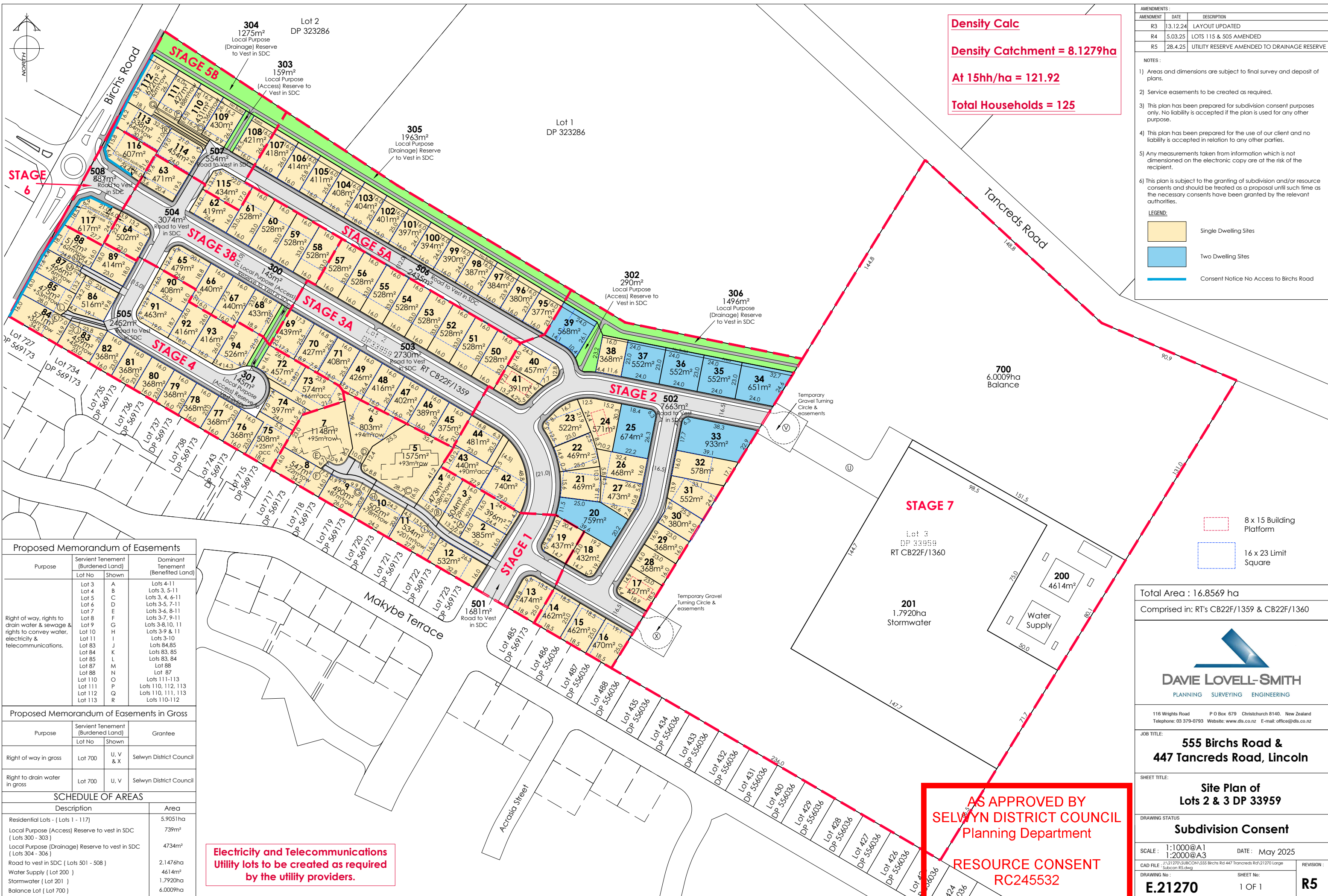




Sections 95, 95A-E, 104, 104B, 106, 108, 108AA, 220



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	RC245532 & RC245534
APPLICANT	Birchfield Estates Ltd
BRIEF DESCRIPTION OF THE APPLICATION	This is a joint application for subdivision and land use consent. Subdivision consent RC245532 is sought to undertake a subdivision in a flood management overlay creating 117 residential lots, 8 reserve lots, 8 access lots vesting as roads, 1 utility lot and 1 balance lot. Land use consent RC245534 is sought for land use non-compliances associated with RC245532.
ADDRESS	555 Birchs Road & 447 Tancreds Road, Lincoln
LEGAL DESCRIPTION	Lots 2 & 3 DP 33959
TITLE REFERENCE	CB22F/1359, CB22F/1360
AREA	16.843 ha
ZONING / OVERLAYS	Operative Selwyn District Plan (2016), Township Volume Living Z Zone / Inner Plains Zone Lincoln ODP Area 3 Partially Operative Selwyn District Plan (Appeals Version) Medium Density Residential Zone / General Rural Zone, SCA-RD1 Plains Flood Management Overlay Lincoln Development Area DEV-LI3
OVERALL ACTIVITY STATUS	Discretionary

The Application

1. This application was formally received by the Selwyn District Council on 27 June 2024. A significantly revised application was received on 18 December 2024 and an updated scheme plan was received on 20 May 2025, and forms the proposal for which resource consent is now sought.
2. The main aspects of the activity are as follows:
 - Subdivision in a flood management overlay creating 117 residential lots, 8 reserve lots, 8 access lots vesting as road, 1 utility lot and 1 balance lot. The residential lots range in size from 368m² to 1,575m². 8 of the residential lots (Lots 20, 25, 33-37 & 39) are proposed to be created with a consent notice requiring that a minimum of two residential units are provided to meet the required density of 15 households per hectare. These are highlighted in blue on the subdivision plan below in **Figure 1**.
 - Land use non-compliances associated with that subdivision.
 - Across all lots, a minimum of 125 new residential units will be yielded.
3. The subdivision, depicted in **Figure 1** below, is to occur over 9 stages. The scheme plan was updated to break up the staging layout to assist with the provision of infrastructure.
 - Stage 1 (14 residential lots - Lots 1 to 13, 19, road – Lot 501)
 - Stage 2 (30 residential lots – Lots 14-18, 20 – 44, 2 reserve lots – Lots 302 & 306, road – Lot 502)
 - Stage 3a (16 residential lots – Lots 45- 57 & 69-71, road – Lot 503)
 - Stage 3b (11 residential lots – Lots 58-68, road – Lot 504, 1 reserve lot - Lot 300)
 - Stage 4 (23 residential lots – Lots 72 -94, 1 reserve lot - Lot 301, road – Lot 505)
 - Stage 5a (13 residential lots – Lots 95-107, 1 reserve lot – Lot 305, road – Lot 506)
 - Stage 5b (8 residential lots – Lots 108-115, 2 reserve lots – Lot 303 & 304, road – Lot 507)
 - Stage 6 (2 residential lots – Lots 116 & 117, road- Lot 508)
 - Stage 7 (1 utility lot – Lot 200, 1 reserve lot - Lot 201 and 1 balance lot – Lot 700)



Figure 1. Subdivision plan of the proposed development (Source- updated plan, 21 May 2025)

- A drain, known as Smarts Drain and managed by Environment Canterbury runs alongside the northern boundary of the application site and is proposed to be naturalised for ecological and amenity benefits. A consent notice specifying a no-build area is proposed by the applicant for Lots 34-39 and 95-112 to preserve a 10-metre setback from this waterway. A second, ephemeral drain runs along the western Birchs Road boundary, although there are limited to no ecological values associated with this drain, and an equivalent setback is not proposed.
- Stage 7 of the subdivision is located in the General Rural Zone, and has resulted from discussions between Selwyn District Council and the applicant in relation to acquisition of land for the purpose of constructing a water treatment site to service north Lincoln. This facility will be located on proposed Lot 200, accessed from a road to vest in Stage 2 by way of private easement across the 6 hectare rural balance lot, proposed Lot 700.
- 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

- RC165376 was granted by Selwyn District Council on 1 December 2016 to construct a second dwelling.
- RC185508/185509 were previously sought in 2018 for the application site, where 86 residential lots were proposed. This application was withdrawn on 25 August 2023.

The Existing Environment

9. The application site is located at the northern extremities of Lincoln, on the primary approach to the township when approaching from Prebbleton to the north. Whilst zoned Medium Density Residential, the application site is still in the form of a rural lifestyle block.
10. The site features two large residential units, one two-storey built in 2002-2003, and the other single-storey built in 2017-2018 (consented by RC165376), and a number of ancillary outbuildings. The residential units will be retained on smaller lots within the proposed subdivision, while the outbuildings will be removed.
11. The surrounding sites to the north and east are rural, whilst to the immediate south is the existing Flemington residential subdivision. The Little River Rail Trail, a popular cycle and walking path between Christchurch and Banks Peninsula, runs along the immediate Birchs Road frontage. To the west, across Birchs Road, is the Barton Fields residential subdivision.



Figure 2. View of the site along its southern boundary from Birchs Road.



Figure 3. View of the site's northern boundary from Birchs Road; Smarts Drain is to the left of foreground.



Figure 4. The Birchs Road frontage, featuring the ephemeral drain and the Little River Rail Trail path.



Figure 5. View of the Birchs Road frontage, where the new collector road will intersect with Birchs Road and Carnaveron Drive.



Figure 6. The O'Reilly Road frontage, to be extended into the development.

12. I visited the site on 29 August 2024.

Activity Status

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

13. The application sites are zoned Medium Density and General Rural, SCA-RD1. The site is also subject to the Plains Flood Management Overlay and Lincoln Development Area DEV-LI3.
14. 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.
15. The rules of the Partially Operative Plan that this proposal does not meet are as follows.

