

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 NUMBER:	RC245458, RC245459 & RC245460
APPLICANT:	Urban Estates 22 Ltd and Broadfield Grange Ltd
BRIEF DESCRIPTION OF APPLICATION:	This is a joint application for subdivision and land use consent as follows: • Subdivision consent RC245458 is sought to undertake a 282-lot subdivision including associated reserves and roads. • Land use consent RC245459 is sought for earthworks and roading non-compliances resulting from Subdivision Consent RC245118. • Cancellation of consent notices RC245460 is sought regarding consent notices on Lots 700 to 702 as a result of RC245118.
SITE DESCRIPTION:	Address: 127 Lincoln-Rolleston Road Legal Description: Lot 3 DP 337894, Lot 2 & 3 DP 350871, Lot 1 & 4 DP 393937, Lot 2 DP 48064, Lot 2 DP 357634, Lot 2002 DP 600834 and Lot 45 DP 547617 Title Reference: 375900, 208227, 208228, 375901 CB27A/1004, and 234366 Area: 20.8362ha
ZONING / OVERLAYS	Operative Selwyn District Plan (2016), Township Volume Living MD1 Zone Partially Operative Selwyn District Plan (Appeals Version) Medium Density Residential Zone Development Area: DEV-RO11 Plains Flood Management Overlay Liquefaction Damage Unlikely Overlay
OVERALL ACTIVITY STATUS:	Discretionary

The Application

1. This application was formally received by the Selwyn District Council on **18 June 2024**. Further information was received on **10 April 2025**, and this information now forms part of the application.

Subdivision Consent

2. The application proposes to undertake a subdivision to create 282 allotments within the Rolleston Development Plan 11 area. The proposed subdivision plan is shown in Figure 1. The nature and extent of the proposal is as follows:
 - 275 residential allotments (ranging between 344m² to 3,130m²).
 - 1 balance allotment,
 - 2 Recreation Reserves,
 - 3 Local Purpose (Access) Reserves,
 - 1 Local Purpose (Utility) Reserve, and
 - Associated roads.
3. The subdivision will be undertaken over 11 stages as follows:
 - Stage 7A – Lots 363-367 & Lots 386-396 (16 residential lots) & Lot 510 (Road 8)
 - Stage 7B – Lots 397 to 401 (5 residential lots)
 - Stage 7C – Lot 362 (8 dwelling site) & Lot 368 (residential lot)
 - Stage 8A – Lots 343-356, 369-385, & Lot 409 (32 residential lots), & Lot 509 (Road 8)
 - Stage 8B – Lot 357 (residential lot) and Lot 358 (Education lot)
 - Stage 9 – Lots 124-133, 202-204, 249 -255 (20 residential lots), & Lot 500 (Road 9)
 - Stage 10 – Lots 134-157 (24 residential lots), Lot 413 (Recreation Reserve), & Lot 501 (Roads 3 & 5)
 - Stage 11 – Lots 187-201, 232-248 (32 residential lots), Lots 415 & 417 (Access Reserve), & Lot 502 (Roads 6 & 7)
 - Stage 12 – Lots 158-168, 205-231 (38 residential lots), Lot 416 (Access Reserve), & Lot 503 (Roads 4 & 5)
 - Stage 13 – Lots 169-183, 256, 402-405 (20 residential lots), & Lot 504 (Roads 2 & 5)
 - Stage 14 – Lots 184-186, 257-262 (9 residential lots), & Lot 505 (Road 2)
 - Stage 15 – Lots 263-271, 307-315, 336-342, 406 (26 residential lots), & Lot 506 (Road 8)
 - Stage 16 – Lots 287-288, 300-302, 316-335 (25 residential lots), & Lot 507 (Road 1)
 - Stage 17 – Lots 272-286, 289-299, 303-306 (30 residential lots), & Lot 508 (Road 13 & 14)
4. The main aspects of the activity are as follows:
 - A total residential yield of 320 households, achieving a density of 15.36 households per hectare. The applicant has proposed consent notices on each allotment to restrict residential yield to the following:
 - 256 one-dwellings sites (Lots 124-136, 138, 140-142, 144-159, 162-171, 180-185, 187-201, 203-248, 210, 251, 253- 312, 263-312, 314-322, 327-357, 363, 365-368, 370-401, 406, 409)
 - 28 two-dwelling sites (Lots 137, 139, 143, 160, 161, 172-179, 186, 202, 249, 252, 313, 323-326, 364, 369 and 402- 405)
 - 1 eight-dwelling site (Lot 362)
 - All lots have dimensions of 16m x 23m, except Lots 150, 204, 243, 255, 301, 312, 336, 352 to 357, 360, 361, 369, and 373. The applicant volunteers a consent notice restricting these lots to one residential unit.
 - One residential lot is being created as a comprehensive lot (Lot 362), which is anticipated to yield 8 residential units.
 - Three existing dwellings on Lots 187, 214, and 365 will be retained and connected to reticulated services.
 - All other proposed lots will connect to reticulated services.
 - The Lincoln-Rolleston Road frontage will be upgraded as required for the full frontage.
 - Stormwater from individual lots will be discharged to individual soakpits designed to accommodate storms up to 2% AEP 1hr event.

- Stormwater within reserves and the road network will discharge to soakpits within the road reserve.
- A new wastewater pump station is being constructed at the corner of Road 1 and Selwyn Road as part of RC245118. The proposed subdivision will be served by this pump station.
- The roads created by the subdivision have legal and formed widths ranging between 16.5m and 20m, except for Road 15 which is 11.7m wide and will be one-way.

Land Use Consent

5. Earthworks are proposed for the subdivision preparation including road construction and services installation. The proposed volume of earthworks is 40,000m³ (14,000m³ fill and 26,000m³ cut).
6. Cuts will be required in relation to the roadways where the depths to the subgrade may be up to 0.8m from natural ground level. Trenching for drainage is also anticipated to be up to 4.5m in some locations.
7. Filling will occur up to a height of 0.9m above natural ground level which is required to facilitate drainage. Filling along the shared boundaries will tie into the finished levels on neighbouring sites.
8. All topsoil will be retained and reused on the land immediately following bulk earthworks. All disturbed topsoil will be resown with Council specification grass and seed mixes. Once earthworks are complete, the disturbed areas will be stabilised to enable the next phase of the development.
9. All works are proposed to be undertaken in accordance with the Erosion and Sediment Control Management Plan provided with the application.
10. Land use consent is required for a series of traffic non-compliances resulting from the subdivision consent as follows:
 - Roads 10 and 13 do not comply with TRANS-TABLE 7 as the carriageway width is 8.5m, exceeding the maximum by 0.5m.
 - Some of the Internal intersections onto Roads 1 which is anticipated to be classified as a collector do not comply with the minimum separation requirements.
 - Lots 397 to 401 have a frontage to Lincoln Rolleston Road, which is an arterial road with an expected posted speed of 60km/hr.
 - The development is a high trip generating activity.
 - In anticipation that two dwellings may be constructed on some of the proposed allotments, the applicant is also seeking resource consent to allow for two vehicle crossings on each of Lots 124-136, 138, 140-142, 144-159, 162-171, 180-185, 187-201, 203-248, 210, 251, 253-312, 314-322, 327-357, 363, 365-368, 370-401, 406, & 409.

Cancellation of Consent Notices under s221(3)

11. Consent notices were imposed on Lots 700 to 703 as part of RC245118 stipulating a minimum number of sites to be provided when these lots are further subdivided. As the current application relates to the further subdivision of Lots 700 to 703, the applicant also seeks to cancel the consent notices on Lots 700 to 703.

Surrender of Easements under s243(e)

12. Lot 3 RC 245064 is an existing right-of-way that traverses the site from Selwyn Road to serve properties to the north of the application site. Existing easements T.6243609.4, T. 6243609.5 and EI 11823530.3 provide for this right-of-way and the right to convey power and telecommunications. These easements will not be necessary within the application site as they will be replaced by the roading network and reticulated services to be provided. As such consent under s.243(e) is sought to surrender existing easements T.6243609.4, T. 6243609.5 and EI 11823530.3 within the application site. These easements will remain on proposed Lot 601.



Figure 1. Proposed subdivision scheme plan

13. The conditions referred to in the following assessment have been accepted by the Applicant and are therefore considered to form part of the application.

Background

14. Subdivision consent RC245118 and Land Use consent RC245119 were granted by Council on 10 December 2024 to create 123 residential allotments. RC245118 comprised Stages 1 to 6 of the entire Broadfield Grange subdivision. The current application consists of the remaining stages of the subdivision, and further development of the balance lots created by RC245118 (Lots 700-703). The approved subdivision plan for RC245118 is shown in Figure 2.

The Existing Environment

16. The application site is located along Selwyn Road and Lincoln Rolleston Road. The site comprises balance lots created by other recent subdivisions as follows:
 - Lots 700 to 703 (RC245118)
 - Lot 2002 DP 600834, Lot 300, and Lot 3 (RC245064)
17. The underlying legal descriptions being Lot 3 DP 337894, Lot 2 & 3 DP 350871, Lot 1 & 4 DP 393937, Lot 2 DP 48064, Lot 2 DP 357634, Lot 2002 DP 600834 and Lot 45 DP 547617
18. The site has a total area of 20.8362ha.
19. Each of these titles is subject to an encumbrance from Orion New Zealand Limited, and several of these titles are subject to an easement under s243(a) of the Act.
20. The site primarily comprises bare paddocks with associated fencing and shelterbelts. There are several existing dwellings on site. Access to the site is via a right-of-way from Selwyn Road. The site also has frontage to Lincoln-Rolleston Road and a vehicle crossing to this road which services the existing dwelling on Lot 2 DP 357634.
21. Selwyn Road and Lincoln-Rolleston Road are both arterial roads.
22. Part of the Paparua Water Race currently traverses the site as shown in Figure 1. On 12 June 2024, the Selwyn District Council (SDC) resolved to close this water race.
23. The site is located at the southeastern extent of Rolleston and adjoins land to the north and east currently being developed for residential purposes. Land to the west and south is rural in character, although areas to the west are within Rolleston's urban growth overlay and have been rezoned for urban development.
24. Figure 4 shows the extent of the application site (highlighted) as well as the wider site which was subdivided as part of RC245118 (outlined).

