill. Cuts greater than 0.5m deep are proposed within 1.5m of a site boundary in separate ownership in relation to Lots 2-4, 43, 50-55, 57-64, 78, 80-82, 86-88, 92, 93, 105 & 232.
- Vehicle crossings
- Remediation of contaminated land
- Retaining walls adjacent to Lots 106-108 and 125
- Fencing adjacent to reserves that is 1.9m high maximum and at least 50% permeable.

Easements

4. Easement N (Lot 131 DP 556577) in Easement Instrument 12035451.17, and Easement A (Lot 4 DP 538252) in Easement Instrument 12035451.18 are proposed to be cancelled in Stages 1 and 2 respectively. These areas are proposed to be vested as road (Lots 305 and 311).
5. A schedule of proposed new easements (right of way, right to convey water, electricity, telecommunications, right to drain sewage and water) is included on the survey plan.
6. A temporary right of way easement is also proposed over the relevant part of Road 02 during Stage 1 to connect to the pump station within Lot 706 which is within Stage 2. Refer to Sheet P100 and Note 1. in the Schedule of proposed easements.

Consent Notices

7. Two existing consent notices are proposed to be cancelled as they are considered redundant - 12035451.6 (Title 977634) and 11555149.5 (Title 905044).
8. The subdivision and land use aspects have been bundled in one application and will be processed as such, given that there is an overlap between the two such that consideration of one may affect the outcome of the other and it would not be appropriate to separate them. This enables an integrated and holistic assessment of the proposal as a whole.

Background

Pre-Application Meetings

9. A number of pre-application meetings were held with Council as detailed in the AEE (Table 2).

SDC Variation 1 Rezone Prebbleton Hearing

10. This hearing considered the rezoning of the site from Rural to Medium Density Residential Zone (MRZ) (referred to as the 'Burgess' site).

Transport

11. Capacity limitations were identified with respect to the Springs/Tosswill intersection and this matter is a consideration in the District Plan ODP (DEV-PR5). The Hearings Panel decided:
 - *...we agree with Mr Collins that the Springs Road/Tosswill Road intersection should be upgraded prior to development of the Burgess site occurring.*
 - *We find that the ODP should include a 'condition precedent' relating to the Springs Road/Tosswill Road intersection.*
12. Council's transport peer review at the time of Variation 1 recommended a series of other upgrades:
 - *No development occurs until the following Council upgrades have been completed*
 - *Shands Road / Trens Road single lane roundabout Completed (upgraded to dual lane relating to PC68)*
 - *Trens Road seal widening, between Springs Road and Shands Road completed (but not to Springs Rd as didn't need to)*
 - *Hamptons Road seal widening, between Springs Road and Shands Road Planned for 2025/26 in conjunction with PC68 developers along Hamptons Rd*
 - *Shands Road / Hamptons Road dual lane roundabout Completed*
 - *Spring Road / Hamptons Road single lane roundabout Delayed until 2027-2029*
 - *Spring Road safety improvements to reduce vehicle speeds through Prebbleton Planned for 2027/28*
 - *Spring Road / Tosswill Road intersection upgrade to traffic signals 2027/28*
 - *The ODP is amended to include a local road, which allows for future extension into adjacent properties.*
 - *The submitter provides minor safety improvements (such as advance warning signage, road markings, etc) at the Trices Road/Tosswill Road intersection prior to any development of the site. This intersection has been recently upgraded by Council to a small roundabout and other localized safety features*

Wastewater

13. The wastewater evidence for Council stated: *The submission area is outside the current Prebbleton township wastewater service area. There is no current capacity in the existing network, including the Tosswill Road pumpstation, to accommodate additional flows.*
14. The Council planner recommended that the rezoning not proceed due to insufficient capacity in the infrastructure network to service the site, particularly in relation to the conveyance of wastewater from Prebbleton to Rolleston, and that the site is therefore not infrastructure-ready as defined by the NPS-UD.

Council Decision

15. The Council decision supported the rezoning subject to condition precedents relating to the Springs Road/Tosswill Road intersection and wastewater (as contained in DEV-PR5):
- *At the time of development an assessment of the transportation network capacity to accommodate potential development traffic safely and efficiently needs to be carried out if planned intersection upgrade (signalisation) works at Tosswill Road/Springs Road intersection have not yet been completed. (As is currently budgeted in the Selwyn Long Term Plan for 2026/2027). [Note; Now 2027/28 in the 2024-34 LTP].*
 - *Prior (to) any application for residential development the developer shall arrange with Council for an assessment of the wastewater treatment and network systems. The assessment must be provided with the application. The purpose of this assessment is to identify treatment and network capacity and upgrade requirements including: timing; location; and funding arrangements; while ensuring that these are efficient and effective. Allocation of wastewater connections will also be considered against the Councils most recent Housing Development Capacity Assessment.*

Regional Consents

16. The following regional consents were granted by Canterbury Regional Council on 30 May 2025 (with expiry on 30 May 2030):
- CRC253220 - To undertake excavation over a coastal confined gravel aquifer system and over an unconfined or semi-confined aquifer system and within 50 metres of a surface water¹; and
 - CRC253221 - To take groundwater for dewatering purposes²; and
 - CRC253222 - To discharge construction-phase stormwater, dewatering water and contaminants to surface water³.

The Existing Environment

17. The application site is located on the eastern side of Prebbleton township, with frontage to Tosswill Road (a collector road).

¹[Consent search | Environment Canterbury](#)

²[Consent search | Environment Canterbury](#)

³[Consent search | Environment Canterbury](#)



Figure 3: Aerial image of locality (Source: Toitū Te Whenua (LINZ))

18. The site currently contains an existing dwelling along the road frontage with Tosswill Road. This will be removed as part of the site development process.
19. The application site is grassed with trees along the site margins.
20. McGills Drain borders the Tosswill Road frontage of the site and the southern and eastern boundaries of the site. Prebbles Drain runs through the adjoining stormwater reserves south of the 'arrowhead' part of the site.

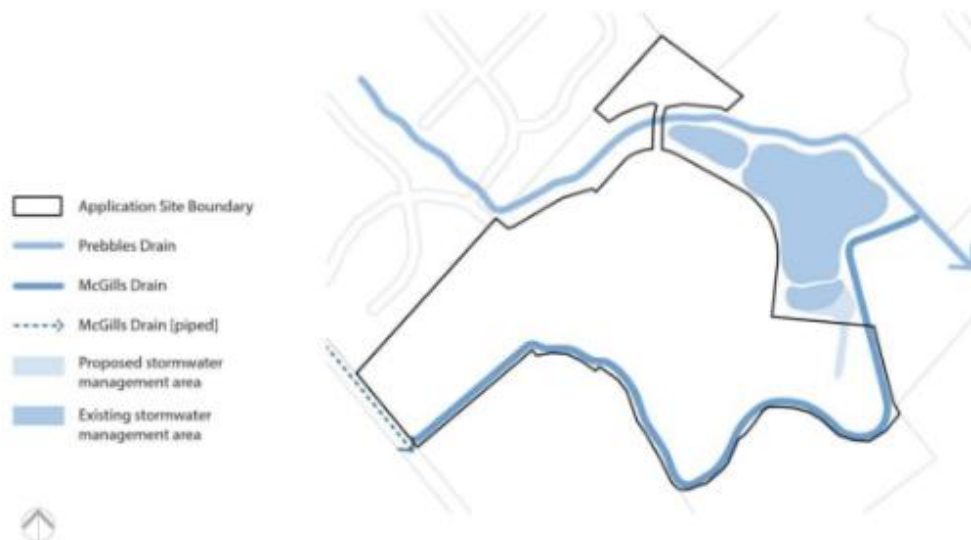


Figure 4: Prebbles & McGills Drain. McGills Drain along the Tosswill Road frontage is currently open (piping proposed) (Source: Figure 22 of Eliot Sinclair Urban Design Statement)

21. Transpower's Bromley to Islington 220kv transmission line (BRY-ISL A line) traverses the eastern corner of the site with the support structures located on adjoining properties. This transmission line is identified as part of the National Grid Corridor.

22. Prebbleton Domain is located opposite the site on the southern side of Tosswill Road. The domain is designated (SDC-153).
23. Council owned stormwater management reserve land is located between the main part of the site and the 'arrowhead' to the north (Lot 132-134 DP 556577) and to the north and east of the site (Lot 2 DP 482200, Lot 2 DP 40634, and Lot 1 DP 438210).
24. 105 Tosswill Road (Lot 1 DP 34032) adjoins the site to the south-east which is an 8.1ha rural zoned site that also fronts Tosswill Road. This site is not known to be subject to any current development proposal.
25. 92 Hodgens Road (Lot 3 DP 538252) is an undeveloped rural zoned site directly north of the 'arrowhead' tip. This site is not known to be subject to any current development proposal. Resource consent has been issued for a swim school (RC185552 and RC235835).
26. To the north-west and west is a 122 lot residential subdivision known as 'Prevelles' developed by Suburban Estates Limited (RC195533/195534/205569). All titles have now issued for this subdivision. This subdivision also approved the stormwater reserve areas adjacent to the subject site and a recreation reserve through the stormwater management area.

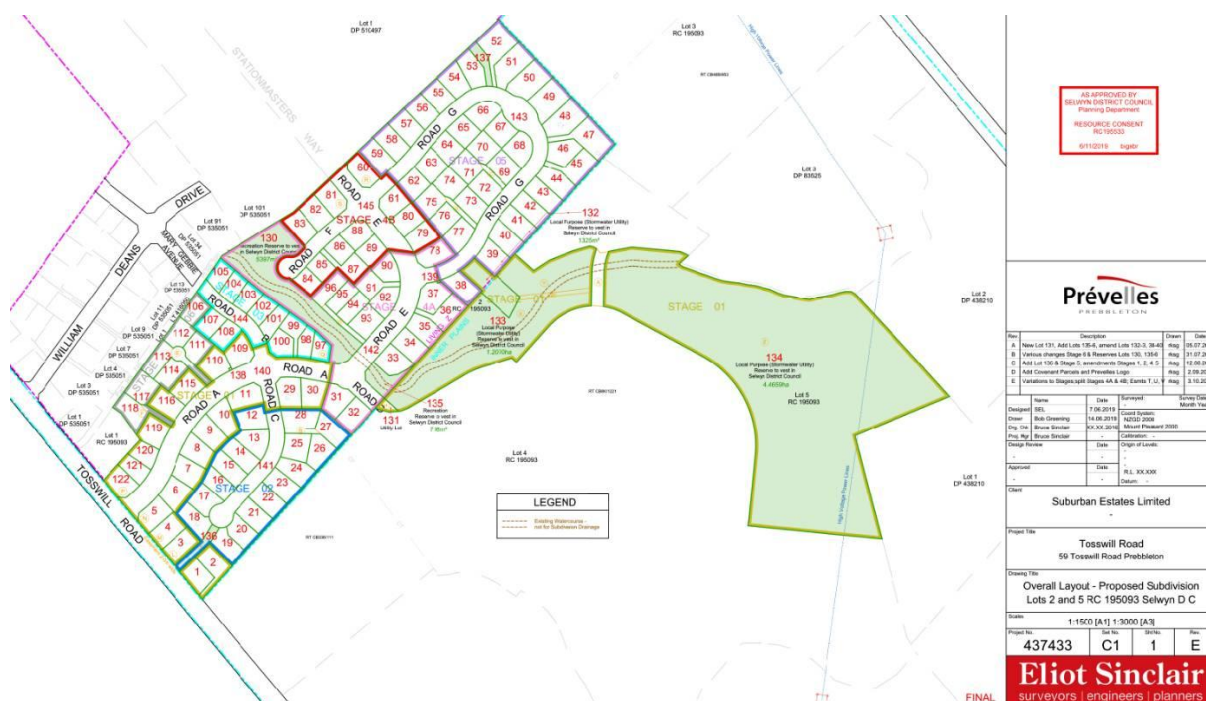


Figure 5: Prevelles Subdivision Approved Survey Plan (RC195533)

Activity Status

Partially Operative Selwyn District Plan (Appeals Version) ("the Partially Operative Plan")

27. The application site is zoned Medium Density Residential Zone (MRZ). The site is also subject to Development Area: DEV-PR5; Bromley to Islington Electricity Transmission and Distribution Line; and the Plains Flood Management Overlay.
28. The Council released the Appeals Version of the Partially Operative Plan on 27 November 2023. Many provisions are beyond challenge and are operative/treated as operative (pursuant to cl 103 of Schedule 1 and s 86F of the Act). Those subject to appeal continue to have legal effect pursuant to s 86B.

Subdivision

29. The proposed type of subdivision does not meet the following rules:

RULE	TOPIC	NON-COMPLIANCE	STATUS
SUB-R1.5	Subdivision in the Residential Zones	Every vacant site created is required to have a dimension not less than 16m x 23m and a building square not less than 8m x 15m. The 16m x 23m dimensions are not met with respect to several lots as shown on the plan entitled 'Lots undersized 23m x 16m Plan' received 31 October 2025.	Discretionary (SUB-R1.7A)
SUB-R13	Subdivision to create Access, Reserve or Infrastructure Sites	Access, reserve, and infrastructure lots are proposed.	Controlled (SUB-R13)
SUB-R16	Subdivision and Electricity Transmission and Distribution Lines	Subdivision within the National Grid subdivision corridor. Every site is capable of accommodating a likely building square outside the National Grid Yard.	Restricted Discretionary (SUB-R16.1)
SUB-R17.4	Subdivision within Plains Flood Management Area	Subdivision within Plains Flood Management Area outside of a high hazard area.	Restricted Discretionary (SUB-R17.4)

30. A Flood Assessment Certificate (FAC) is required for the site in respect to the finished floor levels of residential dwellings. Conditions of consent are recommended that a global FAC is obtained. On 26 August 2025 the applicant advised that FAC application has been lodged as part of the Engineering Acceptance package and is currently being processed and agreed to conditions of consent requiring a FAC in the event that it is not issued ahead of this consent. The applicant advised on 28 October 2025 that the FAC is still pending.
31. SUB-R22 does not apply as McGill's Drain is not a 'surface water body' as defined under the Partially Operative Plan.
32. Therefore, the subdivision proposal is a discretionary activity under the Partially Operative Plan.

Land use

33. The proposed land use activity does not meet the following rules:

RULE	TOPIC	NON-COMPLIANCE	STATUS
EI-R3	Sensitive Activities	The establishment of a new sensitive activity within the National Grid Yard.	Non-Complying (EI-R3.2)
NH-R5	Natural Hazard Mitigation Works - Retaining Walls and Land Instability Mitigation Works	The proposed retaining walls will exceed the maximum of 6m ² in area in relation to Lots 106-108 and 125.	Restricted Discretionary (NH-R5.2)
EW-R5A	Earthworks for Subdivision	Earthworks associated with the development of land for subdivision is permitted where the maximum area of land subject to the works is 1,000m ² . The earthworks area exceeds 1,000m ² .	Restricted Discretionary (EW-R5A.2)
EW-R5A/ EW-REQ3.6	Earthworks - Excavation and Filling	Earthworks shall not exceed a maximum depth below or height above natural ground level of:	Restricted Discretionary

		a. 2m, when 1.5m or more from the boundary of a site in separate ownership; or b. 0.5m, when within 1.5m of the boundary of a site in separate ownership. The proposed earthworks will exceed the maximum depth of 0.5m within 1.5m of the boundary in relation to Lots 2-4, 43, 50-55, 57-64, 78, 80-82, 86-88, 92, 93, 105 & 232.	(EW-REQ3.3)
TRAN-R2/ TRAN-REQ18	Creation of a new land transport corridor/ Land transport corridor creation standards	All land transport corridors shall comply with the legal widths listed in TRAN-TABLE7 - Road Formation Standards (TRAN-REQ18.3 and TRAN-REQ18.5 are not relevant). Local-Major Road in MRZ require: Carriageway width - 8.5m-9m (8.4m proposed) Local Roads in MRZ require: • Legal width - 15-17m - Road 9 only 12m proposed • Carriageway width 7-8m (6m proposed)	Discretionary (TRAN-REQ18.2)
TRAN-R4.5 / TRAN-REQ4	Vehicle Crossings/ Siting of Vehicle Crossings	Vehicle crossings shall comply with TRAN-TABLE4 which requires 20m minimum distance between proposed vehicle crossings and any intersection. Where the boundaries of a site do not enable any vehicle crossing to conform, a single vehicle crossing for the site may be constructed in the position which most nearly complies. Lots within 20m of an intersection: Lots 4-5, 20, 30-31, 42, 62-63, 79, 154, 178, 185, 204, 207, and 232 Vehicle crossings shall comply with TRAN-TABLE5 which requires a 45m minimum sight distance. Lots that do not meet the 45m minimum: Lots 30-31, 134-136, 154.	Restricted Discretionary (TRAN-REQ4.2)
TRAN-R5 / TRAN-REQ7.16A	Vehicle Accessways/ Accessway design, formation and use	Where access is shared to more than four sites this shall be via a road. The following accessways are proposed to serve more than four lots rather than roads: • RoW D (Stage 4) will service 11 sites (120-130) • RoW F (Stage 3) will service 10 sites (89-97 and 100) • RoW G (Stage 3) will serve 5 sites (101-105) • RoW J (Stage 2) will serve 5 sites (210-214) • RoW K (Stage 1) will serve 5 sites (50-55) • RoW Q (Stage 2) will serve 5 sites (74-78)	Restricted Discretionary (TRAN-REQ16C)
TRAN-R8	High Trip Generating Activity	The establishment of a new, or expansion of an existing activity listed in TRAN-TABLE2 - HTGA Thresholds and ITA Requirements. A Full ITA is required.	Restricted Discretionary (TRAN-R8.2)
MRZ-R5	Fencing	Any fence or free-standing wall where a site shares a boundary with a reserve the fence/wall shall be a maximum of: 1m in height if solid; or 1.8m in height where at least 50% of the fence is visually permeable. A minimum of 50% permeability is proposed, however the proposed maximum fence height is 1.9m high within Lots 105-112, 114, 116, 117, 123-133, 187, 189, 190, 222-232	Restricted Discretionary (MRZ-R5.2)

		adjoining the Local Purpose (Landscape) Reserve Lots 508, 509 and 500.	
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34. Therefore, the land use proposal is a non-complying activity under the Partially Operative Plan.

Status – Partially Operative Plan Only

35. Overall, the bundled proposal is a non-complying activity under the Partially Operative Plan.

Cancellation of Consent Notice

36. Section 221 of the Resource Management Act states:

(1) Where a subdivision consent is granted subject to a condition to be complied with on a continuing basis by the subdividing owner and subsequent owners after the deposit of a survey plan (not being a condition in respect of which a bond is required to be entered into by the subdividing owner, or a completion certificate is capable of being or has been issued), the territorial authority shall, for the purposes of section 224, issue a consent notice specifying any such condition.

(2) Every consent notice must be signed by a person authorised by the territorial authority to sign consent notices.

(3) At any time after the deposit of the survey plan,—

(a) the owner may apply to a territorial authority to vary or cancel any condition specified in a consent notice:

(b) the territorial authority may review any condition specified in a consent notice and vary or cancel the condition.

(3A) Sections 88 to 121 and 127(4) to 132 apply, with all necessary modifications, in relation to an application made or review conducted under subsection (3).

(4) Every consent notice shall be deemed—

(a) to be an instrument creating an interest in the land within the meaning of section 51 of the Land Transfer Act 2017, and may be registered accordingly; and

(b) to be a covenant running with the land when registered under the Land Transfer Act 2017, and shall, notwithstanding anything to the contrary in section 103 of the Land Transfer Act 2017, bind all subsequent owners of the land.

(5) Where a consent notice has been registered under the Land Transfer Act 2017 and any condition in that notice has been varied or cancelled after an application or review under subsection (3) or has expired, the Registrar General of Land shall, if he or she is satisfied that any condition in that notice has been so varied or cancelled or has expired, make an entry in the register and on any relevant instrument of title noting that the consent notice has been varied or cancelled or has expired, and the condition in the consent notice shall take effect as so varied or cease to have any effect, as the case may be.

37. An application to cancel a consent notice under s 221(3) of the Resource Management Act 1991 (RMA) is assessed as a discretionary matter, noting that neither the Operative District Plan or Proposed District Plan nor the RMA prescribe an activity status to an application of this type.
38. Sections 88 to 121 and 127(4) to 132 of the RMA apply to applications to vary or cancel the consent notice, with all necessary modifications.

Cancellation of Easements

39. Section 243(e) enables easements to be surrendered by revoking the underlying condition of consent that required them as follows:

Where a subdivision consent is granted or any record of title is issued subject to a condition that any specified easements be granted or reserved, the following provisions apply:

(a) no such easement shall—

(i) be surrendered by the owner of the dominant tenement; or

(ii) in the case of an easement in gross, be surrendered by the grantee of the easement; or

(iii) be merged by transfer to the owner of the dominant or servient tenement; or

(iv) be varied—

except with the written consent of the territorial authority:

...

(e) the territorial authority may at any time, whether before or after the survey plan has been deposited in the Land Registry Office or the Deeds Register Office, revoke the condition in whole or part:

(f) when a territorial authority cancels a condition in whole or in part, then—

(i) where the survey plan has not been approved by the Surveyor-General, a memorandum of the cancellation must be endorsed on the survey plan or notice of the cancellation must be forwarded by that authority to the Surveyor-General, who must update his or her records accordingly:

(ii) where the survey plan has been approved by the Chief Surveyor or deposited, the territorial authority must forward to the Registrar-General of Land a certificate signed by the chief executive or other authorised officer of the territorial authority to the effect that the condition has been cancelled in whole or in part, and the Registrar-General of Land must note the records accordingly.

40. An application to cancel an easement under s243(e) of the Resource Management Act 1991 (RMA) is assessed as a discretionary matter, noting that neither the Operative District Plan or Proposed District Plan nor the RMA prescribe an activity status to an application of this type.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS)

41. The NES-CS manages activities which involve the disturbance of land which may be contaminated. This is determined by whether activities listed in the Hazardous Activities and Industries List (HAIL) have or are likely to have occurred on the site.
42. A Preliminary Site Investigation (PSI) was completed by Elliot Sinclair in June 2021 to support the proposed rezoning of the site from rural to residential. The PSI did not identify any potential sources of contamination as per the HAIL. However, as the site is intended to be developed for residential use involving subdivision, change of use, soil disturbance and off-site disposal, the NES-CS requires assessment of the likelihood of soil contamination being present.
43. The applicant submitted a Soil Contamination Risk, Detailed Site Investigation (DSI), and Remediation Action Plan (RAP) dated March 2024 prepared by Momentum Environmental Ltd with the application. Soil sampling of the residential area has identified contamination at sample locations:
- SS3 situated to the north of the garage. This is a burn area and the arsenic result was 55mg/kg, compared to the 'residential 10% produce' SGV of 20mg/kg.

- SS4 situated adjacent to the dwelling. The asbestos contamination was above the NZ Guidelines for Assessing and Managing Asbestos in Soil (GAMAS) residential standard. The report states that while current asbestos testing indicates that sample location SS4 is an isolated exceedance, based on the source, further contamination along the drip line surrounding the dwelling cannot be ruled out.



Figure 6: Sample Location Plan (Source: Soil Contamination Risk, Detailed Site Investigation (DSI), and Remediation Action Plan (RAP) dated March 2024 prepared by Momentum Environmental Ltd - Appendix A)

44. The RAP supports the excavation and disposal of contaminated soils off-site. The results from the paddock and stockpile sampling confirmed the expectation that this would meet clean fill waste acceptance criteria.
45. The Soil Contamination Risk, Detailed Site Investigation (DSI), and Remediation Action Plan (RAP) was forwarded to the Canterbury Regional Council (CRC) Contaminated Land Team for review. CRC commented: *"The provided DSI had arsenic and asbestos concentrations exceeding the residential 10% produce land use SCS and the NZGAMAS guideline value for fibrous asbestos and asbestos fines. The remediation proposed is to dispose of the contaminated material off-site and collect validation samples. Once the remedial goal has been achieved (contaminant concentrations below the residential 10% SCS), a site validation report will be prepared."* The CRC Contaminated Land Team support the proposal subject to recommended conditions of consent including:
 - All contaminated soils removed from the site are disposed of at a licensed disposal facility whose waste acceptance criteria permit the disposal.
 - In the event of contamination discovery work must cease until a Suitably Qualified and Experienced Practitioner (SQEP) has assessed the matter and advised of the appropriate remediation and/or disposal options for these soils.
 - Council is notified of the start of earthworks at least five (5) working days prior to the earthworks commencing on the site.
 - All earthworks shall be undertaken in accordance with the RAP.
 - Any amendments to the RAP shall be prepared by the contaminated land specialist and the revised document provided to Selwyn District Council.
 - Any amendments to the RAP shall not result in the level of human health and/or environmental protection being decreased.

