

1 CANTERBURY LAND AND WATER REGIONAL PLAN

<u>Rule 5.96</u> The discharge of stormwater, other than into or from a reticulated stormwater system, onto or into land where contaminants may enter groundwater is a permitted activity, provided conditions 1 – 2 are met.		
Conditions	Comment	Compliance
1. The discharge is not from, into or onto contaminated or potentially contaminated land; and	During construction the areas identified as being contaminated will be remediated and validated. As a consequence, the Site will no longer be contaminated. Roof stormwater will therefore not be discharged of from into or onto contaminated land.	Yes
2. The discharge: (a) does not cause stormwater from up to and including a 24 hour duration 10% Annual Exceedance Probability rainfall event to enter any other property; and (b) does not result in the ponding of stormwater on the ground for more than 48 hours, unless the pond is part of the stormwater treatment system; and (c) is located at least 1 m above the seasonal high water table that can be reasonably inferred for the site at the time the discharge system is constructed; and (d) is only from land used for residential, educational or rural activities; and (e) does not occur where there is an available reticulated stormwater system, except where incidental to a discharge to that system; and	The design of the soakpits will be subject to the Building Act requirements which require the same design parameters as outlined in (a) – (b). Based on the geotechnical assessment and the surrounding borelogs there will be more than 1m between the base of the soakpit and seasonal high groundwater. The discharge of stormwater will be from land used for residential activities. The reticulated stormwater network is not designed to capture roof stormwater and therefore complies with (e). Soakpits will only capture and discharge stormwater from individual lots.	Yes

(f) is not from a system that collects and discharges stormwater from more than five sites.		
OUTCOME: Roof stormwater disposed of directly to ground via soakpits within each individual lot is a permitted activity under Rule 5.96 of the Land and Water Regional Plan.		
<u>Rule 5.107</u> The use of land, including the bed of a lake or river, for the decommissioning of a bore is a permitted activity, provided conditions 1 – 3 are met.		
1. The bore is backfilled with inert material and sealed at the surface to prevent any contaminants or surface water from entering the bore; and	This will be undertaken by the contractor undertaking construction works and will comply with this requirement.	Yes
2. Any bore intercepting groundwater is sealed to prevent the vertical movement of groundwater between aquifers or water bearing layers within an aquifer and to permanently confine the groundwater to the aquifer or water bearing layer within an aquifer, in which it originally occurred; and	All bores will be sealed in accordance with this requirement.	Yes
3. The bore has not been used for hydrocarbon exploration or production.	The bores to be decommissioned as part of The Project were used for domestic, stockwater or irrigation supply.	Yes
OUTCOME: The decommissioning of bores is a permitted activity under Rule 5.107 .		
<u>Rule 5.114</u> The taking and using of less than 5 L/s and more than 10 m³ but less than 100 m³ per property per day of groundwater on a property more than 20ha in area is a permitted activity, provided the following condition is complied with.		
1. The bore is located more than 20 m from the property boundary or any surface waterbody.	The two bores on site are located more than 20m from a property boundary or surface waterbody.	Yes

OUTCOME: Permitted activity under Rule 5.114.		
<u>Rule 5.121</u> The taking or use of water from irrigation or hydroelectric canals or water storage facilities is a permitted activity, provided conditions 1 and 2 are met.		
1. For the taking of water from a water storage facility, the storage facility is not within the bed of a river; and	The stock water races are considered to be a water storage facility are not located within the bed of a river.	Yes
2. The site owner or occupier has a written agreement with the owner or manager of the irrigation or hydroelectric canal or water storage facility to take water from the artificial watercourse or water storage facility.	As owner and manager of the stock water races, SDC are to provide approval for the works.	Yes
OUTCOME: The taking of water from a branch of the Malvern water race to enable the naturalisation of the channel and the installation of culverts is a Permitted Activity under Rule 5.121 .		

