

Selwyn Draft Conditions – South East

General

1. The following conditions of consent shall be met prior to the issue of the section 224(C) completion certificate, at the expense of the consent holder.
2. That the subdivision shall proceed in general accordance with the attached approved subdivision plan (now marked RC215439) and the details included with the application, the further information, including the creation of any additional utility lots except where varied by the following conditions of consent.
3. The subdivision may be undertaken in stages. If the subdivision is undertaken in stages, the stages may occur in any order but generally in accordance with the following:
 - Stage 1 – Lots 1, 222-230, 267-274
 - Stage 2 – Lots 2-9, 118-119, 137-140, 175-188, 196-221, 231, 242, 259-260, 351, 400, 405
 - Stage 3 – Lots 10-36, 107, 120-136, 141-174, 189-195, 300-301, 353, 356, 401
 - Stage 4 – Lots 44-57, 59-90, 275-286, 302, 354, 358, 402, 403
 - Stage 5 – Lots 37-43, 91-106, 108-117, 232-241, 243-258, 261-266, 352, 357, 404, 40620
 - Stage 6 – Release of the Amalgamation of Lots 14-16
 - Stage 7 – Release the Amalgamation on Lots 277-286
4. All required easements shall be duly created and granted or reserved.

Consent Notices

5. A Consent Notice pursuant to section 221 of the Resource Management Act 1991 shall be registered on the relevant Record of Title for Lots 24-26, 29-30, 61-64, 72-81, 83-89, 91-100, 107, 118-128, 139-203, 210, 231-241, 242-251 265-266 to record the following conditions are complied with on a continuing basis:
 - a. These lots are small-lot medium density lots. The Living Z rules in the Operative District Plan for small-lot medium density development shall apply to any future development on these lots.
6. A Consent Notice pursuant to section 221 of the Resource Management Act 1991 shall be registered on the relevant Record of Title for Lots 1-23, 27-28, 31-57, 59-60, 65-71, 80, 101-106, 108-117, 129-138, 204-209, 211-230, 252-264, 267-274 to record the following conditions are complied with on a continuing basis:
 - a. These lots are low density lots. The Living Z rules in the Operative District Plan for low density development shall apply to any future development on these lots.
7. A Consent Notice pursuant to section 221 of the Resource Management Act 1991 shall be registered on the relevant Record of Title for Lots 277-282 to record the following conditions are complied with on a continuing basis:
 - a. Lots 277-282 are Comprehensive Medium Density Development lots, and any future development is to be in accordance with [refer to either approved plans or land use consent].

8. A Consent Notice pursuant to Section 221 of the Resource Management Act 1991 shall be registered on the relevant Record of Title for Lots 275 and 276 to record the following conditions are complied with on a continuing basis:
 - a. Lots 275 and 276 are Business 1 zone and any future development is to be in accordance with [refer to land use consent].
9. That a Consent Notice be registered against the Record of Title for each utility lot created, to the effect that it shall be used as a utility lot only. Ongoing compliance with this condition shall be ensured by way of a consent notice registered against the Record of Title to issue for Lots 351-354 hereon and any other utility lot created. The consent notice shall be prepared and registered by Council's solicitor at the request and expense of the consent holder.

Amalgamation Covenants

10. Lots 14-16 created in Stage 3 shall be held together by amalgamation covenant pursuant to Section 220(2)(a) of the Resource Management Act. At the time of Stage 6 the amalgamation covenant will be released.
11. Lots 277-286 created in Stage 4 shall be held together by amalgamation covenant pursuant to Section 220(2)(a) of the Resource Management Act. At the time the future dwellings on Lots 277-286 have passed the pre-line inspection and when the relevant development contributions have been paid the amalgamation covenant will be released (Stage 7). Each lot can be individually released from the amalgamation covenants once the pre-line inspection for that lot has been passed.

Covenants

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

Engineering Approval

13. The engineering design plans and specifications for all works shall be submitted to the Development Engineering Manager for approval including, but not limited to:
 - Water supply
 - Water race
 - Sewerage
 - Stormwater
 - Roading, including street lighting and entrance structures
 - Shared accessways
 - Landscaping and irrigation.

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

14. All work shall comply with the conditions set out in the Engineering Approval and be constructed in accordance with the approved engineering plans.
15. All work shall comply with the Engineering Code of Practice, except as agreed in the Engineering Approval.
16. The Consent Holder shall include with the engineering plans and specifications submitted for Engineering Approval, copies of any other consents required and granted in respect of this subdivision, including any certificate of compliance or consent required by Canterbury Regional Council.
17. Unless specific provision is made otherwise through the Engineering Approval the services to all lots shall extend from the road boundary to a point one metre inside the net area of the lot. Please note that the net area is the area excluding any right of way or accessway.
18. The consent holder shall provide accurate 'as built' plans of all services to the satisfaction of the Development Engineering Manager. All assets being vested in Council shall be provided in an appropriate electronic format for integration into Council's systems. Any costs involved in provision and transfer of this data to Councils system shall be borne by the Consent Holder.
19. The Consent Holder shall provide a comprehensive schedule of any assets to be vested in the Council to the satisfaction of the Development Manager. The schedule shall include but not be limited to installed material unit costs, type, diameter, class, quantity and include summary details.