- Within one month of the completion of the remedial works, a Site Validation Report (SVR) shall be prepared by a contaminated land specialist outlining the works undertaken. This condition has multiple criteria that the SVR is to meet including validation test results confirming all remaining soil meets the NES-CS for rural residential 25% land use, including sampling locations and depth.

46. The applicant accepts the recommended conditions of consent but requested a change to the recommended SVR condition to refer to the validation test results confirming all remaining soil meets the NES-CS for residential 10% produce land use (rather than rural residential 25% land use). The CRC Contaminated Land Team accept this change and based on their advice this change is included in the recommended SVR condition.
47. Soil sampling has shown contamination levels exceed the applicable standards in Regulation 7. Therefore, the proposed subdivision and change of use will require resource consent under the NES-CS (Regulation 10) as a restricted discretionary activity.
48. The remediation excavations will include the activities of soil disturbance and off-site disposal. The permitted volumes are compared with the maximum expected remediation volumes in Table 7 in the Momentum Environmental Report and concludes that the soil disturbance associated with the remediation activities will comply and are a permitted activity under the NES-CS.
49. The proposed subdivision and change of use is therefore a restricted discretionary activity in terms of the NES-CS (Regulation 10).

Overall Activity Status

50. The proposal is being considered as a non-complying activity overall.

Written Approvals (Sections 95D(e), 95E(3)(a) and 104(3)(a)(ii))

51. The provision of written approvals is relevant to the notification and substantive assessments of the effects of a proposal under sections 95D, 95E(3)(a) and 104(3)(a)(ii). Where written approval has been provided, the consent authority must not have regard to any effect on that person. In addition, that person is not to be considered an affected person for the purposes of limited notification.
52. At the time of lodgement the AEE noted that consultation with Transpower had been undertaken and written approval was being sought given the Bromley to Islington Electricity Transmission Line traverses a portion of the site. The applicant subsequently provided written approval from Transpower New Zealand Limited on 29 July 2024.
53. The written approval included Transpower recommended consent conditions, such as a 12m building setback from the transmission line, maintaining access for maintenance etc. The applicant was advised that conditional written approvals cannot be accepted, and the applicant subsequently confirmed that they volunteer the consent conditions recommended by Transpower.

Notification Assessment

Assessment of Adverse Environmental Effects (Sections 95A, 95B, 95D and 95E)

Receiving Environment

54. The receiving environment for this proposal includes the existing environment and the future environment as it could be, i.e. as modified by non-fanciful permitted activities and unimplemented resource consents. In this case, the receiving environment is a mixture of residential, rural and reserve open space (adjoining Stormwater Management Area and Prebbleton Domain).

Effects

Cancellation of Consent Notices

55. The existing consent notices proposed to be cancelled include:

- 12035451.6 (Title 977634):

"That Lots 131 & 138 DP 556577 shall be used for the purpose of a utility lot only, and may not be utilised for the purpose of contributing to any future calculation of dwelling density and/or lot size calculation and/or any future boundary adjustment under the rules of the District Plan."

- 11555149.5 (Title 905044):

"All land use activities, including the construction of new buildings/structures, earthworks, fences, any operation of mobile plant and/or persons working near exposed line parts shall comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) or any subsequent revision of the code."

A Preliminary Site Investigation (PSI) has been undertaken and identified that a potential Hazardous Activities and Industries List (HAIL) activity has more than likely occurred on this site. A full copy of the report is available from Council upon request. If any change of use, subdivision or soil disturbance takes place within this site, further investigation will be required."

56. Consent Notice 12035451.6 - Since the lodgement of the application, Lot 31 DP 556577 has been purchased by the applicants (93 Tosswill Road Limited Partnership) and is proposed to be utilised as road reserve rather than a utility lot. Therefore, the consent notice is now redundant and cancellation of this consent notice insofar as it relates to Lot 131 DP 556577, 977634 is recommended. The consent notice will still apply to Lot 132 DP 556577 which is held in a separate Title. Mr Mark Rykers, Open Spaces Asset Manager • Infrastructure and Property was consulted about this consent notice and had no concern with it being cancelled.
57. Consent Notice 11555149.5 - It is agreed with the applicant that the cancellation of the consent notice will prevent new Titles from being unnecessarily encumbered by the existing consent notice (which is irrelevant to the majority of proposed lots). The matter of land development in relation to the National Grid is proposed to be managed by recommended conditions of consent, which includes a new consent notice to be registered on affected lots only requiring compliance with New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) or any subsequent revision of the code. Furthermore, contaminated land conditions of consent are recommended based on a more recent Soil Contamination Risk, DSI, and RAP which has been reviewed by CRC.

Surrender of Easements

58. The application seeks the surrender of two easements in gross as shown in the schedule on the survey plan (Sheet P100, P101 (Easement N), P102 (Easement A) of Revision F). The surrender of these existing easements will ensure that new Titles are not created with unnecessary easements falling down onto the new Titles. Section 243(e) enables easements to be surrendered.
59. Easement A is over Prebbles Drain and currently provides right of way, right to convey water, electricity and telecommunications, and a right to drain water to Council over Lot 4 DP 538252 (created by EI 12035451.18). The area that is currently Easement A is proposed to be vested to SDC as road in Stage 2 of the proposed development. Therefore, the easement will continue in place until Stage 2's 223/224 certification. The road, when vested, will automatically allow Council to have full access and services rights in this corridor, without the need for the easement. This is agreed. It is recommended that easement A is surrendered as part of the S223 certification for Stage 2 of the proposed development.

60. Easement N currently provides a right of way, in favour of Selwyn District Council, over Lot 131 DP 556577 immediately adjacent to Edward Law Boulevard (created by EI 12035451.17)). As part of the development it is proposed that Lot 131 DP 556577 becomes part of Lot 305 (Road 01) and vested in Council as legal road. The application states: *"Not only must the road vest free of encumbrances, but Council will no longer need an easement when the road network will provide direct legal access to the adjoining existing stormwater Management Area in the same location."* This is agreed. It is recommended that easement N is surrendered as part of the S223 certification for Stage 1 of the proposed development.

Adverse Effects Assessment

61. The adverse effects that might be considered relevant to this proposal are addressed in the assessment below.

Residential Character and Amenity Effects

62. DEV-PR5 requires a net density⁴ of 15 households per hectare. The total site area is 16.48ha, however the net density is 15.44ha (minus the areas of Lots 500, 506, 508 and 509 which are stormwater retention and treatment areas or geotechnically constrained, i.e. the long riparian corridor reserves on the site perimeter that are considered to meet the exclusions in the site density definition). Based on a net site area of 15.44ha, 231 residential units are required to meet the minimum density of 15hh/ha, and 232 are proposed.
- 63.
64. SUB-R1 requires that every vacant site created is to have a dimension not less than 16m x 23m and a building square not less than 8m x 15m. The 16m x 23m dimensions are not met with respect to the following 82 lots:
- Stage 1 - Lots 7, 43-46, 50-55, 188, 192-196, 202-203, 218 (20 lots)
 - Stage 2 - Lots 58-63, 71-72, 79-88, 142-147, 210-214 (29 lots)
 - Stage 3 - Lots 90-95, 97, 100-106, 108-109, 139, 163-165, 177, 201 (22 lots)
 - Stage 4 - Lots 116, 118-119, 121, 124, 129-133, 189 (11 lots)
65. All lots, including the undersized lots, are proposed to be restricted to one residential unit. The restriction to one residential unit is proposed by way of consent notice volunteered by the applicant to avoid poor urban design outcomes such as poor form, street engagement, orientation, and inappropriate location of higher density, as well as to respond to wastewater capacity constraints.
66. Nineteen lots directly adjoin reserve land (Lots 43, 58-63, 79-86, and 193-196) and there are eight lots (44-46, and 210-214) in two pockets which have been designed to enable smaller residential units located within close proximity of open space (Lot 501) and highly accessible movement networks.
67. The site is also somewhat constrained by the irregular site boundary and existing features such as the Transpower National Grid line. The site layout and densities have a direct correlation to the wider roading and 'blue green' network.
68. Council Urban Designer, Ms Gabi Wolfer, has reviewed the application and key comments include:
- Support the proposed undersized lots if there is a mechanism to link the lot with an attached typology requirement (as a minimum) for sites below 11m wide to avoid skinny stand-alone configurations and promote short multi-storey terrace housing. In response, the applicant revised the survey plan to not include any lots with a width less than 11m.

⁴ Net density is defined in the Partially Operative Selwyn District Plan

- There is one garage space per residential unit for lots that are 11m-14m wide. A condition of consent requiring a consent notice to this effect is volunteered by the applicant.
- Support the proposed 1,289m² reserve in the current location and shape as it is centrally located and accessible. The proposed working play space meets the intended function of passive recreational space.
- Right of way K - Due to the unusual shape and to avoid competing uses within Right of Way K, the applicant was requested to consider confirming parking spaces rather than relying on this to be addressed at detailed design stage. However, it was ultimately agreed that this matter could be considered further at Engineering Acceptance stage.
- Bin collection - The applicant was requested to restrict Lots 131-133 to one residential unit to provide a better overall outcome, when looking at the cumulative effects from having to accommodate 30 bins from Right of Way D plus an additional 18 bins along the combined frontages. The applicant accepted this restriction and provided an updated plan. It was also accepted that bin collection for Right of Way C and Lots 193-196 can be accommodated along the road reserve adjoining the recreation reserve (Lot 501).

69. The applicant has also volunteered conditions of consent that consent notices be imposed as follows:

- Lots 1-4 and 232 - That buildings are setback at least 3m from Tosswill Road and that fencing is setback 500mm from the building façade.
- Lots 50-55, 74-78, 89-94 and 95 (eastern frontage only), 100-105, 126-130 - No building or fence constructed within 1.5m from any right of way boundary and the area between the right of way boundary is landscaped including specimen tree(s).
- Lots 50-55, 75-78, 90-96, 102-105, and 121-130 - Shall have the primary pedestrian entrance visible and accessible from the right of way.

70. The 3m setback from Tosswill Road is proposed to mitigate sightlines at the intersection as recommended in the Integrated Transport Assessment (ITA) submitted with the application and is proposed to achieve a setback that aligns with the context of the neighbouring subdivision rather than the 1.5m MRZ setback. The fencing setback is proposed to ensure a quality streetscape and to avoid the fencing visually dominating the street. Council's Urban Designer did not specifically comment on this matter, however it is agreed that a 3m setback is consistent with the neighbouring subdivision to the west, will also ensure fencing does not dominate the road frontage, and will maintain appropriate sightlines.

71. The application states that right of way interface treatment (fencing setback and landscaping) is proposed as 'higher order' right of ways have footpaths and are treated more like neighbourhood streets and need interface treatment to ensure a good urban design outcome. The treatments are proposed to ensure these 6.5m wide right of ways are in general accordance with MRZ-R5 Fencing and MRZ-REQ10.2 Landscape Area and minimise long 'walled in' right of ways which would otherwise have limited surveillance opportunities.

72. The intent of the consent notice is understood with respect to the right of ways that serve more than four sites, however the lot numbers proposed have been amended to also include right of way J (Lots 210-214) and to ensure the lots reflect the easement schedule for right of ways D, F, G, J, K and Q with some limited exceptions (Right of Way D - Lots 126-130 (excluding Lots 120-125); Right of Way F - Lots 89-94, 95 (eastern frontage only), and Lot 100 (excluding Lots 96 & 97); Right of Way G - Lots 101-105; Right of Way J - Lots 210-214; Right of Way K - Lots 55-58; and Right of Way Q - 74-78). The excluded lots are either rear lots or front an accessway where the opposing lots that also front the right of way are restricted and such a restriction is not considered necessary on both sides of the right of way.

73. The application seeks that the primary pedestrian entrance is visible and accessible from the right of way for specified lots to align with MRZ-REQ7 Windows to Street and ensure that the right of ways that serve more than four lots have a legible pedestrian entrance given the right of ways function as a narrow street. Lots 50-55, 75-78 (excluding 74 as also fronts the cul-de-sac (Lot 311)), 90-96 (excluding 89, 97 and 100 as have dual

frontage), 102-105 (excluding 101 as also fronts the cul-de-sac (Lot 310)), and 121-130 (excluding Lot 120 as has a dual frontage)). Lots 210-214 are not proposed to be included as they have dual frontages.

Recreation Reserve (Lot 501)

74. Mr Derek Hayes and Mr Joe Clarke were requested to comment on the proposed recreation reserve. They noted that it was stated at the pre-application stage that Council prefers a 2,000-3,000m² recreation reserve which consists of more playground area than free space. This advice is based on Council's Development Contributions Policy, which establishes a minimum size of 2,000m² for neighbourhood recreation reserves, as well as Council's requirement for a designated play space within this location. Mr Hayes noted that when approving a reduction in area beyond the minimum required, Council must carefully consider the reserve's intended function as a recreational play space, its larger contextual setting, which in this case is bordered by roads on three sides and residential on the fourth, and whether it adjoins or is close to other usable green space. The applicant was requested to demonstrate that the necessary play space can be adequately and safely provided for within the proposed 1,289m² reserve area.
75. A further developed concept design of the reserve area and the proposed materials palette was received on 25 March 2025 (Sheet L101 and L102 Revision A). The response notes that the park is intended to function as a pocket park and not a typically sized neighbourhood park and that the Flemington reserve at 1,377m² is a comparable example. It was also noted that there is 5.7ha of useable stormwater management reserve to the north-east. The applicant also expressed disagreement that the park is a requirement as it is not in the ODP, or any recent Council strategy, and was not required at the plan change stage. The applicant volunteered a condition that the development of the reserve be in general accordance with the concept plan.



Figure 7: Concept Recreation Reserve Plan (Sheet L101 Rev A)

76. Mr Hayes advised on 1 April 2025 that the further clarification and information provided resolves the questions regarding the sizing of the reserve. Rather than a condition that the development of the reserve be in general accordance with the concept plan, Mr Hayes recommends Council's standard conditions for Landscaping Acceptance for reserves and a condition that a playground must be installed in Lot 501 and the design submitted to Council for acceptance.

Fencing

77. The proposed reserve fencing adjoining the Local Purpose (Landscape) Reserve Lots 508, 509 and 500 will be at least 50% permeable but is proposed at a maximum height of 1.9m rather than 1.8m. This infringement is very minimal and is required to achieve a consistent fencing height adjacent to the reserve which also takes into account those lots with retaining walls.
78. The fencing being at least 50% permeable will still allow for passive surveillance between the residential unit and the adjoining reserve and as the fencing is at the rear of these lots there will be no impacts on the streetscape. The fencing will not reduce the outlook space from habitable rooms.
79. This matter was discussed with both Ms Gabi Wolfer and Mr Joe Clarke from an urban design and landscape perspective respectively, and both are supportive of the proposed fencing at 1.9m high.
80. Overall, the adverse residential character and amenity effects are considered to be less than minor.

Energy and Infrastructure Effects

81. Transpower's Bromley to Islington 220 kV transmission line (BRY-ISL A line) traverses the eastern part of the site. There are no support structures located within the subject site. The transmission line is identified as part of the National Grid.⁵ There are rules that apply to the national grid and subdivision in the national grid subdivision corridor⁶

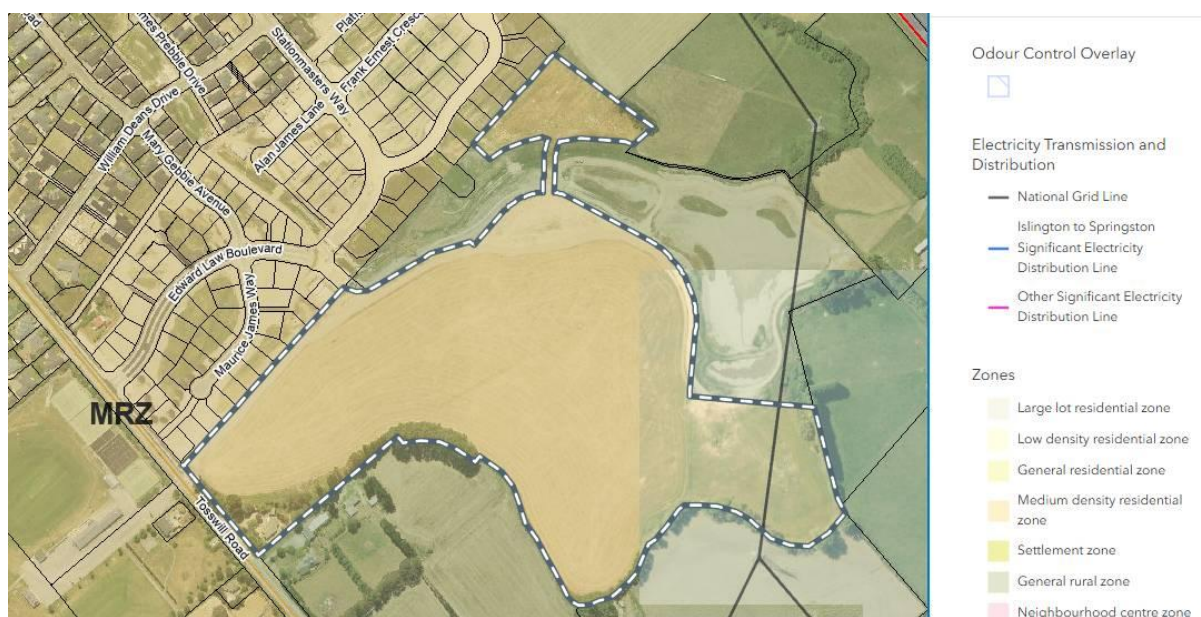


Figure 8: Zone map with the National Grid Line shown in black (Source: Partially Operative District Plan Maps)

82. Part of the upgraded southern first flush basin within the stormwater management area and a new road (Road 08) is located underneath the National Grid Line (Refer to the Stage 3 plan).
83. Subdivision within the National Grid subdivision corridor is automatically a restricted discretionary activity under SUB-R16 where every site created is capable of accommodating a likely building square for buildings for sensitive activities, outside the National Grid Yard (not applicable to roads). Every site created is capable of a building square outside the National Grid Yard. The exercise of discretion is restricted to EI-MAT4.

⁵ Defined as *means the assets used or owned by Transpower New Zealand Limited*

⁶ Defined as *The area measuredb. 12m either side of the centreline of an above ground 220kV or 350 kV National Grid transmission line...*

84. In addition, EI-R3 applies. The Bromley Islington line is a collection of six 220kv lines. Given the lines are off-set either side of tower, the 12m setback needs to be measured from the centre of each of those lines outward. This means that a portion of the National Grid Yard would overlap with Lots 93, 108-109, and 101-105. With the overlap, there would be land that could be used for a residential activity within the national grid yard.
85. The mechanism proposed to ensure that sensitive activities are established at a distance that does not adversely affect the existing transmission lines is the approximate 24m wide stormwater reserve shown on the Stage 3 survey plan. The road and reserve will enable continued access to the line for maintenance, inspection, and upgrading.
86. The applicant has obtained the written approval of Transpower and has volunteered conditions of consent recommended by Transpower, which include:
- A consent notice on Lots 93-95, 100-105, and 108-109 requiring that all land use activities comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).
 - No buildings or structures for sensitive activities within 12m of the centreline of the National Grid Line.
 - Access is maintained to the National Grid Line
 - Machinery and mobile plant maintains a minimum clearance distance of 4m from the National Grid Line.
 - Any proposed new trees or vegetation within 12m either side of the centreline of the National Grid Line (i.e. within the National Grid Yard) must not exceed 2m in height at full maturity and must comply with the Electricity (Hazards from Trees) Regulations 2003.
 - Any proposed new trees or vegetation outside of 12 metres either side of the centreline of the National Grid Line (i.e. outside the National Grid Yard) must be setback sufficiently to ensure the tree cannot fall within 4 metres of the National Grid transmission lines and must comply with the Electricity (Hazards from Trees) Regulations 2003
 - Submit a Construction Management Plan (CMP) to Council with Transpower certification prior to submitting the plan to Council.
 - Undertake activities in accordance with the CMP.
87. Consent conditions are proposed with amendment (accepted by the applicant), including:
- In addition to a consent notice requiring that all land use activities comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001), it is recommended that the consent notice also requires no buildings or structures for sensitive activities within 12m of the centreline of the transmission lines, and that trees or vegetation within 12m must not exceed 2m in height and comply with NZECP 34:2001, and that any trees or vegetation outside 12m are setback enough so they cannot fall within 4m of the lines (as per NZECP 34:2001) so prospective purchasers of these lots adjoining the transmission line are aware of these requirements.
 - The conditions relating to maintaining access and the minimum clearance distance of machinery and mobile plant have not been included as these requirements are already addressed in the Construction Management Plan (CMP) condition so would be a duplication.
 - With respect to the CMP, the Transpower certification component of that condition has not been incorporated as this is outside the local authority's functions and instead an advice note is recommended to this effect to remind the applicant of this requirement of Transpower.

88. Overall, the potential effects on the National Grid are considered at least minor but have been mitigated by volunteered conditions of consent and the effects on Transpower have been disregarded given their written approval has been obtained.

Servicing Effects

89. An Infrastructure Design Report dated 31 May 2024 prepared by Eliot Sinclair was provided with the application. This report has been reviewed by Council Development Engineers Mr Luke Cody, and subsequently Ms Helen Pullar, and by Ms Chrissie Reid, (Former) Development Engineering Manager. Mr Casey Clayborn - Principal Asset Management Engineer, Mr Hugh Blake-Manson - Water Services Consultant, and Mr Murray England - Head of Asset Management - Infrastructure and Property have also been involved in the water and wastewater capacity assessment for Council.
90. An Engineering Acceptance (EA) application has been lodged ahead of resource consent being issued but has not been factored into the Development Engineering Report given it has been received by Council more recently and the issuing of consent was potentially imminent when received. However, there have been more recent discussions about water and wastewater matters since the EA application was lodged.

Water

91. The application proposes to connect to the existing 150 mm diameter PVC watermain along the Tosswill Road site frontage and the 150 mm diameter PVC watermain installed in Edward Law Boulevard up to the boundary. The application states that based on preliminary modelling results, the development can be serviced by a 150mm diameter watermain from these two points. The remaining reticulated potable water network through the site will likely consist of DN150 and DN100 mm mains and subsequent submains, confirmed by detailed design. Fire-fighting water supply will be provided to the site by the placement of fire hydrants along new water mains placed at no more than 135m intervals in accordance with SNZ PAS 4509:2008.
92. Council considers that a 150mm watermain on Tosswill Road is insufficient to service the development and requires that the consent holder upgrades to a 300mm diameter watermain as identified in the 'Prebbleton Master Plan - Infrastructure to supply 2055 growth' (dated 8 May 2025). Council requires that this watermain connects to the 250 PE100 watermain that exits the existing water treatment plant located on Tosswill Road and terminates adjacent to the southern boundary of the development site.



Figure 9: Prebbleton Master Plan - 300mm pipe upgrade shown in red along Tosswill Road frontage

93. Mr Casey Clayborn has noted in correspondence that the existing 150mm main in Tosswill Road is fully allocated, and the DN300 water main upgrade is required to provide water service to this development while also maintaining service to all the existing customers down Tosswill Road and Trices Road. The peak day pressures provided to the applicant were for the purposes of sizing the internal reticulation within the site, but these pressure values are not appropriate for evaluating the adequacy of the existing 150mm main. The applicant has accepted the need for a 300mm diameter watermain upgrade and a condition of consent to this effect.
94. Because the upgrade to a 300mm water main is required to provide adequate water service to this development, the applicant has been advised that Council is not able to support a cost-share via a developers agreement for the water main. The LTP allocated funds for the 300mm water main in Tosswill Road is 2027-28 to fund the entire loop main down Tosswill Road to Trices Road and a portion of Trices Road. However, a Developers Agreement condition has been included that refers to a possible Developers Agreement which provides flexibility if there is any future change in the current Council position.
95. No other issues were raised regarding proposed water supply and a range of water conditions are recommended.

