

# HURUNUI DISTRICT COUNCIL

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8 November 2023

Franco Farms Property Limited  
C/- Fox and Associates Limited  
T Cook  
PO Box 895  
Christchurch 8140

Dear Tim

## Resource consent application - Decision

**Consent Number:** RC220154 & RC220155  
**Applicant:** Franco Farms Property Limited  
**Site Address:** 88 Argelins Road, Hanmer Springs  
**Proposal:** RC220154: 93 lot subdivision  
RC220155: To construct road reserves in breach of minimum legal width

Your resource consent application has been granted on a non-notified basis subject to the following conditions. A copy of the decision is enclosed for your information.

## CONDITIONS OF CONSENT

### CONDITIONS OF CONSENT – RC220154

#### General

- The subdivision shall proceed in general accordance with the plans prepared by Fox Associates (reference 5339D Sheets 1 and 3-5 Rev D, and Sheets 2 and 6-28 Rev C) and details submitted with the application and referenced as RC220154 in Council records.*
- Design and construction shall be in accordance with the requirements of the Hurunui District Plan and the Hurunui District Council Development Engineering Standard 2017 unless otherwise agreed by Hurunui District Council.*

#### Staging

- The subdivision shall be progressed in the following stages:*

<b>Stage</b>	<b>Lots to be created</b>	<b>Road / reserve to vest</b>
<b>1</b>	<i>Lots 1 – 38 and Lot 93</i>	<i>Lot 206 (Road 1, Road 3 part) Lot 207 (Argelins Road widening) Lot 200, 201, 202, and 203 (utility)</i>
<b>2</b>	<i>Lots 39 – 52 and 90-92</i>	<i>Lot 208 (Road 2, Road 3 part, Road 4 part, Road 5 part)</i>

		Lot 204 (amenity)
3	Lots 53 - 88	Lot 209 – 210 (Road 4 part, Road 5 part) Lot 205 (access)

### **Easements**

4. All services and accessways serving more than one lot, or traversing lots other than those being served and not situated within an existing or proposed public road, shall be protected by easements shown in a memorandum on the survey plan and duly granted and reserved. Easements over wastewater lines to be vested in Hurunui District Council and located within private rights-of-way, shall cover the entire width of the right-of-way.
5. The following easements on record of title CB35A/20 for Section 1 Survey Office Plan 18574 shall be surrendered:
  - (a) Easement Instrument 6144668.1 prior to the issuing of a certificate pursuant to section 224(c) of the Resource Management Act 1991 for Stage 1; and
  - (b) Easement Instrument 6280114.1 on the vesting of Lot 200 with Hurunui District Council.

### **Restrictions**

6. Any lot identified as TC2 shall have a TC2 style foundation, or a full geotechnical report will be required to support other foundation designs.
7. **Condition 6** shall be registered against the record of title for Lots 1 – 48; 53 – 62; 85 – 93.
8. No buildings shall be constructed within 20 metres of the Hanmer Fault Barn Fault Trace and Carpark Fault Trace as shown on the approved scheme plans.
9. **Condition 8** shall be registered against the record of title for Lots 19 – 21; 24 – 25; 45 - 46; 53 – 54; and 60 – 61.

### **Construction management**

10. The Consent Holder shall appoint a single representative who shall be responsible for liaising with Hurunui District Council, preparing engineering plans, monitoring, and supervising construction works, and certifying the works and as-built information. The Consent Holder's representative shall be suitably qualified and experienced and hold the relevant insurances. The person's name and contact details shall be provided to Hurunui District Council.
11. The hours of operation for construction activities shall be limited to 7am to 7pm Monday to Saturday (excluding public holidays).
12. All construction works shall proceed in accordance with the construction noise standard NZS 6803:1999 'Acoustics – Construction Noise'.

