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1 **NATIONAL ENVIRONMENTAL STANDARDS FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH 2011**

<u>Regulation 10</u> Regulation 10 applies to an activity described in any of regulation 5(2) to (6) on a piece of land described in regulation 5(7) or (8) that is not a permitted activity or a controlled activity.		
Conditions	Comment	Compliance
(2) The activity is a restricted discretionary activity while the following requirements are met:		
(a) a detailed site investigation of the piece of land must exist;	A detailed site investigation of the Site is attached to the substantive application as Attachment 23 (<i>Detailed Site Investigation</i>).	Yes
(b) the report on the detailed site investigation must state that the soil contamination exceeds the applicable standard in regulation 7;	See section 9.5.1 of the Detailed Site Investigation.	Yes
(c) the consent authority must have the report;	The Detailed Site Investigation will be provided to Selwyn District Council (SDC).	Yes
(d) conditions arising from the application of subclause (3) [<i>being the relevant matters of discretion set out below</i>], if there are any, must be complied with.	All conditions will be complied with. Condition 50 of the Proposed SDC Conditions, Attachment 6 (<i>Proposed SDC Conditions</i>) requires a Remediation Action Plan to be provided to SDC for certification prior to the commencement of earthworks. That plan will detail the approach to the remediation or ongoing management of the Site.	Yes

	Condition 50 of the Proposed SDC Conditions requires contaminated soils to be disposed of to an authorised facility where they cannot be remediated to acceptable levels. Condition 52 requires that a Site Validation Report is provided to SDC for certification.	
OUTCOME: Resource consent is required under Regulation 10(2) as a restricted discretionary activity for: • subdividing the Site; and • soil disturbance on the Site.		
The exercise of discretion is restricted to the following matters which are addressed in paragraphs 10.93 – 10.98 of the Substantive Project Assessment: (a) the adequacy of the detailed site investigation, including— (i) site sampling; (ii) laboratory analysis; and (iii) risk assessment. (b) the suitability of the piece of land for the proposed activity, given the amount and kind of soil contamination; (c) the approach to the remediation or ongoing management of the piece of land, including— (i) the remediation or management methods to address the risk posed by the contaminants to human health; (ii) the timing of the remediation; (iii) the standard of the remediation on completion; (iv) the mitigation methods to address the risk posed by the contaminants to human health; and (v) the mitigation measures for the piece of land, including the frequency and location of monitoring of specified contaminants. (d) the adequacy of the site management plan or the site validation report or both, as applicable; (e) the transport, disposal, and tracking of soil and other materials taken away in the course of the activity; (f) the requirement for and conditions of a financial bond;		

- (g) the timing and nature of the review of the conditions in the resource consent; and
- (h) the duration of the resource consent.

2 CANTERBURY LAND AND WATER REGIONAL PLAN

Rule 5.94A

The discharge of construction-phase stormwater other than into or from a reticulated stormwater system to a surface waterbody, or onto or into land in circumstances where a contaminant may enter groundwater or surface water, is a permitted activity, provided the conditions 1 - 6 are met.

Conditions	Comment	Compliance
1. The area of disturbed land from which the discharge is generated is less than: a. 1000m² for any construction-phase stormwater generated as a result of work carried in out in an area shown as High Soil Erosion Risk on the Planning Maps; or b. two hectares in any other location; and	The Site is not identified as a High Soil Erosion Risk. The area of land disturbed at any point is more than two ha.	No – (b)
2. The concentration of total suspended solids in the discharge shall not exceed: a. 50g/m³ where the discharge is to any spring-fed river, Banks Peninsula river, or to a lake except when the background total suspended solids in the waterbody is than 50g/m³ in which case the Schedule 5 visual clarity standards shall apply; or b. 100g/m³ where the discharge is to any other river or to an artificial watercourse except when the background total suspended solids in the waterbody is greater than 100g/m³ in which case the Schedule 5 visual clarity standards shall apply; and	The discharge is to land.	N/A
3. The discharge does not result in an increase in the flow in the receiving waterbody at the point of discharge of more than 1% of a flood event with an Annual Exceedance Probability of 20% (one in five year event); and	The discharge is to land.	N/A