Utilities

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

Water Supply

22. The net area of each lot shall be provided with an individual potable high pressure connection to the Rolleston water supply in accordance with the approved Engineering Plans.
23. Water meters shall be installed in the road reserve only. Multi meter boxes may be utilised.
24. Connection to Council's reticulated water supply shall either be carried out or supervised by Council's contractor SICON Ferguson Limited at the cost of the Consent Holder.
25. Water connections to be provided to adjoining properties where required by Council

Sewer

26. Existing on-site effluent treatment and disposal systems shall be decommissioned and removed from the site or backfilled.
27. That each lot shall be provided with a sewer lateral laid to the boundary of the net area of that lot in accordance with the approved Engineering Plans.

28. All laterals shall be installed ensuring grade and capacity are provided for and in accordance with Council's engineering standards, giving regard to maximum upstream development density.
29. All sewer reticulation to be vested shall meet Council CCTV standards.
30. Connection to the Council sewer shall be arranged by the Consent Holder and the work shall be done by a registered drainlayer.
31. No direct connection of individual property laterals to the 525 diameter sewer main
32. Wastewater connections to be provided to adjoining properties where required by Council

Stormwater

33. The Consent Holder shall install stormwater reticulation treatment and disposal to service the subdivision in accordance with the approved engineering plans and the requirements of Canterbury Regional Council.
34. The Consent Holder shall prepare and submit a Stormwater Design Report and Management Plan in accordance with the requirements of Selwyn District Council and Canterbury Regional Council. This plan shall be provided for Selwyn District Council's approval and sign-off at the Consent Holders Cost. It shall include, but not be limited to:
 - a. A plan showing existing ground levels on neighbouring properties along with proposed levels on the subdivision sites. Interference with pre-existing stormwater flows needs to be considered so as not to cause ponding or nuisance on neighbouring or developed land.
 - b. Existing and proposed drainage plan with sub catchments and flow arrows to show how the drainage will be affected.
 - c. Calculations to demonstrate compliance with the Engineering Code of Practice and any relevant Environment Canterbury consent conditions.
 - d. Ongoing operation and maintenance requirements.
35. The proposed development shall not discharge run off onto adjacent properties unless via a controlled outlet approved as part of the Engineering Design Approval.
36. In the event that an adjacent neighbour's historical stormwater drainage was onto the site, the proposed development must maintain or mitigate the historical discharge.
37. 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 obligation will be transferred to Selwyn District Council. The Consent Holder will hold, operate and maintain the stormwater consent for a minimum of two years after the Section 224(c) Completion Certificate has been issued. Council must be satisfied at the end of this period that all aspects of the system, including but not limited to compliance with consent conditions, operations and maintenance costs are acceptable to Council.
38. The Consent Holder shall provide a Stormwater Operations and Maintenance Manual prior to the approval of the Section 224(c) Completion Certificate.
39. Where stormwater mains in private property are to be vested in Selwyn District Council, a written request shall be submitted to the Development Engineering Manager. Easements in gross in favour of Council shall be provided.

Power and Telephone

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

New Roads

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

Corner Splays

44. The corner Lots at the road intersection shall be splayed with a rounded minimum radius of 3 metres.

Point strip

45. That a Point Strip shall be created for Lots 356-358 on the subdivision adjacent to Lot 2 DP 82966
46. A Point Strip agreement (to be prepared by Council's solicitors) shall be entered into between the Consent Holder and the Council before issue of the section 224c Certificate for the relevant stage of the development.
47. A Consent Notice shall be registered against the title to the land which comprises the Point Strip which provides that:
 - a. The title of the land comprising the Point Strip shall be transferred to the Council when the plan of subdivision is deposited.
 - b. The Council will not grant the owner of Lot 2 DP 82966. (the "Adjoining Land") access to the land comprising the Point Strip except in accordance with the terms of the Point Strip Agreement between the Consent Holder and the Council dated on or about the date of this notice.
 - c. The agreement shall ensure the benefiting owner (i.e. the owner of the Adjoining Land) pays a fair share of the cost of providing the full road construction for roads adjoining Lots 356-358.
 - d. The agreement shall set the amount to be paid which will be updated from the date of the agreement by the movement in the Consumers Price Index. The right for the Consent Holder to be paid the amount set out in the agreement shall expire 20 years after the date of the agreement.
 - e. The Consent Holder shall provide a valuation of the amount to be paid to the Council. This valuation will be checked by an Independent Infrastructural Valuer appointed by the Council, with the costs of checking being met by the consent holder.
 - f. The Consent Holder will meet the cost of the Council's Solicitor preparing the agreement and Consent Notice.