Stormwater

96. An existing stormwater management area (SMA) is located between the main part of the site and the arrowhead portion of the site and to the east of the site (Lots 132-134 DP 556577). The SMA was constructed by Suburban Estates Limited as part of the Suburban Estates 'Prevelles' residential development and is now vested in SDC as Local Purpose (Stormwater Utility) Reserve. The SMA discharges treated stormwater to Prebbles Drain and comprises of two first flush basins, a detention basin, two wetland swales and a wetland (within the bed of the northern first flush basin).

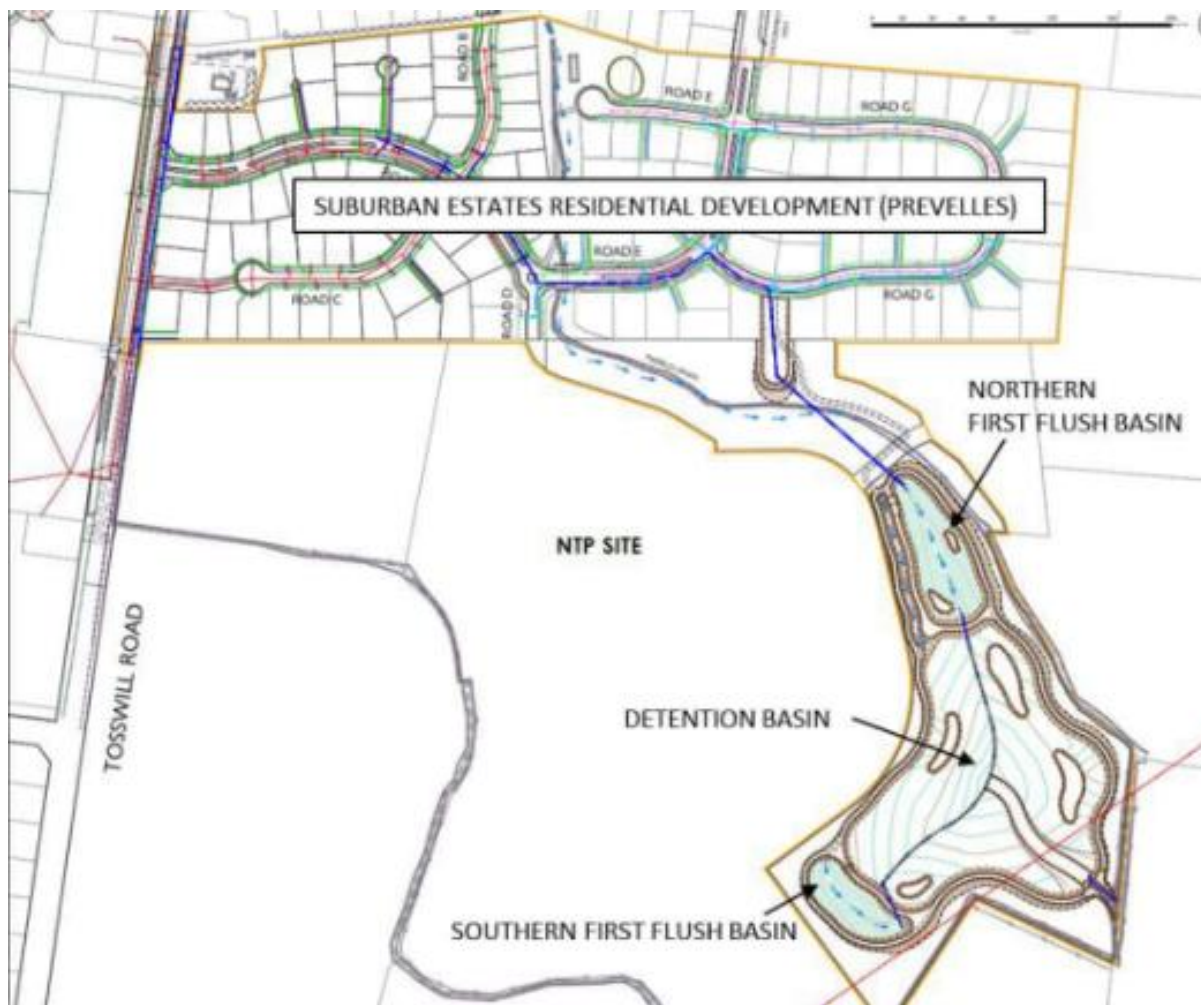


Figure 10: Existing SMA (Source: AEE)

97. The applicant proposes that stormwater runoff from residential lots, reserves, and roading is conveyed by kerb and channel, sumps and pipe reticulation or swales and discharged to the SMA. The northernmost allotments are proposed to discharge to the first flush basin located to the north of the detention basin, and the central and southern lots to the southern first flush basin. Each future allotment is proposed to be provided with a connection of sufficient capacity to convey the runoff. Stormwater runoff flow rates beyond the pipe or sump capacities are proposed to discharge into the internal road network and be conveyed within the road reserve. Secondary flows are proposed to discharge from the road into either of the first flush basins or directly into the detention basin.
98. It is understood the capacity of the SMA design was based on the 'Prevelles' subdivision, with the addition of the application site being developed for rural-residential (not MRZ). Given the proposed development is at a higher density consistent with MRZ, the application notes this will result in a higher stormwater runoff flow/volume being discharged to the SMA than accounted for by the original design parameters. Furthermore, Section 8 of the SDC Engineering Code of Practice (ECoP) now requires stormwater infrastructure to be designed to ensure post development peak rainfall discharges do not exceed pre-development flows for the 1% AEP critical duration rainfall event.
99. To provide additional capacity within the SMA it is proposed to extend the southern first flush basin under the existing transmission corridor which is shown as Lot 506 in Stage 3 to be vested with SDC as Local Purpose (Stormwater) Reserve.
100. CRC201631 is the existing regional operational stormwater discharge consent which is held by Suburban Estates Limited. The Infrastructure Design Report states that CRC201631 will be varied pursuant to s127 in due course.

101. Council's RFI of 8 January 2025 noted that the consent for the existing SMA is not held by SDC and the applicant was requested to provide confirmation in writing that the consent holder has granted permission to discharge and make changes to the SMA, change the existing CRC consent conditions, and/or do a partial transfer of the CRC consent. It was also noted that SDC will need to approve works associated with the SMA and any potential changes to the CRC conditions because they will eventually transfer to SDC.
102. In response the applicant advised that the current consent holder is pending receipt of SDC's final handover letter, at which point SDC would become the consent holder. *"Our preference is for this to occur prior to the amendment of any conditions, particularly given SDC need to review any condition changes anyway. However, we have agreement in principle from Suburban Estates Ltd as the current consent holder to provide the necessary permissions for consent amendment. Therefore, we offer the below condition which would address both scenarios."*
- "The applicant must obtain permission from the consent holder of CRC201631 for any changes to the consent. If SDC are the consent holder, the applicant is to engage SDC directly regarding the changes. Otherwise, the applicant must obtain written permission from Suburban Estates Ltd as the current consent holder to amend the existing CRC consent conditions or alter the stormwater management area."*
- Note: SDC will need to approve works associated with the stormwater management area and any potential changes to the CRC conditions because they will eventually transfer to SDC."*
103. Through correspondence the following revised condition was agreed to and volunteered by the applicant with an advice note referring to the existing regional consent:
- The existing Stormwater Management Area requires extension to service the proposed development. The applicant must ensure the development site and receiving basins (upsizing) are designed in accordance with the current SDC ECoP standards. Details of the extension must be confirmed at Engineering Acceptance. Works cannot commence until approval in writing from the Development Engineering Manager or their nominee has been granted. Any works associated with the extension will be undertaken at the consent holder's expense.*
- Advice Notes: The consent holder is not expected to retrofit the existing Stormwater Management Area for discharges from the Suburban Estates subdivision. The Canterbury Regional Council operational stormwater consent (CRC201631) in relation to the existing Stormwater Management Area is in the process of being transferred from Suburban Estates Limited to Selwyn District Council. Any amendment to CRC201631 or any new consent that is required will be the responsibility of the consent holder, including all consenting costs. Permission from the consent holder will be required for any changes to the consent. SDC will need to approve works associated with the stormwater management area as part of the Engineering Approval process, and any potential changes to CRC201631 given the consent will eventually transfer to SDC.*
104. At the time of finalising this report the applicant advised that the consent conditions will be amended once stormwater design is agreed through Engineering Acceptance.
105. No other significant issues were raised regarding proposed stormwater disposal and a range of stormwater conditions are recommended.

McGills Drain

106. The applicant proposes to pipe that part of McGills Drain that runs along the Tosswill Rad frontage so as to gain direct access to Lots 1-4 and 232 of the subdivision that front Tosswill Road. McGills Drain is not defined as a 'water body' and is defined as a 'drain' or 'artificial watercourse'. EI-R26 manages the establishment of a new or the expansion, maintenance or repair of an existing artificial watercourse but there are no rules relevant to the proposed piping of this watercourse (aside from earthworks which are addressed separately).
107. The piping of this drain is accepted by Council and CRC have confirmed that the piping is a permitted activity. The cultural effects of the piping of McGills Drain is discussed later in this report.

Wastewater

108. Wastewater capacity is a key issue associated with this consent.
109. There is an existing 150mm gravity main along the west side of Tosswill Road, which flows to a sewer pump station located within the Prebbleton Domain. The applicant identified that the existing 150mm main is unsuitable for connection as it is an overflow outlet from the pump station. The applicant was advised at the pre-application stage that the pump station is at capacity and will require upgrade to support additional demand (and wastewater capacity issues were raised at the rezoning Hearing).
110. The applicant outlined three wastewater options in the Infrastructure Report:
1. Low-pressure sewer (LPS) - Wastewater flow from each lot discharged via gravity into their own privately owned pump unit. Wastewater flows will then be pumped into the LPS network within the site and discharge into the existing Council network.
 2. Gravity-Fed Reticulation Network - Servicing the site via gravity reticulation and installing a new pump station. Wastewater flows discharge into a DN150 wastewater main installed within the road and discharge into a new pump station via gravity. A separate DN100 rising main would convey the wastewater flows from the pump station and into the existing wastewater network. Approximately 150m of wastewater mains will need to be installed at depths greater than 2.5m and will require collector sewer mains which will need to be maintained by SDC.
 3. Combined Gravity-fed and LPS Network - Approximately 80 lots nearest to Tosswill Rd will discharge into a DN150 wastewater main installed within the road and discharge directly to the Tosswill Rd pump station via gravity. The remaining lots proposed to discharge via gravity into their own privately owned pump unit. Wastewater flows will then be pumped into the LPS network within the Site and discharge into the new gravity network draining to Tosswill Rd.
111. Option 1 was sought by the applicant as the most practical and cost-effective.
112. Initially a set of conditions were developed involving LPS and connection to the Terminal Wastewater Pump Station at 612 Springs Rd by means of a new pump station and pressure main, or an alternative option accepted by Council's Development Engineering Manager. However, the capacity issues became more apparent during processing when combined with other consent applications in Prebbleton.
113. Mr Murray England and Mr Casey Clayborn more recently reviewed this aspect of the consent application and a bespoke wastewater solution is now recommended requiring that: the discharge rate of wastewater from the site must not exceed 3 litres per second (l/s) until such time as Selwyn Water Limited confirms in writing that sufficient capacity is available in the Prebbleton Wastewater Network to accommodate additional flow; and on-site wastewater storage capacity sufficient to buffer 12 hours of wet weather flow at the maximum discharge rate of 3 l/s is provided to manage peak flow conditions and prevent overloading the network is proposed.
114. The applicant is accepting of these bespoke recommended consent conditions and all the other recommended wastewater conditions and proposes a pump station and on-site storage within Lot 706 as part of Stage 2, with a temporary easement as required to provide access to Lot 706. The applicant has also confirmed that all lots are now proposed to be restricted to one residential unit.

Telecommunications and Electricity

115. Enable has provided confirmation that they have sufficient capacity in the telecommunications network to service all proposed residential lots.
116. Orion has confirmed that power connections can be made to all proposed residential lots for the development subject to an alteration to their network; i.e upgrade existing or lay new cables. Cables will be underground and transformer kiosks are proposed within six proposed utility allotments (700-705). The utility lots are 5m² in area and front internal roads and are proposed to vest in Council as Utility Sites (Electrical).

117. Recommended conditions of consent require the consent holder to provide electricity and telecommunications to the net area of each lot of the subdivision with direct frontage to a road and to rear lots by way of underground reticulation in accordance with the standards of the relevant network utility operator. The applicant accepts these conditions.

Street Lighting

118. Street lighting is proposed within new roads in accordance with the Engineering Code of Practice Part 11 Lighting and AS/NZS 1158 Lighting for Roads and Public Spaces and the specified category unless alternative street lighting options are discussed with and approved by Council as part of the Engineering Acceptance process. A condition of consent to this effect is recommended requiring that street lighting design be submitted to the Development Engineering Manager for review.
119. LIGHT-R2 and LIGHT-REQ4 Sky Glow - Roads and Public Pedestrian Accessways requires lighting to utilise flat glass luminaires, be directed downward and shielded, have a maximum uplight value of U0, and have the ability to connect to control systems to enable lighting to be turned off or dimmed. It is recommended that reference to this rule/rule requirement is added to the street lighting design condition as compliance has not been confirmed in the application.

Culvert

120. A culvert will be required for the road crossing over Prebbles Drain in Stage 2 of the development in the northern portion of the site. The applicant states that the crossing will be similar to that provided over the Prebbles Drain for Stationmasters Way in the adjacent Prevelles subdivision. The detail of the crossing will be determined through Engineering Acceptance and regional approval (through an application under ECan's Flood and Drainage Bylaw) will be sought once the design details for the road crossing are confirmed through the Council Engineering Acceptance process.
121. Overall, the adverse servicing effects are considered to be less than minor.

Access, Reserve and Infrastructure Site Effects

122. Access, reserve, and infrastructure lots are proposed, including:
- Local purpose (Landscape) Reserve Lots 500, 502-505, 508-511
 - Local purpose (Stormwater) Reserve Lot 506
 - Recreation Reserve Lots 501 & 507
 - Road to Vest in SDC Lots 300-311
 - Local Purpose (Road) Reserve to vest in SDC Lot 600;
 - Utility lots (Electrical) Lots 700-705; and
 - Local purpose (Utility) Reserve to vest in SDC (Pump Station) Lot 706
123. The design and layout of these lots is considered appropriate for their function and these lots will either vest in Council to connect to roads or reserves to be vested in Council. The lots are also considered to be appropriately staged.
124. The electrical utility sites are 5m² each which is considered an appropriate size to accommodate an electrical kiosk and readily accessible, and are spread across the stages of the proposed subdivision.
125. The recreation reserve (Lot 501) is also considered acceptable as previously discussed.
126. The effects of the access, reserve and infrastructure sites is considered less than minor.

Natural Hazard Effects

Flooding

127. The site is within the Plains Flood Management Area Overlay. Flood Hazard mapping indicates a large portion of the site is not subject to flooding following a 200-year ARI flood event. However, some areas of flooding within 0.5m to 1.0m were recorded alongside and adjacent to McGills Drain to the south and the stormwater basin to the north, however the site is not a high hazard area.
128. A Flood Assessment Certificate (FAC) is required for the site in respect to the finished floor levels of residential dwellings. Conditions of consent are recommended that a global FAC is obtained. On 26 August 2025 the applicant advised that FAC application has been lodged as part of the Engineering Acceptance package and is currently being processed and agreed to conditions of consent requiring a FAC in the event that it is not issued ahead of this consent. The applicant advised on 28 October 2025 that the FAC is still pending.

Geotechnical

129. A Natural Hazards Risk Assessment Report prepared by Eliot Sinclair dated 20 May 2024 was submitted with the application. Eliot Sinclair previously carried out geotechnical investigation and assessment in 2021 to report on the geotechnical suitability for the rezoning from rural to residential land and additional investigations were undertaken in 2024.
130. The application states that any development of buildings on the site should be supported by a site-specific geotechnical investigation and any specific geotechnical requirements for the proposed dwelling foundations, and for excavation and filling earthworks and retaining walls.
131. Mr Ian McCahon of Geotech Consulting carried out a peer review of the Natural Hazards Risk Assessment Report dated 11 July 2024. Mr McCahon concludes that: the house sites can be regarded as equivalent Foundation Technical category TC1, with the exception of six lots designated TC2 (Lots 81-84, 101-102); specific soil testing should be carried out for all lots at Building Consent stage; and the extent of earthworks to be done is such that the Earthworks Completion Report should be peer reviewed.
132. A consent notice is recommended to be registered on the Title of each lot requiring site-specific geotechnical investigations to be undertaken to determine foundation requirements prior to building consent; and a Geotechnical Completion Report is provided to Council to certify the earthworks where a peer review will be required prior to 224(c).

Retaining Walls

133. Preliminary retaining wall locations were identified on Drawing C1-C102 Design Ground Level Contour Plan included with the Infrastructure Design Report. The lots potentially impacted by retaining walls included Lots 43, 50-55, 57-63, 79-93, 105-109 & 125, and Road 09.

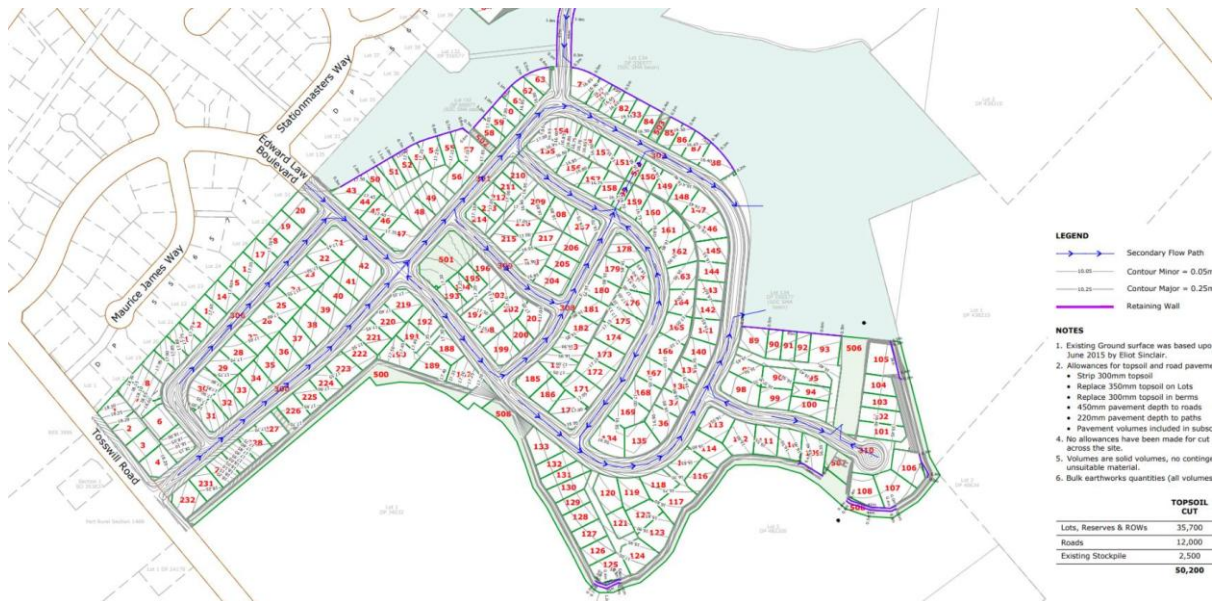


Figure 11: Drawing C1-C102 Design Ground Level Contour Plan - Retaining walls show in purple

134. However through the Engineering Acceptance process the retaining is now limited to Lots 106-108 and 125 only. The retaining on the north side of the development has all been removed as a battered slope to the adjoining SMA has been accepted through the EA process.

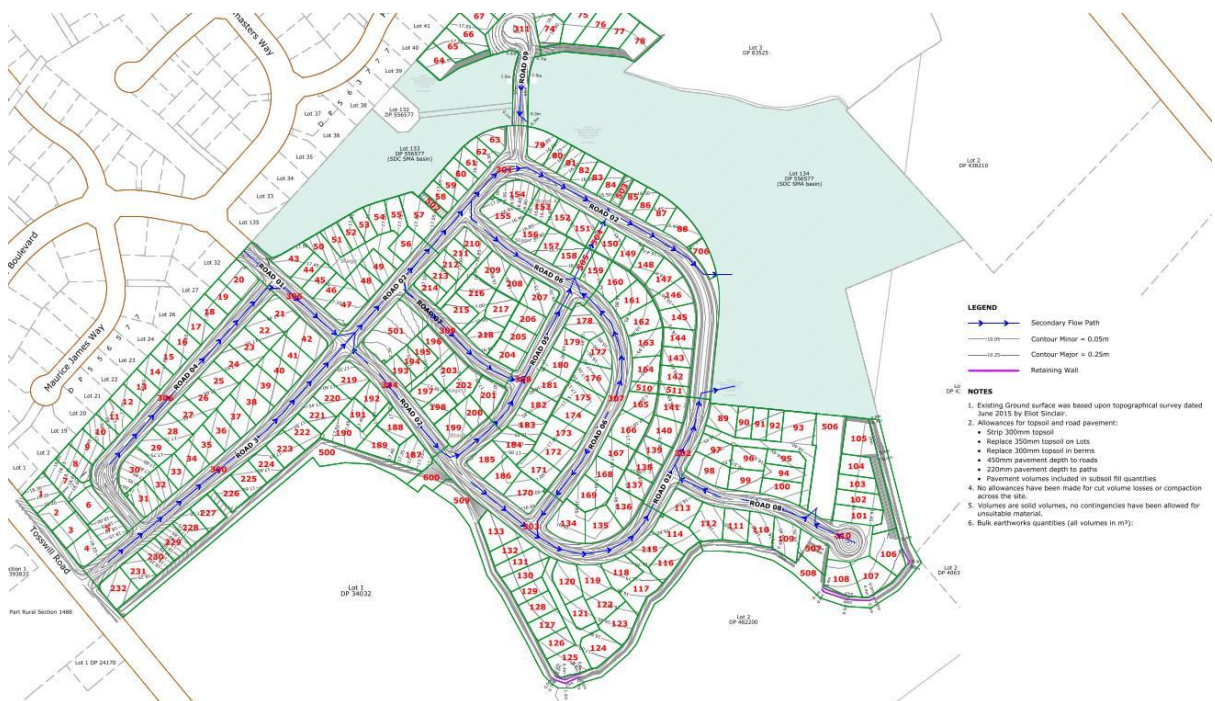


Figure 12: Drawing C1-C102 Revision B dated 17 October 2025 Design Ground Level Contour Plan - Retaining walls show in purple

135. Two retaining wall options are proposed. Option 1 includes retaining against the lot only with a grade down into McGills Drain and the second option proposes a second retaining wall on the lower side of the shared path where there is insufficient space to grade to McGills Drain (Ururepo - Stage 4 RC245417 & RC245418 - Retaining Wall Details' - Sheet C150, Rev B, 14 October 2025).
136. Rule NH-R5 permits new retaining walls if they are no more than 6m² in area, are no more than 1.8m in height, and not for the purpose of hazard mitigation works. The proposed retaining walls comply with the

height requirement with the highest wall not exceeding 1.2m, and are not for hazard mitigation works, however the retaining walls will exceed the maximum area of 6m².

137. NH-MAT1 and NH-MAT4 apply. The retaining is necessary to support these sites which are on the perimeter of the site and adjoin the outer Local Purpose (Landscape) Reserve strip within the site (i.e. Lots 106-108 and 125). The retaining is necessary given the land levels and to enable these residential lots to be supported for future land use development without exacerbating the natural hazard risk. The works in association with the retaining walls will be temporary in nature.
138. Recommended conditions of consent are proposed including the requirement for building consent or written confirmation that all building consent exemption process requirements have been met with respect to the retaining walls, and a construction methodology for the retaining walls be submitted with the Engineering Acceptance application. The consent holder will also be required to fully remediate any damage to the stormwater reserve. An advice note is also recommended that the consent holder is expected to address the potential need for barriers in association with retaining walls in the Engineering Approval process, and the design of any barrier system is included in the peer review assessment of the retaining walls.
139. Overall, the adverse natural hazard effects are considered to be less than minor.