4. The discharge is not from, into or onto contaminated or potentially contaminated land; and	Small areas within the Site are identified as contaminated and require remediation.	No
5. The discharge does not contain any hazardous substance; and	The discharge will not contain any hazardous substance.	Yes
6. The discharge does not occur within a Community Drinking-water Protection Zone as set out in Schedule 1.	The construction-phase stormwater discharge will not occur within a Protection Zone.	Yes
<u>Rule 5.94B</u> The discharge of construction-phase stormwater, other than into or from a reticulated stormwater system, into a surface waterbody, or onto or into land in circumstances where a contaminant may enter groundwater or surface water, that does not meet one or more of the conditions of Rule 5.94A is a restricted discretionary activity.		
OUTCOME: Resource consent is required under Rule 5.94B as a restricted discretionary activity, as conditions 1 and 4 of Rule 5.94A are not able to be met.		
The exercise of discretion is restricted to the following matters which are addressed in 18.33 – 18.34 of the Substantive Project Assessment: 1. The actual and potential effects of the discharge on the quality of surface water, aquatic ecosystems, Ngāi Tahu cultural values; and 2. The actual and potential effects of the discharge on the quality and safety of human and animal drinking water; and 3. The actual and potential adverse environmental effects of the quantity of water to be discharged on the banks or bed of a waterbody or on its flood carrying capacity, and on the capacity of the network to convey that discharge; and 4. The potential benefits of the activity to the applicant, the community and the environment.		

Rule 5.93

The discharge of stormwater or construction-phase stormwater from a reticulated stormwater system onto or into land or into or onto land in circumstances where a contaminant may enter water, or into groundwater or a surface waterbody is a restricted discretionary activity, provided the conditions 1 - 3 are met.

Conditions	Comment	Compliance
1. For a discharge that existed at 11 August 2012, an application for a discharge permit is lodged prior to 30 June 2018, or at a later date as agreed between the reticulated stormwater system operator and the CRC; and	This is a new discharge.	N/A
2. A stormwater management plan has been prepared to address the management of stormwater in the catchment and is lodged with the application; and	A draft Stormwater Management Plan is included in Attachment 19.	Yes
3. The discharge will not cause a limit in Schedule 8 to be exceeded.	The discharge is anticipated to meet the levels set out in Schedule 8.	Yes

Rule 11.5.30

Within the Selwyn Te Waihora sub-region Regional Rule 5.93 includes the following additional matter of discretion:

- 1. Any adverse effects on mahinga kai, wāhi tapu or wāhi taonga within the Cultural Landscape/Values Management Area.**

OUTCOME: Resource consent is required under **Rule 5.93** as a **restricted discretionary activity**.

The exercise of discretion is restricted to the following matters which are addressed in paragraphs 18.33, 18.34 and 18.50 of the Substantive Project Assessment:

1. The quality of, compliance with and monitoring of the stormwater management plan prepared to address the management of stormwater in the catchment and matters set out in guidance documents prepared by the CRC; and

2. The rate and volume of discharge and the changes to the flow regime of a river or artificial watercourse, flood frequency, including flooding of land or dwellings, erosion of river bank and channels; and
3. The concentration of contaminants and resulting actual and potential adverse environmental effects, including cumulative effects on the receiving water quality of surface and groundwater, aquatic ecosystems, Ngāi Tahu cultural values and other existing uses and users of the water, including takes and discharges; and
4. Measures to:
 - a. reduce the volume and concentration of contaminants in the discharge; and
 - b. ensure the volume and rate of discharge do not exceed:
 - i. the capability of the soil and subsoil layers at the site to reduce contaminant concentrations in the discharge; and
 - ii. the infiltration capacity of the soil and subsoil layers at the site; and
 - c. avoid the accumulation of toxic or persistent contaminants in the soil or subsoil layers; and
 - d. minimise suspended sediment in stormwater from activities involving earthworks; and
5. The potential benefits of the activity to the applicant, the community and the environment; and
6. The need for measures to protect any human or animal drinking-water sources.

Rule 5.154

The damming of water in the bed of a river and the constructing, using, altering, maintaining and operating of dam structures within the bed of a river, including any damming or impounding of water outside the bed of a river or natural lake is a permitted activity, provided the following conditions are met:

