

Sections 95, 95A-E, 104, 104B, 106, 108, 108AA, 127, and 220



Resource Management Act 1991

Decision/Report

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:	RC245111
APPLICANT:	GW Wilfield
BRIEF DESCRIPTION OF APPLICATION:	To change Condition 15 of RC235637
SITE DESCRIPTION:	<p>Address: Ridgeland Way, West Melton</p> <p>Legal Descriptions:</p> <ul style="list-style-type: none"> - Lot 300 DP 588622 - Rural Section 10802 - Lot 2 DP 578461 <p>Title References:</p> <ul style="list-style-type: none"> - 1124479 - CB10A/296 - 1081479 <p>Area:</p> <ul style="list-style-type: none"> - 17.2850ha in area more or less - 10.5218ha in area more or less - 3.5536ha in are more or less
ZONING / OVERLAYS	<p>Operative Selwyn District Plan (2016), Rural Volume</p> <p>Living West Melton (South) Zone</p> <p>ODP Living West Melton (South) Zone</p> <p>Partially Operative Selwyn District Plan (Appeals Version – released 27 November 2023)</p> <p>General Residential Zone and Large Lot Residential Zone</p> <p>Overlays:</p> <ul style="list-style-type: none"> - Development Area: DEV -WM1 - Plains Flood Management Overlay - Liquefaction Damage Unlikely Overlay - Observatory Lighting Control Overlay

OVERALL ACTIVITY STATUS:	Discretionary

The Application

1. This application was formally received by the Selwyn District Council on 27 February 2024.
2. The application seeks to change Condition 15 of Resource Consent 235637. RC235637 was granted on 16 February 2024 and Condition 15 required that a Consent Notice be registered on the Record of Title to issue for each residential lot requiring development on the lots to adhere to certain sustainability requirements. These sustainability requirements are outlined under SUB-REQ13 DEV- WM1 of the Partially Operative District Plan (PODP).
3. As outlined in the s127 application, the proposal is to remove the Homestar 6 requirement applicable to all residential lots within the subdivision. The applicant advises that the Homestar 6 requirement is proving to be impractical to implement and is hindering the sale of lots.
4. As the s224 completion certificate has not been issued for any of the residential lots granted under RC235637 a change of conditions can be processed.
5. Condition 15 currently reads:

That pursuant to S221 of the RMA, a consent notice shall be registered against the Record of Title for each residential lot stating the following:

- a) *Solar power shall be installed and used for each residential site for the purposes of reducing the properties reliance on electricity.*
- b) *Rainwater shall be collected and used for irrigation purposes with a minimum tank size of 500l for each residential site.*
- c) *Each residential site shall achieve Homestar 6 or equivalent as approved by an appropriately qualified person. [Achieving all the requirements specified on the Sustainable Home Checklist attached to RC225425 is considered to achieve an equivalent to Homestar 6]*
- d) *For all allotments with a net area greater than 3,000m², no less than 15% of the site shall be planted in native vegetation, which shall include hedgerows on fence lines. The consent notice shall be prepared and registered by Council's solicitor at the request and expense of the consent holder.*

6. The proposed change to the wording of Condition 15 is:

That pursuant to S221 of the RMA, a consent notice shall be registered against the Record of Title for each residential lot stating the following:

- a) *Solar power shall be installed and used for each residential site for the purposes of reducing the properties reliance on electricity.*
- b) *Rainwater shall be collected and used for irrigation purposes with a minimum tank size of 500l for each residential site.*
- ~~c) *Each residential site shall achieve Homestar 6 or equivalent as approved by an appropriately qualified person. [Achieving all the requirements specified on the Sustainable Home Checklist attached to RC225425 is considered to achieve an equivalent to Homestar 6]*~~
- d) *For all allotments with a net area greater than 3,000m², no less than 15% of the site shall be planted in native vegetation, which shall include hedgerows on fence lines. The consent notice shall be prepared and registered by Council's solicitor at the request and expense of the consent holder.*

Background

7. On 9 October 2020, GW Wilfield Limited lodged a private plan change request with the Council to rezone the application site from rural to residential zoned land. SUB-REQ13 DEV-WM1 was introduced into the Partially Operative District Plan as a direct consequence of the rule's inclusion in the Operative District Plan, by way of Private Plan Change 67 (PC67).
8. Resource Consents for the subdivision of three titles to create 179 residential lots in ten stages, with associated roads and reserves (RC225425) and for associated earthworks under the NES-CS (RC225426) was granted on 24 November 2022 on a non-notified basis.
9. A change of conditions to RC225425 was granted in September 2023 (RC235400). The application made changes to the servicing arrangement of the previously granted subdivision (RC225425).
10. RC235637, granted on 16 February 2024, replaced RC225425 and increased the number of lots proposed to be created as part of the subdivision of the site. Condition 15 of RC235637 is the condition that the applicant seeks to change.

Statutory Considerations

Section 127 – Change of Cancellation of Consent Conditions

11. Section 127 of the Resource Management Act states:

127. Change or cancellation of consent condition on application by consent holder –

(1) The holder of a resource consent may apply to a consent authority for a change or cancellation of a condition of the consent (other than any condition as to the duration of the consent)

...