Accessways and Vehicle Crossings

48. Vehicle crossings to service the lots shown on the approved subdivision plan shall be formed in accordance with Appendix 13 of the operative Selwyn District Plan. The vehicle crossing shall be sealed/metalled to match the existing road surface for the full width of the crossing between the site boundary and sealed carriageway.
49. Vehicle accessways servicing the lots shown on the approved subdivision plan shall be formed in accordance with Appendix 13 of the operative Selwyn District Plan.
50. All ROW required to service the lots shown on the approved subdivision plan shall be formed in accordance with Appendix 13 of the operative Selwyn District Plan.

Street Lighting

51. That street lighting is provided to service all lots of the subdivision, in accordance with the approved engineering plans and specifications.

Intersection Upgrades

52. That the applicant enter in to a Developer Agreement with Council for the cost sharing and development of the intersection upgrades at Springston Rolleston Road and Selwyn Road

Landscaping and Irrigation

53. The Consent Holder shall landscape the street frontages. The minimum standard (unless otherwise agreed through Engineering Plan approval) will include grass berms and street trees. A landscaping proposal shall be submitted to the Council for approval at the time of submission of the engineering plans and specifications, and the landscaping shall be undertaken in accordance with the approved plans.
54. Entrance structures shall not be placed on Council road reserve, unless otherwise shown on the approved plans or otherwise agreed at engineering approval stage.
55. Unless advised otherwise, the Consent Holder shall install an irrigation system; this shall comply with the approved engineering plans. A full design showing all engineering details shall be submitted to the Council for approval at the time of submission of the engineering plans and specifications.
56. Any irrigation system shall be maintained by the Consent Holder to the completion of the defects liability period. The Consent Holder shall demonstrate that this system performs as designed and installed by them, making good all defects to the Asset Manager's requirements.

Earthworks

57. That all site works are to be undertaken in accordance with the conditions of resource consent [refer to Land use Consent number].
58. That the Consent Holder ensure on a continuing basis (until Records of Title are available for each allotment created by the subdivision) that dust is not generated from consolidated, disturbance or transportation of material or earthworks activities by keeping the surface of the material damp or by using another appropriate method of dust suppression. This applied to exposed areas of earth, stockpiles and unsealed roads.

59. That the Consent Holder shall ensure on a continuing basis that dust created by the disturbance or transportation of materials is confined within the boundaries of the application site.
60. That dust generating activities shall cease during times of high winds where dust suppression methods are insufficient to stop fugitive dust leaving the site.
61. Any filling on the site is to take into account the current land stormwater and drainage pattern and is not to divert stormwater onto adjoining properties.
62. At the completion of all earthworks the Consent Holder shall confirm whether any earth fill has been placed on site. All filling is to be carried out in accordance with New Zealand Standard (NZS) 4431:1989 Code of Practice for Earth Fill for Residential Development.
63. At the completion of all earthworks certificates satisfying the conditions of NZS4431: 1989 Code of Practice for Earth Fill for Residential Development, are to be provided to the Selwyn District Council. These certificates will detail the extent and nature of all earthworks undertaken.

Reserves

64. Pursuant to the relevant legislation the Consent Holder shall vest the following lots in the Council as Reserve:
 - a. Lot 301 shall be vested as Recreation Reserve.
 - b. Lots 300 and 303 shall be vested as Local Purpose (Access) Reserve.
 - c. Lot 302 shall be vested as Local Purpose Landscape Reserve.
65. The Consent Holder shall supply to Council copies of all Records of Title for land, other than roads, that is vested in Council.