Subdivision

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

Operative/treated as operative:

RULE	TOPIC	NON-COMPLIANCE	STATUS
SUB-R1.5	Subdivision in the Residential Zones	Subdivision to create any site intended for the construction and use of a residential unit, where: - every vacant site has a dimension not less than 16m x 23m, and a building square not less than 8m x 15m, and: - complies with SUB-REQs 3, 6-10 & 13. Lots 21 & 22 in Stage 2 do not meet the 16m x 23m dimension requirement. All residential lots proposed will meet the building square requirements. The proposal complies with all relevant SUB-REQs except SUB-REQs 3 & 8.	Discretionary (SUB-R1.7A)
SUB-R1.5/REQ3.1a	Outline Development Plan	If the site is within an area that is subject to an operative Outline Development Plan within the District Plan: - the subdivision complies with that Outline Development Plan. The proposal is in accordance with the transport/roading intentions of DEV-LI3, however the location of the stormwater reserve outside the Development Plan area is non-compliant.	Discretionary (SUB-REQ3.2)
SUB-R1.5/SUB-REQ8.1	Corner Splays	The corner of any site at any road intersection shall be splayed with a rounded minimum radius of 3m. Proposed corner Lots 62 & 63 in Stage 3 are not proposed to be splayed.	Restricted Discretionary (SUB-REQ8.1)
SUB-R13	Subdivision to Create Access, Reserve or Infrastructure Sites in All Zones	Subdivision to create any site to be used solely to provide legal access (including roads). Subdivision to create any reserve that will vest in a local authority or the Crown. Subdivision to create any site to be used solely for the provision of infrastructure.	Controlled (SUB-R13)

		Access lots (roads), reserves and an infrastructure site will be created during this subdivision.	
SUB-R17.4	Subdivision and Natural Hazards	Subdivision within the Plains Flood Management Overlay, where every site created is outside a high hazard area.	Restricted Discretionary (SUB-R17.4)

17. Therefore, the subdivision proposal is a Discretionary activity under the Partially Operative Plan.

Land use

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

Operative/treated as operative:

RULE	TOPIC	NON-COMPLIANCE	STATUS
TRAN-R4/REQ4.1a	Siting of Vehicle Crossings	A 30m vehicle crossing setback is required from an intersection where the frontage road is not a local road. Proposed Lots 116 & 117 in Stage 6 are to be located on the corner of Birchs Road and the frontage (access) road will be the new collector road to extend from O'Reilly Road to Birchs Road. These lots are proposed to be 30.4m and 27m wide respectively; vehicle crossings are required by TRAN-REQ5 to be a minimum of 3m wide, therefore the furthest these crossings could be from the intersection are 27.4m and 24m. A vehicle crossing to service the accessway accessing proposed Lots 1-12 in Stage 1 will front onto the same new collector road, less than 20m from an intersection.	Restricted Discretionary (Rule REQ4.2)
TRAN-R5/REQ7.1a TRAN-REQ5/REQ7.16A	Accessway Design, Formation and Use	Nine lots (Lots 3-11) are proposed to access the accessway in Stage 1. The applicant has volunteered a consent notice limiting each of these lots to one residential unit per lot, therefore nine residential units will utilise the accessway. Accessways over 50m long and accessing 7-12 residential units are required to have a passing bay. The accessway is approximately 119m long; whilst a turning area is proposed, a passing bay is not proposed. Where access is shared to more than four sites this shall be via a road. The proposed accessway discussed above is not proposed to vest in Selwyn District Council as a legal road.	Restricted Discretionary (TRAN-REQ7.2 & TRAN-REQ7.16C)
TRAN-R2/REQ18.1 TRAN-R2/REQ20.1	Land Transport Corridor Creation Standard Intersection Spacing	Local roads are required to have a minimum legal width of 15m and maximum legal width of 17m. The local road within Stage 5 is proposed to have a legal width of 12m. A minimum distance of 123m between intersections is required for all roads with a 50km/h speed limit irrespective of classification.	Discretionary (TRAN-REQ18.2) Restricted Discretionary (TRAN-REQ20.3)

		The distance between the intersection of the new local road in Stage 1 and the intersection of the collector road out of the subdivision to the existing Makybe Terrace is approximately 70m. The distance between the intersection of the central collector road and the intersection beside Lots 25 & 33 is approximately 88m. The distance between the intersection of the new street in Stage 1 and the intersection beside Lots 23 & 41 is approximately 80m. The distance between the intersection of the collector road and Birchs Road/Carnaveron Drive and the new 'T' intersection besides Lots 62 & 65 is approximately 58m. The distance between the intersections separated by Lots 40 & 41 is approximately 35m. The distance between the intersections separated by Lots 18 & 19 is approximately 44m.	
EW-R5A.1a	Earthworks for Subdivision	Earthworks directly associated with the development of land for subdivision are permitted where the maximum area of land subject to the works is 1,000m². The total area of earthworks, inclusive of the residential stages, water treatment site and stormwater reserve, is up to 103,813m² (10.38 hectares).	Restricted Discretionary (EW-R5A.2)

19. Therefore, the land use proposal is a Discretionary activity under the Partially Operative Plan.

Status – Partially Operative Plan Only

20. Overall, the bundled proposal is a Discretionary activity under the Partially Operative Plan.

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

21. Although the proposal is a change of use of the land, the Preliminary Site Investigation undertaken by Sephira Environmental and submitted with the application states that the site is not currently being used, has not been used in the past or is unlikely to have been used for an activity listed on the Hazardous Activities and Industries List (HAIL). Therefore, no Detailed Site Investigation was required, and the NES-CS does not apply.

Notification Assessment

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

Permitted Baseline

22. Sections 95D(b) and 95E(2)(a) allow that a consent authority “may disregard an adverse effect” if a rule or a national environmental standard permits an activity with that effect, a concept known as ‘the permitted baseline’. The application of the permitted baseline is discretionary, as denoted by the use of the word “may”. It is understood that its intention is to identify and exclude those adverse effects that would be permitted by the Plan from consideration.

23. All subdivision requires resource consent under the Partially Operative Plan, therefore there is no relevant permitted baseline.

Receiving Environment

24. 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 an established low- to medium-density residential area on the northern urban fringe of Lincoln township, which the proposal will form a continuation of.

Restrictions on Matters Considered

25. The status of the activity is Discretionary. As such, the Council's discretion is unrestricted, and all adverse effects must be considered. The objectives, policies, reasons for rules and assessment matters in the Plans provide useful guidance when considering the adverse effects of the proposal, and these are discussed where relevant below.

Effects

26. The adverse effects that might be considered relevant to this proposal are:

- Subdivision and Servicing
- Natural Hazards
- Departure from Outline Development Plan
- Transportation & Access
- Earthworks
- Urban Design
- Highly Productive Land
- Cultural

Subdivision and Servicing

27. In isolation, the subdivision proposal would be a Controlled activity, with discretion restricted to the matters in SUB-Matters for Control or Discretion. Whilst the overall status is Discretionary, I consider the relevant matters form an appropriate basis for assessment of servicing effects.

SUB-MAT1 (Size and Shape)

The extent to which site boundaries reflect natural or physical boundaries.

28. Site boundaries reflect the land of the applicant and the neighbouring rural land to be acquired.

The extent to which any rear site is created only where it is necessary to reach an irregular part of a site and there is no practical alternative to develop the site.

29. The site has dual road frontages and is not irregular in nature, and development could occur without the creation of rear sites. However, it should be noted that only 21 rear sites are proposed, representing 18% of the total sites yielded by the application. Per SUB-REQ3, up to 20% of sites created by a subdivision within an Outline Development Plan area may be rear sites as a permitted activity. The additional requirement of no more than 10% of sites created being rear sites served by an accessway to three or fewer sites is also met.

The extent to which the proposal provides a variety of site sizes that are in keeping with the planned urban form of the area.

30. The desired variety of site sizes is proposed, with most lots tending towards the smaller 350-500m² range typical of greenfield development in the Medium Density Residential Zone. Larger lots are either configured around the existing residential units to be retained, or will be subject to consent notice requiring their provision of at least two residential units. It is anticipated that these multi-unit sites will be further subdivided once the units are constructed, providing additional variety in smaller sites.

Whether the shape and alignment of sites relate well to existing roads, public spaces, and surrounding or neighbouring residential areas.

31. Site layouts are configured around the provision of the collector road extension to link existing Birchs Road and Makybe Terrace. Eight sites will border the Little River Rail Trail cycle path to their west along Birchs Road; all eight titles will be subject to a consent notice prohibiting access to Birchs Road, so as to avoid vehicular conflict with this well-established existing pathway.

SUB-MAT2 (Context)

For the subdivision of land which contains or adjoins any surface water body, water race or drain, any mitigation to protect the hydrological characteristics and any ecological or cultural values of the surface water body, water race, or drain.

The extent to which the subdivision integrates with its surroundings, and natural cultural features, such as the retention of trees and water features, view shafts to mountains, or good use of the rural interface to enhance the urban area, maintains amenity values, and manages the potential for reverse sensitivity effects on rural production activities across the rural-urban interface.

32. The naturalisation of the drain on the site's northern boundary provides an opportunity to retain a waterway (albeit man-made), with the associated ecological benefits, and enhance the amenity of the surrounding residential area with proximity and access to this natural environment.
33. Dr. Greg Burrell of Instream Consulting Ltd reviewed the ecology report prepared for the applicant by Aquatic Ecology Ltd and was supportive of the naturalisation proposal. Dr. Burrell recommended that consent conditions be added to require:

- the preparation of a landscaping plan showing physical habitat restoration, the extent of planting and the number and species of plants
- all plant species to be locally sourced natives
- retention of existing native plantings where practical

and that these details be provided to Council's Surface Water and Biodiversity teams prior to commencement of works in the area.

34. Some of these conditions would be duplicated within the conditions proposed by Council's Landscape Development team discussed later in this report, therefore only the additional conditions have been added as separate ecological conditions. The applicant has accepted these conditions.

The degree to which the design and layout of roads, footpath patterns, and the layout of sites complements the design and layout of any adjoining urban areas.

35. The entirety of the development is designed around and to provide a connection between existing development and roading connections in north Lincoln.

SUB-MAT3 (Infrastructure)

The design, siting, layout, and construction of every infrastructure or facility which shall either:

1. Vest in Selwyn District Council as owner or manager; or

2. *Connect to any road, reserve or other infrastructure which is owned, managed by, or otherwise vested in Selwyn District Council.*

36. Ms. Helen Pullar, Consultant Development Engineer, reviewed the infrastructure aspects of the application and considered the proposed infrastructure to vest satisfactory. With the exception of the aspects addressed in the accompanying land use consent, roading, reserve and road reserve areas and street lighting will meet the requisite Council Engineering standards. I discuss roading non-compliances (noting all proposed roading will vest in Council) in the Transport area of this assessment.
37. The area of the application site containing Smarts Drain to vest as Local Purpose (Drainage) reserve will be designed around the waterway, with ownership of the land to vest in Council, but management of the drain to remain with Environment Canterbury.
38. The water treatment site and stormwater reserve have been sought from the applicant by Selwyn District Council and are therefore designed to meet the water treatment needs of the Council in relation to this usage.

SUB-MAT4 (Telecommunications and Electricity)

The design and construction of the telecommunication and electricity connections to service each site.

39. Standard telecommunication and electricity connections will be provided to each site, with at least one additional connection to be supplied to the proposed multi-unit lots to ensure individual services are in place ahead of their likely further subdivision.

SUB-MAT6 (Stormwater Disposal)

The method(s) for disposing of stormwater.

40. Stormwater disposal shall be via the reticulation network, to be expanded by the applicant to service the development. Ms Pullar noted that Council is doing a cost share for stormwater piping of the drain and as such it will be required that the consent holder will enter into a Developers Agreement for the piping of the drain located within Birchs Road. This will be a cost share agreement and all works will be completed by the consent holder. An advice note to this effect has been added to this consent. All stormwater will drain into stormwater retention reserve, Lot 201, in Stage 7, where it will be conveyed into Smarts Drain, which sits at a lower elevation than the remainder of the site. For this reason, the applicant has accepted a condition of consent requiring Stage 7 to be completed prior to Stage 1-6.

The extent to which stormwater treatment contributes to an attractive public realm or provides ecological value while achieving the primary engineering purpose.

41. When not in flood, Lot 201 will double as a grassed recreational reserve, accessible to the public from the development through Lot 700, through the proposed easement in favour of Council.

SUB-MAT8 (Solid Waste Disposal)

The appropriateness of the proposed facilities for solid waste collection or disposal, considering all of the:

1. *number and layout of sites;*
 2. *layout of any relevant land transport infrastructure;*
 3. *likely uses of the sites; and*
 4. *distance to a public solid waste collection service or disposal facility.*
42. Weekly and fortnightly solid waste collection is available at the kerbside to all lots. Easements for gravel turning heads on balance Lot 700 will enable waste collection vehicles (in addition to standard traffic) to exit the dead-end roads vesting in Stage 2.