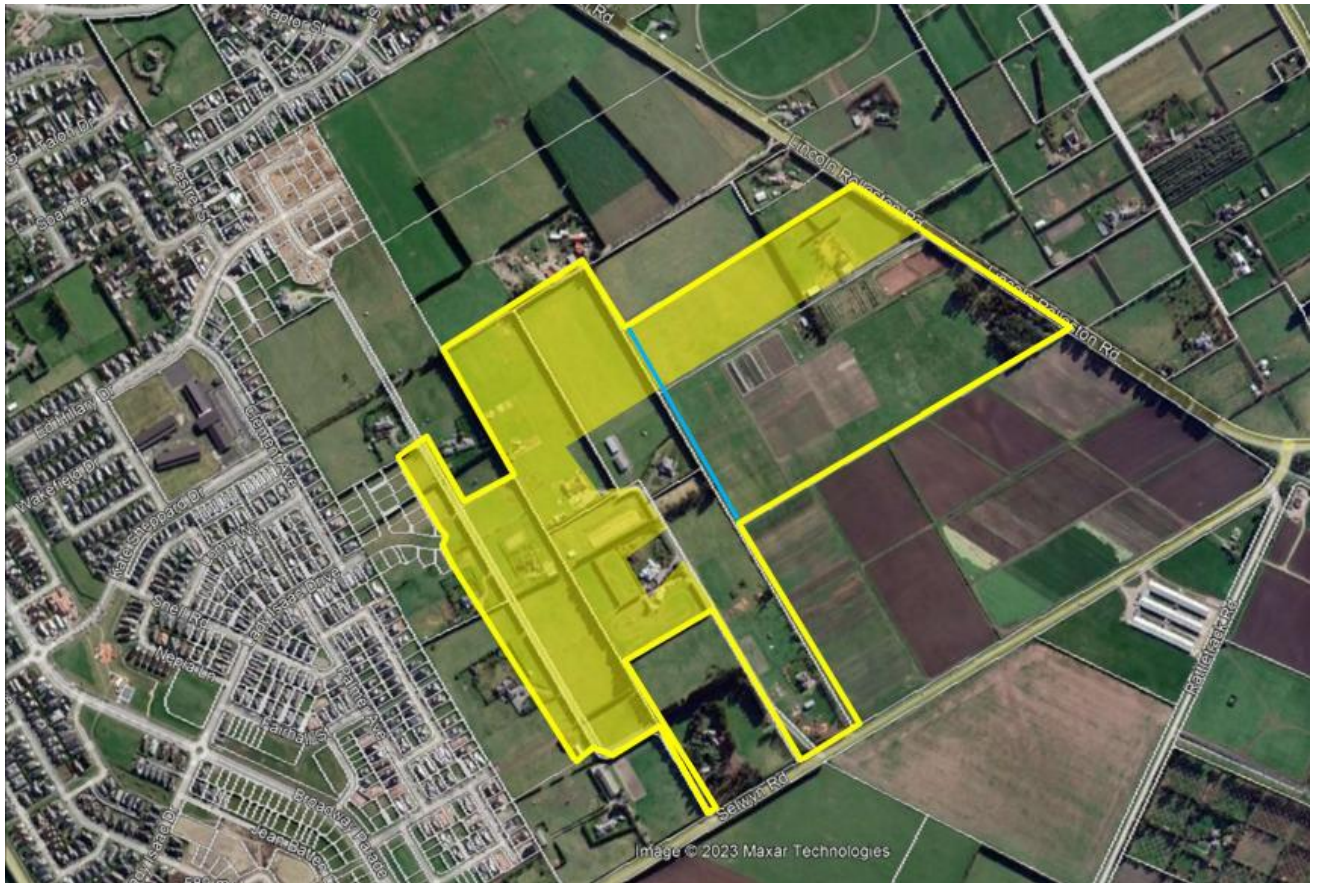


Figure 4. Extent of application site.

Activity Status

Operative Selwyn District Plan (2016), Township Volume ("the Operative Plan")

25. The application site is zoned Living MD1. The site is not subject to any other overlays.
26. The Council released the Appeals Version of the Partially Operative Selwyn District 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), and the corresponding provisions in the Operative Plan are treated as inoperative.
27. All rules that would apply to this proposal are now treated as inoperative and the proposal is a permitted activity under the Operative Plan.

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

28. The application site is zoned Medium Density Residential (MRZ). The site is also subject to the following overlays:
- Medium Density Residential Zone
 - Development Area: DEV-RO11
 - Plains Flood Management Overlay
 - Liquefaction Damage Unlikely Overlay
 - Other Significant Electricity Distribution Lines (located within the road reserve of Selwyn Road)
29. 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.
30. The rules of the Partially Operative Plan that this proposal does not meet are as follows.

Subdivision

31. The proposed subdivision does not meet the following rules:

Operative/treated as operative:

RULE	TOPIC	NON-COMPLIANCE	STATUS
SUB-R1	Subdivision in the Residential Zones	<u>SUB-R1.1(a)(i)</u> The proposal includes the creation of vacant allotments (Lots 150, 204, 243, 255, 301, 312, 336, 352 to 357, 360, 361, 369, and 373) that will not meet the minimum required site dimension of 16m x 23m for MRZ. <u>SUB-REQ3 (ODP)</u> The proposal has a minor non-compliance with DEV-RO11 due to some local roads shown in the ODP not being provided, and due to the location of the southwestern recreation reserve. <u>SUB-REQ6 (Access)</u> Lots 397 to 401 will require direct access to Lincoln Rolleston Road which is an arterial road and therefore does not comply with SUB-REQ6.6. (Restricted Discretionary) Therefore, resource consent is required under SUB-R1.	Discretionary (SUB-R1.7A)
SUB-R13	Subdivision to Create Access,	The proposal is to create new roads and reserves.	Controlled

RULE	TOPIC	NON-COMPLIANCE	STATUS
	Reserve or Infrastructure Sites in All Zones		
SUB-R17	Subdivision and Natural Hazards	The application site is located within the Plains Flood Management Area and is not located within a high hazard area.	Restricted Discretionary

32. While the application does include flood modelling for the site, a Flood Assessment Certificate (FAC) has not been provided at this time. Therefore, there is not sufficient information to assess NH-MAT1. Council's standard process in this situation is to require the applicant to obtain a FAC prior to section 224(c) certification by imposing conditions on the subdivision consent. This is further discussed in the assessment of environmental effects section of this report.
33. Therefore, the subdivision proposal is a Discretionary activity under the Partially Operative Plan.

Land Use

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

Operative/treated as operative:

RULE	TOPIC	NON-COMPLIANCE	STATUS
EW-R5	Stockpiling within the Plain Flood Management Overlay	Stockpiling associated with the subdivision is anticipated to exceed 250m ³ . Stockpiles will not be higher than 4m but will likely be located within 100m of a sensitive activity (residential) on adjoining properties.	Restricted Discretionary
EW-R5A	Earthworks for Subdivision	Earthworks will be undertaken on an area exceeding 1000m ² .	Restricted Discretionary (EW-R5A.2)
TRAN-R1	Works and activities in a land transport corridor	<u>TRAN-REQ19</u> The proposal does not comply with TRAN-REQ19 as Roads 10 and 13 (local roads) will have a 8.5m carriageway, which is greater than the PODP 7 to 8m width required.	Discretionary
TRAN-R2	Creation of a New Land Transport Corridor	<u>TRAN-REQ18 (Land Transport Corridor Creation Standards)</u> Land Transport Corridors must have a legal width compliance with TRAN-TABLE7. For local MRZ roads this is between 15 to 17m – Roads 10 and 13 will not comply with this. <u>TRAN-REQ20.1 (intersection spacing)</u> Road 1 is considered to be a collector road. Several side roads connect to Road 1 at spacings less than 123m.	Restricted Discretionary (TRAN-REQ20.3)
TRAN-R4	Vehicle Crossings	<u>TRAN-REQ2 (Vehicle crossing access restrictions)</u> The proposal does not comply with TRAN-REQ2 as Lots 397 to 401 are proposed to access directly onto Lincoln-Rolleston Road (speed limit 60km/hr). <u>TRAN-REQ3 (Number of Vehicle Crossings)</u>	Restricted Discretionary (TRAN-REQ2.2 & TRAN-REQ3.2)

RULE	TOPIC	NON-COMPLIANCE	STATUS
		Two vehicle crossings are to be constructed on each of Lots 124-136, 138, 140-142, 144-159, 162-171, 180-185, 187-201, 203-248, 210, 251, 253-312, 314-322, 327-357, 363, 365-368, 370-401, 406, & 409, in anticipation of two residential units being constructed. This does not comply with TRAN-REQ3 which states a maximum of one vehicle crossing per site.	
TRAN-R8	High Trip Generating Activities	As the proposal is for a subdivision of greater than 150 residential units, it is considered to be a high trip generator.	Restricted Discretionary (TRAN-R8.1)

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

Status – Partially Operative Plan

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

National Environmental Standards

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

37. The NES-CS manages activities which involve the disturbance of land which may be contaminated. This is determined by whether activities listed in the Hazardous Activities and Industries List (HAIL) have or are likely to have occurred on the site.
38. As part of the underlying subdivision consent (RC245118), the site required remediation of contaminated soils.
39. The only area of contamination not addressed by RC245118 was a burn off area at 1/544 Selwyn Road which exceeded residential land use criteria. ECan's Contaminated Land team reviewed the various PSI and DSIs on behalf of SDC and confirmed that only the burn area required remediation as part of the current application (RC245458), with all other areas of contamination addressed by RC245118.
40. However, following lodgement of the current application, the Applicant has since undertaken remediation of the additional burn area during remediation of the wider site under RC245118 (underlying subdivision consent). A Site Validation Report (SVR) has been accepted by Council, including for the burn area. Therefore, there are no remaining areas of contamination that require remediation.
41. Given the burn area that was identified as needing to be remediated for RC245458 has now been remediated and an SVR provided as part of RC245119, the current application no longer requires consent under the NES-CS.