Transport Effects

140. Roading is addressed in the Infrastructure Design Report prepared by Eliot Sinclair dated 31 May 2024. The Integrated Transport Assessment (ITA) prepared by Stantec dated May 2024 provides a wider and more detailed transport assessment. A memo prepared by Stantec dated 11 July 2025 with further traffic analysis was also submitted.
141. Ms Helen Pullar, Council Development Engineer reviewed most transport related aspects of the proposal. Abley Limited were engaged to assist with that review and to peer review the ITA on behalf of Council. RFI's dated 11 December 2024 and 5 February 2025 were received from Abley (which informed Council RFI's), as well as peer review memorandums dated 30 April 2025 and 24 July 2025.
142. With respect to transport, DEV-PR5 requires:
- access from Tosswill Road and a road connection to the adjoining residential development via Edward Law Boulevard
 - a loop road throughout the area with internal roading to be designed at subdivision stage
 - roading that shows good connections or alignment to the SMA and other reserve areas
 - minor access to the north-western corner of the area over the Prebbles Drain
 - active modes of transport supported through the main road connection through the area, with pedestrian footpaths and on-road cycling
 - off-road pedestrian and cycle networks through the open space network with connections to internal roading, and the adjoining residential subdivision.
143. All of the above features are reflected in the proposed development.
144. As outlined in the background section to this report, DEV-PR5 also requires: *"At the time of development an assessment of the transportation network capacity to accommodate potential development traffic safely and efficiently needs to be carried out if planned intersection upgrade (signalisation) works at Tosswill Road/Springs Road intersection have not yet been completed. (As is currently budgeted in the Selwyn Long Term Plan for 2026/2027)."*

Creation of a new land transport corridor

145. A hierarchy of local roads are proposed within the subdivision and street profiles and cross-sections have been provided



Figure 13: Proposed roading hierarchy (Source: Figure 9-2, ITA)

146. All land transport corridors are required to comply with the legal widths listed in TRAN-TABLE7 - Road Formation Standards. Local-Major (MRZ) Roads require a carriageway width of 8.5m-9m and 8.4m is proposed, and Local (MRZ) Roads require a carriageway width of 7-8m and 6m is proposed. Furthermore, Road 09 to the 'arrowhead' part of the site is only 12m wide with a carriageway width of 6m, whereas 15-17m and 7-8m respectively is required.
147. Stantec consider that the Local-Major (MRZ) Road at 8.4m wide rather than 8.5m wide will make no difference to the functionality of the road and 8.4m is sufficient for two-way traffic movement past a parked vehicle or likely one-way vehicle movement (with one driver yielding) between two parked vehicles. None of these roads will be expected to carry more than 150vph at peak times, which equates to only two or three vehicle movements per minute on average and the width will accommodate this level of traffic safely and efficiently.
148. Ms Helen Pullar commented that undersized carriageway widths can be mitigated by parking laybys if they are not compromised by vehicle crossings or requirements for street trees and requested concept designs (in addition to the high-level street profiles provided with the application), identifying lots where it is possible for vehicle crossings to be located within a parking bay. Ms Pullar recommended that consent notices are applied to the identified lots (98-100, 109-113, 178-185, 199-207, 215, and 218) to ensure that vehicle crossings are not constructed across parking laybys without Council acceptance, and so that owner expectation is clear. A consent notice to this effect is recommended.

Siting of vehicle crossings

149. A minimum distance of 20m is required between proposed vehicle crossings and any intersection. Where the boundaries of a site do not enable any vehicle crossing to conform, a single vehicle crossing for the site may be constructed in the position which most nearly complies.

150. Table 13-1 in the applicants ITA provides a compliance assessment, however this was updated in the RFI response of 25 March 2025 following the finalisation of the proposed vehicle crossing locations. Lots 4, 5, 20, 30-31, 42, 62-63, 79, 154, 178, 185, 204, 207, and 232 are identified as not complying with the 20m setback. The justification for these locations is to achieve better urban design outcomes such as southern garaging away from northern outdoor living areas, and in the case of Lot 178 due to the sight lines. The ITA states that roads will carry low traffic volumes and vehicle speeds will be slow and particularly in proximity to intersections. In these instances, it is considered acceptable to have vehicle crossings on the second frontage road in the location furthest from the intersection (typically at least 15m based on lot sizes).
151. Table 13-2 in the applicants ITA provides an assessment of the ability to comply with TRAN-TABLE5 which requires a 45m minimum sight distance, however this was also updated in the RFI response of 25 March 2025. Lots that do not meet the 45m minimum include Lots 30, 134-136, and 154 and a 30m sightline can be achieved for each of these lots. The ITA notes that 30m meets the RTS6 'Guidelines for visibility at driveways' recommended minimum sightline for a low volumes of traffic on a local road with a 40km/h operating speed.
152. Abley considers that the limited sightline is acceptable if traffic-calming is provided throughout the subdivision to achieve a 30km/hr operating speed and recommends a condition of consent to this effect. The applicant questioned the practicality of this forming a condition as it is uncertain how this will be measured. It is agreed with the applicant that operating speed is not an exact calculation and having such a specific condition applied across the whole subdivision will cause confusion when demonstrating compliance. Furthermore, these local roads will naturally achieve a low operating speed based on their design with and curve radii. Ms Pullar agrees, and an advice note which recommends traffic-calming is recommended rather than a condition of consent.
153. It is recommended that consent notices are imposed on Lots 30, 134-136, and 154 requiring that the vehicle crossings are sited to achieve a 30m minimum sightline to the intersection.
154. Overall, it is concluded that sufficient visibility to and from the vehicle crossings will be possible and there will be less than minor adverse effects on the safety of the roads and the vehicle crossings.

Accessways

155. Accessways serving more than four sites are required to be via a road. The following accessways (not roads) are proposed to serve more than four lots:
- RoW D (Stage 4) will service 11 sites (120-130)
 - RoW F (Stage 3) will service 10 sites (89-97 and 100)
 - RoW G (Stage 3) will serve 5 sites (101-105)
 - RoW J (Stage 2) will serve 5 sites (210-214)
 - RoW K (Stage 1) will serve 5 sites (50-55)
 - RoW Q (Stage 2) will serve 5 sites (74-78)
156. Table 13-3 of the ITA identifies Right of Ways D, F and K as serving more than four sites, and Right of Ways G, J, and Q were identified in the RFI response as also serving more than four sites. All of the Right of Ways that serve more than four lots are proposed to have a legal width of 6.5m. A carriageway width of 5.5m is proposed which is suitable for two-way vehicle movement. Shared pedestrian use will be appropriate given the low traffic volumes that will be present and adequate carriageway width for vehicles to pass pedestrians.
157. Turning will be possible at the junction near the end of Right of Way D. Right of Ways F and J have dual access from two separate roads which allows drivers to enter and exit at whichever end is more convenient without the need for turning within the Right of Way. Within Right of Ways G, K, and Q vehicles will be able to turnaround at individual lot access points.

158. The applicant has restricted all lots accessed by Right of Ways D, F, G, K and Q to one residential unit only, which will ensure the number of residential units being served does not increase. Right of Way J serves Lots 210-214 which are not restricted to one residential unit, but there is only one additional lot beyond that permitted and the accessway has dual entry/exit points.
159. Ms Helen Pullar considers that the limitation to one residential unit per site with respect to the Right of Ways identified sufficiently controls the ultimate level of residential development and mitigates concerns regarding the efficiency and safety of the accessways which serve more than four lots, and has commented that the intent for Right of Way J is acceptable.
160. The applicant was also asked to provide vehicle tracking from Stantec for the two major cul-de-sacs (Lots 310-311) and the Right of Ways serving more than 4 lots. Abley reviewed this information and commented that the Right of Way widths and vehicle tracking is acceptable but that Lot 78 and 105 require a consent notice stating that on-site manoeuvring must be provided to allow a vehicle to enter and exit the site in a forward direction. A consent notice condition is recommended.
161. Overall, the accessways can safely and conveniently provide access to the number of lots proposed resulting in less than minor effects.

High Trip Generating Activity

162. The establishment of new residential activity in MRZ triggers the need for a full ITA where more than 150 residential units are proposed with assessment against TRAN-MAT9. As mentioned above, an ITA has been prepared by Stantec and peer reviewed by Abley.
163. DEV-PR5 also states: *"At the time of development an assessment of the transportation network capacity to accommodate potential development traffic safely and efficiently needs to be carried out if planned intersection upgrade (signalisation) works at Tosswill Road/Springs Road intersection have not yet been completed. (As is currently budgeted in the Selwyn Long Term Plan for 2026/2027)."* The planned upgrade of Tosswill/Springs Road has not been completed and is now scheduled for 2027/2028 in the Long Term Plan and may be accompanied by Springs Road local upgrades (i.e. lower speeds within the Prebbleton Town Centre). However, the timing for implementation is currently uncertain. Therefore, the ability for the road network to accommodate this proposed development ahead of this upgrade, and whether it needs to be staged, has been a specific consideration.
164. The proposed subdivision will generate additional traffic movements onto the existing road network, with primary access likely to occur via Stationmasters Way and Tosswill Road. These roads connect to Springs Road, which is already recognised as a constrained arterial road corridor experiencing regular congestion, particularly during peak period. The key matters relating to potential effects on the wider transport network are identified by Abley as the Springs Road/Stationmasters Way intersection and the Springs Road/Tosswill Road intersection. Both intersections are known to experience delays and queuing, and limited upgrade options exist to address this congestion.
165. The traffic modelling presented in the applicant's ITA estimates that the subdivision will generate an additional 84 vehicles per hour at the Springs Road/Stationmasters Way intersection and 34 vehicles per hour at the Springs Road/Tosswill Road intersection during the PM peak period. Abley consider that Stantec's estimate of the increase in traffic on the transport network is reasonable and that these are notable increases in traffic given the current performance of these intersections.
166. In the 30 April 2025 memo, Abley reviewed the intersection transportation models developed by Stantec for the purposes of assessing the impact of the development and have refined and calibrated these models to better reflect the current performance of the local transport network. The addition of development traffic based on the 2024 calibrated models developed is anticipated to increase the delays at key intersections as follows:
- Springs Road/Stationmasters Way northbound Springs Road traffic - additional 49 second delay in the morning peak hour.

- Springs Road/Stationmasters Way southbound Springs Road traffic - additional two minute delay in the afternoon peak hour.
- Springs Road/Tosswill Road right turners - additional 6 second delay in the morning peak hour.
- Springs Road/Tosswill Road right turners - additional 71 second delay in the afternoon peak hour with total delays exceeding five minutes. On this basis it is likely that motorists will avoid turning right at this intersection and find other ways through the network. This would also impact on left turners out of Tosswill Road.

167. Abley concluded that it is anticipated that these increases in delay and travel time are substantial enough to be noticeable and impactful on road users during peak hour travel. Based on these figures, the additional traffic generated by the application was considered to have an adverse impact on the operational performance of both intersections and on road users on the Springs Road and Tosswill Road corridors who will encounter higher levels of delay. The applicant was advised that the level of adverse transport effects is significant and that the application would be recommended for public notification. The applicant was asked how they would like to proceed and the applicant chose to pursue staging discussions with Council (staging restriction on development until the intersection is upgraded; ie. Stage 1 and 2 only) and sought certainty that the intersection would be upgraded before Stage 3.

168. Further information was provided by the applicant (11 July memo from Stantec) and meetings held. Further modelling was undertaken informed by a current intersection survey to measure the critical right turn delay from Tosswill Road onto Springs Road, informed by recent network roading improvements and an estimated 7% reduction in traffic volumes between Springs Road and Blakes Road. The modelling was recalibrated accordingly. Abley reviewed this information and issued a further memo on 24 July 2025 which concludes that:

- Springs/Tosswill Road - The current right turn movement is at or near capacity, but the proposal has minimal impact on the intersection (increase of approximate one second delay), and is unlikely to exacerbate the delays or queuing observed.
- Springs Road/Stationmasters Way - The southbound approach to the Springs Road/Stationmasters Way roundabout is currently operating in evening peak hour with an average 36 second delay which is anticipated to worsen to 77 seconds. This means the roundabout reaches capacity as a result of the development traffic noting that the LoS F threshold for a roundabout (which is when an intersection is considered to be operating at or over capacity) is when delays reach 70 seconds.

169. Stantec conclude that *"a 40s average delay increase for people driving to or through Prebbleton in the evening peak, in the context of a likely 20-30 minute plus journey from Christchurch, could be considered inconsequential"*. Abley agree with this statement but note that as the traffic associated with the development takes up the residual capacity of the roundabout, any additional traffic due to background growth or other development will further worsen the performance of the roundabout until such time as more capacity is available on the local or wider transport network. In addition, Abley note that some capacity will be provided by the proposed signalisation of the Springs/Tosswill Road intersection with more route choice for local traffic by providing a controlled right turn onto Springs Road, but that in the longer term further infrastructure responses are likely to be required to accommodate ongoing traffic growth.

170. The applicant has agreed to all of the recommended transport conditions which include a full frontage upgrade of Tosswill Road, a safe pedestrian crossing point between the new road and the Prebbleton Domain access, and a Safe Systems Audit.

171. Overall, the transport safety and efficiency effects are considered less than minor.

Earthworks Effects

172. The total volume of earth works is anticipated at 151,100m³, including approximately 44,000m³ of engineered fill and the earthworks will exceed 1,000m² in area. A large portion of this is to fill around the south perimeter of the application site where the existing landform falls to McGills Drain.

173. In addition, earthworks greater than 0.5m deep are proposed within 1.5m of a site boundary in separate ownership in relation to Lots 2-4, 43, 50-55, 57-64, 78, 80-82, 86-88, 92-93, 105 & 232. The applicant provided the Stage 1, 2 and 3 cut/fill plans (Earthworks Cut and Fill Existing GL to Finished GL Depths' - Set C1-C3, Sheet C120, Rev C, 14 October 2025)) to illustrate the affected lots.
174. There is potential for adverse dust, sedimentation, land instability and nuisance effects to be generated associated with the proposed earthworks.
175. It is of note that since the lodging of the consent the applicant has obtained regional resource consent to undertake excavation over a coastal confined gravel aquifer system and over an unconfined or semi-confined aquifer system and within 50 metres of a surface water (CRC253220). This land use consent requires that an Erosion and Sediment Control Plan (ESCP) is prepared, including the staging methodology for the earthworks, sediment control measures, dust mitigation etc. Like CRC253220, an ESCP is required in association with this consent to mitigate adverse sedimentation, dust and erosion effects.
176. Conditions of consent are also recommended to manage vehicle movements associated with the earthworks, including a Traffic Management Plan, and to manage drainage to avoid ponding or drainage nuisance to neighbouring properties. Following the completion of the filling and associated work an engineering report including a finished section level as built, with retained wall height and slope batter details, must be submitted to Council.
177. With respect to land stability it is of note that most of the lots where excavation exceeds 0.5m deep adjacent to a site boundary in separate ownership are located adjacent to the Council owned stormwater management area (Lots 43, 50-55, 57-64, 78, 80-82, 86-88, 92-93, 105), where it has been agreed through the Engineering Acceptance process to form battered slopes down to the SMA and not retain these boundaries. A recommended condition of consent requires that no permanent unsupported cut or batter may be formed any steeper than 26° in soil, unless approved by a chartered professional engineer.
178. Lots 2-4 and 232 adjoin Tosswill Road and any land stability effects will be mitigated through the engineered piping of McGills Drain and it is proposed to apply a 3m building setback from this road boundary. .
179. Overall, the adverse earthworks effects are considered less than minor.

Land Contamination Effects

180. Land contamination is addressed in an earlier section of this report and consent conditions have been agreed to by the applicant including the need for a SVR to be provided to Council following the land remediation.
181. It is also of note that CRC253220 has conditions regarding remediation of contaminated soils or materials, stockpiling of materials, accidental discovery of contaminated soils, and accidental discovery of archaeological material. It has been ensured that the recommended conditions of this consent are aligned with CRC253220.

Ecological Effects

182. The applicant advised that a number of lizards were found on site during a pre-application ecological site survey. The applicant engaged Wildlands to prepare a Lizard Management Plan (LMP) which formed the basis for an application to the Department of Conservation (DoC) for a Wildlife Act Authority to relocate the lizards.
183. DoC granted the Wildlife Act Authority (118761-FAU) on 11 April 2025. This authority provides for the consent holder to catch live lizards from 93 Tosswill Road and liberate the lizards to the identified lizard enhancement area within the adjoining Council owned stormwater management area (shown in purple on Figure 14). The works are to be undertaken in accordance with the approved LMP attached at Schedule 6 to the DoC Wildlife Act Authority.
184. Council's Strategic Open Space Lead, Derek Hayes, in conjunction with Council's Biodiversity Team has confirmed that the consent holder is able to create the lizard habitat area in the area shown ahead of the main development occurring so that the LMP area is created and ready to receive lizards when the season enables the capture and transfer to the newly established habitat area.

SCHEDULE 5

MAP OF THE LAND



Figure 14: The Lizard Management Area shown in purple (Schedule 5 of the DoC Authorisation)

185. Mr Hayes recommended conditions of consent (which preceded the Wildlife Act Authority) including:
- Review of the landscape plans for the proposed lizard habitat by the ecologist/herpetologist who prepared the LMP to confirm they are in accordance with the requirements set out in the approved LMP.
 - The ecologist/herpetologist who prepared the LMP to supervise all lizard related works and provide confirmation to Council that all works have been carried out and completed in accordance with the approved LMP.
 - To provide reporting to Council of the outcome of search and rescue and relocations, e.g. Within 10 days of completion of all lizard related works, all findings from the search and rescue and relocations must be recorded by the supervising ecologist/herpetologist on an Amphibian/Reptile Distribution Scheme (ARDS) Card (or similar form that provides the same information) and sent to Council.
186. The first two conditions are no longer necessary as the landscape plans and herpetologist supervision are addressed through the requirements of the Wildlife Act Authority (118761-FAU) and LMP. The final recommended condition regarding information to be supplied to Council is accepted by the applicant and is recommended to be included as a condition of consent but has been redrafted to align with conditions 6.1 and 6.2 of the DoC Authority.

Cultural Effects

187. The application proposes to pipe McGills drain along Tosswill Road. McGills Drain borders the Tosswill Road frontage of the site and the eastern and southern boundaries of the site. Dawson Creek runs through the adjoining SMA.

Mahaanui Kurataio Limited

188. A consultation request was sent to Mahaanui Kurataio Limited on 2 July 2024. It was noted at that time that McGills drain is not a surface water body as defined under the Plan.
189. A Cultural Advice Report was received from Mahaanui dated 24 July 2024 (Reference: J6667). The report notes that Dawson Creek is a Rūnanga Sensitive Area for waipuna and mahinga kai. There are two waipuna located on site and one waipuna located directly adjacent to site.
190. Te Ngāi Tūāhuriri Rūnanga advised they were opposed to the granting of these resource consents and consider themselves to be an adversely affected party. No consent conditions were recommended by Te Ngāi Tūāhuriri Rūnanga as no conditions were deemed suitable to mitigate the effects of the proposed activity on mana whenua values. The concern is that the proposed development has not retained and enhanced natural character and features such as waterways, springs and wetted land. *"There has been a significant disregard for Ngāi Tahu views and values surrounding waterbody protection. ...All waterways, including drains, in the Te Waihora Co-Governance Area are of immense cultural importance to Ngāi Tahu.... A major concern for tāngata whenua is that urban and township planning continues to promote, and often prioritise the piping or re-alignment of waterways to give way for residential developments."*
191. Te Taumutu Rūnanga were of the position that McGills Drain must not be piped and must be entirely naturalised. *"Wetlands, waipuna and riparian areas are all considered to be wāhi taonga by Ngāi Tahu, treasured for their role in protecting and enhancing mauri, and providing habitat for mahinga kai. They are all fundamental to the cultural health of freshwater resources."* If the recommended consent conditions and advice notes are provided for, the Rūnanga will not consider themselves an affected party. The recommended conditions include: that McGills Drain must not be piped and must be entirely naturalised; a site survey for wetlands and springs is undertaken; indigenous riparian planting is required for Dawsons Creek (where appropriate) and McGills Drain; a 5m planted buffer zone along McGills Drain and Dawsons Creek; a survey of aquatic life; accidental discovery protocol; erosion and sediment control measures; contaminated land related conditions; and stormwater treatment prior to discharge; and an advice note relating to the Ngai Tahu Subdivision and Development Guidelines.
192. This position was communicated to the applicant the same day and discussions ensued between the applicant and the Tauhiriri Representative, Tania Wati and Mahaanui. Offers were made by the applicant including: A wetland specialist ecologist will complete a site survey and develop the appropriate management strategies and plans for implementation through construction etc; a survey for aquatic life will be undertaken by a suitably qualified freshwater ecologist and will develop the appropriate management strategies and plans for implementation through construction etc.; should springs be located on the development site by the wetland specialists survey, these will be protected and identified to prevent accidental access to these areas (email correspondence between Dean Christie and Tania Wati provided on 10 December 2024). The applicant requested Mahaanui provide an updated Cultural Advice Report.
193. An updated Cultural Advice Report was subsequently received on 6 December 2024. The report notes that since the consultation in July 2024 the applicant has had further engagement with ngā Rūnanga. The applicant has offered to undertake a survey of the site for the presence of springs and potential wetlands where any springs and potential wetlands will be retained, protected and enhanced. The applicant advised that there are challenges with retaining the waterway along the boundary of Tosswill Road and they do not intend to retain the waterway. The applicant considers that there could be safety issues if the internal subdivision road was located closer to Tosswill Road.
194. However Te Ngāi Tūāhuriri Rūnanga remained opposed to the piping of McGills Drain and consider that other options are viable to obtain access to lots bordering Tosswill Road, such as culvert crossings or by right of way and continued to seek a condition that McGills Drain not be piped, and other conditions of consent.
195. Te Taumutu Rūnanga advocate for the retention of McGills Drain where practical, but do not recommend piping as a condition. They continued to seek other recommended conditions of consent jointly with Te Ngāi Tūāhuriri Rūnanga.
196. Mahaanui were contacted on 10 December 2024 asking why the updated Cultural Advice Report does not reflect the October correspondence from the representative for Ngāi Tūāhuriri which appears to support the

development. A response was received on 6 January 2025 advising: "We have passed this job and your query onto the Whitiara team for response and have asked the Whitiara team to be the point of contact for this job going forward. They should be in contact in due course."

Whitiara

197. Whitiara were contacted in February 2025 requesting a response following the request by Mahaanui that Whitiara are the point of contact. A contractual agreement with Council and a formal consultation request were requested by Whitiara. A consultation request and Agreement were sent on 15 April with a copy of the 25 March 2025 s92 response from the applicant. Mahaanui forwarded the application documents directly to Whitiara.
198. On 25 July Whitiara were provided with the revised application plan and advised that CRC253220 has been granted. Advice Note 1 of that consent states that the culvert installation over Prebbles Drain and the piping of a 100m section of McGills drain adjacent to Tosswill Rd has been authorised as a permitted activity. It was also reiterated that the updated report from Mahaanui dated 6 December 2024 confirms Te Ngāi Tūāhuriri Rūnanga's concerns at that time (prior to the ECan consent) are specific to the piping of McGills Drain only.
199. It was also noted that some of proposed conditions in the Mahaanui report refer to Dawsons Creek which is outside the subject site (in Council's reserve). The applicant advised: *The area of the 'creek' for the proposed culvert to obtain access to the arrowhead is ephemeral, that is, it only has water during rain events and is otherwise usually dry. It is downstream closer to the bulk of the existing SW basin that Dawson's creek has a permanent flow of water. No work is proposed in or near Dawson's Creek where water is flowing (i.e. on the north side of the existing SW basin in SDC reserve) as far as I am aware. The additional stormwater first flush basin for the development is within the subject site and connects internally to the existing SW infrastructure. Given this, I do not consider 'Dawson' needs to be referred to in the consent conditions.*
200. We requested confirmation about whether the views of Te Ngāi Tūāhuriri Rūnanga are unchanged from the earlier cultural advice and that the cultural effects are limited to McGills Drain, and if the views have changed, an understanding of what the concerns are including any recommended conditions of consent.
201. A response from Whitiara was received on 1 August 2025 stating that the views of Te Ngāi Tūāhuriri Rūnanga are now "neutral" with respect to the piping of McGills Drain. Whitiara continue to seek the other conditions of consent recommended in the 6 December 2024 Mahaanui report.
202. With respect to McGills Drain I refer to CRC253220 which notes that the piping of McGills Drain is a permitted activity. Furthermore, in the context of the District Plan, McGills Drain is a 'drain'⁷ which includes an 'artificial watercourse'⁸ and is not considered to be a 'surface water body'⁹. As such McGills Drain is not subject to any rules and could be filled in as a permitted activity (i.e. EI-R26 only applies to the establishment of a new, or the expansion, maintenance or repair of an existing artificial watercourse). In this context, I do not consider any adverse effects would be greater than what could occur as of right.
203. Therefore, the Te Ngāi Tūāhuriri Rūnanga recommended condition of consent (*McGills Drain must not be piped and must be entirely naturalised*) and the Te Taumutu Rūnanga recommended advice note (*McGills Drain should not be piped and should be naturalised to the greatest practical extent*) are not recommended.
204. The other conditions of consent recommended by Te Taumutu Rūnanga and Te Ngāi Tūāhuriri Rūnanga (and endorsed by Whitiara) have largely been accepted by the applicant and in some instances with minor modification. Those conditions that have not been accepted or recommended include:

⁷means any artificial watercourse designed, constructed, or used for the drainage of surface or subsurface water, but excludes artificial watercourses used for the conveyance of water for electricity generation, irrigation, or water supply purposes.