SUB-MAT9 (Movement Networks)

The layout and formation of all existing and proposed land transport infrastructure, including:

- 1. Ensuring the desired design speed is achieved with respect to the classification of roads and the surrounding environment.*
 - 2. Whether the roading pattern utilises opportunities to connect streets. Cul-de-sacs, except those that are short and straight and connected with pedestrian and cycle through routes, should be avoided.*
 - 3. Whether the existing and proposed land transport infrastructure is sufficient to accommodate the anticipated vehicle movements associated with the likely use of the land.*
 - 4. The extent to which road designs make a positive contribution to the amenity of the neighbourhood and meet the operational requirements of the street, such as waste collection, on-street parking, and emergency services access.*
 - 5. Whether the subdivision layout and road network support walking, cycling, and public transport, including access to reserves, facilities, commercial areas, and public transport facilities.*
 - 6. Whether service lanes, cycle ways, shared accessways, and pedestrian access ways are required or appropriate and are located and designed in a safe and efficient manner.*
 - 7. The provision of footpaths, lighting, and street furniture.*
43. New roads and one extension of an existing road are proposed. All roads within the development will be subject to an urban speed limit of 50km/h or less. Only one fully formed cul-de-sac is proposed, in Stage 4; whilst it is not straight in alignment, it includes an access reserve with a path through to the central collector road. The roads in Stage 2 providing access to the Stage 7 facilities are not through roads. Land transport infrastructure capacity is discussed under the Transport aspect of the assessment.
44. Concept plans for the road reserve environment prepared by Kamo Marsh have been provided by the applicant. Whilst these plans will be formalised at Engineering Approval stage, they show a range of landscape and amenity features, including greywacke riverstone walls at the entrances to the development, garden beds of native species, occasional use of post-and-rail fencing, and street trees along all road frontages except where impractical along the Birchs Road/Little River Rail Trail. Footpaths and street lighting will be established where required.
45. Where on-street parking space is limited, designated parking bays in the road reserve area (such as those proposed in Stage 5) will ensure both car parking requirements and the safe passage of traffic will be catered for. Only four accessways will access more than one lot, and these have been designed to correspond with the level of development enabled on the lots they access.
46. The site's position adjoining the Little River Rail Trail at the northern end of Lincoln township is a significant advantage to the proposal, allowing good pedestrian access into the core of Lincoln, and strong cycling access both into Lincoln and north towards Prebbleton and Christchurch City. Public transport connections are available along Birchs Road.

SUB-MAT10 (Reserves)

- 1. The provision, location, co-ordination, layout, and formation of any land required for reserves.*
- 2. The need for and practicality of any landscaping and tree planting required in reserves, including opportunities to incorporate indigenous vegetation.*
- 3. Whether any structures or buildings are required in reserves, including any play or recreation equipment.*

4. *Whether the proposal contributes to the provision of a range of accessible open spaces catering to the recreational and amenity needs of the local community.*

47. Reserve land will be provided in numerous locations, primarily on the fringe of or adjacent to the residential area of the development. Mr. Derek Hayes, Strategic Open Space Lead, reviewed the proposal and considered the proposed provision and number of reserves was acceptable, noting that the development and wider township will have access to the stormwater retention area as a reserve when not in flood, and the development is connected to the existing Flemington development and its reserves.
48. The Kamo Marsh concept plans referenced above also indicate the establishment of native species within reserve areas, including the reserves to the north containing Smarts Drain which will vest in Selwyn District Council. The applicant has liaised with Environment Canterbury, who maintains Smarts Drain, in relation to the regional consents they will require to undertake works preparing and naturalising the drain and surrounding reserve to vest in Council.
49. The applicant was given the opportunity to volunteer conditions relating to the naturalisation of Smarts Drain and establishment of the stormwater retention reserve, however, did not do so. Mr. Joe Clark, Senior Landscape Development Advisor, provided conditions, which the applicant has accepted.
50. For these reasons, I consider adverse effects of subdivision and servicing will be less than minor.

Natural Hazards

51. Subdivision in the Plains Flood Management Overlay is a Restricted Discretionary activity, and the Matters for Discretion in NH-MAT1 (Natural Hazards Generally) apply:
1. *The extent of any adverse effects of natural hazards on people and property.*
 2. *The potential for the location and design of proposed sites, buildings, vehicle access, earthworks, and infrastructure to increase or exacerbate natural hazard risk.*
 3. *The clearance or retention of vegetation or other natural features to mitigate natural hazard risk.*
 4. *The timing, location, scale and nature of any earthworks in relation to natural hazard risk.*
 5. *The potential for the proposal to exacerbate natural hazard risk, including transferring risk to any other site.*
 6. *Any adverse effects on the environment of any proposed mitigation measures.*
 7. *The effectiveness of any proposed mitigation measures.*



Figure 7. Modelled flood risk for the application sites in a 200-year ARI event.

52. As depicted in **Figure 7** from the Selwyn District flood model, the sites are subject to ponding in a 200-year Average Recurrence Interval (ARI) flood event. Generally, this has been modelled up to 0.5m water depth, with some areas in the east and southeast of the proposed residential area not modelled to experience ponding of any depth. 0.5-1.0m of depth is modelled through the centre of the residential site.
53. The applicant has detailed how flood risk will be managed. Earthworks design will ensure all residential lots drain towards the roading network, where they will be directed into the stormwater reticulation network flowing either into the Flemington network, or to the stormwater retention reserve on Lot 201. Secondary flow paths will be created along road and reserve corridors to direct flows down contour and away from residential lots. The stormwater retention reserve on Lot 201 will be operational and vested ahead of all stages that rely on it. Additionally, to obtain Engineering Approval and a section 224(c) certificate the applicant will be required by conditions of consent to:
 - obtain and supply a report and certificate from a suitably qualified and experienced professional demonstrating that the finished ground level for each residential lot will achieve a finished floor level a minimum of 300mm freeboard above the 200-year ARI level, and
 - apply and be issued with a global Flood Assessment Certificate by Selwyn District Council for the subdivision or subdivision stage, specifying the minimum finished floor level requirements for each lot.
54. The site is located outside the Liquefaction Damage Unlikely Overlay and is for subdivision that will result in 15 or more lots, therefore NH-MAT3 (Geotechnical Considerations) applies. The applicant provided a geotechnical assessment prepared by LandTech Consulting Ltd and dated 14 June 2024. The conclusion of this report was that the site is suitable for residential development, with a recommendation that lot-specific shallow soil testing be undertaken by a suitably qualified and experienced professional at foundation design/building consent stage to confirm particular foundation requirements for each lot. Ian McCahon from Geotech Consulting Ltd reviewed this report and agreed with its findings and conclusion. To ensure testing occurs, the applicant has accepted a condition of consent requiring a consent notice be registered on all residential lots to this effect.
55. For these reasons, I consider that adverse effects of natural hazards are appropriately addressed and will be less than minor.

Departure from Outline Development Plan

56. The residential area of the application sites (Lot 2 DP 33959) is located within Lincoln Development Area DEV-LI3, and is entirely in accordance with DEV-LI3 except for the proposed stormwater reserve location. The

Development Area seeks for this reserve to be in the northwest corner of the residential application site (see **Figure 8**), and when the application was initially lodged, the reserve was proposed in that location. However, due to the discussions regarding obtaining land for a Selwyn District Council water treatment site to service north Lincoln, this reserve is now proposed to be moved to the General Rural Zone land immediately to the east, at 447 Tancred's Road.

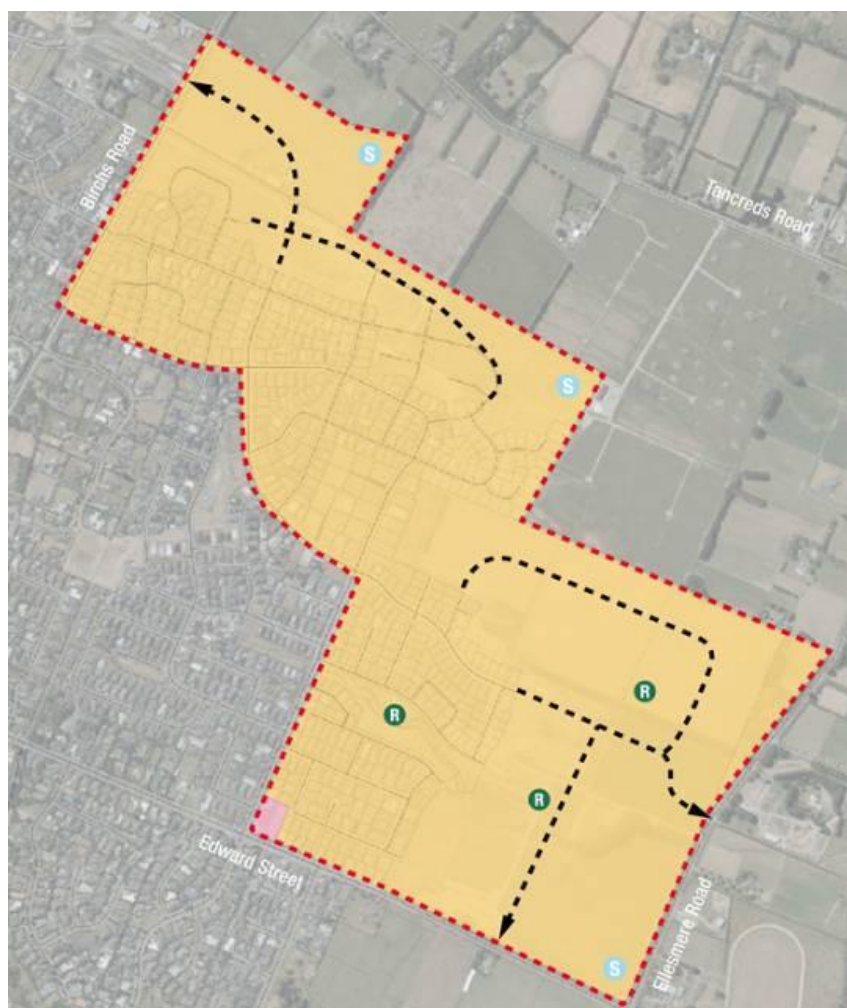


Figure 8. Map of Lincoln Development Area DEV-LI3, with the application site and stormwater reserve (S) adjacent to Birchs Road.

57. Non-compliance with Development Area requirements is a Discretionary activity. Jo Golden, Water Services Asset Manager, reviewed the non-compliance, and did not raise any hydraulic concerns with the relocated reserve location, therefore I consider it accepted that with regard to engineering matters, the relocation will not result in any adverse effects on stormwater management.
58. Ms. Golden also provided an outline as to why the Development Area non-compliance is proposed. The key details are:
 - A new water treatment facility (including sources, treatment and storage such as stormwater retention) has been identified as necessary in north Lincoln to service existing residential areas, the proposed development itself and future growth. Operation of the plant by the end of 2025 is needed to meet growth demands and reduce the risk of network outages/failure, and the timeframes of the applicant align with this requirement.
 - Relocating the reserve will provide an opportunity to construct such a facility ahead of surrounding residential development, ensuring buyers are aware of its presence prior to securing sections, thereby reducing or eliminating construction impacts.