<i>Conditions</i>	<i>Comment</i>	<i>Compliance</i>
1. For the damming or impounding of water outside the bed of a river or natural lake:		
a) the volume of water impounded is less than 20,000 m ³ ; or		Yes

b) the maximum depth of water impounded above ground level (measured as the maximum vertical distance between the crest of the dam and the ground level immediately adjacent to dam) is less than 4 m; and	The volume and maximum depth of impounded water will be less than the stated maximums.	Yes
c) if the volume of water impounded is greater than 1,000 m ³ , the design and construction of the dam is certified by a Recognised Engineer; and	The design and construction of the dam will be certified by a recognised engineer.	Yes
d) the land is not contaminated or potentially contaminated.	Small areas within the Site are identified as contaminated and require remediation.	No
<u>Rule 5.155</u> The damming of water in the bed of a river and the constructing, using, altering, maintaining and operating of dam structures within the bed of a river, including any damming of water outside of the bed of a river or natural lake that does not meet one or more of the conditions of Rule 5.154 is a discretionary activity, provided the following conditions are met:		
Conditions	Comment	Compliance
1. the damming of water does not result in downstream river flows less than any minimum flow limit set in Sections 6 - 15 or, where applicable, the default rules on minimum flow limits in Rule 5.123(2); and	N/A – Waterway 1 is an artificial watercourse and is therefore excluded from the definition of 'river'.	N/A
2. any new dam is not located in a river listed as a high naturalness waterbody in Sections 6 - 15 or in the mainstem of any river; and	Complies.	Yes
3. the damming does not prevent water being taken by any domestic or stock water supply, or reduce the reliability of supply of any existing legally authorised water take.	The damming of Waterway 1 will not prevent water being taken by any domestic or stock water supply or reduce	Yes

	the reliability of supply of any existing legally authorised water take.	
OUTCOME: Resource consent is required as a discretionary activity under Rule 5.155 , as condition 1(d) of Rule 5.154 is not able to be met.		
<u>Rule 5.175</u> The use of land to excavate material is a permitted activity, provided the following conditions are met.		
Conditions	Comment	Compliance
2. Over an unconfined or semi-confined aquifer:	The Site is located within the unconfined and semi-confined aquifer.	Yes
a) the volume of material excavated is less than 100m ³ ; or	The volume of material excavated exceeds 100m ³ .	No
b) the volume of material excavated is more than 100m ³ ; and i. there is more than 1m of undisturbed material between the deepest part of the excavation and the highest groundwater level; and ii. the excavation does not occur within 50 m of any surface waterbody.	Groundwater is considered to be between 50m – 100m below ground water and the maximum depth of excavation is 4m and therefore compliance can be met with (b)(i). Some excavation will be undertaken within 50m of a surface waterbody (being the Waterways), so the Project does not comply with (b)(ii).	No
<u>Rule 5.176</u> The use of land to excavate material that does not comply with one or more of the conditions of Rule 5.175 is a restricted discretionary activity.		

OUTCOME: Resource consent is required under **Rule 5.176** as a **restricted discretionary activity**.

The exercise of discretion is restricted to the following matters which are addressed in paragraphs 18.33, 18.34 and 18.50 of the Substantive Project Assessment:

1. The actual and potential adverse environmental effects on the quality of water in aquifers, rivers, lakes, wetlands; and
2. Any need for remediation or long-term treatment of the excavation; and
3. The protection of the confining layer and maintaining levels and groundwater pressures in any confined aquifer, including any alternative methods or locations for the excavation; and
4. The management of any exposed groundwater; and
5. Any adverse effects on Ngāi Tahu values or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga.

Rule 5.126

The non-consumptive taking and use of water from a lake, river or artificial watercourse and discharge of the same water to the same lake, river or artificial watercourse is a restricted discretionary activity, provided the following conditions are met.

Conditions	Comment	Compliance
1. Limits have been set for that surface waterbody in Sections 6 to 15 or the lake or river is subject to a Water Conservation Order; and	There are no applicable limits for the Malvern Water Race in Sections 6 to 15.	No
2. The taking of water and subsequent discharge does not result in any exceedance of any limit set for that waterbody in Sections 6 to 15 or flow and allocation regime set out in the Water Conservation Order; and		No
3. Other than for the replacement of existing consents for activities provided for under Policy 4.51, the maximum distance from the point of take to the point of discharge is not more than 250 m; and	The distance between the point of take and the point of discharge will not exceed 250 metres.	Yes