Overall Activity Status

42. At the time of lodgement, the application was assessed/treated as being for a **Discretionary** activity.
43. As per the Activity Status section above, at the time of writing this report the proposal is still for a **Discretionary** activity (i.e. the most restrictive status applicable).
44. Therefore, the proposal is being considered as a **Discretionary** activity overall.

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

45. The provision of written approvals is relevant to the notification and substantive assessments of the effects of a proposal under sections 95D, 95E(3)(a) and 104(3)(a)(ii). Where written approval has been provided, the consent authority must not have regard to any effect on that person. In addition, that person is not to be considered an affected person for the purposes of limited notification.
46. No written approvals have been provided.

Notification Assessment

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

Permitted Baseline

47. 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.
48. In this case, the Operative Plan does not provide for subdivision as a permitted activity, therefore no permitted baseline can be applied in this instance.
49. The Partially Operative Plan does not provide for subdivision as a permitted activity, therefore no permitted baseline can be applied in this instance.
50. In regard to the land use consent, the Partially Operative Plan permits the following:
- earthworks up to a maximum of 1,000m²

Assessment

51. 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 described in paragraphs 16 to 24 of this report.
52. 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.
53. The adverse effects that might be considered relevant to this proposal are:
- Earthworks and Construction Effects
 - Contamination Effects
 - Subdivision Design, Residential Character and Amenity Effects
 - Servicing Effects
 - Access and Transport Effects
 - Natural Hazard Effects
 - Cultural Effects

Earthworks and Construction Effects

54. Earthworks have the potential to result in nuisance effects, impact on the quality of groundwater and surface water and exacerbate natural hazards. The applicant proposes to undertake earthworks for the formation of the allotments, roads, reserves and installation of the underground services and to fill the water race. The total volume of earthworks proposed is 40,000m³ (14,000m³ fill and 26,000m³ cut) and the maximum depth of cut is between 0.8 to 4.5m (for trenching) below natural ground level. Fill will not exceed 0.9m above existing ground level. All topsoil will be retained and reused on site. Filling along the shared boundaries will tie into the finished levels on neighbouring sites. Once earthworks are complete, the disturbed areas will be stabilised to enable the next phase of the development.
55. The application includes a draft Erosion, Sediment and Dust Control Management Plan (ESCP) prepared by David Lovell-Smith (20666, Revision 2, dated June 2024). The ESCP includes erosion and sediment control measures that will be in place in accordance with Environment Canterbury’s Erosion and Sediment Control Toolbox. The ESCP includes dust control measures, and monitoring of erosion and sediment control measures. It is recommended that a final ESCP is provided to Council for certification prior to the commencement of physical works to ensure the ESCP incorporates any relevant conditions of consent. All subsequent works must be undertaken in accordance with this ESCP. It is recommended that conditions are imposed to this effect.
56. Council’s Development Engineer has raised no concerns about the proposed earthworks and recommends that Council’s standard earthworks conditions are imposed on this consent.

57. The geotechnical assessment by ENGEO included in the application has been reviewed by Geotech Consulting limited on behalf of Council. The peer review agrees with the conclusions of the geotechnical assessment, namely that the liquefaction potential at the site is minimal, and the site is equivalent TC1 Technical Land classification. The Peer review confirms that the geotechnical assessment complies with the intent of the MBIE Subdivision Guidance. The peer review recommends that site specific shallow testing is carried out on each house site at the time of building consent.
58. Geotech Consulting also commented on the proposed earthworks and noted that given the geology of the site and limited fill depths, no peer review of the earthworks completion report will be necessary prior to sign-off at s224(c).
59. Given the above, the adverse effects of the proposed earthworks and construction activities will be less than minor.

Contamination Effects

60. As noted earlier in this report, the wider site has been adequately remediated and a SVR accepted by Council under RC245118 since the lodgment of this application (RC245458), and therefore, no further remediation is required as part of the current application.
61. In the event that further areas of contamination are discovered during works, I recommend that a contaminated soil accidental discovery protocol is imposed as conditions of consent. I also recommend a condition is imposed requiring removal of contaminated soils from site to a suitable facility.
62. Overall, the adverse effects of the proposal in regard to contaminated soils are considered to be less than minor.

Subdivision Design, Residential Character, and Amenity Effects

Outline Development Plan

63. DEV-RO11 seeks to achieve a minimum net density of 15 households per hectares, supporting a variety of lot sizes within the zone framework. DEV-RO11 anticipates predominantly medium density sections, with higher density along primary roads supported by adjoining reserves.
64. The following consent notice was placed on Lots 600, 700 to 703 as part of RC245118 to ensure the required residential yield for DEV-RO11 is met:
- Lot 600 – 196 residential dwellings or allotments
 - Lot 700 – 60 residential dwellings or allotments
 - Lot 701 – 37 residential dwellings or allotments
 - Lot 702 – 59 residential dwellings or allotments
 - Lot 703 – 44 residential dwellings or allotments
65. I note that Lot 600 is not part of the application site and therefore no further consideration is required.
66. To ensure the proposed residential yield for this subdivision is achieved, the applicant has volunteered for consent notices to be placed on each allotment specifying the number of dwellings that may be constructed on each allotment. The specifications are as follows:
- 256 one-dwellings sites (Lots 124-136, 138, 140-142, 144-159, 162-171, 180-185, 187-201, 203-248, 210, 251, 253- 312, 263-312, 314-322, 327-357, 363, 365-368, 370-401, 406, 409)
 - 28 two-dwelling sites (Lots 137, 139, 143, 160, 161, 172-179, 186, 202, 249, 252, 313, 323-326, 364, 369 and 402- 405)
 - 1 eight-dwelling site (Lot 362)
67. The above will comply with the 15 households/hectare requirement by providing 320 households, giving a density of 15.36 households per hectare. As this will ensure the required density requirements of DEV-RO11 are met, I consider it practical to impose these consent notices as conditions of consent.
68. The current application will achieve a total of 320 residential lots or dwellings, which both meets the 15 hh/ha requirement of DEV-RO11 and satisfies the requirements of the above consent notices. Given the requirements of the consent notices are met, I agree with the applicant that these consent notices on Lots 700 to 703 can be cancelled as part of this consent.
- ##### *Urban design & landscaping*
69. The Urban Design Department were also concerned about pedestrian and cycle connectivity to adjoining future residential development areas. The applicant has subsequently provided an overall plan for the wider area,

showing how the current subdivision design will connect with the surrounding areas of development. This plan demonstrates adequate connectivity to adjoining future residential areas.

70. The application does not include a draft Landscape Plan of any details around proposed landscaping. Council's Strategic Open Space Lead, Derek Hayes, has therefore recommended that Council's standard condition is imposed to require a Landscape Plan to be provided to Council for certification and for all landscaping to be undertaken in accordance with the approved Landscape Plan. The consent holder will need to undertake all landscaping in accordance with the approved Landscape Plan.
71. Mr Hayes has also noted that if the applicant intends to install any entrance signage or structures, these need to be within private lots rather than in road reserve. This will be imposed as a condition of consent.
72. All lots have dimensions of 16m x 23m, except Lots 150, 204, 243, 255, 301, 312, 336, 352 to 357, 360, 361, 369, and 373. As noted above, the applicant volunteers a consent notice restricting these lots to one dwelling to ensure an adequate level of residential amenity is maintained. Given this, I consider it likely that these lots can be used for the proposed residential purpose and achieve an appropriate level of amenity for the MRZ despite the non-compliant lot dimensions.
73. The subdivision design does not result in any new non-compliances with the built form standards for the existing dwellings within Lots 187, 214, and 365, in particular the internal and road boundary setbacks required by MRZ-TABLE1.

Reserves

74. Two reserve areas are to be provided in DEV-RO11 in locations which provide good accessibility for residents. The reserves will need to be vested in Council and I therefore recommend a condition is accordingly imposed. Higher density housing is to be located around these reserves to promote a high level of amenity for housing and compensate for any reduced private space available to individual properties. The subdivision plan achieves this by providing two separate recreation reserves, and the proposed higher density site (Lot 364) is to be located directly adjacent to Lot 414 (recreation reserve).
75. As noted in the rules assessment, the southwestern recreation reserve is proposed to be at a slightly different location to that shown in DEV-RO11, however this is a minor change to the ODP and no adverse effects are anticipated.
76. Council's Strategic Open Space Lead, Derek Hayes, has advised that a playground will need to be designed and installed within Lot 413 (Recreation Reserve). This will be imposed as a condition of consent.
77. Two local purpose (access) reserves are proposed (Lots 416 and 417) which will provide for pedestrian linkages between the two cul-de-sacs (Roads 4 and 7). Mr Hayes has advised that bollards will need to be installed to prevent vehicle access to Lots 416 and 417, and this will be imposed as a condition of consent.
78. Mr Hayes has also noted that several of the proposed lots will border reserves and Council's standard condition should be imposed requiring a fencing covenant on each affected residential title. Mr Hayes has also noted that lots bordering reserves will require fencing up to 1m in height if solid or 1.8m in height where at least 50% of the fence is visually permeable. This requirement will be assessed at the time of Engineering Acceptance when a final landscape plan is provided to Council. No additional condition is therefore necessary.
79. Overall, the subdivision design will achieve a high level of amenity and is consistent with the surrounding residential character and adverse effects will be less than minor.

Servicing Effects

80. The applicant proposes for all new lots to be connected to reticulated water supply, wastewater, stormwater, electricity, and telecommunications connections. The existing dwellings to be retained will also be connected to reticulated services. The applicant intends for all new service connections to be installed in accordance with Council's Engineering Code of Practice.

Wastewater

81. As part of RC245118, a new wastewater pump station is being constructed at the corner of Road 1 and Selwyn Road. The proposed subdivision will also be serviced by the new wastewater pump station with the proposed lots draining via gravity to the new pump station. Sewer mains will be laid through the subdivision area with 150mm diameter mains. All lots will be serviced with a 100mm PVC lateral at least 1m inside the net area of the lot. All works are proposed to be to Council standards unless otherwise agreed upon with Council's Development Engineers.
82. Council's Development Engineer has advised that Stage 7, 8, 9, 11, 13, 14, 15, 16, 17 are reliant on wastewater infrastructure being constructed as part of Stages 1 to 6 of RC245118. Therefore, a staging condition will need to be imposed preventing s224(c) being obtained for these stages until the wastewater infrastructure is complete under RC245118.