- The visual impacts of a water treatment facility can also be reduced on surrounding properties through constructing it adjacent to open green space (such as the stormwater retention reserve) rather than residential units, with advance construction additionally enabling planting to be established around the facility to further screen it from view before a significant number of residents move into the area.

Transportation & Access

59. A number of transportation non-compliances are proposed, relating to vehicle crossings, accessways, road width and intersection spacing.
60. Vehicle crossings on Lots 116 & 117 will be located within 30m of the intersection of the central collector road and Birchs Road/Carnaveron Drive. It is noted that a 30m setback is not physically achievable on these lots, with the furthest either of these crossings could reach being 27.4m (assuming the crossings were the maximum permitted width of 6m.) Where a compliant setback is not achievable, the most complying vehicle crossing position will be accepted, however the applicant intends to on-sell Lots 116 & 117, and a mechanism is needed to ensure that the parties constructing the vehicle crossings on these lots do so in the most complying position. The applicant has therefore accepted a consent notice requiring that vehicle crossings on Lots 116 & 117 be located no further than 6 metres from their eastern boundaries.
61. A vehicle crossing to service the accessway accessing proposed Lots 3 to 11 in Stage 1 will front onto the new central collector road, less than 20m from the opposing intersection. Whilst a turning area is proposed, a passing bay is not. Ms. Pullar reviewed this non-compliance and considered the layout was acceptable, given Lots 3-11 are to be restricted to one residential unit each, reducing the number of accessing households and in turn the number of vehicles that could seek to use the accessway at the same time.
62. As noted in the Compliance Table, various intersections will not comply with the minimum separation requirements. Two corner lots, Lots 62 & 63 in Stage 3 are not proposed to be splayed. Ms. Pullar reviewed these non-compliances and did not note any particular concerns. It should be noted that some intersection separation shortfalls may be a collateral effect of ensuring block perimeters are reduced; additionally, the roading environment is local in nature, with a maximum speed limit of 50km/h.
63. The local road in Stage 5 is proposed to be under-width, proposing 12m where a minimum of 15m is required. To compensate, the applicant has volunteered to construct parking bays along the southern boundary of this road as a condition of consent. Both Ms. Pullar and Mr. Andrew Mazey, Strategic Transport Lead reviewed the suitability of this road, and considered the parking bays would sufficiently address concerns associated with an under-width road, such as space for vehicles to park within the road environment without conflicting with the safe passage of traffic.
64. Lots 50-61 in Stage 3 will have dual frontage to both the central collector road and a local road. The applicant has volunteered a consent notice restricting access to only the central collector road to the south, to ensure vehicle crossings do not conflict with the parking bays provided along the under-width local road. Ms. Pullar and Mr. Mazey were additionally supportive of this.
65. Lots 200 & 201 (Water Treatment & Stormwater Management) will vest in Selwyn District Council, but be landlocked by balance Lot 700, which the applicant will retain ownership of. To ensure Selwyn District Council has access to these sites, the applicant has volunteered the creation of easement areas U & V in favour of Council. Easement areas V & X will also provide a gravel turning head at the end of the roads in Stage 2, allowing vehicles to complete U-turns rather than three-point turns. Mr. Mazey, Ms. Pullar & Mr. Clark have indicated they are satisfied with the proposed easement access arrangements.
66. Aside the above, the applicant and Selwyn District Council have discussed the upgrading of the intersection with Birchs Road & Carnaveron Drive from a crossroads into a roundabout, due to safety concerns regarding the volume of vehicle traffic that could be generated by the development, the presence of the Little River Rail Trail and Birchs Road's existing status as an arterial road linking Lincoln, Prebbleton and Christchurch City. It is understood that the developer and Selwyn District Council will enter into a private Developer's Agreement to complete these works. The timing of this work will be coordinated with the appropriate Engineering Approvals and Section 224(c) completion certificates for the relevant stages. Given these processes are already in place, Mr. Mazey & Ms. Pullar have not indicated that a separate condition relating to the upgrading is necessary.
67. For these reasons, I consider that adverse effects on transportation & access will be less than minor.

Earthworks

68. The maximum earthworks volumes are exceeded. However, as they are for the express purpose of subdivision, the activity status is Restricted Discretionary. The proposed earthworks comply with all rule requirements attached to Rule EW-R5A; the matters for discretion are as follows:
1. *any adverse effects from the earthworks in terms of visual amenity, landscape context and character, views, outlook, overlooking, and privacy from raising ground levels;*
 2. *the extent to which any potential dust nuisance, sedimentation, and water or wind erosion effects can be avoided or mitigated;*
 3. *the extent to which the amenity effects on neighbouring properties, and on the road network, of heavy vehicle and other vehicular traffic generated as a result of earthworks can be avoided or mitigated;*
 4. *the extent to which any changes to the patterns of surface drainage or subsoil drains would result in a higher risk of drainage problems, inundation run-off, flooding, or raise the water table;*
 5. *any alteration to natural ground levels in the vicinity and, consequently, to the height and bulk of buildings that may be erected on the site;*
 6. *the degree to which the resultant levels are consistent with the surrounding environment;*
 7. *the need for a Construction Management Plan (including a Dust Management Plan), containing procedures, which shall be implemented, that establish management and mitigation measures for the activity that ensure that any potential adverse effects beyond the property boundary are avoided, remedied, or mitigated.*
69. I anticipate all the above matters to be addressed by standard earthworks conditions and conditions volunteered by the applicant relating to the preparation and provision of an Erosion and Sediment Control Plan (ESCP) by a suitably qualified person, managing run-off, site stabilisation, filling certificates, dust emissions and heavy vehicle movements associated with the earthworks. For these reasons, I consider adverse effects of earthworks will be less than minor.

Urban Design

70. Two lots in Stage 2, 21 & 22, marginally do not meet the minimum dimensions of 16m x 23m, these being the minimum dimensions deemed necessary to enable the provision of three residential units on a site in compliance with the bulk & location requirements of the MRZ chapter of the Partially Operative Plan. In turn, the applicant has accepted a condition requiring the registration of a consent notice on the Records of Title to issue for Lots 21 & 22 limiting residential density to one residential unit each.
71. The applicant obtained an Urban Design Report prepared by Barker & Associates. This report discussed various design aspects, noting the inclusion of only one cul-de-sac, the provision of vehicle parking bays and a clear roading layout, and included an intention to volunteer a consent notice enforcing the usage of 1.8m high, 50% visually permeable fencing along the northern boundaries of Lots 50-61, alongside the previously discussed consent notice restricting vehicle access to these lots' southern boundaries (see **Figure 9** below.) Mr. Andy Long, Urban Designer reviewed this report, and generally agreed with its conclusions. He also noted that the application complied with the maximum block perimeter lengths, ensuring navigability. However, he requested the applicant consider accepting as a condition of consent the construction of this fencing. This request, aside from reducing the number of consent notices to only those necessary, was for two primary reasons:
- to ensure compliant fencing was constructed that still achieved a desirable balance between providing privacy to the northern aspects of Lots 50-61 (noting the restriction requiring vehicle access to the south would dictate the orientation of residential units on these lots to the north), and a pleasant and safe streetscape to the north.
 - it would provide a 'rear' boundary to Lots 50-61 equivalent to what buyers would anticipate on otherwise identical lots with a single road frontage, where the expectation typically is that fencing will be constructed by the developer on all boundaries other than the road boundary.

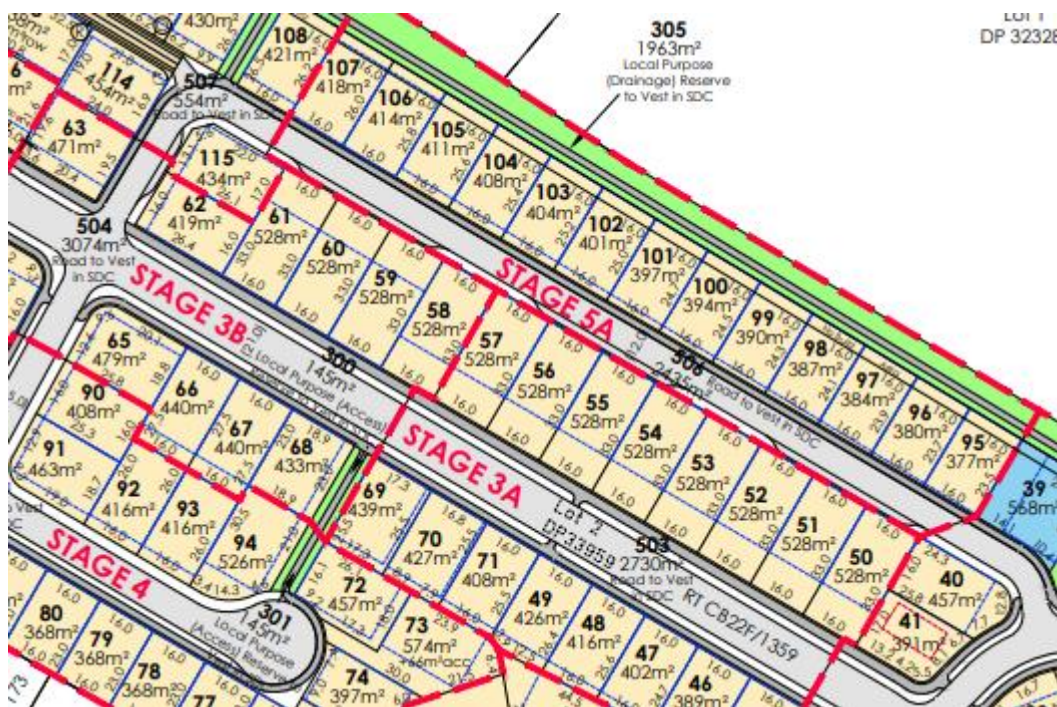


Figure 9. View of dual-frontage Lots 50-61, where the applicant will construct fencing along the northern boundary

72. The applicant agreed to this request, therefore Mr. Long was satisfied with the urban design measures and treatments proposed. For this reason, I consider adverse effects on urban design matters will be less than minor.

Highly Productive Land

73. Lot 3 DP 33959, where Stage 7 of the subdivision will occur developing the water treatment facility, stormwater retention reserve and a balance lot, is zoned General Rural. It is also mapped by the Manaaki Whenua/NZLRI Land Resource Inventory as containing LUC (Land Use Class) 2 elite soils, rendering the proposal subject to the requirements of the National Policy Statement for Highly Productive Land (NPS-HPL).
74. There are no rules in the Partially Operative Selwyn District Plan requiring consideration of the NPS-HPL. However, a matter for discretion in the Subdivision chapter is SUB-MATA (Highly Productive Land):

Where any site contains highly productive land and is for the provision of important infrastructure or natural hazard mitigation works, the functional need or operational need for that site.