4. Other than for the replacement of existing consents for activities provided for under Policy 4.51, the take is not from a wetland, hāpua or a high naturalness lake or river that is listed in Sections 6 to 15.	The take is not from a wetland, hāpua or a high naturalness lake or river that is listed in Sections 6 to 15.	Yes
The exercise of discretion is restricted to the following matters which are addressed in paragraphs 18.44, 18.46, 18.49 – 18.50, and 20.15-20.17 of the Substantive Project Assessment, and via the relevant conditions of the water take regional consent which require the entire pre-abstracted flow to be returned to Waterway 1 at the point of discharge. 1A. The rate, volume and timing of the take; and 1. Measures that will ensure any limits are not affected; and 2. Whether the amount of water to be taken is reasonable for the intended use; and 3. The effects the take has on any other authorised takes; and 4. The potential to frustrate or prevent the attainment of the regional network for water harvest, storage and distribution, shown on the Regional Concept diagram in Schedule 16; and 5. The reduction in the rate of take in times of low flow and the need for any additional restrictions to prevent the flow from reducing to zero; and 6. Whether and how fish are prevented from entering the water intake and/or discharge structure; and 7. The actual or potential adverse environmental effects on aquatic ecosystems, in- stream habitat, wetlands, dryland habitats, sites of significance to Ngāi Tahu, amenity and recreational values in the area of the river subject to the take; and 8. The actual or potential adverse environmental effects of both the take and any subsequent discharge on water quality; and 9. Any adverse effects on Ngāi Tahu values or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga.		
<u>Rule 5.127</u> The non-consumptive taking and use of water from a lake, river or artificial watercourse and discharge of the same water to the same lake, river or artificial watercourse that does not meet one or more of the conditions in Rule 5.126 is a non-complying activity.		
OUTCOME: Resource consent is required under Rule 5.127 as a non-complying activity as conditions 1 and 2 of Rule 5.126 are not able to be met.		

3 PARTIALLY OPERATIVE SELWYN DISTRICT PLAN

PART 2 DISTRICT WIDE MATTERS – SUBDIVISION		
SUB-R1 – Subdivision in Residential Zones – LLRZ		
1. Subdivision not subject to any of SUB-R12, SUB-R13, SUB-R14, or SUB-R15 is a restricted discretionary activity where this activity complies the following rule requirements:		
<i>Rule requirements</i>	<i>Comment</i>	<i>Compliance</i>
SUB-REQ1 Site Area	The minimum average net site area is approximately 1300m². The minimum net site area is 603m². Neither of those metrics comply with this standard.	No
SUB-REQ2 Building Square	Multiple lots will not comply with this standard.	No
SUB-REQ3 Outline Development Plan	The subdivision does not accord with some components of the DEV-DA3 ODP.	No
SUB-REQ4 Road Frontage Width	The road frontage width for 547 lots will not comply with this requirement.	No
SUB-REQ6 Access	Every lot will have legal access to a road that: - is not obtained by crossing a railway line; - is maintained by Council;	Yes

	- has legal access to a road that is not an arterial road that has a posted speed limit of 60km/hr or greater; and - has legal access to a road that is not a state highway where the posted speed limit is 60km/h or greater.	
SUB-REQ7 Walkable Blocks	Blocks along the State Highways will not comply with the maximum length of 250m due to the noise bund and access requirements.	No
SUB-REQ8 Corner Splays	All corner splays will comply with this requirement.	Yes
SUB-REQ9 Water	All lots will be supplied with a separate connection to a Council reticulated water supply.	Yes
SUB-REQ10 Wastewater Disposal	All lots will be supplied with a separate connection to a Council reticulated water supply.	Yes
SUB-REQ13 Conditions Precedent	The Project does not trigger this requirement.	N/A.
OUTCOME: Resource consent is required as a non-complying activity (SUB-R.1 – SUB-REQ1.3).		
<u>SUB-R17 – Subdivision and Natural Hazards – Plains Flood Management Overlay</u> 4. Subdivision within the Plains Flood Management Overlay is a restricted discretionary activity (excluding subdivision under SUB-R15) where:		

Rule requirements	Comment	Compliance
a. Every site created is outside a high hazard area.	The Site is not within a high hazard area.	Yes
OUTCOME: Resource consent is required under SUB-R17 as a restricted discretionary activity.		
<u>SUB-R26 – Subdivision and Noise</u> 4. Subdivision within the Rail Network Noise Control Overlay is a discretionary activity. This rule does not apply to any subdivision under any of SUB-R13 or SUB-R15.		
OUTCOME: Resource consent is required under SUB-R26 as a discretionary activity.		
<u>SUB-R26 – Subdivision and Noise</u> 5. Subdivision within the State Highway Noise Control Overlay is a discretionary activity. This rule does not apply to any subdivision under any of SUB-R13 or SUB-R15.		
OUTCOME: Resource consent is required under SUB-R26 as a discretionary activity.		