### **Engineering Plans**

13. Prior to commencement of any works the following shall be provided to and certified by Hurunui District Council for all stages of the development.
  - a) A surface water planning assessment as required by **Condition 21** below.
  - b) A stormwater system detailed design report, including drawings and calculations, demonstrating how the requirements of **Condition 18** will be satisfied.
  - c) Plans, specifications, and calculations showing all works including standard details.

- d) *A sediment and erosion control and dust management plan (including associated drawings showing proposed stockpile locations).*
- e) *Traffic management plans.*
- f) *Construction management plan.*
- g) *A quality management plan setting out construction and materials testing methodologies and inspection frequencies.*
- h) *A design certificate in the form of NZS 4404:2010 Schedule 1A.*
- i) *A detailed landscape planting plan.*
- j) *A street lighting proposal and plan (as prepared in consultation with Hurunui District Council and the power supply authority).*

#### **Earthworks**

- 14. *Measures shall be taken to minimise soil erosion and sediment discharge during all works associated with the development.*
- 15. *Windblown sand and dust associated with activities on the site shall not cause particulate material which is offensive and objectionable beyond the boundary of the site on which the consent is exercised. For the purposes of this condition, "offensive or objectionable" is to be determined having regard to intensity and duration of dust normally expected in a residential environment.*
- 16. *All earthworks filling over 300 mm deep shall be carried out in accordance with the requirements of NZS 4431:1989 Earthfill for Residential Development, with clean fill and controlled compaction.*
- 17. *In the event of accidental discovery or any disturbance of any koiwi (human skeletal remains), taonga, or artefact material, the consent holder shall follow the Heritage New Zealand Pouhere Taonga Archaeological Discovery Protocol (attached as Appendix A).*

#### **Stormwater**

- 18. *A stormwater treatment and attenuation system shall be provided that complies with Hurunui District Council's Hanmer global stormwater discharge consent (Canterbury Regional Council reference CRC173514).*
  - a) *The stormwater system shall include a treatment chain of grassed swales, piped network, first flush treatment basin, and attenuation pond.*
  - b) *The stormwater system shall include control structures/devices that attenuate developed site discharges to the requirements of CRC173514. Pond design shall provide for all weather vehicular access to control structures for maintenance.*
  - c) *Each lot shall be provided with a kerbside inspection box and kerb outlet or approved swale outlet and a 100 mm lateral terminating 1.0 m inside the main body of the lot to receive surface water run-off.*
  - d) *All stormwater infrastructure laid under roads, vehicle crossings, or rights-of-way shall be hardfill backfilled to subgrade level (with GAP65, pit run or similar approved granular material).*
  - e) *A stormwater management design report describing the operation and maintenance of the stormwater network including the attenuation pond, shall be submitted to the Hurunui District Council for certification along with the engineering plans.*
- 19. *The Consent Holder shall be responsible for all maintenance and operating costs of the stormwater attenuation pond for a minimum period of two years following the issue of the 224 certificate or following 90% of all residential lots within the subdivision having dwellings constructed and compliance*

*certificates issued under the Building Act 2004, whichever is the shorter period. The operation and maintenance of the utility areas shall be transferred to the Hurunui District Council following this period and approval of the performance and condition of the sites.*

*20. A CCTV survey shall be carried out on all new stormwater lines to be vested in Hurunui District Council.*

#### **Canterbury Regional Council Land Use Consents**

*21. Prior to any works commencing a surface water planning assessment shall be provided demonstrating how the requirements of Hurunui District Council and Canterbury Regional Council will be met.*

*a) The surface water planning assessment may include exercising Hurunui District Council global consents:*

- CRC 173514 To discharge operational phase and construction phase stormwater.*
- CRC 173518 To excavate land.*
- CRC 173519 To use land for works in the bed of a river.*

*b) When exercising Hurunui District Council global consents the consent holder shall be responsible for providing the requisite notifications and obtaining all necessary approvals from the Canterbury Regional Council and Te Rūnanga o Kāiōura on behalf of the Hurunui District Council. The information and notifications submitted under this condition shall be first approved by Hurunui District Council.*