(3) Sections 88 to 121 apply, with all necessary modifications, as if –

(a) the application were an application for a resource consent for a discretionary activity; and

(b) the references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.

(4) For the purposes of determining who is adversely affected by the change or cancellation, the local authority must consider, in particular, every person who –

(a) made a submission on the original application; and

(b) may be affected by the change or cancellation.”.

12. The application seeks to change Condition 15 of Resource Consent 235637. Condition 15 requires that a Consent Notice be registered on the Record of Title to issue for each residential lot requiring development on the lots to adhere to the sustainability requirements of SUB-REQ13 DEV- WM1 of the Partially Operative District Plan (PODP).
13. It is appropriate to consider this application as a change or cancellation of conditions pursuant to section 127 because the proposal will not result in a fundamentally different activity from what was originally approved. The change sought is limited to the structural requirements of future residential units erected on the lots granted by the subdivision consent (RC 235637).
14. As a change of conditions, the proposal is a fully Discretionary activity. It is noted that although the proposal will result in future residential units not needing to comply with all of SUB-REQ13 DEV- WM1, no new non-compliances with the Operative District Plan and Proposed District Plan will result from the proposed change.

Activity Status

Operative Selwyn District Plan (2016), Rural Volume (“the Operative Plan”)

15. The application site is zoned Living West Melton (South) Zone and ODP Living West Melton (South) Zone

Partially Operative Selwyn District Plan (Appeals Version – released 27 November 2023) (“the Partially Operative Plan”)

16. The application site is zoned General Residential Zone and Large Lot Residential Zone
17. The site is also subject to the following overlays:

- Development Area: DEV -WM1
 - Plains Flood Management Overlay
 - Liquefaction Damage Unlikely Overlay
 - Observatory Lighting Control Overlay
18. 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.

National Environmental Standards

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

19. Resource consent 225426 was processed concurrently with the subdivision consent RC235637, of which this s127 application seeks to change, for a Controlled Activity under the NES.
20. The s127 application does not result in the need for further assessment under the NES and therefore the NES for Assessing and Managing Contaminants in Soil to Protect Human Health does not apply.

Overall Activity Status

21. In accordance with s127(3)(a) of the RMA 1991, an application for a change of conditions shall be treated as a resource consent for a Discretionary Activity. This is irrespective of the original or change in rule status under the Operative District Plan or Partially Operative District Plan.
22. Therefore, overall, this application is being considered as a **Discretionary** activity,

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

23. 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.
24. No written approvals have been provided. I also do not consider any party to be adversely affected by the proposal.

Notification Assessment

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

Assessment

25. The status of the activity is Discretionary. As such, the Council's discretion is unrestricted, and all adverse effects must be considered. Having reviewed the objectives, policies, and the Private Plan Change 67 (PC67) documentation which resulted in the sustainability measures being incorporated into the ODP and PODP, which includes the requirement for subdivision to impose a legal instrument binding all future owners to the measures, my assessment is as follows:
- Sustainability and urban growth*
26. SUB-REQ13 DEV-WM1 was introduced into the Partially Operative District Plan as a direct consequence of the rule's inclusion in the Operative District Plan, by way of Private Plan Change 67 (PC67). At the time PC67 was processed, the subject site was extending beyond the urban boundaries of West Melton to a greater extent than what was otherwise envisaged within the township.
27. Through the PC67 process concerns were raised, primarily by submitters, regarding the potential increase in greenhouse gas emissions if PC67 was successful and the site rezoned from rural to residential land use. More specifically the concern was that West Melton was not an appropriate location for further greenfield development, given the reliance of West Melton residents on Christchurch and Rolleston, the limited public transport options between West Melton and Christchurch and Rolleston, and that rezoning of further land would increase domestic greenhouse gas emissions as residents were predominantly reliant on private vehicles to transit between areas.