PART 2 DISTRICT WIDE MATTERS – EARTHWORKS		
<u>EW-R5A – Earthworks for Subdivision</u> 1. Earthworks directly associated with the development of land for subdivision is a permitted activity where:		
Rule requirements	Comment	Compliance
a. The maximum area of land subject to the works is 1,000m ² .	The Site area is 130.39ha, and areas disturbed as part of the construction of the Project will exceed 1000m ² .	No

And this activity complies with the following rule requirements:		
EW-REQ2 Maximum Slope Gradient	Earthworks will not be carried out on land with a slope gradient greater than 1 in 4.	Yes
EW-REQ3.2 Excavation and Filling	Earthworks will not exceed the maximum depth or height above natural ground level. Any fill material to be used will consist of cleanfill material only.	Yes
EW-REQ3.6 Excavation and Filling	The Project is not located within the Dairy Processing Zone or the Port Zone.	N/A
EW-REQ5 Bunding	The Project is not located within any of these zones.	N/A
NH-REQ4 Natural Hazards and Earthworks	The Project will not exacerbate flooding on any other property or divert floodwater on surrounding land, during either the construction or operational stage.	Yes
OUTCOME: Resource consent is required as a restricted discretionary activity (EW-R5A.2).		
EW-REQ1 - Volume of Earthworks The exercise of discretion in relation to EW-R5A.2 is restricted to the following matters which are addressed at paragraphs 10.87 and 18.52 and 18.53 of the Substantive Project Assessment: - any adverse effects from the earthworks in terms of visual amenity, landscape context and character, views, outlook, overlooking, and privacy from raising ground levels; - the extent to which any potential dust nuisance, sedimentation, and water or wind erosion effects can be avoided or mitigated; - the extent to which the amenity effects on neighbouring properties, and on the road network, of heavy vehicle and other vehicular traffic generated as a result of earthworks can be avoided or mitigated;		

- d. the extent to which any changes to the patterns of surface drainage or subsoil drains would result in a higher risk of drainage problems, inundation run-off, flooding, or raise the water table;
- e. any alteration to natural ground levels in the vicinity and, consequently, to the height and bulk of buildings that may be erected on the site;
- f. the degree to which the resultant levels are consistent with the surrounding environment;
- g. the need for a Construction Management Plan (including a Dust Management Plan), containing procedures, which shall be implemented, that establish management and mitigation measures for the activity that ensure that any potential adverse effects beyond the property boundary are avoided, remedied, or mitigated.

PART 3 AREA SPECIFIC MATTERS – LARGE LOT RESIDENTIAL ZONE

LLRZ-R2 Residential unit or other principal building

The establishment of, or the addition/external alteration to, a residential unit or other principal building is a permitted activity where no more than one residential unit is established on the site and where the unit complies with:

<i>Rule requirements</i>	<i>Comment</i>	<i>Compliance</i>
• LLRZ-REQ1 Servicing	Future residential units constructed on allotments created by the Project that have a net site area of less than 2000m ² and/or with a road frontage of less than 35m (<i>Qualifying Allotments</i>) will be connected to the reticulated water supply and wastewater network.	Yes
• LLRZ-REQ2 Building Coverage	Future residential units constructed on Qualifying Allotments will not comply with this standard.	No
• LLRZ-REQ3 Height	Future residential units constructed on Qualifying Allotments will comply with this standard.	Yes
• LLRZ-REQ4 Height in Relation to Boundary	Future residential units constructed on Qualifying Allotments will comply with this standard.	Yes
• LLRZ-REQ5 Setback of Buildings and Structures	Future residential units constructed on Qualifying Allotments will not comply with this standard.	No
• LLRZ-REQ6 Presentation to the Street	Future residential units constructed on Qualifying Allotments will comply with this standard.	Yes