#### **Wastewater**

*22. Each lot shall be connected to the Hanmer Springs wastewater network in accordance with the certified engineering plans.*

*23. The existing sewer within Argelins Road shall be realigned in accordance with the certified engineering plans.*

*24. Lots 1 to 11 shall be provided with gravity connections to Argelins Road sewer.*

*25. Gravity connections shall be 100 mm diameter, laid to a point at least 1 m inside the lot and at least 1.2 m deep. Where 1.2 m depth is not achieved notional on-site schematics shall be provided to demonstrate compliance with Building Code grades and cover.*

*26. Lots 12 to 93 shall be connected to the Council's wastewater network in Argelins Road via a low-pressure sewer (LPS) network.*

*27. The LPS network shall include roadside boundary kits for each lot and all necessary permanent or temporary pressure pipework, connections, and fittings to facilitate its operation and maintenance including flushing, air release and testing.*

*28. At the time of building consent, an approved private in-ground pump unit system (consisting of a heavy-duty E/One submersible grinder pump in an underground polyethylene tank, or similar system as approved by Hurunui District Council) shall be installed and connected to the roadside boundary kits to cater for wastewater disposal from Lots 12 – 93. The owner of each lot shall be responsible for all costs associated with the installation and on-going operation, repairs and maintenance of the system installed under this condition.*

*29. **Condition 28** shall be secured by consent notice registered on the records of title for Lots 12 to 93 on the plan of subdivision.*

*30. All wastewater infrastructure laid under roads, vehicle crossings, or rights-of-way shall be hardfill backfilled to subgrade level (with GAP65, pit run or similar approved granular material).*

*31. A CCTV survey shall be carried out on all new gravity wastewater lines to be vested in Hurunui District Council.*

## **Water**

32. Each lot shall be connected to the Hanmer Springs water supply network in accordance with the certified engineering plans and Water Application Number WS230089.
33. A 150 mm ID water main is required to connect between the existing 150 mm main on the western side of Argelins Road and the existing 200 mm main on the eastern side of Amuri Ave.

*NB: early development of Lot 92 'Future Retirement' may invoke the requirement to complete the 150 mm mains connection to Amuri Avenue prior to completion of Stage 3 of the subdivision.*

34. All water mains shall be PE pipe.
35. Lot connections shall be min DN20 diameter for roadside, and min DN25 for right-of-way, and include associated DRA70 type meter boxes and fittings (excluding meters).
36. All water infrastructure laid under roads, vehicle crossings or rights of way shall be hardfill backfilled to subgrade level (with GAP65, pit run or similar approved granular material), and ducted where necessary.

## **Roading**

37. Lots 206 - 210 shall be vested in Hurunui District Council as road.
38. Roads shall be constructed in accordance with the certified engineering plans, generally as follows:
  - a) General
    - i. Road and right of way widths and layout shall be in general accordance with submitted drawings Sheets 1, 3-5 Rev D, and 6-9 Rev C.
    - ii. Centreline radii shall be an absolute minimum of 20 m and shall provide for a minimum stopping sight distance of 40 m.
  - b) Footpaths
    - i. Footpaths shall be a minimum of 1.5 m width.
    - ii. Mobility crossings including tactile pavers shall be provided at intersections.
    - iii. Footpaths within road reserves, Argelins Road, and Lot 205, shall be constructed with a 100 mm thick layer 20 MPa concrete on a minimum of 75 mm AP20 on a suitable subgrade, unless otherwise approved by Hurunui District Council
    - iv. Concrete construction shall be in accordance with NZS 3109:1997 Concrete Construction
      - a. Surface finish shall be Class U5 (screeded, floated, then hard or soft broomed to provide shallow texture).
      - b. Path edges shall have a 50 mm width smooth trowelled finish free of mortar beading.
    - v. Concrete shall have a black oxide additive at a rate of 2kg/m<sup>3</sup> of concrete unless noted and agreed otherwise with the Hurunui District Council.
    - vi. All other footpaths shall be gritted construction of 0-7mm crusher dust over 75mm CAP 20 with timber batten edges.
  - c) Footpath/Cycleway
    - i. A 2.5m wide footpath/cycleway shall be provided through Lot 203 and 204 linking Road 1 with the existing public carpark to the north/east of the site.
    - ii. The footpath/cycleway shall be concrete as **Condition 38 b) iii-v** or timber ramp and railings where replacing existing timber boardwalk.