2 CANTERBURY AIR REGIONAL PLAN

<u>Rule 7.32</u> The discharge of dust to air beyond the boundary of the property of origin from the construction of buildings, land development activities, unsealed surfaces or unconsolidated land, is a permitted activity provided the following conditions, where applicable, are met.		
Conditions	Comment	Compliance
1. The building to be constructed is less than 3 stories in height, or where the building is greater than 3 stories in height, a dust management plan is prepared in accordance with Schedule 2 and implemented by the person responsible for the discharge into air; and	-	N/A
2. The area of unsealed surface or unconsolidated land is less than 1000m ² , or where the area of unsealed surface or unconsolidated land is greater than 1000m ² a dust management plan is prepared in accordance with Schedule 2 and implemented by the person responsible for the discharge into air; and	A Draft DMP is included as part of the Draft ESCP at Attachment 8 and is required to be finalised and implemented in accordance with the Proposed ECan Conditions and the Proposed SDC Conditions.	Yes
3. The discharge does not cause an offensive or objectionable effect beyond the boundary of the <i>property</i> of origin, when assessed in accordance with Schedule 2.	HDL will ensure that the discharge of dust will comply with this requirement.	Yes
OUTCOME: Permitted activity under Rule 7.32.		

3 PARTIALLY OPERATIVE SELWYN DISTRICT PLAN

PART 3 AREA SPECIFIC MATTERS – LARGE LOT RESIDENTIAL		
<u>LLRZ-R2 Residential Unit or other Principal Building</u>		
1. The establishment of, or the addition/external alteration to, a residential unit or other principal building where no more than one residential unit or other principal building is established on the site and the activity complies with:		
<i>Rule requirements</i>	<i>Comment</i>	<i>Compliance</i>
• LLRZ-REQ1 Servicing	All future residential units will be connected to the Council's reticulated water supply and wastewater network.	Yes
• LLRZ-REQ2 Building Coverage	Except in relation to residential units established on Qualifying Allotments, all other future residential units will comply with the maximum building coverage standard.	Yes
• LLRZ-REQ3 Height	All future residential units will comply with this standard.	Yes
• LLRZ-REQ4 Height in Relation to Boundary	All future residential units will comply with this standard.	Yes
• LLRZ-REQ5 Setback of Buildings and Structures	Except in relation to residential units established on Qualifying Allotments, all other future residential units will comply with the setback standard.	Yes
• LLRZ-REQ6 Presentation to the Street	All future residential units will comply with this standard.	Yes
• LLRZ-REQA Development Areas	N/A	Yes
OUTCOME: All future residential units to be established on allotments created by the Project other than the Qualifying Allotments are a permitted activity .		

PART 3 AREA SPECIFIC MATTERS – LARGE LOT RESIDENTIAL

LLRZ-R13 Public amenity

1. Any public amenity.

OUTCOME: All public amenities created by the Project are a **permitted activity**.

PART 2 DISTRICT WIDE MATTERS – LIGHTING

LIGHT R2 Artificial Outdoor Lighting-Roads and Public Pedestrian Accessways and Cycleways

1. Artificial outdoor lighting for roads and public pedestrian accessways and cycleways is a permitted activity where this activity complies with the following rule requirements:

<i>Rule requirements</i>	<i>Comment</i>	<i>Compliance</i>
LIGHT-REQ4 Sky Glow - Roads and Public Pedestrian Accessways and Cycleways	All outdoor lighting within roads and public pedestrian accessways and cycleways will be designed to comply with this requirement. This will be confirmed by the street lighting design submitted as part the Engineering Approval process.	Yes

OUTCOME: The street lighting to be provided by the subdivision is a **permitted activity** under LIGHT-R2.1.

PART 2 DISTRICT WIDE MATTERS – EARTHWORKS

EW – R5

Earthworks stockpiling is a permitted activity where:

- a. all stockpiles greater than 250m³ or 4m in height above natural ground level are located at least:
 - i. 100m from any sensitive activity on an adjoining site held in different ownership; or

PART 2 DISTRICT WIDE MATTERS – EARTHWORKS

- ii. 100m from the boundary of a Residential, Māori Purpose, Town Centre, Local Centre, Neighbourhood Centre, or Knowledge Zone.

And the activity complies with the following rules requirement

Rule requirement	Comment	Compliance
NH-REQ4 Earthworks and Natural Hazards: The activity does not exacerbate flooding on any other property by displacing or diverting floodwater on surrounding land.	The stockpiling of earthworks will comply with these requirements.	Yes

OUTCOME: Stockpiling is a **permitted activity** under EW-R5.