28. To assist with addressing submitters concerns the applicant offered the following sustainability measures and these were discussed in the 'Statement of Evidence of Hamish Wheelans on Behalf of GW Wilfield Limited', dated 30 August 2021, as part of the PC67 process:
- a) *Solar power shall be installed and used for each residential site for the purposes of reducing the properties reliance on electricity.*
 - b) *Rainwater shall be collected and used for irrigation purposes with a minimum tank size of 500l for each residential site.*
 - c) *Each residential site shall achieve Homestar 6 or equivalent as approved by an appropriately qualified person. [Achieving all the requirements specified on the Sustainable Home Checklist attached to RC225425 is considered to achieve an equivalent to Homestar 6]*
 - d) *For all allotments with a net area greater than 3,000m2, no less than 15% of the site shall be planted in native vegetation, which shall include hedgerows on fence lines. The consent notice shall be prepared and registered by Council's solicitor at the request and expense of the consent holder.*
29. As discussed in the s127 application, since the incorporation of the sustainability measures into the planning framework, further greenfield land at the west and east of the West Melton township has been rezoned to residential from rural without the need for future residential units to comply with these or similar sustainability measures. The s127 change of conditions application seeks to remove the Homestar 6 requirement and to allow residential units erected within the subject site to have similar construction requirements as other greenfield General Residential Zone land in West Melton.
30. The additional rezoning that has occurred in West Melton since the approval of PC67 supports further residential growth and therefore population growth within the township. As the same sustainability measures have not been imposed on these sites this indicates that greenhouse gas emissions, transport, and overall sustainability were not an adverse effect of particular concern that required mitigating. Therefore, in my view, I do not consider that the Homestar 6 requirement is a measure that needs to continue to be imposed on each residential lot.
31. The s127 application will still continue to support residential units that are more energy efficient. As stated in the application, *'the H1 Building Code changes that were introduced in late 2021, included some requirements for building energy efficiency and warmth that are the equivalent of the Homestar 6 equivalent approved under RM235637. For example, in the climate zone applying Selwyn (Zone 5), windows are required to achieve a minimum R value of 0.5, which in effect means thermally broken double glazing. Another example is roof insulation which is required now to be a minimum of R6.6. Some of the approved Homestar 6 equivalent build requirements are therefore now required as a matter of course under the Building Code'* (page 3 and 4 of 'Application for Change of Resource Consent Conditions', Novogroup, February 2024).
32. Condition 15 will still have requirements for solar power and rain harvesting and therefore will still support and encourage sustainable development on the lots.

Conclusion

33. Overall, for the reasons discussed, I consider the proposal will have less than minor adverse effects on any person/s and the wider environment.

Public Notification (Section 95A)

34. 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Has the application has been made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

*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?	<input type="checkbox"/>	✓
Is the application for one or more of the following, but no other types of activities:		
• A controlled activity?	<input type="checkbox"/>	✓
• A boundary activity only (as per the definition of “boundary activity” in s 87AAB of the Act)?	<input type="checkbox"/>	✓

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?	<input type="checkbox"/>	✓
Will the activity have, or is it likely to have, adverse effects on the environment that are more than minor?	<input type="checkbox"/>	✓

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?	<input type="checkbox"/>	✓

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.

35. 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)

36. 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?	<input type="checkbox"/>	✓
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))?	<input type="checkbox"/>	✓
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?	<input type="checkbox"/>	✓

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 public notification?	<input type="checkbox"/>	✓
Is the application for a controlled activity only and not a subdivision of land?	<input type="checkbox"/>	✓

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?	<input type="checkbox"/>	✓
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)?	<input type="checkbox"/>	✓

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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

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

Notification Recommendation

38. I recommend that the application (RC235709) is processed on a **non-notified** basis in accordance with sections 95A-E of the Resource Management Act 1991.

Report by: Charlotte Scotchbrook, Senior Resource Management Planner	Date: 12/04/2024
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Notification Decision

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

 Commissioner O'Connell	Date: 18 April 2024
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Section 104 Assessment

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

41. 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.*

...

42. 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.
43. 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

44. 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)).
45. It is also appropriate to consider the positive effects of the proposal at this section 104 stage. In this case, I consider that the adverse effects on the environment resulting from the proposal will be less than minor. In relation to positive effects, the proposed subdivision will contribute towards the housing stock and provide a greater range of property sizes within West Melton and will support the completion of the Wilfield development. The applicant also advises that the Homestar 6 requirement is proving to be impractical to implement and seriously hindering the sale of allotments and therefore it is expected that the removal of the Homestar 6 requirement will result in an increase in sales.

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

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

Operative Plan – Objectives and Policies

46. The Operative Plan objectives and policies that I consider most relevant to the application are those that relate to subdivision of land (B4.2) and residential and business development (B4.3)
47. Objective B4.2.3 and the related policies focus on ensuring subdivision maintains and enhances the amenity of the existing natural and built form through subdivision design and layout. Most relevant to this application in my view is Policy B4.2.10 which seeks to ensure that new residential blocks are small in scale, easily navigable and convenient to public transport services and community infrastructure such as schools, shops, sports fields and medical facilities, particularly for pedestrians and cyclists. Given the design and location of the subdivision, which directly adjoins the West Melton township, I consider that the development will encourage pedestrian, cycle and vehicular permeability. The additional rezoned land within the township will also likely encourage and support the need for improved public transport for residents and as such this could be viewed to assist with limiting greenhouse gas emissions.
48. The Residential and Business Development section (B4.3) of the Operative District Plan contains objectives and policies that apply to all activities generally and to residential growth specifically, including specific policies on the shape and pattern of land rezoned for new residential development as directed by Outline Development Plans. As the application site is located within Greater Christchurch and is subject to an Outline Development Plan, I consider Objective B4.3.3 and Policy B4.3.10 to be most relevant. Policy B4.3.10 seeks to ensure that the key principles and outcomes sought in operative Outline Development Plans are achieved and where development is proposed that is not in general accordance with an operative Outline Development Plan in the District Plan, consideration be given to whether the proposed change could better achieve the key principles of the Outline Development Plan. In this case for the reasons discussed in the Assessment of Environment Effects section of this report, the s127 application is limited to the removal of the sustainability requirement for residential units to meet the Homestar 6 rating. I consider that the key outcomes sought for the development of the site will continue to be achieved and that the proposed change will not compromise these, including compromising development within other residential areas of West Melton. The residential sites will still be subject to a number of sustainability measures required to be complied with by the ODP.
49. Overall, I consider the proposal to be consistent with the Operative Selwyn District Plan