⁸A watercourse that is created by human action. It includes an irrigation canal, irrigation storage ponds, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal channel. It does not include artificial swales, kerb and channelling or other watercourses designed to convey stormwater.

⁹Fresh water or geothermal water in a river, lake, stream, pond, wetland, or any part thereof, which is not located within the coastal marine area except this excludes artificial watercourses.

- *A site survey for wetlands and springs must be undertaken by a suitably qualified wetland specialist prior to any works commencing on site....* - This condition is not necessary as the applicant was required to demonstrate that there are no springs or wetlands within the subject site as part of the regional consent process. The known spring location is near Dawson's Creek outside the subject site.
- *Indigenous riparian planting is required for Dawsons Creek (where appropriate) and McGills Drain to enhance the cultural landscape, increase indigenous habitat, filter sediment, sequester carbon and enhance the ecological values of the waterway. Plants that mature to a height of at least the width of the waterways should be provided* - Indigenous planting has been referenced in the landscaping conditions, but reference to Dawsons Creek has not been included as this Creek is not within the subject site. Furthermore, plants that mature to a height of at least the width of the waterways has not been included after consulting with Council's Landscape Advisor as this is considered too specific and impractical.
- *There must be a 5 m planted buffer zone between impervious surfaces and structures and McGills Drain and Dawsons Creek* - Dawsons Creek has not been included as this Creek is not within the subject site and after consulting with Council's Landscape Advisor the reference to 5m has been removed as this is too prescriptive and impractical in the context of an 8m wide reserve space.
- *Stormwater from the proposed roads and hardstand areas must be treated for heavy metals prior to discharge* - This issue is specifically covered by stormwater design throughout the site, Council Engineering Acceptance, and ultimately regional consent relating to the quality of stormwater discharge via the existing stormwater ponds after treatment.

205. Council's Development Engineers also recommended a condition that the applicant is to provide a copy of Canterbury Regional Council's acceptance of the plans associated with the naturalisation and piping of McGill's Drain with their application for Engineering Acceptance. As it has now been established that the piping of McGills Drain is permitted by CRC, this consent condition is not required.
206. I acknowledge that the Rūnanga are best placed to identify what is likely to constitute a potential cultural effect however, overall and in the context of the above, no evidence of an adverse effect, outside of a statement of opposition, has been provided and as such I do not consider that adverse effects on Te Ngāi Tūāhuriri Rūnanga would be minor such that they are an adversely affected person. Overall, cultural effects are considered less than minor.

Positive Effects

207. Positive effects are not relevant to the consideration of notification and will be considered as part of the s104 assessment later in this report.

Conclusion

208. I consider that any adverse effects on the environment would be appropriately managed and mitigated such that they would be less than minor. Any persons, including Te Ngāi Tūāhuriri Rūnanga, would not be adversely affected as any adverse effects on persons would be less than minor.

Public Notification (Section 95A)

209. Section 95A states that a consent authority must follow the steps in the order given to determine whether to publicly notify an application for resource consent.

STEP 1: MANDATORY PUBLIC NOTIFICATION IN CERTAIN CIRCUMSTANCES (SECTIONS 95A(2) AND 95A(3))	
Has the applicant requested the application is publicly notified?	No
Is public notification required under section 95C (no response or refusal to provide information or agree to the commissioning of a report under section 92)?	No

Has the application has been made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977?	No
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STEP 2: PUBLIC NOTIFICATION PRECLUDED IN CERTAIN CIRCUMSTANCES (SECTIONS 95A(4) AND 95A(5))	
Are all activities in the application subject to one or more rules or national environmental standards that preclude public notification?	No
Is the application for one or more of the following, but no other types of activities: A controlled activity? A boundary activity only (as per the definition of "boundary activity" in s 87AAB of the Act)?	No

STEP 3: PUBLIC NOTIFICATION REQUIRED IN CERTAIN CIRCUMSTANCES (SECTIONS 95A(7) AND 95A(8))	
Is the activity subject to a rule or national environmental standard that requires public notification?	No
Will the activity have, or is it likely to have, adverse effects on the environment that are more than minor?	No

STEP 4: PUBLIC NOTIFICATION IN SPECIAL CIRCUMSTANCES (SECTION 95A(9))	
Do special circumstances exist in relation to the application that warrant public notification?	No

Conclusion

210. In conclusion, in accordance with the provisions of section 95A, the application must not be publicly notified and a determination on limited notification must be made, as follows.

Limited Notification (Section 95B)

211. Section 95B states that a consent authority must follow the steps in the order given to determine whether to give limited notification of an application for resource consent, if it is not publicly notified under section 95A.

STEP 1: CERTAIN AFFECTED GROUPS AND AFFECTED PERSONS MUST BE NOTIFIED (SECTIONS 95B(1)-(4))	
Are there any affected protected customary rights groups, as defined in s 95F?	No
Are there any affected customary marine title groups, as defined in s 95G (in the case of an application for a resource consent for an accommodated activity (as defined in the Act))?	No
Is the proposed activity on or adjacent to, or may it affect, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11; and is the person to whom that statutory acknowledgement is made an affected person under s 95E?	No

STEP 2: LIMITED NOTIFICATION PRECLUDED IN CERTAIN CIRCUMSTANCES (SECTIONS 95B(5) AND 95B(6))	
Are all activities in the application subject to one or more rules or national environmental standards that preclude limited notification?	No
Is the application for a controlled activity under the district plan only and not a subdivision of land?	No

STEP 3: CERTAIN OTHER AFFECTED PERSONS MUST BE NOTIFIED (SECTIONS 95B(7)-(9))	
In the case of a "boundary activity", is an owner of an allotment with an infringed boundary an affected person?	N/A
For any other activity, are there any affected persons in accordance with section 95E of the Act (as assessed in the Assessment of Adverse Environmental Effects above)?	No

STEP 4: LIMITED NOTIFICATION IN SPECIAL CIRCUMSTANCES

Do any special circumstances exist in relation to the application that warrant notification to any other persons not already determined to be eligible for limited notification (excludes persons assessed under section 95E as not being affected)?

No

Conclusion

212. In conclusion, in accordance with the provisions of section 95B, the application must not be limited notified.

Notification Recommendation

213. I recommend that the applications RC245417, RC245418, RC255934 be processed on a **Non-Notified** basis in accordance with sections 95A-E of the Resource Management Act 1991.

Report by:

Vicki Barker

Consultant Planner

Date: 31 October 2025

Notification Decision

214. For the reasons set out in the report above, the Notification Recommendation is adopted under delegated authority.



Richard Bigsby, Team Leader Resource Consents

Date: 31 October 2025

Section 104 Assessment

215. Section 104 of the Act sets out the matters the Council must have regard to when considering an application for resource consent.

216. Section 104(1), in particular, states as follows:

104 Consideration of applications

- (1) *When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2 and section 77M [Effect of incorporation of MDRS in district plan], have regard to—*
- (a) any actual and potential effects on the environment of allowing the activity; and*
 - (ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and*
 - (b) any relevant provisions of—*
 - (i) a national environmental standard:*
 - (ii) other regulations:*
 - (iii) a national policy statement:*
 - (iv) a New Zealand coastal policy statement:*
 - (v) a regional policy statement or proposed regional policy statement:*
 - (vi) a plan or proposed plan; and*
 - (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.*

...

217. Section 104(2) states that a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan, i.e. the operative plan, permits an activity with that effect.

218. Section 104B applies to discretionary and non-complying activities. It allows that the consent authority may grant or refuse the application, and, if granted, it may impose conditions under s 108.

219. Section 104D applies an additional, particular restriction to non-complying activities. A consent authority may grant consent for a non-complying activity **only if** it is satisfied that either the adverse effects on the environment will be minor or the activity will not be contrary to the objectives and policies of the plan and proposed plan.

Section 104(1)(a) - Effects on the Environment

220. An assessment of the adverse environmental effects of the proposal was completed above as part of the notification section of this report. That assessment is equally applicable to section 104 and is applied as such. Again, it is noted that the permitted baseline is relevant (section 104(2)), and regard must not be had to any person who has given written approval (section 104(3)(ii)).

221. All of the recommended conditions have been agreed to by the applicant, and many conditions were volunteered.

222. It is also appropriate to consider the positive effects of the proposal at this section 104 stage. The proposal will increase the supply of vacant sites for development in Prebbleton and will contribute towards a well-functioning urban environment in accordance with DEV-PR5.

223. As concluded in my notification assessment, I consider that the adverse effects on the environment resulting from the proposal will be less than minor.

Section 106 - Natural Hazards and Access

224. Section 106 of the Act states as follows:

106 Consent authority may refuse subdivision consent in certain circumstances

- (1) *A consent authority may refuse to grant a subdivision consent, or may grant a subdivision consent subject to conditions, if it considers that—*
 - (a) *there is a significant risk from natural hazards; or*
 - (b) *[Repealed]*
 - (c) *sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision.*
- (1A) *For the purpose of subsection (1)(a), an assessment of the risk from natural hazards requires a combined assessment of—*
 - (a) *the likelihood of natural hazards occurring (whether individually or in combination); and*
 - (b) *the material damage to land in respect of which the consent is sought, other land, or structures that would result from natural hazards; and*
 - (c) *any likely subsequent use of the land in respect of which the consent is sought that would accelerate, worsen, or result in material damage of the kind referred to in paragraph (b).*
- (2) *Conditions under subsection (1) must be—*
 - (a) *for the purposes of avoiding, remedying, or mitigating the effects referred to in subsection (1); and*
 - (b) *of a type that could be imposed under section 108.*

225. Section 106A of the Act states as follows:

106A Consent authority may refuse land use consent in certain circumstances

- (1) *A consent authority may refuse to grant a land use consent, or may grant the consent subject to conditions, if it considers that there is a significant risk from natural hazards.*
- (2) *For the purpose of subsection (1), an assessment of the risk from natural hazards requires a combined assessment of all of the following taken together:*
 - (a) *the likelihood of natural hazards occurring (whether individually or in combination); and*
 - (b) *the material damage to land in respect of which the consent is sought, other land, or structures that would result from natural hazards; and*
 - (c) *whether the proposed use of the land would accelerate, worsen, or result in material damage of the kind referred to in paragraph (b);*
 - (d) *whether the proposed use of the land would result in adverse effects on the health or safety of people.*
- (3) *Conditions under subsection (1) must be—*
 - (a) *for the purposes of avoiding, remedying, or mitigating the effects referred to in subsection (1); and*
 - (b) *of a type that could be imposed under section 108.*
- (4) *This section does not apply to land use consents if the use of the land for which the consent is sought is—*
 - (a) *construction, upgrade, maintenance, or operation of infrastructure; or*
 - (b) *primary production activities, as described in the national planning standards.*

226. Appropriate legal and physical access can be provided to all lots either via existing roads or by the creation of new roads and accessways for all stages of the development.

227. The application site is identified as being at risk from flood hazard, although the applicant has accepted conditions of consent that would mitigate the potential effects of inundation on residential units or principal buildings. The application site is not at significant risk from natural hazards, nor will the proposed subdivision exacerbate any existing hazards. I have also considered the requirements of the Act in respect of section 106A and maintain the same conclusions.

228. Based on these reasons, the application can be granted consent under section 106 & 106A of the RMA.

Section 104(1)(b) – Relevant Provisions of Statutory Documents

District Plans (section 104(1)(b)(vi))

Operative Plan – Objectives and Policies

229. The Operative Plan is now inoperative, and no consent is required under the Operative Plan as the Partially Operative Plan applies. Therefore, I consider the proposal to be consistent with the Operative Plan.

Partially Operative Plan – Objectives and Policies

230. The Partially Operative Plan objectives and policies that I consider relevant relate to Strategic Directions, Natural Hazards, Subdivision, MRZ, Transportation, and Earthworks.

Strategic Directions

231. The overarching direction for the Plan is expressed through the strategic directions. Having reviewed and considered those relevant strategic directions (SD-DI-O1, SD-DI-O2 & SD-UFD-O1), I conclude that the proposal is consistent with the strategic directions.

Natural Hazards

232. In respect of natural hazards, new subdivision, use and development should be undertaken in a manner that ensures that the risks of natural hazards to people, property and infrastructure are mitigated (NH-O1 & NH-P1). The site is located within a Flood Management Area, and the proposal includes reporting to confirm that the development of each site created will provide appropriate mitigation for future development. A FAC will be obtained to confirm that the risk to people, property and infrastructure is appropriately mitigated (NH-P10).

Subdivision

233. The subdivision objectives seek an efficient use of land and compatibility with planned urban form (SUB-O1), that sites have the services and characteristics for their intended use (SUB-O2), and that site areas align with the development outcomes of the relevant zone (SUB-O3). All sites will be provided with the necessary services and easements (SUB-P3). Each allotment will have acceptable legal access to a road vested in Council and the shared accessways will provide necessary easements. I consider that the proposal is consistent with these matters and the related policies.

MRZ

234. The MRZ specifically seeks to enable a mix of densities, which includes a range of housing typologies (MRZ-P1). Although several lots do not achieve the minimum dimension of 16m x 23m, they are of sufficient size and dimension and do not detract from the planned urban form of the MRZ. The proposal will contribute to a variety of sites within the subdivision and will achieve a net density anticipated by the zone (SUB-P4) and is also generally in compliance with the requirements of DEV-PR5 (SUB-P5). RESZ-O1 seeks for the creation of safe, convenient, pleasant, and healthy living environments that meet the needs and preferences of the community, which is met by the proposal.

Transport

235. The transport provisions (TRAN-O1) seek that connections are safe, efficient and effective for all transport modes, including integration with land use activities and subdivision. TRAN-O2 seeks that land transport corridors and infrastructure are protected from incompatible land uses activities and subdivision development.

236. TRAN-P2 seeks that extensions to the land transport network occur in an integrated way by co-ordinating the timing of and use activities and subdivision development with the availability of capacity. The Springs/Tosswill Road intersection upgrade is now scheduled for 2027/2028 and therefore will not be in place ahead of this subdivision commencing, but will offer some improvement once operational. The ITA provided is consistent

with TRAN-P3, but the assessment finds that the proposal is finely balanced in terms of maintaining transport safety and efficiency.

237. Transport choice is promoted by the walking and cycling connections proposed within the development connecting to already established networks consistent with TAN-P6.
238. TRAN-P7 specifically seeks to recognise and protect the function of the land transport network by managing land use activities and subdivision to ensure the safe and efficient movement of people and goods. This includes requiring the design, positioning and maintenance of accessways, vehicle crossings, and intersections to ensure appropriate sightline visibility for road users for supporting and safe and efficient road environment. The assessment concludes that the design of these features is appropriate. The proposed roading design is also consistent with TRAN-P11.
239. Based on the preceding assessment of environmental effects, I consider that the proposal is generally consistent with the relevant transport provisions.

Earthworks

240. The earthworks provisions seek to limit adverse effects on the surrounding environment (EW-O1), and the proposed earthworks will be temporary (EW-P1), in association with the development of the land for subdivision. The applicant has agreed to earthworks related consent conditions that will appropriately minimise and mitigate adverse dust, sedimentation, erosion, land stability, and other nuisance effects (EW-PA).
241. Overall, I consider the proposal to be generally consistent with the Partially Operative Plan.

Other Relevant Documents (section 104(1)(b)(i)-(v))

NPS-UD

242. The proposed subdivision and land use development will provide a diverse living environment and housing choice as well as high connectivity and access to open space which aligns with the NPS-UD. The proposal provides a well-functioning urban environment through considered design.

Canterbury Regional Policy Statement (CRPS)

243. The District Plans give effect to the relevant higher order documents, including the CRPS. Therefore, I consider there is no need to assess these provisions.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS)

244. The NES-CS was discussed earlier in this report, with my conclusion being that the proposal is a restricted discretionary activity.

Section 104(1)(c) – Other Matters

245. Given the non-complying status of this application it is appropriate to have regard to the issue of precedent, as well as the effect of granting consent upon the integrity of the District Plan. These are not mandatory considerations but are matters that decision makers may have regard to, depending on the facts of a particular case including:
246. • Whether a proposal is contrary to the objectives and policies of the plan; and if so
247. • Whether it can be seen as having some distinct or unusual qualities that would set it aside from the generality of cases.
248. In this case, this proposal is consistent with those relevant objectives and policies. Therefore, I am satisfied that issues of precedent or plan integrity do not arise.

Section 104D 'Threshold Test' – Non-complying activities

249. Section 104D states that a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that *either* the adverse effects on the environment will be minor *or* the application is for an activity that will not be contrary to the objectives and policies of *both* the operative and proposed district plans.
250. I have concluded that the adverse effects of the proposal on the environment will be less than minor.
251. I have also concluded that the proposal will be generally consistent with the objectives and policies of the Partially Operative Plan.
252. Therefore, the activity passes both limbs of the s104D threshold test.

Part 2 – Purpose and principles

253. The consideration under section 104 is subject to Part 2 of the Act – Purpose and principles.
254. The purpose of the Act is contained within section 5 and it is to promote the sustainable management of natural and physical resources. *Sustainable management* means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while: sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and avoiding, remedying, or mitigating any adverse effects of activities on the environment.
255. The other sections of Part 2, sections 6, 7 and 8, address matters of national importance, other matters and Te Tiriti o Waitangi (the Treaty of Waitangi) respectively.
256. The relevant District Plans have been prepared having regard to Part 2, with a coherent set of policies designed to achieve clear environmental outcomes; therefore, taking into account relevant case law, I consider that assessment under Part 2 is unlikely to be necessary. For the sake of completeness, however, Part 2 is briefly assessed below.
257. In addition to section 5, I note that the following clauses of Part 2 would be particularly relevant:

7 Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

(b) the efficient use and development of natural and physical resources:

(c) the maintenance and enhancement of amenity values:

(f) maintenance and enhancement of the quality of the environment:

258. The proposed subdivision and land use consent allows for the efficient use and development of land in an appropriately zoned location that will maintain and enhance amenity values in the locality through the overall design approach and is supported by conditions of consent. The development mitigates adverse effects on the environment through its comprehensive design and volunteered and accepted conditions.
259. Based on my assessment of the proposal in this report, I conclude that the proposal will be consistent with Part 2 of the Act, as the proposal will promote the sustainable management of natural and physical resources, through avoiding, remedying, or mitigating adverse effects of activities on the environment, and maintaining amenity values and the quality of the environment.

Conclusions

260. The application is for the following consents:

- RC245417 - Subdivision (s11) - To undertake a 232-lot residential subdivision, including the surrender of two existing easements
- RC245418 - Land Use (s9) - To undertake earthworks associated with RC245417, transport related non-compliances, and to remediate areas of contaminated land under the NES-CS
- RC255934 - Cancellation / Variation of Consent Notice (s221) - To cancel consent notices 12035451.6 on Title 977634 and 1155514.5 on Title 905044.

261. The overall status of the application is non-complying.
262. It is concluded that the proposal will not create any adverse effects that are more than minor, and there are no persons adversely affected to at least a minor degree.
263. The proposal will provide adequate legal and physical access to each allotment, and the property does not have significant risk from natural hazards. Therefore, the proposal is consistent with s106 and s106A.
264. The proposal is generally consistent with the objectives and policies of the Partially Operative Plan.
265. I am satisfied that issues of precedent or plan integrity do not arise.
266. The proposal passes both limbs of the s104D threshold test.
267. Having considered all relevant matters, I conclude that the application may be granted, subject to conditions of consent.

Recommendation

268. I recommend that subdivision consent RC245417 and land use consent RC245418 are **granted**, pursuant to sections 104, 104B, 104D, 106, and 106A of the Resource Management Act 1991, subject to the conditions of consent below pursuant to sections 108, 108Aam, 220 and 221 of the Act.
269. I recommend that consent is granted for a restricted discretionary activity pursuant to the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.
270. I recommend that consent notice 12035451.6 is cancelled in so far as it relates to Lot 131 DP 556577, Record of Title 977634 pursuant to section 221 of the Resource Management Act 1991.
271. I recommend that consent notice 11555149.5 is cancelled pursuant to section 221 of the Resource Management Act 1991.

Report by: Vicki Barker Consultant Planner	Date: 31 October 2025
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Decision

272. For the reasons set out in the report above, the Recommendation is adopted under delegated authority.

 Richard Bigsby, Team Leader Resource Consents	Date: 31 October 2025
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Conditions of Consent

RC245417 Subdivision Consent Conditions

1. The subdivision shall proceed in general accordance with the information formally received with the application on 6 June 2024, the further information provided on 26 July 2024 (Urban Design matters), 29 July 2024 (Transpower Written Approval), 30 January 2025 (RFI response), 25 March 2025 (RFI Response), 9 May 2025 (Amended plans - Lots Undersized 23m x 16m, and Lots Limited to 1 Unit); 9 July 2025 (Amended Plans - Lots Undersized 23m x 16m, and Lots Limited to 1 unit), 11 July 2025 (Revision C Survey Plan and Further Traffic Analysis), 27 August 2025 (Revision D Survey Plan), 25 September (Amended Plans - Revision E Survey Plan, Lots Undersized 23m x 16m, and Lots Limited to 1 Unit), 13 October 2025 (Revision F Survey Plan), 20 October ('Ururepo - Stage 4 RC245417 & RC245418 - Retaining Wall Details' - Sheet C150, Rev B, 14 October 2025), 30 October 2025 ('Earthworks Cut and Fill Existing GL to Finished GL Depths' - Set C1-C3, Sheet C120, Rev C, 14 October 2025), and 31 October 2025 (Amended Plan – Lots Undersized 23m x 16m), and the attached stamped Approved Plans entitled: 'Ururepo Residential Development - Subdivision of Lot 4 DP 538252 & Lot 131 DP 556577', Revision F, Sheets P100-P104, dated 26 September 2025; and except where another condition of this consent must be complied with.
2. The following conditions of consent must be met prior to the issue of a section 224(c) Completion Certificate at the expense of the consent holder.

Staging

3. The subdivision is staged. Stage 1 must be undertaken first, followed by Stage 2, after which Stages 3 and 4 can be undertaken in any order subject to infrastructure and legal access being available:
 - Stage 1 - Lots 1-56, 188,192-198, 202-203, 215-221, 300, 304-306, 309, 501, 700-701
 - Stage 2 - Lots 57-88, 142-159, 208-214, 301, 311, 502-505, 511, 704-706
 - Stage 3 - Lots 89-113, 137-141, 160-169, 171-183, 201, 204-207, 302, 307-308, 310, 506-508, 510, 703
 - Stage 4 - Lots 114-136, 170, 184-187, 189, 190-191, 199-200, 222-232, 303, 500, 509, 600, 702

Easements

4. All required easements must be created and granted or reserved.
5. The easement in gross for Council vested assets in private land must be duly granted (or reserved) in accordance with the stamped plans that form part of this consent.
6. Any public utility site and associated rights of way easements, and/or service easements required by a network operator are approved provided that they are not within any reserves to vest in the Council.
7. That easement N in Easement Instrument 12035451.17 be surrendered as part of Stage 1.
8. That easement A in Easement Instrument 12035451.18 be surrendered as part of Stage 2.

Consent Notices

9. The following conditions shall be applied as consent notices, pursuant to Section 221 Resource Management Act 1991, to be complied with on an ongoing basis, and be registered on the Record of Title to issue for the following lots created which states the following:

Infrastructure sites

- (a) Any infrastructure site must be used as an infrastructure site only and shall not be used for calculating future boundary adjustments or subdivision.