75. The NPS-HPL does not refer to "important infrastructure", the closest analogue being "specified infrastructure", defined in part as meaning "any public flood control, flood protection, or drainage works carried out by a local authority." The stormwater retention reserve, being created by the applicant to vest in Selwyn District Council, both meets this definition of specified infrastructure and is an example of natural hazard mitigation works under SUB-MATA.
76. Clause 3.9(2)(j)(i) of the NPS-HPL states in part that a use or development of highly productive land is inappropriate except where it is associated with the development, operation, or decommissioning of specified infrastructure, including its construction and maintenance; the stormwater retention reserve therefore meets this exception on the grounds of being public flood control or flood prevention.
77. The water treatment facility itself is not public flood control or flood protection under this definition. However, specified infrastructure is also defined in the NPS-HPL as "infrastructure that delivers a service operated by a lifeline utility." A lifeline utility is set out to have the same meaning as defined in the Civil Defence Emergency Management Act 2002, which describes enabling in its Part B "entities carrying on certain businesses." Two such entities are those which supply or distribute water to the inhabitants of a district, and provide a wastewater or sewerage network or dispose of sewage or stormwater. Selwyn District Council provides all the above-

described services, therefore the water treatment facility can be described as infrastructure that delivers a service operated by a lifeline utility.

78. Clause 3.9(2)(j)(i) also requires that a functional or operational need for the use or development be demonstrated. The applicant has provided an explanation of the functional or operational need, noting the following relevant points:

- Locating the stormwater retention reserve in the proposed position has engineering benefits for the critical stormwater infrastructure servicing the entire development, as all stormwater from the development is able to drain into one location, and on into Smarts Drain.

- When in operation, the water treatment facility utilises pumps that emit consistent noise. Utilising the proposed site away from residential density allows these pumps to operate as required without giving rise to potential reverse sensitivity effects on current and future residents of the area.

- There are constraints in acquiring land for and establishing water treatment facilities due to the functional and operational need to be located close to the residential areas they service, but with the required land area typically being larger than that available in residential zones.

79. Clause 3.9.3 requires that territorial authorities take measures to ensure that any use or development on highly productive land minimises or mitigates any actual loss or potential cumulative loss of the availability and productive capacity of highly productive land in their district; and avoids if possible, or otherwise mitigates, any actual or potential reverse sensitivity effects on land-based primary production activities from the use or development.

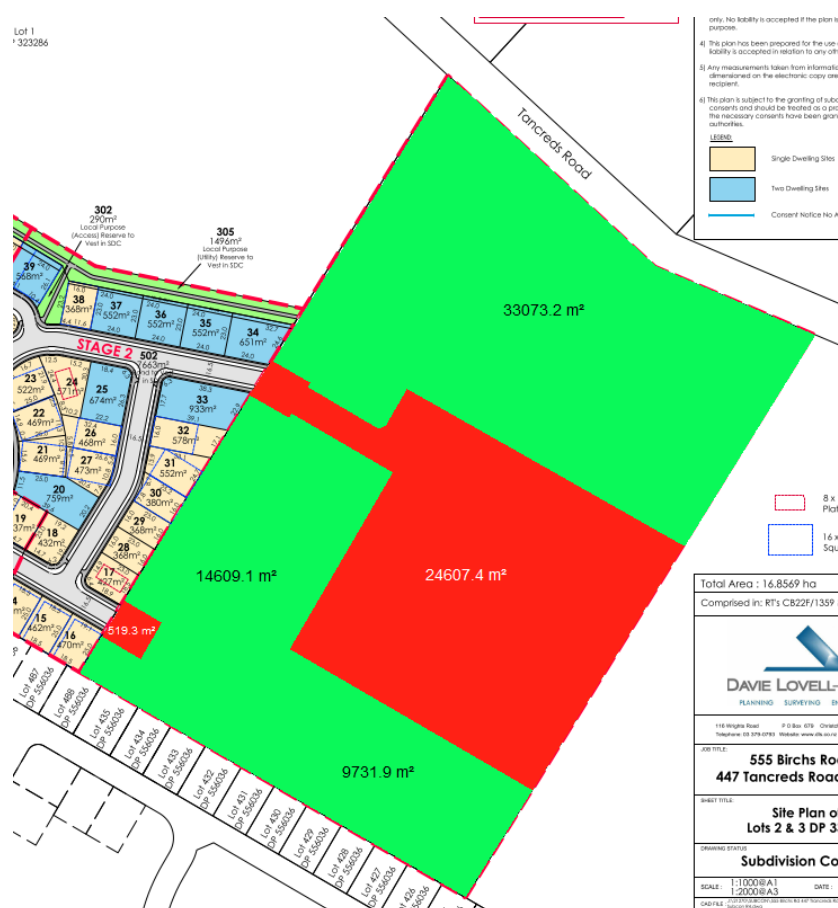


Figure 10. Annotation of the subdivision plan, delineating how the highly productive land will be utilised.

80. As depicted in **Figure 10** above, the water treatment facility, stormwater retention basin and gravel turning head and access driveway easement areas total approximately 2.5 hectares of the highly productive land, marked in red. However, over 5.7 hectares will be retained as the balance lot marked in green. The applicant has indicated

that the majority of this land will be grazed, therefore a majority of the rural land subject to this proposal will continue to be used for primary production activities. The gravel turning heads are a small-scale land use. The public access between the turning heads and to/from the stormwater retention reserve is provided for under clause 3.9.2(i), therefore is able to occur on highly productive land. I consider that the development will minimise and mitigate actual or potential cumulative loss of the overall availability and capacity of highly productive land in the Selwyn District.

81. The proposed activities on the highly productive land are infrastructural and recreational in nature. No sensitive activities are proposed, therefore I consider there is little likelihood of reverse sensitivity effects on existing surrounding land-based primary production.
82. Overall, I consider the proposal is consistent with the direction of the NPS-HPL, and that adverse effects on highly productive land will be less than minor.

Cultural Effects

83. Mahaanui Kurataiao Ltd provided a Cultural Advice Report for the application on behalf of Te Ngāi Tūāhuriri Rūnanga and Te Taumutu Rūnanga. Some conditions recommended duplicated those within the standard subdivision conditions that are recommended for all proposals, such as the implementation of an Accidental Discovery Protocol and erosion/sediment control measures. Conditions relating to the reuse and disposal of contaminated land are not able to be recommended, as the Detailed Site Investigation completed for the site did not identify any areas of contamination. Additionally, the request for a riparian buffer of indigenous vegetation to be planted alongside Smarts Drain has already been accepted by the applicant through their acceptance of landscaping conditions. The applicant has accepted conditions relating to a site survey for wetlands and springs prior to subdivision works commencing, and the salvage of any fish species within the Birchs Road and Smarts Drains by a suitably qualified freshwater ecologist prior to works commencing on those particular features. Where recommendations are unable to be conditioned and are not duplicated by consent conditions, they will form advice notes.
84. For these reasons, I consider cultural values are appropriately addressed, and any adverse cultural effects will be less than minor.

Positive Effects

85. Positive effects are not relevant to the consideration of notification and will be considered as part of the s 104 assessment later in this report.

Conclusion

86. I consider adverse effects to be less than minor, in terms of both adjacent persons and the wider environment.

Public Notification (Section 95A)

87. 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
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
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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

88. 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)

89. 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?	No
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

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

Notification Recommendation

91. I recommend that the application RC245532/245534 be processed on a Non-Notified basis in accordance with sections 95A-E of the Resource Management Act 1991.

Report by: Riley Downie Resource Management Planner	Date: 3 June 2025
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Notification Decision

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

 Commissioner O'Connell	Date: 9 June 2025
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Section 104 Assessment

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

94. 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.

...

95. 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.

96. 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.

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

97. 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)).

98. It is also appropriate to consider the positive effects of the proposal at this section 104 stage. The proposal will enable the development of increased housing supply in Lincoln township, including on smaller sites to enable choice and varying needs to be met. There are also wider benefits to Lincoln township in the provision of a new water treatment facility to meet expanding community needs, in a location that will limit the effects of this non-residential activity on residents.

99. As concluded in my notification assessment, I consider that the adverse effects on the environment resulting from the proposal will be less than minor. Taking the positive effects into account, on balance and overall, I conclude that the adverse effects of the proposal will be less than minor.

Section 106 - Natural Hazards and Access

100. 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.*

101. As discussed above, flood risk will be managed through finished ground levels and the compliance of future residential construction with the requirements of a Flood Assessment Certificate. Geotechnical risk will be managed through the compliance of future residential construction with the requirements set out in the consent notice regarding foundation design. All lots will have appropriate legal and physical access, some via easement in favour of Council.

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

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

Operative Plan – Objectives and Policies

102. The proposal is a Permitted activity under the Operative Plan, therefore I consider it is entirely consistent with that Plan.

Partially Operative Plan – Objectives and Policies

103. I consider the relevant objectives and policies relate to subdivision, transport, energy & infrastructure, earthworks and natural hazards.

SUBDIVISION

104. SUB-O1 seeks to ensure subdivision design and layout results in the efficient use of land and is compatible with the role, function, and planned urban form of the zone. SUB-O2 seeks that every site created by subdivision has the characteristics, infrastructure, and facilities appropriate for the intended use of the land. SUB-O3 seeks that site sizes reflect the anticipated development outcomes of the zone.

105. I consider the proposed layout is efficient and compatible with the planned form of the Medium Density Residential Zone; whilst the proposal to place water service infrastructure on General Rural Zone land is less compatible, my earlier discussion of its functional and operational needs lead me to consider that it is appropriate. All sites created will have the features required for their intended uses, and site sizes are consistent with the zone.

106. SUB-P2 seeks to ensure that every site created by subdivision makes provision for safe and efficient access for motorists, pedestrians, and cyclists, consistent with that required for the intended use of the site. SUB-P3 seeks that other than infrastructure sites or reserve sites, ensure that every site created by subdivision on which a building may be erected has all of the following features:

1. Access to sunlight;
2. Adequate size and appropriate shape to contain a building square;
3. Access to infrastructure and facilities consistent with those required for the intended use of the site;

4. Sufficient provision of and access to suitable water supply for firefighting purposes, consistent with that required for the intended use of the site;
 5. Access to an existing reticulated stormwater system or sufficient suitable land to accommodate effective on-site stormwater management.
 6. In Residential Zones, adequate size, shape, orientation, and access for outdoor living space;
 7. In Commercial and Mixed Use Zones, General Industrial Zone, and Knowledge Zone, adequate size and shape for outdoor storage space;
 8. In those areas of the General Rural Zone and Māori Purpose Zone where a reticulated water supply is unavailable, sufficient suitable land to accommodate on-site potable water supply; and
 9. In the General Rural Zone, Māori Purpose Zone and in those townships without a reticulated wastewater disposal network, sufficient suitable land to accommodate on-site wastewater treatment and disposal.
107. SUB-P5 states that where land is subject to an Outline Development Plan, manage subdivision to ensure that the outcomes intended by the Outline Development Plan are met. SUB-P7 seeks to manage the form of land to be taken for reserves, including having regard to the:
1. Council's need for the land based on adopted provision and distribution standards;
 2. proximity of the land to other reserves and public open spaces, and to other desirable features;
 3. Council's capacity to pay for maintenance and improvements;
 4. size, location and accessibility of the land, including frontage to a roading network and the potential for transport linkages, walkways, and cycleways;
 5. suitability of the land to be developed for the required purpose, including any potential for enhancement and considering the soils, gradient, and topography;
 6. landscape features and quality of the land, including surface water bodies, and the potential for views into or from the site;
 7. ecosystems and biodiversity associated with the land, including any significant indigenous biodiversity, mature vegetation, or existing shelter belts;
 8. historic and cultural significance of the land;
 9. safety of users, including the absence of hazards and any vulnerability to natural hazards.
108. SUB-P10 seeks it is ensured within the General Rural Zone that subdivision does not compromise the use of highly productive land for rural production activities that are reliant on the soil resource of the land.
109. Each site will be safely accessible for all users, and have access to all the required features and services. With the exception of the stormwater reserve location, the proposal is otherwise entirely consistent with the relevant Outline Development Plan, and therefore will achieve the intended outcomes of that Plan. The relevant Council staff responsible for the management for reserves are satisfied with the proposed reserve land to vest. As discussed, the proposed usage of highly productive land is able to meet exemptions set out in the NPS-HPL, and loss of productive land is minimised.