83. Likewise, Stages 10 and 12 are dependent on wastewater infrastructure being constructed under RC225657 and will also need a condition restricting s224(c) certification of these stages until that infrastructure is operational.
84. Council's Development Engineer has advised that the existing on-site effluent treatment and disposal system on Lot 187, Lot 214 and Lot 365 will need to be decommissioned and the site be completely reinstated. Therefore I recommend that conditions are imposed requiring this to be done prior to s224(c) certification.

Stormwater

85. Primary stormwater from the site will be discharged to ground via soak pits on individual lots and designed to accommodate storms up to 2% AEP 1 hr event (constructed at time of building consent). Stormwater from the reserves and road networks will discharge to soakpits within the road reserve. Infrastructure associated with road runoff will be constructed as part of the subdivision and vested in SDC. The applicant intends for secondary flow to be conveyed through the site via the road and reserve networks. As part of RC245118, an easement in favour of Council was created over Lot 600 to guarantee the overland flow path to the southwest.
86. This is consistent with DEV-RO11 which anticipates the roading network will provide for secondary pathways for stormwater while stormwater from roofs and hardstand areas will be directed to on-site soak holes meeting the required Canterbury Regional Council standards.
87. Consent for stormwater discharge to ground from the development site will be obtained from Environment Canterbury (ECan). All consenting from ECan will be verified by SDC as being suitable for transfer to their ownership in future if required.
88. The applicant proposed a consent notice to be registered on the resultant titles for all allotments requiring individual soak pits to be designed to accommodate rainfall up to a 2% AEP 1hr event, noting that this is above the requirements of the New Zealand Building Code.
89. A Stormwater Management Plan and Stormwater Operations and Maintenance Manual will also be required to be provided to Council prior to section 224(c) certification. All vested stormwater reticulation will be required to meet Council's pressure testing and CCTV inspection standards as per the Engineering Code of Practice.

Water Supply

90. The applicant intends to provide potable water connections to each individual lot. All lots will be provided with a metered connection at the site boundary and a 32mm OD water lateral installed to at least 1m inside the site boundary. Council's Development Engineer will require all water connections to be metered. All water reticulation infrastructure to be vested in Council will need to meet Council's testing and hygiene standards as per the Engineering Code of Practice. It is recommended that these requirements are imposed as conditions of consent.
91. A network of 150mm water mains and 63mm submains will be installed throughout the site to provide potable water to each lot.
92. There are two 150mm water mains installed to the boundaries of Stages 10 and 13, which the proposed subdivision will connect to. These mains will link to the 300mm trunk main in Selwyn Road in future via Stages 1-6 consented under RC245118.
93. Council's Development Engineer has noted that provision of potable water to Stages 7 to 17 is dependent on the potable water network being completed under R245118 and/or RC235357. To that end, Council's Development Engineer has recommended a condition be imposed preventing s224(c) certification from being obtained for Stages 7 to 17 until the water connections are complete under the other subdivision consents. I agree that a staging condition is required and should be accordingly imposed.
94. The main in Lincoln-Rolleston Road needs to be upgraded to DN300. As part of RC245118, the watermain upgrade on Lincoln Rolleston Road must be undertaken at the same time that the road frontage along Lot 600 is upgraded to residential standard. The frontage upgrade and services, including watermain upgrade, on Lincoln Rolleston Road across Lot 700 will be completed together with the new intersection and Lot 600 upgrades. Conditions were imposed on RC245118 to this effect. As these works are being undertaken as part of RC245118, they do not need to be conditioned on the current consent. However, I note that as the current subdivision is reliant on these upgrade, no stage of RC245458 should be able to obtain s224(c) until these upgrade works are complete. Council's Development Engineer has likewise advised that the water main will need to be upgraded under RC245118 before s224(c) can be granted for Stages 7 to 17 of RC245458.
95. The applicant has confirmed that each of the existing dwellings will be provided with connections to the new water supply reticulation.

Telecommunications & Power

96. The applicant has stated that telecommunications and power connections will be provided to each proposed lot. All cables will be underground and all kiosks will be constructed on separate individual lots. Mains will be extended from both Selwyn Road and also from the recent residential development west of the site. Necessary easements

will be confirmed at s223. It is therefore recommended that Council's standard conditions regarding the provision of telecommunications and electricity connections to each lot are imposed.

Traffic, Access and Rooding Effects

Roads (layout and design)

97. Inappropriately designed subdivisions have the potential to result in conflict between road users and pedestrians and disrupt the flow of traffic utilising the network.
98. The applicant confirmed that all roads will comply with the Local Major MRZ road standards except for Road 10. Road 10 is a local road. Council's Development Engineer has reviewed the formation of Road 10 and is satisfied that the proposed width is not less than 16.5m and can be accepted at engineering approval.
99. Streetlights will be provided in the roading and reserves to SDC standards. Street lighting will be consistent through Broadfield Grange. A condition of consent will be imposed to this effect.
100. The road layout is generally consistent with the ODP for DEV-RO11, particularly the major local roads (Roads 1, 2, 9, and 5 which provide connectivity to adjoining sites and the wider area. However, the ODP for DEV-RO11 shows two local roads north of Road 2 to provide connectivity to Lot 2 DP 578200. The proposed subdivision layout differs from this, as a second east-west road (Road 8) is instead provided. However, two local road connections to Lot 2 DP 578200 are still proposed, just in a different configuration than anticipated by the ODP. Given the connections are still provided, I consider this deviation to have less than minor adverse effects.
101. The subdivision includes Stages 1 to 6 previously consented under RC245118, that are inconsistent with the ODP as it fails to incorporate a second continuous road connecting to Lincoln Rolleston Road from Road 1 due to Lot 600 being developed as a retirement village. However, this non-compliance was assessed as part of RC245118 and Council's Strategic Rooding officer, Andrew Mazey, and Council's Development Engineers were satisfied that the proposed roading layout aligns with future development of adjacent sites and are satisfied with no road being proposed through Lot 600 as per the ODP.
102. Council's Development Engineer initially noted that the curve of Road 8 appeared to be too severe. Abley have provided additional assessment of Road 8 to assess this. Abley conclude that there is sufficient space on the curve to accommodate the required vehicle tracking, and details can be confirmed at the detailed design stage. I agree that sufficient assessment has been provided and details can be further determined at the time of engineering approval.
103. Following feedback from Council, the applicant has changed proposed Road 15 to a Right of Way due to safety and operational concerns. This ROW will service 11 allotments. Residential development on these allotments will be limited to 1 residential unit per lot, meaning a total of 11 residential units will utilise the ROW ensuring compliance with TRAN-REQ7.16A for MRZ (which allows up to 12 residential units to utilise a shared ROW). The ROW also complies with formation standards in TRAN-TABLE3 (i.e., legal width, carriageway width etc.). The applicant intends for signage to be installed at each end of the ROW to prevent usage by non-residents.
104. Council's Development Engineer, Helen Pullar, has reviewed the change and is satisfied with the proposal provided a consent notice is placed on these lots restricting them to one residential unit per lot to avoid future access issues along the ROW. The Applicant has volunteered a consent notice to restrict development on these lots to one residential unit per lot, therefore addressing Ms Pullar's concerns. I likewise recommend this consent notice is imposed.
105. As the proposal is for a subdivision of greater than 150 residential units, it is a high trip generator. The application includes an Integrated Transport Assessment (ITA) prepared by Abley regarding the proposed subdivision. As part of their initial assessment, Abley noted that the development should be limited to 150 lots until the intersections of Weedons Road and Selwyn Road is upgraded, because a higher number of lots is predicted to create unacceptable delays at the intersection. 123 lots were approved by RC245118. Therefore, 27 lots proposed as part of the current application (RC245458) may proceed prior to the intersection upgrade.
106. However, following discussions with the Applicant on draft conditions of consent, the Applicant has provided an updated assessment from Abley which better reflects more recent changes in the surrounding transport network since lodgement of the application, including:
 - Upgrade of Levi / Lincoln Rolleston Road intersection to traffic signals;
 - Installation of roundabouts at Shands / Hamptons and Shands / Trents intersections;
 - Reduced speed limits along Shands Road corridor; and
 - Increased speed limit along SH1 corridor.
107. The updated modelling provided by Abley concludes that "Collectively, these changes in the transport network present a very different network to the one which was assessed in June 2024. Analysis of TomTom data

comparing the split of traffic using the SH1 and Selwyn / Shands Road corridors in March 2023 and March 2025 demonstrates there has been a marked shift in travel patterns.”

108. Abley conclude that based on their updated modelling, the previous 150 lot threshold prior to upgrading the Selwyn Road / Weedons Road intersection is no longer required, and the full development can be supported prior to any intersection upgrades.
109. Council's Strategic Transport Lead, Andrew Mazey, has reviewed the additional response from Abley and although he agrees with the technical assessment by Abley, he advises that the 150 limit should remain in place to best manage the cumulative risk to Council from the various developments currently either consented or being processed by Council in Rolleston. However, he notes that the ODP (DEV-RO11) for this site does not include a specific restriction in relation to the intersection upgrades, unlike other ODPs in Rolleston, and therefore it may be unreasonable to restrict this particular development.
110. Based on the technical assessment by Abley which notes the proposal can proceed with less than minor effects on the surrounding roading network prior to the intersection upgrade, and the fact that the PODP does not impose any restrictions on this particular ODP area in relation to those intersection upgrade, I do not consider it necessary to impose the 150 lot restriction in this instance.