Partially Operative Plan – Objectives and Policies

50. The Partially Operative District Plan includes objectives and policies that direct Council to ensure that subdivisions provide lots with appropriate services, that the size and shape of any vacant lot created supports the erection of a residential unit, and that the residential density and amenity effects support the direction of the District Plan, particularly with regards to lots sizes and any outcomes sought by any development plan for the site/area.
51. All lots will be provided with the characteristics, infrastructure and facilities appropriate for their intended use and will be of a size and shape that allows for a residential unit to be erected whilst achieving adequate sunlight and

an outdoor living space. Each lot within the subdivision will also support safe and sufficient access for motorists, pedestrians, and cyclists, and overall, I consider that the subdivision will respond to and follow the natural and physical features of the application site, which are limited. I consider the proposal to therefore be consistent with the outcomes sought by policies SUB-P2, SUB- P3, and SUB P6.

52. SUB-P5 relates specifically to Outline Development Plans and makes reference to the need for subdivisions subject to these to be managed to ensure that the outcomes intended for the site are achieved. In this case, it is important to emphasize that this s127 application is limited to the removal of the requirement for any future residential unit to comply to one of four sustainability measures. The majority of the sustainability measures required by the Outline Development Plan for the site will still remain in place. In my view, the sustainability measures are also not fundamental in the support for further development within West Melton as other residential rezoning has occurred within the township without the same requirements being considered necessary. Overall, I therefore consider that the subdivision application will continue to achieve the key outcomes intended for the application site.
53. Overall, I consider the proposal to be consistent with the Partially Operative District Plan.

Plan Weighting

54. Section 104(1)(b)(vi) requires the consent authority to have regard to an [operative] plan or proposed plan. Where there is conflict between the provisions of an operative and proposed plan, a weighting assessment is required to determine which plan may be afforded more weight.
55. Case law indicates that the extent to which the provisions of the proposed plan are relevant should be considered on a case-by-case basis and might include:
- how far through the plan making process the proposed plan is, and the extent to which it has been tested and undergone independent decision making;
 - any circumstances of injustice if the provisions are given more or less weight;
 - the extent to which a new provision, or the absence of a provision, implements a coherent pattern of objectives and policies;
 - whether the new provisions represent a significant shift in Council policy; and
 - whether the new provisions are in accordance with Part 2 of the Act.
56. In this case, it is considered that the proposal is consistent with the Operative and Partially Operative District Plan and therefore no weighting assessment is required.

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

Canterbury Regional Policy Statement (CRPS)

57. 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. This phrasing won't always apply - potentially not for larger activities/those that aren't in keeping with the District Plan obs and pols.

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

58. The NES-CS was discussed earlier in this report, with my conclusion being that the NES for Assessing and Managing Contaminants in Soil to Protect Human Health does not apply.

Section 104(1)(c) – Other Matters

59. It is considered that there are no other matters relevant to the application.

Section 104(3)(d) – Notification consideration

60. 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

61. The consideration under section 104 is subject to Part 2 of the Act – Purpose and principles.
62. 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.
63. 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.
64. 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.
65. 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
66. Based on my assessment of the proposal in this report, I conclude that the proposal will be consistent with Part 2 of the Act.

Conclusions

67. The application seeks a change of conditions to Condition 15 of RC235637
68. The overall status of the application is discretionary.
69. It is considered that any adverse effects on the environment will be less than minor.
70. It is considered that the proposal is consistent with the Operative District Plan and the Partially Operative District Plan.
71. Having considered all relevant matters, on balance and overall, I conclude that the application may be granted, subject to conditions of consent.

Recommendation

72. I recommend that the application to change Condition 15 of RC235637 is **granted**, pursuant to sections 104, 104B and 106 and 127 of the Resource Management Act 1991, subject to the conditions of consent below pursuant to sections 108, 108AA and 220 of the Act.

Condition(s) of Consent

RC245111 Change of Conditions

Condition 15 shall now read:

That pursuant to S221 of the RMA, a consent notice shall be registered against the Record of Title for each residential lot stating the following:

- a) Solar power shall be installed and used for each residential site for the purposes of reducing the properties reliance on electricity.*
- b) Rainwater shall be collected and used for irrigation purposes with a minimum tank size of 500l for each residential site.*
- ~~*c) Each residential site shall achieve Homestar 6 or equivalent as approved by an appropriately qualified person. [Achieving all the requirements specified on the Sustainable Home Checklist attached to RC225425 is considered to achieve an equivalent to Homestar 6]*~~

- d) For all allotments with a net area greater than 3,000m², no less than 15% of the site shall be planted in native vegetation, which shall include hedgerows on fence lines. The consent notice shall be prepared and registered by Council's solicitor at the request and expense of the consent holder.