d) *Berms*

- i. *Grass berms shall consist of screened topsoil lightly compacted and raked to a minimum depth of 75 mm. The topsoil shall be free of clods, stones, and other debris. The areas shall be evenly sown with grass seed mix at a rate of 30 grams grass seed / square metre. The seeded surface shall be lightly rolled and watered.*

e) *Vehicle crossings*

- i. *Rights of way and access legs shall be provided with a vehicle crossing in accordance with the certified engineering plans.*

39. *Benkelman Beam testing shall be carried out on all roads and rights of way prior to surfacing. Tests shall comply with the Hurunui District Council Development Engineering Standard 2017.*

**Road naming**

40. *The consent holder shall provide suggested street and rights of way names to the Council in accordance with the Hurunui District Council Rural and Urban Addressing Policy February 2012. The applicant shall provide and install the street name signs.*

**Street Lighting**

41. *Approved LED Street lighting shall be installed in accordance with AS/NZS1158 and the certified engineering plans.*

**Power and telephone**

42. *Each lot shall be provided with the ability to connect to a telecommunications and electrical supply network at the road boundary of the lot.*

**Landscaping**

43. *Landscaping shall be established in accordance with the certified landscaping plans.*

**Reserves**

44. *Lot 200, 201, 202, and 203 shall be vested in the Hurunui District Council as local purpose reserve (utility).*
45. *Lot 204 shall be vested in the Hurunui District Council as local purpose reserve (amenity).*
46. *Lot 205 shall be vested in the Hurunui District Council as local purpose reserve (access).*

**Fencing**

47. *Open fencing, including a mowing strip, shall be constructed along the boundaries of any lot which adjoins a reserve to be vested in the Hurunui District Council (Lots 12; 14 – 21; 24 – 27; 34 – 36; 43 – 46; 53 – 61; 63 – 64; 72 – 73; 92 – 93).*
48. *A fencing covenant in accordance with **condition 47** shall be registered against the records of title for Lots 1 – 12; 14 – 21; 24 – 27; 34 – 36; 43 – 46; 53 – 61; 63 – 64; 72 – 73; 92 – 93 to ensure that Council is not liable for fencing costs adjoining any reserve. The Council Solicitor shall prepare the covenant and any costs of registration shall be met by the consent holder.*
49. *The road boundaries of Lots 1 – 11 shall be fenced with post and rail fencing.*

**Works inspections**

50. *Works inspections will be carried out to ensure the work is completed in accordance with the certified plans and specifications and to Hurunui District Council standards. These inspections will be undertaken by Council engineering staff for a fee as defined in Council's Schedule of Fees and Charges, payable by the Consent Holder. The Consent Holder shall notify Council at least two working days prior to*

*commencing various stages of the works to enable inspections to be carried out. Any other works directly associated with the development shall also be charged at the rates defined in Council's Schedule of Fees and Charges. The minimum level of inspection shall be as follows:*