Lots restricted to one dwelling

- (b) Lots 1-232 shall be restricted to one residential unit per site.

Tosswill Road Setbacks

- (c) Lots 1-4 and 232 - No building shall be constructed within 3m of the Tosswill Road boundary. Fencing shall be setback a minimum of 500mm from any building façade.

Right of Way Interface Treatment

- (d) Lots 55-58, 74-78, 89-94, 95 (eastern frontage only), 100-105, 126-130 - No building, fence, or freestanding wall shall be located within 1.5m of the Right of Way boundary.

Except as provided for in MRZ-REQ10.1, the area between the Right of Way boundary and the principal building, excluding those parts used for either vehicle or pedestrian access, shall be:

- a. landscaped with a mix of lawn, garden beds, or shrubs; and
- b. provided with one specimen tree for every 10m of frontage adjoining the Right of Way that is:
 - i. a minimum of 1.8m high at time of planting; and
 - ii. capable of achieving a height at maturity of 5m.

Legible Pedestrian Access

- (e) Lots 50-55, 75-78, 90-96, 102-105, 121-130 - The primary pedestrian entrance shall be visible and accessible from the Right of Way.

Narrow Lots garaging

- (f) Lots 43-46, 50-55, 58-63, 80-86, 90-92, 94-95, 100-104, 129-132, 193-196, 210-214 - Any garage is restricted to a minimum garage door width of 2.4m and a maximum garage door width of 3.2m, and a minimum internal garage depth of 5.5m.

Vehicle Crossings

- (g) Lots 4, 5, 20, 30-31, 42, 62-63, 79, 154, 178, 185, 204, 207, and 232 - Vehicle crossings to the lots identified must be constructed on the road identified in the table below and not the alternative road frontage where there is a dual frontage:

LOT NUMBER	ROAD ON WHICH THE VEHICLE CROSSING TO THE IDENTIFIED LOT MUST BE LOCATED
4, 232	Tosswill Road
62, 79, 134-136, 154, 185	Road 2
5, 31, 42	Road 3
20, 30	Road 4
178, 201, 204, 207	Road 5
63	Road 2 or Road 9

- (h) Lots 30, 134-136, 154 - Vehicle crossings to the lots identified must be constructed to achieve a minimum sightline between the proposed vehicle crossing and any intersection of 30m.

- (i) Vehicle crossings need to be setback at least 1.5m from kiosks on Lots 30, 88, 113-114, 154-155, 170-171, and 706.

Reserve Fencing

- (j) Lots 105-112, 114, 116, 117, 123-133, 187, 189, 190, 222-232 - Reserve fencing adjoining the Local Purpose (Landscape) Reserve Lots 508, 509 and 500 must be a maximum of 1.9m in height where at least 50% of the fence is visually permeable.

Parking Laybys

- (k) Lots 98-100, 109-113, 178-185, 199-207, 215, and 218 - Vehicle crossings must not be constructed across areas specifically formed as parking laybys without prior Council acceptance.

On-site manoeuvring

- (l) Lot 78 and 105 - The specified lots are required to provide for onsite manoeuvring to allow a vehicle to enter and exit the site in a forward direction.

National Grid Line

- (m) Lots 93-95, 100-105, and 108-109:

- (i) All land use activities, including the construction of new buildings/structures, earthworks, fences, any operation of mobile plant and/or persons working near exposed line parts shall comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001), or any subsequent revision of the code. The National Grid Owner Transpower New Zealand Limited can assist in determining compliance.

- (ii) No buildings or structures for sensitive activities (as defined by the Selwyn District Plan) shall be located within 12m of the centreline of the National Grid Transmission Line.

- (iii) Any proposed new trees or vegetation within 12 metres either side of the centreline of the National Grid Transmission Line must not exceed 2 metres in height at full maturity and must comply with the Electricity (Hazards from Trees) Regulations 2003, or any subsequent revision of the regulations.

- (iv) Any proposed new trees or vegetation outside 12 metres either side of the centreline of the National Grid Transmission Line must be setback sufficiently to ensure any trees or vegetation cannot fall within 4 metres of the National Grid Transmission Line and must comply with the Electricity (Hazards from Trees) Regulations 2003, or any subsequent revision of the regulations.

Geotechnical

- (n) All residential lots - Site specific Geotechnical Investigations are required to be undertaken on each residential lot to determine foundation requirements prior to any Building Consent being issued.

Transpower

- 10. Prior to the commencement of site preparation works and any construction activities, the consent holder shall prepare and submit to the Council for approval a Construction Management Plan (CMP) to ensure the protection of the National Grid transmission line. The preparation of the CMP may be staged, however the relevant plan must be provided to Council for approval prior to the commencement of the respective stage of works. The CMP must include the following (but is not limited to):

- (a) The name, experience and qualifications of the person/s nominated by the consent holder to supervise the implementation of, and adherence to, the CMP.

- (b) Construction drawings, plans, procedures, methods and measures to demonstrate that all construction activities undertaken on the site will meet the safe distances within the New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP 34: 2001) or any subsequent revision of the code; including (but not limited to) those relating to:

- i. Building to conductor clearances (Section 3);
 - ii. Ground to conductor clearances (Section 4);
 - iii. Mobile Plant to conductor clearances (Section 5); and
 - iv. People to conductor clearances (Section 9).
- c) Details of any areas that are “out of bounds” during construction and/or areas within which additional management measures are required, such as fencing off, entry and exit hurdles, maximum height limits, or where a safety observer may be required (a safety observer will be at the consent holder’s cost).
- d) Demonstrate how the existing transmission lines will remain accessible during and after construction activities;
- e) Demonstrate how the effects of dust (including any other material potentially resulting from construction activities able to cause material damage beyond normal wear and tear) on the transmission lines will be managed;
- f) Demonstrate how construction activities that could result in ground vibrations and/or ground instability will be managed to avoid causing damage to the transmission lines.
- g) Details of any scaffolding proposed within 15 meters of the National Grid transmission line, including the erection methodology.
- h) Details of proposed contractor training for those working near the transmission lines.

***Advice Note:** Transpower NZ Ltd requires that the CMP is provided for its certification at least 20 working days prior to being submitted to the Council. The CMP should be sent to Transpower via Patai Form 5 - <https://transpower.patai.co.nz/>*

- 11. All site preparation works and construction activities must be undertaken in accordance with the approved CMP.

Flooding

- 12. A report and certificate from a Suitably Qualified Expert must be included in the Engineering Approval application that demonstrates the finished ground level for each residential site created will achieve a finished floor level that has a minimum of 300mm freeboard above the 200 year Average Recurrence Interval (ARI) level for a foundation that is constructed in accordance with the Building Act Acceptable Solutions guidelines.
- 13. The consent holder must apply for and be issued with a Global Flood Assessment Certificate from Selwyn District Council for the subdivision or subdivision stage, except where a Flood Assessment Certificate has already been obtained for any allotments that are subject to an approved building consent or land use consent.

General Engineering Requirements

General requirement

- 14. All works on existing infrastructure and/or any Council vested assets must comply with the Engineering Code of Practice, comply with all conditions set out in the Acceptance letter, and be completed in accordance with the detailed design plans accepted by Council.

***Advice Note:** Council may have designs that show vested assets peer reviewed at the consent holder’s cost. Applicants will be informed whether this is required upon review of designs submitted for Engineering Acceptance.*

Commencement of physical works

15. Works on Council infrastructure or vested assets must not commence until Engineering Acceptance has been confirmed in writing. Any subsequent amendments to the plans and specifications must be submitted to the Development Engineering Manager for acceptance.

Plans and specifications are to be submitted to Development.Engineer@selwyn.govt.nz at least 20 working days prior to the granting of Engineering Acceptance and once accepted, will thereafter form part of the Approved Consent Document.

***Advice Note:** The Development Engineering Manager (or their nominee) will either accept, or refuse to accept, the documentation within 20 working days of receipt. Should the Development Engineering Manager (or their nominee) refuse to accept the documentation, they will provide a letter outlining why acceptance is refused.*

Should the Development Engineering Manager (or their nominee) refuse to accept the documentation, the consent holder must submit a revised documents for acceptance. The acceptance process must follow the same procedure and requirements as outlined in this condition.

***Advice Note:** On-site construction must commence within 12 months of the issue of Engineering Acceptance. If construction on site does not commence within 12 months of the issue of Engineering Acceptance letters, the applicant must re-submit plans for Engineering Acceptance prior to works commencing.*

16. The consent holder or consent holder's agent must provide written notification to Council of intention to commence physical works at least 10 working days prior to commencement of works.

***Advice Note:** Notification should be provided to the Development Engineering Team, attention Development Engineer via email (development.engineer@selwyn.govt.nz). The consent holder or consent holder's agent may need to discuss the following with Council's Development Engineer:*

- *Suitable time for pre-start meeting to meet with contractor on site and discuss Council construction requirements.*
- *Any infrastructure requirements associated with the development.*
- *Council approvals necessary for future connections.*

Council vested assets in private land

17. As-built plans for the services covered by the easement(s) must be provided to the Council at Section 223 Certification Stage.

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

18. The Consent Holder must enter into a bond and be responsible for the maintenance of all subdivision and associated works vested in the Council in relation to the Consent at the issuance of the section 224(c) certificate and continue until the Council tests and accepts the quality of the bonded infrastructure and the agreed or stipulated maintenance period taking into account any needed repairs, replacement or rectification required for a period of:

12 months for the following assets:

- Roothing Infrastructure
- Water Reticulation
- Wastewater Reticulation
- Stormwater Reticulation

24 months for the following assets:

- Landscaping
- Reserves Assets
- Stormwater Treatment and Management Systems
- Wastewater Pumpstation (if required)
- Drain Naturalisation

***Advice Note:** Maintenance bonds will be valued at 5% of the total value of works (plus GST). The consent holder must provide costings and estimates for the total value of works from an independent quantity surveyor, acceptable to Council, at the resource consent holder's expense. The Council may re-evaluate the value and duration of the maintenance bond for the following reasons:*

- (a) Inflation;
- (b) Delays in works being completed;
- (c) Repairs, rectification and or replacement is required;
- (d) Price escalations.

Peer Review - PS2 required

19. A peer review will be required for:

- Retaining walls, including associated barrier systems where applicable
- Geotechnical Completion Report

and is to be undertaken at the consent holder's expense. The review must be undertaken by an independent chartered engineering professional with relevant experience who is to submit a Design Review and PS2 certifying compliance with Council's specifications as part of the Engineering Acceptance. The Design Review and PS2 will be accepted by The Development Engineering Manager, or their nominee as meeting the requirements of Selwyn District Council's Engineering Code of Practice and once accepted, will thereafter form part of the Approved Consent Document.

***Advice Note:** The Engineering Manager (or their nominee) will either accept, or refuse to accept, the documents within 30 working days of receipt. Should the Engineering Manager (or their nominee) refuse to accept the document then they will provide a letter outlining why acceptance is refused based on the parameters contained in this condition.*

Should the Engineering Manager (or their nominee) refuse to accept the Design Review, the consent holder must submit a revision to the Development Engineering Manager for acceptance. The acceptance process must follow the same procedure and requirements as outlined in this condition.

Peer Review – PS4 required

20. A PS4 Construction review will be required for:

- Retaining walls, including associated barrier systems where applicable

and is to be undertaken at the consent holder's expense. The construction review must be undertaken by an independent chartered engineering professional with relevant experience. The Construction Review PS4 Certificate certifying compliance with design requirements is to be submitted prior to the issuing of S224(c) certificate.

Advice Note: The Engineering Manager (or their nominee) will either accept, or refuse to accept, the documents within 30 working days of receipt. Should the Engineering Manager (or their nominee) refuse to accept the document then they will provide a letter outlining why acceptance is refused based on the parameters contained in this condition.

Engineering Acceptance

Engineering Acceptance – additional information

21. Copies of any consents required and granted in respect of this subdivision (ECan Consents and Waka Kotahi approval) must be supplied to the Development Engineer via development.engineer@selwyn.govt.nz.

Advice Note: Plans and supporting information accompanied in the design report required for Engineering Acceptance must include but not be limited to the following:

1. *Water Reticulation*
2. *Wastewater Reticulation*
3. *Roading Network – new and alterations to existing and streetlighting.*
4. *Stormwater, water races, and land drainage*
5. *Walking and cycling infrastructure provision and connection.*
6. *Future Public Transport provision accessibility (in consultation with Environment Canterbury Regional Council)*

Note that pedestrian linkages through proposed reserves are considered to be part of the roading infrastructure and will require engineering acceptance prior to construction.

Suitably qualified designer

22. An Engineer's Design Certificate for all civil designs from the principal civil designer who is a chartered engineering professional with suitable experience must be submitted to Council (development.engineer@selwyn.govt.nz) as part of Engineering acceptance.

Contractor Produced Statements

23. A Contractors Completion Certificate from the principal civil contractor must be supplied to Council (development.engineer@selwyn.govt.nz) certifying that all vested assets have been installed in accordance with the approved engineering plans and specifications.

Advice Note: If multiple civil contractors are used, instead of a principal contractor, to install vested assets each contractor will be required to supply producer statements for their contribution to the physical works.

Designer Producer Statements

24. An Engineer's Completion Certificate from the principal civil designer who is a chartered engineering professional must be supplied to Council (development.engineer@selwyn.govt.nz) certifying that all vested assets have been installed in accordance with the approved engineering plans and specifications.

Landscaping Acceptance

25. Landscaping plans and accompanying design report must be submitted to Council (development.engineer@selwyn.govt.nz) for acceptance, and once accepted will thereafter form part of the approved consent document. The plans and design report are to provide sufficient detail to confirm compliance with the Engineering Code of Practice.
26. Plans and supporting information accompanied in the design report required for Landscaping Acceptance must include but not be limited to the following:

1. Plant selection
2. Soft landscaping features
3. Hard landscaping features
4. Playground specification
5. Crime Prevention Through Environmental Design (CPTED) principals.
6. Fencing
7. Storm water treatment

***Advice Note:** Please note that pedestrian linkages are considered to be part of the roading infrastructure and will require engineering acceptance prior to construction. Landscaping plans must be supplied with the Engineering Acceptance application. If this requirement cannot be reasonably achieved it is expected that the proposed landscaping plans will be supplied to Council overlaid on top of the approved servicing plans.*

Commencement of physical works

27. Works associated with reserves and streetscapes must not commence until Landscaping Acceptance has been confirmed in writing. Any subsequent amendments to the plans and specifications must be submitted to the Development Engineering Manager of their Nominee for acceptance.

Plans and specifications are to be submitted to Development.Engineer@selwyn.govt.nz at least 30 working days prior to the granting of Landscaping Acceptance and once accepted, will thereafter form part of the Approved Consent Document.

***Advice Note:** The Development Engineering Manager (or their nominee) will either accept, or refuse to accept, the documentation within 30 working days of receipt. Should the Development Engineering Manager (or their nominee) refuse to accept the documentation, they will provide a letter outlining why acceptance is refused.*

Should the Development Engineering Manager (or their nominee) refuse to accept the documentation, the consent holder must submit a revised documents for acceptance. The acceptance process must follow the same procedure and requirements as outlined in this condition.

***Advice Note:** On-site construction must commence within 12 months of the issue of Engineering Acceptance. If construction on site does not commence within 12 months of the issue of Engineering Acceptance letters, the applicant must re-submit plans for Engineering Acceptance prior to works commencing.*

Commencement of physical works

28. The consent holder or consent holder's agent must provide written notification to Council of intention to commence physical works associated with Landscaping and/or Reserves at least 10 working days prior to commencement of works.

***Advice Note:** Notification should be provided to the Development Engineering Team, attention Development Engineer via email (development.engineer@selwyn.govt.nz).*

The consent holder or consent holder's agent may need to discuss the following with Council's Development Landscape Advisor:

- *Suitable time for pre-start meeting to meet with contractor on site and discuss Council construction requirements.*
- *Any other Council approvals necessary to enable works.*

Suitably qualified design certification

29. A design certificate must be supplied to Council (development.landscaping@selwyn.govt.nz) by the designer and included in the Landscaping plans and design report submitted for engineering acceptance.

Landscape and servicing plans

30. Landscaping must be located clear of all services and demonstrated on plan/s that show proposed landscaping and all proposed services.

Producer statement - Landscaping works

31. Producer statements from the principal landscaping contractor must be supplied to Council confirming that all vested assets have been installed in accordance with the accepted landscaping plans and specifications.

Advice Note: If multiple landscaping contractors are used, instead of a principal contractor, to install vested assets each contractor will be required to supply producer statements for their contribution to the physical works.

Producer statement - Landscaping design

32. Producer Statements from the principal landscaping designer must be supplied to Council confirming that all vested assets have been installed in accordance with the accepted landscaping plans and specifications.
33. The proposed landscaping must be established in accordance with the accepted landscaping plans and design report. The consent holder must maintain all landscaping assets to the standards specified in the Engineering Code of Practice for the 24 month establishment period (defects liability) from the date of Council's practical completion acceptance until final inspection and acceptance of the landscaping by Council.

Roading

Roading Design Review and Acceptance

34. Engineering plans and details for all works associated with:

- Alterations to the existing roading network
- Extensions of the existing roading network
- Provision of pedestrian access reserves
- Provision of roundabout
- Provision of Streetlighting

must be submitted to Council via the development.engineer@selwyn.govt.nz for acceptance at least 20 working days prior to the granting of Engineering Acceptance.

Advice Note: The Development Engineering Manager (or their nominee) will either accept, or refuse to accept, the documentation within 20 working days of receipt. Should the Development Engineering Manager (or their nominee) refuse to accept the documentation, they will provide a letter outlining why acceptance is refused.

Should the Development Engineering Manager (or their nominee) refuse to accept the documentation, the consent holder must submit a revised documents for acceptance. The acceptance process must follow the same procedure and requirements as outlined in this condition.

Advice Note: Where designs require the installation of street tree's and gardens, landscaping plans will also be required prior to Engineering Acceptance being granted for that asset to allow Council to review the function of the asset holistically.

Construction of new roads

35. All roads must be constructed in accordance with the accepted engineering plans.

Vesting of new roads

36. On deposit of the survey plan all roads must be vested in the Selwyn District Council as road.

Corner Splays - Urban

37. The corner of Lots 5, 20, 21, 31, 63, 79, 98, 113, 134, 155, 170, 178, 185, 199, 201, 204, 207, 210, 214, 219, 501 at the road intersection must be splayed with a rounded minimum radius of 3 metres.

Tosswill Road Frontage Upgrades

38. The full length of the Tosswill Road frontage must be upgraded to the agreed standard at the consent holder's expense. Proposed designs must be submitted for Engineering Acceptance and acceptance in writing must be granted by the Development Engineering Manager or their Nominee prior to this work commencing. The road frontage upgrade will be an extension of the standard provided to the north and include road widening, kerb and channel, 2.5m wide shared use path, berms and landscaping and resurfacing to the road centreline as required.

The consent holder is to incorporate a safe pedestrian crossing point into the road frontage upgrades on Tosswill Road between the new local road and the Prebbleton Domain access. The form of the pedestrian crossing point is to be confirmed at the engineering design stage. This crossing point will include all associated works on both sides of the road.

Street lighting

39. Street lighting must be provided on all new roads and existing roads in accordance with the Engineering Code of Practice and TRAN-R2/TRAN-REQ4 of the Partially Operative District Plan, as approved by Engineering Acceptance.

Prior to the granting of Engineering Acceptance, designs for all street lighting that will vest to Council will be submitted to the Development Engineering Manager (development.engineer@selwyn.govt.nz) for review and acceptance at least 20 working days prior to the commencement of related work.

Advice Note: The Development Engineering Manager (or their nominee) will either accept, or refuse to accept, the documentation within 20 working days of receipt. Should the Development Engineering Manager (or their nominee) refuse to accept the documentation, they will provide a letter outlining why acceptance is refused.

Should the Development Engineering Manager (or their nominee) refuse to accept the documentation, the consent holder must submit a revised documents for acceptance. The acceptance process must follow the same procedure and requirements as outlined in this condition.

Street naming and property numbering

40. A minimum of three name options for each road, and street numbering plans must be submitted to Council in accordance with Council Policies N101 and N102 for acceptance.

Road Signage

41. The consent holder must install street name signs displaying the Council approved street name and poles at each intersection in accordance with Policy R430.

Road Safety

42. All vested roading infrastructure must be constructed in accordance with a Safe System Audit that must be supplied at time of Engineering Acceptance. An audit must be undertaken by an independent assessor at the consent holder's expense, with the report provided to Council prior to Engineering Acceptance.

Where the outcome of the safety audit identifies the need for changes that will impact on proposed land boundaries the applicant where necessary must address this by way of a variation to the subdivision consent.

Testing standards

43. All vested roading infrastructure must meet Council's testing standards as prescribed by the Engineering Code of Practice and supporting documentation must be supplied to Council.

Document requirements

44. The consent holder must provide accurate 'as built' plans for all vested roading infrastructure installed as part of this consent that meet the requirements set out in the Engineering Code of Practice and Engineering Acceptance letter. Any costs involved in provision and transfer of this data to Council's systems will be borne by the consent holder.
45. The consent holder must provide AMIS and RAMM schedules for all vested roading infrastructure installed as part of this consent that meet the requirements set out in the Engineering Code of Practice and Engineering Acceptance. Any costs involved in provision and transfer of this data to Council's systems will be borne by the consent holder.

Advice Note: The AMIS schedule submitted for works occurring within the road reserve will also include any specific planting constructed as part of works required for the completion of this consent.

46. The consent holder must provide a comprehensive electronic schedule of all roading infrastructure assets to be vested in the Council that meets the requirements set out in the Engineering Code of Practice and the Engineering Acceptance letter.

Advice Note: The vested assets schedule must cover all vested asset types and include but not be limited to installed material unit costs, type, diameter, class, quantity and include summary details.

Refuse Collection

47. Prior to the granting of s224 for each stage any dead-end road created will require a formed turning area to be constructed for the use of Council's bin collection services. If this turning area is located on private land an easement in gross will be required granting access rights for safe refuse truck turning. The easement in gross can be removed as soon as the turning area is no longer required. If the turning area is required to be located within vested road reserve, it will need to be formed to a permanent standard and a bond may be required to be held by Council for its future removal.

Pedestrian Links

48. Lots 500, 502-505, 508-511 have been identified as a key part of the pedestrian network for this development. Plans and specifications detailing footpath locations and landscaping features will be supplied as part of the roading Engineering Acceptance package. Footpaths located within pedestrian links will be required to supply all necessary quality assurance documentation prescribed in the Engineering Code of Practice, including but not limited to asbuilts and compliant test results.

Vehicle Crossings and Accessways

Testing standards

49. All vehicle crossings and formed accessways must meet Council's testing standards as prescribed by the Engineering Code of Practice. Supporting documentation must be supplied to Council.

Vehicle crossings

50. A vehicle crossing to service Lots 50-55, 64-65, 70-71, 72-73, 74-78, 89-97 and 100, 101-105, 116-117, 120-130, 189-191, 193-196, 210-214, and 216-217 must be formed and sealed for the full width and length of the vehicle crossing between the carriageway and the site boundary and the requirements of the Engineering Code of Practice. Construction must be completed prior to issuing of the section 224(c).

Shared accessways

51. The vehicle accessway serving Lots 50-55, 64-65, 70-71, 72-73, 74-78, 89-97 and 100, 101-105, 116-117, 120-130, 189-191, 193-196, 210-214, and 216-217 must be formed and sealed in accordance with TRAN-REQ7.11C of the Partially Operative Selwyn District Plan and the requirements of the Engineering Code of Practice. Construction must be completed prior to the issuing of section 224(c).

Street Trees and Vegetation

52. All proposed vehicle crossings must be located in accordance with Council's Tree's and vegetation Policy. The relocation of existing street trees to enable works proposed by this consent must be undertaken at consent holders' expense with works undertaken in accordance with the accepted plans.

Streetlights and proposed vehicle crossings

53. All proposed vehicle crossings must be offset from streetlights by a minimum of 1m.

Private Road naming and property numbering

54. Private Road name options, a minimum of three options for each road, and street numbering plans must be submitted to Council in accordance with Council Policies N101 and N102 as part of Engineering Acceptance.