Vehicle Crossings

111. The application proposes for Lots 397 to 401 (5 lots) to obtain direct vehicle access to Lincoln-Rolleston Road which is an arterial Road with a posted speed limit of 60 km/hr which breaches TRAN-REQ2. Council's Development Engineer, Walter Smith, has reviewed the proposal and has not raised any concerns with these lots gaining direct access from Lincoln-Rolleston Road.
112. Given the above, the proposal to have five lots obtaining direct access to an arterial road will have less than minor adverse effects.
113. As part of their RFI response, and in anticipation that two dwellings may be constructed on some of the proposed allotments, the applicant is also seeking resource consent to allow for two vehicle crossings on each of Lots 124-136, 138, 140-142, 144-159, 162-171, 180-185, 187-201, 203-248, 210, 251, 253-312, 314-322, 327-357, 363, 365-368, 370-401, 406, & 409. This does not comply with TRAN-REQ3 which states a maximum of one vehicle crossing per site.
114. The Applicant notes that this matter raises a technical non-compliance with TRAN-R4.5/ TRAN-REQ3.1 as it is likely that there could be up to two vehicle crossings established on the 2-unit lots prior to further subdivision of these lots. Given the technical nature of the non-compliance, it does not give rise to any adverse effects on the environment. Once the allotments are further subdivided this non-compliance is resolved.
115. I note that the location and formation of these vehicle crossings will still need to comply with the other transport rule requirements under the PODP (i.e., spacing of crossings, formed and legal width, distance from intersections etc.,) or else obtain separate resource consent. Council's Development Engineer, Helen Pullar, has reviewed the proposal in this regard and agrees the matter is unlikely to cause any issues provided the vehicle crossings still have to comply with separation distance requirements.
116. Given the above, the proposal to allow for up two vehicle crossings to be constructed on the specified lots will have less than minor adverse effects.

Footpaths

117. Following feedback from Council, the applicant has provided an amended site plan showing footpaths on either side of Road 10. Therefore, footpaths will be provided on both sides of the roads for every road on the proposed subdivision, except for Road 13 (local road), and Roads 4 and 7 (*cul-de-sacs*).
118. Footpaths will also be constructed within the proposed pedestrian access reserves (Lots 416 & 417) to provide for pedestrian connectivity through the site.
119. Council's Urban Design and Development Engineers recommend that footpaths are provided on both sides of every road in the proposed subdivision, however, I note this is not required by the PODP. TRAN-REQ19.4 only requires footpaths on both sides of a road where the road is shown on an ODP (i.e., DEV-RO11) or the road adjoins small site development or comprehensive development. Roads 4, 7, and 13 are not shown on the ODP for DEV-RO11 and do not adjoin small site development or comprehensive development, therefore there is no requirement for footpaths to be provided on both sides of these roads. This is consistent with road formation requirements in TRAN-TABLE7 for Local MRZ roads. Therefore, I consider the proposed provision of footpaths to be consistent with the PODP and the intended outcomes of the zone.
120. Overall, the adverse effects of the proposal in regard to traffic, access, and roading design will be less than minor.

Natural Hazard Effects

121. The site is located within both the Plains Flood Management Overlay and the Liquefaction Damage Unlikely Overlay.
122. The applicant has provided a Flood Modelling Report (dated February 2024) which was based on a 2% AEP event. The report includes a Flood Ponding and Water Levels Plan showing areas of ponding at depths greater than 100mm in 50mm increments, water levels, and design contours. The water level at 30m intervals is shown on this plan enabling a minimum Finished Floor Level (FFL) to be set to ensure 300mm clearance between the finished floor level and ponded water level in a 200-year event.
123. As part of RC245118, Council's Development Engineer reviewed the Flood Modelling Report and noted that the overall conclusion that the 200-year flood flows will be conveyed through the road corridors and that the Finished Floor Levels (FFL) can be met was correct. Council's Development Engineer has recommended that Council's standard flood mitigation conditions are imposed on this consent.
124. As part of RC245118, an easement was also created over Lot 600 to ensure secondary flow paths were provided for.
125. As per Council's standard practice, where no FAC has been obtained at time of subdivision application, conditions will be imposed on this consent requiring a report to be provided to Council at time of Engineering Approval demonstrating that finished ground level for each residential site will achieve a FFL that has a minimum 300mm freeboard above the 200-year ARI level. The consent holder will also need to obtain a global FAC from SDC for the subdivision or subdivision stage.
126. Given the earthworks proposed, the consent holder will also be required to prepare and submit a Stormwater Design Report and Management Plan at time of Engineering Approval, including a cut and fill plan, and supporting volume calculations to confirm whether the displacement and/or diversion of flood waters as a result of subdivision earthworks has resulted in a net zero change of the existing drainage flow patterns.
127. The geotechnical assessment by ENGEO included in the application has been reviewed by Geotech Consulting Limited on behalf of Council. The peer review agrees that there is minimal to no liquefaction potential at the site, and that the site meets TC1 Technical Land Classification. The peer review agrees that the site is suitable for residential development.
128. Overall, the adverse effects of the proposal in regard to natural hazards are considered to be less than minor.

Cultural Effects

129. Subdivision and land use activities have the potential to compromise cultural values. The site is not subject to any mapped cultural values, archaeological sites, statutory acknowledgements of heritage items.
130. The application was referred to Maahanui Kurataio Ltd (MKT) to provide comment on the proposal on behalf of the relevant rūnanga (Ngāi Tūāhuriri Rūnanga and Te Taumutu Rūnanga). MKT have raised concerns about the proposed piping of the waterway and the proposed subdivision design. They have provided recommended conditions of consent which, if imposed, will resolve their concerns. These conditions relate to naturalising the Paparua Water Race through Lots 411 and 412, requiring indigenous riparian planting, imposing an accidental discovery protocol should earthworks encounter archaeological materials, having an Erosion and Sediment Control Plan, and treating stormwater discharge from roads and hardstand areas for heavy metals prior to discharge.
131. The application includes an erosion and sediment control plan that the works will be undertaken in accordance with. The applicant is willing to accept MKT's recommended conditions regarding the accidental discovery protocol, and erosion and sediment control. With regards to MKT's concerns around heavy metal concentrations in stormwater, the applicant notes that the Infrastructure Report provided with the application included treatment of stormwater for heavy metals, including infiltration between the base of the soakpits and highest groundwater.
132. In regard to indigenous planting, the applicant intends for landscaping of public spaces within the subdivision to include indigenous species.
133. On 12 June 2024, the Selwyn District Council resolved to close the water race that traverses this site. As a result of the closure of the water race, the applicant has provided an updated subdivision plan removing reserves (Lots 411 and 412) that catered for the water race, and residential allotments have been added instead (Lots 407 and 408). Council's decision to close the water race is outside of this resource consent process, and therefore MKT's concerns regarding closure of the water race cannot be addressed as part of this assessment.
134. Overall, the adverse effects on the proposal on cultural values and sites will be less than minor.

Positive Effects

135. 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

136. I conclude that the adverse effects of the proposal will be less than minor.

Public Notification (Section 95A)

137. 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))	Y	N
Has the applicant requested that the application be publicly notified?	☐	✓
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)?	☐	✓
Has the application has been made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977?	☐	✓

*If the answer to any of the above criteria is yes, the application must be **publicly notified**, and no further Steps are necessary.*

*If the answer is no, continue to **Step 2**.*

Step 2: public notification precluded in certain circumstances (sections 95A(4) and 95A(5))	Y	N
Are all activities in the application subject to one or more rules or national environmental standards that preclude public notification?	☐	✓
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)?	☐	✓

*If the answer to any of the above criteria is yes, continue to **Step 4**.*

*If the answer is no, continue to **Step 3**.*

Step 3: public notification required in certain circumstances (sections 95A(7) and 95A(8))	Y	N
Is the activity subject to a rule or national environmental standard that requires public notification?	☐	✓
Will the activity have, or is it likely to have, adverse effects on the environment that are more than minor?	☐	✓

*If the answer to any of the above criteria is yes, the application must be **publicly notified**, and no further Steps are necessary.*

*If the answer is no, continue to **Step 4**.*

Step 4: public notification in special circumstances (section 95A(9))	Y	N
Do special circumstances exist in relation to the application that warrant public notification?	☐	✓

*If the answer is yes, the application must be **publicly notified**.*

If the answer is no, do not publicly notify the application, but determine whether to give limited notification of the application.

138. 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)

139. 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))	Y	N
Are there any affected protected customary rights groups, as defined in s 95F?	☐	✓
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))?	☐	✓

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?	☐	☒
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If the answer is yes, **notify the application to each affected group/person** and continue to Step 2.

If the answer is no, continue to Step 2.

Step 2: limited notification precluded in certain circumstances (sections 95B(5) and 95B(6))	Y	N
Are all activities in the application subject to one or more rules or national environmental standards that preclude limited notification?	☐	☒
Is the application for a controlled activity only and not a subdivision of land?	☐	☒

If the answer is yes, continue to Step 4.

If the answer is no, continue to Step 3.

Step 3: certain other affected persons must be notified (sections 95B(7)-(9))	Y	N
In the case of a "boundary activity", is an owner of an allotment with an infringed boundary an affected person?	☐	☒
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)?	☐	☒

If the answer is yes, **notify the application to each affected person** and continue to Step 4.

If the answer is no, continue to Step 4.

Step 4 – Limited notification in special circumstances	Y	N
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)?	☐	☒

If the answer is yes, **notify the application to those persons**.

If the answer is no, do not notify anyone else.

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

Notification Recommendation

141. I recommend that the application (RC245118 and RC245119) is processed on a **non-notified** basis in accordance with sections 95A-E of the Resource Management Act 1991.

Report by: Emily Somerfield Consultant Planner	Date: 04 August 2025
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Notification Decision

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

 Commissioner Graham Taylor	Date: 04 August 2025
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Section 104 Assessment

143. Section 104 of the Act sets out the matters the Council must have regard to when considering an application for resource consent.
144. 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.*
145. 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.
146. 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 – Effects on the Environment

147. 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)).
148. The conditions discussed in the above assessment have been accepted by the applicant.
149. It is also appropriate to consider the positive effects of the proposal at this section 104 stage. The proposal will create freehold tenure and increase the housing stock of the Rolleston township.
150. 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

151. 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.*

152. As discussed, the application site is identified as being at risk from flood hazard and is located within the Plains Flood Management Overlay. However, the application site is not at *significant* risk from natural hazards, nor will the proposed subdivision exacerbate any existing hazards. Similarly, it is considered appropriate legal and physical access can be provided to the proposed allotments.

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

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

Operative Plan – Objectives and Policies

153. Given that the Medium Density Residential Zone provisions are fully operative, the corresponding Operative Plan objectives and policies are inoperative. Furthermore, the proposal does not require consent under any other Operative Plan rules and therefore the Operative Plan objectives and policies are irrelevant to this application.