- *Engineering/landscaping plan checking and certification – prior to commencement of works.*
- *Roads, rights of way and vehicle crossings:*
  - *following excavation to subgrade / prior to placement of sub-base metal.*
  - *following placement of sub-base metal / immediately prior to pouring of kerbs.*
  - *following compaction of basecourse metal / immediately prior to surfacing.*
- *Footpaths:*
  - *following excavation to subgrade / prior to placement of sub-base metal.*
  - *following compaction of basecourse metal / immediately prior to surfacing.*
- *Stormwater, wastewater, and water reticulation:*
  - *water or air pressure testing of pipes including laterals and manholes.*
  - *bedding / prior to backfilling of trenches.*
  - *disinfection and flushing of lines.*
- *Whole of works – prior to issue of a section 224(c) certificate.*

*Where additional inspections are required because of faulty workmanship or work not being ready contrary to the receipt of a notification, such inspections will be carried out for an additional fee, in accordance with Council's Schedule of Fees and Charges.*

### **Engineering Completion**

51. *On completion of works the following shall be provided to Hurunui District Council:*

- a) *Completion certificates in the form of NZS 4404:2010 Schedules 1B, 1C, and (for any filling over 300mm deep) 2A;*
- b) *Dimensioned A3 hard copy as-built plans (and an electronic copy in a suitable format showing all works and information as detailed in NZS 4404:2010 Schedule 1D and using NZTM2000 projection with levels to Lyttleton 1937 vertical datum. Plans shall be certified by a suitably qualified person stating that they are a true and accurate record of what has been constructed.*
- c) *Written confirmation from telecommunications and electrical suppliers that each lot has been connected to the respective networks.*
- d) *Copies of all quality assurance testing and inspection records, including CCTV footage of the new wastewater lines to vest in Hurunui District Council; and*
- e) *A schedule of quantities for all completed works to be vested in Hurunui District Council (to enable valuation of assets to vest and maintenance bonds).*
- f) *Written confirmation that all Canterbury Regional Council consent conditions have been satisfied.*

### **Maintenance Period**

52. *The Consent Holder shall be responsible for the maintenance of all subdivision and associated works for a period of 12 months following the date of the issue of the section 224(c) certificate. A bond equal to 5% of the cost of construction works as calculated under **condition 51(e)** shall be lodged with Hurunui District Council for the same period, and maintenance shall include repair of any damage or defects in any of the works or services, however caused, associated with the development of the subdivision.*

## **CONDITIONS OF CONSENT – RC220155**

There are no conditions of consent associated with the land use consent.

### **ADVICE NOTES**

#### ***Works inspections***

*Works inspections are an important component of the works. Please ensure contractors are aware of the inspection requirements outlined in this consent.*

#### ***Works Access Permit***

*A Works Access Permit needs to be obtained prior to any works commencing within the road reserve. This can be applied for online at [www.beforeudig.co.nz](http://www.beforeudig.co.nz) or by ringing 0800 248 344. Part of this process involves preparation and approval of a Traffic Management Plan.*

#### ***Building consent***

*A building consent may be required for aspects of this project. Please contact Hurunui District Council's building department on 03 314 8816 for further information and advice.*

#### ***Power and Telephone***

*There are often significant delays with getting telecom and power service provider approvals and signoffs. The consent holder is advised to contact the relevant service providers early on in the process.*

#### ***Development Contributions***

*Development Contributions are required to be paid for each new lot on the plan of subdivision or for each new unit of demand constructed. Development Contributions must be paid prior to the issue of a certificate pursuant to section 224 of the Resource Management Act 1991 for Development Contributions charged as part of a resource consent. These contributions are currently:*

##### *Reserves*

*\$620 for the Queen Mary Development*

*\$290 for Conical Hill Reserve Walkway Development*

*\$1,170 for Hanmer Springs Domain*

##### *Network Infrastructure*

*\$3,240 for District Sewer*

*\$1,630 for District Urban Water*

*Please note that a separate connection fee applies in addition to the above costs.*

##### *Community Infrastructure*

*\$590 for Hanmer Springs Medical*

*\$1,980 for Hanmer Springs Town Centre Development*

*resulting in a total of \$9,850 for each new unit of demand and*

*\$384,150 for Stage 1*

*\$167,450 for Stage 2*

*\$354,600 for Stage 3*

*and a total of \$906,200 for the subdivision (based on 92 new units of demand).*