PART 2 DISTRICT WIDE MATTERS – NOISE

NOISE-R2 Construction Activities

1. Any construction activity is permitted activity where:

Rule requirements	Comment	Compliance
a) any noise created by the use of explosives for construction activity does not exceed a peak sound pressure level of 120 dB Lzpeak measured 1m from the façade of any building containing a habitable room.	All construction activities will comply with this rule.	Yes

And this activity complies with the following rule requirements:

NOISE-REQ2 Construction Noise Limits	All construction activities will comply with this requirement.	Yes
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PART 2 DISTRICT WIDE MATTERS – NOISE

OUTCOME: The construction noise generated by the Project is a **permitted activity** under NOISE-R2.1.

NOISE-R3 Noise Sensitive Activities within the State Highway and Railway Network Noise Control Overlays

1. The establishment of any building for a noise sensitive activity within the State Highway Noise Control Overlay is a permitted activity where:

Rule requirements	Comment	Compliance
a) to manage noise in the outdoor environment, either:		
i. there is a noise barrier consisting of a solid building, fence, wall or landform at least 3m high which blocks the line-of-sight to the state highway road surface from all points 1.5m above ground level within the notional boundary of any new building and/or addition to any existing building; or	An acoustic bund of 3m height that blocks the line of sight to the state highway surface will be established along the full length of the Site's boundary with SH73. A 3m high acoustic fence will also be extended along the Site's boundary with SH77, with two gaps provided for access to the Site.	To be confirmed once the locations of the dwellings on the lots are confirmed.
ii. external road noise levels are less than 57 dB LAeq (24h) at all points 1.5m above ground level within the notional boundary of any new building and/or addition to an existing building.	All future dwellings that are located 30m from SH77 are expected to achieve compliance with this requirement. All future dwellings that are located within 30m of SH77 will need to apply for resource consent as part of a separate process.	To be confirmed once the locations of the dwellings on the lots are confirmed.

OUTCOME: The establishment of noise sensitive activities within the overlay is a **permitted activity** under NOISE-R3.1.

NOISE-R3 Noise Sensitive Activities within the State Highway and Railway Network Noise Control Overlays

4. The establishment of any building for a noise sensitive activity within the State Highway Noise Control Overlay or the Rail Network Noise Control Overlay is a permitted activity where:

a) to manage noise in the indoor environment, the building is:

PART 2 DISTRICT WIDE MATTERS – NOISE

i. at least 50m from any state highway or railway network, and is designed so that a noise barrier consisting of a solid building, fence, wall or landform blocks the line-of-sight from all parts of doors and windows to the state highway road surface and/or to all points above 3.8m of the railway tracks; or	Future dwellings may achieve compliance with this requirement.	To be confirmed once the locations of the dwellings on the lots are confirmed.
ii. designed, constructed and maintained to achieve indoor design noise levels not exceeding the maximum values in NOISE-TABLE1 Road and Railway Indoor Design Noise Levels;	Future dwellings may achieve compliance with this requirement.	To be confirmed once the locations of the dwellings on the lots are confirmed.
b) for habitable rooms for residential activity, if windows must be closed to achieve the design noise levels in NOISE-TABLE1 Road and Railway Indoor Design Noise Levels, the building shall be designed, constructed and maintained with a mechanical ventilation system that achieves the following requirements:		
i. provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and	Future dwellings may achieve compliance with this requirement as necessary.	Yes
ii. is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and	Future dwellings may achieve compliance with this requirement as necessary.	Yes
iii. provides relief for equivalent volumes of spill air; and	Future dwellings may achieve compliance with this requirement as necessary.	Yes
iv. provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C; and	Future dwellings may achieve compliance with this requirement as necessary.	Yes