Partially Operative Plan – Objectives and Policies

154. The Partially Operative Plan objectives and policies that are considered relevant relate to Subdivision, Natural Hazards, Medium Density Residential, contaminated land, and Transport.

155. The subdivision chapter objectives seek an efficient use of land and compatibility with planned urban form (SUB-O1), that the sites have the services and characteristics for their intended use (SUB-O2), and that site areas align with the development outcomes of the relevant zone (SUB-O3). The new allotments will be provided with the necessary services and facilities as part of the subdivision works to enable development (SUB-P3). Each allotment will have acceptable legal access.

156. In respect of natural hazards, new subdivision should be undertaken in a manner that ensures that the risks of natural hazards to people, property and infrastructure is mitigated (NH-O1 and NH-P1). The site is located within the Plains Flood Management Overlay. The applicant has provided Flood Modelling demonstrating the low flood risk on site, and conditions will be imposed on this consent requiring a report to be provided to Council at time of Engineering Approval demonstrating that finished ground level for each residential site will achieve a FFL that has a minimum 300mm freeboard above the 200-year ARI level.

157. The MRZ specifically seeks to enable a mix of densities, which includes a range of housing typologies (MRZ-O1 & P1). The proposed allotments provide for a range of built form designs in accordance with this objective and policy.

158. In respect of contaminated land, CL-O1 and policies CL-P1 & P2 seek to ensure human health and the environment are protected from the use of contaminated land, and that contaminated land is either remediated or appropriately managed. In this case, contaminated soils on site have already been remediated. The proposal is therefore consistent with this objective and policies.

159. The transport provisions (TRAN-O1) seek that connections are safe, efficient and effective for all transport modes, including integration with land use activities and subdivision. TRAN-P1 to P4 seek to ensure integration between the District's land transport network and subdivision development to ensure there is sufficient capacity in land transport corridors at the time of subdivision. In this instance, there is sufficient capacity in the surrounding network to accommodate the proposed subdivision.

160. TRAN-P7 specifically seeks to recognise and protect the function of the land transport network by managing land use activities and subdivision to ensure the safe and efficient movement of people. This includes requiring the design and positioning of vehicle crossings to ensure appropriate sightline visibility is provided to road users to support safe and efficient road environment. It has been determined that the proposed vehicle crossing locations are in the most suitable location available, and that they will have less than minor adverse effect towards the transport network.

161. Overall, the proposal to be generally in keeping with the Partially Operative Plan.

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

Canterbury Regional Policy Statement (CRPS)

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

National Policy Statement for Highly Productive Land 2022 (NPS-HPL)

163. The site is classified as LUC-2 and 3, however as it is zoned Medium Density Residential under the PDOP and future urban development is provided for, the site is not considered to be highly productive land as per Clause 3.4(2) and 3.5(7)(b) of the NPS-HPL. No further assessment under the NPS-HPL is therefore required.

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

164. The NES-CS was discussed earlier in this report, with my conclusion being that consent is not required under the NES-CS as all remediation has occurred under RC245118.

Section 104(1)(c) – Other Matters

Selwyn District Council Water Race Bylaw 2008

165. The closure of the water race is not prohibited under the Selwyn District Council Water Race Bylaw 2008.

Section 104(3)(d) – Notification consideration

166. 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

167. The consideration under section 104 is subject to Part 2 of the Act – Purpose and principles.
168. 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.
169. 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.
170. 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.
171. In addition to section 5, I note that the following clauses of Part 2 would be particularly relevant:
- 7(b) the efficient use and development of natural and physical resources
 - 7(c) the maintenance and enhancement of amenity values.
 - 7(d) the intrinsic values of ecosystems.
 - 7(f) maintenance and enhancement of the quality of the environment
172. 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 manage the use of the site in a way that enables people to provide for their well-being and uses the land in an efficient manner.

Conclusions

173. The applicant seeks to undertake a 282-lot residential subdivision, including reserves, roads and associated earthworks.
174. The application is bundled due to case law direction. As a result, the proposal is a Discretionary activity under the Partially Operative Plan.
175. There are no affected parties, and the proposal is consistent with the objectives and policies. The proposal fits well within the context of the area and has characteristics similar to other surrounding subdivisions.
176. Pursuant to Section 106 of the RMA, the subdivision provides sufficient legal access and natural hazards will not be exacerbated as a result of the construction works or once the construction works have ceased and the subdivision is in effect.
177. Having considered all relevant matters, on balance and overall, I conclude that the application may be granted, subject to conditions of consent.

Recommendation

178. I recommend that subdivision consent RC245458, land use consent RC245459, and Cancellation of Consent notices RC24560, are **Granted**, pursuant to sections 104, 104B and 221 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: Emily Somerfield Consultant Planner	Date: 04 August 2025
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Decision

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

 Commissioner Graham Taylor	Date: 04 August 2025
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Conditions of Consent

RC245458 Subdivision Consent Conditions

General

1. The subdivision shall proceed in general accordance with the information submitted with the application on 18 June 2024, the further information provided on 9 April 2025 and the attached stamped Approved Plans entitled *Proposed subdivision of Lots 700 – 703 RC 245118, Lot 300 RC 245064 & RC 245223, Lot 2002 DP 600834 & Lot 3 RC 245064, Revision R13, dated March 2025, prepared by David Lovell-Smith*, except where another condition of this consent must be complied with.
2. The following conditions of consent shall be met prior to the issue of a section 224(c) Completion Certificate at the expense of the consent holder.
3. Any public utility site and associated rights of way easements and/or service easements required by a network operator are approved provided that they are not within any reserves to vest in the Council.

Staging

4. No stage of the subdivision development shall be issued with s224(c) certification or will any individual allotment be issued with a building consent until the potable water network within the development is connected to the DN375 main in Lincoln-Rolleston Road.
5. No stage of the subdivision development shall be issued with s224(c) certification or will any individual allotment be issued with a building consent until the wastewater network within the development is connected into the downstream network for the Rolleston Southeast Wastewater Pumpstation.
6. Other than as specified in conditions 3 to 5, the subdivision may be undertaken in stages and in any order:
 - Stage 7A – Lots 363-367 & Lots 386-396 & Lot 510
 - Stage 7B – Lots 397 to 401
 - Stage 7C – Lot 362 & Lot 368
 - Stage 8A – Lots 343-356, 369-385, Lot 409, & Lot 509
 - Stage 8B – Lot 357 & Lot 358
 - Stage 9 – Lots 124-133, 202-204, 249 -255, & Lot 500
 - Stage 10 – Lots 134-157, Lot 413, & Lot 501
 - Stage 11 – Lots 187-201, 232-248, Lots 415 & 417, & Lot 502
 - Stage 12 – Lots 158-168, 205-23, Lot 416, & Lot 503
 - Stage 13 – Lots 169-183, 256, 402-405, & Lot 504
 - Stage 14 – Lots 184-186, 257-262, & Lot 505
 - Stage 15 – Lots 263-271, 307-315, 336-342, 406, & Lot 506
 - Stage 16 – Lots 287-288, 300-302, 316-335, & Lot 507
 - Stage 17 – Lots 272-286, 289-299, 303-306, & Lot 508
7. Stage 7B may be shown on the same LT plan as Stage 4 RC245118.

Easements

8. All required easements must be created and granted or reserved.
9. 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.

Engineering General

10. All physical works undertaken on Council infrastructure shall comply with the Engineering Code of Practice.
11. All works associated with Council vested assets shall comply with the Engineering Code of Practice, comply with all conditions set out in the Approval letter, and be completed in accordance with the detailed design plans accepted by Council.

12. No works on Council infrastructure or vested assets shall commence until Engineering Acceptance has been confirmed in writing. Any subsequent amendments to the plans and specifications shall be submitted to the Development Engineering Manager for approval.

Advice note

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

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 conditions 12.

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

13. All vested assets must meet Council inspection standards.
14. All vested infrastructure must be designed such that the proposed development can service the maximum number of dwellings achievable as prescribed by the zoning requirements of the Partially Operative District Plan.
15. Where assets located in private property are to be vested, a written request shall be submitted for Council approval. Easements in gross favour of Council shall be provided at the stage of section 223 certificate in accordance with the stamped plans.
16. On-site construction must commence within 12 months of the issue of Engineering Acceptance. If construction on site does not commence within 12 months of the issue of Engineering Acceptance letters, the applicant must re-submit plans for Engineering Acceptance prior to works commencing.
17. The consent holder or consent holder's agent shall provide written notification to Council 10 working days prior to commencement of works.

Advice Note

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

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

- *Suitable time for pre-start meeting to meet with contractor on site and discuss Council construction requirements.*
 - *Any infrastructure requirements associated with the development.*
 - *Council approvals necessary for future connections.*
18. Prior to the issuing of s224(c) certificate the consent holder shall 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 shall be borne by the consent holder.
19. Prior to the issuing of s224(c) certificate at the completion of the final stage, or upon request by Council, the consent holder shall provide accurate Digital Elevation Model (DEM) 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 shall be borne by the consent holder.
20. Prior to the issuing of s224(c) certificate the consent holder shall 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. Any costs involved in provision and transfer of this data to Council's systems must be borne by the consent holder.

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.

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

The Consent Holder shall 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:

- (a) 12 months for roading, water, sewer and stormwater reticulation; and
- (b) 24 months for landscaping, reserve assets, stormwater treatment and discharge systems

Advice note:

Maintenance bonds shall 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.*

Engineering Acceptance

22. The following engineering plans and details for all works must be submitted to the Development Engineering Manager for acceptance (at development.engineering@selwyn.govt.nz), including:

- (a) Water supply
 - a. Extensions of the existing water supply
 - b. Alterations to the existing water supply (if any)
 - c. Provision of Council maintained points of supply
- (b) Wastewater
 - a. Alterations to the existing wastewater supply
 - b. Extensions of the existing wastewater supply
- (c) Stormwater
 - a. Stormwater infrastructure to service the development site
 - b. Earthworks and Overland flow paths
- (d) Roothing
 - a. Alterations to the existing roading network
 - b. Extensions of the existing roading network
 - c. Provision of pedestrian access reserves
 - d. Provision of Streetlighting

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

Advice note

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

- a) Water Reticulation*
- b) Wastewater Reticulation*
- c) Roothing Network – new and alterations to existing and streetlighting.*
- d) Stormwater, water races, and land drainage*
- e) Walking and cycling infrastructure provision and connection.*
- f) 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.