Private Road/Right of Way Signage

55. The consent holder must install private road/ROW name signs displaying the Council approved street name and poles at each ROW in accordance with Policy R430.

S224 document requirements

56. The consent holder must provide accurate 'as built' plans of the vehicle crossings installed as part of this consent that meet the requirements set out in the Engineering Code of Practice and the Engineering Acceptance letter. Any costs involved in provision and transfer of this data to Council's systems must be borne by the consent holder.
57. The consent holder must provide a comprehensive electronic schedule of any vehicle crossings to be vested in the Council that meets the requirements set out in the Engineering Code of Practice and the Engineering Approval letter.

Advice Note: The vested assets schedule must cover all vested asset types and include but not be limited to installed material unit costs, type, diameter, class, quantity and include summary details.

Water Supply

Design Review and Acceptance – Water Reticulation

58. Engineering plans and details for all works associated with the following proposed works that will vest to Council:
- Extensions of the existing water supply
 - Provision of Council maintained points of supply
 - Alterations to the existing water supply

To service each new lot must be submitted to Council via the development.engineer@selwyn.govt.nz for acceptance at least 20 working prior to the granting of Engineering Acceptance and once accepted will thereafter form part of the Approved Consent Document.

Advice Note: The Development Engineering Manager (or their nominee) will either accept, or refuse to accept, the documentation within 20 working days of receipt. Should the Development Engineering Manager (or their nominee) refuse to accept the documentation, they will provide a letter outlining why acceptance is refused.

Should the Development Engineering Manager (or their nominee) refuse to accept the documentation, the consent holder must submit a revised documents for acceptance. The acceptance process must follow the same procedure and requirements as outlined in this condition.

***Advice Note:** Council Policy only permits one water connection per valuation number/property.*

Privately maintained Water Supply Reticulation

59. Water reticulation infrastructure inside the boundary must be sized assuming 310kPa at the point of supply to the SDC water network (upstream of the RPZ).

Council maintained Water Supply Points

60. The net area of each lot must be provided with an individual potable connection to the Council's water reticulation network in accordance with Engineering Code of Practice and the Engineering Acceptance letter.

Council maintained Water Supply Points – metered

61. All water connections must be metered. Meters must be installed in the road reserve in accordance with Engineering Code of Practice and the accepted engineering plans.

***Advice Note:** Multi meter boxes may be utilised.*

Design requirement – Firefighting urban

62. All Council vested water infrastructure must be designed in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice (SNZ PAS 4509:2008 and subsequent variations).

Urban hydrant coverage must be provided to ensure that all residential lots can be serviced by two hydrants, the first within 135m and then second within 270m. Hydrant water supply must be capable of providing 750 litres per minute of water flow.

Firefighting water supply may only be provided by means other than the above if the New Zealand Fire Service has endorsed the alternative method, and written evidence provided in support of Engineering Approval application.

Connection to Councils infrastructure

63. Connection into Council's reticulated water supply must either be carried out by Council's Five Waters maintenance contractor, or a suitably qualified water installer under the supervision of Council's five waters contractor. Costs incurred through supervision by CORDE must be met directly by the consent holder.

***Advice Notes:** For supervision purposes a minimum of 5 working days' notice is required. Please note a connection fee being the actual cost quoted by Council's Five Waters maintenance contractor will apply.*

Applications for new water connections can be made online via SDC's website (Selwyn District Council - New Water Connection approval form). Applications should be made at least 8 working days prior to commencement of work (allow a minimum of 10 working days for watermain shutdowns).

Testing standards

64. All vested water reticulation must meet Council's testing and hygiene standards as prescribed by the Engineering Code of Practice. Supporting documentation confirming compliance must be supplied to Council prior to the issuing of s224(c) certificate.

***Advice Note:** Refer to WSP 005 for Council's water chlorination, hygiene, and water installer qualification requirements for water reticulation connection requirements.*

S224 document requirements

65. The consent holder must provide accurate 'as built' plans of the water reticulation installed as part of this consent that meet the requirements set out in the Engineering Code of Practice and Engineering Acceptance

letter. Any costs involved in provision and transfer of this data to Council's systems must be borne by the consent holder.

66. The consent holder must provide accurate AMIS schedules of the water reticulation installed as part of this consent that meet the requirements set out in the Engineering Code of Practice and Engineering Acceptance letter. Any costs involved in provision and transfer of this data to Council's systems must be borne by the consent holder
67. The consent holder must provide a comprehensive electronic schedule of any water reticulation assets to be vested in the Council that meets the requirements set out in the Engineering Code of Practice and the Engineering Acceptance letter.

***Advice Note:** The vested assets schedule must cover all vested asset types and include but not be limited to installed material unit costs, type, diameter, class, quantity and include summary details.*

Design Requirement – Infrastructure Upgrade

68. The consent holder is required to install the portion of the 300mm diameter watermain upgrade identified in the current Water Master Plans that located within the Tosswill Road. This watermain is to connect to the 250 PE100 watermain the exits the existing water treatment plant located on Tosswill Road and terminates adjacent to the Southern most boundary of the development site. The details of the work can be determined at Engineering Acceptance.

***Advice Note:** The master plans also show that it is likely that development area will require 150mm diameter mains installed within the development site. This matter can be addressed as part of detail design. A developers agreement will not be available for any works occurring within the development site that is necessary to service the development.*

Developers Agreements

69. A Developers Agreement may be available to the consent holder for the water infrastructure extensions required to service the development site. If applicable a Developers Agreement must be entered into with Council for the construction of 300mm diameter watermain located in Tosswill Road. The Developers agreement must be agreed to by Council in writing and Engineering Acceptance will be issued prior to construction commencing on site.

Wastewater

Design Review and Acceptance – Wastewater reticulation

70. Engineering plans and details for all works associated with the following proposed works that will vest to Council:
1. Alterations to the existing wastewater supply
 2. Extensions of the existing wastewater supply
 3. Provision of Council maintained points of supply
 4. Provision of a wastewater pump station to service the proposed development and provision of on-site storage

to service each new lot must be submitted to Council via the development.engineer@selwyn.govt.nz for acceptance at least 20 working prior to the granting of Engineering Acceptance and once accepted will thereafter form part of the Approved Consent Document.

***Advice Note:** The Development Engineering Manager (or their nominee) will either accept, or refuse to accept, the documentation within 20 working days of receipt. Should the Development Engineering Manager (or their nominee) refuse to accept the documentation, they will provide a letter outlining why acceptance is refused.*

Should the Development Engineering Manager (or their nominee) refuse to accept the documentation, the consent holder must submit a revised documents for acceptance. The acceptance process must follow the same procedure and requirements as outlined in this condition.

Wastewater Disposal Method

71. The consent holder shall connect the development to the Council's wastewater network. The ultimate discharge point is the Prebbleton Terminal Wastewater Pump Station located at 612 Springs Road. This is to be achieved by the consent holder connecting the proposed development to the existing DN355 PE100 rising main outside 597 Springs Road.

Pump Station

72. All works associated with the design and installation of the pump station and on-site storage will be at the consent holders' expense unless otherwise agreed in writing with Council.

Plans and supporting documentation will be reviewed at Engineering Acceptance.

The Design details are to be submitted to development.engineer@selwyn.govt.nz at least 20 working days prior to the commencement of construction. The Design details are to be accepted by the Development Engineering Manager or their nominee as meeting the requirements of Selwyn District Council's Engineering Code of Practice and once accepted the wastewater disposal plans approved at Engineering Acceptance must be submitted with the section 223 certificate application identifying all lots and the disposal method that will thereafter form part of the Approved Consent Document.

Advice Note: The Development Engineering Manager (or their nominee) will either accept, or refuse to accept, the documents within 20 working days of receipt. Should the Development Engineering Manager (or their nominee) refuse to accept the document then they will provide a letter outlining why acceptance is refused based on the parameters contained in this condition.

Should the Development Engineering Manager (or their nominee) refuse to accept the documents, the consent holder must submit a revision to the Development Engineering Manager for acceptance. The acceptance process must follow the same procedure and requirements as outlined this condition.

73. The Council will assume full operation of the wastewater pump station and on-site storage once all required works are completed and accepted by Council in accordance with condition 72.
74. The consent holder will be responsible for the operation of the wastewater pump station until such time that it is accepted by Council.

Council maintained wastewater supply

75. Each lot must be provided with an individual wastewater connection to Council's wastewater reticulation infrastructure that is laid to the boundary and can service the net area of that lot in accordance with the Engineering Code of Practice and the accepted engineering plans.

Gravity wastewater laterals

76. All lots identified in the wastewater disposal method plan approved at Engineering Acceptance as requiring gravity wastewater supply will have gravity wastewater laterals installed ensuring grade and capacity are provided for and in accordance with Council's Engineering Code of Practice and must have regard to maximum upstream development density.

Standard Testing

77. All vested wastewater reticulation must meet Council's pressure testing and CCTV inspection standards as prescribed by the Engineering Code of Practice. Supporting documentation must be supplied to Council prior to the issuing of s224(c) certificate.

Connecting to Council Infrastructure

78. Connection to the Council sewer must be arranged by the consent holder at the consent holder's expense. The work must be done by a registered drainlayer.

Wastewater Discharge Limitation

79. Until such time as Selwyn Water Limited confirms in writing that sufficient capacity is available in the Prebbleton Wastewater Network to accommodate additional flow, the discharge rate of wastewater from the development shall not exceed 3 litres per second (l/s).

Wet Weather Storage Requirement

80. Onsite wastewater storage capacity must be provided sufficient to buffer 12 hours of wet weather flow at the maximum discharge rate of 3 l/s to manage peak flow conditions and prevent overloading the network.

Decommissioning of septic tank

81. The existing on-site effluent treatment and disposal system on Lot 4 DP 538252 must be decommissioned and the site completely reinstated with the appropriate quality assurance documents including as built details and a fill certificate confirming compliance with NZS4431:2022 and submitted Council via development.engineer@selwyn.govt.nz prior to issuing of S224c certificate. If this information is not supplied, then the location of the decommissioned septic tank must be identified on the survey plan as a no build area.

Advice Note: Notification of the decommissioning of the onsite wastewater treatment should be made to the Regional Council.

S224 Requirements

82. Prior to the issuing of s224(c) certificate the consent holder must provide accurate 'as built' plans of the wastewater reticulation installed as part of this consent that meet the requirements set out in the Engineering Code of Practice and Engineering Acceptance letter. Any costs involved in provision and transfer of this data to Council's systems must be borne by the consent holder.
83. Prior to the issuing of s224(c) certificate the consent holder must provide accurate AMIS schedule of the wastewater reticulation installed as part of this consent that meet the requirements set out in the Engineering Code of Practice and Engineering Acceptance letter. Any costs involved in provision and transfer of this data to Council's systems must be borne by the consent holder.
84. Prior to the issuing of s224(c) certificate the consent holder must provide a comprehensive electronic schedule of all wastewater reticulation assets to be vested in the Council that meets the requirements set out in the Engineering Code of Practice and Engineering Acceptance letter.

Advice Note: The vested assets schedule must cover all vested asset types and include but not be limited to installed material unit costs, type, diameter, class, quantity and include summary details.

Developers Agreement

85. A Developers Agreement must be entered into with Council for the cost share of the Tosswill Road wastewater rising main installation as advised by Selwyn Water Limited asset management. The Developers Agreement must be agreed to by Council in writing and Engineering Acceptance issued prior to construction commencing on site.

Stormwater

Design Review and Acceptance – Stormwater reticulation and management areas

86. Engineering plans and supporting design information for all works associated with the stormwater management area to be constructed to provide treatment for stormwater discharges must be submitted to Council via the development.engineer@selwyn.govt.nz for acceptance at least 20 working prior to the granting of Engineering Acceptance and once accepted will thereafter form part of the Approved Consent Document.

***Advice Note:** The Development Engineering Manager (or their nominee) will either accept, or refuse to accept, the documentation within 20 working days of receipt. Should the Development Engineering Manager (or their nominee) refuse to accept the documentation, they will provide a letter outlining why acceptance is refused.*

Should the Development Engineering Manager (or their nominee) refuse to accept the documentation, the consent holder must submit a revised documents for acceptance. The acceptance process must follow the same procedure and requirements as outlined in this condition.

***Advice Note:** Where designs require the installation of stormwater management areas landscaping plans will also be required prior to Engineering Acceptance being granted for that asset to allow Council to review the function of the asset holistically.*

Vested infrastructure

87. The consent holder must install stormwater reticulation treatment and disposal systems to service the subdivision in accordance with the accepted engineering plans and the requirements of the associated discharge consent.

Provision of individual points of supply – reticulated stormwater only

88. All allotments must be provided with an individual stormwater lateral connection from Council reticulation to the designated point of supply.

Design Requirement – Discharge to watercourse/drain

89. Where the collection and discharge of roof/surface water is to a watercourse or drain, the discharge must be managed in terms of both water quality and quantity. The system must 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 acceptance. The applicant should consult with Environment Canterbury regarding the discharge.

Design Requirement – Hydraulic Neutrality

90. Post development stormwater discharges will not exceed pre-development stormwater discharges for all critical duration design storm events up to and including the 1% AEP storm. Designs and supporting information will be submitted to Council via development.engineer@selwyn.govt.nz for review and acceptance.

Design Requirement – Stormwater Treatment

91. All vested stormwater infrastructure is required to have low maintenance stormwater treatment installed to meet the stormwater treatment outcomes prescribed by the Land Water Regional Plan.

***Advice Note:** Council's preference is that stormwater be treated via an above ground treatment device. Please note that the use of mechanical stormwater treatment devices is Council's least preferred option and will require special approval due to the ongoing maintenance costs associated with these devices.*

Stormwater Management Area

92. The existing Stormwater Management Area requires extension to service the proposed development. The applicant must ensure the development site and receiving basins (upsizing) are designed in accordance with the current SDC ECoP standards. Details of the extension must be confirmed at Engineering Acceptance. Works cannot commence until approval in writing from the Development Engineering Manager or their nominee has been granted. Any works associated with the extension will be undertaken at the consent holder's expense.

***Advice Note:** The consent holder is not expected to retrofit the existing Stormwater Management Area for discharges from the Suburban Estates subdivision.*

The Canterbury Regional Council operational stormwater consent (CRC201631) in relation to the existing Stormwater Management Area is in the process of being transferred from Suburban Estates Limited to Selwyn

District Council. Any amendment to CRC201631 or any new consent that is required will be the responsibility of the consent holder, including all consenting costs. Permission from the consent holder will be required for any changes to the consent. SDC will need to approve works associated with the stormwater management area as part of the Engineering Approval process, and any potential changes to CRC201631 given the consent will eventually transfer to SDC.

Discharge Consent Requirement

93. Where a specific discharge consent is issued by Canterbury Regional Council, any consent or associated conditions will be subject to Selwyn District Council acceptance, where these obligations will be transferred to Selwyn District Council.

Draft CRC consent conditions must be submitted to Council for acceptance via development.engineer@selwyn.govt.nz prior to Engineering Acceptance being granted, once accepted, will thereafter form part of the Approved Consent Document.

***Advice Note:** The Development Engineering Manager (or their nominee) will either accept, or refuse to accept, the documentation within 10 working days of receipt. Should the Development Engineering Manager (or their nominee) refuse to accept the documentation, they will provide a letter outlining why acceptance is refused.*

Should the Development Engineering Manager (or their nominee) refuse to accept the documentation, the consent holder must submit a revised documents for acceptance. The acceptance process must follow the same procedure and requirements as outlined in this condition.

Developer requirements

94. The consent holder will hold, operate, and maintain the Canterbury Regional Council operational discharge consent held in their name for a minimum of two years after the section 224(c) Completion Certificate for the final stage of this consent has been issued.
95. 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 prior to the transfer of the CRC consent to Council.

Vested infrastructure – s224 requirement

96. The consent holder must demonstrate that the operational discharge stormwater is compliant with the Canterbury Regional Council consent that is held in the consent holder's name.
97. A fully compliant Compliance Monitoring Report issued by the Canterbury Regional Council must be submitted to Council certifying compliance with the relevant CRC consent via development.engineer@selwyn.govt.nz

Construction works stormwater infrastructure

98. Any works undertaken on stormwater infrastructure located within the development site must completed in accordance with the Engineering Code of Practice and accepted engineering plans.

Stormwater Management Plan

99. The consent holder shall prepare and submit a Stormwater Design Report and Management Plan in accordance with the requirements of Selwyn District Council and Environment Canterbury Regional Council. This plan shall be provided for Selwyn District Council's for approval and sign-off prior to granting section 224(c) at the consent holder's cost.

***Advice Note:** The Stormwater Management Plan 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.*

Inspection standards

100. All vested stormwater reticulation must meet Council's pressure testing and CCTV inspection standards as prescribed by the Engineering Code of Practice. Supporting documentation must be supplied to Council prior to the issuing of s224(c) certificate.

Stormwater Operations and Maintenance Manual

101. The consent holder must provide a Stormwater Operations and Maintenance Manual.

Advice Note: *The Stormwater Operations and Maintenance Manual must 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 must 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.*

Producer statement

102. The consent holder must provide a Producer Statement demonstrating that the stormwater system has been designed and constructed in accordance with CRC201631 and any varied or replacement consent. The producer statement is to be submitted to development.engineer@selwyn.govt.nz.

S224 document requirements

103. The consent holder must provide accurate 'as built' plans of all stormwater infrastructure installed as part of this consent that meet the requirements set out in the Engineering Code of Practice. Any costs involved in provision and transfer of this data to Council's systems must be borne by the consent holder.

Advice Note: *The asbuilts submitted for stormwater management areas will also include any specific planting constructed as part of works required for the completion of this consent.*

104. The consent holder must provide accurate AMIS schedule of all stormwater infrastructure installed as part of this consent that meet the requirements set out in the Engineering Code of Practice and the Engineering Acceptance letter. Any costs involved in provision and transfer of this data to Council's systems must be borne by the consent holder.

Advice Note: The AMIS schedule submitted for works occurring within a vested stormwater management area will also include any specific planting constructed as part of works required for the completion of this consent.

105. The consent holder must provide a comprehensive electronic schedule of any stormwater infrastructure assets to be vested in the Council that meets the requirements set out in the Engineering Code of Practice and the Engineering Acceptance letter.

Advice Note: The vested assets schedule must cover all vested asset types and include but not be limited to installed material unit costs, type, diameter, class, quantity and include summary details.

Earthworks and Overland Flow

Design Review and Acceptance – overland flow paths

106. Engineering plans and supporting design information for all works associated with all necessary earthworks and the creation of overland flow paths by the works proposed as part of this consent must be submitted to Council via the development.engineer@selwyn.govt.nz for acceptance at least 20 working days prior to the granting of engineering acceptance and once accepted will thereafter form part of the Approved Consent Document.

The Development Engineering Manager (or their nominee) will either accept, or refuse to accept, the documentation within 20 working days of receipt. Should the Development Engineering Manager (or their nominee) refuse to accept the documentation, they will provide a letter outlining why acceptance is refused.

Should the Development Engineering Manager (or their nominee) refuse to accept the documentation, the consent holder must submit a revised documents for acceptance. The acceptance process must follow the same procedure and requirements as outlined in this condition.

Advice Notes: Where designs require the installation of overland flow paths landscaping plans will also be required prior to Engineering Acceptance being granted for that asset to allow Council to review the function of the asset holistically.

All engineered fill designs must comply with New Zealand Standard (NZS) 4431:2022 Code of Practice for Earth Fill for Residential Development.

Design Requirement – Plains Flood Management Overlay

107. The development site is located within the Plains Flood Management Overlay area as defined by the Partially Operative District Plan. All designs and supporting information submitted to Council for review and Engineering Acceptance must demonstrate that the secondary flow paths created by this consent are able to convey the 0.5% AEP storm event.

Advice Note: To allow for climate change the design storm event used for the creation of any secondary flow paths located with the Plains Flood Management Overlay area will be the HIRD's RCP 8.5 (2081 – 2100) rainfall event for the critical storm duration.

The designs will be expected to demonstrate that all flows generated by the design storm event will not exceed the capacity of the overland flow path.

Design Requirement – Existing land drainage patterns

108. Plans and support information must be submitted Council via the development.engineer@selwyn.govt.nz for acceptance at least 20 working prior to the granting of engineering acceptance to confirm:

- (a) Any change in ground levels will not cause ponding or drainage nuisance to neighbouring properties.

- (b) All filled land is shaped to fall to the road boundary.
- (c) Existing drainage paths from neighbouring properties are maintained.

The Development Engineering Manager (or their nominee) will either accept, or refuse to accept, the documentation within 20 working days of receipt. Should the Development Engineering Manager (or their nominee) refuse to accept the documentation, they will provide a letter outlining why acceptance is refused.

Should the Development Engineering Manager (or their nominee) refuse to accept the documentation, the consent holder must submit a revised documents for acceptance. The acceptance process must follow the same procedure and requirements as outlined in this condition.

Once accepted the plans and documentation will thereafter form part of the Approved Consent Document.

Construction requirement

- 109. All earthworks completed on site are to be carried out in accordance with the Engineering Code of Practice and the accepted engineering plans.

Consent Condition – Fill certificate

- 110. Certificates satisfying the conditions of NZS4431: 2022 Code of Practice for Earth Fill for Residential Development are to be provided to the Council. These certificates will be provided by a chartered engineering professional with suitable experience and accompanied by a report detailing the extent and nature of all earthworks undertaken.

S224 Requirements – Digital Elevation Model & AsBuilts

- 111. The consent holder must provide an accurate digital elevation model (DEM) for all earthworks undertaken as part of this consent that meet the requirements set out in the Engineering Code of Practice and Engineering Acceptance letter. Any costs involved in provision and transfer of this data to Council's systems must be borne by the consent holder.
- 112. The consent holder must provide accurate 'as built' plans for all earthworks undertaken as part of this consent that meet the requirements set out in the Engineering Code of Practice and Engineering Acceptance letter. Any costs involved in provision and transfer of this data to Council's systems must be borne by the consent holder.

Retaining wall approvals

- 113. The consent holder is to provide the building consent for the retaining walls or written confirmation that all building consent exemption process requirements have been met with their application for Engineering Acceptance.

Advice Note: The consent holder is expected to address the potential need for barriers in association with retaining walls in the Engineering Acceptance process. The design of any barrier system is to be included in the peer review assessment of the retaining walls.

Retaining wall construction methodology

- 114. The consent holder is to provide the construction methodology for the retaining walls that are to be constructed adjacent to the stormwater reserve with their application for Engineering Acceptance.
- 115. The consent holder must fully remediate any damage to the Council owned stormwater reserve that has been caused by their activities.

Land Drainage and Other Waterways

Design Review and Acceptance – Works on the land drainage

- 116. Engineering plans and supporting design information for all works associated with:

- the piping of the drain located within or adjacent to the development site
- the naturalisation of the drain located within or adjacent to the development site

must be submitted to Council via the development.engineer@selwyn.govt.nz for acceptance at least 20 working prior to granting of engineering acceptance and once accepted will thereafter form part of the Approved Consent Document.

***Advice Note:** The Development Engineering Manager (or their nominee) will either accept, or refuse to accept, the documentation within 20 working days of receipt. Should the Development Engineering Manager (or their nominee) refuse to accept the documentation, they will provide a letter outlining why acceptance is refused.*

Should the Development Engineering Manager (or their nominee) refuse to accept the documentation, the consent holder must submit a revised documents for acceptance. The acceptance process must follow the same procedure and requirements as outlined in this condition.

***Advice Note:** Where designs require the naturalisation of the land drainage network landscaping plans will also be required prior to Engineering Acceptance being granted for that asset to allow Council to review the function of the asset holistically.*

S224 document requirement

117. The consent holder must provide accurate 'as built' plans for any works undertaken on the land drainage network as part of this consent that meet the requirements set out in the Engineering Code of Practice. Any costs involved in provision and transfer of this data to Council's systems must be borne by the consent holder.

***Advice Note:** The asbuilts submitted for land drainage works will also include any specific planting constructed as part of works required for the completion of this consent.*

Geotechnical Completion Report

118. A Geotechnical Completion Report shall be provided to Council to certify the earthworks.

Power and Telecommunications

Front lots

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

Rear lots

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

***Advice Note:** In the case of rear allotments accessed and serviced via private accessways, the condition requires that the infrastructure is in place to make a connection to services, i.e. that a conduit is in place to enable cables to be installed in the accessway without disturbing it. The cables themselves are not required to be installed.*

S224 Requirement

121. The consent holder must provide evidence in writing from the relevant authorities that electrical and telecommunications service connections have been installed to each lot.