PART 2 DISTRICT WIDE MATTERS – NOISE		
v. does not generate more than 35 dB LAeq(30s) when measured 1m away from any grille or diffuser;	Future dwellings may achieve compliance with this requirement as necessary.	Yes
c) for spaces other than habitable rooms, if windows must be closed to achieve the design noise levels in NOISE-TABLE1 Road and Railway Indoor Design Noise Levels, the building shall be designed, constructed and maintained with a ventilation system as determined by a suitably qualified and experienced person;	Future dwellings may achieve compliance with this requirement as necessary.	Yes
d) any building that is closer than 30m to any state highway boundary or closer than 60m to any railway network, shall be designed, constructed and maintained to achieve road and rail vibration limits not exceeding 0.3mm/s (Class C criterion Maximum Weighted Velocity, Vw,95);	Future dwellings are expected to achieve compliance with this requirement.	Yes
e) compliance with the relevant provisions of NOISE-R3.4.a.ii, NOISE-R3.4.b, NOISE-R3.4.c, NOISE-R3.4.d, NOISE-R3.5.a.ii, NOISE-R3.5.b, NOISE-R3.5.c and NOISE-R3.5.d shall be demonstrated by way of a design report prepared by a suitably qualified acoustic specialist and submitted to the Council with the application for the relevant building consent. In the design report:	This will be provided at the time of building consent.	Yes
i. railway noise shall be assumed to be 70 LAeq(1h) at a distance of 12m from the railway network and shall be deemed to reduce at a rate of 3 dB per doubling of distance up to 40m and 6 dB per doubling of distance beyond 40m; and	This will be done.	Yes
ii. road noise shall be based on measured or predicted noise limits plus 3 dB.	This will be done.	Yes

PART 2 DISTRICT WIDE MATTERS – NOISE

OUTCOME: The establishment of noise sensitive activities within the overlays can be a **permitted activity** under NOISE-R3.4.

PART 2 DISTRICT WIDE MATTERS – TRANSPORT

TRAN – R4 VEHICLE CROSSING

5. The establishment of a vehicle crossing that provides access to a single site.

<i>Rule requirements</i>	<i>Comment</i>	<i>Compliance</i>
TRAN-REQ2 Vehicle Crossing Access Restrictions	Vehicle crossings will not be to arterial roads – only local roads.	Yes
TRAN-REQ3 Number of Vehicle Crossings	There will be a maximum of one vehicle crossing per lot.	Yes
TRAN-REQ4 Siting of Vehicle Crossings	The majority of the lots will comply with the separation distances in TRAN-TABLE4 and TRAN-DIAGRAM1. Resource consent is sought for the lots that do not comply with the separation distances.	Yes
TRAN-REQ5 Vehicle Crossing Design and Construction	All of the vehicle crossings will comply with the width requirements in TRAN-TABLE 6 and TRAN-DIAGRAM3.	Yes
TRAN-REQ6 Vehicle Crossing Surface	Vehicle crossings will be sealed between the carriageway and the site boundary for their full width and length.	Yes

OUTCOME: The establishment of vehicle crossings within the subdivision is a **permitted activity** under TRAN-R4.5.

TRAN – R5 VEHICLE ACCESSWAYS

1. The establishment and use of an accessway

PART 2 DISTRICT WIDE MATTERS – TRANSPORT		
<i>Rule requirements</i>	<i>Comment</i>	<i>Compliance</i>
TRAN-REQ7 Accessway design, formation and use.	The majority of accessways will comply with the design requirements listed in TRAN-TABLE 3 and the separation distances in TRAN-TABLE 6A. Resource consent is sought for the accessways that do not comply with the design requirements.	Yes
NH-REQ4 Natural Hazards and Earthworks	The accessways will not exacerbate flooding on any other property by displacing or diverting floodwater on surrounding land.	Yes
OUTCOME: The majority of accessways provided by the subdivision are a permitted activity under TRAN-R5.1.		

PART 2 DISTRICT WIDE MATTERS – SIGNS		
<u>SIGN – R3 TEMPORARY REAL ESTATE ADVERTISING SIGNS</u>		
1. Temporary real estate advertising signs where the sign is removed within one month of the completion of the sale, lease or development and/or the sign is only erected on the site that is for sale or lease, unless the site is a rear site.		
<i>Rule requirements</i>	<i>Comment</i>	<i>Compliance</i>
SIGN-REQ5.9 During the development of and sales period of a subdivision: a. The maximum area of a sign shall not exceed 18m² b. There shall be no more than one sign per road frontage	Any sign advertising the subdivision can comply with these requirements.	Yes

PART 2 DISTRICT WIDE MATTERS – SIGNS		
SIGN-REQ6 Distracting Features	Any sign advertising the subdivision can comply with these requirements.	Yes
SIGN-REQ7 Traffic Safety	Any sign advertising the subdivision can comply with these requirements.	Yes
OUTCOME: Real Estate signage is a permitted activity under SIGN-R3.1.		