TRANSPORT

110. As the relevant Transport chapter objectives and policies are comprehensive in nature and in some cases feature overlapping content, I have not written them out in full in this section; instead, I provide below a summary of the intended outcomes.

111. The relevant Transport objectives seek that land transport corridors safely connect people and places, protect corridors from incompatible or inappropriate development and support the needs of their users, all whilst managing adverse environmental effects. The relevant Transport policies seek to maintain safe and efficient network operation, manage extensions to ensure capacity is available or restrict these until it is, encourage the provision of transport choice to reduce reliance on private motor vehicles, ensure safe and efficient network operation, manage vehicle access and minimise effects on the environment.
112. The application was accompanied by an Integrated Transport Assessment, which concluded that the proposed and existing infrastructure would suitably manage the safe and efficient flow of traffic and pedestrian movements. As noted, the developer and Selwyn District Council are in the advanced stages of preparing a Developer's Agreement for the upgrading of the crossroads intersection with Birchs Road and Carnaveron Drive to a roundabout, which will further improve and manage traffic generated by the development, alongside the traffic volumes of which Birchs Road and the existing arrangement already convey. This will be coordinated alongside the engineering approval and section 224(c) completion certificate processes for the relevant stages, to minimise disruptions to the network and ensure work is complete ahead of the activity it is intended to support.
113. Block lengths are sufficiently short and pedestrian connections are available to incentivise alternative transport choices; only one cul-de-sac and a small number of accessways are proposed. No sites will access Birchs Road, eliminating potential access conflicts with this arterial route and the well-traversed cycle and pedestrian path along it. Whilst legal access will be gained across highly productive land to the water treatment site and stormwater reserve, it is associated with exempt infrastructure and represents an overall small portion of the land such that any cumulative loss of highly productive land will be minimised.

ENERGY & INFRASTRUCTURE

114. EI-O1 seeks that important infrastructure:
 1. is efficient, effective, and resilient; and
 2. provides and distributes essential and secure services as part of local, regional, or national networks, including in emergencies; and
 3. coordinates with urban development and land uses throughout the district; and
 4. enables people and communities to provide for their wellbeing.
115. EI-O2 seeks that the functional needs and operational needs of important infrastructure are taken into account when managing any adverse effects of its location, design and operation on the physical and natural environment.
116. EI-P1 seeks to recognise the benefits and national, regional, and local importance of important infrastructure by:
 1. providing for the appropriate use, operation, maintenance, repair and development of new important infrastructure throughout the district;
 2. enabling the operation, maintenance, minor upgrading and removal of existing important infrastructure throughout the District;
 3. providing for replacement and upgrades, including new technologies, to network utilities, and the development of new network utilities.
 4. providing for the functions and responsibilities of network utilities as lifeline utilities during an emergency.
 5. acknowledging that important infrastructure can have a functional need or operational need to locate in a particular area, including areas with high natural, visual amenity, cultural, or historic heritage value.
117. EI-P2 seeks to appropriately avoid, remedy or mitigate the adverse effects of important infrastructure, and renewable electricity generation on the physical and natural environment by:

1. encouraging the co-location of structures and facilities where efficient and practicable.
 2. locating, designing and operating development while:
 - a) minimising the effects on public access and the health and safety of people: and
 - b) avoiding, remedying or mitigating adverse effects on the amenity values of the surrounding environment;
118. and providing for the maintenance, operation, upgrade or expansion of important infrastructure on highly productive land where there is a functional need or operational need to locate the infrastructure on that land whilst:
- a) minimising or mitigating any actual or potential cumulative loss of highly productive land; and
 - b) avoiding if possible, or otherwise mitigating, any actual or potential reverse sensitivity effects on land-based primary production activities.
119. As noted, the water treatment facility and stormwater reserve are required to manage demand in Lincoln township. Co-location of the facility with the stormwater reserve places the facility out of immediate proximity to existing and proposed residential development, and provides an opportunity to establish and manage effects ahead of any future development. The use meets the appropriate definition of a 'lifeline utility', the classification of which also provides an exemption pathway under the NPS-HPL with respect to highly productive land.

EARTHWORKS

120. EW-O1 seeks that earthworks are undertaken in a manner that limits adverse effects on the surrounding environment.
121. EW-P4 seeks to minimise any adverse visual effects, loss of privacy, dust nuisance, or shading effects during and on completion of earthworks. EW-P5 seeks to manage the temporary adverse visual amenity and nuisance effects associated with preparing land for subdivision.
122. The development will be subject to comprehensive controls and the adherence to an Erosion and Sediment Control Plan (ESCP), which will require monitoring by and communication with Selwyn District Council Environmental Compliance. The proposed earthworks are for development purposes only and will cease in their entirety following the development's completion.

NATURAL HAZARDS

123. NH-O1 seeks that new subdivision, use and development are undertaken in a manner that ensures that the risks of natural hazards to people, property, and infrastructure are appropriately mitigated.
124. NH-P3 seeks to restrict new subdivision, use, or development of land in areas outside high hazard areas but known to be vulnerable to a natural hazard, unless any potential risk of loss of life or damage to property is appropriately mitigated. NH-P10 seeks in areas within the Plains Flood Management Overlay that are not a high hazard area to provide for :
1. important infrastructure and land transport infrastructure; and
 2. any other new subdivision, use, and development only where every new residential unit or principal building has an appropriate floor level above the 200 year Average Return Interval (ARI) design flood level.
125. NH-P13 seeks to provide for subdivision on flat land where the liquefaction hazard has been appropriately identified and assessed, and can be adequately remedied or mitigated.
126. The sites are located within the Plains Flood Management Overlay. Information is required prior to the issue of a section 224(c) completion certificate for any/all stages to confirm all lots can accommodate a residential unit

with the appropriate finished floor level, in conjunction with a global Flood Assessment Certificate or Certificates. The appropriate geotechnical requirements will be implemented by the registration of a consent notice on all titles intended for residential construction.

127. Overall, I consider the proposal to be consistent with the Partially Operative Plan.

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

128. 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.

129. The NPS-HPL was discussed earlier in this report, with my conclusion being that the proposal may be granted under the pathway of specified infrastructure.

130. The NES-CS was also discussed earlier in this report, with my conclusion being that it does not apply.

Section 104(3)(d) – Notification consideration

131. Section 104(3)(d) states that a consent authority must not grant a resource consent if the application should have been notified and was not. This consideration under s 104 does not raise any issues that would lead me to the conclusion that the application should have been notified. Therefore, it is my view that section 104(3)(d) does not preclude the granting of consent in this case.

Part 2 – Purpose and principles

132. The consideration under section 104 is subject to Part 2 of the Act – Purpose and principles.

133. 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.

134. 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.

135. 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.

136. 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—

(a) kaitiakitanga:

(aa) the ethic of stewardship:

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

(ba) the efficiency of the end use of energy:

(c) the maintenance and enhancement of amenity values:

(d) intrinsic values of ecosystems:

(e) [Repealed]

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

(g) any finite characteristics of natural and physical resources:

(h) the protection of the habitat of trout and salmon:

(i) the effects of climate change:

(j) the benefits to be derived from the use and development of renewable energy.

137. 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 represent an efficient use and development of resources, maintain amenity values and enhance them through naturalisation, and maintain and enhance the quality of the environment.

Conclusions

138. This application is to undertake a subdivision in a flood management overlay creating 114 residential lots, 7 reserve lots, 7 reserve lots, 6 access lots vesting as road, 1 utility lot and 1 balance lot.

139. The overall status of the application is Discretionary.

140. I consider that adverse effects on both adjoining persons and the wider environment will be less than minor.

141. I consider that natural hazard risk will be appropriately managed and legal access is provided to all lots, therefore the application may be granted under Section 106.

142. I consider the proposal is consistent with the relevant objectives and policies of the Partially Operative District Plan.

143. I consider the proposal meets the exemption criteria set out in the NPS-HPL.

144. Having considered all relevant matters, on balance and overall, I conclude that the application may be granted, subject to conditions of consent.

Recommendation

145. I recommend that subdivision consent RC245532 and land use consent RC245534 are **granted**, pursuant to sections 104, 104B & 106 of the Resource Management Act 1991, subject to the conditions of consent below pursuant to sections 108, 108AA and 220 of the Act.

Report by: Riley Downie Resource Management Planner	Date: 3 June 2025
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Decision

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

 Commissioner O'Connell	Date: 9 June 2025
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Conditions of Consent

RC245532 Subdivision Consent Conditions

1. The proposal shall proceed in general accordance with the information submitted with the application on 27 June 2024, the further information provided on 28 April 2025 and the attached stamped Approved Plan entitled 555 Birchs Road & 447 Tancreds Road and dated May 2025, 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.
3. All required easements shall be duly granted or reserved, including any and all in favour of Selwyn District Council for access purposes.
4. Stage 7 of this subdivision shall be completed prior to Stages 2-6.

Site Stability, Earthworks and Site Works

5. All earthworks must be carried out in accordance with a site-specific Erosion and Sediment Control Plan (ESCP), prepared by a suitably qualified and experienced professional, which follows the best practice principles, techniques, inspections and monitoring for erosion and sediment control contained in Environment Canterbury's Erosion and Sediment Control Toolbox for Canterbury <http://esc Canterbury.co.nz/>. The ESCP must be held on site at all times and made available to the Council on request.
6. The consent holder must notify Selwyn District Council no less than ten working days prior to works commencing, (via email to Compliance@selwyn.govt.nz) of the earthworks start date and the name and contact details of the site supervisor. The consent holder must at this time also provide confirmation of the installation of ESCP measures as per the plan referred to in Condition 4 above.
7. Run-off must be controlled to prevent muddy water flowing, or earth slipping, onto neighbouring properties, legal road (including kerb and channel), or into a river, stream, drain or wetland. Sediment, earth or debris must not fall or collect on land beyond the site or enter the Council's stormwater system. All muddy water must be treated, using at a minimum the erosion and sediment control measures detailed in the site specific Erosion and Sediment Control Plan, prior to discharge to the Council's stormwater system.

Note: For the purpose of this condition muddy water is defined as water with a total suspended solid (TSS) content greater than 50mg/L.

8. No earthworks may commence until the ESCP has been implemented on site. The ESCP measures must be maintained over the period of the construction phase, until the site is stabilised (i.e. no longer producing dust or water-borne sediment). The ESCP must be improved if initial and/or standard measures are found to be inadequate. All disturbed surfaces must be adequately topsoiled and vegetated or otherwise stabilised as soon as possible to limit sediment mobilisation.
9. Dust emissions must be appropriately managed within the boundary of the property. Dust mitigation measures such as water carts, sprinklers or polymers must be used on any exposed areas. The roads to and from the site, and the site entrance and exit, must remain tidy and free of dust and dirt at all times.
10. All loading and unloading of trucks with excavation or fill material must be carried out within the subject site.
11. Any surplus or unsuitable material from the project works must be removed from site and disposed at a facility authorised to receive such material.