23. Copies of any consents required and granted in respect of this subdivision (ECan Consents and Waka Kotahi approval) must be supplied to the Development Engineer via development.engineer@selwyn.govt.nz
24. An Engineer's Design Certificate for all civil designs from a chartered professional engineer must be submitted to Council (development.engineer@selwyn.govt.nz) as part of Engineering acceptance.
25. 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.

26. An Engineer's Completion Certificate from a chartered professional engineer 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.

Earthworks

27. Upon the completion of works all disturbed areas must be stabilised and revegetated.
28. The consent holder must confirm whether any earth fill has been placed on site. All filling is to be carried out in accordance with New Zealand Standard (NZS) 4431:2022 Code of Practice for Earth Fill for Residential Development and all earthworks completed on site are to be carried out in accordance with the Engineering Code of Practice and the accepted engineering plans.
29. At the completion of all earthworks, Certificates satisfying the conditions of NZS4431: 2022 Code of Practice for Earth Fill for Residential Development are to be provided to the Development Engineering Manager. These certificates will be accompanied by a detailed report highlighting the extent and nature of all earthworks undertaken.
30. 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.
31. The Erosion, Sediment and Dust Control Management Plan submitted with the application prepared by Davie-Lovell Smith, dated June 2024, is accepted in principle. All filling and excavation work must be carried out in accordance with this Erosion and Sediment Control Plan (ESCP). Unless approved as part of a separate Environment Canterbury (ECan) resource consent for stormwater discharge, the ESCP will require formal acceptance by Selwyn District Council's Development Engineer (via email to development.engineer@selwyn.govt.nz) prior to any work starting on site.
32. 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.
33. 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 2 above.
34. 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.
35. 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.
36. All construction noise on the site shall be planned and undertaken to ensure that construction noise emitted from the site does not exceed the noise limited outlined in Table 2 of NZS6803:1999 Acoustics – Construction Noise.

Sound levels associated with construction activities shall be measured and assessed in accordance with the NZS6803:1999 Acoustics – Construction Noise.

37. Any filling on the site is to take into account the current land stormwater and drainage pattern and is not to divert stormwater onto adjoining properties.
38. Upon the completion of works all disturbed areas must be stabilised and revegetated.
39. 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.
40. 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.
41. 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.
42. 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.
43. 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:
 - a) Cease earthmoving operations in the affected area of the site; and
 - b) Advise the Council of the disturbance via email to compliance@selwyn.govt.nz
 - c) Advise appropriate agencies, including Heritage New Zealand Pouhere Taonga and the local Mana Whenua (Te Taumutu Rūnanga) of the disturbance.
44. In the event that soils are found to have visible staining, odours and/or other conditions that indicate soil contamination, then work must cease until a Suitably Qualified and Experienced Practitioner (SQEP) engaged by the consent holder has assessed the matter and advised of the appropriate remediation and/or disposal options for these soils. The consent holder must immediately notify the Council by way of email to Compliance@selwyn.govt.nz. Any measures to manage the risk from potential soil contamination must also be communicated to the Council prior to work re-commencing.
45. Any clean fill material imported to the site must meet the WasteMINZ technical guideline requirements 2022 for clean fill disposal to land.
46. Contaminated soils removed from the site may not be suitable for disposal at a cleanfill facility and must be disposed of at a facility whose waste acceptance criteria can be met. Evidence of waste disposal, such as weighbridge receipt weighbridge receipts or waste manifest, must be submitted to the Selwyn District Council along with the Site Validation Report.

Flooding

47. All designs and supporting information submitted to the Council for review and Engineering Acceptance must demonstrate that the secondary flow paths created by the subdivision are able to convey the 0.5% AEP storm event unless otherwise agreed with Council's Development Engineers.

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.

48. Plans and support information must be submitted Council via the development.engineer@selwyn.govt.nz for acceptance at least 20 working prior to the granting of engineering acceptance to confirm:
 - a. Any change in ground levels will not cause ponding or drainage nuisance to neighbouring properties.
 - b. All filled land is shaped to fall to the road boundary.

c. Existing drainage paths from neighbouring properties are maintained.

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

Landscaping

51. A Landscape Plan must be submitted to the Compliance Team (or their nominee) (at Compliance@selwyn.govt.nz) for acceptance at the time of submitting engineering plans and specifications. The Landscape Plan must include landscaping the street frontages (including grass berms and street trees), all vested Road Corridors, and Reserve Lots, as well as:
- a) Plant selection
 - b) Soft landscaping features
 - c) Hard landscaping features
 - d) Playground design and specification
 - e) Crime Prevention Through Environmental Design (CPTED) principles.

Advice note

Plans and specifications are to be submitted to development.engineer@selwyn.govt.nz at least 30 working days prior to the granting of landscaping acceptance and, once accepted, will thereafter form part of the Approved Consent Document.

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

Should the Engineering Manager (or their nominee) refuse to accept the documentation, the consent holder must submit a revised documents to the Engineering Manager for acceptance. The acceptance process must follow the same procedure and requirements as outlined in condition 31.

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.

52. The Landscape Plan is to provide sufficient detail to confirm compliance with the requirements of the SDC's Trees and Vegetation Policy and the conditions of consent. All landscaping required by this condition is to be carried out in accordance with the accepted plan(s) at the Consent Holder's expense, unless otherwise agreed.
53. Landscaping must be established on site within the first planting season (extending from 1 April to 30 September) following completion of the civil works.
54. Producer statements from the principal landscaping contractor must be supplied to Council confirming that all vested assets have been installed in accordance with the accepted landscaping plans and specifications prior to the issuing of S224(c) certificate.

Advice Note:

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

55. All landscaping must be carried out in accordance with the accepted Landscape Plan.
56. The Consent Holder must maintain the approved landscaping for the 24 months Establishment Period (Defects Maintenance) until a final inspection and acceptance of the landscaping by the Council.
57. Entranceway features, signage or structures shall be placed in private lots and not in road reserve.

Reserves

58. The consent holder must vest Lots 415, 416 and 417 in the Council as Local Purpose (Access) Reserve.
59. The consent holder must vest Lots 413 and 414 in the Council as Local Purpose (Recreation) Reserve.

60. The consent holder must provide copies of all Records of Title for land, other than roads, that is vested in the Council.
61. A playground must be installed in Lot 413. Playground design must be submitted to Council for acceptance.
62. Bollards must be installed to prevent vehicle access to all Reserve Lots 413, 414, 415, 416, and 417. This shall include the provision of removable bollards where necessary to allow for maintenance vehicle access into the reserves.

Advice notes

The Council does not encourage irrigation systems in reserves to be vested in Council. The need for an irrigation system will be assessed on a case by case basis and approval given through the Engineering Approval process.

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

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.

Fencing

63. The consent holder must ensure that Council is indemnified from liability to contribute to the cost of erection or maintenance of boundary fences between reserves and adjoining lots.
 - a) This must be ensured by way of a fencing covenant registered against the computer freehold register to issue for each lot adjoining a Council reserve. The covenant is to be prepared by Council's solicitor at the expense of the consent holder.
 - b) The consent holder must provide written confirmation their solicitor that the executed fencing covenant will be registered on deposit of the subdivision plan.

Advice note

Lots that border proposed reserves (Lots 413 to 417) will require fencing that comply with District Plan fencing rules, and shall be a maximum of:

- a) 1m in height if solid; or
- b) 1.8m in height where at least 50% of the fence is visually permeable.

Roading

64. All roads must be constructed in accordance with the approved engineering plans.
65. All roads must be vested in the Selwyn District Council as road on deposit of the survey plan.
66. The corner of Lots 136, 138, 149, 154, 163, 164, 170, 172, 180, 220, 237, 245, 263, 270, 287, 288, 301, 302, 308, 312, 313, 337, 349, 352, 369, 373, 381, 382, 405, and 413 at the road intersection must be splayed with a rounded minimum radius of 3m.
67. The road frontage of Lincoln Rolleston Road must be upgraded to the agreed to standard as shown on the stamped plans that form part of this consent. This work is required to be accepted and undertaken through Engineering Acceptance.
68. Street lighting must be provided on all new roads and existing roads in accordance with the Engineering Approval.
69. The consent holder must install street name signs displaying the Council approved street name and poles at each intersection in accordance with Policy R430.
70. All vested roading infrastructure must be constructed in accordance with a Safe System Audit that must be supplied in support of Engineering Approval. An audit shall be undertaken by an independent assessor at the consent holder's expense, with report provided to Council prior to Engineering Approval.
71. All vested roads must meet Councils testing standards as prescribed by the Engineering Code of Practice. Supporting documentation must be supplied to Council prior to the issuing of s224(c) certificate.
72. A minimum of three name options for each road, and street numbering plans must be submitted to Council in accordance with Council Policies N101 and N102 for acceptance prior to section 224(c) Approval.
73. 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.

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

Vehicle Crossings

75. All vehicle crossings and formed accessways must meet Council's testing standards as prescribed by the Engineering Code of Practice. Supporting documentation shall be supplied to Council prior to the issuing of s224(c) certificate.
76. Pursuant to section 221 of the Resource Management Act 1991 a consent notice must be registered on the Record of Title for Lot 319, 332, 333, 334, 335 to ensure ongoing compliance with the following:
- Vehicle crossings must not be constructed across areas specifically formed as parking laybys without prior Council acceptance.*
77. Vehicle crossings to service Lots 187, 191, 192, 214, 278, 279, and Lot 365 and the accessways to Lots 141-146, 160-161, 227-230, 324-325, 316-318, 328-335, 356-358, 362, and 368 must be formed and sealed for the full width and length of the vehicle crossing between the carriageway and the site boundary and the requirements of the Engineering Code of Practice. Construction must be completed prior to issuing of the section 224(c).
78. The vehicle accessway serving Lots 141-146, 160-161, 227-230, 324-325, 316-318, 328-335, 356-358, 362, and 368 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. Construction must be completed prior to the issuing of section 224(c).
79. All proposed vehicle crossings must be located in accordance with Council's Tree's and Vegetation Policy. The relocation of existing street trees to enable works proposed by this consent must be undertaken at consent holders' expense with works undertaken in accordance with the accepted plans.