Conditions of Consent

RC235637 Subdivision conditions as amended by RC245111

General

1. 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.
2. That the subdivision shall proceed in general accordance with the attached approved subdivision plan (now marked SDC 235637) and the details included with the application, including the creation of any additional utility lots except where varied by the following conditions of consent.
3. That all required easements shall be duly created and granted or reserved.
4. That should any utility lot be created, a consent notice shall be registered on the Record of Title stating that this lot shall be used as a utility lot only and may not be used for the purpose of any future subdivision or boundary adjustment calculation.
5. That the subdivision may be carried out in stages in no particular order in accordance with the attached approved subdivision plan.
6. All required easements shall be created and granted or reserved.
7. The S224 Completion Certificate shall not be issued until the following has been completed:
 - a. A shared pedestrian/cycle path is constructed along Weedons Ross Road between the northern boundary of LOT 255 DP 530229 and the southern boundary of Lot 429. The shared pedestrian/cycle path shall be subject to Council engineering approval.
8. A shared pedestrian/cycle path shall be provided along the primary Outline Development Plan road and throughout the proposed reserves.
9. That the area on Lot 548 (Reserve to vest in Council), between the 'sightline restriction' line and Weedons Ross Road, shall be restricted to grass or low level planting.
10. Interface treatment shall be planted along the full length of the south-eastern boundary of the site shown on the subdivision plan as *Interface Treatment*. The treatment is to achieve a substantial screen without creating adverse shading conditions for future residents. The interface treatment shall comprise of a single row of Griselinia trees, or a similar species, planted with the centres no further apart than 1.0 metre.
11. The interface treatment required by Condition 10 shall be planted prior to the s224 (c) completion certificate being issued for Stages 24, 28, 29, and 32.

Consent Notices

12. That consent notices 10596830.11, 10718118.5, 12579174.5, 12579174.4 on Record of Title 1081479 be cancelled.

13. That consent notice 12705414.28 on Record of Title 1124479 be cancelled.

Utility lots

14. That a consent notice shall be registered against the Record of Title for each utility lot created, to the effect that it shall be used as a utility lot only. Ongoing compliance with this condition shall be ensured by way of a consent notice registered against the Record of Title to issue for a utility lot. The consent notice shall be prepared and registered by Council's solicitor at the request and expense of the consent holder.

Sustainability

15. That pursuant to S221 of the RMA, a consent notice shall be registered against the Record of Title for each residential lot stating the following:

- a) Solar power shall be installed and used for each residential site for the purposes of reducing the properties reliance on electricity.
- b) Rainwater shall be collected and used for irrigation purposes with a minimum tank size of 500l for each residential site.
- c) ~~Each residential site shall achieve Homestar 6 or equivalent as approved by an appropriately qualified person. [Achieving all the requirements specified on the Sustainable Home Checklist attached to RC225425 is considered to achieve an equivalent to Homestar 6]~~
- d) For all allotments with a net area greater than 3,000m², no less than 15% of the site shall be planted in native vegetation, which shall include hedgerows on fence lines. The consent notice shall be prepared and registered by Council's solicitor at the request and expense of the consent holder.

Vehicle crossing – Lot 762

16. That pursuant to S221 of the RMA, a consent notice shall be registered on Record of Title of Lot 762 and complied with on an ongoing basis. The consent notice shall read as follows:

No vehicle crossing shall be established over that part of the road frontage marked in red on the approved subdivision plan, being a length of 13m from the southern boundary.

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

Landscaping

17. That pursuant to S221 of the RMA, a consent notice shall be registered on Record of Title for Lots 366-369, 425-428, 471 – 476, and Lot 429, and complied with on an ongoing basis. The consent notice shall read as follows:

The interface treatment comprising of a single row of trees along the south-eastern boundary of the site shall be maintained to a minimum height of 2m, on an ongoing basis, and any dead, diseased or damaged specimens shall be removed and replaced within the next available planting season.

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

Amalgamation

18. That the following access lots shall be held by way of amalgamation, pursuant to section 220(1)(b)(iv) of the RMA as follows:

- a. Lot 560 (access lot) hereon be held as to 4 undivided one quarter shares by the owners of Lots 610, 611, 612, and 613.
- b. Lot 561 (access lot) hereon be held as to 4 undivided one quarter shares by the owners of Lots 618, 619, 620, and 621.
- c. Lot 562 (access lot) hereon be held as to 4 undivided one quarter shares by the owners of Lots 632, 633, 634 and 635.
- d. Lot 563 (access lot) hereon be held as to 2 undivided one half shares by the owners of Lots 353 & 354.
- e. Lot 564 (access lot) hereon be held as to 2 undivided one half shares by the owners of Lots 648 and 649.