• LLRZ-REQA Development Areas	N/A	N/A
OUTCOME: Resource consent is required as a restricted discretionary activity (LLR-REQ2.2, LLRZ-REQ5.3). LLRZ-REQ2.2 – Building Coverage The exercise of discretion in relation to LLRZ-REQ2.2 is restricted to the following matters addressed at paragraphs 18.5 – 18.9 of the Substantive Project Assessment: 1. Effects on visual amenity values, including dominance, and the compatibility with the planned form of the residential zone. 2. The extent to which the proposal is able to provide adequate outdoor living space on the site. LLRZ-REQ5.2 – Boundary setback The exercise of discretion in relation to LLRZ-REQ5.2 is restricted to the following matters addressed at 18.5 – 18.9 and 18.26 of the Substantive Project Assessment: RESZ-MA5 - Road Boundary Setback 1. Effects on the safety and efficiency of the land transport infrastructure. 2. Effects on visual amenity values, including dominance having regard to the planned urban form of the residential zone. 3. The extent to which the reduction in road boundary setback provides for the protection of any notable tree (not protected trees) listed in TREE-SCHED2 Notable Trees, heritage item listed in HH-SCHED2 Heritage Buildings, Structures and Items, or sites and areas of significance to Māori listed in SASM-SCHED1 Wāhi Taonga and Wāhi Tapu. 4. The extent to which the design incorporates Crime Prevention Through Environmental Design (<i>CPTED</i>) principles as required to achieve a safe, secure environment. RESZ-MA6 - Internal Boundary Setback 1. Effects on the amenity of adjoining residential properties with regard to privacy, outlook and shading. 2. The extent to which the reduction in the setback provides for the protection of any notable tree (not protected trees) listed in TREE-SCHED2 Notable Trees, heritage item listed in HH-SCHED2 Heritage Buildings, Structures and Items, or sites and areas of significance to Māori listed in SASM-SCHED1 Wāhi Taonga and Wāhi Tapu. 3. The extent to which the reduction in the setback provides for the mitigation of the effects of natural hazards. 4. Reverse sensitivity effects. 5. Whether a reduced setback from boundaries with the rail corridor will enable the construction and maintenance of buildings, balconies, or decks to be undertaken without requiring access above, on, or over the railway corridor. 6. Effects on the accessibility of the space between buildings and the affected boundary for cleaning and maintenance, access for emergency services personnel, storage, and to keep the area free of vermin.		

<u>LLRZ-R6 Fencing</u>		
1. Any fence or freestanding wall is a permitted activity where:		
<i>Rule requirements</i>	<i>Comment</i>	<i>Compliance</i>
a) within 10m of any road boundary, it is:		
i. a maximum of 1.2m in height;	Fencing within 10m of the road boundary will be 1.8m in height.	No
ii. at least 50% visually permeable; and	Fencing within 10m of a road boundary will not be at least 50% visually permeable.	No
iii. of post and rail or post and wire fencing.	Fencing within 10m of a road boundary will not be post and rail or post and wire fencing.	No
b) on any internal boundary, it is:		
i. a maximum of 1.8m in height;	The 3m acoustic barrier to be established on the boundaries of specific lots will exceed the permitted heights for either a road boundary fence or internal fence.	No
ii. at least 50% visually permeable; and	Fencing within 10m of a road boundary will not be at least 50% visually permeable.	No
iii. of post and rail, post and wire, tennis court or swimming pool fencing.	There will be fencing within 10m of a road boundary that is not post and rail, post and wire, tennis court, or swimming pool fencing.	No

OUTCOME: Resource consent is required as a **restricted discretionary** activity (**LLR-R6.2**).

The exercise of discretion in relation to LLRZ-R6.2. is restricted to the following matters which are addressed at paragraphs 18.6 and 18.11 of the Substantive Project Assessment:

RESZ-MAT7 Fencing:

1. The extent to which passive surveillance opportunities are provided between the residential unit and the public space, or street.
2. The effects on the streetscape and whether adequate mitigation of adverse effects can be achieved through landscaping or alternative fencing design.
3. Where located in the Large Lot Residential Zone, the extent to which the fencing is compatible with the open and spacious character anticipated within this zone.
4. In the case of internal boundaries, to be of sufficient height to maintain privacy and/or security without adversely affecting the visual amenity or access to sunlight of adjoining land.
5. Necessary as an integral part of a recreational facility such as a swimming pool or tennis court.
6. Where located in the Medium Density Residential Zone, the extent to which the fencing will reduce the outlook space from habitable rooms.