Land Use conditions

Earthworks / unexpected contamination

1. The development and activity shall proceed in accordance with the information submitted with the application RC215440 dated XXX, the further information dated XXXX and the approved plans titled "XXXXXXX"
2. Any uncontrolled fill encountered during subdivision works shall be removed and replaced with controlled compacted clean fill in accordance with NZS4431:1989.
3. Hours of earthworks operations shall be limited from 7am to 7pm Monday to Saturday. These hours shall exclude public holidays and Sunday, unless otherwise agreed by Selwyn District Council.
4. All construction noise on the site shall be planned and undertaken to ensure that construction noise emitted from the site does not exceed the noise limited outlined in Table 2 of NZS6803:1999 Acoustics – Construction Noise. Sound levels associated with construction activities shall be measured and assessed in accordance with the NZS6803:1999 Acoustics – Construction Noise.
5. The consent holder shall implement the best practicable option to avoid or mitigate the dispersal and deposition of dust from construction and earthworks activities beyond the boundary of the property.
6. The consent holder shall implement the best practicable option to avoid or mitigate the discharge of sediment laden runoff beyond the boundary of the property.
7. On the completion of works:
 - a. All disturbed areas shall be returned to its original state as near as is practicable and stabilised and/or revegetated; and
 - b. All spoil and other waste material from the works shall be removed.
8. Where evidence of a contaminated site/materials not identified in the application is found at any stage of the site development works, then work shall cease at that site until the risk has been assessed by a Suitably Qualified Environmental Practitioner in accordance with current Ministry for the Environment Guidelines and, if required, a resource consent obtained under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (or most recent subsequent amendment). Once the risk has been assessed and any required resource consent obtained, the consent holder shall undertake all necessary work to rehabilitate the site in accordance with either the standards for permitted activities or the conditions of the resource consent (as appropriate). All works shall be undertaken at the consent holders' expense.

Fencing and Landscaping

1. All fencing and landscaping shall be undertaken in general accordance with the approved plans titled "Faringdon South East Landscape Concept" and "Faringdon South East Residential Fencing" prepared by Kamo Marsh, dated May 2021.
Advice note: In circumstances where fencing and landscaping is not shown on these plans the relevant zone rules apply

Comprehensive (Lots 277 – 286)

1. Lot 277 – 286 shall be developed in general accordance with the following approved plans:
 - a. Landscape and Fencing Plans prepared by Kamo Marsh, dated May 2021.
 - b. Architecture Plans prepared by Common Architecture, dated April 2021

Business 1 (Lots 275 and 276)

1. Lots 275 and 276 combined shall be considered a local centre.
2. Lot 275 shall only be used for the establishment of a pre-school activity.
3. Lot 276 shall only be used for healthcare and retail activities, with any such retail activity restricted to a pharmacy tenancy with a maximum floor area of 125m².
4. The healthcare, pharmacy and pre-school activities established on Lots 275 and Lot 276 created by the subdivision approved by RCxxx shall comply with the rules and standards for the Business 1 Zone within Part C, Chapters 13 to 22 in the Township Section of the Selwyn District Plan, except where modified by the following additional conditions.
 - a. The maximum number of storeys that any buildings may have is 2. The maximum height of any building shall be 8.0m.
 - b. The boundary interface between the neighbourhood centre (Lots 275) and the reserve area (Lot 303) shall be maintained as a physically permeable area with provision for safe and convenient public pedestrian access and visual connectivity between the two sites, including between commercial buildings and the reserve.
 - c. Buildings that have a maximum gross floor area of less than 450m², shall comply with the rules and standards for the Business 1 Zone within Part C, Chapters 13 to 22 in the Township Section of the Selwyn District Plan and with the following conditions:
 - a. No car parking or vehicular access shall be provided between the frontage of any building and a legal road.
 - b. A minimum of fifty percent (50%) by length of the building frontage, which fronts or directly faces on-site public space, or a road or other area where the public have a legal right of access, shall be installed and maintained as active commercial frontage.
 - c. The maximum height of any fence between the building façade and the street or private right of way or shared access over which the allotment has legal access shall be 1.0m.
 - d. Every building adjoining or within 3.0m of a road boundary shall be provided with a verandah to the following standards:
 - i. verandahs shall be set at least 0.5m behind the kerb face; and
 - ii. verandahs shall have a minimum depth of 3.0m except where this would entail a breach of condition iv(a) above; and
 - iii. verandahs shall extend along the entire frontage of the building facing the road boundary and shall adjoin verandahs on adjacent buildings.
5. Buildings that result in a total gross floor area of 450m² or more across the site shall comply with the rules and standards for the Business 1 Zone within Part C, Chapters 13 to 22 in the Township Section of the Selwyn District Plan, and a separate resource consent application is required in relation to Rule C16.10.

Issuing Building consent prior to s224 Certificate

1. That the lots shall remain in the ownership of Hughes Developments Limited until the s224(c) certificate is issued for the subject allotment.
2. That where any building is erected prior to the issue of the 224(c) Certificate, the Council's Resource Monitoring Officer shall be supplied with a Building Location Certificate from a Registered Professional Surveyor prior to the pouring of foundations,. The Building Location Certificate shall confirm that the building is contained wholly within the lot to which it relates and meets the District Plan requirements for bulk and location.
3. That no residential dwelling shall be occupied in whole or in part prior to the issue of the s224(c) Certificate for the subject lot.
4. That prior to the lodgement of any building consent, a written agreement between the developer and Selwyn District Council shall be entered into stating that Council shall not be liable should the issuing of the S224 Certificate be delayed for any reason.