- f. Lot 565 (access lot) hereon be held as to 2 undivided one half shares by the owners of Lots 668 and 669.
- g. Lot 566 (access lot) hereon be held as to 2 undivided one half shares by the owners of Lots 694 and 695.
- h. Lot 567 (access lot) hereon be held as to 2 undivided one half shares by the owners of Lots 698 and 699.
- i. Lot 568 (access lot) hereon be held as to 2 undivided one half shares by the owners of Lots 702 and 703.
- g. Lot 570 (access lot) hereon be held as to 2 undivided one half shares by the owners of Lots 715 and 716.
- j. Lot 571 (access lot) hereon be held as to 2 undivided one half shares by the owners of Lots 727 and 728.
- k. Lot 572 (access lot) hereon be held as to 2 undivided one half shares by the owners of Lots 745 and 746.
- l. Lot 573 (access lot) hereon be held as to 6 undivided one sixth shares by the owners of Lots 750, 751, 752, 753, 754, and 755.
- m. Lot 574 (access lot) hereon be held as to 2 undivided one half shares by the owners of Lots 764 and 765.
- n. Lot 575 (access lot) hereon be held as to 2 undivided one half shares by the owners of Lots 770 and 771.
- o. Lot 576 (access lot) hereon be held as to 5 undivided one fifth shares by the owners of Lots 775, 776, 777, 778, and 779.

These will be held as tenants in common in the said shares and individual Records of Title shall be issued. The LINZ reference is 1888751.

Engineering approval

19. The engineering design plans and specifications for all works shall be submitted to the Development Engineering Manager for approval including, but not limited to:
- Water supply
 - Sewerage
 - Stormwater
 - Roading, including streetlighting and entrance structures
 - Upgrade of existing road frontages
 - Shared accessways
 - Landscaping and irrigation.

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

20. All work shall comply with the conditions set out in the Engineering Approval and be constructed in accordance with the approved engineering plans.
21. All work shall comply with the Engineering Code of Practice, except as agreed in the Engineering Approval.

Suitably qualified designer:

22. A design certificate from a suitably qualified designer shall be submitted to Council as part of Engineering Approval.

Asbuilt Plans:

23. 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.

Electronic Schedule of vested assets

24. 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.

Producer Statement Civil Contractor

25. Producer statements from the principal civil contractor shall be supplied to Council confirming that all vested assets have been installed in accordance with the approved engineering plans and specifications prior to the issuing of S224(c) certificate.

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)

26. 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:
- 12 months for roading, water, sewer and stormwater reticulation; and
 - 24 months for landscaping, reserve assets, stormwater treatment and discharge systems and sewer pump stations.

Roading

New roads

27. All roads shall be constructed in accordance with the approved engineering plans.
28. All roads shall be vested in the Selwyn District Council as road.
29. All vested roads shall meet Councils 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.

Corner Splays

30. The corner of Lots 303, 370, 389, 602, 540, 541, 645, 652, 655, 656, 661, 676, 677, 686, 687, 681, 682, 692, 705, 713, 720, 721 and 739 shall be splayed with a rounded minimum radius of 3 metres.

Street lighting

31. Street lighting shall be provided on all new roads and existing roads in accordance with the Engineering Approval.
32. The consent holder shall install street name signs displaying the Council approved street name and poles at each intersection in accordance with Policy R430.

Street names

33. Road name options, including a minimum of three options for each road, and street numbering plans shall be submitted to Council in accordance with Council Policies N101 and N102 at Engineering Approval.

Road Frontage Upgrades

34. The road frontage of Weedons Ross Road shall be upgraded to an urban standard (including kerb and channel, shared footpath, and piping of the water race), this work is required to be approved and undertaken through the Engineering Approval.

Vehicle Crossings and Accessways

Urban vehicle crossings

35. The vehicle crossing installed to service Lots 560 – 568 and Lots 570 – 576 shall be formed in accordance with TRAN-REQ5 Vehicle crossing design and construction and TRAN-REQ6 Vehicle crossing surface of the Partially Operative Selwyn District Plan.
36. All proposed vehicle crossings shall be located in accordance with Council's Tree's and Vegetation Policy.

Urban shared accessways

37. The vehicle accessway identified as Lots 560 – 568 and Lots 570 – 576 shall be formed in accordance with TRAN-REQ7 - Minimum requirements for accessways of the Partially Operative Selwyn District Plan and surfaced in accordance with the requirements of Engineering Approval. Except that Lots 560 and 561 shall not be required to provide passing bays.

General

38. Private Road name options, a minimum of three options for each road, and street numbering plans shall be submitted to Council in accordance with Council Policies N101 and N102 at Engineering Approval.
39. The consent holder shall install private road/ROW name signs displaying the Council approved street name and poles at each ROW in accordance with Policy R430.
40. All vehicle crossings and formed accessways shall 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.

Water Supply, Sewer, and Stormwater - General

41. Each lot within the subdivision shall be separately serviced with water, sewer and stormwater systems. This condition does not apply to stormwater where ground soakage is available.

Water supply

42. The net area of each lot shall be provided with an individual potable connection to the West Melton water supply in accordance with the approved Engineering Plans.
43. Water meters shall be installed in the road reserve only (please note that multi meter boxes may be utilised).
44. Water restrictors shall be installed in the road reserve only.
45. Lots 366 – 369, Lots 425 – 429, and Lots 471 – 476 shall be restricted to 3,000 litres of water per day. Individual water tanks will be required at the time of building for each lot with a minimum tank size of 3 days' supply.