Site Stability, Earthworks and Site Works

Erosion and Sediment Control Plan

122. The consent holder must provide a copy of the Erosion and Sediment Control Plan required by conditions 8 and 9 of Canterbury Regional Council issued consent CRC253220 to the Team Leader Compliance at Selwyn District Council prior to any earthworks commencing. If not approved by ECan, the ESCP will require formal acceptance by Selwyn District Council's Development Engineer (via email to development.engineer@selwyn.govt.nz) prior to any work starting on site.

Nuisance – sediment, dust and erosion

123. The accepted ESCP must be implemented on site over the entire construction phase, until the site is stabilised (i.e. no longer producing dust or water-borne sediment). No earthworks may commence on site until:
- (a) All measures required by the ESCP have been installed;
 - (b) An Engineering Completion Certificate, signed by an appropriately qualified and experienced engineer, has been submitted to the Council. This is to certify that the erosion and sediment control measures have been properly installed in accordance with the accepted ESCP;
 - (c) The Council has been notified (via email to compliance@selwyn.govt.nz) no less than 3 working days prior to work commencing, of the earthworks start date and the name and details of the site supervisor;
 - (d) The contractor has received a copy of all resource consents and relevant permitted activity rules controlling this work.
124. All earthworks must be carried out in accordance with the approved/accepted ESCP.
125. The ESCP must be improved if initial and/or standard measures are found to be inadequate.
126. All disturbed surfaces must be adequately topsoiled and vegetated or otherwise stabilised as soon as possible to limit sediment mobilisation.

Nuisance – vehicle movements

127. Any public road, shared access, footpath, landscaped area or service structure that has been damaged, by the persons involved with the development or vehicles and machinery used in relation to the works under this consent, must be reinstated as specified in the Engineering Code or Practice at the expense of the consent holder and to the satisfaction of the Council.
128. All works on site must be subject to a Traffic Management Plan (TMP) which must be prepared by a suitably qualified person and submitted for acceptance prior to the commencement of earthworks. No works are to commence until the TMP has been accepted and installed.

The TMP must identify the nature and extent of temporary traffic management and how all road users will be managed by the use of temporary traffic management measures. It must also identify the provision of on-site parking for construction staff. Activities on any public road should be planned so as to cause as little disruption, peak traffic safety delay or inconvenience to road users as possible without compromising safety. The TMP must comply with the Waka Kotahi NZTA Code of Practice for Temporary Traffic Management (CoPTTM) and the relevant Road Controlling Authority's Local Operating Procedures.

The TMP must be submitted to the relevant Road Controlling Authority through the web portal www.myworksites.co.nz). To submit a TMP a Corridor Access Request (CAR) must also be submitted. A copy of the accepted TMP and CAR must be supplied to the Council's resource consent monitoring team (via email to compliance@selwyn.govt.nz) at least 3 working days prior to the commencement of works under this consent.

Nuisance – drainage

129. Any change in ground levels must not cause a ponding or drainage nuisance to neighbouring properties. All filled land must be shaped to fall to the road boundary. Existing drainage paths from neighbouring properties must be maintained.

Following the completion of the filling and associated work an engineering report including a finished section level as built, with retained wall height and slope batter details, must be submitted to the Development Engineer. This report must be undertaken by a suitably qualified engineer. The information contained in this report will be placed on the property record.

130. Stormwater runoff must be mitigated so that it does not cause a nuisance to neighbouring properties.
131. All concentrated stormwater or collected groundwater, including that from behind the retaining walls, must be discharged in a controlled manner to the Council network.

Land stability

132. No permanent unsupported cut or batter may be formed any steeper than 26° in soil, unless approved by a chartered professional engineer.
133. The fill sites must be stripped of vegetation and any topsoil prior to filling. The content of fill must be clean fill (as defined in the Partially Operative District Plan).
134. Any change in ground levels must not affect the stability of the ground or fences on neighbouring properties.
135. The consent holder must submit a report and calculations detailing any filling proposed against existing boundaries and the mitigation proposed to avoid adverse effects on adjoining properties. Any retaining wall construction over 0.5m high must be included and certified as part of the Earth Fill Report.

***Advice Note:** Any retaining wall that exceeds 6m² is regarded as a building and requires a separate resource consent if not specifically addressed within the application supporting this consent.*

136. All filling exceeding 300mm above excavation level must be in accordance with NZS 4431:2022 Engineered fill construction for lightweight structures. At the completion of the work an Earth Fill report including a duly completed certificate in the form of Appendix D of NZS 4431 must be submitted to the Council at development.engineer@selwyn.govt.nz so that the information can be placed on the property record. This report must detail depths, materials, compaction test results and include as-built plans showing the location and finished surface level of the fill.

Landscaping

Provision of landscaping

137. Landscape plans for landscaping within the road reserve must be submitted to Council's Development Engineering Manager for acceptance. Landscaping plans and supporting documentation are to include;

- a. Tree species
- b. Plant species

Plans and specifications are to be submitted to development.engineer@selwyn.govt.nz at least 20 working days prior to landscaping acceptance being granted prior to the commencement of related work and, once accepted, will thereafter form part of the Approved Consent Document.

***Advice Note:** The Engineering Manager (or their nominee) will either accept, or refuse to accept, the documentation within 20 working days of receipt. Should the Engineering Manager (or their nominee) refuse to accept the documentation, they will provide a letter outlining why acceptance is refused.*

Should the Engineering Manager (or their nominee) refuse to accept the documentation, the consent holder must submit a revised documents to the Engineering Manager for acceptance. The acceptance process must follow the same procedure and requirements as outlined in this condition.

All landscaping must be carried out in accordance with the accepted plans,

The Consent Holder must maintain any landscaping elements approved in the engineering acceptance for the 24 months Establishment Period (Defects Maintenance) until a final inspection and handover acceptance of the landscaping by the Council.

138. All pest species of plants (as identified in the National Pest Plant Accord) must be removed from those areas of the adjoining Stormwater Management Reserve that the applicant intends to undertake works within.
139. A landscaping plan must be submitted for the adjoining Stormwater Management Reserve that the applicant intends to undertake works within. All landscaping must be carried out in accordance with the accepted plans.
- The Consent Holder must maintain any landscaping elements approved in the engineering acceptance for the 24 months Establishment Period (Defects Maintenance) until a final inspection and handover acceptance of the landscaping by the Council.
140. An ecological assessment, including a survey for aquatic life, must be undertaken of McGills Drain by a suitably qualified freshwater ecologist. Any recommendations from the assessment are to be incorporated into the landscaping plan and construction process.

Lizards

141. The ecologist/herpetologist who prepared the Lizard Management Plan must supervise all lizard related work.
142. Within 10 days of completion of all lizard related works, the supervising ecologist/herpetologist must provide the following to Council:
- (a) a record of all findings from the search and rescue and relocations on an Amphibian/Reptile Distribution Scheme (ARDS) Card (or similar form that provides the same information); and
 - (b) confirmation that all works have been carried out and completed in accordance with the approved Lizard Management Plan.

Protection of existing/special trees

143. All established existing trees to remain within the development will need an Arboricultural Impact Assessment (AIA) and a Tree Protection Management Plan undertaken by a Technician Arborist (selected from the Christchurch City Council approved list of Technician Arborists) prior to any earthworks being undertaken.
144. If recommended by the Tree Protection Management Plan the consent holder must appoint a suitably experienced and qualified Arborist to monitor and supervise all works, including earthworks and tree removals, located within the 5m setback of the base of any established trees for the duration of the proposed works. The appointment of the monitoring arborist needs to be approved by a suitably qualified representative of the Selwyn District Council.
145. Soil excavation within the dripline of any trees deemed significant or requiring protection by the monitoring arborist must only occur under the direction and supervision of the appointed Arborist. This excavation must only be undertaken by hand or air spade, hand digging being the preferable option. No ripping or tearing of roots (including the plate itself) must occur.

S224 document requirements

146. The consent holder must provide accurate 'as built' plans and AMIS schedules that meet the requirements set out in the Engineering Code of Practice. Any costs involved in provision and transfer of this data to Council's systems must be borne by the consent holder.

147. The consent holder must provide a comprehensive electronic schedule of any assets to be vested in the Council that meets the requirements set out in the Engineering Code of Practice.

Advice Note: The vested assets schedule must cover all vested asset types and include but not be limited to installed material unit costs, type, diameter, class, quantity and include summary details.

148. Entrance structures shall not be placed on Council road reserve.
149. Bollards must be installed to prevent vehicle access to the reserves. This will include removable bollards where necessary to allow maintenance vehicles access into the reserves.

Fencing Covenants

150. The consent holder must 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 must 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 must procure a written undertaking from the consent holder's solicitor that the executed fencing covenant will be registered on deposit of the subdivision plan.
151. All reserves will be fenced and fencing plans must be included in the landscaping acceptance documentation and will show fence locations, heights and detailed fence typologies.

Reserves

152. The consent holder must vest Lots 500, 502-505, 508-511 as Local Purpose (Landscape) Reserve, Lot 506 as Local Purpose (Stormwater) Reserve, Lots 501 & 507 as Local Purpose (Recreation) Reserve, and Lot 600 as Local Purpose (Road) reserve.

Landscaping Acceptance for Reserves

153. Landscaping plans and accompanying design report for the landscaping, playground, riparian planting, footpaths and stormwater areas of all reserves vested to council must be submitted to Council via development.engineer@selwyn.govt.nz for acceptance, and once accepted, will thereafter form part of the Approved Consent Document. The plans and design report are to provide sufficient detail to confirm compliance with the Engineering Code of Practice.

Plans and supporting information accompanied in the design report required for Landscaping Acceptance must include but not be limited to the following:

1. Plant selection
2. Soft landscaping features
3. Hard landscaping features
4. Playground design and specification
5. Crime Prevention Through Environmental Design (CPTED) principals.
6. Storm water treatment and functionality

Landscaping plans must be supplied with the Engineering Acceptance application.

Suitably qualified design certification

154. A design certificate must be supplied to Council (development.engineer@selwyn.govt.nz) by the designer and included in the Landscaping plans and design report submitted for engineering acceptance.

Provision of playgrounds

155. A playground must be installed in Lot 501. Playground design must be submitted to SDC for acceptance.

S224 document requirements

156. The consent holder must provide accurate 'as built' plans and AMIS schedules that meet the requirements set out in the Engineering Code of Practice. Any costs involved in provision and transfer of this data to Council's systems must be borne by the consent holder.
157. The consent holder must provide a comprehensive electronic schedule of any assets to be vested in the Council that meets the requirements set out in the Engineering Code of Practice.

Advice Note: The vested assets schedule must cover all vested asset types and include but not be limited to installed material unit costs, type, diameter, class, quantity and include summary details.

158. A shared pedestrian cycle path network must be constructed through Lots 500, 600, 509, 506-508 to connect into the path network in the stormwater management reserve. The shared path design must be submitted to SDC for acceptance.

RC255934 Cancellation of Consent Notices

1. Consent Notice 12035451.6 in respect of Lot 131 DP 556577 (RT 977634) shall be cancelled.
2. Consent Notice 11555149.5 in respect of Lot 4 DP 538252 (RT 905044) shall be cancelled.

Advice Notes:

Pursuant to section 221(5), it is the landowner's responsibility to formally lodge with Land Information New Zealand to have the consent notice cancellation updated on the relevant Record(s) of Title. Until this is done, the existing consent notice remains in force and must be complied with.

Upon the landowner's request, the Council will prepare the instrument for the cancellation of the consent notice. All costs associated with this process shall be met by the landowner.

RC245418 Land Use Consent Conditions

1. The proposal shall proceed in general accordance with the information submitted with the application on 6 June 2024, the further information provided on 26 July 2024 (Urban Design matters), 29 July 2024 (Transpower Written Approval), 30 January 2025 (RFI response), 25 March 2025 (RFI Response), 9 May 2025 (Amended plans - Lots Undersized 23m x 16m, and Lots Limited to 1 Unit); 9 July 2025 (Amended Plans - Lots Undersized 23m x 16m, and Lots Limited to 1 unit), 11 July 2025 (Revision C Survey Plan and Further Traffic Analysis), 27 August 2025 (Revision D Survey Plan), 25 September (Amended Plans - Revision E Survey Plan, Lots Undersized 23m x 16m, and Lots Limited to 1 Unit), 13 October 2025 (Revision F Survey Plan), 20 October ('Ururepo - Stage 4 RC245417 & RC245418 - Retaining Wall Details' - Sheet C150, Rev B, 14 October 2025), 30 October 2025 ('Earthworks Cut and Fill Existing GL to Finished GL Depths' - Set C1-C3, Sheet C120, Rev C, 14 October 2025), 31 October (Amended Plan - Lots Undersized 23m x 16m), and the attached stamped Approved Plans entitled: 'Ururepo Residential Development - Subdivision of Lot 4 DP 538252 & Lot 131 DP 556577', Revision F, Sheets P100-P104, dated 26 September 2025; except where another condition of this consent must be complied with.

Te Taumutu Rūnanga and Te Ngāi Tūāhuriri Rūnanga

2. There must be a planted buffer zone between impervious surfaces and structures and McGills Drain.

3. Indigenous riparian planting must be planted in the buffer zone adjoining McGills Drain to enhance the cultural landscape, increase indigenous habitat, filter sediment, sequester carbon and enhance the ecological values of the waterway.
4. An accidental discovery protocol (ADP) must be in place during all earthworks required to give effect to this consent to deal with archaeological finds and protect the interests of mana whenua. This condition does not constitute a response under the Heritage New Zealand Pouhere Taonga Act (HNZPT 2014).

Contaminated Land

5. All contaminated soils removed from the site will not be suitable to be disposed of at a cleanfill facility and must be disposed of at a licensed disposal facility whose waste acceptance criteria permit the disposal.
6. In the event of contamination discovery e.g., visible staining, odours, and/or other conditions that indicate soil contamination, then work must cease until a Suitably Qualified and Experienced Practitioner (SQEP) has assessed the matter and advised of the appropriate remediation and/or disposal options for these soils. Any measures to manage the risk from potential soil contamination must be approved by the Selwyn District Council.
7. The Council shall be notified of the start of earthworks at least five (5) working days prior to the earthworks commencing on the site. The notification shall be emailed to development.engineer@selwyn.govt.nz and shall include the following:
 - (a) Contact details of the project manager overseeing the works; and
 - (b) Contact details of the contaminated land specialist (i.e. SQEP) overseeing the works.
8. All earthworks shall be undertaken in accordance with the Remedial Action Plan (RAP) prepared by Momentum Environmental Limited, entitled 'Detailed Site Investigation Report and Remediation Action Plan, 93 Tosswill Road, Prebbleton, Canterbury', dated 25 March 2024.
9. Any amendments to the RAP shall be prepared by the contaminated land specialist and the revised document provided to Selwyn District Council, emailed to development.engineer@selwyn.govt.nz no later than ten (10) working days prior to works commencing under the revised RAP. Selwyn District Council shall provide the approval or require a review within ten (10) working days following receipt of the revised document.
10. Any amendments to the RAP shall not result in the level of human health and/or environmental protection being decreased.
11. Within one month of the completion of the remedial works, a Site Validation Report shall be prepared by a contaminated land specialist outlining the works undertaken. The site validation report shall include at least the following:
 - Full chronological, illustrated description (i.e. inclusion of photographs) of the remedial works including the collection of validation samples after removal of all the materials and prior to backfilling/reinstatement; and
 - Records of any contaminated land related incidents related to the release of soil contaminants, if any; and
 - Records and details of any discovered contamination; and
 - Statement of the volumes of soil: disturbed by the works; disposed offsite and confirmation of disposal facility location including weighbridge receipts as evidence of waste disposal; and
 - Cleanfill materials imported to site, including source of this material including any supporting analytical data where appropriate; and

- Validation test results confirming all remaining soil meets the NES-CS for residential 10% produce land use, including sampling locations and depth.

Attachments

1. RC245417 Subdivision and RC245418 Land Use Approved Plans - 'Tosswill Road Residential Development - Subdivision of Lot 4 DP 538252 & Lot 131 DP 556577', Revision F, Sheets P100-P104, dated 26 September 2025.

Development Contributions

Subdivision Consent

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. Any objection or request for reconsideration must be made in writing in accordance with the Development Contribution Policy in place at the time of application.

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 the application for resource consent is formally received. If the time between the date the resource consent is formally received 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 formally received. 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	232.00	0.00	232.00	4,900.00	1,136,800.00	170,520.00	1,307,320.00
Wastewater	232.00	0.00	232.00	5,772.00	1,339,104.00	200,865.60	1,539,969.60
Stormwater	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Reserves	232.00	1.00	231.00	12,461.00	2,878,491.00	431,773.65	3,310,264.65
Roading	232.00	1.00	231.00	1,472.00	340,032.00	51,004.80	391,036.80
Roading ODP	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Contribution					5,694,427.00	854,164.05	6,548,591.05

Selwyn District Council Advice Notes for the Consent Holder

Lapse Period (Subdivision Consent)

- Pursuant to section 125 of the Resource Management Act 1991, this subdivision consent lapses five years after the date of issue of the decision, i.e. the date of receipt of the Notice of Decision email, unless:
 - A survey plan is submitted to Council for approval under section 223 of the Act before the consent lapses, and that plan is deposited within three years of the approval date in accordance with section 224 of the Act; or
 - Before the consent lapses an application is made to the Council to extend the period after which the consent lapses and the Council decides to grant an extension.

Lapse Period (Land Use Consent)

- (b) Pursuant to section 125 of the Resource Management Act 1991, if not given effect to, this land use consent shall lapse five years after the date of issue of the decision, i.e. the date of receipt of the Notice of Decision email, unless before the consent lapses an application is made to the Council to extend the period after which the consent lapses and the Council decides to grant an extension.

Section 224 Certificate Issuing Requirements (Subdivision)

- (c) A Section 224 Certificate will not be issued until all Council invoices, including engineering fees and any other related costs associated with the Resource Consent have been paid in full.

Resource Consent Only

- (d) This consent is a Selwyn District Council resource consent under the Resource Management Act. It is not an approval under any other Act, Regulation or Bylaw. Separate applications will need to be made for any other approval, such as a water race bylaw approval or vehicle crossing approval.

Building Act

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

Regional Consents

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

Monitoring

- (g) In accordance with section 36 of the Resource Management Act 1991, the following monitoring programme and associated fee has been charged: Standard - One site inspection.
- (h) 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.
- (i) Where the conditions of this consent require any reports or information to be submitted to the Council, please forward to the Council's Compliance Team, compliance@selwyn.govt.nz.
- (j) Any resource consent that requires additional monitoring due to non-compliance with the conditions of the resource consent will be charged additional monitoring fees at a time and cost basis.

Vehicle Crossings

- (k) Any new or upgraded vehicle crossing requires a vehicle crossing application from Council's Infrastructure Department prior to installation. For any questions regarding this process please contact transportation@selwyn.govt.nz. Use the following link for a vehicle crossing information pack and to apply online: Selwyn District Council - Application to Form a Vehicle Crossing (Entranceway).
- (l) (bb) This property may be located adjacent to an existing street tree and/or streetlight. Should the approved location of the vehicle crossing require the relocation of an existing street tree all works associated with relocation (including remediation of the berm will be undertaken that the applicants expense.

Impact on Council Assets

- (m) Any damage to fixtures or features within the Council road reserve that results from construction or demolition on the site shall be repaired or reinstated at the expense of the consent holder.

Vehicle Parking During the Construction Phase

- (n) Selwyn District Council is working to keep our footpaths safe and accessible for pedestrians, including school children. The Council also seeks to avoid damage to underground utility services under footpaths, e.g. fibre broadband. During the construction phase (and at all other times), please:
- (i) park only on the road or fully within your property – it is illegal to obstruct or park on a footpath; and
 - (ii) arrange large deliveries outside of peak pedestrian hours, e.g. outside school start/finish times.

Engineering Acceptance

- (o) Plans and supporting information accompanied in the design report required for Engineering Acceptance must include but not be limited to the following:
1. Water Reticulation
 2. Wastewater Reticulation
 3. Roothing Network – new and alterations to existing and streetlighting.
 4. Stormwater, water races, and land drainage
 5. Walking and cycling infrastructure provision and connection.
 6. Future Public Transport provision accessibility (in consultation with Environment Canterbury Regional Council)

Please note that pedestrian linkages through proposed reserves are considered to be part of the roading infrastructure and will require engineering acceptance prior to construction.

- (p) Detailed Design plans submitted for Engineering Acceptance are expected to include design features such as threshold treatments to help make clear that the private accessways that have two entry points are not public access routes.

Landscaping Acceptance

- (q) Landscaping Plans and supporting information accompanied in the design report required for Landscaping Acceptance must include but not be limited to the following:
1. Plant and tree selection
 2. Soft landscaping features
 3. Hard landscaping features
 4. Playground specifications
 5. CPTED principals
 6. Conformance with granted resource consent
 7. SDC Engineering Code of Practice (ECoP)

Please note that pedestrian linkages are considered to be part of the roading infrastructure and will require landscaping acceptance prior to construction.

Landscaping

- (r) On-site construction must commence within 12 months of the issue of Landscaping Approval. If works do not commence within 12 months of the issue or approval, the applicant must re-submit plans for Landscaping Acceptance prior to works commencing.
- (s) The Council does not encourage irrigation systems in reserves to be vested in Council. The need for an irrigation system will be assessed on a case-by-case basis and approval given through the Engineering Acceptance process.
- (t) The adjacent storm water reserve will need landscaping and improvements to mitigate the effects of constructing the development and to soften the interface between the residential lots and the stormwater reserve. This may entail further planting in the existing stormwater reserve along the boundary if required. Any further planting/landscaping in the stormwater reserve will be subject to the typical 24-month defects period.

Provision of pedestrian links

- (u) Council considers all proposed pedestrian infrastructure to be part of the roading network and subject to the requirements of Engineering Acceptance.

Services in Recreational Reserves

- (v) The installation of services in Recreation Reserves may impose limits on the end use of the reserve. Council's preference is that all services are located within the road reserve. The consent holder and/or their agent is informed that the installation of services in Recreation Reserves may change the final value of the Developer's Improvement Contributions.

Valuation

- (w) The applicant will need to get a valuation prepared for the land value for the proposed Local Purpose Landscaping reserves and the Recreation reserve. Any credit provision will be assessed by the Open Spaces team up to a maximum of 20% for the Local Purpose Landscape Reserve and up to 100% for the Recreation Reserve of the agreed upon value.

Bollards

- (x) Bollards may be necessary at the entrances to reserves to prevent vehicle access.

Peer review

- (y) Council may have designs that show vested assets peer reviewed at the consent holder's cost. Applicants will be informed whether this is required upon review of designs submitted for Engineering Acceptance.

Stormwater

- (z) The discharge of roof stormwater must not arise from unpainted galvanised sheet materials or copper building materials. The use of these materials is prohibited in accordance with the conditions of Selwyn District Council's global stormwater consent.

Safety from falling

- (aa) The consent holder is expected to address the potential need for barriers in association with retaining walls in the Engineering Approval process. The design of any barrier system is to be included in the peer review assessment of the retaining walls.

Vehicle Crossing - LIM note for all proposed Lots

- (bb) Any new or upgraded vehicle crossing requires approval from Council's Infrastructure and Property Department prior to installation. Applications to install a new vehicle crossing or upgrade an existing one can be made online via the SDC website (Selwyn District Council - Application to Form a Vehicle Crossing

(Entranceway)). For any questions regarding the process please contact the Roding Team via email at transportation@selwyn.govt.nz.

Traffic Calming

- (cc) Traffic calming measures could be considered for the internal roads within the subdivision to achieve a 30 km/hr operating speed.

Rūnanga Advice Notes for the Consent Holder

Te Taumutu and Ngāi Tūāhuriri Rūnanga

- (a) The consent holder should incorporate the Ngāi Tahu Subdivision and Development Guidelines to the greatest practical extent during the development of residential dwellings. In particular, the sites should incorporate sustainable urban design features with respect to stormwater runoff including:
 - i. Rainwater capture and reuse (i.e., rainwater collection tanks).
 - ii. Minimising impervious cover (e.g., using permeable paving and maintaining grass cover).
 - iii. Avoiding the use of building material known to generate contaminants such as copper guttering and roofing.