*Note: The development contributions payable are those shown in the current Hurunui Long Term Plan (The Long Term Council Plan developed by the Hurunui District Council in compliance with the Local Government Act 2002).*

*While development contributions are not required to be paid until immediately prior to the issue of a certificate pursuant to section 224 of the Resource Management Act 1991, please note the following:*

- If a 224 certificate is applied for within 2 years of the subdivision approval, or the development contributions are paid within the above period, the development contributions payable are those indicated in the subdivision decision above.*
- If the development contributions are not paid within the two year period, then the development contributions payable are those indicated in the Hurunui Long Term Community Plan current at the time the 224 certificate is applied for. These may vary from those indicated above.*

### **Advice notes**

You are responsible for making sure you comply with the conditions of this resource consent and that you continue to do so, so the activity remains lawful.

Council officer time is charged as per Council's Fees and Charges in meeting and discharging the conditions of consent.

### **Start of the consent**

The date of this letter is the start date for your resource consent unless you lodge an objection against the decision. In this case the start date will then be the date the decision on the objection is determined.

### **Giving effect to your consent**

You have just received a resource consent decision for a subdivision. Outlined above are the conditions of consent you must meet in order to receive certification under section 224 of the Resource Management Act 1991. These conditions may relate to requirements regarding access-ways, rights-of-way, water, sewer, earthworks, landscaping, etc.

Please do not hesitate to contact the council about meeting your resource consent conditions and the associated auditing. We are here to help you. The Resource Management Act is complex, as can be the conditions for any resource consent. We will do our best to try to reduce any confusion.

Here is a brief explanation of the stages of your consent:

Stage 1: Subdivision consent issued subject to conditions.  
Valid for five years.

Stage 2: Title plan (Section 223 Certificate).  
Surveyor prepares a title plan, which is sealed by the Council. This is valid for three years from the date of the seal.

Stage 3: Complete the conditions of consent.  
Make sure that you read your notice of decision in full and understand the conditions of consent. Not only will you have to provide services to your subdivision but you must also comply with any audit conditions. Once you have met all your conditions contact your surveyor to apply for the conditions certificate.

Stage 4: Conditions certificate (Section 224 Certificate).  
Surveyor requests the conditions certificate (Section 224 Certificate). Council issues the certificate once all the conditions have been met.

Stage 5: Titles issued.  
Your solicitor organises the conditions certificate (Section 224 Certificate) and other documentation to be submitted to Land Information New Zealand for new titles to be issued.

**Lapse of consent**

Resource consents are granted to authorise an activity until the expiry date specified on the consent. If the date is not specified in the conditions of the consent, the consent will lapse five years after the start date. This is unless the consent is given effect to, or an application to extend the period is made to us before the consent lapses. To decide whether to grant an extension, we need to take into account these factors (according to section 125(1A) of the Resource Management Act 1991):

1. whether substantial progress or effort has been, and continues to be, made towards giving effect to the consent; and
2. whether you have obtained approval from persons who may be adversely affected by the granting of an extension; and
3. the effect of the extension on the policies and objectives of any plan or proposed plan.

A subdivision consent is given effect to when the subdivision survey plan has been submitted to us (section 223 of the RMA). If you don't do this within five years you will need to apply for an extension before the consent lapses. Otherwise a new application for resource consent will be required. The survey plan (section 223 certificate) will lapse after three years if it is not deposited in accordance with section 224 of the RMA.

**Your rights of objection**

If you do not agree with our decision to do with this non-notified resource consent, including, any of its conditions or fees that have been charged, you may lodge an objection. This must be received by us within 15 working days of when you have received this decision.

Please do not hesitate to contact me or a member of the planning team if you wish to discuss this decision.

Yours sincerely



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