Pursuant to section 221 Resource Management Act 1991 a consent notice shall be registered on the Certificate of Title for each lot to ensure ongoing compliance with this condition.
46. All Council vested water infrastructure shall be designed in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice (SNZ PAS 4509:2008 and subsequent variations). Designs and calculations confirming that this requirement has been met shall be supplied at Engineering Approval for review and acceptance.
47. Connection into Council's reticulated water supply shall either be carried out by Council's Five Waters maintenance contractor, or a suitably qualified water installer under the supervision of Council's five waters contractor. Costs incurred through supervision by Council's Five Waters maintenance contractor shall be met directly by the consent holder.
48. All vested water reticulation shall meet Council's testing and hygiene standards as prescribed by the Engineering Code of Practice. Supporting documentation shall be supplied to Council prior to the issuing of s224(c) certificate.
49. Connection into Council's reticulated water supply shall either be carried out or supervised by Council's contractor CORDE at the cost of the consent holder.

Staging:

50. Construction phase one (stages 21 – 25 and 28) shall not receive S224 until the Potable Water Outlet water line from the Rossington Drive Water Treatment Plant is upgraded. Proposed upgrades are to be included in the Engineering Approval for phase one.
51. That construction of stages 26, 27, and 29 – 31 shall not commence until the water model has been updated with the requirements of proposed development and a developer's agreement is entered into for any necessary works.

Sewer

52. That each lot shall be provided with a sewer lateral laid to the boundary of the net area of that lot in accordance with the approved Engineering Plans.
53. Connection to the Council sewer shall be arranged by the consent holder at the consent holder's expense. The work shall be done by a registered drainlayer.

Pumpstation

54. That a wastewater pump station must be provided in accordance with the approved engineering plans which shall be located within a utility lot proposed as part of this subdivision.
55. Council will assume full operation of the wastewater pumpstation once all required works are completed to the satisfaction of the Development Engineer and all Quality Assurance documentation as prescribed by the Engineering Code of Practice has been received, reviewed, and approved.

Acceptance of the pumpstation will be issued in writing by the Development Engineer. The consent holder will be responsible for the operation of the wastewater pumpstation until such time that it is accepted by Council.

Rising Main

56. An appropriately sized (to be determined at Engineering Approval) rising main to service the pump station shall be installed in the road reserve of Weedons Ross Road and connect to the rising main located on West Melton Road.

Gravity Wastewater Laterals:

57. All gravity wastewater laterals shall be installed ensuring grade and capacity are provided for and in accordance with Council engineering standards, giving regard to maximum upstream development density. Designs demonstrating compliance with this requirement shall be provided at Engineering Approval.

Low Pressure Sewer

58. Lots 312 – 314, Lot 429, Lots 600 – 601, and Lots 717 – 719 shall be serviced by Low Pressure Sewer. At the building consent stage, individual sewage pumping units shall be installed within private property. Any maintenance or costs associated with the individual pumping units (including the initial installation) shall be the responsibility of the landowner.

Pursuant to section 221 of the Resource Management Act 1991 a consent notice shall be registered on the Record of Title for each lot to ensure ongoing compliance with this condition.

59. Low Pressure Sewer Boundary boxes shall be installed in the road reserve only.

Standard testing

60. All vested wastewater reticulation shall meet Councils 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.

Stormwater

61. The consent holder shall install stormwater reticulation treatment and disposal systems to service the subdivision in accordance with the approved engineering plans and the requirements of Canterbury Regional Council.
62. The consent holder shall prepare and submit a Stormwater Design Report and Management Plan in accordance with the requirements of Selwyn District Council and Canterbury Regional Council. This plan shall be provided for Selwyn District Council's approval and sign-off at the consent holder's cost. It shall include, but not be limited to:
 - A plan showing existing ground levels on neighbouring properties along with proposed levels on the subdivision sites. Interference with pre-existing stormwater flows needs to be considered so as not to cause ponding or nuisance on neighbouring or developed land.
 - Existing and proposed drainage plan with sub catchments and flow arrows to show how the drainage will be affected.
 - Calculations to demonstrate compliance with the Engineering Code of Practice and any relevant Environment Canterbury consent conditions.
 - Ongoing operation and maintenance requirements.

- Proposed cut/fill plan and supporting volume calculations that confirm the displacement/diversion of flood waters resulting from earthworks will result in a net zero change of the existing drainage flow patterns.
63. Where stormwater discharges are to be undertaken as a permitted activity, confirmation in writing of permitted status shall be provided from Canterbury Regional Council in the form of a certificate of compliance.
64. The proposed development shall not discharge run off onto adjacent properties unless via a controlled outlet approved as part of the Engineering Design Approval.
65. In the event that an adjacent neighbour's historical stormwater drainage was onto the site, the proposed development must maintain or mitigate the historical discharge.
66. Where a specific discharge consent is issued by Canterbury Regional Council (Environment Canterbury), any consent or associate conditions imposed by them will be subject to Council acceptance where these obligations will be transferred to Selwyn District Council. The consent holder will hold, operate and maintain the stormwater consent for a minimum of two years after the S224(c) Completion Certificate has been issued. Council must be satisfied at the end of this period that all aspects of the system, including but not limited to compliance with consent conditions, operations and maintenance costs are acceptable to Council.
67. The consent holder shall provide a Stormwater Operations and Maintenance Manual prior to the approval of the Section 224(c) Completion Certificate.
68. The existing overland flow path shall be maintained by the consent holder, or the historical overland flow path shall be appropriately mitigated. Any alterations to the overland flow path shall be approved by the Development Engineering Manager in writing prior to construction.
69. All vested stormwater reticulation shall meet Councils 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.