Water supply

80. The net area of each lot must be provided with an individual potable connection to the vested water reticulation infrastructure in accordance with the Engineering Code of Practice and Engineering Acceptance letter.
81. Lots 397 to 401, with frontages on Lincoln-Rolleston Road, must be supplied off a separate water main, rather than off the trunk main.
82. The water reticulation must connect to every available water pipe in an adjoining road/existing network.
83. All Water connections must be metered. Meters must be installed in the road reserve in accordance with the Engineering Code of Practice and the approved plans (please note that multi meter boxes may be utilised).
84. 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).
85. Connection into Council's reticulated water supply must either be carried out by Council's Five Waters maintenance contractor (currently CORDE), or by a suitably qualified water installer under the supervision of Council's five waters contractor. Costs incurred through supervision by Council's Five Waters maintenance contractor 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.

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).

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

Advice Note

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

Wastewater

87. The consent holder must install Council vested wastewater infrastructure that is connected to the Rolleston Catchment in accordance with the approved Engineering Designs.

88. 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.
89. All gravity wastewater laterals must be installed ensuring grade and capacity are provided for and in accordance with Council engineering standards, giving regard to maximum upstream development density.
90. All vested wastewater reticulation must meet Council's pressure testing and CCTV inspection standards as prescribed by the Engineering Code of Practice. Supporting documentation shall be supplied to Council prior to the issuing of s224(c) certificate.
91. 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.
92. The existing on-site effluent treatment and disposal system on Lot 187, Lot 214 and Lot 365 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 S224c certificate. If this information is not supplied, then the location of the decommissioned septic tank must be identified on the survey plan as a no build area.
93. Building consent must be obtained for the connection of Lot 187, Lot 214 and Lot 365 to the vested wastewater reticulation following decommissioning of onsite wastewater treatment system. Supporting documentation must be supplied to Council prior to the issuing of s224(c) certificate.

Advice note

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

Stormwater

94. The consent holder shall install stormwater reticulation treatment and disposal systems to service the subdivision in accordance with the approved engineering plans and the requirements of any associated discharge permit.
95. Where the collection and disposal of roof and/or 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 and evidence of results must be provided at engineering acceptance.
96. 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.
97. The consent holder shall provide evidence that they have obtained construction phase, operational phase stormwater and all other relevant resource consents from the Canterbury Regional Council, or that resource consent is not required.
98. The consent holder must prepare and submit a Stormwater Design Report and Management Plan in accordance with the requirements of Selwyn District Council. This plan must be provided for Selwyn District Council's approval and sign-off at the consent holder's cost. It shall include, but not be limited to:
 - a) A plan showing existing ground levels on neighbouring properties along with proposed levels on the subdivision sites. Interference with pre-existing stormwater flows needs to be considered so as not to cause ponding or nuisance on neighbouring or developed land.
 - b) Existing and proposed drainage plan with sub-catchments and flow arrows to show how the drainage will be affected
 - c) Calculations to demonstrate compliance with the Engineering Code of Practice and any relevant Regional Council consent conditions
 - d) Ongoing operation and maintenance requirements
99. All vested stormwater reticulation must meet Council's pressure testing and CCTV inspection standards as prescribed by the Engineering Code of Practice. Supporting documentation must be supplied to Council prior to the issuing of s224(c) certificate.
100. The consent holder must provide a Stormwater Operations and Maintenance Manual prior to the approval of the 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.

101. The consent holder must provide a Producer Statement demonstrating that the stormwater system has been designed and constructed in accordance with the requirements of any resource consents issued by ECan for the site and the Engineering Code of Practice. The producer statement is to be submitted to development.engineer@selwyn.govt.nz.

Utility Lots

102. A Consent notice pursuant to Section 221 of the Act, to be complied with on an ongoing basis, must be registered against the Record of Title for any utility lot created which states the following:

Any utility lot must be used as a utility lot only and shall not be used for calculating future boundary adjustments or subdivision.

The consent notice must be prepared and registered by Council's solicitor at the request and expense of the consent holder.

Power and telecommunications

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

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.

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

Consent notice – Residential lots

105. A consent notice pursuant to Section 221, to be complied with on an ongoing basis, must be registered on the Record of Title for Lots 124-136, 138, 140-142, 144-159, 162-171, 180-185, 187-201, 203-248, 250, 251, 253-312, 314-322, 327-357, 363, 365-368, 370-401, 406, 409 which states the following:

No more than one residential unit may be established on this allotment.

106. A consent notice pursuant to Section 221, to be complied with on an ongoing basis, must be registered on the Record of Title for Lots 137, 139, 143, 160, 161, 172-179, 186, 202, 249, 252, 313, 323-326, 364, 369 and 402-405 which states the following:

The future development of this allotment must yield two dwellings.

107. A consent notice pursuant to Section 221, to be complied with on an ongoing basis, must be registered on the Record of Title for Lot 362 which states the following:

The future development of this allotment must yield a minimum of 8 (eight) residential units.

RC245459 Land Use Consent Conditions

1. The land use shall proceed in general accordance with the information submitted with the application on 18 June 2024, the further information provided on 9 April 2025, and the attached stamped Approved Plans entitled *Proposed subdivision of Lots 700 – 703 RC 245118, Lot 300 RC 245064 & RC 245223, Lot 2002 DP 600834 & Lot 3 RC 245064, Revision R13, dated March 2025, prepared by David Lovell-Smith*, except where another condition of this consent must be complied with.

RC245460 Cancellation of Consent Notice

1. Following s224(c) certification for the relevant stage of RC245458, any consent notice on the balance allotments created by this consent (RC245458) or RC245118 can be cancelled.

Advice note

Pursuant to section 221(5), it is the landowner's responsibility to formally lodge this decision with Land Information New Zealand to have the consent notice change noted on the title. Until this is done, the existing consent notice remains in force and must be complied with. All costs associated with this process shall be met by the landowner.

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

Attachments

1. RC245458 Subdivision Approved Plan(s) –
 - *Proposed subdivision of Lots 700 – 703 RC 245118, Lot 300 RC 245064 & RC 245223, Lot 2002 DP 600834 & Lot 3 RC 245064, Revision R13, dated March 2025, prepared by David Lovell-Smith*
 - *Broadfield Grange Stages 7 – 17, Engineering Plans E.20666., R8, March 2025*
2. RC245459 Land Use Approved Plan(s) –
 - *Erosion Sediment Control Management Plan (E.20666), Revision 6, dated February 2025.*

Development Contributions (Subdivision Consent)

Development contributions are not conditions of this resource consent and there is no right of objection or appeal under the Resource Management Act 1991. Objections and applications for reconsideration can be made under the Local Government Act 2002. Any objection or request for reconsideration must be made in writing in accordance with the Development Contribution Policy.

The consent holder is advised that, pursuant to the Local Government Act 2002 and the Council's Development Contribution Policy, the following contributions are to be paid in respect of this subdivision before the Council will issue its certificate pursuant to section 224(c) of the Resource Management Act 1991.

Note: The amounts set out in the attached table are applicable at the time of the granting of this consent. If the time between the date the resource consent is granted and the time which the Council would normally invoice for the development contributions (usually the time an application is made for the issue of Council's section 224(c) certificate for the subdivision) is more than 24 months, the development contributions will be reassessed in accordance with the development contributions policy in force at the time the consent was submitted. To avoid delays, the consent holder should seek the reassessed amounts prior to the application for the section 224(c) Resource Management Act 1991 certificate.

Please contact our Development Contributions Assessor on 03 347 2800 or at:

development.contributions@selwyn.govt.nz.

Activity	Demand Post Development (HUE)	Credits for Existing Demand (HUE)	Additional Demand (HUE)	Development Contribution per HUE (\$)	Development Contribution (\$ Excl. GST)	GST (\$)	Development Contribution (\$ Incl. GST)
Water Supply	283.00	0.00	283.00	2,462.00	696,746.00	104,511.90	801,257.90
Wastewater	283.00	0.00	283.00	5,772.00	1,633,476.00	245,021.40	1,878,497.40
Stormwater	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Reserves	283.00	3.50	279.50	11,628.00	3,250,026.00	487,503.90	3,737,529.90
Roading	283.00	7.00	276.00	1,472.00	406,272.00	60,940.80	467,212.80
Lowes Road ODP	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Contribution					5,986,520.00	897,978.00	6,884,498.00

Selwyn District Council Advice Notes for the Consent Holder

Lapse Period (Subdivision Consent)

- a) 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:
 - (i) 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
 - (ii) 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.

Regional Consents

- e) 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

- f) In accordance with section 36 of the Resource Management Act 1991, the Council's standard monitoring fee has been charged. This covers setting up a monitoring programme and two site inspections.
- g) 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.
- h) 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.
- i) 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.

Impact on Council Assets

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

Vehicle Parking During the Construction Phase

- k) 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:
 - park only on the road or fully within your property – it is illegal to obstruct or park on a footpath; and

- arrange large deliveries outside of peak pedestrian hours, e.g. outside school start/finish times.

Reserves

- l) 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.
- m) The Council does not encourage irrigation systems in reserves to be vested in Council. The need for an irrigation system will be assessed on a case by case basis and approval given through the Engineering Approval process.
- n) Council considers all proposed pedestrian infrastructure to be part of the roading network and subject to the requirements of Engineering Acceptance.
- o) 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.

Te Taumutu and Ngāi Tūāhuriri Rūnanga Advice Notes for the Consent Holder

- p) Indigenous vegetation should be planted within the individual lots to help with the uptake of nutrients, binding of soils, and to increase biodiversity in the area.
- q) The Applicant 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 with particular regard to:
 - i. Greywater capture and reuse.
 - ii. Rainwater capture and reuse (i.e., rainwater collection tanks).
 - iii. Minimising impervious cover (e.g., using permeable paving and maintaining grass cover).