PART 2 DISTRICT WIDE MATTERS – TRANSPORT

TRAN-R1: Works and Activities in a Land Transport Corridor

1. **Works and activities within a land transport corridor are a permitted activity where the following are met:**

Rule requirements	Comment	Compliance
a) they are undertaken by, on behalf of, or pursuant to authorisation from, a road controlling authority; or	Works within the land transport corridor will be undertaken with authorisation from NZTA.	Yes
b) they are being undertaken in accordance with an approved subdivision consent; or	Works are not being undertaken in accordance with an approved subdivision consent.	N/A

c) are subject to a designation listed in this District Plan;	Works are not subject to a designation.	N/A
And this activity complies with the following rule requirements:		
• TRAN-REQ1 Location of Works	All roads will be formed with an average slope less than 20o and a gradient of less than 1:6 vertical.	Yes
• TRAN-REQ19 Land Transport Infrastructure Formation Standards	None of the road designs comply with the maximum carriageway widths for the existing LLRZ.	No
• TRAN-REQ21 Road Formation in PREC6 - Rolleston Industrial Precinct	The Project is not located in PREC6 - Rolleston Industrial Precinct.	N/A
• TRAN-REQ24 Signage	All signs will be designed to comply with this requirement.	Yes
• TRAN-REQ25 Lighting	All lighting will be designed to comply with this requirement.	Yes
• TRAN-REQ26 Noise	All works will comply with this requirement.	Yes
• TRAN-REQ27 Water Body Setbacks	There is no qualifying 'surface water body' (as defined in the Plan) that forms part of the Project.	N/A
• NH-REQ4 Natural Hazards and Earthworks	The Project will not exacerbate flooding on any other property or divert floodwater on surrounding land, during either the construction or operational stage.	Yes
• NH-REQ6 Natural Hazards and Land Transport Infrastructure	The Project is not located within the Coastal Erosion Overlay.	N/A

ECO-REQG Earthworks and Ecosystems and Indigenous Biodiversity	The Project is not located within the Mudfish Habitat Overlay or within a Significant Natural Area.	N/A
OUTCOME: Resource consent is required under TRAN-REQ19.5 as a discretionary activity.		
<u>TRAN-R2 Creation of a New Land Transport Corridor</u> 1. The creation of a new or expansion to an existing land transport corridor is a permitted activity where the new or expanded land transport corridor:		
Rule requirements	Comment	Compliance
a) is to be vested or dedicated in the road controlling authority; and	The new or expanded land transport corridor will be vested or dedicated in SDC.	Yes
b) is not located within a ONL or VAL; and	The new or expanded land transport corridor is not located within a ONL or VAL.	Yes
c) is not located with a Site or Area of Significance to Māori; and	The new or expanded land transport corridor is not located within a SASM.	Yes
d) is not located within the Coastal Environment Overlay; and	The new or expanded land transport corridor is not located within the Coastal Environment Overlay.	Yes
e) is not located within a significant natural area; and	The new or expanded land transport corridor is not located within a significant natural area.	Yes
f) is not within a heritage item setting, or the area includes a heritage item; and	The new or expanded land transport corridor is not within a heritage item setting and the area does not include a heritage item.	Yes
g) area does not include a notable tree; and	The area does not include a notable tree.	Yes

h) does not result in a land transport corridor connecting to a state highway.	The Project will result in a land transport corridor being connected to the state highway.	No
And this activity complies with the following rule requirements:		
TRAN-REQ18 Land Transport Corridor Creation Standards	Road 1 exceeds the 25m maximum legal width (30-37m proposed).	No
TRAN-REQ20 Intersection Spacing	The Road 5 intersection with Bangor Road is currently within the 100km/h speed limit and is less than 800m from the Road 1 intersection (~510m provided). The Road 5 intersection with Bangor Road is less than 800m from the Clintons Road intersection (~775m provided). The spacing between intersections along Road 1 (Collector) and Roads 2, 3, 4, 7 11, 18, 22, and 23 are not 123m.	No
TRAN-REQ27 Water Body Setbacks	There is no qualifying 'surface water body' (as defined in the Plan) that forms part of the Project.	N/A
NH-REQ5 Natural Hazards and Infrastructure	The Project is not located within any of the listed areas.	Yes
NH-REQ6 Natural Hazards and Land Transport Infrastructure	The Project is not located within the Coastal Erosion Overlay.	N/A
OUTCOME: Resource consent is required under TRAN-RE18.2 and TRAN-REQ20.3 as a discretionary activity and restricted discretionary activity respectively.		