Power and Telecommunication Services

Front lots

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

Rear lots

71. The consent holder shall provide infrastructure to the net area of each rear lot of the subdivision to enable electricity and telecommunications connections by way of underground reticulation in accordance with the standards of the relevant network utility operator.
72. The consent holder shall provide evidence in writing from the relevant authorities that electrical and telecommunication service connections have been installed to each lot.

Reserves

73. Pursuant to the relevant legislation the consent holder shall vest Lots 541, 542, 543, 546 - 547 and 551 in the Council as Local Purpose (Access) Reserve, Lot 548 in the Council as Local Purpose (Landscape) Reserve, Lot 540 in the Council as Recreation Reserve & Lots 318 and 549 in the Council as Local Purpose (Utility) Reserve.
- The consent holder shall supply to Council copies of all Certificates of Title for land, other than roads, that is vested in the Council.

Natural Hazards

74. That a report be provided at Engineering Approval stage, by a suitably qualified and experienced person confirming that the engineering design of the subdivision is sufficient to mitigate flooding on every site, based on a 200-year Annual Exceedance Probability rainfall event.

Landscaping

75. The consent holder shall landscape the street frontages. The minimum standard (unless otherwise agreed through Engineering Design Approval) will include grass berms and street trees. A landscaping proposal shall be submitted to the Council for approval at the time of submission of the engineering plans and specifications, and the landscaping shall be undertaken in accordance with the approved plans.
76. Entrance structures placed in the road reserve shall be installed in accordance with the Engineering Approval.

Fencing Covenant

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

Site Stability and Site Works

78. That all earthworks shall be undertaken in accordance with the conditions of resource consent RC235639
79. The consent holder shall supply a copy of the Erosion and Sediment Control Plan at Engineering Approval.
80. 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.
81. All earthworks completed on site are to be carried out in accordance with New Zealand Standard (NZS) 4431:2022 Engineered Fill Construction for Light Weight Structures.
82. At the completion of all earthworks, Certificates satisfying the conditions of NZS4431: 2022 Engineered Fill Construction for Light Weight Structures are to be provided to the Development Engineering Manager prior to section 224(c) approval. These certificates will be accompanied by a detailed report highlighting the extent and nature of all earthworks undertaken.
83. That the consent holder shall ensure that all contractors carrying out work on the site comply with NZS 6803:1999 "Acoustics – Construction Noise".
84. That where evidence of a contaminated site not identified in the application is found at any stage of the subdivision development works, then work shall cease at that site until the risk has been assessed by a Suitably Qualified and Experienced Practitioner (SQEP) in accordance with current Ministry for the Environment Guidelines and, if required, a resource consent obtained under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (or most recent subsequent amendment). Once the risk has been assessed and any required resource consent obtained, the consent holder shall undertake all necessary work to rehabilitate the site in accordance with either the standards for permitted activities or the conditions of the resource consent (as appropriate). All works shall be undertaken at the consent holders' expense.

85. On the completion of works:

- a. All disturbed areas shall be returned to its original state as near as is practicable and stabilised and/or revegetated; and
- b. All spoil and other waste material from the works shall be removed, unless required for a later stage of the subdivision.

Attachments

1. Approved Plan

Notes to the Consent Holder

Lapse Period (Land Use Consents)

- a. Pursuant to section 125 of the Resource Management Act 1991, if not given effect to, this resource consent shall lapse five years after the date of this decision unless a longer period is specified by the Council upon application under section 125 of the Act.

Monitoring

- b. In accordance with section 36 of the Resource Management Act 1991, no monitoring fee has been charged.
- c. If the conditions of this consent require any reports or information to be submitted to the Council, additional monitoring fees for the review and certification of reports or information will be charged on a time and cost basis. This may include consultant fees if the Council does not employ staff with the expertise to review the reports or information.
- d. Where the conditions of this consent require any reports or information to be submitted to the Council, please forward to the Council's Compliance and Monitoring Team, compliance@selwyn.govt.nz
- e. Any resource consent that requires additional monitoring due to non-compliance with the conditions of the resource consent will be charged additional monitoring fees on a time and cost basis.

Building Act

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

Accessible Carparking Spaces

- g. The District Plan and the Building Code have different requirements for accessible carparking. Therefore, the carparking plan approved as part of this resource consent may not comply with the Building Code. Early engagement with the building consent team is recommended to ensure all requirements can be met.

Regional Consents

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


Impact on Council Assets

- i. Any damage to fixtures or features within the Council road reserve that is caused as a result of construction or demolition on the site shall be repaired or reinstated and the expense of the consent holder.

Report by:	
Charlotte Scotchbrook, Senior Resource Management Planner	Date: 12/04/24

Decision

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

 Commissioner O'Connell	Date: 18 April 2024
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