12. The ESCP is to be designed by a suitably qualified person and a design certificate supplied with the ESCP for acceptance at least 5 working days prior to any earthworks commencing. The best practice principles, techniques, inspections and monitoring for erosion and sediment control must be based on ECan's Erosion and Sediment Control Toolbox for Canterbury <http://escscanterbury.co.nz/>.

13. The ESCP must include (but is not limited to):

Site description, i.e. topography, vegetation, soils, sensitive receptors such as waterways, etc;

Details of proposed activities;

A report including the method and time of monitoring to be undertaken;

A locality map;

Drawings showing the site, type and location of sediment control measures, on-site catchment boundaries and off-site sources of run on/runoff;

Drawings and specifications showing the positions of all proposed mitigation areas with supporting calculations if appropriate;

Environmental monitoring and auditing, including frequency;

Corrective action, reporting on solutions and update of the ESCP;

Stabilised entrance/exit and any haul roads;

Site laydown and stockpile location(s) and controls.

ADVICE NOTE: Any changes to the accepted ESCP must be submitted to the Council in writing following consultation with the Council's Development Engineer. The changes must be accepted by the Development Engineer prior to implementation.

14. The accepted ESCP referred to in condition 4 must be implemented on site over the entire construction phase. No earthworks may commence on site until:

All measures required by the ESCP have been installed;

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;

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;

The contractor has received a copy of all resource consents and relevant permitted activity rules controlling this work.

15. 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.

16. 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.

17. 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.
18. 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).
19. Any change in ground levels must not affect the stability of the ground or fences on neighbouring properties.
20. 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.

ADVICE NOTE: Dust management can be achieved through keeping the surface of the material damp or by using another appropriate method of dust suppression. Compliance with Canterbury Regional Council requirements must be maintained at all times. Dust mitigation measures such as water carts, sprinklers or polymers must be used on any exposed areas. The roads to and from the site, and the site entrance and exit, must remain tidy and free of dust and dirt at all times.

Accidental Discovery

21. In the event of the discovery/disturbance of any archaeological material or sites, including taonga (treasured artefacts) and koiwi tangata (human remains), the consent holder must immediately:
 - Cease earthmoving operations within 20m of the discovery, and
 - Advise the Council of the disturbance via email to compliance@selwyn.govt.nz, and
 - Advise appropriate agencies, including New Zealand Police, Heritage New Zealand Pouhere Taonga and the local Mana Whenua (Te Taumutu Rūnanga) of the disturbance.

Flooding Assessment

22. Prior to the issuing of a section 224(c) certificate, the consent holder must obtain and supply a report and certificate from a suitably qualified and experienced professional demonstrating that the finished ground level for each residential lot will achieve a finished floor level a minimum of 300mm freeboard above the 200-year ARI level.
23. Prior to the issuing of a section 224(c) certificate, the consent holder must apply for and be issued with a global Flood Assessment Certificate by Selwyn District Council for the subdivision or subdivision stage, specifying the minimum finished floor level requirements for each lot.

Vehicle Crossings and Accessways

24. Prior to the issuing of a section 224(c) certificate, the consent holder must construct the vehicle crossing onto the adjoining road (Lot 501) to service Lots 3-11, 43, 73, 75, 83-85, 87-88, & 109-113. The crossings must be formed and sealed for the full width and length of the crossings between the carriageway and the site boundary and the requirements of the Engineering Code of Practice.
25. Prior to the issuing of a section 224(c) certificate, the consent holder must construct vehicle accessways to service Lots 3-11, 43, 73, 75, 83-85, 87-88, & 109-113. The accessways must be formed and sealed in accordance with TRAN-REQ7 (including TRAN-TABLE3 – Minimum Requirements for Accessways and TRAN-TABLE6A – Accessway Separation from Other Accessways) of the Partially Operative Selwyn District Plan and the requirements of the Engineering Code of Practice.
26. 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.
27. 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.
28. Prior to the issuing of a section 224(c) certificate 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.
29. Prior to the issuing of a section 224(c) certificate 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.

Consent Notices

30. Lots 84 & 85, 87 & 88, 112 & 113, and 116 & 117 shall not take vehicle access from Birchs Road. Pursuant to section 221 of the Resource Management Act 1991 a consent notice shall be registered on the Record of Title to issue for Lots 84 & 85, 87 & 88, 112 & 113, and 116 & 117 to ensure ongoing compliance with this condition.
31. The vehicle crossings to access Lots 116 & 117 shall be located no further than 6 metres from their eastern boundaries. Pursuant to section 221 of the Resource Management Act 1991 a consent notice shall be registered on the Record of Title to issue for Lots 116 & 117 to ensure ongoing compliance with this condition.
32. Lots 50-61 shall only take vehicle access from their southern road boundary. Pursuant to section 221 of the Resource Management Act 1991 a consent notice shall be registered on the Record of Title to issue for Lots 50-61 to ensure ongoing compliance with this condition.
33. A minimum of two residential units must be provided on Lots 20, 25, 33-37 & 39. Pursuant to section 221 of the Resource Management Act 1991 a consent notice shall be registered on the Record of Title to issue for Lots 20, 25, 33-37 & 39 to ensure ongoing compliance with this condition.
34. A maximum of one residential unit may be constructed on Lots 3-11 and 21 & 22. Pursuant to section 221 of the Resource Management Act 1991 a consent notice shall be registered on the Record of Title to issue for Lots 3-11 and 21 & 22 to ensure ongoing compliance with this condition.
35. Lot-specific shallow soil testing be undertaken by a suitably qualified and experienced professional at foundation design/building consent stage to confirm particular foundation requirements for each lot. Pursuant to section 221

of the Resource Management Act 1991 a consent notice shall be registered on the Record of Title to issue for Lots 1-4, 6, and 8-117 to ensure ongoing compliance with this condition.

36. A consent notice pursuant to Section 221, to be complied with on an ongoing basis, must be registered on the Record of Title to be issue for any balance allotment created, which states the following:

This is an unserviced development lot. No services (power, phone, water or sewer) have been provided to this lot. Connections to the relevant services will be required at the time future development occurs. No development contributions have been paid and no credits are available.

37. consent notice pursuant to Section 221, to be complied with on an ongoing basis, must be registered on the Record of Title to issue for the infrastructure/utility site, Lot 200, which states the following:

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

38. These consent notices shall be prepared and registered by Council's solicitor at the request and expense of the consent holder.

Developers Agreements

Advice Note

A Developers Agreement must be entered into with Council for the construction of:

- *Roundabout & roundabout islands*
- *Stormwater pipe in road frontage*
- *Wastewater upgrades*
- *Upsizing of the water pipe for master plan requirement*

The Developers agreement must be agreed to by Council in writing and Engineering Acceptance must be issued prior to construction of the works associated with the Developers Agreement commencing on site.

General Engineering Requirements

39. 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.
40. 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.
41. 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 Consent Holder must re-submit plans for Engineering Acceptance prior to works commencing.
42. Plans and specifications for all works required by this consent must be submitted to the Council via Development.Engineer@selwyn.govt.nz at least 20 working days prior to the anticipated commencement of works, and once accepted, will thereafter form part of the Approved Consent Document. This process applies to all documentation submitted to the Council for engineering acceptance.

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 condition 38.

43. 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.

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.*
44. 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.
45. As-built plans for the services covered by the easement(s) must be provided to the Council at section 223 certification stage.
46. 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:

Roading Infrastructure

Water Reticulation

Wastewater Reticulation

Stormwater Reticulation

Drain Piping

24 months for the following assets:

Landscaping

Reserve Assets

Stormwater Treatment and Discharge Systems

Drain Alterations/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; or*
- c. Repairs, rectification and or replacement is required*
- d. Price escalations.*

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.

47. Copies of any consents required and granted in respect of this subdivision (ECan Consents approval) must be supplied to the Development Engineer via development.engineer@selwyn.govt.nz.
48. 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.
49. 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 prior to the issuing of S224(c) certificate.

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.

50. 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 prior to the issuing of a section 224(c) certificate.

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)*

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.

Landscaping & Ecology

51. Landscaping plans and an accompanying design report for Lots 300, 301, 302, 304, 305 & 201 must be submitted to Council (development.engineer@selwyn.govt.nz) for acceptance at least 20 working days prior to works commencing. 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:

Plant selection

Soft landscaping features

Hard landscaping features

Crime Prevention Through Environmental Design (CPTED) principals.

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 accepted servicing plans.

52. A specific landscape plan for Smarts Drain in Lots 304 & 305 and the stormwater retention area on Lot 201 is to be submitted to development.landscaping@selwyn.govt.nz for acceptance at least 20 working days prior to works commencing. The landscape plan is to be prepared by a suitably qualified and experienced Landscape Architect and shall include the following components. Plans and supporting information accompanied in the design report required for Landscaping Acceptance must include but not be limited to the following:

(i) Physical habitat restoration

(ii) Appropriate plantings, including maintenance and species types.

(iii) Details of riparian margins each side of the stream.

(iv) Details of any existing features proposed to remain.

53. A landscape management plan for Smarts Drain and the stormwater retention area must be prepared by a suitably qualified and experienced Landscape Architect and submitted to SDCs Landscape Development Officer for acceptance at least 20 working days prior to works commencing. The landscape management plan must identify the following:

- a) Purpose of landscaping and outcomes to be achieved, and how they will be achieved;*
- b) Graded height of plants;*
- c) Height at maturity;*
- d) Plant species;*
- e) Establishment, ongoing management and maintenance schedule*

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

54. Any shaping and naturalisation of Smarts Drain shall be in accordance with the accepted landscaping plan. Prior to any works commencing in Lots 304 & 305 the applicant will need written acceptance from the SDC Landscaping Development Advisor.
55. All plant species utilised must be locally sourced native species.
56. Existing native plant species must be retained where practical.
57. 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 accepted servicing plans.
58. 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.
59. Landscaping must be located clear of all services and demonstrated on plan/s that show proposed landscaping and all proposed services.
60. 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 prior to the issuing of a section 224(c) certificate.
61. The proposed landscaping must be established in accordance with the accepted landscaping plans and design report.
62. The consent holder must maintain all landscaping asset in streetscapes and Lots 300, 301, 302, 304, 305 & 201 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.
63. Prior to the issuing of a section 224(c) certificate 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.
64. Prior to the issuing of a section 224(c) certificate 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.

Reserves

65. The consent holder must vest Lot 201 as Local Purpose (Drainage) Reserve, Lots 300, 301, 302 & 303 as Local Purpose (Access) Reserve, and Lots 304 & 305 as Local Purpose (Drainage) Reserve.
66. Prior to the issuing of a section 224(c) certificate the consent holder must provide fencing design plans for all lots adjacent to Council reserves.
67. Footpaths must be provided through all vested council reserves. Detail of the design must be provided through the process of Engineering & Landscaping acceptance.

Advice Note

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.

Advice Note

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.

Roading

68. 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
- Intersection and road frontage upgrade

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

70. The corner of Lot 13, 17, 18, 19, 23, 25, 33, 40, 41, 64, 65, 115, 116 & 117 at intersections must be splayed with a rounded minimum radius of 3 metres.