<u>TRAN-R4 Vehicle Crossings</u>		
5. The establishment of a vehicle crossing is a permitted activity where the vehicle crossing:		
Rule requirements	Comment	Compliance
i. is located in PREC6 - Rolleston Industrial Precinct and generates no more than 250vm/d; or	No vehicle crossing will be located in PREC-6 – Rolleston Industrial Precinct.	N/A.
ii. provides shared access to sites which cumulatively generate no more than 250vm/d; or	No vehicle access will generate more than 250vm/d. All sites are intended for single household residential use.	Yes
iii. otherwise provides access to a single site (outside PREC6 - Rolleston Industrial Precinct).		N/A.
And the activity complies with the following rule requirements:		
• TRAN-REQ2 Vehicle Crossing Access Restrictions	No vehicle crossings will be provided to an arterial road.	Yes
• TRAN-REQ3 Number of Vehicle Crossing	All sites (lots) created can be served by one vehicle crossing.	Yes
• TRAN-REQ4 Siting of Vehicle Crossings	Lots 116, 169, 410, 487, 516 & 666 cannot achieve a vehicle crossing with 45m sight distance because of their location on the inside of a curve.	No
• TRAN-REQ5 Vehicle Crossing Design and Construction	Vehicle crossing design and construction can comply with TRAN-TABLE6.	Yes

• TRAN-REQ6 Vehicle Crossing Surface	All vehicle crossings can be sealed for the full width and length.	Yes
OUTCOME: Resource consent is required under TRAN-REQ4.2 as a restricted discretionary activity.		
The exercise of discretion in relation to TRAN-REQ2.2 is restricted to the following matters which are addressed in paragraphs 18.14 – 18.29 of the Substantive Project Assessment and in the Integrated Transport Assessment: a) TRAN-MAT1.1 Visibility: Any effects on the visibility and safety of pedestrians, cyclists or motorists. b) TRAN-MAT1.2 Safety and Efficiency: Any effects, including cumulative effects, on traffic safety or the efficiency and effectiveness of land transport infrastructure. c) TRAN-MAT2.3 Site Access: Whether the site can gain access from another road that is not a State Highway or Arterial Road listed in APP2 – State Highway, Arterial and Collector Road Classifications List. d) TRAN-MAT2.4 Vehicle Crossing Design and Location: The design and location of the vehicle crossing or accessway. e) TRAN-MAT2.5 Number and Type of Vehicles: The anticipated number and type of vehicles, cycles, pedestrians or stock movements. The exercise of discretion in relation to TRAN-REQ4.2 is restricted to the following matters which are addressed in paragraphs 18.14 – 18.29 of the Substantive Project Assessment and in the Integrated Transport Assessment: a) TRAN-MAT1 Effects on the Wider Network: 1. Any effects on the visibility and safety of pedestrians, cyclists or motorists. 2. Any effects, including cumulative effects, on traffic safety or the efficiency and effectiveness of land transport infrastructure. 3. The outcome of any consultation with the New Zealand Transport Agency where the activity or works directly affect a State Highway. 4. The outcome of any consultation with KiwiRail where the activity or works directly affect the rail network. 5. Whether the physical form of the road will minimise any effect on access. 6. Any relevant crash history of the road in the vicinity of the site. 7. Any characteristics of a proposed activity or site that make compliance unnecessary, including expected traffic generation volumes and the types of vehicles. b) TRAN-MAT2 Vehicle Crossings and Accessways: 1. Any effects on the ease and safety of vehicle manoeuvring. 2. Whether the boundaries of a site support the formation of the vehicle crossing or accessway.		

3. Whether the site can gain access from another road that is not a State Highway or Arterial Road listed in APP2 – State Highway, Arterial and Collector Road Classifications List.
4. The design and location of the vehicle crossing or accessway.
5. The anticipated number and type of vehicles, cycles, pedestrians or stock movements.
6. Any visual effects on road design and amenity values from not forming the vehicle crossing or accessway to the specified standards.

TRAN-R5 Vehicle accessways

The establishment and use of an accessway is a permitted activity where the activity complies with the following rule requirements

<i>Rule requirements</i>	<i>Comment</i>	<i>Compliance</i>
TRAN-REQ7 Accessway Design, Formation and Use	Access to the Stage 1 lots to the immediate east of the primary entry to the Site will be shared by more than six sites so will not comply with TRAN-REQ7.14.	No
NH-REQ4 Natural Hazards and Earthworks	The accessway will not exacerbate flooding on any other property.	Yes

OUTCOME: Resource consent is required as a **discretionary** activity in accordance with **TRAN-REQ7.15**.

Novo Group considers that the proposed right of way providing access to the Stage 1 lots located to the immediate east of the primary entry to the Site from Bangor Road is sufficiently sized to enable two-way access to those lots and sufficient queuing space. The effects of the non-compliance with TRAN-REQ7.14 on the safe and efficient movement of vehicles within this part of the Site will therefore be acceptable.