71. The road frontage of Birchs Road must be upgraded to the required urban standards of the Engineering Code of Practice. This work is required to be accepted and undertaken through Engineering Acceptance.

Advice Note:

The shared funding between the applicant and SDC will be covered by way of a Private Developer's Agreement.

72. Street lighting must be provided on all new roads and existing roads in accordance the Engineering Code of Practice and 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.

73. A minimum of three name options for each road with plans must be submitted to Council in accordance with Council Policies N101 and N102 for acceptance prior to section 224(c) approval.

74. The consent holder must install street name signs displaying the Council approved street name and poles at each intersection in accordance with Policy R430 prior to the granting of a section 224(c) certificate.

75. 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.

76. All vested roading infrastructure must meet Council's testing standards as prescribed by the Engineering Code of Practice. Supporting documentation must be supplied to Council prior to the issuing of a section 224(c) certificate.

77. Prior to the issuing of a section 224(c) certificate 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.
78. Prior to the issuing of a section 224(c) certificate 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.

79. Prior to the issuing of a section 224(c) certificate 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.

ADVICE NOTE: A Developers Agreement will be entered into with Council for the construction of the roundabout with Carnaveron Drive and Birchs Road. The Developers agreement must be agreed to by Council in writing and Engineering Acceptance will be issued prior to construction commencing on site.

Water Supply

80. Engineering plans and details for all works associated with the following proposed works that will vest to Council:
- *Alterations to the existing water supply*
 - *Extensions of the existing water supply*
 - *Provision of Council maintained points of supply*
- to service each new lot must be submitted to Council via the development.engineer@selwyn.govt.nz for acceptance at least 20 working days prior to the anticipated commencement of works and once accepted will thereafter form part of the Approved Consent Document.
81. 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.
82. 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. (Note that multi meter boxes may be utilised).
83. 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).
84. 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.

85. 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 Acceptance application.
86. 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 Note

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.

Advice Note

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).

87. 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 a section 224(c) certificate.

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

88. Prior to the issuing of a section 224(c) certificate 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
89. Prior to the issuing of s224(c) certificate 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.
90. Prior to the issuing of s224(c) certificate 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

91. Prior to the issuing of s224(c) certificate a 300DN water main with all associated connection points and valves will be required from the intersection of O'Reilly Road and Makybe Terrace to the connection point at the intersection of Birchs Road and Carnaveron Drive. If it is a DN150 Council will enter into a cost share arrangement with the developer to upsize it to a DN300.
92. Prior to the issuing of s224(c) certificate a DN300 is required to be installed within the Birchs Road corridor adjacent to the development site for the full length of the property boundary. Detailed designs will be required to be supplied at Engineering Approval confirming that the proposed reticulation design is capable of fully servicing the development site, allows for the demand of intensification and considers the effects of future development. If the approved detailed designs demonstrate that the development can meet the above requirements with a smaller diameter watermain located within Birchs Road a cost share agreement for upsizing of the watermain to a DN300 will be available to the applicant.

93. Prior to the issuing of s224(c) certificate for Stage 2 a 300DN main is to be provided into the new water treatment plant on Lot 200, with the section adjacent to the Smarts Drain to be DN375. Separate submains are to be provided for residential connections. The Council will enter into a cost share arrangement with the developer for the increase in pipe size from that demonstrated as being required for the development. Additionally, Council will cover the full cost of the pipe from the boundary of Lot 34 and Lot 700 to the net area of Lot 200.

94.

Wastewater Supply

95. Engineering plans and details for all works associated with the following proposed works that will vest to Council:

Alterations to the existing wastewater supply

Extensions of the existing wastewater supply

Provision of Council maintained points of supply

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

96. 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.
97. All gravity wastewater laterals must be installed ensuring grade and capacity are provided for and in accordance with Council's Engineering Code of Practice, giving regard to maximum upstream development density.
98. 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 a section 224(c) certificate.
99. 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.
100. The existing on-site effluent treatment and disposal systems associated with the dwellings on Lot 5 and Lot 7 must be decommissioned and the site be 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 a section 224(c) 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: The connection of lot 5 and lot 7 to the Council wastewater reticulation following decommissioning of onsite wastewater treatment system requires a Building Consent. Notification of the decommissioning of the onsite wastewater treatment should be made to the Regional Council.

101. Prior to the issuing of a section 224(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.
102. Prior to the issuing of a section 224(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.

103. Prior to the issuing of a section 224(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.

104. Prior to the issuing of a section 224(c) certificate infrastructure upgrades at Bonecrusher and Oaks Drive pump stations are required for this development to be connected to the wastewater network. The consent holder will enter into a Developers agreement and Council will complete the pump station upgrades at the consent holders expense.
105. Prior to the issuing of a section 224(c) certificate the consent holder will install an emergency overflow connection at Bonecrusher Pumpstation to add resilience to the existing wastewater network and their expense. No work associated with this requirement can commence until Engineering Acceptance has been granted in writing. This work involves approximately installing 15 metres of 225mm gravity sewer piping connecting Bonecrusher Pumpstation to the downstream manhole 661634.

Stormwater

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

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.

107. The consent holder must enter into a Developers Agreement for the piping of the drain located within Birchs Road. This will be a cost share agreement with Council and all works will be completed by the consent holder.
108. 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.
109. Where the collection and disposal of roof/surface water is to ground, the suitability of the natural ground to receive and dispose of the water without causing damage or nuisance to neighbouring properties, must be determined by a suitably qualified person/engineer and evidence of results must be provided at engineering acceptance.
110. 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 Consent Holder should consult with Environment Canterbury regarding the discharge.
111. 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.

112. All vested stormwater infrastructure is required to include low maintenance stormwater treatment installed to meet the stormwater treatment outcomes prescribed by the Land Water Regional Plan.
113. The discharge consent obtained from the Canterbury Regional Council should be compliant with any applicable Selwyn District Council network discharge consent (CRC184822 (or subsequent variations)). Draft Canterbury Regional Council consent conditions must be submitted to Council for acceptance via development.engineer@selwyn.govt.nz.
114. 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.
- 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.
115. 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.
116. 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 prior to the granting of a section 224(c) certificate.
117. Any works undertaken on stormwater infrastructure located within the development site must be completed in accordance with the Engineering Code of Practice and accepted engineering plans.
118. 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 a section 224(c) certificate 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.

119. 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 a section 224(c) certificate.
120. The Consent Holder must provide a Stormwater Operations and Maintenance Manual prior to the approval of a section 224(c) certificate.

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.

121. Prior to the approval of a section 224(c) completion certificate the consent holder must provide a Producer Statement demonstrating that the stormwater system has been designed and constructed in accordance with Consent numberClick here to enter text. .The producer statement is to be submitted to development.engineer@selwyn.govt.nz.
122. Prior to the issuing of s224(c) certificate 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.

123. Prior to the issuing of a section 224(c) certificate 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.

124. Prior to the issuing of a section 224(c) certificate 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.

125. 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 development.engineer@selwyn.govt.nz for acceptance at least 20 working days prior to the anticipated commencement of works and once accepted will thereafter form part of the Approved Consent Document.

ADVICE NOTE: 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.

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

126. 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.

127. Plans and supporting information must be submitted Council via development.engineer@selwyn.govt.nz for acceptance at least 20 working days prior to the anticipated commencement of works to confirm:

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

All filled land is shaped to fall to the road boundary.

Existing drainage paths from neighbouring properties are maintained.

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

129. Certificates satisfying the conditions of NZS4431: 2022 Code of Practice for Earth Fill for Residential Development are to be provided to the Council prior to section 224(c) approval. 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.

130. Prior to the issuing of a section 224(c) certificate 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.

131. Prior to the issuing of a section 224(c) certificate 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.

Land Drainage and Other Waterways

132. The stormwater drain located in the Birch Road frontage must be piped in accordance with the Engineering Code of Practice and the accepted engineering plans.
133. All vested drain 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 a section 224(c) certificate.
134. Prior to the issuing of a section 224(c) certificate 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.

135. Prior to the issuing of a section 224(c) certificate the consent holder must provide accurate AMIS schedules 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 AMIS schedule submitted for land drainage works will also include any specific planting constructed as part of works required for the completion of this consent.

136. Prior to the issuing of a section 224(c) certificate the consent holder must provide a comprehensive electronic schedule of any land drainage network 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.

137. 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.

138. 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.

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

RC245534 Land Use Consent Condition

1. The proposal shall proceed in general accordance with the information submitted with the application on 27 June 2024, the further information provided on 28 April 2025 and the attached stamped Approved Plan, entitled 555 Birchs Road & 447 Tancred's Road, Lincoln and dated May 2025.

Attachment

RC245532-RC245534 Subdivision & Land Use Approved Plan

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.

SDC Development Contributions Assessment Tool Outputs								
Consent Identifier:	RC245532						Inputs	OK
Policy Year:	2023/24						Outputs	OK
Activity	Demand Post Development (HUE)	Credits for Existing Demand	Additional Demand (HUE)	Development Contribution per HUE (\$)	Development Contribution (\$ Excl. GST)	GST (\$)	Development Contribution (\$ Incl. GST)	
Water Supply	117.00	0.00	117.00	2,926.00	342,342.00	51,351.30	393,693.30	
Wastewater	117.00	0.00	117.00	5,772.00	675,324.00	101,298.60	776,622.60	
Stormwater	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Reserves	117.00	1.50	115.50	12,461.00	1,439,245.50	215,886.83	1,655,132.33	
Community Infrastructure	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Roading	117.00	2.00	115.00	1,472.00	169,280.00	25,392.00	194,672.00	
Lincoln ODP	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Total Contribution					2,626,191.50	393,928.73	3,020,120.23	

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: Basic - No 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 \(Entranceway\)](#)

Impact on Council Assets

- (l) 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.

Stormwater

- (m) 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.

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.

Rūnanga Advice Notes for the Consent Holder

Te Taumutu and Ngāi Tūāhuriri Rūnanga

- (a) Stormwater from roads and hardstand areas must be treated for heavy metals and contaminants prior to discharge to the stormwater basin.
- (b) A site survey for wetlands and springs must be undertaken on site by a suitably qualified wetland specialist prior to any works commencing on site.
 - a. If the survey determines springs and/or wetlands are located on site, the subdivision plan must be modified in accordance with Consent Conditions 7 b and 7 c below.
 - b. Any waipuna/springs or artesian flows discovered must be protected, naturalised and not be capped.
 - c. Wetland areas on site must be retained, protected, and planted with an indigenous riparian margin.
- (c) Fish salvage by a suitably qualified freshwater ecologist must be undertaken prior to works being undertaken on the water race and drain on site.
- (d) The Consent Holder should refer to the Ngāi Tahu Subdivision and Development Guidelines to gain a greater understanding of the issues of importance to tāngata whenua and their desired outcomes for protecting their takiwā. These guidelines should be implemented to the greatest practical extent.
- (e) Each lot should incorporate sustainable urban design features with respect to stormwater runoff including:
 - a. Rainwater capture and reuse (i.e., rainwater collection tanks).
 - b. Minimising impervious cover (e.g., using permeable paving and maintaining grass cover).
 - c. The use of rain gardens and swales planted with indigenous vegetation (or other landbased methods) rather than standard curb and channel.